

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 4508
OFFERED BY MR. KRISHNAMOORTHY OF ILLINOIS**

Strike sections 101 and 102.

At the end of title VII, add the following:

1 **SEC. 705. FORMULA GRANTS TO STATES TO IMPROVE HIGH-**
2 **ER EDUCATION OPPORTUNITIES FOR FOSTER**
3 **YOUTH AND HOMELESS YOUTH.**

4 Title VII (20 U.S.C. 1133 et seq.) is amended by
5 adding at the end the following new part:

6 **“PART E—GRANTS FOR IMPROVING ACCESS TO**
7 **AND SUCCESS IN HIGHER EDUCATION FOR**
8 **FOSTER YOUTH AND HOMELESS YOUTH**

9 **“SEC. 791. DEFINITIONS.**

10 “In this part:

11 “(1) FOSTER YOUTH.—The term ‘foster
12 youth’—

13 “(A) means an individual whose care and
14 placement is the responsibility of the State or
15 tribal agency that administers a State or tribal
16 plan under part B or E of title IV of the Social
17 Security Act (42 U.S.C. 621 et seq.; 670 et

1 seq.), without regard to whether foster care
2 maintenance payments are made under section
3 472 of such Act (42 U.S.C. 672) on behalf of
4 the individual; and

5 “(B) includes any individual—

6 “(i) whose care and placement was
7 the responsibility of such a State or tribal
8 agency when, or at any time after, the in-
9 dividual attained 13 years of age, without
10 regard to whether foster care maintenance
11 payments were made under section 472 of
12 such Act (42 U.S.C. 672) on behalf of the
13 individual; and

14 “(ii) who is no longer under the care
15 and responsibility of such a State or tribal
16 agency, without regard to any subsequent
17 adoption of the individual.

18 “(2) HOMELESS YOUTH.—The term ‘homeless
19 youth’ has the meaning given the term ‘homeless
20 children and youths’ in section 725 of the McKin-
21 ney-Vento Homeless Assistance Act (42 U.S.C.
22 11434a).

23 “(3) INDIAN TRIBE; TRIBAL ORGANIZATION.—
24 The terms ‘Indian Tribe’ and ‘tribal organization’
25 have the meanings given the terms in section 4 of

1 the Indian Self-Determination and Education Assist-
2 ance Act (25 U.S.C. 450).

3 “(4) INSTITUTION OF HIGHER EDUCATION.—
4 The term ‘institution of higher education’ has the
5 meaning given the term in section 101.

6 “(5) STATE.—The term ‘State’ means each of
7 the several States and the District of Columbia.

8 “(6) TERRITORY.—The term ‘territory’ means
9 Puerto Rico, United States Virgin Islands, Guam,
10 American Samoa, and the Commonwealth of the
11 Northern Mariana Islands, the Republic of the Mar-
12 shall Islands, the Federated States of Mironesia,
13 and the Republic of Palau.

14 **“SEC. 792. FORMULA GRANTS TO STATES TO IMPROVE AC-
15 CESS TO AND SUCCESS IN HIGHER EDU-
16 CATION FOR FOSTER YOUTH AND HOMELESS
17 YOUTH.**

18 “(a) GRANT PROGRAM ESTABLISHED.—From the
19 amount appropriated under subsection (h), the Secretary
20 shall make allotments under subsection (b), to States hav-
21 ing applications approved under subsection (c), to enable
22 each State to—

23 “(1) carry out the Statewide transition initia-
24 tive described in subsection (d); and

1 “(2) make subgrants described in subsection
2 (e).

3 “(b) ALLOCATIONS.—

4 “(1) FORMULA.—

5 “(A) RESERVATION FOR INDIAN TRIBES
6 AND TERRITORIES.—

7 “(i) IN GENERAL.—From the amount
8 appropriated under subsection (h) for a
9 fiscal year and subject to clause (ii), the
10 Secretary shall reserve—

11 “(I) not more than 3 percent for
12 grants to Indian Tribes, consortia of
13 Indian Tribes, or Tribal organiza-
14 tions; and

15 “(II) not more than 2 percent for
16 grants to territories.

17 “(ii) REQUIREMENTS.—In awarding
18 grants under this subparagraph, the Sec-
19 retary—

20 “(I) shall not award a grant
21 under subclause (I) or (II) of clause
22 (i) for a fiscal year for which no In-
23 dian Tribe (or consortium of Indian
24 Tribes) or Tribal organization, or ter-
25 ritory, respectively, submits a satisfac-

1 tory application for a grant under
2 such subclause;

3 “(II) shall require that any In-
4 dian Tribe, consortium, Tribal organi-
5 zation, or territory that receives a
6 grant under this subparagraph pro-
7 vide an assurance of a partnership
8 among relevant education, child wel-
9 fare, and homeless agencies or organi-
10 zations; and

11 “(III) may determine any other
12 requirements with respect to such
13 grants (including the allocation, appli-
14 cation, and use of fund requirements),
15 which to the extent possible, shall be
16 consistent with the requirements for
17 States under this part, except that ap-
18 propriate adjustments shall be made
19 based on the needs and size of popu-
20 lations served by the Indian Tribe,
21 consortium, Tribal organization, or
22 territory applying for the grant.

23 “(B) RESERVATION FOR DEPARTMENT AC-
24 TIVITIES.—From the amount appropriated

1 under subsection (h) for a fiscal year, the Sec-
2 retary may reserve—

3 “(i) not more than 7 percent to—

4 “(I) provide technical assistance,
5 in consultation with Secretary of
6 Health and Human Services, to
7 States carrying out activities under
8 this section; and

9 “(II) complete the evaluations re-
10 quired by subsection (g)(1); and

11 “(ii) not more than 3 percent for ad-
12 ministrative expenses.

13 “(C) ALLOCATIONS.—From the amount
14 appropriated under subsection (h) for fiscal
15 year and remaining after the Secretary reserves
16 funds under subparagraphs (A) and (B), the
17 Secretary shall allocate to each State the great-
18 er of—

19 “(i) \$500,000; or

20 “(ii) the amount that bears the same
21 proportion to the remaining appropriated
22 amount for such fiscal year as the number
23 of foster youth and homeless youth in the
24 State bears to the number of foster youth
25 and homeless youth in all States.

1 “(D) RATABLE REDUCTION.—If the
2 amount appropriated under subsection (h) for a
3 fiscal year and remaining after the Secretary
4 reserves funds under subparagraphs (A) and
5 (B) is less than the amount required to be allo-
6 cated to States under subparagraph (C), then
7 the amount of the allocation to each State shall
8 be ratably reduced.

9 “(2) STATE RESERVATION.—From the amounts
10 awarded a State under paragraph (1)(C) for a fiscal
11 year, the State may reserve not more than 5 percent
12 for administrative expenses.

13 “(3) TEMPORARY INELIGIBILITY FOR SUBSE-
14 QUENT PAYMENTS.—

15 “(A) IN GENERAL.—The Secretary shall
16 determine a State to be temporarily ineligible to
17 receive a grant payment under this subsection
18 for a fiscal year if—

19 “(i) the State fails to submit an an-
20 nual report under subsection (f) for the
21 preceding fiscal year; or

22 “(ii) the Secretary determines, based
23 on information in such annual report, that
24 the State is not effectively—

1 “(I) meeting the outcomes de-
2 scribed in the application of such
3 State under subsection (c)(2)(C), and
4 does not have a plan to improve the
5 outcomes;

6 “(II) monitoring and evaluating
7 the activities under subsections (d)
8 and (e); or

9 “(III) using funds as required
10 under subsections (d) and (e).

11 “(B) REINSTATEMENT.—If the Secretary
12 determines that a State is ineligible under sub-
13 paragraph (A), the Secretary may enter into an
14 agreement with the State setting forth the
15 terms and conditions under which the State
16 may regain eligibility to receive payments under
17 this section.

18 “(c) APPLICATIONS.—

19 “(1) IN GENERAL.—For each fiscal year for
20 which a State desires an allotment under subsection
21 (b), the State shall submit an application to the Sec-
22 retary at such time, in such manner, and containing
23 the information described in paragraph (2).

1 “(2) INFORMATION REQUIRED.—An application
2 submitted under paragraph (1) shall include the fol-
3 lowing:

4 “(A) A plan for how the State will carry
5 out the activities under subsections (d) and (e).

6 “(B) A description of the State’s capacity
7 to carry out such activities.

8 “(C) A description of intended outcomes
9 for such activities.

10 “(D) A plan for how the State will monitor
11 and evaluate such activities, including how the
12 State will use data to continually update and
13 improve such activities.

14 “(E) A description of how students will be
15 identified and recruited for participation in the
16 Statewide transition initiative under subsection
17 (d).

18 “(F) An estimate of the number and char-
19 acteristics of the populations targeted for par-
20 ticipation in the Statewide transition initiative
21 under subsection (d) with attention to the di-
22 verse needs of homeless youth and foster youth
23 in the State.

24 “(G) A description of how the State will
25 coordinate services provided under the grant

1 with services provided to foster youth and
2 homeless youth under the McKinney-Vento
3 Homeless Assistance Act (42 U.S.C. 11301 et
4 seq.), the Elementary and Secondary Education
5 Act of 1965 (20 U.S.C. 6301 et seq.), the Run-
6 away and Homeless Youth Act (42 U.S.C. 5701
7 et seq.), and other services provided to foster
8 youth and homeless youth by the State.

9 “(H) An assurance that the State will
10 comply with subtitle B of title VII of the
11 McKinney-Vento Homeless Assistance Act (42
12 U.S.C. 11431 et seq.).

13 “(I) An assurance that the State will part-
14 ner with State educational agencies, local edu-
15 cational agencies, institutions of higher edu-
16 cation, State and local child welfare authorities,
17 and other relevant organizations that serve fos-
18 ter youth or homeless youth.

19 “(J) An assurance that the State will sub-
20 mit the annual report required under subsection
21 (f).

22 “(K) A budgetary analysis of the use of
23 funds awarded under this section.

24 “(L) Such other information as the Sec-
25 retary may require.

1 “(d) STATEWIDE TRANSITION INITIATIVE.—

2 “(1) USE OF FUNDS.—Subject to subsection
3 (b)(2), and in consultation and coordination with the
4 entities described in paragraph (2) of this sub-
5 section, a State receiving a grant award under this
6 section shall use not less than 25 percent of the
7 funds to—

8 “(A) provide intensive outreach and sup-
9 port to foster youth and homeless youth to—

10 “(i) improve the understanding and
11 preparation of such youth for enrollment in
12 institutions of higher education;

13 “(ii) increase the number of applica-
14 tions to institutions of higher education
15 submitted by such youth; and

16 “(iii) increase the number of enroll-
17 ments at institutions of higher education;

18 “(B) provide education to foster youth and
19 homeless youth with respect to—

20 “(i) the benefits and opportunities of
21 postsecondary education;

22 “(ii) planning for postsecondary edu-
23 cation; and

1 “(iii) financial aid opportunities for
2 enrollment at an institution of higher edu-
3 cation;

4 “(iv) the Federal and State services
5 and benefits available to foster youth and
6 homeless youth while enrolled at an insti-
7 tution of higher education, including health
8 and mental health services;

9 “(v) career exploration; and

10 “(vi) financial literacy training, in-
11 cluding security from identity theft; and

12 “(C) assist foster youth and homeless
13 youth with submitting applications for—

14 “(i) enrollment at an institution of
15 higher education;

16 “(ii) financial aid for such enrollment;
17 and

18 “(iii) scholarships available for such
19 students, including under a State edu-
20 cational and training voucher program re-
21 ferred to in section 477(i) of the Social Se-
22 curity Act; and

23 “(D) provide free programming, which may
24 include free transportation to and from such
25 programming, for foster youth and homeless

1 youth to prepare such individuals socially and
2 academically for the rigors of postsecondary
3 education during the summer before such indi-
4 viduals first attend an institution of higher edu-
5 cation.

6 “(2) REQUIRED CONSULTATION AND COORDI-
7 NATION.—In carrying out the activities described in
8 paragraph (1), a State shall consult and coordinate
9 with State educational agencies, local educational
10 agencies, institutions of higher education, State and
11 local child welfare authorities, and other relevant or-
12 ganizations that serve foster youth or homeless
13 youth.

14 “(e) SUBGRANTS TO CREATE INSTITUTIONS OF EX-
15 CELLENCE.—

16 “(1) IN GENERAL.—Subject to the subsection
17 (b)(2), a State receiving a grant under this section
18 shall, acting through the administering State agen-
19 cy, use not less than 70 percent of the funds to
20 award, on a competitive basis, subgrants to eligible
21 institutions to enable such institutions to become in-
22 stitutions of excellence by improving college access,
23 retention, and completion rates for foster and home-
24 less youth as described in paragraph (3).

25 “(2) APPLICATION.—

1 “(A) IN GENERAL.—An eligible institution
2 desiring a subgrant under this subsection shall
3 submit an application to the State in which
4 such eligible institution is located, at such time,
5 in such manner, and containing such informa-
6 tion as the State may require.

7 “(B) TECHNICAL ASSISTANCE.—States
8 shall provide outreach and technical assistance
9 to eligible institutions with respect to applica-
10 tions for subgrants under this subsection.

11 “(3) ACTIVITIES.—An eligible institution that
12 receives a grant under this subsection shall use the
13 grant funds to carry out the following activities with
14 respect to homeless youth and foster youth:

15 “(A) Provide flexibility and assistance in
16 completing the application process to enroll at
17 such institution.

18 “(B) Coordinate programs with relevant
19 on- and off-campus stakeholders to increase the
20 enrollment of such youth at the institution and
21 align services at the institution for such youth.

22 “(C) Adjust the cost of attendance for
23 such youth at such eligible institution to include
24 the cost of housing during periods of non-enroll-
25 ment.

1 “(D) Provide institutional aid to such stu-
2 dents to meet the cost of attendance that is not
3 covered by other Federal or State educational
4 grants.

5 “(E) Provide outreach to such students to
6 ensure that such youth are aware of housing re-
7 sources available during periods of non-enroll-
8 ment.

9 “(F) Subsidize any fees for such students
10 associated with orientation and offer free trans-
11 portation to college orientation or move-in week.

12 “(G) Hire and provide training for at least
13 one full-time staff at the eligible institution to
14 serve as a point of contact to provide case man-
15 agement services and monthly face-to-face
16 meetings with students who are foster youth or
17 homeless youth. Such individual shall have an
18 advanced degree and at least two years of rel-
19 evant experience.

20 “(H) Establish or enhance campus support
21 programs to provide such students with a wide-
22 range of on-campus services including—

23 “(i) assistance with financial aid;

24 “(ii) career advice; and

25 “(iii) leadership development.

1 “(I) Ensure the availability of robust stu-
2 dent health services (physical and mental) that
3 meet the specific needs of foster youth and
4 homeless youth.

5 “(J) Establish or expand early alert sys-
6 tems to identify and support such students who
7 may be struggling academically.

8 “(K) Collect, review, and monitor data for
9 program improvement.

10 “(4) RELIANCE ON INSTITUTIONAL AID.—Any
11 institutional aid provided to a student under para-
12 graph (3)(D) by an eligible institution during the
13 grant period of the institution’s grant under this
14 section shall continue to be provided during the stu-
15 dent’s continuous enrollment at the institution, with-
16 out regard to whether the grant period ends during
17 such enrollment.

18 “(5) DEFINITIONS.—In this subsection:

19 “(A) ADMINISTERING STATE AGENCY.—
20 The term ‘administering State agency’ means a
21 State agency—

22 “(i) designated by the Governor or ex-
23 ecutive of the State to administer the sub-
24 grants under this subsection; and

1 “(ii) that, with respect to such State,
2 has jurisdiction over—

3 “(I) foster youth;

4 “(II) homeless youth;

5 “(III) elementary and secondary
6 education; or

7 “(IV) higher education.

8 “(B) ELIGIBLE INSTITUTION.—The term
9 ‘eligible institution’ means an institution of
10 higher education—

11 “(i) that is in partnership with—

12 “(I) the State child welfare agen-
13 cy that is responsible for the adminis-
14 tration of the State plan under part B
15 or E of title IV of the Social Security
16 Act (42 U.S.C. 621 et seq.; 670 et
17 seq.); and

18 “(II) an organization that serves
19 homeless youth (such as a youth shel-
20 ter or outreach program); and

21 “(ii) that may partner with any other
22 provider, agency, official, or entity that
23 serves foster youth and homeless youth, or
24 former foster youth and homeless youth.

1 “(f) STATE REPORTS.—For each year in which a
2 State receives an allotment under subsection (b), the State
3 shall prepare and submit a report to the Secretary that
4 includes—

5 “(1) each activity or service that was carried
6 out under this section;

7 “(2) the cost of providing each such activity or
8 service;

9 “(3) the number of students who received each
10 activity or service disaggregated by demographics;

11 “(4) using qualitative and quantitative analysis,
12 how the State—

13 “(A) improved access to higher education
14 for foster youth and homeless youth; and

15 “(B) measured youth satisfaction with ac-
16 tivities carried out under this part;

17 “(5) an analysis of the implementation and
18 progress of the Statewide transition initiative under
19 subsection (d), including challenges and changes
20 made to the initiative throughout the preceding year;

21 “(6) if, based on the analysis under paragraph
22 (5), the State determines that the program is not on
23 track to meet the intended outcomes described in the
24 application of the State under subsection (c)(2)(C),

1 a description of how the State plans to meet such
2 intended outcomes; and

3 “(7) information on the eligible institutions re-
4 ceiving subgrants, including how such institutions
5 used subgrant funds to carry out the activities de-
6 scribed in subsection (e)(3).

7 “(g) DEPARTMENT ACTIVITIES.—

8 “(1) EVALUATIONS.—Beginning on the date on
9 which funds are first allotted under subsection (b),
10 and annually thereafter, the Secretary shall evaluate
11 recipients of allotments and subgrants under this
12 section. The results of such evaluations shall be
13 made publicly available on the website of the De-
14 partment.

15 “(2) REPORT TO CONGRESS.—Not later than 1
16 year after the date on which funds are first allocated
17 under subsection (b), and annually thereafter, the
18 Secretary shall submit a report to Congress that in-
19 cludes—

20 “(A) the amount of each allotment under
21 subsection (b);

22 “(B) the amount of each subgrant under
23 subsection (e); and

1 “(C) with respect to the year for which
2 such report is made, the results of the evalua-
3 tions under paragraph (1).

4 “(h) AUTHORIZATION OF APPROPRIATIONS.—

5 “(1) IN GENERAL.—Subject to paragraph (2),
6 there are authorized to be appropriated to carry out
7 this part \$150,000,000 for fiscal year 2019 and
8 each of the 5 succeeding fiscal years.

9 “(2) ADJUSTMENT FOR INFLATION.—

10 “(A) IN GENERAL.—The amount author-
11 ized to be appropriated under paragraph (1) for
12 fiscal year 2020 and each of the 4 succeeding
13 fiscal years shall be deemed increased by the
14 annual adjustment percentage.

15 “(B) DEFINITION.—In this paragraph, the
16 term ‘annual adjustment percentage’, as applied
17 to a fiscal year, means the estimated percentage
18 change in the Consumer Price Index (as deter-
19 mined by the Secretary, using the definition in
20 section 478(f)) for the most recent calendar
21 year ending before the beginning of that fiscal
22 year.”.

