THE FOSTER CHILDREN SELF SUPPORT ACT, H.R. 6192

The Foster Children Self Support Act invests in foster children with disabilities and those who have lost one or both of their parents by requiring states to use the Social Security benefits of those children for their immediate and future needs rather than as a state revenue source. The Congressional Research Service estimates that states annually intercept at least $150 million in Social Security benefits from foster children. States are not required to use the money directly for the specific current or future needs of the child. Many children have no knowledge that they are eligible for or receiving these federal benefits; the agency simply applies on their behalf and starts receiving the funds as the child's representative payee. Yet the agency often allows these children to transition out of care without those benefits.

Over 20,000 foster children "age out" of care each year with little or no family or financial support. Private parents spend a median amount of $47,000 on their children after age 18 (between age 18 and age 34). By age 24, at least 66% of former foster youth have lived in at least 3 different places and 30% had lived in 5 or more places and 37% have been homeless. Only 48% of former foster youth were employed by age 24 compared with 76% of their peers. We must do more to ensure these youth have an opportunity to succeed.

The Foster Children Self Support Act will invest in the most vulnerable of these children by providing for their special needs and setting aside some of their Social Security benefits as a "nest egg" for when they emancipate from foster care. The legislation will:

- Ensure that all foster children are screened for Social Security (both Title II and XVI) eligibility and that potentially eligible children are assisted with the application process;
- Require child welfare agencies to notify the child's attorney or guardian ad litem of the child's eligibility for Social Security benefits;
- Create an Individual Development Account (IDA) for each child receiving benefits, where Social Security funds will be conserved to assist the youth secure housing, education, or job training after they emancipate from care;
- Develop and implement a "Plan for Achieving Self Support" that is specific to each child receiving Social Security benefits. The plan will be designed in collaboration with the agency, the child (on an age-appropriate basis), and the child's advocates with the goal of using the child's Social Security benefits to meet the child's current and future needs;
- Restrict state agencies from using a child's benefits as a general revenue source;
- Exclude conserved funds from the $2,000 resource limit under the SSI program, allowing children to conserve as much of their benefits as possible;
- Provide assistance to the youth to ensure that they maintain eligibility for benefits after they transition out of care.