CONGRESSIONAL RECORD—SENATE
November 19, 1999

AMENDMENT NO. 2797
Ms. COLLINS. Mr. President, I offer a substitute amendment on behalf of myself, Senator Roth, and Senator Moynihan. This is at the desk. I ask for its consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Maine [Ms. Collins], for herself, Mr. Roth, Mr. Moynihan, Mr. L. Chafee, and Mr. Reed, proposes an amendment numbered 2797.

(See text of amendment.)

The amendment (No. 2797) was agreed to.

Ms. COLLINS. Mr. President, I am delighted to offer the substitute amendment on this legislation on behalf of myself, Senator Roth, and Senator Moynihan. This amendment is also cosponsored by Senators Chafee, Breaux, Jeffords, Kennedy, Reed, Graham, Snowe, Gorton, Feinstein, Gregg, Landrieu, Bond, Levin, and Kerry. It is a revised version of the Foster Care Independence Act of 1999, which our beloved friend and late colleague, Senator John Chafee of Rhode Island, first introduced with Senator Rockefeller earlier this year.

I particularly commend the chairman and the ranking member of the Senate Finance Committee, Senator Roth and Senator Moynihan, for their leadership in negotiating and clearing this important bill so it could be sent to the President this year. Both have been long-time advocates for the well-being of foster children.

I also know Senator John Chafee would be so pleased that his son, Linc, is carrying on his efforts to help the well-being of foster children.

I thank the majority leader and the assistant majority leader for all of their work in helping us to bring this very important legislation to the Senate floor before we adjourn.

This legislation was very dear to the heart of Senator John Chafee. He recognized it as a rare opportunity to provide needed assistance to one of our Nation's most vulnerable groups, children in foster care programs. Senator Chafee was well known as a guardian of the rights of children, and he had a particular soft spot in his heart for children in foster care programs. He was a fierce advocate on their behalf. It was tremendously important to Senator Chafee that we complete consideration of this legislation this year.

This is why I am so proud this evening to be able to offer the substitute amendment as a tribute to Senator Chafee and to this commitment to help teenagers who are “aging out” of foster care.

Let me explain exactly what that means. Although practices vary from State to State, many foster children find themselves at risk of homelessness and being uninsured when they reach their 18th birthday. The families caring for them lose their financial assistance and the children themselves lose their health insurance coverage under the Medicaid program.

This can occur, even if the child is still in high school, even if the child has not yet graduated but has turned 18. Each year about 20,000 teenagers are forced to leave the foster care system simply because they have reached the age of 18. The legislation we are considering, the Foster Care Independence Program for room and board, would help remedy this very serious problem. It is similar to legislation that has already overwhelmed passed the House of Representatives.

Among other things, the legislation renamed the independent living programs for older foster children to be John H. Chafee Foster Care Independence Program. The legislation doubles the funding for States to assist young people in making the transition from foster care to independent living. It will double the funding from $70 million to $140 million a year.

The bill also provides access to needed health and mental health services for the teenagers who are “aging out” of foster care by encouraging States to extend Medicaid coverage to these young people until they reach the age of 21. Moreover, the legislation recognizes our moral obligation to provide special help for young people, age 18 to 21, who have left the foster care program.

The last hearing that Senator Chafee chaired was on the issue of foster care teenagers. I remember his discussing with me how deeply moved he was by a teenage girl who had to finish high school while living in a homeless shelter.

This legislation will help prevent these kinds of tragedies by requiring States to use some portion of their funds under the new John Chafee Independent Living Program for room and board for 18- to 21-year-olds who have left foster care. At the same time, the legislation also gives States greater flexibility in designing their independent living programs.

Senator Chafee and Senator Rockefeller brought together a lot of these older foster children to meet with a number of us who were interested in hearing their stories. We heard incredible hardships of teenagers who were trying to finish high school while coping with medical problems and the loss of their foster homes. One of them was living in laundromats, was brushing her teeth at a McDonald’s, was trying...
to keep her life together under very difficult circumstances.

This simply should not occur. This bill will go a long way to prevent such awful situations by making sure we are helping these teenagers, these young adults as they transition from foster care to independent living.

The Foster Care Independence Act will provide much needed support to vulnerable teenagers as they make the critical and always difficult, under the best circumstances, transition from adolescence to adulthood. It will greatly improve the lives of hundreds of thousands of young people who will move through the foster care system in future years. As such, it serves as a tremendous living tribute to the late Senator John Chafee, who was so committed to their care.

Mr. ROCKEFELLER. Mr. President, I urge my colleagues to join me in supporting this very important legislation.

Mr. ROTH. Mr. President, I rise in support of the bill now before the Senate, the Foster Care Independence Act of 1999.

Before I describe this bill, let me point out that this measure is a tribute to the late Senator John Chafee. This legislation was Senator Chafee’s last child welfare initiative in the Finance Committee. As members know, the well being of the nation’s youth, particularly the most disadvantaged, was very important to John.

This legislation will provide important assistance to the nation’s foster care children. Each year about 20,000 teenagers must leave foster care because they have reached the age of 18. They are then left to their own devices, to make a life for themselves, often with no one to rely on for emotional and financial support. Not surprisingly, these young people are more likely to quit school, be unemployed, have children out of wedlock, and end up on welfare or in jail.

With this bill, we show that this country has not forgotten these young people. As parents, we do certainly not cut off our children at 18. Indeed, children in foster care have more need than most for a helping hand if they are to succeed in adulthood. It is simply common sense and good policy to make a small investment to ensure that these young people become productive taxpayers citizens who can make contributions to society.

The Foster Care Independence Act doubles the money available to the States for the independent living program, from $70 million to $140 million per year. This program helps young people make the transition from foster care to self-sufficiency. The bill expands the program by providing former foster children between 18 and 21 assistance in preparing for further education, planning a career, or training for a job. These programs also offer personal support through mentors, as well as financial assistance and housing.

This bill encourages, but does not require, States to provide Medicaid to young adults who have left foster care. The bill also increases the amount foster children may save and still be eligible for foster care. Such savings will help prepare these young people for the day when they will be on their own.

Lastly, the bill includes a number of reforms that will reduce fraud in the Supplemental Security Income program. The SSI program is on GAO’s list of high risk programs.

A childhood spent in foster care is a big enough challenge. Let us help these children find a brighter future. I urge my colleagues to support this legislation in the memory of John Chafee.

Mr. ROCKEFELLER. Mr. President, I would like to rejoin my colleagues in support of the John H. Chafee—Foster Care Independence Act of 1999.

My friend and colleague John Chafee will be honored numerous times in the coming years for his extraordinary commitment to vulnerable young people. In 1997, she helped to focus much needed attention on the challenges facing teenagers who age out of foster care, and has challenged us to improve the system for such teens by expanding the Independent Living program.

I am keenly aware of the child welfare work that remains. I have worked closely this year with Senator GRASSLEY and understand the concerns that he has about the need for greater accountability and independent oversight for our nation’s child welfare system. Senator GRASSLEY believes that there is yet more that we can do to improve the foster care system, and he is advocating that every state establish Independent Foster Review Boards composed of volunteers. I have agreed with Senator GRASSLEY that this is a worthy endeavor and I am committed to continue working with him next year as we seek innovative and effective ways to better serve all of our nation’s abused and neglected children.

In addition to Senator GRASSLEY’s concerns, there are other issues in child welfare that need continued work. That is why I have also worked with Senators DEWINE, LANDRIEU, and others on a bill that will strengthen our child abuse and neglect courts, and another that will ensure that all abused and neglected children with special needs are eligible for adoption subsidy. These are just a few of the steps we need to take in 2000 and beyond.

While we still have much to do, we have made some progress. I am pleased to learn that one of the desired outcomes of the 1997 Adoption Act, moving children more swiftly from foster care into permanent homes, has begun to become a reality. Adoptions throughout the country are up dramatically, far exceeding expectations. In September, the President announced that 35 states had exceeded their goals for adoption placements and received bonus payments as a result. This is wonderful news for America’s foster children.

Yet, at the same time, it’s disturbing to know that approximately 20,000 young people each year who turn 18 and “age out” of the foster care system suddenly face the cold and often cruel consequence of no home, no family, no medical coverage and no system of support in place. In my own state of West Virginia, only 185 of the more than 1000 foster children over the age of 16 were able to get additional help through the state’s Independent Living program.

A Wisconsin state study shows that 18 months after leaving foster care, over one-third of the teens leaving foster care had not graduated from high
school, half were unemployed, nearly half had no access to or coverage for health care, and many were homeless or victims of sexual exploitation. These are not just numbers, each of these statistics represents a real person, like the young people who testified before the Finance Committee, Terry and Percy.

When Percy turned 18 she was still in high school. She quickly became homeless, and shared with us the horrifying stories of sleeping in alleys, laundrymats and hospital waiting rooms, brushing her teeth in MacDonald’s restrooms so she could complete high school. She developed several medical problems including chicken pox and kidney problems for which she had no access to health care. Her problems worsened, and today, she has permanent kidney damage as a result of the lack of care.

Like Terry, Percy aged out of foster care while still in high school. He did not become homeless, thanks to the support of a local Independence Living program. He was assisted in obtaining an apartment and a job. Still, it was a big challenge to be totally on his own while still finishing school. He graduated and was motivated to go to college, but soon had to drop out because of his lack of health care coverage. Today, Percy is a successful and popular police officer, who still has a dream of finishing college one day.

This legislation before the Senate will provide resources and incentives to states so that fewer of our young people will become stories as horrific as Terry’s, and more will receive the types of support that Percy received.

One of the most significant provisions of the 1997 Adoption Act was the assurance of health care coverage for all children with special needs who move from foster care to adoption. This bill will establish, the John H. Chafee Foster Care Independence Program, as the essential next step to expand vital access to health care for vulnerable youth. This important legislation will make it possible for health care coverage for our foster care youths not to end when they turn 18.

Young people who have survived the many traumas that led to their placement in foster care, and their journey through the foster care system often have special health care needs, especially in the area of mental health. Providing transitional health coverage at this crucial juncture in their lives can make the difference between successfully moving on to accomplish their goals, or becoming stuck in an unsatisfying and unhealthy way of life.

Another key focus of the 97 Adoption Act is on moving children from foster care to adoptive families, before they become too old for possible adoption. Older teens in foster care have a great need for a permanent family. Although we propose to improve the Independent Living program and increase eligibility for services to the age of 21, it does end at that time. And yet a youth’s need for a family does not end at any particular age. Each of us can clearly recall times when we have had to turn to our own families for advice, comfort or support long after our 18th or 21st birthdays. Many of us are still in the position of providing such support to our own children who are in their late teens or 20s.

Therefore, an important provision in this Foster Care Independence Act states that Independent Living (IL), programs are not alternatives to permanency planning—young people of all ages need and deserve every possible effort made towards permanence, including adoption. It would be counter-productive to create any disincentive to adoption of teenagers. Therefore, our legislation would allow any enhanced independent living services to be carried out concurrent with adoption services for older teens, and involves adoptive parents in assisting these teens in becoming successfully independent.

Independent Living programs were designed to provide young people with training, skill-development and support as they make the transition from foster care to self-sufficiency. In some states, with creativity and innovation, these programs have seen remarkable success in that effort. In other localities, the programs have provided minimal support, and young people have faced an array of challenging life decisions and choices without the skills or support to make them successfully.

This bill will provide the resources to improve Independent Programs so that they can achieve their goals. Funding is provided for national evaluation and for technical assistance to states to promote quality, and reports back to Congress so we can follow the progress of their efforts.

These will be valuable steps in our efforts to more effectively address the needs of our Nation’s most vulnerable young people, on the brink of adulthood. I urge my colleagues to join us in passing this bill for foster teens and in memory of John Chafee’s long career dedicated to the children and others in need of his immense dedication and caring heart.

Mr. MOYNIHAN. Mr. President, some 4 months ago I was proud to co-sponsor this legislation when it was introduced by the late Senator John Chafee. I am prouder today that we are passing it. I am saddened, though, that he is not here with us to see it happen.

This legislation is typical of the work of Senator Chafee. It helps disadvantaged, often forgotten, children—those who are victims of abuse and neglect and have to be taken into foster care. It helps our children be taken care of and will help expand small-scale efforts already on the ground. And it is bipartisan, representing a consensus on how to move forward now. In particular, this bill will help a group of our children in dire circumstances—foster children who leave foster care because they are not adopted because they are reunified with their birth families or are adopted. About 20,000 children a year “age out” of the foster care system. They reach 18 and we, in large part, abandon them to the world. Many make their way successfully. But far too many, alas, do not, and these children are more likely to become homeless or end up on public assistance.

More than a decade ago, we recognized that these children needed additional help in preparing for life on their own. I am proud to have helped create the Independent Living program, which provided Federal support for efforts that prepare teenagers for the transition from foster care to independence.

The bill will double funding for the Independent Living program and increase the use of the funds to assist former foster care children until they reach 21, including, for the first time, help with room and board. As any parent knows, many 18- and 20-year-olds remain in need of family support from time to time. For children who have “aged out” of foster care by turning 18, the government is, in effect, their parent and we should do more to help them become independent and self-sufficient, just as other parents do.

This legislation has widespread support, including from the administration and key members of both parties. I would like to particularly thank the First Lady for her leadership in working on behalf of these children. Senator ROCKEFELLER and Chairman ROTH have been important as well. But, above all, I thank the late Senator Chafee.

Mr. REED. Mr. President, I rise to join Senators ROTH, COLLINS, LINCOLN, ROCKEFELLER and Chairman ROTH have in support of the Foster Care Independence Act.

The Foster Care Independence Act, a top priority of the late Senator John Chafee, addresses the needs of children aging out of the foster care system who are facing the loss of critical support and benefits at a point when they most need them.

Nationally, an estimated 20,000 foster care youths “age out” of the system each year. In my home state of Rhode Island, approximately 30 percent of all children currently in foster care are older and will soon be leaving the system.

When these young people leave the foster care system, they often find themselves on their own with few financial resources; limited education, training and employment options; no place to live; and little or no support from families or others in their community.

The vulnerability of this population cannot be overstated. Studies show that those leaving foster care experience higher rates of unemployment and
illegitimate pregnancies and are more likely to fall victim to crime. Indeed, twenty-one-year-old forty percent of young adults transitioning from foster care experience homelessness; only about half have completed high school; and less than half find jobs.

Without the emotional, social, and financial support families provide, many of these young adults are not adequately prepared for life. If we do not arm them with the resources and skills they need as they transition out of foster care, we are sentencing these kids to failure and chronic dependency. We may see them again and again—on our welfare rolls, in our prisons, living on our streets. We do not want that legacy for any of our children, particularly when we know how to prevent such tragedies from happening in the first place.

I am proud to be an original cosponsor of the Senate's Foster Care Independence Act, which will help these young adults make a strong and sustainable transition to independent adulthood by expanding resources available through the Independent Living Program; allowing states to use Independent Living funds for basic living needs, including room and board; and allowing states to provide health care, including coverage of mental health needs, through Medicaid.

It is fitting that this legislation also renames the Independent Living Program after Senator John Chafee who worked so long on this issue and so hard on this legislation.

I am confident, however, that Senator Chafee would have said that we need to do more for these young people. He advocated strongly for requiring states to provide health care to those aging out of foster care, including coverage of mental health needs, through Medicaid.

Along with my father, your efforts will provide assistance to one of our nation's most vulnerable groups: older children in this country.

Currently, Independent Living Programs for older foster children ended at their 18th birthday, abandoning these teens in the middle of a critical transition period from adolescence to adulthood. Sadly, these young people are left to negotiate the rough waters of adulthood without vital health and mental health resources and critical life-skills.

However, this legislation will cushion this usually abrupt transition by funding Independent Living Programs for foster children through their 21st birthday. It also provides states the option to extend health and mental health care benefits to these youngsters until age 21 or until one of the most vulnerable specifies a minimum grant of $500,000 for smaller states like Rhode Island to provide such benefits.

Before he died, my father learned first-hand of the need for this legislation when several older foster care children who had "aged-out" of the system testified before his Finance Subcommittee. These youngsters told moving stories; sleeping outdoors, eating out of dumpsters, and accepting the charity of their teachers to pay for medical bills because they were too old to remain in an Independent Living Program or a foster family. As a result, many of his Senate colleagues and First Lady Hillary Clinton cheered him on in his efforts to enact this legislation.

Indeed, ensuring that the most vulnerable members of our society received basic human dignity guided my father for his years of public service. Bipartisanship was also a watchword he live by. This bill encompasses both of these noble qualities and I know he would be honored by the passage of this legislation today. I urge my colleagues to join me in supporting this important measure.

Mr. GRASSLEY. Mr. President, I rise today to discuss the critical issue of foster care. Today, there are more than 500,000 children and teens in our nation's foster care system. These children represent vulnerable segments of our population: Children who have been taken from unsafe homes, and children who have suffered from abuse and neglect. This group of children deserves all the love and attention of a loving, caring and permanent family. Foster care is not permanency. I repeat, foster care is and should not be viewed as permanency for children.

Unfortunately, some youth in foster care—are estimated at 20,000 each year—are not placed in a permanent, safe home before they are graduated from the child welfare system. These youth are expected to be self-sufficient, in many States at the age of eighteen. Foster care independent living programs, also known as ILPs, were initially introduced in 1985 in an effort to provide this segment of the foster care population with the skills necessary for self-sufficiency. States have flexibility in the type of services they provide to their older foster youth; some options include assistance in locating employment, help in completing high school, or training in budgeting and other living skills.

The results of ILPs have been, at best, mixed. Two weeks ago, the Government Accounting Office released a report entitled "Effectiveness of Independent Living Services Unknown." GAO conducted a study of ILPs at the request of House Ways and Means Subcommittee on Human Resources Chairman Joe Pitts and John Johnson. As the GAO report reveals that only one national study has been completed to date, and the study determined that ILPs have the "potential to improve outcomes for youths.

The study went on to say that "while ILP programs are tasked with implementing the implementation of ILP, it has done little to determine program effectiveness and has no established method to review the states' progress in helping youths in the transition from foster care." The GAO report recommends that the Secretary of HHS develop "a uniform set of data elements and a report format for state reporting... and concrete measures of effectiveness of assessing state ILPs.

I have, for a number of years, been concerned about the issue of accountability within the child welfare system. And, the GAO report supports my belief that more explicit information is needed from the States and HHS in an attempt to collect uniform data from the States. However, there is great leeway provided the Secretary in developing such measures and States are not required to improve upon their own past performance. The Foster Care Independence Act, as passed by the Senate, does require the Secretary to report within 12 months her plans and timetable for collecting data and developing standards for the States. Rest assured, I will be watching. And, I will do whatever is required of me to ensure that our nation's foster youth are provided...
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with the most effective and worthwhile services their State agencies can provide.

Accountability is critical in any human undertaking. It provides an environment for those doing well to be commended and recognized. And, it sheds light on those acting irresponsibly. We in Congress have the responsibility to see that taxpayer money is spent wisely. I see a no more critical responsibility than in ensuring States are responsibly spending money on vulnerable youth in foster care.

November is National Adoption Month. Earlier this month, I joined my colleagues with the Congressional Coalition on Adoption in celebrating those who have made a difference through adoption. I was able to honor three worthy individuals from the great State of Iowa: Ruth Ann Gaines and Jeff and Earletta Morris. Ruth Ann adopted an autistic boy more than 14 years ago, and the Morrices adopted a teenager just over a year ago. I am grateful to their efforts and heartfelt belief in the value of family, and I am glad to announce them "Angels in Adoption."

In closing, I want to reafirm my commitment to finding permanent, loving families for each boy and girl currently without a loving and safe home. I am disappointed the Foster Care Independence Act did not contain more provisions supporting permanency. However, I will continue my efforts in support of permanency for children in foster care. Among others, Congresswoman NANCY JOHNSON has given me her word that she will work with me to improve accountability in the child welfare system. I look forward to working with all my colleagues in the next session to that end.

Ms. COLLINS. Mr. President, I ask unanimous consent that the bill be read a third time and passed, as amended, as filed reported legislative and executive matters.

The PRESIDING OFFICER. The Chair announces on behalf of the majority leader of the Senate, and the minority leader of the Senate, that notwithstanding the adjournment of the Senate, committees have from 11 a.m. until 1 p.m. on Tuesday, December 7, and on Friday, January 7, in order to file reported legislative and executive matters.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONVENING THE SECOND SESSION OF THE 106TH CONGRESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate turn to the resolution convening the second session of the 106th Congress, House Joint Resolution 85, that the resolution be read a third time and passed and the motion to reconsider be laid upon the table, all without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. 85) was read the third time and passed, as follows:

H.J. Res. 85
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DAY FOR CONVENING OF SECOND SESSION OF ONE HUNDRED SIXTH CONGRESS

The second regular session of the One Hundred Sixth Congress shall begin at noon on Monday, January 24, 2000.

SEC. 2. ADDITIONAL SESSION PRIOR TO CONVENING.

If the Speaker of the House of Representatives and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House of Representatives and the Minority Leader of the Senate, determine that it is in the public interest for the Members of the House of Representatives and the Senate to reassemble prior to the convening of the second regular session of the One Hundred Sixth Congress as provided in section 1—

(1) the Speaker and Majority Leader shall so notify their respective Members; and

(2) Congress shall reassemble at noon on the second day after the Members are so notified.

MEASURE PLACED ON THE CALENDAR—S. 1982

Ms. COLLINS. Mr. President, I ask unanimous consent that S. 1982 be placed on the Calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING STEPHEN G. BAILE, KEEPER OF THE STATIONERY

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 240, submitted earlier today by Senators LOTT and DASCHLE.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislation clerk read as follows:

A resolution (S. Res. 240) commending Stephen G. Bale, Keeper of the Stationery, United States Senate.

There being no objection, the Senate proceeded to consider the resolution.

Mr. LOTT. Mr. President, on December 31, 1999, Steve Bale will retire as Keeper of the Stationery for the United States Senate.

Steve began his Senate career in November 1969 as a clerk in the Stationery Room. In July 1980, he was appointed Assistant Keeper of the Stationery, and in September 1987, assumed the responsibilities as the 16th Keeper of the Stationery.

In this capacity, Steve has directed a busy operation, successfully serving a client base that now spans over 240 offices and five buildings. His leadership of the recent renovations to the Stationery Room has ensured that the office will function efficiently, well into the 21st century.

In his 30 years of public service, Steve has set a standard among his associates for commitment to excellence and dedication to personal service. According to his staff, one of Steve’s favorite expressions is, “In this business, one ‘oops’ can wipe out fifteen ‘attaboys’!” The standard of excellence he set will benefit the Senate for years to come, as the associates he leaves behind continue in the tradition of the principles he espoused.

Steve Bale should enter his retirement with tremendous satisfaction for all he has accomplished. I am pleased to join so many others in thanking him for his long and faithful service and in wishing him health and happiness in the years to come.

Mr. DASCHLE. Mr. President, Steve Bale is one of those individuals who serve faithfully and diligently over many years to ensure that the United States Senate functions efficiently and effectively. All Senators know and appreciate the members of the Senate community who share their pride in public service and commitment to the Senate. We know we could not do our jobs without the dedication of people such as Steve Bale.

Steve began his career in the Senate in 1969 as an employee of the Stationery Room under the jurisdiction of