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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R.

To temporarily preserve eligibility for foster care benefits, and suspend certain education and work requirements, for youth who would otherwise age out of eligibility for the benefits during a health emergency or disaster declared with respect to the coronavirus pandemic, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. BASS (for herself, Mr. BACON, Mr. LANGEVIN, Mrs. LAWRENCE, and Mr. MITCHELL) introduced the following bill; which was referred to the Committee on _____

A BILL

To temporarily preserve eligibility for foster care benefits, and suspend certain education and work requirements, for youth who would otherwise age out of eligibility for the benefits during a health emergency or disaster declared with respect to the coronavirus pandemic, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Pandemic Protection
3 for Transition-age Foster Youth Act” or the “Pandemic
4 Protection Act”.

5 **SEC. 2. TEMPORARY PRESERVATION OF ELIGIBILITY FOR**
6 **FOSTER CARE BENEFITS, AND SUSPENSION**
7 **OF CERTAIN EDUCATION AND WORK RE-**
8 **QUIREMENTS, FOR YOUTH WHO WOULD OTH-**
9 **ERWISE AGE OUT OF ELIGIBILITY FOR THE**
10 **BENEFITS DURING A HEALTH EMERGENCY**
11 **OR DISASTER DECLARED WITH RESPECT TO**
12 **THE CORONAVIRUS PANDEMIC.**

13 (a) IN GENERAL.—During the applicable period—

14 (1) a State, Indian tribe, tribal organization, or
15 tribal consortium operating a program under a plan
16 approved under part E of title IV of the Social Secu-
17 rity Act shall not deny a foster care benefit to an
18 eligible youth; and

19 (2) section 475(8)(B)(iv) of such Act shall have
20 no force or effect.

21 (b) FEDERAL PAYMENTS.—For purposes of part E
22 of title IV of the Social Security Act, foster care mainte-
23 nance payments made by such a State, Indian tribe, tribal
24 organization, or tribal consortium for the benefit of an eli-
25 gible child in compliance with subsection (a) of this section

1 shall be considered to be made under section 472 of such
2 Act.

3 (c) DEFINITIONS.—In this section:

4 (1) APPLICABLE PERIOD.—The term “applica-
5 ble period” means the period that begins on the date
6 the Secretary of Health and Human Services de-
7 clared, pursuant to section 319 of the Public Health
8 Service Act, the public health emergency entitled
9 “Determination that a Public Health Emergency
10 Exists Nationwide as the Result of the 2019 Novel
11 Coronavirus”, and ends 3 months after the later
12 of—

13 (A) the date the public health emergency
14 so declared terminates; or

15 (B) the end of the period covered by—

16 (i) the emergency declaration issued
17 by the President on March 13, 2020, pur-
18 suant to section 501(b) of the Robert T.
19 Stafford Disaster Relief and Emergency
20 Assistance Act (42 U.S.C. 5191(b)); and

21 (ii) any subsequent major disaster
22 declaration under section 401 of the Rob-
23 ert T. Stafford Disaster Relief and Emer-
24 gency Assistance Act (42 U.S.C. 5170)
25 that supersedes the emergency declaration

1 referred to in clause (i) of this subpara-
2 graph.

3 (2) ELIGIBLE YOUTH.—The term “eligible
4 youth” means, with respect to a foster care benefit,
5 a child who, as of January 1, 2020, was in foster
6 care under the responsibility of a State or an Indian
7 tribe or was a youth receiving any benefit under sec-
8 tion 477 of the Social Security Act, and who, in the
9 absence of this section, would become ineligible for
10 the benefit during the applicable period by reason of
11 age.

12 (3) FOSTER CARE BENEFIT.—The term “foster
13 care benefit” means—

14 (A) foster care under the responsibility of
15 a State or an Indian tribe;

16 (B) foster care maintenance payments
17 under section 472 of the Social Security Act;
18 and

19 (C) any benefit under section 477 of such
20 Act.