

## Inside this Issue:

- ❑ House Appropriations Committee Approves CAPTA Increase
- ❑ House Introduces Child Welfare Financing Bill (H.R. 4856)
- ❑ Advocating for Prevention in an Election Year
- ❑ Senators Clinton and Snowe Introduce Kinship Caregiver Support Act
- ❑ Congressman DeLay Introduces Interstate Placement Bill
- ❑ Useful Resources for Advocates

## ***House Appropriations Committee Approves CAPTA Increase***

On July 14, 2004, the House Appropriations Committee approved a spending bill that includes 30% funding increases for CAPTA state grants and community-based prevention grants. The full House has yet to consider the measure.

The House Labor-HHS-Education Subcommittee recommended on July 8<sup>th</sup> that funding for CAPTA state grants (title I) be increased to \$28.5 million in FY05 from \$22 million in FY04, and that CAPTA community-based grants (title II) grow from \$33 million to \$43 million. The full Appropriations Committee approved these subcommittee recommendations a week later.

As you may recall, the President's budget for FY05 requested that funding for CAPTA state and community-based programs be nearly doubled. The President also requested that the Promoting Safe and Stable Families (PSSF) program be fully funded at \$505 million. As is typically the case, House appropriators deviated some from the President's recommendations. For example, the House committee provided only a slight increase of \$5.6 million for Promoting Safe and Stable Families for FY05.

### **FUNDING AMOUNTS (IN MILLIONS) FOR SELECTED PROGRAMS HOUSE LABOR-HHS-ED APPROPRIATIONS COMMITTEE BILL**

Program	FY2004 Actual	FY2005 President's Budget Request	FY05 House Labor-HHS Committee
CAPTA State Grants	\$21.9	\$42	\$28.5
CAPTA Community-Based Grants	\$33.2	\$65	\$43.2
CAPTA Discretionary R & D	\$34.4	\$26	\$26.3
Promoting Safe & Stable Families	\$404	\$505	\$410
Social Services Block Grant	\$1,700	\$1,700	\$1,700

Because budget allotments have been especially tight this year, it is noteworthy that the House Labor-HHS-Ed Committee approved \$16.5 million in new funds for CAPTA state and community-based grants. It has been nearly a decade since these CAPTA programs have been significantly increased.



PCA America would like to thank to all of you who generated support for these increases by contacting your legislators. Please remember to thank them for their support.

PCA America will continue to update you as the FY05 appropriations cycle unfolds. The full House is expected to take up the Labor-HHS-Education bill after the August recess. Senate appropriations markups, expected in July, have been delayed due to pre-election politics and the absence of a formal budget resolution. Upon reconvening after Labor Day, Senate leaders may try to push an omnibus appropriations bill through the chamber – with or without the Labor-HHS bill. It is unclear at this time whether final funding levels for these programs will be determined before the November 2<sup>nd</sup> election, or whether a lame duck Congress will be able to complete work on appropriations by the end of the year.

## ***House Introduces Child Welfare Financing Bill (H.R. 4856)***

As reported in previous editions of *Prevention Advocate*, federal financing of child welfare systems has received considerable attention on Capitol Hill in recent months. The Bush Administration has proposed a partial block grant of the title IV-E foster care program in its last two budget requests. The House Ways and Means Committee has held several hearings over the past year to discuss high profile child welfare cases, as well as lackluster state systems performance as measured by Child and Family Service Reviews. In May, after a year of deliberation and analysis, the Pew Commission on Children in Foster Care released a series of recommendations for financing child welfare systems and juvenile court reform. Representative Wally Herger (R-CA) and colleagues on the Human Resources Subcommittee of the House Ways and Means Committee have now put forth a legislative proposal designed to address shortcomings in the current child welfare financing arrangement.

The Child SAFE Act (H.R. 4856), which incorporates elements of both the Bush Administration's proposal and the Pew Commission report, was introduced by a group of Republican congressman on July 23<sup>rd</sup>. Following is a brief summary of the bill's major provisions:

- 1. Funding for the Title IV-E Foster Care Program Capped:** All children placed in foster care are made eligible for title IV-E reimbursement regardless of income level, but the formerly open-ended entitlement is instead capped based on historical utilization. In order to make the expanded eligibility cost neutral, the federal match for foster care maintenance payments is lowered by 35%. The proposal allows states access to the TANF contingency fund if there is a precipitous increase in the size of their foster care population. States that have significantly improved their performance will be allowed to reinvest/transfer unspent foster care funds into other child welfare services.
- 2. Title IV-E Adoption Assistance Program Uncapped Funding Maintained:** The bill maintains the program as an uncapped entitlement and eliminates the link between AFDC and eligibility for adoption assistance payments. The federal match for adoption assistance payments is lowered by 15% to offset the cost of expanded eligibility.
- 3. New Part B of Title IV: Safe Children, Strong Families Program:** The proposal creates a block grant by combining title IV-E administration and training, title IV-B Child Welfare Services, and title IV-B Promoting Safe and Stable Families Program. States would have discretion to spend block grant funds on a range of services and training.



4. **Indian tribes made eligible to receive Title IV funds:** Indian tribes and territories are made eligible to directly receive funds under title IV-E Foster Care and Adoption Assistance Programs.
5. **Improvements made in the Child Welfare Waiver Authority:** The Act expands child welfare waiver options for states consistent with the provisions of H.R. 4, the TANF Reauthorization bill.
6. **States rewarded for improving performance:** A new Challenge Grant Program is established to reward states that exceed national outcome standards.

**Analysis:** PCA America has followed closely the various proposals for federal child welfare financing with the dual policy objectives of securing necessary funding for child maltreatment prevention and ensuring an effective system of services for children who have been victims of abuse and neglect. Our examination of this issue is predicated on the belief that the current arrangement is skewed toward deep-end services, makes insufficient investment in prevention, and overall under-funds child welfare. Therefore, absent the infusion of substantial new federal funding, the potential for redirecting current investments to front-end prevention is negligible. The pressure for maintaining priority investment in deep-end services is now exacerbated by the federal Child and Family Services Reviews, which threaten financial penalties if states fail to make necessary progress on their Program Improvement Plans and key outcome measures. States will predictably give priority attention to minimizing the risk of federal financial penalties, which means attending to the substitute care population rather than front-end prevention services. Therefore, PCA America is addressing two key recommendations:

**Maintain Title IV-E Foster Care as an Uncapped Entitlement.** The Child SAFE Act draft eliminates the “look-back” provision that currently ties title IV-E eligibility to the 1996 AFDC eligibility standard – a policy objective we support -- but does so by significantly reducing federal matching rates. In addition, the Child SAFE Act eliminates the entitlement guarantee of federal foster care assistance. Under the proposed cap, states experiencing increased foster care caseloads may be unable to draw down additional federal funds unless they meet inaccessibly high thresholds of need (a state’s caseload must rise 20% from the previous year, or 15% if caseloads increase nationally by 10%). States experiencing an upsurge in foster care would therefore experience increased financial stress, and be pressured to use alternate federal funding sources (i.e., TANF, Medicaid, and Social Services Block Grant allotments) or scarce state dollars to make up for the loss in IV-E funds. In all probability, as has historically been the case, prevention funds would be quickly and easily diverted to make up for foster care funding shortfalls in states that lose out under the proposed cap. PCA America therefore advocates that, as was recommended by the bipartisan Pew Commission, the IV-E foster care program be maintained as an open-ended entitlement.

**Dedicate Federal Funds for Child Abuse and Neglect Prevention:** Under current law, states are required to spend 20% of their Promoting Safe and Stable Families grants on programs that strengthen and support families. It is one of only two federal funding streams dedicated to preventing abuse and neglect before it occurs (the other being title II of CAPTA). The Child SAFE Act proposes to merge Promoting Safe and Stable Families into a block grant along with title IV-E administration and training and Child Welfare Services (title IV-B, subpart 1). Theoretically, the block grant proposal could lead to prevention funding increases in states that place high priority on front-end services and have sufficient funds to cover deep-end care. Realistically, however, this is unlikely to occur. On the contrary, the confluence of inadequate resources, Child and Family Service Review pressures, and removal of the requirement that states spend a specified grant amount on family support could very well lead to decreased investments in prevention. PCA America therefore advocates that, absent a



substantial influx of new resources, current arrangements for dedicated funding for prevention be maintained.

Stay tuned to future editions of *Prevention Advocate* for updates on Hill activity related to child welfare financing proposals, including markups of the Child SAFE Act that may take place in the fall. It is unclear when Congress will take further action on this bill.

## ***Advocating for Prevention in an Election Year***

Elections present important opportunities to raise the issue of child abuse prevention. Nonprofit organizations may participate in the election process provided they remain strictly nonpartisan and abide by specific limitations. Nonpartisan election activities like voter registration, candidate forums, and candidate surveys can raise important issues for debate; have influence on the positions taken by candidates; and build strong relationships with future elected officials.

For more information on what nonprofit organizations can and cannot do in an election year, please see PCA America's new elections advocacy guide, *Election Year Advocacy for Nonprofits*, which can be accessed through our website (<http://www.preventchildabuse.org>) or directly through the following link: [http://www.preventchildabuse.org/get\\_active/election\\_year\\_guide/AdvocacyElectionYear.htm](http://www.preventchildabuse.org/get_active/election_year_guide/AdvocacyElectionYear.htm). At this site, you will also find links to our 2004 Candidate Questionnaire and Letter and the complete *PCA America Advocacy Guide*.

## ***Senators Clinton and Snowe Introduce Kinship Caregiver Support Act***

On July 21, 2004, Senators Hillary Rodman Clinton (D-NY) and Olympia Snowe (R-ME) introduced the *Kinship Caregiver Support Act* (S. 2706) to address the needs of more than two million grandparents and other kin who have stepped in to raise children when the children's parents are unable to do so. Specifically, the bill would:

- Establish a Kinship Navigator Program to link grandparents and relative caregivers to helpful resources in the community, such as support groups, respite care, and information about education, family support services, housing assistance, child care, legal assistance and benefits such as TANF and Medicaid. This grant program would be authorized for three years at \$25 million for FY 2005, \$50 million for FY 2006, and \$75 million for FY 2007.
- Establish a Kinship Guardianship Assistance Program, which would allow states to use federal funds to provide subsidized guardianship payments to relative caregivers on behalf of children they are raising in foster care. Children would then be able to exit foster care and remain in permanent living arrangements with their relative guardians.
- Require states to notify grandparents and relatives when children enter foster care.

The full text of S. 2706 can be downloaded at <http://thomas.loc.gov/>.

## ***Congressman DeLay Introduces Interstate Placement Bill***

On June 3<sup>rd</sup>, House Majority Leader Tom DeLay (R-TX) introduced H.R. 4504, the *Orderly and Timely Interstate Placement of Foster Children Act*. The bill is intended to shorten the length of time it takes state child welfare agencies to complete an out-of-state placement. Among other provisions, the bill would require states to complete home studies within 60 days of receiving a request from another



state; create financial incentives for states to complete home studies for out-of-state placements within 30 days; and require states to check child abuse and neglect registries for information on prospective foster or adoptive parents and other adults in the home, including registries in states where prospective parents may have resided in the preceding five years.

A copy of H.R. 4504 can be downloaded at <http://thomas.loc.gov/>.

## ***Useful Resources for Advocates***

- ❑ Final regulations on participation in U.S. Department of Health and Human Services programs by faith-based organizations were published in the Federal Register on July 16<sup>th</sup> (Volume 69, Number 136, Pages 42586-42595). The regulations, which can be found at <http://www.hhs.gov/fbci/final.html>, have been revised with the intent of removing barriers to the participation of religious organizations in HHS programs. The new rules take effect August 16, 2004.
- ❑ The U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, is requesting applications for grants to help communities implement collaborative cross-agency strategies for reducing the impact of children's exposure to violence, including child maltreatment. The deadline for applications is September 10<sup>th</sup>. Up to 14 applicants will receive \$210,000 grants for the Safe Start: Promising Approaches for Children Exposed to Violence program. The program announcement is available on OJJDP's website at <http://ojjdp.ncjrs.org/funding/FundingDetail.asp?fi=16>.
- ❑ Applications are now being accepted for grants under the Safe & Bright Futures for Children Initiative through September 9<sup>th</sup>. The program seeks to diminish the effects of domestic violence on children by stopping the cycle of abuse and intentional injury. Thirty grantees will receive approximately \$150,000 over two years for strategic planning. More information can be found at <http://ojp.usdoj.gov/docs/fjc04solicitation.pdf>.
- ❑ *Healthy Start, Grow Smart* is a magazine series modeled off of First Lady Laura Bush's program in Texas to educate young mothers on the importance of early childhood development. The magazines, printed in English and Spanish, are designed to help new moms stimulate infant brain development and build skills young children will need once they begin school. More information on the program can be found at: <http://www.whitehouse.gov/firstlady/initiatives/healthystart.html>.
- ❑ The Centers for Disease Control and Prevention (CDC), National Center for Injury Prevention and Control, has issued a Research Brief entitled *Using Evidence-Based Parenting Programs to Advance CDC Efforts in Child Maltreatment Prevention*. Access and download this report at <http://www.cdc.gov/ncipc/pub-res/parenting/ChildMalT-Briefing.pdf>
- ❑ Information about the 2004 elections can now be accessed through Prevent Child Abuse America's legislative action center. For candidate bios, candidates' statements on important issues, or information on voter registration, go directly to <http://capwiz.com/pca/e4/>, or visit our legislative action center (available via our website at [www.preventchildabuse.org](http://www.preventchildabuse.org)), and click on "Elections and Candidates".



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**To subscribe or unsubscribe to the *Prevention Advocate*, please contact Jane Ascroft at [jascroft@preventchildabuse.org](mailto:jascroft@preventchildabuse.org).**

Writer: Jane Ascroft

Special Contributor: Tom Birch by way of the *Washington Memorandum* (If you would like to subscribe to the *Washington Memorandum*, contact Tom Birch at [tbirch@elinkisp.com](mailto:tbirch@elinkisp.com)).

Editor: Shaun Lane

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