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To: County Welfare Directors Association of California

From: Tom Joseph, Director, CWDA Washington, D.C. Office

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Re: Federal Update

Congress has returned for a truncated session which may last only two weeks. Members are anxious to return to their states to campaign. Depending upon how quickly an agreement can be reached on extending federal funding through mid-December, the House and Senate may leave Washington, D.C. as early as September 19. Given that short timeframe, it is uncertain whether the Senate will find floor time to act on the bipartisan child welfare bill, the *Preventing Sex Trafficking and Strengthening Families Act* (HR 4980), passed by voice vote in the House in July. And, it also remains unclear whether Congress will reach agreement on emergency funding for the Department of Health and Human Services and other federal agencies to respond to the unaccompanied minors crossing the U.S. border.

A summary of these issues follows.

Labor-HHS Spending Bill: Leaders in both parties agree that there will be no government shutdown even though none of the 12 federal fiscal year (FFY) 2015 appropriations bills will be sent to the President for signature by October 1. The House and Senate are working to craft and adopt a 'clean' extension of spending with no policy riders or spending changes.

The House has acted on 11 of the FFY 2015 bills, with seven of them clearing the floor. As is all too often the case, the Labor-HHS bill is the one bill that the House has not considered. The House's overall allocation of funding for HHS is so low that even many conservative Republican representatives are unwilling to support it.

On the other side of Capitol Hill, the Senate has not taken floor action on any of the bills. The Senate Labor-HHS Appropriations Subcommittee did report, however, its FFY 2015 HHS spending allocations in July. It rejected Administration-proposed cuts to the Community Services Block Grant (CSBG) and the Low Income Home Energy Assistance Program (LIHEAP). The bill also would provide \$10 million in first-time funds for state and local adult protective services initiatives envisioned under the Elder Justice Act.

As with all other federal government programs, Labor-HHS operations will likely be funded at current levels until mid-December, including programs pending reauthorization, such as the Temporary Assistance for Needy Families (TANF) program.

Adoption Assistance and Sex Trafficking Bill: Even though a bipartisan, bicameral agreement was reached on the bill and adopted by voice vote in the House, Senator Tom Coburn (R-OK) placed a hold on the bill (HR 4980) before the Senate recessed in August. Under Senate rules, one Senator can stop action on a bill, even if there is agreement among the leaders in both parties to proceed to a vote. Efforts are being made to either persuade Sen. Coburn to release his hold or to find a way of bringing the bill to the floor with a time agreement on the length of debate. Coburn often places holds on bills and is arguing that the measure places undue mandates on the states.

As reported previously, policy changes affecting child welfare agencies include provisions requiring states to include a "reasonable and prudent parent standard" similar to what already exists in California to enable foster youth to participate more readily in extracurricular, cultural and social activities with their peers. The measure also eliminates Another Planned Permanent Living Arrangement (APPLA) as a permanency goal for children under the age of 16. It would also enable youth ages 14 and older to enlist the assistance of two other individuals to be part of their case planning team.

Effective one year after enactment, the measure would require child welfare agencies to provide youth exiting care who were not adopted or returning to live with family to have a birth certificate, a Social Security card, health insurance information, medical records and a driver's license or state-issued ID.

The adoption assistance program was amended to include, for the first time, incentive awards of \$4,000 for subsidized guardianship placements. It also includes a CWDA initiative to ensure that a child placed with a guardian could continue to be cared for by a successor guardian if a relative guardian dies or is incapacitated.

The bill would also require state plans for foster care and adoption assistance to include policies and procedures for identifying, screening, and determining appropriate services for children who are believed to be victims of sex trafficking, or at risk of being such victims. Sex trafficking data would be included in the adoption and foster care analysis and reporting system (AFCARS).

Unaccompanied Minors from Central America: The House and Senate continue to remain very far apart on the level and type of additional federal funding necessary to provide services to unaccompanied minors from Central America. To date, federal agencies have had to re-allocate existing funds within their budgets, including HHS and immigration services under the Department of Homeland Security.

President Obama has requested \$3.7 billion to support the federal government's costs of responding to the crisis, including immigration processing, health screening and temporary housing. House Republicans have proposed \$1.5 billion with a greater focus on protecting the border and expediting deportation hearings. On the Senate side, the Appropriations Committee had brought a bill to the floor providing \$2.7 billion in assistance, but a filibuster stopped action.

At this stage, it is unclear what, if any, new federal resources will be appropriated to respond to the issue.