



March 19, 2020

The Honorable Mitch McConnell
Majority Leader
U.S. Senate
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
U.S. Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

Dear Leader McConnell and Leader Schumer:
Dear Speaker Pelosi and Leader McCarthy:

We first would like to applaud Congress for the passage of the Families First Coronavirus Response Act in addressing the current public health challenges as a result of the COVID-19 pandemic. The Child Welfare League of America (CWLA) urges Congress to ensure that the most vulnerable children and families impacted are not overlooked. As child welfare and social services agencies address the immediate needs present in the field, we hope that the next supplemental package will include additional services and supports of importance to the well-being and safety of all children. In addition to addressing critical housing, child care, nutrition needs, and the needs of the nonprofit community, CWLA has listed the following recommendations more specific to child welfare that we urge Congress to include:

- **Require any additional FMAP increase** continues to apply to Title IV-E. We appreciate the increase provided in the Families First Coronavirus Response Act. We are likely to face unpredictable challenges in our nation's foster care, adoption assistance, and kinship care programs from increased support for these families and the caseworkers serving them. Any added funding will help address these challenges.
- **Designate new Title IV-B of \$250 million** in funds that would be spent within this calendar year, specifically for enhanced support for foster parents, kin providers, and residential providers (not covered by Title IV-E), to enhance health measures and protections and to support enhanced capacity if foster family placements are lost due to the virus. In addition, we urge you to continue the targeted funding that has been appropriated for Kinship Navigator programs in the past two years.
- **Expand to \$500 million each (from \$95 million and \$55 million respectively) CAPTA state grants and Community-Based Child Abuse Prevention (CB-CAP) programs.** CB-CAP funding can assist with family support services through community resource centers and other services in addressing

the potential increase in family stress due to a range of social changes (school closings, loss of work, loss of activities, increased isolation). Funding through CAPTA state grants could also assist in worker safety and workforce needs in terms of protections and health practices, as well as the need for new or expanded encryption technologies for FaceTime and other methods of home visits and investigation.

- **Social Services Block Grant funding increase of several billion dollars.** This has been used to assist states hit by catastrophic hurricanes including Katrina and Wilma. Funds were allocated according to FEMA claims and poverty. It served not just the states directly hit but also those states taking in people seeking refuge from the storms. You could instead use a formula based on positive tests and infection surges in states. These funds can fill in some of the gaps not covered above and backfill a number of human services. This will be important to the nonprofit community that is so vital in providing these services. *This also needs to **include a set-aside for Tribes**, which does not exist in current Title XX statute.*
- **Emergency funding for TANF**, which could be used for both cash assistance for unemployed and families hit hard by the economic downturn. Funds would also be used for expanded or alternate kinship care arrangements. Some relative caregivers may have to move children to other family members if the current relative caregiver is elderly. With respect to school closures, the CDC says that the potential impact “Will increase risk to older adults or those with co-morbidities, as almost 40% of US grandparents provide childcare for grandchildren. School closures will likely increase this percentage.”
- **Boost Title IV-E Chafee funds above the \$143 million** and temporarily waive the 30% Chafee housing cap for the new funds. Additional funds could be used above and beyond what states have already locked into place for their ongoing independent living funds and services. Allow states flexibility in expanding Chafee funds for services and supports for youth including financial assistance, and employment assistance.
- **Extend foster care to age 21 in all states, even if temporary.** Allow the remaining 25 states to extend care to age 21 through a speedy notice to HHS. Regardless, HHS **should clarify and make explicit previous instructions:**
 - “According to ACF’s program instructions for implementing the Fostering Connections Act, state child welfare agencies have the discretion to develop a range of supervised independent living settings which can be reasonably interpreted as consistent with the law, including whether such settings need to be licensed and any safety protocols that may be needed. These instructions state that child welfare agencies may determine that—when paired with a supervising agency or supervising caseworker—host homes, college dormitories, shared housing, semi supervised apartments, or other housing arrangements meet the supervised setting requirement.”—GAO
 - Although these settings may not always be ideal in this emergency, it would be preferable to homelessness. Additionally, require guidance from HHS on use of these funds related to

the increased need to address housing for students displaced by the coronavirus pandemic – particularly those who are not able to go home to elderly parents or those with compromised health.

- ACF officials have said (according to GAO report) that states can choose to close and re-open cases for youth in extended care, which would allow new eligibility determinations based on a youth's income. The ACF should strengthen this past instruction so that states can access more Title IV-E funding for this population.
- **Family First flexibility.** Some guidance and support from HHS for those agencies implementing new services. Flexibility in the model fidelity and research requirements for the period (hopefully short) during the coronavirus pandemic.

Thank you for your consideration of this request.

Sincerely,



Christine James-Brown
President/CEO, Child Welfare League of America