

September 4, 2020

The Honorable Nancy Pelosi
Speaker of the House
U.S. House of Representatives

The Honorable Kevin McCarthy
Republican Leader
U.S. House of Representatives

The Honorable Danny K. Davis
Chairman, Ways and Means
Subcommittee on Worker and Family Support
U.S. House of Representatives

The Honorable Jackie Walorski
Ranking Member, Ways and Means
Subcommittee on Worker and Family Support
U.S. House of Representatives

Dear Speaker Pelosi, Republican Leader McCarthy, Chairman Davis and Ranking Member Walorski:

On behalf of First Focus Campaign for Children, a bipartisan children's advocacy organization dedicated to making children and families the priority in federal policy and budget decisions, we are writing to endorse the *Supporting Foster Youth and Families through the Pandemic Act* (H.R. 7947) and recognize that it contains many important solutions to the disconcerting enigma facing children and youth in — or at risk of entering — foster care and their families. We are also offering several suggestions for improvements that would make the legislation even more effective.

During the COVID-19 pandemic, foster youth and their parents, caregivers, and foster parents have faced numerous challenges, including: disruptions in housing for those youth in college, limited visitation with each other, delayed permanency hearings due to limited access to courts, and changes in the delivery of therapies and treatments that were helping them heal, reunite, and exit the child welfare system. Youth in foster care have led the call for Congress to attend to their needs and we are very grateful for the responsive leadership of Chairman Davis and Ranking Member Walorski, which has produced a bipartisan bill that addresses many of the challenges that the pandemic continues to pose to youth in care, their families and their caregivers.

The steps that the *Supporting Foster Youth and Families through the Pandemic Act* takes to assist some of our country's most vulnerable families, children and young adults cannot be understated. First Focus Campaign for Children supports the bill as it:

- **Increases the Flexibility and Funding for Kinship Navigator Programs:** The Act temporarily waives the evidence-based requirement for federal reimbursement and also offers a 100 percent federal match to state agencies' investment in eligible Kinship Navigator programs. This provision will allow state agencies to support grandparents and relatives who — in the midst of a global crisis — are taking on the responsibility of raising children, many of whom would have otherwise entered foster care.

- **Promotes Prevention Services:** The Act removes barriers to state implementation of the Family First Prevention Services Act by increasing the federal match rate for evidence-based, trauma-informed mental health and substance use treatment, and in-home skill-based parenting programs to 100 percent. While the economic recession might tempt states to shift funding elsewhere, research shows that investment in services that keep children safely in their homes is best, both for children and states. This provision will encourage investments in prevention that will keep states from having to deal with the trauma and the costly price of addressing neglect and abuse after they have occurred.
- **Prevents Homelessness and Supports Independence of Older Youth Who Have Experienced Foster Care:** The Act provides \$350 million to the John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee) and temporarily removes the state matching requirement. The Act also provides \$50 million for Educational and Training Voucher programs, while also increasing the maximum awarded amount to \$12,000 per youth. It also allows former foster youth through age 26 to be eligible for Chafee services and lifts the 30 percent spending cap on housing costs. Youth in foster care and those who have exited foster care have advocated for housing and employment assistance since the beginning of the pandemic and this bill provides a helpful response to their needs.
- **Prevents Youth from “Aging Out” of Foster Care During the Pandemic:** The Act forbids states from making a child leave foster care solely due to their age during the pandemic and it requires states to permit youth who have aged-out during the pandemic to voluntarily re-enter care. The Act allows states to use Chafee funds to offset the costs related to these provisions for youth who are not eligible for federal matching funds. For many youth, aging out during the pandemic and the economic recession would make a stressful situation, namely, transitioning to life as an adult without any familial support, exponentially more stressful. This provision will allow youth to maintain critical housing and economic support during this crisis.
- **Provides Emergency Funding to Support Families:** The Act provides \$75 million of emergency funding to the MaryLee Allen Promoting Safe and Stable Families program, which states can use to support family preservation, family reunification, adoption, and other supportive services. It also waives the state matching requirement for the new funds. States have used these flexible funds to provide unique services to support the safety and bond between children and their biological families (such as home visiting, voluntary protective services, and father-friendly services) and to help children connect with adoptive families. These funds will help states find innovative ways to continue to help children exit the child welfare system during the pandemic.
- **Supports Courts:** The Act allots \$10 million to the Court Improvement Project and grants courts the flexibility to hold virtual hearings while also waiving the state match requirement for these new funds. Children in foster care across the country experienced delays in their court hearings as courts shuttered in the early weeks of the pandemic. Allowing court hearings to continue is critical to ensuring the safety and permanency of children in foster care.

- **Provides Flexibility for Home Visiting Services:** The Act temporarily grants flexibility in the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program services, such as allowing programs to maintain staff regardless of enrollment, permitting virtual home visits, and preventing the reversion of federal funds to the U.S. Department of the Treasury.
- **Makes Technical Corrections to FMAP Increases:** The Act corrects the Title IV-E application of the 6.2 percent Federal Medical Assistance Percentage (FMAP) rate increase for Family First Transition Act funding and applies the FMAP rate increase to the District of Columbia just as it applies to states.

While we applaud many of the provisions in the *Supporting Foster Youth and Families through the Pandemic Act*, there are some opportunities for enhancement that we ask you to consider as these provisions are debated or incorporated into the next COVID-19 relief package:

- **Regarding Prevention Services:** In the wake of the social isolation and economic recession that has accompanied the COVID-19 pandemic, hotline workers are reporting increases in child safety concerns related to domestic violence, economic security and challenges facing children of incarcerated or re-entering parents. Please consider expanding the scope of allowable prevention services under the *Family First Prevention Services Act* to include evidence-based services that prevent or mitigate the effects of these emergent challenges and increase flexibility by extending by one year the option for states to claim transitional payments for services and associated costs under the Title IV-E prevention program (current policy on transition payments is described in ACYF-CB-PI-19-06).
- **Regarding Home Visiting Services:** While we appreciate the important language allowing for flexibility in administering MIECHV, this vital program also needs \$100 million in additional funding to support home visiting programs throughout all states during the COVID-19 pandemic. MIECHV needs additional funding to bolster its work to support home visitors in delivering remote home visits via teleconferencing and to address immediate family emergency needs resulting from the pandemic including connectivity, formula, diapers and cleaning supplies. Throughout the pandemic, home visitors have continued to provide essential remote and drop-off services that are a lifeline to families with young children. These critical services also come with increased costs and requirements for service providers, and MIECHV needs additional funding to continue them. Allowing states additional time to spend appropriated MIECHV funding, as the bill does, may be helpful for a few states, but we understand that the vast majority of states will spend the entirety of their funding by the end of the fiscal year and this flexibility is unlikely to benefit them in the absence of more funding.

We thank you for your leadership on behalf of children and families, and we look forward to working with you to help advance this important legislation.

Sincerely,

Bruce Lesley

Bruce Lesley,
President