

FACT SHEET: CHILDREN'S PROTECTION ACT OF 2021 (H.R. 3716)



What is at stake for children?

Children are the cornerstone of the world – comprising a quarter of the U.S. population and a larger share of the global population – but are frequently an afterthought in policy. The support that our nation's policies and programs provide to children during their key developmental stages profoundly shapes their well-being and trajectory to thrive. Yet, the U.S. performs lower¹ than most similarly situated countries on various child well-being indicators, including poverty, health care accessibility, nutrition, education, homelessness, family separation and more. Additionally, research shows that the United States' investment in programs that benefit children worldwide has remained stagnant and lacks coordination.² The COVID-19 pandemic also affected the lives of children around the world and escalated ongoing hardship,³ particularly for children living in the poorest countries or in vulnerable conditions. These trends demonstrate the need to commit to centralizing the well-being of children and youth when designing domestic and foreign governing rules.

What would the Children's Protection Act do?

The Children's Protection Act, sponsored by Reps. Carolyn Maloney (D-NY) and Ayanna Pressley (D-MA), would center the well-being of children and youth in the rulemaking process by federal agencies. It would do so by:

- » Requiring all federal agencies – including agencies with mandates over foreign policy – to publish initial and final analyses of any rule that may negatively affect, either directly or indirectly, at least 500 children during the rulemaking process, and to mitigate harms to children where a negative impact is identified.
- » Requiring agencies' analyses to evaluate a rule's impact on specific demographics of children and on multiple aspects of child well-being, including physical and mental health, relationships with family and community members, educational outcomes, economic security, identity, and overall well-being unique to their developmental stage.
- » Ensuring children's representatives have been given an opportunity to participate in the rulemaking process.
- » Requiring the Office of Information and Regulatory Affairs to monitor and report agency compliance to the President and Congress.

¹ Groma, Anna, and Gwyther Rees, "Worlds of Influence: Understanding What Shapes Child Well-being in Rich Countries," UNICEF, September 2020, <https://www.unicef-irc.org/publications/pdf/Report-Card-16-Worlds-of-Influence-child-wellbeing.pdf>

² "Children's Budget 2020," First Focus on Children, September 2020, <https://firstfocus.org/resources/report/childrensbudget2020>

³ "COVID-19 and children," UNICEF, <https://data.unicef.org/covid-19-and-children/>

Why is the Children’s Protection Act important to children?

The Children’s Protection Act recognizes that every issue is a kid’s issue, and that federal policy-making through rules can either harm children or give them the opportunity to reach their full potential. Ultimately, by examining how proposed rules can negatively affect children and youth, the U.S. can both alleviate harm to children at home and abroad, and advance their rights, views and needs.

- » The COVID-19 pandemic exacerbated many systemic inequities that children already faced – especially children in the global community, children of color, children with disabilities, children of immigrants, girls and children in the LGBTQ community. The pandemic also made it more difficult for children to access basic needs and pursue opportunities. The Children’s Protection Act would evaluate the impact of proposed rules on specific groups of children and promote the equitable improvement of child well-being.
- » A recent survey found that the American public believes that policy should be governed by a “best interest of the child” standard. The Children’s Protection Act would mandate that all aspects of a child’s well-being – health, education, safety, family and community unity, economic security and mobility, development, and identity – are foundational in developing new regulations that impact children in the United States and around the world.

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