



# A CHILDREN'S AGENDA FOR THE 117TH CONGRESS

Every Issue is a Children's Issue



FIRST FOCUS  
CAMPAIGN FOR CHILDREN

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# INTRODUCTION



## The children are not alright.

Even before the COVID-19 pandemic and economic recession, we were failing our kids on a whole range of domestic and international indicators of child well-being. Some of this was due to children being treated as an afterthought in policy discussions, but even worse, negative outcomes were also the result of systemic disinvestment in children or policy choices where cruelty to children was even intentional.

*The Washington Post's* Petula Dvorak wrote that “America is failing its children” and said our treatment of children has been a “searing indictment of adult indifference.”<sup>1</sup>

And the *Post's* Colby Itkowitz outlined a litany of problems facing children and concluded:

*When issues from guns to immigration to health care to foreign affairs are viewed through the lens of how they affect children, it becomes clear the young are an afterthought when it comes to public policy.*<sup>2</sup>

Even worse, these were all commentaries before the pandemic and economic recession. Unfortunately, things are much worse, as COVID-19 and its economic fallout are negatively impacting every aspect of the lives of children. Their voices, concerns, anxiety, hopes, and dreams should be listened to, fully considered, and most of all, addressed. And many of these outcomes are due to policy choices that are or are not made.

Yet there have been steps in the right direction. The American Rescue Plan Act made historic progress for children by enacting an expansion of the Child Tax Credit, the Child and Dependent Care Tax Credit, and the Earned Income Tax Credit as well as large investments in child care, nutrition, rental assistance, child health, and more. According to the Center on Poverty and Social Policy at Columbia University,<sup>3</sup> these changes could cut child poverty by more than half in 2021. These are remarkable and significant policy and funding gains for children in this country.

But we cannot let this progress stall. The needs of children continue to grow both as a result of the pandemic and of neglected investment for the past decade. Investments in our children deliver a tremendous return, improving their near- and long-term outcomes and healthy development, benefitting society and our economy.

As the *New York Times's* Jason DeParle writes, “The National Academies [of Sciences, Engineering, and Medicine] estimate that child poverty costs the country as a whole \$800 billion to \$1.1 trillion a year—4.0 to 5.4% of GDP—including lower adult earnings, worse health, and higher crime. The good news about a loss so immense is that it translates into a recommendation for investment: money spent on poor kids will likely be ‘very cost-effective over time.’”<sup>4</sup>

We can and must do better by our children—both domestically and internationally.

1. Dvorak, Petula, “America Doesn’t Care About Its Kids. The Evidence Is All Around Us,” *Washington Post*, Aug. 8, 2019, [https://www.washingtonpost.com/local/america-doesnt-care-about-its-kids-the-evidence-is-all-around-us/2019/08/08/34d8505c-b9e7-11e9-b3b4-2bb69e8c4e39\\_story.html](https://www.washingtonpost.com/local/america-doesnt-care-about-its-kids-the-evidence-is-all-around-us/2019/08/08/34d8505c-b9e7-11e9-b3b4-2bb69e8c4e39_story.html)
2. Itkowitz, Colby, “Trump’s Tweets About Migrant Kids’ Deaths Cap a Year That Was Horrible for Children,” *Washington Post*, Dec. 31, 2018, <https://www.washingtonpost.com/politics/2018/12/31/trumps-tweet-about-migrant-children-deaths-caps-year-that-was-horrible-children/>
3. Parolin, Zachary, Sophie Collyer, Megan A. Curran, and Christopher Wimer. 2021. “The Potential Poverty Reduction Effect of the American Rescue Plan.” Center on Poverty and Social Policy, Columbia University. [www.povertycenter.columbia.edu/news-internal/2021/presidential-policy/bideneconomic-relief-proposal-poverty-impact](http://www.povertycenter.columbia.edu/news-internal/2021/presidential-policy/bideneconomic-relief-proposal-poverty-impact)
4. DeParle, Jason, “How to Fix Child Poverty,” *New York Review of Books*, July 23, 2020, <https://www.nybooks.com/articles/2020/07/23/how-to-fix-child-poverty/>

# SECTION 1



## Make the Budget and Government Work Better for Children and Families

While there is no doubt that our nation is deeply divided on most issues and the 2020 election results and aftermath confirm those divisions, there is uniform and tremendous “tripartisan” support for making significant progress on children’s issues. In fact, that support remains strong across gender, race, age, income, geography, education, marital status, and religious lines, according to a 2020 election eve poll conducted by Lake Research Partners.<sup>1</sup>

This support includes ensuring that the “best interests” of children govern decision-making involving them (81–13% support), establishing an independent Children’s Commissioner “to protect and improve the care and well-being of children” (65–26%), collaboration between Congress and the President to address issues such as cutting child poverty in half (70–20%), and covering all children with health insurance coverage (85–12%).

As our nation seeks to heal and come together again to improve our “now” and our “future,” children clearly offer a pathway to finding common ground.

Unfortunately, since children do not vote, do not give campaign contributions, and do not have lobbyists or political action committees (PACs), they have often been treated as an afterthought by policymakers.

At the close of 2019, the parenting magazine *Fatherly* highlighted more than two dozen bipartisan bills that would improve the lives of children across a variety of issue areas that were left unacted upon by the U.S. Senate.<sup>2</sup> The article cited the Legislative Scorecard by First Focus Campaign for Children (FFCC),<sup>3</sup> which could not identify a single vote throughout the entire year that was specific to the needs and well-being of children.

Over the past four years, children have faced a number of ever-worsening outcomes that include:

- Rising uninsured rates for children;
- Increasing child poverty;
- Rising child suicide rates;
- Increasing rates of child abuse and neglect;
- High infant and maternal mortality;
- Rising food insecurity;
- Increasing child homelessness;
- Family separations and kids in cages; and
- A growing worldwide crisis on multiple measures of child well-being.

Furthermore, outright cruelty to children was the policy choice of the Trump Administration when it came to the decision to separate families, place kids in cages, and undermine even basic health and protections of children who had come to our country seeking refuge and were in the custody of the federal government. These policies have rightfully been referred to as “state-sponsored child abuse.”<sup>4</sup>

In response to these problems (many of which were worsening before the COVID-19 pandemic and economic recession), our *Children’s Budget 2020* finds that federal investments in children as a share of overall federal spending dropped an astounding 9% in the last four years—to an all-time low of 7.48%.<sup>5</sup>

In fact, the contrast of the FY 2021 Trump-Pence budget proposal to the FY 2017 Obama-Biden budget proposal is rather astounding. The FY 2021 Trump-Pence budget included inflation-adjusted cuts of \$21 billion to children’s programs, eliminated or consolidated into block grants 59 children’s programs, and cut the children’s share to just 7.31%.

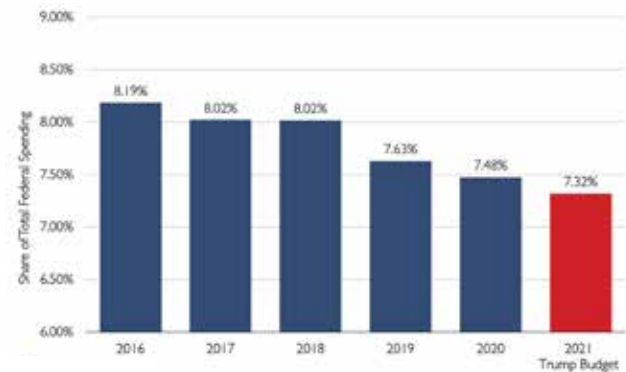
This is in sharp contrast to the final FY 2017 Obama-Biden budget proposal, which included inflation-adjusted increases of \$24 billion for children’s programs, created or funded 16 new programs for children, and raised the children’s share to 8.30%.

The American people have seen the consequences of these policies and the Lake Research Partners poll confirms that they believe children should be a greater priority in budget and policy decisions by our political leaders. It is time to be quite purposeful as we commit to fulfilling the promises we make to our children and to set them on a course for a better and more prosperous future. If we want to “Build Back Better,”<sup>6</sup> we should start with our children and families, domestically and around the world. The figures for international support for children were pitifully low to begin with but also dropped in recent years.

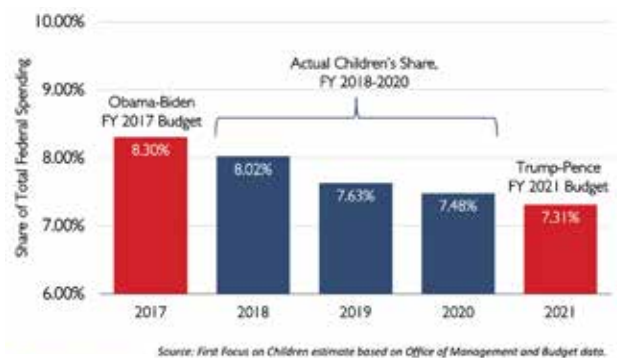
We have seen all aspects of our children’s lives impacted during the pandemic and their needs continue to grow as a result of the pandemic, its economic fallout, and our neglected investment. Investments in our children deliver a tremendous return, improving their near- and long-term outcomes and healthy development, benefitting society and our economy. If we make investments in the future of children, we would save money in the long term.

The economy has begun recovering, but that recovery must be paired with measures to ensure children are benefiting and efforts to address racial and economic inequities. The Bureau of Labor Statistics reports that the unemployment rate was 6% in April 2021, but that is still 2.5 percentage points higher than before the pandemic and may not be equally distributed among those with and without children. According to the U.S. Census Household Pulse Survey for April 14-26, 2021, nearly 9 million children lived in a household where at least one adult did not have paid work. Adults in households with children were twice as likely to report

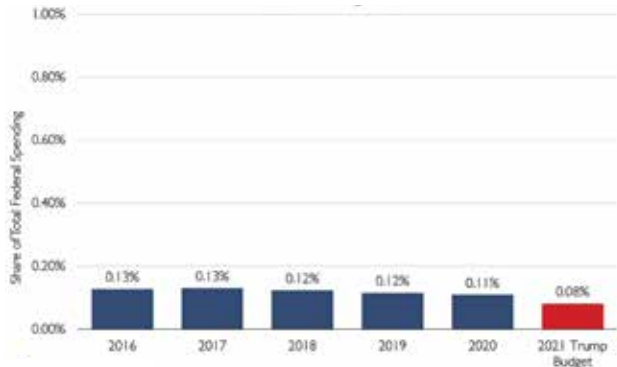
## Children’s Share of Total Federal Spending Declined between FY 2016 and 2020



## Proposed Children’s Share Has Dropped Since FY 2017



## Federal Spending on Children Internationally Remains Very Low



being behind on rent, too. And despite significant progress on food insecurity, 14% of adults in households with children reported that children in the household were not eating enough because the household could not afford it; while 6% of white adults in households with children were food insecure, the number rises to 13% for those from communities of color.

Since February 2020, Congress has invested trillions of dollars to provide relief and support for those struggling during the pandemic and resulting recession. The American Rescue Plan Act of 2021 put a spotlight on the growing needs of children with its large investments in child care, nutrition, rental assistance, child health and more and the critically important, although temporary, structural policy changes to the Child Tax Credit, the Child and Dependent Care Tax Credit, and the Earned Income Tax Credit. According to the Center on Poverty and Social Policy at Columbia University, these changes could cut child poverty by more than half in 2021.<sup>7</sup> These are remarkable and crucial funding and policy gains for children in this country.

We cannot let this progress stall as negotiations continue around traditional and human infrastructure investments to help our children, parents, families, businesses, communities and economy recover. With the release of the Administration's FY 2022 budget priorities and the House and Senate moving to pass FY 2022 budget resolutions, we urge decision makers to prioritize children, reverse the downward trend of spending on children experienced over the last several years, set forth a budget that establishes a robust, comprehensive investment plan benefitting children's well-being and healthy development that covers all aspects of our children's lives and that sets forth a fair and equitable recovery for all.

## Recommendation 1.1: Create an Independent Children's Commissioner

When a child cries out for help, whether it is a sick child, an abused child, a hungry child, a homeless child, or a victim of gun violence, adults should listen and protect them. It is shocking how often we fail to do so.

Even though our country played an instrumental role in drafting the UN Convention on the Rights of the Child (CRC), the U.S. is the only country in the world that has failed to ratify the CRC. Other nations have also taken the additional step of creating an independent Children's Commissioner or Ombudsman to help live up to the various articles in that document.

Absent adoption of the CRC in this country, we should, at the very least, create an independent Children's Commissioner to create a formal process to engage, listen to, and lift up the voices of our nation's children and youth when it comes to policies that involve children.

An independent Children's Commissioner would also help the government fulfill its duty to support and protect children by examining policy choices, issuing reports, and making recommendations to Congress and federal agencies on ways to coordinate their efforts and build on best practices, research and lessons learned with respect to the impact of proposed policies on children. This is in the best interest of our nation, as the cost of failing children is enormous in both human and socio-economic terms today and well into the future.

Whether it is child sexual and physical abuse or neglect, child poverty, homelessness or juvenile justice, our nation's leaders have turned a blind eye to the plight of our youngest, poorest and most vulnerable citizens, who through no fault of their own, are faced with enormous challenges that threaten their ability to ever fulfill their potential.

The fact is that violence, abuse, injustice and discrimination against children in families, schools, prisons and institutions can best be eliminated if children are enabled and encouraged to tell their stories and be heard by people with the authority to take action. Far too often, institutions have repeatedly failed children (e.g., scandals involving child and sexual abuse by public, private, nonprofit and religious institutions, abuse and threats to the health and safety of children in the juvenile justice system, policies of family separation, the caging of children, and the attempted elimination of basic health and safety standards for caring for children by the federal government, etc.).

Rather than putting the protection and well-being of children first, institutions often tragically choose to silence the voices of children in order to cover up the abuse and protect the abusers.

According to Lake Research Partners' 2020 Election Eve survey, nearly two-thirds of voters also supported the creation of an independent Children's Commissioner to improve oversight and "to investigate and make recommendations on ways to protect and improve the care and well-being of children" by 65–26% (a 39-percentage point margin).<sup>8</sup> Such a position would track the actions of other countries around the world, including the United Kingdom, Sweden, Australia and New Zealand, to ensure children are not ignored or treated as an afterthought and, since kids can't vote, to give young people a voice in government policies that impact their safety, care and well-being.

Regardless of political party, voters support U.S. attention to protecting and improving the lives of children with an independent Commissioner:

- Democrats: 82-13% (68-percentage point margin)
- Republicans: 52-37% (15-percentage point margin)
- Republicans under age 35: 63-27% (36-percentage point margin)
- Independents: 60-30% (30-percentage point margin)

Across all racial groups, there is strong support for the creation of an independent Children's Commissioner:

- White: 65-27% (45% strongly support)
- Black: 72-18% (56% strongly support)
- Hispanic: 64-26% (51% strongly support)
- Asian American or Pacific Islander: 74-19% (50% strongly support)

There is also strong support across all age groups for having an independent body focused on ensuring children are not treated as an afterthought by government.

- Gen Z (age 18-23): 68-22% (46-percentage point margin)
- Millennial (age 24-39): 70-22% (48-percentage point margin)
- Gen X (age 40-55): 65-27% (38-percentage point margin)
- Boomer (age 56-74): 60-29% (31-percentage point margin)
- Silent Generation (age 75-91): 69-26% (43-percentage point margin)

The core responsibilities of such an office would include promoting a coherent, effective and efficient federal approach to children that includes research, legislative and regulatory child impact analysis, awareness raising, the promotion of the best interests of children, and complaint review that would fulfill an obligation to listen to and help raise the voice of children to policymakers in Congress and the executive branch, particularly with respect to protecting children from harm and to further their growth and development. The Commissioner should be given authority to address both domestic and international issues of importance to children.

Before his death in 2019, House Oversight and Reform Committee Chairman Elijah Cummings (D-MD) was working on legislation to establish an independent Children's Commissioner in the United States. We would urge the introduction and enactment of such legislation in the 117th Congress.

## Recommendation 1.2: Adopt a Best Interest of the Child Standard

Children deserve to have their best interests govern policy decisions that involve their lives and well-being. Unfortunately, children are—far too often—an afterthought in federal policymaking.

As Michael Freeman, author of *The Moral Status of Children* writes:

*All too rarely is consideration given to what policies...do to children. This is all the more the case where the immediate focus of the policy is not children. But even in children's legislation the unintended or indirect effects of changes are not given the critical attention they demand...But where the policy is not "headlined" children..., the impact on the lives of children is all too readily glossed over?*

Children do not vote, do not have PACs, and do not have well-heeled lobbyists pushing their agendas. And yet, children rely on adults in society and government to serve their needs and interests. Therefore, there needs to be a government-wide commitment to address the "best interests of children" in all policymaking.

The Biden Administration acknowledged this need in a Memorandum to the Heads of Executive Departments and Agencies entitled "Modernizing Regulatory Review."<sup>10</sup> It directs departments and agencies to modernize the regulatory process and specifically notes:

*These recommendations should provide concrete suggestions on how the regulatory review process can promote public health and safety, economic growth, social welfare, racial justice, environmental stewardship, human dignity, equity, and **the interests of future generations** (emphasis added).*

We urge the adoption of a “best interest of the child” standard for all federal departments and agencies across the government that impact the lives of children. Again, the American people strongly support making such a standard a “first priority.”

The aforementioned 2020 Lake Research Partners election eve survey also asked whether federal policy “should be governed by a ‘best interest of the child’ standard that makes the protection and the safety of children the first priority.” An overwhelming 81–13% of voters—a more than 6-to-1 margin—supported the establishment of such a standard, with 64% in strong agreement.<sup>11</sup> Voters of all political persuasions believe the “best interest” standard should be in place for decisions that impact children.

- Democrats: 92-6% (78% strongly support)
- Republicans: 73-17% (54% strongly support)
- Independents: 77-17% (59% strongly support)

Voters are also supportive of a focus on children whether they have children or not.

- Fathers: 76-18% (55% strongly support)
- Mothers: 79-14% (63% strongly support)
- Childless voters: 83-12% (66% strongly support)

### Recommendation 1.3: Create Child Impact Statements

Policy often impacts the lives of children, but that effect is often an afterthought by some policymakers. Child impact statements by governmental agencies or independent entities would answer fundamental questions about how a policy may benefit or harm children and would ensure that the impact is considered prior to implementation.

As Wendy Lazarus at Kids Impact Initiative writes:

*Much like environmental impact assessments and fiscal impact assessments, child impact assessments apply to children a well-tested process used to advance priorities society considers important. Child impact assessments can focus policymakers’ attention on shared goals for kids and analyze the implications of a proposal in relation to those goals.*

*To produce a child impact assessment, staff in government agencies or outside entities use a template to answer very basic questions which are designed to uncover the ways in which a proposal is good for children or could harm them. Child impact assessments can be used to guide decision-making at the city, county, state, or federal government levels—and by school boards and other public entities whose decisions have major impacts on kids’ lives.<sup>12</sup>*

Communities like Shelby County, Tenn., and Santa Clara County, Calif., have established child impact assessments in their work and have found them to be quite beneficial toward fully understanding the effect that policy decisions will have on children.

As Dana Bunnett, Director of Kids in Common in Santa Clara, Calif., explains:

*Child Impact Statements...look at policy and program choices through a different lens that brings children into focus, making their needs visible and important, not just incidental to the final decision. When consideration of a policy’s impact on children is a primary concern and occurs early in the process, the potentially negative effects on kids can be mitigated from the beginning.<sup>13</sup>*

A number of countries around the world have such a process. As Kids Impact finds:

*First established by the parliament of Belgium in 1997, “child rights impact assessments”...then spread to other places including England, Ireland, Scotland, Wales, New Zealand, Finland, Sweden, Canada and Australia. Their use grew as the United Nations committee that oversees adherence to child rights recommended that countries use child rights impact assessments to demonstrate compliance.<sup>14</sup>*

Just as the federal government requires impact assessments and/or statements with respect to the environment, small business, and unfunded mandates to state, local and tribal governments, Congress should require that federal agencies implement child impact statements as part of the Administration’s work in developing policies and implementing federal programs through regulations, rules and guidance.

### Recommendation 1.4: Establish a National Child Poverty Target

No child in the world’s wealthiest nation should go to bed hungry or be deprived of clean air or be without the opportunities that come from having a safe, affordable place to call home. Yet our country’s child poverty rate remains consistently higher than that of our peer countries, and children in the United States continue to experience poverty at a rate 54% higher than adults.



The Child Poverty Reduction Act (S. 643/H.R. 1558), introduced by Sen. Bob Casey (D-PA) and Rep. Danny Davis (D-IL), would establish a Child Poverty Target in this country.

The Lake Research Partners survey found that, on an array of specific policy issues, voters strongly supported such legislation. On the question of whether the “U.S. should set a Child Poverty Target to cut child poverty in half in 10 years,” American voters supported it 70–20% (50-percentage point margin).<sup>15</sup>

Support for making child poverty a focus of federal policy is “tripartisan.”

- Democrats: 85-10% (73% strongly support)
- Republicans: 56-29% (37% strongly support)
- Republicans under age 35: 62-26% (more than 2-to-1 margin)
- Independents: 67-22% (51% strongly support)

Both Biden and Trump voters support the creation of a Child Poverty Target by wide margins.

- Biden voters: 86-9% (77-percentage point margin)
- Trump voters: 53-32% (21-percentage point margin)<sup>16</sup>

Our past polling on children’s issues sometimes revealed divides based on age, with support strongest among younger adults, and strong but lower among senior citizens. This 2020 election eve survey shows broad support across generations for children. On the issue of creating a Child Poverty Target, support was strong from young to old.

- Gen Z (age 18-23): 78-18% (60-percentage point margin)
- Millennial (age 24-39): 75-18% (56-percentage point margin)<sup>17</sup>
- Gen X (age 40-55): 71-21% (50-percentage point margin)
- Boomer (age 56-74): 61-24% (37-percentage point margin)
- Silent Generation (age 75-91): 75-15% (60-percentage points and a 5-to-1 margin)

Due to our country’s long history of systemic racism and discrimination, poverty rates for children of color are nearly three times that of white children. COVID-19 has only exacerbated this problem, with an additional 2.5 million children experiencing poverty since May 2020.<sup>18</sup>

A landmark, nonpartisan 2019 study from the National Academy of Sciences, Engineering and Medicine (NASEM)<sup>19</sup> found that child poverty is costing our society up to \$1.1 trillion a year and provided a variety of options by which to cut child poverty by at least half.

As part of the American Rescue Plan Act, Congress enacted a series of measures including expansions of the Child Tax Credit, the Child and Dependent Care Tax Credit, Supplemental Nutrition Assistance Program (SNAP), unemployment insurance, and a one-time relief payment in the amount of \$1,400 for every eligible adult and child that the Center on Poverty and Social Policy at Columbia University estimates would cut child poverty by 56%.<sup>20</sup>

Enacting a target to cut our national child poverty rate in half establishes a framework for holding our nation’s decision makers accountable to action, including making significant progress in reducing racial and ethnic economic disparities. Policies enacted to reach this goal must include those with a strong evidence base in reducing disparities, including increasing access to cash assistance for children living in deep poverty, children in immigrant families, and children living in Puerto Rico and the other territories.

The effectiveness of targets in reducing child poverty is well-established. The United Kingdom cut its child poverty rate in half between 1999 and 2008<sup>21</sup> and before the outbreak of COVID-19, Canada had lifted more than 300,000 children out of poverty since 2015 after setting an overall national poverty reduction target.<sup>22</sup> There is also momentum here in the United States, with campaigns in several states dedicated to reducing child poverty.<sup>23</sup>

## Recommendation 1.5: Adopt a Children’s Budget

Sen. Bob Menendez (D-NJ) said:

*If we as a nation value our children, then our federal budget must reflect those values.*<sup>24</sup>

We wholeheartedly agree. Our budget reflects our values and unfortunately, far too often, children remain an afterthought in federal budget decisions. If we truly value our children, that must change, and one important and helpful step would be to install greater transparency in those spending decisions.

The federal government spends nearly \$5 trillion annually (absent the pandemic), a large portion of which is spent on health care, Social Security, defense and interest on the national debt; the remaining mandatory programs and nondefense discretionary programs account for about one-quarter of federal spending.<sup>25</sup> First Focus on Children estimates that 7.58% of this spending (both the domestic and international shares) went toward children in FY 2020.<sup>26</sup>

Currently, there exists no simple, widely agreed upon and comprehensive method or oversight process that regularly tracks federal spending on children's programs and services. These objectives are difficult to achieve given the wide array of issues unique to children that span myriad policy areas and cover dozens of agencies and bureaus. A formal tracking process would allow an accurate assessment of the overall level of investment in children and the spending trends affecting them.

A comprehensive accounting of federal budget decisions affecting children would provide a summary of new obligational authority and outlays requested for children's programs, the share of federal spending on children, and a detailed breakdown of spending on children and children's programs by agency and initiative, including tax expenditures. This goal could be achieved with the following measures:

- Require the Congressional Budget Office (CBO) to track federal spending on children's programs and services, similar to S. 1780 introduced by Vice President Kamala Harris with Sens. Menendez and Bob Casey (D-PA) in the 116th Congress. Sen. Chris Van Hollen (D-MD) is preparing a new version for introduction in the 117th Congress that will track critically important tax expenditures benefitting children and families as well.

As Vice President Harris stated when she introduced the bill in June 2019:

*The well-being of our children should be our top priority as a society. Establishing greater transparency around the resources or lack thereof our government is putting into our young people is the first step to ensuring their success and prosperity. There is much work to be done to properly invest in our children, and this legislation will help ensure our spending decisions reflect this as a national priority.*

- Direct OMB to establish a Children's Budget, which would track and provide detailed analysis of funding streams that benefit children, similar to S. 1776 introduced by Sen. Menendez and co-sponsored by Vice President Harris and Sen. Casey in the 116th Congress.

OMB should seek to quantify information related to investments in children across the entire federal budget, just as it does for items such as meteorology, the Export-Import Bank, drug control policy and cybersecurity, to ensure the Administration is fully informed about the impact its budget proposals will have on our nation's children, who represent one-quarter of the nation's population and all of our future.

- Use the Children's Budget to inform annual budget requests for mandatory spending proposals, appropriations requests, tax expenditures and revenue proposals.
- Determine an official share of federal spending that goes toward children and set a goal to improve that share.

## Recommendation 1.6: Create a White House Office on Children and Youth and/or Children's Cabinet

In addition to improving investments in children and families and giving children a voice in their government, programs for children need greater attention and coordination across governmental departments and agencies. Consequently, along with nearly 400 other organizations and individual leaders in our community (including past Obama-Biden Administration officials),<sup>27</sup> we strongly urge the creation of a White House Office of Children and Families and Children's Cabinet for the following reasons:

First and foremost, children's policy needs and concerns are often an afterthought or dismissed by policymakers—sometimes unintentionally. The field of pediatrics often points out that children have special health care needs and that "children are not little adults" to explain why child health policy and developmental issues need distinctive attention and focus.

Moreover, the government plays a unique role with respect to helping families support and protect the health, education, well-being and safety of children.

Creating a White House Office of Children and Youth and Children's Cabinet would ensure that the special role that the government plays in the lives and well-being of children is no longer treated as an afterthought or ignored. Due to the COVID-19 pandemic and economic recession, children need a national commitment to their support and protection now more than ever.

Second, federal policy involving children needs better coordination and alignment. Programs that impact the lives and well-being of children cut across an array of federal departments and agencies, but children do not live in such silos. Poverty impacts the health, education, nutrition, housing and welfare of our kids. Early childhood and youth programs cut across numerous departments and agencies. Unfortunately, they exist with little to no coordination.

Furthermore, many of the critically important campaign promises made by the Biden-Harris ticket would require cross-agency coordination, alignment and commitment. A White House Office of Children and Youth and Children's Cabinet would ensure those policies come to fruition and help set our country on a path to ensure that we meet our promises to children.

Third, interagency task forces to coordinate child policy across departments and agencies are also helpful across the wide array of issues important to children and should be a priority. For example, to truly combat child poverty in this country and around the globe requires cross-departmental collaboration between the Department of Health and Human Services, the Department of Education, the Department of Agriculture, the Department of Housing and Urban Development, the Department of Commerce, the Department of Treasury, the Department of Labor, the Department of Justice, the Department of State, and U.S. Agency for International Development.

## Recommendation 1.7: Establish a New Bipartisan Commission on Children

Our children face a number of problems and this document offers a lengthy agenda to address those concerns. However, with the view of the long term in mind, we encourage Congress to consider establishing a new bipartisan Commission on Children.

A National Commission on Children would focus the attention of federal policymakers and national news media on children's issues, generate new ideas for policy reforms that meet the challenges children face, and create momentum for change. The primary goals of a commission would be to identify and consistently measure indicators of child well-being, to help maintain support for long-term investments in our children, and to set forth new public policy ideas aimed at improving our performance and making America first among nations on child well-being over the next decade or longer.

As noted above, there is "tripartisan" support among voters for an array of children's issues and the Commission could work on assembling an agenda that could bridge the partisan divide in government and improve the lives of the next generation.

There is precedent for the effectiveness of a National Commission on Children. In 1991, the National Commission on Children issued its report to the Bush Administration and Congress. That report ended up serving as a catalyst for the enactment of groundbreaking legislation for children and families, including the Earned Income Tax Credit, the Child Tax Credit, and the state Children's Health Insurance Program (CHIP).

Duties of the Commission could include:

- Conducting a comprehensive study to examine and assess the needs of children;
- Submitting a report to the President and Congress on specific findings, conclusions and recommendations to address the needs of children;
- Transitioning this report to an annual assessment of the performance of the United States in ensuring the well-being of children, that recommends improvements to children's well-being by:
  - Establishing national goals for improving child well-being and developing year-by-year targets for improvement to determine how the United States fares with respect to achieving the national goals;
  - Identifying and selecting the national indicators of child well-being to measure child development, and assessing how the United States fares with respect to national goals;
  - Making legislative and budgetary recommendations to Congress and the President to achieve the national goals for improving children's well-being.

## Recommendation 1.8: Create a Youth Advisory Council

Children deserve to be heard and their voices respected in our society, particularly with respect to the policies that affect them.

We all strive for a continued thriving democracy, but it is impractical to believe that our nation's young people will come to love and understand democracy if our society simultaneously structures public debate and policies that impact children in ways that fail to ensure that their perspectives and voices are listened to and addressed. Young people have much to offer and have demonstrated their power to mobilize and speak out on issues of critical importance to their present and their future, including on issues such as climate change, education funding, racial justice and gun reform. In fact, our nation's youth have historically led many of the movements that have transformed our nation's sense of fairness and equity, our policy agenda and our culture.

We must provide meaningful opportunities for our youth to share their ideas and offer input, hear what they are saying, and factor their views into the policies and actions that our government and society take. In fact, violence, abuse, injustice and discrimination against children in families, institutions and society can best be eliminated if children are enabled and encouraged to tell their stories and be heard by people with the authority to take action.

We can and must do better by our children, and it starts by listening to them.

## Recommendation 1.9: Establish the Second Sunday in June as National Children's Day and the Second Full Week in June as Children's Week

In 2001, President George W. Bush proclaimed the first Sunday in the month of June as National Children's Day. The proclamation read:

*All adults must work together to ensure the safety and well-being of our Nation's most precious resource, our children. . . We must nurture our children's dreams, help them develop their talents and abilities, and ensure their healthy development so that they may reach their full potential. Our success in this endeavor will affect the direction of their lives and the future strength and vitality of our Nation.<sup>28</sup>*

Predating that, President Bill Clinton declared the second Sunday in October as National Children's Day. In 1998, the proclamation read:

*One of the most important measures of our success as a Nation is the well-being of our children. As a society, we have no more important responsibility than to help our families raise healthy, happy, loving children in an environment that allows kids to reach their full potential.<sup>29</sup>*

Over the past four years, child advocates have declared the second Sunday in June to be National Children's Day and the week following as Children's Week in the U.S. We would urge Congress to pass a resolution identifying the second Sunday in June as National Children's Day and the week that follows as Children's Week.

## Recommendation 1.10: Ensure All Children Are Accounted for in the 2020 Decennial Census

Two million young children were missed in the 2010 Decennial Census, more than any other age group and we are likely to see another severe undercount in the 2020 Census. As we know from our work in the Count All Kids Campaign,<sup>30</sup> an accurate census count that includes all children means more federal money to their states and communities for schools, health care, child care and many other programs that help children thrive. It also means local governments have better information to plan for things like the number of children in schools or how many families need health care. Our failure to account for all of our nation's children could have repercussions for the next decade, or most of a childhood, if we don't act to protect and improve 2020 Census data quality. We urge Congress to support the Census Deadlines Extension Act, introduced by Sens. Brian Schatz (D-HI), Lisa Murkowski (R-AK), and Dan Sullivan (R-AK), which would extend two key statutory deadlines for the 2020 Census. These extensions will give the Census Bureau the time it needs to accurately process data, after the pandemic caused delays to normal census operations.

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# SECTION 2



## Reduce Child Poverty

No child in the world's wealthiest nation should go to bed hungry or be deprived of clean air or be without the opportunities that come from having a safe, affordable place to call home. Yet our child poverty rate remains consistently higher than that of our peer countries, and children in the United States continue to experience poverty at a rate 54% higher than adults. Due to our country's long history of systemic racism and discrimination, poverty rates for children of color are nearly three times that of white children. COVID-19 has only exacerbated this problem, with an additional 2.5 million children experiencing poverty since May 2020.<sup>1</sup> To tackle child poverty, we recommend Congress take the following steps:

### Recommendation 2.1: Establish a National Child Poverty Target

A landmark, nonpartisan 2019 study from the National Academy of Sciences found that experts know how to reduce child poverty in the United States, we just need the political will to act.<sup>2</sup> We are encouraged to see that President Biden's American Rescue Plan will cut child poverty in half in 2021,<sup>3</sup> lifting 5 million children out of poverty through improvements to the Child Tax Credit, issuing another round of stimulus checks, extension of unemployment insurance benefit expansions, increases to Supplemental Nutrition Assistance Program (SNAP) benefits and more.

Passing the Child Poverty Reduction Act (H.R. 1558/S. 643), led by Rep. Danny Davis (D-IL) and Sen. Bob Casey (D-PA), is critical to sustaining and improving upon any progress made through the implementation of this plan through a legislative package in 2021. By codifying a national child poverty target and tasking the National Academy of Sciences to analyze and monitor progress toward this goal, this legislation will ensure that we continue to build the political will and have the research necessary to make progress on child poverty reduction beyond emergency relief efforts. Policies enacted to reduce child poverty must include a strong evidence base in reducing disparities, such as increasing access to cash assistance for children living in deep poverty, children in immigrant families, and children living in Puerto Rico and the other territories.

### Recommendation 2.2: Improve Federal Poverty Measures to Fully Capture Hardship in the United States

Annual child poverty figures from the U.S. Census Bureau underestimate the problem of child poverty. Families with children living at twice the official poverty threshold still lack enough income to make ends meet.<sup>4</sup> It is critical that Congress act to a) reverse any efforts taken by the Trump Administration to alter federal poverty measures in a way that would further underestimate poverty in the United States b) instruct the National Academy of Sciences Committee on National Statistics to analyze the development of measures needed to more fully capture actual hardship being experienced by children and families and c) encourage the U.S. Census Bureau to more frequently collect and report poverty data.

## Recommendation 2.3: Reform the Temporary Assistance for Needy Families Program to More Effectively Address Child Poverty

The Temporary Assistance for Needy Families (TANF) program is the only federal program that provides cash assistance to families with very low incomes, yet just 22% of all poor families that are eligible for cash assistance receive it.<sup>5</sup> States with larger percentages of Black residents offer lower levels of cash assistance through the TANF program, contributing to Black children experiencing disproportionately high rates of poverty compared to white children.<sup>6</sup> And while more than 70% of TANF recipients<sup>7</sup> are children, child poverty reduction currently is not an explicit goal of TANF. The program needs significant reform to strengthen its effectiveness at reducing child poverty and racial disparities in child poverty rates through:

- Adding child poverty reduction as an explicit goal of TANF;
- Requiring states to report on how TANF spending impacted their state child poverty rate;
- Increasing program funding, indexing funds to inflation, and allocating additional funds to states with high rates of child poverty;
- Mandating that states spend a minimum amount of block grant on basic cash assistance for families with children;
- Improving the program's ability to respond during times of increased need by eliminating its block grant structure;
- Holding states accountable for helping parents exit TANF with quality employment that provides their family with a wage sufficient for long-term household economic security;
- Allowing parents to meet work requirements by pursuing higher education, skills training or vocational education while guaranteeing child care assistance, transportation assistance and other supports;
- Using funds to prevent children from entering foster care and to support relatives who take care of children when their parents are unable;
- Getting rid of family caps, asset tests, family sanctions, arbitrary work requirements and other policies that either block or reduce benefits to families with children and deepen racial economic disparities;
- Requiring that states pass through all child support collected on behalf of households receiving TANF, rather than reimbursing themselves, and disregard any income received through child support for the purposes of TANF eligibility.

## Recommendation 2.4: Establish a Universal Paid Family and Medical Leave Program

Even before the pandemic, millions of workers lacked access to paid family and medical leave, forcing many into an impossible choice between staying home to care for a newborn or provide medical care for a loved one, or losing necessary income. The spread of COVID-19 has only increased health and caregiving needs. Congress provided a temporary expansion to paid family sick leave and paid sick days in the Families First Coronavirus Response Act (H.R. 6201) that expired at the end of 2020, and then followed up on these provisions by allowing employers and self-employed individuals to claim tax credits for voluntarily provided emergency paid leave through March 2021. The American Rescue Plan Act extended these tax credits through September 30, 2021 but did not make the provision of paid leave mandatory.

Congress should establish a permanent, universal paid family and medical leave program. The United States is the only country in the Organization for Economic Cooperation and Development (OECD) that does not provide paid maternity leave nationwide.<sup>8</sup> Paid family leave promotes healthy child development and family economic security. It gives parents a chance to adequately care for their newborns or children with special health care needs. The American Families Plan, announced by the Biden Administration, proposes a national paid family and medical leave program. The program would guarantee 12 weeks of paid parental, family and personal illness/safety leave by the 10th year of the initiative, but offers workers three days of bereavement leave beginning in the very first year. Congress should establish a program such as the one suggested in the American Families Plan.

Required care entails everything from flexibility in breastfeeding to the ability to take time off to bring children to medical appointments without increasing financial strain. Congress should pass the Family and Medical Insurance Leave (FAMILY) Act (S. 248/H.R. 804), led by Sen. Kirsten Gillibrand (D-NY) and Rep. Rosa DeLauro (D-CT), which would make workers in all companies, regardless of size, eligible for up to 12 weeks of partial income for family and medical leave, including pregnancy, childbirth recovery, serious health condition of a child, parent, spouse or domestic partner, birth or adoption of a child and/or military caregiving and leave. Under this bill, workers could earn 66% of their monthly wages, up to a capped amount. The cost of providing this leave would be covered by employee and employer payroll contributions of 2 cents per \$10 in wages or about \$1.50 per week for the average worker.

## Recommendation 2.5: Strengthen and Expand the Child Tax Credit, following policy changes similar to those in the American Family Act of 2021 (H.R. 928) and the American Rescue Plan Act

We very strongly endorse strengthening and expanding the Child Tax Credit (CTC) and converting it into a permanent, monthly child allowance to help ensure all families, regardless of immigration status, have the vital resources to meet current financial challenges and the high and growing costs associated with raising children and supporting their healthy development. Expansion of the CTC should protect lower- and middle-income children, parents and families from overpayments and hold them harmless when household circumstances change. Living arrangements for children can be complex, and a child benefit program needs to accommodate such circumstances and ensure the payments follow the child through diverse and dynamic family and non-relative caregiving and their involvement with foster care or other public systems.

Payments delivered regularly each month to households with children would establish a steady cash benefit designed to better meet the daily and essential needs of families throughout the year. At the same time, the regular cash support would provide some financial stability to families with children to help them meet unanticipated expenses and spur the economy during the ongoing emergency and beyond. Regular delivery of assistance also offers a ready mechanism to adjust benefit levels as needed—for example, to increase payments during times of economic crisis. To ensure a child benefit program is managed efficiently and fairly, additional resources should be available for the agencies involved in the design and administration of the program.

For more information on our policy recommendations for the child tax credit, please refer to Recommendation 3.2 on page 16.

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# SECTION 3



## Improve the Tax Code to Reflect the Needs of Children and Families

Improving economic opportunities for lower-income families with children requires a mix of policy solutions, and the federal tax code is a consequential tool that can assist families struggling to afford basic living expenses, reduce child poverty, address income and racial inequities, and build families' financial security. The Child Tax Credit (CTC) and the Earned Income Tax Credit (EITC) are among the most successful existing policies to reduce child poverty. It is critically important to improve these tax credits and enact additional tax provisions that would make the tax code fairer and more equitable toward low- and moderate-income families and children, especially minority families with children.

One proven way to combat child poverty is to increase a family's cash income to pay for essential needs that make a difference in the short- and long-term outcomes for children's healthy development and well-being. Near-term improvements to the CTC are important policy changes to aid our families and children who most need support to meet the rising costs of raising children, reach minority, immigrant and territorial households left out of the current tax credit program, and provide a regular, minimum income for lower-income or no-income households with children. We strongly support the near-term expansion and strengthening of the CTC included in the American Rescue Plan Act and urge Congress to pursue the design and implementation of a permanent child benefit program, which would go a long way to eliminating child poverty and creating an impactful and inclusive benefit for children, parents, families and communities who currently are left behind.

Parents and caregivers need cash income to provide for their children by paying for rent and transportation to work, as well as by securing goods and services—nutritious food, health care and school supplies—that improve their children's development and educational achievement. Extensive research shows that children in households who receive a boost in income are healthier, perform better in school and earn more as adults. Increased household income also relieves parental stress, giving parents more time and mental energy for their children. Poverty not only has negative implications for our nation's children, but for our larger society. In 2015, child poverty cost the U.S. economy upwards of \$1 trillion, representing 28% of the federal budget.<sup>1</sup>

Plenty of research supports the implementation of a child benefit program that would serve as a powerful and meaningful way to reduce child poverty. The 2019 landmark, nonpartisan National Academy of Sciences study, *A Roadmap to Reducing Child Poverty*, finds that a \$3,000 annual child allowance, operating as an extension of the CTC, offers the single most effective measure to reduce child poverty in the United States and disproportionately addresses poverty for Black and Hispanic children.<sup>2</sup> Analysis by the Niskanen Center finds that a similar child allowance program, like that proposed in the American Family Act would lift approximately 4 million children out of poverty, cutting child poverty by 42% and cutting in half deep child poverty (children living in households with incomes below 50% of the poverty line).<sup>3</sup> Near-term changes would ensure that 29 million children<sup>4</sup> in low- and moderate-income working families (one-third of all children nationwide)<sup>5</sup> receive the full credit and are not left behind because their parents earn too little or the refundable portion of the credit is capped. Currently, 50% of Black/non-Hispanic and Hispanic children are left behind and do not receive the full credit, compared to 23% of White/non-Hispanic children; and nearly 1-in-5 Black/non-Hispanic children do not receive any credit at all.

Many of our peer countries have implemented different forms of a child allowance benefit and the results are extremely positive. The United Kingdom cut its child poverty rate in half between 1999 and 2008<sup>6</sup> and before the outbreak of COVID-19, Canada had lifted more than 300,000 children out of poverty since 2015 due to its enhanced child benefit.<sup>7</sup>

In addition to the immense child poverty benefits and racial equity improvements, CTC expansion has a tremendous return on investment. According to researchers at the Center on Poverty and Social Policy at Columbia University, a \$100 billion investment in the CTC would produce \$800 billion in societal benefits—a return of 8:1.<sup>8</sup>

There is real momentum toward addressing the high rate of child poverty in the U.S., including bipartisan solutions. The coronavirus outbreak and its economic turmoil make action to reduce child poverty and support family economic security more necessary than ever. We are at a pivotal moment to adopt near-term solutions and lasting, structural policy changes to address both the stubbornly high level of child poverty and racial and income disparities so we rebuild an economy that works for everyone. Even a modest change to the CTC will help the 50% of Black and Hispanic children who do not qualify for the full credit or even a partial credit. To move toward these goals, we recommend the following:

### Recommendation 3.1 Pursue a Permanent Child Benefit Program

The Social Security program successfully has lifted seniors out of poverty for decades. According to the 2019 Supplemental Poverty Measure (SPM), more than 17.5 million seniors over 65 were lifted out of poverty. We could do the same for children. According to an October 2020 report from Brookings, “If we gave each child living in poverty the average Social Security benefit received by a Social Security recipient age 65 and over—that’s \$17,112 annually, according to Current Population Survey data—the rate of childhood poverty in this country would fall to less than 1 percent.”<sup>9</sup> We encourage the creation of a permanent child poverty reduction program akin to Social Security to help address our persistently high level of child poverty and prevalent racial and income inequalities.

### Recommendation 3.2: Strengthen and Expand the Child Tax Credit, following policy changes similar to those in the American Family Act of 2021 (H.R. 928) and the American Rescue Plan Act

We very strongly endorse strengthening and expanding the Child Tax Credit (CTC) and converting it into a permanent, monthly child allowance to help ensure all families, regardless of immigration status, have the vital resources to meet current financial challenges and the high and growing costs associated with raising children and supporting their healthy development. Expansion of the CTC should protect lower- and middle-income children, parents and families from overpayments and hold them harmless when household circumstances change. Living arrangements for children can be complex, and a child benefit program needs to accommodate such circumstances and ensure the payments follow the child through diverse and dynamic family and non-relative caregiving and their involvement with foster care or other public systems.

Payments delivered regularly each month to households with children would establish a steady cash benefit designed to better meet the daily and essential needs of families throughout the year. At the same time, the regular cash support would provide some financial stability to families with children to help them meet unanticipated expenses and spur the economy during the ongoing emergency and beyond. Regular delivery of assistance also offers a ready mechanism to adjust benefit levels as needed—for example, to increase payments during times of economic crisis. To ensure a child benefit program is managed efficiently and fairly, additional resources should be available for the agencies involved in the design and administration of the program.

Important principles for reforming the CTC include:

- Making the credit fully refundable and increasing the credit (to at least \$4,000 per child per year);
- Creating a more generous young-child tax credit (at least \$4,600 per child per year),
- Including all children, regardless of immigration status;
- Designating 17-year-olds as “qualifying children;”
- Establishing equity for children in U.S. territories;
- Designing a program that is accessible to all children, especially those in complex living arrangements, involved with foster care or other public systems, unbanked and/or not connected to the tax code so the benefit follows the child;
- Making advance payments on a monthly basis when household bills regularly come due;
- Ensuring the benefit automatically keeps pace with inflation and the rising cost of raising children; and
- Protecting families from surprise tax bills and the credit from garnishment.

### Recommendation 3.3: Reform Application of the Child Tax Credit in the Territories

Support passage of legislation similar to H.R. 302/S. 698 introduced in the 116th Congress and led by Rep. Jenniffer González-Colón (Resident Commissioner-Puerto Rico) and Sen. Bob Menendez (D-NJ), and temporarily enacted under the American Rescue Plan Act, to allow families in Puerto Rico who have fewer than three children to claim the refundable portion of the CTC on the same basis as other taxpayers. Households in Puerto Rico pay federal payroll taxes, but many families are not eligible for the CTC because they have fewer than three children.

### Recommendation 3.4: Support Earned Income Tax Credit Equity for Puerto Rico

Support passage of the EITC Equity for Puerto Rico Act of 2021 (H.R. 105) introduced by Rep. Jenniffer González-Colón (Resident Commissioner-Puerto Rico), and temporarily enacted under the American Rescue Plan Act, to make residents of Puerto Rico eligible for the federal Earned Income Tax Credit.

### Recommendation 3.5: Expand Earned Income Tax Credit for Families with Children and Foster Youth

Support passage of legislation to expand and strengthen the Earned Income Tax Credit (EITC) permanently, such as the Working Families Tax Relief Act (S. 1138/H.R. 3157) introduced in the 116th Congress by Sens. Sherrod Brown (D-OH), Michael Bennet (D-CO), Dick Durbin (D-IL) and Ron Wyden (D-OR), and led by Rep. Dan Kildee (D-MI) in the House. The bill would boost the EITC for families with children by increasing the maximum credit and the phase-in rate. It also would lower the eligibility age to 19 from 25, benefitting many foster youth, and prevent millions of low-wage, childless workers from being taxed into poverty. These workers are parents of adult children, non-custodial parents (who still have financial obligations to their children), and grandparents who help care for their grandchildren. According to the Supplemental Poverty Measure (SPM) for 2019, refundable tax credits (EITC and Child Tax Credit) reduced the poverty rate for those ages 18 and younger by nearly 5.5 percentage points. The American Rescue Plan Act enacted a temporary expansion of the EITC for childless workers and qualifying foster and homeless youth, including an adjusted age eligibility for qualifying foster youth and homeless youth who are 18, even if they are full-time students.

### Recommendation 3.6: Support the Foster Opportunity EITC Act

Build on the successes of the Earned Income Tax Credit (EITC) to bring recipients into the labor market and reduce poverty by pursuing permanent changes to the tax code such as those in the Foster Opportunity EITC Act (H.R. 4954/S. 2790) introduced by Rep. Danny Davis (D-IL) and sponsored by Sen. Bob Casey (D-PA) in the 116th Congress and temporarily authorized under the American Rescue Plan Act. The bill would improve the EITC by expanding eligibility to foster and homeless youth at age 18 (rather than age 25 under current law), even if they are full-time students.

### Recommendation 3.7: Expand the Child and Dependent Care Tax Credit (CDCTC)

Support permanent, significant and comprehensive improvements to the Child and Dependent Care Tax Credit (CDCTC) such as those in H.R. 927 and S. 271, sponsored by Rep. Danny Davis (D-IL) and Sen. Bob Casey (D-PA) respectively—many of the improvements are temporarily authorized under the American Rescue Plan Act. The bill would expand the CDCTC to make it fully refundable, increase the maximum credit rate to 50%, adjust the phaseout threshold to begin at \$125,000 rather than \$15,000, greatly increase the amount of child and dependent care expenses that are eligible for the credit, and index the credit for inflation. This legislation is complementary to the critically important direct spending programs for child care, namely the Child Care Development Block Grant. The National Academy of Sciences study concludes that converting the CDCTC into a fully refundable tax credit, thus concentrating its benefits on families with the lowest income and with children under the age of five, supports parents in the workforce and helps reduce child poverty by 9.2% over 10 years.

### Recommendation 3.8: Support the Improved Employment Outcomes for Foster Youth Act

Support expansion of the Work Opportunity Tax Credit (WOTC) to include the hiring of qualified foster care transition youth. The WOTC permits employers hiring individuals who are members of a targeted group to claim a tax credit equal to a portion of the wages paid to those individuals. Modeled on H.R. 2964 sponsored by Rep. Danny Davis (D-IL) and S. 1651 sponsored by Sen. Bob Casey (D-PA) in the 116th Congress, the WOTC would be expanded to employers who hire “qualified foster care transition youth.”

### Recommendation 3.9: Create Baby Bonds

Support legislation such as the American Opportunity Accounts Act, (S. 222/H.R. 835) sponsored by Sen. Cory Booker (D-NJ) and Rep. Ayanna Pressley (D-MA) to establish “baby bonds.” This legislation would authorize federally funded and managed savings accounts (American Opportunity Accounts) to be established for American children who are under the age of 18. The legislation would help give every American child a better chance at economic mobility by creating a savings account of \$1,000 at birth. The funds would grow over time as the account earns interest until age 18 and additional deposits are allowed up to \$2,000 each year depending on family income. At age 18, account holders could access the funds in the account for allowable uses such as educational expenses or to purchase a home.

### Recommendation 3.10: Support the Rent Relief Act

Support legislation to allow a refundable tax credit for individuals who pay rent for a principal residence that exceeds a designated percentage of the individual's gross income for the taxable year, modeled after the Rent Relief Act sponsored by Vice President Kamala Harris (S. 1106/H.R. 2169) and Rep. Danny Davis (D-IL) in the 116th Congress. Three-quarters of families eligible for rental assistance in the United States do not receive it.<sup>10</sup> For individuals who reside in government-subsidized housing, the bill would allow a credit equal to 1/12 of the rent paid by the taxpayer (and not subsidized under the program) during the year with respect to the residence. The Department of the Treasury also would be required to establish a program for making advance payments of the credit on a monthly basis.

Contact Michelle Dallafior ([michelled@firstfocus.org](mailto:michelled@firstfocus.org)) for additional information.

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# SECTION 4



## End Child, Youth and Family Homelessness

Even before the outbreak of COVID-19, child, youth and family homelessness was skyrocketing. In the United States, more than 1.5 million students experienced homelessness in the 2017-2018 school year, representing a 10% increase from the previous year.<sup>1</sup> COVID-19 is exacerbating this problem, both by putting additional children and youth at risk of homelessness, and by increasing threats to the safety and well-being of children and youth already experiencing homelessness.

In order to address the unique developmental needs of homeless children and youth and put an end to homelessness in the United States, Congress must take a holistic approach to significantly reform the federal homeless assistance system and increase access to affordable housing, educational support, early childhood education, civil legal services for families with housing disputes and more.

### Recommendation 4.1: Reform Federal Homelessness Assistance

Despite the increasing needs of homeless children, youth and families due to the outbreak of COVID-19, many funds provided in the Coronavirus Aid, Relief, and Economic Security (CARES) Act neglect to center homelessness, despite the fact that homelessness impedes social distancing and makes distance learning extremely difficult. The bicameral, bipartisan Emergency Family Stabilization Act (S. 220 in the 117th/H.R. 7950 in the 116th Congress), led by Sens. Lisa Murkowski (R-AK), Joe Manchin (D-WV), Kyrsten Sinema (D-AZ) and Susan Collins (R-ME), and Reps. John Yarmuth (D-KY) and Danny Davis (D-IL), would provide flexible funding for community-based organizations to meet the unique needs of children, youth and families experiencing homelessness (as defined by the education subtitle of the McKinney-Vento Act). This funding could be used for shelter and housing needs, including motel vouchers, as well as health and safety needs, including hygiene needs and mental health services.

Homeless families with children, and youth who are on their own, stay wherever they can. These situations often include run-down motel rooms or overcrowded spaces temporarily shared with others because there is no family or youth shelter in the community, shelters are full, or shelter policies exclude them. Yet despite the vulnerability of children and youth in these situations, they are often ineligible for homeless assistance administered by the Department of Housing and Urban Development (HUD). The bipartisan Homeless Children and Youth Act (H.R. 2001) introduced in the 116th Congress by Reps. Steve Stivers (R-OH) and Dave Loebsack (D-IA), would remove barriers that communities face in addressing family, child and youth homelessness as a result of HUD's narrow definition of homelessness and would give them the flexibility to tailor homeless assistance interventions to the unique needs of their homeless population.

Communities would have the discretion to target services based on local assessment of need, and to serve the most vulnerable homeless children, youth and families, regardless of what form of homelessness they are experiencing. This approach would increase visibility and awareness of child, youth, young adult and family homelessness through increased data transparency; more accurate counts; and collaboration with early childhood programs, institutions of higher education and local educational agencies, thus helping communities leverage and attract more public and private resources to address homelessness.

## Recommendation 4.2: Increase Access to Affordable Housing

Studies have shown that housing instability and homelessness have long-term adverse physiological, academic and economic effects on children who experience them. Housing instability, which includes situations such as being behind on rent and making multiple moves, is associated with an increased risk of poor child health, including hospitalizations, and of maternal depression.<sup>2</sup> Yet despite the great need for housing assistance in the United States, only 1-in-4 families who are eligible for rent assistance receive it. In addition, families with children are a decreasing share of federal housing assistance beneficiaries<sup>3</sup> even though the majority of households on the waiting list for housing assistance (60%) are families with children.<sup>4</sup> The bipartisan Family Stability and Opportunity Vouchers Act (S. 3083) introduced in the 116th Congress by Sens. Todd Young (R-IN) and Chris Van Hollen (D-MD), would create an additional 500,000 housing vouchers over five years for families with young children and pregnant women experiencing homelessness or housing instability. The legislation would cover some of the most vulnerable homeless children who are living in motels or doubled-up with others because they have nowhere to go. In addition to rent assistance, families would also receive services to help them move to high-opportunity neighborhoods, including landlord outreach and counseling.

## Recommendation 4.3: Prevent Eviction and Increase Access to Civil Legal Services

Even before the pandemic, millions of households were at risk of eviction, and families with children are evicted at much higher rates than those without children. Children who experience eviction often face high rates of mobility and unstable living environments that have negative consequences for their education, physical health, mental health and interpersonal relationships.<sup>5</sup>

As of the end of January, renters with children were twice as likely to report being behind on rent,<sup>6</sup> and estimates find that 30-40 million people are at risk of eviction.<sup>7</sup> The national eviction moratorium instituted by the U.S. Centers for Disease Control and Prevention is an important step toward preventing evictions during the pandemic, but is temporary, currently expiring on June 30, 2021, and is not effective at preventing all evictions.

It is critical that Congress not only extend the moratorium, but also improve upon it in order to make it automatic and universal. This includes removing the affidavit requirement, freezing all existing eviction orders, explicitly making families who are living in hotel and motel rooms eligible for protection, and eliminating late fees for back rent owed. In addition, this moratorium must be accompanied by rental assistance and increased funding for civil legal services through the Legal Services Corporation to help families take full advantage of these protections, as well as avoid evictions once the moratorium is lifted.

Even with these improvements, the moratorium does not reach all families, such as the millions of families who are experiencing homelessness in doubled-up situations. This is why targeted assistance to homeless and housing insecure families with children, such as proposed in the Emergency Family Stabilization Act is critical along with a moratorium, rental assistance and funding for civil legal services.

Civil legal services and eviction prevention programs help keep children and families in their homes and protect them from the negative effects of being evicted. Yet most low-income families lack access to these services. The bipartisan Eviction Crisis Act (S. 3030) introduced in the 116th Congress by Sens. Michael Bennet (D-CO) and Rob Portman (R-OH), would increase funding for the Legal Services Corporation so more renters could access civil legal services for housing disputes. The legislation would also improve data on evictions in the United States, expand access to landlord-tenant community courts, and establish an emergency assistance fund for renters at risk of eviction.

## Recommendation 4.4: Address Youth Homelessness

At least 1-in-30 adolescents aged 13-17 and nearly 1-in-10 young adults aged 18-24 experience homelessness on their own, and this number has increased due to the outbreak of COVID-19.<sup>8</sup> Homelessness puts youth, especially those who are unsheltered, at great risk for trafficking and exploitation. The bicameral, bipartisan Runaway and Homeless Youth & Trafficking Prevention Act (S. 2916/H.R. 5191) introduced in the 116th Congress by Sens. Patrick Leahy (D-VT) and Susan Collins (R-ME), and Reps. John Yarmuth (D-KY) and Don Bacon (R-NE), would make much needed reforms to Runaway and Homeless Youth Act programs, such as strengthening prevention efforts offered by the Street Outreach and Basic Center programs, enabling Basic Center programs to serve youth for 30 days, allowing Transitional Living Programs to serve youth through age 24, and ensuring trafficking is prevented and victims are served through outreach, identification, prevention, referrals and reporting. The American Rescue Plan Act includes \$800 million in dedicated funding to support youth experiencing homelessness, the most ever allocated in dedicated funding for

youth experiencing homelessness.<sup>9</sup> We call on Congress to follow this lead and continue to provide robust support for youth and families experiencing homelessness. One vital piece of legislation we hope to see in the 117th Congress is the Homeless Children and Youth Act (HCYA) (H.R. 2001 in 116th/S.256 in 114th), which, among other actions, will align HUD's definition of homelessness with other federal agencies and expand the definition of chronically homeless to include other individuals in a given household. These will broaden support for homeless youth and families and will most importantly align our response to homelessness with a broader scope of those in need.

Contact Cara Baldari ([carab@firstfocus.org](mailto:carab@firstfocus.org)) or Conor Sasner ([conors@firstfocus.org](mailto:conors@firstfocus.org)) for additional information.

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# SECTION 5



## Ensure All Children Have Health Coverage that Meets Their Needs

Over the last three years, children in the United States have lost health insurance coverage at rates not seen in the almost two and half decades since the Children's Health Insurance Program (CHIP) was enacted in 1997.<sup>1</sup> The downward trend began before the COVID-19 pandemic and economic crisis, and it must be reversed. Health coverage for children and youth pays dividends to the nation and taxpayers for years to come. Besides helping to maintain a child's good health and prevent illness, health coverage provides needed care when a child is sick with cancer or is born with congenital abnormalities. Coverage allows for well-baby and well-child exams that include screenings, referrals and assessments for social, emotional and developmental concerns. Children who are uninsured miss more school, while their parents may miss more work. These kids may have lower educational outcomes and earn less money as young adults. When children are covered through Medicaid or CHIP, their parents can spend the limited money they have on other needs for their family, like food and housing, while cutting their risk of facing medical bankruptcy. Health coverage from birth throughout childhood promotes a good start in life, assures that children's growth and development will be monitored and assessed at regular intervals, and that they will be more likely to complete school. As COVID-19 vaccines continue to be developed and deemed appropriate for children, we must ensure that all children have access to them at no cost.

### Recommendation 5.1: Make CHIP Permanent and Eliminate the CHIP Funding Cliff

The Children's Health Insurance Program (CHIP) is the only federal insurance program that is temporary and continuously needs to be extended. CHIP is often threatened by potential shortfalls, such as the "funding cliff" that has been built into the funding mechanism.

Although the 115th Congress extended CHIP for a total of 10 years, the extension remains temporary and includes the imposition of a "CHIP funding cliff" that has the impact of dropped funding from \$26 billion or more in FY 2026 to just \$15.3 billion in FY 2027, threatening the ability of CHIP to survive an extension in the future.

This risk to the program's future existence is something that no other federal health insurance program faces. The amount of money budgeted for FY 2027 reflects an estimated CHIP eligibility level capped at just 200% of the poverty level, which is well below the level that most states currently cover children. This potentially creates an enormous funding gap when CHIP comes up for an extension in the future.

Fortunately, there may be an opportunity that allows CHIP to be made permanent now and still save money. The Congressional Budget Office estimates that continuing CHIP is less expensive than the alternatives, which include moving children into the health insurance marketplaces. This provides a potential win-win opportunity, as converting CHIP to a permanent program would put the program on the same footing as all other federal health coverage programs, none of which are subjected to repeated short-term extensions and funding cliffs, while also saving money. In March, two bills that would make CHIP permanent were introduced in the House. The Children's Health Insurance Program Permanency Act (H.R. 1791) or the "CHIPP Act" was introduced by Rep. Nanette Barragán (D-CA) and the Comprehensive Access to Robust Insurance Now Guaranteed (CARING) for Kids Act (H.R. 6151) was introduced by Rep. Vern Buchanan (R-FL) and co-sponsored by Rep. Lucy McBath (D-GA).



## Recommendation 5.2: Create a System So That All Children Eligible for CHIP and Medicaid Have Continuous Coverage from Birth Through Age Five

As their brains grow and develop and before they are enrolled in regular, full-time school, we need to ensure continuous health coverage for all children. The American Academy of Pediatrics recommends babies get checkups at birth, three-to-five days after birth, and then at 1, 2, 4, 6, 9, 12, 15, 18 and 24 months.<sup>2</sup> Babies may receive referrals for additional assessment and treatment from specialists and other providers during or between any of these appointments.

It is essential parents and medical providers know their child's primary care and any referrals are covered during this significant time in a child's development.

A critical aspect of well-child exams during the first five years includes developmental, behavioral, and psychosocial screenings. If these screenings are missed or interrupted due to lack of coverage, that can delay needed assessments and necessary early interventions. If a child with a delay or suspected delay is not identified in an early well-child check-up they will have to wait until someone identifies this in school.<sup>3</sup> If a child is not identified until school age they could have significant delays and might have lost many opportunities for early interventions. This could cause undue harm and suffering to the child and family and increase costs later. Continuous coverage during the first five years of life would help ensure children see medical providers regularly and receive appropriate care and referrals on time.

## Recommendation 5.3: Protect Medicaid and Early Periodic Screening Diagnosis and Treatment (EPSDT) for 38 Million Children by Supporting Medicaid Funding Without Block Grants or Per Capita Caps

Under block grants or per capita caps, children would disproportionately suffer and bear the brunt of cuts. Limiting funding with per capita caps and block grants imposes arbitrary restrictions on coverage that will lead to unequal cuts to children's coverage and access to care. We must ensure Medicaid funding is whole, and funding does not include undue constraints or requirements for health coverage for children or their parents. Congress should do no harm and should protect vulnerable children who are covered through the long-standing Medicaid program. This support also will protect Medicaid and Early Periodic Screening Diagnosis and Treatment (EPSDT) for 38 million children.

## Recommendation 5.4: Permit Families to Buy Coverage Through the Federal Employee Health Benefits Program (FEHBP), CHIP or Medicaid

For families who are self-employed, work part-time, or work for small businesses that may not offer health benefits, these options offer the chance to provide their children with coverage that will meet their needs and be cost-effective. Allowing all families regardless of income and immigration status to buy into coverage through these programs will improve coverage and access to care for families who remain in the coverage gap.

## Recommendation 5.5: Support the Health Equity and Accountability Act (HEAA)

Supported historically by the Congressional Tri-Caucus, made up of the Congressional Asian Pacific American Caucus, the Congressional Black Caucus, and the Congressional Hispanic Caucus, the ten titles of Health Equity and Accountability Act (HEAA) address every feature of health care and its delivery system. HEAA will remove barriers to affordable health insurance coverage, promote investments in new health delivery methods and technologies, and improve research and data collection about the health needs and outcomes of diverse communities. HEAA acts as a legislative outline to reduce racial and ethnic health disparities and establish a health care system that will lead us to true health care equity for children, individuals and families.

## Recommendation 5.6: Support the Health Equity and Access under the Law (HEAL) for Immigrant Families Act

The Health Equity and Access under the Law (HEAL) for Immigrant Families Act restores enrollment to full-benefit Medicaid and CHIP to all federally authorized immigrants who are otherwise eligible. The bill removes the discriminatory legal barriers to health coverage for immigrants imposed by the Personal Responsibility and Work Opportunity and Reconciliation Act. Specifically, the bill eliminates that 1996 law's restrictive five-year waiting period and outdated list of "qualified" immigrants for Medicaid and CHIP eligibility. Through these changes, the bill ensures all individuals granted federally authorized presence, including Deferred Action for Childhood Arrivals (DACA) recipients, are eligible for federally funded health care programs. The HEAL Act also removes

the unjustifiable exclusion of undocumented immigrants from accessing health insurance coverage on the Affordable Care Act's Health Insurance Exchanges. The bill would allow all individuals immediate eligibility to purchase qualified health insurance coverage, obtain premium tax credits and cost-sharing reductions, and enroll in the Basic Health Program, in accordance with existing income eligibility requirements. This access would be available for everyone, regardless of their documentation or status.

### Recommendation 5.7: Support the Coronavirus Immigrant Family Protection Act

This bill, sponsored by Rep. Judy Chu (D-CA) and Sen. Mazie Hirono (D-HI) in the 116th Congress, guarantees that everyone has access to COVID-19 testing, treatment and vaccines by providing Medicaid coverage of COVID-19-related services to everyone, regardless of immigration status; and prohibits discrimination in any program funded by a coronavirus relief bill based on actual or perceived immigration status. It also provides \$100 million for the Centers for Disease Control and Prevention to deliver language access and public outreach on coronavirus preparedness, response and recovery to hard-to-reach populations—including minorities, those with limited English proficiency and those with disabilities. These provisions, along with others in the bill, will provide support for all children and their parents so they can access the necessary testing, care and vaccine for COVID-19. (See more about this bill in the Immigration section).

### Recommendation 5.8: Pass the Children Don't Belong on Tobacco Farms Act

This legislation, which amends the Fair Labor Standards Act, would prohibit children under the age of 18 from coming into direct contact with tobacco plants or dried tobacco leaves. Although U.S. law prohibits children under the age of 18 from buying cigarettes, children as young as 12 are permitted to work in tobacco fields, where handling tobacco plants can lead to nicotine poisoning. Though tobacco companies and growers' associations in the U.S. recently adopted voluntary standards to limit child labor in tobacco work, this bill would codify this implicit agreement that a tobacco farm is no place for children to work. Human Rights Watch conducted a study in 2015 that found: Children working on tobacco farms worked up to 60 hours per week; children experienced nausea, vomiting, loss of appetite, dizziness, lightheadedness, headaches, and sleeplessness while working on tobacco farms; children worked in hot conditions with jobs ranging from harvesting tobacco plants to applying toxic pesticides; children are directly exposed to those pesticides from spraying fields. Many pesticides used in tobacco production are known neurotoxins. Long-term effects include cancer, neurological deficits and reproductive health issues.

Contact Carrie Fitzgerald ([carrief@firstfocus.org](mailto:carrief@firstfocus.org)) for additional information.

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# SECTION 6



## Improve the Health and Well-Being of Children and Mothers

### Maternal and Infant Mortality

Approximately 700 women die in the United States each year due to pregnancy or delivery, which is a rate higher than nearly all other developed countries.<sup>1</sup> The United States has an infant mortality rate that ranks 33 out of the 36 member countries in the Organization for Economic Cooperation and Development (OECD), and clocks in at 1.5 times the average of those countries' rates.<sup>2</sup> The statistics are significantly worse for Black women and infants compared to their white peers.<sup>3</sup> Black women are 3.5 times more likely to die from a pregnancy or birth than white women.<sup>4</sup> Additionally, Medicaid coverage for pregnant and postpartum women varies greatly by state, and women's outcomes by state therefore also vary greatly. Fifty-five percent of mothers who were insured by Medicaid for their delivery were uninsured six months after giving birth. The decline in infant mortality rates is 50% greater in Medicaid expansion states versus non-expansion states, and also includes a significant reduction in racial disparities.<sup>5</sup> The uninsured rate for women of childbearing age is nearly two times higher in non-expansion states as opposed to expansion states.<sup>6</sup>

### Recommendation 6.1: Provide Comprehensive Supports for Birthing People

Reps. Lauren Underwood (D-IL) and Alma Adams (D-NC), and Sen. Cory Booker (D-NJ) and Vice President Kamala Harris introduced the Black Maternal Health Momnibus Act of 2021 (H.R. 959/S. 346), which includes 12 important bills to improve the health and well-being of birthing people and their families to combat the maternal health crisis in our country. The following 12 bills are included in the Momnibus Act:

1. Social Determinants for Moms Act (H.R. 943) introduced by Rep. Lucy McBath (D-GA), would make critical investments in **social determinants of health** that influence maternal health outcomes including housing, transportation and nutrition.
2. The Kira Johnson Act (H.R. 1212) introduced by Rep. Adams, would provide funding to **community-based organizations** that are working to improve maternal health outcomes and promote equity.
3. Protecting Moms Who Served Act (H.R. 958) introduced by Rep. Underwood and Sen. Tammy Duckworth (D-IL), would comprehensively study the unique maternal health risks facing **pregnant and postpartum veterans** and support VA maternity care coordination programs.
4. Perinatal Workforce Act (H.R. 6164) introduced in the 116th Congress by Rep. Gwen Moore (D-WI), would grow and diversify the **perinatal workforce** to ensure that every mom in America receives culturally congruent maternity care and support.
5. Date to Save Moms Act (H.R. 925/S. 347) introduced by Rep. Sharice Davids (D-KS) and Sen. Tina Smith (D-MN), would improve **data collection processes and quality measures** to better understand the causes of the maternal health crisis in the United States and inform solutions to address it.

6. Moms Matter Act (H.R. 909/S. 484) introduced by Rep. Lisa Blunt Rochester (D-DE) and Sen. Kirsten Gillibrand (D-NY), would support moms with **maternal mental health** conditions and substance use disorders.
7. Justice for Incarcerated Moms Act (H.R. 948/S. 341) introduced by Rep. Ayanna Pressley (D-MA) and Sen. Booker, would improve maternal health care and support for **incarcerated moms**.
8. Tech to Save Moms Act (H.R. 937) introduced by Rep. Eddie Bernice Johnson (D-TX) and Sen. Bob Menendez (D-NJ), would invest in **digital tools** like telehealth to improve maternal health outcomes in underserved areas.
9. Impact to Save Moms Act (H.R. 950/S. 334) introduced by Rep. Jan Schakowsky (D-IL) and Sen. Bob Casey (D-PA), would promote **innovative payment models** to incentivize high-quality maternity care and non-clinical perinatal support.
10. Maternal Health Pandemic Response Act (H.R. 8027/S. 4769) introduced by Rep. Underwood and Sen. Elizabeth Warren (D-MA) in the 116th Congress, would invest in federal programs to address the unique risks for and effects of **COVID-19 during and after pregnancy** and to advance respectful maternity care in future public health emergencies.
11. Protecting Moms and Babies Against Climate Change Act (H.R. 957) introduced by Rep. Underwood and Sen. Ed Markey (D-MA), would invest in community-based initiatives to reduce levels of and exposure to **climate change-related risks for moms and babies**.
12. Maternal Vaccination Act (H.R. 951/S. 345) introduced by Rep. Terri Sewell (D-AL) and Sen. Tim Kaine (D-VA), would promote **maternal vaccinations** to protect the health and safety of moms and babies.

## Recommendation 6.2: Support and Reauthorize the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program

The Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program is a federal grant program to states, territories and tribes that supports evidence-based early childhood home visiting for families with children prenatal through kindergarten entry. Home visitors are a critical link of support for families who are facing a variety of challenges, due to causes that can include cyclical poverty, structural racism, intergenerational abuse and addiction. The MIECHV program shows positive outcomes in six benchmark areas critical to strengthening at-risk families: improved maternal and newborn health; prevention of child injuries, abuse, neglect, maltreatment and reduction of emergency department visits; improvement in school readiness and achievement; reduction in crime or domestic violence; improvements in family economic self-sufficiency; and improvements in the coordination and referrals for other community resources and supports. These supports have been even more vitally necessary during the COVID-19 pandemic.

Enacted in 2010 as part of the Affordable Care Act, MIECHV has been funded at \$400 million annually since 2013. Based on pre-pandemic estimates, this funding reaches 3to-5% of eligible families each year. To reach more eligible families and meet anticipated increased need brought on by the COVID-19 pandemic, we recommend scaling up MIECHV over the next five years with increases of \$200 million annually, for a total authorization of \$1.4 billion. We also support doubling the current tribal set-aside within MIECHV to 6% to reach more families in American Indian and Alaska Native communities, which endure disproportionately high levels of hardship, including the impacts of COVID-19 and maternal mortality and morbidity.

## Behavioral Health

Suicide is the second-leading cause of death for children ages 10-19 in the United States, and only 50.6% of children ages 8-15 with a mental health condition received mental health services in the previous year.<sup>7</sup> The COVID-19 pandemic is exacerbating these problems. Compared to 2019, mental health-related emergency room visits increased by 24% for children ages 5-11 and 31% for children ages 12-17.<sup>8</sup> There is also a dire shortage of health professionals specializing in mental and behavioral health for children and adolescents. There are an estimated 8,700 actively practicing child and adolescent psychiatrists, well below the estimated need of 30,000.<sup>9</sup> And roughly half of lifetime cases of mental illness begin by age 14 and nearly three quarters by age 24, making early identification and intervention a key child and adolescent health issue. We must address and mitigate underlying factors that can contribute to mental health problems in children, including poverty, housing need and health insurance coverage, as well as provide acute services that are needed.

## Recommendation 6.3: Address Child Trauma

The following legislation would address trauma experienced by children in a variety of ways:

- The Services and Trauma-Informed Research of Outcomes in Neighborhood Grants for (STRONG) Support for Children Act (H.R. 8544) introduced in the 116th Congress by Rep. Ayanna Pressley (D-MA), would establish two new grant programs to support local public health departments in addressing trauma and ensure that programming is conveniently located and accessible to all children and families regardless of immigration status, ability to pay or prior involvement in the criminal legal system.
- The Children's Protection Act of 2020 (H.R. 8565) introduced in the 116th Congress by Rep. Carolyn Maloney (D-NY), would require all proposed federal rules to undergo a childhood trauma impact study before being finalized to ensure that the health, well-being and futures of all children in America are prioritized.
- The Supporting Family Mental Health in CAPTA Act (H.R. 2503/S. 1160) introduced in the 116th Congress by Rep. Dean Phillips (D-MN) and Sen. Tina Smith (D-MN), would improve the delivery of mental health services for children and families, connect families with needed support services, support research on effective practices to prevent child abuse and neglect, and address disparities in the child welfare system.
- The RISE From Trauma Act (H.R. 3180/S. 1770) led in the 116th Congress by Sens. Dick Durbin (D-IL), Shelley Moore Capito (R-WV), Tammy Duckworth (D-IL), and Rep. Danny Davis (D-IL), would expand and support the trauma-informed workforce in schools, health care settings, social services, first responders and the justice system, and increase resources for communities to support children who have experienced trauma.

## Vaccines

Childhood vaccination rates were already beginning to decline, and the COVID-19 pandemic is accelerating those declines as parents keep infants and young children away from hospitals and clinics for well-child visits. After seeing record-setting outbreaks of measles in 2019, we are now at risk of a continued downward slope in our immunization rate. The World Health Organization in 2019 deemed vaccine hesitancy one of the 10 biggest threats to global health.<sup>10</sup> To date, more than 3 million children have tested positive for COVID-19; of those who died, more than two-thirds were Black or Hispanic. Efforts will be needed at the state and national levels to provide outreach, education and support to ensure that children and their families get vaccinated once there is a fully approved vaccine for children against COVID-19, and for Medicaid providers to maintain vaccine supplies so they can offer needed vaccines to children in a variety of settings.

## Recommendation 6.4: Pass the VACCINES Act

Reintroduce and pass the VACCINES Act of 2019 (H.R. 2862) introduced in the 116th Congress by Rep. Kim Schrier (D-WA), which would increase outreach efforts to ensure children do not fall behind on immunization rates and expand research to better understand vaccine hesitancy, spread public awareness of the importance of vaccinations, and increase vaccination rates across the lifespan.

## Tobacco

E-cigarettes and vaping are among the most dangerous threats facing children today. The use of e-cigarettes by youth has escalated rapidly in recent years fueled by youth attraction to flavored products, placing a new generation at risk of nicotine addiction and tobacco use. Between 2017 and 2019, e-cigarette use more than doubled among high school students (from 11.7% to 27.5%) and tripled among middle school students (from 3.3% to 10.5%).<sup>11</sup> More than 5.3 million middle and high school students used e-cigarettes in 2019, an alarming increase of more than 3 million in two years.

## Recommendation 6.5: Prevent Youth Tobacco Use

The Reversing the Youth Tobacco Epidemic Act (H.R. 2339/S. 3174) introduced by Rep. Frank Pallone (D-NJ) and Sen. Sherrod Brown (D-OH) in the 116th Congress, would make important progress toward reducing youth tobacco and e-cigarette use. The legislation would prohibit flavored tobacco products including menthol, prohibit the online sale of tobacco products, extend advertising restrictions to additional tobacco products, require the Food and Drug Administration (FDA) to issue a final rule to implement graphic health warnings on cigarette packs, increase the user fees FDA can collect from the tobacco industry, require FDA to oversee synthetic nicotine, and address inappropriate marketing of tobacco products. In May 2021, the FDA announced its intent to ban menthol-flavored cigarettes and flavored cigars, which is a significant step in reducing youth tobacco use and mitigating racial disparities in tobacco-related illness and death. We look to Congress to take the additional actions included in the Reversing the Youth Tobacco Epidemic Act to continue this vital effort.

## Opioids

The opioid epidemic is negatively impacting children in numerous ways. In 2017, 2.2 million children (2.8% of U.S. children) were directly impacted by opioid use. Two million of these were impacted by parental use, including living with a parent with opioid use disorder (OUD), losing a parent to an opioid-related death, having a parent in prison because of opioids, or having been removed from their homes due to opioids. Approximately 170,000 children had OUD themselves or had accidentally ingested opioids.<sup>12</sup> And opioid overdose deaths among postpartum mothers decline during pregnancy, but peak in the 7-to-12 months postpartum, which does not overlap with the current 60-day Medicaid postpartum coverage period. The COVID-19 pandemic is increasing rates of substance use that could cause more harm to children. The opioid epidemic has a lifetime societal cost of \$180 billion, through increased health costs, increased foster care placement, additional education needs, and more involvement in the judicial system, in addition to the individual effects on children's lives.<sup>13</sup>

### Recommendation 6.6: Support States in Effectively Spending Opioids Settlement Money to Benefit Children

Last year, First Focus on Children and Families USA invited child advocacy, welfare, and health experts to determine how to prioritize substance use prevention, bolster resiliency, and ensure that the programs benefiting children and youth receive their fair share of settlement funds from a potential global opioid settlement between pharmaceutical manufacturers and distributors and state, tribal and local governments. We created a list of recommendations for states to follow in order to best use resources resulting from a settlement to mitigate the negative impact the opioid epidemic and substance use have had on children.<sup>14</sup> Congress should take action to help and encourage states to ensure accountability in settlement money, create and fund children's state trust funds, coordinate response between state systems, fund family-centered treatment and care, implement state medicaid expansion, provide significant state-based kinship caregiver support, decriminalize prenatal substance exposure, reduce stigma attached to opioid use disorder and medication assisted treatment, increase funding and access to mental health treatment services, support Family First Prevention Services Act-Eligible services, extend postpartum Medicaid coverage to 12 months, and increase funding for existing prevention-focused federal programs.

Contact **Averi Pakulis** ([averip@firstfocus.org](mailto:averip@firstfocus.org)) for additional information.

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# SECTION 7



## Restore Environmental Health and Safety for Our Children

Children are not just little adults. Their bodies react differently to toxic environmental exposures because of differences in physiology and behavior. Children drink more water, eat more food, and breathe more air in relation to their body weight. They also exhibit hand-to-mouth behavior frequently, and live and play closer to the ground. These differences put them at much higher risk of being exposed to environmental threats, such as air pollution, water pollution and toxic substances. Legislation can protect children from these threats by improving oversight on pollution in exposed communities or improving infrastructure so every child can live in an environment free from environmental hazards.

### Recommendation 7.1: Protect Children from Harmful Toxins and Pesticides

Children are especially vulnerable to harmful toxins and pesticides, and these chemicals can do major harm to their growth and development. Therefore, the Toxic Substance Control Act should be strengthened and other legislation should be enacted that protects children from exposure. The Protect America's Children from Toxic Pesticides Act (S. 4406/H.R. 7940) led by Sen. Tom Udall (D-NM) and Rep. Joe Neguse (D-CO), would ban some of the most harmful pesticides and enact new regulations that ensure safe pesticide registration practices. The Get Toxic Substances Out of Schools Act of 2020 (S. 4277) led by Sen. Ed Markey (D-MA) would provide support to schools and child care centers so they can adequately address environmental problems, contaminants, hazardous substances and pollutant emissions, and protect the health of students. The Protect Children, Farmers and Farmworkers from Nerve Agent Pesticides Act of 2019 (S. 921) would ban the harmful chemical chlorpyrifos, a dangerous neurotoxin linked to brain damage in children.

### Recommendation 7.2: Protect Children From Lead Exposure

Lead is an extremely dangerous toxin that can cause developmental issues in children. The Centers for Disease Control and Prevention has stated that any level of lead exposure in children is dangerous, yet there are still thousands of children exposed to lead in their drinking water and within their homes. Legislation like the Lead Free Future Act (H.R. 4416) led by Rep. Jared Golden (D-ME) and the Lead Safe Housing for Kids Act (S. 1583/H.R. 8713) led by Sen. Dick Durbin (D-IL) and Reps. Donald McEachin (D-VA) and Chuy García (D-IL) would direct the federal government to take the actions necessary to prevent lead poisoning in American homes.

### Recommendation 7.3: Promote Environmental Justice for Marginalized Communities

Children from low-income families and communities of color are usually at higher risk of exposure to toxic substances, pollution and the resulting negative health outcomes such as asthma and learning disabilities. The Environmental Justice for All Act (S. 4401/H.R. 5986) led by Vice President Kamala Harris, Sens. Tammy Duckworth (D-IL) and Cory Booker (D-NJ), and Reps. Raul Grijalva (D-AZ) and Donald McEachin (D-VA) would help remedy these disparities by requiring federal agencies and larger corporations to further consider the health consequences of their actions and by ensuring compliance and enforcement to reduce health disparities and improve public health in disadvantaged communities.

## Recommendation 7.4: Invest in Programs That Work to Prevent Climate Change and Subsequent Health Outcomes

Climate change is altering our planet at an alarming rate. Temperatures continue to rise, weather patterns are shifting to create stronger storms and longer droughts, and food- and water-borne diseases are afflicting even more people. Unfortunately, women and children will bear the brunt of the climate emergency, as they make up nearly 70% of the world's poorest populations. The Women and Climate Change Act of 2020 (H.R. 1880/S. 868) led in 116th Congress by Rep. Barbara Lee (D-CA) and Sen. Mazie Hirono (D-HI) would protect this vulnerable population by directing federal agencies, such as the Department of State and the Centers for Disease Control and Prevention, to lead the global effort to mitigate the impacts of climate change on women and girls by developing coordinated and comprehensive strategies. Climate change and its subsequent health hazards also greatly impact pregnant women and their infants, leading to low birth weight and even death in some cases. That's why we also support The Protecting Moms and Babies Against Climate Change Act (H.R. 957/S. 423) in the 117th Congress, which would invest in community-based programs to help identify and mitigate levels of and exposure to health risks related to climate change for this vulnerable population.

## Recommendation 7.5: Improve Air Quality Control and Regulation

Children are especially vulnerable to toxic air pollution due to their developing lungs. Exposure to air pollution can lead to health problems, such as asthma, decreased lung function, and worsened cognitive functioning. The Clean Air Sharp Minds Act (S. 3364/H.R. 6025) led by Sen. Cory Booker (D-NJ) and Rep. Katherine Clark (D-MA) would work to improve the air quality in schools so that children can thrive while learning. The Public Health Air Quality Act of 2020 (S. 4369/H.R. 7822) led by Sen. Tammy Duckworth (D-IL) and Rep. Lisa Blunt Rochester (D-DE) would require the Environmental Protection Agency to implement fence-line monitoring for air pollutants at facilities that contribute to high local negative health outcomes, especially in marginalized communities. We also support the Breath of Fresh Air Act (H.R. 136) led by Rep. Sheila Jackson Lee (D-TX), which would provide grants to schools to allocate nebulizers, which will help children suffering from asthma (which is exacerbated by air pollution).

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# SECTION 8



## End Child Hunger and Improve Child Nutrition

Before COVID-19, 11.2 million children lived in a food-insecure household.<sup>1</sup> The public health and economic crises caused by the coronavirus have exacerbated the problem, leaving nearly 14 million children without enough to eat. Food insecurity—which in turn leads to poor nutrition—has been shown to directly influence health and well-being throughout a child’s life.<sup>2</sup> Food insecurity is specifically associated with poorer physical and mental health, lower school performance and diminished psychosocial functioning.

Families primarily suffer from food insecurity because they lack the resources to access and purchase healthy, adequate food. Federal food assistance programs are critically important supports that help children get the food they need. However, Congress can and should take steps to strengthen and expand these programs to fight child food insecurity and ensure better child nutrition.

### Recommendation 8.1: Strengthen and Protect the Supplemental Nutrition Assistance Program (SNAP)

The Supplemental Nutrition Assistance Program (SNAP) is the first line of defense against child food insecurity, and has lifted millions of children out of poverty. Changes to SNAP should reflect the needs of low-income families, and benefit levels should increase as food prices increase. The Closing the Meal Gap Act (S. 3719/H.R. 1368) led in the 116th Congress by Vice President Kamala Harris and Rep. Alma Adams (D-NC) would help strengthen and support SNAP by increasing minimum SNAP benefit levels and requiring benefits to be calculated using the value of a low-cost food plan. The legislation would also eliminate unnecessary and harmful work requirements and allow the U.S. territories to participate in SNAP instead of receiving block grants.

### Recommendation 8.2: Prioritize Child Nutrition Reauthorization

Every five years, Congress is able to improve and strengthen child nutrition and school meal programs. However, important programs like the National School Lunch Program, the School Breakfast Program, and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), which provide meals to millions of children, have not been reauthorized since 2010 and instead are operating on funding provided by appropriations acts. It is time to act to improve upon these important nutrition programs to ensure as many children as possible are receiving healthy meals. In an upcoming child nutrition reauthorization, we recommend maintaining science-based nutrition standards for school meals, expanding access to summer nutrition programs, and streamlining eligibility for school meals.

### Recommendation 8.3: Strengthen and Modernize the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) is very important for providing healthy food and quality nutrition services and breastfeeding support for expectant mothers and young children. To ensure the program is able to effectively serve its more than 6 million participants, legislation should be enacted that strengthens and supports WIC. The Wise Investment in Children (WIC) Act of 2021 (S. 853/H.R. 2011), led by Sens. Bob Casey (D-PA) and Susan Collins (R-ME) and Rep. Rosa DeLauro (D-CT) would extend postpartum WIC eligibility for two years, extend WIC eligibility for children from age 5 to age 6, extend the WIC certification periods to two years, and support the transition to an electronic benefits service delivery.

## Recommendation 8.4: Increase Access to High-Quality Child Nutrition Programs Year-Round

Legislation should address “meal gaps” wherein children who rely on free or reduced-price school meals for nourishment during the school day struggle to get enough to eat during the summer, weekends and extended holidays. The Child Summer Hunger Act of 2019 (S. 1941), led in 116th Congress by Sen. Patty Murray (D-WA), the Hunger-Free Summer for Kids Act of 2019 (S. 1918), led in 116th Congress by Sens. John Boozman (R-AZ) and Patrick Leahy (D-VT), and the Summer Meals Act of 2021 (S. 1170/ H.R. 783) led by Sens. Kirsten Gillibrand (D-NY) and Lisa Murkowski (R-AK) and Reps. Don Young (R-AK) and Rick Larsen (D-WA) will help address such meal gaps during extended breaks from school. Legislation should also invest in the capacity of educational institutions to serve healthy meals. The School Food Modernization Act (S. 876/H.R. 3444) led by Sen. Susan Collins (R-ME) will help schools serve healthier meals to students by establishing a grant, loan guarantee and technical assistance program.

## Recommendation 8.5: Create a Permanent EBT Program for When Schools are Not In Session

The Pandemic-EBT program has been essential in reducing food insecurity among low-income children who are eligible for free and reduced-price school meals.<sup>3</sup> School meals are an important source of nutritious food for children, and when school is out many low-income parents struggle to provide the additional 10 meals a week that their child is no longer receiving. Due to the success of the P-EBT program, we believe this program should be used whenever schools are shut down for extended periods of time, like during a weather emergency or even during the summer months (such as Summer EBT). Now that states have the infrastructure in place to administer such a benefit plan, it should be used for years to come to ensure students are not losing out on school meals for extended periods of time. We were very pleased to see this program extended for the next two summers in the American Families Plan. However, we would like to see these changes made permanent for years to come through legislation.

## Recommendation 8.6: Support Universal School Meals

School meals are an incredibly effective way to get nutritious food to students who are growing and developing, a time when proper nutrition is of utmost importance. Nearly 30 million children qualify for free and reduced-price school meals. The Universal School Meals Program Act (S. 1530/H.R. 3115) led by Sens. Bernie Sanders (I-VT) and Kirsten Gillibrand (D-NY), and Rep. Ilhan Omar (D-MN) would provide free school meals to every student regardless of income, as it would not require proof of financial need. Such a program would remove the stigma associated with free school meals, reduce the administrative burden on school nutrition programs, and would ensure that every single student would receive nutritious meals while they are at school.

## Recommendation 8.7: Improve Access to Nutrition Programs for Immigrant Families

Many immigrant families do not use public benefit programs that they are eligible for. Policies such as public charge, which caused many immigrant families to withdraw from using public benefits (such as Supplemental Nutrition Assistance Program (SNAP) and Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)) because they feared it would affect their immigration status, or the five-year waiting period on public benefits for immigrants with legal permanent residency, have all led to reduced enrollment in these important programs for immigrant families and their children. Even though the Biden Administration has taken steps to reverse such policies (specifically public charge), action is needed to ensure immigrant families use the public nutrition benefits for which they are eligible. We suggest investing in community-based organizations within immigrant communities to provide funding for outreach and education programs, so that more families are made aware of their eligibility and can get help in signing up for programs such as SNAP and WIC. We also suggest eliminating the five-year bar and waiting periods to use such programs and changing policies to eliminate questions about immigrant status when signing up for nutrition programs.

Contact Olivia Gomez ([oliviag@firstfocus.org](mailto:oliviag@firstfocus.org)) for additional information.

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# SECTION 9



## Consider the “Best Interest of the Child” for All Immigration Policies

Over the years, many children and families have arrived in the United States to seek safety and build a new life.<sup>1</sup> Children of immigrants are the fastest growing group of children in the United States, making up a quarter of our nation’s children.<sup>2</sup> Our immigration system should meet these children’s unique needs and also ensure that they have what all children need: Safe places to live free from fear, stable and unified families, and access to health care, good nutrition, education and economic opportunity.

However, our immigration system has treated children as an afterthought and sometimes has made cruelty to children the purpose of immigration policies. For many years and across many administrations, our immigration system has separated families, detained children, narrowed access to legal protection and systematically denied access to critical federal support programs. Even during the COVID-19 pandemic, children and families have been turned away from our border and denied critical support that every family needs to get through this crisis.

The United States must mandate that the “best interest of the child” is a primary consideration for all immigration policies.<sup>3</sup> The U.S. Citizenship Act of 2021 is an important first step, incorporating many of the bills mentioned below and which, if passed, would add only the second reference to the “best interest of the child” in immigration law. Children’s best interests should be the guiding principle for all aspects of immigration law, and would lead to equitable policies that treat newly arrived children and families with dignity and give them a fair opportunity to seek protection; keep families together; ensure children’s healthy development through access to health care, food assistance and other critical public benefits, especially during the COVID-19 pandemic; and ensure a fair and dignified path to citizenship for children and families who call this country home and who are essential to our communities, democracy and economy.

### Recommendation 9.1: Welcome Children and Families at the Border

Children and families seeking protection at our border must be welcomed with humane and orderly processing and quick release to community-based settings. To do so, the government must incorporate experts in child welfare and development in both their workforce and consultation processes. The Child Trafficking Victims Protection and Welfare Act of 2019 (H.R. 3729/S. 661), sponsored by Rep. Lucille Roybal-Allard (D-CA) and Sen. Mazie Hirono (D-HI), ensures that qualified child welfare professionals and language interpreters are available at ports of entry as well as border patrol stations. Additionally, this bill, along with the Humanitarian Standards for Individuals in Customs and Border Protection Custody Act of 2019 (H.R. 3239/S. 2135) sponsored by Rep. Raul Ruiz (D-CA) and Sen. Tom Udall (D-NM), outlines standards of care for the short-term custody of children and families with U.S. Customs and Border Protection (CBP). These standards include a safe and sanitary environment, access to basic hygiene products, access to legal services and access to food and climate-appropriate clothing.

## Recommendation 9.2: Place Children with Families and In Communities

Children should be supported by family and community while they navigate their immigration case. The United States must do away with immigration detention and instead use models of family- and community-based care for children and families, thus protecting children from trauma and the negative developmental impacts of detention. The Freedom for Families Act, introduced by Rep. Pramila Jayapal (D-WA) and Sen. Jeff Merkley (D-OR) would end family detention in favor of community-based programs like the Family Case Management Program,<sup>4</sup> which would ensure children and families have access to legal services and other services in the community completely outside of the immigration enforcement apparatus. The Stop Cruelty to Migrant Children Act of 2019 (H.R. 3918/S. 2113) introduced by Rep. Grace Meng (D-NY) and Sen. Jeff Merkley (D-OR), limits the size of facilities for unaccompanied children and the use of influx facilities.

Decades of litigation over the horrific conditions in which migrant children were being held in detention resulted in the 1997 Flores Settlement Agreement (FSA). This agreement set national standards for the care and treatment of children in government custody, setting a presumption of release and mandating that children be in the least restrictive setting in their best interest. All legislation must preserve and build upon the protections granted to children in the FSA, which are based on long-established child welfare principles of family unity and appropriate care of children. The Protection of Kids in Detention (PROKID) Act, introduced in this Congress by Rep. Pramila Jayapal (D-WA) and Sens. Kirsten Gillibrand (D-NY), Elizabeth Warren (D-MA), Jacky Rosen (D-NV), and Richard Blumenthal (D-CT), builds on the oversight provided by Flores counsel by creating an Office of the Ombudsman within the Department of Health and Human Services to provide advocacy, subject-matter expertise and oversight over the government's compliance with laws protecting immigrant children's health, safety, and well-being.

## Recommendation 9.3: Guarantee Children Fair Immigration Proceedings

When the consequences are life and death, every child should be given a fair chance to receive protection. Children who face immigration proceedings must have their voices heard and their status as children taken into account. In order to pursue this standard, all children in immigration proceedings, both accompanied and unaccompanied, must have legal representation; the most vulnerable unaccompanied children must have an independent child advocate to advocate for their best interests; and immigration proceedings must be child-friendly and non-adversarial. The FAIR Proceedings Act, introduced in the previous Congress by Sen. Kirsten Gillibrand (D-NY), ensures that all children seeking protection in the United States are guaranteed legal counsel in their immigration proceedings. The Fair Day in Court for Kids Act (H.R. 2043 (115th)/S. 662), sponsored by Rep. Zoe Lofgren (D-CA) and Sen. Mazie Hirono (D-HI), would require unaccompanied children to have legal representation for the duration of their cases and immigration courts to develop model guidelines of legal representation for children's cases.

## Recommendation 9.4: Strengthen Access to Legal Protections for Children

Children who have faced persecution and violence must be able to seek safe haven in the United States and have certainty that they will not be returned to harm. The United States must restore access to asylum and other legal protections that are particular to children, such as Special Immigrant Juvenile Status. The Refugee Protection Act of 2019 (H.R. 5210/S. 2936), sponsored by Rep. Zoe Lofgren (D-CA) and Sen. Patrick Leahy (D-VT), lays out a comprehensive blueprint to revitalize asylum and refugee resettlement, including extending Trafficking Victims Protection Reauthorization Act (TVPRA) protections to all child applicants and providing family reunification for child refugees and asylees. Immigration law should grant special protections to children when returning to their home country would not be in their best interest.

## Recommendation 9.5: Keep Families Together

The Trump Administration's family separation policy set a new bar of intentional cruelty. Our immigration laws must ensure that the families separated under that policy have the services they need to heal and rebuild their lives, and that families stay together throughout the immigration process. The Families Belong Together Act of 2021 (H.R. 883/S. 271), sponsored by Rep. Joaquin Castro (D-TX) and Sen. Richard Blumenthal (D-CT), provides a path to permanent legal status for families intentionally separated at the border during the previous administration's zero-tolerance policy. Bills like the Keep Families Together Act of 2019 (H.R. 541/S. 292) sponsored by Rep. Jerrold Nadler (D-NY) and Sen. Dianne Feinstein (D-CA), prohibit the removal of children from their parents by the Department of Homeland Security or the Department of Justice at the border unless there is a risk of trafficking, harm to the child or questions of parentage. Congress should ensure that family separation, including separation from non-parent adult caregivers, is prohibited except in extremely limited circumstances.

Family unity must also be preserved for families within the United States. The Dignity for Detained Immigrants Act, introduced in this Congress by Reps. Pramila Jayapal (D-WA) and Adam Smith (D-WA) and Sen. Cory Booker (D-NJ), would end family detention and includes a presumption of liberty from detention for primary caregivers of children. Additionally, two bills introduced by Rep. Lucille Roybal-Allard (D-CA) aim to preserve parental rights and family unity for parents, legal guardians and caregivers. The Humane Enforcement and Legal Protections (HELP) for Separated Children Act of 2019 (H.R. 3451) requires U.S. Immigration and Customs Enforcement (ICE) to consider the best interest of the child in all decisions regarding their parent's detention, release and transfer. It also allows parents to make arrangements for their children's care and for children to visit their parents while they are detained. Legislation should also ensure that immigration judges consider the best interests of children when adjudicating the possible removal of parents or caregivers.

Similarly, the Help Separated Families Act of 2019 (H.R. 3452) combats discrimination based on immigration status in the child welfare system by ensuring that the immigration status of the parent, legal guardian or relative caregiver is not itself a disqualifying factor in evaluating the placement of a child and prohibiting child welfare agencies from terminating parental rights when a fit or willing parent or relative has been deported or detained. The Reuniting Families Act (H.R. 3799), introduced by Rep. Judy Chu (D-CA) in the 116th Congress, prioritizes family unity by reforming the family-based immigration system.

## Recommendation 9.6: Prioritize Child Well-being Over Harmful Immigration Enforcement

Children and families should be able to access the services they need for their health and development without mistreatment or fear. The Protecting Sensitive Locations Act (H.R. 529/S. 2097), introduced this Congress by Rep. Adriano Espaillat (D-NY) and in the 116th Congress by Sen. Richard Blumenthal (D-CT) would ensure that children and families can access hospitals, schools, places of worship and other community services without fear of being removed from their community.

All entities caring for unaccompanied children must focus solely on their well-being—that is, prompt and safe release to family sponsors and fire-walled services that allow children to trust the adults caring for them. The Families Not Facilities Act of 2019 (H.R. 2217/S. 388) sponsored by Rep. Debbie Wasserman Schultz (D-FL) and Sen. Kamala Harris, now the Vice President, prohibits the harmful practice of using children's information to detain and deport family members, which would support children's prompt and safe reunification with loved ones. The Immigrant Mental Health Act of 2020 (H.R. 6075/S. 3392) introduced by Rep. Grace Napolitano (D-CA) and Sen. Jeff Merkley (D-OR), would ensure that unaccompanied children's therapeutic sessions are not used against them in their immigration cases, but rather are used to inform appropriate and individualized services for children.

## Recommendation 9.7: Support All Children's Health and Well-Being

All children should have access to health care, food assistance, education and economic security, regardless of their immigration status.<sup>5</sup> The COVID-19 pandemic has made clear that we are all connected, that children have been impacted by the public health and economic crises, and that every child and family needs support to recover. Congress must ensure that COVID-19 relief includes children of immigrants and their families. The Coronavirus Immigrant Family Protection Act of 2019 (H.R. 6437/S. 3609), sponsored by Rep. Judy Chu (D-CA) and Sen. Mazie Hirono (D-HI), would provide immigrant children and families access to COVID-19 testing and treatment, food assistance and economic support, prevent immigration enforcement at sensitive locations, and fund public outreach programs to immigrant communities (see more on this bill in the Health section).

Congress must also eliminate structural barriers in our immigration system and other systems to protect all children's healthy development, including the five-year waiting period for those with legal permanent status to access certain federal programs and determinations of public charge for children. The No Public Charge Deportation Act of 2019 (H.R. 5814), sponsored by Rep. Grace Meng (D-NY), would remove public charge as a ground for deportation of immigrants and promote access to federal programs that benefit children. The Children's Act for Responsible Employment and Farm Safety (CARE) Act of 2019 (H.R. 3394), introduced by Rep. Lucille Roybal-Allard (D-CA), would protect the health and safety of child farmworkers, many of whom are immigrants or children of immigrants, by bringing child labor standards for agriculture in line with standards for all other forms of child labor.

## Recommendation 9.8: Provide A Path to Citizenship for Children and Their Families

More must be done on behalf of children and families who call the United States home. The U.S. Citizenship Act of 2021 (H.R. 1177/S. 348), introduced this year by Rep. Linda Sánchez (D-CA) and Sen. Bob Menendez (D-NJ), provides an eight-year path to citizenship for all undocumented immigrants, and immediate green cards to Dreamers, TPS recipients and farmworkers. This bill would give the more than 5 million children with a parent who is undocumented or has DACA or TPS,<sup>6</sup> as well as children who are undocumented themselves, security to grow and thrive without fear. The bill incorporates portions of the American Dream

and Promise Act of 2021 (H.R. 6), introduced by Reps. Lucille Roybal-Allard (D-CA), Nydia Velázquez (D-NY) and Yvette Clarke (D-NY), and the Farm Workforce Modernization Act of 2021 (H.R. 1603), introduced by Reps. Zoe Lofgren (D-CA) and Dan Newhouse (D-WA), which both passed in the House of Representatives with bipartisan support. Legislation should also ensure that the youngest Dreamers also have access to the shorter path to citizenship and that young people are not excluded from a pathway to citizenship based on juvenile adjudications or alleged gang involvement.

Contact Miriam Abaya ([miriama@firstfocus.org](mailto:miriama@firstfocus.org)) for additional information.

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3. Jennifer Nagda and Maria Woltjen, "Best Interests of the Child Standard: Bringing Common Sense to Immigration Decisions," Big Ideas 2015—Pioneering Change: Innovative Ideas for Children and Families, (March, 11, 2015) <https://firstfocus.org/wp-content/uploads/2015/04/Best-Interests-of-the-Child-Standard.pdf>
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# SECTION 10



## Make Child Welfare Work for Kids

The case for child welfare system transformation is irrefutable. The pandemic and the resulting recession have worsened the damage of the opioid and placement crises that have long plagued the child welfare system. The instability, inattention and trauma that nearly 450,000 U.S. children experience prior to entering foster care is too often exacerbated by the adverse experiences inside of foster care. As a result, children in foster care are at risk of chronically poor health, educational disparities, poverty and additional court-involvement.

The Family First Prevention Services Act of 2019 demonstrates the need for a true primary prevention, public health approach to child safety and well-being. The system must make deeper investments in community-based prevention programs, extended family resources, and tangible supports for families. Investments in prevention must match the more than \$8.7 billion spent to respond to children and families after a child is allegedly maltreated if the child welfare system is going to prove its commitment to prevention.

We need a child well-being system that is grounded in equity, rooted in support of families, and held accountable to the outcomes it produces if we are going to eliminate the racial disparities that exist at nearly every stage of the child welfare system. Therefore, we recommend Congress take the following steps:

### Recommendation 10.1 Improve Former Foster Youth's Access to Medical and Dental Coverage

Congress should pass the three bills introduced by Rep. Karen Bass (D-CA) to improve Medicaid access and oral health insurance coverage for former foster youth. The Doshia Joi Immediate Coverage for Former Foster Youth Act (H.R. 1793), which has a companion bill introduced by Sen. Bob Casey (D-PA) (S. 712), provides immediate Medicaid coverage until age 26 to former foster youth who have moved to a different state since leaving foster care. The Expanded Coverage for Former Foster Youth Act (H.R. 1795) expands access to continued Medicaid coverage to youth who were not enrolled in Medicaid when they left foster care or who left foster care before age 18 via emancipation or legal guardianship with a kin provider. The bill also requires states to establish outreach and enrollment programs by January 1, 2022. The Foster Youth Dental Act of 2021 (H.R. 1794) provides extended oral health service benefits for former foster youth to age 25, protects youth from losing their coverage if they move between states, incentivizes private providers to participate by making the Medicaid reimbursement rate equal to the median private sector rate, and requires states to establish an outreach and enrollment program for both former foster youth and dentists.

### Recommendation 10.2 Protect Children from the Trauma of Unnecessary Removals

Children are traumatized when they are unnecessarily removed from their families and placed in foster care. Congress can take two steps to prevent this trauma. First, Congress should empower parents to keep child welfare agencies accountable to their Title IV-E program mandate to make reasonable and active efforts to prevent removal.<sup>1</sup> This step will require outreach to make parents aware of this right and funding to support an expedited legal process for parents to execute this right. Second, Congress should support both relative caregivers who become licensed foster parents to take care of children who have been abused or neglected and those relatives who are caring for children to prevent them from being abused or neglected. Relatives who take on the responsibility and expense of caring for children often need access to financial, legal, school-related and family mediation services. By passing legislation similar to the Help Grandfamilies Prevent Child Abuse Act bills that had bicameral introductions in during the

116th Congress (S. 1181 and H.R. 5583), Congress can make sure that relatives who are raising children inside and outside of the child welfare system are given a voice, training and support as they protect and nurture children.

### Recommendation 10.3 Protect Children and Youth in Foster Care From Abuse and Neglect

Research suggests that children and youth in foster care are four times more likely than their non-foster care peers to experience sexual abuse and that placement in a group setting increases a child's risk of maltreatment.<sup>2</sup> Additionally, 16% of children missing from care were likely victims of child sex trafficking.<sup>3</sup> Congress should take steps to protect children in government care by increasing oversight and accountability. Initial steps should include allowing states to use federal child welfare funding to create, operate and publicize an independent foster youth ombudsman; passing a bill consistent with the bipartisan Child Welfare Oversight and Accountability Act of 2017 (S. 1964 (115th)); passing a bill consistent with the bipartisan Protecting Foster Youth Resources to Promote Self-Sufficiency Act (H.R. 5737 (114th)), which saves foster children's Social Security benefits instead of allowing the money to be taken into a state agency's coffers; and equipping child welfare stakeholders to address the safety needs of the thousands of kids who are "thrown away" (i.e., abandoned by their foster placement provider) or who run away from foster care each year.

### Recommendation 10.4 Address the Opioid Epidemic's Impact on Children

Approximately 2.2 million children were directly impacted by the opioid crisis in 2017 and in 2019 approximately one-third of all the children in foster care were taken into care due to their parent or caregiver's abuse or misuse of controlled substances.<sup>4</sup> Congress can help address the impacts of the opioid epidemic on children by providing technical assistance to states that are creating trust funds for child victims of the opioid crisis, by investing significantly more funding into the provision of the SUPPORT for Patients and Communities Act (Pub. Law No. 115-271) to meaningfully allow states to provide more residential family-based services, and to appropriate much more funding for the creation and implementation of "plans of safe care," which are required for infants identified as being affected by illegal substance use to enable appropriate services to be delivered to infants and mothers.

### Recommendation 10.5 Address Racial Disparities and Inequities in the Child Welfare System

Racial disparities and inequities exist at every stage of the child welfare system, leaving Black, Native American and Hispanic children and youth disproportionately worse off for having come in contact with the system. We urge Congress to address these injustices by assessing and addressing the disparities and racial identity harm caused by the implementation of the Multiethnic Placement Act of 1994; reintroducing and passing the Native American Child Protection Act (H.R. 4957/S. 4787), which allows tribes to use funds for culturally appropriate treatment services and programs; and to require the Children's Bureau to expand states' ability to collect and analyze racial, ethnic, sexual orientation and gender identity data.

### Recommendation 10.6 Continue the Commitment to Prevention

Preventing child abuse and neglect has been a part of the child welfare system's charter for decades. The Child Abuse Prevention and Treatment Act (CAPTA) is due for reauthorization in 2021. We recommend that Congress pass reauthorization while also ensuring that CAPTA's definition of "child abuse and neglect" does not increase the risk of children living in poverty being separated from their families and that children and parents have a right to pre-petition access to quality legal counsel. Additionally, we urge Congress to modify the Family First Prevention Services Act to expand the scope of allowable prevention services to include evidence-based services that prevent or mitigate the effects of domestic violence, economic insecurity and challenges facing children of incarcerated or re-entering parents. Lastly, we call on Congress to prioritize race equity and the voices of children and youth as it reauthorizes Title IV-B.

Contact **Aubrey Edwards-Luce (AubreyEL@firstfocus.org)** for additional information.

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# SECTION 11



## Restore Justice for Children

The undeveloped potential of youth has led the U.S. Supreme Court to consistently rule that kids involved with the juvenile justice system should be treated differently than adults. Adolescence is a dynamic time in human development. With proper support and opportunities, adolescent brains—which regularly struggle with sleep, impulse control, risk-seeking behaviors and executive function—are able to develop the capacity to consider the consequences of behavior and choose more appropriate behaviors.<sup>1,2</sup>

Especially during the pandemic, detaining and confining youth exacerbates negative health risks for a group of kids who often have a history of trauma and, on average, suffer more than one mental health disorder. More than 2,000 young people in juvenile detention facilities had contracted COVID-19 as of mid-November 2020, which is very concerning because youth entering detention facilities often go in with serious health needs. For example, nearly 20% of girls entering detention have had to go to the emergency room for an asthma-related incident and approximately 1-in-5 report surviving a sexual assault in the preceding week.

Research continues to show that detaining and jailing youth often increases a youth's odds of additional justice system involvement. Instead of a punitive tool, the youth justice system provides our society an opportunity to offer young people support, a chance to heal and a safe space to grow. Therefore, we recommend that the 117th Congress take the following actions:

### Recommendation 11.1 Count Youth Justice in COVID-19 Data

By passing the COVID-19 in Corrections Data Transparency Act (S. 324/H.R. 1072), Congress would require jails, prisons and juvenile facilities to report to public health authorities on COVID-19 testing, cases, outcomes, vaccinations and care—all disaggregated by race, ethnicity, age, sex, sexual orientation, gender identity and other important demographic characteristics.

### Recommendation 11.2 Create a Children and Youth Task Force in the Department of Health and Human Services

System-involved youth are the same children that other governmental agencies aim to support and protect. They are the same youth who are receiving insurance through Medicaid or the Children's Health Insurance Program (CHIP). They are the same children of parents receiving treatment from programs supported by the Substance Abuse and Mental Health Services Administration or assistance from the Office of Refugee Resettlement. They are the teens getting medical services provided by the Health Resources and Services Administration. Unfortunately, justice-involved youth are frequently failed or forgotten by these agencies.

In order to facilitate the strategic prioritization and coordination for the well-being of all children and youth, especially those who are justice-involved, we recommend the creation of a Children and Youth Task Force in the Department of Health and Human Services (HHS). Selected and empowered by the HHS Secretary, the Children and Youth Task Force would coordinate policy across federal agencies generally, and inside the numerous HHS agencies specifically, thereby ensuring that justice-involved youth are not the subject of unintended consequences or left out of opportunities for improved health, security or well-being.

### Recommendation 11.3 Create the Bureau of Child and Youth Justice in the Department of Justice

In 2015, then-Attorney General Kamala Harris created the Bureau of Children's Justice in the California Department of Justice. The Bureau was tasked with enforcing the laws that protect children and holding accountable the government agencies entrusted with the care of children and youth. We recommend that Congress pass legislation that creates the Bureau of Child and Youth Justice in the Department of Justice and that authorizes this new bureau to use the Department's criminal and civil capacity to safeguard the freedom, health and well-being of all justice-involved children (in our immigration, foster care and juvenile systems), to investigate and prosecute education discrimination, and to enforce the Children's Health Act of 2000 as it relates to the rights of institutionalized children and the rights of children in community-based settings.

### Recommendation 11.4 Fully Fund Equity and Prevention

Common adolescent behaviors by Black, Hispanic, American Indian and Alaskan Native youth disproportionately receive punitive responses from juvenile courts. Congress has taken steps to support youth and address racial and ethnic disproportionality, but additional funding is needed. We recommend that Congress increase funding for tribal juvenile justice systems and provide \$100 million to support the Offices of Juvenile Justice and Delinquency Prevention (OJJDP). This additional funding to OJJDP will ensure that it can return to at least 50% of its operational levels. The office saw major reductions in staffing over the past four years and has not seen staffing levels this low in more than a decade, directly impacting its ability to support states and serve our young people. Lastly, it is essential that Congress fully fund the Juvenile Justice Delinquency Prevention Act by ensuring the full \$176 million authorized for Titles II and V of the law are appropriated. States and local juvenile justice agencies also need substantial funding and technical assistance in order to monitor and address the disproportionate contact between the police and Black, Hispanic, American Indian, Alaskan Native and LGBTQ+ youth.

### Recommendation 11.5 Align Juvenile Justice Practices with Adolescent Development Science

The science of adolescent development shows that youth are likely to grow in empathy and executive decision making skills. By virtue of this fact, Congress should support a nationwide ban on sentencing system-involved youth to life without parole. The U.S. Supreme court's recent holding in *Jones v. Mississippi* strengthens the case for Congress to instruct juvenile courts on how to sufficiently review the attributes of youth when deciding whether to: arrest children, allow them to waive their Miranda Rights, or place them in solitary confinement, transfer system-involved youth to the adult criminal system, or sentence them to life without the possibility of parole. Congress should pass the bipartisan legislative package of bills intended to create more fair and age-appropriate accountability measures for children who come into the federal criminal justice system that is composed of the following bills:

- H.R. 2858, which would retroactively end life and de facto life without parole by giving individuals convicted of crimes as children the ability to petition a judge for sentencing review and modification after serving 20 years;
- H.R. 2908, which, among many provisions, establishes a minimum age of 12 for criminal culpability for children; increases the minimum age for a child to be tried as an adult from 13 to 16; eliminates the felony murder rule for children; prohibits the placement of children in adult jails or prisons; and
- H.R. 2834, which would require parents to be notified when a child is arrested and require that the child consult with legal counsel before they can waive their Constitutional rights and be subject to custodial interrogation.

Congress should also promote positive youth development by passing and fully funding the Tiffany Joslyn Juvenile Accountability Block Grant Reauthorization and Bullying Prevention and Intervention Act of 2019 (H.R. 494) at \$30 million. Lastly, lawmakers should let system-involved youth leave their youthful mistakes behind them by passing the Record Expungement Designed to Enhance Employment (REDEEM) Act (H.R. 2410), which provides for the automatic expungements of non-violent offenses committed by youth before the age of 15 and for the automatic sealing of non-violent juvenile records.

### Recommendation 11.6 Protect System-Involved Youth from Violence and Abuse

In order for youth to develop an abiding respect for our legal system their experience with the system needs to be free of violence and abuse. To that end, Congress must pass the Justice for Juveniles Act (H.R. 961), which amends the Prison Litigation Reform Act to ensure that all incarcerated youth under the age of 21 have access to the courts for protection from abuse. Additionally, Congress should protect the rights of system-involved youth by equipping and funding executive agencies that are tasked with responding to youth's allegations of abuse, mistreatment, discrimination or exclusion based on any protected status. Specifically,

Congress should ensure that the Civil Rights Division of the Justice Department and the Department of Education are fully funded for these tasks. Lastly, placing youth in solitary confinement has proven irreparably damaging. We are calling on Congress to eliminate the solitary confinement of children by passing Kalief's Law (H.R. 131) and funding the presence of behavioral health and restorative justice professionals in all facilities serving juveniles.

## Recommendation 11.7 Phase Out Detention and Correctional Facilities for Youth

Facilities that contain system-involved youth often fail to assist youth on their path toward positive development. On the whole, jailing children does not help them take the steps necessary to become healthy, law-abiding adults. Therefore, Congress should disincentivize the use of nonprofit and for-profit facilities, including detention and correctional centers. Specifically, lawmakers should take the following steps:

- Remove the Valid Court Order exception to the Deinstitutionalization of Status Offenders provision of the Juvenile Justice and Delinquency Prevention Act and thereby encourage states to release youth with status offenses from detention;
- Support and incentivize the closure and repurposing of youth prisons. Provide \$100 million to support states that close and repurpose youth jails. Funding would be used to support a robust planning process to help redirect state resources freed up by closures to support more effective alternatives to incarceration and community-based programs for system-involved youth and needed services and opportunities outside of the justice system. Funding would also address economic concerns such as the re-employment of prison workers and the economic impact of youth prison closures on communities;
- Disallow jail and prison construction as a means for rural development. Presently, the Department of Agriculture is fueling the construction of jails and prisons in rural areas by funding these projects via the Community Facilities Direct Loan and Grant Program.

Contact [Aubrey Edwards-Luce \(AubreyEL@firstfocus.org\)](mailto:AubreyEL@firstfocus.org) for additional information.

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# SECTION 12



## Invest in the Future of All Children with Education Equity and Supports

For years, our public school systems have been wracked by underfunding and chronic inequities. These inequities tend to concentrate on our most marginalized populations: Black, brown, and indigenous kids are more likely to go to schools that are underfunded. A report found that, in 2016, majority-white school districts receive, on average, \$23 billion more in funding than their non-white counterparts.<sup>1</sup> The universal right to a quality education, a nation's backbone, has been hamstrung by predatory for-profit charter schools, consistent devaluing of teacher salaries, underfunding and high-stakes testing, like Race to the Top, which creates perverse incentives antithetical to the spirit of learning. In order for our nation's public school system to build back better and confront longstanding and ingrained structural inequities, we recommend Congress take the following steps:

### Recommendation 12.1: Stop Criminalization in Schools

Reduce out-of-school suspensions and other punitive and exclusionary discipline measures, which overwhelmingly target Black, indigenous and Hispanic students. The Counseling Not Criminalization Act (S. 4360/H.R. 7848), introduced by Sens. Elizabeth Warren (D-MA) and Chris Murphy (D-CT) and Reps. Ayanna Pressley (D-MA) and Ilhan Omar (D-MN), works to “make schools police-free and replace Student Resource Officers (SROs) with counselors and social workers.” By both reducing police presence in schools and increasing the presence of compassionate and socio-emotional support, provided by counselors, the bill takes a two-pronged approach to reducing the criminal targeting of students. Some studies have shown that “as schools increase their use of police, they record more crimes involving weapons and drugs and report a higher percentage of other non-serious violent crimes to law enforcement.” In addition, rather than making students feel safer, police presence makes students feel less safe in what should be a nurturing learning environment. Another contributor to criminalization in schools is punitive discipline in the form of suspensions and expulsions. These forms of discipline push out kids and alienate them from their learning, while overwhelmingly targeting students of color, particularly Black and indigenous students. In some states, Black youth are 10 times more likely to be incarcerated than their white peers. The Ending PUSHOUT Act (H.R. 5325), re-introduced this Congress by Reps. Pressley, Omar and Watson Coleman (D-NJ), will oppose the systematic disenfranchisement of Black girls and girls of color in schools. We need legislation to combat punitive discipline and to incentivize compassionate and evidence-informed social-emotional support.

### Recommendation 12.2: Support Teachers and Public School Workers

The teacher shortage is a deepening and COVID-exacerbated crisis. Over the past few decades, the teacher pay gap—that is, the gap between teacher salaries and those of comparable college-educated jobs—has steadily increased, growing to 19%. As the National Education Association points out, “pay erosion and the marginalization of the education profession have created a growing shortage of educators.” At the same time, private schools and for-profit charter systems are able to pay better wages and draw experienced teachers away from public schools.

Secretary of Education Miguel Cardona rightly pointed out “schools will need to reduce class sizes to maintain physical distancing—which could mean hiring more staff to teach more classes or providing broadband access and technology for students to learn from home in a hybrid learning model.”

Before the pandemic, public school teachers wrangled classes filled beyond capacity, while students struggled to get the instruction they need and deserve to thrive. Congress should pass the Save Education Jobs Act (H.R. 542), sponsored by Reps. Jahana Hayes (D-CT), Gregorio Sablan (D-MP) and Bobby Scott (D-VA), which would put \$261 billion toward the Education Jobs Fund to support states and communities hit hard by COVID-19 and the following recession to save and create education jobs over the next 10 years.

On the campaign trail, President Biden called on the American people to “understand that it is overwhelmingly in their best interest that we pay teachers fairly.” We must institute a minimum teaching wage of \$60,000 and allocate funding so that teachers are not forced to use their own money to provide classroom materials for themselves and their students. Congress should work to oppose anti-union and anti-worker efforts, like so-called “right to work” laws and support collective bargaining in school settings.

### Recommendation 12.3: Combat Discrimination in Schools

A 2017 survey by Human Rights Campaign and University of Connecticut found that, of 17,000 LGBTQ students, more than two-thirds said they’d been bullied because of their identity. The Safe Schools Improvement Act (S. 2548/H.R. 2653), introduced by Sen. Bob Casey (D-PA) and Rep. Linda Sánchez (D-CA), requires that any school accepting federal funds through the Elementary and Secondary Education Act prohibit bullying and harassment of all kinds against students regardless of sexual orientation or gender identity, race, ethnicity, disability and more. It also puts requirements in place for schools and states to collect and report data on bullying and harassment incidents that would then go to the Department of Education. Similarly, the Student Non-Discrimination Act (S. 2584/H.R. 5374) prohibits discrimination against any student based on sexual orientation or gender identity for any public school program that takes federal money. The White House took vital action to ensure students do not face sexual violence in schools with a recent Executive Order;<sup>2</sup> Congress must follow the same path.

### Recommendation 12.4: Strengthen Schools as Providers of Holistic Support

Community schools provide health and support services, a site for youth and community organizing, and are effective at implementing Career Technical Education and college readiness for students. In addition, they empower parents and teachers to have a voice in learning and provide a forum for the productive dialogue between teachers, administrators and community stakeholders. The Full-Service Community Schools Expansion Act (S. 4865) would invest \$3.65 billion over the next five years into the existing community schools program. Supporting existing community schools through renewable grants and eliminating silo-ing between state-level decision makers and local educational agencies will help us advance toward a more equitable and supportive public school system.

Contact [Conor Sasner \(conors@firstfocus.org\)](mailto:conors@firstfocus.org) for additional information.

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# SECTION 13



## Restore International Leadership by Beginning with Children

Our international assistance investments and policies can impact the most vulnerable populations both inside and outside our borders. The United States spends only 0.11% of its entire federal budget on programs that benefit children and youth abroad.<sup>1</sup> Despite its limited amount, the investment has delivered substantial progress improving the lives of millions of children and safeguarding their well-being. That said, the COVID-19 pandemic and its economic fallout threatens all of the progress made in poverty reduction, health outcomes, education and safety for children.

In a speech outlining the United States' foreign policy priorities, Secretary of State Antony Blinken stated, "As we do this work, we will not lose sight of our core principles. Cruelty, especially to children, is unacceptable. And turning our backs on some of the most vulnerable people on earth is not who we should ever be." He also pointed out, "...distinctions between domestic and foreign policy have simply fallen away. Our domestic renewal and our strength in the world are completely entwined."<sup>2</sup> Restoring our international leadership begins with children, both at home and abroad.

### Recommendation 13.1: Maintain and Increase Funding for Children Abroad

We call on our nation's lawmakers to:

- Improve mechanisms to track funding and program outcomes. The U.S. government's response to global children and youth is fragmented and involves many federal entities; funding is spread among 26 to 30 offices. Just \$9.54 of every \$100 spent on foreign assistance benefits children and youth specifically;<sup>3</sup>
- Maintain and/or increase existing investments in children and youth around the world while scaling up effective interventions to respond to the COVID-19 emergency and to rebuild;
- Protect funding for orphans and vulnerable children (OVC) during the reauthorization process of the President's Emergency Plan for AIDS Relief (PEPFAR) in 2023 and ensure the Administration spends the full 10% on mitigating the impact of HIV on OVC.<sup>4</sup>

### Recommendation 13.2: Change Systems to Protect Children's Rights and Interests

The U.S. government must align its development policy objectives regarding children and youth and the assessment of impact with the international Sustainable Development Goals (SDGs).<sup>5</sup> In particular, examine SDGs and the 35 indicators directly related to children.<sup>6</sup>

### Recommendation 13.3: Improve Early Childhood Development Policies and Programs

Lawmakers and the Administration must further support implementation of the Global Child Thrive Act of 2020 (H.R. 4864/S. 2715), which was signed into law.<sup>7</sup> The law seeks to strengthen implementation of policies that advance early childhood development and builds on the evidence and priorities outlined in 'Advancing Protection and Care for Children in Adversity: A U.S. Government Strategy for International Assistance 2019–2023'.<sup>8</sup>

## Recommendation 13.4: Protect and Promote Girls' Rights

We call on Congress to:

- Support the passage of the bipartisan Girls Leadership, Engagement, Agency, and Development Act of 2021 or the Girls LEAD Act. Reintroduced in the House and Senate in March 2021 by Reps. David Trone (D-MD) and Cathy McMorris Rodgers (R-WA) and Sens. Ben Cardin (D-MD) and Susan Collins (R-ME), the Girls LEAD Act promotes girls' civic and political participation through U.S. foreign assistance. It aims to increase girls' abilities to engage in decision-making processes, and to create stronger enabling environments and address gendered barriers—including child marriage—that stand in the way of their leadership.<sup>9</sup>
- Pass the Safe from the Start Act of 2021 (H.R. 571/S. 765), which was re-introduced by Rep. Grace Meng (D-NY), along with 40 co-sponsors. Sens. Lisa Murkowski (R-AK) and Bob Menendez (D-NJ) re-introduced the bill in March 2021.<sup>10</sup> The bill requires the Department of State to carry out activities to prevent, mitigate and respond to gender-based violence in humanitarian emergencies around the world. The bill includes addressing child exposure to violence.
- Pass the Refugee Sanitation Facility Act of 2021 (H.R. 1158). Reps. Lee Zeldin (R-NY) and Grace Meng (D-NY) re-introduced the bill to ensure the provision of safe and secure access to sanitation facilities, with special emphasis on women and girls, and vulnerable populations.
- Pass the Keeping Girls in School Act (H.R. 2153/S. 1071). The bill, introduced in the 116th Congress, authorizes the U.S. Agency for International Development (USAID) to enter into acquisition, assistance or financing agreements to address societal, cultural, health and other barriers that adolescent girls face in accessing quality secondary education.

## Recommendation 13.5: Increase Youth Participation to Influence Their Futures

Congress must pass the Youth, Peace, and Security Act (H.R. 6174). The bill, introduced in the 116th Congress, requires the Department of State to coordinate the development and implementation of a whole-of-government strategy to promote inclusive and meaningful participation of youth in peace building, conflict prevention, management and resolution. It would also have the President appoint a coordinator to implement the strategy and engage youth-led civil society organizations and youth peace-building implementers.

## Recommendation 13.6: Support Education Programs

Congress must pass the Global Learning Loss Assessment Act (H.R. 1500/S. 552). Introduced by Reps. Brian Fitzpatrick (R-PA), Mike Quigley (D-IL), and Chrissy Houlahan (D-PA)<sup>11</sup> and Sens. John Boozman (R-AR) and Ben Cardin (D-MD),<sup>12</sup> the bill directs the Administrator of the U.S. Agency for International Development (USAID) to submit to Congress a report on the impact of the COVID-19 pandemic on global basic education programs.

Contact Kathy Sacco ([kathys@firstfocus.org](mailto:kathys@firstfocus.org)) for additional information.

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# SECTION 14



## Prioritize Investment in Our Youngest Citizens

Child care and early learning programs are among the worthiest and most commonsense investments that we can make as a country, helping to equalize opportunities for our children. The settings that our children spend their days in matter for improved outcomes in health, well-being, education, economic stability and reduced involvement in the criminal justice system.<sup>1</sup> Families need high-quality, accessible and affordable programs for their children so that they can work or attend school. And child care providers are employers themselves; more than two million people work in child care in this country.<sup>2</sup> This was all true before the COVID-19 pandemic, but the realization and understanding of the importance of early learning programs is even greater now.

### Recommendation 14.1: Make Child Care Affordable, Accessible and of High Quality and Create a System That Elevates the Child Care Workforce

A single-parent household spends 36% of its income on child care. Child care fees for two children in a child care center exceeds annual median rent payments in every single state.<sup>3</sup> And child care workers, the vast majority of whom are women and disproportionately women of color and immigrants, are some of the most undervalued and underpaid workers in our country. In 2017, child care workers earned less than two-thirds of the median wage for all occupations in their states.<sup>4</sup> And 46% of early childhood professionals rely on one or more public support programs annually.<sup>5</sup> It is unacceptable that professionals we expect so much of are valued at so little.

Combining high-quality, access, affordability and a well-supported workforce will improve our child care system to provide the care, education and economic stability we need for the success of our children and the national economy. Child care is a backbone of our economy, as essential to its functioning as roads and bridges. It needs an investment that reflects its true value as a public good.

The American Families Plan, as proposed by President Biden, would address affordability, accessibility, quality and workforce issues through a variety of actions including capping the amount families pay out of pocket for care, providing flexibility in the form of care that families choose, funding universal pre-K for three- and four-year-olds, and increasing pay for the early learning workforce. Congress should support and pass legislation that addresses the priorities included in the American Families Plan, including through the Child Care for Working Families Act, introduced by Sen. Patty Murray (D-WA) and Rep. Bobby Scott (D-VA); the Universal Child Care and Early Learning Act (S. 1398/H.R. 2886) introduced by Sen. Elizabeth Warren (D-MA) and Rep. Mondaire Jones (D-NY); and the Building an Economy for Families Act proposed by Rep. Richard Neal (D-MA); and Building Child Care for a Better Future Act introduced by Senators Wyden (D-OR), Warren (D-MA), Brown (D-OH), Casey (D-PA), and Smith (D-MN).

### Recommendation 14.2: Treat Child Care as Infrastructure

Child care is essential to the functioning of our economy, as the COVID-19 pandemic has made painfully clear. Children, their families, and the professionals who work in our child care system also need safe and healthy spaces in which to provide care. The Child Care Infrastructure Act (H.R. 1911), introduced by Rep. Katherine Clark (D-MA), would make needed investments in the child care workforce through student loan repayment, reauthorization of the Child Care Access Means Parents in School



program, safety improvements in child care facilities, and support of child care providers. Additionally, any infrastructure package that Congress and the Biden Administration consider should include robust funding for our child care and early learning system, including by bolstering the early learning workforce and providing an assurance of assistance to families.

### Recommendation 14.3: Expand the Child and Dependent Care Tax Credit (CDCTC)

Support permanent, significant and comprehensive improvements to the Child and Dependent Care Tax Credit (CDCTC) such as those in H.R. 927 and S. 271, sponsored by Rep. Danny Davis (D-IL) and Sen. Bob Casey (D-PA) respectively—many of the improvements are temporarily authorized under the American Rescue Plan Act. The bill would expand the CDCTC to make it fully refundable, increase the maximum credit rate to 50%, adjust the phaseout threshold to begin at \$125,000 rather than \$15,000, greatly increase the amount of child and dependent care expenses that are eligible for the credit, and index the credit for inflation. This legislation is complementary to the critically important direct spending programs for child care, namely the Child Care Development Block Grant. The National Academy of Sciences study concludes that converting the CDCTC into a fully refundable tax credit, thus concentrating its benefits on families with the lowest income and with children under the age of five, supports parents in the workforce and helps reduce child poverty by 9.2% over 10 years.

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# CONCLUSION



## Racial Justice and Race Equity

All children deserve the chance to reach their full potential, and we all benefit when they do. Half of our nation's children are now children of color. Equity, fairness and diversity are our strengths, but only if we embrace those values.

Unfortunately, America's longstanding systemic and institutional racism results in an ongoing inequality gap for children of color that affects every aspect of their lives. Black, Hispanic and Native American households with children suffer disproportionate levels of hardship from their time in the womb into adulthood, negatively affecting outcomes related to maternal and infant mortality, education, housing, child welfare, employment, income/wealth, immigration, the environment and access to high-quality health care and child care.

Recent events have further exposed and exacerbated the existing racial and ethnic disparities in our society. The outbreak of COVID-19 is causing higher levels of infection, disease burden, mortality rates and economic hardship for children and households of color. When children experience or witness incidents of police killings and brutality it reinforces trauma that is too often part of their childhood.

Children deserve our best efforts, and we must do everything possible to combat systemic racism in our society and ensure that current crises do not threaten children's healthy development and long-term outcomes. The stakes and challenges are enormous for our children and, as the length of this document shows, the agenda must be ambitious and comprehensive.

All children can thrive when given the opportunity and the support they need. We must work together to give every child, regardless of race, ethnicity or immigration status, an equal chance at success.



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