



CWDA

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To: County Welfare Directors Association of California

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

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Re: Federal Update

The House and Senate returned last week from their holiday recess. The farm bill and the federal fiscal year (FFY) 2014 appropriations bills remain unfinished. Both measures are expected to be completed within days. Although the current short-term spending bill expires on January 15, there is no likelihood of a federal government shutdown.

Before recessing in December, the Senate Finance Committee adopted the bipartisan Supporting At-Risk Children Act (S. 1870). The bill contains a reauthorization of the Adoption Incentives Act, child welfare policy changes -- including administrative provisions addressing youth sex trafficking -- and a section containing child support provisions. Those three sections were then introduced as separate bills to allow for individual consideration on the Senate floor.

More information on these issues follow.

FFY 2014 Federal Spending Bills

As of today, the House and Senate appropriations chairs and ranking members were completing the final details of an omnibus spending measure containing all 12 appropriations bills to fund the federal government through September 30. As usual, legislative riders on abortion and Affordable Care Act provisions were holding up a final agreement on the Labor, Health and Human Services spending bill, but those matters are expected to be resolved. The bill is also expected to continue the Temporary Assistance for Needy Families program (TANF/CalWORKS) through the end of the FFY.

Funding levels are not public for programs within HHS or any other department for that matter. Most members of Congress in fact, are not privy to the bill's contents.

There is no chance of a federal shutdown. Both the House and Senate leadership have agreed to adopt very short-term funding extensions past the January 15 deadline if more time is necessary to complete the bill.

Farm Bill

Supplemental Nutrition Assistance Program (SNAP): A final farm bill agreement appears imminent, with final negotiations taking place on subsidies for dairy. While there is no bill language available, House and Senate leaders have indicated that there is one cut to SNAP.

The final bill reportedly will contain a \$9 billion over ten years cut to SNAP/CalFresh by limiting the use of the state 'heat and eat' option. Fourteen states, including California, have used the administrative mechanism to increase benefits for some of their beneficiaries. Current federal policy allows states to make a nominal \$1 annual Low-Income Home Energy Assistance Program (LIHEAP) benefit payment to certain SNAP recipients so that it triggers the standard utility allowance (SUA), resulting in an increase in benefits.

The compromise bill will contain the House bill provision requiring that the LIHEAP benefit be at least \$20 annually. The Senate bill contained only one SNAP cut -- a LIHEAP minimum benefit of \$10 annually.

The House bill contained another \$30 billion in cuts over ten years which have been rejected.

Adoption Assistance and Incentives Reauthorization

On December 12, 2013 the Senate Finance Committee adopted by voice vote the *At-Risk Children Act* (S. 1870). The bill was subsequently divided into three separate measures.

S. 1876 - *The Strengthening and Finding Families for Children Act* -- reauthorizes the adoption incentives program. Many of the provisions are similar to the House-passed bill (H.R. 3205). Both bills make a number of important changes to the adoption incentives program, including the way states may qualify for incentives with a focus on improvements in rates rather than absolute numbers. The formula change alone will enable California to once again qualify for incentives. Under the current structure, the State has not received an incentive payment since FFY 2008.

The Senate bill contains the CWDA-supported provision to provide incentive payments for subsidized guardianship placements for the first time under federal law. The payments would be at the same rate (\$4,000) as adoptions. The House bill contains a similar provision, albeit at a lower incentive of \$1,000.

Additionally, the Senate adopted a provision also in the House bill which has long been advocated by CWDA. The provision mirrors adoption law to enable successor guardians to continue to receive Title IV-E Guardianship Assistance Program (GAP) payments should a relative caregiver die or become incapacitated.

The bill has not yet been scheduled for floor action.

Senate Finance Bill on Commercial Sexual Exploitation of Children (CSEC)

The Senate Finance Committee also reported out the *Protecting Youth At-Risk for Sex Trafficking Act* (S. 1878). The bill did not use the Social Services Block Grant (SSBG) to fund its provisions. The bill would require states to collect data and report on children who

are victims of sex trafficking, as well as describe the actions taken to protect and provide services to such youth. The legislation would also make a number of changes to policies affecting foster youth, including a policy that any child exiting care at age 14 or older be provided a copy of their birth certificate, a social security card, drivers license or equivalent state-issued ID and, at the option of the child, a low or no-fee bank account. States would be financially penalized if a certain number of children did not receive those documents.

Among other provisions, the bill would also give children 14 years of age and older the option of choosing up to two members of his/her case planning team who are not the child's foster parent or caseworker. And, the measure would require any child support payments made on behalf of the child be used to support activities and fees for that child rather than be used to offset any other federal or state costs.

The bill has not yet been scheduled for the floor. A House draft contains provisions similar to the Senate bill, but the Ways and Means Committee has not announced a mark up schedule yet.