



CWDA

**County Welfare Directors Association of California**

925 L Street, Suite 350, Sacramento, CA 95814 (916) 443-1749

Frank J. Mecca, Executive Director

Washington, DC Office  
Tom Joseph  
Waterman & Associates  
900 Second Street NE  
Washington, DC 20002  
(202) 898-1444  
tj@wafed.com

**To:** County Welfare Directors Association of California

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

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**Re:** Federal Update

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Congress has returned from a one week recess. Both the House and Senate Agriculture Committees are expected to consider their versions of a farm bill reauthorization this month, with the Supplemental Nutrition Assistance Program (SNAP) slated for cuts in both draft bills. Also on the agenda is a Senate Judiciary Committee markup of immigration reform which contains procedures affecting children of parents who are detained by U.S. Immigration and Customs Enforcement.

**Supplemental Nutrition Assistance Program:** The Senate Agriculture Committee's measure to reauthorize the farm bill is likely to contain \$4 billion over ten years cut to SNAP by restricting the ability of states and counties to coordinate and streamline eligibility for SNAP with the Low Income Home Energy Assistance Program (LIHEAP). Senator Kirsten Gillibrand (D-N.Y.) circulated a Dear Colleague letter opposing the "heat and eat" cut. CWDA worked with other groups to obtain the support of Senators Feinstein and Boxer in signing the letter to oppose the cut. The farm bill, which has yet to be introduced, may be marked up as early as this Thursday and Senator Gillibrand is expected to offer an amendment to restore SNAP funding.

The House farm bill legislation is likely to contain a far deeper cut to SNAP. A draft bill is not available, but there are indications that the legislation will cut SNAP by about \$20 billion over ten years by restricting SNAP categorical eligibility and limiting LIHEAP heat and eat eligibility.

Similar to last year, the respective House and Senate measures are likely to pass out of committee with the SNAP cuts intact. Floor action on both measures is anticipated, with the Senate measure moving to the floor perhaps before Memorial Day. The Senate is expected to strongly object to the House cuts to SNAP if a conference committee is conducted later in the year to resolve the differences between the two bills.

**Immigration:** This Thursday, May 9, the Senate Judiciary Committee is expected to mark up its bipartisan immigration reform bill (S. 744). CWDA has been working with child welfare advocates to modify language in the bill to ensure that U.S. Immigration and Enforcement (ICE) has protocols in place to prevent children from being placed into the child welfare system simply because their parents are detained or deported, and to reunify parents and children who become involved in both immigration and child welfare proceedings. Some of the bill's provisions have been modified to reflect the administrative costs and realities of

coordinating ICE and child welfare agencies, including contacting, *if appropriate*, a local consular office to identify, locate and contact a parent or an adult relative who may be eligible to care for the child instead of acting to terminate parental rights.

Senator Al Franken (D-Minn.) is planning to introduce the *HELP Separated Children Act* as an amendment during the Judiciary Committee markup. The bill is a product of ongoing legislative and administrative efforts to ensure that ICE works with child welfare agencies to ensure that children are not unnecessarily placed in the custody of child welfare agencies. Specifically, the bill would allow parents to make calls at the time of apprehension to arrange for the care of their children; allow parents to participate in child welfare and family court proceedings affecting their children; and require ICE to consider the best interests of children in detention, release, and transfer decisions affecting their parents. CWDA is working with child advocates to ensure that the provisions do not strain further the budgets of child welfare agencies in working with ICE to work in the best interests of the child.

On a related note, Representative Beto O'Rourke (D-Texas) may introduce the *Foster Children Opportunity Act* as early as this week. Based on a bill previously authored by former Rep. Pete Stark, the bill amends Title IV-E to require states to help alien children in the foster care system apply for Special Immigrant Juvenile Status (SIJS) and other forms of immigration relief. The bill's intent is to ensure that the youth receive immigration relief before exiting foster care. The legislation would also exempt such youth from the current five year bar on eligibility for federal means-tested public benefits. The legislation also clarifies that a state can obtain reimbursement for the foster care costs of a child once the child obtains SIJS status.

**Child Trafficking Bill Introduced:** In late April, Rep. Karen Bass (D-Los Angeles) introduced the *Strengthening the Child Welfare Response to Trafficking Act* (HR 1732). The bill would direct HHS to develop and publish guidelines to assist child welfare agencies in serving trafficking victims and those who are at risk of becoming victims. It would also require child welfare agencies to report missing, abducted or trafficked youth to law enforcement within 72 hours for entry into the National Crime Information Center database.

A congressional forum on child trafficking is slated for May 16. Members of the House and Senate are expected to speak, as well as George Sheldon from the Administration for Children and Families.

**Child Welfare Hearings:** The Senate Finance Committee held a hearing on child welfare in late April which focused on the reauthorization of the Family Connections Grant program as originally authorized by the *Fostering Connections Act*. The witness attracting the most attention was Antwone Fisher, the subject of a 2002 movie, *The Antwone Fisher Story*, based on his experiences in the foster care system. The \$15 million Family Connections Grant program must be reauthorized by September 30. It has funded competitive, three year grants to help create kinship navigator programs, family finding and family group decision-making initiatives and support for family residential treatment programs.

Later this week, the House Ways and Means Subcommittee on Human Resources will hold a hearing to review recent state efforts to improve the lives of foster youth by eliminating barriers that unnecessarily limit the activities of children in foster care. The hearing announcement cited the California law giving foster youth the right to participate in age-appropriate activities, while also making changes to state policy to eliminate overly

restrictive rules for foster youth and foster parents. CWDA staff is working with the California Department of Social Services to submit a joint statement for the hearing record.

**Assigning New Social Security Numbers to Children:** Last month, CWDA sent comments to the Social Security Administration (SSA) responding to SSA's request on whether the age of 13 is an appropriate cut-off for assigning new Social Security Numbers (SSN) for children who are victims of improper third party use of their SSN. Citing the unique circumstances of foster children, the CWDA memo urged the SSA to allow new SSN's for foster youth up to age 17. The Federal Trade Commission and the National Foster Care Coalition also made a similar recommendation.