



**CWDA**

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

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

**Date:** September 17, 2013

**Re:** Federal Update

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Congress returned to Washington last week with and faces an October 1 deadline when all federal funding bills expire. The House is scheduled to be in recess next week, but that break may be cancelled if an agreement cannot be reached on extending funding to operate most government programs past September 30.

This week, the House may consider a bill cutting funding for the Supplemental Nutrition Assistance Program (SNAP). The measure has yet to be introduced, but a summary indicates that funding would be cut by \$40 billion over the next ten years. Additional information on the bill is found below.

**Federal Spending Bills**

**FY 2014 Spending Measures:** House Republican leaders' plans to continue current federal spending until December 15 have been thwarted by a group of conservative members of their own party who insist that terminating funding for the Affordable Care Act be part of the package. As of this update, Republican leaders have not been able to find a way to convince the 20 or so members of their party to change their minds and so far Democrats are not coming to the aid of House Speaker Boehner, R-Ohio.

Given the stand-off, the House may remain in session next week. If there is a short-term government shutdown, funding for Medicaid, SNAP and other entitlements will continue. The Senate adopted a bill funding Labor-HHS programs for FY 2014 earlier in the year, but the House Appropriations Committee has not acted on its version. The spending level in its bill is 26 percent lower than the Senate counterpart, which could make it very difficult to resolve the differences

Also looming is a mid-October breach of the federal debt limit. Once again, conservative Republicans will attempt to use a possible federal default on its financial obligations as leverage to cut federal spending.

### **Supplemental Nutrition Assistance Program**

The House may vote this week to cut Supplemental Nutrition Assistance Program (SNAP) funding by \$40 billion over the next ten years. The vote would be the GOP's second attempt this year to pass a nutrition section that would be combined with the agriculture provisions of a farm bill. Their previous attempt failed because conservative members did not think that the cuts were deep enough. The cuts in the current draft bill are twice as large as the previous bill. A large share of the cuts would be achieved by only allowing categorical eligibility determinations for families receiving cash assistance from other federal programs, such as CalWORKs. The bill would also sever the streamlined eligibility between the receipt of Low Income Home Energy Assistance Program (LIHEAP) benefits and SNAP.

The SNAP cuts in the House bill, if adopted, would be ten times greater than the Senate-passed bill which made some modifications to the LIHEAP-SNAP 'heat and eat' option. The magnitude of the House cuts would make finding a compromise very difficult. House action on a nutrition bill may help jump-start negotiations on the broader farm bill. Senate conferees were named in August, given that the House did indeed adopt a agriculture section. House conferees have not been named, pending some action on their part on the nutrition provisions.

### **Adoption Assistance and Incentives Reauthorization**

Congress may consider reauthorizing the Adoption Incentives Fund this fall. CWDA responded to a House Ways and Means Committee request for comments on a draft proposal it released in August. The CWDA letter supports the draft formula changes which focus on the rates of adoption instead of the current formula focused on the numbers of adoptions. Such a change to incorporate rates should provide a more appropriate comparison of the children existing to permanent families in relation to the overall number of children in foster care in a given year.

CWDA also indicated that it supports the Ways and Means provision to include guardianships in the incentives formula, especially given the number of placements made in the Kin-GAP program. The letter also urged the Committee to make the financial incentive for guardianship to be the same as adoption, given that California's guardianship program exhausts all other possibilities for reunification or adoption before a Kin-GAP placement is made.

CWDA also indicated its support for the Guardians for Children Act (H.R. 2979) which would fix a legislative anomaly in the Fostering Connections Act. The bill would continue Title IV-E Guardian Assistance Program payments to a successor guardian of a foster youth whose relative guardian is no longer able to care for the child due to death or incapacity. Such a provision would mirror current law for successor adoptive parents.

CWDA also urged the Committee to consider amending the draft bill to allow for the 'skyping' of monthly caseworker visits for foster youth in the extended foster care program who are in another state attending college or living with relatives. Since many states have not yet implemented the option to extend foster care to youth up to age 21, California is unable to establish reciprocal agreements for visits, thus exposing the state to sanctions for not meeting the federal requirements.

**Immigration and Child Welfare**

Late last month, the U.S. Immigration and Customs Enforcement (ICE) issued a directive on how ICE agents should respond to the large and growing number of U.S. citizen children with immigrant parents or guardians who have been detained or deported. The Parental Interest Directive is meant to ensure that detained and removed parents and guardians can maintain a relationship with their children and make decisions in their best interest. It instructs ICE to cooperate with child welfare agencies in order to avoid unnecessary placements in foster care. The key provisions of the ICE directive incorporate the provisions CWDA supported in the Senate immigration bill (S. 744). Those provisions were co-sponsored by Senator Dianne Feinstein, D-Calif.

**Temporary Assistance for Needy Families Reauthorization (TANF)**

There is still no movement on a TANF reauthorization measure. The draft bill to continue federal spending past September 30, however, does extend TANF through December 15. A longer-term spending bill will likely continue the program through the life of that spending bill. TANF has been subject to these short-term extensions since the authorization expired in September 2010.