

The Honorable Charles Schumer	The Honorable Nydia Velasquez	The Honorable Jose Serrano
The Honorable Kirsten Gillibrand	The Honorable Hakeem Jeffries	The Honorable Eliot Engel
The Honorable Lee Zeldin	The Honorable Yvette Clarke	The Honorable Nita Lowey
The Honorable Peter T. King	The Honorable Jerry Nadler	The Honorable Sean Maloney
The Honorable Thomas Suozzi	The Honorable Max Rose	The Honorable Antonio Delgado
The Honorable Kathleen Rice	The Honorable Carolyn Maloney	The Honorable Paul Tonko
The Honorable Gregory Meeks	The Honorable Adriano Espaillat	The Honorable Elise Stefanik
The Honorable Grace Meng	The Honorable Alexandria Ocasio Cortez	The Honorable Antony Brindisi
The Honorable Tom Reed	The Honorable John Katko	The Honorable Joe Morelle
The Honorable Brian Higgins		

April 15, 2020

Re: New York's Requests for Forthcoming Package of Federal COVID19 Response Legislation Related to Child Welfare and Family Wellbeing

Dear Senators and Representatives of New York:

We write to you on behalf of the children and families of New York State, who are living in the epicenter of the COVID19 crisis in the U.S., with recommendations on how forthcoming federal legislation can help address our communities' needs and bolster child welfare and family wellbeing.

Children and families are more vulnerable than they were before the pandemic, and the economic fall-out from the COVID19 crisis will require sustained state and federal support. Routines are being disrupted, jobs have disappeared, and many children are isolated from their

friends, extended school communities, and other adults who help ensure their health and safety. Now, more than ever before in this crisis, the COVID19 response must have a dedicated focus on child welfare.

- 1) We must increase federal support for child welfare prevention to help stabilize families during this crisis, and reduce the number of children who are removed from their homes. To do this, the forthcoming legislation should:
 - Increase funding to CAPTA Title II Community-Based Child Abuse Prevention (CB-CAP) grants by \$1 billion to quickly deploy resources directly to locally-driven prevention services and programs.
 - Increase funding to Title IV-B, Part 2, the MaryLee Allen Promoting Safe and Stable Families Program (PSSF) by \$1 billion to help eliminate the need for out-of-home placements, both to protect children and to prevent the child welfare system from being overwhelmed by the crisis. These funds are also essential for supporting respite care for children in foster care, which may be increasingly necessary for older or ill kinship or other foster families caring for children.
 - Ensure the FMAP rate increase is provided to the new Title IV-E Prevention Program. This is important to clarify because the Title IV-E Prevention Program is not currently reimbursed at the FMAP rate, but instead is reimbursed at a 50% rate (it moves to FMAP reimbursement in 2027), so we recommend a total of 50% plus whatever is the final FMAP increase.
- 2) We must strengthen our child welfare system response to meet the pandemic's challenges. The next COVID19 package must:
 - Increase funding to kinship navigator programs by \$20 million to ensure access to information and resources for older relative caregivers at acute risk of COVID19, such as food, health and safety supplies, and other necessities—including technology in the home. Grandparents and other relatives who step in to raise children keep them safely with family and out of foster care, saving taxpayers more than \$4 billion each year. These caregivers, who are often older, are struggling to access basic food, medicine, and supplies because it requires them to leave their home, increasing risk of exposure to the virus which could lead to incapacitating illness or death and no one else to care for the children. This is especially pressing for New York, as the FY 2021 budget cut State funding for kinship programs, which may result in closing half of these efforts statewide.
 - Increase funding to CAPTA Title I by \$500 million to ensure state and local child protection systems can adapt to these new circumstances while continuing to respond quickly to the reports of child abuse and address barriers to ordinary service delivery during the pandemic. This funding will ensure the child protection workforce has necessary technological and protective resources to

prevent the interruption of vital support services to children and families amidst this crisis.

- Increase funding to the Court Improvement Program (CIP) by \$30 million to mitigate the impact of the pandemic on the functioning of child welfare courts. Court shutdowns, need for emergency investment in technology, and reduced staffing are already resulting in delayed hearings here in New York, and, ultimately, may compromise child safety, delay family reunification, and reduce accountability and critical support to children and their families. CIP is the only source of federal funding for state courts related to child welfare and is well-positioned to help address challenges now.
- 3) We must increase resources and funding to meet the needs of older youth at risk for, already in, or transitioning out of, the foster care system. To effectively do so, legislation should:
 - Increase funding to Title IV-E Chafee funds by \$500 million to allow states additional funding to support older youth in care and transitioning out of care. This would allow states important flexibility in expanding Chafee funds for services and supports for transitioning youth, including financial assistance and employment assistance, in the face of this pandemic.
 - Increase the maximum age for Title IV-E reimbursement for extended foster care from age 21 up to 22 to support older youth and not discharge them during the pandemic.
 - Ensure Chafee funds can provide older youth with immediate access to technology to promote connectedness and access to critical resources during the pandemic.
 - Remove any federal restrictions on providing cash assistance (including foster care stipends and related living allowances) to older youth who may be temporarily disengaged or not residing in foster care programs because they may be sheltering in place with friends or relatives (and may be considered AWOL or otherwise ineligible).
 - Increase immediate access to funding for Runaway and Homeless Youth (RHY) Program. While the CARES Act included \$25M for the program, much more is needed. In New York, this program serves youth through age 25. This program supports state and private agencies providing outreach, crisis intervention, emergency shelter, counseling, family reunification and aftercare services to runaway and homeless youth and their families. It also supports Transitional Living Programs (TLPs) and Maternity Group Home (MGH) programs for youth age 16 to 22.

In addition to focusing on older youth in the next wave of legislative response, the Children’s Bureau should issue guidance for child welfare workers to screen for and help eligible older youth access financial resources, including direct payments and unemployment benefits.

- 4) We must protect and support the child welfare workforce to support child and family safety by increasing financial compensation to promote retention, and prioritizing their access to personal protective equipment (PPE) and to free child care in the community. To do this, we must:
 - Include the child welfare workforce in the COVID19 “Heroes Fund” proposal, to promote recruitment and retention of essential staff during the pandemic, and ensure access to PPE funded under the CARES Act.
 - Increase funding to the Social Services Block Grant to flexibly provide critical services and supports tailored to the needs of the community, including New York’s child welfare workforce.
- 5) We must protect all families in New York, regardless of immigration status. To do so, the next legislative action must:
 - Ensure that all families can receive a recovery rebate/cash assistance if they can file with an ITN, rather than requiring everyone in the household to have a Social Security Number. This excludes thousands of families in New York with children who are U.S. citizens.
 - Immediately automatically extend work authorization held by Deferred Action for Childhood Arrivals (DACA) recipients, so that they can continue to provide for themselves and their families, given that USCIS in-person services are closed and the agency is operating with limited capacity.
- 6) We must expand federal support for primary prevention and anti-poverty programs that are essential to promoting child and family resilience during the COVID19 crisis.
 - Expand Supplemental Nutrition Assistance Program (SNAP) benefits by boosting the maximum SNAP benefit by 15%; increasing the monthly minimum SNAP benefit from \$16 to \$30; and suspending administrative actions that would eliminate or weaken SNAP benefits.
 - Expand financial investment in child care by \$50 billion to help states respond to the pandemic by helping child care providers to pay staff and cover rent and other fixed costs, provide paid leave to staff, and ensure providers who stay open can maintain a safe, healthy environment. These funds are critical to ensure that “essential workers,” including child welfare and health care providers, law enforcement, grocery store, and child care workers have access to child care.

Sincerely,

Abbott House
CASA of New York State
Children's Defense Fund-NY
Children's Rights
Citizens' Committee for Children of New York
Council of Family and Child Caring Agencies (COFCCA)
Families Together in New York State
Forestdale, Inc.
JCCA
Kinship Navigator
Lawyers for Children
The Legal Aid Society, Juvenile Right Practice
MercyFirst
New York State Senator Brad Hoylman
New York State Senator Roxanne J. Persaud
Rising Ground, Inc.
Schuyler Center for Analysis and Advocacy
Sheltering Arms
The Adoptive and Foster Family Coalition of New York
The Children's Agenda
The Children's Law Center
The Children's Village
The Jewish Board of Family & Children's Services
Welfare Research, Inc.
Westchester Children's Association