



MEMORANDUM

To: Reporters and Editors
Fr: Jill Gerber for Sen. Grassley, 202/224-6522
Re: Adoption funds blocked
Da: Thursday, March 5, 2009

Sen. Chuck Grassley, ranking member of the Committee on Finance, today said the omnibus appropriation bill pending in the Senate includes language that overrides the improvements made to help foster children find permanent homes in the reauthorization of the Adoption Incentives Program, which was enacted on a bipartisan basis last year. For purposes of awarding grants in 2009, the omnibus effectively eliminates provisions that Congress just passed a few months ago to help children find a home by making the Adoption Incentives Program more accessible to states. The omnibus could have a chilling effect on states' ability to find homes for special needs and older children because it would effectively eliminate the provision of the law that increases the incentive payments for special needs children and older children adopted out of foster care. As a result, unless the bill is amended, the omnibus effectively eliminates additional funding needed by states and promised to them in the adoption bill, which was supported by children, parents and other adoption stakeholders. Grassley sought to fix the flawed language in the omnibus but was blocked because the Senate Democratic leaders are not allowing any amendments to pass regardless of how dire the need. Grassley introduced the legislation in the 110th Congress that became law and made these widely supported, needed improvements to the adoption incentive program. He made the following comment on the omnibus problem.

“This is a huge disappointment. This legislation will shortchange children who are trying to get adopted out of foster care. It’s really a tragedy that no one is willing to allow this problem to be fixed now before this becomes law. It’s more important to the Democratic leaders to get a partisan, pork-laden spending bill to the President than stop this mistake that will keep these children waiting and waiting for the loving, permanent home that every child deserves.”

A news release from last October describing the adoption legislation follows here.

For Immediate Release

Tuesday, Oct. 7, 2008

Grassley Praises President's Signing of Adoption, Foster Care Bill into Law

WASHINGTON --- Senator Chuck Grassley today praised the signing into law of legislation he initiated to help states move more children from foster care to permanent, loving homes. President Bush signed the *Fostering Connections to Success and Increasing Adoptions Act of 2008* into law today.

“Improving opportunities for children and young adults is one of the most important things we can do as a society, and it’s been a priority of mine for a long time” Grassley said. “This bill proves that Congress can work out bipartisan compromises and that the House and Senate can work together, too. With passage of this bill, which includes major provisions that were in the legislation I introduced in May, Congress recognized that safe and stable homes and families are fundamental to the quality of life and a brighter future for all children. The President joined us in that recognition by signing this bill today. This package is the most far-reaching child welfare reform measure to be enacted in a decade. Now, foster children and families will have access to a better foster care and adoption system.”

The new law provides additional federal incentives for states to move children from foster care to adoptive homes. It makes it easier for foster children to be adopted by their own relatives, including grandparents, aunts and uncles, and to stay in their own home communities. It makes all children with special needs eligible for federal adoption assistance. Today that assistance is limited to children who are removed from very low-income families. The new law also establishes new opportunities to help kids who age out of the foster care system at 18 by helping them pursue education or vocational training.

In May, Grassley introduced the bill that became this *Fostering Connections to Success and Increasing Adoptions Act of 2008*. Families and foster kids from Des Moines, Waverly, Iowa City, Ankeny and Cedar Rapids came to Washington to help build support for congressional action this year. Grassley said their personal stories were “inspiring and helped to make the case that more adoptions benefit everyone, and especially children.”

Grassley said that today in Iowa, thousands of children are in foster care, and many of them could move quickly into a guardianship arrangement. The reforms in this newly signed law make it easier for aunts, uncles and grandparents to establish a guardianship relationship with a child in foster care. Many Iowa children will begin to transition into permanent homes upon enactment of this legislation.

Federal adoption incentives that were part of current law expired on September 30 of this year. The measures in the new law reauthorize and expand those policies.

Grassley won support for this initiative this year from more than 500 organizations across the country, including Iowa organizations like the Iowa Foster and Adoptive Parents Association, Boys and Girls Home and Family Services of Sioux City, Family Resources of Davenport, the Iowa Citizen Action Network and Orchard Place of Des Moines. Other organizations supporting the legislation include the Children's Defense Fund, the Kids Are Waiting: Fix Foster Care Now campaign sponsored by The Pew Charitable Trusts, the North American Council on Adoptable Children, the Dave Thomas Foundation for Adoption, and the National Foster Care Coalition.

He has long advocated public policies to promote adoption and match children in foster care with permanent, loving families. Grassley co-authored the *Adoption and Safe Families Act of 1997*, which established the Adoption Incentive Program. He authored provisions in the *Deficit Reduction Act of 2005* that increased the federal funding stream for programs designed to help keep troubled families together, improve child support collection and distribution, boost direct child support payments, and promote responsible fatherhood and healthy marriages. Grassley also worked to secure federal funding for grants to train judges, attorneys and legal personnel in child welfare cases. He has protected federal funding for Social Services Block Grants that help fund child welfare services.

In 2001, as Chairman of the tax-writing committee in the Senate, Grassley sponsored tax incentives that became law and promoted adoptions. In 2006, Grassley convened the first Finance Committee hearing on child welfare in over a decade and co-authored the *Child and Family Services Improvement Act of 2006*, which included reauthorization of the *Promoting Safe and Stable Families Act*, improvements in state child welfare systems and establishment of a monthly caseworker standard.

Grassley is now the Ranking Member of the Finance Committee, which has jurisdiction over these social service policies. He worked with the committee Chairman, Senator Max Baucus of Montana, to get the *Improved Adoption Incentives and Relative Guardianship Support Act of 2008* through the committee and to reconcile the Senate bill with a version of the legislation that was pending in the House of Representatives. A summary of final legislation – now law – follows here.

The *Fostering Connections to Success and Increasing Adoptions Act of 2008*

Assisting and Connecting Relative Caregivers – The legislation encourages states to provide financial assistance to grandparents and other relatives who become legal guardians of children for whom they have cared as foster parents. Federal assistance to relative guardians is not available under current law, but could give families the resources needed to create a permanent home for many children and take 15,000 children out of the foster care system for good. To support these families, the bill provides for Family Connection Grants, which support programs that help relatives caring for foster children, help these families navigate the system, and connect caregivers and families. The legislation also requires extended family members to be notified within 30 days of a

child's removal from a home. To help states to find relatives who may be able to care for a child, child welfare agencies will be granted access to the Parent Locator Service, which has current information on nearly 800,000 adults.

Supporting Relative Caregivers –The legislation takes steps to make it easier for relatives who many times cannot meet a state's requirement for licensing for foster care, to care for children in their family. Because standards that may be inappropriate in a stranger's foster care home may be perfectly fine in a relative's home, such as a situation where two cousins share a bedroom, the legislation also codifies existing HHS guidance that states on a case-by-case basis, can waive non-safety standards to allow foster care placement in a relatives' home.

Creating Opportunities for Older Children in Foster Care – The legislation allows states to continue providing financial support for children in foster care who are pursuing education, training, or work up to the age of 21. And the bill continues to provide assistance to children aging out of the system who have a medical disability that prevents their participation in education or work. States are also allowed to extend services to children who enter guardianship arrangements or begin receiving adoption assistance after the age of 16. The bill requires states to work with youth in foster care to create a transition plan that will cover housing, education, health insurance, mentoring programs and other available supports within 90 days of removal from foster care.

Improving Oversight Within the Foster Care System – The bill requires that states have a plan for the educational stability of every foster child and takes steps to assure their school attendance. It also requires states to improve oversight of the health care needs of every foster child, covering their assessment, treatment, medical records, and medication. It requires reasonable efforts to place siblings together, and if that is not possible, to provide for frequent visitation or other ongoing interaction between siblings. And, it establishes parity and enhances collaboration of adults working in the foster care system by allowing federal funding to be used to cover training for private child welfare workers and court personnel.

Increasing Tribal Foster Care and Adoption Access – The legislation allows Tribes to serve the children in their communities directly with culturally appropriate care and understanding by providing Indian Tribes with the same direct access to federal funding for foster care and adoption services that states currently receive. The bill allow Native American tribes to claim direct federal funding for foster care, adoption assistance, and relative guardianship, putting tribal access to federal resources on par with states' access. The Department of Health and Human Services is provided \$3 million per year to help tribes with start-up costs and to provide technical assistance to tribes and states in order to improve permanency outcomes for Native American children.

Improving Incentives for Adoption – The legislation reauthorizes and improves current incentives that provide financial bonuses to states increasing the number of children adopted out of foster care. It includes a special incentive for the adoption of older children and increases the incentive for adoption of children with special needs. And, it

de-links assistance for special needs children from the outdated Aid to Families with Dependent Children (AFDC) qualification standards and expands that assistance to cover all children with special needs. The legislation requires states to inform parents who are adopting or considering adopting a child from foster care of the benefits of the adoption tax credit.