

~United States Congress~

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LAWMAKERS ANNOUNCE BIPARTISAN, BICAMERAL BILL TO HELP MORE KIDS FIND HOMES, SUPPORT FOSTER FAMILIES, CREATE OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

Leaders combine Senate and House packages to produce most significant adoption legislation in the last ten years

Washington, DC – Senate Finance Committee Chairman Max Baucus (D-Mont.), Ranking Member Chuck Grassley (R-Iowa), Finance Health Subcommittee Chairman Jay Rockefeller (D-W. Va.), together with House Ways and Means Subcommittee on Income Security and Family Support Chairman Jim McDermott (D-Wash.) and Ranking Member Jerry Weller (R-Ill.) today unveiled legislation to increase incentives that will move children from foster care to adoptive homes, allow more children to be cared for by their own relatives and in their own communities, and create opportunities for older children aging out of the foster care system. The lawmakers said today that they hope the Fostering Connections to Success and Increasing Adoptions Act can become law before current adoption incentives expire on September 30.

“This bill gives more families the resources they need to become foster or adoptive parents, and more foster kids the support they need to become successful adults. All of America’s foster kids deserve the best possible start in life, and that includes the kids living on Indian Reservations all across this country,” said Baucus. **“I’ve long been fighting to bring Native American communities the same foster care and adoption resources that states have. Now, Indian communities will have the resources they need to foster children in their own communities and their own cultures – and they certainly deserve nothing less. This legislation creates greater opportunities and stronger foundations for the leaders, educators, and public servants of tomorrow, who are in foster care today. I look forward to getting to work on child welfare finance reform in the next Congress.”**

“Adoption is such a lifeline, in so many ways,” Grassley said. **“There’s no greater gift than giving a child who does not have a family a loving home. People in their twenties who age out of foster care and are not adopted still speak of the ache of not having a family. This bill will go a long way toward relieving that ache. It gives hope and opportunity to some of the most vulnerable kids in the country.”**

“These important incentives have unquestionably changed the system to encourage more West Virginia families to open their hearts and homes to children through adoption. These children now have a chance to grow up in a safe, loving and stable environment. That’s an enormously good thing,” Rockefeller said. **“Today we began the process of renewing and improving the program, including providing continued support to extended families who are trying to raise a niece or nephew, granddaughter or grandson.”**

"With this bipartisan legislation we make clear our commitment to underscore the care in foster care," Rep. Jim McDermott said. "We follow through on our responsibility to link foster children to the American Dream by connecting them to family, support, health care, and other things that all children need to succeed."

"This legislation will help thousands of children who otherwise might spend years living with strangers in foster care, by increasing the chances they are cared for by a relative or by a loving, adoptive family," said Rep. Jerry Weller (R-IL). "It also will result in improved services for children who remain in foster care, including Native American children who often face the steepest hurdles. Both are longtime priorities of mine, which I am proud to see included in this historic legislation."

The lawmakers' proposal makes changes to adoption and foster care policies that will benefit children and families throughout the system. The Fostering Connections to Success and Increasing Adoptions Act of 2008 will

- provide support to relatives – generally grandparents, aunts and uncles – so they are more able to provide care for children in their own families,
- create opportunities for children aging out of foster care so they are able to pursue education or vocational training after the age of 18,
- allow more Native American children to receive foster care in their own communities by providing Tribes with the same direct access to federal funding for foster care and adoption services that states currently receive, and
- reauthorize and improve the Adoption Incentives program and allow more families to receive adoption assistance, particularly for adoption of older children and children with special needs.

The Fostering Connections to Success and Increasing Adoptions Act of 2008 is fully offset by granting the Treasury Department authority to invest excess operating cash in repurchase agreements, and clarifying the definition of a child for tax purposes, among other provisions. It also guarantees that the legislation doesn't change current prohibitions on payments to individuals who are unlawfully present in the United States. A summary of the legislation follows.

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 would allow 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 would 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. It would also create grants for states that successfully collaborate with tribes to improve permanency outcomes for Indian children, and would establish a National Child Welfare Resource Center for Tribes.

Improving Incentives for Adoption – The legislation would reauthorize and improve 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.

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