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COMMITTEE ON WAYS AND MEANS  
U.S. HOUSE OF REPRESENTATIVES

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REPORT

ON

**P.L. 109-288, THE “CHILD AND  
FAMILY SERVICES IMPROVEMENT  
ACT OF 2006”**



**OCTOBER 11, 2006**

Prepared for the use of Members of the Committee on Ways and Means  
by members of its staff. This document has not been officially approved  
by the Committee and may not reflect the views of its members.

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# CONTENTS

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Overview .....	Page 1
Explanation of Provisions .....	2
Congressional Budget Office Report .....	8
Letters of Support .....	12



### OVERVIEW

The Child and Family Services Improvement Act of 2006 (P.L. 109-288), signed into law on September 28, 2006, makes a number of improvements to the nation's child protection system. The legislation includes provisions to (1) reauthorize the Promoting Safe and Stable Families (PSSF) program, (2) target resources towards ensuring children in foster care are visited on a monthly basis by caseworkers and towards assisting regional partnerships with their efforts to combat the effects of parental substance abuse, particularly methamphetamine abuse, on the child protection system, (3) improve the Child Welfare Services (CWS) program, (4) reauthorize the Court Improvement Program, (5) reauthorize and improve the Mentoring Children of Prisoners Program, and (6) appropriate for fiscal year (FY) 2006 the additional \$40 million in mandatory funding provided under the Deficit Reduction Act of 2005 (P.L. 109-171) for the PSSF program.

The Committee on Ways and Means marked up an earlier version of this legislation (H.R. 5640), on June 29, 2006 and ordered the bill, as amended, favorably reported. The Committee on Ways and Means Subcommittee on Human Resources held a hearing on May 23, 2006 on proposals to improve child protective services such as those supported by the PSSF and CWS programs. Witnesses at this hearing provided comments on draft legislation reflecting provisions subsequently introduced by Subcommittee on Human Resources Chairman Wally Herger (R-CA) and Ranking Member Jim McDermott (D-WA) as H.R. 5640. In recent years, the Subcommittee on Human Resources also has conducted a series of oversight hearings on various aspects of the child protection system, which generally indicated a need for improved oversight and accountability throughout these programs.

On July 25, 2006, the U.S. House of Representatives amended S. 3525, as previously passed by the Senate by inserting the text of H.R. 5640 and sending the measure back to the Senate for its consideration. The final version of S. 3525, as amended, that is described in this report reflects agreement between Members of the House and the Senate on final provisions to be included in this legislation. The Senate unanimously passed S. 3525, as amended, on September 20, 2006, followed by the U.S. House of Representatives which unanimously passed the legislation on September 26, 2006.

### Explanation of Provisions

#### S. 3525, The Child and Family Services Improvement Act of 2006 (P.L. 109-288)

##### Section 1 -- Short Title

“The Child and Family Services Improvement Act of 2006”

##### Section 2 -- Findings

The legislation makes a number of findings regarding the provision of services under two child welfare programs authorized under Title IV-B of the Social Security Act, the Child Welfare Services (CWS) program and the Promoting Safe and Stable Families (PSSF) program. The findings note the importance of monthly caseworker visits in improving outcomes for children. They also outline the relationship between the entry of children into the child welfare system and their parent’s abuse of methamphetamine and other substances.

##### Section 3 - Reauthorization of the Promoting Safe and Stable Families Program

###### *Current Law*

For fiscal year (FY) 2006, authorizes mandatory funding of \$345 million for the Promoting Safe and Stable Families (PSSF) program (Title IV-B, Subpart 2 of the Social Security Act) and discretionary funding of \$200 million for each of FYs 2002 through 2006.

###### *S.3525*

The legislation extends the mandatory PSSF funding authorization of \$345 million for five years (FYs 2007 through 2011) and extends the discretionary funding authorization of \$200 million for each of those same five years. The legislation expands the reporting requirement to include both proposed spending and actual spending under the CWS and PSSF programs, and at State option, other programs that support child abuse prevention activities and child welfare services. The legislation also prohibits HHS from making any payment of PSSF funds to a State for administrative costs that exceed 10 percent of total program expenditures (Federal and non-Federal) of a State.

###### *Reason for Change*

The PSSF program supports four categories of services provided to children and families: family preservation services, community-based family support services, time-limited reunification services, and adoption promotion and support services. The legislation recognizes the importance of encouraging States to invest in these activities. Thus the legislation provides for the \$200 million increase in mandatory PSSF funds over the next five years included in the *Deficit Reduction Act of 2005* (P.L. 109-171). In total \$345 million in mandatory funds (the recent \$305 million allotment of annual mandatory funds, plus a \$40 million annual increase provided under the *Deficit Reduction Act of 2005*) will be provided in each of FYs 2007 through 2011.

The legislation also will ensure better oversight and accountability of spending under the CWS and PSSF programs by requiring States to report on projected and actual spending under these two programs. Specifically, data on actual spending will help track State investments for the four priorities of the PSSF program.

##### Section 4 -- Targeting of Promoting Safe and Stable Families Program Resources

###### *Current Law*

Current law requires States to include assurances in their PSSF plan that they will spend significant portions of their PSSF funds in each of four priority areas: (1) family preservation services; (2) community-based family support services; (3) time-limited family reunification services; and (4) adoption promotion and support services.

###### *S. 3525*

The legislation retains the four priorities of PSSF while targeting the additional \$40 million per year provided under the *Deficit Reduction Act of 2005* (P.L. 109-171) to two new priorities: (1) support for monthly caseworker visits; and (2) competitive grants to promote the well-being of children in or at risk of placement in the child welfare system as a result of their parent’s abuse of methamphetamine or other substances.

The legislation provides a total of \$95 million to States to support monthly caseworker visits of children in foster care under the responsibility of the State, with a primary emphasis on activities designed to improve caseworker retention, recruitment, training, and ability to access the benefits of technology. States will receive \$40 million from FY 2006 PSSF funds (with these funds available through FY 2009), \$5 million in FY 2008, \$10 million in FY 2009, and \$20 million in each of FYs 2010 and 2011 to support monthly caseworker visits. States cannot use these funds to supplant any Federal funds already paid to the State under the Title IV-E program that could be used for the purposes outlined above.

To promote the well-being of children affected by their parent's abuse of methamphetamine or other substances, the legislation provides a total of \$145 million to the Secretary of the Department of Health and Human Services (HHS) to award competitive grants to regional partnerships to pursue innovative approaches to help children and families. Funding will be \$40 million in FY 2007, \$35 million in FY 2008, \$30 million in FY 2009 and \$20 million in each of FYs 2010 and 2011. Partnerships must include the State child welfare agency or an Indian tribe and at least one other eligible partner, including: child welfare service providers (non-profit and for-profit), community providers of health or mental health services, local law enforcement agencies, judges and court personnel, juvenile justice officials, school personnel, the State agency responsible for administering the substance abuse prevention and treatment block grant (authorized under Title XIX-B, Subpart II of the Public Health Services Act), and any other providers, agencies, personnel, officials or entities related to the provision of child and family services. Grants of between \$500,000 and \$1 million per year will be awarded for 2 to 5 year periods.

A priority will be given to grant applications that propose to combat methamphetamine abuse, given its substantial affect on child welfare in some areas. Funding for the grants must be used to support the purposes of this program, which may include family-based comprehensive long-term substance abuse treatment services, early intervention and prevention services, mental health services, parent skills training, and replication of successful models for providing family-based comprehensive long-term substance abuse treatment services. Grantees must provide a 15 percent match in the first and second year, a 20 percent match in the third and fourth year, and a 25 percent match in the fifth year. In-kind contributions can qualify towards the match requirement. The Secretary of HHS must consult with State leaders to develop performance indicators and reporting is required of all grant recipients.

The legislation also redirects current PSSF research funding to support evaluation, research, and technical assistance related to the above two PSSF funding priorities. In each of FYs 2007 through 2011, at least \$1 million must be spent for research and technical assistance activities that support monthly caseworker visits and at least \$1 million must be spent for research and technical assistance activities with respect to the competitive grant program to promote the well-being of children in or at risk of placement in the child welfare system due to a parent's abuse of methamphetamine or other substances.

#### *Reason for Change*

The targeting of funds to support monthly visits of foster children is in response to research highlighting how monthly visits lead to better outcomes for children. The Child and Family Service Reviews (CFSRs) completed in each State found a strong correlation between frequent caseworker visits with children and positive outcomes for children, such as timely achievement of permanency and other indicators of child well-being. However, despite the fact that nearly all States had written standards suggesting monthly visits were State policy, a December 2005 report completed by the HHS Office of the Inspector General found that only 20 States were able to produce reports showing whether caseworkers actually visited children in foster care on at least a monthly basis. States are encouraged to invest these resources in those activities with proven effectiveness in supporting monthly caseworker visits of foster children and should be cognizant that these funds may not supplant what States already spend from their Title IV-E programs for these activities. These resources are intended to increase State investment in these important areas.

Parental substance abuse is a well-known problem affecting the child welfare system, and the Office of Applied Studies of the Substance Abuse and Mental Health Services Administration reported that the number of new uses of methamphetamines (meth) has increased 72 percent in the past decade. A study by the National Association of Counties which surveyed 300 counties in 13 States reported that meth abuse is a major cause of child abuse and neglect. Forty percent

of all the child welfare officials in the survey reported an increase in out-of-home placements due to meth abuse in 2005.

## **Section 5 -- Allotments and Grants to Indian Tribes**

### *Current Law*

Requires that 1 percent of all mandatory PSSF funds, and 2 percent of any discretionary appropriations for the PSSF program, be set aside for tribal programs. (The minimum tribal funding provided is \$3.45 million and the maximum annual tribal funding possible is \$7.45 million.)

Out of the tribal funds reserved, Indian tribes or tribal organizations with an approved plan must be allotted PSSF funds (based on the relative share of tribal persons under age 21 but only among tribes or tribal organizations with approved plans). The Secretary of HHS may exempt a tribe from any plan requirement that it determines would be inappropriate for that tribe (taking into account the resources, needs, and other circumstances of that tribe). However, no tribe or tribal organization may have an approved plan (or receive funds) unless its allotment is equal to at least \$10,000. Funds allotted are paid directly to the tribal organization of the Indian tribe to which the money is allotted.

### *S.3525*

The legislation increases the set-aside for tribal programs to 3 percent of any discretionary funds appropriated. It also increases the set-aside for tribal programs to 3 percent of the mandatory funds authorized and which remain after the separate reservation of funds is made for (1) monthly caseworker visits, and (2) competitive grants to combat methamphetamine and other substance abuse. Therefore, the minimum funding available per year for tribal programs would be \$9.15 million and the maximum funding would be \$15.15 million. The legislation eliminates the ability of the Secretary of HHS to exempt tribes from the PSSF plan requirements related to nonsupplantation, data reporting, and monitoring. However, the Secretary retains the ability to waive for Indian tribes the PSSF requirement to invest significant amounts of program funds in each of the four PSSF activities and to spend no more than 10 percent of PSSF funds on administrative costs.

The legislation also permits tribal consortia to have access to an allotment of PSSF funds (and related technical assistance) on the same basis as such funds are currently available to Indian tribes. A tribal consortium's allotment is to be determined based on the number of tribal persons under age 21 in each tribe that is a part of the tribal consortium. If tribes choose to apply collectively as a consortium, the population of tribal persons under age 21 for each tribe would be combined in order to determine the size of the grant to the consortium, including whether the consortium meets the \$10,000 eligibility threshold in the Act. A tribal consortium could select which Indian tribal organization (among the tribes in the consortium) would receive the direct payment of its allotment.

### *Reason for Change*

The legislation recognizes the importance of assisting tribes in their efforts to assist abused and neglected children. The legislation significantly increases the amount of funds provided to tribes and allows tribal consortia to apply for PSSF funds. This step is being taken to encourage the further development of tribal child welfare programs, which largely serve severely disadvantaged communities and families and can do so in a culturally appropriate manner. Permanency outcomes for Indian children can be improved if tribal consortia are able to have access to an allotment of PSSF funding on the same basis as is currently available to Indian tribes. This will facilitate smaller tribes' building their own programs and will allow for administrative efficiencies in tribal program administration.

To collect additional data and ensure proper oversight of these funds, tribes and tribal consortia interested in applying for this substantial increase in PSSF funds will be required to adhere to the same data and monitoring plan requirements as States. This additional data will inform how these funds have helped the tribes better ensure the safety, permanency, and well-being of tribal children.

## **Section 6 -- Improvements to the Child Welfare Services (CWS) Program**

### *Current Law*

Up to \$325 million annually is authorized on an indefinite basis for the Child Welfare Services (CWS) program, which provides funds to States to support a wide range of child welfare activities. Federal funding represents 75 percent of total funding for this program, and States are required to contribute 25 percent of total CWS funding from State funds.



*S.3525*

The legislation maintains the annual discretionary authorization level of \$325 million per year but limits the funding authorization to FYs 2007 through 2011. The legislation also specifies that the purpose of the CWS program for which funds may be expended is to promote State flexibility in the development and expansion of a coordinated child and family services program that utilizes community-based agencies and that ensures all children are raised in safe, loving families, by: (1) protecting and promoting the welfare of all children; (2) preventing the neglect, abuse, or exploitation of children; (3) supporting at-risk families through services which allow children, where appropriate, to remain safely with their families or return to their families in a timely manner; (4) promoting the safety, permanence and well-being of children in foster care and adoptive families; and (5) providing training, professional development and support to ensure a well-qualified child welfare workforce.

The legislation eliminates the plan requirements related to child day care standards and those related to the use of paraprofessionals or volunteers and restates and renumbers the remaining provisions with generally the same intent. It rewrites the provision concerning policies and procedures for children abandoned shortly after birth to assert that a State must have in effect administrative and judicial procedures for children who are abandoned at or shortly after birth (including policies and procedures providing for legal representation of the children) to ensure expeditious decisions can be made for their permanent placement. Further, it clarifies that the State may include residential educational programs as a living arrangement for children for whom reunification, adoption, or guardianship have been ruled out as permanency goals. This provision does not undermine current State policies regarding placement of children in adoptive homes and does not eliminate the 25 bed policy.

Beginning October 1, 2007 (i.e. the beginning of FY 2008), the legislation limits administrative funding to 10 percent, but defines administrative funds to exclude caseworker services and supervision of such services. Also beginning in FY 2008, the legislation limits how much each State can expend from Federal CWS funding for foster care maintenance payments, adoption assistance payments, or child day care to what the State can show that it spent for such purposes in FY 2005. Further, beginning with FY 2008, States are not allowed to use State spending on foster care maintenance payments to meet the State matching requirement to receive Federal CWS fund in amounts that exceed what the State spent from such funds in FY 2005.

The legislation also adds new requirements to the CWS plan the State submits to (1) describe how the State consults with and involves physicians and other appropriate medical professionals in the assessment of children in foster care and in determining appropriate medical treatment, and (2) develop a plan on how to respond, track and continue care for children receiving child welfare services in the event of a disaster.

*Reason for Change*

The legislation will reorganize and update the CWS program and encourage more effective oversight. It also aligns the program to be coterminous with the reauthorization of the PSSF program to allow for better coordination between the two programs. It will encourage States to invest funding in prevention services, but allows each State to maintain in the coming years its FY 2005 level of spending from Federal CWS funds for foster care, adoption assistance and child care purposes. It adds a new State planning requirement to ensure consultation with medical professionals as well as State planning to continue the availability of child welfare services during a disaster.

**Section 7 -- Monthly Caseworker Standard***Current Law*

There is no minimum Federal standard for monthly visits of foster children in State custody.

*S.3525*

The legislation requires the State to update its CWS State plan by October 1, 2007 to describe its standards for the content and frequency of caseworker visits of foster children in State custody, which at a minimum must ensure that children are visited on a monthly basis and that the caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of children.

The legislation also sets a minimum Federal standard requiring each State and territory to achieve by October 1, 2011 monthly caseworker visits for at least 90 percent of foster children in State custody, with the majority of those visits occurring in the child's residence. Each State and territory would be held accountable for its efforts and the legislation prescribes a planning process to achieve this goal. To receive FY 2008 CWS funds, States must submit to HHS data for FY 2007 on the percentage of foster children visited on a monthly basis by their caseworker and the percentage of those visits that occurred in the child's residence. Based on this data, HHS will work with each State to set target levels for the State to meet to achieve a 90 percent monthly visitation standard by FY 2012 and will establish these target levels by June 30, 2008. Then, beginning in FY 2009, States must achieve their annual goal for the percentage of caseworker visits and the percentage of visits that occur in the child's residence, or face an enhanced matching requirement in order to draw down their full allotment of Federal CWS funds. The share of non-Federal spending that is required in a State that does not meet its visitation target level in a year increases by a minimum of 1 percentage point, up to a maximum of 5 percentage points, depending on the degree to which the State has missed its target level; absent the commitment of additional State funds, Federal funds would be reduced to yield the modified State share of overall CWS funding, consistent with the degree of the State's failure to achieve its visitation target for that year.

No later than March 31, 2010, HHS must submit to the House Committee on Ways and Means and the Senate Committee on Finance a report that outlines the progress States have made in meeting their caseworker visitation standards and that offers recommendations, developed in consultation with State administrators of child welfare programs and members of State legislatures, to assist States in meeting this standard.

#### *Reason for Change*

Holding States accountable for achieving monthly caseworker visits for at least 90 percent of foster children responds to research highlighting how monthly visits lead to better outcomes for children. HHS shall work with the States to establish a plan to achieve this goal by FY 2012 and States are encouraged to invest the new PSSF resources provided in FY 2006 and later fiscal years in activities that have been shown to be effective in achieving increased caseworker visitation of foster children. The above accountability measure will ensure that, even in the case of a State that fails to fulfill its specified level of caseworker visits, the full Federal CWS allotment to a State will remain available so long as that State increases its State CWS spending modestly, according to the provisions of the legislation.

### **Section 8 -- Reauthorization of Program for Mentoring Children of Prisoners**

#### *Current Law*

The Mentoring Children of Prisoners program is administered by HHS and makes competitive grants to support the establishment or expansion and operation of programs that provide mentoring services to children of prisoners.

#### *S.3525*

The legislation reauthorizes the existing Mentoring Children of Prisoners program through FY 2011 at such sums as may be necessary and increases the HHS set-aside for research, technical assistance, and evaluation from 2.5 percent to 4 percent. It authorizes a new 3-year pilot program to provide vouchers to qualified mentoring groups to offer services to individual children of prisoners, but specifies both annual caps on funding for this purpose and that at least \$25 million must be available each year for site-based grants provided under the program. The voucher pilot program will be administered by a national group that will work closely with HHS to manage the program with the goal to distribute least 3,000 vouchers in the first year, 8,000 vouchers in the second year and 13,000 vouchers in the third year. The legislation specifies that the national group must identify in its voucher distribution plan how the group will prioritize providing vouchers to children in areas which have not been served under the current site-based mentoring program. During the third year of this pilot HHS shall provide a report based on an independent evaluation to the House Committee on Ways and Means and the Senate Committee on Finance on the number of children who received vouchers for mentoring services and any conclusions regarding the voucher pilot program's effectiveness.

#### *Reason for Change*

The continuation of the Mentoring Children of Prisoners program will enable public and private organizations to establish or expand projects that provide one-on-one

mentoring for children of incarcerated parents and those recently released from prison. At the same time, children have not been able to access mentoring services in some States and rural areas because of the absence of a site-based grant to provide this service. The voucher pilot program will evaluate the effectiveness of using vouchers to expand the delivery of mentoring services to children of prisoners, including to children in rural and underserved areas.

#### **Section 9 -- Reauthorization of the Court Improvement Program**

##### *Current Law*

For each of FYs 2002 through 2006, an eligible highest State court (with an approved application) is entitled to a share of funds to assess and make improvements to its handling of child welfare procedures. A set-aside of \$10 million from the mandatory funds authorized and 3.3 percent of any discretionary appropriation is provided from the PSSF program to support the Court Improvement Program. To receive its full allotment of these funds the court, in each of FYs 2002 through 2006, is required to provide at least 25 percent of the expenditures for this purpose.

##### *S.3525*

The legislation reauthorizes the funding for the Court Improvement Program for 5 years, through FY 2011.

##### *Reason for Change*

The Court Improvement Program has played an important role in assisting State courts in their efforts to expedite judicial proceedings for at-risk children. The legislation will ensure these funds continue to remain available, and is in addition to the \$100 million provided over FYs 2006 through 2010 under the *Deficit Reduction Act of 2005* (P.L. 109-171) to support training and data collection efforts of State courts.

#### **Section 10 -- Requirement for Foster Care Proceedings to Include, in an Age-Appropriate Manner, Consultation with the Child that Is the Subject of the Proceeding**

##### *Current Law*

Current law does not include a standard for consulting with children in court proceedings.

##### *S.3525*

The legislation requires States to assure that in any permanency hearing held with respect to the child, including any hearing regarding the transition of the child from foster care to independent living, the court or administrative body conducting the hearing consults in an age-appropriate manner with the child regarding the plan being proposed for the child.

##### *Reason for Change*

Each child deserves the opportunity to participate and be consulted in any court proceeding affecting his or her future, in an age-appropriate manner.

#### **Section 11 -- Technical Amendments**

#### **Section 12 -- Effective Dates**

The legislation will become effective on October 1, 2006, except for provisions with other specified effective date or if HHS determines that a State legislature must act before the State can comply with the changes.



**CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE**

October 11, 2006

**S. 3525**

**Child and Family Services Improvement Act of 2006**

*As cleared by the Congress on September 26, 2006,  
and signed by the President on September 28, 2006*

**SUMMARY**

S. 3525 (Public Law 109-288) amends part B of title IV of the Social Security Act to reauthorize various child welfare programs and to direct that some of the authorized funding be used to support monthly caseworker visits for foster children and services for children affected by methamphetamine or other substance abuse.

Some of the child welfare programs reauthorized by the law are categorized as direct spending. As required by the Deficit Control Act, the costs of extending those mandatory programs—\$1.4 billion over the 2007-2011 period—were already included in CBO's baseline projections. The law will not change total direct spending or revenues over the 2007-2011 period, relative to those baseline projections, but CBO estimates that it will change spending slightly in each year.

**ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of the S. 3525 is shown in the following table. The costs of this legislation fall within budget function 500 (education, training, employment, and social services).

**BASIS OF ESTIMATE**

Public Law 109-288 amends and reauthorizes the Promoting Safe and Stable Families (PSSF) program, Child Welfare Services (CWS), and the Mentoring Children of Prisoners program. Prior to enactment of this act, PSSF was authorized through fiscal year 2006, and received both mandatory and discretionary funding. The law reserves a portion of those

funds for grants to states to support monthly visits to foster children by caseworkers and for competitive grants aimed at increasing the well-being of children affected by methamphetamine and other substance abuse.

	By Fiscal Year, in Millions of Dollars				
	2007	2008	2009	2010	2011
<b>CHANGES IN DIRECT SPENDING</b>					
Estimated Budget Authority	0	*	*	*	*
Estimated Outlays	-10	5	3	2	*
<b>Memorandum:</b>					
Direct Spending from Program Extensions Assumed in CBO's Baseline					
Estimated Budget Authority	345	345	345	345	345
Estimated Outlays	93	283	328	345	345

NOTES: \* = less than \$500,000.

For 2006, mandatory funding of \$305 million was included in appropriations for the Department of Health and Human Services. The Deficit Reduction Act of 2005 subsequently boosted the authorization for the mandatory portion of the PSSF from \$305 million to \$345 million, but did not actually appropriate the additional \$40 million. Because section 257 of the Deficit Control Act requires that the funding for most mandatory programs that expire during the projection period be extended in the baseline, CBO's baseline projections include \$345 million in PSSF spending annually through 2016. Consequently, the reauthorization of PSSF through 2011 will not affect direct spending relative to CBO's baseline.

Public Law 109-288 appropriates the additional \$40 million in 2006 funding that was originally authorized in the Deficit Reduction Act of 2005 (those costs were incorporated into CBO's baseline at that time). Those funds are made available through fiscal year 2009—two years longer than is generally the case for this program. As a result, CBO estimates that outlays for fiscal year 2007 will be lower by \$10 million but outlays for fiscal years 2008 through 2010 will be higher by the same amount. Thus, CBO does not expect total outlays to change over that period.

Two provisions in the law that amend the CWS program could result in added costs for the federal program that provides federal matching funds to states for foster care and adoption assistance. One of the provisions restricts the amount of funds that can be spent from the

CWS grants for foster care, adoption assistance, and child care activities. Although the vast majority of CWS funds that are spent on such activities go to expenses that would not be reimbursable under the federal program for foster care and adoption assistance, it is possible that the new restriction could result in increased claims under that program. The federal cost of any additional claims is likely to be less than \$500,000 each year, CBO estimates. We estimate that this change will have no effect on mandatory spending for child care activities.

The other provision requires states to include standards in their state plans for monthly visits by caseworkers to children under the care of the state. If states do not report on the frequency of such visits by 2008, they will not receive their CWS grants. CBO assumes states will make those reports. In addition, states will need to make requisite progress toward making monthly visits to at least 90 percent of their children in foster care or else they will face a higher match rate—up to 30 percent instead of the current 25 percent—on the CWS grants. Although the vast majority of states currently have monthly visitation standards, some states require visits less frequently. In addition, not all states that have monthly visitation standards meet those standards. The law will provide some resources toward improving the number of monthly visits under the mandatory PSSF grants. However, some states might find it necessary to spend additional resources in order to meet the more stringent standards. To the extent that a portion of those costs could be charged to the federal program that subsidizes foster care, federal costs could increase. On the other hand, states might opt to meet the higher match rate by allocating monies they are already spending to this activity. CBO estimates that any effect on the federal IV-E foster care program from this provision will be less than \$500,000 each year.

#### **PREVIOUS CBO ESTIMATE**

CBO transmitted a cost estimate for this act—an amendment to the introduced version of S. 3525—on September 18, 2006. The estimated impact of the legislation on direct spending was the same as shown above.

On June 21, 2006, CBO transmitted a cost estimate for S. 3525, the Improving Outcomes for Children Affected by Meth Act of 2006, as ordered reported by the Senate Committee on Finance on June 8, 2006. That bill did not address the authorization of CWS, and would have authorized the Mentoring Children of Prisoners program at \$67 million per year from 2007 through 2011, as compared to the authorization of such sums as may be necessary in this act.

On July 10, 2006, CBO transmitted a cost estimate for H.R. 5640, the Child and Family Services Improvement Act of 2006, as ordered reported by the House Committee on Ways and Means. That estimate contained authorization levels similar to those in this act, though individual provisions of the bills were different.

**ESTIMATE PREPARED BY:**

Christina Hawley Anthony and Jonathan Morancy

**ESTIMATE APPROVED BY:**

Robert A. Sunshine  
Assistant Director for Budget Analysis



## ASSOCIATION ON AMERICAN INDIAN AFFAIRS

Executive Office  
966 Hungerford Drive, Suite 12-B  
Rockville, MD 20850  
Phone: 240-314-7155 Fax: 240-314-7159  
E-Mail: [general.aaia@verizon.net](mailto:general.aaia@verizon.net) Website: [www.indian-affairs.org](http://www.indian-affairs.org)  
September 19, 2006

Jack F. Trope  
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Ways and Means Committee  
Subcommittee on Human Resources

Re: Passage of H.R. 5640/S. 3525 – Safe and Stable Families Act

Dear Representative Herger:

The Association on American Indian Affairs is an 84 year old organization located in South Dakota and Maryland and governed by an all-Native American Board of Directors. Our current projects focus to a considerable extent in the areas of cultural preservation, youth/education, health and federal recognition of unrecognized Indian tribes. We have been involved with Indian child welfare issues since the 1960s.

We strongly support enactment of the conference substitute for H.R. 5640 and S. 3525, bills that amend and reauthorize the Promoting Safe and Stable Families Act. This act would reserve \$40 million for grants to create opportunities for the creation or expansion of comprehensive, long-term family treatment for meth addicted parents and to promote more interaction between families and caseworkers. Of great interest to our organization, the bill also provides for a 3% allocation to Indian tribal governments. We thank you for your outstanding work on this bill and support your efforts to have the bill listed for a vote by the House of Representatives at the earliest possible date.

Passage of this bill will help child welfare systems across the country cope with the impact of meth and improve services to families. Tribal children and families will benefit directly as this bill will increase the number of tribal governments receiving grants under the program and existing grantees will be able to enhance their services to their communities.

For all of these reasons, we very much support your efforts to make the passage of S. 3525/H.R. 5640 a priority. Thank you for your consideration.

Respectfully submitted,

Jack F. Trope

Field Office  
2009 SD Highway 10,  
Ste. B  
Sisseton, SD 57262  
Phone: 605-698-3998  
Fax: 605-698-3316  
E-mail: [member\\_services@sbtsc.net](mailto:member_services@sbtsc.net)

AAIA Language Program  
Sisseton - Wahpeton College  
Box 689  
Agency Village, SD 57262  
Phone: 605-698-3966 x1590  
Fax: 605-742-0394  
E-mail: [tdcototau@awc.tc](mailto:tdcototau@awc.tc)





*Providing Help.  
Creating Hope.*  
1731 Kang Street  
Alexandria, VA 22314  
Phone 703.549.1390  
Fax 703.549.1656  
[www.catholiccharitiesusa.org](http://www.catholiccharitiesusa.org)

September 19, 2006

The Honorable Wally Herger  
Chairman  
House Ways and Means Subcommittee on  
Human Resources  
B-317 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Jim McDermott  
Ranking Member  
House Ways and Means Subcommittee on  
Human Resources  
B-317 Rayburn House Office Building  
Washington, D.C. 20515

**Episcopal Liaison**  
The Most Reverend  
Michael P. Driscoll  
MSW, DD  
Bishop of Boise

**Chair**  
Janet Valerie Pope

**Vice Chair**  
Ronald P. Lauer

**Secretary**  
Sr. Shellen D'Neen,  
SCN

**Treasurer**  
John L. Young

**President**  
Rev. Larry J. Snyder

Dear Congressmen Herger and McDermott:

On behalf of Catholic Charities USA, I am writing to thank you for your leadership on the reauthorization of the Promoting Safe and Stable Families program. Catholic Charities USA supports the bi-partisan bill, Child and Family Services Improvement Act of 2006 (S.3525), and encourages Congress to pass this important legislation this year.

Catholic Charities USA is one of the nation's largest private networks of social service agencies working to reduce poverty and support families throughout the United States. In all, almost 1,800 agencies and institutions provide essential services to more than seven million people annually. Catholic Charities agencies across the United States provide services to strengthen families to more than one million clients.

Catholic Charities USA applauds your efforts to provide an additional \$40 million in mandatory funding for more frequent caseworker visits and resources for methamphetamine and other substance abuse treatment. These resources will assist states and their community partners in the development of innovative strategies to help protect vulnerable children and keep families together.

Your efforts to reauthorize this important program will protect millions of abused and neglected children. Catholic Charities USA and Catholic Charities agencies are committed to continuing our work to strengthen families in need. We look forward to working with you and your staff to ensure passage of S.3525 before Congress adjourns this year.

Sincerely,

*Candy Hill*  
Candy Hill  
Senior Vice President

# CLASP

CENTER FOR LAW AND SOCIAL POLICY

September 19, 2006

The Honorable Wally Herger  
Chairman, Human Resources Subcommittee  
House Ways and Means Subcommittee  
The Honorable Jim McDermott  
Ranking Minority Member,  
Human Resources Subcommittee  
House Ways and Means Subcommittee  
B-317 Rayburn House Office Building  
Washington, DC 20515

RE: H.R. 5640, The Child and Family Services  
Improvement Act of 2006

Dear Mr. Herger and Dr. McDermott:

I am writing on behalf of the Center for Law and Social Policy to support the legislative language you have worked out to compromise the House version of this bill with S. 3525, the "Improving Outcomes for Children Affected by Meth Act of 2006."

You have worked out a creative compromise that helps address critical challenges facing the child welfare system. First, the bill reauthorizes the Promoting Safe and Stable Families (PSSF) program, with the additional \$40 million added by the Deficit Reduction Act of 2005. PSSF provides funding for a wide range of essential child welfare services and supports and it is imperative that the program be reauthorized.

Second, the bill targets the new \$40 million annually towards two particularly difficult challenges. Specifically, the bill takes important steps towards improving caseworker recruitment and retention to help ensure that children in foster care are visited by their caseworkers more frequently. The bill also takes key steps to help child welfare agencies and other key service providers address the challenge of substance abuse that plagues so many families and puts so many children at risk of abuse and neglect. The competitive grant funds available to address the abuse of methamphetamines and other substance will encourage creative efforts to address these challenges and provide lessons from which other states and child welfare stakeholders can learn.

We commend you and your staff for all the hard work that has been put into this bill and urge you and your colleagues to pass the bill immediately.

Sincerely,

*Rutledge Q. Hutson*  
C.T.C.

Rutledge Q. Hutson

Senior Staff Attorney



September 21, 2006

The Honorable Wally Herger  
Subcommittee on Human Resources  
Ways and Means Committee  
U.S. House of Representatives  
B 317 Rayburn House Office Building  
Washington, DC 20515-1307

The Honorable Jim McDermott  
Subcommittee on Human Resources  
Ways and Means Committee  
U.S. House of Representatives  
1106 Longworth House Office Bldg  
Washington, DC 20515-1307

Dear Chairman Herger and Ranking Member McDermott:

The Child Welfare League of America (CWLA), with our 900 public and private child-serving member agencies, endorses S 3525, the Children and Family Services Improvement Act.

The Promoting Safe and Stable Families program is a critical source of support for initiatives in the areas of adoption, family support, family preservation and family reunification. It is very important that Congress act to extend this program for an additional five years.

We applaud the fact that this legislation gives formal recognition to the role that both the workforce and substance abuse play in addressing child welfare issues. Whether the challenge is the spread of methamphetamines, alcohol or other drugs we need a more coordinated strategy to address this issue. Similarly we need to more fully support and develop our workforce in the child welfare system.

CWLA looks forward to working with you to ensure that the needs of children and families are fully addressed in implementing solutions to the great challenges we face in the child welfare field in communities across the country.

Sincerely,

A handwritten signature in black ink, appearing to read "Shay Bilchik", is written over a thin red horizontal line.

Shay Bilchik  
President/CEO



September 20, 2006

The Honorable Wally Herger  
United States House of Representatives  
2268 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Jim McDermott  
United States House of Representatives  
1035 Longworth House Office Building  
Washington, D.C. 20515

Dear Representatives Herger and McDermott:

The Children's Defense Fund is pleased to write in support of S. 3525, the Child and Family Services Improvement Act of 2006. The \$40 million in increased funds for the Promoting Safe and Stable Families Program this year and for the next five years is sorely needed to help abused and neglected children.

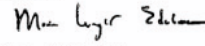
Child welfare agencies across the country are struggling to respond to substance abuse problems and related child abuse and neglect, and, as you well know, in many communities and states methamphetamines present particular challenges. As many as 80 percent of the children who enter foster care in some states are from families with substance abuse problems. Addressing these challenges and other needs of vulnerable children and families also requires attention to improvements in the staff who work with the children and families. S. 3525 takes important steps to address both substance abuse and child welfare workforce challenges.

The goal of the Promoting Safe and Stable Families Program is to promote safety and permanence for children and addressing both substance abuse and workforce challenges helps to do that. We are especially pleased to see attention in the bill to investments to prevent substance abuse and to expand comprehensive family treatment. These activities will help to improve the responsiveness of public child welfare agencies to families with substance abuse problems.

The workforce improvements in S. 3525 will help to document the barriers that now prevent frequent caseworker-child visits and deny children and families the help and support they need. The new data and reporting provisions in the bill will also increase accountability in the use of these funds to benefit children.

Thank you for your important leadership on behalf of vulnerable children and families.

Sincerely,

A handwritten signature in black ink, appearing to read "Marian Wright Edelman", followed by a vertical red line.

Marian Wright Edelman

**Conference of Chief Justices  
Conference of State Court Administrators**

**PRESIDENT**  
Robert M. Bell  
Chief Judge  
Court of Appeals of Maryland  
634 Courthouse East  
111 North Calvert Street  
Baltimore, MD 21202  
(410) 333-6396  
Fax: (410) 347-3908  
[robert.bell@courts.state.md.us](mailto:robert.bell@courts.state.md.us)



**PRESIDENT**  
James D. Gingerich  
Director  
Administrative Office of the Courts  
Supreme Court of Arkansas  
Justice Building  
Little Rock, AR 72201  
(501) 682-9400  
Fax: (501) 682-9410  
[JD.Gingerich@arkansas.gov](mailto:JD.Gingerich@arkansas.gov)

September 20, 2006

The Honorable Charles E. Grassley  
Chair, Committee on Finance  
219 Dirksen Building  
U.S. Senate  
Washington, D.C. 20510

The Honorable Max Baucus  
Ranking Member  
Committee on Finance  
511 Hart Building  
U.S. Senate  
Washington, D.C. 20510

The Honorable Wally Herger  
Chair, Subcommittee on Human Resources  
Committee on Ways and Means  
B-317 Rayburn Building  
U.S. House of Representatives  
Washington, D.C. 20515

The Honorable Jim McDermott  
Ranking Member  
Subcommittee on Human Resources  
Committee on Ways and Means  
U.S. House of Representatives  
Washington, D.C. 20515

Re: Child and Family Services Improvement Act of 2006 (S. 3525)

Dear Senators Grassley and Baucus and Representatives Herger and McDermott:

On behalf of the men and women who lead and administer the nation's state courts, we write to express our sincere appreciation for your efforts to reauthorize the Promoting Safe and Stable Families (PSSF) Program. There is a great need for services for our country's most vulnerable children, those that are abused and neglected. The services funded through the PSSF Program are critical to insuring that these children are cared for in safe and permanent homes. Of particular interest to state courts is the Court Improvement Program (CIP), which is a set-aside within the Child and Family Services Improvement Act of 2006 (S. 3525). These funds have been invaluable in assisting state courts to improve their processes and procedures. That, in turn, has resulted in abused and neglected children moving more expeditiously to safe and permanent homes. The work, however, is not complete and neither is the need for these funds.

We also support your efforts to increase funding to increase the quality and frequency – they should occur at least monthly - of caseworker visits with children in foster care and to address the substance abuse problems in our communities, particularly those related to methamphetamines. These issues must be effectively addressed if these vulnerable children are to grow up in safe and permanent homes.

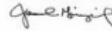
Thank you again for your efforts to enact this important piece of legislation. If we can provide you with additional information or assistance, please do not hesitate to contact us or Kay Farley, Executive Director of the Government Relations Office of the National Center for State Courts. Ms. Farley can be reached at (703) 841-5601 or [kfarley@ncsc.dni.us](mailto:kfarley@ncsc.dni.us).

Sincerely,



Hon. Robert M. Bell, President  
Conference of Chief Justices  
Administrators

Sincerely,



Mr. James D. Gingerich, President  
Conference of State Court





3,000 Police Chiefs,  
Sheriffs, Prosecutors,  
other Law Enforcement  
Leaders, and Violence  
Survivors  
Preventing Crime and  
Violence

September 19, 2006

The Honorable Wally Herger  
2268 Rayburn House Office Building  
United States House of Representatives  
Washington, DC 20515

Dear Representative Herger:

The 3,000 police chiefs, sheriffs, district attorneys and violence survivors of FIGHT CRIME: INVEST IN KIDS have taken a hard-nosed look at the research on what really works to prevent kids from becoming criminals. The research supports what our members have seen on the front lines in the fight against crime: preventing child abuse and neglect is one of our most powerful weapons in preventing later violence. **We commend you and Ranking Member McDermott for working with your Senate colleagues to draft a bi-partisan House / Senate Promoting Safe and Stable Families (PSSF) reauthorization bill (S. 3525) that maintains the core PSSF program's child abuse and neglect prevention focus. In addition, new resources for workforce development and to support families affected by substance abuse – particularly methamphetamine abuse – will help protect more kids from abuse and neglect and make us all safer down the road. We support these central elements of S. 3525 and hope the full House will adopt the bill when it is considered next week.**

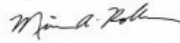
Being abused or neglected multiplies the risk that a child will grow up to become a criminal. The abuse and neglect inflicted in a single year can result in an estimated 35,000 violent criminals and more than 250 murderers emerging as adults who would never have become violent criminals if not for the abuse and neglect they endured as children. We are pleased that the core PSSF program will remain focused on abuse and neglect prevention and thus crime prevention.

We appreciate the inclusion of the increased funding from the Deficit Reduction Act in this compromise proposal. These funds will help states cope with the new challenges they face in keeping kids safe as the abuse of methamphetamines and other substances moves across the country. Targeting these new grants toward the needs of children in families affected by meth and other substance abuse problems will help ensure that fewer children are abused and neglected as a consequence of their parents' drug and alcohol use. We are also pleased that funds will be provided to help states improve their monitoring of children in foster care by increasing caseworker visits and addressing workforce needs such as training and caseload reduction. In particular, we applaud the bill's approach to encouraging states to meet the monthly caseworker visits targets. Finally, we strongly support the increased state accountability regarding expenditure reporting.

Again, thank you for your leadership on this reauthorization of the Promoting Safe and Stable Families program.

  
David S. Kass  
Executive Director

Respectfully,

  
Miriam A. Rollin  
Vice President



122 C Street NW #125  
Washington, DC 20001  
t | 202.626.7945  
f | 202.626.5421  
w | www.lutheralservices.org

September 18, 2006

The Honorable Wally Herger, Chair  
House Ways and Means Subcommittee  
Human Resources  
B-317 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Jim McDermott, Ranking Member  
House Ways and Means Subcommittee on  
Human Resources  
B-317 Rayburn House Office Building  
Washington, D.C. 20515

**RE: Child and Family Services Improvement Act of 2006 (S. 3525)**

Dear Congressmen Herger and McDermott:

Lutheran Services in America (LSA) thanks you and your staff for the admirable efforts to reauthorize Promoting Safe and Stable Families this year. LSA supports the bi-cameral and bi-partisan bill and encourages Congress to pass the Child and Family Services Improvement Act of 2006 (S. 3525) before adjourning in October. This bill will begin to address the serious needs of children in our country who are abused and neglected or at risk for being abused and neglected.

LSA is an alliance of national Lutheran church bodies and their health and human service organizations. LSA has almost 300 members providing services throughout all 50 states and the Caribbean. Its members deliver over \$9 billion in services to over one out of every 50 people in the United States. The network of organizations serves the elderly, children and families, people with mental and physical disabilities, refugees, victims of natural disasters, and others in great need. Through these efforts it is on the front lines of building self-sufficiency and promise in millions of lives.

The members of LSA remain committed to partnering with state and federal governments in providing services to abused and neglected children. It is of utmost importance to place the welfare of the child as the top priority when providing services to children who are abused and neglected. The programs funded in the bill with the new \$40 million of mandatory funding prioritize the welfare of children by supporting caseworker monthly visits and providing family-centered substance abuse treatment. The reauthorization of Promoting Safe and Stable Families will help assure that children who have been abused and neglected live in safe, loving and permanent homes.

LSA urges Congress to vote on final passage of the Child and Family Services Improvement Act of 2006 (S. 3525) before adjourning in October.

Sincerely,

Kathy A. Sullivan  
Associate Director of Public Policy



September 18, 2006

The Honorable Wally Herger  
U.S. House of Representatives  
Committee on Ways and Means  
Subcommittee on Human Resources  
B-317 Rayburn House Office Building  
Washington, DC 20515

The Honorable Jim McDermott  
U.S. House of Representatives  
Committee on Ways and Means  
Subcommittee on Human Resources  
B-317 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Herger and Ranking Member McDermott:

MENTOR/National Mentoring Partnership is pleased to support the conference report of S. 3525, the Promoting Safe and Stable Families Act, which includes the reauthorization of the Mentoring Children of Prisoners grant program. MENTOR applauds the conferees' work in safeguarding this important site-based grant program, as well as adding a new voucher demonstration project to carefully evaluate an alternate method of providing mentoring services to young people not currently being served.

MENTOR is a national organization that represents over 4,000 local mentoring organizations throughout the country, providing them with resources and best practices as well as advocating for policies that affect the mentoring community. MENTOR strongly believes that young people with incarcerated parents are a critical population that can achieve lifelong success with the support of positive youth development programs such as mentoring. We want to ensure that as many young people as possible have access to high-quality, meaningful mentoring relationships through the Mentoring Children of Prisoners program.

The conference report of the Promoting Safe and Stable Families Act includes a phased-in demonstration project for mentoring vouchers that could address the challenge of working in sparsely populated areas where kids are often underserved. The limited size and three-year time frame of the demonstration project represents a planful approach to policy innovation, and will ensure that any implementation challenges can be considered and addressed in an empirically sound way. In addition, this approach ensures that the existing level of service to young people through the grant-based method will be maintained while this test is conducted. The conference report also includes a provision for an evaluation of the three year voucher demonstration project that will compare the voucher system with the traditional grant-based approach to ensure the most effective service delivery model is being used.

MENTOR urges members of Congress to support the Mentoring Children of Prisoners provisions in the conference report of the Promoting Safe and Stable Families Act. We believe that these provisions will allow thousands more children of incarcerated parents to benefit from having a caring adult mentor in their lives.

Yours truly,

Gail Manza  
Executive Director

September 18, 2006

The Honorable Wally Herger  
Chair, Subcommittee on Human Resources  
House Committee on Ways and Means  
1102 Longworth Office Bldg.  
Washington, DC. 20515

Dear Chairman Herger,

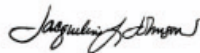
SUBJECT: CHILD AND FAMILY SERVICES ACT OF 2006

On behalf of more than 500 tribal nations, the National Congress of American Indians (NCAI) would like to take this opportunity to thank you for your support of the Reauthorization of the Promoting Safe and Stable Families Act (PSSF), now known as the Child and Family Services Act of 2006.. The recommendations that we are making are supported by the National Indian Child Welfare Association and the Association of American Indian Affairs, with whom we collaborate on this and other child welfare matters. We look forward to working with this Subcommittee to ensure that the critical programs and initiatives authorized and supported by this body are funded at levels which will ensure their long term effectiveness.

Ensuring the well being of our tribal children and families is one of our highest priorities and greatest responsibilities as tribal governments. Currently, tribes are the primary service providers for Indian children living within their jurisdictions, and in general, have exclusive jurisdiction over these children. The current methamphetamine crisis in Indian Country is but one example of the critical need for health promotion and disease prevention activities in Indian Country. The great strain on tribal child welfare systems is also evident.

NCAI realizes Congress must make difficult budget choices this year. As elected officials, tribal leaders certainly understand the competing priorities that you must weigh. We want thank you and your staff for meeting with us and for including in the bill increased tribal funding under the Child and Family Services Act. We also thank you for allowing tribal eligibility to be a part of the regional partnerships to administer the new methamphetamine grants. NCAI looks forward to working with you in the future on other legislation that impacts Indian children and families.

Respectfully,



Ms. Jacqueline Johnson  
Executive Director  
National Congress of American Indians

CH

1301 CONNECTICUT AVE., NW.  
SUITE 200  
WASHINGTON, DC. 20036



NICWA 5100 SW Macadam Avenue, Suite 300 Portland, OR 97239 T 503.222.4044 F 503.222.4007 E info@nicwa.org www.nicwa.org

September 15, 2006

Honorable Wally Herger  
Chairman  
Ways and Means Subcommittee on Human Resources  
House of Representatives  
Washington, D.C. 20515

Attn: Christine Calpin

Dear Chairman Herger:

On behalf of the National Indian Child Welfare Association, thank you for your good work on the S. 3525, the Child and Family Services Act of 2006, and especially for the tribal provisions. We urge enactment of this legislation during the final two weeks before Congress recesses for the elections.

We are very appreciative of the open lines of communications afforded us by Christine Calpin and Matt Weidinger your staff. The conference agreement makes significant improvements with regard to tribal governments' efforts to promote stable families and to protect their children.

We anticipate that Congress will develop even broader child welfare reform legislation in the next few years, and look forward to working with you on ways in which those reforms can help improve the lives Indian and Alaska Native children and families.

Sincerely,

Terry L. Cross  
Executive Director

CC: NICWA Board of Directors

*President: Maurice Lymon, Morongo Band of Mission Indians Vice President: Don Milligan, Metis Cross Association Secretary: Maria Big Boy, Ogala Treasurer: Gary Peterson, Shoshone Executive Director: Terry L. Cross, Seneca Nation*

BOARD MEMBERS

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