

DEPARTMENT OF HEALTH AND HUMAN SERVICES
ADMINISTRATION FOR CHILDREN AND FAMILIES

SIGNIFICANT ITEMS IN CONFERENCE AND SENATE APPROPRIATIONS COMMITTEE REPORT

TABLE OF CONTENTS

<u>FY 2013 BUDGET</u>	<u>PAGE</u>
FY 2012 CONFERENCE REPORT LANGUAGE.....	395
FY 2012 SENATE APPROPRIATIONS COMMITTEE REPORT LANGUAGE.....	395

This page intentionally left blank.

ADMINISTRATION FOR CHILDREN AND FAMILIES

Significant Items in Conference and Senate Appropriations Committees Reports

FY 2012 Conference Report Language (H. Rpt. 112-331)

Item

Pro Bono Legal Services – Within the total for Unaccompanied Alien Children, the conference agreement includes up to \$6,100,000 for the pro bono legal services pilot to ensure legal representation for both released and detained children.

Action taken or to be taken

In FY 2012, ORR will allocate \$6.1 million of Unaccompanied Alien Children (UAC) Program funding to provide legal representation for both released and detained children. Of this amount, \$5.8 million will continue to support pro-bono legal services. The remaining \$.3 million will support a pilot program to provide direct legal services to UAC who are unable to secure pro-bono representation and are requesting Voluntary Departure and/or a Removal Order.

Item

Child Abuse Prevention -- The conferees direct that **not less than 120 days after enactment**, ACF shall submit to the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives the results of the study related to suspected and known instances of child abuse and neglect, as required under section 1110(d) of the Child Abuse Prevention and Treatment Reauthorization Act of 2010.

Action taken or to be taken

No funds were appropriated for this study or the associated report to Congress. While we are undertaking this report using existing resources, lack of dedicated funding will likely result in a delayed product.

FY 2012 Senate Appropriations Committee Report Language (S. Rpt. 112-84)

Item

Transitional and Medical Services.-- Transitional and medical services provide grants to States and nonprofit organizations to provide up to 8 months of cash and medical assistance to incoming refugees as well as foster care services to unaccompanied minors. Within the total, the Committee recommendation includes not less than \$65,000,000 for the voluntary agency matching grant program, which provides grants to resettlement agencies to provide comprehensive services, including case management, job development, job placement, and interim housing and cash assistance, with the goal of refugees becoming self-sufficient within their first 4 months. Refugees enrolled in this program are not eligible for regular transitional and medical assistance. The Committee continues to support the voluntary agency matching grant program and encourages the Office of Refugee Resettlement (ORR) to explore the continued expansion of this program. While many of the costs of the transitional and medical services program are outside of HHS' control, the Committee remains concerned with the projected increases in these costs. The Committee directs ACF to include actual and projected information in their fiscal year 2013 budget justification, broken out by refugees in State-administered, voluntary agency matching grant, and Wilson-Fish programs where applicable, on the number of refugees arriving in the United States, potentially

eligible for assistance and actually receiving assistance; the average amount of time refugees receive assistance; the average cash and medical assistance benefit; and the total obligations of the program. The Committee also directs ACF to separately include information on the actual and projected costs of reimbursing States for providing foster care for unaccompanied refugee minors [URM], including the number of URMs in foster care.

Action taken or to be taken

See the Transitional and Medical Services (TAMS) narrative in the Refugee and Entrant Assistance chapter for this information.

Item

Tribal Requirements -- The Committee notes the administration has proposed revised reporting requirements for tribes that integrate Federal funding, including CCDBG funding, for employment, job training and related services into a single coordinated program, as authorized by Public Law 102-477. While the Committee supports an improved reporting system, any changes should be made consistent with Public Law 102-477, which is intended to improve efficiencies and lessen the administrative burden on tribes. The Committee does not support the proposed requirement that tribes under this program report separately on CCDBG, temporary Assistance for Needy Families, and Native Employment Works funding. The Committee expects notification prior to ACF implementing any changes to reporting requirements under these programs.

Action taken or to be taken

On October 7, 2011, Secretaries Salazar, Solis, and Sebelius sent a letter to Congress outlining the administrative remedies being taken to address tribal concerns related to P.L. 102-477 audits while seeking to develop procedures to ensure that these funds were spent in accordance with underlying program rules that had not been waived. These letters and subsequent guidance explained that effective October 1, 2011, the requirements contained in the 2009, 2010, and 2011 Compliance Supplements in the BIA Cross-Cutting Section on page 4-15.000-4,IV, Other Information, have been suspended. FAQs providing guidance to tribes and the audit community on the suspended activities have been posted on the Department of Interior website and have been shared with tribes along with the American Institute of Certified Public Accountants. On November 22, 2011, federal partners (DOL, DOI, HHS, and OMB) along with tribal representatives convened the first meeting of the P.L. 102-477 Administrative Flexibility Work Group. The Administration has completed a review of the 2012 Compliance Supplement that is prepared annually by OMB in collaboration with affected agencies. The current draft makes revisions to reflect the suspended requirements included in prior supplements. We will be seeking input from tribes through a consultation process that will include review by the P.L. 102-477 Tribal Work Group as well as the P.L. 102-477 Administrative Flexibility Work Group. The Administration, including ACF, will notify the Committees prior to implementing any changes to reporting requirements under the tribal programs. Copies of the Secretaries' letters and the FAQs can be found at:
<http://www.indianaffairs.gov/WhoWeAre/AS-IA/IEED/DWD/index.htm>

Item

Voting Access for Individuals With Disabilities -- The Committee recommendation does not provide formula funding for Secretaries of State but maintains funding for protection and advocacy programs. States have over \$33,000,000 in fiscal year 2007 to fiscal year 2010 unexpended funds available to their Secretaries of State under this program, and States may still use those funds for these activities. In addition, the Committee encourages ACF to work with States and protection and advocacy organizations to ensure that these funds are used in a timely manner. The Committee also encourages ACF, in consultation with the National Council on Disability, to monitor the implementation of the Help America Vote Act for voters with disabilities during the 2012 election cycle.

Action taken or to be taken

The Administration on Developmental Disabilities (ADD) will work with the National Council on Disability (NCD) and other federal partners to assess the accessibility of the election process for people with disabilities during the 2012 general election. In addition, ADD staff will continue to provide technical assistance and support to Secretaries of State to ensure election accessibility and timely expenditure of appropriated funds for such purposes.

Item

Family Violence Prevention and Services -- The Committee encourages ACF to provide funding for State resource centers to reduce disparities in domestic violence in States with high proportions of Indian (including Alaskan Native) or Native Hawaiian populations, as authorized by section (a)(2)(B)(i) of the Family Violence Prevention and Services Act.

Action taken or to be taken

In FY 2012, continuation grants are planned to support children who are exposed to violence, and to support implementation of trauma-informed interventions in community-based agencies that were funded in FY 2011. Additionally, the National Resource Center to Address Domestic Violence and Safety for Indian Women has expanded its capacity to provide resources and technical assistance to Alaska Native and Native Hawaiian communities. This will allow the FVPSA program to implement targeted strategies to assess the needs of the Alaska Native Villages receiving FVPSA grants, the availability of shelter and domestic violence supportive services, and training and technical assistance needs in Alaska. Also in FY 2012, the FVPSA program will convene a regional peer-to-peer and technical assistance grantee meeting in Alaska to support Alaska Native communities and to expand collaborations between the Tribes and Alaska Native Villages and the State of Alaska and the Alaska Network to End Domestic and Sexual Violence. Contingent upon available funding, ACF will consider releasing a Funding Opportunity Announcement that solicits applications from eligible organizations to operate the State Resource Centers authorized in P.L. 111-320.

This page intentionally left blank.