

ACF

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U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children, Youth and Families

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INFORMATION MEMORANDUM

TO: STATE AGENCIES ADMINISTERING OR SUPERVISING THE ADMINISTRATION OF TITLE IV-B OF THE SOCIAL SECURITY ACT.

SUBJECT: FY 1989 ALLOTMENTS FOR TITLE IV-B AND PROCEDURES FOR APPLYING FOR: (1) A STATE'S SHARE OF FUNDS AVAILABLE UNDER TITLE IV-B IN FY 1989; (2) REALLOTTED IV-B FUNDS AND (3) FUNDS TO BE TRANSFERRED FROM TITLE IV-E-FOSTER CARE.

LEGAL AND RELATED REFERENCES: SECTIONS 421, 422, 423, 427, 474(c) and 475 OF THE SOCIAL SECURITY ACT and 45 CFR 1355.30, 1356.65, 1356.70, 1357.30 and 1357.40.

CONTENT: This transmittal establishes the procedure for States to follow in order to apply for:

1. Title IV-B funds available to a State from its share of FY 1989 funds;
2. Title IV-B FY 1989 funds that will become available for reallocation to other States; and
3. Transfer of funds not needed for foster care under title IV-E to title IV-B.

The procedures that a State must follow in order to receive title IV-B funds for FY 1989 are the same as those that were in effect in FY 1988. They are again detailed below, with updated amounts of funds.

ACTION REQUIRED:

Date and Place to send Requests:

To be eligible to receive any funds awarded under title IV-B (funds allotted or reallocated under title IV-B or transferred to title IV-B) during FY 1989, States must send requests to ACYF as

detailed under (1), (2) and (3) below. Requests will NOT BE CONSIDERED if they are not received by ACYF on or before August 15 or postmarked registered or certified mail no later than August 11. There will be no exceptions, since all State requests must be taken into account in determining the amount of awards. The original request should be sent to:

Formula Grants Division
ACYF
P.O. Box 1182
Washington, D.C. 20013

A copy should be sent at the same time to the appropriate HDS Regional Administrator.

1. Funds available to a State from its share of FY 1989 funds.

Under the appropriation for FY 1989, Congress has approved a total of \$246.679M for title IV-B (Child Welfare Services). The allotments for each State at the levels of \$141M and \$246.679M are listed in Enclosure 1. These are the same amounts sent to you on October 7, 1988 in ACYF-IM-88-28. States are advised that, under section 428 of the Social Security Act (the Act) and 45 CFR 1357.40, direct grants are made to eligible Indian Tribal Organizations (ITOs), that apply, from the allotment of the State(s) in which the ITO or portion of it is located. To receive its share of \$141M, a State must meet the general requirements of the title IV-B Program, including jointly planning its child welfare services with the Administration for Children, Youth and Families (ACYF) and submitting, properly completed, the Form CWS-101, including both the Annual Summary of Child Welfare Services and the Annual Budget Request.

To receive its share of the additional funds up to \$246.679M, a State must, in addition to the requirements stated above:

- a. Certify that it is meeting the requirements of section 427 of the Act. (States that have certified previously that they are eligible need not recertify unless they have withdrawn their certification and have not recertified);
- b. Be meeting and continue to meet the requirements of section 427 of the Act;
- c. Submit to ACYF a revised Annual Budget Request incorporating the additional funds requested up to the State's share of \$246.679M or whatever portion of its share over \$141M a State can obligate during FY 1989;
- d. Jointly plan with ACYF Regional staff the use of those funds applied for; and,
- e. Submit to ACYF an Annual Summary of Child Welfare Services incorporating those additional services to be provided.

2. Title IV-B FY 1989 funds that will become available for reallocation to other States.

Some States may not use all title IV-B funds allotted to them for FY 1989, either because they do not meet the requirements of section 427 of the Act or because they cannot

obligate all of the funds during FY 1989. (Note: Under 45 CFR 74.71, obligations for salaries must be used for services received during the fiscal year in which we award them, unless State purchasing laws permit otherwise or the services are provided under a contract entered into during the fiscal year.)

To apply for reallocated FY 1989 title IV-B funds, a State must meet all the same conditions listed under (1)(a) through (e), above.

Failure of a State to apply for its share of funds up to \$141M or \$246.679M by the required date will be considered equivalent to certification that the funds will not be required by the State during FY 1989, in accordance with 45 CFR 1357.30(g)(2). These funds will then be available for reallocation to other States.

3. Transfer of funds not needed for foster care under title IV-E to title IV-B.

Under 45 CFR 1356.70, a State may transfer funds not needed for foster care under title IV-E-Foster Care. For purposes of possible transfer, hypothetical allotments have been calculated on the same basis as if they were mandatory (Enclosure 2). The Act mandates that a State's allotment limitation be the higher amount under paragraph (A) or (B) of section 474(b)(3). Paragraph (C) does not apply to transfers. Since there is no mandatory allotment limitation, paragraph (C) is irrelevant in FY 1989. Therefore, Enclosure 2 shows the amount of the hypothetical foster care allotment limitation and indicates only the paragraph ((A) or (B)) which resulted in the greater amount. To apply for the transfer, a State must:

- a. Submit a Form IV-E-1 (Quarterly Estimate of Expenditures) for the fourth quarter, with all sections applicable to foster care completed;
- b. Submit Form IV-E-2's (Quarterly Statements of Expenditures) for the quarters ended December 31, 1988, March 31, 1989 and June 30, 1989;
- c. Meet the requirements of 1(a), (b) and (d), above, regarding section 427 and joint planning, incorporating the additional services to be provided;
- d. Submit a revised Annual Summary of Child Welfare Services incorporating the additional services to be provided; and
- e. Submit a SEPARATE CWS-101 Annual Budget Request requesting the funds to be transferred. Transfer funds are further limited in two ways:
 - i. Under 45 CFR 1356.70(a)(3), the total funds each State may transfer to title IV-B may not, when added to the funds received under title IV-B directly or by reallocation ((1) and (2) above), exceed the amount the State would have been allotted under title IV-B if \$266M had been appropriated and allotted to States (Enclosure 3); and
 - ii. Funds are limited to the amount made available to the Department by the Congress under the appropriation for FY 1989.

Summary

Only one section 427 certification need be filed for any of the three types of funds:

1. those directly allotted under title IV-B,
2. those reallocated from funds not used by other States under title IV-B and
3. those transferred from title IV-E-Foster Care.

One CWS-101 may be filed for the directly allotted and reallocated funds ((1) and (2)). A separate CWS 101 must be filed for transfer funds (3). However, in all cases, the amounts requested for the quarter, the year and the total expenditures should be cumulative.

States which have not yet requested the full amount of their allotment and wish to do so are strongly encouraged to send their revised CWS-101 requesting the increased amounts under their allotments as soon as possible. Early receipt of such requests, including receipt by the regional office, would enable all States to receive all funds directly allotted to them at an early date, possibly as a part of their fourth quarter award. States may request a share of reallocated funds on the same CWS-101. Transfer requests must necessarily await the filing of claims for IV-E-Foster Care expenditures for the third quarter of this fiscal year, ending June 30, 1989.

To reiterate: In order to apply for any of the additional funds discussed above, a State must send to ACYF, as detailed above, the necessary requests and reports. Requests will NOT BE CONSIDERED if they are not received by ACYF on or before August 15 or postmarked registered or certified mail no later than August 11. There will be no exceptions, since all State requests must be taken into account in determining the amount of awards. The original request should be sent to:

Formula Grants Division
ACYF
P.O. Box 1182
Washington, D.C. 20013

A copy should be sent at the same time to the appropriate HDS Regional Administrator.

EFFECTIVE DATE: Effective upon issuance.

INQUIRIES: Regional Administrators Office of Human Development Services

/s/
Joseph Mottola
Acting Commissioner

Enclosures:

[Enclosure 1](#) - FY 1989 Title IV-B Table at \$246.679M and \$141M

[Enclosure 2](#) - Hypothetical FY 1989 Foster Care Allotments

[Enclosure 3](#) - FY 1989 Title IV-B Table at \$266M

Enclosure 1**FY89 Title IV-B**

Name of State	Allotment at \$246.679 M	Allotment at \$141 M
Alabama	\$5,136,223	\$2,930,771
Alaska	\$449,984	\$284,568
Arizona	\$3,718,867	\$2,130,425
Arkansas	\$3,031,746	\$1,742,425
California	\$12,618,926	\$12,802,820
Colorado	\$3,027,898	\$1,740,252
Connecticut	\$2,099,420	\$1,215,963
Delaware	\$653,914	\$399,722
Dist of Col	\$424,127	\$269,967
Florida	\$10,145,568	\$5,759,424
Georgia	\$7,149,403	\$4,067,564
Hawaii	\$1,118,785	\$662,223
Idaho	\$1,388,470	\$814,508
Illinois	\$10,548,897	\$5,987,174
Indiana	\$6,063,853	\$3,454,581
Iowa	\$3,010,816	\$1,730,606
Kansas	\$2,461,137	\$1,420,216
Kentucky	\$4,555,957	\$2,603,109
Louisiana	\$5,657,340	\$3,225,032
Maine	\$1,363,614	\$800,472
Maryland	\$3,719,886	\$2,131,000
Massachusetts	\$4,326,635	\$2,473,617
Michigan	\$9,352,792	\$5,311,763
Minnesota	\$4,119,175	\$2,356,469
Mississippi	\$3,922,822	\$2,245,593
Missouri	\$5,126,493	\$2,925,276
Montana	\$1,028,222	\$611,084
Nebraska	\$1,708,884	\$995,438
Nevada	\$944,846	\$564,004
New Hampshire	\$1,004,369	\$597,615
New Jersey	\$5,352,525	\$3,052,911

New Mexico	\$2,029,937	\$1,176,728
New York	\$14,073,275	\$7,977,303
North Carolina	\$7,188,796	\$4,089,808
North Dakota	\$832,536	\$500,585
Ohio	\$11,026,801	\$6,257,034
Oklahoma	\$3,658,245	\$2,096,193
Oregon	\$2,792,171	\$1,607,142
Pennsylvania	\$11,002,709	\$6,243,430
Rhode Island	\$934,208	\$557,997
South Carolina	\$4,375,816	\$2,501,388
South Dakota	\$919,835	\$549,881
Tennessee	\$5,597,550	\$3,191,270
Texas	\$18,562,494	\$10,512,254
Utah	\$2,832,216	\$1,629,755
Vermont	\$665,983	\$406,537
Virginia	\$5,350,018	\$3,051,495
Washington	\$4,291,533	\$2,453,795
West Virginia	\$2,348,150	\$1,356,415
Wisconsin	\$4,971,923	\$2,837,994
Wyoming	\$622,966	\$382,246
American Samoa	\$163,069	\$122,553
Guam	\$342,373	\$223,803
Northern Mariana	\$116,964	\$96,519
Puerto Rico	\$6,452,948	\$3,674,293
Virgin Islands	\$294,890	\$196,990
Totals	\$246,679,000	\$141,000,000

Enclosure 2**Hypothetical FY 1989 Foster Care**

State	Amount of Hypothetical Allotment	Allotments Applicable Paragraph
Alabama	\$3,384,057	A
Alaska	\$371,778	A
Arizona	\$1,446,287	B
Arkansas	\$1,019,798	B
California	\$141,962,268	A
Colorado	\$3,395,360	A
Connecticut	\$4,066,042	A
Delaware	\$1,116,850	A
District of Columbia	\$1,181,388	A
Florida	\$4,255,453	B
Georgia	\$5,712,060	A
Hawaii	\$450,096	B
Idaho	\$712,732	A
Illinois	\$4,776,368	B
Indiana	\$3,574,953	A
Iowa	\$3,017,846	A
Kansas	\$6,497,265	A
Kentucky	\$4,882,160	A
Louisiana	\$6,821,942	A
Maine	\$4,395,198	A
Maryland	\$7,931,667	A
Massachusetts	\$6,851,763	A
Michigan	\$37,894,240	A
Minnesota	\$8,258,262	A
Mississippi	\$2,085,387	A
Missouri	\$4,582,279	A
Montana	\$1,433,966	A
Nebraska	\$1,777,785	A

Nevada	\$729,197	A
New Hampshire	\$1,301,760	A
New Jersey	\$2,881,559	B
New Mexico	\$701,898	B
New York	\$293,646,831	A
North Carolina	\$2,560,511	B
North Dakota	\$1,075,554	A
Ohio	\$6,772,756	A
Oklahoma	\$1,684,408	A
Oregon	\$12,252,918	A
Pennsylvania	\$43,170,333	A
Rhode Island	\$360,392	B
South Carolina	\$1,480,910	B
South Dakota	\$909,860	A
Tennessee	\$5,252,250	A
Texas	\$7,843,631	B
Utah	\$1,159,821	A
Vermont	\$1,643,143	A
Virginia	\$7,077,155	A
Washington	\$6,939,896	A
West Virginia	\$1,828,845	A
Wisconsin	\$15,377,884	A
Wyoming	\$232,917	B

Enclosure 3**FY89 Title IV-B**

Name of State	Allotment
Alabama	\$5,539,440
Alaska	\$480,227
Arizona	\$4,009,278
Arkansas	\$3,267,469
California	\$24,413,578
Colorado	\$3,263,314
Connecticut	\$2,260,940
Delaware	\$700,387
Dist Of Col	\$452,312
Florida	\$10,947,475
Georgia	\$7,712,848
Hawaii	\$1,202,257
Idaho	\$1,493,407
Illinois	\$11,382,905
Indiana	\$6,540,900
Iowa	\$3,244,873
Kansas	\$2,651,445
Kentucky	\$4,912,990
Louisiana	\$6,102,032
Maine	\$1,466,572
Maryland	\$4,010,377
Massachusetts	\$4,665,417
Michigan	\$10,091,602
Minnesota	\$4,441,446
Mississippi	\$4,229,465
Missouri	\$5,528,935
Montana	\$1,104,486
Nebraska	\$1,839,322
Nevada	\$1,014,474

New Hampshire	\$1,078,735
New Jersey	\$5,772,957
New Mexico	\$2,185,927
New York	\$15,187,784
North Carolina	\$7,755,376
North Dakota	\$893,226
Ohio	\$11,898,844
Oklahoma	\$3,943,831
Oregon	\$3,008,826
Pennsylvania	\$11,872,835
Rhode Island	\$1,002,989
South Carolina	\$4,718,512
South Dakota	\$987,473
Tennessee	\$6,037,483
Texas	\$20,034,298
Utah	\$3,052,058
Vermont	\$713,417
Virginia	\$5,770,250
Washington	\$54,627,522
West Virginia	\$2,529,466
Wisconsin	\$5,362,063
Wyoming	\$666,976
American Samoa	\$170,476
Guam	\$364,051
Northern Mariana	\$120,702
Puerto Rico	\$6,960,962
Virgin Islands	\$312,788
Totals	\$266,000,000