

ACF

Administration
for Children
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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 1990 ALLOTMENTS FOR TITLE IV-B AND PROCEDURES FOR APPLYING FOR: (1) A STATE'S 1990; (2) REALLOTTED IV-B FUNDS AND (3) FUNDS TO BE TRANSFERRED FROM TITLE IV-E-FOSTER CARE. SHARE OF FUNDS AVAILABLE UNDER TITLE IV-B IN FY

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 1990 funds;
2. Title IV-B FY 1990 funds that will become available for reallotment 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 1990 are the same as those that were in effect in FY 1989. 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 reallotted under title IV-B or transferred to title IV-B) during FY 1990, 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 1990 funds.

Under the appropriation for FY 1990, Congress has approved a total of \$252,647,751 for title IV-B (Child Welfare Services). The allotments for each State at the levels of \$141M and \$252,647,751 are listed in Attachment 1. These are the same amounts sent to you on February 23, 1990 in ACYF-IM-90-07.

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 \$252,647,751, 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 \$252,647,751 or whatever portion of its share over \$141M a State can obligate during FY 1990;
 - 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 1990 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 1990, 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 1990. (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 1990 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 \$252.647M by the required date will be considered equivalent to certification that the funds will not be required by the State during FY 1990, 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 (Attachment 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 1990. Therefore, Attachment 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. Have submitted or submit a Form IV-E-2 (Quarterly Report of Expenditures Form) for the quarter ended December 31, 1989 and Form IV-E-12's (Quarterly Report of Expenditures and Estimates) for the quarters ended March 31, 1990 and June 30, 1990, with Column (a) of Parts I and II (Current Quarter Expenditures) and Part IX completed.
- b. Meet the requirements of 1(a),(b) and (d), above, regarding section 427 and joint planning, incorporating the additional services to be provided;
- c. Submit a revised Annual Summary of Child Welfare Services incorporating the additional services to be provided; and
- d. 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 \$325M had been appropriated and allotted to States (Attachment 3); and
- ii. Funds are limited to the amount made available to the Department by the Congress under the appropriation for FY 1990.

Summary

One section 427 certification is necessary to be eligible to receive 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, 1990.

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 as United States postal service 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:

(Regular Mail Address)

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

(Overnight Mail Address)

Administration for Children, Youth and Families
Children's Bureau
Formula Grants Division
330 C Street, S.W., Room 2070
Washington, D.C. 20201

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

Wade F. Horn Ph.D.
Commissioner

Attachments:

[Attachments 1:](#) FY 1990 Title IV-B Table at \$252.647M and \$141M

[Attachment 2:](#) Hypothetical FY 1990 Foster Care Allotments

[Attachment 3:](#) FY 1990 Title IV-B Table at \$325M

**ALLOTMENT OF FUNDS
TITLE IV-B
CHILD WELFARE SERVICES
FISCAL YEAR 1990**

Name of State	Allotment at \$252.647 M	Allotment at \$141 M
Alabama	5,219,255	2,907,881
Alaska	528,819	322,866
Arizona	3,869,322	2,163,900
Arkansas	3,106,633	1,743,564
California	23,792,938	13,144,297
Colorado	3,229,362	1,811,202
Connecticut	1,971,504	1,117,966
Delaware	658,060	394,094
Dist of Col	436,709	272,102
Florida	10,567,174	5,855,252
Georgia	7,292,929	4,050,734
Hawaii	1,153,520	667,154
Idaho	1,453,595	832,533
Illinois	10,666,422	5,909,950
Indiana	6,154,823	3,423,496
Iowa	3,000,773	1,685,221
Kansas	2,544,582	1,433,803
Kentucky	4,618,566	2,576,827
Louisiana	5,991,972	3,333,745
Maine	1,362,855	782,524
Maryland	3,729,385	2,086,778
Massachusetts	4,154,001	2,320,794
Michigan	9,299,563	5,156,640
Minnesota	4,170,382	2,329,822
Mississippi	3,971,096	2,219,990
Missouri	5,233,553	2,915,761
Montana	1,052,294	611,366
Nebraska	1,922,926	1,091,193
Nevada	997,784	581,325

New Hampshire	988,549	576,235
New Jersey	5,013,389	2,794,424
New Mexico	2,090,547	1,183,573
New York	14,110,169	7,807,884
North Carolina	7,268,933	4,037,510
North Dakota	855,281	502,788
Ohio	11,255,118	6,234,395
Oklahoma	3,900,379	2,181,016
Oregon	2,881,730	1,619,614
Pennsylvania	11,120,887	6,160,416
Rhode Island	956,109	558,356
South Carolina	4,468,039	2,493,868
South Dakota	947,588	553,661
Tennessee	5,652,615	3,146,717
Texas	19,868,603	10,981,499
Utah	2,930,715	1,646,610
Vermont	660,567	395,476
Virginia	5,405,101	3,010,306
Washington	4,491,548	2,506,824
West Virginia	2,386,241	1,346,537
Wisconsin	5,088,215	2,835,662
Wyoming	656,769	393,383
American Samoa	167,473	123,720
Guam	352,849	225,885
Northern Mariana	119,937	97,521
Puerto Rico	6,566,888	3,650,596
Virgin Islands	292,715	192,744
size="+1"> Totals	252,647,751	141,000,000

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Administration for Children and Families
Administration on Children, Youth and Families
Title IV-E-Foster Care
Hypothetical FY 1990 Foster Care Allotments

Name of State	Amount of Applicable Allotment	Hypothetical Paragraph
Alabama	3,722,463	A
Alaska	408,956	A
Arizona	1,491,158	B
Arkansas	1,038,253	A
California	156,158,495	A
Colorado	3,734,896	A
Connecticut	4,472,646	A
Delaware	1,228,535	A
District of Columbia	1,299,527	A
Florida	4,377,927	B
Georgia	6,283,266	A
Hawaii	449,540	B
Idaho	784,005	A
Illinois	4,703,726	B
Indiana	3,932,448	A
Iowa	3,319,631	A
Kansas	7,146,992	A
Kentucky	5,370,376	A
Louisiana	7,504,136	A
Maine	4,834,718	A
Maryland	8,724,834	A
Massachusetts	7,536,939	A
Michigan	41,683,664	A
Minnesota	9,084,088	A
Mississippi	2,293,926	A
Missouri	5,040,507	A
Montana	1,577,363	A
Nebraska	1,955,564	A

Nevada	802,117	A
New Hampshire	1,431,936	A
New Jersey	2,867,973	B
New Mexico	703,288	B
New York	323,011,514	A
North Carolina	2,562,536	A
North Dakota	1,183,109	A
Ohio	7,450,032	A
Oklahoma	1,852,849	A
Oregon	13,478,210	A
Pennsylvania	47,487,366	A
Rhode Island	360,259	B
South Carolina	1,486,459	A
South Dakota	1,000,846	A
Tennessee	5,777,475	A
Texas	7,809,783	B
Utah	1,275,803	A
Vermont	1,807,457	A
Virginia	7,784,871	A
Washington	7,633,886	A
West Virginia	2,011,730	A
Wisconsin	16,915,672	A
Wyoming	220,854	A

FY 1990 Title IV-B Table at \$252.647M and \$141M

Name of State	Allotment at \$325 M
Alabama	6,717,118
Alaska	662,284
Arizona	4,974,504
Arkansas	3,989,958
California	30,693,687
Colorado	4,148,387
Connecticut	2,524,631
Delaware	829,120
Dist of Columbia	543,381
Florida	13,620,690
Georgia	9,394,002
Hawaii	1,468,704
Idaho	1,856,068
Illinois	13,748,808
Indiana	7,924,833
Iowa	3,853,303
Kansas	3,264,412
Kentucky	5,941,695
Louisiana	7,714,611
Maine	1,738,933
Maryland	4,793,862
Massachusetts	5,341,994
Michigan	11,984,345
Minnesota	5,363,140
Mississippi	5,105,883
Missouri	6,735,576
Montana	1,338,033
Nebraska	2,461,922
Nevada	1,267,666
New Hampshire	1,255,744
New Jersey	6,451,368
New Mexico	2,678,303

New York	18,194,304
North Carolina	9,363,026
North Dakota	1,083,711
Ohio	14,508,750
Oklahoma	5,014,596
Oregon	3,699,632
Pennsylvania	14,335,472
Rhode Island	1,213,868
South Carolina	5,747,381
South Dakota	1,202,869
Tennessee	7,276,538
Utah	25,627,804
Texas	3,762,866
Vermont	832,357
Virginia	6,957,024
Washington	5,777,729
West Virginia	3,060,011
Wisconsin	6,547,961
Wyoming	827,454
American Samoa	195,827
Guam	435,127
Northern Mariana	134,463
Puerto Rico	8,456,764
Virgin Islands	357,501
Totals	25,000,000