

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES

SIGNIFICANT ITEMS IN CONFERENCE, SENATE, AND HOUSE  
APPROPRIATIONS COMMITTEE REPORTS

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ADMINISTRATION FOR CHILDREN AND FAMILIES

SIGNIFICANT ITEMS IN CONFERENCE, SENATE AND HOUSE  
APPROPRIATIONS COMMITTEE REPORTS

**FY 2010 Conference, Senate and House Appropriations Committee Report Language**

Item

***Developmental Disabilities Assistance*** — Within the amount provided for Developmental Disabilities Assistance Projects of National Significance, the conferees encourage the Administration for Children and Families (ACF) to establish a national autism resource and information center as proposed by the Senate, but do not designate \$3,000,000 for this purpose as proposed by the House. (Conference Omnibus Report 11-117, p. 1040)

Item

***Developmental Disabilities*** — The Committee is aware that individuals with autism, their families and other caregivers need a trusted source of information about evidence-based interventions, services, and protocols that can assist individuals with autism and other developmental disabilities. The Committee encourages the Secretary to establish a national autism family resource and information center, which could provide individuals living with autism and their families the information they need to access needed services. (S. R. 111-66, p. 148)

Item

***Developmental Disabilities Projects of National Significance*** — Within the total for developmental disabilities assistance, the Committee recommends \$14,662,000 for Developmental Disabilities Projects of National Significance. Within this amount, the Committee recommends \$3,000,000 for the establishment of a national autism resource and information center, to help families and other caregivers of individuals with autism spectrum disorders access information about evidence-based interventions, services, and protocols. This award shall be made on a competitive basis. (H.R. 111-220, p. 173)

Action taken or to be taken

The Administration on Developmental Disabilities (ADD), Projects of National Significance (PNS), will utilize the federal competitive process to fund the establishment of a national autism resource and information center to help families and other caregivers of individuals with autism spectrum disorders access information about evidence-based interventions, services, and protocols.

**FY 2010 Senate and House Appropriations Committee Report Language**

Item

***Child Abuse Programs*** — The Committee recommendation includes \$13,500,000 within child abuse discretionary activities for the third year of the home visitation initiative. This is the same as the comparable level for fiscal year 2009 and the administration request. This program provides competitive grants to States to encourage investment of existing funding streams into evidence-based home visitation models. The Committee continues to direct the Administration for Children and Families [ACF] to ensure that States use the funds to support models that have been shown, in well-designed randomized controlled trials, to produce sizable, sustained effects on important child outcomes such as abuse and neglect. (S. R. 111-66, H.R. 111-220, p. 144)

Item

**Child Abuse Discretionary** — Within the total provided for Child Abuse Discretionary Activities, the Committee provides \$15,000,000 for the Home Visitation initiative. These funds support competitive grants to States to encourage investment of existing funding streams into proven-effective home visitation models. As in fiscal year 2009, the Committee directs ACF to ensure that these funds support models that have been shown in well-designed, randomized controlled trials to produce sizeable, sustained effects on important child and family outcomes, such as abuse and neglect. (p. 167)

Action taken or to be taken

In FY 2009, the Home Visitation initiative was funded at \$13.5 million and supported 17 grants, a national cross-site evaluation, and technical assistance. All of the competitive grants awarded utilize models which have been proven through research to be effective in supporting positive results in the areas of child abuse and neglect. ACF will continue to use the designated funds to support these on-going projects.

The key focus for the upcoming year is to support the grantees in their implementation of their projects. Evaluation-related and programmatic technical assistance will be provided. ACF will additionally support a number of peer learning groups around topics of interest among the grantees and the broader prevention community in order to foster greater cross-state learning regarding evidence-based home visiting programs.

Item

**Head Start, Vision Screening** — The Committee recognizes that vision disorders are the leading cause of impaired health in childhood and is concerned that, while Head Start currently requires children to be screened for vision problems, there are no procedures for training, tracking, or even conducting these screenings. This lack of a national uniform standard continues to cause many Head Start enrollees to fall through the cracks. The Committee supports the expansion of the efforts of the Office of Head Start to ensure that all Head Start enrollees receive vision screening services and other resources available to them in their community. (S. R. 111-66, p. 143)

Item

**Head Start, Vision Screening** — The Committee recognizes that vision disorders are the leading cause of impaired health in childhood and is concerned that while Head Start currently requires children to be screened for vision problems, there are no procedures for training, tracking, or conducting the screening. This lack of national uniform standards continues to cause many Head Start enrollees to fall through the cracks without diagnosis or treatment. The Committee encourages the continuation and expansion of collaborative efforts between the Office of Head Start and stakeholders to ensure that all Head Start enrollees receive vision screening services and other resources available to them in their community. (H. R. 111-220, p. 168)

Action taken or to be taken

The Office of Head Start (OHS) is committed to ensuring that all Head Start enrollees receive high quality vision screening services and necessary diagnoses and treatment. The Head Start Program Performance Standards require that grantees screen for sensory (visual and auditory) concerns and establish procedures to track the provision of all health care services, including vision. Programs are monitored to ensure they are adhering to these performance standards. To assist and support programs in their efforts to accurately screen children for vision concerns and follow up on these concerns, OHS has a partnership with Prevent Blindness America (PBA). The training, resources and materials from PBA will assist Head Start programs in conducting vision screenings in a consistent and accurate manner.

## FY 2010 Conference Report Language (C. Rpt. 111-117)

Item

**Community Services** — Within the amount provided for the Community Services Block Grant (CSBG), the conferees direct ACF to allocate \$500,000 of CSBG training and technical assistance funds for continuation of a national community economic development training and capacity development initiative as proposed by the House. The Senate did not include similar language. (p. 1040)

Action taken or to be taken

In FY 2010, the Office of Community Services will continue to provide \$500,000 from CSBG to fund a cooperative agreement grant for a national community economic development training and capacity development initiative.

Item

**Community Services** - The conferees are concerned that individuals and families affected by the economic recession are not receiving critical health care, nutrition assistance, tax credits and other benefits for which they qualify. The Recovery Act required one percent of the \$1,000,000,000 for CSBG grants to be used by States for “benefits enrollment coordination activities relating to the identification and enrollment of eligible individuals and families in Federal, State and local benefit programs”. The conferees direct **ACF to report** to the Committees on Appropriations of the House of Representatives and the Senate on the States’ use of the funds and whether these funds achieved the intended purpose. (p. 1040)

Action taken or to be taken

A report will be issued as requested.

## FY 2010 Senate Appropriations Committee Report Language (S. Rpt. 111-66)

Item

**Victims of Trafficking** — The Committee is concerned that only international victims of trafficking are eligible for funds provided in ORR. Therefore the Committee urges the administration to include funds in its fiscal year 2011 budget request for section 202(d) and 203(g) of the Trafficking Victims Protection Reauthorization Act of 2005 to protect domestic victims of trafficking. (p. 141)

**Action taken or to be taken**

Given budget limitations and funds already requested in the ORR account in FY 2011, we were unable to include funds suggested by the committee. However, if funds are appropriated for section 202(d) and 203(g) of the Trafficking Victims Protection Reauthorization Act of 2005, we will move quickly to implement these provisions.

Item

**Child Care Block Grants** — The Committee supports the emphasis on improving the quality of infant and toddler care through the child care and development block grant. As the Secretary develops strategies for improving the quality of infant and toddler care, particularly in family, friend and neighbor care settings, the Committee encourages the Secretary to invest in proven family support approaches that utilize uniquely designed materials for informal in-home care providers. (p. 142)

Action taken or to be taken

The ACF Office of Family Assistance Child Care Bureau (CCB) provides leadership, technical assistance, policy guidance, and research findings to inform and support state efforts to improve the

quality of infant and toddler care. The Child Care and Development Block Grant's (CCDBG) annual appropriation includes nearly \$100 million in funds targeted towards improving infant and toddler care, and the American Recovery and Reinvestment Act (ARRA) included approximately \$94 million in additional funding for this purpose.

To support states in their efforts to improve the quality of infant and toddler care, the CCB has established and funded the National Infant and Toddler Child Care Initiative (<http://nitcci.nccic.acf.hhs.gov>). This project works with states to provide technical assistance and resources to support systemic approaches-- for example, incorporating infant and toddler care into Quality Rating and Improvement Systems and supporting strategic planning for the effective use of CCDBG quality dollars. In light of the large number of infants and toddlers cared for by family, friends and neighbors (FFN), the Initiative also has produced toolkits, webinars, and other resources to help states engage and support FFN providers—drawing in part on lessons learned from the fields of family support and family engagement. The Initiative developed a state-level strategic planning process to ensure the quality of FFN care, which was piloted in two states (Maine and Minnesota). For additional information, see: [http://nitcci.nccic.acf.hhs.gov/resources/family\\_friend.htm](http://nitcci.nccic.acf.hhs.gov/resources/family_friend.htm)

The CCB also has issued policy documents supporting efforts to improve infant and toddler care. For example, a recent Information Memorandum outlining potential uses of ARRA funds suggested the establishment of infant-toddler specialist networks to provide specialized training and consultation to child care providers. ACF also has funded relevant research to inform state efforts, including a study on supporting quality in home-based care and a research-to-practice brief for assessing FFN initiatives (<http://www.childcareresearch.org/SendPdf?resourceId=11787>).

Item

**Head Start, Buses** — The Head Start Bureau shall continue to provide the Committee with the number and cost of buses purchased, by region, with Head Start funds in the annual congressional budget justification. (p. 143)

Action taken or to be taken

During the 2008-2009 program year, Head Start programs purchased 725 buses at an estimated cost of approximately \$44 million. Specific data on the number and cost of buses purchased by ACF region are provided below:

<b>2008-2009 Program Year</b>	<b># Buses</b>	<b>Estimated Cost</b>
Region I	12	\$309,874
Region II	81	5,287,859
Region III	59	3,400,000
Region IV	150	8,600,000
Region V	260	14,247,323
Region VI	30	2,310,560
Region VII	19	1,052,600
Region VIII	3	174,000
Region IX	5	539,000
Region X	9	694,000
Indians	48	3,168,624
Migrants	49	4,138,126
<b>Total</b>	<b>725</b>	<b>\$43,921,966</b>

Item

**Head Start, Family Treatment** — The Committee is aware of collaborative efforts between some Head Start grantees and family treatment centers. In these programs, Head Start and Early Head Start services are provided to children that reside with their mothers in residential treatment facilities serving women impacted by substance abuse as well as mental illness, homelessness and domestic violence. The Committee believes that locating Head Start services in such facilities could yield promising outcomes for at-risk families by improving mother-child bonding and attachment, as well as focusing attention on the children's social-emotional and developmental growth. The Committee urges the Head Start Bureau to highlight these collaborative programs as promising models for other grantees to replicate. (p. 143)

Action taken or to be taken

The Office of Head Start (OHS) supports residential options that keep children whose parents are struggling with substance abuse together with their families in a safe and therapeutic environment. OHS will seek more information regarding the existence of Head Start or Early Head Start programs that are imbedded in this model of treatment in order to learn more about children's outcomes and lessons learned to date. Promising practices will be shared through the state-based training and technical assistance network and with all grantees through the Early Childhood Learning and Knowledge Center website.

**FY 2010 House Appropriations Committee Report Language (H. Rpt. 111-220)**

Item

**Refugee and Entrant Assistance** — The Committee notes the inherent uncertainties in estimating the necessary funding level for ORR programs. A significant amount of ORR's expenses are determined by the number of refugees arriving in the United States and the number of unaccompanied alien children transferred to ORR's care. In particular, in recent years the number of refugees arriving in the United States, while increasing, has been lower than expected, resulting in significant carryover of unobligated balances. While ORR does not plan on carrying over any unobligated balances into fiscal year 2010, the Committee urges the Administration for Children and Families (ACF) to allocate any unexpected carryover in fiscal year 2010 for social services activities. (p. 160)

Item

**Social Services, Unobligated Balances** — In addition, the Committee urges ACF to use any unobligated balances under this account carried over into fiscal year 2010 to expand social services to refugees, particularly for emerging housing assistance to refugees. The Committee is concerned that the current economic downturn has left many refugees unable to find or maintain employment and, as a result, facing eviction and homelessness. The economic climate has intensified an already difficult transition and the Committee urges ACF to use any unanticipated carryover to help refugees as they contend with new and unforeseen challenges. (p. 164)

Action taken or to be taken

We appreciate the Committee's interest in the social services provided to refugees and other eligible arrivals to the United States. Given the uncertainty of carryover availability, the FY 2011 budget request includes \$25 million to address the emergency needs of refugees facing hardship during the recession, including eviction, homelessness, and long-term unemployment.

Item

**Voluntary Agency Matching Grant Program** — While the economic downturn has created new challenges, the Committee continues to recognize the positive outcomes of this program, which has experienced success in facilitating economic self-sufficiency for newly arriving refugees within a short period of time. The Committee requests that ORR include in their fiscal year 2011 Congressional budget

justification, additional information on the Voluntary Agency Matching Grant program, including actual and projected information on funding levels; the number of refugees participating in the program; demographics of refugees participating in the program including country of origin and level of education attainment; and the number of refugees achieving self-sufficiency within four and six months in the United States. (p. 163)

Action taken or to be taken

Matching Grants were funded at \$60 million in FY 2009 and the same funding is projected for FY 2010 and FY 2011. This funding level will serve approximately 27,000 eligible clients annually. Demographic information is not collected for the Matching Grant program and there are no educational requirements for participation.

According to the most recent available data from Program Year 2008:

- Number of refugees achieving self-sufficiency within four months in the United States: 62.1% of participants
- Number of refugees achieving self-sufficiency within six months in the United States: 78.3% of participants

Item

***Family Preservation for Unaccompanied Refugee Minors (URM)*** — The Committee commends the initial steps taken by ORR to address the problem of separated children and refugee family breakdown by piloting a family preservation specialist initiative in the URM Program. The Committee urges ORR to consider expanding this initiative. In addition, the Committee requests that ORR provide adequate funding to URM programs for capacity development so that they have the necessary infrastructure to accommodate increasing numbers of unaccompanied and separated refugee children. The Committee requests ORR to provide estimates in its fiscal year 2011 Congressional budget justification on the number of family preservation specialists funded, along with actual and projected data on the number of refugee children in the URM program. (p. 163)

Action taken or to be taken

In FY 2009 there were three states with Family Preservation Specialists based either in URM programs or in the state office: Virginia, Massachusetts and North Dakota. ORR has received documentation that two states, Colorado and Michigan, intend to add a Family Preservation component in FY 2010. The Arizona URM program intends to pilot family preservation activities with the use of existing staff and resources in FY 2010.

Please see the Refugee and Entrant Assistance chapter for the estimates of the number of URM for FY 2011.

Item

***Social Services, School Impact*** — The Committee continues to request that ACF adequately fund the Refugee School Impact program. This program provides grants to support impacted school districts to fund activities that will lead to the effective integration and education of refugee children. (p. 164)

Action taken or to be taken

We appreciate the Committee's interest in the School Impact Program and we will continue to fund this program at \$15 million as we have in previous fiscal years.

Item

***Unaccompanied Alien Children*** - The Committee supports these new provisions aimed at ensuring the proper care and treatment of unaccompanied alien children. However, these new requirements have only become effective as of March 2009 and limited data are available on the actual costs of carrying out the provisions of the TVPRA. The Committee requests ACF to provide a report **within 60 days of enactment** of this Act to the Committees on Appropriations of the House of Representatives and the Senate on how ACF has implemented the provisions of the TVPRA and the costs associated with carrying out these new provisions, including information on the number of children transferred to ACF's care, the length of stay while under ACF's care, and other costs associated with implementing the TVPRA. (p. 165) **Listed as Report**

Action taken or to be taken

Below are the key TVPRA requirements that ACF must implement (with FY 2010 being the first full year of implementation):

- Contiguous Country apprehension provision prohibits repatriation of UACs from contiguous countries who are victims of trafficking, at risk of being trafficked on return, or have a credible fear of persecution. Requires screening within 48 hours of apprehension to determine if UAC meet one of three categories. If a UAC is determined to meet one of these criteria or a determination cannot be made, the UAC must be transferred to HHS.
  - In FY 2009 ACF placed 762 Mexican children as a result of this provision. We will continue to closely monitor implementation throughout FY 2010 of this provision to determine the impact on program costs. At this point, the budget assumes a total increase of 1,200 UAC in FY 2010 (compared to FY 2009).
- Requires home studies and follow-up services for an expanded population of UAC; regular follow-up visits to UAC facilities and other placements, to assess continued suitability; and, review of secure placements for UAC on a monthly basis to determine if such placement remains warranted.
  - We anticipate an increase of approximately \$10 M in costs to the UAC program in FY 2010 as a result of these increased home studies and follow up efforts.
- Requires provision of interim assistance to minors for whom there is credible information that suggests they may have been subject to trafficking and changes ORR's role in granting consent for state court jurisdiction over children seeking special immigrant juvenile status.
  - We anticipate that the total number of children referred to the Unaccompanied Refugee Minor program as a result of these provisions from FY 2009 to FY 2010 to be approximately 150 children at a cost of \$4.7 M.
- Requires provision of training for state and local officials to improve identification and protection of trafficking victims, as well as train federal personnel, and upon request, state and local officials, who have substantive contact with UAC.
  - We anticipate the cost of these training requirements to be approximately \$1 M.

Item

***Transportation of Unaccompanied Alien Children*** — The Committee does not include funding for the transportation of unaccompanied alien children from the point of apprehension to placement in an ORR facility. The Office of Management and Budget (OMB), in consultation with HHS and DHS, released a memo in June 2009 specifying that DHS will continue to be responsible for this transportation in fiscal year 2010. In addition, a more extensive report will be completed by September 30, 2009 detailing specific recommendations concerning improvements to the program. In preparing this report, the Committee urges OMB, HHS, and DHS to consider the best interest of the unaccompanied alien children. The Committee urges HHS and DHS to work to ensure the placement of children in areas with access to important medical, mental health, and legal services. Many facilities are currently located in rural areas close to the border to facilitate an easier transfer of children between DHS and HHS. However, many of these areas lack access to key services. (p. 165)

Action taken or to be taken

We will continue to work closely with DHS to ensure the placement of children in areas with access to important medical, mental health, and legal facilities.

Item

***Unaccompanied Alien Children, Pro Bono Pilot Program*** — The Committee urges ORR to continue to work towards ensuring that all unaccompanied alien children understand their legal rights and have access to pro bono representation. The Committee requests a report be included in the fiscal year 2011 budget justification on the effectiveness of this initiative, including the number and proportion of unaccompanied alien children provided pro bono legal representation. (pp. 165/166)

Action taken or to be taken

The pro bono outreach pilot program began as a three-year contract (FY 2006 – FY 2008) to develop and test program models to meet the legal needs of Unaccompanied Alien Children (UAC). Under this contract approximately 93 percent of the UAC in ORR care received “know your rights” presentations and individual screenings. Approximately 40 percent of UAC were determined to have a legal claim for immigration relief and of these UAC, 70 percent were represented by pro bono counsel while they were in ORR care.

The contract was re-competed with some changes to the scope of work based on lessons learned from the pilot. These changes included:

- Expansion and enhancement of existing services at the eleven subcontractor sites so that subcontractors will have the capacity to conduct more intensive legal screenings and prepare more in-depth referrals to pro bono attorneys for children in ORR custody and children released from ORR custody to sponsors.
- Provision of legal screenings, know-your-rights presentations, pro bono referrals, training of pro bono attorneys, and other Pro Bono Project services to additional sites.
- Development of programs to provide legal counsel to children in ORR custody in remote areas where adequate pro bono counsel cannot be identified.
- Enhancement of the guardian ad litem program operated by the Immigrant Child Advocacy Center (in previous task descriptions, referred to as “Child Protection Advocates”) by providing more intensive services in Chicago and expanding to additional sites.

In FY 2010 we anticipate providing “know your rights” presentations and individual legal screenings at 95 percent of ORR-funded facilities. In addition, the contract will provide funding to nonprofit organizations to provide services for UAC who are released in the same locale where there are ORR-

funded facilities. We estimate that the same percentage of UAC will have pro bono counsel during FY 2010, as the above changes will not be implemented until the 3<sup>rd</sup> or 4<sup>th</sup> quarter of the fiscal year.

Since its inception, the ORR Pro Bono Outreach Pilot Program has been highly effective in providing unaccompanied alien children in ORR custody with access to legal services, including:

- legal orientations on the immigration court, removal process, and forms of potential relief from removal
- preparation for immigration court hearings
- assistance in obtaining adjournments and changes of venue in immigration court hearings
- direct representation through pro bono counsel at private firms and nongovernmental organizations with funding for direct representation
- the use of guardians ad litem to make recommendations to ORR on how to ensure that the best interests of UAC are protected throughout their immigration court proceedings
- the use of subcontracted legal service organizations to find ways to ensure continuity of legal services for unaccompanied alien children after they have been released from ORR custody.

#### Item

***Unaccompanied Alien Children, Field Coordinator Program*** — The Committee recognizes the importance of the field coordinator program to properly evaluate children, make recommendations based on their independent evaluation of the child, and advocate in the best interests of the child. Given the expected increase in the number of unaccompanied alien children resulting from the TVPRA, the Committee urges ORR to expand the field coordinator program to ensure that children are properly evaluated and their best welfare protected. (p. 166)

#### Action taken or to be taken

We appreciate the Committee's recognition of the importance of field coordinators in working with UAC to determine actions that are in the best interest of the child. We will expand the field coordinator program as necessary to respond to any increases in the number of children served, per the Committee's recommendation.

#### Item

***Head Start, Waiting Lists*** — The Committee requests that the Office of Head Start include the waiting lists for the Head Start, Early Head Start, and the Indian and Migrant and Seasonal Head Start programs as part of the annual Program Information Reporting System. (p. 168)

#### Action taken or to be taken

The Office of Head Start (OHS) currently is exploring a number of improvements to the Program Information Reporting System, scheduled for release in the spring, including how to best capture information on waiting lists to ensure that programs are keeping up to date and accurate wait lists at all times.

#### Item

***Head Start, Homeless Children*** — The Improving Head Start for School Readiness Act of 2007 includes provisions intended to enhance services for homeless children and increase their participation in Head Start. The Committee encourages ACF, in developing and implementing Head Start training and technical assistance, to work with organizations specializing in improving services to homeless children in early education programs. (p. 168)

Action taken or to be taken — Since the Head Start reauthorization in 2007, the Office of Head Start (OHS) has worked with several organizations that provide training and technical assistance on the subject of family and child homelessness. These organizations have partnered with the state training and technical assistance network and Head Start State Collaboration Directors to provide training to Head Start and Early Head Start grantees. These organizations also have had the opportunity to provide comments on technical assistance materials that the OHS has developed for grantees, including a series of online interactive lessons on homelessness that will capture and disseminate promising practices for grantees. In addition, OHS has coordinated activities with the Department of Education's Office of Elementary and Secondary Education, Homeless, Neglected & Delinquent Education Programs. OHS will continue to work closely with these organizations in order to assist grantees in serving homeless families.

Item

***Voting Access for Individuals With Disabilities*** — The Committee encourages ACF to continue to work with States to ensure that these funds are properly used within a reasonable amount of time. (p. 173)

Action taken or to be taken

The Administration on Developmental Disabilities (ADD) will continue to closely monitor expenditure of funds and provide on-going technical assistance to the states. Specific efforts in FY 2010 will include one-on-one meetings with the Secretaries of State (SOS) /Chief Election officials at the annual National Association of Secretaries of State (NASS) meetings. ADD will use these meetings to address specific trends identified from analysis of annual state performance and grants spending reports. In addition, ADD plans to collaborate with NASS to reach out to SOS's that have had difficulty in spending their funds to provide targeted technical assistance to help ensure the appropriated funds are used within a timely manner.