

Committee on Ways and Means

Subcommittee on Human Resources

Summary of H.R. 4856, the “Child Safety, Adoption, and Family Enhancement Act of 2004” (Child SAFE Act)

“All kids deserve families...they need a family so they can believe in themselves and grow up to be somebody. This is a big deal that people don’t realize. I wish everyone could understand.”

(Former Foster Youth, in Pew Commission report, page 9)

More than 500,000 children are in foster care today. Despite recent changes designed to move children more quickly into permanent homes, many will remain in foster care for years. Too many will experience further abuse and physical and emotional scars that will haunt them for decades.

To assess whether states are adequately protecting children, the U.S. Department of Health and Human Services in March 2004 completed a multi-year review of every state. No state passed. In May 2004, the independent, nonpartisan Pew Commission on Children in Foster Care, following a yearlong investigation, reported that current federal rules “simply put.....encourage(s) an over-reliance on foster care at the expense of other services to keep families safely together.”

The “Child Safety, Adoption, and Family Enhancement Act of 2004” (Child SAFE Act) responds to this call for change. This bill advances four key principles to answer “How can we ensure our most vulnerable children are adequately protected?”

Key Principles of the Child SAFE Act

1. Provide More Resources to Ensure Children Are Protected

- Increases funds for services and caseworkers by \$200 million per year.
- Makes available new federal “contingency funds” for states that experience an unanticipated increase in need for foster care.
- Pays for funding increases with offsets previously passed by the House in H.R. 4, the welfare reauthorization bill.

2. Promote Better Program Results

- Rewards states that limit foster care placements by allowing them to retain any unused federal funds, which can be spent on current or future services, caseworker, or foster care needs.
- Retains open-ended federal funding for adoption payments, so rising federal payments are assured as states move more children into adoptive homes.

3. Increase Accountability Levels

- Encourages successful efforts to keep children out of foster care by supporting more prevention services and better caseworker oversight, and by ensuring that states have growing – but not unlimited – federal funds for foster care.

4. Increase State Flexibility

- Provides states with flexibility to spend funds for child welfare services and foster care in a manner they determine best promotes child safety, permanency and well-being.
- Expands eligibility for federal foster care and adoption payments by “de-linking” eligibility from pre-1996 welfare rules, easing administration and allowing more caseworkers to focus on protecting children, not shuffling paperwork.