June 20, 2016

The Honorable Kevin Brady
Chairman, Committee on Ways and Means
U.S. House of Representatives

The Honorable Sandy Levin
Ranking Member, Committee on Ways and Means
U.S. House of Representatives

The Honorable Vern Buchanan
Chairman, Human Resources Subcommittee
Committee on Ways and Means
U.S. House of Representatives

The Honorable Lloyd Doggett
Ranking Member, Human Resources Subcommittee
Committee on Ways and Means
U.S. House of Representatives

Subject: Family First Prevention Services Act of 2016

Dear Representative:

On behalf of the American Bar Association, with nearly 400,000 members, I write in support of H.R. 5456, the Family First Prevention Services Act of 2016. The ABA has consistently advocated for policies that address key services and support for families involved in the child welfare system. We support reform of the federal child welfare financing structure to end fiscal incentives when placing children in foster care at the expense of providing services that can keep children and families safely together, and we also advocate for the reduction of the use of congregate residential care settings as a long-term placement.

The Family First Prevention Services Act takes crucial steps toward achieving these goals. Allowing use of federal child welfare funds under Title IV-E of the Social Security Act for preventive investments will benefit children and families tremendously by providing opportunities for children to remain in their homes or with kin caregivers while needed supports and services are provided. Additionally, the legislation’s focus on ensuring that children entering foster care are placed in the least restrictive, most appropriate family-like setting supports children’s well-being immensely.

Additional provisions of the legislation significantly support vulnerable children and families, including:

- **Extended funding for Court Improvement Program (CIP) Grants.** Courts play an essential role in ensuring safety and permanency for abused and neglected children, and CIP funds have had a great impact on the child welfare system, serving as a catalyst for essential judicial system reform.

- **Extended funding for Title IV-B of the Social Security Act, Subparts 1 and 2.** The Stephanie Tubbs Jones Child Welfare Services Program and the Promoting Safe and Stable Families Program provide vital support to states’ efforts to protect and serve families, both by supporting...
immediate preventive services while children remain at home and funding reunification services so that children can be safely returned home in a timely manner. The legislation’s elimination of the time limit on reunification services under Title IV-B is a particularly important change, as it will not only allow families to benefit from services for longer periods of time, but will also make more families eligible for those services.

- **Identification of model licensing standards for relative foster family homes.** Model licensing standards will help address barriers to licensure that relative caregivers face. Flexible standards will help ensure children are placed in safe and appropriate homes, while promoting the opportunity for more relatives and non-related caregivers to become foster parents.

- **Providing a 50% federal match for evidence-based Kinship Navigator programs.** These programs have provided critical services and information to support kinship care providers as they navigate multiple, complex systems while caring for children.

- **Expanded access and other improvements to the John E. Chafee Foster Care Independence Program.** All current and former youth in foster care have a right to quality education, and these provisions provide additional resources to help youth successfully transition to adulthood.

In addition, evaluations of existing high quality legal representation programs for parents, children and caregivers - including representation prior to the child’s removal – have shown that investment made in these services results in improved systemic functioning: more families receive individualized services, fewer children suffer the trauma of unnecessary removals, children removed from home return sooner and with fewer disruptions, and taxpayer dollars are saved.

We thank you for your leadership on this important legislation and we stand ready to assist you with moving it forward. Should you have any questions or want additional information concerning our comments, please contact David Eppstein, Legislative Counsel, ABA Governmental Affairs Office (202-662-1766; David.Eppstein@americanbar.org) or Robert Horowitz, Interim Director, ABA Center on Children and the Law (202-662-1742; Robert.Horowitz@americanbar.org).

Sincerely,

Thomas M. Susman