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| <h1>ACF</h1> <p>Administration for Children and Families</p> | U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families | |
| | 1. Log No: ACYF-CB-PI-03-07 | 2. Issuance Date: November 20, 2003 |
| | 3. Originating Office: Children's Bureau | |
| | 4. Key Words: Title IV-B, Subpart 1; Foster Care, Funding Limits | |

PROGRAM INSTRUCTION

TO: State agencies designated to administer title IV-B, Child Welfare Services, of the Social Security Act (the Act).

SUBJECT: Title IV-B funding limitations

LEGAL AND RELATED

REFERENCES: Section 423(c) of the Act, Regulations at 45 CFR 1357.30(e)

PURPOSE: To remind States that expenditure of Title IV-B, subpart 1 funds are limited for foster care maintenance payments, adoption assistance and day care related to employment or training for employment.

INFORMATION:

It has come to our attention that some States are expending more funds than allowed under title IV-B, subpart 1 for foster care maintenance payments, adoption assistance and day care related to employment or training for employment. The maximum amount of title IV-B, subpart 1 funds that States may spend for foster care maintenance payments, adoption assistance, and for child care needed for employment or training for employment is the amount they received of their share of the \$56.5 million available in 1979. Section 423(c)(1) of the Act states that "No payment may be made to a State under this part, for any fiscal year beginning after September

The law amends other provisions of CAPTA including the authority for the National Clearinghouse on Child Abuse and Neglect, research and technical assistance, grants for demonstration programs and projects, Children's Justice Act grants, and Community-Based Grants for the Prevention of Child Abuse and Neglect (formerly known as the Community-Based Family Resource and Support Grants). The law also amends the Adoption Opportunities and Abandoned Infants Assistance programs.

Text in italics represents changes to an existing provision.

There are two purposes related to training mandated reporters as a result of the reauthorization. This appears to be a drafting error.

* Action Transmittal (AT) 79-02 identifies State allotments for 1979. AT 79-09 identifies State reallocation amounts. Where applicable, the two amounts are added together to provide a total State allotment for 1979.

30, 1979, with respect to State expenditures made for (A) child day care necessary solely because of the employment or training to prepare for employment, of a parent or other relative with whom the child involved is living, (B) foster care maintenance payments, and (C) adoption assistance payments, to the extent that the Federal payment with respect to those expenditures would exceed the total amount of the Federal payment under this part for fiscal year 1979."

The predecessor agency to the Administration for Children and Families published Action Transmittal (AT) 79-02 which identified State Child Welfare Services allotments for 1979 and AT 79-09 which identified State reallocation amounts. As we do not have electronic copies of these ATs, we have reproduced the amounts on a chart at Attachment A. The allotment and reallocation amounts are added together to provide a total State allotment for 1979. We do not have the actual final allocation amounts for States who returned funds to the Department for reallocation.

INSTRUCTION:

The CFS-101, Part II, "Annual Summary of Child Welfare Services", submitted with the Annual Progress and Services Report, should reflect an amount no greater than the 1979 Federal allotment (as reflected at Attachment A) for the total of lines 6, 7, and 13 of Column (a). States must submit a revised CFS-101, Part II for approval to the ACF Regional Office by December 31, 2003 if the previously submitted form indicates a total greater than their 1979 allotment.

INQUIRIES TO: Regional Administrators, ACF Regions I-X

/s/

Joan E. Ohl
Commissioner
Administration on Children, Youth
and Families

Attachment A: Federal Allotment and Final Federal Re-Allotment for States for Fiscal Year 1979 - Child Welfare Services

We will issue a separate Program Instruction informing States of any modifications that may be necessary to a State's Child and Family Services Plan and/or Annual Progress and Services Report for FY 2003 or future years as a result of the change in CAPTA State grant requirements.

Text in italics represents changes to an existing provision.

While ACF has always required States to submit the citizen review panel reports as a part of the Annual Progress and Services Report process (see ACYF-CB-PI-03-05), this requirement is now statutory.

ATTACHMENT A

**FEDERAL ALLOTMENT AND FINAL FEDERAL RE-ALLOTMENT FOR
STATES
FY 1979 CHILD WELFARE SERVICES**

| STATE | Allotment | Reallotment | STATE TOTALS |
|----------------------|------------------|--------------------|---------------------|
| Alabama | \$1,170,805 | \$1,813 | \$1,172,618 |
| Alaska | 144,756 | 0 | \$144,756 |
| Arizona | 691,342 | 1,024 | \$692,366 |
| Arkansas | 689,193 | 1,020 | \$690,213 |
| California | 4,542,862 | 7,368 | \$4,550,230 |
| Colorado | 699,538 | 1,037 | \$700,575 |
| Connecticut | 633,961 | 0 | \$633,961 |
| Delaware | 188,989 | 0 | \$188,989 |
| District of Columbia | 176,825 | 0 | \$176,825 |
| Florida | 1,882,409 | 2,986 | \$1,885,395 |
| Georgia | 1,493,098 | 2,344 | \$1,495,442 |
| Hawaii | 265,295 | 322 | \$265,617 |
| Idaho | 317,976 | 409 | \$318,385 |
| Illinois | 2,348,214 | 3,753 | \$2,351,967 |
| Indiana | 1,409,997 | 2,207 | \$1,412,204 |
| Iowa | 722,963 | 1,076 | \$724,039 |
| Kansas | 586,198 | 0 | \$586,198 |
| Kentucky | 1,054,418 | 1,622 | \$1,056,040 |
| Louisiana | 1,300,614 | 2,027 | \$1,302,641 |
| Maine | 376,946 | 0 | \$376,946 |
| Maryland | 952,099 | 0 | \$952,099 |
| Massachusetts | 1,321,468 | 2,062 | \$1,323,530 |
| Michigan | 2,175,753 | 3,469 | \$2,179,222 |
| Minnesota | 1,037,826 | 1,594 | \$1,039,420 |
| Mississippi | 898,981 | 1,366 | \$900,347 |
| Missouri | 1,242,933 | 1,932 | \$1,244,865 |
| Montana | 271,095 | 331 | \$271,426 |
| Nebraska | 434,161 | 600 | \$434,761 |

| | | | |
|---------------------|------------------|--------------------|---------------------|
| Nevada | \$ 204,636 | \$ 0 | \$204,636 |
| STATE | Allotment | Reallotment | STATE TOTALS |
| New Hampshire | \$ 290,404 | \$ 0 | \$290,404 |
| New Jersey | 1,487,404 | 2,335 | \$1,489,739 |
| New Mexico | 458,867 | 641 | \$459,508 |
| New York | 3,585,058 | 5,791 | \$3,590,849 |
| North Carolina | 1,588,154 | 2,501 | \$1,590,655 |
| North Dakota | 223,009 | 252 | \$223,261 |
| Ohio | 2,633,677 | 4,223 | \$2,637,900 |
| Oklahoma | 800,933 | 1,204 | \$802,137 |
| Oregon | 628,364 | 920 | \$629,284 |
| Pennsylvania | 2,670,341 | 4,284 | \$2,674,625 |
| Rhode Island | 282,623 | 350 | \$282,973 |
| South Carolina | 950,474 | 1,450 | \$951,924 |
| South Dakota | 257,377 | 309 | \$257,686 |
| Tennessee | 1,245,086 | 1,936 | \$1,247,022 |
| Texas | 3,496,219 | 5,644 | \$3,501,863 |
| Utah | 512,749 | 729 | \$513,478 |
| Vermont | 207,716 | 227 | \$207,943 |
| Virginia | 1,294,705 | 0 | \$1,294,705 |
| Washington | 888,809 | 1,349 | \$890,158 |
| West Virginia | 578,984 | 0 | \$578,984 |
| Wisconsin | 1,238,350 | 1,925 | \$1,240,275 |
| Wyoming | 170,551 | 0 | \$170,551 |
| American Samoa | 0 | 0 | \$ 0 |
| Guam | 118,588 | 0 | \$118,588 |
| No. Mariana Islands | 78,800 | 0 | \$78,800 |
| Puerto Rico | 1,466,777 | 2,301 | \$1,469,078 |
| Virgin Islands | \$110,630 | \$67 | \$110,697 |