# REDUNDANCY AND DUPLICATION IN CHILD WELFARE PROGRAMS: A CASE STUDY ON THE NEED FOR EXECUTIVE REORGANIZATION AUTHORITY

## HEARING

BEFORE THE

## COMMITTEE ON GOVERNMENT REFORM

## HOUSE OF REPRESENTATIVES

ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

MAY 20, 2004

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# REDUNDANCY AND DUPLICATION IN CHILD WELFARE PROGRAMS: A CASE STUDY ON THE NEED FOR EXECUTIVE REORGANIZATION AUTHORITY

**THURSDAY, MAY 20, 2004**

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT REFORM,
*Washington, DC.*

The committee met, pursuant to notice, at 10 a.m., in room 2154, Rayburn House Office Building, Hon. Tom Davis (chairman of the committee) presiding.

Present: Representatives Tom Davis of Virginia, Murphy, Blackburn, Waxman, Cummings, Tierney, Watson, Van Hollen, Ruppersberger, and Norton.

Also present: Mr. DeLay.

Staff present: Keith Ausbrook, chief counsel; Ellen Brown, legislative director and senior policy counsel; Robert Borden, counsel and parliamentarian; Drew Crockett, deputy director of communications; Mason Alinger and Susie Schulte, professional staff members; Teresa Austin, chief clerk; Brien Beattie, deputy clerk; Allyson Blandford, office manager; Robert White, press secretary; Christopher Lu, minority deputy chief counsel; Earley Green, minority chief clerk; and Jean Gosa, minority assistant clerk.

Chairman TOM DAVIS. The meeting will come to order. Thank you all for coming.

The purpose of today's hearing is to gain an understanding of the wide range of Federal agencies and programs responsible for protecting and caring for our Nation's most vulnerable citizens, abused and neglected children. The committee's primary interest is to determine the extent to which overlap and duplication among Federal child abuse and neglect programs creates inefficiencies that hinder overall effectiveness.

In turn, we're also interested in exploring the need to reinstate Presidential executive reorganization authority as a tool to cut through the redundancy of the Federal bureaucracy with the area of child abuse and neglect programs just one obvious example of the organizational maze that we face.

There's too much at stake for us to accept a scatter shot government structure. There are 542,000 children in this country in foster care. The number of children with a parent in a Federal or State correctional facility increased from 900,000 to 2 million between 1991 and 1999. We have an obligation to help provide the care and the stability that these children need.

The bottom line is that the legislative branch is not an effective manager of the Federal Government. Rather than formulating policy, authorizing spending and overseeing Federal initiatives, the legislative branch all too often inserts itself into program administration by establishing niche programs to address niche needs. In the realm of Federal child abuse and neglect, Congress has established more than 50 individual programs spread throughout 4 cabinet level departments. All are focused in some way on the important issue of protecting abused children. But how much effectiveness is lost due to lack of coordination across agencies? And we have to ask, can we do better?

As the President stated in his management agenda, Government likes to begin things, to declare grand new programs and causes. But good beginnings are not the measure of success. What matters in the end is completion, performance, results, not just making promises, but making good on promises.

That's the problem we face here today. For the past three decades, Congress has created 51 Federal programs spread across the Department of Health and Human Services, Justice, Agriculture, and Education to deal with problems of child abuse and neglect. These 51 Federal child abuse and neglect prevention programs fall under a bigger umbrella of 339 Federal programs that the recent White House Task Force for Disadvantaged Youth identified as playing a role in the general field of child welfare.

Considering that the Federal Government's primary role in child welfare is to administer grants to States, local and non-profit agencies, these are agencies that actually provide services to children. The sheer number of Federal programs involved should be troubling to all, including the agencies administering them.

I'd be remiss if I failed to mention that Congress is guilty here too, because we tie the hands of many of these agencies by earmarking hundreds of millions of dollars for specific programs through the appropriation process. Earmarks are often an important source of Federal funding for valuable programs, but they shouldn't take the place of the expertise that's available to the agencies themselves.

I think two of the findings from the October 2003 report from the White House Task Force on Disadvantaged Youth are especially noteworthy. First, the report concluded that the current Federal response to disadvantaged youth is a perfect example of mission fragmentation. We're doing too many similar things in too many different places.

The second conclusion of note is that Federal agencies must be responsible for effectively stewarding child welfare initiatives as authorized by Congress. The task force report found that mission creep within agencies administering child welfare programs has led to a haphazard response and a lack of rationality that these serious and complex problems demand. Just because Congress has authorized these programs in various agencies doesn't let Federal managers off the hook. The people administering these programs must effectively shepherd the programs under their responsibility and make sure their programs are focused on accomplishing outcomes and results, not building turf.

The Federal agency witnesses here today will explain how their individual programs and offices fit into the elaborate patchwork of Federal child abuse and neglect prevention efforts, as well as efforts being made to improve coordination. I don't doubt the sincerity or the intentions of a single Federal employee who has dedicated his or her life to promoting the welfare of our children. And that holds true for the witnesses before us today.

But the question still remains: is the current structure the most effective framework for protecting our most vulnerable citizens? I would imagine the witnesses before us today have some ideas, and I look forward to hearing from them.

That brings me to the second purpose for the hearing. There have already been a great number of reports, studies, commissions and task forces looking at ways to improve the organization and effectiveness of Federal programs, both in the area of child welfare and across the entire Government. In my opinion, we know the answer by now. It's time to return to the President for the authority to initiate reorganizations within the executive branch and to have them subject to an up or down vote in Congress. Waiting for Congress to come to an agreement and initiating such a reorganization could take years and would inevitably get bogged down in jurisdictional battles. These are years that children receiving Federal aid don't have to lose.

I'm very pleased to have the Majority Leader, Tom DeLay, a long-time champion of disadvantaged children, and an advocate of Government reorganization here today with us. In addition, we'll hear testimony from a number of distinguished Government witnesses. We have Wade Horn, the Assistant Secretary for Children and Families at the Department of Health and Human Services, who will testify on behalf of all the child abuse and neglect prevention programs located within the Children and Families Administration, the Office of the Secretary, the Centers for Disease Control and Prevention, the National Institutes of Health, Substance Abuse and Mental Health Services and Mental Health Administration.

Robert Flores, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, at the Department of Justice, will testify on the efforts to prevent child abuse and neglect in the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Assistance, the Bureau of Justice Statistics, the Office of Victims of Crimes, the National Institutes for Justice and the Violence Against Women Office.

Colien Hefferan, the Administrator for the Cooperative State Research, Education and Extension Service at the Department of Agriculture will discuss the Children, Youth and Families at Risk program at the Department of Agriculture.

The Department of Education will unfortunately not be joining us this morning to discuss the Department's efforts to protect at-risk youth through the Safe and Drug-Free Schools initiative and the grants for infants and families. But the Department committed to looking into the matter and reporting back to the committee on the results of their findings.

I welcome all the witnesses to today's hearing. I look forward to hearing their testimony. Thank you for being with us.

[The prepared statement of Chairman Tom Davis follows:]

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INDEPENDENT

**"Redundancy and Duplication in Child Welfare Programs:**
**A Case Study on the Need for Executive Reorganization Authority"**
Opening Statement of Chairman Davis
Committee on Government Reform
May 20, 2003 at 10:00 a.m.
2154 Rayburn House Office Building

Good morning and thank you for coming. The purpose of today's hearing is to gain an understanding of the wide range of federal agencies and programs responsible for protecting and caring for our Nation's most vulnerable citizens – abused and neglected children. The Committee's primary interest is to determine the extent to which overlap and duplication among federal child abuse and neglect programs creates inefficiencies and hinders overall effectiveness. In turn, we are also interested in exploring the need to reinstate Presidential Executive Reorganization Authority as a tool to cut through the redundancy of the federal bureaucracy, with the area of child abuse and neglect program just one obvious example of the organizational maze we face.

There is too much at stake for us to accept a scattershot governmental structure. There are 542,000 children in this country in foster care. The number of children with a parent in a federal or state correctional facility increased from 900,000 to 2 million between 1991 and 1999. We have an obligation to help provide the care and stability these children are missing.

The bottom line is that the legislative branch is not an effective manager of the federal government. Rather than formulating policy, authorizing spending and overseeing federal initiatives, the legislative branch all too often inserts itself into program administration by establishing niche programs to address niche needs. In the realm of federal child abuse and neglect, Congress has established more than 50 individual programs spread throughout 4 Cabinet-level departments. All are focused in some way on the important issue of protecting abused children, but how much effectiveness is lost due to lack of coordination across agencies? We have to ask: can we do better?

As the President stated in his Management Agenda, "Government likes to begin things – to declare grand new programs and causes. But good beginnings are not the measure of success. What matters in the end is completion. Performance. Results. Not just making promises, but making good on promises."

That is the problem we face here today. Over the past three decades, Congress has created 51 federal programs, spread across the Departments of Health and Human Services, Justice, Agriculture, and Education, to deal with the problem of child abuse and neglect. These 51 federal child abuse and neglect prevention programs fall under a bigger umbrella of 339 federal programs that the recent White House Task Force for Disadvantaged Youth identified as playing a role in the general field of child welfare.

Considering that the federal government's primary role in child welfare is to administer grants to state, local and non-profit agencies – these are the organizations that actually provide services to the children – the sheer number of federal programs involved should be troubling to all, including the agencies administering them. I would be remiss if I failed to mention that Congress is guilty here, too, because we tie the hands of many of these agencies by earmarking hundreds of millions of dollars for specific programs through the appropriations process. Earmarks are often an important source of federal funding for valuable programs, but they should not take the place of the expertise available at the agencies themselves.

I think two of the findings from the October 2003 Report from the White House Task Force for Disadvantaged Youth are especially noteworthy. First, the report concluded that "the current federal response to disadvantaged youth is a perfect example of 'mission fragmentation.'" We're doing too many similar things in too many different places.

The second conclusion of note is that federal agencies must be responsible for effectively stewarding child welfare initiatives as authorized by Congress. The Task Force Report found that "mission creep" within agencies administering child welfare programs has led to "a haphazard response and a lack of rationality that these serious and complex problems demand." Just because Congress has authorized these programs in various agencies doesn't let federal managers off the hook. The people administering these programs must effectively shepherd the programs under their responsibility and make sure their programs are focused on accomplishing outcomes and results, not building turf.

The federal agency witnesses here today will explain how their individual programs and offices fit into the elaborate patchwork of federal child abuse and neglect prevention efforts, as well as efforts being made to improve coordination. I do not doubt the sincerity or intentions of a single federal employee who has dedicated his or her life to promoting the welfare of our children, and that holds true for the witnesses before us today. But the question still remains: Is the current structure the most effective framework for protecting our most vulnerable citizens? I would imagine the witnesses before us today have some ideas and I look forward to hearing from them.

That brings me to the second purpose for this hearing. There have already been a great number of reports, studies, commissions, and task forces looking at ways to improve the organization and effectiveness of federal programs, both in the area of child welfare and across the entire government. In my opinion, we know the answer by now: It is time to return to the President the authority to initiate reorganizations within the Executive Branch, and to have them subject to an up-or-down vote in Congress. Waiting for Congress to come to agreement and

initiate such a reorganization could take years and would inevitably get bogged down in jurisdictional battles. These are years that children receiving federal care do not have.

I'm very pleased to have Majority Leader Tom DeLay, a longtime champion of disadvantaged children and advocate of government reorganization, to start us off today. In addition, we will hear testimony from a number of distinguished government witnesses.

Wade Horn, the Assistant Secretary for Children and Families at the Department of Health and Human Services, will testify on behalf of all of the child abuse and neglect prevention programs located within the Children and Families Administration, the Office of the Secretary, the Centers for Disease Control and Prevention, the National Institutes of Health, and the Substance Abuse and Mental Health Services Administration.

Robert Flores, the Administrator of the Office of Juvenile Justice and Delinquency Prevention at the Department of Justice, will testify on the efforts to prevent child abuse and neglect in the Office of Juvenile Justice and Delinquency Prevention, the Bureau of Justice Assistance, the Bureau of Justice Statistics, the Office of Victims of Crime, the National Institute for Justice, and the Violence Against Women Office.

Colien Hefferan, the Administrator for the Cooperative State Research, Education, and Extension Service at the Department of Agriculture, will discuss the Children, Youth and Families at Risk Program at the Department of Agriculture.

The Department of Education will unfortunately not be joining us this morning to discuss the Department's efforts to protect at-risk youth through the Safe and Drug Free Schools initiatives and the Grants for Infants and Families, but the Department committed to looking into the matter and reporting back to the Committee on the results of their findings.

I welcome all of the witnesses to today's hearing and I look forward to their testimony.

Chairman TOM DAVIS. I would now recognize the distinguished ranking member, Mr. Waxman.

Mr. WAXMAN. Thank you very much, Mr. Chairman.

I too want to welcome the Honorable Tom DeLay to our hearing today. While I've complained in the past about the Republican leaders being somewhat secretive and opaque, I just want to say that he's carried transparency to a new level today. [Laughter.]

Chairman TOM DAVIS. That's good, that's good.

Mr. WAXMAN. But I want to thank you as well, Mr. Chairman, for holding this hearing. Numerous studies have detailed areas of jurisdictional overlap within the Federal Government. In March, the Civil Service Subcommittee examined the overlapping structure of food safety regulations in this country, an issue of great interest to me. Today we examine another important area in which redundances may exist, child abuse and neglect prevention programs. When overlapping programs cause inefficiencies or gaps in service, reforms are necessary. Redundant programs should be redesigned, integrated into other programs or simply eliminated. Agencies involved in child welfare programs also need to better coordinate their services.

But I do not believe the answer is to create a block grant for those programs, as the administration has proposed. Block grants provide little accountability and do not necessarily lead to great efficiency. One question we will have to address is how executive reorganization should occur. There are those who favor transferring most of the responsibility for reorganization from Congress to the White House. While this might appear to be the most efficient approach, I'm not sure it is the best approach. Even though I did not agree with the bill that created the Homeland Security Department, I believe it was important for Congress to have played an active role in crafting that legislation.

As we focus on making Government more effective and efficient, we cannot overlook the importance of our Federal Civil Service. Federal employees are the heart and soul of our Government. Over the past few years, Federal employees have seen their rights taken away, their jobs outsourced and their pay raises under attack.

Not surprisingly, many Federal employees view reorganization as just another assault on the Civil Service. I know that this is not the chairman's intent, but this perception is an unfortunate legacy of recent administration actions. We must find ways to address the genuine concerns of Federal employees as we consider any future reorganization proposals.

I look forward to the testimony of today's witnesses. And again, Mr. Chairman, I appreciate your holding this hearing.

[The prepared statement of Hon. Henry A. Waxman follows:]

**Statement of Rep. Henry A. Waxman, Ranking Minority Member**
**Committee on Government Reform**
**Hearing on Reorganization Authority**
**May 20, 2004**

Mr. Chairman, thank you for holding this hearing.

Numerous studies have detailed areas of jurisdictional overlap within the federal government. In March, the Civil Service Subcommittee examined the overlapping structure of food safety regulation in this country – an issue of great interest to me. Today, we examine another important area in which redundancies may exist – child abuse and neglect prevention programs.

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I know this is not the Chairman's intent. But this perception is an unfortunate legacy of recent Administration actions. We must find ways to address the genuine concerns of federal employees as we consider any future reorganization proposals.

I look forward to the testimony of today's witnesses. Thank you.

Chairman TOM DAVIS. Thank you very much.

Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Chairman.

Sarah is a child who was just 3 years old when I first met her. But in those 3 years of her life, when I was working as a psychologist, she had already endured more suffering than anyone should have to bear in a lifetime. She had already suffered a broken femur, had twisting fractures of bones in both her arms, a large hematoma on her head, a fractured skull and developmental delays. She was scared of people, terrified of a raised voice. When held, she watched your eyes with a vigilance like that of a soldier who has been in battle.

These painful injuries of obvious child abuse were not the worst of her problems. Her biggest problem was that she had been returned to her violent home three times. While her parents negotiated through a legal system, Sarah was moved in and out of foster care and through an assembly line of case workers, doctors, therapists and lawyers. Here was a child who was abused by her parents and by the system meant to protect her, a system that was convoluted, overwhelmed and difficult to negotiate at best, I had trouble figuring out what forms to fill out next, what office to turn to, what person to turn to. It was difficult for me and downright impossible for the many children and parents I worked with.

Sadly and tragically, Sarah is not alone. She is one of the millions of children who have been abused over the last 10 years while State and Federal Governments have spent billions and billions trying to help. Somewhere in America, four children will die today from abuse and neglect. That's about 1,300 per year. And half the neglect cases probably go unreported. Somewhere in America, a child is abused every 30 seconds. That is a staggering almost 900,000 per year, and the numbers are not significantly changing.

There are 500,000 children languishing for years in our foster care system because our juvenile and family courts do not adequately track them, according to a report released this week from the Pugh Commission on Children in Foster Care. It's painful for us to even think of the deaths, injuries, the exploitation. I shudder when I recall the sights of abused children in hospitals that I saw, the scars of those recovering and the death notices of those who did not.

If we had declared war against child abuse in this Nation, we would have to come to the conclusion that we are not winning. The casualties are mounting and the children are still suffering. This is the great American shame.

Compassion has motivated us to take some action, but we have a morass of Federal programs, we have 51 for multiple funding streams. And it is virtually impossible to figure out just how much is spent and how, and where it goes when one looks at the programs, at least the ones we can find. How much money is wasted here? How much actually gets to helping the children in the front line? It is not just how many dollars we spend, but how we spend the dollars that can make a difference.

According to the October 2003 White House Task Force on Disadvantaged Youth, it said the complexity of the problems faced by disadvantaged youth is matched only by the complexity of the tra-

ditional Federal response to those problems. Both are confusing, complicated and costly. If we do not get a clear sense of what we are doing as a Government and how we can do it better, we cannot offer hope to children like Sarah, nor can we offer hope to families who with treatment can do better. There are programs and people that can and do make a difference.

But I fear, I truly fear that if we dare to raise the questions about where our dollars go and suggest there is redundancy and inefficiency in Government programs, some will try to politicize the issue and stop it. We will end up beating our chests and be full of sound and fury while signifying nothing. It would be wrong. It would delay what we must do and worst of all, it would lead to the hurt of more children.

We must review these issues thoroughly, honestly, respectfully and sincerely. To do anything less would perpetuate the great shame we must admit today. We are not here to strengthen bureaucracies, but to strengthen the family. We are not here to save the status quo, but to save lives. We cannot focus on the election year politics of party preservation but must challenge ourselves to find ways to get funding directly to where it will do the most good, to eliminate regulations that add unnecessary hurdles to families, and to strengthen those programs that ultimately strengthen our families.

Somewhere in this Nation, 5 to 10 more children have been abused since I began to speak. Somewhere in this Nation there are many more children like Sarah, somewhere in this Nation there are children in foster care wishing to be returned to a stable home, praying for adoption and crying for someone to listen to them. Somewhere on this dais, in this committee and in our chamber are those who can make a difference, if we have the courage, the compassion and the commitment to ask the difficult questions and to search for the elusive answers. To do anything less would continue the shame. To do our job would give hope and life to the children who depend on us.

I hope that we choose the path of hope.

Thank you, Mr. Chairman.

[The prepared statement of Hon. Tim Murphy follows:]

Statement of Congressman Tim Murphy, PA-18
House Committee on Government Reform Hearing on
**"Redundancy and Duplication in Federal Child Welfare Programs: A Case Study on the Need for Executive Reorganization Authority"**
May 20, 2004

Sarah was just three years old when I first met her. But in those three years she already endured more suffering than anyone should have to bear in a lifetime. She had already suffered a broken femur, had twisting fractures of bones in both of her arms, a large hematoma on her head, a fractured skull, and developmental delays. She was scared of people, terrified of a raised voice and when held, she watched your eyes with a vigilance like that of a soldier who has been in battle. These painful injuries of obvious child abuse were not the worst of her problems. Her biggest problem was that she had been returned to her violent home three times.

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If we do not get a clear sense what we are doing as a government and how we can do it better, we cannot offer hope to children like Sarah. Nor can we offer hope to families who with treatment can do better.

There are programs and people that can and do make a difference. But I fear, I truly fear, that if we dare to raise the questions about where our dollars go and suggest there is redundancy and inefficiency in government programs, some will try to politicize the issue. We will end up beating our chests, and be full of sound and fury while signifying nothing. It would be wrong, it would delay what we must do, and worst of all, it would hurt more children.

We must review these issues thoroughly, honestly, respectfully and sincerely. To do anything less would perpetuate the great shame we must admit today. We are not here to strengthen bureaucracies, but to strengthen the family. We are not here to save the status quo, but to save lives.

We cannot focus on the election year politics of party preservation, but must challenge ourselves to find ways to get funding directly to where it will do the most good, to eliminate regulations that add unnecessary hurdles to families, and to strengthen those programs that ultimately strengthen our families.

Somewhere in this nation, five to ten more children have been abused since I began to speak. Somewhere in this nation there are many more children like Sarah.

Somewhere in this nation there are children in foster care wishing to be returned to a stable home, praying for adoption, crying for someone to listen to them.

Somewhere on this dais, in this committee and in our chamber are those who can make a difference if we have the courage, the compassion and the commitment to ask the difficult questions and to search for the elusive answers.

To do anything less would continue the shame.

To do our job would give hope and life to the children who depend on us. Let us choose the path of hope.

Chairman TOM DAVIS. Thank you. Are there any other Members who wish to make opening statements? Ms. Norton, then Ms. Watson.

Ms. NORTON. Mr. Chairman, I want to thank you for focusing this hearing particularly on abuse and neglect of children, because there are services to be rendered, there is no time to be lost.

I want to note that the real quagmire, of course, is not about funding streams, and it is at the local and State level. I know that first-hand because of the extraordinary problems we've had in the District, which I've since learned are simply part of a national pattern at the State and local level. Nevertheless, it does seem to me that we have a particular obligation at the Federal level to make sure the Government is efficient.

I am one of these members who believes that Government efficiency is particularly important, because then you get people turning on Government rather than on the inefficiency. At this point, if the inefficiency is reorganization, I would want to first of all commend the Federal Government. What some local governments have begun to understand, in the District for example, we are creating a one-stop center, so that a parent or a guardian or personnel do not have to traipse all around the city from one place to another trying to find out what to do for this child.

Why aren't we doing at least that at the Federal level? I raise that because we're talking about services that are for the most part found in one, perhaps two agencies, if you take the Department of Education. But most of them are in the Health and Human Services agency. Well, having run an agency of the Federal Government, having reorganized an agency from top to bottom of the Federal Government, my first question would be, why doesn't HHS, or why doesn't the President of the United States use his inherent authority to organize agencies within his own department so that some of these problems are at least ameliorated. Funding streams, the way in which legislation itself is worded is for us.

But the last thing we want to do when we're dealing with an issue like this is to get into another controversy of the kind we have had in our meetings and our hearings of the Department of Defense and the Department of Homeland Security, where in the end it was all about bureaucracy and you lost sight entirely of the underlying reason that must be there for any reorganization to occur.

I need to see evidence that the administration is tending to its own business. Then if you can find that you need a wholesale reorganization to deal with abused and neglected children, I think you will find Members of Congress willing to work closely on both sides of the aisle with the administration to accomplish that purpose.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much. Ms. Watson.

Ms. WATSON. Thank you very much, Mr. Chairman, and good morning to all.

I'm glad we are here to discuss the reorganization of our child welfare system. It's a very crucial issue that needs much attention.

Los Angeles County, the county with the largest foster care population in the Nation, has an abuse rate that is two to four times higher than the rate of abuse in other jurisdictions. The county has

identified their three top goals as improved performance in the length of a child's placement to finalize adoption, and improve safety in the home, and finally, keeping children placed with their biological parents by offering extra support to the parent where necessary.

Los Angeles County's identifications of its priorities is a step in the right direction, just as removing redundancy and duplication in our child welfare system ought to be another right step. We must be very careful, however, that we cut the fat, not the muscle. And I want to make certain that this initiative is not just an excuse for cutting vital programs under the name of reorganization. Certainly the well-being of our Nation's youth is a top priority, and I would hope that each person involved in this all-important task work with the child's best interests in mind, expeditiously and with great sensitivity and care.

I worked in this system, I worked as a child psychologist, I worked as a cookie cop. And believe me, we have lots and lots of issues that we must deal with. But what we need is checks and balances and accountability. Somebody has to be in charge, someone has to be monitoring, someone has to keep track of our young people. So I look forward to seeing how our system and hearing how our system will be improved by coordinating all of our forces.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much. Are there any other Members who wish to make opening statements? Mr. Ruppersberger. The Majority Leader is on his way over, so if you want to take that time.

Mr. RUPPERSBERGER. Not to be redundant, but we have to remember that we are really talking about protecting some of the most vulnerable members of our society. Clearly the focus should be on what we can do to make sure that no child falls through the bureaucratic cracks and that Government resources are not being wasted by duplication and redundancy. In my former position as a county executive, I was involved in our county with a child that was abused and later died.

An evaluation of the process showed that we had a lot of well-meaning people working in the system, but the bureaucracy really got in the way for us to deal with the actual children themselves. That's why it's important that we continue to review what we need to do to protect those vulnerable members of society.

In my opinion, executive reorganization authority should be granted on a case by case basis when it's determined by Congress that it is necessary. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much.

I don't see Mr. DeLay here yet, so why don't we move our first panel up. When he comes in, I'd like to move him up to the dais so he can give his statement from here and then ask questions to expedite things. But why don't we move our first panel here. We have a distinguished first panel, Dr. Wade Horn, the Assistant Secretary for Children and Families at HHS; Mr. J. Robert Flores, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice; and Dr. Colien Hefferan, the Administrator of Cooperative State Research, Education and Extension Service, U.S. Department of Agriculture.

Thank you very much for being with us today. It's our policy that we swear you in before you testify, so if you'll just rise with me and raise your right hands.

[Witnesses sworn.]

Chairman TOM DAVIS. Thank you.

Dr. Horn, why don't we start with you. I may interrupt in the middle, but I may let you conclude. We'll see what Mr. DeLay wants to do and what his time schedule is. I know he wants to be here for questions if we can do it. But we had the President here this morning, there are some things happening on the floor. So we'll try to accommodate the Majority Leader.

Dr. Horn, thanks for being with us. By the way, we have a light in front of you that will be green when you start. It turns orange after 4 minutes, red after 5. Your entire statement is part of the record and questions will be based on you entire statement. Thank you very much.

**STATEMENT OF WADE F. HORN, ASSISTANT SECRETARY FOR CHILDREN AND FAMILIES, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES; J. ROBERT FLORES, ADMINISTRATOR, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION, U.S. DEPARTMENT OF JUSTICE; AND COLIEN HEFFERAN, ADMINISTRATOR, COOPERATIVE STATE RESEARCH EDUCATION AND EXTENSION SERVICE, U.S. DEPARTMENT OF AGRICULTURE**

Mr. HORN. Mr. Chairman and members of the committee, thank you for the opportunity to testify before you today to discuss the Federal Government's coordination efforts to prevent and respond to child abuse and neglect.

The Bush administration is committed to improving our national response to the terrible problem of child abuse and neglect. While we are justifiably proud of the efforts we are making to assist States, tribes and communities in strengthening child abuse prevention and child welfare programs, far more needs to be done. Unfortunately, the plethora of disparate programs and funding streams that are mired with idiosyncratic and complex rules and requirements make it extremely difficult for States to develop and manage effective child welfare systems.

That's one reason why the Bush administration strongly supports the reauthorization of the executive branch Reorganization Act, so that we can begin to study possible reorganizations within the executive branch that allow for greater coordination and collaboration of our efforts, to improve our ability to prevent and intervene in cases of child abuse and neglect.

As Assistant Secretary for Children and Families, I oversee many Federal programs targeted to child abuse and neglect and the child welfare system. We have learned that if we are to be successful in meeting the complex needs of the children and families that come in contact with the child welfare system, we must provide a coordinated response to the problems associated with child abuse and neglect at all levels of government. With this goal in mind, ACF created the Federal Interagency Work Group on Child Abuse and Neglect to provide a forum for collaboration among Federal agencies with an interest in child maltreatment. The group

shares information, plans and implements joint activities, makes policy and programmatic recommendations, and works toward establishing complementary agendas in the areas of training, research, legislation, information dissemination and delivery of services as they relate to the prevention, intervention and treatment of child abuse and neglect.

Led by the Office of Child Abuse and Neglect, the Federal Interagency Work Group is composed of representatives from a number of components within the U.S. Department of Health and Human Services, as well as officials from the Departments of Education, Justice, Defense, Housing and Urban Development, Agriculture and others. Recognizing the importance of coordination, I'd like to take this opportunity to highlight a new effort that HHS and other Federal partners are undertaking through the Office of the Surgeon General.

On April 1, 2004, I was pleased to join Congressman Tom DeLay and Surgeon General Richard Carmona at a press conference commemorating National Child Abuse Prevention month, where a new initiative was announced to integrate a public health perspective into the prevention of child maltreatment. Since that time, officials from several agencies within HHS, as well as the Departments of Education and Justice, have been meeting regularly to further this effort.

I'm pleased to report that as a result of these discussions, on June 16th, the Surgeon General will host the first Federal workshop on prevention of child maltreatment. As part of this activity, I will join Surgeon General Carmona and other administration officials to engage in a focused examination of how to improve Federal program coordination, effectiveness and efficiency in this area. The goal will be to build on existing assets and strengthen collaborations between community and faith-based programs and Government efforts that identify, assess, treat and provide long treatment and prevention services for children and families.

In addition to these efforts to increase coordination across Federal programs, the President's budget for fiscal year 2005 includes important provisions to provide both increased funding targeted to child abuse and neglect, and greater flexibility in the use of Federal foster care dollars. Specifically, the President proposes to fully fund the Promoting Safe and Stable Families program, and to nearly double the funding level for programs authorized under the Child Abuse, Prevention and Treatment Act.

Additionally, the administration proposed a legislative change that would offer States the option to receive a capped flexible source of funds to build innovative programs for children and families aimed at improving the safety, permanency and well-being of children who come in contact with the child welfare system. Finding ways to successfully combat child abuse is a challenge that no one entity, organization or unit of government can achieve on its own. Rather, it will require that we all work together to address this issue and in doing so, bring new hope to the thousands of children who suffer from abuse or neglect.

Again, thank you for the opportunity to testify before you today, and I'd be pleased to answer any questions.

[The prepared statement of Mr. Horn follows:]

TESTIMONY OF

WADE F. HORN, PH.D.
ASSISTANT SECRETARY FOR CHILDREN AND FAMILIES
U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM
U.S. HOUSE OF REPRESENTATIVES

MAY 20, 2004

Mr. Chairman and members of the Committee, thank you for the opportunity to appear before you to discuss the Federal government's coordination efforts to prevent and respond to child abuse and neglect. Child abuse and neglect is a tragedy that continues to affect too many children and families in our country. During 2002, an estimated 896,000 children were found to be victims of neglect or abuse – a rate equal to 12.3 out of every 1,000 children in the United States. Approximately 1,400 children, three-quarters of whom were younger than four years old, lost their lives due to child maltreatment in 2002. That is the equivalent of almost four children dying every day.

The Bush Administration is committed to improving our national response to this terrible problem. I would like to share with you the steps we are taking – both ongoing and new targeted funding and legislative initiatives -- to strengthen child welfare and combat child abuse. These steps are critical to addressing weaknesses in the Nation's child welfare infrastructure so that child abuse can be halted and more children can be promised a safe and stable home in which they can grow and thrive. However, there is no question in my mind that far more must be done. The plethora of disparate programs and funding streams that are mired with unique and complex rules and limitations make it extremely difficult for States to develop and manage effective child welfare systems.

The Administration has acted on several fronts to ensure that proposals for reform support flexibility and innovation, recognizing that funding alone will not produce effective solutions to our greatest problems. For example, the President's welfare reform proposal sought to provide States with the opportunity to seek "super-waivers" to support

multilateral strategies to address self-sufficiency. Our child welfare legislative proposal, which I will speak to in more detail later, offers States a similar advantage in addressing State-specific child protection and child welfare issues.

We are proud of the efforts we are making to assist States, Tribes and communities in strengthening child abuse prevention and child welfare programs and to build and disseminate knowledge about effective practices in preventing and responding to child maltreatment. We are working with our Federal and State partners to more effectively coordinate programs impacting this vulnerable population and increasing the resources and flexibility available to States and communities to prevent and intervene effectively in cases of child abuse and neglect. We have proposed bold new legislative initiatives that would provide much needed flexibility to States in managing their programs and we would be willing to work with this Committee to explore any additional steps that could be taken to remove statutory barriers to real coordination among the range of child welfare programs.

ACF Programs to Address Child Abuse and Neglect and Child Welfare

As Assistant Secretary for Children and Families, I am responsible for overseeing many Federal programs specifically targeted to child abuse and neglect and the child welfare service system. Within the Administration for Children and Families (ACF), we implement programs designed to prevent child maltreatment, support and strengthen State Child Protective Service (CPS) systems, provide home and community-based

services to assist families at-risk or in crisis, help support children in foster care and children who are adopted, and help prepare children who "age out" of foster care without a permanent home to prepare for independent living.

We also fund research, demonstration and evaluation projects relating to child abuse and neglect prevention and treatment; data collection on child abuse, foster care and adoption; information dissemination activities; and technical assistance to help States and communities respond to child maltreatment and improve the functioning of their child welfare programs. Importantly, we also have an oversight role in monitoring the performance of State child welfare programs and in holding States accountable for improving outcomes for children in the child welfare system – for instance by preventing the repeat maltreatment of children reported to CPS.

Among the programs administered by ACF are those authorized by the Child Abuse Prevention and Treatment Act (CAPTA), the Federal statute that has long served as a focal point of our Nation's efforts to address child abuse and neglect. Reauthorized in June 2003, under the Keeping Children and Families Safe Act of 2003, CAPTA provides broad guidelines for States to follow in operating statewide child abuse and neglect programs. The CAPTA State grant program provides funds for States to operate and improve their CPS systems. As you know, CPS is at the center of every community's child protection efforts. In most jurisdictions, CPS is the agency mandated by law to conduct an initial assessment or investigation of reports of child abuse and neglect. It

also offers services to families and children where maltreatment has occurred or is likely to occur.

Through CAPTA, ACF also funds the Community-Based Grants for Child Abuse Prevention (CBCAP). These grants provide funding to States to develop, operate, expand, and enhance community-based, prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect. The funds provided to States support many activities, including specific prevention programs such as parent education, parent support, respite care, home visiting, outreach and education, and other family support services. Equally important, the program supports the development and support of prevention networks – efforts to knit together public and private agencies and organizations that work with children and families. In addition, the program funds training and technical assistance in both program implementation and evaluation.

CAPTA also authorizes funding to build our knowledge in the field of child abuse and to disseminate best practices. Examples of projects we have recently funded through CAPTA include:

- Eight cooperative agreements with programs all across the country that will replicate "Family Connections," a program previously evaluated and demonstrated to be effective in reducing the risk of child maltreatment. Developed at the University of Maryland, School of Social Work, Family

Connections is a neglect prevention program that is based in the community with a strong emphasis on comprehensive assessments, social support, and emergency assistance for families. The replication projects will be testing this model in a variety of different geographic areas and with new populations such as families with disabled children, Asian families, rural families, and other families living in at-risk communities. To assist in maximizing the effectiveness of this effort, the Department's Centers for Disease Control and Prevention (CDC) will provide information on lessons learned from child abuse prevention interventions funded by CDC. We also invited a health economist from the CDC to provide technical assistance to our grantees on conducting cost analyses of prevention programs.

- Four grants that will support rigorous evaluations of several different prevention programs such as a statewide home visiting program, a national parent aide program, a social marketing campaign to prevent child abuse, and a prison-based program that helps incarcerated men learn to be good fathers.

- A cluster of cooperative agreements to strengthen child welfare systems using a "Systems of Care" approach. A Systems of Care approach is rooted in the development of a strong infrastructure of interagency collaboration, and is characterized by individualized care practices, culturally competent services and supports, child and family involvement in all aspects of the system, and measures of accountability. Cooperative agreements were awarded to nine child welfare agencies and one Tribal organization to build home and community-based

"Systems of Care" to improve outcomes for children and families in the child welfare system.

I should add that this grant area was an outgrowth of the State Child and Family Services Reviews that we have now completed in all States to assess the performance of their child welfare systems. These reviews indicated that serious deficiencies exist, especially in terms of providing needed prevention services, assuring children's safety, and protecting their well-being. If States are to be successful in addressing these issues and in meeting the complex needs of children and families, they must look not only to the child welfare agency, but to improved connections with mental health, substance abuse, juvenile justice, education and other service systems that are crucial in providing a coordinated response to the problems associated with child abuse and neglect.

Federal Coordination Efforts

Similarly, Federal programs and agencies must work together to share knowledge, pool resources, and otherwise coordinate related programs within the constraints I acknowledged earlier. ACF some years ago created the Federal Interagency Work Group on Child Abuse and Neglect to provide a forum for collaboration among Federal agencies with an interest in child maltreatment. The group shares information, plans and implements joint activities, makes policy and programmatic recommendations, and works toward establishing complementary agendas in the areas of training, research, legislation,

information dissemination, and delivery of services as they relate to the prevention, intervention, and treatment of child abuse and neglect.

Led by the Office on Child Abuse and Neglect (OCAN) within ACF's Children's Bureau, the Federal Interagency Work Group on Child Abuse and Neglect is composed of representatives from a number of components within our own Department, such as the Maternal and Child Health Bureau at HRSA, the Substance Abuse and Mental Health Services Administration (SAMHSA), the Centers for Disease Control and Prevention (CDC) and the National Institutes of Health (NIH), as well as officials from the Departments of Education, Justice, Defense, Housing and Urban Development, Agriculture, Defense, and others.

In recent years, different Work Group members have formed innovative partnerships to provide funding and support for a broad range of training, technical assistance, evaluation, and research related projects. For example:

- The Children's Bureau within ACF and the Center for Substance Abuse Treatment at SAMHSA are jointly funding the National Center on Substance Abuse and Child Welfare. Parental substance abuse is a significant factor in many cases of child abuse and neglect and special efforts are needed to help child welfare agencies and substance abuse treatment agencies work together to address parents' addiction problems and children's needs for safety, emotional security and permanency in their lives. To date, the Center has provided thousands of

hours of training and technical assistance, developed and disseminated numerous publications and training curricula, and will launch its first national conference on substance abuse, child welfare and the dependency court this July in Baltimore, MD.

- The Children's Bureau has been one of eight Federal agencies, including several components of HHS and the Department of Justice, working on an initiative to bring the issue of the co-occurrence of child abuse and domestic violence to the forefront. Beginning with the joint development of a publication, *Effective Intervention in Domestic Violence & Child Maltreatment Cases: Guidelines for Policy and Practice*, popularly known as the "greenbook" and culminating in the current funding of six demonstration grant sites around the country, the Greenbook Project has been an excellent example of the power of collaboration.

- The Research Subcommittee of the Federal Interagency Work Group on Child Abuse and Neglect was the catalyst for the Child Abuse and Neglect Definitions Project. This project was a response to the research field's concern about the lack of consistent definitions as an obstacle to maximizing the use of research findings.

- The Children's Bureau through an interagency agreement with the Indian Health Service (IHS) provides funding for training of Tribal social service staff in dealing with cases of child abuse and neglect, especially child sexual abuse.

- The National Institutes of Health (NIH) convened in 1997 a working group of its major research institutes and offices supporting research on child abuse and neglect to (1) assess the state-of-the-science, (2) make recommendations for a research agenda, and (3) develop plans for future coordination efforts at the agency. The NIH Child Abuse and Neglect Working Group (CANWG) meets monthly to coordinate relevant NIH research efforts and regularly meets with ACF and representatives of other Federal agencies. The CANWG sponsored a number of workshops to stimulate child abuse and neglect research. In addition, NIH components are participating in two program initiatives: "Research on Children Exposed to Violence," which is designed to encourage new knowledge on the incidence, prevalence, nature, and consequences of child exposure to violence, as well as on interventions designed to prevent or ameliorate the short and long-term effects of violence exposure on child development; and, "Research on Child Neglect," which is designed to stimulate research on the related area of child neglect, including physical, educational, and emotional neglect.

- CDC works with State public health agencies, researchers, and other partners to prevent child maltreatment before it ever occurs by determining who is at risk for child maltreatment and monitoring trends over time at the State level. CDC conducts intramural and extramural public health research to: 1) identify factors that put children at risk and/or protect children from harm and 2) test the effectiveness or efficacy of interventions aimed to prevent child maltreatment. CDC also is building capacity at the State level by funding States to collect data

related to child maltreatment, develop strategic plans to prevent child maltreatment, and support three statewide sexual abuse prevention collaboratives to promote the development and implementation of child sexual abuse programs.

These are just a few of the highlights of interagency activities focusing on child abuse and neglect. New requirements in the recent reauthorization of CAPTA place a strong emphasis on interagency collaborations across child protective services, health, mental health, juvenile justice, education, and other public and private agencies. In response to one new requirement, for instance, the Children's Bureau has met with representatives of the Department of Education and intends to provide guidance to the field on the new requirement that CPS refer all children under age three who are victims of abuse or neglect to Part C of the Individuals with Disabilities Education Act (IDEA), a program that funds State efforts to identify, evaluate and provide early intervention services to infants and toddlers with disabilities and their families.

**Surgeon General's Workshop on Child Abuse and Neglect**

Under the Secretary's focus of One Department and through our close interactions with other Federal agencies involved in child abuse prevention, we have come a long way in our efforts to coordinate, share expertise, and maximize the effectiveness of these programs. Recognizing the importance of coordination, I would like to take this opportunity to highlight a new collaboration effort that ACF and other Federal partners are promoting through the Office of the Surgeon General.

On April 1, 2004, at a press conference commemorating National Child Abuse Prevention Month, I was pleased to join Congressman Tom DeLay and Surgeon General Richard H. Carmona in announcing a new joint initiative to bring a public health perspective to the prevention of child maltreatment. Since that time, officials from several agencies within HHS, as well as the Departments of Education and Justice have been meeting regularly to further this effort. On June 16th the Surgeon General will host the first Federal Workshop on Prevention of Child Maltreatment – A National Priority. As part of this activity, I will join Surgeon General Carmona and other Administration officials from other key Federal Departments to engage in a focused examination of how to improve Federal program effectiveness and efficiency in this arena.

This Workshop will bring together Federal partners to explore strategies and opportunities for preventing maltreatment. A second Workshop will forge key partnerships between researchers, health care practitioners, advocates, faith-based organizations and families and victims, with the purpose of preventing the immediate and long-term consequences of child maltreatment. Our goal is to achieve effective integration of age-appropriate health, social and mental health services at the community or regional level. We seek to build on assets and strengthen collaborations between community and faith-based programs and government programs that identify, assess, treat and provide long-term treatment and prevention services for children and families. We are hopeful that these efforts will provide insights into how we can build on current

successes and expand the field to a new dimension that includes a public health approach to preventing child maltreatment.

Increasing Funding for Child Abuse and Neglect Prevention and Treatment

As I mentioned earlier, in addition to these ongoing efforts, key legislative changes are needed to strengthen our ability to protect children and help them to grow up in safe, stable homes. The President's budget for FY 2005 includes a number of important provisions to provide both increased funding targeted to child abuse and neglect and greater flexibility in the use of Federal foster care dollars.

First, the President has proposed increasing funding for the Promoting Safe and Stable Families program by $1 billion over five years. Although Congress has only appropriated half that increase thus far, the Administration stands firm in its commitment to seek full funding for this vital program. These funds would provide community-based services to support families and prevent abuse, preserve families in crisis, help to safely reunify children with their families when they have had to be removed from the home, and promote and support adoption of children placed in foster care who cannot return to their own families.

The President's FY 2005 budget also seeks to nearly double the funding level for the CAPTA State grant program and the Community-Based Child Abuse Prevention program which I described earlier in my testimony. These increased funds requested for the

CAPTA State grants would enable State child protective service systems to expand post-investigative service for child victims, shorten the time to the delivery of post-investigative services and increase services to other at-risk families. Likewise, increased funding for the Community-Based Child Abuse Prevention program would boost the availability of prevention services to approximately 55,000 more families. We urge the Congress to support these vital investments in our Nation's families as you proceed with work on the FY 2005 budget.

While increased funding is needed, President Bush realizes effective child welfare is not just about more money. It also is about greater flexibility. Therefore, the Administration proposed a legislative change which would offer States the option to receive foster care funding under title IV-E of the Social Security Act as a capped, flexible source of funds. Under the plan, States and Tribes would have the option of using funds now designated solely for foster care to support a range of abuse-prevention services and programs. The proposal provides the flexibility and sustained financial support necessary to build innovative programs for children and families aimed at preventing maltreatment and removal from home. We urge the Congress to make this legislation a reality and give States the flexibility needed to design more effective programs.

Conclusion

We know that we must continue to be aggressive in finding ways to prevent child abuse in this country. This is a challenge that no one entity, organization or unit of government can handle alone. The President has put forth a bold vision for strengthening child

welfare but it will take all of us working together to address this issue, and bring new hope to the thousands of children who suffer abuse or neglect. We look forward to working with the Committee and other Members of Congress on solutions in addressing this national problem.

I would be pleased to answer any questions at this time.

Chairman TOM DAVIS. Thank you very much.

Mr. Flores.

Mr. FLORES. Mr. Chairman, members of the committee, I am J. Robert Flores, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, within the Office of Justice Programs at the Justice Department.

I'm pleased to be here today to represent the Department, the Attorney General and OJP's Assistant Attorney General, Deborah Daniels. Consistent with the Attorney General's strategic plan, we at OJP endeavor to focus on how best to meet beneficiary and community needs while accomplishing the necessary coordination among stakeholders at all levels, Federal, State and local.

OJP, including OJJDP, also collaborates widely with other Federal agencies across our program fields. We also understand the need for integration of child welfare programs and consistent services. Although the two systems are often disconnected, the juvenile justice and child welfare systems are both integral to serving children's needs. Because the causes of abuse and neglect have their roots in dysfunctional families, child welfare workers and juvenile justice practitioners end up seeing many of the same children.

OJJDP funded the Rochester Youth Development Study 10 years ago, and has continued to support that study, which has determined that children who are abused and neglected self-reported that they were significantly more likely to engage in serious and violent delinquency than children who were not maltreated.

Abused kids also end up as teenagers who are more likely to use drugs, do poorly in school, become pregnant and suffer emotional and mental health problems. For that reason, it's imperative that both the juvenile justice system and those agencies that provide human services succeed. For example, this shared responsibility with each agency contributing its respective expertise is the philosophy behind the administration's efforts to improve the reintegration into the communities of those juveniles and adults who leave confinement.

The Justice Department does not build housing. We're not providing jobs and we don't provide health care. But we know that those services are key to the successful reintegration into society of those individuals. In turn, the successful reentry for a former offender is necessary to preserve the safety of our society. Because we can't provide these services and resources directly, we must turn to other Federal and State partners, and the rules and regulations must allow for such cooperation.

In my written statement, I provided other examples of existing DOJ programs that demonstrate a high degree of coordination between and among Federal agencies as well as with State and local governments and organizations.

In addition, as this committee conducts its examination of Federal child welfare service delivery, I commend to you the ability of the Coordinating Council on Juvenile Justice and Delinquency Prevention to effect changes in many child-serving programs across multiple Federal agencies. The Coordinating Council is statutorily mandated, chaired by the Attorney General and includes the Secretaries of Labor, Education, Housing and Urban Development and Health and Human Services as well as the Director of the Office

of National Drug Control Policy and the CEO of the Corporation on National Community Service.

In addition, the Council includes nine practitioner members. Especially over the last year, the Council has developed into a body that provides a real mechanism for departmental representatives to invite other Federal agencies to coordinate with them on child welfare and other issues. The Department of Justice has in turn asked for the cooperation of other agencies in satisfying departmental priorities and received it.

I want to assure you that the Department of Justice is fully committed to ensuring that all children, including those at risk for involvement in our juvenile justice system, are afforded the chance to be nurtured in a healthy family environment where they can grow into productive, self-sustaining adults. We look forward to working with our colleagues across Government to achieve that goal.

Thank you, and I'd be pleased to answer any questions you might have.

[The prepared statement of Mr. Flores follows:]

# Department of Justice

**STATEMENT**

**OF**

**THE HONORABLE J. ROBERT FLORES**
**ADMINISTRATOR**
**OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION**

**BEFORE THE**

**COMMITTEE ON GOVERNMENT REFORM**
**UNITED STATES HOUSE OF REPRESENTATIVES**

**CONCERNING**

**REDUNDANCY AND DUPLICATION IN CHILD WELFARE PROGRAMS: A CASE STUDY ON THE NEED FOR EXECUTIVE REORGANIZATION AUTHORITY**

**PRESENTED ON**

**MAY 20, 2004**

Mr. Chairman and members of the committee, I appreciate the opportunity to present testimony on behalf of the Office of Justice Programs (OJP) addressing your concerns about potential redundancy in federal programs that deal with the welfare of our nation's most vulnerable children, and its impact on the efficient delivery of services to these children, youth and their families.

The mission of OJP is to provide federal leadership in developing the nation's capacity to control crime, administer justice, and assist victims. OJP, including the Office of Juvenile Justice and Delinquency Prevention (OJJDP), seeks to accomplish this mission emphasizing strategic planning and collaboration rather than merely program building. Consistent with the Attorney General's Strategic Plan, we endeavor to focus on how to meet beneficiary and community needs, while recognizing that no one program will meet all needs. Coordination among multiple stakeholders, at all levels, is necessary to accomplish our mission. The effort to conform certain program activities to actual needs, however, does require time and resources.

As Administrator of OJJDP, I share your concern that children in the child welfare system, which includes the juvenile justice and family court systems, must have access to services and assistance delivered in an effective and efficient manner.

The United States Department of Justice, through OJP's OJJDP, has worked hard to coordinate and collaborate to get better results for children. With the support of the Attorney General and the Assistant Attorney General for OJP, Deborah J. Daniels, this

focus on coordination and collaboration is designed to take advantage of the fact that in no other system is there as great an opportunity to interact directly with a child, mandate behavioral change, involve family members, and monitor results. While we never want to see a child enter the juvenile justice system if there is a just and viable alternative, the reality is that the juvenile justice system places a child in a very ordered and regimented system. To fail to take steps to assist children in that setting is inexcusable. We have an obligation to make the most of a child's contact with the juvenile justice system for the child's benefit and to improve public safety. If we succeed, that first contact with the juvenile justice system will be the child's last. And, if we succeed in our delinquency prevention role, the child will never experience contact with either the juvenile or adult criminal justice systems.

My testimony today will elaborate on how that philosophy informs OJJDP's role in addressing juvenile justice and child welfare concerns.

**Distinct Role and Responsibilities of OJJDP**

In accordance with its authorizing legislation, the Juvenile Justice and Delinquency Prevention (JJDP) Act of 2002, OJJDP provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP supports states and communities in their efforts to develop and implement effective and coordinated prevention and intervention programs and to improve the juvenile justice system so that it protects public safety, holds offenders accountable, and provides treatment and rehabilitative services tailored to the needs of

juveniles and their families. OJJDP also emphasizes interagency coordination and collaboration to maximize federal resources, reduce overlaps, improve program input and outcomes, enhance critical information and knowledge that form the basis for new program development activities, and strengthen commitment and ownership in preventing and addressing juvenile crime and delinquency.

Although the two systems are too often disconnected, the juvenile justice and child welfare systems are both integral to serving children. As a 1997 OJJDP conference summary concluded: "Because abuse and dependency have root causes in dysfunctional families and unfavorable environments, and because being abused engenders the mental and emotional turmoil likely to lead to delinquency, child welfare and juvenile justice professionals end up working with many of the same kids." And, findings from the OJJDP-funded Rochester Youth Development Study indicated that children who were abused or neglected self-reported higher levels of serious and violent delinquent behavior. Forty-five percent of maltreated youth in the study, compared to less than one-third (32%) of non-maltreated youth in the study, had official records of delinquency. These maltreated children are also at increased risk of other interrelated problems in adolescence, including drug use, poor academic performance, teen pregnancy, and emotional and mental health disorders.

For that reason, it is imperative not only that the juvenile justice system succeed, but also that those agencies that feed the hungry, house the homeless, care for the sick, train new workers, and build communities and businesses also contribute to these

children's well-being. For example, this is the philosophy behind the Administration's efforts to improve on the re-integration into their communities of juveniles and adults who leave confinement. The Justice Department does not build housing, train workers, offer life skills training, or provide health care, but we know that these services are key to the successful re-integration into society of these individuals. In turn, the successful re-entry of a former offender is necessary to preserve the safety of the society. Because we cannot provide these services and resources directly, it is imperative that we turn to other federal and state partners and that the rules and regulations allow for such cooperation.

In addition to the Reentry Initiative, some of OJJDP's other cooperative program efforts include Children's Advocacy Centers, the Model Dependency Court Initiative, the Tribal Youth Program, and the Title V Community Prevention Grants Program. These programs emphasize both federal inter-agency cooperation and coordinated local activities.

The Children's Advocacy Centers focus on inter-agency cooperation in the protection of child victims, to ensure that these children are not further victimized. In FY2002 and 2003, more than 240,000 children received services from National Children's Alliance advocacy centers. Through OJJDP funding, over 8,000 professionals from all disciplines – law enforcement, prosecution, judiciary, and child welfare – were trained in the cross-disciplinary skills necessary for handling these cases.

Through OJJDP's Model Dependency Courts Initiative, the National Council of Juvenile and Family Court Judges provides intensive training and technical assistance to improve the courts' handling of child abuse and neglect cases, and to ensure timelier decision-making in planning for the child's future. This project also produced an informative guide to promising practices, the *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*, which is widely used.

The Department of Justice and the Department of the Interior jointly manage and support the Indian Country Law Enforcement Initiative, and OJJDP operates the Tribal Youth Program as part of this initiative. The Tribal Youth Program focuses on reducing the crimes, particularly violent crimes, committed by and against youth in Indian Country. OJJDP is allocating $10 million in FY04 for discretionary grants to tribal communities, which use these funds to develop and implement culturally-sensitive delinquency prevention programs and interventions for court-involved youth, and to implement tribal juvenile justice systems.

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The Title V Program funds collaborative, community-based delinquency prevention efforts. The Program provides communities with funding and a guiding framework for developing and implementing comprehensive juvenile delinquency prevention plans and emphasizes inter-agency cooperation at all levels.

As this committee has recognized, not all child welfare-related activity within the Department of Justice, or even within OJP, is conducted solely by OJJDP. The Office for

Victims of Crime (OVC) and DOJ's Office on Violence Against Women (OVW) each have specific roles to play in providing services, training, and technical assistance in this area. OJP's Safe Start program, a collaboration among OJJDP, OVC, and OVW, was a multi-year program that supported comprehensive efforts to reduce the destructive effects of children's exposure to violence. The Safe Start projects all worked to increase coordination among law enforcement, mental health, and medical professional, and child protective service providers.

In addition to these specific programs, OJJDP, like all of the Office of Justice Programs, widely collaborates with other federal agencies. In fact, in the FY 2004 Commerce, Justice, State Appropriations bill, OJP was directed to provide the Congress with a report on its inter-agency coordination. While that report is not yet ready for release, the survey of activities demonstrates an impressive array of projects and high level of cooperation across the federal government.

OJP's efforts to coordinate within and outside of the Department have helped protect children and promote their welfare, but as mentioned in my introduction, these efforts require time and resources.

**OJJDP's Statutory Tools That Support Agency Coordination and Collaboration**

As this committee conducts its examination of federal child welfare service delivery, I would commend to you the ability of the Coordinating Council on Juvenile Justice and Delinquency Prevention to effect changes in many child-serving programs across multiple Federal agencies. The Coordinating Council on Juvenile Justice and Delinquency Prevention is an independent organization within the Executive Branch that allows federal agencies to create effective, institutionalized departmental partnerships. Statutorily mandated, the Council's primary functions are to coordinate all federal juvenile delinquency prevention programs, all programs and activities that detain or care for unaccompanied juveniles, and all programs relating to missing and exploited children. The Council's Chair is the Attorney General, and I serve as the Vice-Chair. Other *ex officio* members include the Secretaries of Labor, Education, Housing and Urban Development, and Health and Human Services; the Director of the Office of National Drug Control Policy; and the Chief Executive Officer of the Corporation for National and Community Service. The Council also consists of nine practitioner members proportionally appointed by the President, the Senate Majority Leader, and the Speaker of the House of Representatives. Especially over the last year, the Council has developed into a body that provides a mechanism for departmental representatives to invite other federal agencies to coordinate with them on child welfare and related concerns. The Department of Justice has, in turn, done the same by obtaining the cooperation of agencies to assist in satisfying our priorities.

OJJDP is working with members of the Coordinating Council on Juvenile Justice and Delinquency Prevention to identify and leverage existing resources and agencies that may be incorporated into a comprehensive community-based anti-gang effort. By looking at the root causes of gangs and the predictable results of the ongoing presence of gangs anew, federal agencies have been willing to explore options for collaboration that go beyond any previous federal coordination on this issue.

To better illustrate this point, imagine a 12-year-old boy with a history of disruptive conduct and negative attitudes about school. He lives in a public housing complex in a community with multiple generations of gang activity and easy access to guns and drugs. His single mother works two low paying jobs to cover expenses. This 12-year-old is unsupervised every afternoon and weekend and he is surrounded by negative influences. He is tomorrow=s gang member. He is the negative influence for the next generation of youth. The best way to prevent these likely outcomes is to coordinate resources and expertise that flow out to states and localities from numerous federal agencies including Justice, Education, Health and Human Services, Housing and Urban Development, Labor, Agriculture, and others. Through OJP's Gang Reduction Program, we are working with our federal, state, and local partners to make such collaborative responses possible on a pilot basis.

The Juvenile Justice Advisory Committee (JJAC) is another statutory tool that facilitates critical collaboration between federal and state agencies. Established by the JJDP Act, the Committee helps ensure that OJJDP leadership and staff obtain the input of

state officials and others in fulfilling agency mission. Composed of appointed representatives of the nation's Juvenile Justice State Advisory Groups, the Committee advises the President and the Congress on matters related to juvenile justice, evaluates the progress and accomplishments of juvenile justice activities and projects, and advises the Administrator on the work of OJJDP.

**The Coordinated and Effective Delivery of Federal Services**

If ultimately our goal is ensuring the well-being of children, youth and their families, then the missions of several federal agencies are very similar. However, each agency brings to the table respective expertise that is essential to addressing complex societal problems associated with child maltreatment, juvenile delinquency, and related topics. We cannot do our jobs alone. We must do our jobs in concert with each other.

However, it is also important to recognize that successful coordination and delivery of federal services requires a willing commitment of time and resources, as well as a spirit of cooperation. OJP and OJJDP continue to be eager participants in these ventures.

In closing, as the Administrator of OJJDP, I have and will continue to work to ensure that all children, including those at risk for involvement in our juvenile justice system, are afforded the chance to know the nurturance and stability of healthy family lives so that they can grow into productive, self-sustaining adults. I look forward to working with my colleagues present here today and learning of the recommendations of

this committee. Thank you. I would be pleased to answer any questions you may have at this time.

Chairman TOM DAVIS. Thank you very much.

Dr. Hefferan, thank you for being with us.

Ms. HEFFERAN. Good Mr. Chairman and members. I'm Colien Hefferan, the Administrator of the Cooperative State Research Education and Extension Service at the U.S. Department of Agriculture.

The mission of our agency is to advance knowledge for agriculture, the environment, communities and human health and well-being through program leadership and coordination and Federal assistance, primarily to universities. I appreciate the opportunity to come before this committee today to present several contributions that USDA supports through our cooperative extension programs that improve the welfare of our Nation's children.

The programs I'll describe to you are administered by USDA in cooperation with land grant universities, particularly State extension programs. The cooperative extension model, which shares leadership and funding for community based programs across Federal, State and local governments, is ideally constructed to leverage scarce financial resources and develop locally relevant solutions to challenges facing youth. Federal funding for these programs is provided both through a formula base to the universities as matched by dollar for dollar with State and local funds.

Families, Youth and Communities is one of our key programs in the national extension system. Through our program, extension professionals provide research based education and training in critical needs such as nutrition, financial security, child care and youth development. The youth development components of extension that I'd like to discuss today especially focus on the 4–H Youth Development Program, and the program entitled Children, Youth and Families at Risk.

For over 100 years, USDA has been the national headquarters for one of America's flagship youth development organizations, the 4–H program. 4–H reaches over 7 million children across the United States in every corner of the country, and involves over 650,000 adult volunteers. While 4–H is ultimately delivered by local county extension staff, USDA is responsible for the overall program leadership and integrity.

USDA also coordinates with the U.S. Army and the Department of the Air Force to deliver 4–H programs on military installations across the country and in fact with the Army worldwide, 4–H programs are available on military installations. 4–H has always been more than just a community youth program or youth club. It's specifically designed to promote research-based youth development goals, and because it's linked to the research systems of the universities, it's an ideal program for introducing youth to positive activities, including science and technology. 4–H teaches youth personal responsibility, community involvement and citizenship. In fact, many Members of Congress are 4–H alumni, including several members of this committee.

While 4–H is our central youth development program, the programs that focus on children, youth and families at risk are particularly important in addressing the issues this committee is concerned about. Since 1991, our families and youth at risk program has supported more than 600 programs across States and commu-

nities addressing critical needs of these families with children. The program supports comprehensive, intensive and community based education and has citizens involved as volunteers and professionals throughout the program. It focuses on resiliency and protective factors in youth, families and communities. In fiscal year 2004, Congress appropriated about $7.5 million to this program and the President's budget calls for an appropriation of $8.5 million in fiscal year 2005, which will be the level that was funded in fiscal year 2003.

Probably one of the most important aspects of this program is that it develops private partnerships that can be sustained over a very long period of time. At least 65 percent of the programs funded under the Children, Youth and Families at Risk program have sustained funding through non-Federal sources for at least 6 years after the completion of their Federal funding. There are programs again in many communities, over 200 across the Nation. To give you one prime example, through the Cornell cooperative extension system, there are programs that work with rural youth, youth in rural and isolated areas who would not otherwise be possible to participate in this kind of program in peer education that helps them develop the skills to resist the many challenges that are facing teenagers today.

There are many examples that I can provide, and I will be glad to do so with questions. But I appreciate the opportunity to share with you a program that is leveraged substantially and works across Government with other agencies to ensure positive youth development.

[The prepared statement of Ms. Hefferan follows:]

**Statement of Dr. Colien Hefferan, Administrator**
**Cooperative State Research Education and Extension Service**
**United States Department of Agriculture**

**Before**

**Committee on Government Reform**
**United States House of Representatives**
**May 20, 2004**

Good morning Mr. Chairman. I am Dr. Colien Hefferan, Administrator of the Cooperative State Research, Education and Extension Service (CSREES) at the United States Department of Agriculture (USDA). The mission of CSREES is to advance knowledge for agriculture, the environment, human health and well-being, and communities through national program leadership and federal assistance. I appreciate the opportunity to come before the Committee today to present the contributions that USDA supported cooperative extension programs make to improve the welfare of our nation's children.

The programs that I will describe to you today are administered by USDA in cooperation with our Land Grant University based partners, the State Cooperative Extension Services. The cooperative extension model, which shares leadership and funding for community based programs across Federal, State and Local governments, is ideally constructed to leverage scarce financial resources and to develop locally relevant solutions to challenges facing the youth of our nation. Federal funding for these programs is provided on a formula basis through the Smith-Lever Act and matched by more than dollar for dollar with state and local funds.

Families, Youth, and Communities is one of the key program areas of the national Cooperative Extension System. Through this program area, extension professionals provide research-linked education and training programs in critical needs areas such as nutrition education, financial security, child care, and youth development. The youth development component of the extension system is what I would like to discuss with you today, especially the 4-H Youth Development Program (4-H) and the Children, Youth and Families at Risk Program (CYFAR).

For over 100 years, the Department of Agriculture has been the national headquarters of one of America's flagship youth development organizations, the 4-H Program. 4-H reaches over 7 million young people in every corner of the country, rural and urban, engaging them in community based learning, citizenship, and leadership development programs. While the 4-H program is ultimately delivered by local county extension staff, USDA-CSREES is responsible for overall program leadership and integrity. In addition, 4-H involves hundreds of thousands of community volunteers, as project leaders and youth mentors in meeting the youth development goals of the program. In addition to these efforts, through an agreement with the Department of the Army and the Department of the Air Force, USDA-CSREES supports 4-H clubs on military bases, including programs supporting reserve and National Guard families, in 45 states and territories as well as Army bases worldwide.

4-H has always been more than just a community youth club. It is a program specifically designed to promote research-based youth development goals. Because it is linked to the research base of the land-grant university system, 4-H is an ideal program for introducing youth to careers in science and technology. 4-H also teaches youth the principles of personal responsibility, community involvement and citizenship. In fact, several members of this Committee are 4-H alums.

While 4-H is the central youth development program delivered by CSREES though the Cooperative Extension System, other programs such as the Children, Youth and Families at Risk program, build on and expand the 4-H model to reach populations of specific concern. Since 1991, CYFAR has supported programs in more than 600 communities in all states and territories addressing topics such as youth violence, drug abuse, mental and physical health, and family relationships. To ensure that critical needs of children and families are met, CYFAR supports comprehensive, intensive, community-based educational programs developed with active citizen participation in all phases. CYFAR promotes building resiliency and protective factors in youth, families and communities.

In Fiscal Year (FY) 2004 Congress appropriated $7.538 million for the CYFAR program. The President's FY05 budget requests $8.481 million, a restoration of the FY03 appropriation level. In addition to the Federal resources, State and local public and private organizations

contribute cash and in-kind resources that in most cases match or exceed the federal contributions to CYFAR projects. In fact, these public private partnerships have led to the long-term sustainability of the program. At least 65% of CYFAR programs are sustained through non-federal funds for at least 6 years after the end of their federal funding.

For example, a Kentucky CYFAR project funded from 1995-1999 focused on diverse community programs including teens who mentor elementary students in after school programs, a workforce preparation and self-esteem program for teen mothers, programs to support grandparents raising grandchildren, and tutorial programs for youth with reading problems to improve their reading and comprehension. Of the original seven project sites, six are still operating five years later with non-federal funds.

CYFAR project proposals are submitted by states on a five-year funding cycle. Proposals for CYFAR projects are peer-reviewed by experts in youth development research and extension from the land-grant university community. The award size per grant ranges from $70,000 to $135,000 per year with an average grant size of $129,847 per year.

In FY03, CYFAR projects were operating in 216 community sites in 46 states and territories involving approximately 48,654 youth and parents. Over 5,000 youth involved in CYFAR projects are enrolled in 4-H clubs. The work state extension professionals was enhanced by the work of 4,663 volunteers, including 1,244 youth, who contributed over 92,000 hours of community service. Clearly the CYFAR program leverages other federal resources as well as extensive community involvement.

The Youth Voices project implemented by Cornell Cooperative Extension in rural, upstate New York is an example of a program that is leveraging community resources to reach out to high-risk youth. Extension educators in Erie and Jefferson counties have established positive youth development projects in high-need communities for young people, aged 13-16. The project in Jefferson County especially has become known throughout the county and the state as an outstanding example of interactive youth peer education. The youth involved in the program have received 4-H youth development training as well as training from collaborating state human service agencies on a host of issues with relevance to youth, including sexual

harassment, child abuse, alcohol/substance abuse and prevention, tobacco, relationship abuse, pregnancy prevention, and HIV/AIDS prevention. The youth educators have presented programs throughout the county, at various statewide and regional conferences, and at 4-H summer camps. Linkages with military bases in New York State and particularly, Fort Drum have been established and plans are in place to provide military base youth with training in peer education techniques so that the program can be replicated at Fort Drum. The Youth Voices project is also working locally to support Community Development Partnership (CDP) sites formed by the New York State Department of Health's Assets Coming Together (ACT) for Youth Initiative. The involvement of cooperative extension professionals allows this program to be successful in these rural areas.

These examples show how the youth development programs offered through USDA-CSREES and the Cooperative Extension System are an excellent means to leverage scarce Federal funds to provide locally relevant, research-based opportunities to youth from high-risk backgrounds. The delivery of these programs, by community based experts, coupled with the involvement of dedicated volunteers, represents a low-risk, high-payoff investment of Federal program dollars for the improvement of communities across the nation.

Thank you for the opportunity to appear before you today. I would be happy to answer any questions from the Committee.

Chairman TOM DAVIS. Thank you very much for being with us. Thank all of you for being with us.

I'm going to yield to the Majority Leader for an opening statement and to take the first line of questions. Let me just say we're very pleased to have the Majority Leader, Tom DeLay, here. He's taken a strong interest in child abuse prevention in the District of Columbia and nationally, and later today he's going to receive the Leadership in Child Prevention and Abuse from the Casey Family Programs Foundation. So congratulations on that, Mr. Leader, and thank you for taking an interest and taking time from I know a very busy legislative day to be with us. I know this is important to you. Thank you.

**STATEMENT OF HON. TOM DELAY, MAJORITY LEADER, U.S. HOUSE OF REPRESENTATIVES**

Mr. DELAY. Thank you, Mr. Chairman. I really thank you for the honor of being allowed to sit here with you and the committee. It is an honor, and I appreciate your testimony as a panel. It is an honor to be back before this committee to once again discuss an issue that I know is close to your heart, Mr. Chairman, and is also close to mine.

The fragmentation of Federal child protective services and funding in the U.S. Government today, Mr. Chairman, is an embarrassment. For decades, Congress has appropriated more and more money into more and more programs, only to find that the numbers of neglected, malnourished and abused children remain unacceptably high.

The problem is real, and it's acute. And the response at the State and especially the Federal level has been reactive and clumsy. Meanwhile, because politicians from both parties can report to the American people our apparently generous appropriations, a few million here for child abuse prevention, a few billion there for foster care assistance, the American people have a false impression that the Government is in fact taking care of these kids.

But the evidence shows that the Government is doing no such thing. In fact, it shows quite the contrary. And I don't mean to cast aspersions here, Mr. Chairman, for I've been in Congress myself for 20 years, while trends have not appreciably improved, Congresses and Presidential administration of both parties merit their share of the blame. But the fact still remains, Mr. Chairman, kids are dying and it's our fault.

In our defense, abused and neglected children are hardly ignored in Federal law. The charts over here show you, Mr. Chairman, the latest estimates indicate some 33 Federal agencies and bureaus and offices handle 51 programs and 46 different funding streams to address child protection. And all of these account for billions of dollars.

Meanwhile, a White House report on disadvantaged youth shows that 339 Federal programs are specifically charged with helping children in one way or another, and 13 Federal agencies administer more than 120 different programs that provide for mentoring alone. And it should be noted for the record that the Office of Management and Budget has rated 68 percent of those 330 programs as either results not demonstrated or ineffective. It should be further

noted that more than half of them have not received a thorough, top to bottom evaluation in the last 5 years.

Meanwhile, if this committee, and Congress generally are concerned about the duplication, and the lack of coordination in these many programs and offices, not to worry. There are two separate interagency working groups at the Department of Health and Human Services to coordinate Federal child abuse prevention activities. And we have recently learned that there are plans to create a third.

However well intentioned the current system may be, Mr. Chairman, its duplication of efforts, its redundant programs and its lack of coordination have not served abused and neglected children. These facts are heartbreaking to anyone who cares about children. This isn't merely a matter of governmental inefficiency or mission creep. It's a failure of imagination and a failure of will.

The Federal solutions to the problem of abused and neglected children that we have relied on all our lives are not working. While each of us can send out press releases touting this program or this or that new grant, kids are still hurting. Again, I don't mean to assign blame to any individual. These problems are much bigger than any one person. They have grown, in fact, to a size much greater than the 435 people who work in this building. And yet it is up to Congress and the President to act.

There are things we can and should do to help, Mr. Chairman, but they don't include the creation of new layers of programs, funding streams and working groups plopped on top of the old ones. We need a fundamental re-imagining of the Federal role in protecting kids. We spend billions of dollars that could do much more good if they reached the right children at the right time.

All the money in the world won't help if it's soaked up by redundant and ineffective bureaucracy. We need a restructured system that targets resources where they can help. And that is practically impossible in the current bureaucratic environment.

I therefore strongly urge this committee to do two things. First, look with skepticism on any plans emanating from within Congress or the executive branch that simply aggravate current bureaucratic inefficiencies, and second, Mr. Chairman, act to restore to the President Government reauthorization authority, so that our child protection services can finally start to serve the children instead of serving the bureaucracy.

I thank you, Mr. Chairman.

[The prepared statement of Hon. Tom DeLay follows:]

**"Redundancy and Duplication in Federal Child Welfare Programs: A Case Study in Executive Branch Reorganization"**
**Testimony Before the House Committee on Government Reform and Oversight**
**May 20, 2004**

Thank you, Mr. Chairman.

It's an honor to be back before this committee to once again discuss an issue that I know is close to your heart — and is close to mine.

The fragmentation of federal child protection services and funding in the United States today is an embarrassment.

For decades, Congress has appropriated more and more money into more and more programs, only to find that the numbers of neglected, malnourished, and abused children remain unacceptably high.

The problem is real, and it is acute, and the response at the state and especially the federal level has been reactive and clumsy.

Meanwhile, because politicians from both parties can report to the American people our apparently generous appropriations — a few million here for child abuse prevention, a few billion there for foster-care assistance — the American people have the false impression that the government is in fact taking care of these kids.

But the evidence shows the government is doing no such thing. In fact, it shows quite the contrary.

I do not mean to cast aspersions, for I have been in Congress myself for 20 years while trends have not appreciably improved. Congresses and presidential administrations of both parties merit their share of the blame, but the fact remains.

Kids are dying, Mr. Chairman. And it's our fault.

In our defense, abused and neglected children are hardly ignored in federal law.

The latest estimates indicate some 33 federal agencies, bureaus, and offices handle 51 programs and 46 different funding streams to address child protection.

All of these account for billions of dollars.

Meanwhile, a White House report on disadvantaged youth shows that 339 federal programs are specifically charged with helping children in one way or another, and 13 federal agencies administer more than 120 different programs that provide for mentoring alone.

And it should be noted for the record that the Office of Management and Budget has rated 68 percent of those 339 programs as either "results not demonstrated" or "ineffective."

It should be further noted that more than half of them have not received a *thorough,* top-to-bottom evaluation in the last five years.

Meanwhile, if this committee — and Congress, generally — are concerned about the duplication and lack of coordination in these many programs and offices, not to worry: there are two *separate* interagency working groups at the Department of Health and Human Services to coordinate federal child-abuse prevention activities.

And we have recently learned there are plans to create a third.

However well-intentioned the current system may be, Mr. Chairman, its duplication of efforts, redundant programs, and lack of coordination have not served abused and neglected kids.

These facts are heartbreaking to anyone who cares about children.

This isn't merely a matter of governmental inefficiency or mission creep — it is a failure of imagination and of will.

The federal solutions to the problem of abused and neglected children that we have relied on all our lives are not working, and while each of us can send out press releases touting this new program or that new grant, kids are still hurting.

Again, I don't mean to assign blame to any individual. These problems are much bigger than one person. They have grown, in fact, to a size much greater than the 435 people who work in this building, and yet it is up to Congress and the president to act.

There are things we can and should do to help, Mr. Chairman, but they do not include the creation of new layers of programs, funding streams, and working groups plopped on top of the old ones.

We need a fundamental reimagining of the federal role in protecting kids.

We spend billions of dollars that could do much, much more good if they reached the right children at the right time.

All the money in the world won't help if it's soaked up by redundant and ineffective bureaucracies.

We need a restructured system that targets resources where they can help, and that is practically impossible in the current bureaucratic environment.

I therefore strongly urge the committee to do two things.

First, look with skepticism on any plans emanating from within Congress or the executive branch that simply aggravate current bureaucratic inefficiencies.

And second, act to restore to the president government reorganization authority so that our child protection services can finally start to serve the children instead of serving the bureaucracy.

Mr. DELAY. I don't know if you want me to go to questions.

Chairman TOM DAVIS. If you'd like to go to questions, I'll recognize you.

Mr. DELAY. I won't spend much more of the committee's time. I appreciate your indulgence, Mr. Chairman, and your courtesy. I just would ask the panel a couple of questions.

First of all, in the news as recently as yesterday and today, we have Courtney, who was a young girl evidently from Brooklyn, dropped off by her father in Baltimore, and her father left, leaving her alone. We've been just crying over this beautiful little girl, who obviously her parents don't want or can't take care of. And now she's in foster care. An abandoned child from New York found in Baltimore, currently in foster care. HHS and DOJ, maybe you all can walk me through how the billions of dollars in Federal funds are going to help Courtney.

Mr. HORN. One of the problems with the way that the Federal Government puts out funds in the child welfare system is that the bulk of the dollars occur after the fact, after the fact of abuse or neglect. And far fewer resources are dedicated to supporting families, so that abuse or neglect does not happen in the first place.

And although I don't know all the circumstances of Courtney's case, it sounds to me like this was a family that was in trouble, that was in stress. My guess is that there weren't a lot of resources to help that family, and that the only option that they felt for themselves was to drop this girl off and have her placed in foster care.

One of the things that the President would like to do is to provide States with greater flexibility in the use of foster care funds, so that we not only intervene after the fact, but prevent child abuse and neglect from happening in the first place. Because a compassionate society, in our view, is not one that simply has a really top-notch, top door foster care system take care of the 900,000 children who are abused and neglected each year, but that a compassionate society is one that works as best we can to reduce the possibility of abuse and neglect in the first place.

Mr. DELAY. Mr. Flores.

Mr. FLORES. The Department works to provide training and technical assistance to family and juvenile court judges across the country. One of the challenges is that people tend to look at the juvenile court system or the family court system as the last place to go and then when they get there, many of the judges don't feel that they have access to resources that they could use to try to prevent, as my colleagues just said.

We have invested heavily, prior to this year, in trying to assure that across the country there is a heightened level of preparation for family and juvenile court judges so that when they see these cases in the first instance, they don't necessarily need to wait until the second or third child in a particular family comes before them, as either a ward or a possible ward. This continues to be challenge, however, because oftentimes we're not able to intervene at the most appropriate place.

One of the programs that the Justice Department does fund, and we fund it and we built it with the support of HHS, is the nurse home visitation program, which attempts to not wait until the child

is born, but to intervene at the stage where the girl first comes forward and says, I'm pregnant, I'm going to have a baby. We know this is an incredibly high stress situation, where if we don't intervene, we're likely to see child abuse, child neglect, and other horrors intervene. That program is able, because it matches a human being, an adult, a trained adult, with that child, to see very significant improvements in what happens to that baby once the baby is born, and during the pregnancy, because it results in better diet, better care, better preparation for having a new child at home.

So it can be done. We know how to do that. But we are looking at how we extend those resources and build so that every community has access to that. That will be done in partnership with HHS, because it requires not only the courts perhaps be involved, but it particularly involves the health care community. We can't do that alone. And until people get used to the fact that the court need not be the last place that we turn to for child care, we're going to probably continue to see some of those results.

But we're working to try to build on that. Because unless we intervene at the earliest stage, and I think that in many cases it calls for intervention prior to birth, we're not going to see the results that we all want.

Mr. DELAY. There just seems, in my testimony I pointed out 120 different mentoring programs, lots of task forces, lots of interagency working groups. Do you as a panel, do you think the Federal Government shows a lack of focus in those results that you're talking about?

Mr. FLORES. I think that there's a temptation sometimes to address a particular type of problem with a new system. And that sometimes we have the capacity already, if we go back to existing processes and programs, to build on those in a more efficient way, rather than create an entirely new system to support a niche problem or some aspect of it which was not the heartland of what was originally envisioned when the program was built.

We're looking at that now. For us, one of the important areas is gang activity. We're not going to see the results that we want if we focus on gang activity only after it occurs. Instead of doing that, what we're working with is our other agency partners. We want to work with everyone from Agriculture to HHS to look at how we go all the way back to try to address some of those areas where quite frankly, in many communities, we're failing to intervene at an appropriate place.

One of the challenges is for us to be disciplined in looking at those places where we can do more by building on an existing program rather than creating something separate. That's one of the reasons why interdepartmental communications is so key. And when we find that they're happening well, we typically find that we're seeing the results and we're seeing add-ons, or we're seeing more efficient use of resources because someone's able to do that.

I want to say quite clearly that one of the things that a court can offer to the child protective service community is a system which has a substantial amount of control over individuals. And we don't, we often fail at taking advantage of that opportunity to really work with the parent, not just the child that comes before the court. We see it done in many specialized courts, whether it's a drug court,

whether it's a specialized gun court. We see that kind of intervention working well.

So I would just say that I think that the justice system for juveniles and for families is an area that we need to continue to leverage, because it provides some tools that are not otherwise available in the health care environment.

Mr. HORN. Mr. Delay, clearly coordination at the Federal level is difficult and we're doing the best we can, I think with some success. But it's even worse at the local level. The real problem is not at the Federal level when you have 51 different programs and funding streams. The real problem is at the State and local level.

I mean, think about it. If you're interested at the State or local level to put together a seamless system of services called child welfare to support families, prevent child abuse and neglect, to intervene in cases where abuse and neglect has been found, and then to provide after-care and then adoption services if necessary, you have to negotiate all these different programs. And they all have their idiosyncratic reporting requirements. They all often have different eligibility requirements. Some are State formula grants. Some are entitlements programs. Some are competition, some are only open to local community-based organizations, others only open to States and local governments.

I mean, this is very difficult to do at the State and local level. So one of the things, one of the consequences of creating so many different programs and putting them in so many different places is not just making it difficult for us to coordinate. That's actually the easy part. The hard part is at the State and local level.

Mr. DELAY. Ms. Hefferan.

Ms. HEFFERAN. Well, I think it is clearly difficult at the State and local level. But that's probably the most important place for these programs to be developed and coordinated and delivered, because we cannot conceive at the national level of all of the circumstances and configurations of organizations.

I think one of the things that we've tried to do is to capture the creativity of the local communities with really limited resources that are catalytic in nature and essentially launch the best ideas. But I certainly agree that there are very many players for very good reasons in this issue. And it's a coordination problem across the entire spectrum, not just the national level.

Mr. DELAY. I would hope that we could charge you as a committee and working with you to go back to your respective departments and report back to me and to this committee that you've looked at all these programs and looked at the ones, and report back to the ones that are working and the ones that are not working. Rather than trying to coordinate everything that exists, maybe you ought to take a hard look at those, I think this committee needs to know which programs are working and which are not working.

Also, I would admonish you to, well, let me just finish with this, Mr. Chairman. Dr. Horn, can you explain the purposes of the two separate working groups at HHS and how you think a third one would help to reduce the bureaucratic barriers that hamper our ability to protect children?

Mr. HORN. Well, first of all, the one that ACF runs is the one that I'm most familiar with, which is the Interagency Work Group on Child Abuse and Neglect. And this used to be statutorily mandated. Then Congress deleted the mandate, but there was a felt need within my agency to continue to work with other agencies, both within HHS and across other departments, in order to make sure that we weren't duplicating efforts.

And also, where it was appropriate, to do some joined funding and some joined efforts. For example, the Children's Bureau and SAMHSA jointly fund the National Resource Center on Substance Abuse and child welfare. It's a nice intersect between the work that they do and the work that we do. We jointly fund the National Resource Center, which provides training and technical assistance to both the child welfare system and the substance abuse treatment system, as well as finding ways for them to work together effectively.

We also work with NIH in terms of helping to develop jointly a research agenda in this area. We've seen some very nice gains in terms of our knowledge about neglect through the Consortium on Neglect, which is also being coordinated between us and NIH and other agencies within HHS. I think the other interagency group that exists currently is the one found in the Department of Justice.

Then the third one is really more of a workshop than a freestanding interagency work group, and this is in response to conversations that we've had in part with your office to get the Surgeon General engaged in the issue and to help to integrate a public health perspective into child abuse and neglect. So on June 16th, we're going to be holding a workshop. But it's unclear at this point whether we see this as a longstanding coordinating group, but rather an opportunity to bring together a variety of different actors from the Federal level to begin the conversation about how we can better coordinate outside of the existing coordinating councils.

Mr. DELAY. Mr. Chairman, I think they've answered most of my questions. Again, I appreciate your indulgence and the indulgence of the other members of the committee.

Chairman TOM DAVIS. Well, thank you very much for your leadership. Congratulations again on your award, and permanent reorganization authority is something this committee continues to look at and address and we look forward to working with you on it. Thank you very much.

Mr. DELAY. Thank you, Mr. Chairman.

Chairman TOM DAVIS. The gentleman from Maryland, Mr. Van Hollen, is recognized for 5 minutes.

Mr. VAN HOLLEN. Thank you, Mr. Chairman, and thank you for holding this hearing, and Mr. Majority Leader, I just want to thank you for your commitment on these issues and congratulations on the award as well.

This is not a Republican issue, not a Democratic issue, it's not even just an American issue. This is a human issue and I know that all of us are interested in getting results. I thank the witnesses for being here today, Secretary Horn is a constituent and I thank you for your long commitment to these issues.

And by all means, where we have programs that are not working or not functioning well, I ask members of the administration to

come forward and tell us what's broken and whether you want to fix it or get rid of it or merge it or whatever it may be. Because if we're spending dollars ineffectively and we're not getting the results in terms of reducing child abuse and making it easier to move children from the foster care system into permanent placements, by God, I think we need to know, we need to get to that result.

Mr. Horn, I've looked at your prepared testimony and listened to you and Mr. Flores, I listened to you as well. In your statements you talk about terrific coordination that's going on within the Federal Government, interagency processes. Mr. Flores, you've got a whole section entitled Statutory Tools that support agency coordination and collaboration. These are existing statutory authorities, and you talk about the good work and cooperation and collaboration that's going on using those authorities.

Mr. Horn, I understand your comments with regard to block granting. And that's an important issue and it should be debated. But this hearing is being held under the overall umbrella of legislation to provide for blanket executive reorganization authority. And as I listened to you, Mr. Horn, you said yes, there are lots of different programs at the Federal level, different offices. But the real issue is the funding streams at the State level. These charts over here deal with all the Federal agencies, and that's been the thrust of this hearing.

So I'm going to ask all of you, what specific reorganization measures are you proposing that we need to take in this area to be effective that you want to do today that you do not have the statutory authority to do at the Federal level with respect to executive organization? I'd be very interested in your specific ideas, because what I've heard so far is, we're going to take a look at it, it's important to study this issue, but I want to know today what obstacles you see with respect to your executive ability to reorganize at the Federal level that you do not have the authority to do.

Mr. HORN. I think one of the difficulties in contemplating reorganization is the fact that you have to deal with so many different committees within the Congress, because there are different programs and different committees have jurisdiction. Let me give you an example on youth issues. The Department of HHS is quite interested in this new idea of positive youth development as a prevention strategy for a whole host of things, including prevention of child abuse and neglect for youth. One of the things we know from the positive youth development perspective is that kids who are well connected to families, to communities and to community organizations and to other caring adults in their community are at far less risk for a whole host of negative outcomes.

Well, the Secretary, back in the fall of 2001, 2½ years ago, actually 3 years ago, he directed my agency to look at all of the youth serving programs within HHS, because the question that he had was, why aren't they all in this box called the Family and Youth Services Bureau? Why are not all the youth serving programs at HHS in that box where they can work well together?

So we did a comprehensive review of HHS youth serving programs. And we found two things. First of all, we found that a lot of youth serving programs are embedded in legislation that is broader than just youth serving. So the Secretary then had a choice

of transferring programs from one part of the agency to another simply to get the youth programs over there, but in order to do that, he'd have to transfer the entire program itself, some of which may have nothing to do with youth serving issues.

The other thing is we found some instances where, for example, the National Youth Sports Program is statutorily mandated to be in one aspect of my agency and can't be transferred unless Congress agrees to do that. So one of the things that fast track authority would allow the Secretary and the President to do is to come to Congress with a comprehensive reorganization plan in whatever area makes sense, and then to ask Congress to give us an up or down vote on the reorganization plan, instead of going through 7, 8, 9, 10 different committees in order to start to piecemeal bring things together.

Mr. VAN HOLLEN. Thank you. If I could just ask, Mr. Chairman, if we could get a list, if you had the authority today to make these changes, if you could please provide me and my members of the committee with a list of specific changes in this area that you would make today, and what the statutory obstacles are to those, to making those changes, it would be very helpful to me in analyzing this legislation. Thank you.

Chairman TOM DAVIS. Thank you. Let me just say to my friend from Maryland, we saw with the Department of Homeland Security and other areas, when the administration does come up with a concept, it's vetted through the committee process. These bodies here are driven by jurisdiction. We can't sometimes get the right result. I think the administration, whether it's a Bush administration or a Kerry administration, would be more emboldened with a permanent reorganization authority, something the Presidents from Franklin Roosevelt to Ronald Reagan had.

Now, what form does that take is something I think we would have to sit down and discuss and try to work together to come to. But without that, I don't think you're going to find anybody coming up in an agency on their own saying, well, they ought to abolish that agency but keep mine going back and forth. So I think that the concept is something we need to work together on. I've had discussions with Mr. Waxman on this. There are certain worker safeguards and the like that would have to be included in that.

I think this hearing illustrates just one area where obviously reorganizing, streamlining, means we can get more for the same number of dollars. And that's really what it's all about at a time when resources become scarce.

The gentleman from Pennsylvania is recognized.

Mr. MURPHY. Thank you, Mr. Chairman. And I thank the distinguished panel for being here.

I'm looking at these charts and this system which doesn't make a lot of sense to me. If you heard my opening testimony, it's much, much harder for people to try and negotiate this system who are so vulnerable and also States. I suppose, if we also listed all the State programs, it would fill this room with lines and goodness knows how to make sense out of this.

So Dr. Horn, let me start off by asking you, if you had the blank slate to really try and establish and rework this in a way that helped the States, that streamlined this and got the money to the

programs where it would make the most difference somehow, and some other organizational structure to protect and nurture our Nation's children, do you have any idea where you would start?

Mr. HORN. Yes, I do, actually. I'd start with allowing States to develop a single data collection and reporting system. You see, right now what we do is we say, here's the program, who does the program serve. And we set up a data collection and reporting system for that program. So we have a reporting program for CPS, we have a different reporting program for a different aspect of child welfare.

Instead, what we ought to do is say, here's a family. What services does this family need, and let's develop a single data collection and reporting system for the family, where it's family and child focused and not program focused. What that would do is first of all eliminate duplication and administrative burden on the part of States and local communities. But it would also force services to start to think coordinating rather than just in their own little box.

So as long as we have all these different data collection systems and reporting requirements across all these different programs, it's going to be very difficult to get people at the local and State level to think outside their particular box. And it's very difficult to coordinate services, because you don't ask the question, what services does this family need, because you're reporting on the service that you provide.

So that would be the one place I would start, is to provide the ability for States to come up with a single data reporting system that would ask the question, not who does this program serve, but what programs and services does the family and child need.

Mr. MURPHY. Thank you. Let me shift over to Mr. Flores. My understanding is that your office is responsible for about $79 million annually through part B State formula grants which are supposed to provide treatment of juvenile offenders who are the victims of child abuse and neglect. Now, the committee staff tells me that there are no performance goals associated with this grant money in the Department's fiscal year 2005 performance plan. Will performance goals for this grant program be forthcoming? And I'd like to know how you're going to coordinate this with other Federal agencies and develop these performance measures, to make sure the Federal Government is speaking with one voice in addressing these issues of abuse and neglect.

Mr. FLORES. Congressman, the President has been very clear that he wants to see performance measures in every program, so that we can figure out whether or not we're actually helping the people that we're responsible for working with. We are taking a look at all of the parts of OJJDP, not only to make sure that they have performance measures, but that the performance measures actually get us to where we want to go. One of the challenges has been historically that, there has been a question as to what's the widget. Is it that at the end of the day we want to have a healthy child in a good situation, or is it that we want to dispense a program well? I think that's a little bit of what Dr. Horn was talking about.

So we're looking at changing performance measures so that they actually have a tie-in to the ultimate success, the outcome of that

child, not just have we delivered it in a way that's effective, did the money go out to the State, did the money do what it was supposed to accomplish. Now, where we do an excellent job under any measure is in the money that is put out to the States on issues of confinement. And the reason for that is that we have very clear outcome measures that everyone has to look at in three of the four categories, so that we know State to State whether or not children are where they're supposed to be in terms of housing, whether or not the State is still imprisoning status offenders, whether the confinement is being used in an appropriate way.

Because of that, we have an extraordinary amount of success that every year we build on. We have very few States, I think only one or two, that still have challenges in that area. But we're working in that way. So the answer to your question is yes, and that we are in those areas where performance standards have been in place for a long time, we're reviewing those to make sure that they are actually outcome oriented, and not simply process oriented.

Mr. MURPHY. I hope you can do that, not only to have a standard, but to enforce them. Because even in States that may recognize that, having worked in the field myself, I've seen them handled horribly and really contribute to just perpetuating the cycle of abuse among our children. It isn't enough just to have standards, they must be enforced vigorously and with passion and commitment. So I hope you'll do that.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. You'll get an opportunity for more questions later. Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman.

Dr. Horn, I was interested in your testimony and your description of various coordination efforts. You indicated that there was more coordination going on. I'm led to believe there must be a fair amount of coordination since there has been a reduction, and this is between the last administration and this administration apparently, in the number of Federal programs in this area. I'm not sure what accounts for the decrease. I wonder if it's reorganization.

And what I'd like to know is what HHS has done with, on the authority it has internally to reorganize the way in which it delivers services to abused and neglected children.

Mr. HORN. Well, first in terms of the issue of program reduction, at least in the Administration on Children and Families, the number of spending authorities that I oversee has grown over the last 3 years, not reduced. Not all of them are obviously related to child abuse and neglect, but all of them are related in some ways to families and children. And the Secretary likes to talk about one department. He likes to say that HHS is not a holding company with all sorts of disparate interests, but all of us have an interest in the well being of American citizens. And he's right. And within the Administration on Children and Families, I take that to also mean that we are one administration focused on improving the well-being of children and families.

The one reorganization that we've undertaken within ACF is to try to pull as many youth programs together and family serving programs together and place them within this organizational box

called the Family and Youth Services Bureau. We've had some success with that, for example——

Ms. NORTON. This is for abused and neglected children in particular?

Mr. HORN. It's for, well, we have this perspective that if you help build strong families and you provide children with good opportunities to connect with their parents, with other caring adults in their community, with schools and civic organizations, that you have less abuse and neglect, as well as less crime, less depression, less suicide, less school dropout. And there's a good deal of research to show that.

So what we try to do is have a perspective that says we need to strengthen families and supports for families and children as an organizational unit. And one way to do that, to do that reorganization is to try to pull as many youth serving organizations together into one organizational box so that they can be better coordinated. And we've done that. We have transferred into the Family and Youth Services Bureau and the Family Violence Program, to integrate that into the services for youth. We've also in the process of transferring, the Secretary has the Title V, Section 510 abstinence grants, State formula grants, from HRSA into the Family and Youth Services Bureau to integrate it with a broader positive youth development perspective.

But there's another abstinence education program that's done under the Sprands grants that's also in HRSA. But because they're part of a larger authorized grantmaking authority, the Sprands program, the Secretary can't take out the abstinence education grants from Sprands and transfer them over into the Family and Youth Services Bureau to coordinate them with the——

Ms. NORTON. You could ask us for a slight change in law that would enable you to do that.

Mr. HORN. And in fact we have. That's part of the President's fiscal year 2005 budget.

So I'm not here to say that reorganizations are impossible to happen without fast track authority. But certainly what fast track authority does is allows us particularly, if you want to think very boldly, allows the President, whoever the President might be, whatever the administration might be, to not have to negotiate through multiple committees and subcommittees to make an organization that makes sense.

Ms. NORTON. You have, I think correctly noted that these services are delivered at the State and local level. That's where the quagmire is. We don't want to blame you for that. A block grant which simply gave the money to the State, and we've seen what block grants have done in other agencies, without any mandate to straighten that out, still leave the State, it seems to me, where it is today, able to deliver money as it wants to.

I mentioned in my opening remarks the one-stop center notion. But I don't see how simply lumping the money together brings the programs together.

Mr. FLORES. Congresswoman, forgive me, but I don't, at least in my area, I don't know of any proposal for us to block grant any funds. We do have a proposal to allow States an option to use Title 4(e) foster care funds more flexibly, something that we've been

doing under the child welfare waiver authority that States have been experimenting with under the child welfare waiver authority since that waiver authority was implemented as part of PERORA in 1996.

What we've found in the States that have taken Title 4(e) foster care funds and been able, where they can use them more flexibly, is we've found first of all, fewer kids are going into foster care. Second of all, there is some evidence that the length of stay for those kids in foster care, once controlled for severity of symptoms and severity of the abuse or neglect, is shorter. And there's been no detriment in the overall well-being of children.

So all the President would like to do is provide States the ability to opt into a more flexible funding option with Title 4(e). But that's not a block grant. I run block grants, I run the Social Services block grant, the TANF block grant, the Community Services block grant. I know what block grants look like. You give the money out to States under a formula, they send a plan in, and as long as they do stuff based upon their plan, everything's OK.

But in terms of the flexible funding option for States, they would have to front-end submit a plan which could be turned down by the Secretary. There would be every continuation of every child protection under law for kids in foster care as currently are there. And they would also have to have an evaluation overlay to ensure that outcomes for kids are better off given their ability to use the funds more flexibly.

Because the big problem right here, right now, in Title 4(e), is that we're spending $4.6 billion a year to do three things: help pay for the costs of kids, maintaining them in foster care; help States with the administrative costs of running those programs; and doing child welfare training. Now, all of those three things are fine, but notice I never used the word services. Within that $4.6 billion, the largest Federal funding stream for child welfare, not one penny can be used for services.

Does that really make sense? Why not allow States at their option to use the money also for prevention services, for wraparound services once the kids are in foster care, for post-adoption services if the kid is adopted? Services, it seems to me, is the name of the game, not process. Unfortunately, we're paying for far too much process and far too little service.

Chairman TOM DAVIS. Thank you. The gentlelady's time has expired.

The gentlelady from Tennessee, Mrs. Blackburn.

Mrs. BLACKBURN. Thank you, Mr. Chairman. And I want to thank our panel for being here.

And Dr. Hefferan, I'll begin with you. I'm one of those committee members that is a 4–H alum, and loved every minute of it and have a 79 year old mother who is in her 60th year as a 4–H adult volunteer, one of those 50,000 volunteers that you mentioned. And I commend you and your program for your aggressive pursuit of a public-private partnership. It certainly does make a difference in what we do.

I would hope that you all are keeping a list of best practices and lessons learned that you are willing to share with other agencies

as they look for ways to have successful implementation at the State and local level.

Ms. HEFFERAN. We certainly are, and that has been one of the benefits of the coordination, particularly through HHS, is that we have shared a number of practices and policies. In light of that, I think one of the real challenges that we have with education based programs is that the outcomes of the programs are very far removed from the input and expenditure, whether it's Federal or local funding. And that is an ongoing challenge as we think about accountability, as we think about coordination with others. These long term programs, which certainly many of us believe are the ones that are most cost effective, are most difficult to establish the impacts from.

Mrs. BLACKBURN. Well, we thank you for your work. I hear a tremendous amount of frustration in your voice. And I would hope that you realize there's frustration on our part, also.

Now, let me just for clarification, how many of these 90 programs come under your jurisdiction?

Mr. HORN. For the major child welfare programs under my jurisdiction are Title 4(e) foster care——

Mrs. BLACKBURN. Just the number.

Mr. HORN. Probably 12.

Mrs. BLACKBURN. OK. Do you come under the CFO Act? Do you comply with that?

Mr. HORN. Yes.

Mrs. BLACKBURN. You do, OK. And have you all participated in part in the PMA?

Mr. HORN. Yes, we have.

Mrs. BLACKBURN. OK, great. And the GAO, have they done a review in the last couple of years of your department?

Mr. HORN. They certainly have done a number of reviews of a number of the programs that we oversee.

Mrs. BLACKBURN. OK, great. Now, you expressed frustration with the States. And having come from the State Senate in Tennessee, a lot of times we had a pretty good bit of frustration with you all, in not being able to understand how you were laying out what your requirements were.

So let me ask you this. As we say that's a problem and trying to address it, and of course it's frustrating to me to hear that you're waiting, that you're just now going to talk about beginning a dialog to address all of this when this has been going on for a long time. So June 16th ought to be a pretty good day if we're going to open some communication. We want to be certain that's successful and that these programs continue to be funded. I agree, money should go into the programs and not into the bureaucracy. And I'm going to agree with you on that.

But let me ask you a question here. How do you set your accountability standards for these programs for the States? And then the evaluated, or the data that you're receiving back from the States, how are you putting that in to evaluate it, and then spit something out that helps you to say, this is where we need to tweak this, this is where we need to push for some efficiencies? And then what kind of accountability do you have on yourself and on the States to improve that delivery of service?

Mr. HORN. First let me clarify, I'm not frustrated with the States. I'm saying that I imagine States are frustrated by the multiple funding streams that would require them to negotiate in order to implement child welfare services at the local level. I, like Dr. Murphy and Dr. Watson, am a child psychologist. I've spent my professional career working in and around the child welfare system, and I know from both the Federal and local level how difficult the system can be to negotiate and work in.

In terms of accountability, there are three things that we do. First of all, we participate in the GPRA process each year and we have two primary child abuse and neglect GPRA outcome measures that we challenge ourselves each year to improve up. One is the incidence, the overall incidence of child maltreatment and the second is the recurrence or repeated maltreatment of children. And we're working to try to reduce those.

Second, in all of the grants that we provide, we have an evaluation or outcomes based requirement so that each of them must also implement and then report back to us on the outcomes of the individual grants that we provide. But the most aggressive thing we've done in this area in the last 3 years is the implementation of a new system of reviews of child welfare systems in America called the Child and Family Services Reviews. This is a new review system that is outcome focused, not process focused, that goes in and reviews child welfare systems at the State and local level from beginning to end, from prevention and support services to CPS services to foster care services to adoption services.

And it's not just a paper review. Yes, we review records. But then we go and talk to people who are involved in that case, first to find out, does the record accurately reflect what actually happened, so we may talk with the foster parent, we may talk with the biological family, we may talk with the case workers, we may talk with advocates. We talk with a range of people involved in that case. We also look at State level data, real data about treatment incidents, repeated maltreatment incidents, frequency of placements in foster care and so on, and have set a very high bar for positive results in all of these areas.

The result of which is, we just completed all 50 States, the District of Columbia and Puerto Rico. Not one State has passed all of our outcome based standards in our Child and Family Services review. Not one. That is very, very bad news for defenders of the status quo. If the status quo was working so well, why is it that not one State was able to pass all of our outcome based standards when it came to outcomes related to child welfare systems?

Mrs. BLACKBURN. Thank you, sir, and thank you all for your service, and we look forward to working with you. Mr. Chairman, thank you.

Chairman TOM DAVIS. Thank you very much.

Ms. Watson.

Ms. WATSON. Thank you so much, Mr. Chairman. I appreciate the panel. This is a deep and complex area that we're dealing with. But we have a model out there, and first, I want to say, I think there ought to be a legislative proposal after you collect all of our responses, as you respond and we respond, to get some idea where

we'd like to see you go. I think there ought to be a legislative proposal.

But you have a model, it was the 1996 welfare reform. And that was worked over for a long period of time. What we have to do is enable the local establishment, local government as well as State government, meet your floor. We set the floor here in Congress, but the States then have to customize and meet their needs. I would say we need to start with a proposal that looks at services first, should be child-centered and then in the processes at the local level, we need to take into consideration wraparound kinds of thinking, so we can coordinate across all areas rather than run into walls and blocks.

We need to look at case management, because it really boils down to the individual child, so what is the case management approach, who are the stakeholders, and then how do we collect the data. I like the demonstration projects. Are the demonstration projects meeting the mission goals, the objectives that were set up? One of the problems we have in California is 58 structures called counties that deliver these services. And the county government is their own feifdom. Breaking across those lines to collect data is something we haven't figured out as well, yet.

And we need to look at outcomes and have long term evaluations to see what is working, what is not working, and demonstration projects are set up to do that kind of thing. And then what we need from the Feds are the resources. Now, how we give those resources is the challenge. Block granting in the State of California means that money is going to go to support education, probably, because that's where we need it. But we also need the protective services.

So my recommendation, and then you can respond about a proposal, bring to us based on all the hearings that you have a legislative proposal, let us work it through our process and then require the States to customize, fix it and report. And Dr. Horn, can you respond?

Mr. HORN. Well, I agree with you. I think it's important for us to do all of those things and to enable States to put together seamless systems of care at the local level. And I absolutely agree with you that TANF is a good example of this. In fact, TANF is one of those programs that I oversee. One of the things we did in TANF, for example, is collapse three different child care funding streams into one because all those there child care funding streams had different eligibility requirements, different focuses and so forth. By collapsing them into one funding stream, we were able to provide the States with the flexibility they need to figure out how to use child care in the service of moving people, not just off of welfare, but out of poverty effectively. And they did a good job with it.

Let me also clarify that the President believes that it's not just a matter of greater flexibility in child welfare, it's also a matter of more resources. And the President has asked for a billion dollar increase in the Safe and Stable Families program, half of which the Congress has appropriated thus far, but we're still asking for the other half. And he's asked for a doubling in this budget of the Child Abuse Prevention and Treatment Act funds, which would allow us, for example, to provide preventive services to 55,000 more families

than are currently being provided with preventive services at the local level.

So I agree, it is not just only about flexibility, although flexibility is important. It's also about additional resources, and the President has proposed those.

Ms. WATSON. Let me just ask you, this is my final question, Mr. Chairman, are we going to be presented, is Congress going to have a legislative proposal referencing this reorganization that then we can process, amend and come up with something in a period of time?

Mr. HORN. I think that would be part of a topic of conversation on June 16th when the Surgeon General convenes his work group.

Ms. WATSON. Thank you. Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you very much. Mr. Murphy.

Mr. MURPHY. Mr. Chairman, a quick followup. Representative Blackburn was asking about Federal programs and measuring State performance and what types of measures were used. How does this information make its way back to Congress, and how do you close this loop to make sure we understand what the States are doing?

Mr. HORN. We do that in a variety of fashions. We do notify Congress of the results of the Child and Family Services review process. I just testified last week before the Human Resources Subcommittee on that very issue. But judging from your question, it sounds like we need to do a better job of keeping Congress informed.

Mr. MURPHY. I'd like to see it myself.

Mr. HORN. I'd be very happy to provide it.

Mr. MURPHY. Another question, but before I do that, Dr. Hefferan, we've kind of left you alone there, I've seen first-hand that programs like 4–H do a marvelous thing for children, not only abused children but children with physical handicaps and so on. I tip my hat to you.

But let me just throw out this last question to the whole panel. The White House report on disadvantaged youth indicates there are some six different clearinghouses to identify what works. So what do we know about what works to prevent child abuse, help children aging out of foster care and to prevent juvenile delinquency, and is the Federal Government funding the right programs? Just as importantly, I want to go back to, are we ending the programs that don't work?

Mr. FLORES. The Office of Justice Programs is involved currently in trying to address that specific fact that you've noticed, which is that almost every agency has a different set of what works. It creates a number of problems, because in some cases you have to have a program on a certain list in order to be able to apply Federal funding to it. We really would like to see a unified what works grouping so that people could go to one place and reference programs throughout the entire Government and have a sense, with some common denominators, as to how to judge one program against the other, so that you can have your choices about what you want to do, it doesn't mandate it, but it dose give you an idea as to what testing has been applied to that program.

You know because you've seen the evidence in a number of programs that even though they claim to have been tested and reviewed and evaluated, the evaluation is not worth the paper that it's printed on. Vice versa, we've had other programs that have really undergone substantial evaluation and really are gold-plated programs. We know that, and they deliver the results that they promise.

How to make that distinguish, how to distinguish that for the people out in the field so that communities have a quick way of identifying programs, they don't waste money and they don't spend money on trying to develop a best practices that already exists is something that's already underway. We're partnering with HHS, we're talking to our friends at SAMHSA, at CSAP, we're trying to bring all of those together so that we have one way of looking at programs and we have one place to direct people to, even though they might be accessed through the HHS Web site or any other home page.

Mr. MURPHY. Is this going to require some legislative action to take place, or do you have full authority to move forward on these changes of refining?

Mr. FLORES. I believe that we are not going to need any legislation, at least at this point I'm not aware that we do. We're moving forward and having conversations, and the process is underway. We're not in the process of asking for any legislation. We think that we can do that. In many ways it's simply a matter of recording and making public what each agency already knows. Sometimes it's very difficult to find that out. The other part is that while we may say it's a best practice or has been evaluated, the person looking at that may not have a way of determining whether the evaluation meets their own standards.

So by making it more transparent, and by telling people, this program was evaluated, but it was evaluated this way, it will allow them to say, OK, well, it was evaluated, but we're still not going to use it in our State, because it doesn't meet the Governor or the head of juvenile justice in our State, it doesn't meet our standards.

Mr. MURPHY. Do any of the other panelists have a comment on that? Dr. Hefferan.

Ms. HEFFERAN. Actually through our connections with the university research systems, we have supported and maintained a Web based system for evaluation of youth development programs, parenting programs that essentially can evaluate by a criteria based system the components of a program and match that essentially to the issues that you're particularly facing in a community or with a program. It's called Cypher Net, it's quite an inexpensive program, Web based. It has literally millions of hits each year from professionals across the entire country trying to look for criteria against which to judge specific programs.

Mr. MURPHY. Thank you. Dr. Horn.

Mr. HORN. At the Administration on Children and Families, we are particularly attracted to this whole notion of positive youth development, as I mentioned. I think the problem we've had in recent history is we tend to see children and youth as a series of problems to be solved. So we have an anti-drug program on Monday, an anti-smoking program on Tuesday, an anti-teen pregnancy program on

Wednesday, all of which are very useful and needed. But we don't bring them together very well, and we don't tend to treat children and youth as the complex human beings they are, that have both assets and deficits.

So what we're trying to do is provide services in a new way that treats youth and children as people that have both assets and challenges. And the problem with that is that some of the funding streams make it difficult for us to do that. Even within the Administration on Children and Families, I've got 65 different spending authorities. You'd think at least I could get those to work together. It's a challenge. And there are some cases where legislation may be required as we've requested, for example, in the President's fiscal year 2005 budget.

Mr. MURPHY. Well, I hope you would identify those to us, whether you have the authority or need legislative authority. I would really ask you to report back to the committee and let us know. It's extremely important to this committee to know that we could followup on that, too.

Thank you, Mr. Chairman.

Chairman TOM DAVIS. Thank you. Let me just ask a quick question before turning it over to Mr. Ruppersberger. If Congress were to grant the President the authority to initiate the type of programmatic reorganization of the Federal Government, would you recommend that the White House consider child welfare programs as a candidate for reorganization, providing you, the experts in the agency, it would give you a chance to determine the best structure, or would you rather have the status quo?

Mr. HORN. My job is to advise the Secretary of Health and Human Services, who then advises in turn the President. I would certainly advise the Secretary that would be a good area for us to look at.

Chairman TOM DAVIS. Mr. Flores.

Mr. FLORES. I agree.

Chairman TOM DAVIS. Dr. Hefferan.

Ms. HEFFERAN. I agree, also.

Chairman TOM DAVIS. All right, thank you very much. Mr. Ruppersberger.

Mr. RUPPERSBERGER. It's an extremely important issue, I think the panel has done a good job in presenting. I referred to in my opening statement about being a county executive. And I had an issue where a child died, her name was Rita Fisher. And I put it on my refrigerator for over a year, wondering how we could make sure this didn't happen again. What we did at a local level in the social services department was do program review, literally determine what programs we could or could not afford or that weren't effective, so that we could then downsize or do away with those programs to put our priority where things were needed.

I agree with you that resources need to go to families before the problem even starts. But there are also degrees of areas that we really have to focus on, child neglect, malnutrition. I think we really need to focus on the foster care. I think there are a lot of good people in foster care and there are people that shouldn't be in foster care, and a lot of accountability in that regard.

What I really feel is important, though, is that in the end, we need to as quickly as we can get the moneys and the resources to the local level. By the time you get money, and here I was a county executive and now I'm sitting here as a Congressperson, maybe being able to do something a little different. But by the time you get Federal grant money, it goes to the Federal bureaucracy, the State bureaucracy, sometimes it gets to the locals; half the money's gone.

What my experience shows is that we need more resources at the local level as quickly as we can. And then from a Federal level, it would seem to me that we need to make sure the policies are there, we need to make sure that we are reviewing accountability and outcome. That needs to be done. We also need to make sure that if we have bad managers, we move them aside to make sure we can be held accountable.

I think we're all in agreement with some of the things that are happening today, I think Majority Leader DeLay hit it on the head when he said every time we turn around, we create a new program to help in solving the problem. When in fact, I would wonder if we could do away with some Federal programs, or consolidate Federal programs so that we could have a coordination between drug problems versus malnutrition problems versus all these other issues.

So my question basically would be, what do you feel about the issue of getting moneys, you keep talking about the State. I think the State slows up a lot. And I'd like you to address that issue, between State and getting money to the actual locals, to the social workers and people responsible at the lower level, getting moneys to the State. Would you be able to evaluate and recommend moneys going more quickly, and I'm not sure about bypassing the State, but we have to work on that plan.

Mr. FLORES. As a practical matter, we've attempted to find out if we have a current way of doing that right now. We administer some block grants and we administer the Drug Free Communities program on behalf of the Office of National Drug Control Policy. That program provides money directly to communities, for them to leverage their existing efforts in terms of addressing drug use and other substance abuse in their communities. It allows them to partner other things and bring things together.

But one of the things that we have found consistently missing is that person whose responsibility is simply the coordination. Somebody whose job and whose widget it is to demonstrate that actually people are coming together and those programs are going where they need to go. In most cases, that does not happen. So that if a funding stream from HHS goes down, even if it makes its way to the community level, there's no one to say that they are going, they are responsible for making that funding flow and the person responsible for it is talking with the block grant person who's handling the community money that comes out from the Department of Justice or from the Department of Agriculture.

So in our gang initiative and in our child prostitution initiative, we have begun to fund that role for the local community, so that we can demonstrate to them the value of having somebody whose sole widget is not substantively to deal with any aspect that goes to helping that child, but actually is responsible for bringing people

together. Now, that requires a tremendous amount of time and a lot of force from Washington.

Mr. RUPPERSBERGER. Mr. Horn, I'd like to hear your point.

Mr. HORN. The way that the money goes out, whether it's to the States or communities, local organizations or local government is largely dictated to us by the statute. And different statutes dictate how that money goes out in different ways. Some of the statutes have a cap on the amount of administrative expenses that a State can claim as they distribute the money, for example, in a community services block grant, there's a certain amount that the State can retain, the rest must go to community based organizations to implement that.

But I do think that at the end of the day, you're exactly correct, that whatever resources are available, to the maximum extent possible, they ought to be spent at the local level where you have a provider and a recipient of those services. We ought to challenge ourselves to try to figure out how to maximize that amount of money.

Mr. RUPPERSBERGER. Well, my suggestion, you're talking about changing a system, then you need to identify those statutes, make a presentation to us and let us evaluate it. Also, I think it's important that you talk to the front line, you talk to the locals and make sure you get the input of where money's being wasted and the frustrations that are going on.

Unfortunately, as we keep growing we create bureaucracy. There are always good people in bureaucracies, really a lack of management, I believe, at the top. But as far as the bureaucracy is concerned, if you look at the resources and the money that are going just into the Federal bureaucracy, just to implement these plans, just think if you could cut that in half and put that money out on the street to help the children. That's the challenge we have, I believe, on the Federal level.

I would hope you would look at that issue when you come back. I think there's a lot of interest on this panel, and I believe strongly too that we need to do this quickly and from a fast track. I think we ought to look at a fast track, because the longer we go on with this, the more children and families will be suffering.

Chairman TOM DAVIS. Thank you very much. Obviously your comments have engendered a lot of discussion, and the authority and jurisdiction for permanent reorganization resides with this committee, something that is basically a priority for the leader, Mr. DeLay, who was here earlier, and myself and a lot of other members. How we proceed with that, how quickly, what we can negotiate, because we also have to get through the Senate, which has shown little interest in this, is something that remains ahead of us.

But we appreciate all of you giving your input into this, giving us a case study on where we are with this. Again, we appreciate the job you're doing. And the hearing will close. Thank you.

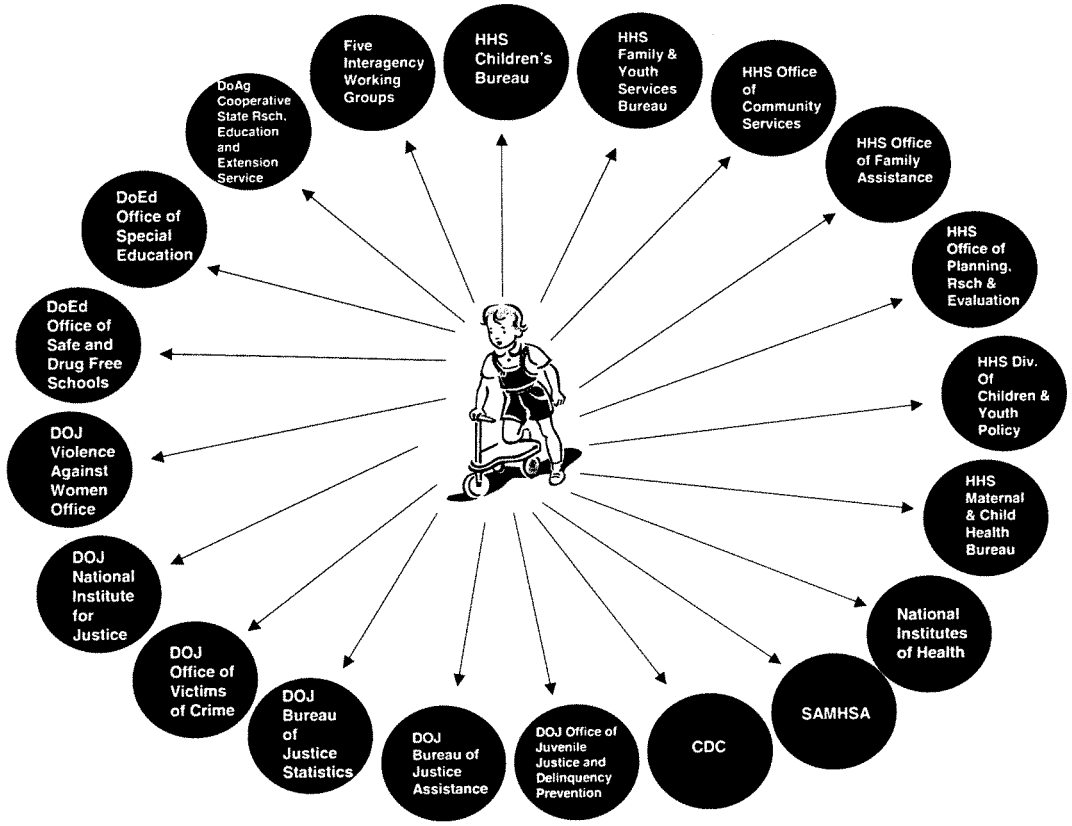
[Whereupon, at 11:55 a.m., the committee was adjourned, to reconvene at the call of the Chair.]

[Additional information submitted for the hearing record follows:]

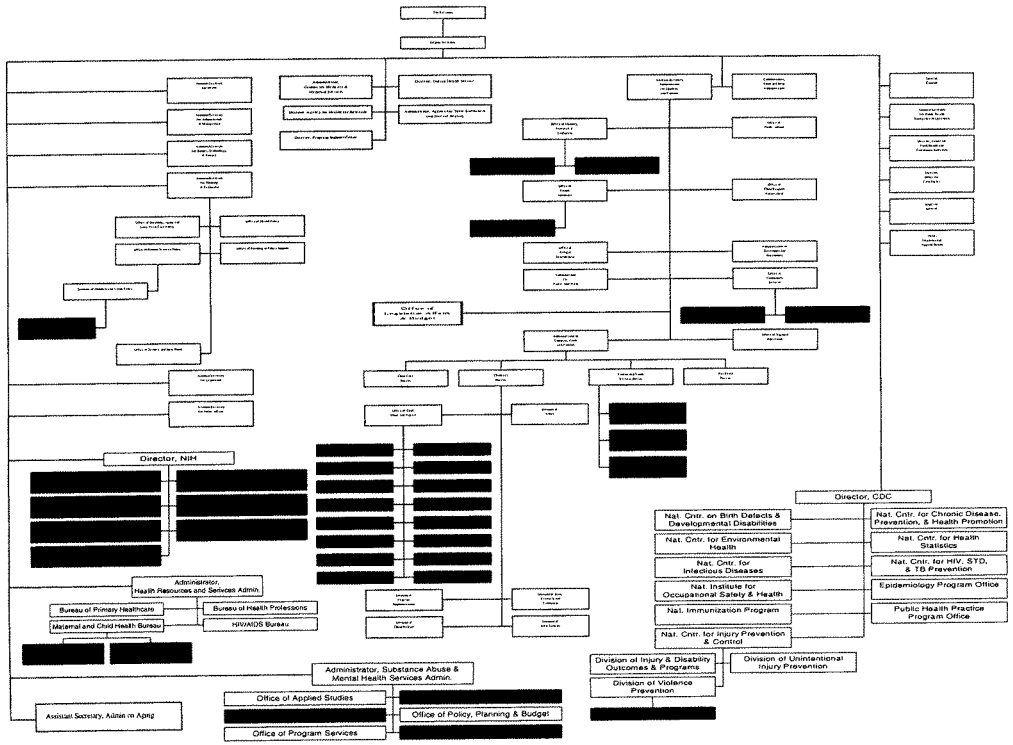
## FEDERAL AGENCIES AND PROGRAMS RESPONSIBLE FOR CHILD ABUSE AND NEGLECT PREVENTION

- The first chart shows the various federal agencies that are responsible for an abused or neglected child.

- The following four charts identify where the programs responsible for child abuse and neglect prevention are located with the federal government.


Five Interagency Working Groups
HHS Children's Bureau
HHS Family & Youth Services Bureau
HHS Office of Community Services
HHS Office of Family Assistance
HHS Office of Planning, Rsch & Evaluation
HHS Div. Of Children & Youth Policy
HHS Maternal & Child Health Bureau
National Institutes of Health
SAMHSA
CDC
DOJ Office of Juvenile Justice and Delinquency Prevention
DOJ Bureau of Justice Assistance
DOJ Bureau of Justice Statistics
DOJ Office of Victims of Crime
DOJ National Institute for Justice
DOJ Violence Against Women Office
DoEd Office of Safe and Drug Free Schools
DoEd Office of Special Education
DoAg Cooperative State Rsch, Education and Extension Service

# DEPARTMENT OF HEALTH AND HUMAN SERVICES



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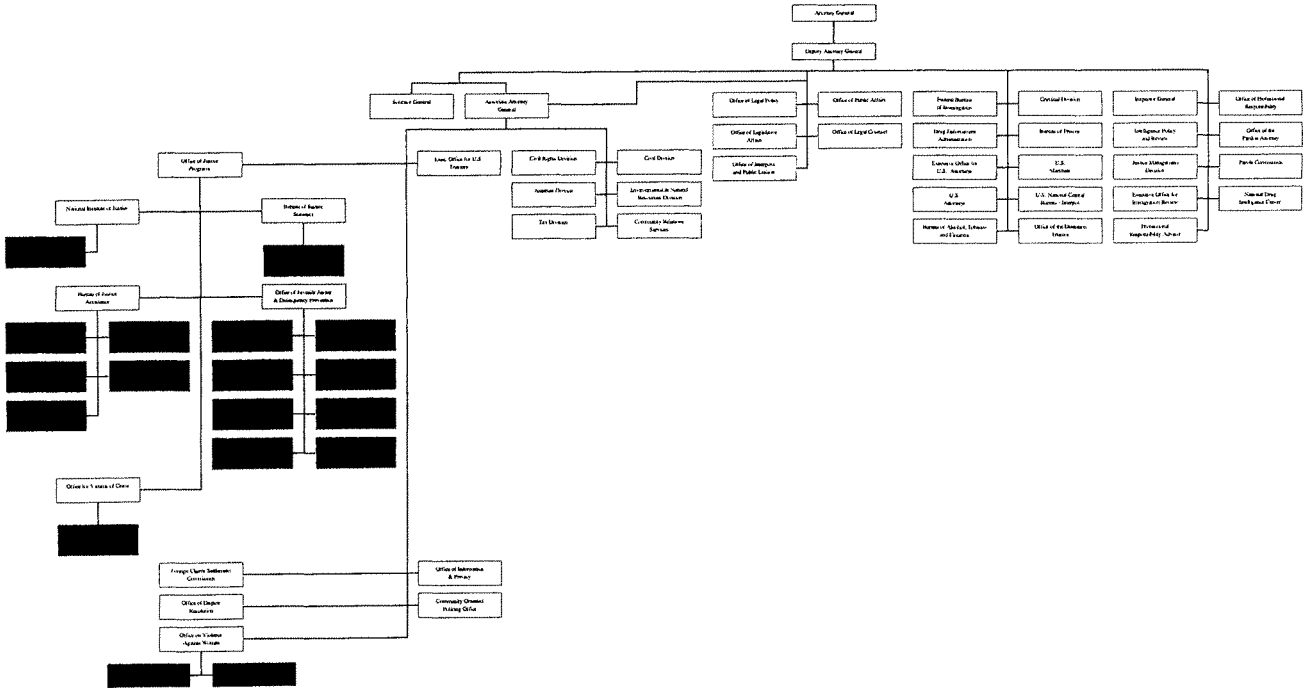

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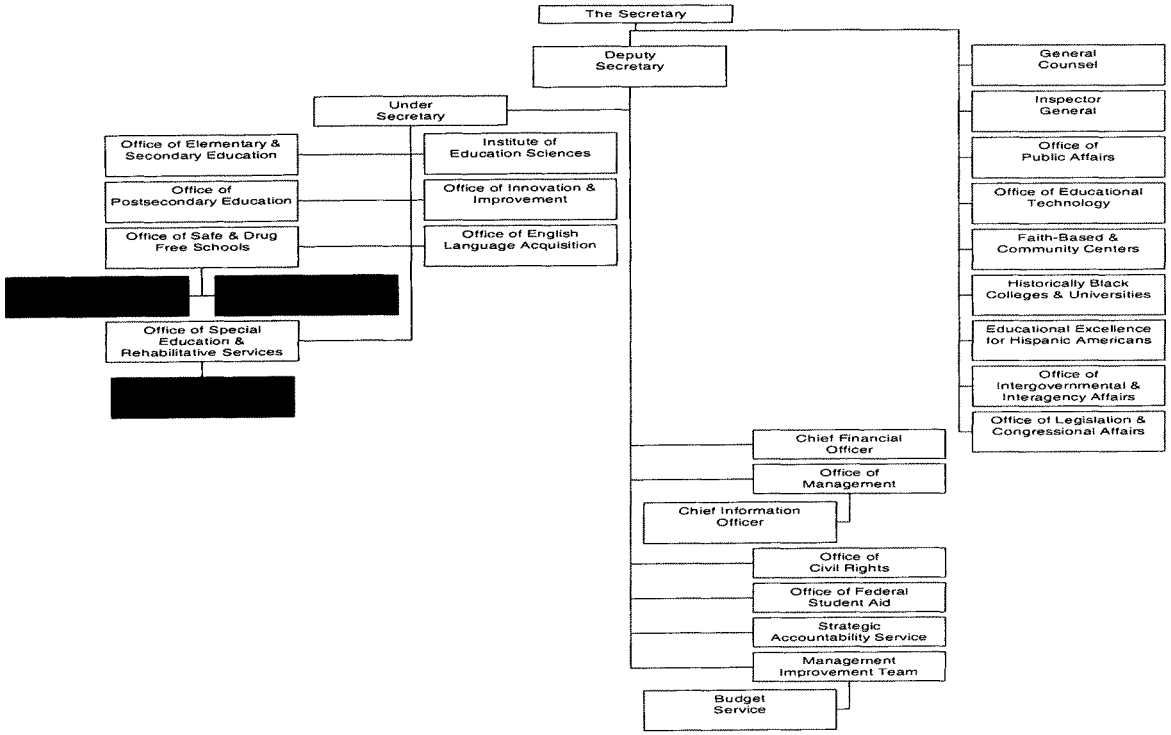
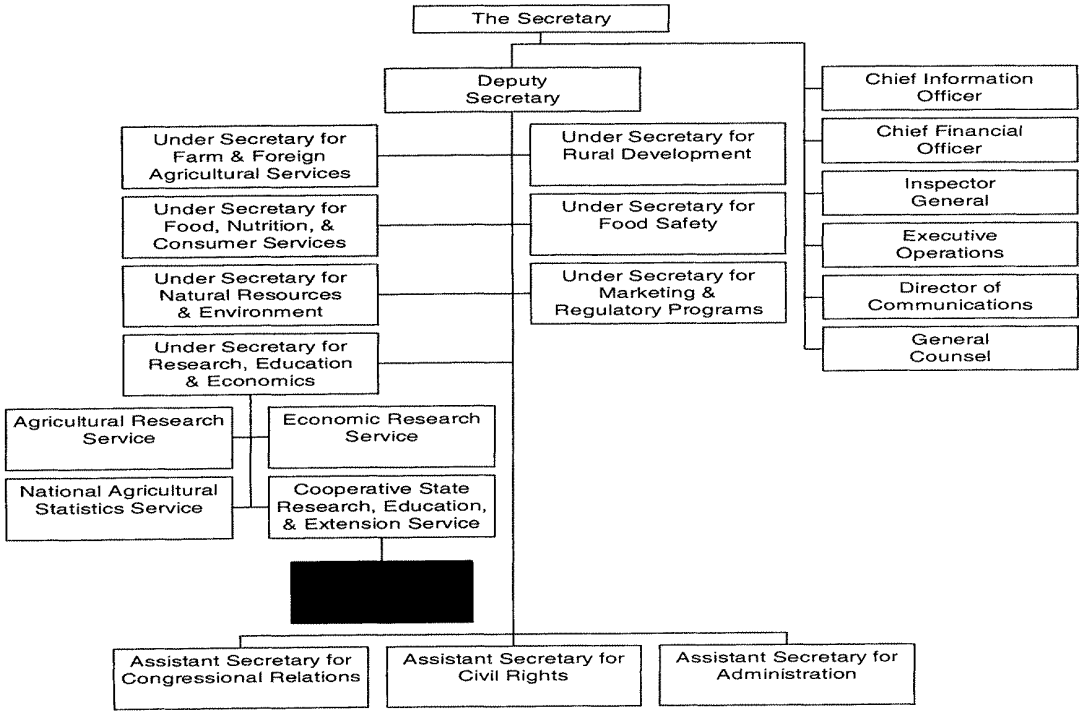
## DEPARTMENT OF AGRICULTURE