

United States Senate  
WASHINGTON, DC 20510

December 16, 2020

Assistant Secretary Lynn Johnson  
U.S. Department of Health and Human Services  
200 Independence Ave., S.W.  
Washington, D.C. 20201

Dear Assistant Secretary Johnson:

We write today in support of children and youth in the foster care system across the country as they face additional challenges due to the economic and health consequences of the COVID-19 pandemic. Given the unprecedented and long-term economic and public health consequences of the pandemic, we ask that the Department of Health and Human Services (HHS) provide relief for those currently in the foster care system and those transitioning out of foster care to maximize future opportunities for these young people.

Almost all families in the United States have had to make significant adjustments in their daily lives due to the COVID-19 pandemic. However, for the children and young adults in our nation's foster care system, periods of change and adjustment are not new. Foster youth have survived a lifetime of uncertainty before and after entering foster care. The serious health challenges and economic downturn brought by the COVID-19 pandemic have merely exacerbated existing challenges faced by the approximately 424,000 children in the foster care system and the more than 20,400 young adults who "age out" of foster care each year.<sup>1</sup> For this reason, we ask that you make both temporary and long-term changes to act in the best interest of the future of our nation's foster youth.

As of December 10, 2020, over 70 million applications for unemployment benefits had been filed since March 21, 2020.<sup>2</sup> Given this high unemployment rate—the highest we have seen in the U.S. in recent memory—we are increasingly concerned about the potentially dire consequences foster youth may face during the economic recession brought on by the pandemic. Even before the public health emergency, only about half of youth aging out of the foster care system each year were anticipated to have some form of gainful employment by the age of 24.<sup>3</sup> We believe that if temporary changes are made to strengthen support and resources for foster youth, they will be better equipped to pursue their goals and become active members of our nation's workforce.

We are also concerned that foster youth are especially harmed by the growing digital divide caused by the pandemic. According to a report conducted by iFoster, only about 5% of youth in foster care in rural settings and 21% of youth in foster care in urban settings have regular access

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<sup>1</sup> <https://www.acf.hhs.gov/sites/default/files/cb/afcarsreport27.pdf>

<sup>2</sup> <https://www.dol.gov/ui/data.pdf>

<sup>3</sup> [https://egrove.olemiss.edu/cgi/viewcontent.cgi?article=2558&context=hon\\_thesis](https://egrove.olemiss.edu/cgi/viewcontent.cgi?article=2558&context=hon_thesis)

to a computer.<sup>4</sup> For many young people in the foster care system, working and learning virtually is near impossible without access to the proper equipment and internet services.

We respectfully ask that you continue to encourage states to take full advantage of existing flexibilities and make additional changes to best support foster youth:

- **Continue to encourage states that have not previously exercised the title IV-E program option to extend foster care programs and extend Chafee Foster Care Program for Successful Transition to Adulthood Program (Chafee Program) services until age 23.** We appreciate that you have encouraged Child Welfare Directors in states that have not exercised the title IV-E program option to serve youth up to age 21 to do so during the pandemic. Extended foster care payments are essential for ensuring the financial stability of our nation's foster youth as they transition out of the system. During these unprecedented times, we also encourage the Administration to continue to encourage states to extend Chafee Program assistance until age 23 to achieve consistency of support after the public health declaration.
- **Direct guidance to states regarding additional payments to foster care families and providers as part of states' response to COVID-19.** In order to ensure stability for foster youth, we need to ensure that foster parents have the resources to weather the economic effects of the crisis and confront the day-to-day challenges of caring for children during the pandemic. In this effort, certain states have already provided one-time payments to foster care families. We ask that the Administration direct guidance to states on their existing authority to issue relief payments to foster families and providers to ease the burden of the pandemic.
- **Provide a temporary moratorium on work and study requirements for foster youth during the pandemic.** Public health guidelines during the pandemic have made physically going to work or school impossible for many.<sup>5</sup> COVID-19 has highlighted the inequities of access to reliable high-speed internet and devices. In fact, foster youth face multiple barriers trying to work or study remotely. They may lack a laptop or desktop computer, have slow speeds, or no internet altogether. We encourage the Administration to lift work and study requirements now until at least 180 days after the public health crisis ends, so foster youth are not punished for circumstances outside their control. Additionally, if you determine you do not have the authority to make this change, we ask you to promptly inform the Committees of jurisdiction in Congress, the Committee on Finance in the Senate and the Committee on Ways and Means in the House.
- **Allow title IV-B funds to be used to provide internet and other technology to vulnerable foster youth and families.** We appreciate the Children's Bureau letter permitting the purchase of cell phones as an allowable expense under title IV-B and/or the John H. Chafee Foster Care Program for Successful Transition to Adulthood.<sup>6</sup> To

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<sup>4</sup> <https://www.ifoster.org/6-quick-statistics-on-the-current-state-of-foster-care/>

<sup>5</sup> <https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

<sup>6</sup> [https://www.acf.hhs.gov/sites/default/files/cb/letter\\_on\\_federal\\_funds.pdf](https://www.acf.hhs.gov/sites/default/files/cb/letter_on_federal_funds.pdf)

ensure that foster youth do not continue to fall behind in meeting their work and education obligations, we ask that allowable expenses be expanded to include laptop computers, tablets, and internet access for children and families in the child welfare system.

- **Work with states to address the impact of the digital divide on foster youth.** Beyond waiving work and study requirements for foster youth during the pandemic, we ask that you consider long-term solutions to help foster youth facing significant technology-access challenges—the consequences of which have been intensified by the pandemic. We ask that you work with states on state-specific plans to ensure foster youth have the resources necessary to participate in online instruction or work virtually.

We appreciate your attention to this critical matter. We look forward to working together on behalf of our nation’s foster youth moving forward.

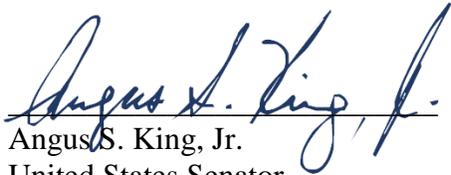
Sincerely,



Mark R. Warner  
United States Senator



Ron Wyden  
United States Senator



Angus S. King, Jr.  
United States Senator



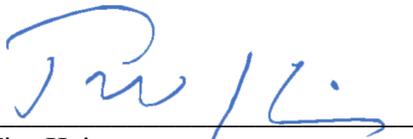
Chris Van Hollen  
United States Senator



Sherrod Brown  
United States Senator



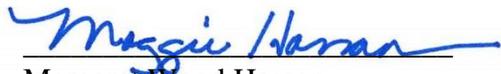
Richard Blumenthal  
United States Senator



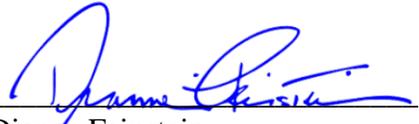
Tim Kaine  
United States Senator



Amy Klobuchar  
United States Senator



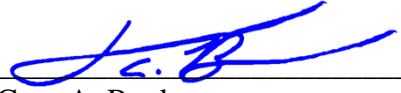
Margaret Wood Hassan  
United States Senator



Dianne Feinstein  
United States Senator



Bernard Sanders  
United States Senator



Cory A. Booker  
United States Senator