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Testimony Before the District of Columbia Council
Committee on Human Services
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Public Hearing:
B24-0857, Preserving Our Kids' Equity Through Trusts Amendment Act of 2022;
B24-0941, Fostering Stable Housing Opportunities Amendment Act of 2022

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Introduction

Good afternoon, Chairperson Nadeau, and members of the Committee on Human Services. My name is Tami Weerasingha-Cote. I am the Supervising Policy Attorney at Children's Law Center¹ and a resident of the District. I am testifying today on behalf of Children's Law Center, which fights so every DC child can grow up with a stable family, good health, and a quality education. With nearly 100 staff and hundreds of pro bono lawyers, Children's Law Center reaches 1 out of every 9 children in DC's poorest neighborhoods – more than 5,000 children and families each year.

Thank you for the opportunity to testify today regarding: (1) B24-0857, the Preserving Our Kids' Equity Through Trusts Amendment Act of 2022 (the POKETT Act); and (2) B24-0941, the Fostering Stable Housing Opportunities Amendment Act of 2022 (the FSHO Act). Each year, Children's Law Center attorneys serve as guardians-ad-litem for several hundred children in foster care and protective supervision – approximately half of all children in the care and custody of the Child and Family Services Agency (CFSA).² As a result, we are well-versed in the challenges facing children and families involved in the child welfare system, and we are very grateful to Chairperson Nadeau for taking action and calling attention to the crucial issues addressed by these proposed bills.

Children's Law Center is supportive of the goals of both bills before the Committee today – and would be very pleased to see the Council take effective action in

these areas impacting the well-being of DC's children, youth, and families. With respect to the POKETT Act, passage of the bill must be accompanied by a commitment to allocate local funding to replace the federal dollars the agency will no longer have access to under the terms of the proposed legislation to avoid negatively impacting services and care for children in foster care. We would also like to see the POKETT Act strengthened in several areas to ensure effective implementation and expand the scope of the bill to a broader set child-welfare involved children and families.

We view the FSHO Act as the first of several steps that must be taken to identify and understand the root causes of barriers to foster youth obtaining and maintaining stable housing when they exit care. In particular, we recommend incorporating additional transparency and reporting requirements into the bill, with a view to shining a light on CFSA's policies, procedures, and practices that determine when foster youth can access Family Unification Program (FUP) vouchers (a federal rental assistance program³). With increased insight into this process, we believe our clients, our attorneys, the agency, and the Council will be better positioned to identify and effectively address the obstacles to foster youth accessing FUP vouchers more consistently.

With Adequate Resources and Effective Implementation, the POKETT Act Will Provide Much-Needed Financial Support to Children and Families

The POKETT Act requires CFSA to screen every child in out-of-home care to determine their eligibility for benefits administered by the Social Security

Administration (SSA), apply for those benefits on the child's behalf, and conserve those benefits for the child until the child exits care.⁴ Although the POKETT Act has the potential to provide much-needed financial supports for children, youth, and families involved in the child welfare system, careful attention must be paid to ensure this legislation is adequately funded, equipped with the right resources, and thoughtfully implemented for it to have its intended impact. In particular, the Council and the agency must thoroughly understand the financial impact of the proposed bill's mandates and ensure funding for care and services for children in foster care is not unintentionally reduced as a result of this legislation. Given the complex landscape of federal benefit programs administered by SSA and federal rules that govern funding for foster care, this will be a challenging and nuanced task.

Further, for these federal funds to have the impact we want on DC's children and families, the CFSA staff responsible for implementing this legislation must be able to: (1) navigate the complex application, appeal, and recertification procedures; (2) develop a thorough understanding of how to accumulate funds for children in care without triggering income or asset limits for other local or federal benefit programs; and (3) provide ongoing education, training, and counseling for youth and families as they take over as direct beneficiaries and representative payees. Successfully executing these tasks will require thoughtfully designing and funding a program supported by staff with the right knowledge and experience.

If supported with adequate resources and the right staff, this legislation will enable CFSA to build a sophisticated and effective benefits program capable of using federal funds to alleviate the poverty burdening so many child welfare-involved children and families. We therefore urge the Committee to expand the scope of this legislation to include families with in-home cases and kin caregivers.

Finally, effective implementation requires transparent policies, practices, and procedures – in addition to the accurate record-keeping and regular reporting requirements already included in the draft legislation – to ensure accountability and consistent program quality.

Without adequate resources and thoughtful implementation, we risk – at best – creating an ineffective and haphazard program that fails to provide children and families with meaningful support. At worst, we risk inadvertently cutting the agency's budget and reducing resources and supports for children in foster care.

The POKETT Act Connects Foster Children and Their Families with Direct Financial Supports

The proposed legislation seeks to provide children in foster care and their families with direct financial supports in several ways. First, by requiring CFSA to connect all eligible foster children with federal SSA benefits, the bill ensures that these children will receive federal SSA benefits even after they leave CFSA's care (as long as they remain eligible).⁵ Second, the bill requires CFSA to conserve SSA benefits on

behalf of eligible children while they are in foster care, building up a “nest egg” that can be used to meet the child’s needs when they leave CFSA’s care.⁶

Whenever a child leaves CFSA’s care – whether they are reunifying with their parents, achieving permanency with another caregiver through adoption or guardianship, or aging out – providing additional financial resources to that child helps ensure their stability and long-term success. For children reunifying with their parents, poverty is such a significant stress factor on families, and financial resources can make all the difference in preventing the conditions that can lead to neglect.⁷ For children achieving permanency with another caregiver, the same concept applies – making sure families have the financial means to meet the needs of their children is crucial to achieving stability and maintaining permanency.

For youth aging out of care – both the connection with federal SSA benefits and the “nest egg” mandated by the proposed legislation could be particularly life-changing. Far too many of our clients age out of foster care into instability and insecurity.⁸ Because they are often completely on their own without supportive adults in their lives, these youth are also often living on the edge, where one stroke of bad luck – an unexpected car repair, a relative or friend saying they can’t sleep on their couch anymore, a medical emergency – can push them into poverty and homelessness. For the subset of these youth who are eligible for federal SSA benefits, the “nest egg” created by the POKETT Act could provide them with a much-needed financial cushion.

These funds could cover unexpected costs, and help them obtain housing, education, and employment opportunities that would otherwise be out of reach. Further, for those youth who qualify for federal SSA benefits as adults, being connected with those benefits while in care is crucial. Without CFSA's support and expertise, it is very challenging for these youth to successfully navigate the application process and obtain these benefits on their own.

Federal Funds Conserved for Foster Children Must Be Replaced in CFSA's Budget

Title IV-E funds are federal dollars available to state agencies to cover costs associated with providing care for children in foster care.⁹ States may claim federal Title IV-E funds on behalf of a Title IV-E eligible child who is also receiving a Supplemental Security Income (SSI) benefit, the type of SSA benefit children in foster care are most likely to be eligible for.¹⁰ Title IV-E foster care maintenance payments, however, are considered income based on need and therefore reduce the amount of a child's monthly SSI benefit on a dollar-for-dollar basis.¹¹ Depending on the amount of the Title IV-E foster care payment, this could effectively reduce a Title IV-E eligible child's SSI benefit to \$0.

As a result, when CFSA identifies children in foster care who are eligible for SSI benefits as required by the POKETT Act, if any of those children are also eligible for Title IV-E payments – the agency will have to choose between either forgoing the Title IV-E payment, so the child's SSI benefit is not reduced, or keeping the Title IV-E

payment and reducing the child's SSI benefit by that amount. Choosing to forgo the Title IV-E payment results in an effective budget cut for the agency, because the POKETT Act requires all SSA benefits be conserved for the child and not used to cover the cost of care. Choosing to keep the Title IV-E payment (and reducing the SSI benefit amount) undermines the goal of the POKETT Act.

Deciding whether to prioritize receiving Title IV-E payments or SSI benefits for children in foster care is a complex question that depends on a mix of factors, including the specific circumstances and eligibility of each child, the total population of eligible children in foster care, and the availability of other sources of funding to support the agency's budget. At the national level, there does not seem to be a consensus that prioritizing one type of funding is always best, but substantial research and analysis has been done on this topic.¹²

In any case, the Council and the agency must have a thorough and accurate understanding of the expected financial impact of the proposed bill on CFSA's budget. The amount of SSA benefits CFSA has collected in past years may not fully reflect the full financial impact of the POKETT Act because the bill's requirement for universal screening could significantly increase costs (especially if CFSA is required to maximize SSI benefits). To the extent CFSA loses access to federal dollars as a result of implementing this legislation, these funds must be replaced by local dollars or alternative sources of funding – otherwise, the quality of care and services provided by

the agency for children in foster care will be negatively impacted. This will require a detailed and data-driven analysis of CFSA's child-specific and total population data that takes into account the various ways in which the relevant federal benefits programs interact.¹³

Effective Implementation Requires CFSA to Set Up a Robust Benefits Program Equipped with Sufficient Number of Knowledgeable Staff

Successfully applying for SSA benefits is, more often than not, a laborious and complicated process, requiring time and resources.¹⁴ Applicants are frequently rejected the first time they apply for benefits, and must take additional steps to appeal and secure the benefits they are entitled to.¹⁵ Even if children are successfully connected with benefits, when they reach age 18 they must re-apply as adults to continue to receive benefits.¹⁶ For CFSA to successfully implement the requirements of the POKETT Act, the agency will need to create a dedicated team of staff with relevant knowledge and experience capable of guiding children and families through these complex procedures.

In addition to navigating the application, appeal, and recertification processes, CFSA's team will also need to develop a sophisticated understanding of precisely how to conserve funds for children in foster care without triggering income or asset limits for other local or federal benefit programs.¹⁷ This will require not only knowledge of the full spectrum of local and federal benefits children and families could potentially access, but also the ability to determine which types of conservation accounts are best

able to support specific children. Different kinds of accounts may work better for different children depending on their circumstances, and CFSA's team will need to be able to assess each child's situation accurately.

Because the POKETT Act envisions children and families taking over as beneficiaries and representative payees, as well as gaining control over conserved funds, the CFSA team must also be able to provide ongoing education, training, and counseling for youth and families – even after their cases close. Although the POKETT Act includes a grant for a community-based organization to provide financial management training to children and families – in our experience, youth and families will need more than a one-and-done training session. Youth and families will need a place to go to for help problem-solving when issues arise with maintaining benefits, guidance regarding how the funds can be used under different circumstances, and assistance in recertifying or appealing SSA decisions.

We recognize that this level of benefits support is not typically provided by CFSA. Instead, families are referred to the collaboratives or other community-based organizations – or even other District agencies – for help accessing local and federal benefit programs. For the POKETT Act to have the intended impact, however, we believe CFSA will need to develop its own benefits program and expertise to be able to ensure children in the agency's care and their families are able to access and utilize federal SSA benefits.

Successfully executing all the above-described tasks will require CFSA to thoughtfully design a robust benefits program supported by dedicated staff with the right knowledge and experience. Although CFSA currently applies for SSA benefits for some children in foster care, it is unrealistic to expect the agency to take on all the responsibilities needed for effective implementation of the POKETT Act without additional resources and staffing. The cost associated with building CFSA's benefits capacity must be included in the budget for this proposed legislation and funds must be allocated accordingly.

The Scope of the POKETT Act Should Be Expanded to Include Families with In-Home Cases and Kin Caregivers

The current draft of the POKETT Act recognizes that many children and families with in-home cases could benefit from receiving federal financial support and requires CFSA to determine the eligibility of all children with in-home cases (similar to the bill's requirements for children in foster care). The current version of the bill, however, stops short of providing the same level of support in navigating the application process that would ensure families with in-home cases are actually connected with SSA benefits. Instead, the bill merely requires CFSA to "inform the child's parents...of the child's potential eligibility and direct them to the appropriate means by which to apply for benefits."¹⁸

As explained above, successfully securing SSA benefits can be a long and complicated journey. Further, families with in-home cases who receive benefits on

behalf of their children will need education, training, and counseling – much like their counterparts in out-of-home cases – to help them maximize the positive impact of these funds. Given that effective implementation of the POKETT Act with respect to out-of-home cases requires CFSA to build a robust benefits program, we believe this same team can provide similar services to families with in-home cases and kin caregivers (family members receiving the Grandparent Caregiver and Close Relative Caregiver subsidies, and family members who take children into their homes through CFSA’s safety planning and informal family arrangement policies).

All too often, we see that poverty – the simple lack of financial resources – is at the root of so many problems that bring families into the foster care system. For families living on the edge, money is often the difference between slipping over into a cycle of crises that is near impossible to escape versus being able to address the immediate problem and successfully stabilizing the family’s situation. Connecting eligible families with in-home cases and kin caregivers with SSA benefits is low-hanging fruit – we can get additional funds to families using federal dollars, and we can do it using infrastructure that is already needed to implement the proposed legislation as written. Expanding the scope of the POKETT Act aligns perfectly with CFSA’s prevention goals of ensuring children’s needs are met but keeping them with their families and out of the foster care system whenever possible.

For these reasons, we strongly urge the Committee to expand the scope of the POKETT Act to include the same array of benefits services for families with in-home cases and kin caregivers.¹⁹

Transparency, Accurate Record-Keeping, and Regular Reporting Are Crucial

The POKETT Act requires CFSA to maintain accurate records of SSA benefit applications and any related communications or documents.²⁰ CFSA is also required to keep the child, their attorney, and their parents or guardians updated on the status of conserved funds.²¹ The proposed legislation also requires the Mayor to provide an annual report to the Council regarding CFSA's efforts to conserve the federal benefits of children in foster care.²²

We heartily support these provisions as essential tools for accountability and ensuring the program is having its intended effect. We also encourage the Committee to include additional provisions requiring CFSA to issue written policies and procedures that will guide the implementation of this legislation. Public understanding of CFSA's process for connecting children and families with SSA benefits is critical to making sure the program is implemented consistently. Written policies and procedures are also helpful tools for advocates seeking to ensure their clients are receiving the required services.

The Fostering Stable Housing Opportunities Amendment Act is an Important First Step in Addressing Housing Stability for Youth Aging Out of Foster Care

Youth aging out of foster care face significant challenges transitioning out of foster care and into independent living. Among other issues, these challenges often include finding employment, securing housing, and paying for rent and transportation.²³ CLC is supportive of the FSHO Act as a first step in identifying and understanding the root causes of barriers to foster youth obtaining and maintaining safe and stable exits from care. Each older foster youth's journey is varied, complex, and individualized. An array of solutions must therefore be available to meet the full scope of needs of older foster youth exiting care.

The FUP voucher program offers a potential solution to a frequent challenge older youth experience – securing stable housing upon exiting care. Our clients, however, have often struggled to access FUP vouchers. The reasons why our clients are not able to consistently access FUP vouchers are unclear – though it appears obstacles exist at various points along the pipeline from the federal Department of Housing and Urban Development (HUD), to DC's Housing Authority (DCHA), to CFSA itself. We need more information to understand how DC's foster youth can more consistently access and utilize FUP vouchers. To this end, we would like to see the FSHO Act include requirements for CFSA to increase transparency into relevant policies, practices, and procedures around FUP so that older foster youth and their advocates can ensure

they are able to access this resource when applicable – and the agency and the Council can take steps to remove any obstacles to eligible youth accessing this resource.

Youth Aging Out of Foster Care Often Exit into Unstable Living Conditions

Year after year, we consistently find that youth aging out of foster care are not sufficiently prepared for independent living.²⁴ For example, of 13 youth who aged out in FY2021,²⁵ zero had full-time jobs, three had part-time jobs, and the rest, ten youth, were unemployed.²⁶ Relatedly, very few exited into stable independent living situations.²⁷ None of these youth anticipated living in their own apartment when they exited care.²⁸ Four youths exited to DDS placement, while the rest were all in temporary situations – including a college dorm, staying with family and friends, living in transitional housing, and in abscondence.²⁹ There is a clear need for more robust supports for foster youth aging out of foster care to ensure they are prepared to live successfully as independent young adults.

Housing is but one dimension of the necessary support needed to successfully exit from care - employment, financial management skills, education, and independent living skills are all needed to create a safe and stable exit from care. These areas are intersectional and cannot be addressed in silos. For example, securing gainful employment coupled with financial management skills is key to maintaining housing stability. As we work to increase access to stable housing, we must also consider the

other dimensions of support necessary to create true stability for youth aging out of foster care.

FUP Vouchers Could Be a Solution for More Youth, But Additional Information is Needed

The housing options for youth aging out of foster care – and the means by which youth can qualify for and access those options – are, at best, opaque. In FY2021, only four foster youth accessed FUP vouchers – and these were all pregnant or parenting youth.³⁰ It is unclear why more youth (or any non-pregnant or parenting youth) have not accessed this resource. Many of our clients have tried unsuccessfully to access FUP vouchers – and the reasons for denial remain mostly unknown. While our conversations with CFSA have not yet provided clarity on CFSA’s process for determining what housing options are available for youth exiting care, they indicate that the obstacles to obtaining FUP vouchers extend beyond CFSA. We believe HUD, DCHA, and the lack of affordable housing in DC, in addition to CFSA, all play a role. Due to a lack of reporting and transparency, however, we cannot determine at what points along the pipeline the obstacles lie. We are therefore unable to identify solutions to problems in the practices and procedures of obtaining a voucher. This continues to keep FUP vouchers from being a reliable solution to meeting youth’s housing needs upon exit from care.

Increased Transparency Over Relevant Policies, Practices, and Procedures is Needed

The FSHO Act takes an important step to resolving the issues discussed above by shedding light on the issue of housing instability for older youth exiting care. To help us pin down where in the pipeline youth are meeting obstacles to accessing FUP vouchers and the root causes for these obstacles, we urge the Committee to add provisions requiring additional transparency over CFSA's relevant policies, practices, and procedures. Specifically, we would like CFSA to provide written documents detailing: (1) what housing options are available to older youth aging out of care; (2) the specific process for accessing each of those options; (3) CFSA's process for determining which options are available for a particular youth; (4) the considerations, qualifications, or any relevant factors CFSA relies upon when making this determination; (5) any factors external to CFSA (e.g., DCHA or HUD policies, procedures, or practices) that impact the availability of each option for foster youth; and (6) CFSA's procedures for informing youth and their attorneys of (1) through (5). Further, we ask the Committee to require CFSA to publicly report each year: how many youth are aging out, how many youth were informed of their housing options, how many youth sought or applied for each of the various options; how many youth were successful in obtaining the resources they sought; and reasons why youth were unsuccessful in obtaining the resources they sought.

It is our hope that with more attention and increased transparency in this critical area, older youth and their advocates will be better equipped to gain access to FUP vouchers and other housing resources – and CFSA and the Council will have a better understanding of where the systemic obstacles lie and take steps to effectively resolve them.

Conclusion

Thank you for the opportunity to testify today. I welcome any questions the Committee may have.

¹ Children’s Law Center fights so every child in DC can grow up with a stable family, good health, and a quality education. Judges, pediatricians, and families turn to us to advocate for children who are abused or neglected, who aren’t learning in school, or who have health problems that can’t be solved by medicine alone. With more than 100 staff and hundreds of pro bono lawyers, we reach 1 out of every 9 children in DC’s poorest neighborhoods – more than 5,000 children and families each year. And, we multiply this impact by advocating for city-wide solutions that benefit all children.

² Children’s Law Center attorneys represent children who are the subject of abuse and neglect cases in DC’s Family Court. CLC attorneys fight to find safe homes and ensure that children receive the services they need to overcome the trauma that first brought them into the child welfare system. DC Children’s Law Center, *Who We Are*, available at: <https://childrenslawcenter.org/who-we-are/>. The term “protective supervision” means a legal status created by Division order in neglect cases whereby a minor is permitted to remain in his home under supervision, subject to return to the Division during the period of protective supervision. D.C. Code § 16-2301(19).

³ U.S. Department of Housing and Urban Development, *Family Unification Program (FUP)*, available at: [https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/family#:~:text=The%20Family%20Unification%20Program%20\(FUP,%2Dof%2Dhome%20care%2C%20or.](https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/family#:~:text=The%20Family%20Unification%20Program%20(FUP,%2Dof%2Dhome%20care%2C%20or.)

⁴ B24-0857, *Preserving Our Kids’ Equity Through Trusts (POKETT) Amendment Act of 2022*, Sec. 2, Sec. 312(a), (b)(1), lines 38-48.

⁵ *Id.* at Sec. 2, Sec. 312(a), lines 38-44.

⁶ *Id.* at Sec. 2, Sec. 312(b)(1), (b)(2), lines 45-71.

⁷ Maren K. Dale, *Addressing the Underlying Issue of Poverty in Child-Neglect Cases*, American Bar Association, April 10, 2014, available at:

<https://www.americanbar.org/groups/litigation/committees/childrens-rights/articles/2014/addressing-underlying-issue-poverty-child-neglect-cases/>. Nicole L. Kovski, Heather D. Hill, et. al., *Short-Term Effects of Tax Credits on Rates of Child Maltreatment Reports in the United States*, American Academy of Pediatrics, Volume 15, Issue 1, June 6, 2022, <https://doi.org/10.1542/peds.2021-054939>. Bipartisan Advocates United

to Keep Families Together, *Family Poverty is Not Neglect*, available at:

<https://www.unitedfamilyadvocates.org/family-poverty-is-not-neglect>.

⁸ The District of Columbia Citizen Review Panel for Child Abuse and Neglect, *District of Columbia Child and Family Services Agency: Preparing Older Youth for Independence*, (October 2021), available at:

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Tami Weerasingha-Cote, Children’s Law Center, Testimony Before the District of Columbia Committee on Human Services, (February 25, 2021), available at: https://childrenslawcenter.org/wp-content/uploads/2021/07/TWeerasingha-Cote_Childrens-Law-Center-Testimony-for-Feb.-25-2021-CFSA-Oversight-Hearing_FINAL.pdf

⁹ U.S. Department of Health & Human Services, Children’s Bureau, *Title IV-E Care Eligibility Reviews Fact Sheet*, available at: <https://www.acf.hhs.gov/cb/fact-sheet/title-iv-e-foster-care-eligibility-reviews-fact-sheet>.

¹⁰ The SSA benefits encompassed by the POKETT Act appear to include several different types of SSA benefit programs. To the best of our understanding, some benefit types – including survivor’s benefits and retirement benefits – are not income-based and are therefore unaffected by Title IV-E payments. SSI benefits, however, are impacted by income, including Title IV-E funding – and as we understand it, these are the SSA benefits children in care are most likely to be eligible for. This understanding is based on conversations with various benefits experts and our own experiences – but can only be ascertained by analyzing relevant data for all children in CFSA’s care, which we do not have access to.

¹¹ Congressional Research Service, *Children in Foster Care and Social Security Administration Benefits: Frequently Asked Questions*, (November 23, 2021), p. 21, available at:

<https://crsreports.congress.gov/product/pdf/R/R46975>.

¹² Congressional Research Service, *Children in Foster Care and Social Security Administration Benefits: Frequently Asked Questions*, (November 23, 2021), available at:

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<http://www.ocfs.state.ny.us/main/publications/eligibility/29%20A%20Guide%20to%20SSI.pdf>.

¹³ In proposing the POKETT Act, DC joins six other jurisdictions that have introduced or passed such legislation, including Illinois, Maryland, Minnesota, Nebraska, Philadelphia, and Texas. Additionally, federal legislation has been introduced but not passed, titled, Protecting Foster Youth Resources to Promote Self-Sufficiency Act (H.R. 7296). The POKETT Act's complete prohibition of CFSA using SSA benefits to pay for a child's care is far stricter than requirements introduced or passed in other jurisdictions. DC's proposed complete prohibition sets its legislation apart from other jurisdictions, except for Minnesota and H.R. 7296. *See* H.F. 3211, 92 Leg., 92nd. Sess. (Minn. 2022); Protecting Foster Child Resources to Promote Self-Sufficiency Act, H.R. 7296, 115th Cong. (2018). Maryland, Illinois, Nebraska, Philadelphia, and Texas allow for some, but not all, of a child's benefits to be used by the department in certain situations. *See* S.B. 291, Reg. Sess. (Md. 2018) (allows the department to use "the benefits for services for special needs not otherwise provided by the department."); S.B. 3470, 102nd General Assemb. (Ill. 2022) ("address the child's special needs"); L.B. 932, 107 Leg., 2nd Sess. (Neb. 2022) ("for the child's needs or for services when funding is not otherwise available for the department"); B. 220239 (Phila. 2022) ("using the benefits for services or needs not otherwise provided by the Department or covered by health insurance (e.g., disability aids, a car, or tools of the trade for youth"); H.B. 4244, 87 Leg. (Tex. 2021) ("benefits to pay for the child's special needs not otherwise provided by the department if the department determines it is in the best interest of the child"). These jurisdictions likely do not require all funds to be conserved because they do not want to or cannot adequately replace them with local dollars. We are pleased to see DC take a stronger position on conserving funds for children, but caution this approach must be fully funded.

¹⁴The average processing time for initial disability cases has gone up every year since 2016 according to data published by the Social Security Administration, Social Security Administration (SSA) Annual Data for Initial Disability Cases Involving the Processing Centers Average Processing Time, (2021), available at: <https://www.ssa.gov/open/data/program-service-centers.html>. *See also* *Survey Statistics: How Long Does It Take to Get Approved for Social Security Disability Benefits*, Disability Secrets, (May 5, 2022), available at: <https://www.disabilitysecrets.com/resources/how-long-does-it-take-to-get-disability.html>; Lorie Konish, 'You're on hold forever.' Social Security applicants complain about agency's long waits, CNBC, (February 17, 2022), available at: <https://www.cnbc.com/2022/02/16/social-security-beneficiaries-applicants-complain-about-long-waits.html>; Michelle Andrews, *5 Ways to Beat the Social Security Bureaucracy*, AARP (March 3, 2022), available at: <https://www.aarp.org/retirement/social-security/info-2022/customer-service-complaints-and-improvements.html>.

¹⁵ From 2010-2019, "the final award rate for disabled-worker applicants has varied over time, averaging 31 percent for claims filed from 2010 through 2019. The percentage of applicants awarded benefits at the initial claims level averaged 21 percent over the same period and ranged from a high of 23 percent to a low of 20 percent. The percentages of applicants awarded at the reconsideration and hearing levels have averaged 2 percent and 8 percent, respectively. Denied disability claims have averaged 67 percent." *See* Social Security Office of Retirement and Disability Policy, *Annual Statistics Report on the Social Security Insurance Program, 202, Outcomes of Applications for Disability Benefits*, (2020), available at: https://www.ssa.gov/policy/docs/statcomps/di_asr/2020/sect04.html. *See also* Joyce Trudeau, *Does Social Security Disability Deny Everyone the First Time They Apply?*, NOLO, (January 20, 2022), available at: <https://www.disabilitysecrets.com/does-social-security-deny-you-the-first-time-you-apply-for-disability.html>.

¹⁶ Congressional Research Service, *Children in Foster Care and Social Security Administration Benefits: Frequently Asked Questions*, (November 23, 2021), p. 21, available at: <https://crsreports.congress.gov/product/pdf/R/R46975>.

¹⁷ B24-0857, *Preserving Our Kids' Equity Through Trusts (POKETT) Amendment Act of 2022*, Sec. 2, Sec. 312(b)(1), (b)(2)(A)-(F), lines 45-71.

¹⁸ B24-0857, *Preserving Our Kids' Equity Through Trusts (POKETT) Amendment Act of 2022*, Sec. 2, Sec. 313(a), lines 138-140.

¹⁹ We understand that in these cases – where the child is not in foster care – the agency cannot serve as the representative payee. We believe, however, the agency can provide a significant service to these families (as well as further its own prevention goals) by supporting families through the application process, and serving as a resource how best to conserve and utilize these funds on behalf of the children in their care.

²⁰ B24-0857, *Preserving Our Kids' Equity Through Trusts (POKETT) Amendment Act of 2022*, Sec. 2, Sec. 312(c)(1)-(4), lines 75-84.

²¹ *Id.* at Sec. 2, Sec. 312(b)(3), lines 72-74.

²² *Id.* at Sec. 2, Sec. 312(f), lines 98-99.

²³ The District of Columbia Citizen Review Panel for Child Abuse and Neglect, *District of Columbia Child and Family Services Agency: Preparing Older Youth for Independence*, (October 2021), available at:

[https://storage.googleapis.com/wzukusers/user-](https://storage.googleapis.com/wzukusers/user-34522953/documents/9c5c613fde3e4587a34cb0cc58ed862d/CRP%20Older%20Youth%20Report_Final.pdf)

[34522953/documents/9c5c613fde3e4587a34cb0cc58ed862d/CRP%20Older%20Youth%20Report_Final.pdf](https://storage.googleapis.com/wzukusers/user-34522953/documents/9c5c613fde3e4587a34cb0cc58ed862d/CRP%20Older%20Youth%20Report_Final.pdf);

Tami Weerasingha-Cote, Children's Law Center, Testimony Before the District of Columbia Committee on Human Services, (February 25, 2021), available at: https://childrenslawcenter.org/wp-content/uploads/2021/07/TWeerasingha-Cote_Childrens-Law-Center-Testimony-for-Feb.-25-2021-CFSA-Oversight-Hearing_FINAL.pdf.

²⁴ *Id.*

²⁵ In FY2021, CFSA only reported the employment status on 13 of the 14 youth who aged out in that year. In FY2021, there were technically 40 youth who aged out in FY2021, but 26 of these youth spent time in care past their 21st birthday due to the temporary extension of care during the public health emergency. CFSA only reported on the 14 youth who were not in extended care when they reported on employment and anticipated living arrangements in FY2021. CFSA Performance Oversight Responses, response to Q144(a), (c), and (d), available at: <https://dccouncil.gov/wp-content/uploads/2022/02/FY21-22-CFSA-Performance-Oversight-Prehearing-Questions-Responses-Final.pdf>.

²⁶ CFSA Performance Oversight Responses, response to Q144(c), available at: <https://dccouncil.gov/wp-content/uploads/2022/02/FY21-22-CFSA-Performance-Oversight-Prehearing-Questions-Responses-Final.pdf>.

²⁷ *Id.* at Q144(d)

²⁸ *Id.*

²⁹ *Id.*

³⁰ CFSA Performance Oversight Responses, response to Q146(e), available at: <https://dccouncil.gov/wp-content/uploads/2022/02/FY21-22-CFSA-Performance-Oversight-Prehearing-Questions-Responses-Final.pdf>.