

January 8, 2020

The Honorable Mitch McConnell  
Senate Majority Leader  
United States Senate  
Washington, DC 20510

The Honorable Charles Schumer  
Senate Minority Leader  
United States Senate  
Washington, DC 20510

The Honorable John Thune  
Majority Whip  
United States Senate  
Washington, DC 20510

The Honorable Richard Durbin  
Minority Whip  
United States Senate  
Washington, DC 20510

Dear Senate Leadership:

In the past, an important hallmark of the Senate has been its ability to work on a bipartisan basis to reach agreement on major important problems facing the nation and its future. At this moment in time, there are a number of critical challenges facing our nation's children that the Senate should address. Children should not be treated as an afterthought. The best interest of children should be bipartisan and something that is in all of our interest. Children are our future. Unfortunately, here are areas in which we are currently failing our children:

- Rising Uninsured Children: After two full decades of decline since the enactment of the Children's Health Insurance Program (CHIP) in 1997, the uninsured rate has grown for each of the last two years, including by more than 10 percent in 2018.<sup>1</sup>
- High Child Poverty: Although child poverty has been dropping in recent years, 11.9 million children (16.2 percent) lived in poverty in 2018, which is 54 percent higher than for adults.<sup>2</sup> The U.S. rate for child poverty is the 2<sup>nd</sup> highest among 29 developed countries with rates highest among the youngest and most vulnerable children. A landmark report from the National Academy of Sciences, Engineering, and Medicine released last year estimates that child poverty is costing the nation over \$1 trillion annually.<sup>3</sup>
- Rising Child Suicide Rates: The suicide rate nearly tripled for children aged 10-14 from 2007 to 2017 and increased 76 percent for people aged 15-19. Suicide is now the 2<sup>nd</sup> leading cause of death for children in both age groups.<sup>4</sup>
- Increasing Child Abuse and Neglect: After years of decline, there has been a 10 percent rise in the number of children placed in foster care largely due to increased levels of substance use, including but

<sup>1</sup> Berchick, Edward and Laryssa Mykyta, "Children's Public Health Insurance Coverage Lower than in 2017," U.S. Census Bureau, Sept. 10, 2019.

<sup>2</sup> Semega, Jessica, Melissa Kollar, John Creamer, and Abinash Mohanty, "Income and Poverty in the United States: 2018," U.S. Census Bureau, Sept. 2019.

<sup>3</sup> National Academy of Sciences, Engineering, and Medicine, *A Roadmap to Reducing Child Poverty*, The National Academies Press, 2019.

<sup>4</sup> Curtin, Sally C. and Melonie Heron, "Data Rates Due to Suicide and Homicide Among Persons 10-24: United States, 2000-2017, National Center for Health Statistics, Oct. 2019.

not limited to opioids.<sup>5</sup> Furthermore, between FY 2013 and 2017, the fatality rate for children from abuse and neglect increased by 11 percent.<sup>6</sup>

- **High Infant Mortality:** The U.S. rate remains far higher than in comparable countries based on Gross National Product (GNP). According to the Peterson Center on Healthcare and Kaiser Family Foundation, the U.S. infant mortality rate is 71 percent higher than in comparable European nations.<sup>7</sup>
- **High Rates of Food Insecurity:** In 2017, 12.5 million children lived in food-insecure households, according to the U.S. Department of Agriculture. The Department's report finds "food security to be statistically associated with various outcomes involving health, nutrition, and children's development...."<sup>8</sup>
- **Rising Student Homelessness:** The number of identified and enrolled students reported as experiencing homelessness at some point during the school year to the U.S. Department of Education increased 7.3 percent, from 1.26 million students in school year 2014-2015 to 1.36 million students in school year 2016-2017.<sup>9</sup>
- **Increasing Number of School Shootings:** The number of school shootings spiked to record highs in 2018 and 2019 – more than five times the rate of a decade ago.<sup>10</sup>
- **Declining Federal Investments in Children:** The share of investments in children has declined from 7.98 percent in FY 2015 to 7.21 percent in FY 2019 of the federal budget. The President's FY 2019 budget proposal elimination of 44 children's programs and real cuts of \$20 billion in spending on children would have caused funding for children to drop to just 6.45 percent of the federal budget.<sup>11</sup>

As Maya MacGuineas of the Committee for a Responsible Federal Budget said, "Despite the needs of the youngest population and the economic benefits of investing in future generations, federal spending on children comprises a startlingly small and declining share of the federal budget."<sup>12</sup>

We can and must do better for our children.

America has been built around the notion of the "American Dream" and the belief that our country has always overcome hard challenges and always made things better for our kids. However, in a 2019 NBC News/Wall Street Journal, 67 percent of Americans said they do not feel confident that their children will have a better life than they do.<sup>13</sup> Two-thirds of Americans no longer believe the notion of the "American Dream" will be there for the next generation.

To address this, in a 2018 election eve poll, voters expressed overwhelmingly bipartisan support (87-8 percent overall and 77-14 percent among Republicans) for a "best interest of the child standard" that "makes the protection and safety of children the first priority" in federal policymaking.<sup>14</sup> As Jennifer Nagda and Maria Woltjen explain, "The 'best interests of the child' standard is a hallmark of U.S. child protection laws. The

<sup>5</sup> Radal, Laura, et al, "Substance Abuse, the Opioid Epidemic, and the Child Welfare System: Key Findings from a Mixed Methods Study," ASPE Research Brief, Mar. 7, 2018.

<sup>6</sup> U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau, *Child Maltreatment 2017*, 2019.

<sup>7</sup> Kamal, Rabah, Julie Hudman, and Daniel McDermott, "What do we know about infant mortality in the U.S. and comparable countries?" Peterson-KFF Health System Tracker, Oct. 18, 2019.

<sup>8</sup> Coleman-Jensen, Alisha, Matthew P. Rabbitt, Christian A. Gregory, and Anita Singh. "Household Food Security in the United States in 2017," U.S. Department of Agriculture, Economic Research Service, Sep. 2018.

<sup>9</sup> National Center for Homeless Education, "Federal Data Summary: School Years 2014-15 to 2016-17," Feb. 2019.

<sup>10</sup> Center for Homeland Defense and Security, "K-12 School Shooting Database," database accessed at <https://www.chds.us/ssdb/category/shooting-incidents/> on Jan. 2, 2020.

<sup>11</sup> First Focus on Children, *Children's Budget 2019*, Sep. 2019.

<sup>12</sup> MacGuineas, Maya, "Federal budget increasingly tilted against our children," *The Hill*, Mar. 9, 2018.

<sup>13</sup> Chinni, Dante, "30 Years of NBC/WSJ Polling Shows Nation's Growing Divide," *NBC News*, Dec. 15, 2019.

<sup>14</sup> Lake Research Partners and The Tarrance Partners, Election Eve/Night Omnibus Survey, Nov. 4-6, 2018.

laws of all 50 states require consideration of a child’s best interests in any decision ‘about a child’s custody or other critical life issues.’”<sup>15</sup>

If we wish to ensure a better future for our children, critical issues related to a child’s health, safety, well-being, family, liberty, and development should be important considerations in public policymaking.<sup>16</sup>

Children may be just one-quarter of the population, but they are all of our future. In the face of worsening outcomes for children in a number of areas and growing concern about the future of the next generation, there are a number of bipartisan and common sense measures that the Senate should consider in addressing these critical issues facing our kids.<sup>17</sup>

## Children’s Health Care

- **H.R. 2507, the Newborn Screening Saves Lives Reauthorization Act of 2019** by Reps. Lucille Roybal-Allard (D-CA), Michael Simpson (R-ID), Katherine Clark (D-MA), and Jaime Herrera Beutler (R-WA) would improve newborn and child screening and follow-up for heritable disorders. The legislation passed the House by voice vote on July 24, 2019.
- **H.R. 4996, Helping Medicaid Offer Maternity Services Act of 2019 or the Helping MOMS Act of 2019** by Reps. Robin Kelly (D-IL), Michael Burgess (R-TX), Lauren Underwood (D-IL), Cathy McMorris Rodgers (R-WA), Ayanna Pressley (D-MA), and Earl “Buddy” Carter (R-GA) would provide for a State option under Medicaid and the Children’s Health Insurance Program (CHIP) to provide for and extend continuous coverage for pregnant and postpartum women.
- **Make CHIP Permanent:** The Children’s Health Insurance Program (CHIP) has the unfortunate distinction of being the only federal health insurance program that is temporary and must be constantly reauthorized (five extensions or reauthorizations of CHIP between 2007 and 2018), which creates out-year funding cliffs and puts the health coverage of 8 million children at repeated risk, as it did when CHIP effectively expired for four months between Sept. 2017 and Jan. 2018. At the present time, an extension of CHIP would save the federal government billions of dollars in the out-years, according to the Congressional Budget Office (CBO).<sup>18</sup> We urge Congress to make CHIP permanent, just as was done for Medicare physician payments, so that the health care of children is never again left in limbo, their health coverage threatened, and the program’s future used as a legislative bargaining chip for unrelated political agendas.<sup>19</sup>
- **H.R. 2339, Reversing the Youth Tobacco Epidemic Act of 2019** by Rep. Frank Pallone (D-NJ) would protect children and youth from the marketing and sale of tobacco products and reduce nicotine addiction among children and youth. Although Congress took action to increase the age of tobacco use to 21 in December, this legislation would improve upon recent steps by the Administration to address the rapidly growing crisis of youth nicotine use and addiction caused by vaping.

<sup>15</sup> Nagda, Jennifer and Maria Woltjen, “Best Interests of the Child Standard,” *Big Ideas 2015 – Pioneering Change: Innovative Ideas for Children and Families*, First Focus, 2015.

<sup>16</sup> First Focus Campaign for Children, *Proactive Kids Agenda: How to Create Lasting, Positive Change in the Lives of Children and Families During the 116<sup>th</sup> Congress*, Jan. 2019.

<sup>17</sup> The bills cited in this letter are not intended to be an exhaustive list, as there are a number of other critically important bills before the Congress with respect to children’s issues. Instead, these proposals are examples of bipartisan and common sense legislative measures that deserve immediate consideration.

<sup>18</sup> Congressional Budget Office, “Extending Funding for the Children’s Health Insurance Program for 10 Years,” Jan. 11, 2018. As CBO explains, “Extending funding for CHIP for 10 years yields net savings to the federal government because the federal costs of the alternatives to providing coverage through CHIP (primarily Medicaid, subsidized coverage in the marketplaces, and employment-based insurance) are larger than the costs of providing coverage through CHIP during that period.”

<sup>19</sup> Lesley, Bruce, “CHIP Needs Long-Term, Permanent Stability. . .NOW!”, Jan. 17, 2018.

## Child Poverty

- **Child Poverty Reduction Act:** The National Academy of Sciences, Engineering, and Medicine issues a landmark report earlier this year that highlighted the fact that child poverty is costing our nation over \$1 trillion annually and recommended a number of pathways to cut child poverty in half over a 10-year period.<sup>20</sup> The Child Poverty Reduction Act was introduced by Sen. Bob Casey (D-PA) and Rep. Danny Davis (D-IL) in the previous Congress and would take an important step in addressing this problem by establishing a child poverty target for this nation to achieve, just as a number of other countries such as the United Kingdom and Canada have successfully done.

## Early Childhood

- **S. 749/H.R. 1696, the Promoting Affordable Childcare for Everyone Act or PACE Act** by Sens. Angus King (I-ME), Richard Burr (R-NC), Susan Collins (R-ME), Kyrsten Sinema (D-AZ), and Jacky Rosen (D-NV) and Reps. Stephanie Murphy (D-FL) and Jason Smith (R-MO) would make improvements in the Child and Dependent Care Tax Credit and increases the amount of employer-provided dependent care assistance that may be excluded from the gross income of the employee.
- **S. 568/H.R. 1364, Child Care for Working Families Act** by Sens. Patty Murray (D-WA), Bob Casey (D-PA), and Mazie Hirono (D-HI) and Rep. Bobby Scott (D-VA), a comprehensive early learning and child care bill that would ensure affordable, high-quality child care for middle class families and support the childcare workforce.

## Child Welfare

- **S. 1697/H.R. 3057, Immediate Coverage for Former Foster Youth Act** by Sen. Bob Casey (D-PA) and Rep. Karen Bass (D-CA) would make a technical change that provides for immediate eligibility for former foster youth under Medicaid rather than having to wait until 2023.
- **H.R. 2480, Stronger Child Abuse Prevention and Treatment Act** by Reps. Kim Schrier (D-WA), James Comer (R-KY), Lori Trahan (D-MA), Dusty Johnson (R-SD), Suzanne Bonamici (D-OR), Elise Stefanik (R-NY), Bobby Scott (D-VA), and Virginia Foxx (R-NC) would reauthorize the Child Abuse Prevention and Treatment Act (CAPTA). The legislation passed the House by voice vote on May 20, 2019.
- **S. 789/H.R. 1724, Higher Education Access and Success for Homeless and Foster Youth Act** by Sens. Patty Murray (D-WA) and Rob Portman (R-OH) and Reps. Katherine Clark (D-MA), Don Young (R-AK), and James Langevin (D-RI) would improve the financial aid process for homeless and foster care youth.
- **S. 1009/H.R. 2076, Early Detection to Stop Infant Abuse and Prevention Fatalities Act** by Sens. Tammy Baldwin (D-WI) and Bill Cassidy (R-LA) and Reps. Kim Schrier (D-WA) and Steve Stivers (R-OH) to establish a demonstration program to improve early detection and management of injuries indicative of potential abuse infants in order to prevent future cases of child abuse and related fatalities.
- **S. 1770/H.R. 3180, RISE from Trauma Act** by Sens. Richard Durbin (D-IL), Shelley Moore Capito (R-WV), Tammy Duckworth (D-IL), and Lisa Murkowski (R-AK) and Reps. Danny Davis (D-IL) and Mike Gallagher (R-WI) to improve the identification and support of children and families who experience trauma.
- **H.R. 4259, Schools Preventing Hunger in At-Risk Kids Act** by Reps. Susan Wild (D-PA), Aumua Amata Coleman Radewagen (R-AS), Don Bacon (R-NE), Gwen Moore (D-WI), Donald Payne (D-NJ), and Brian Fitzpatrick (R-PA) would provide categorical eligibility for free lunch and breakfast for certain children in kinship care.

<sup>20</sup> National Academy of Sciences, Engineering, and Medicine, 2019.

## Child and Family Tax Policy

- **Improving the Child Tax Credit:** A bipartisan proposal by Sens. Michael Bennet (D-CO) and Mitt Romney (R-UT) would make important improvements to the Child Tax Credit that would reform the existing Child Tax Credit and create a new Young Child Tax Credit. These provisions would significantly reduce child poverty. Sens. Bennet and Sherrod Brown have also introduced related bills (**S. 960, the American Family Act, and S. 1138, the Working Families Tax Relief Act**) that have significant support and improve the Child Tax Credit in this Congress.
- **H.R. 302, Child Tax Credit Equity for Puerto Rico Act of 2019:** This bill by Reps. Jenniffer Gonzalez-Colon (R-PR), Jose Serrano (D-NY), Sean Duffy (R-WI), and Brian Fitzpatrick (R-PA) would modify the rules for the refundable portion of the child tax credit to allow residents of Puerto Rico to claim the refundable portion of the child tax credit on the same basis as U.S. taxpayers and allow residents of Puerto Rico with one or two children to claim the refundable portion of the credit on the same basis as residents with three or more children.

## Children in the Federal Budget

- **S. 1776, the Children's Budget Act** by Sens. Robert Menendez (D-NJ), Kamala Harris (D-CA), and Bob Casey (D-PA) would simply require that federal children's programs be separately displayed and analyzed in the President's budget. Presidents and Congress should be made fully aware how an Administration's budget proposals will impact children.
- **S. 1780, the Focus on Children Act** by Sens. Kamala Harris (D-CA), Robert Menendez (D-NJ), and Bob Casey (D-PA) provide for studies and reports by CBO relating to the impact of legislation on spending on children. This gives Congress improved information about how legislation it is considering and has passed will impact investments in children.

## Domestic Child Well-Being

- **Creation of an Independent Children's Commissioner:** The creation of an independent Children's Commissioner has a proven track record in nations all across the world, as the role of children's commissioner has been established in more than 40 countries, among them the UK, Sweden, and New Zealand. The core responsibilities of such an office would include research, legislative and regulatory child impact analysis, awareness raising, and the promotion of the best interest of children. A Children's Commissioner could examine policy choices, issue reports, and make recommendations to Congress and federal agencies on ways to coordinate their efforts and build on best practices, research, and lessons learned with respect to the impact of proposed policies on children.

## Child Nutrition

- **S. 1119/H.R. 2311, the Anti-Lunch Shaming Act of 2019** by Sens. Tom Udall (D-NM), Susan Collins (R-ME), Bob Casey (D-PA), and Cory Gardner (R-CO) and Reps. Debra Haaland (D-NM), Rodney Davis (R-IL), Rosa DeLauro (D-CT), Ben Ray Lujan (D-NM), Gwen Moore (D-WI), and Brian Fitzpatrick (R-PA) that would prohibit the stigmatization of children who are unable to pay for school meals.
- **S. 1908/H.R. 2818, Summer Meals Act of 2019** by Sens. Kristen Gillibrand (D-NY) and Lisa Murkowski (R-AK) and Reps. Don Young (R-AK) and Rick Larsen (D-WA), **S. 1918, Hunger-Free Summer for Kids Act of 2019** by Sens. John Boozman (R-AR), Patrick Leahy (D-VT), Mitch McConnell (R-KY), Sherrod Brown (D-OH), Cindy Hyde-Smith (R-MS), Michael Bennet (D-CO), and John Hoeven (R-ND), and **S. 1941, the Child Summer Hunger Act of 2019** by Sen. Patty Murray (D-WA) would improve the efficiency and delivery of summer food programs to improve nutrition and reduce hunger for children.

- **S. 2358, Wise Investment in Children Act of 2019** by Sens. Bob Casey (D-PA) and Susan Collins (R-ME) to increase the age of eligibility for children and to extend the postpartum period for breastfeeding women to receive WIC benefits.
- **H.R. 5249, Supporting Healthy Mothers and Infants Act of 2019** by Reps. David Trone (D-MD), Glenn Thompson (R-PA), Ann Kuster (D-NH), and Brett Guthrie (R-KY) to modify WIC in order to support women, infants, and children impacted by substance use disorder.

### Housing and Homelessness

- **H.R. 2001, the Homeless Children and Youth Act** by Reps. Steve Stivers (R-OH) and Dave Loebsack (D-IA) would make the definition of homelessness for children under the McKinney-Vento Act for the Department of Housing and Urban Development as it is for the Department of Education. A companion bipartisan bill by Sens. Dianne Feinstein (D-CA) and Rob Portman (R-OH) was introduced in the last Congress and is expected to be introduced in the near future.
- **S. 2803/H.R. 4300/H.R. 2557, Fostering Stable Housing Opportunities Act of 2019** by Sens. Sherrod Brown (D-OH) and Chuck Grassley (R-IA) and Reps. Madeleine Dean (D-PA), Michael Turner (R-OH), Karen Bass (D-CA), and Steve Stivers (R-OH) to provide priority under certain federally assisted housing programs to assist youths who are aging out of foster care. This bill codifies steps taken by HUD to improve access to housing for former foster youth and H.R. 4300 was passed out of the House by voice vote on November 18, 2019.
- **S. 767/H.R. 4865, Housing for Homeless Students Act** by Sens. Rob Portman (R-OH), Sherrod Brown (D-OH), and Angus King (I-ME) and Reps. Danny Davis (D-IL) and Brad Wenstrup (R-OH) would modify the low-income housing tax credit to allow certain low-income building units that provide housing for homeless youth and veterans who are full-time students to qualify for the credit.
- **S. 2916/H.R. 5191, Runaway and Homeless Youth and Trafficking Prevention Act of 2019** by Sens. Patrick Leahy (D-VT) and Susan Collins (R-ME) and Reps. John Yarmuth (D-KY), Don Bacon (R-NE), Jahana Hayes (D-CT), and Pramila Jayapal (D-WA) to reauthorize and improve the Runaway and Homeless Youth Act.

### International Child Well-Being

- **S. 2715/H.R. 4864, the Global Child Thrive Act of 2019** by Sens. Roy Blunt (R-MO) and Christopher Coons (D-DE) and Reps. Joaquin Castro (D-TX) and Brian Fitzpatrick (R-PA) would advance early childhood development and provide assistance for orphans and other vulnerable children in developing countries.

### Children of Immigrants

- **H.R. 6, the American Dream and Promise Act** by Rep. Lucile Roybal-Allard (D-CA) would codify the DREAM Act and adjust the status of certain people who arrived in this country under temporary protected status or deferred enforced departure. The bill passed the House on a bipartisan basis by a vote of 237-187 on June 4, 2019. A related bipartisan Senate bill is **S. 874, the Dream Act of 2019** by Sens. Richard Durbin (D-IL) and Lindsey Graham (R-SC).
- **H.R. 3239/S. 2135, Humanitarian Standards for Individuals in Customs and Border Protection Custody Act** by Rep. Raul Ruiz (D-CA) and Sens. Tom Udall (D-NM), Sherrod Brown (D-OH), and Martin Heinrich (D-NM) would improve some of the fundamental health care and nutrition issues facing children in immigration detention facilities along the U.S.-Mexico border. The legislation passed the House by a 233-195 vote on July 24, 2019.

A recent report entitled *The New Importance of Children* by Dowell Myers at USC calls for the development of a new intergenerational compact. Senior citizens, particularly those who are lawmakers, must understand that it is in their self-interest for young people to be successful.

As Myers explains, “What has changed in the 21st century is that our rapidly aging society will combine with a languishing number of children to place an unprecedented premium on the success of the children we are raising now. Nurturing their full capabilities is crucial to the self-interest of both young and old... Absent healthy and well-educated children, it will not be possible to fulfill our promises of broad support for older citizens, or for the public at large, and our country will fall behind others in its ability to produce and lead.”<sup>21</sup>

Now, more than ever, we must do better by children – no matter their race, gender, disability, family income, religion, sexual orientation, or immigration status. We urge you to take up and pass these bipartisan and common sense bills to improve the lives and well-being of children. Thank you for your consideration.

Sincerely,



Bruce Lesley  
President

<sup>21</sup> Myers, Dowell, *The Importance of Children in America*, The Lucile Packard Foundation for Children’s Health and Children’s Hospital Association (CHA), Oct. 2017.