

legislation before us, S. 735, which Senators BAUCUS and GRASSLEY introduced in the Senate and worked to pass earlier this month.

I encourage all Members to support this important legislation so it can be signed into law as quickly as possible.

APRIL 15, 2009.

Hon. CHARLES RANGEL, *Chairman*,
Hon. DAVE CAMP, *Ranking Member*,
Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR REPRESENTATIVES RANGEL AND CAMP: On behalf of the American Public Human Services Association (APHSA) and its affiliate the National Association of Public Child Welfare Administrators (NAPCWA), we applaud and support your efforts to fix the incentive program for states that increase their numbers of adoptions from foster care and support H.R. 1840.

As you know, the adoption incentive program, originally part of the Adoption and Safe Families Act of 1997 (P.L. 105-89), was reauthorized in the previous Congress through the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351). States perform well when provided with incentives. Between 1998 and 2006, states received approximately \$211 million in incentive bonuses for increasing the number of children adopted from foster care. During the same time period, nearly half a million children were adopted from state custody. Today, the waiting child population tends to have higher special needs and may pose challenges for caseworkers to find families willing to adopt them.

The reauthorizing language reset the base number of adoptions a state needs to finalize to earn an incentive bonus to FY 2007. For each child adopted above that baseline, a state will continue to receive \$4,000. Recognizing that older children and children with special needs may be more difficult to place in adoptive homes, Congress improved the bonus awards. The incentive amount for adopted children nine or older increased from \$4,000 to \$8,000 and adopted special needs children increased from \$2,000 to \$4,000. For the first time, Congress also added an increased rate of adoptions bonus for states. To earn this bonus, states must achieve a "foster care adoption rate" that exceeds its previous "highest ever foster child adoption rate" back to 2002 adoption numbers. Moreover, states now have 24 months to spend incentive funds on any Title IV-E and IV-B programs.

These were significant improvements to the program that would help many children languishing in foster care find permanent loving homes with adoptive families. However, due to an oversight, the recent Omnibus 2009 Appropriations Act (P.L. 111-8) changed the adoption incentive program back to pre-Fostering Connections. Prior to the reset of the baseline, many states were unable to reach continued higher goals of finalized adoptions and the numbers of children waiting to be adopted were starting to decline in many states.

On behalf of those that work so diligently to find homes for waiting children, we thank you for fixing this oversight. You are true champions for our nation's most vulnerable children.

Sincerely,

JERRY FRIEDMAN,
Executive Director.

AMERICAN HUMANE,
Alexandria, VA, April 27, 2009.

Re HR 1840—Protecting Incentives for the Adoption of Children with Special Needs Act of 2009.

Hon. CHARLES RANGEL, *Chairman*,
Hon. DAVE CAMP, *Ranking Member*,
Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR REPRESENTATIVES RANGEL AND CAMP: American Humane supports HR 1840, the Pro-

tecting Incentives for the Adoption of Children with Special Needs Act of 2009, which would ensure that States receive adoption incentive payments for fiscal year 2008 in accordance with the Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351).

American Humane is a national, non-partisan membership organization that was founded in 1877 to protect the welfare of children and animals. Our support for the Protecting Incentives for the Adoption of Children with Special Needs Act reflects an over 100-year history of progressively advocating at the federal, state and local levels for laws that protect children and animals from abuse and neglect.

The Fostering Connections to Success and Increasing Adoptions Act of 2008 reset the base number of adoptions a state needs to finalize to earn an incentive bonus to FY 2007. Recognizing that older children and children with special needs may be more difficult to place in adoptive homes, Congress improved the bonus awards. Congress also added an increased rate of adoptions bonus for states. To earn this bonus, states must achieve a "foster care adoption rate" that exceeds its previous "highest ever foster child adoption rate" back to 2002 adoption numbers.

However, due to an oversight, the recent Omnibus 2009 Appropriations Act (P.L. 111-8) changed the adoption incentive program back to pre-Fostering Connections. HR 1840 will restore the reset of the baseline to help give more children permanent homes.

Thank you for your leadership on such an important issue. We look forward to continuing to work with you. Please do not hesitate to contact Patty Chávez, Legislative Analyst, if we can be of further assistance.

Sincerely,

ALLIE PHILLIPS,
Director of Public Policy.

PATTY CHÁVEZ,
Legislative Analyst.

Mr. CAMP. Mr. Speaker, I am pleased to support S. 735, the "Protecting Incentives for the Adoption of Children with Special Needs Act of 2009."

Throughout my time in Congress, I have built on the lessons I learned working as an attorney helping families with their adoption proceedings. As a Member of the Committee on Ways and Means, I have been privileged to continue working on these issues, helping parents adopt children and form loving families. I am still impressed with the number of individuals, organizations, and legislators interested in the well-being and development of children and in encouraging more families to take in and adopt children in foster care.

Congress has made important strides improving the adoption process, by enacting my legislation, the Adoption and Safe Families Act, in 1997, followed by the Adoption Promotion Act in 2003. Additionally, just last fall I was pleased to support the Fostering Connections to Success and Increasing Adoptions Act of 2008, which was enacted with bipartisan and bicameral support. The legislation further encouraged adoptions from foster care by revising the Adoption Incentives program and extending its authorization through fiscal year 2013. Among other improvements, this law gave States more generous Federal incentive funds if they succeed in helping more families adopt children now languishing for years in foster care—especially older and disabled children.

Unfortunately, the fiscal year 2009 Omnibus Appropriations bill (P.L. 111-8), which passed through the House with limited consideration, included a flawed provision that effectively overrides the improvements to the Adoption Incentive program made in last year's Fostering Connections law.

In short, the Omnibus bill incorrectly stipulated that Adoption Incentive funds should be provided under the "old", less generous rules Congress wanted to replace, instead of the "new", more generous rules included in the Fostering Connections law. That means States would have less incentive to pursue the adoption of older and disabled children in foster care, among others, because they would receive less Federal funds if they are successful in achieving those goals.

We can't know for sure which States would lose if this fix is not made, because we don't yet know which States will successfully improve their performance in increasing adoptions in the wake of the Fostering Connections law. But we do know that America's most vulnerable young people stand to lose if, as a result of this error, they spend more time in foster care instead of with loving adoptive families. We can't and shouldn't let that happen.

That is why I and my colleague CHARLIE RANGEL, the Chairman of the House Committee on Ways and Means, introduced legislation to correct this error. Our bill (H.R. 1840) is identical to the legislation (S. 735) the Senate passed on April 2 and that is being considered by the House today.

I encourage all Members to support this important legislation so it can be signed into law as quickly as possible.

Mr. LINDER. Mr. Speaker, I yield back the balance of my time.

Mr. McDERMOTT. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CUELLAR). The question is on the motion offered by the gentleman from Washington (Mr. McDERMOTT) that the House suspend the rules and pass the Senate bill, S. 735.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. GUTIERREZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 627 and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2009

The SPEAKER pro tempore (Mr. AL GREEN of Texas). Pursuant to the order of the House of Tuesday, April 28, 2009, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 627.

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IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 627) to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes, with Mr. CUELLAR in the chair.