

<h1>ACF</h1> Administration for Children and Families	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
	1. Log No: ACYF-CB-PI-21-07	2. Issuance Date: May 5, 2021
	3. Originating Office: Children's Bureau	
	4. Key Words: American Rescue Plan of 2021; Community-Based Child Abuse Prevention (CBCAP) Program Child Abuse Prevention and Treatment Act (CAPTA) State Grants.	

PROGRAM INSTRUCTION

TO: Offices of the Governors; State Agencies or Organizations Designated by the Governor to Apply for Child Abuse and Neglect Prevention and Treatment Programs State Grant Funds; Agencies Administering the Child Abuse Prevention and Treatment Act (CAPTA) State Grant; and Community-Based Child Abuse Prevention (CBCAP) Program Grantees.

SUBJECT: Supplemental funding under the *American Rescue Plan Act of 2021* for the CBCAP and CAPTA State Grant programs.

LEGAL AND RELATED REFERENCES: Public Law (P.L) 117-2, *The American Rescue Plan Act of 2021*; Title I, sections 106 and 108 of CAPTA (42 U.S.C. 5106a and 5106d); Title II of CAPTA (42 U.S.C. 5116 et seq.); Division H of P.L. 116-260, the *Consolidated Appropriations Act, 2021*.

PURPOSE: The purpose of this Program Instruction (PI) is to provide guidance to agencies administering CBCAP and the CAPTA State Grant on the supplemental funding provided under the *American Rescue Plan Act of 2021* (American Rescue Plan). The PI provides information on the allowable use of the funding and actions states and territories must take to report on planned and actual use of the funds. This PI also provides an update on the regular fiscal year (FY) 2021 appropriation for the CAPTA State Grant program and the requirement to prioritize use of funds to develop and implement plans of safe care for substance-exposed infants and their families.

BACKGROUND:

On March 11, 2021, President Biden signed into law the American Rescue Plan. This law provides additional relief to address the continued impact of COVID-19 (i.e., coronavirus disease 2019) on the economy, public health, state and local governments, individuals, and businesses.

Among its provisions, section 2205 of the law included supplemental FY 2021 funding for two of the grant programs authorized by CAPTA. P.L. 117-2 included \$250 million in supplemental funding for the CBCAP grant program and \$100 million in supplemental funding for the CAPTA

State Grant. This additional funding provides an opportunity to make investments promoting the safety and well-being of children and families. In planning for the expenditure of the supplemental awards, it is important for grantees to consider how funds can be used to help address the complex structural issues that often contribute to families becoming involved in the child welfare system.

- *Advancing Racial Equity and Support for Underserved Communities in Prevention and Child Welfare Programs*

On January 20, 2021, the President signed Executive Order 13985, “[Advancing Racial Equity and Support for Underserved Communities Through the Federal Government.](#)” This Executive Order established that the federal government is committed to advancing equity for all, including people of color, people who identify as lesbian, gay, bisexual, transgender, and queer (LGBTQ+), and individuals who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality. The Children’s Bureau (CB) is committed to advancing this goal in our work with states, territories, tribes and all other grantees.

- *Intersection of Poverty and Child Welfare*

An important goal of the American Rescue Plan is to raise children out of poverty. During this time of unprecedented stress and hardship, children and families need our support more than ever. Converging economic, health, and climate crises have increased the risk for child abuse and neglect as we collectively face new and compounding challenges, such as physical health risks, child care and school closures, social isolation, and financial instability. Some racial and ethnic minority children and families, who have been historically underserved, marginalized, and adversely affected by persistent poverty and inequality, face even greater adversity as they are disproportionately affected by COVID-19.

Child welfare agencies and child abuse prevention partners have an important role to play in advancing equity, civil rights, racial justice, and equal opportunity. By advancing equity, we create opportunities for the improvement of communities that have been historically underserved, which benefits all. CB urges all agencies administering CBCAP and the CAPTA State Grant to use the additional funding under these programs in ways that advance racial equity and support for those who have been historically underserved or marginalized by child welfare systems, while ensuring the safety and well-being of all family members.

INFORMATION:

This PI is organized into two section.

- Section A: CBCAP Supplemental Funding Instructions and Requirements
- Section B: CAPTA State Grant Supplemental Funding Instructions and Requirements

SECTION A: CBCAP Supplemental Funding Instructions and Requirements

Background

The purposes of the CBCAP program are: (1) to support community-based efforts to develop, operate, expand, enhance, and coordinate initiatives, programs, and activities to prevent child abuse and neglect and to support the coordination of resources and activities to better strengthen and support families to reduce the likelihood of child abuse and neglect; and (2) to foster understanding, appreciation, and knowledge of diverse populations in order to effectively prevent and treat child abuse and neglect. States must submit an application for CBCAP formula grant funding, which is awarded annually to carry out the purposes of the CBCAP program (see Attachment A for CBCAP program purposes). Section 206 of CAPTA requires states receiving CBCAP formula grants to submit a report describing its use of the grant, which is due approximately 120 days after the end of the FY grant period, on January 30 of each year.

Fiscal Year (FY) 2021 Regular Appropriation

As of December 27, 2020, the Consolidated Appropriations Act, 2021 (P.L. 116-260) made available \$60,660,000 for the CBCAP program in FY 2021. From the total appropriation, \$58,359,400 funding was made available to states for the formula grants. Seventy percent of CBCAP formula grant funds are allotted proportionately among the states based on the number of children under age 18 residing in each state, “except that no state shall receive less than \$175,000”, and 30 percent of the total allotment to states is based on the leveraging of non-federal funds (private, state, or other non-federal funds leveraged) (section 203(b)(1) of CAPTA). In addition, a portion of the total appropriation is set-aside for Indian Tribes and Tribal organizations and migrant programs (section 203(a) of CAPTA), and for the [National Center for CBCAP](#) (section 207 of CAPTA).

American Rescue Plan FY2021 Supplemental Funding

The American Rescue Plan provides \$250 million in supplemental funding for CBCAP. From this amount, a certain amount must be set aside for specific legislative purposes, including: one percent of the total appropriation “to make allotments to Indian Tribes and Tribal organizations and migrant programs” (section 203(a) of CAPTA); and continued funding for program support, to include funding for the National Center for CBCAP (section 207 of CAPTA). The CBCAP grants to tribes, tribal organizations and migrant programs are awarded through a competitive discretionary grant process. The Funding Opportunity Announcement addressing these grants is available at: <https://ami.grantsolutions.gov/HHS-2021-ACF-ACYF-CA-1913>.

The American Rescue Plan provides that 100 percent of the supplemental funds awarded by formula to state lead agencies for the CBCAP program will be allotted proportionately based on the number of children under age 18 residing in each state. Grants will be awarded to existing CBCAP grantees. No separate application is required to receive the funding. Estimated CBCAP supplemental state allotments are provided in Attachment B. ACF will issue the additional awards to all qualifying grantees very soon.

Use of Funds

The FY 2021 American Rescue Plan supplemental appropriation may be used to enhance community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect in a manner consistent with any of the program purposes of CBCAP (see Attachment A for more information on use of CBCAP funds).

In addition to supplementing funding for CBCAP, the American Rescue Plan provided supplemental funding for other services to families, such as child care, Head Start, home visiting and others to address the stressors and challenges faced by families that have intensified during the current health crisis. CBCAP lead agencies are specifically authorized to foster the development of a continuum of comprehensive child and family support and preventive services, and thus are in a unique position to establish new partnerships and build upon existing collaborative efforts with other federal, state or locally-funded public and private organizations to coordinate state and community-based collaborations and public-private partnerships. CB also strongly encourages lead agencies to reach out to families and community-based agencies to plan for the use of these funds, so that they may be used to increase supports especially for black, brown, indigenous, and LGBTQ+ children and families, as well as communities who have been historically underserved, marginalized, and adversely affected by persistent poverty.

Project, Obligation and Liquidation Period

The FY 2021 supplemental CBCAP grant has a five-year project and expenditure period from October 1, 2020 to September 30, 2025. The funding must be obligated by September 30, 2025 and liquidated by December 30, 2025.

Matching Requirements and Limitations

Section 2205(1) of American Rescue Plan waives the match requirement applicable to annual CBCAP formula grants. Therefore, no match is required for the supplemental CBCAP grants awarded under the authority of the American Rescue Plan.

INSTRUCTIONS FOR REPORTING ON PLANNED AND ACTUAL USE OF CBCAP SUPPLEMENTAL FUNDS.

Narrative Report on Planned and Actual Use of CAPTA funding:

As part of the state's application for 2021 CBCAP funding due June 7, 2021, grantees must submit a brief narrative describing the state lead agency's planned use of the supplemental CBCAP funds provided through the American Rescue Plan.

Grantees will also be required to provide an update on the use of the supplemental funding and accomplishments as part of their future annual program reports due approximately 120 days after the end of the FY grant period, on January 30 of each year. Therefore, the update on the use of funds from the American Rescue Plan should be included in the annual program report due January 30, 2022. Lastly, the information describing the planned or actual use of CBCAP supplemental funding should be clearly labeled as such in annual CBCAP applications and program reports.

Financial Management and Reporting:

The supplemental FY 2021 CBCAP grant award authorized by the American Rescue Plan must be tracked and accounted for separately from the grant from the regular appropriation.

Grantees are required to submit an electronic SF-425 for the CBCAP supplemental funding through the Payment Management System (PMS). For more information on gaining access to and using the PMS system, please contact the PMS Help Desk at 1- 877-614-5533 or for more information see <https://pms.psc.gov>.

Grantees must submit the SF-425 for expenditures under the American Rescue Plan CBCAP supplemental funding annually. Each report is due 90 days after the end of each federal fiscal year (i.e., by December 30, 2021, and then annually through December 30, 2025.) A negative grant award will recoup any unobligated and/or unliquidated funds reported on the final SF-425 which will be due on December 30, 2025.

SECTION B: CAPTA State Grant Supplemental Funding Instructions and Requirements

Background

The CAPTA State grant program provides formula grants to states to improve child protective service systems. States submitted a plan for the CAPTA State Grant on June 30, 2011.¹ Once approved by CB, the CAPTA State Plan remains in effect for the duration of the state's participation in the CAPTA State Grant program. Section 108(e) of CAPTA requires states receiving a CAPTA State Grant to submit an annual report describing use of the grant. This report is submitted as part of the Annual Progress and Services Report (APSR), due June 30 of each year. Program Instruction [ACYF-CB-PI-20-13](#), issued December 17, 2020, provided guidance to grantees on the requirements for the APSR submission due June 30, 2021. At the time that PI was issued, the Congress had not yet finalized the appropriations bill for FY 2021. Therefore, this PI provides an update on requirements relating to the use of the regular FY 2021 appropriation for the CAPTA State Grant program, as well as information about the supplemental FY 2021 appropriation provided by the American Rescue Plan.

Fiscal Year (FY) 2021 Regular Appropriation: Priority for Plans of Safe Care

Division H of P.L. 116-260, the *Consolidated Appropriations Act, 2021* appropriated \$90.09 million for the CAPTA State Grant. Accompanying committee report language directed that \$60 million be used to help States continue to develop and implement plans of safe care as required by section 106 of CAPTA. In [ACYF-CB-PI-20-13](#), CB noted that the FY 2021 appropriation for the program had not been finalized, but encouraged grantees to continue to prioritize use of funds to strengthen procedures for the development, implementation and monitoring of plans of safe care for substance-exposed infants, consistent with the requirement found at section 106(b)(2)(B)(iii) of CAPTA. Therefore, CB is updating this guidance to instruct grantees to ensure that they use a substantial portion of their regular FY 2021 grant to continue to develop, implement and strengthen procedures and activities relating to plans of safe care. As reflected in [ACYF-CB-PI-20-13](#), all grantees are also required to provide an update on their efforts to

¹ Some states submitted a new CAPTA State Plan at a later date.

implement requirements relating to plans of safe care in the CAPTA annual report/APSR submission due on June 30, 2021.

CB also encourages grantees to review the many resources available through the National Center on Substance Abuse and Child Welfare (NCSACW) to support them in their implementation efforts. Please see: <https://ncsacw.samhsa.gov/default.aspx>

FY 2021 Supplemental Appropriation Provided by the American Rescue Plan

The American Rescue Plan Act provides \$100 million in supplemental FY 2021 funding for the CAPTA State grant. These funds will be allotted by the statutory formula based specified in section 106(f) of CAPTA which is based primarily on child population under age 18. Grants will be awarded to all agencies previously approved for FY 2021 CAPTA State Grant funding. No separate application is required to receive the funding. See Attachment C for state allotments. ACF issued these awards on April 29, 2021.

Use of Funds

The FY 2021 American Rescue Plan supplemental appropriation may be used to improve the child protective services system of the state in a manner consistent with any of the 14 program purposes of CAPTA (see Attachment D for all program purposes). Several of the purposes of the CAPTA State grant highlight the importance of interagency collaboration and community-based partnerships to support families and ensure the safety of children. CB encourages grantees to reach out to families and community-based agencies to plan for the use of these funds, so that they may be used to increase supports especially for black, brown and indigenous and LGBTQ+ children and families in underserved communities to mitigate risks and prevent child abuse and neglect.

Project, Obligation and Liquidation Period

The FY 2021 supplemental grant has a five-year project and expenditure period from October 1, 2020 September 30, 2025. The funding must be obligated by September 30, 2025 and liquidated by December 30, 2025.

Matching Requirements and Limitations

There is no match required for the CAPTA State Grant under either the regular or supplemental appropriation.

INSTRUCTIONS FOR REPORTING ON PLANNED AND ACTUAL USE OF CAPTA FUNDS.

Narrative Report on Planned and Actual Use of CAPTA funding:

As part of the annual report on CAPTA submitted to be submitted as part of the APSR due June 30, 2021, grantees must submit a brief narrative describing the agency's planned use of the supplemental CAPTA State Grant funds provided through the American Rescue Plan.

Grantees will also be required to provide an update on the use of funding and accomplishments as part of their annual CAPTA reports to be submitted with the APSR due June 30, 2022 and in succeeding years. The Children's Bureau will provide additional information on how to report information in the APSR in future program instructions.

Financial Management and Reporting:

The supplemental FY 2021 grant award must be tracked and accounted for separately from the grant from the regular appropriation.

Grantees are required to submit an electronic SF-425 Federal Financial Report through the Payment Management System (PMS) to report expenditures at the end of each fiscal year (i.e., by December 30, 2021, and then annually through December 30, 2025.) A negative grant award will recoup any unobligated and/or unliquidated funds reported on the final SF-425 which will be due on December 30, 2025.

Paperwork Reduction Act:

Under the Paperwork Reduction Act of 1995 (P.L. 104-13), an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

CBCAP: The Control Number for this OMB approved information collection is 0970-0155, approved through May 31, 2021.

CAPTA State Grant. The Control Number for this OMB approved information collection is 0970-0426, approved through September 30, 2023.

Inquiries To: [Children's Bureau Regional Program Managers](#)

/s/

Amanda Barlow
Acting Commissioner
Administration on Children, Youth
and Families

Attachments

- Attachment A: CBCAP Program Use of Funds
- Attachment B: FY 2021 CBCAP Supplemental Allotments
- Attachment C: CAPTA State Grant Program Purposes
- Attachment D: FY 2021 CAPTA State Grant Supplemental Allotments