

# CRS Report for Congress

## The Developmental Disabilities Act

Updated June 26, 2008

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Prepared for Members and  
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# The Developmental Disabilities Act

## Summary

The Developmental Disabilities Assistance and Bill of Rights Act (commonly known as the DD Act) provides federal financial assistance to states and public and nonprofit agencies to support community-based delivery of services to persons with developmental disabilities, which it defines as severe, life-long disabilities attributable to mental and/or physical impairment. Authorizations of appropriations for the DD Act programs expired at the end of FY2007. A bill to reauthorize the DD Act has not been introduced in this session, though a number of amendments to the DD Act have been proposed during the 110<sup>th</sup> Congress (H.R. 1881, H.R. 2839, H.R. 3995, S. 937).

The DD Act aims to help individuals with developmental disabilities maximize their potential through increased independence, productivity, inclusion, and integration into the community. The Act authorizes appropriations for (1) State Councils on Developmental Disabilities, (2) each state's Protection and Advocacy system for individuals with developmental disabilities, (3) University Centers for Excellence in Developmental Disabilities, and (4) Projects of National Significance. These grant programs are designed to help state governments, local communities, and private sector organizations provide developmentally disabled persons with health care services (e.g., diagnosis, therapy, early intervention), education, employment training, and recreational or leisure opportunities.

The Administration's FY2009 budget proposal requests \$162.6 million for the DD Act programs, which would represent no change from the FY2008 level of funding. Action is pending on the appropriations bills in both the House and the Senate. This report will be updated as legislative developments warrant.

## Contents

Background .....	1
DD Act Programs .....	2
State Councils on Developmental Disabilities .....	2
Protection and Advocacy (P&As) .....	3
University Centers for Excellence in Developmental Disabilities Education, Research, and Service (UCEDDs) .....	5
Projects of National Significance (PNS) .....	5
New Programs Authorized .....	6
Funding .....	6
Legislation in the 110 <sup>th</sup> Congress .....	7
Appendix. Allotments for State DD Councils and Protection and Advocacy Programs, FY2000-FY2008 .....	10

## List of Tables

Table 1. Protection and Advocacy Systems .....	4
Table 2. Developmental Disabilities Programs: Appropriations for FY2000-FY2009 .....	7
Table 3. State Developmental Disabilities Council Allotments for FY2000-FY2008 .....	10
Table 4. Protection and Advocacy Allotments for FY2000-FY2008 .....	13

# The Developmental Disabilities Act

## Background

The Developmental Disabilities Assistance and Bill of Rights Act (DD Act) provides federal financial assistance to states and public and nonprofit agencies to support community-based delivery of services to persons with developmental disabilities. The aim of the programs established by the DD Act is to help persons with developmental disabilities maximize their work potential, facilitate their ability to live independently, and foster their integration into the community. The protection of the legal rights of persons with developmental disabilities is another major objective of the DD Act. The current law encourages coordination and collaboration among a state's developmental disabilities council, various independent living centers, and its protection and advocacy system. Although the Act does not provide direct services, its programs are intended to plan and better coordinate the delivery of services and to advocate on behalf of individuals with developmental disabilities. The Administration on Developmental Disabilities (ADD), part of the Administration for Children and Families in the Department of Health and Human Services, oversees all DD Act programs.

The DD Act was originally Title I of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164). It was renamed the Developmental Disabilities Assistance and Bill of Rights Act by P.L. 95-602 in 1978 and then amended generally and completely reorganized by P.L. 98-527 in 1984. Congress last reauthorized the Developmental Disabilities Assistance and Bill of Rights Act<sup>1</sup> (P.L. 106-402) in 2000. Authorizations of appropriations for the DD Act programs expired at the end of FY2007. A bill to reauthorize the DD Act has not been introduced in the 110<sup>th</sup> Congress.

According to the ADD, there are approximately 4.5 million individuals with developmental disabilities in the United States.<sup>2</sup> Although the term *developmental disability* originally specified disabling conditions such as mental retardation and cerebral palsy, the current definition is based on functional limitations that are manifest prior to adulthood. Section 102(8) of the Act defines developmental disabilities as severe, life-long disabilities attributable to mental and/or physical impairments, manifested before age 22. These impairments must result in substantial limitations in three or more of the following areas of major life activities: capacity for independent living, economic self-sufficiency, learning, mobility, receptive and expressive language, self-care, and self-direction.

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<sup>1</sup> All sections referenced in this report are part of this Act unless otherwise noted. It is codified in 42 U.S.C. 15001 et seq.

<sup>2</sup> See [<http://www.acf.hhs.gov/programs/add/Factsheet.html>].

The DD Act also specifies that “an individual from birth to age 9, inclusive, who has a substantial developmental delay or specific congenital or acquired condition, may be considered to have a developmental disability without meeting 3 or more of the criteria described ... if the individual, without services and supports, has a high probability of meeting those criteria later in life.”<sup>3</sup>

Without appropriate services and supports, the choices open to some people with developmental disabilities, including where they live, work, and play, may be minimal. Many may be isolated rather than fully integrated and included in the mainstream of society. Others may require individually planned and coordinated services and supports (e.g., housing, employment, education, civil and human rights protection, health care) from many providers in order to live in the community.

This report describes the programs authorized under the DD Act, including State Councils on Developmental Disabilities, Protection and Advocacy systems, University Centers for Excellence in Developmental Disabilities, and Projects of National Significance. These grant programs are designed to help state governments, local communities, and private sector organizations provide health care services, educational opportunities, and employment training to persons with developmental disabilities. A funding history for each of these programs is included in **Table 2**; **Table 3** and **Table 4** in the **Appendix** detail allotments for State Councils on Developmental Disabilities and for Protection and Advocacy systems, respectively, by state and U.S. territory.

## DD Act Programs

### State Councils on Developmental Disabilities

Each state and U.S. territory receives funding to establish a State Council on Developmental Disabilities (SCDD), which is expected to develop and implement a comprehensive statewide plan for delivering services to individuals with developmental disabilities (and their families), especially those not otherwise served under existing health and welfare programs.<sup>4</sup> Members of a state’s Council are appointed by the governor and must be geographically, ethnically, and racially representative of the state as a whole. At least 60% of the members of the Council must be individuals with developmental disabilities (DD), immediate relatives of persons with DD, or legal guardians to such individuals. Representatives from relevant state agencies are also required to sit on each SCDD.

SCDDs are given wide latitude to use the DD Act funding they receive. Each is permitted to engage in advocacy activities that promote independent living and social integration. These efforts may include, but are not limited to, public education campaigns, outreach to employers, and the provision of information to policy makers.

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<sup>3</sup> §102(8) of the Act (42 U.S.C. 15002(8)).

<sup>4</sup> §§121-129 of the Act (42 U.S.C. 15021-15029).

Funds are allotted to states and territories on the basis of population, extent of need for services for persons with developmental disabilities, and the financial needs of the respective states (see **Table 3**).<sup>5</sup> The DDS Act of 2000 (P.L. 106-402) amended the established minimum allotments for states and territories. P.L. 106-402 stipulates that in years when total appropriations for SSCDDs are less than or equal to \$70 million, each state will receive at least \$400,000 from this program; each territory, \$210,000. When appropriations exceed \$70 million, minimum allotments for states and territories will be \$450,000 and \$220,000, respectively.<sup>6</sup> Matching funds are required on a 75% federal-25% state basis, except in the case of projects in “poverty areas,” where the federal share may be up to 90%. For projects conducted by Council members or staff to implement state plan activities,<sup>7</sup> the federal share may be up to 100% of the aggregate necessary cost of such activities.

Total FY2008 funding for the State Councils on Developmental Disabilities was \$72.5 million; the President’s FY2009 budget request for these organizations is for the same amount.

## Protection and Advocacy (P&As)

As a condition for receipt of state grants for developmental disabilities councils, states must have in effect a system to protect and advocate for the rights of individuals with developmental disabilities.<sup>8</sup> P&As provide information and referral services and investigate reported incidents of abuse and neglect of individuals with developmental disabilities. These programs have the authority to pursue legal, administrative, and other appropriate remedies to protect and defend the legal and human rights of individuals with developmental disabilities. There are 57 protection and advocacy (P&A) systems in the United States. Each state (50), each U.S. territory (5), the District of Columbia (1), and Indian tribes (1) receive P&A funding. Appropriations for all except Indian tribes are detailed in **Table 4**.

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<sup>5</sup> Two-thirds of the amount appropriated is allotted to each state based on relative population, weighted by the relative per capita income for each state. One-third of the amount appropriated is allotted according to the percentage of individuals in the state, aged 18 to 65, receiving benefits under the Childhood Disabilities Beneficiary Program [§202(d)(1)(B)(ii) of the Social Security Act (42 U.S.C. 402(d)(1)(B)(ii))]. Data used to compute the allotments are supplied annually by the Social Security Administration and the U.S. Department of Commerce.

<sup>6</sup> When the DD Act was reauthorized in 2000 (P.L. 106-402), minimum allotments were also constrained so that a state would not be given “less than the amount received by the State for the previous year.” The Birth Defects and Developmental Disabilities Prevention Act of 2003 (P.L. 108-154) amended the minimum allotment so that each state would receive at least as much money as was appropriated in the previous fiscal year for its SCDD, or it would receive “the amount of Federal appropriations received in fiscal year 2000, 2001, or 2002, whichever is greater.”

<sup>7</sup> “State plan” activities include, but are not limited to, outreach activities, training for persons with developmental disabilities, technical assistance, public education efforts, interagency coordination activities, and research that would inform policy makers about the needs of persons with developmental disabilities.

<sup>8</sup> §§121-129 of the Act (42 U.S.C. 15001-15029).

Funds for protection and advocacy systems are allotted on the same basis as the SSCDs, except no matching funds are required. The Developmental Disabilities Assistance and Bill of Rights Act Amendments of 1994 (P.L. 103-230) set the minimum allotments under this program at \$200,000 for states and \$107,000 for territories in fiscal years when the total amount appropriated for the program is at least \$20 million, and the current law continues those minimum allotments.<sup>9</sup>

Although the DD Act provides a mandate for protection and advocacy of persons with developmental disabilities, other federal laws with similar mandates provide protection and advocacy services for similarly vulnerable populations. **Table 1** lists protection and advocacy programs that serve persons with developmental disabilities and are administered by federal agencies. These P&A programs require the P&A system designated under the DD Act to implement their program.

**Table 1. Protection and Advocacy Systems**

Program	Administering Agency
P&A for Individuals with Developmental Disabilities (PADD)	Administration on Developmental Disabilities Department of Health and Human Services
P&A for Voting Access (PAVA)	Administration on Developmental Disabilities Department of Health and Human Services
P&A for Individuals with Mental Illness (PAIMI)	Substance Abuse and Mental Health Services Administration Department of Health and Human Services
P&A for Individual Rights (PAIR)	Rehabilitation Services Administration Department of Education
P&A for Assistive Technology (PAAT)	Rehabilitation Services Administration Department of Education
P&A for Beneficiaries of Social Security (PABSS)	Social Security Administration
P&A for Individuals with Traumatic Brain Injury (PATBI)	Health Resources and Services Administration Department of Health and Human Services

**Source:** *State Protection and Advocacy Agencies Systems Fact Sheet*, Administration on Developmental Disabilities, United States Department of Health and Human Services, December 6, 2006, at [<http://www.acf.hhs.gov/programs/add/states/pnafactsheet.html>].

Total FY2008 funding for the P&A programs, authorized by the DD Act, was \$39.0 million; the President's FY2009 budget request for P&As is for the same amount.

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<sup>9</sup> When appropriations for the Protection and Advocacy program do not exceed \$20 million, the minimum allotments are \$150,000 for each state and \$80,000 for each territory.

## **University Centers for Excellence in Developmental Disabilities Education, Research, and Service (UCEDDs)**

Formerly known as “university-affiliated programs,” University Centers for Excellence in Developmental Disabilities Education, Research, and Service (UCEDDs) are interdisciplinary research and public service units of universities (or public, not-for-profit entities associated with universities) that provide training and technical assistance, and engage in translational research with a focus on meeting the needs of people with developmental disabilities. These centers are in a unique position to facilitate the flow of research findings and disability-related information from the university environment to the public at-large. UCEDDs educate policy makers, employers, and community leaders about opportunities for persons with disabilities in an effort to increase the capacity of such individuals to live independently and lead economically productive lives.<sup>10</sup>

UCEDD grants are awarded on a competitive basis for a period of five years. Currently, there are 67 such Centers for Excellence across the nation.<sup>11</sup> According to the statute,<sup>12</sup> existing UCEDDs receive first priority when DD act funding is being distributed.<sup>13</sup> The FY2008 appropriation for the UCEDDs was \$36.9 million; the Administration’s FY2009 request is identical to the previous year’s appropriation.

### **Projects of National Significance (PNS)**

This program funds grants or contracts to public nonprofit institutions to enhance the independence, productivity, and social inclusion of people with developmental disabilities. Projects of National Significance differ from the DD Council and P&A programs, because PNS activities focus on emerging areas of concern, on issues that transcend the border of particular states and territories.<sup>14</sup> Such projects may (1) provide support services for families of individuals with developmental disabilities; (2) involve data collection and analysis; (3) support the advocacy, planning, and training functions of SCDDs; or (4) fund other projects, such as conferences and special meetings that may have an impact on federal or state policy. Examples of PNS projects include studies of racial disparities in access to services used by developmentally disabled individuals, or research exploring the

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<sup>10</sup> §§125-129 of the Act (42 U.S.C. 15025-15029).

<sup>11</sup> A complete directory of UCEDDs is available online at [<http://www.aucd.org/directory/displayallprog.cfm?program=UCEDD&CFID=15386&CFTOKEN=58012620>].

<sup>12</sup> P.L. 106-402, §152, (42 U.S.C. 15062).

<sup>13</sup> If each of the existing Centers reaches a maximum funding level of \$500,000 per fiscal year, and there are adequate funds remaining from the annual appropriation, other activities specified under the DD act would be funded. This situation last occurred in FY2008. The activities identified in the DD Act as appropriate recipients of the additional funding are (1) National Training Initiatives and (2) grants for additional Centers, or increased funding for Centers that operate in areas of high need.

<sup>14</sup> §§161-163 of the Act (42 U.S.C. 15081-15083).

transition from school to work for the DD population. PNS grants are administered by ADD at the federal level.

Funding for the PNS grants in FY2008 totaled \$14.2 million; the President's budget for FY2009 requested the same amount. This funding would support 56 grants for youth activities, family support activities, data collection, evaluations of all the DD Act programs, and programs focused on emerging issues of concern for the disability community such as emergency preparedness.

## New Programs Authorized

In addition to reauthorizing the existing programs described above, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 authorized three new programs. Title II authorized competitive grants to help states strengthen their family support programs for families with a severely disabled family member.<sup>15</sup> Title III authorized one scholarship program to provide vouchers for post-secondary education for direct support workers who assist individuals with developmental disabilities, and a second grant program for the development, evaluation, and dissemination of a staff development curriculum.<sup>16</sup>

## Funding

The DD Act of 2000 authorized the following amounts for FY2001: \$76 million for the State Councils on Developmental Disabilities, \$32 million for Protection and Advocacy, \$30 million for the University Centers of Excellence, \$16 million for Projects of National Significance, and \$800,000 each for the new scholarships and staff development curriculum grants. The Act authorized such sums as may be necessary for these programs for FY2002 through FY2007. Authorization for the staff development curriculum lapsed after FY2003, while such sums as may be necessary were authorized through FY2007 for the family support program. Known as *Family Support 360*, this program only received funding in FY2003 (for planning) and FY2004 (for implementation). Since FY2005, ADD has funded the family support program using monies appropriated for Projects of National Significance.<sup>17</sup>

Congress approved \$162.6 million for DD Act programs for FY2008. **Table 2** (below) shows the recent history of appropriation levels for the programs funded by the Act. Appropriations for all the DD Act's programs have increased from \$122.3 million in FY2000 to \$162.6 for FY2008. **Table 3** and **Table 4** in the **Appendix** provide FY2000-FY2009 appropriation levels for the Developmental

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<sup>15</sup> §§202-212 of the Act (42 U.S.C. 15091-15101). For program details, see [<http://www.acf.hhs.gov/programs/add/pns/fs360factsheet.html>].

<sup>16</sup> §§304-305 of the Act (42 U.S.C. 15114-15115).

<sup>17</sup> Twenty-one states and territories have established and continue to maintain this type of program. For details, see [[http://www.acf.hhs.gov/programs/add/states/pns\\_map.html](http://www.acf.hhs.gov/programs/add/states/pns_map.html)].

Disabilities Councils and for Protection and Advocacy programs, respectively, by state and territory.

**Table 2. Developmental Disabilities Programs:  
Appropriations for FY2000-FY2009**  
(\$ in millions)

Fiscal Year	Developmental Disabilities Councils	Protection and Advocacy	UCEDDs	Projects of National Significance <sup>a</sup>	Total
2000	65.8	28.1	18.2	10.2	122.3
2001	67.8	33.0	21.8	10.9	133.5
2002	69.8	35.0	24.0	11.6	140.4
2003	71.1	36.3	25.0	12.4	144.8
2004	73.1	38.4	26.8	11.6	149.9
2005	72.5	38.1	31.5	11.5	153.7
2006	71.8	38.7	33.2	11.4	155.0
2007	71.8	38.7	33.2	11.4	155.1
2008	72.5	39.0	36.9	14.2	162.6
2009 req.	72.5	39.0	36.9	14.2	162.6

**Source:** Published and unpublished congressional documents and the budget justification for the Administration for Children and Families, HHS.

a. PNS funding includes appropriations for the Family Support Program (FY2001- FY2009).

## Legislation in the 110<sup>th</sup> Congress

Legislation that directly relates to the Developmental Disabilities Assistance and Bill of Rights Act has been introduced in the 110<sup>th</sup> Congress. H.R. 2839 was introduced by Representative Barney Frank in June 2007. This bill would amend the DD Act to require State Councils on Developmental Disabilities and Protection and Advocacy organizations to obtain authorization from individuals (or their legal guardians) before pursuing legal remedies on their behalf. In effect, litigants would have to “opt-in” to lawsuits filed on their behalf by DD Councils or P&A organizations. H.R. 2839 was referred to the House Energy and Commerce Committee, Subcommittee on Health.

H.R. 3995 was also introduced by Representative Frank, intended as a substitute for H.R. 2839. H.R. 3995 reverses the centerpiece of H.R. 2839 — its “opt-in” provision. Introduced in October 2007, H.R. 3995 requires federally funded organizations representing plaintiffs in a class action to give notice to any Intermediate Care Facility for the Mentally Retarded (ICF/MR) that is named in said

lawsuit.<sup>18</sup> In turn, this ICF/MR would be obliged to give notice of the proposed action to its residents or their legal guardians. Each resident would then have the right to “opt-out” of the suit before it is filed. H.R. 3995 was referred to the House Committee on the Judiciary.

Paralleling the bills introduced by Representative Frank, the Administration on Developmental Disabilities has recently proposed a new rule that would modify the implementation regulations for the DD Act. Specifically, the Department of Health and Human Services (HHS) is seeking comment on “whether the current process involving class action lawsuits provides adequate protection for individuals with developmental disabilities,” and on what criteria should be applied, or what clearance process should be followed, to include an individual as a member of a “class.”<sup>19</sup> In addition, HHS has asked for feedback about how to handle situations in which there is a difference of opinion between the individual with a developmental disability and his or her guardian regarding whether to become a member of a class action lawsuit. The underlying objective of H.R. 2839, H.R. 3995, and the proposed regulations discussed above is to address some concerns that have been raised about the activities of some federally funded DD Act programs.

Specifically, Voice of the Retarded (VOR), an advocacy organization, has argued that P&A organizations have been complicit in the neglect, and even death, of some individuals with severe mental retardation by bringing class action lawsuits, which have ultimately led to the closure of some ICFs/MR.<sup>20</sup> VOR contends that some low-functioning persons would have preferred to remain in an institutional setting and would have been able to do so, if P&As had been required to secure the approval of the families (or guardians) of these developmentally disabled individuals before filing class action suits “on their behalf.”<sup>21</sup>

By contrast, organizations like American Disabled for Attendant Programs Today (ADAPT) have argued that the administrative burden associated with “opting-in” to a lawsuit is unreasonable and would only delay or hinder efforts to deinstitutionalize services for individuals with disabilities. Moreover, they contend, by limiting the number of class action suits brought against ICFs/MR, the “opt-in” provision in H.R. 2839 would have insulated facilities that provide substandard care,

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<sup>18</sup> An ICF/MR is an institution whose primary purpose is to provide health or rehabilitation services to individuals with mental retardation or related conditions. ICFs/MR must meet standards outlined in federal regulations (42 CFR Part 483, Subpart I, §§483.400-483.480). In addition, all ICFs/MR residents must be financially eligible for the Medicaid program.

<sup>19</sup> Department of Health and Human Services, Notice of Proposed Rulemaking (NPRM), 45 CFR Parts 1385, 1386, 1387, and 1388, Developmental Disabilities Program, *Federal Register*, vol. 73, no. 70 (April 10, 2008), pp. 19707-19741, at [<http://www.acf.hhs.gov/programs/add/NPRM.html>].

<sup>20</sup> For some evidence of higher mortality rates among persons with DD who were transferred out of ICFs/MR, see Robert Shavelle, David Strauss, and Steve Day, “Deinstitutionalization in California: Mortality of Persons with Developmental Disabilities after Transfer into Community Care, 1997-1999,” *Journal of Data Science*, vol. 3 (2005), pp. 371-380.

<sup>21</sup> Mary McTernan, *The Need for Immediate Reforms*, Elk Grove, Illinois, January 2007, at [<http://vor.net/VORDDAct2007Presentation2.doc>].

making it more difficult to penalize these institutions. ADAPT and other advocacy groups welcomed Representative Frank's substitution of H.R. 3995 for H.R. 2839.<sup>22</sup>

Finally, the Expanding the Promise for Individuals With Autism Act of 2007 (S. 937, H.R. 1881) deals with DD Act programs. Sponsored by Senator Hillary Rodham Clinton and Representative Mike Doyle, respectively, these companion bills would award additional grants to UCEDDs to (1) provide services and address the unmet needs of individuals with autism and their families, (2) make grants to P&A systems to address the needs of individuals with autism and other emerging populations of individuals with disabilities, and (3) award a grant to a national nonprofit organization for the establishment and maintenance of a national technical assistance center for autism services and information dissemination. Although individuals with autism already receive services funded under the DD Act, these bills would give additional monies to SCDDs and P&A organizations for the purposes of funding services specifically geared towards autistic individuals.

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<sup>22</sup> Personal communication with Tom Wilson, ADAPT Board Member, May 22, 2008.

## Appendix. Allotments for State DD Councils and Protection and Advocacy Programs, FY2000-FY2008

### Table 3. State Developmental Disabilities Council Allotments for FY2000-FY2008

	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
<b>States</b>									
Alabama	\$1,262,258	\$1,280,704	\$1,283,663	\$1,312,274	\$1,315,925	\$1,315,925	\$1,303,749	\$1,287,350	\$1,304,421
Alaska	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Arizona	852,424	864,880	1,056,129	1,144,633	1,285,145	1,285,145	1,273,254	1,257,240	1,342,090
Arkansas	736,835	747,603	762,418	805,462	805,462	805,462	798,009	787,972	787,972
California	5,577,058	5,658,558	6,543,380	6,517,570	6,795,666	6,795,666	6,732,793	6,648,112	6,653,416
Colorado	702,519	712,785	733,877	769,862	836,106	836,106	828,370	817,950	841,994
Connecticut	636,590	645,893	639,635	650,630	690,715	690,715	684,377	675,805	695,612
Delaware	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Dist. of Columbia	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Florida	2,738,067	2,778,080	3,311,207	3,509,166	3,641,185	3,641,185	3,607,497	3,562,124	3,583,358
Georgia	1,588,851	1,612,070	1,807,722	1,885,140	1,904,329	1,904,329	1,866,710	1,862,979	1,962,493
Hawaii	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Idaho	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Illinois	2,546,852	2,584,071	2,624,831	2,669,813	2,669,813	2,669,813	2,645,112	2,617,997	2,624,831
Indiana	1,405,033	1,425,566	1,488,546	1,514,002	1,514,002	1,514,002	1,499,994	1,484,670	1,488,546
Iowa	763,027	774,177	743,276	756,826	774,177	774,177	773,202	772,161	774,177
Kansas	585,694	594,253	614,589	621,286	621,286	621,286	615,537	612,988	614,589
Kentucky	1,167,866	1,184,933	1,187,596	1,205,456	1,225,694	1,225,694	1,214,354	1,199,080	1,220,209
Louisiana	1,355,909	1,375,723	1,315,691	1,358,920	1,385,313	1,385,313	1,373,991	1,372,141	1,375,723
Maine	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315

## CRS-11

	FY2000	FY2001	FY2002	FY2003	FY2004	FY2005	FY2006	FY2007	FY2008
Maryland	888,140	901,119	1,008,160	1,026,488	1,026,488	1,026,488	1,016,990	1,005,535	1,008,160
Massachusetts	1,232,540	1,250,543	1,298,126	1,308,789	1,367,725	1,367,725	1,355,070	1,338,027	1,363,763
Michigan	2,260,428	2,293,461	2,469,330	2,477,214	2,540,965	2,540,965	2,517,456	2,485,792	2,508,955
Minnesota	966,203	980,322	1,025,295	1,041,526	1,041,526	1,041,526	1,031,889	1,022,625	1,025,295
Mississippi	899,331	912,473	914,238	944,426	948,925	948,925	940,145	928,320	928,320
Missouri	1,271,438	1,290,019	1,353,961	1,385,181	1,385,181	1,385,181	1,372,365	1,355,103	1,355,103
Montana	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Nebraska	408,345	414,312	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Nevada	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	469,691
New Hampshire	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
New Jersey	1,431,866	1,452,791	1,553,320	1,587,659	1,589,253	1,589,253	1,574,549	1,554,744	1,555,332
New Mexico	443,040	449,515	490,241	514,035	521,855	521,855	571,026	510,523	510,523
New York	3,978,194	4,036,228	3,964,223	4,110,221	4,263,616	4,263,616	4,224,169	4,171,039	4,237,731
North Carolina	1,742,316	1,767,777	1,910,719	1,989,293	1,989,293	1,989,293	1,970,887	1,946,099	1,946,099
North Dakota	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Ohio	2,751,460	2,791,669	2,846,721	2,866,334	2,891,529	2,891,529	2,864,776	2,839,309	2,846,721
Oklahoma	875,043	887,831	897,250	914,772	914,772	914,772	906,308	894,914	897,250
Oregon	674,084	683,935	729,341	756,326	785,280	785,280	778,013	768,227	770,874
Pennsylvania	2,982,930	3,026,521	2,979,345	3,040,598	3,113,657	3,113,657	3,084,849	3,046,050	3,068,727
Rhode Island	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
South Carolina	1,015,658	1,030,500	1,097,001	1,132,839	1,132,839	1,132,839	1,122,357	1,108,241	1,108,241
South Dakota	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
Tennessee	1,384,131	1,404,358	1,461,395	1,516,063	1,517,325	1,517,325	1,503,287	1,484,379	1,487,918
Texas	4,113,190	4,173,299	4,384,764	4,509,851	4,775,777	4,775,777	4,731,777	4,672,079	4,813,721
Utah	500,192	507,501	545,015	570,336	602,828	602,828	597,250	589,738	613,228
Vermont	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315

## CRS-12

	<b>FY2000</b>	<b>FY2001</b>	<b>FY2002</b>	<b>FY2003</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>FY2007</b>	<b>FY2008</b>
Virginia	1,317,943	1,337,203	1,501,929	1,524,134	1,524,134	1,524,134	1,510,032	1,498,018	1,501,929
Washington	1,022,074	1,037,010	1,149,422	1,165,304	1,196,582	1,196,582	1,185,511	1,170,600	1,189,607
West Virginia	728,693	739,342	674,547	676,145	772,441	772,441	765,293	755,667	769,832
Wisconsin	1,231,658	1,249,657	1,293,164	1,309,753	1,309,753	1,309,753	1,297,635	1,289,797	1,293,164
Wyoming	403,093	408,984	446,374	450,000	462,315	462,315	461,733	461,111	462,315
<b>Subtotal, states</b>	<b>61,681,182</b>	<b>62,582,458</b>	<b>66,355,677</b>	<b>67,838,327</b>	<b>69,611,287</b>	<b>69,611,287</b>	<b>69,064,578</b>	<b>68,310,060</b>	<b>69,012,025</b>
<b>Territories</b>									
American Samoa	211,625	214,718	234,348	234,348	240,761	240,761	240,458	240,134	240,761
Guam	211,625	214,718	234,348	234,348	240,761	240,761	240,458	240,134	240,761
Northern Mariana Islands	211,625	214,718	234,348	234,348	240,761	240,761	240,458	240,134	240,761
Puerto Rico	2,275,418	2,308,670	2,506,931	2,358,881	2,506,931	2,506,931	2,503,776	2,500,404	2,506,931
Virgin Islands	211,625	214,718	234,348	234,348	240,761	240,761	240,458	240,134	240,761
<b>Subtotal, territories</b>	<b>3,121,918</b>	<b>3,167,542</b>	<b>3,444,323</b>	<b>3,296,273</b>	<b>3,469,975</b>	<b>3,469,975</b>	<b>3,465,608</b>	<b>3,460,940</b>	<b>3,469,975</b>
<b>Total</b>	<b>64,803,100</b>	<b>65,750,000</b>	<b>69,800,000</b>	<b>71,134,600</b>	<b>73,081,262</b>	<b>73,081,262</b>	<b>72,530,186</b>	<b>71,771,000</b>	<b>72,482,000</b>

**Sources:** Published and unpublished congressional documents and the budget justification for the Administration for Children and Families, HHS.

**Table 4. Protection and Advocacy Allotments for FY2000-FY2008**

	<b>FY2000</b>	<b>FY2001</b>	<b>FY2002</b>	<b>FY2003</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>FY2007</b>	<b>FY2008</b>
<b>States</b>									
Alabama	\$440,488	\$465,705	\$577,381	\$599,332	\$627,475	\$629,286	\$616,974	\$624,790	\$631,160
Alaska	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Arizona	366,883	388,730	481,860	529,268	579,111	587,829	593,445	626,294	632,690
Arkansas	263,838	277,337	342,954	367,922	387,602	388,340	379,748	385,083	389,010
California	2,238,705	2,347,035	2,944,722	2,978,192	3,181,700	3,195,668	3,183,331	3,269,612	3,302,985
Colorado	281,419	294,498	365,076	387,881	415,010	414,702	408,703	419,637	422,685
Connecticut	262,297	276,297	346,433	357,896	378,592	378,998	376,728	378,401	379,761
Delaware	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Dist. of Columbia	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Florida	1,107,462	1,188,948	1,489,867	1,603,400	1,745,277	1,749,350	1,751,019	1,818,094	1,836,650
Georgia	615,186	653,949	813,299	861,232	933,374	928,659	934,345	982,659	992,686
Hawaii	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Idaho	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Illinois	899,454	951,104	1,180,647	1,219,417	1,284,415	1,281,987	1,281,999	1,291,826	1,305,000
Indiana	504,761	536,953	669,613	691,560	727,760	729,561	722,342	735,665	743,167
Iowa	260,532	273,978	340,450	352,266	371,121	370,786	368,535	366,994	368,238
Kansas	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Kentucky	407,830	435,383	534,120	550,505	577,979	578,589	567,565	581,840	587,769
Louisiana	465,862	478,649	591,736	620,599	646,343	651,487	629,491	645,244	651,820
Maine	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Maryland	344,455	364,046	453,580	468,934	498,207	496,219	478,650	483,737	488,672
Massachusetts	445,897	466,490	583,738	597,599	621,094	616,816	602,505	599,590	605,699
Michigan	829,459	893,221	1,110,559	1,131,229	1,190,195	1,182,440	1,164,400	1,176,513	1,188,505

## CRS-14

	<b>FY2000</b>	<b>FY2001</b>	<b>FY2002</b>	<b>FY2003</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>FY2007</b>	<b>FY2008</b>
Minnesota	348,788	378,784	461,218	475,743	502,232	500,234	492,891	499,792	504,889
Mississippi	314,344	332,243	411,202	431,326	453,210	450,056	436,384	445,745	450,289
Missouri	461,734	490,603	609,069	632,709	665,767	665,060	660,742	673,574	680,443
Montana	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Nebraska	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Nevada	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
New Hampshire	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
New Jersey	524,188	551,995	698,666	725,127	764,947	766,400	749,910	758,626	766,360
New Mexico	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
New York	1,392,058	1,423,590	1,782,631	1,876,815	1,959,198	1,953,358	1,931,732	1,952,446	1,972,345
North Carolina	648,421	690,481	859,512	908,709	976,006	977,015	984,385	1,026,804	1,037,277
North Dakota	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Ohio	978,964	1,037,007	1,280,363	1,309,037	1,369,182	1,367,093	1,350,619	1,359,530	1,373,390
Oklahoma	310,330	329,068	403,708	417,943	437,177	438,101	420,929	426,890	431,245
Oregon	266,748	281,919	349,503	365,481	390,425	391,568	391,212	396,213	399,022
Pennsylvania	1,028,682	1,073,080	1,339,885	1,388,495	1,443,211	1,444,385	1,417,757	1,426,488	1,441,027
Rhode Island	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
South Carolina	369,392	395,715	493,458	517,436	549,365	547,408	541,043	557,541	563,226
South Dakota	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Tennessee	495,137	525,514	657,310	692,425	732,439	728,411	718,684	733,221	740,697
Texas	1,546,785	1,594,404	1,973,255	2,060,863	2,232,558	2,235,839	2,243,796	2,313,870	2,337,493
Utah	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Vermont	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
Virginia	513,852	543,539	675,665	696,222	739,346	741,878	726,148	737,259	744,779
Washington	396,806	413,862	517,232	532,454	567,799	566,996	564,196	589,007	595,017
West Virginia	274,742	289,650	358,713	371,782	390,425	392,097	388,931	388,670	390,134

## CRS-15

	<b>FY2000</b>	<b>FY2001</b>	<b>FY2002</b>	<b>FY2003</b>	<b>FY2004</b>	<b>FY2005</b>	<b>FY2006</b>	<b>FY2007</b>	<b>FY2008</b>
Wisconsin	444,030	470,485	581,669	598,214	629,285	626,865	611,617	621,843	628,184
Wyoming	254,508	267,768	333,400	345,429	365,940	365,940	365,940	365,940	365,940
<b>Subtotal, states</b>	<b>24,630,673</b>	<b>25,934,486</b>	<b>32,280,294</b>	<b>33,535,735</b>	<b>35,554,747</b>	<b>35,560,401</b>	<b>35,277,676</b>	<b>35,880,418</b>	<b>36,169,234</b>
<b>Territories</b>									
American Samoa	136,161	143,255	178,367	184,802	195,775	195,775	195,775	195,775	195,775
Guam	136,161	143,255	178,367	184,802	195,775	195,775	195,775	195,775	195,775
Northern Mariana Islands	136,161	143,255	178,367	184,802	195,775	195,775	195,775	195,775	195,775
Puerto Rico	853,915	897,039	1,271,871	1,077,750	1,114,058	1,108,404	1,090,269	1,084,348	1,095,411
Virgin Islands	136,161	143,255	178,367	184,802	195,775	195,775	195,775	195,775	195,775
<b>Subtotal, territories</b>	<b>1,398,559</b>	<b>1,470,059</b>	<b>1,985,339</b>	<b>1,816,958</b>	<b>1,897,158</b>	<b>1,891,504</b>	<b>1,873,369</b>	<b>1,867,448</b>	<b>1,878,511</b>
<b>Total</b>	<b>26,029,232</b>	<b>27,404,545</b>	<b>34,265,633</b>	<b>35,352,693</b>	<b>37,451,905</b>	<b>37,451,905</b>	<b>37,151,045</b>	<b>37,747,866</b>	<b>38,047,745</b>

**Sources:** Published and unpublished congressional documents and the budget justification for the Administration for Children and Families, HHS.