

is speculation about why the case was not tried and closed years ago.

First, fifteen of the twenty suspects are former Buenos Aires police officers who have been linked to a ring of automobile thieves. Although these are not the individuals who ordered and carried out the attacks, they may have supplied the vehicle used for the bombing, knowing that it was to be used in an attack on the Jewish Community Center. The most prominent of these suspects are former senior police commander Juan Jose Rebelli and local stolen-car dealer Alberto Telleldin. Both were formally charged with multiple homicides in July 1999 in connection to the bombing and are currently standing trial.

Second, the physical evidence from the bombing was handled extremely poorly. Most of the evidence from the crime scene, including personal identification and the remains of the victims, was stuffed haphazardly into bags and abandoned at an open dump for three years before being tossed into the Rio de la Plata. One investigator estimates that less than five percent of the material evidence remains today. Also, a renovation project to make the courtroom large enough to accommodate the anticipated press consumed many months.

After the public trial began on September 24, 2001, the prosecution's case has plodded through a seemingly interminable procession of witnesses. Over 1500 witnesses were called to testify in the trial. Yet, there still has been no clear identification of those responsible for the AMIA bombing. The main question of the trial remains whether the police who were involved with selling the vehicle knew that it would be used for the bombing. So far, the police have denied all charges of wrongdoing.

A number of other anti-Semitic incidents since the 1994 bombing indicate the importance of a prompt and decisive resolution in the AMIA bombing case. After the AMIA Jewish community center was rebuilt, several telephoned bomb threats against the new building, as well as against a Jewish country club and a Jewish theater, have been received. Once again, no one has claimed responsibility, no evidence has been found, and the Argentine authorities have not produced results from their formal investigations into these bomb threats. In August 1999, two Jewish families were threatened with unidentified bomb threats. One month later, unidentified individuals fired gun shots at a Jewish school. There have been no developments in the investigations of either of these cases as well.

Mr. Speaker, Argentina faces numerous challenges today, including pursuing both the domestic and international dimensions of the AMIA bombing case. Some of these investigative leads may take Argentine prosecutors to the highest reaches of their society and to state sponsors of terrorism in the Middle East. We in the United States Congress must continue to demonstrate our support for the efforts of non-governmental organizations, such as B'nai B'rith, which are actively working to bring complete closure to the AMIA bombing and other cases of anti-Semitism.

Mr. Speaker, resolution of the AMIA bombing is an integral part of our fight against terrorism. It is essential that the government of Argentina know and understand that the United States government continues to expect appropriate action against all of those who

were responsible for perpetrating this outrageous crime.

CONTINUING CRISIS IN FOSTER CARE

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 18, 2002

Mr. GEORGE MILLER of California. Mr. Speaker, today the ACLU and several child advocacy groups brought a suit requesting the court to hold accountable those county and state officials responsible for oversight of California's foster care system. Plaintiffs charged that negligence, mismanagement, and abuse and neglect of children are routinely committed by the very state agency charged with protecting children and ensuring their safety and well-being.

In the following article in today's Los Angeles Times, one of the plaintiffs reports that the suit will demand all appropriate mental health services; multidisciplinary assessments of the needs of each child; case plans; and providers to ensure that no child will be neglected. Judging from recent news reports, this same lawsuit could be brought against most state child welfare agencies.

The federal child welfare law that I authored in 1980 requires States to comply with a number of core requirements intended to protect children placed in foster care as a condition of receiving Federal foster care funds. Yet twenty years after enactment of P.L. 96-272, many of the same shortcomings as prompted the passage of the law are affecting hundreds of thousands of children in foster care placements, raising serious questions about the diligence of the states and the federal government in enforcing the law and protecting the children.

The situation described in the Times article is not unique to California, which has had a very troubled history in foster care for decades. In Florida, in the District of Columbia, in New York, and in many other jurisdictions, allegations about inappropriate services, improper placements, inadequate staff training and compensation coupled with massive case-loads and staff turnover are commonplace. And yet the Congress has not taken a broad look at how best to assist in the improvement of accountability and services in the nation's foster care system.

The time has come for a broad review that brings together experts and practitioners and advocates to help shape a thoughtful critique of current practice and make recommendations for the federal, state and local governments. This is not only a family crisis and a children's crisis; it is a fiscal crisis, because we are spending billions of dollars a year on a system that, despite efforts at reform, continues to fail the children in its custody. The article follows:

[From the Los Angeles Times, July 18, 2002]

A FOSTER-CARE TRAGEDY WORTHY OF DICKENS

(By Lew Hollman)

Los Angeles has a foster-care system driven by what is available, not what is needed. Children receive too few services too late. Thousands are shuttled to ineffective and expensive institutional care. They are poorly

monitored, with no consistent, individualized care. Not surprisingly, many deteriorate in county care, populating our jails, homeless shelters and mental wards after they "age out" of a failed system. Many never overcome the effects of the abuse or neglect they have suffered.

At a time when funds for children's services are ever more scarce, we are paying more for less in terms of healthy outcomes. Millions of federal dollars are at risk because of our inability to meet reasonable guidelines for stable placements—through family reunification, adoption or long-term foster care. More important, the children whom the system is intended to protect are being irreparably harmed.

This is not a problem that can be solved simply by changing the person at the top, as L.A. County has done twice in recent years. It requires a philosophical change at all levels—from a system based on what services are available to a system based on earlier intervention and individualized needs.

A suit will be filed today on behalf of foster children put at risk by a failed system. It will demand a wider array of mental health services available under Medi-Cal; multidisciplinary assessments of the needs of each child based on all relevant information; continuity in services and plans for each child; and the development of services and providers to ensure that no child will be rejected.

MacLaren Children's Center in El Monte, the county's emergency shelter for abused and neglected children, is an apt symbol of our failed system. Designated a short-term shelter, it has become instead the county's warehouse for the unwanted. Once a home for wayward girls, it retains its foreboding atmosphere. Such control as exists—in many instances, poor management has led to children being abused, often by other residents—is prison-like.

Some MacLaren residents languish for months beyond the ostensible 30-day limit. Many more are constantly "recycled" as foster homes reject them, adding to the trauma that brought the children to the county's care. One plaintiff, removed from her home as a result of sexual and physical abuse by her stepfather, was moved by the county 28 times between the ages of 9 and 13. Another is in a locked facility because of the healthy impulse to find a better life elsewhere. In less than three years, she was moved 25 times.

When Dickensian stories like these are related to the uninformed, they are greeted with incredulity. It is often assumed that lack of resources must be the problem. Of course, no one desires these rootless sojourns through impersonal care. And our society could, no doubt, better invest in the needs of its children. But lack of money is not at the root of these problems.

Inertia and lack of accountability are the culprits. The county has become increasingly defensive about releasing cost estimates.

According to a recently released Los Angeles Grand Jury report, however, costs during the 2001-2002 fiscal year at MacLaren approximated \$757 per day for each child—more than \$276,000 per year. Group-care facilities, recognized as contrary to the interests of most children, were estimated to cost about \$33,000 annually per child five years ago. By contrast, children at risk who can be assisted without removal from the home costs less than \$5,000 a year, and foster home and kinship placements less than \$10,000 a year.

Medi-Cal, through the early and periodic screening, diagnosis and treatment program and other federal programs, can pay for many of the intensive services that children need. True case management would ensure

the effective use of such services to enable children to remain in—or quickly return to—their homes, be freed for adoption or settled in long-term foster care.

The county recognizes the penny-wise, pound-foolish nature of the system. In addition to grand jury reports, state audits, independent evaluations and testimony before the Board of Supervisors, it brought its own expert in to evaluate and make recommendations in 1998.

Dr. Robert F. Cole, an independent expert nationally recognized for his work with disturbed children, centered his recommendations on an “integrated delivery system,” such as “wrap-around” care, that would coordinate services and deliver them in a family-like environment, or the child’s home, whenever possible.

A successfully tested method, the wrap-around concept is used in other counties in

California and in other states, where it has reduced costs and improved the outcomes of children in foster care. The goal is for case-workers, therapists, health providers and schools to work together to ensure children prompt and stable placements and the early development of a long-term plan to see children reunited with their families, adopted or placed in long-term foster care.

Two years after his initial report, Cole praised the county for being poised to implement coordinated services for foster children. But in that time, the county had contracted with only two providers for wrap-around care, serving two children each. Although additional foster care providers have been found since 2000, wrap-around care and other types of intensive care are virtually unavailable in a system providing services to more than 50,000 children year, with slightly less than 38,000 in county custody. Half of

those in custody are estimated to have serious emotional problems. Those problems will become increasingly difficult and expensive to treat if effective care is not provided.

The U.S. Supreme Court has held that due process under the Constitution requires the government to protect from harm any child it takes into its custody.

The Constitution is violated when children deteriorated in county care or are subjected to policies—such as 25 different placements in less than three years—that no disinterested professional would countenance. Federal Medicaid laws are broken when needed medical services for children are not provided.

The lawsuit to be filed today will ask the court to cut the knot of inertia and hold accountable the county and the state officials responsible for oversight.