

FINANCE COMMITTEE QUESTIONS FOR THE RECORD

United States Senate Committee on Finance

Questions for Carmen Nazario Nominations Hearing July 10, 2009

Questions from Chairman Baucus

Question 1:

From 2001 to 2007 the child poverty rate rose from 16.3% to 18.0%. This rise occurred before the recession and during a period of economic growth. Does this trend indicate a need to change policies that relate to disadvantaged families with children?

Response: As indicated in my opening statement, one of my priorities, if confirmed, will be to focus on supporting families so they can achieve economic success. Upcoming efforts to reauthorize the Temporary Assistance for Needy Families (TANF) program provide a significant opportunity to examine the issues facing children and families in poverty and to assess whether the current direction of the program and related family support efforts, like child care and child support, effectively respond to the challenges faced by families in poverty. I appreciate your interest and support in addressing issues related to assisting families in escaping poverty, and look forward to working with you and other members of this Committee on welfare reform reauthorization.

Question 2:

Over the 2001 to 2007 period, as child poverty was increasing, the TANF cash welfare caseload continued to decline. Is there concern that TANF might not be reaching enough families in need? How do you think TANF programs should respond to the current deep recession? What do you see as ACF's role in encouraging states to help more needy families?

Response: As a governor, Secretary Sebelius played a major role in implementing welfare reform on the ground, focusing on work, responsibility, and key supports to help parents succeed at work and at home. These supports include high-quality, affordable child care; training to help parents find better work opportunities; and reliable child support to ensure children receive help from both parents. If confirmed, I look forward to working closely with Secretary Sebelius to build on her experiences, and to ensure, through a collaborative process with all stakeholders and Congress as part of welfare reform reauthorization, that states are well positioned to address the needs of low-income families and to provide opportunities for them to become self-sufficient. Further, I will assess any efforts we can undertake now to support state efforts to help families in need.

Question 3:

A nation that can compete economically in the world is going to need a skilled workforce. What contribution can TANF make to increasing skill levels and help meet the demands for skills that employers will need to maintain international competitiveness?

Response: Welfare reform reauthorization offers an exciting opportunity to look at a wide range of issues, including how to more effectively train individuals with skills that will enable them to find and retain employment. As part of those efforts, if confirmed, I plan to undertake a comprehensive review of how the programs ACF administers can work more efficiently and effectively to help families achieve self-sufficiency, and would look forward to working with the Committee to address this important issue.

Question 4:

Do you think more attention is necessary to reduce the number of children entering foster care?

Response: I very much appreciate the Committee's ongoing efforts to address the needs of children impacted by the child welfare system. The Fostering Connections to Success Act significantly expanded the availability of federal funds to support these children, as well as the range of options states can undertake to meet the needs of vulnerable children. If confirmed, I will work to ensure this important legislation is implemented quickly, thoughtfully, and consistent with congressional intent.

In addition, the President's proposal for home visitation offers a unique opportunity to address child welfare issues and potentially reduce the number of children entering foster care. Home visitation is an investment that can yield improvements in many areas, including child health and development, readiness for school, reductions in child abuse and neglect, and parenting abilities to support children's growth. I appreciate the Committee's work on proposed legislation in this area, and, if confirmed, I look forward to engaging with the Committee on enactment of this key piece of legislation.

Question 5:

The Fostering Connections to Success and Increasing Adoptions Act of 2008 enacted a number of new programs and policies that are expected to bring new responsibilities for the ACF. These include authorization of kinship guardianship assistance under Title IV-E, authorization of direct tribal access to Title IV-E funds expansion of title IV-E eligibility for older foster youth (effective with FY2011), and creation of Family Connection grants. Does the Children's Bureau have the capacity to take on these new duties and how is the agency working with the states and Tribes in implementing this new legislation?

Response: As indicated in my answer to the previous question, I am committed to effective implementation of the Fostering Connections to Success and Increasing Adoptions Act of 2008.

If confirmed, I plan to look closely at the structure of ACF to ensure that it is highly responsive in carrying out the agency's mission, and I can assure you that my review will include special consideration of the capacity of the Children's Bureau to carry out this important legislation. Along with a structural review of the agency, I will focus attention on our ability to meet the technical assistance needs of states and tribes.

Question 6:

How do you view ACF assisting state and tribal governments in reducing this high rate of Native American children in out-of-home placements? Given the unique needs and circumstances of Native American children and families, have you considered including individuals knowledgeable about the unique needs of this population as senior staff in ACF?

Response: If confirmed, as part of my overall review of the structure of the agency and its ability to manage its responsibilities effectively, I would consider whether the agency is adequately staffed to carry out its critical responsibility to Native American children and families. I also intend to recruit individuals who have the skills, experience, and knowledge to best support the agency in addressing the needs of populations served by its programs.

Question 7:

Child Support Pass-Through is a policy that provides incentives for states to allow more of the child support collected on behalf of families to go to the family without a reduction in the family's other benefits.

- a. Is this a policy that you think should be promoted to the states? If so, how would you attempt to get states to increase their child support pass-through and disregards?**

Response: Welfare reform provides an opportunity to look not only at TANF reauthorization issues but also child support enforcement to ensure that all relevant programs are positioned to effectively address the needs of vulnerable children and families. If confirmed, I will review the child support pass-through provisions as part of my comprehensive review of the child support program, which is a key component of the effort to help families achieve self-sufficiency under welfare reform.

- b. Do you support allowing federal matching of Child Support Enforcement (CSE) incentive payments that are reinvested back into the CSE program?**

Response: The child support enforcement program represents a key partnership between federal/state and tribal governments to foster family responsibility and promote self-sufficiency by ensuring that both parents provide financial and emotional support for children. Federal incentive payments are an important component of this partnership, and I support the American Recovery and Reinvestment Act change to restore federal matching of investments made by states with these funds to improve their child support enforcement programs. I very much appreciate your interest in improving the child support enforcement program, and, if confirmed,

look forward to working with you to strengthen the effectiveness of this critical program for children and families.

- c. President Obama has spoken passionately and often about the impact of absent fathers on our nation's children, families and communities; and, he recently dedicated an entire day at the White House to this issue. How will you ensure that progress made thus far will continue and move deeper to communities across the country in support of children having healthy, meaningful, and long-term relationships with both their fathers and mothers?**

Response: I share the President's commitment to supporting responsible fatherhood. The Administration for Children and Families offers a range of programs that can encourage and support meaningful relationships between mothers and fathers and their children. I intend to conduct a comprehensive review of these programs as part of welfare reform to ensure they are effective in engaging both parents in contributing to the emotional and financial well-being of their children. If confirmed, I look forward to working with you on this effort.

Question 8:

After 14 years of progress, the teen birth rate has now increased for the past two years. Of particular concern to me is that Montana saw one of the largest increases in the teen birth rate (13% increase between 2005 and 2006) and that Native Americans nationally experienced the largest increase of any major racial and ethnic group (12% increase between 2005 - 2007). We were pleased to see that the President proposed \$50 million in mandatory funding per year for states, tribes, and territories to address teen pregnancy. What steps can we take to reverse this upward trend in teen pregnancies?

Response: I support the President's proposal to move to an evidence-based approach to teen pregnancy, and appreciate your interest in the authorization of the \$50 million in mandatory funding for states, tribes, and territories to address this issue. If confirmed, I look forward to working with the Committee to enact legislation to support the teen pregnancy prevention initiative. The state mandatory program you mention is one part of the President's larger \$164 million teen pregnancy prevention initiative aimed at addressing the upward trend in teen pregnancies.

Question 9:

The recovery act makes significant investments in Child Care.

- a. What areas for improvement do you suggest if we want to promote work now and in the future?**

Response: Based on my experience, there is no question that quality child care is an essential element to enabling parents to work. It provides peace of mind for parents to know that their children are being cared for in a safe, high-quality environment while they are at work. I wholeheartedly agree with Secretary Sebelius's statement that funding early childhood programs

is the best investment we can make in America. If confirmed, I look forward to working with you to continue to address the child care needs of working families.

- b. In recent years, there has been criticism that current standards for child care providers are insufficient - for instance, many states do not require full background checks on child care providers. Do you believe the federal government should have a larger role in establishing acceptable standards of care or do you believe that current standards - mostly established by states - are adequate?**

Response: Statistics suggest that almost 12 million children under the age of five are now being cared for outside of the home. As a nation, we have a responsibility to create safe and healthy child care services for these children. If confirmed, I am open to exploring all the ways in which we can improve the quality of child care, including a review of state child care standards.

Questions from Senator Grassley

Question 1:

The last effort to reauthorize the Temporary Assistance for Needy Family (TANF) was a difficult and time consuming process. There were 12 extensions of TANF before the reauthorization was finally enacted. What are the *specific* lessons learned from the last reauthorization effort? How do you intend to address the lessons learned?

Response: As a governor, Secretary Sebelius helped to implement welfare reform on the ground, with a strong focus on work and responsibility. In addition, I know that the Secretary and members of this Committee recognize that success at work and at home must include key supports such as affordable child care, training to help parents find better work opportunities, and reliable child support to ensure children receive help from both parents. Drawing on my past experience in federal and state government, if confirmed, I will work closely with Secretary Sebelius, members of this Committee, states, and other stakeholders to establish an early, collaborative process – like the one I was involved in during the 1996 reform effort – to broadly examine all these critical elements. My goal will be to ensure that TANF reauthorization legislation is developed in a timely manner with a comprehensive view towards meeting the needs of low-income and vulnerable families, promoting child well-being, and identifying strategies for improving services to better assist families in escaping poverty.

Question 2:

As you know, a child-only TANF case is one in which no adult is included in the cash grant. Child-only cases now comprise approximately 42% of the cash welfare caseload. An increasing number of these child only cases are children living with non-parent or relative caregivers. Research prepared for the Department of Health and Human Services concludes that, “many children and child-only TANF cases with relative caregivers have extensive unmet needs,” and concludes that, the “TANF child only grant provides basic

financial support to children cared for by relatives not legally responsible for them, but rarely offers assessments or services appropriate to these children’s needs.” How do you intend to address the growing number of child-only TANF cases and the unmet needs of children in these child-only cases in the upcoming reauthorization of the TANF programs?

Response: The TANF reauthorization process must take a broad and collaborative view of all the essential components for enabling a family to become self-sufficient. In addition to a strong focus on self-sufficiency, we must work to promote child well-being and identify strategies for improving services to better assist families in escaping poverty. If confirmed, I will examine the issue of TANF child-only cases as part of this comprehensive approach to TANF reauthorization.

Question 3:

Current law requires 30 hours of work or work related activities to count towards a state’s participation rate. In an effort to more closely approximate the work load of an average working individual, the previous Administration proposed increasing the amount of time an individual receiving assistance must spend in work or work related activities to a total of 40 hours in order for a welfare client to fully count towards a state’s participation rate. Is a 40 hour work week standard reasonable for a client receiving assistance? If not, why?

Response: Welfare reform reauthorization offers an opportunity to look at the full range of issues related to work and responsibility. If confirmed, I plan to undertake a comprehensive review of how the programs ACF administers can work more efficiently and effectively to help families achieve self-sufficiency, including the question you raise on TANF work participation expectations. I appreciate your commitment to welfare reform and building on its early success in moving people to self-sufficiency, and, if confirmed, I look forward to working with you to strengthen the effectiveness of the TANF program in this regard.

Question 4:

The 1996 welfare reform bill contemplated that by 2002 and thereafter, states would be required to engage 50% of welfare clients in meaningful activities. In reality, as a result of the caseload reduction credit in the years leading up to the Deficit Reduction Act (DRA) many states did not meet a 50% participation rate. As part of the DRA, the caseload reduction credit was “rebased” thereby establishing a more robust participation rate for states. Do you believe that the current 50% participation rate for states should be maintained in the upcoming reauthorization of the TANF program? Will you support or oppose efforts to potentially undermine the participation rate by replacing the caseload reduction credit with a credit that would effectively reduce a state’s participation rate requirement? Data on how states fared in meeting the new participation standards have not been released from the Department of Health and Human Services for 2007 and 2008. Will you provide this data to the Committee?

Response: As noted earlier, if confirmed, I will engage in a comprehensive examination of the TANF program taking into consideration the concerns you raise about state work participation rates. Like Secretary Sebelius, I strongly believe that welfare reform rests upon the twin pillars of work and responsibility. Additionally, I understand the importance of ensuring that strong outcome data informs reauthorization efforts, and I will commit to examining TANF data reporting and to ensuring that any reporting difficulties are addressed. If confirmed, I look forward to working with the Committee to examine data that will help inform us about the most effective ways to serve families and children.

Question 5:

The Deficit Reduction Act of 2005 gave the Secretary of HHS the authority to promulgate regulations for determining whether activities may be counted as “work activities” how to count and verify reported hours of work and determining who is a work-eligible individual. These regulations were due June 30, 2006. These regulations have been published and states have started to comply. Do you intend to make any changes to the current TANF work regulations? If so, please describe the changes you intend to make and rationale for changing the current regulations.

Response: If confirmed, as a first step in my approach to welfare reform reauthorization, I plan to undertake a comprehensive review of how the programs ACF administers can work more efficiently and effectively to help families achieve self-sufficiency, including through work requirements. My review will include an assessment of both the statutory and regulatory framework of the TANF program to ensure that we are well-positioned as a nation to address the needs of low-income families and to provide opportunities for them to become self-sufficient. While I cannot presuppose whether regulatory changes related to work activities will be necessary prior to undertaking that assessment, I am committed to working closely with members of this Committee, states, and other stakeholders to establish an early, collaborative process to broadly examine all critical elements to reform.

Question 6:

Various reports indicate that some states are utilizing a TANF implementing regulation which allows states to reduce their effective participation rate by counting a broad range of social service expenditures toward their Maintenance of Effort (MOE). Do you intend to allow states to continue using funds they have spent on other social service programs to “count” as MOE for the purposes of determining a states work participation rate? If so, please describe how allowing states to use funds they have spent to effectively lower their work participation rate supports a “work first” approach to welfare? How would you respond to critics of this practice who claim that states are using MOE as a means to relieve their responsibility for productively engaging families so that they can make the transition from dependence to self sufficiency?

Response: Both Secretary Sebelius and I are committed to targeting our efforts to work and responsibility while ensuring adequate supports are in place to assist families in moving toward self-sufficiency. If confirmed, I will engage in a comprehensive examination of the TANF

program, taking into consideration the concerns you raise about state implementation of the Maintenance-of-Effort provisions, to be certain we are working together with our state partners in an effective and efficient manner to achieve the goals of the TANF program.

Question 7:

How do you plan to improve the integration of services for low income people? Describe how you plan to address the jurisdictional barriers presented when attempting to integrate services such as food stamps, welfare and the Workforce Investment Act which are authorized by separate Congressional committees.

Response: If confirmed, I am committed to working collaboratively with other federal agencies that play key roles in helping people succeed at work and at home. As you noted, the Department of Agriculture and the Department of Labor are two of our critical partners. We must work together closely to maximize the efficiency and effectiveness of our programs. We also must work with relevant congressional committees to determine whether legislation is necessary to better coordinate our services.

Question 8:

One of the criticisms of the welfare reform provisions in the Deficit Reduction Act of 2005 was that, according to the Congressional Budget Office, if states chose to meet the new requirements by funding activities such as work experience, the cost to states would be \$800 million in FY 06, \$1.7 billion in FY 07, \$1.8 billion in FY 08 and \$1.9 billion in FY 09. Can you confirm whether or not states have had to spend these amounts in order to comply with the welfare requirements in the DRA? To the best of your knowledge, has there been any additional state spending in order to comply with the welfare requirements in the DRA? What strategies have states implemented in order to comply with the welfare requirements in the DRA?

Response: As noted earlier, if confirmed, I am committed to undertaking a comprehensive review of current TANF implementation efforts by states. As part of that review, I will carefully examine the issues you have raised, including state expenditures on work-related activities and other key requirements in the Deficit Reduction Act, as well as strategies states have undertaken to comply with the welfare requirements in the Deficit Reduction Act. All of this information will be taken into consideration as we develop our welfare reform reauthorization package.

Question 9:

The enactment of the “Fostering Connections to Success and Increasing Adoptions Act of 2008” has been characterized as the most far reaching reform to child welfare in over a decade. However, a number of key provisions of this legislation, such as the establishment of a kinship guardianship assistance program and the state option to extend care after the age of 18, are left up to the states. How do you intend to work with states to implement provisions of “Fostering Connections to Success and Increasing Adoptions Act of 2008” especially the provisions which are options for states?

Response: The Fostering Connections to Success Act significantly expanded the availability of federal funds to support children and families that are involved in the child welfare system. If confirmed, I am committed to ensuring this important legislation is implemented quickly, thoughtfully, and consistent with congressional intent. My efforts will include ensuring that states and tribes are provided with clear and timely guidance and that technical assistance is available to them to help in their implementation of these far-reaching reforms.

Questions from Senator Rockefeller

Question 1:

Child Support Enforcement

During the last Congress, I sponsored the Child Support Enforcement Protection Act of 2007. I was delighted that these provisions were included for two years in the American Recovery Act. I know that President Obama supported state investments of incentive funding during his time in the Senate. I look forward to working with you and the Obama Administration to continue use of the incentive payments to advance child support enforcement as well as other child support enforcement investments.

- **What are your views on child support enforcement and improving its effectiveness, specifically including the use of incentive funding?**

Response: The child support enforcement program represents a key partnership between federal, state, and tribal governments to foster family responsibility and promote self-sufficiency by ensuring that both parents support children financially and emotionally. Federal incentive payments are an important component of this partnership and I support the American Recovery and Reinvestment Act change to restore federal matching of investments made by states with these funds to improve their child support enforcement programs. I very much appreciate your interest in improving the child support enforcement program, and, if confirmed, look forward to working with you to strengthen the effectiveness of this critical program for children and families.

Question 2:

Child Welfare and Adoption

I was proud to work with Chairman Baucus and Ranking Member Grassley on the Foster Connections to Success and Increasing Adoptions Act in 2008.

- **I would like to know your plans for implementation and follow up on this bold legislation.**

Response: As you know, the Fostering Connections to Success Act significantly expanded the availability of federal funds to support children and families that are involved in the child welfare system. The legislation creates a new Guardianship Assistance entitlement program,

expands the age limit for providing assistance on behalf of certain children, provides a phase-in to delink Adoption Assistance eligibility from pre-TANF 1996 Aid to Families with Dependent Children eligibility rules, and allows federally recognized tribes to operate title IV-E programs directly. If confirmed, I will work to ensure this important legislation is implemented quickly, thoughtfully, and consistent with congressional intent.

Question 3:

Child Welfare and Adoption

While it seems simple, I am very frustrated that this Committee has not gotten clear reports on how States are allocating their funding for the four priorities – family support, family preservation, adoption and family reunification – under the Safe and Stable Families programs. HHS policy directs States to spend substantial sums on the four priorities which means at least 20 percent on each, with State flexibility for the additional 20 percent. In previous legislation, language was included to get the specific data.

- **Will you commit today to get reliable, readable report from every State on how prevention monies are allocated?**

Response: If confirmed, I certainly will commit to closely reviewing the information that has been reported to Congress on the use of funds in the Promoting Safe and Stable Families program, particularly in relation to state funding allocations in the four statutory priority areas, and to ensuring that any reporting deficiencies are addressed.

Question 4:

Child Welfare and Adoption

I have worked for years on the issue of helping youth aging out of foster care, and there are provisions in the Fostering Connection law to expand this effort. But for this question, I want to raise an issue lingering from the Chafee Foster Care Independence Act of 1999. In that bill, Congress included a requirement that states collect data for older youth currently and formerly in foster care to track outcomes for a very vulnerable population. Congress stipulated that the states pay for the data collection out of the funds made available through the Act. However, HHS did not promulgate final regulations until 2008. In the intervening years, the states fully obligated the annual appropriation, partly in response to criticism from the Congress and advocates that the funds were not being fully utilized. Now the states will be forced to reduce funding for services and programs to these youth in order to meet what will be significant costs required to locate and survey youth several years after emancipation. This condition would not be an issue if HHS/ACF had acted in a timely manner. And this is occurring as the annual number of youth aging out of foster care continues to climb unabated: in 2007, 28,959 youth aged out of care, up from 18,964 in 1999 when the Act was passed.

A national advisory committee of leading academic researchers, state child welfare officials, and foundation representatives has been working on ways to help states overcome

the difficult and costly barriers to implementation and bring a sharper focus on collecting *outcome* data rather than simply counting services delivered.

- **What steps will HHS/ACF take to address the challenges created in part by absence of regulations for more than eight years?**
- **Will HHS/ACF consider revisions to the regulations that could reduce costs and improve the data on outcomes for these youth?**

Response: I am well aware of your personal involvement in improving the foster care program over the years, along with the ongoing efforts of the Finance Committee to modify the program so that it is more responsive to the needs of the vulnerable children it is designed to serve. I look forward to working closely with you and the Committee to continue these very important efforts. On the specific issue you raise, if confirmed, I will review any challenges facing the states in implementing the data collection regulations required to implement provisions in the Chafee Foster Care Independence Act, including by seeking guidance from stakeholders on technical assistance that can be provided to assist the states in this effort. Further, I will review the content of the regulations in light of your concerns and work with stakeholders to determine whether changes should be implemented.

Question 5:

Child Care

During the Bush Administration, the Child Care Office was demoted and moved under the supervision of the TANF (welfare office.) My concern was that it signaled that child care was only for parents on welfare. My strong view is that child care is an important issue for *all* working families, not just those parents on welfare. I am aware that some groups are prompting the creation of a separate in distinct office on Early Learning and Child Care, and I think it makes good sense.

- **Can you share your views on child care, and how you can work to highlight the issues of quality care as part of the Administration's birth to 5 initiatives?**

Response: My personal experiences in working with Head Start and child care programs have shaped my views on the importance of these programs to ensuring positive outcomes for children and their families. The years before a child reaches kindergarten are among the most critical in his or her life with respect to influencing learning and promoting positive outcomes. President Obama and Secretary Sebelius have indicated their commitment to providing the support that our youngest children need to prepare to succeed later in school and in life. I fully support their commitment, and, if confirmed, will work to ensure effective, responsible, and timely implementation of the President's 0 – 5 initiative.

Question 6:

Child Care Follow-Up

Would you consider a change in the agency to highlight the importance of child care?

Response: If confirmed, I plan to look closely at the structure of the agency to ensure that it is highly responsive in carrying out the agency's mission. I can assure you that my review will include special consideration of whether child care is appropriately positioned in the agency to carry out its critical responsibility to our nation's children and families.

Question 7:

Child Care Follow-Up

Do you share my conviction that we must find a way to coordinate child care, Head Start and pre-K programs?

Response: I absolutely share that conviction and, if confirmed, I plan to play a strong leadership role in ensuring that implementation of the Head Start State Advisory Councils and the President's Early Learning Challenge Grants are effectively coordinated to promote healthy and comprehensive child development. As I said in my opening statement, if confirmed, I plan to work collaboratively across sectors to enhance opportunities for children to achieve success in school and in life, and this collaboration includes establishing strong links between the programs within ACF and HHS and across other departments as well as with outside stakeholders.

Questions from Senator Stabenow

I hope to be working with you in the future as I have heard some wonderful things about you from Michigan's Department of Human Services director, Ismael Ahmed.

Question 1:

Michigan today has two million people in poverty, including half a million children. What can ACF do to assist states especially hard-hit states like Michigan?

Response: As I indicated in my opening statement, if confirmed, one of my priorities will be to focus on supporting families to achieve economic success. Upcoming efforts to reauthorize the Temporary Assistance for Needy Families (TANF) program provide a significant opportunity to examine the issues facing children and families in poverty and assess whether the current direction of the program and related family support efforts, like child care and child support, effectively respond to the challenges faced by families in poverty. I look forward to working through a collaborative process with program stakeholders and Congress to ensure that states like Michigan are well positioned to address the needs of low-income families and to provide opportunities for them to become self-sufficient.

Question 2:

Also child care is critically important for working families in my state. As Assistant Secretary for ACF, do you have any ideas or proposals on how we can make child care more affordable and accessible?

Response: My personal experience in working with child care has shaped my views on the importance of these programs in ensuring positive outcomes for children and their families. In working together on the recently enacted American Recovery and Reinvestment Act, Congress and the Administration made significant progress in providing funding to address the child care needs of working families. With these funds, states and tribes will be able to enhance the quality of services, improve their administrative functions, and expand the provision of services to a greater number of families. If confirmed, I look forward to working with you to continue to address the child care needs of working families.

Questions from Senator Nelson

Question 1:

The State of Florida currently receives a statewide waiver for the flexible use of foster care funds under Title IV-E of the Social Security Act. Florida's waiver took effect on October 1, 2006 and it expires on September 30, 2011.

According to the Florida Department of Children and Families (DCF), the waiver enables federal IV-E foster care funds to be used for a wide variety of child welfare purposes rather than being restricted to out of home care. The waiver also permits funds to be used for child welfare services including prevention, diversion from out-of-home placement through intensive in-home services, reunification (when this can be accomplished safely) and permanency, as well as for foster care.

Since implementation of the waiver program, the DCF reports that the results have been positive. On January 1, 2007 there were 29,255 children in out-of-home care (foster care, residential care, etc.). As of May 18, 2009, there are fewer than 21,000 children in out-of-home care – a reduction of over 31%.

There is a possibility that Florida could reach the end of the aforementioned waiver period without clarification of whether the current waiver can be extended, and the answer may depend on interpretation of current law. Would you support an interpretation of current law that would permit Florida's IV-E waiver program to continue? If legislation is not enacted prior to September 2011, would you support an extension of Florida's Title IV-E waiver?

Response: If confirmed, I look forward to working with members of this Committee, states, and all interested stakeholders to find ways to continue to improve the foster care program so that it can be more responsive to meeting the needs of our most vulnerable children. As part of that process, if confirmed, I will review the Florida IV-E waiver program in light of the concerns you raise regarding the September 2011 end date to be certain the best decision is made for children impacted by the child welfare system in Florida and other states that could benefit from what is learned in this waiver demonstration program.