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HATCH STATEMENT AT FINANCE COMMITTEE MARKUP OF CHILD AND FAMILY SERVICES IMPROVEMENT AND INNOVATION ACT

WASHINGTON – U.S. Senator Orrin Hatch (R-Utah), Ranking Member of the Senate Finance Committee, today delivered the following opening statement at a committee markup of S. 1542, the Child and Family Services Improvement and Innovation Act:

I am very pleased that today the Senate Finance Committee will move forward on legislation that you and I introduced to reauthorize and improve the Child and Family Services Act, and to expand and extend child welfare waivers. The bill before us is based largely on S. 1013, which the Chairman and I introduced earlier this year and is cosponsored by Senators Rockefeller, Enzi, Brown, Casey, Chambliss, Cochran, Roberts, Snowe and Wicker. Today's legislation — S. 1542 — has bipartisan and bicameral support, and gives states the tools they need to provide support services to vulnerable families, and to help children stay safely with their biological families or find a safe permanent home with a relative or an adoptive family.

In preparation for this markup, the Senate Finance Committee hosted several briefings on the important work done by the courts in bringing together all the different individuals and agencies that oversee a state's child welfare system. I am pleased that support for the Court Improvement programs will be continued.

This legislation has the support of adoption and child welfare advocacy groups, as well as the Conference of Chief Justices and the Conference of State Court Administrators.

It addresses a number of concerns raised by Senate Finance Committee Members. In particular, issues raised by Senator Grassley — who was Chairman when the Committee last addressed the Child and Family Services Act — relative to Regional Grants to address substance abuse have been accommodated in this bill.

This legislation also extends and expands the ability of states to get waivers from federal child welfare restrictions, a policy based on S.1013, the bill that the Chairman and I introduced earlier this year. My state of Utah is very eager to continue its work in improving its child welfare system. Policymakers in my state believe that an expanded waiver opportunity will be

extremely helpful in allowing Utah to make critical decisions about options for vulnerable families.

Mr. Chairman, as you know, the authority for states to apply for a waiver from the Federal Foster Care program was not extended as part of the Deficit Reduction Act of 2005. In the intervening years, states have communicated to Congress that if waivers were permitted, they could use that flexibility to improve the child welfare system.

In making their case, states point to the success achieved by the seven states which had waivers when the DRA was enacted. For example, in the state of Florida title IV-E waivers allowed the state to provide pre-placement services to at-risk families. This resulted in the family preservation of over 40,000 children between 2006 and 2009. Prior to 2006, the state of Florida was only able to preserve the families of 2,500 children. Additionally, in California during the decade following the title IV-E waiver, the county of Los Angeles alone witnessed the number of children in foster care decline from over 50,000 children to 25,000. Furthermore, in Los Angeles County the number of children placed into institutionalized settings such as group homes also declined by more than one-third during this period.

Mr. Chairman, I am a strong believer that when contemplating national reform efforts — and I think most would agree that our child welfare systems need a dramatic overhaul — Congress should look to the states for guidance and direction. Every state has different needs, and a *cookie cutter* approach, which is the approach currently used by many states across the country, is less likely to secure the kinds of changes that will provide permanency, safety, and well-being for children within or at risk of entering the child-welfare system.

While states struggle with similar challenges in child welfare reform, each state also has its unique challenges that are particular to its context and population. Reform can only take place by acknowledging the unique needs of the families within each state. For example, the state of California currently serves over 60,000 foster youth. By comparison, the state of Utah serves a population of less than 3,000 youth. These two states obviously have different needs based on the amount of foster youth alone. In addition to the vast difference in the number of children who need services in these two states, the state of Utah is also one of ten states that has a significant Native American population of foster youth who need to be served.

Each state should be given the opportunity to create system reform that better addresses the needs of its child welfare population. My hope is that giving states flexibility in administering their title IV-E funding will not merely serve as experiments, but rather will become the blueprints of overall reform. If each state is given the resources to develop innovative ways to address the unique needs of the individuals served in the child welfare system, overall system reform can be achieved.

Given the ongoing challenges presented by federal deficits and debt, and the frequent disagreement about how to address them, I am grateful that this Committee is able to come together today on bipartisan legislation that encourages the states to develop policies to help

vulnerable children and youth.

On another note, today the Committee will also consider four nominees. The three judges of the U.S. Tax Court, and the Assistant Secretary of the Treasury we are considering have appeared before the Committee and answered all questions that have been asked of them. Judges Vasquez, Foley, and Gale have each completed a 15-year term on the Tax Court, and have graciously agreed to let us benefit from their expertise for an additional term. In answering my written questions, Dr. Janice Eberly promised that as Treasury Assistant Secretary for Economic Policy, she would continue to uphold the professional integrity that requires her to “present research based on economic fundamentals and sound analysis of the available data.” I intend to support all four of the individuals we will consider today.

I thank the Chairman.

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