

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4980

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## AN ACT

To prevent and address sex trafficking of children in foster care, to extend and improve adoption incentives, and to improve international child support recovery.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Preventing Sex Traf-  
3 ficking and Strengthening Families Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5       The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.

TITLE I—PROTECTING CHILDREN AND YOUTH AT RISK OF SEX  
TRAFFICKING

Subtitle A—Identifying and Protecting Children and Youth at Risk of Sex  
Trafficking

- Sec. 101. Identifying, documenting, and determining services for children and youth at risk of sex trafficking.
- Sec. 102. Reporting instances of sex trafficking.
- Sec. 103. Including sex trafficking data in the Adoption and Foster Care Analysis and Reporting System.
- Sec. 104. Locating and responding to children who run away from foster care.
- Sec. 105. Increasing information on children in foster care to prevent sex trafficking.

Subtitle B—Improving Opportunities for Children in Foster Care and  
Supporting Permanency

- Sec. 111. Supporting normalcy for children in foster care.
- Sec. 112. Improving another planned permanent living arrangement as a permanency option.
- Sec. 113. Empowering foster children age 14 and older in the development of their own case plan and transition planning for a successful adulthood.
- Sec. 114. Ensuring foster children have a birth certificate, Social Security card, health insurance information, medical records, and a driver’s license or equivalent State-issued identification card.
- Sec. 115. Information on children in foster care in annual reports using AFCARS data; consultation.

Subtitle C—National Advisory Committee

- Sec. 121. Establishment of a national advisory committee on the sex trafficking of children and youth in the United States.

TITLE II—IMPROVING ADOPTION INCENTIVES AND EXTENDING  
FAMILY CONNECTION GRANTS

Subtitle A—Improving Adoption Incentive Payments

- Sec. 201. Extension of program through fiscal year 2016.
- Sec. 202. Improvements to award structure.
- Sec. 203. Renaming of program.

- Sec. 204. Limitation on use of incentive payments.
- Sec. 205. Increase in period for which incentive payments are available for expenditure.
- Sec. 206. State report on calculation and use of savings resulting from the phase-out of eligibility requirements for adoption assistance; requirement to spend 30 percent of savings on certain services.
- Sec. 207. Preservation of eligibility for kinship guardianship assistance payments with a successor guardian.
- Sec. 208. Data collection on adoption and legal guardianship disruption and dissolution.
- Sec. 209. Encouraging the placement of children in foster care with siblings.
- Sec. 210. Effective dates.

Subtitle B—Extending the Family Connection Grant Program

- Sec. 221. Extension of family connection grant program.

TITLE III—IMPROVING INTERNATIONAL CHILD SUPPORT  
RECOVERY

- Sec. 301. Amendments to ensure access to child support services for international child support cases.
- Sec. 302. Child support enforcement programs for Indian tribes.
- Sec. 303. Sense of the Congress regarding offering of voluntary parenting time arrangements.
- Sec. 304. Data exchange standardization for improved interoperability.
- Sec. 305. Report to Congress.
- Sec. 306. Required electronic processing of income withholding.

TITLE IV—BUDGETARY EFFECTS

- Sec. 401. Determination of budgetary effects.

**1 SEC. 3. REFERENCES.**

2       Except as otherwise expressly provided in this Act,  
 3 wherever in this Act an amendment is expressed in terms  
 4 of an amendment to a section or other provision, the  
 5 amendment shall be considered to be made to a section  
 6 or other provision of the Social Security Act.

1 **TITLE I—PROTECTING CHILD-**  
2 **DREN AND YOUTH AT RISK OF**  
3 **SEX TRAFFICKING**

4 **Subtitle A—Identifying and Pro-**  
5 **tecting Children and Youth at**  
6 **Risk of Sex Trafficking**

7 **SEC. 101. IDENTIFYING, DOCUMENTING, AND DETER-**  
8 **MINING SERVICES FOR CHILDREN AND**  
9 **YOUTH AT RISK OF SEX TRAFFICKING.**

10 (a) IN GENERAL.—Section 471(a)(9) (42 U.S.C.  
11 671(a)(9)) is amended—

12 (1) in subparagraph (A), by striking “and”;

13 (2) in subparagraph (B), by inserting “and”  
14 after the semicolon; and

15 (3) by adding at the end the following:

16 “(C) not later than—

17 “(i) 1 year after the date of enact-  
18 ment of this subparagraph, demonstrate to  
19 the Secretary that the State agency has  
20 developed, in consultation with State and  
21 local law enforcement, juvenile justice sys-  
22 tems, health care providers, education  
23 agencies, and organizations with experience  
24 in dealing with at-risk children and youth,  
25 policies and procedures (including relevant

1 training for caseworkers) for identifying,  
2 documenting in agency records, and deter-  
3 mining appropriate services with respect  
4 to—

5 “(I) any child or youth over  
6 whom the State agency has responsi-  
7 bility for placement, care, or super-  
8 vision and who the State has reason-  
9 able cause to believe is, or is at risk  
10 of being, a sex trafficking victim (in-  
11 cluding children for whom a State  
12 child welfare agency has an open case  
13 file but who have not been removed  
14 from the home, children who have run  
15 away from foster care and who have  
16 not attained 18 years of age or such  
17 older age as the State has elected  
18 under section 475(8) of this Act, and  
19 youth who are not in foster care but  
20 are receiving services under section  
21 477 of this Act); and

22 “(II) at the option of the State,  
23 any individual who has not attained  
24 26 years of age, without regard to  
25 whether the individual is or was in

1 foster care under the responsibility of  
2 the State; and

3 “(ii) 2 years after such date of enact-  
4 ment, demonstrate to the Secretary that  
5 the State agency is implementing the poli-  
6 cies and procedures referred to in clause  
7 (i).”.

8 (b) DEFINITION OF SEX TRAFFICKING VICTIM.—  
9 Section 475 (42 U.S.C. 675) is amended by adding at the  
10 end the following:

11 “(9) The term ‘sex trafficking victim’ means a  
12 victim of—

13 “(A) sex trafficking (as defined in section  
14 103(10) of the Trafficking Victims Protection  
15 Act of 2000); or

16 “(B) a severe form of trafficking in per-  
17 sons described in section 103(9)(A) of such  
18 Act.”.

19 **SEC. 102. REPORTING INSTANCES OF SEX TRAFFICKING.**

20 (a) STATE PLAN REQUIREMENTS.—Section 471(a)  
21 (42 U.S.C. 671(a)) is amended—

22 (1) by striking “and” at the end of paragraph  
23 (32);

24 (2) by striking the period at the end of para-  
25 graph (33) and inserting a semicolon; and

1 (3) by adding at the end the following:

2 “(34) provides that, for each child or youth de-  
3 scribed in paragraph (9)(C)(i)(I), the State agency  
4 shall—

5 “(A) not later than 2 years after the date  
6 of the enactment of this paragraph, report im-  
7 mediately, and in no case later than 24 hours  
8 after receiving information on children or youth  
9 who have been identified as being a sex traf-  
10 ficking victim, to the law enforcement authori-  
11 ties; and

12 “(B) not later than 3 years after such date  
13 of enactment and annually thereafter, report to  
14 the Secretary the total number of children and  
15 youth who are sex trafficking victims.”.

16 (b) DUTIES OF THE SECRETARY.—Section 471 (42  
17 U.S.C. 671) is amended by adding at the end the fol-  
18 lowing:

19 “(d) ANNUAL REPORTS BY THE SECRETARY ON  
20 NUMBER OF CHILDREN AND YOUTH REPORTED BY  
21 STATES TO BE SEX TRAFFICKING VICTIMS.—Not later  
22 than 4 years after the date of the enactment of this sub-  
23 section and annually thereafter, the Secretary shall report  
24 to the Congress and make available to the public on the  
25 Internet website of the Department of Health and Human

1 Services the number of children and youth reported in ac-  
2 cordance with subsection (a)(34)(B) of this section to be  
3 sex trafficking victims (as defined in section 475(9)(A)).”.

4 **SEC. 103. INCLUDING SEX TRAFFICKING DATA IN THE**  
5 **ADOPTION AND FOSTER CARE ANALYSIS AND**  
6 **REPORTING SYSTEM.**

7 Section 479(c)(3) (42 U.S.C. 679(c)(3)) is amend-  
8 ed—

9 (1) in subparagraph (C)(iii), by striking “and”  
10 after the comma; and

11 (2) by adding at the end the following:

12 “(E) the annual number of children in fos-  
13 ter care who are identified as sex trafficking  
14 victims—

15 “(i) who were such victims before en-  
16 tering foster care; and

17 “(ii) who were such victims while in  
18 foster care; and”.

19 **SEC. 104. LOCATING AND RESPONDING TO CHILDREN WHO**  
20 **RUN AWAY FROM FOSTER CARE.**

21 Section 471(a) (42 U.S.C. 671(a)), as amended by  
22 section 102(a) of this Act, is amended—

23 (1) by striking the period at the end of para-  
24 graph (34) and inserting “; and”; and

25 (2) by adding at the end the following:



1 “(35) provides that—

2 “(A) not later than 1 year after the date  
3 of the enactment of this paragraph, the State  
4 shall develop and implement specific protocols  
5 for—

6 “(i) expeditiously locating any child  
7 missing from foster care;

8 “(ii) determining the primary factors  
9 that contributed to the child’s running  
10 away or otherwise being absent from care,  
11 and to the extent possible and appropriate,  
12 responding to those factors in current and  
13 subsequent placements;

14 “(iii) determining the child’s experi-  
15 ences while absent from care, including  
16 screening the child to determine if the  
17 child is a possible sex trafficking victim (as  
18 defined in section 475(9)(A)); and

19 “(iv) reporting such related informa-  
20 tion as required by the Secretary; and

21 “(B) not later than 2 years after such date  
22 of enactment, for each child and youth de-  
23 scribed in paragraph (9)(C)(i)(I) of this sub-  
24 section, the State agency shall report imme-  
25 diately, and in no case later than 24 hours after

1 receiving, information on missing or abducted  
2 children or youth to the law enforcement au-  
3 thorities for entry into the National Crime In-  
4 formation Center (NCIC) database of the Fed-  
5 eral Bureau of Investigation, established pursu-  
6 ant to section 534 of title 28, United States  
7 Code, and to the National Center for Missing  
8 and Exploited Children.”.

9 **SEC. 105. INCREASING INFORMATION ON CHILDREN IN**  
10 **FOSTER CARE TO PREVENT SEX TRAF-**  
11 **FICKING.**

12 Not later than 2 years after the date of the enact-  
13 ment of this Act, the Secretary of Health and Human  
14 Services shall submit to the Congress a written report  
15 which summarizes the following:

16 (1) Information on children who run away from  
17 foster care and their risk of becoming sex trafficking  
18 victims, using data reported by States under section  
19 479 of the Social Security Act and information col-  
20 lected by States related to section 471(a)(35) of  
21 such Act, including—

22 (A) characteristics of children who run  
23 away from foster care;

24 (B) potential factors associated with chil-  
25 dren running away from foster care (such as

1 reason for entry into care, length of stay in  
2 care, type of placement, and other factors that  
3 contributed to the child's running away);

4 (C) information on children's experiences  
5 while absent from care; and

6 (D) trends in the number of children re-  
7 ported as runaways in each fiscal year (includ-  
8 ing factors that may have contributed to  
9 changes in such trends).

10 (2) Information on State efforts to provide spe-  
11 cialized services, foster family homes, child care in-  
12 stitutions, or other forms of placement for children  
13 who are sex trafficking victims.

14 (3) Information on State efforts to ensure chil-  
15 dren in foster care form and maintain long-lasting  
16 connections to caring adults, even when a child in  
17 foster care must move to another foster family home  
18 or when the child is placed under the supervision of  
19 a new caseworker.

1 **Subtitle B—Improving Opportuni-**  
2 **ties for Children in Foster Care**  
3 **and Supporting Permanency**

4 **SEC. 111. SUPPORTING NORMALCY FOR CHILDREN IN FOS-**  
5 **TER CARE.**

6 (a) REASONABLE AND PRUDENT PARENT STAND-  
7 ARD.—

8 (1) DEFINITIONS RELATING TO THE STAND-  
9 ARD.—Section 475 (42 U.S.C. 675), as amended by  
10 section 101(b) of this Act, is amended by adding at  
11 the end the following:

12 “(10)(A) The term ‘reasonable and prudent  
13 parent standard’ means the standard characterized  
14 by careful and sensible parental decisions that main-  
15 tain the health, safety, and best interests of a child  
16 while at the same time encouraging the emotional  
17 and developmental growth of the child, that a care-  
18 giver shall use when determining whether to allow a  
19 child in foster care under the responsibility of the  
20 State to participate in extracurricular, enrichment,  
21 cultural, and social activities.

22 “(B) For purposes of subparagraph (A), the  
23 term ‘caregiver’ means a foster parent with whom a  
24 child in foster care has been placed or a designated

1 official for a child care institution in which a child  
2 in foster care has been placed.

3 “(11)(A) The term ‘age or developmentally-ap-  
4 propriate’ means—

5 “(i) activities or items that are generally  
6 accepted as suitable for children of the same  
7 chronological age or level of maturity or that  
8 are determined to be developmentally-appro-  
9 priate for a child, based on the development of  
10 cognitive, emotional, physical, and behavioral  
11 capacities that are typical for an age or age  
12 group; and

13 “(ii) in the case of a specific child, activi-  
14 ties or items that are suitable for the child  
15 based on the developmental stages attained by  
16 the child with respect to the cognitive, emo-  
17 tional, physical, and behavioral capacities of the  
18 child.

19 “(B) In the event that any age-related activities  
20 have implications relative to the academic cur-  
21 riculum of a child, nothing in this part or part B  
22 shall be construed to authorize an officer or em-  
23 ployee of the Federal Government to mandate, di-  
24 rect, or control a State or local educational agency,  
25 or the specific instructional content, academic

1 achievement standards and assessments, curriculum,  
2 or program of instruction of a school.”.

3 (2) STATE PLAN REQUIREMENT.—Section  
4 471(a)(24) (42 U.S.C. 671(a)(24)) is amended—

5 (A) by striking “include” and inserting  
6 “includes”;

7 (B) by striking “and that such prepara-  
8 tion” and inserting “that the preparation”; and

9 (C) by inserting “, and that the prepara-  
10 tion shall include knowledge and skills relating  
11 to the reasonable and prudent parent standard  
12 for the participation of the child in age or de-  
13 velopmentally-appropriate activities, including  
14 knowledge and skills relating to the develop-  
15 mental stages of the cognitive, emotional, phys-  
16 ical, and behavioral capacities of a child, and  
17 knowledge and skills relating to applying the  
18 standard to decisions such as whether to allow  
19 the child to engage in social, extracurricular,  
20 enrichment, cultural, and social activities, in-  
21 cluding sports, field trips, and overnight activi-  
22 ties lasting 1 or more days, and to decisions in-  
23 volving the signing of permission slips and ar-  
24 ranging of transportation for the child to and

1 from extracurricular, enrichment, and social ac-  
2 tivities” before the semicolon.

3 (3) TECHNICAL ASSISTANCE.—The Secretary of  
4 Health and Human Services shall provide assistance  
5 to the States on best practices for devising strategies  
6 to assist foster parents in applying a reasonable and  
7 prudent parent standard in a manner that protects  
8 child safety, while also allowing children to experi-  
9 ence normal and beneficial activities, including meth-  
10 ods for appropriately considering the concerns of the  
11 biological parents of a child in decisions related to  
12 participation of the child in activities (with the un-  
13 derstanding that those concerns should not nec-  
14 essarily determine the participation of the child in  
15 any activity).

16 (b) NORMALCY FOR CHILDREN IN CHILD CARE IN-  
17 STITUTIONS.—Section 471(a)(10) (42 U.S.C. 671(a)(10))  
18 is amended to read as follows:

19 “(10) provides—  
20 “(A) for the establishment or designation  
21 of a State authority or authorities that shall be  
22 responsible for establishing and maintaining  
23 standards for foster family homes and child  
24 care institutions which are reasonably in accord  
25 with recommended standards of national orga-

1           nizations concerned with standards for the in-  
2           stitutions or homes, including standards related  
3           to admission policies, safety, sanitation, and  
4           protection of civil rights, and which shall permit  
5           use of the reasonable and prudent parenting  
6           standard;

7           “(B) that the standards established pursu-  
8           ant to subparagraph (A) shall be applied by the  
9           State to any foster family home or child care  
10          institution receiving funds under this part or  
11          part B and shall require, as a condition of each  
12          contract entered into by a child care institution  
13          to provide foster care, the presence on-site of at  
14          least 1 official who, with respect to any child  
15          placed at the child care institution, is des-  
16          ignated to be the caregiver who is authorized to  
17          apply the reasonable and prudent parent stand-  
18          ard to decisions involving the participation of  
19          the child in age or developmentally-appropriate  
20          activities, and who is provided with training in  
21          how to use and apply the reasonable and pru-  
22          dent parent standard in the same manner as  
23          prospective foster parents are provided the  
24          training pursuant to paragraph (24);



1           “(C) that the standards established pursu-  
2           ant to subparagraph (A) shall include policies  
3           related to the liability of foster parents and pri-  
4           vate entities under contract by the State involv-  
5           ing the application of the reasonable and pru-  
6           dent parent standard, to ensure appropriate li-  
7           ability for caregivers when a child participates  
8           in an approved activity and the caregiver ap-  
9           proving the activity acts in accordance with the  
10          reasonable and prudent parent standard; and

11           “(D) that a waiver of any standards estab-  
12          lished pursuant to subparagraph (A) may be  
13          made only on a case-by-case basis for nonsafety  
14          standards (as determined by the State) in rel-  
15          ative foster family homes for specific children in  
16          care;”.

17          (c) SUPPORTING PARTICIPATION IN AGE-APPRO-  
18          PRIATE ACTIVITIES.—

19           (1) Section 477(a) (42 U.S.C. 677(a)) is  
20          amended—

21           (A) by striking “and” at the end of para-  
22          graph (6);

23           (B) by striking the period at the end of  
24          paragraph (7) and inserting “; and”; and

25           (C) by adding at the end the following:

1           “(8) to ensure children who are likely to remain  
2           in foster care until 18 years of age have regular, on-  
3           going opportunities to engage in age or develop-  
4           mentally-appropriate activities as defined in section  
5           475(11).”.

6           (2) Section 477(h)(1) (42 U.S.C. 677(h)(1)) is  
7           amended by inserting “or, beginning in fiscal year  
8           2020, \$143,000,000” after “\$140,000,000”.

9           (d) EFFECTIVE DATE.—

10           (1) IN GENERAL.—The amendments made by  
11           this section shall take effect on the date that is 1  
12           year after the date of the enactment of this Act.

13           (2) DELAY PERMITTED IF STATE LEGISLATION  
14           REQUIRED.—If the Secretary of Health and Human  
15           Services determines that State legislation (other  
16           than legislation appropriating funds) is required in  
17           order for a State plan developed pursuant to part E  
18           of title IV of the Social Security Act to meet the ad-  
19           ditional requirements imposed by the amendments  
20           made by this section, the plan shall not be regarded  
21           as failing to meet any of the additional requirements  
22           before the 1st day of the 1st calendar quarter begin-  
23           ning after the 1st regular session of the State legis-  
24           lature that begins after the date of the enactment of  
25           this Act. If the State has a 2-year legislative session,

1 each year of the session is deemed to be a separate  
2 regular session of the State legislature.

3 **SEC. 112. IMPROVING ANOTHER PLANNED PERMANENT**  
4 **LIVING ARRANGEMENT AS A PERMANENCY**  
5 **OPTION.**

6 (a) **ELIMINATION OF ANOTHER PLANNED PERMA-**  
7 **NENT LIVING ARRANGEMENT FOR CHILDREN UNDER**  
8 **AGE 16.—**

9 (1) **IN GENERAL.—**Section 475(5)(C)(i) (42  
10 U.S.C. 675(5)(C)(i)) is amended by inserting “only  
11 in the case of a child who has attained 16 years of  
12 age” before “(in cases where”.

13 (2) **CONFORMING AMENDMENT.—**Section  
14 422(b)(8)(A)(iii)(II) (42 U.S.C.  
15 622(b)(8)(A)(iii)(II)) is amended by inserting “,  
16 subject to the requirements of sections 475(5)(C)  
17 and 475A(a)” after “arrangement”.

18 (3) **DELAYED APPLICABILITY WITH RESPECT**  
19 **TO CERTAIN CHILDREN.—**In the case of children in  
20 foster care under the responsibility of an Indian  
21 tribe, tribal organization, or tribal consortium (ei-  
22 ther directly or under supervision of a State), the  
23 amendments made by this subsection shall not apply  
24 until the date that is 3 years after the date of the  
25 enactment of this Act.

1 (b) ADDITIONAL REQUIREMENTS.—

2 (1) IN GENERAL.—Part E of title IV (42  
3 U.S.C. 670 et seq.) is amended by inserting after  
4 section 475 the following:

5 **“SEC. 475A. ADDITIONAL CASE PLAN AND CASE REVIEW**  
6 **SYSTEM REQUIREMENTS.**

7 “(a) REQUIREMENTS FOR ANOTHER PLANNED PER-  
8 MANENT LIVING ARRANGEMENT.—In the case of any  
9 child for whom another planned permanent living arrange-  
10 ment is the permanency plan determined for the child  
11 under section 475(5)(C), the following requirements shall  
12 apply for purposes of approving the case plan for the child  
13 and the case system review procedure for the child:

14 “(1) DOCUMENTATION OF INTENSIVE, ONGO-  
15 ING, UNSUCCESSFUL EFFORTS FOR FAMILY PLACE-  
16 MENT.—At each permanency hearing held with re-  
17 spect to the child, the State agency documents the  
18 intensive, ongoing, and, as of the date of the hear-  
19 ing, unsuccessful efforts made by the State agency  
20 to return the child home or secure a placement for  
21 the child with a fit and willing relative (including  
22 adult siblings), a legal guardian, or an adoptive par-  
23 ent, including through efforts that utilize search  
24 technology (including social media) to find biological  
25 family members for the children.

1           “(2) REDETERMINATION OF APPROPRIATENESS  
2           OF PLACEMENT AT EACH PERMANENCY HEARING.—  
3           The State agency shall implement procedures to en-  
4           sure that, at each permanency hearing held with re-  
5           spect to the child, the court or administrative body  
6           appointed or approved by the court conducting the  
7           hearing on the permanency plan for the child does  
8           the following:

9                   “(A) Ask the child about the desired per-  
10                  manency outcome for the child.

11                  “(B) Make a judicial determination ex-  
12                  plaining why, as of the date of the hearing, an-  
13                  other planned permanent living arrangement is  
14                  the best permanency plan for the child and pro-  
15                  vide compelling reasons why it continues to not  
16                  be in the best interests of the child to—

17                           “(i) return home;

18                           “(ii) be placed for adoption;

19                           “(iii) be placed with a legal guardian;

20                           or

21                           “(iv) be placed with a fit and willing  
22                           relative.

23           “(3) DEMONSTRATION OF SUPPORT FOR EN-  
24           GAGING IN AGE OR DEVELOPMENTALLY-APPRO-  
25           PRIATE ACTIVITIES AND SOCIAL EVENTS.—At each

1 permanency hearing held with respect to the child,  
2 the State agency shall document the steps the State  
3 agency is taking to ensure that—

4 “(A) the child’s foster family home or child  
5 care institution is following the reasonable and  
6 prudent parent standard; and

7 “(B) the child has regular, ongoing oppor-  
8 tunities to engage in age or developmentally ap-  
9 propriate activities (including by consulting  
10 with the child in an age-appropriate manner  
11 about the opportunities of the child to partici-  
12 pate in the activities).”.

13 (2) CONFORMING AMENDMENTS.—

14 (A) STATE PLAN REQUIREMENTS.—

15 (i) PART B.—Section 422(b)(8)(A)(ii)  
16 (42 U.S.C. 622(b)(8)(A)(ii)) is amended by  
17 inserting “and in accordance with the re-  
18 quirements of section 475A” after “section  
19 475(5)”.

20 (ii) PART E.—Section 471(a)(16) (42  
21 U.S.C. 671(a)(16)) is amended—

22 (I) by inserting “and in accord-  
23 ance with the requirements of section  
24 475A” after “section 475(1)”; and

1 (II) by striking “section  
2 475(5)(B)” and inserting “sections  
3 475(5) and 475A”.

4 (B) DEFINITIONS.—Section 475 (42  
5 U.S.C. 675) is amended—

6 (i) in paragraph (1), in the matter  
7 preceding subparagraph (A), by inserting  
8 “meets the requirements of section 475A  
9 and” after “written document which”; and

10 (ii) in paragraph (5)—

11 (I) in subparagraph (B), by add-  
12 ing at the end the following “and, for  
13 a child for whom another planned per-  
14 manent living arrangement has been  
15 determined as the permanency plan,  
16 the steps the State agency is taking to  
17 ensure the child’s foster family home  
18 or child care institution is following  
19 the reasonable and prudent parent  
20 standard and to ascertain whether the  
21 child has regular, ongoing opportuni-  
22 ties to engage in age or develop-  
23 mentally appropriate activities (includ-  
24 ing by consulting with the child in an  
25 age-appropriate manner about the op-

1 opportunities of the child to participate  
2 in the activities);” and

3 (II) in subparagraph (C)—

4 (aa) by inserting “, as of the  
5 date of the hearing,” after “com-  
6 pelling reason for determining”;  
7 and

8 (bb) by inserting “subject to  
9 section 475A(a),” after “another  
10 planned permanent living ar-  
11 rangement,”.

12 (c) EFFECTIVE DATE.—

13 (1) IN GENERAL.—The amendments made by  
14 this section shall take effect on the date that is 1  
15 year after the date of the enactment of this Act.

16 (2) DELAY PERMITTED IF STATE LEGISLATION  
17 REQUIRED.—If the Secretary of Health and Human  
18 Services determines that State legislation (other  
19 than legislation appropriating funds) is required in  
20 order for a State plan developed pursuant to part E  
21 of title IV of the Social Security Act to meet the ad-  
22 ditional requirements imposed by the amendments  
23 made by this section, the plan shall not be regarded  
24 as failing to meet any of the additional requirements  
25 before the 1st day of the 1st calendar quarter begin-



1       ning after the 1st regular session of the State legis-  
2       lature that begins after the date of the enactment of  
3       this Act. If the State has a 2-year legislative session,  
4       each year of the session is deemed to be a separate  
5       regular session of the State legislature.

6 **SEC. 113. EMPOWERING FOSTER CHILDREN AGE 14 AND**  
7                   **OLDER IN THE DEVELOPMENT OF THEIR**  
8                   **OWN CASE PLAN AND TRANSITION PLANNING**  
9                   **FOR A SUCCESSFUL ADULTHOOD.**

10       (a) IN GENERAL.—Section 475(1)(B) (42 U.S.C.  
11 675(1)(B)) is amended by adding at the end the following:  
12 “With respect to a child who has attained 14 years of age,  
13 the plan developed for the child in accordance with this  
14 paragraph, and any revision or addition to the plan, shall  
15 be developed in consultation with the child and, at the op-  
16 tion of the child, with up to 2 members of the case plan-  
17 ning team who are chosen by the child and who are not  
18 a foster parent of, or caseworker for, the child. A State  
19 may reject an individual selected by a child to be a mem-  
20 ber of the case planning team at any time if the State  
21 has good cause to believe that the individual would not  
22 act in the best interests of the child. One individual se-  
23 lected by a child to be a member of the child’s case plan-  
24 ning team may be designated to be the child’s advisor and,

1 as necessary, advocate, with respect to the application of  
2 the reasonable and prudent parent standard to the child.”.

3 (b) CONFORMING AMENDMENTS TO INCLUDE CHIL-  
4 DREN 14 AND OLDER IN TRANSITION PLANNING.—Sec-  
5 tion 475 (42 U.S.C. 675) is amended—

6 (1) in paragraph (1)(D), by striking “Where  
7 appropriate, for a child age 16” and inserting “For  
8 a child who has attained 14 years of age”; and

9 (2) in paragraph (5)—

10 (A) in subparagraph (C)—

11 (i) in clause (i), by striking “16” and  
12 inserting “14”;

13 (ii) by striking “and” at the end of  
14 clause (ii); and

15 (iii) by adding at the end the fol-  
16 lowing: “and (iv) if a child has attained 14  
17 years of age, the permanency plan devel-  
18 oped for the child, and any revision or ad-  
19 dition to the plan, shall be developed in  
20 consultation with the child and, at the op-  
21 tion of the child, with not more than 2  
22 members of the permanency planning team  
23 who are selected by the child and who are  
24 not a foster parent of, or caseworker for,  
25 the child, except that the State may reject

1 an individual so selected by the child if the  
2 State has good cause to believe that the in-  
3 dividual would not act in the best interests  
4 of the child, and 1 individual so selected by  
5 the child may be designated to be the  
6 child’s advisor and, as necessary, advocate,  
7 with respect to the application of the rea-  
8 sonable and prudent standard to the  
9 child;” and

10 (B) in subparagraph (I), by striking “16”  
11 and inserting “14”.

12 (c) TRANSITION PLANNING FOR A SUCCESSFUL  
13 ADULTHOOD.—Paragraphs (1)(D), (5)(C)(i), and  
14 (5)(C)(iii) of section 475 (42 U.S.C. 675) are each amend-  
15 ed by striking “independent living” and inserting “a suc-  
16 cessful adulthood”.

17 (d) LIST OF RIGHTS.—Section 475A, as added by  
18 section 112(b)(1) of this Act, is amended by adding at  
19 the end the following:

20 “(b) LIST OF RIGHTS.—The case plan for any child  
21 in foster care under the responsibility of the State who  
22 has attained 14 years of age shall include—

23 “(1) a document that describes the rights of the  
24 child with respect to education, health, visitation,  
25 and court participation, the right to be provided with

1 the documents specified in section 475(5)(I) in ac-  
2 cordance with that section, and the right to stay safe  
3 and avoid exploitation; and

4 “(2) a signed acknowledgment by the child that  
5 the child has been provided with a copy of the docu-  
6 ment and that the rights contained in the document  
7 have been explained to the child in an age-appro-  
8 priate way.”.

9 (e) REPORT.—Not later than 2 years after the date  
10 of the enactment of this Act, the Secretary of Health and  
11 Human Services shall submit a report to Congress regard-  
12 ing the implementation of the amendments made by this  
13 section. The report shall include—

14 (1) an analysis of how States are administering  
15 the requirements of paragraphs (1)(B) and (5)(C) of  
16 section 475 of the Social Security Act, as amended  
17 by subsections (a) and (b) of this section, that a  
18 child in foster care who has attained 14 years of age  
19 be permitted to select up to 2 members of the case  
20 planning team or permanency planning team for the  
21 child from individuals who are not a foster parent  
22 of, or caseworker for, the child; and

23 (2) a description of best practices of States with  
24 respect to the administration of the requirements.

25 (f) EFFECTIVE DATE.—

1           (1) IN GENERAL.—The amendments made by  
2 this section shall take effect on the date that is 1  
3 year after the date of the enactment of this Act.

4           (2) DELAY PERMITTED IF STATE LEGISLATION  
5 REQUIRED.—If the Secretary of Health and Human  
6 Services determines that State legislation (other  
7 than legislation appropriating funds) is required in  
8 order for a State plan developed pursuant to part E  
9 of title IV of the Social Security Act to meet the ad-  
10 ditional requirements imposed by the amendments  
11 made by this section, the plan shall not be regarded  
12 as failing to meet any of the additional requirements  
13 before the 1st day of the 1st calendar quarter begin-  
14 ning after the 1st regular session of the State legis-  
15 lature that begins after the date of the enactment of  
16 this Act. If the State has a 2-year legislative session,  
17 each year of the session is deemed to be a separate  
18 regular session of the State legislature.

1 **SEC. 114. ENSURING FOSTER CHILDREN HAVE A BIRTH**  
2 **CERTIFICATE, SOCIAL SECURITY CARD,**  
3 **HEALTH INSURANCE INFORMATION, MED-**  
4 **ICAL RECORDS, AND A DRIVER'S LICENSE OR**  
5 **EQUIVALENT STATE-ISSUED IDENTIFICATION**  
6 **CARD.**

7 (a) CASE REVIEW SYSTEM REQUIREMENT.—Section  
8 475(5)(I) (42 U.S.C. 675(5)(I)) is amended—

9 (1) by striking “and receives assistance” and  
10 inserting “receives assistance”; and

11 (2) by inserting “, and, if the child is leaving  
12 foster care by reason of having attained 18 years of  
13 age or such greater age as the State has elected  
14 under paragraph (8), unless the child has been in  
15 foster care for less than 6 months, is not discharged  
16 from care without being provided with (if the child  
17 is eligible to receive such document) an official or  
18 certified copy of the United States birth certificate  
19 of the child, a social security card issued by the  
20 Commissioner of Social Security, health insurance  
21 information, a copy of the child’s medical records,  
22 and a driver’s license or identification card issued by  
23 a State in accordance with the requirements of sec-  
24 tion 202 of the REAL ID Act of 2005” before the  
25 period.

26 (b) EFFECTIVE DATE.—

1           (1) IN GENERAL.—The amendments made by  
2 this section shall take effect 1 year after the date of  
3 enactment of this Act.

4           (2) DELAY PERMITTED IF STATE LEGISLATION  
5 REQUIRED.—If the Secretary of Health and Human  
6 Services determines that State legislation (other  
7 than legislation appropriating funds) is required in  
8 order for a State plan developed pursuant to part E  
9 of title IV of the Social Security Act to meet the ad-  
10 ditional requirements imposed by the amendments  
11 made by this section, the plan shall not be regarded  
12 as failing to meet any of the additional requirements  
13 before the 1st day of the 1st calendar quarter begin-  
14 ning after the 1st regular session of the State legis-  
15 lature that begins after the date of the enactment of  
16 this Act. If the State has a 2-year legislative session,  
17 each year of the session is deemed to be a separate  
18 regular session of the State legislature.

19 **SEC. 115. INFORMATION ON CHILDREN IN FOSTER CARE IN**  
20 **ANNUAL REPORTS USING AFCARS DATA; CON-**  
21 **SULTATION.**

22 Section 479A (42 U.S.C. 679b) is amended—

23           (1) by striking “The Secretary” and inserting  
24 the following:

25           “(a) IN GENERAL.—The Secretary”;

1           (2) in paragraph (5), by striking “and” after  
2 the semicolon;

3           (3) in paragraph (6)(C), by striking the period  
4 at the end and inserting “; and”; and

5           (4) by adding at the end the following:

6           “(7) include in the report submitted pursuant  
7 to paragraph (5) for fiscal year 2016 or any suc-  
8 ceeding fiscal year, State-by-State data on—

9           “(A) children in foster care who have been  
10 placed in a child care institution or other set-  
11 ting that is not a foster family home, includ-  
12 ing—

13           “(i) the number of children in the  
14 placements and their ages, including sepa-  
15 rately, the number and ages of children  
16 who have a permanency plan of another  
17 planned permanent living arrangement;

18           “(ii) the duration of the placement in  
19 the settings (including for children who  
20 have a permanency plan of another  
21 planned permanent living arrangement);

22           “(iii) the types of child care institu-  
23 tions used (including group homes, resi-  
24 dential treatment, shelters, or other con-  
25 gregate care settings);



1                   “(iv) with respect to each child care  
2                   institution or other setting that is not a  
3                   foster family home, the number of children  
4                   in foster care residing in each such institu-  
5                   tion or non-foster family home;

6                   “(v) any clinically diagnosed special  
7                   need of such children; and

8                   “(vi) the extent of any specialized  
9                   education, treatment, counseling, or other  
10                  services provided in the settings; and

11                  “(B) children in foster care who are preg-  
12                  nant or parenting.

13                  “(b) CONSULTATION ON OTHER ISSUES.—The Sec-  
14                  retary shall consult with States and organizations with an  
15                  interest in child welfare, including organizations that pro-  
16                  vide adoption and foster care services, and shall take into  
17                  account requests from Members of Congress, in selecting  
18                  other issues to be analyzed and reported on under this  
19                  section using data available to the Secretary, including  
20                  data reported by States through the Adoption and Foster  
21                  Care Analysis and Reporting System and to the National  
22                  Youth in Transition Database.”.

1           **Subtitle C—National Advisory**  
2                           **Committee**

3   **SEC. 121. ESTABLISHMENT OF A NATIONAL ADVISORY COM-**  
4                           **MITTEE ON THE SEX TRAFFICKING OF CHIL-**  
5                           **DREN AND YOUTH IN THE UNITED STATES.**

6           Title XI (42 U.S.C. 1301 et seq.) is amended by in-  
7   serting after section 1114 the following:

8   “NATIONAL ADVISORY COMMITTEE ON THE SEX TRAF-  
9           FICKING OF CHILDREN AND YOUTH IN THE UNITED  
10          STATES

11          “SEC. 1114A. (a) OFFICIAL DESIGNATION.—This  
12   section relates to the National Advisory Committee on the  
13   Sex Trafficking of Children and Youth in the United  
14   States (in this section referred to as the ‘Committee’).

15          “(b) AUTHORITY.—Not later than 2 years after the  
16   date of enactment of this section, the Secretary shall es-  
17   tablish and appoint all members of the Committee.

18          “(c) MEMBERSHIP.—

19                  “(1) COMPOSITION.—The Committee shall be  
20   composed of not more than 21 members whose di-  
21   verse experience and background enable them to pro-  
22   vide balanced points of view with regard to carrying  
23   out the duties of the Committee.

24                  “(2) SELECTION.—The Secretary, in consulta-  
25   tion with the Attorney General and National Gov-

1 ernors Association, shall appoint the members to the  
2 Committee. At least 1 Committee member shall be  
3 a former sex trafficking victim. 2 Committee mem-  
4 bers shall be a Governor of a State, 1 of whom shall  
5 be a member of the Democratic Party and 1 of  
6 whom shall be a member of the Republican Party.

7 “(3) PERIOD OF APPOINTMENT; VACANCIES.—  
8 Members shall be appointed for the life of the Com-  
9 mittee. A vacancy in the Committee shall be filled in  
10 the manner in which the original appointment was  
11 made and shall not affect the powers or duties of the  
12 Committee.

13 “(4) COMPENSATION.—Committee members  
14 shall serve without compensation or per diem in lieu  
15 of subsistence.

16 “(d) DUTIES.—

17 “(1) NATIONAL RESPONSE.—The Committee  
18 shall advise the Secretary and the Attorney General  
19 on practical and general policies concerning improve-  
20 ments to the Nation’s response to the sex trafficking  
21 of children and youth in the United States.

22 “(2) POLICIES FOR COOPERATION.—The Com-  
23 mittee shall advise the Secretary and the Attorney  
24 General on practical and general policies concerning  
25 the cooperation of Federal, State, local, and tribal

1 governments, child welfare agencies, social service  
2 providers, physical health and mental health pro-  
3 viders, victim service providers, State or local courts  
4 with responsibility for conducting or supervising pro-  
5 ceedings relating to child welfare or social services  
6 for children and their families, Federal, State, and  
7 local police, juvenile detention centers, and runaway  
8 and homeless youth programs, schools, the gaming  
9 and entertainment industry, and businesses and or-  
10 ganizations that provide services to youth, on re-  
11 sponding to sex trafficking, including the develop-  
12 ment and implementation of—

13 “(A) successful interventions with children  
14 and youth who are exposed to conditions that  
15 make them vulnerable to, or victims of, sex  
16 trafficking; and

17 “(B) recommendations for administrative  
18 or legislative changes necessary to use pro-  
19 grams, properties, or other resources owned, op-  
20 erated, or funded by the Federal Government to  
21 provide safe housing for children and youth who  
22 are sex trafficking victims and provide support  
23 to entities that provide housing or other assist-  
24 ance to the victims.

1           “(3) BEST PRACTICES AND RECOMMENDATIONS  
2           FOR STATES.—

3                   “(A) IN GENERAL.—Within 2 years after  
4           the establishment of the Committee, the Com-  
5           mittee shall develop 2 tiers (referred to in this  
6           subparagraph as ‘Tier I’ and ‘Tier II’) of rec-  
7           ommended best practices for States to follow in  
8           combating the sex trafficking of children and  
9           youth. Tier I shall provide States that have not  
10          yet substantively addressed the sex trafficking  
11          of children and youth with an idea of where to  
12          begin and what steps to take. Tier II shall pro-  
13          vide States that are already working to address  
14          the sex trafficking of children and youth with  
15          examples of policies that are already being used  
16          effectively by other States to address sex traf-  
17          ficking.

18                   “(B) DEVELOPMENT.—The best practices  
19          shall be based on multidisciplinary research and  
20          promising, evidence-based models and programs  
21          as reflected in State efforts to meet the require-  
22          ments of sections 101 and 102 of the Pre-  
23          venting Sex Trafficking and Strengthening  
24          Families Act.

1           “(C) CONTENT.—The best practices shall  
2 be user-friendly, incorporate the most up-to-  
3 date technology, and include the following:

4           “(i) Sample training materials, proto-  
5 cols, and screening tools that, to the extent  
6 possible, accommodate for regional dif-  
7 ferences among the States, to prepare indi-  
8 viduals who administer social services to  
9 identify and serve children and youth who  
10 are sex trafficking victims or at-risk of sex  
11 trafficking.

12           “(ii) Multidisciplinary strategies to  
13 identify victims, manage cases, and im-  
14 prove services for all children and youth  
15 who are at risk of sex trafficking, or are  
16 sex trafficking victims, in the United  
17 States.

18           “(iii) Sample protocols and rec-  
19 ommendations based on current States’ ef-  
20 forts, accounting for regional differences  
21 between States that provide for effective,  
22 cross-system collaboration between Fed-  
23 eral, State, local, and tribal governments,  
24 child welfare agencies, social service pro-  
25 viders, physical health and mental health

1 providers, victim service providers, State or  
2 local courts with responsibility for con-  
3 ducting or supervising proceedings relating  
4 to child welfare or social services for chil-  
5 dren and their families, the gaming and  
6 entertainment industry, Federal, State,  
7 and local police, juvenile detention centers  
8 and runaway and homeless youth pro-  
9 grams, housing resources that are appro-  
10 priate for housing child and youth victims  
11 of trafficking, schools, and businesses and  
12 organizations that provide services to chil-  
13 dren and youth. These protocols and rec-  
14 ommendations should include strategies to  
15 identify victims and collect, document, and  
16 share data across systems and agencies,  
17 and should be designed to help agencies  
18 better understand the type of sex traf-  
19 ficking involved, the scope of the problem,  
20 the needs of the population to be served,  
21 ways to address the demand for trafficked  
22 children and youth and increase prosecu-  
23 tions of traffickers and purchasers of chil-  
24 dren and youth, and the degree of victim  
25 interaction with multiple systems.

1           “(iv) Developing the criteria and  
2           guidelines necessary for establishing safe  
3           residential placements for foster children  
4           who have been sex trafficked as well as vic-  
5           tims of trafficking identified through inter-  
6           action with law enforcement.

7           “(v) Developing training guidelines  
8           for caregivers that serve children and  
9           youth being cared for outside the home.

10          “(D) INFORMING STATES OF BEST PRAC-  
11          TICES.—The Committee, in coordination with  
12          the National Governors Association, Secretary  
13          and Attorney General, shall ensure that State  
14          Governors and child welfare agencies are noti-  
15          fied and informed on a quarterly basis of the  
16          best practices and recommendations for States,  
17          and notified 6 months in advance that the Com-  
18          mittee will be evaluating the extent to which  
19          States adopt the Committee’s recommendations.

20          “(E) REPORT ON STATE IMPLEMENTA-  
21          TION.—Within 3 years after the establishment  
22          of the Committee, the Committee shall submit  
23          to the Secretary and the Attorney General, as  
24          part of its final report as well as for online and  
25          publicly available publication, a description of



1           what each State has done to implement the rec-  
2           ommendations of the Committee.

3           “(e) REPORTS.—

4           “(1) IN GENERAL.—The Committee shall sub-  
5           mit an interim and a final report on the work of the  
6           Committee to—

7                   “(A) the Secretary;

8                   “(B) the Attorney General;

9                   “(C) the Committee on Finance of the  
10           Senate; and

11                   “(D) the Committee on Ways and Means  
12           of the House of Representatives.

13           “(2) REPORTING DATES.—The interim report  
14           shall be submitted not later than 3 years after the  
15           establishment of the Committee. The final report  
16           shall be submitted not later than 4 years after the  
17           establishment of the Committee.

18           “(f) ADMINISTRATION.—

19           “(1) AGENCY SUPPORT.—The Secretary shall  
20           direct the head of the Administration for Children  
21           and Families of the Department of Health and  
22           Human Services to provide all necessary support for  
23           the Committee.

24           “(2) MEETINGS.—

1           “(A) IN GENERAL.—The Committee will  
2 meet at the call of the Secretary at least twice  
3 each year to carry out this section, and more  
4 often as otherwise required.

5           “(B) ACCOMMODATION FOR COMMITTEE  
6 MEMBERS UNABLE TO ATTEND IN PERSON.—  
7 The Secretary shall create a process through  
8 which Committee members who are unable to  
9 travel to a Committee meeting in person may  
10 participate remotely through the use of video  
11 conference, teleconference, online, or other  
12 means.

13           “(3) SUBCOMMITTEES.—The Committee may  
14 establish subcommittees or working groups, as nec-  
15 essary and consistent with the mission of the Com-  
16 mittee. The subcommittees or working groups shall  
17 have no authority to make decisions on behalf of the  
18 Committee, nor shall they report directly to any offi-  
19 cial or entity listed in subsection (d).

20           “(4) RECORDKEEPING.—The records of the  
21 Committee and any subcommittees and working  
22 groups shall be maintained in accordance with ap-  
23 propriate Department of Health and Human Serv-  
24 ices policies and procedures and shall be available

1 for public inspection and copying, subject to the  
2 Freedom of Information Act (5 U.S.C. 552).

3 “(g) TERMINATION.—The Committee shall terminate  
4 5 years after the date of its establishment, but the Sec-  
5 retary shall continue to operate and update, as necessary,  
6 an Internet website displaying the State best practices,  
7 recommendations, and evaluation of State-by-State imple-  
8 mentation of the Secretary’s recommendations.

9 “(h) DEFINITION.—For the purpose of this section,  
10 the term ‘sex trafficking’ includes the definition set forth  
11 in section 103(10) of the Trafficking Victims Protection  
12 Act of 2000 (22 U.S.C. 7102(10)) and ‘severe form of  
13 trafficking in persons’ described in section 103(9)(A) of  
14 such Act.”.

15 **TITLE II—IMPROVING ADOPTION**  
16 **INCENTIVES AND EXTENDING**  
17 **FAMILY CONNECTION**  
18 **GRANTS**

19 **Subtitle A—Improving Adoption**  
20 **Incentive Payments**

21 **SEC. 201. EXTENSION OF PROGRAM THROUGH FISCAL**  
22 **YEAR 2016.**

23 Section 473A (42 U.S.C. 673b) is amended—

1           (1) in subsection (b)(5), by striking “2008  
2           through 2012” and inserting “2013 through 2015”;  
3           and

4           (2) in each of paragraphs (1)(D) and (2) of  
5           subsection (h), by striking “2013” and inserting  
6           “2016”.

7   **SEC. 202. IMPROVEMENTS TO AWARD STRUCTURE.**

8           (a) **ELIGIBILITY FOR AWARD.**—Section 473A(b) (42  
9   U.S.C. 673b(b)) is amended by striking paragraph (2) and  
10   redesignating paragraphs (3) through (5) as paragraphs  
11   (2) through (4), respectively.

12          (b) **DATA REQUIREMENTS.**—Section 473A(c)(2) (42  
13   U.S.C. 673b(c)(2)) is amended—

14           (1) in the paragraph heading, by striking  
15           “NUMBERS OF ADOPTIONS” and inserting “RATES  
16           OF ADOPTIONS AND GUARDIANSHIPS”;

17           (2) by striking “the numbers” and all that fol-  
18           lows through “section,” and inserting “each of the  
19           rates required to be determined under this section  
20           with respect to a State and a fiscal year,”; and

21           (3) by inserting before the period the following:  
22           “, and, with respect to the determination of the  
23           rates related to foster child guardianships, on the  
24           basis of information reported to the Secretary under  
25           paragraph (12) of subsection (g)”.

1 (c) AWARD AMOUNT.—Section 473A(d) (42 U.S.C.  
2 673b(d)) is amended—

3 (1) in paragraph (1), by striking subparagraphs  
4 (A) through (C) and inserting the following:

5 “(A) \$5,000, multiplied by the amount (if  
6 any) by which—

7 “(i) the number of foster child adop-  
8 tions in the State during the fiscal year;  
9 exceeds

10 “(ii) the product (rounded to the  
11 nearest whole number) of—

12 “(I) the base rate of foster child  
13 adoptions for the State for the fiscal  
14 year; and

15 “(II) the number of children in  
16 foster care under the supervision of  
17 the State on the last day of the pre-  
18 ceding fiscal year;

19 “(B) \$7,500, multiplied by the amount (if  
20 any) by which—

21 “(i) the number of pre-adolescent  
22 child adoptions and pre-adolescent foster  
23 child guardianships in the State during the  
24 fiscal year; exceeds

1 “(ii) the product (rounded to the  
2 nearest whole number) of—

3 “(I) the base rate of pre-adoles-  
4 cent child adoptions and pre-adoles-  
5 cent foster child guardianships for the  
6 State for the fiscal year; and

7 “(II) the number of children in  
8 foster care under the supervision of  
9 the State on the last day of the pre-  
10 ceding fiscal year who have attained 9  
11 years of age but not 14 years of age;  
12 and

13 “(C) \$10,000, multiplied by the amount (if  
14 any) by which—

15 “(i) the number of older child adop-  
16 tions and older foster child guardianships  
17 in the State during the fiscal year; exceeds

18 “(ii) the product (rounded to the  
19 nearest whole number) of—

20 “(I) the base rate of older child  
21 adoptions and older foster child  
22 guardianships for the State for the  
23 fiscal year; and

24 “(II) the number of children in  
25 foster care under the supervision of

1 the State on the last day of the pre-  
2 ceding fiscal year who have attained  
3 14 years of age; and

4 “(D) \$4,000, multiplied by the amount (if  
5 any) by which—

6 “(i) the number of foster child  
7 guardianships in the State during the fis-  
8 cal year; exceeds

9 “(ii) the product (rounded to the  
10 nearest whole number) of—

11 “(I) the base rate of foster child  
12 guardianships for the State for the  
13 fiscal year; and

14 “(II) the number of children in  
15 foster care under the supervision of  
16 the State on the last day of the pre-  
17 ceding fiscal year.”; and

18 (2) by striking paragraph (3) and inserting the  
19 following:

20 “(3) INCREASED ADOPTION AND LEGAL GUARD-  
21 IANSHIP INCENTIVE PAYMENT FOR TIMELY ADOP-  
22 TIONS.—

23 “(A) IN GENERAL.—If for any of fiscal  
24 years 2013 through 2015, the total amount of  
25 adoption and legal guardianship incentive pay-

1           ments payable under paragraph (1) of this sub-  
2           section are less than the amount appropriated  
3           under subsection (h) for the fiscal year, then,  
4           from the remainder of the amount appropriated  
5           for the fiscal year that is not required for such  
6           payments (in this paragraph referred to as the  
7           ‘timely adoption award pool’), the Secretary  
8           shall increase the adoption incentive payment  
9           determined under paragraph (1) for each State  
10          that the Secretary determines is a timely adop-  
11          tion award State for the fiscal year by the  
12          award amount determined for the fiscal year  
13          under subparagraph (C).

14                 “(B) TIMELY ADOPTION AWARD STATE DE-  
15          FINED.—A State is a timely adoption award  
16          State for a fiscal year if the Secretary deter-  
17          mines that, for children who were in foster care  
18          under the supervision of the State at the time  
19          of adoptive placement, the average number of  
20          months from removal of children from their  
21          home to the placement of children in finalized  
22          adoptions is less than 24 months.

23                 “(C) AWARD AMOUNT.—For purposes of  
24          subparagraph (A), the award amount deter-  
25          mined under this subparagraph with respect to



1 a fiscal year is the amount equal to the timely  
2 adoption award pool for the fiscal year divided  
3 by the number of timely adoption award States  
4 for the fiscal year.”.

5 (d) DEFINITIONS.—Section 473A(g) (42 U.S.C.  
6 673b(g)) is amended by striking paragraphs (1) through  
7 (8) and inserting the following:

8 “(1) FOSTER CHILD ADOPTION RATE.—The  
9 term ‘foster child adoption rate’ means, with respect  
10 to a State and a fiscal year, the percentage deter-  
11 mined by dividing—

12 “(A) the number of foster child adoptions  
13 finalized in the State during the fiscal year; by

14 “(B) the number of children in foster care  
15 under the supervision of the State on the last  
16 day of the preceding fiscal year.

17 “(2) BASE RATE OF FOSTER CHILD ADOP-  
18 TIONS.—The term ‘base rate of foster child adop-  
19 tions’ means, with respect to a State and a fiscal  
20 year, the lesser of—

21 “(A) the foster child adoption rate for the  
22 State for the then immediately preceding fiscal  
23 year; or

1           “(B) the foster child adoption rate for the  
2           State for the average of the then immediately  
3           preceding 3 fiscal years.

4           “(3) FOSTER CHILD ADOPTION.—The term  
5           ‘foster child adoption’ means the final adoption of a  
6           child who, at the time of adoptive placement, was in  
7           foster care under the supervision of the State.

8           “(4) PRE-ADOLESCENT CHILD ADOPTION AND  
9           PRE-ADOLESCENT FOSTER CHILD GUARDIANSHIP  
10          RATE.—The term ‘pre-adolescent child adoption and  
11          pre-adolescent foster child guardianship rate’ means,  
12          with respect to a State and a fiscal year, the per-  
13          centage determined by dividing—

14                 “(A) the number of pre-adolescent child  
15                 adoptions and pre-adolescent foster child  
16                 guardianships finalized in the State during the  
17                 fiscal year; by

18                 “(B) the number of children in foster care  
19                 under the supervision of the State on the last  
20                 day of the preceding fiscal year, who have at-  
21                 tained 9 years of age but not 14 years of age.

22           “(5) BASE RATE OF PRE-ADOLESCENT CHILD  
23           ADOPTIONS AND PRE-ADOLESCENT FOSTER CHILD  
24           GUARDIANSHIPS.—The term ‘base rate of pre-adoles-  
25           cent child adoptions and pre-adolescent foster child

1 guardianships’ means, with respect to a State and a  
2 fiscal year, the lesser of—

3 “(A) the pre-adolescent child adoption and  
4 pre-adolescent foster child guardianship rate for  
5 the State for the then immediately preceding  
6 fiscal year; or

7 “(B) the pre-adolescent child adoption and  
8 pre-adolescent foster child guardianship rate for  
9 the State for the average of the then imme-  
10 diately preceding 3 fiscal years.

11 “(6) PRE-ADOLESCENT CHILD ADOPTION AND  
12 PRE-ADOLESCENT FOSTER CHILD GUARDIANSHIP.—

13 The term ‘pre-adolescent child adoption and pre-ado-  
14 lescent foster child guardianship’ means the final  
15 adoption, or the placement into foster child guard-  
16 ianship (as defined in paragraph (12)) of a child  
17 who has attained 9 years of age but not 14 years  
18 of age if—

19 “(A) at the time of the adoptive or foster  
20 child guardianship placement, the child was in  
21 foster care under the supervision of the State;  
22 or

23 “(B) an adoption assistance agreement  
24 was in effect under section 473(a) with respect  
25 to the child.

1           “(7) OLDER CHILD ADOPTION AND OLDER FOS-  
2           TER CHILD GUARDIANSHIP RATE.—The term ‘older  
3           child adoption and older foster child guardianship  
4           rate’ means, with respect to a State and a fiscal  
5           year, the percentage determined by dividing—

6                   “(A) the number of older child adoptions  
7                   and older foster child guardianships finalized in  
8                   the State during the fiscal year; by

9                   “(B) the number of children in foster care  
10                  under the supervision of the State on the last  
11                  day of the preceding fiscal year, who have at-  
12                  tained 14 years of age.

13           “(8) BASE RATE OF OLDER CHILD ADOPTIONS  
14           AND OLDER FOSTER CHILD GUARDIANSHIPS.—The  
15           term ‘base rate of older child adoptions and older  
16           foster child guardianships’ means, with respect to a  
17           State and a fiscal year, the lesser of—

18                   “(A) the older child adoption and older  
19                   foster child guardianship rate for the State for  
20                   the then immediately preceding fiscal year; or

21                   “(B) the older child adoption and older  
22                   foster child guardianship rate for the State for  
23                   the average of the then immediately preceding  
24                   3 fiscal years.

1           “(9) OLDER CHILD ADOPTION AND OLDER FOS-  
2           TER CHILD GUARDIANSHIP.—The term ‘older child  
3           adoption and older foster child guardianship’ means  
4           the final adoption, or the placement into foster child  
5           guardianship (as defined in paragraph (12)) of a  
6           child who has attained 14 years of age if—

7                   “(A) at the time of the adoptive or foster  
8                   child guardianship placement, the child was in  
9                   foster care under the supervision of the State;  
10                  or

11                  “(B) an adoption assistance agreement  
12                  was in effect under section 473(a) with respect  
13                  to the child.

14           “(10) FOSTER CHILD GUARDIANSHIP RATE.—  
15           The term ‘foster child guardianship rate’ means,  
16           with respect to a State and a fiscal year, the per-  
17           centage determined by dividing—

18                   “(A) the number of foster child  
19                   guardianships occurring in the State during the  
20                   fiscal year; by

21                   “(B) the number of children in foster care  
22                   under the supervision of the State on the last  
23                   day of the preceding fiscal year.

24           “(11) BASE RATE OF FOSTER CHILD  
25           GUARDIANSHIPS.—The term ‘base rate of foster

1 child guardianships’ means, with respect to a State  
2 and a fiscal year, the lesser of—

3 “(A) the foster child guardianship rate for  
4 the State for the then immediately preceding  
5 fiscal year; or

6 “(B) the foster child guardianship rate for  
7 the State for the average of the then imme-  
8 diately preceding 3 fiscal years.

9 “(12) FOSTER CHILD GUARDIANSHIP.—The  
10 term ‘foster child guardianship’ means, with respect  
11 to a State, the exit of a child from foster care under  
12 the responsibility of the State to live with a legal  
13 guardian, if the State has reported to the Sec-  
14 retary—

15 “(A) that the State agency has determined  
16 that—

17 “(i) the child has been removed from  
18 his or her home pursuant to a voluntary  
19 placement agreement or as a result of a ju-  
20 dicial determination to the effect that con-  
21 tinuation in the home would be contrary to  
22 the welfare of the child;

23 “(ii) being returned home or adopted  
24 are not appropriate permanency options  
25 for the child;

1                   “(iii) the child demonstrates a strong  
2                   attachment to the prospective legal guard-  
3                   ian, and the prospective legal guardian has  
4                   a strong commitment to caring perma-  
5                   nently for the child; and

6                   “(iv) if the child has attained 14 years  
7                   of age, the child has been consulted re-  
8                   garding the legal guardianship arrange-  
9                   ment; or

10                   “(B) the alternative procedures used by  
11                   the State to determine that legal guardianship  
12                   is the appropriate option for the child.”.

13 **SEC. 203. RENAMING OF PROGRAM.**

14           (a) IN GENERAL.—The section heading of section  
15 473A (42 U.S.C. 673b) is amended to read as follows:

16 **“SEC. 473A. ADOPTION AND LEGAL GUARDIANSHIP INCEN-  
17                   TIVE PAYMENTS.”.**

18           (b) CONFORMING AMENDMENTS.—

19                   (1) Section 473A is amended in each of sub-  
20                   sections (a), (d)(1), (d)(2)(A), and (d)(2)(B) (42  
21                   U.S.C. 673b(a), (d)(1), (d)(2)(A), and (d)(2)(B)) by  
22                   inserting “and legal guardianship” after “adoption”  
23                   each place it appears.

1           (2) The heading of section 473A(d) (42 U.S.C.  
2           673b(d)) is amended by inserting “AND LEGAL  
3           GUARDIANSHIP” after “ADOPTION”.

4 **SEC. 204. LIMITATION ON USE OF INCENTIVE PAYMENTS.**

5           Section 473A(f) (42 U.S.C. 673b(f)) is amended in  
6           the 1st sentence by inserting “, and shall use the amount  
7           to supplement, and not supplant, any Federal or non-Fed-  
8           eral funds used to provide any service under part B or  
9           E” before the period.

10 **SEC. 205. INCREASE IN PERIOD FOR WHICH INCENTIVE**  
11                           **PAYMENTS ARE AVAILABLE FOR EXPENDI-**  
12                           **TURE.**

13           Section 473A(e) (42 U.S.C. 673b(e)) is amended—

14           (1) in the subsection heading, by striking “24-  
15           MONTH” and inserting “36-MONTH”; and

16           (2) by striking “24-month” and inserting “36-  
17           month”.

18 **SEC. 206. STATE REPORT ON CALCULATION AND USE OF**  
19                           **SAVINGS RESULTING FROM THE PHASE-OUT**  
20                           **OF ELIGIBILITY REQUIREMENTS FOR ADOPT-**  
21                           **ION ASSISTANCE; REQUIREMENT TO SPEND**  
22                           **30 PERCENT OF SAVINGS ON CERTAIN SERV-**  
23                           **ICES.**

24           Section 473(a)(8) (42 U.S.C. 673(a)(8)) is amended  
25           to read as follows:



1       “(8)(A) A State shall calculate the savings (if any)  
2 resulting from the application of paragraph (2)(A)(ii) to  
3 all applicable children for a fiscal year, using a method-  
4 ology specified by the Secretary or an alternate method-  
5 ology proposed by the State and approved by the Sec-  
6 retary.

7       “(B) A State shall annually report to the Secretary—

8               “(i) the methodology used to make the calcula-  
9 tion described in subparagraph (A), without regard  
10 to whether any savings are found;

11               “(ii) the amount of any savings referred to in  
12 subparagraph (A); and

13               “(iii) how any such savings are spent, account-  
14 ing for and reporting the spending separately from  
15 any other spending reported to the Secretary under  
16 part B or this part.

17       “(C) The Secretary shall make all information re-  
18 ported pursuant to subparagraph (B) available on the  
19 website of the Department of Health and Human Services  
20 in a location easily accessible to the public.

21       “(D)(i) A State shall spend an amount equal to the  
22 amount of the savings (if any) in State expenditures under  
23 this part resulting from the application of paragraph  
24 (2)(A)(ii) to all applicable children for a fiscal year, to  
25 provide to children of families any service that may be pro-

1 vided under part B or this part. A State shall spend not  
2 less than 30 percent of any such savings on post-adoption  
3 services, post-guardianship services, and services to sup-  
4 port and sustain positive permanent outcomes for children  
5 who otherwise might enter into foster care under the re-  
6 sponsibility of the State, with at least  $\frac{2}{3}$  of the spending  
7 by the State to comply with such 30 percent requirement  
8 being spent on post-adoption and post-guardianship serv-  
9 ices.

10 “(ii) Any State spending required under clause (i)  
11 shall be used to supplement, and not supplant, any Fed-  
12 eral or non-Federal funds used to provide any service  
13 under part B or this part.”.

14 **SEC. 207. PRESERVATION OF ELIGIBILITY FOR KINSHIP**  
15 **GUARDIANSHIP ASSISTANCE PAYMENTS**  
16 **WITH A SUCCESSOR GUARDIAN.**

17 Section 473(d)(3) (42 U.S.C. 673(d)(3)) is amended  
18 by adding at the end the following:

19 “(C) ELIGIBILITY NOT AFFECTED BY RE-  
20 PLACEMENT OF GUARDIAN WITH A SUCCESSOR  
21 GUARDIAN.—In the event of the death or inca-  
22 pacity of the relative guardian, the eligibility of  
23 a child for a kinship guardianship assistance  
24 payment under this subsection shall not be af-  
25 fected by reason of the replacement of the rel-

1           ative guardian with a successor legal guardian  
2           named in the kinship guardianship assistance  
3           agreement referred to in paragraph (1) (includ-  
4           ing in any amendment to the agreement), not-  
5           withstanding subparagraph (A) of this para-  
6           graph and section 471(a)(28).”.

7 **SEC. 208. DATA COLLECTION ON ADOPTION AND LEGAL**  
8                   **GUARDIANSHIP DISRUPTION AND DISSOLU-**  
9                   **TION.**

10          Section 479 (42 U.S.C. 679) is amended by adding  
11          at the end the following:

12          “(d) To promote improved knowledge on how best to  
13          ensure strong, permanent families for children, the Sec-  
14          retary shall promulgate regulations providing for the col-  
15          lection and analysis of information regarding children who  
16          enter into foster care under the supervision of a State  
17          after prior finalization of an adoption or legal guardian-  
18          ship. The regulations shall require each State with a State  
19          plan approved under this part to collect and report as part  
20          of such data collection system the number of children who  
21          enter foster care under supervision of the State after final-  
22          ization of an adoption or legal guardianship and may in-  
23          clude information concerning the length of the prior adop-  
24          tion or guardianship, the age of the child at the time of  
25          the prior adoption or guardianship, the age at which the

1 child subsequently entered foster care under supervision  
2 of the State, the type of agency involved in making the  
3 prior adoptive or guardianship placement, and any other  
4 factors determined necessary to better understand factors  
5 associated with the child’s post-adoption or post-guardian-  
6 ship entry to foster care.”.

7 **SEC. 209. ENCOURAGING THE PLACEMENT OF CHILDREN**  
8 **IN FOSTER CARE WITH SIBLINGS.**

9 (a) STATE PLAN AMENDMENT.—

10 (1) NOTIFICATION OF PARENTS OF SIBLINGS.—

11 Section 471(a)(29) (42 U.S.C. 671(a)(29)) is  
12 amended by striking “all adult grandparents” and  
13 inserting “the following relatives: all adult grand-  
14 parents, all parents of a sibling of the child, where  
15 such parent has legal custody of such sibling,”.

16 (2) SIBLING DEFINED.—Section 475 (42  
17 U.S.C. 675), as amended by sections 101(b) and  
18 111(a)(1) of this Act, is amended by adding at the  
19 end the following:

20 “(12) The term ‘sibling’ means an individual  
21 who satisfies at least one of the following conditions  
22 with respect to a child:

23 “(A) The individual is considered by State  
24 law to be a sibling of the child.

1           “(B) The individual would have been con-  
2           sidered a sibling of the child under State law  
3           but for a termination or other disruption of pa-  
4           rental rights, such as the death of a parent.”.

5           (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
6           tion shall be construed as subordinating the rights of fos-  
7           ter or adoptive parents of a child to the rights of the par-  
8           ents of a sibling of that child.

9           **SEC. 210. EFFECTIVE DATES.**

10          (a) **IN GENERAL.**—Except as otherwise provided in  
11          this section, the amendments made by this subtitle shall  
12          take effect as if enacted on October 1, 2013.

13          (b) **RESTRUCTURING AND RENAMING OF PRO-**  
14          **GRAM.**—

15                 (1) **IN GENERAL.**—The amendments made by  
16                 sections 202 and 203 shall take effect on October 1,  
17                 2014, subject to paragraph (2).

18                 (2) **TRANSITION RULE.**—

19                         (A) **IN GENERAL.**—Notwithstanding any  
20                         other provision of law, the total amount payable  
21                         to a State under section 473A of the Social Se-  
22                         curity Act for fiscal year 2014 shall be an  
23                         amount equal to  $\frac{1}{2}$  of the sum of—

24                                 (i) the total amount that would be  
25                                 payable to the State under such section for

1 fiscal year 2014 if the amendments made  
2 by section 202 of this Act had not taken  
3 effect; and

4 (ii) the total amount that would be  
5 payable to the State under such section for  
6 fiscal year 2014 in the absence of this  
7 paragraph.

8 (B) PRO RATA ADJUSTMENT IF INSUFFI-  
9 CIENT FUNDS AVAILABLE.—If the total amount  
10 otherwise payable under subparagraph (A) for  
11 fiscal year 2014 exceeds the amount appro-  
12 priated pursuant to section 473A(h) of the So-  
13 cial Security Act (42 U.S.C. 673b(h)) for that  
14 fiscal year, the amount payable to each State  
15 under subparagraph (A) for fiscal year 2014  
16 shall be—

17 (i) the amount that would otherwise  
18 be payable to the State under subpara-  
19 graph (A) for fiscal year 2014; multiplied  
20 by

21 (ii) the percentage represented by the  
22 amount so appropriated for fiscal year  
23 2014, divided by the total amount other-  
24 wise payable under subparagraph (A) to all  
25 States for that fiscal year.

1           (c) USE OF INCENTIVE PAYMENTS; ELIGIBILITY FOR  
2 KINSHIP GUARDIANSHIP ASSISTANCE PAYMENTS WITH A  
3 SUCCESSOR GUARDIAN; DATA COLLECTION.—The  
4 amendments made by sections 204, 207, and 208 shall  
5 take effect on the date of enactment of this Act.

6           (d) CALCULATION AND USE OF SAVINGS RESULTING  
7 FROM THE PHASE-OUT OF ELIGIBILITY REQUIREMENTS  
8 FOR ADOPTION ASSISTANCE.—The amendment made by  
9 section 206 shall take effect on October 1, 2014.

10          (e) NOTIFICATION OF PARENTS OF SIBLINGS.—

11           (1) IN GENERAL.—The amendments made by  
12 section 209 shall take effect on the date of enact-  
13 ment of this Act, subject to paragraph (2).

14           (2) DELAY PERMITTED IF STATE LEGISLATION  
15 REQUIRED.—In the case of a State plan approved  
16 under part E of title IV of the Social Security Act  
17 which the Secretary of Health and Human Services  
18 determines requires State legislation (other than leg-  
19 islation appropriating funds) in order for the plan to  
20 meet the additional requirements imposed by section  
21 209, the State plan shall not be regarded as failing  
22 to comply with the requirements of such part solely  
23 on the basis of the failure of the plan to meet such  
24 additional requirements before the 1st day of the 1st  
25 calendar quarter beginning after the close of the 1st

1 regular session of the State legislature that ends  
2 after the 1-year period beginning with the date of  
3 enactment of this Act. For purposes of the preceding  
4 sentence, in the case of a State that has a 2-year  
5 legislative session, each year of the session is deemed  
6 to be a separate regular session of the State legisla-  
7 ture.

## 8 **Subtitle B—Extending the Family** 9 **Connection Grant Program**

### 10 **SEC. 221. EXTENSION OF FAMILY CONNECTION GRANT** 11 **PROGRAM.**

12 (a) IN GENERAL.—Section 427(h) (42 U.S.C.  
13 627(h)) is amended by striking “2013” and inserting  
14 “2014”.

15 (b) ELIGIBILITY OF UNIVERSITIES FOR MATCHING  
16 GRANTS.—Section 427(a) (42 U.S.C. 627(a)) is amended,  
17 in the matter preceding paragraph (1)—

18 (1) by striking “and” before “private”; and

19 (2) by inserting “and institutions of higher edu-  
20 cation (as defined under section 101 of the Higher  
21 Education Act of 1965 (20 U.S.C. 1001)),” after  
22 “arrangements,”.

23 (c) FINDING FAMILIES FOR FOSTER CHILDREN WHO  
24 ARE PARENTS.—Section 427(a)(1)(E) (42 U.S.C.  
25 627(a)(1)(E)) is amended by inserting “and other individ-



1 uals who are willing and able to be foster parents for chil-  
2 dren in foster care under the responsibility of the State  
3 who are themselves parents” after “kinship care families”.

4 (d) RESERVATION OF FUNDS.—Section 427(g) (42  
5 U.S.C. 627(g)) is amended—

6 (1) by striking paragraph (1); and

7 (2) by redesignating paragraphs (2) and (3) as  
8 paragraphs (1) and (2), respectively.

9 (e) EFFECTIVE DATE.—The amendments made by  
10 this section shall take effect as if enacted on October 1,  
11 2013.

12 **TITLE III—IMPROVING INTER-**  
13 **NATIONAL CHILD SUPPORT**  
14 **RECOVERY**

15 **SEC. 301. AMENDMENTS TO ENSURE ACCESS TO CHILD**  
16 **SUPPORT SERVICES FOR INTERNATIONAL**  
17 **CHILD SUPPORT CASES.**

18 (a) AUTHORITY OF THE SECRETARY OF HHS TO  
19 ENSURE COMPLIANCE WITH MULTILATERAL CHILD SUP-  
20 PORT CONVENTIONS.—

21 (1) IN GENERAL.—Section 452 (42 U.S.C. 652)  
22 is amended—

23 (A) by redesignating the second subsection

24 (l) (as added by section 7306 of the Deficit Re-  
25 duction Act of 2005) as subsection (m); and

1 (B) by adding at the end the following:

2 “(n) The Secretary shall use the authorities otherwise  
3 provided by law to ensure the compliance of the United  
4 States with any multilateral child support convention to  
5 which the United States is a party.”.

6 (2) CONFORMING AMENDMENT.—Section  
7 453(k)(3) (42 U.S.C. 653(k)(3)) is amended by  
8 striking “452(l)” and inserting “452(m)”.

9 (b) ACCESS TO THE FEDERAL PARENT LOCATOR  
10 SERVICE.—Section 453(c) (42 U.S.C. 653(c)) is amend-  
11 ed—

12 (1) by striking “and” at the end of paragraph  
13 (3);

14 (2) by striking the period at the end of para-  
15 graph (4) and inserting “; and”; and

16 (3) by adding at the end the following:

17 “(5) an entity designated as a Central Author-  
18 ity for child support enforcement in a foreign recip-  
19 rocating country or a foreign treaty country for pur-  
20 poses specified in section 459A(e)(2).”.

21 (c) STATE OPTION TO REQUIRE INDIVIDUALS IN  
22 FOREIGN COUNTRIES TO APPLY THROUGH THEIR COUN-  
23 TRY’S APPROPRIATE CENTRAL AUTHORITY.—Section 454  
24 (42 U.S.C. 654) is amended—

1           (1) in paragraph (4)(A)(ii), by inserting before  
2           the semicolon “(except that, if the individual apply-  
3           ing for the services resides in a foreign reciprocating  
4           country or foreign treaty country, the State may opt  
5           to require the individual to request the services  
6           through the Central Authority for child support en-  
7           forcement in the foreign reciprocating country or the  
8           foreign treaty country, and if the individual resides  
9           in a foreign country that is not a foreign recipro-  
10          cating country or a foreign treaty country, a State  
11          may accept or reject the application)”; and

12           (2) in paragraph (32)—

13           (A) in subparagraph (A), by inserting “, a  
14           foreign treaty country,” after “a foreign recip-  
15           rocating country”; and

16           (B) in subparagraph (C), by striking “or  
17           foreign obligee” and inserting “, foreign treaty  
18           country, or foreign individual”.

19           (d) AMENDMENTS TO INTERNATIONAL SUPPORT EN-  
20          FORCEMENT PROVISIONS.—Section 459A (42 U.S.C.  
21          659a) is amended—

22           (1) by adding at the end the following:

23           “(e) REFERENCES.—In this part:

24           “(1) FOREIGN RECIPROCATING COUNTRY.—The  
25          term ‘foreign reciprocating country’ means a foreign

1 country (or political subdivision thereof) with respect  
2 to which the Secretary has made a declaration pur-  
3 suant to subsection (a).

4 “(2) FOREIGN TREATY COUNTRY.—The term  
5 ‘foreign treaty country’ means a foreign country for  
6 which the 2007 Family Maintenance Convention is  
7 in force.

8 “(3) 2007 FAMILY MAINTENANCE CONVEN-  
9 TION.—The term ‘2007 Family Maintenance Con-  
10 vention’ means the Hague Convention of 23 Novem-  
11 ber 2007 on the International Recovery of Child  
12 Support and Other Forms of Family Maintenance.”;

13 (2) in subsection (c)—

14 (A) in the matter preceding paragraph (1),  
15 by striking “foreign countries that are the sub-  
16 ject of a declaration under this section” and in-  
17 serting “foreign reciprocating countries or for-  
18 eign treaty countries”; and

19 (B) in paragraph (2), by inserting “and  
20 foreign treaty countries” after “foreign recipro-  
21 cating countries”; and

22 (3) in subsection (d), by striking “the subject of  
23 a declaration pursuant to subsection (a)” and insert-  
24 ing “foreign reciprocating countries or foreign treaty  
25 countries”.

1 (e) COLLECTION OF PAST-DUE SUPPORT FROM FED-  
2 ERAL TAX REFUNDS.—Section 464(a)(2)(A) (42 U.S.C.  
3 664(a)(2)(A)) is amended by striking “under section  
4 454(4)(A)(ii)” and inserting “under paragraph (4)(A)(ii)  
5 or (32) of section 454”.

6 (f) STATE LAW REQUIREMENT CONCERNING THE  
7 UNIFORM INTERSTATE FAMILY SUPPORT ACT  
8 (UIFSA).—

9 (1) IN GENERAL.—Section 466(f) (42 U.S.C.  
10 666(f)) is amended—

11 (A) by striking “on and after January 1,  
12 1998,”;

13 (B) by striking “and as in effect on Au-  
14 gust 22, 1996,”; and

15 (C) by striking “adopted as of such date”  
16 and inserting “adopted as of September 30,  
17 2008”.

18 (2) CONFORMING AMENDMENTS TO TITLE 28,  
19 UNITED STATES CODE.—Section 1738B of title 28,  
20 United States Code, is amended—

21 (A) in subsection (d), by striking “indi-  
22 vidual contestant” and inserting “individual  
23 contestant or the parties have consented in a  
24 record or open court that the tribunal of the

1 State may continue to exercise jurisdiction to  
2 modify its order,”;

3 (B) in subsection (e)(2)(A), by striking  
4 “individual contestant” and inserting “indi-  
5 vidual contestant and the parties have not con-  
6 sented in a record or open court that the tri-  
7 bunal of the other State may continue to exer-  
8 cise jurisdiction to modify its order”; and

9 (C) in subsection (b)—

10 (i) by striking “‘child’ means” and in-  
11 sserting “(1) The term ‘child’ means”;

12 (ii) by striking “‘child’s State’  
13 means” and inserting “(2) The term  
14 ‘child’s State’ means”;

15 (iii) by striking “‘child’s home State’  
16 means” and inserting “(3) The term  
17 ‘child’s home State’ means”;

18 (iv) by striking “‘child support’  
19 means” and inserting “(4) The term ‘child  
20 support’ means”;

21 (v) by striking “‘child support  
22 order’” and inserting “(5) The term ‘child  
23 support order’”;

1 (vi) by striking “‘contestant’ means”  
2 and inserting “(6) The term ‘contestant’  
3 means”;

4 (vii) by striking “‘court’ means” and  
5 inserting “(7) The term ‘court’ means”;

6 (viii) by striking “‘modification’  
7 means” and inserting “(8) The term  
8 ‘modification’ means”; and

9 (ix) by striking “‘State’ means” and  
10 inserting “(9) The term ‘State’ means”.

11 (3) EFFECTIVE DATE; GRACE PERIOD FOR  
12 STATE LAW CHANGES.—

13 (A) PARAGRAPH (1).—(i) The amendments  
14 made by paragraph (1) shall take effect with  
15 respect to a State no later than the effective  
16 date of laws enacted by the legislature of the  
17 State implementing such paragraph, but in no  
18 event later than the first day of the first cal-  
19 endar quarter beginning after the close of the  
20 first regular session of the State legislature that  
21 begins after the date of the enactment of this  
22 Act.

23 (ii) For purposes of clause (i), in the case  
24 of a State that has a 2-year legislative session,  
25 each year of the session shall be deemed to be

1 a separate regular session of the State legisla-  
2 ture.

3 (B) PARAGRAPH (2).—(i) The amendments  
4 made by subparagraphs (A) and (B) of para-  
5 graph (2) shall take effect on the date on which  
6 the Hague Convention of 23 November 2007 on  
7 the International Recovery of Child Support  
8 and Other Forms of Family Maintenance enters  
9 into force for the United States.

10 (ii) The amendments made by subpara-  
11 graph (C) of paragraph (2) shall take effect on  
12 the date of the enactment of this Act.

13 **SEC. 302. CHILD SUPPORT ENFORCEMENT PROGRAMS FOR**  
14 **INDIAN TRIBES.**

15 (a) TRIBAL ACCESS TO THE FEDERAL PARENT LO-  
16 CATOR SERVICE.—Section 453(e)(1) (42 U.S.C.  
17 653(e)(1)) is amended by inserting “or Indian tribe or  
18 tribal organization (as defined in subsections (e) and (l)  
19 of section 4 of the Indian Self-Determination and Edu-  
20 cation Assistance Act (25 U.S.C. 450b)),” after “any  
21 State”.

22 (b) WAIVER AUTHORITY FOR INDIAN TRIBES OR  
23 TRIBAL ORGANIZATIONS OPERATING CHILD SUPPORT  
24 ENFORCEMENT PROGRAMS.—Section 1115(b) (42 U.S.C.  
25 1315(b)) is amended—



1           (1) by redesignating paragraphs (1) through  
2           (3) as subparagraphs (A) through (C), respectively,  
3           and realigning the left margin of subparagraph (C)  
4           so as to align with subparagraphs (A) and (B) (as  
5           so redesignated);

6           (2) by inserting “(1)” after “(b)”; and

7           (3) by adding at the end the following:

8           “(2) An Indian tribe or tribal organization operating  
9 a program under section 455(f) shall be considered a State  
10 for purposes of authority to conduct an experimental,  
11 pilot, or demonstration project under subsection (a) to as-  
12 sist in promoting the objectives of part D of title IV and  
13 receiving payments under the second sentence of that sub-  
14 section. The Secretary may waive compliance with any re-  
15 quirements of section 455(f) or regulations promulgated  
16 under that section to the extent and for the period the  
17 Secretary finds necessary for an Indian tribe or tribal or-  
18 ganization to carry out such project. Costs of the project  
19 which would not otherwise be included as expenditures of  
20 a program operating under section 455(f) and which are  
21 not included as part of the costs of projects under section  
22 1110, shall, to the extent and for the period prescribed  
23 by the Secretary, be regarded as expenditures under a  
24 tribal plan or plans approved under such section, or for  
25 the administration of such tribal plan or plans, as may

1 be appropriate. An Indian tribe or tribal organization ap-  
2 plying for or receiving start-up program development  
3 funding pursuant to section 309.16 of title 45, Code of  
4 Federal Regulations, shall not be considered to be an In-  
5 dian tribe or tribal organization operating a program  
6 under section 455(f) for purposes of this paragraph.”.

7 (c) CONFORMING AMENDMENTS.—Section 453(f) (42  
8 U.S.C. 653(f)) is amended by inserting “and tribal” after  
9 “State” each place it appears.

10 **SEC. 303. SENSE OF THE CONGRESS REGARDING OFFERING**  
11 **OF VOLUNTARY PARENTING TIME ARRANGE-**  
12 **MENTS.**

13 (a) FINDINGS.—The Congress finds as follows:

14 (1) The separation of a child from a parent  
15 does not end the financial or other responsibilities of  
16 the parent toward the child.

17 (2) Increased parental access and visitation not  
18 only improve parent-child relationships and out-  
19 comes for children, but also have been demonstrated  
20 to result in improved child support collections, which  
21 creates a double win for children—a more engaged  
22 parent and improved financial security.

23 (b) SENSE OF THE CONGRESS.—It is the sense of  
24 the Congress that—

1           (1) establishing parenting time arrangements  
2 when obtaining child support orders is an important  
3 goal which should be accompanied by strong family  
4 violence safeguards; and

5           (2) States should use existing funding sources  
6 to support the establishment of parenting time ar-  
7 rangements, including child support incentives, Ac-  
8 cess and Visitation Grants, and Healthy Marriage  
9 Promotion and Responsible Fatherhood Grants.

10 **SEC. 304. DATA EXCHANGE STANDARDIZATION FOR IM-**  
11 **PROVED INTEROPERABILITY.**

12           (a) IN GENERAL.—Section 452 (42 U.S.C. 652), as  
13 amended by section 301(a)(1) of this Act, is amended by  
14 adding at the end the following:

15           “(o) DATA EXCHANGE STANDARDS FOR IMPROVED  
16 INTEROPERABILITY.—

17           “(1) DESIGNATION.—The Secretary shall, in  
18 consultation with an interagency work group estab-  
19 lished by the Office of Management and Budget and  
20 considering State government perspectives, by rule,  
21 designate data exchange standards to govern, under  
22 this part—

23           “(A) necessary categories of information  
24 that State agencies operating programs under  
25 State plans approved under this part are re-

1           required under applicable Federal law to elec-  
2           tronically exchange with another State agency;  
3           and

4                     “(B) Federal reporting and data exchange  
5           required under applicable Federal law.

6           “(2) REQUIREMENTS.—The data exchange  
7           standards required by paragraph (1) shall, to the ex-  
8           tent practicable—

9                     “(A) incorporate a widely accepted, non-  
10           proprietary, searchable, computer-readable for-  
11           mat, such as the eXtensible Markup Language;

12                     “(B) contain interoperable standards devel-  
13           oped and maintained by intergovernmental  
14           partnerships, such as the National Information  
15           Exchange Model;

16                     “(C) incorporate interoperable standards  
17           developed and maintained by Federal entities  
18           with authority over contracting and financial  
19           assistance;

20                     “(D) be consistent with and implement ap-  
21           plicable accounting principles;

22                     “(E) be implemented in a manner that is  
23           cost-effective and improves program efficiency  
24           and effectiveness; and

1                   “(F) be capable of being continually up-  
2                   graded as necessary.

3                   “(3) RULE OF CONSTRUCTION.—Nothing in  
4                   this subsection shall be construed to require a  
5                   change to existing data exchange standards found to  
6                   be effective and efficient.”.

7                   (b) EFFECTIVE DATE.—The Secretary of Health and  
8                   Human Services shall issue a proposed rule within 24  
9                   months after the date of the enactment of this section.  
10                  The rule shall identify federally required data exchanges,  
11                  include specification and timing of exchanges to be stand-  
12                  ardized, and address the factors used in determining  
13                  whether and when to standardize data exchanges. It  
14                  should also specify State implementation options and de-  
15                  scribe future milestones.

16                  **SEC. 305. REPORT TO CONGRESS.**

17                  The Secretary of Health and Human Services shall—

18                         (1) in conjunction with the strategic plan, re-  
19                         view and provide recommendations for cost-effective  
20                         improvements to the child support enforcement pro-  
21                         gram under part D of title IV of the Social Security  
22                         Act, and ensure that the plan addresses the effec-  
23                         tiveness and performance of the program, analyzes  
24                         program practices, identifies possible new collection  
25                         tools and approaches, and identifies strategies for

1 holding parents accountable for supporting their  
2 children and for building the capacity of parents to  
3 pay child support, with specific attention given to  
4 matters including front-end services, on-going case  
5 management, collections, Tribal-State partnerships,  
6 interstate and intergovernmental interactions, pro-  
7 gram performance, data analytics, and information  
8 technology;

9 (2) in carrying out paragraph (1), consult with  
10 and include input from—

11 (A) State, tribal, and county child support  
12 directors;

13 (B) judges who preside over family courts  
14 or other State or local courts with responsibility  
15 for conducting or supervising proceedings relat-  
16 ing to child support enforcement, child welfare,  
17 or social services for children and their families,  
18 and organizations that represent the judges;

19 (C) custodial parents and organizations  
20 that represent them;

21 (D) noncustodial parents and organizations  
22 that represent them; and

23 (E) organizations that represent fiduciary  
24 entities that are affected by child support en-  
25 forcement policies; and

1           (3) in developing the report required by para-  
2 graph (4), solicit public comment;

3           (4) not later than June 30, 2015, submit to the  
4 Congress a report that sets forth policy options for  
5 improvements in child support enforcement, which  
6 report shall include the following:

7           (A) A review of the effectiveness of State  
8 child support enforcement programs, and the  
9 collection practices employed by State agencies  
10 administering programs under such part, and  
11 an analysis of the extent to which the practices  
12 result in unintended consequences or perform-  
13 ance issues associated with the programs and  
14 practices.

15           (B) Recommendations for methods to en-  
16 hance the effectiveness of child support enforce-  
17 ment programs and collection practices.

18           (C) A review of State best practices in re-  
19 gards to establishing and operating State and  
20 multistate lien registries.

21           (D) A compilation of State recovery and  
22 distribution policies.

23           (E) Options, with analysis, for methods to  
24 engage noncustodial parents in the lives of their

1 children through consideration of parental time  
2 and visitation with children.

3 (F) An analysis of the role of alternative  
4 dispute resolution in making child support de-  
5 terminations.

6 (G) Identification of best practices for—

7 (i) determining which services and  
8 support programs available to custodial  
9 and noncustodial parents are non-duplica-  
10 tive, evidence-based, and produce quality  
11 outcomes, and connecting custodial and  
12 noncustodial parents to those services and  
13 support programs;

14 (ii) providing employment support, job  
15 training, and job placement for custodial  
16 and noncustodial parents; and

17 (iii) establishing services, supports,  
18 and child support payment tracking for  
19 noncustodial parents, including options for  
20 the prevention of, and intervention on,  
21 uncollectible arrearages, such as retro-  
22 active obligations.

23 (H) Options, with analysis, for methods for  
24 States to use to collect child support payments  
25 from individuals who owe excessive arrearages



1 as determined under section 454(31) of such  
2 Act.

3 (I) A review of State practices under  
4 454(31) of such Act used to determine which  
5 individuals are excluded from the requirements  
6 of section 452(k) of such Act, including the ex-  
7 tent to which individuals are able to success-  
8 fully contest or appeal decisions.

9 (J) Options, with analysis, for actions as  
10 are determined to be appropriate for improve-  
11 ment in child support enforcement.

12 **SEC. 306. REQUIRED ELECTRONIC PROCESSING OF INCOME**  
13 **WITHHOLDING.**

14 (a) IN GENERAL.—Section 454A(g)(1) (42 U.S.C.  
15 654a(g)(1)(A)) is amended—

16 (1) by striking “, to the maximum extent fea-  
17 sible,”; and

18 (2) in subparagraph (A)—

19 (A) by striking “and” at the end of clause  
20 (i);

21 (B) by adding “and” at the end of clause  
22 (ii); and

23 (C) by adding at the end the following:

1                   “(iii) at the option of the employer,  
2                   using the electronic transmission methods  
3                   prescribed by the Secretary;”.

4           (b) EFFECTIVE DATE.—The amendments made by  
5 subsection (a) shall take effect on October 1, 2015.

## 6 **TITLE IV—BUDGETARY EFFECTS**

### 7 **SEC. 401. DETERMINATION OF BUDGETARY EFFECTS.**

8           The budgetary effects of this Act, for the purpose of  
9 complying with the Statutory Pay-As-You-Go Act of 2010,  
10 shall be determined by reference to the latest statement  
11 titled “Budgetary Effects of PAYGO Legislation” for this  
12 Act, submitted for printing in the Congressional Record  
13 by the Chairman of the Senate Budget Committee, pro-  
14 vided that such statement has been submitted prior to the  
15 vote on passage.

Passed the House of Representatives July 23, 2014.

Attest:

*Clerk.*



113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 4980**

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**AN ACT**

To prevent and address sex trafficking of children in foster care, to extend and improve adoption incentives, and to improve international child support recovery.