

113TH CONGRESS
2D SESSION

H. R. 4980

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

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2014

Mr. CAMP (for himself, Mr. LEVIN, Mr. REICHERT, and Mr. DOGGETT) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. TABLE OF CONTENTS.**

7 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 ADOP-**
21 **TION 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.

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