To reauthorize and restructure adoption incentive payments, to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, to increase the reliability of child support for children, and for other purposes.

IN THE SENATE OF THE UNITED STATES

December 19, 2013

Mr. Baucus, from the Committee on Finance, reported the following original bill; which was read twice and placed on the calendar

A BILL

To reauthorize and restructure adoption incentive payments, to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, to increase the reliability of child support for children, and for other purposes.

1 Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

4 (a) SHORT TITLE.—This Act may be cited as the

5 “Supporting At-Risk Children Act”.
(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

   Sec. 1. Short title; table of contents.

TITLE I—STRENGTHENING AND FINDING FAMILIES FOR CHILDREN

Sec. 101. Short title of title.

Subtitle A—Adoption Incentive Payments

Sec. 111. Extension of program through fiscal year 2016.
Sec. 112. Improvements to award structure.
Sec. 113. Renaming of program.
Sec. 114. Limitations on use of incentive payments.
Sec. 115. State report on calculation and use of savings resulting from the phase-out of eligibility requirements for adoption assistance; requirement to spend 40 percent of savings on certain services.
Sec. 116. Preservation of eligibility for kinship guardianship assistance payments with a successor guardian.
Sec. 117. Data collection on adoption and foster child guardianship disruption and dissolution.
Sec. 118. Encouraging the placement of children in foster care with siblings.
Sec. 119. Effective dates.

Subtitle B—Extension of Family Connection Grant Program

Sec. 121. Extension of family connection grant program.

Subtitle C—Unemployment Compensation

Sec. 131. Improving the collection of unemployment insurance overpayments through tax refund offset.

TITLE II—IDENTIFYING AND SERVING YOUTH VULNERABLE TO SEX TRAFFICKING

Sec. 201. Short title of title.

Subtitle A—Addressing the Risks That Make Youth Vulnerable to Sex Trafficking and Other Negative Outcomes

Sec. 211. Identifying and screening youth at risk of sex trafficking.
Sec. 212. Improvements to another planned permanent living arrangement as a permanency option.

Subtitle B—Empowering Older Youth Vulnerable to Domestic Sex Trafficking and Other Negative Outcomes

Sec. 221. Empowering foster youth age 14 and older in the development of their own case plan and transition planning for a successful adulthood.
Sec. 222. Ensuring foster youth have a birth certificate, Social Security card, driver’s license or equivalent State-issued identification card, and a bank account.
Subtitle C—Data and Reports

Sec. 231. Streamline data collection and reporting on sex trafficking.
Sec. 232. Recommendations to Congress for expanding housing for youth victims of trafficking.

Subtitle D—National Advisory Committee on Domestic Sex Trafficking

Sec. 241. National Advisory Committee on Domestic Sex Trafficking.

TITLE III—CHILD SUPPORT ENFORCEMENT

Sec. 301. Short title of title.

Subtitle A—Increased Reliability of Child Support

Sec. 311. Compliance with multilateral child support conventions.
Sec. 312. Relief from passport sanctions for certain individuals.
Sec. 313. Child support enforcement programs for Indian tribes.
Sec. 314. Parenting time arrangements.
Sec. 315. Efficient use of the National Directory of New Hires Database for federally sponsored research assessing the effectiveness of Federal policies and programs in achieving positive labor market outcomes.

Subtitle B—Child Support Enforcement Task Force


Subtitle C—Effective Dates

Sec. 331. Effective dates.

TITLE IV—BUDGETARY EFFECTS

Sec. 401. Determination of budgetary effects.

1 TITLE I—STRENGTHENING AND FINDING FAMILIES FOR CHILDREN

4 SEC. 101. SHORT TITLE OF TITLE.

This title may be cited as the “Strengthening And Finding Families for Children Act”.

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Subtitle A—Adoption Incentive Payments

SEC. 111. EXTENSION OF PROGRAM THROUGH FISCAL YEAR 2016.

Section 473A of the Social Security Act (42 U.S.C. 673b) is amended—

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

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

SEC. 112. IMPROVEMENTS TO AWARD STRUCTURE.

(a) Eligibility for Award.—Section 473A(b) of the Social Security Act (42 U.S.C. 673b(b)) is amended by striking paragraph (2) and redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively.

(b) Data Requirements.—Section 473A(c)(2) of such Act (42 U.S.C. 673b(c)(2)) is amended—

(1) in the paragraph heading, by striking “NUMBERS OF ADOPTIONS” and inserting “RATES OF ADOPTIONS AND-guardianships”; and

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

(3) by inserting before the period the following:

“, and, with respect to the determination of the rates related to foster child guardianships, on the basis of information reported to the Secretary under paragraph (12) of subsection (g)”.

(c) Award Amount.—Section 473A(d) of such Act (42 U.S.C. 673b(d)) is amended—

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

“(A) $4,000, multiplied by the amount (if any) by which—

“(i) the number of foster child adoptions in the State during the fiscal year; exceeds

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

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

“(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year;
“(B) $8,000, multiplied by the amount (if any) by which—

“(i) the number of older child adoptions and older foster child guardianships in the State during the fiscal year; exceeds

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

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

“(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year who have attained age 9;

“(C) $4,500, multiplied by the amount (if any) by which—

“(i) the number of special needs adoptions that are not older child adoptions in the State during the fiscal year; exceeds

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

“(I) the base rate of special needs adoptions that are not older
child adoptions for the State for the fiscal year; and

“(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year who have not attained age 9; and

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

“(i) the number of foster child guardianships in the State during the fiscal year; exceeds

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

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

“(II) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year.”; and

(2) by striking paragraph (3) and inserting the following:
“(3) INCREASED ADOPTION AND LEGAL GUARDIANSHIP INCENTIVE PAYMENT FOR TIMELY ADOPTIONS.—

“(A) IN GENERAL.—If for any of fiscal years 2013 through 2015, the total amount of adoption and legal guardianship incentive payments payable under paragraph (1) of this subsection are less than the amount appropriated under subsection (h) for the fiscal year, then, from the remainder of the amount appropriated for the fiscal year that is not required for such payments (in this paragraph referred to as the ‘timely adoption award pool’), the Secretary shall increase the adoption incentive payment determined under paragraph (1) for each State that the Secretary determines is a timely adoption award State for the fiscal year by the award amount determined for the fiscal year under subparagraph (C).

“(B) TIMELY ADOPTION AWARD STATE DEFINED.—A State is a timely adoption award State for a fiscal year if the State is one of the 50 States or the District of Columbia and the Secretary determines that more than 50 percent of the foster child adoptions that were finalized...
in the State during the fiscal year were for children for whom an adoption was finalized not more than 12 months after the date on which the child becomes legally free for adoption.

“(C) AWARD AMOUNT.—For purposes of subparagraph (A), the award amount determined under this subparagraph with respect to a fiscal year is the amount equal to the product of—

“(i) the timely adoption award pool for the fiscal year; and

“(ii) the number of timely adoption award States for the fiscal year.”.

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

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

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

“(B) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year.
“(2) Base rate of foster child adoptions.—The term ‘base rate of foster child adoptions’ means, with respect to a State and a fiscal year, the average of the foster child adoption rate for the State for the immediately preceding 3 fiscal years.

“(3) Foster child adoption.—The term ‘foster child adoption’ means the final adoption of a child who, at the time of adoptive placement, was in foster care under the supervision of the State.

“(4) Special needs adoptions that are not older child adoptions rate.—The term ‘special needs adoptions that are not older child adoptions rate’ means, with respect to a State and a fiscal year, the percentage determined by dividing—

“(A) the number of special needs adoptions that are not older child adoptions finalized in the State during the fiscal year; by

“(B) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year who have not attained age 9.

“(5) Base rate of special needs adoptions that are not older child adoptions.—
The term ‘base rate of special needs adoptions that are not older child adoptions’ means, with respect to a State and a fiscal year, the average of the special needs adoptions that are not older child adoptions rate for the State for the immediately preceding 3 fiscal years.

“(6) SPECIAL NEEDS ADOPTIONS THAT ARE NOT OLDER CHILD ADOPTIONS.—The term ‘special needs adoptions that are not older child adoptions’ means the final adoptions of all children who have not attained age 9 and for whom an adoption assistance agreement is in effect under section 473.

“(7) OLDER CHILD ADOPTIONS AND OLDER FOSTER CHILD GUARDIANSHIPS RATE.—The term ‘older child adoptions and older foster child guardianships rate’ means, with respect to a State and a fiscal year, the percentage determined by dividing—

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

“(B) the number of children in foster care under the supervision of the State on the last day of the preceding fiscal year, who have attained 9 years of age.
“(8) BASE RATE OF OLDER CHILD ADOPTIONS AND OLDER FOSTER CHILD GUARDIANSHIPS.—The term ‘base rate of older child adoptions and older foster child guardianships’ means, with respect to a State and a fiscal year, the average of the older child adoptions and older foster child guardianships rate for the State for the immediately preceding 3 fiscal years.

“(9) OLDER CHILD ADOPTIONS AND OLDER FOSTER CHILD GUARDIANSHIPS.—The term ‘older child adoptions and older foster child guardianships’ means the final adoption, or the placement into legal guardianship, of all children who have attained 9 years of age and—

“(A) at the time of the adoptive or legal guardianship placement, were in foster care under the supervision of the State; or

“(B) for whom an adoption assistance agreement was in effect under section 473.

“(10) FOSTER CHILD GUARDIANSHIP RATE.—The term ‘foster child guardianship rate’ means, with respect to a State and a fiscal year, the percentage determined by dividing—
“(A) the number of foster child
guardianships that occurred in the State during
the fiscal year; by
“(B) the number of children in foster care
under the supervision of the State on the last
day of the preceding fiscal year.
“(11) BASE RATE OF FOSTER CHILD
GUARDIANSHIPS.—The term ‘base rate of foster
child guardianships’ means, with respect to a State
and a fiscal year, the average of the foster child
guardianship rate for the State for the immediately
preceding 3 fiscal years.
“(12) FOSTER CHILD GUARDIANSHIP.—The
term ‘foster child guardianship’ means, with respect
to a State, the exit of a child from foster care under
the responsibility of the State to live with a legal
guardian, if the State has reported to the Sec-
retary—
“(A) that the State agency has determined
that—
“(i) the child has been removed from
his or her home pursuant to a voluntary
placement agreement or as a result of a ju-
dicial determination to the effect that con-
tinuation in the home would be contrary to
the welfare of the child;

“(ii) being returned home is not an
appropriate option for the child;

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

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

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

SEC. 113. RENAMING OF PROGRAM.

(a) In General.—The section heading of section
473A of the Social Security Act (42 U.S.C. 673b) is
amended to read as follows:

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

(b) Conforming Amendments.—

(1) Section 473A of such Act is amended in
each of subsections (a), (d)(1), (d)(2)(A), and
(d)(2)(B) (42 U.S.C. 673b(a), (d)(1), (d)(2)(A), and
(d)(2)(B)) by inserting “and legal guardianship”
after “adoption” each place it appears.

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

SEC. 114. LIMITATIONS ON USE OF INCENTIVE PAYMENTS.

Section 473A(f) of the Social Security Act (42 U.S.C.
673b(f)) is amended—

(1) in the first sentence, by inserting “, and
shall use the amount to supplement, and not sup-
plant, any Federal or non-Federal funds used to
provide any service under part B or E” before the
period;

(2) by inserting after the first sentence, the fol-
lowing: “In the case of any State that is paid an in-
centive payment under this section for a fiscal year
that exceeds $100,000, the State shall use at least
25 percent of the incentive payment made to the
State for that fiscal year to provide services for chil-
dren who have been reunified with their families, in-
cluding services to youth who, after emancipating
from foster care, return to their families, to support
and sustain these reunifications.”; and
(3) by striking “the preceding sentence” and inserting “this subsection”.

SEC. 115. STATE REPORT ON CALCULATION AND USE OF SAVINGS RESULTING FROM THE PHASE-OUT OF ELIGIBILITY REQUIREMENTS FOR ADOPTION ASSISTANCE; REQUIREMENT TO SPEND 40 PERCENT OF SAVINGS ON CERTAIN SERVICES.

Section 473(a)(8) of the Social Security Act (42 U.S.C. 673(a)(8)) is amended to read as follows:

“(8)(A) A State shall calculate the savings (if any) resulting from the application of paragraph (2)(A)(ii) to all applicable children for a fiscal year, using a methodology specified by the Secretary or an alternate methodology proposed by the State and approved by the Secretary.

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

“(i) the methodology used to make the calculation described in subparagraph (A), without regard to whether any savings are found;

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

“(iii) how any such savings are spent, accounting for and reporting the spending separately from
any other spending reported to the Secretary under part B or E.

“(C) The Secretary shall make all information reported pursuant to subparagraph (B) (including the information required under subparagraph (D)(iii)) available on the website of the Department of Health and Human Services in a location easily accessible to the public.

“(D)(i) A State shall spend an amount equal to the amount of the savings (if any) in State expenditures under this part resulting from the application of paragraph (2)(A)(ii) to all applicable children for a fiscal year, to provide to children of families any service that may be provided under this part or part B, and shall spend not less than 40 percent of any such savings on—

“(I) post-adoption or post-guardianship services (as applicable) for children placed in adoptive, kinship guardianship, or guardianship placements and their families; and

“(II) services to support and sustain positive permanent outcomes for children who otherwise might enter into foster care under the responsibility of the State.

“(ii) Any spending by a State in accordance with this subparagraph shall be used to supplement, and not sup-
plant, any Federal or non-Federal funds used to provide any service under part B or E.

“(iii) A State shall include in the annual report submitted to the Secretary under subparagraph (B) a detailed account, in such form and manner as the Secretary shall require, of the services funded by the State to satisfy the requirements of clause (i) of this subparagraph.”.

SEC. 116. PRESERVATION OF ELIGIBILITY FOR KINSHIP GUARDIANSHIP ASSISTANCE PAYMENTS WITH A SUCCESSOR GUARDIAN.

Section 473(d)(3) of the Social Security Act (42 U.S.C. 673(d)(3)) is amended by adding at the end the following:

“(C) ELIGIBILITY NOT AFFECTED BY REPLACEMENT OF GUARDIAN WITH A SUCCESSOR GUARDIAN.—In the event of the death or incapacity of the relative guardian, the eligibility of a child for a kinship guardianship assistance payment under this subsection shall not be affected by reason of the replacement of the relative guardian with a successor legal guardian named in the kinship guardianship assistance agreement referred to in paragraph (1) (including in any amendment to the agreement), not-
withstanding subparagraph (A) of this paragraph and section 471(a)(28).”.

SEC. 117. DATA COLLECTION ON ADOPTION AND FOSTER CHILD GUARDIANSHIP DISRUPTION AND DISsolution.

(a) IN GENERAL.—Section 479 of the Social Security Act (42 U.S.C. 679) is amended by adding at the end the following new subsection:

“(d)(1) Not later than 12 months after the date of enactment of the Strengthening And Finding Families for Children Act the Secretary shall, as part of the data collection system established under this section, promulgate final regulations providing for the collection and analysis of information regarding children who enter into foster care under the supervision of a State as a result of the disruption of a placement for adoption or foster child guardianship or the dissolution of an adoption or foster child guardianship. The regulations shall require each State with a State plan approved under this part and part B to collect and report as part of such data collection system and, as appropriate, to report supplementary, descriptive, or spending information required separate from such system and, as appropriate, as part of other reports required under this part or part B, the information specified in paragraph (2).
“(2) The regulations promulgated under paragraph (1) shall require a State to collect and report the following information:

“(A) Information on children born in the United States who are adopted or placed in a foster child guardianship and who enter into foster care under the supervision of the State as a result of the disruption of a placement for adoption or foster child guardianship or the dissolution of an adoption or foster child guardianship, including—

“(i) the number of such children who enter into foster care under the supervision of the State as a result of—

“(I) the disruption of placement for adoption;

“(II) the disruption of placement for foster child guardianship;

“(III) the dissolution of an adoption;

or

“(IV) the dissolution of a foster child guardianship; and

“(ii) for each child identified under clause (i)—
“(I) the length of the adoption or foster child guardianship placement prior to disruption or dissolution;
“(II) the age of the child at the time of the disruption or dissolution;
“(III) the reason for the disruption or dissolution, as well as illustrative or supplementary materials that provide elaboration for the reason; and
“(IV) the agencies who handled the placement for adoption or foster child guardianship.
“(B) Information on children born in a country other than the United States who enter into foster care under the supervision of the State as a result of the disruption of a placement for adoption or the dissolution of an adoption, including—
“(i) the number of such children who enter into foster care under the supervision of the State as a result of—
“(I) the disruption of placement for adoption; or
“(II) the dissolution of an adoption;
“(ii) for each child identified under clause (i)—
“(I) the child’s country of birth and, if different, the country from which the child originally was placed for adoption;

“(II) the length of the adoption placement prior to disruption or dissolution;

“(III) the age of the child at the time of the disruption or dissolution;

“(IV) the reason for the disruption or dissolution, as well as illustrative or supplementary materials that provide elaboration for the reason; and

“(V) the agencies who handled the placement for adoption; and

“(C) A description of the pre- and post-adoptive support services that the State has determined result in lower rates of disruption and dissolution of adoptions or foster child guardianships.

“(D) Information on how the State spends funds paid to the State from an allotment for the State under section 433 to promote adoption, and, separately, to provide pre and post-adoptive support services.

“(E) Such other information as determined appropriate by the Secretary.
“(3) For purposes of this subsection, the term ‘foster child guardianship’ has the meaning given that term in section 473A(g)(12).”.

(b) ANNUAL REPORT.—Section 479A of the Social Security Act (42 U.S.C. 679b) is amended—

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

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

(3) by adding at the end the following new paragraph:

“(7) include in the report submitted pursuant to paragraph (5) for fiscal year 2016 or any succeeding fiscal year, national and State-by-State data on the numbers and rates of disruptions and dissolutions of adoptions, as collected pursuant to section 479(d).”.

SEC. 118. ENCOURAGING THE PLACEMENT OF CHILDREN IN FOSTER CARE WITH SIBLINGS.

(a) STATE PLAN AMENDMENT.—

(1) NOTIFICATION OF PARENTS OF SIBLINGS.—

Section 471(a)(29) of the Social Security Act (42 U.S.C. 671(a)(29)) is amended by striking “all adult grandparents” and inserting “the following relatives:

all adult grandparents, all parents of a sibling of the
child, where such parent has legal custody of such
sibling.”.

(2) Sibling defined.—Section 475 of the So-
cial Security Act (42 U.S.C. 675) is amended by
adding at the end the following:
“(9) The term ‘sibling’ means an individual
who satisfies at least one of the following conditions
with respect to a child:
“(A) The individual is considered by State
law to be a sibling of the child.
“(B) The individual would have been con-
sidered a sibling of the child under State law
but for a termination or other disruption of pa-
rental rights, such as the death of a parent.”.

(b) Rule of construction.—Nothing in this sec-
tion shall be construed as subordinating the rights of fos-
ter or adoptive parents of a child to the rights of the par-
ents of a sibling of that child.

SEC. 119. EFFECTIVE DATES.

(a) In general.—Except as otherwise provided in
this section, the amendments made by this subtitle shall
take effect as if enacted on October 1, 2013.

(b) Restructuring and Renaming of Pro-
gram.—
(1) IN GENERAL.—The amendments made by sections 112 and 113 shall take effect on October 1, 2014, subject to paragraph (2).

(2) TRANSITION RULE.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the total amount payable to a State under section 473A of the Social Security Act for fiscal year 2014 shall be an amount equal to \( \frac{1}{2} \) of the sum of—

(i) the total amount that would be payable to the State under such section for fiscal year 2014 if the amendments made by section 112 of this Act had not taken effect; and

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

(B) PRO RATA ADJUSTMENT IF INSUFFICIENT FUNDS AVAILABLE.—If the total amount otherwise payable under subparagraph (A) for fiscal year 2014 exceeds the amount appropriated pursuant to section 473A(h) of the Social Security Act (42 U.S.C. 673b(h)) for that fiscal year, the amount payable to each State
under subparagraph (A) for fiscal year 2014 shall be—

(i) the amount that would otherwise be payable to the State under subparagraph (A) for fiscal year 2014; multiplied by

(ii) the percentage represented by the amount so appropriated for fiscal year 2014, divided by the total amount otherwise payable under subparagraph (A) to all States for that fiscal year.

(c) Promoting Sibling Connections.—

(1) In general.—The amendments made by section 118 shall take effect on the date of enactment of this Act.

(2) Delay permitted if state legislation required.—In the case of a State plan approved under part E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by section 118, the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet such
additional requirements before the 1st day of the 1st
calendar quarter beginning after the close of the 1st
regular session of the State legislature that ends
after the 1-year period beginning with the date of
enactment of this Act. For purposes of the preceding
sentence, in the case of a State that has a 2-year
legislative session, each year of the session is deemed
to be a separate regular session of the State legisla-
ture.

Subtitle B—Extension of Family
Connection Grant Program

SEC. 121. EXTENSION OF FAMILY CONNECTION GRANT
PROGRAM.

(a) IN GENERAL.—Section 427(h) of the Social Secu-
rity Act (42 U.S.C. 627(h)) is amended by striking
“2013” and inserting “2016”.

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

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

(2) by inserting “and institutions of higher edu-
cation (as defined under section 101 of the Higher
Education Act of 1965 (20 U.S.C. 1001)),” after
“arrangements,”.
(c) Finding Families for Foster Youth Who Are Parents.—Section 427(a)(1)(E) of such Act (42 U.S.C. 627(a)(1)(E)) is amended by inserting “and other individuals who are willing and able to be foster parents for children in foster care under the responsibility of the State who are themselves parents” after “kinship care families”.

(d) Reservation of Funds.—Section 427(g) of such Act (42 U.S.C. 627(g)) is amended—

(1) by striking paragraph (1); and

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

Subtitle C—Unemployment Compensation

SEC. 131. Improving the Collection of Unemployment Insurance Overpayments Through Tax Refund Offset.

(a) In General.—Section 303 of the Social Security Act (42 U.S.C. 503) is amended by adding at the end the following:

“(m) In the case of a covered unemployment compensation debt (as defined under section 6402(f)(4) of the Internal Revenue Code of 1986) that remains uncollected as of the date that is 2 years after the date when such debt was first incurred, the State to which such debt is
owed shall take action to recover such debt under section 6402(f) of the Internal Revenue Code of 1986.”.

(b) **Effective Date.**—The amendment made by subsection (a) shall take effect on October 1, 2015.

**TITLE II—IDENTIFYING AND SERVING YOUTH VULNERABLE TO SEX TRAFFICKING**

**SEC. 201. SHORT TITLE OF TITLE.**

This Act may be cited as the “Protecting Youth At-Risk for Sex Trafficking Act”.

**Subtitle A—Addressing the Risks That Make Youth Vulnerable to Sex Trafficking and Other Negative Outcomes**

**SEC. 211. IDENTIFYING AND SCREENING YOUTH AT RISK OF SEX TRAFFICKING.**

Section 471(a)(9) of the Social Security Act (42 U.S.C. 671(a)(9)) is amended—

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

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

(3) by adding at the end the following:

“(C) not later than—

“(i) 1 year after the date of enactment of the Protecting Youth At-Risk for
Sex Trafficking Act, demonstrate to the Secretary that it has developed, in consultation with the child protective services agency or unit for the State, policies and procedures for identifying and screening, and to determine appropriate State action and services, any child who the State has reasonable cause to believe is a victim of sex trafficking (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(10))) or a severe form of trafficking in persons described in paragraph (9)(A) of that Act (22 U.S.C. 7102(9)(A)) or is at risk of being a victim of either kind of trafficking (including at the option of the State, any individual who has not attained age 26 without regard to whether that individual is or was in foster care under the responsibility of the State); and

“(ii) 2 years after the date of enactment of the Protecting Youth At-Risk for Sex Trafficking Act, demonstrate to the Secretary that it is implementing, in consultation with the child protective services
agency or unit for the State, the policies
and procedures developed under clause
(i).”.

SEC. 212. IMPROVEMENTS TO ANOTHER PLANNED PERMA-
NENT LIVING ARRANGEMENT AS A PERMA-
NENCY OPTION.

(a) Elimination of the Option for Children
Under Age 16.—

(1) In General.—Section 475(5)(C) of the So-
cial Security Act (42 U.S.C. 675(5)(C)) is amended
by inserting “only in the case of a child who has at-
tained age 16” before “(in cases where the State
agency has documented”.

(2) Conforming Amendment.—Section
422(b)(8)(A)(iii)(II) of such Act (42 U.S.C.
622(b)(8)(A)(iii)(II)) is amended by inserting “,
subject to the requirements of paragraphs (5)(C)
and (10) of section 475” after “arrangement”.

(b) Additional Requirements.—

(1) In General.—Part E of title IV of the So-
cial Security Act (42 U.S.C. 670 et seq.) is amended
by inserting after section 475 the following new sec-
tion:
“ADDITIONAL CASE PLAN AND CASE REVIEW SYSTEM REQUIREMENTS

“SEC. 475A. (a) REQUIREMENTS FOR ANOTHER PLANNED PERMANENT LIVING ARRANGEMENT.—In the case of any child for whom another planned permanent living arrangement is the permanency plan for the child, the following requirements shall apply for purposes of approving the case plan for the child and the case system review procedure for the child:

“(1) DOCUMENTATION OF INTENSIVE, ONGOING, UNSUCCESSFUL EFFORTS FOR FAMILY PLACEMENT.—At each permanency hearing held with respect to the child, the State agency documents the intensive, ongoing, and, as of the date of the hearing, unsuccessful efforts made by the State agency to return the child home, place the child with a fit and willing relative, place the child with a legal guardian, or place the child for adoption, including through efforts that utilize search technology to find biological family members for children in the child welfare system.

“(2) REDETERMINATION OF APPROPRIATENESS OF PLACEMENT AT EACH PERMANENCY HEARING.— At each permanency hearing held with respect to the child, the court or administrative body appointed or
approved by the court conducting the hearing on the
permanency plan for the child shall do the following:

“(A) Ask the child if the child wants to be
adopted.

“(B) Make a judicial determination of a
compelling reason with respect to each of the
following options for why it continues to be not
in the best interests of the child to—

“(i) return home;

“(ii) be placed with a fit and willing
relative;

“(iii) be placed with a legal guardian;

or

“(iv) be placed for adoption.

“(C) Identify the barriers to permanency
plans other than another planned permanent
living arrangement for the child.

“(D) Make a new determination that an-
other planned permanent living arrangement is
the appropriate permanency plan for this child
and submit findings as to why, as of the date
of the hearing, another planned permanent liv-
ing arrangement is the best permanency plan
for the child.
“(E) Require the State agency to document at the next permanency hearing held with respect to the child the intensive, ongoing, efforts made by the State agency to address such barriers and allow a different permanency plan for the child.

“(3) Demonstration of support for engaging in age or developmentally appropriate activities and social events.—The State agency shall appear before the court or administrative body appointed or approved by the court and demonstrate, not less frequently than every 6 months while the child is placed in another planned permanent living arrangement—

“(A) the steps the State agency is taking, including with respect to reducing barriers such as paper work or other documentation, to ensure the child has regular, ongoing opportunities to engage in age or developmentally appropriate activities, including social events; and

“(B) that an individual, other than a case-worker, is the caregiver for the child for purposes of the reasonable and prudent parent standard (as defined in section 475(9)), including with respect to authority for signing permis-
sion slips and giving informal permission for the child to participate in age or developmentally appropriate activities, including social events.”.

(2) CONFORMING AMENDMENTS.—

(A) STATE PLAN REQUIREMENTS.—

(i) PART B.—Section 422(b)(8)(A)(ii) of the Social Security Act (42 U.S.C. 622(b)(8)(A)(ii)) is amended by inserting “in accordance with the requirements of section 475A” after “section 475(5))”.

(ii) PART E.—Section 471(a)(16) of the Social Security Act (42 U.S.C. 671(a)(16)) is amended—

(I) by inserting “and in accordance with the requirements of section 475A” after “section 475(1)”; and

(II) by striking “section 475(5)(B)” and inserting “section 475(5) and 475A”.

(B) DEFINITIONS.—Section 475 of the Social Security Act (42 U.S.C. 675) is amended—

(i) in paragraph (1), in the matter preceding subparagraph (A), by inserting
“meets the requirements of section 475A and” after “written document which”; (ii) in paragraph (5)(C), as amended by subsection (a)(1)— (I) by inserting “, as of the date of the hearing,” after “compelling reason for determining”; and (II) by inserting “subject to the requirements of section 475A(a),” after “another planned permanent living arrangement,”; and (iii) by adding at the end the following: “(9)(A) The term ‘reasonable and prudent parent standard’ means the standard characterized by careful and sensible parental decisions that maintain a child’s health, safety, and best interests while at the same time encouraging the child’s emotional and developmental growth, that a caregiver shall use when determining whether to allow a child in foster care under the responsibility of the State to participate in extracurricular, enrichment, and social activities. “(B) For purposes of subparagraph (A), the term ‘caregiver’ means a foster parent with whom a
child in foster care has been placed or a designated
official for a child care institution in which a child
in foster care has been placed.

“(10)(A)(i) The term ‘age or developmentally
appropriate’ means activities or items that are gen-
erally accepted as suitable for children of the same
chronological age or level of maturity or that are de-
termined to be developmentally appropriate for a
child, based on the development of cognitive, emo-
tional, physical, and behavioral capacities that are
typical for an age or age group.

“(ii) In the event that any age related activities
have implications relative to a child or youth’s aca-
demic curriculum, nothing in this part or part B
shall be construed to authorize an officer or em-
ployee of the Federal Government to mandate, di-
rect, or control a State, local educational agency, or
school’s specific instructional content, academic
achievement standards and assessments, curriculum,
or program of instruction

“(B) In the case of a specific child, the term
means activities or items that are suitable for that
child based on the developmental stages attained by
the child with respect to the child’s cognitive, emo-
tional, physical, and behavioral capacities.”.
(c) Collected Child Support Directed to the Youth.—

(1) Foster youth in another planned permanent living arrangement.—Section 457(e)(1) of the Social Security Act (42 U.S.C. 657(e)(1)) is amended by inserting “unless the permanency plan for the child is another planned permanent living arrangement, in which case the amounts collected (without any reimbursement to the Federal Government) shall be deposited by the State agency responsible for supervising the child’s placement in an account established for the benefit of the child and only used for payment of fees or other costs attributable to the child’s participation in age or developmentally appropriate activities (until the child attains 18 years of age or such higher age as the State has elected under section 475(8)(B)(iii) at which time any funds in the account shall be paid to the child)” before the semicolon.

(2) Former foster youth who have aged out of foster care.—Section 457 of the Social Security Act (42 U.S.C. 657) is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by striking “(d) and (e)” and inserting “(d), (e), and (f)”; and
(B) by adding at the end the following new subsection:

“(f) YOUTH AGE 18 OR OLDER IN FOSTER CARE.—Notwithstanding the preceding provisions of this section, amounts collected by a State as child support for months in any period on behalf of a child who is in foster care under the responsibility of the State on the date the child attains 18 years of age or such higher age as the State has elected under section 475(8)(B)(iii) shall be paid to the child (without any reimbursement to the Federal Government).”.

(3) STATE PLAN AMENDMENT.—Section 454(11) of the Social Security Act (42 U.S.C. 654(11)) is amended—

(A) in subparagraph (A), by striking “and” after the semicolon;

(B) in subparagraph (B), by adding “and” after the semicolon; and

(C) by inserting after subparagraph (B), the following:

“(C) provide a description of the procedures the State has in effect to comply with the requirements under section 457(e)(1) regarding funds collected on behalf of a child in another planned permanent living arrangement and with the requirements under
section 457(f) regarding payment of amounts collected on behalf of a child who is in foster care under the responsibility of the State on the date the child attains 18 years of age or such higher age as the State has elected under section 475(8)(B)(iii);”.

(d) **Effective Dates.**—

(1) **In general.**—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) **Delay of Child Support Amendment Permitted If State Legislation Required.**—In the case of a State plan approved under section 454 of the Social Security Act which requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by subsection (c), the State plan shall not be regarded as failing to comply with the additional requirements solely on the basis of the failure of the plan to meet the additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case
of a State that has a 2-year legislative session, each
year of such session shall be deemed to be a sepa-
rate regular session of the State legislature.

Subtitle B—Empowering Older Youths Vulnerable to Domestic Sex Trafficking and Other Negative Outcomes

SEC. 221. EMPOWERING FOSTER YOUTH AGE 14 AND OLDER IN THE DEVELOPMENT OF THEIR OWN CASE PLAN AND TRANSITION PLANNING FOR A SUCCESSFUL ADULTHOOD.

(a) In General.—Section 475(1)(B) of the Social Security Act (42 U.S.C. 675(1)(B)) is amended by adding at the end the following: “With respect to a child who has attained age 14, the plan developed under this paragraph for the child, the permanency plan required for the child under paragraph (5)(C), and any revisions or additions to such plans, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case planning team who are chosen by the child and who are not the child’s foster parent or caseworker. A State may reject an individual selected by a child to be a member of the case planning team at any time if the State has good cause to believe that the individual would not act in the best interests of the child. One indi-
individual selected by a child to be a member of the child’s case planning team may be designated to be the child’s advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child.”.

(b) Conforming Amendments to Include Youth 14 and Older in Transition Planning.—Section 475 of such Act (42 U.S.C. 675) is amended—

(1) in paragraph (1)(D), by striking “Where appropriate, for a child age 16” and inserting “For a child age 14”; and

(2) in paragraph (5)—

(A) in subparagraph (C)—

(i) by striking “16” and inserting “14”; and

(ii) by striking “independent living” and inserting “a successful adulthood and that the permanency plan for the child is developed in accordance with the requirements specified in paragraph(1)(B)”;

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

(e) Transition Planning for a Successful Adulthood.—Paragraphs (1)(D) and (5)(C)(iii) of section 475 of such Act (42 U.S.C. 675) are each amended
by striking “independent living” and inserting “a successful adulthood”.

(d) **List of Rights.**—Section 475A of the Social Security Act, as added by section 212(b)(1), is amended by adding at the end the following new subsection:

“(b) **List of Rights.**—The case plan for any child in foster care under the responsibility of the State or with respect to whom adoption or kinship guardianship, assistance is made available under this part, who has attained age 14 shall include an age or developmentally appropriate written document that describes the child’s rights with respect to education, health, visitation, and court participation, and to staying safe and avoiding exploitation and a signed acknowledgment by the child that the child has been provided them with a written copy of such document.”.

(e) **Report.**—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit a report to Congress regarding the implementation of the amendments made by this section. The report shall include—

(1) an analysis of how States are administering the requirement of section 475(1)(B) of the Social Security Act, as amended by subsection (a) of this Act, to permit a child in foster care who has at-
tained age 14 to select up to 2 members of the child’s case planning team from individuals who are not the child’s foster parent or caseworker for the development of the plan for the child under paragraph (1)(B) of section 475 of such Act, the permanency plan required for the child under paragraph (5)(C) of section 475 of such Act, and for any revisions or additions to such plans; and

(2) a description of best practices of States with respect to the administration of the requirement.

SEC. 222. ENSURING FOSTER YOUTH HAVE A BIRTH CERTIFICATE, SOCIAL SECURITY CARD, DRIVER’S LICENSE OR EQUIVALENT STATE-ISSUED IDENTIFICATION CARD, AND A BANK ACCOUNT.

(a) Case Review System Requirement.—Section 475(5)(I) of the Social Security Act (42 U.S.C. 675(5)(I)) is amended—

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

(2) by inserting before the period, the following:

“and is not discharged from care without being provided with an official birth certificate, a social security card issued by the Commissioner of Social Security, a driver’s license or identification card issued
by a State in accordance with the requirements of section 202 of the REAL ID Act of 2005, and a fee-
free (or low-fee) transaction account (as defined in section 19(b)(1)(C) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(C))) established in the child’s name at an insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813)) or an insured credit union (as defined in section 101 of the Federal Credit Union Act (12 U.S.C. 1752)), unless the child, after consultation with the child’s selected members of the child’s case planning team (if any), elects not to have such an account established”.

(b) PENALTY FOR NONCOMPLIANCE.—Section 474 of the Social Security Act (42 U.S.C. 674)) is amended by adding at the end the following:

“(h) REDUCED FEDERAL MATCHING PERCENTAGE FOR ADMINISTRATION FOR FAILURE TO ENSURE FOSTER YOUTH HAVE A BIRTH CERTIFICATE, SOCIAL SECURITY CARD, PICTURE ID, AND A BANK ACCOUNT.—If the Secretary finds with respect to a fiscal year quarter that a State has failed to comply with the requirement under section 475(5)(I) to provide each child in foster care under the responsibility of the State with an official birth certificate, a social security card issued by the Commissioner
of Social Security, a driver’s license or identification card
issued by a State in accordance with the requirements of
section 202 of the REAL ID Act of 2005, and a fee-free
(or low-fee) transaction account (as defined in section
19(b)(1)(C) of the Federal Reserve Act (12 U.S.C.
461(b)(1)(C))) established in the child’s name at an in-
sured depository institution (as defined in section 3 of the
Federal Deposit Insurance Act (12 U.S.C. 1813)) or an
insured credit union (as defined in section 101 of the Fed-
eral Credit Union Act (12 U.S.C. 1752)) before the child
is discharged from such care, (unless the child elects, after
consultation with the child’s selected members of the
child’s case planning team (if any), not to have such an
account established) then, notwithstanding subsection (a)
of this section and any regulations promulgated under sec-
tion 1123A(b)(3), the Secretary shall reduce the Federal
matching percentage for expenditures described in sub-
section (a)(3)(E) for the succeeding fiscal year quarter by
1 percentage point for every multiple of 10 children for
whom the Secretary determines the State failed to comply
with such requirements (but not to exceed 25 percentage
points).”.

(e) EFFECTIVE DATE.—
(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section take effect on October 1, 2015.

(2) EXTENSION FOR STATE LAW AMENDMENT.—In the case of a State plan approved under part B or E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by this section, the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet such additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that ends after the 1-year period beginning with the date of enactment of this Act. For purposes of the preceding sentence, in the case of a State that has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.
Subtitle C—Data and Reports

SEC. 231. STREAMLINE DATA COLLECTION AND REPORTING ON SEX TRAFFICKING.

(a) State Plan Requirements.—

(1) IN GENERAL.—Section 471(a) of the Social Security Act (42 U.S.C. 671(a)) is amended—

(A) by striking “and” at the end of paragraph (32);

(B) by striking the period at the end of paragraph (33) and inserting a semicolon; and

(C) by adding at the end the following:

“(34) provides that for each child over whom the State agency has responsibility for placement, care, or supervision (including a child who is in foster care, a child for whom a State child welfare agency has an open case file but who has not been removed from the home, and a youth who is not in foster care but is receiving services under section 477), the State agency shall—

“(A) identify and document appropriately in agency records each child who is identified as being a victim of sex trafficking (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000) or as a victim of severe forms of trafficking in persons described in sec-
tion 103(9)(A) of the Trafficking Victims Protection Act of 2000 (relating to sex trafficking) as such a victim; and

“(B) report immediately, and in no case later than 24 hours after receiving, information on missing or abducted children to the law enforcement authorities for entry into the National Crime Information Center (NCIC) database of the Federal Bureau of Investigation, established pursuant to section 534 of title 28, United States Code, and to the National Center for Missing and Exploited Children; and

“(35) contains a regularly updated description of the specific measures taken by the State agency to protect and provide services to children who are victims of sex trafficking (as defined in section 103(10) of the Trafficking Victims Protection Act of 2000) or as a victim of severe forms of trafficking in persons described in section 103(9)(A) of the Trafficking Victims Protection Act of 2000 (relating to sex trafficking), including efforts to coordinate with State law enforcement, juvenile justice, and social service agencies such as runaway and homeless youth shelters to serve that population.”.

(2) Effective date.—
(A) In general.—Except as provided in subparagraph (B), the amendments made by subsection (a) shall take effect on the date that is 1 year after the date of the enactment of this Act, without regard to whether final regulations required under subsection (b) have been promulgated.

(B) Delay permitted if state legislation required.—In the case of a State plan approved under part E of title IV of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by subsection (a), the State plan shall not be regarded as failing to comply with the requirements of such part solely on the basis of the failure of the plan to meet such additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that ends after the 1-year period beginning with the date of the enactment of this Act. For purposes of the preceding sentence, in the case of a State that has a 2-year
legislative session, each year of the session is
deeded to be a separate regular session of the
State legislature. Except as otherwise provided
in this Act the amendments made by this Act
shall take effect on the date that is 1 year after
the date of the enactment of this Act.

(b) Inclusion of Data in AFCARS.—

(1) In general.—Section 479(c)(3) of the So-
cial Security Act (42 U.S.C. 679(c)(3)) is amend-
ed—

(A) in subparagraph (C)(iii), by striking
“and” after the semicolon; and

(B) by adding at the end the following:
“(E) the number of children in foster care
(and to the extent the Secretary determines fea-
sible, the number of other children over whom
the State agency has responsibility for place-
ment, care, or supervision (including children
for whom a State child welfare agency has an
open case file but who have not been removed
from the home and youth who are not in foster
care but are receiving services under section
477) who are identified as victims of sex traf-
ficking (as defined in section 103(10) of the
Trafficking Victims Protection Act of 2000) or
as victims of severe forms of trafficking in persons described in section 103(9)(A) of the Trafficking Victims Protection Act of 2000 (relating to sex trafficking); and”.

(2) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than the date that is 2 years after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(i) survey each State with a State plan approved under part B or E of title IV of the Social Security Act (42 U.S.C. 621 et seq., 670 et seq.) to determine the estimated number of children in foster care and the estimated number of other children over whom the State agency has responsibility for placement, care, or supervision (including children for whom a State child welfare agency has an open case file but who have not been removed from the home and youth who are not in foster care but are receiving services under section 477 of such Act (42 U.S.C. 677) who are identified as victims of sex trafficking (as defined in section 103(10) of the Traf-
ficking Victims Protection Act of 2000) or
as victims of severe forms of trafficking in
persons described in section 103(9)(A) of
the Trafficking Victims Protection Act of
2000 (relating to sex trafficking); and

(ii) submit a report to Congress that
includes the results of such survey, includ-
ing State-specific data, along with such
recommendations for administrative or leg-
islative action as the Secretary of Health
and Human Services determines appro-
priate relating to the identification of, and
provision of services for, such children.

(B) ANNUAL REPORTS.—Section 479A of
the Social Security Act (42 U.S.C. 679b), as
amended by section 117(b), is further amend-
ed—

(i) in paragraph (6), by striking
“and” after the semicolon;

(ii) in paragraph (7), by striking the
period at the end and inserting “; and”;
and

(iii) by adding at the end the fol-
lowing:
“(8) include in the report submitted pursuant to paragraph (5) for the first fiscal year that begins on or after the effective date of a final rule implementing the data collection required under subparagraph (E) of section 479(c)(3), and for each succeeding fiscal year, the State-specific data collected under such subparagraph, along with such other information as the Secretary determines appropriate relating to the identification of, and provision of services for, the population of children identified in such data.”.

SEC. 232. RECOMMENDATIONS TO CONGRESS FOR EXPANDING HOUSING FOR YOUTH VICTIMS OF TRAFFICKING.

Part A of title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by inserting after section 1123A, the following:

“RECOMMENDATIONS TO CONGRESS FOR EXPANDING HOUSING FOR YOUTH VICTIMS OF TRAFFICKING

“Sec. 1123B. (a) In General.—Not later than 1 year after the enactment of this section, the head of each Federal agency specified in subsection (c) shall submit a report to Congress that contains recommendations for administrative or legislative changes necessary to use programs, properties, or other resources owned, operated, or funded by the Federal Government to provide safe housing
for youth who are victims of trafficking and to provide
support to entities that provide housing or other assist-
ance to such victims.

“(b) CONTENT.—The reports required by subsection
(a) shall include with respect to programs, properties, or
other resources owned, operated, or funded by each Fed-
eral agency specified in subsection (c), information regard-
ing—

“(1) the availability and suitability of existing
Federal, State, and local housing resources that are
appropriate for housing youth victims of trafficking
or for providing support to entities that provide
housing or other assistance to such victims, includ-
ing in rural and isolated locations; and

“(2) the feasibility of establishing or supporting
public-private partnerships to provide housing for
such victims or support to entities that provide hous-
ing or other assistance to such victims.

“(c) AGENCIES SUBJECT TO REPORTING REQUIRE-
MENT.—The Federal agencies specified in this subsection
are the following:

“(1) The Department of Defense.

“(2) The Department of Health and Human
Services.

“(4) The Department of Housing and Urban Development.

“(5) The Department of Justice.

“(d) VICTIMS OF TRAFFICKING DEFINED.—In this section, the term ‘victims of trafficking’ has the meaning given that term in section 103(15) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(15)).”.

Subtitle D—National Advisory Committee on Domestic Sex Trafficking

SEC. 241. NATIONAL ADVISORY COMMITTEE ON DOMESTIC SEX TRAFFICKING.

Title XI of the Social Security Act (42 U.S.C. 1301 et seq.) is amended by inserting after section 1114 the following new section:

“NATIONAL ADVISORY COMMITTEE ON DOMESTIC SEX TRAFFICKING

“SEC. 1114A. (a) OFFICIAL DESIGNATION.—This section relates to the National Advisory Committee on Domestic Sex Trafficking (in this section referred to as the ‘Committee’).

“(b) AUTHORITY.—Not later than 180 days after the date of enactment of this section, the Secretary shall establish and appoint all members of the Committee.

“(c) MEMBERSHIP.—
“(1) COMPOSITION.—The Committee shall be composed of not more than 21 members whose diverse experience and background enable them to provide balanced points of view with regard to carrying out the duties of the Committee. The Committee shall not be composed solely of Federal officers or employees.

“(2) SELECTION.—The Secretary, in consultation with the Attorney General, shall appoint members to the Committee.

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

“(4) COMPENSATION.—Committee members, with the exception of reimbursement of official travel expenses and per diem for official travel, shall serve without compensation.

“(d) DUTIES.—

“(1) NATIONAL RESPONSE.—The Committee shall advise the Secretary and the Attorney General on practical and general policies concerning improvements to the Nation’s response to domestic sex traf-
ficking of minors from the child welfare system and
the commercial sexual exploitation of children.

“(2) COOPERATION POLICIES.—The Committee
shall advise the Secretary and the Attorney General
on practical and general policies concerning the co-
operation of Federal, State, local, and tribal govern-
ments, child welfare agencies, social service pro-
viders, physical health and mental health providers,
victim service providers, State or local courts with
responsibility for conducting or supervising pro-
ceedings relating to child welfare or social services
for children and their families, Federal, State, and
local police, juvenile detention centers and runaway
and homeless youth programs, schools, and busi-
nesses and organizations that provide services to
youth, on responding to domestic sex trafficking of
minors and the commercial sexual exploitation of
children, including the development and implementa-
tion of—

“(A) successful interventions with children
and teens who are exposed to conditions that
make them vulnerable to, or victims of, domes-
tic sex trafficking and commercial sexual exploi-
tation;
“(B) policies that reflect an understanding that safety and well-being of children and teens can be compromised by the sexualization of children, the commodification of children, and a lack of normalcy characterized by isolation, disconnection from positive, appropriate, and healthy relationships with peers and adults, and an inability to engage in age appropriate activities; and

“(C) the relationship between children and teens who are trafficked and the overall coarsening and desensitization of society to violence that puts the public safety of communities across the Nation at risk.

“(3) Definition of ‘commercial sexual exploitation of children’.—The Committee shall recommend a comprehensive definition of what constitutes the ‘commercial sexual exploitation of children’.

“(4) Best practices for states.—

“(A) In general.—The Committee shall develop 2 tiers (referred to in this subparagraph as ‘Tier I’ and ‘Tier II’) of recommended best practices for States to follow in combating the domestic sex trafficking of minors and the
commercial sexual exploitation of children. Tier
I shall provide States that have not yet ad-
dressed domestic sex trafficking of minors and
the commercial sexual exploitation of children
with an idea of where to begin and what steps
to take. Tier II shall provide States that are al-
ready working to address domestic sex traf-
ficking of minors and the commercial sexual ex-
ploration of children with examples of policies
that are already being used effectively by other
States to address trafficking issues.

“(B) DEVELOPMENT.—The best practices
shall be based on multidisciplinary research and
promising, evidence-based models and pro-
grams.

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

“(i) Sample training materials, proto-
cols, and screening tools to prepare child
welfare personnel to identify and serve
youth who are at-risk or are victims of do-
mestic sex trafficking or commercial sexual
exploitation.
“(ii) Multidisciplinary strategies to identify victims, manage cases, and improve services to meet the unique needs of this youth population.

“(iii) Sample protocols and recommendations for effective, cross-system collaboration between Federal, State, local, and tribal governments, child welfare agencies, social service providers, physical health and mental health providers, victim service providers, State or local courts with responsibility for conducting or supervising proceedings relating to child welfare or social services for children and their families, Federal, State, and local police, juvenile detention centers and runaway and homeless youth programs, schools, and businesses and organizations that provide services to youth. These protocols and recommendations should include strategies to identify victims and collect, document, and share data across systems and agencies, and should be designed to help agencies better understand the type of trafficking or commercial sexual exploitation involved,
the scope of the problem, the needs of the
population to be served, ways to address
the demand for trafficked children and
youth and increase prosecutions of traf-
fickers and purchasers of children and
youth, and the degree of victim interaction
with multiple systems.

“(iv) A list of recommendations to es-
stablish safe residential placements for fos-
ter youth who have been trafficked (as de-
finite by the Committee) as well as training
guidelines for caregivers that serve chil-
dren and youth being cared for outside the
home.

“(e) REPORTS.—

“(1) In general.—The Committee shall sub-
mit an interim and a final report on the work of the
Committee to—

“(A) the Secretary;
“(B) the Attorney General;
“(C) the Committee on Finance of the
Senate; and
“(D) the Committee on Ways and Means
of the House of Representatives.
“(2) Reporting dates.—The interim report shall be submitted not later than 1 year after the establishment of the Committee. The final report shall be submitted not later than 2 years after the establishment of the Committee unless the Secretary establishes an extension period for the Committee, in which case the final report shall be submitted not later than the last day of such period.

“(f) Administration.—

“(1) Agency support.—The Secretary shall direct the head of the Administration on Children, Youth and Families of the Department of Health and Human Services to provide all necessary support for the Committee.

“(2) Meetings.—

“(A) In general.—The Committee will meet at the call of the Secretary at least twice a year to carry out the duties identified in this section, and more often as otherwise required.

“(B) Procedures.—The Secretary shall call all of the Committee meetings, prepare and approve all meeting agendas, attend all Committee meetings, adjourn any meeting when the Secretary determines adjournment to be in the public interest, and shall chair meetings when
directed to do so by an official or entity to whom the Committee reports.

“(3) SUBCOMMITTEES.—The Committee shall be authorized to establish subcommittees or working groups, as necessary and consistent with the mission of the Committee, and any such subcommittees or working groups shall operate under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C. App.), the Sunshine in Government Act of 1976 (5 U.S.C. 552b), and other appropriate Federal regulations. Such subcommittees or working groups shall have no authority to make decisions on behalf of the Committee, nor shall they report directly to any official or entity listed in subsection (d).

“(4) RECORDKEEPING.—The records of the Committee and any subcommittees and working groups shall be maintained in accordance with appropriate Department of Health and Human Services policies and procedures and shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. 552).

“(g) FUNDING.—

“(1) IN GENERAL.—From the unobligated balance of funds made available to carry out section
414 of the Social Security Act (42 U.S.C. 614), $400,000 of such funds are hereby transferred and made available to carry out this section. Amounts transferred and made available to carry out this section shall remain available for expenditure until the date on which the Committee terminates and shall not be subject to reduction under a sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

“(2) UNOBLIGATED AMOUNTS.—Any amounts made available to carry out this section that are unobligated on the date on which the Committee terminates shall be returned to the Treasury of the United States .

“(h) TERMINATION.—The Committee shall terminate 2 years after the date of establishment unless the Secretary determines that more time is necessary to allow the Committee to complete its duties, in which case the Committee shall terminate at the end of an extension period established by the Secretary (not to exceed 24 months).”.
TITLE III—CHILD SUPPORT
ENFORCEMENT

SEC. 301. SHORT TITLE OF TITLE.

This title may be cited as the “Child Support Improvement and Work Promotion Act”.

Subtitle A—Increased Reliability of Child Support

SEC. 311. COMPLIANCE WITH MULTILATERAL CHILD SUPPORT CONVENTIONS.

(a) Secretary’s Authority To Ensure Compliance With Multilateral Child Support Convention.—

(1) In general.—Section 452 of the Social Security Act (42 U.S.C. 652) is amended—

(A) by redesignating the second subsection (l) (as added by section 7306 of Public Law 109–171) as subsection (m); and

(B) by adding at the end the following:

“(n) Secretary’s Authority To Ensure Compliance With Multilateral Child Support Convention.—Consistent with the national policy of the United States to fully comply with the obligations of any multilateral child support convention to which the United States is a party, the Secretary shall utilize Federal and, as appropriate, State enforcement mechanisms in furtherance
of this policy and take such steps as may be necessary
within the Secretary’s authority to ensure compliance with
the United States treaty obligations under such convention
in the event the Secretary determines that a State plan
does not comply with such obligations.”.

(2) Conforming Amendment.—Section
453(k)(3) of the Social Security Act (42 U.S.C.
653(k)(3)) is amended by striking “452(l)” and in-
serting “452(m)”.

(b) Access to the Federal Parent Locator
Service.—Section 453(c) of the Social Security Act (42
U.S.C. 653(c)) is amended—

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

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

(3) by adding at the end the following:
“(5) an entity designated as a Central Author-
ity for child support enforcement in a foreign recip-
rocating country or a foreign treaty country for pur-
poses specified in section 459A(c)(2).”.

(c) State Option To Require Individuals in
Foreign Countries To Apply Through Their Coun-
try’s Appropriate Central Authority.—Section 454
of the Social Security Act (42 U.S.C. 654) is amended—
(1) in paragraph (4)(A)(ii), by inserting before the semicolon “(except that, if the individual applying for the services resides in a foreign reciprocating country or foreign treaty country, the State may opt to require the individual to request the services through the Central Authority for child support enforcement in the foreign reciprocating country or the foreign treaty country, and if the individual resides in a foreign country that is not a foreign reciprocating country or a foreign treaty country, a State may accept or reject the application)”; and

(2) in paragraph (32)—

(A) in subparagraph (A), by inserting “, a foreign treaty country,” after “a foreign reciprocating country”; and

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

(d) **Amendments to International Support Enforcement Provisions.**—Section 459A of the Social Security Act (42 U.S.C. 659a) is amended—

(1) in subsection (c)—

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

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

(2) in subsection (d), by striking “the subject of
a declaration pursuant to subsection (a)” and insert-
ing “foreign reciprocating countries or foreign treaty
countries”; and

(3) by adding at the end the following:

“(e) REFERENCES.—In this part:

“(1) FOREIGN RECIPROCATING COUNTRY.—The
term ‘foreign reciprocating country’ means a foreign
country (or political subdivision thereof) with respect
to which the Secretary has made a declaration pur-
suant to subsection (a).

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

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

(f) State Law Requirement Concerning the Uniform Interstate Family Support Act (UIFSA).—Section 466(f) (42 U.S.C. 666(f)) is amended—

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

(2) by striking “and as in effect on August 22, 1996,”; and

(3) by striking “adopted as of such date” and inserting “adopted as of September 30, 2008”.

(g) Full Faith and Credit for Child Support Orders.—Section 1738B of title 28, United States Code, is amended—

(1) in subsection (b)—

(A) by inserting “(1) CHILD.—The term” before “‘child’”;

(B) by striking “‘child’s State’” and all that follows through “a child resides.”;
(C) by inserting “(2) CHILD’S HOME STATE.—The term” before “‘child’s home State’”; 

(D) by inserting after paragraph (2), as designated by subparagraph (C), the following: “(3) CHILD’S STATE.—The term ‘child’s State’ means the State in which a child resides.”;

(E) by inserting “(4) CHILD SUPPORT.—The term” before “‘child support’”;

(F) by inserting “(5) CHILD SUPPORT ORDER.—The term” before “‘child support order’”;

(G) by inserting “(6) CONTESTANT.—The term” before “‘contestant’”;

(H) by striking “‘court’ means” and all that follows through “modification of a child support order.”;

(I) by inserting “(7) MODIFICATION.—The term” before “‘modification’”;

(J) by inserting “(8) STATE.—The term” before “‘State’”; and

(K) by adding at the end the following: “(9) TRIBUNAL.—The term ‘tribunal’ means a court or administrative agency of a State that is authorized by State law to establish the amount of
child support payable by a contestant or make a
modification of a child support order.”;

(2) by striking “court” each place it appears
except subsection (b)(9), as added by paragraph (1)
of this section, and inserting “tribunal”;

(3) by striking “courts” each place it appears
and inserting “tribunals”;

(4) in subsection (e)(1), by striking “sub-
sections (e), (f), and (g)” and inserting “this sec-
tion”;

(5) by striking subsection (i);

(6) by redesignating subsections (e), (f), (g),
and (h) as subsections (f), (g), (h), and (i), respec-
tively;

(7) by striking subsection (d) and inserting the
following:

“(d) CONTINUING, EXCLUSIVE JURISDICTION.—A
tribunal of a State that has made a child support order
consistently with this section has continuing, exclusive ju-
risdiction to modify the order if—

“(1) the order is the controlling order, as deter-
mined under subsection (g); and

“(2)(A) the State is the child’s State or the res-
idence of any individual contestant; or
“(B) the contestants provide consent (by providing consent in a record or in a hearing) for the tribunal to continue to exercise jurisdiction to modify the order.

“(e) Restrictions on Exercising Continuing, Exclusive Jurisdiction.—A tribunal of a State that has made a child support order may not exercise continuing, exclusive jurisdiction to modify the order if—

“(1) each individual contestant files a consent in a record with the issuing tribunal stating that a tribunal of another State (which has jurisdiction of at least 1 of the individual contestants or that is a tribunal of the State of the residence of the child) may modify the order and assume continuing, exclusive jurisdiction; or

“(2) the order is not the controlling order, as determined under subsection (g).”;

(8) in subsection (f), as redesignated by paragraph (6) of this section—

(A) in paragraph (1), by striking “subsection (i)” and inserting “subsection (j)” ; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting “and the contestants have not provided consent (by providing consent in a record
or in a hearing) for the tribunal of the other State to continue to exercise jurisdiction to modify the order” before the semicolon; and

(ii) in subparagraph (B), by inserting “with jurisdiction of at least 1 of the individual contestants or that is a tribunal of the State of the residence of the child” after “of another State”;

(9) in subsection (g), as redesignated by paragraph (6) of this section—

(A) in the subsection heading, by striking “RECOGNITION OF CHILD SUPPORT ORDERS” and inserting “DETERMINATION OF CONTROLLING CHILD SUPPORT ORDER”;

(B) in the matter preceding paragraph (1), by striking “to recognize for purposes of continuing, exclusive jurisdiction and enforcement” and inserting “is the controlling order and shall be recognized”; and

(C) by striking “must be recognized” each place it appears and inserting “is the controlling order”;
(10) in subsection (h), as redesignated by paragraph (6) of this section, by striking “subsections (e) and (f)” and inserting “subsections (f) and (g)”;

(11) in subsection (i), as redesignated by paragraph (6) of this section—

(A) in paragraph (1), by inserting “or collect arrears and interest due on a child support order” after “enforce a child support order”;

(B) by striking paragraph (2) and inserting the following:

“(2) LAW OF STATE OF ISSUANCE OF ORDER.— A tribunal shall apply the law of the State of the tribunal that issued a child support order registered in the State of the tribunal with regard to—

“(A) the nature, extent, amount, and duration of current payments under the child support order;

“(B) the computation and payment of arrears and accrual of interest on arrears under the child support order; and

“(C) the existence and satisfaction of other obligations under the child support order.”;

(C) in paragraph (3), by striking “child support order, a” and inserting “child support order, a”.
order registered in the State of a tribunal, the’’;

and

(D) by adding at the end the following:

“(4) PROSPECTIVE APPLICATION OF LAW.—

After a tribunal determines which is the controlling order and issues an order consolidating arrears, if any, a tribunal shall apply the law of the State of the tribunal that issued the controlling order (including the law of the State relating to interest on arrears)—

“(A) for support paid after the date of the order consolidating arrears; and

“(B) relating to consolidated arrears.”;

and

(12) by adding at the end the following:

“(j) REGISTRATION FOR MODIFICATION.—

“(1) IN GENERAL.—A tribunal may modify a child support order issued in another State which has been registered in the State of the tribunal if, after notice and hearing, the tribunal finds—

“(A) that—

“(i) no individual contestant or child resides in the State of the tribunal issuing the child support order;
“(ii) the individual contestant seeking
to modify, or to modify and enforce, a
child support order issued in another State
does not reside in the State in which the
registering tribunal is located; and

“(iii) the tribunal of the State in
which the child support order has been
registered has personal jurisdiction of the
parties not seeking to modify, or modify
and enforce, the child support order;

“(B) that the State in which the child sup-
port order has been registered—

“(i)(I) is the residence of the child; or

“(II) has personal jurisdiction of an
individual contestant; and

“(ii) each individual contestant has
filed a consent in a record with the issuing
tribunal for a tribunal in the registering
State to modify the support order and as-
sume continuing, exclusive jurisdiction; or

“(C) that all of the individual contestants
reside in the State in which the registering tri-
bunal is located and the child does not reside in
the issuing State.
“(2) LIMITATIONS.—A tribunal may not modify any term of a child support order that may not be modified under the law of the issuing State, including the duration of the obligation of support. If 2 or more tribunals have issued child support orders for the same obligor and same child, the law of the State of the tribunal issuing the controlling order, as determined under subsection (g), establishes the terms of the child support order which are not modifyable.

“(3) PROCEEDING TO MODIFY.—In a proceeding to modify a child support order, the law of the State of the tribunal that issued the initial controlling order, as determined under subsection (g), governs the duration of the obligation of support. The obligor’s fulfillment of the duty of support established by that controlling order precludes a tribunal of another State from imposing a further obligation of child support on the obligor.

“(4) PARTIES RESIDING OUTSIDE THE UNITED STATES.—Notwithstanding paragraph (1), a tribunal in the issuing State retains jurisdiction to modify an order issued in that State if—

“(A) 1 party resides in another State; and
“(B) the other party resides outside of the United States.”.

SEC. 312. RELIEF FROM PASSPORT SANCTIONS FOR CERTAIN INDIVIDUALS.

Section 452(k) of the Social Security Act (42 U.S.C. 652(k)) is amended—

(1) in paragraph (2), by striking “The Secretary of State” and inserting “Subject to paragraph (3), the Secretary of State”;

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following new paragraph:

“(3)(A) Notwithstanding paragraph (2), the Secretary of State may issue a passport to an individual with respect to whom the Secretary has transmitted certification under paragraph (1) if—

“(i) the individual submits an application for relief to the Secretary of State, in such form and manner as the Secretary of State shall require; and

“(ii) the Secretary of State certifies that the application includes evidence that the individual—

“(I) has an annual income of less than $100,000;
“(II) is not incurring any new child support obligations, but only owes arrearages;

“(III) does not owe arrearages of child support for a child who is less than 18 years old;

“(IV) has been making child support payments consistently and in good faith for each of the most recently preceding 12 months; and

“(V) has a current offer to work outside of the United States, an offer to interview for work outside of the United States, a professional history of working outside of the United States, a job that requires travel outside of the United States, or is enrolled in a professional training program that requires travel outside of the United States.

“(B) The Secretary of State shall revoke a passport issued to an individual under subparagraph (A) upon a determination that the individual has failed to make child support payments consistently and in good faith for more than 6 months.

“(C) The Secretary of State shall report the issuance of a passport under this paragraph to the Secretary.

“(D) The Secretary shall report the issuance of a passport under this paragraph to the State agency that
certified in accordance with section 454(31) that the indi-
vidual to whom the passport is issued owed child support
arrearages in an amount exceeding $2,500.”

SEC. 313. CHILD SUPPORT ENFORCEMENT PROGRAMS FOR
INDIAN TRIBES.

(a) Tribal Access to the Federal Parent Loc-
ator Service.—Section 453(c)(1) of the Social Security
Act (42 U.S.C. 653(c)(1)) is amended by inserting “or In-
dian tribe or tribal organization (as defined in subsections
(e) and (l) of section 4 of the Indian Self-Determination
and Education Assistance Act (25 U.S.C. 450b)),” after
“any State”.

(b) Waiver Authority for Indian Tribes or
Tribal Organizations Operating Child Support
Enforcement Programs.—Section 1115(b) of the So-
cial Security Act (42 U.S.C. 1315(b)) is amended—

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

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

(3) by adding at the end the following:
“(2) An Indian tribe or tribal organization operating
a program under section 455(f) shall be considered a State
for purposes of authority to conduct an experimental, pilot, or demonstration project under subsection (a) to assist in promoting the objectives of part D of title IV and receiving payments under the second sentence of that subsection. The Secretary may waive compliance with any requirements of section 455(f) or regulations promulgated under that section to the extent and for the period the Secretary finds necessary for an Indian tribe or tribal organization to carry out such project. Costs of the project which would not otherwise be included as expenditures of a program operating under section 455(f) and which are not included as part of the costs of projects under section 1110, shall, to the extent and for the period prescribed by the Secretary, be regarded as expenditures under a tribal plan or plans approved under such section, or for the administration of such tribal plan or plans, as may be appropriate. An Indian tribe or tribal organization applying for or receiving start-up program development funding pursuant to section 309.16 of title 45, Code of Federal Regulations, shall not be considered to be an Indian tribe or tribal organization operating a program under section 455(f) for purposes of this paragraph.”
SEC. 314. PARENTING TIME ARRANGEMENTS.

(a) STATE PLAN AMENDMENTS.—Section 454 of the Social Security Act (42 U.S.C. 654), as amended by section 311(c), is further amended—

(1) in paragraph (4)(A), in the matter preceding clause (i), by inserting “, establishment of voluntary parenting time arrangements,” after “establishment of paternity”;

(2) in paragraph (9)—

(A) in subparagraph (D), by striking “; and” and inserting a semicolon;

(B) in subparagraph (E), by inserting “and” after the semicolon; and

(C) by adding at the end the following:

“(F) in establishing a voluntary parenting time arrangement at the time that a support order (as defined in section 453(p)) is initially issued under this part pursuant to the requirements, standards, and procedures described in paragraph (35);”;

(3) in paragraph (13), by inserting “establishing voluntary parenting time arrangements,” after “obtaining support orders,”;

(4) in paragraph (15)—

(A) in subparagraph (A), by striking “and” after the semicolon;
(B) in subparagraph (B), by inserting “and” after the semicolon; and

(C) by adding at the end the following:

“(C) a process for including in the annual reviews and reports required under subparagraph (A) information, in such form and manner as the Secretary shall require, regarding the policies and practices implemented by the State or which the State plans to implement to facilitate access to and visitation of children by noncustodial parents;”;

(5) in paragraph (26)(A), by inserting “to establish voluntary parenting time arrangements,” after “to establish paternity,”;

(6) in paragraph (33), by striking “and” after the semicolon;

(7) in paragraph (34), by striking the period at the end and inserting “; and”; and

(8) by inserting after paragraph (34) the following:

“(35) provide that the State shall implement procedures for the establishment of a voluntary parenting time arrangement at the time that a support order (as defined in section 453(p)) is initially issued under this part for parents who are not subject to a divorce or dissolution decree and for whom the voluntary parenting time ar-
rangement is not contested, in accordance with such re-
quirements and standards as the Secretary determines
necessary and that include exceptions for family or domes-
tic violence, dating violence, sexual assault, and stalking.”.

(b) SECRETARIAL GUIDANCE.—The Secretary shall
issue guidance for States for the establishment of vol-
untary parenting time arrangements. The guidance shall
provide that in establishing such arrangements, a State
shall establish procedures to ensure—

(1) the informed and voluntary participation of
both parents in the establishment of a voluntary
parenting time arrangement that is free from coer-
cion and threats of retribution;

(2) each parent’s informed consent to the terms
and legal implications of any parenting time plan es-
tablished under a voluntary parenting time arrange-
ment; and

(3) that all voluntary parenting time arrange-
ments comply with State law.
SEC. 315. EFFICIENT USE OF THE NATIONAL DIRECTORY OF NEW HIRES DATABASE FOR FEDERALLY SPONSORED RESEARCH ASSESSING THE EFFECTIVENESS OF FEDERAL POLICIES AND PROGRAMS IN ACHIEVING POSITIVE LABOR MARKET OUTCOMES.

Section 453 (42 U.S.C. 653) is amended—

(1) in subsection (i)(2)(A), by striking “24” and inserting “48”; and

(2) in subsection (j), by striking paragraph (5) and inserting the following:

“(5) RESEARCH.—

“(A) IN GENERAL.—Subject to subparagraph (B) of this paragraph, the Secretary may provide access to data in each component of the Federal Parent Locator Service maintained under this section and to information reported by employers pursuant to section 453A(b), for—

“(i) research undertaken by a State or Federal agency (including through grant or contract) for purposes found by the Secretary to be likely to contribute to achieving the purposes of part A or this part; or

“(ii) an evaluation or statistical analysis undertaken to assess the effectiveness
of a Federal program in achieving positive labor market outcomes (including through grant or contract), by—

“(I) the Department of Health and Human Services;

“(II) the Social Security Administration;

“(III) the Department of Labor;

“(IV) the Department of Education;

“(V) the Department of Housing and Urban Development;

“(VI) the Department of Justice;

“(VII) the Department of Veterans Affairs;

“(VIII) the Bureau of the Census;

“(IX) the Department of Agriculture; or

“(X) the National Science Foundation.

“(B) PERSONAL IDENTIFIERS.—Data or information provided under this paragraph may include a personal identifier only if, in addition
to meeting the requirements of subsections (l) and (m)—

“(i) the State or Federal agency conducting the research described in subparagraph (A)(i), or the Federal department or agency undertaking the evaluation or statistical analysis described in subparagraph (A)(ii), as applicable, enters into an agreement with the Secretary regarding the security and use of the data or information;

“(ii) the agreement includes such restrictions or conditions with respect to the use, safeguarding, disclosure, or redisclosure of the data or information (including by contractors or grantees) as the Secretary deems appropriate;

“(iii) the data or information is used exclusively for the purposes defined in the agreement; and

“(iv) the Secretary determines that the provision of data or information under this paragraph is the minimum amount needed to conduct the research, evaluation, or statistical analysis, as applicable, and
will not interfere with the effective operation of the program under this part.

“(C) Penalties for unauthorized disclosure of data.—Any individual who willfully discloses a personal identifier (such as a name or social security number) provided under this paragraph, in any manner to an entity not entitled to receive the data or information, shall be fined under title 18, United States Code, imprisoned not more than 5 years, or both.”

Subtitle B—Child Support Enforcement Task Force

SEC. 321. CHILD SUPPORT ENFORCEMENT TASK FORCE.

(a) Establishment.—There is established in the executive branch a task force to be known as the Child Support Enforcement Task Force (referred to in this section as the “Task Force”).

(b) Membership.—

(1) Composition.—The Task Force shall be composed of 15 members consisting of—

(A) the Assistant Secretary of the Administration for Children and Families of the Department of Health and Human Services;

(B) 5 members appointed by the Senate, of which—
(i) 1 shall be appointed by the Majority Leader of the Senate;

(ii) 1 shall be appointed by the Minority Leader of the Senate;

(iii) 1 shall be appointed by the Chairman of the Committee on Finance of the Senate;

(iv) 1 shall be appointed by the Ranking Member of the Committee on Finance of the Senate; and

(v) 1 shall be jointly appointed by the Chairman and Ranking Member of the Committee on Finance of the Senate;

(C) 5 members appointed by the House of Representatives, of which—

(i) 1 shall be appointed by the Speaker of the House of Representatives;

(ii) 1 shall be appointed by the Minority Leader of the House of Representatives;

(iii) 1 shall be appointed by the Chairman of the Committee on Ways and Means of the House of Representatives;

(iv) 1 shall be appointed by the Ranking Member of the Committee on Ways
and Means of the House of Representa-
tives; and

(v) 1 shall be jointly appointed by the
Chairman and Ranking Member of the
Committee on Ways and Means of the
House of Representatives; and

(D) 4 members appointed by the Presi-
dent.

(2) DATE.—The appointments of the members
of the Task Force shall be made not later than 6
months after the date of enactment of this Act.

(3) EXPERTISE.—The membership of the Task
Force shall consist of individuals who are knowledge-
able on issues regarding child support and related
activities.

(4) PERIOD OF APPOINTMENT; VACANCIES.—
Members shall be appointed for the life of the Task
Force. A vacancy in the Task Force shall be filled
in the manner in which the original appointment was
made and shall not affect the powers or duties of the
Task Force.

(5) QUORUM.—

(A) IN GENERAL.—A majority of the Task
Force shall constitute a quorum, but a lesser
number of members may hold hearings.
(B) Report.—The Task Force may not submit the report required under subsection (e) until all of the members have been appointed.

(6) Meetings.—

(A) Initial meeting.—Not later than 30 days after the Task Force has a majority, the Task Force shall hold its first meeting.

(B) Chairperson and Vice Chairperson.—During the first meeting of the Task Force, the Task Force shall select a Chairperson and Vice Chairperson from among the members appointed as of the date of the meeting.

(C) Other meetings.—Following the first meeting of the Task Force, any subsequent meetings shall be at the call of the Chairperson or Vice Chairperson.

(D) Public meetings.—In addition to any other meetings held by the Task Force, the Task Force shall hold at least 3 meetings that are open to the public and preceded by timely public notice in the Federal Register of the time, place, and subject of the meeting. At least one public meeting of the Task Force shall focus on issues relevant to family courts or
other State or local courts with responsibility for conducting or supervising proceedings relating to child support enforcement, child welfare, or social services for children and their families.

At the public meetings of the Task Force, subject to such requirements and limitations as are determined appropriate by the Chairperson, appearances may be made and oral and written statements given by members of the public and the Task Force shall engage, at a minimum, with the following groups:

(i) Administrators of State child support programs.

(ii) Judges who preside over family courts or other State or local courts with responsibility for conducting or supervising proceedings relating to child support enforcement, child welfare, or social services for children and their families, and organizations that represent such judges.

(iii) Custodial parents and organizations that represent such parents.

(iv) Nonecustodial parents and organizations that represent such parents.
(v) Organizations that represent fiduciary entities that are affected by child support enforcement policies.

(7) COMPENSATION.—Members of the Task Force—

(A) shall not receive compensation for service on the Task Force; and

(B) shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of service for the Task Force.

(c) REPORT TO CONGRESS.—Not later than January 1, 2016, the Task Force shall prepare and submit a report to Congress that contains the Task Force’s findings and recommendations for improvements in child support enforcement. The report shall include the following:

(1) An evaluation of the effectiveness of existing child support enforcement programs and collection practices employed by State agencies administering programs under part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.) and an analysis of the extent to which such practices result
in any unintended consequences or performance
issues associated with such programs and practices.

(2) Recommendations for methods to enhance
the effectiveness of child support enforcement pro-
grams and collection practices.

(3) An analysis of the feasibility of the estab-
lishment of a centralized lien registry by each State
to contain all liens placed against real and personal
property for overdue child support that would ensure
access to and sharing of registry data among all nec-
essary entities and individuals prior to any sale or
distribution of property or funds.

(4) A compilation of State recovery and dis-
tribution policies.

(5) Recommendations for methods to foster en-
gagement by fathers in their children’s lives through
consideration of parental time and visitation with
children.

(6) An analysis of the role for alternative dis-
pute resolution in making child support determina-
tions.

(7) Identification of best practices for—

(A) determining which services and sup-
port programs available to custodial and non-
custodial parents are non-duplicative, evidenced-
based, and produce quality outcomes, and connecting custodial and noncustodial parents to those services and support programs;

(B) providing employment support, job training, and job placement for custodial and noncustodial parents; and

(C) establishing services, supports, and child support payment tracking for noncustodial parents, including options for the prevention of, and intervention on, uncollectible arrearages, such as retroactive obligations and Medicaid birthing costs.

(8) Recommendations for methods for States to use to collect child support payments from individuals who owe excessive arrearages as determined under section 454(31) of the Social Security Act (42 U.S.C. 654(31)).

(9) Recommendations for such legislative and administrative actions as the Task Force determines appropriate for improvement in child support enforcement.

(d) POWERS OF THE TASK FORCE.—

(1) HEARINGS.—

(A) IN GENERAL.—The Task Force may hold such hearings, sit, and act at such times
and places, take such testimony, and receive
such evidence as the Task Force considers ad-
visable to carry out this section.

(B) INFORMATION FROM FEDERAL AGEN-
cies.—The Task Force may secure directly
from any Federal agency such information as
the Task Force considers necessary to carry out
this section. Upon request of the Chairperson,
the head of such agency shall furnish such in-
formation to the Task Force.

(2) RULES.—For the purposes of carrying out
its duties in preparing the report required under
subsection (c), the Task Force may adopt such rules
for its organization and procedures as it determines
appropriate.

(3) POSTAL SERVICES.—The Task Force may
use the United States mails in the same manner and
under the same conditions as other agencies of the
Federal Government.

(4) DONATIONS AND VOLUNTEERS.—The Task
Force may accept, use, and dispose of donations of
money and property and may accept such volunteer
services of individuals as it determines appropriate.

(5) PERSONNEL MATTERS.—
(A) STAFF.—The Chairperson may, without regard to the civil service laws and regulations, appoint and terminate an executive director and such other additional employees as may be necessary to enable the Task Force to perform its duties. The employment of an executive director shall be subject to confirmation by the Task Force.

(B) COMPENSATION.—The Chairperson may fix the compensation of the executive director and other employees of the Task Force without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of such title.

(C) DETAIL OF GOVERNMENT EMPLOYEES.—Any Federal Government employee may be detailed to the Task Force without reimbursement, and such detail shall be without interruption or loss of civil service status, benefits, or privilege.
(D) **Temporary and intermittent services.**—The Chairperson may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(e) **Termination.**—The Task Force shall terminate 60 days after submission of the report required under subsection (c).

(f) **Funding.**—

(1) **In general.**—From the unobligated balance of funds made available to carry out section 414 of the Social Security Act (42 U.S.C. 614), $2,000,000 of such funds are hereby transferred and made available to carry out this section. Amounts transferred and made available to carry out this section shall remain available through fiscal year 2016 and shall not be subject to reduction under a sequestration order issued under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.).

(2) **Unobligated amounts.**—Any amounts made available to carry out this section that are un-
obligated on the date of the termination of the Task Force under subsection (e) shall be returned to the Treasury of the United States.

(g) Administration.—

(1) In general.—Upon the request of the Task Force, the Secretary of Health and Human Services shall provide to the Task Force, on a reimbursable basis, the administrative support services necessary for the Task Force to carry out its responsibilities under this Act. These administrative services may include human resource management, budget, leasing, accounting, and payroll services.

(2) Travel expenses.—The members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.

Subtitle C—Effective Dates

SEC. 331. EFFECTIVE DATES.

(a) In general.—Except as provided in subsection (b), this title and the amendments made by this title take effect on the date of enactment of this Act.

(b) Exceptions.—
(1) UIFSA STATE LAW REQUIREMENTS; PARENTING TIME ARRANGEMENTS.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by sections 311(f) and 314(a) take effect on October 1, 2014.

(B) DELAY.—In the case of a State plan under part D of title IV of the Social Security Act (42 U.S.C. 651 et seq.) which the Secretary of Health and Human Services determines requires State legislation or State regulation in order for the plan to meet the additional requirements imposed by the amendments made by sections 311(f) and 314(a), the State plan shall not be regarded as failing to comply with the requirements of such sections solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session is considered to
be a separate regular session of the State legis-
lature.

(2) Relief from passport sanctions; child
support enforcement programs for Indian
tribes.—The amendments made by sections 312
and 313 shall take effect on the date that is 1 year
after the date of enactment of this Act.

TITLE IV—BUDGETARY EFFECTS

SEC. 401. DETERMINATION OF BUDGETARY EFFECTS.

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

S. 1870

Calendar No. 279

113TH CONGRESS
1ST SESSION

S. 1870

A BILL
To reauthorize and restructure adoption incentive payments, to better enable State child welfare agencies to prevent sex trafficking of children and serve the needs of children who are victims of sex trafficking, to increase the reliability of child support for children, and for other purposes.

DECEMBER 19, 2013

Read twice and placed on the calendar

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