

**[WAYS AND MEANS DISCUSSION DRAFT]**

113TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To prevent and address sex trafficking of youth in foster care.

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IN THE HOUSE OF REPRESENTATIVES

M\_\_\_\_\_, \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**A BILL**

To prevent and address sex trafficking of youth in foster  
care.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Preventing Sex Traf-  
5 ficking and Improving Opportunities for Youth in Foster  
6 Care Act”.

7 **SEC. 2. TABLE OF CONTENTS.**

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

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

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

- Sec. 101. Identifying and screening youth at risk of sex trafficking.
- Sec. 102. Documenting and reporting instances of sex trafficking.
- Sec. 103. State plan requirement to locate and respond to children who run away from foster care.
- Sec. 104. Increasing efforts to prevent sex trafficking.

TITLE II—IMPROVING OPPORTUNITIES FOR YOUTH IN FOSTER  
CARE AND SUPPORTING PERMANENCY

- Sec. 201. Supporting normalcy for children in foster care.
- Sec. 202. Improvements to another planned permanent living arrangement as a permanency option.
- Sec. 203. Empowering foster youth age 14 and older in the development of their own case plan and transition planning for a successful adulthood.
- Sec. 204. Ensuring foster youth have a birth certificate, Social Security card, and a bank account.

TITLE III—IMPROVING DATA COLLECTION AND REPORTING ON  
CHILD SEX TRAFFICKING

- Sec. 301. Including sex trafficking data in the Adoption and Foster Care Analysis and Reporting System.
- Sec. 302. Information on children in foster care placed in child care institutions or other settings that are not a foster family home in annual reports using AFCARS data; consultation.

1 **SEC. 3. FINDINGS.**

2 The Congress makes the following findings:

3 (1) Recent reports on sex trafficking estimate  
4 that hundreds of thousands of children are at risk  
5 for domestic sex trafficking.

6 (2) The risk is compounded every year for the  
7 up to 30,000 young people who are “emancipated”  
8 from foster care.

9 (3) The current child welfare system does not  
10 effectively identify, prevent, or intervene when a  
11 child presents as trafficked or at risk for trafficking.

1           (4) Within the foster care system, many young  
2 adults are housed in congregate care facilities or  
3 group homes, which often are targeted by traf-  
4 fickers.

5           (5) Within the foster care system, children are  
6 routinely denied the opportunity to participate in  
7 normal, age or developmentally-appropriate activities  
8 such as joining 4-H and other clubs, participating  
9 in school plays, playing sports, going to camp, and  
10 visiting a friend.

11          (6) A lack of normalcy and barriers to partici-  
12 pation in age or developmentally-appropriate activi-  
13 ties contribute to increased vulnerability to traf-  
14 ficking, homelessness, and other negative outcomes  
15 for children in foster care.

16          (7) The latest research in adolescent brain de-  
17 velopment indicates that young people learn through  
18 experience and through trial and error, and that as  
19 part of healthy brain development young people need  
20 to take on increasing levels of decision-making  
21 through their teenage years.

22          (8) In order to combat domestic sex trafficking  
23 and to improve outcomes for children in foster care,  
24 systemic changes need to be made to the child wel-  
25 fare system that focus on—

1 (A) the reduction of children in long-term  
2 foster care;

3 (B) greater child engagement in case plan-  
4 ning while in foster care;

5 (C) improved efforts to locate and respond  
6 to children who have run away from foster care  
7 and to reduce the number of foster children  
8 who are on the run;

9 (D) improved policies and procedures that  
10 encourage age or developmentally-appropriate  
11 activities for children in foster care and that  
12 permit more opportunities for such children to  
13 make meaningful and permanent connections  
14 with caring adults; and

15 (E) with regard to domestic sex traf-  
16 ficking, improved identification, prevention, and  
17 intervention by the child welfare agency in col-  
18 laboration with the courts, local law enforce-  
19 ment agencies, and other social service pro-  
20 viders.

1 **TITLE I—IDENTIFYING AND PRO-**  
2 **TECTING YOUTH AT RISK OF**  
3 **SEX TRAFFICKING**

4 **SEC. 101. IDENTIFYING AND SCREENING YOUTH AT RISK**  
5 **OF SEX TRAFFICKING.**

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

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

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

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

12 “(C) not later than—

13 “(i) January 1, 2015, demonstrate to  
14 the Secretary that the State agency has  
15 developed, in consultation with the child  
16 protective services agency or unit for the  
17 State, policies and procedures for identi-  
18 fying and screening (including relevant  
19 training for caseworkers), and for deter-  
20 mining appropriate State action and serv-  
21 ices with respect to, any child who the  
22 State has reasonable cause to believe is a  
23 victim of sex trafficking (as defined in sec-  
24 tion 103(10) of the Trafficking Victims  
25 Protection Act of 2000 (22 U.S.C.

1           7102(10))) or a severe form of trafficking  
2           in persons described in section 103(9)(A)  
3           of such Act (22 U.S.C. 7102(9)(A)) or is  
4           at risk of being a victim of either kind of  
5           trafficking (including at the option of the  
6           State, any individual who has not attained  
7           26 years of age without regard to whether  
8           that individual is or was in foster care  
9           under the responsibility of the State); and  
10           “(ii) January 1, 2016, demonstrate to  
11           the Secretary that the State agency is im-  
12           plementing, in consultation with the child  
13           protective services agency or unit for the  
14           State, the policies and procedures referred  
15           to in clause (i).”.

16 **SEC. 102. DOCUMENTING AND REPORTING INSTANCES OF**  
17 **SEX TRAFFICKING.**

18           (a) STATE PLAN REQUIREMENTS.—Section 471(a)  
19 of the Social Security Act (42 U.S.C. 671(a)) is amend-  
20 ed—

- 21           (1) by striking “and” at the end of paragraph  
22           (32);  
23           (2) by striking the period at the end of para-  
24           graph (33) and inserting a semicolon; and  
25           (3) by adding at the end the following:

1           “(34) provides that, for each child over whom  
2 the State agency has responsibility for placement,  
3 care, or supervision, the State agency shall—

4           “(A) by January 1, 2016, identify and doc-  
5 ument appropriately in agency records each  
6 child who is identified as being a victim of sex  
7 trafficking (as defined in section 103(10) of the  
8 Trafficking Victims Protection Act of 2000) or  
9 as being a victim of severe forms of trafficking  
10 in persons described in section 103(9)(A) of  
11 such Act, as such a victim; and

12           “(B) report immediately, and in no case  
13 later than 24 hours after receiving, information  
14 on missing or abducted children or children who  
15 have been identified as being victims of sex  
16 trafficking (as defined in subparagraph (A) of  
17 this paragraph) to the law enforcement authori-  
18 ties for entry into the National Crime Informa-  
19 tion Center database of the Federal Bureau of  
20 Investigation, established pursuant to section  
21 534 of title 28, United States Code; and

22           “(35) contains a regularly updated description,  
23 made available to the public on the Internet website  
24 of the State agency, of the specific measures taken  
25 by the State agency to protect and provide services

1 to children who are victims of sex trafficking (as de-  
2 fined in section 103(10) of the Trafficking Victims  
3 Protection Act of 2000), or victims of severe forms  
4 of trafficking in persons described in section  
5 103(9)(A) of such Act, including efforts to coordi-  
6 nate with State law enforcement, juvenile justice,  
7 and social service agencies such as runaway and  
8 homeless youth shelters to serve that population.”.

9 (b) REGULATIONS.—The Secretary of Health and  
10 Human Services shall promulgate regulations imple-  
11 menting the amendments made by subsection (a) of this  
12 section and shall provide uniform definitions for States to  
13 use for the reports required under section 471(a)(34)(B)  
14 of the Social Security Act, as added by such subsection  
15 (a). The regulations promulgated under this paragraph  
16 shall include provisions to permit the Secretary of Health  
17 and Human Services the discretion to withhold a portion  
18 of the Federal funds to be paid a State under section 474  
19 of such Act for a fiscal year quarter from any State that  
20 fails to substantially comply with paragraphs (34) and  
21 (35) of section 471(a) of such Act (as so added).

1 **SEC. 103. STATE PLAN REQUIREMENT TO LOCATE AND RE-**  
2 **SPOND TO CHILDREN WHO RUN AWAY FROM**  
3 **FOSTER CARE.**

4 Section 471(a) of the Social Security Act (42 U.S.C.  
5 671(a)), as amended by section 102 of this Act, is amend-  
6 ed—

7 (1) by striking “and” at the end of paragraph  
8 (34);

9 (2) by striking the period at the end of para-  
10 graph (35) and inserting “; and”; and

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

12 “(36) provides that, not later than January 1,  
13 2015, the State shall develop and implement specific  
14 protocols for—

15 “(A) expeditiously locating any child miss-  
16 ing from foster care;

17 “(B) determining the primary factors that  
18 contributed to the child’s running away or oth-  
19 erwise being absent from care, and to the ex-  
20 tent possible and appropriate, responding to  
21 those factors in subsequent placements;

22 “(C) determining the child’s experiences  
23 while absent from care, including screening the  
24 child to determine if he or she is a possible vic-  
25 tim of sex trafficking (as defined in paragraph  
26 (9)(C)); and

1                   “(D) reporting such related information as  
2                   required by the Secretary.”.

3 **SEC. 104. INCREASING EFFORTS TO PREVENT SEX TRAF-**  
4 **FICKING.**

5           Not later than 1 year after the date of the enactment  
6 of this Act, the Secretary of Health and Human Services  
7 shall submit to the Congress a written report which sum-  
8 marizes the following:

9           (1) Information on children who run away from  
10 foster care and their risk of becoming victims of sex  
11 trafficking, using data reported by States under sec-  
12 tion 479 of the Social Security Act and information  
13 collected by States related to section 471(a)(36) of  
14 such Act, including—

15                   (A) characteristics of children who run  
16 away from foster care;

17                   (B) potential factors associated with chil-  
18 dren running away from foster care (such as  
19 reason for entry into care, length of stay in  
20 care, type of placement, and other factors that  
21 contributed to the child’s running away);

22                   (C) information on children’s experiences  
23 while absent from care; and

24                   (D) trends in the number of children re-  
25 ported as runaways in each fiscal year (includ-

1           ing factors that may have contributed to  
2           changes in such trends).

3           (2) Information on State efforts to provide spe-  
4           cialized services, foster family homes, or child care  
5           institutions for children who are victims of sex traf-  
6           ficking.

7           (3) Information on State efforts to ensure chil-  
8           dren in foster care form and maintain long-lasting  
9           connections to caring adults, even when a child in  
10          foster care must move to another foster family home  
11          or when the child is placed under the supervision of  
12          a new caseworker.

13 **TITLE II—IMPROVING OPPORTU-**  
14 **NITIES FOR YOUTH IN FOS-**  
15 **TER CARE AND SUPPORTING**  
16 **PERMANENCY**

17 **SEC. 201. SUPPORTING NORMALCY FOR CHILDREN IN FOS-**  
18 **TER CARE.**

19           (a) REASONABLE AND PRUDENT PARENT STAND-  
20          ARD.—

21           (1) DEFINITIONS RELATING TO THE STAND-  
22          ARD.—Section 475 of the Social Security Act (42  
23          U.S.C. 675) is amended by adding at the end the  
24          following:

1           “(9)(A) The term ‘reasonable and prudent par-  
2           ent standard’ means the standard characterized by  
3           careful and sensible parental decisions that maintain  
4           the health, safety, and best interests of a child while  
5           at the same time encouraging the emotional and de-  
6           velopmental growth of the child, that a caregiver  
7           shall use when determining whether to allow a child  
8           in foster care under the responsibility of the State  
9           to participate in extracurricular, enrichment, and so-  
10          cial activities.

11           “(B) For purposes of subparagraph (A), the  
12          term ‘caregiver’ means a foster parent with whom a  
13          child in foster care has been placed or a designated  
14          official for a child care institution in which a child  
15          in foster care has been placed.

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

24           “(B) In the case of a specific child, the term  
25          means activities or items that are suitable for the

1 child based on the developmental stages attained by  
2 the child with respect to the cognitive, emotional,  
3 physical, and behavioral capacities of the child.”.

4 (2) STATE PLAN AMENDMENT.—Section  
5 471(a)(24) of such Act (42 U.S.C. 671(a)(24)) is  
6 amended—

7 (A) by striking “include” and inserting  
8 “includes”;

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

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

1           tation for the child to and from social, extra-  
2           curricular, and enrichment activities” before the  
3           semicolon.

4           (b) NORMALCY FOR CHILDREN IN CHILD CARE IN-  
5           STITUTIONS.—Section 471(a)(10) of such Act (42 U.S.C.  
6           671(a)(10)) is amended to read as follows:

7           “(10) provides—

8                   “(A) for the establishment or designation  
9                   of a State authority or authorities that shall be  
10                   responsible for establishing and maintaining  
11                   standards for foster family homes and child  
12                   care institutions which are reasonably in accord  
13                   with recommended standards of national orga-  
14                   nizations concerned with standards for the in-  
15                   stitutions or homes, including standards related  
16                   to admission policies, safety, sanitation, and  
17                   protection of civil rights, and which shall permit  
18                   use of the reasonable and prudent parenting  
19                   standard;

20                   “(B) that the standards established pursu-  
21                   ant to subparagraph (A) shall be applied by the  
22                   State to any foster family home or child care  
23                   institution receiving funds under this part or  
24                   part B and shall require, as a condition of any  
25                   contract entered into by the State agency and

1 a child care institution, the presence on-site of  
2 at least 1 official who, with respect to any child  
3 placed at the child care institution, is des-  
4 ignated to be the caregiver who is authorized to  
5 apply the reasonable and prudent parent stand-  
6 ard to decisions involving the access of the child  
7 to age or developmentally-appropriate items and  
8 participation in age or developmentally-appro-  
9 priate activities, and who is provided with train-  
10 ing in how to use and apply the reasonable and  
11 prudent parent standard in the same manner as  
12 prospective foster parents are provided the  
13 training pursuant to paragraph (24);

14 “(C) that the standards established pursu-  
15 ant to subparagraph (A) shall include policies  
16 related to the liability of foster parents and pri-  
17 vate entities under contract by the State involv-  
18 ing the application of the reasonable and pru-  
19 dent parent standard; and

20 “(D) that a waiver of any standards estab-  
21 lished pursuant to subparagraph (A) may be  
22 made only on a case-by-case basis for nonsafety  
23 standards (as determined by the State) in rel-  
24 ative foster family homes for specific children in  
25 care;”.

1 (c) EFFECTIVE DATE.—

2 (1) IN GENERAL.—The amendments made by  
3 this section shall take effect on the date that is 1  
4 year after the date of the enactment of this Act,  
5 without regard to whether regulations to implement  
6 the amendments have been promulgated by that  
7 date.

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

1 **SEC. 202. IMPROVEMENTS TO ANOTHER PLANNED PERMA-**  
2 **NENT LIVING ARRANGEMENT AS A PERMA-**  
3 **NENCY OPTION.**

4 (a) **ELIMINATION OF THE OPTION FOR CHILDREN**  
5 **UNDER AGE 16.—**

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

11 (2) **CONFORMING AMENDMENT.—**Section  
12 422(b)(8)(A)(iii)(II) of such Act (42 U.S.C.  
13 622(b)(8)(A)(iii)(II)) is amended by inserting “,  
14 subject to the requirements of paragraphs (5)(C)  
15 and (10) of section 475” after “arrangement”.

16 (b) **ADDITIONAL REQUIREMENTS.—**

17 (1) **IN GENERAL.—**Part E of title IV of such  
18 Act (42 U.S.C. 670 et seq.) is amended by inserting  
19 after section 475 the following:

20 “**ADDITIONAL CASE PLAN AND CASE REVIEW SYSTEM**  
21 **REQUIREMENTS**

22 “**SEC. 475A.**

23 “(a) **REQUIREMENTS FOR ANOTHER PLANNED PER-**  
24 **MANENT LIVING ARRANGEMENT.—**In the case of any  
25 child for whom another planned permanent living arrange-  
26 ment is the permanency plan for the child, the following

1 requirements shall apply for purposes of approving the  
2 case plan for the child and the case system review proce-  
3 dure for the child:

4           “(1) DOCUMENTATION OF INTENSIVE, ONGO-  
5           ING, UNSUCCESSFUL EFFORTS FOR FAMILY PLACE-  
6           MENT.—At each permanency hearing held with re-  
7           spect to the child, the State agency documents the  
8           intensive, ongoing, and, as of the date of the hear-  
9           ing, unsuccessful efforts made by the State agency  
10          to return the child home or secure a placement for  
11          the child with a fit and willing relative, a legal  
12          guardian, or an adoptive parent, including through  
13          efforts that utilize search technology to find biologi-  
14          cal family members for children in the child welfare  
15          system.

16          “(2) REDETERMINATION OF APPROPRIATENESS  
17          OF PLACEMENT AT EACH PERMANENCY HEARING.—  
18          The State agency shall implement procedures to en-  
19          sure that, at each permanency hearing held with re-  
20          spect to the child, the court or administrative body  
21          appointed or approved by the court conducting the  
22          hearing on the permanency plan for the child does  
23          the following:

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

1           “(B) Make a judicial determination ex-  
2           plaining why, as of the date of the hearing, an-  
3           other planned permanent living arrangement is  
4           the best permanency plan for the child and pro-  
5           vide compelling reasons why it continues to not  
6           be in the best interests of the child to—

7                     “(i) return home;

8                     “(ii) be placed for adoption;

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

10                    or

11                    “(iv) be placed with a fit and willing  
12                    relative.

13                    “(3) DEMONSTRATION OF SUPPORT FOR EN-  
14                    GAGING IN AGE OR DEVELOPMENTALLY-APPRO-  
15                    PRIATE ACTIVITIES AND SOCIAL EVENTS.—At each  
16                    permanency hearing held with respect to the child,  
17                    the State agency shall document the steps the State  
18                    agency is taking to ensure the child’s foster family  
19                    home or child care institution is following the rea-  
20                    sonable and prudent parent standard specified in  
21                    paragraphs (10) and (24) of section 471(a).”.

22                    (2) CONFORMING AMENDMENTS.—

23                    (A) STATE PLAN REQUIREMENTS.—

24                             (i) PART B.—Section 422(b)(8)(A)(ii)  
25                             of such Act (42 U.S.C. 622(b)(8)(A)(ii)) is

1 amended by inserting “and in accordance  
2 with the requirements of section 475A”  
3 after “section 475(5)”.

4 (ii) PART E.—Section 471(a)(16) of  
5 such Act (42 U.S.C. 671(a)(16)) is amend-  
6 ed—

7 (I) by inserting “and in accord-  
8 ance with the requirements of section  
9 475A” after “section 475(1)”; and

10 (II) by striking “section  
11 475(5)(B)” and inserting “sections  
12 475(5) and 475A”.

13 (B) DEFINITIONS.—Section 475 of such  
14 Act (42 U.S.C. 675) is amended—

15 (i) in paragraph (1), in the matter  
16 preceding subparagraph (A), by inserting  
17 “meets the requirements of section 475A  
18 and” after “written document which”; and

19 (ii) in paragraph (5)(C)—

20 (I) by inserting “, as of the date  
21 of the hearing,” after “compelling rea-  
22 son for determining”; and

23 (II) by inserting “subject to sec-  
24 tion 475A(a),” after “another planned  
25 permanent living arrangement,”.

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

4 **SEC. 203. EMPOWERING FOSTER YOUTH AGE 14 AND OLDER**  
5 **IN THE DEVELOPMENT OF THEIR OWN CASE**  
6 **PLAN AND TRANSITION PLANNING FOR A**  
7 **SUCCESSFUL ADULTHOOD.**

8 (a) IN GENERAL.—Section 475(1)(B) of the Social  
9 Security Act (42 U.S.C. 675(1)(B)) is amended by adding  
10 at the end the following: “With respect to a child who has  
11 attained 14 years of age, the plan developed for the child  
12 in accordance with this paragraph, and any revision or ad-  
13 dition to the plan, shall be developed in consultation with  
14 the child and, at the option of the child, with up to 2 mem-  
15 bers of the case planning team who are chosen by the child  
16 and who are not a foster parent of, or caseworker for, the  
17 child. A State may reject an individual selected by a child  
18 to be a member of the case planning team at any time  
19 if the State has good cause to believe that the individual  
20 would not act in the best interests of the child. One indi-  
21 vidual selected by a child to be a member of the child’s  
22 case planning team may be designated to be the child’s  
23 advisor and, as necessary, advocate, with respect to the  
24 application of the reasonable and prudent parent standard  
25 to the child.”.

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

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

7 (2) in paragraph (5)—

8 (A) in subparagraph (C)—

9 (i) by striking “and” at the end of  
10 clause (ii); and

11 (ii) by adding at the end the fol-  
12 lowing: “and (iv) if a child has attained 14  
13 years of age, the permanency plan devel-  
14 oped for the child, and any revision or ad-  
15 dition to the plan, shall be developed in  
16 consultation with the child and, at the op-  
17 tion of the child, with not more than 2  
18 members of the permanency planning team  
19 who are selected by the child and who are  
20 not a foster parent of, or caseworker for,  
21 the child, except that the State may reject  
22 an individual so selected by the child if the  
23 State has good cause to believe that the in-  
24 dividual would not act in the best interests  
25 of the child, and 1 individual so selected by

1 the child may be designated to be the  
2 child's advisor and, as necessary, advocate,  
3 with respect to the application of the rea-  
4 sonable and prudent standard to the  
5 child;"; and

6 (B) in subparagraph (I), by striking "16"  
7 and inserting "14".

8 (c) TRANSITION PLANNING FOR A SUCCESSFUL  
9 ADULTHOOD.—Paragraphs (1)(D), (5)(C)(i), and  
10 (5)(C)(iii) of section 475 of such Act (42 U.S.C. 675) are  
11 each amended by striking "independent living" and insert-  
12 ing "a successful adulthood".

13 (d) LIST OF RIGHTS.—Section 475A of such Act, as  
14 added by section 202(b)(1) of this Act, is amended by add-  
15 ing at the end the following:

16 "(b) LIST OF RIGHTS.—The case plan for any child  
17 in foster care under the responsibility of the State who  
18 has attained 14 years of age shall include a written docu-  
19 ment that describes the rights of the child with respect  
20 to education, health, visitation, and court participation,  
21 and to staying safe and avoiding exploitation, and a signed  
22 acknowledgment by the child that the child has been pro-  
23 vided with a written copy of the document. The written  
24 document shall be provided to children to whom adoption

1 or kinship guardianship assistance is made available under  
2 this part.”.

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

8 (1) an analysis of how States are administering  
9 the requirements of paragraphs (1)(B) and (5)(C) of  
10 section 475 of the Social Security Act, as amended  
11 by subsection (a) of this section, that a child in fos-  
12 ter care who has attained 14 years of age be per-  
13 mitted to select up to 2 members of the case plan-  
14 ning team or permanency planning team for the  
15 child from individuals who are not a foster parent  
16 of, or caseworker for, the child; and

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

19 **SEC. 204. ENSURING FOSTER YOUTH HAVE A BIRTH CER-**  
20 **TIFICATE, SOCIAL SECURITY CARD, AND A**  
21 **BANK ACCOUNT.**

22 (a) CASE REVIEW SYSTEM REQUIREMENT.—Section  
23 475(5)(I) of the Social Security Act (42 U.S.C. 675(5)(I))  
24 is amended—

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

3           (2) by inserting “, and is not discharged from  
4           care without being provided with an official birth  
5           certificate of the child, a social security card issued  
6           by the Commissioner of Social Security, and a fee-  
7           free (or low-fee) transaction account (as defined in  
8           section 19(b)(1)(C) of the Federal Reserve Act (12  
9           U.S.C. 461(b)(1)(C))) established in the name of the  
10          child name at an insured depository institution (as  
11          defined in section 3 of the Federal Deposit Insur-  
12          ance Act (12 U.S.C. 1813)) or an insured credit  
13          union (as defined in section 101 of the Federal  
14          Credit Union Act (12 U.S.C. 1752)), unless the  
15          child, after consultation with the members of the  
16          case planning team for the child selected by the child  
17          (if any), elects to not have such an account estab-  
18          lished” before the period.

19          (b) EFFECTIVE DATE.—The amendments made by  
20          this section shall take effect on October 1, 2015.

1 **TITLE III—IMPROVING DATA**  
2 **COLLECTION AND REPORT-**  
3 **ING ON CHILD SEX TRAF-**  
4 **FICKING**

5 **SEC. 301. INCLUDING SEX TRAFFICKING DATA IN THE**  
6 **ADOPTION AND FOSTER CARE ANALYSIS AND**  
7 **REPORTING SYSTEM.**

8 (a) IN GENERAL.—Section 479(c)(3) of the Social  
9 Security Act (42 U.S.C. 679(c)(3)) is amended—

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

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

13 “(E) the annual aggregate number of chil-  
14 dren in foster care who are identified as victims  
15 of sex trafficking (as defined in section 103(10)  
16 of the Trafficking Victims Protection Act of  
17 2000 (22 U.S.C. 7102(10))) or a severe form of  
18 trafficking in persons described in section  
19 103(9)(A) of such Act); and”.

20 (b) REPORT TO CONGRESS.—During the period that  
21 begins on the date of the enactment of this section and  
22 ends on the effective date of a final rule promulgated by  
23 the Secretary of Health and Human Services imple-  
24 menting the AFCARS data collection requirement added  
25 by the amendments made by subsection (a) of this section,

1 the Secretary of Health and Human Services shall submit  
2 an annual report to Congress that contains the annual ag-  
3 gregate number of children in foster care who are identi-  
4 fied as victims of sex trafficking (as defined in section  
5 103(10) of the Trafficking Victims Protection Act of 2000  
6 (22 U.S.C. 7102(10))), together with such other informa-  
7 tion as the Secretary determines appropriate relating to  
8 the identification of, and provision of services for, that  
9 population of children.

10 **SEC. 302. INFORMATION ON CHILDREN IN FOSTER CARE**  
11 **PLACED IN CHILD CARE INSTITUTIONS OR**  
12 **OTHER SETTINGS THAT ARE NOT A FOSTER**  
13 **FAMILY HOME IN ANNUAL REPORTS USING**  
14 **AFCARS DATA; CONSULTATION.**

15 Section 479A of the Social Security Act (42 U.S.C.  
16 679b) is amended—

17 (1) by striking “The Secretary” and inserting  
18 the following:

19 “(a) IN GENERAL.—The Secretary”;

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

22 (3) in paragraph (6)(C), by striking the period  
23 at the end and inserting a semicolon;

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

1           “(7) include in the report submitted pursuant  
2 to paragraph (5) for fiscal year 2015 or any suc-  
3 ceeding fiscal year, State-by State data on children  
4 in foster care who have been placed in a child care  
5 institution or other setting that is not a foster fam-  
6 ily home, including—

7           “(A) the number of children in the place-  
8 ments and their ages, including separately, the  
9 number and ages of children who have a perma-  
10 nency plan of another planned permanent living  
11 arrangement;

12           “(B) the duration of the placement in the  
13 settings (including for children who have a per-  
14 manency plan of another planned permanent  
15 living arrangement);

16           “(C) the types of child care institutions  
17 used (including group homes, residential treat-  
18 ment, shelters, or other congregate care set-  
19 tings);

20           “(D) with respect to each child care insti-  
21 tution or other setting that is not a foster fam-  
22 ily home, the number of children in foster care  
23 residing in each such institution or non-foster  
24 family home;

1           “(E) any clinically diagnosed special need  
2           of such children; and

3           “(F) the extent of any specialized edu-  
4           cation, treatment, counseling, or other services  
5           provided in the settings; and

6           “(8) include in the report submitted pursuant  
7           to paragraph (5) for fiscal year 2015 or any suc-  
8           ceeding fiscal year, State-by-State data on children  
9           in foster care who are pregnant or parenting teens.”;  
10          and

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

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