

# Union Calendar No. 315

118TH CONGRESS  
2D SESSION

# H. R. 2426

[Report No. 118–385]

To amend part E of title IV of the Social Security Act to require the Secretary of Health and Human Services to identify obstacles to identifying and responding to reports of children missing from foster care and other vulnerable foster youth, to provide technical assistance relating to the removal of such obstacles, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2023

Mr. TONY GONZALES of Texas (for himself, Ms. BROWN, Mrs. HOUCHIN, Ms. MOORE of Wisconsin, Mr. BACON, Ms. KAMLAGER-DOVE, Mr. NEWHOUSE, and Ms. SCANLON) introduced the following bill; which was referred to the Committee on Ways and Means

FEBRUARY 13, 2024

Additional sponsors: Ms. MACE, Mr. LAMBORN, Mr. CASTEN, Mr. DOGGETT, Mr. TRONE, Ms. SEWELL, Mr. GOTTHEIMER, Mr. STANTON, Mr. LAWLER, Mr. LANGWORTHY, Mr. VALADAO, Mr. ESTES, Mr. NUNN of Iowa, Mr. FITZPATRICK, and Mrs. HINSON

FEBRUARY 13, 2024

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on March 30, 2023]

# **A BILL**

To amend part E of title IV of the Social Security Act to require the Secretary of Health and Human Services to identify obstacles to identifying and responding to reports of children missing from foster care and other vulnerable foster youth, to provide technical assistance relating to the removal of such obstacles, and for other purposes.

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 “Find and Protect Foster*  
5 *Youth Act”.*

6 **SEC. 2. ELIMINATING OBSTACLES TO IDENTIFYING AND RE-**  
7 **SPONDING TO REPORTS OF CHILDREN MISS-**  
8 **ING FROM FOSTER CARE AND OTHER VUL-**  
9 **NERABLE FOSTER YOUTH.**

10        *Section 476 of the Social Security Act (42 U.S.C. 676)*  
11 *is amended by adding at the end the following:*

12        *“(f) EVALUATION OF PROTOCOLS RELATING TO CHIL-*  
13 *DREN MISSING FROM FOSTER CARE AND OTHER VULNER-*  
14 *ABLE YOUTH; TECHNICAL ASSISTANCE.—*

15                *“(1) IN GENERAL.—The Secretary shall conduct*  
16 *an evaluation of the protocols established by States in*  
17 *accordance with the requirements of section*  
18 *471(a)(35) and, to the extent applicable, by Indian*  
19 *tribes or tribal organizations (as defined in section*  
20 *479B(a)) or tribal consortia with a plan approved*  
21 *under section 471 in accordance with section 479B.*

22                *“(2) REQUIREMENTS.—The evaluation shall in-*  
23 *clude the following:*

24                        *“(A) A review of relevant aspects of reports*  
25 *submitted by States, Indian tribes, tribal organi-*

1            *zations, and tribal consortia under this part and*  
2            *part B, and data and other information reported*  
3            *pursuant to the system established under section*  
4            *479.*

5            *“(B) Analysis of the extent to which States,*  
6            *Indian tribes, tribal organizations, and tribal*  
7            *consortia comply with, and enforce, the protocols*  
8            *required by section 471(a)(35).*

9            *“(C) Analysis of the effectiveness of such*  
10           *protocols.*

11           *“(D) Identification of obstacles for States,*  
12           *Indian tribes, tribal organizations, and tribal*  
13           *consortia to identifying and responding to re-*  
14           *ports of children missing from foster care and*  
15           *other vulnerable foster youth.*

16           *“(E) Identification of best practices for*  
17           *identifying such children and youth and inter-*  
18           *vening with effective services.*

19           *“(3) TECHNICAL ASSISTANCE.—The Secretary*  
20           *shall provide States, Indian tribes, tribal organiza-*  
21           *tions, and tribal consortia with information, advice,*  
22           *educational materials, and technical assistance relat-*  
23           *ing to eliminating identified obstacles to identifying*  
24           *and responding to reports of children missing from*  
25           *foster care and other vulnerable foster youth and pro-*

1 *viding such children and youth with effective services.*

2 *Such assistance may include dissemination of—*

3 *“(A) processes and tools to identify and ex-*  
4 *amine risk factors and potential trends related to*  
5 *children who go missing from foster care and*  
6 *other vulnerable youth;*

7 *“(B) best practices for runaway tracking*  
8 *and recovery; and*

9 *“(C) guidelines for intervention, including*  
10 *with respect to services, types of providers, and*  
11 *placement settings.*

12 *“(4) REPORT.—Not later than 5 years after the*  
13 *date of enactment of this subsection, the Secretary*  
14 *shall submit a report to Congress on the results of the*  
15 *evaluation conducted under this subsection and the*  
16 *technical assistance provided in accordance with*  
17 *paragraph (3).”.*

18 **SEC. 3. IMPROVING SCREENING AND ASSESSMENT OF CHIL-**  
19 **DREN RETURNED TO FOSTER CARE AFTER**  
20 **GOING MISSING TO DETERMINE WHETHER**  
21 **THEY WERE, OR ARE AT RISK OF BECOMING,**  
22 **VICTIMS OF SEX TRAFFICKING.**

23 *Section 476 of the Social Security Act (42 U.S.C. 676),*  
24 *as amended by section 2, is further amended by adding at*  
25 *the end the following:*

1           “(g) *IMPROVING IDENTIFICATION OF, AND SERVICES*  
2 *FOR, CHILDREN WHO RETURN TO FOSTER CARE AFTER*  
3 *RUNNING AWAY OR OTHERWISE BEING ABSENT FROM FOS-*  
4 *TER CARE AND WHO ARE, OR ARE AT RISK OF BEING,*  
5 *VICTIMS OF SEX TRAFFICKING.—*

6           “(1) *ASSISTANCE.—*

7                   “(A) *SCREENING AFTER A RETURN TO FOS-*  
8 *TER CARE.—The Secretary shall provide States,*  
9 *Indian tribes, tribal organizations, and tribal*  
10 *consortia, with information, advice, educational*  
11 *materials, and technical assistance to improve*  
12 *compliance with section 471(a)(35)(A)(iii).*

13                   “(B) *IMPROVING OTHER REQUIREMENTS.—*  
14 *The information, advice, educational materials,*  
15 *and technical assistance provided may include*  
16 *information, advice, educational materials, and*  
17 *technical assistance to improve or modify poli-*  
18 *cies and procedures (including relevant training*  
19 *for caseworkers) developed by States, Indian*  
20 *tribes, tribal organizations, and tribal consortia*  
21 *under section 471(a)(9)(C), including the fol-*  
22 *lowing:*

23                           “(i) *Identifying, through screening,*  
24 *whether the State has reasonable cause to*

1 believe the child or youth is, or is at risk of  
2 being, a victim of sex trafficking.

3 “(ii) Documenting the results of such  
4 screening in agency records.

5 “(iii) Determining appropriate serv-  
6 ices for a child or youth for whom the State  
7 determines there is reasonable cause to iden-  
8 tify the child or youth as a victim of sex  
9 trafficking, or as at risk of being a victim  
10 of sex trafficking.

11 “(iv) Documenting in agency records  
12 the determination of appropriate services  
13 for a child or youth described in clause  
14 (iii).

15 “(2) *FORMS OF ASSISTANCE.*—The assistance  
16 provided under this subsection shall include the fol-  
17 lowing:

18 “(A) Assisting States, Indian tribes, tribal  
19 organizations, and tribal consortia, with devel-  
20 oping oversight mechanisms to assess their com-  
21 pliance with section 471(a)(35)(A)(iii).

22 “(B) Assisting States, Indian tribes, tribal  
23 organizations, and tribal consortia in devel-  
24 oping—

1           “(i) assessments for screening children  
2           who return to foster care after running  
3           away or otherwise being absent from foster  
4           care for risk of becoming victims of sex traf-  
5           ficking; and

6           “(ii) effective and robust policies relat-  
7           ing to the use of the assessments.

8           “(C) Working with States, Indian tribes,  
9           tribal organizations, and tribal consortia to im-  
10          prove or modify policies and procedures devel-  
11          oped under section 471(a)(9)(C).

12          “(D) Providing technical assistance on how  
13          States, Indian tribes, tribal organizations, and  
14          tribal consortia may best use data collected pur-  
15          suant to section 479 for oversight of, and to en-  
16          sure compliance with, the requirements of para-  
17          graphs (9)(C) and (35)(A)(iii) of section 471(a).

18          “(3) CONSULTATION.—The Secretary shall, to the  
19          extent practicable, consult with internal and external  
20          offices with expertise on sex trafficking, including the  
21          Office on Trafficking in Persons of the Administra-  
22          tion for Children and Families, on the development  
23          and dissemination to States, Indian tribes, tribal or-  
24          ganizations, and tribal consortia of the assistance re-  
25          quired under this subsection.”.



1 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

2 *There is authorized to be appropriated to the Secretary*  
3 *such sums as are necessary to carry out this Act for fiscal*  
4 *year 2024, which shall remain available through fiscal year*  
5 *2027.*

6 **SEC. 5. IDENTIFYING AND ADDRESSING CONDITIONS THAT**  
7 **LEAD TO YOUTH RUNNING AWAY FROM FOS-**  
8 **TER CARE.**

9 *The Comptroller General of the United States shall*  
10 *submit to the Congress a written report that—*

11 *(1) contains a rigorous analysis of administra-*  
12 *tive data to determine the characteristics of youth*  
13 *who run away from foster care and other relevant in-*  
14 *formation about foster care runaway episodes;*

15 *(2) includes information from interviews with*  
16 *recent foster youth runaways regarding their reasons*  
17 *for running away and what happened after they ran*  
18 *away, including any screening or other protocol fol-*  
19 *lowed by the State;*

20 *(3) includes a systematic review of research and*  
21 *evidence related to foster youth runaways;*

22 *(4) sets forth best practices for making foster care*  
23 *safe for youth and reducing the number of foster*  
24 *youth runaways; and*

25 *(5) makes recommendations to advance child*  
26 *welfare practices, after convening and consulting with*

- 1 *a group of child welfare practitioners and profes-*
- 2 *sionals to inform the recommendations.*



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