



Public Law 113-183
113th Congress

An Act

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

Sept. 29, 2014
(H.R. 4980)

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Preventing Sex Trafficking and Strengthening Families Act”.

Preventing Sex
Trafficking and
Strengthening
Families Act.
42 USC 1905
note.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
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- Sec. 3. References.

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

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

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

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

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

Subtitle C—National Advisory Committee

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

TITLE II—IMPROVING ADOPTION INCENTIVES AND EXTENDING FAMILY CONNECTION GRANTS

Subtitle A—Improving Adoption Incentive Payments

- Sec. 201. Extension of program through fiscal year 2016.

- Sec. 202. Improvements to award structure.
 Sec. 203. Renaming of program.
 Sec. 204. Limitation on use of incentive payments.
 Sec. 205. Increase in period for which incentive payments are available for expenditure.
 Sec. 206. State report on calculation and use of savings resulting from the phase-out of eligibility requirements for adoption assistance; requirement to spend 30 percent of savings on certain services.
 Sec. 207. Preservation of eligibility for kinship guardianship assistance payments with a successor guardian.
 Sec. 208. Data collection on adoption and legal guardianship disruption and dissolution.
 Sec. 209. Encouraging the placement of children in foster care with siblings.
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Subtitle B—Extending the Family Connection Grant Program

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

TITLE III—IMPROVING INTERNATIONAL CHILD SUPPORT RECOVERY

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

TITLE IV—BUDGETARY EFFECTS

- Sec. 401. Determination of budgetary effects.

SEC. 3. REFERENCES.

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

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

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

SEC. 101. IDENTIFYING, DOCUMENTING, AND DETERMINING SERVICES FOR CHILDREN AND YOUTH AT RISK OF SEX TRAFFICKING.

(a) IN GENERAL.—Section 471(a)(9) (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 this subparagraph, demonstrate to the Secretary that the State agency has developed, in consultation with State and local law enforcement, juvenile justice systems, health care providers, education agencies, and organizations with experience in dealing with at-risk

Deadlines.

- (1) by striking “and” before “private”; and
- (2) by inserting “and institutions of higher education (as defined under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)),” after “arrangements.”
- (c) **FINDING FAMILIES FOR FOSTER CHILDREN WHO ARE PARENTS.**—Section 427(a)(1)(E) (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) (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.
- (e) **EFFECTIVE DATE.**—The amendments made by this section shall take effect as if enacted on October 1, 2013. 42 USC 627 note.

TITLE III—IMPROVING INTERNATIONAL CHILD SUPPORT RECOVERY

SEC. 301. AMENDMENTS TO ENSURE ACCESS TO CHILD SUPPORT SERVICES FOR INTERNATIONAL CHILD SUPPORT CASES.

(a) AUTHORITY OF THE SECRETARY OF HHS TO ENSURE COMPLIANCE WITH MULTILATERAL CHILD SUPPORT CONVENTIONS.—

- (1) **IN GENERAL.**—Section 452 (42 U.S.C. 652) is amended—
- (A) by redesignating the second subsection (l) (as added by section 7306 of the Deficit Reduction Act of 2005) as subsection (m); and
- (B) by adding at the end the following:

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

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

(b) ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE.—Section 453(c) (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 paragraph (4) and inserting “; and”; and
- (3) by adding at the end the following:

“(5) an entity designated as a Central Authority for child support enforcement in a foreign reciprocating country or a foreign treaty country for purposes specified in section 459A(c)(2).”

(c) STATE OPTION TO REQUIRE INDIVIDUALS IN FOREIGN COUNTRIES TO APPLY THROUGH THEIR COUNTRY’S APPROPRIATE CENTRAL AUTHORITY.—Section 454 (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 (42 U.S.C. 659a) is amended—

(1) 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 pursuant 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 CONVENTION.—The term ‘2007 Family Maintenance Convention’ means the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance.”;

(2) 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 inserting “foreign reciprocating countries or foreign treaty countries”; and

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

(3) in subsection (d), by striking “the subject of a declaration pursuant to subsection (a)” and inserting “foreign reciprocating countries or foreign treaty countries”.

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

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

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

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

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

and

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

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

(A) in subsection (d), by striking “individual contestant” and inserting “individual contestant or the parties have consented in a record or open court that the tribunal of the State may continue to exercise jurisdiction to modify its order,”;

(B) in subsection (e)(2)(A), by striking “individual contestant” and inserting “individual contestant and the

parties have not consented in a record or open court that the tribunal of the other State may continue to exercise jurisdiction to modify its order"; and

(C) in subsection (b)—

(i) by striking "‘child’ means" and inserting "(1) The term ‘child’ means";

(ii) by striking "‘child’s State’ means" and inserting "(2) The term ‘child’s State’ means";

(iii) by striking "‘child’s home State’ means" and inserting "(3) The term ‘child’s home State’ means";

(iv) by striking "‘child support’ means" and inserting "(4) The term ‘child support’ means";

(v) by striking "‘child support order’" and inserting "(5) The term ‘child support order’";

(vi) by striking "‘contestant’ means" and inserting "(6) The term ‘contestant’ means";

(vii) by striking "‘court’ means" and inserting "(7) The term ‘court’ means";

(viii) by striking "‘modification’ means" and inserting "(8) The term ‘modification’ means"; and

(ix) by striking "‘State’ means" and inserting "(9) The term ‘State’ means".

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

(A) PARAGRAPH (1).—(i) The amendments made by paragraph (1) shall take effect with respect to a State no later than the effective date of laws enacted by the legislature of the State implementing such paragraph, but in no event later than 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 the enactment of this Act.

42 USC 666 note.

(ii) For purposes of clause (i), in the case of a State that has a 2-year legislative session, each year of the session shall be deemed to be a separate regular session of the State legislature.

(B) PARAGRAPH (2).—(i) The amendments made by subparagraphs (A) and (B) of paragraph (2) shall take effect on the date on which the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance enters into force for the United States.

28 USC 1738B note.

(ii) The amendments made by subparagraph (C) of paragraph (2) shall take effect on the date of the enactment of this Act.

SEC. 302. CHILD SUPPORT ENFORCEMENT PROGRAMS FOR INDIAN TRIBES.

(a) TRIBAL ACCESS TO THE FEDERAL PARENT LOCATOR SERVICE.—Section 453(c)(1) (42 U.S.C. 653(c)(1)) is amended by inserting "or Indian 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) (42 U.S.C. 1315(b)) is amended—