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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R.

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.

IN THE HOUSE OF REPRESENTATIVES

Mr. TONY GONZALES of Texas introduced the following bill; which was referred to the Committee on _____

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Find and Protect Foster Youth Act”.

4 **SEC. 2. ELIMINATING OBSTACLES TO IDENTIFYING AND RESPONDING TO REPORTS OF CHILDREN MISSING FROM FOSTER CARE AND OTHER VULNERABLE FOSTER YOUTH.**

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

10 “(f) EVALUATION OF PROTOCOLS RELATING TO CHILDREN MISSING FROM FOSTER CARE AND OTHER VULNERABLE YOUTH; TECHNICAL ASSISTANCE.—

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

21 “(2) REQUIREMENTS.—The evaluation shall include the following:

23 “(A) A review of relevant aspects of reports submitted by States, Indian tribes, tribal organizations, and tribal consortia under this part and part B, and data and other informa-

1 tion reported pursuant to the system estab-
2 lished under section 479.

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

7 “(C) Analysis of the effectiveness of such
8 protocols.

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

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

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

1 services. Such assistance may include dissemination
2 of—

3 “(A) processes and tools to identify and
4 examine risk factors and potential trends re-
5 lated to children who go missing from foster
6 care and 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
15 the evaluation conducted under this subsection and
16 the technical assistance provided in accordance with
17 paragraph (3).”.

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

23 Section 476 of the Social Security Act (42 U.S.C.
24 676), as amended by section 2, is further amended by add-
25 ing at 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
4 FOSTER CARE AND WHO ARE, OR ARE AT RISK OF
5 BEING, VICTIMS OF SEX TRAFFICKING.—

6 “(1) ASSISTANCE.—

7 “(A) SCREENING AFTER A RETURN TO
8 FOSTER CARE.—The Secretary shall provide
9 States, Indian tribes, tribal organizations, and
10 tribal consortia, with information, advice, edu-
11 cational materials, and technical assistance to
12 improve compliance with section
13 471(a)(35)(A)(iii).

14 “(B) IMPROVING OTHER REQUIRE-
15 MENTS.—The information, advice, educational
16 materials, and technical assistance provided
17 may include information, advice, educational
18 materials, and technical assistance to improve
19 or modify policies and procedures (including rel-
20 evant training for caseworkers) developed by
21 States, Indian tribes, tribal organizations, and
22 tribal consortia under section 471(a)(9)(C), in-
23 cluding the following:

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

1 believe the child or youth is, or is at risk
2 of 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
7 State determines there is reasonable cause
8 to identify the child or youth as a victim
9 of sex trafficking, or as at risk of being a
10 victim 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
21 compliance 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 chil-
2 dren who return to foster care after run-
3 ning away or otherwise being absent from
4 foster care for risk of becoming victims of
5 sex trafficking; and

6 “(ii) effective and robust policies re-
7 lating 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
18 471(a).

19 “(3) CONSULTATION.—The Secretary shall, to
20 the extent practicable, consult with internal and ex-
21 ternal offices with expertise on sex trafficking, in-
22 cluding the Office on Trafficking in Persons of the
23 Administration for Children and Families, on the de-
24 velopment and dissemination to States, Indian

1 tribes, tribal organizations, and tribal consortia of
2 the assistance required under this subsection.”.

3 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

4 There is authorized to be appropriated to the Sec-
5 retary such sums as are necessary to carry out this Act
6 for fiscal year 2023, which shall remain available through
7 fiscal year 2027.