



**CWDA**

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**To:** County Welfare Directors Association of California

**From:** Tom Joseph, Director, CWDA Washington, D.C. Office

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**Re:** Federal Update

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**House Committees Act on CSEC Bills**

Bills addressing the Commercial Sexual Exploitation of Children (CSEC) were reported out of two House committees last week. While national data on sex trafficking remains relatively sparse, members of Congress have become increasingly concerned about the number of youth who are being exploited. Senators and representatives have also paid close attention to statements and some data indicating a link between a youth's involvement in child welfare and the sex trade.

The House Ways and Means and Judiciary Committees approved four bipartisan bills to address the issue. The bills, among other things, would require the federal and state collection of additional data to help understand the breadth of the nation's sex trafficking problem. Additionally, the bills would: seek to clarify that youth in the sex trade should be legally considered victims rather than criminals; promote collaboration among numerous governmental agencies and community organizations coming into contact with such youth; and, provide initial federal funding to serve domestic trafficking victims.

Additionally, Los Angeles County Supervisor and CSAC Board Member Don Knabe participated in an April 29 event at the National Press Club where he discussed the County's initiatives to address child sex trafficking. He also announced the release of a National Association of Counties' (NACo) [survey](#) of law enforcement agencies assessing the problem. Among the findings, the NACo report indicates that nearly nine out of 10 large counties identify child sex trafficking as either a major or minor problem in their jurisdiction.

According to discussions with House majority staff, the bills are likely to be joined together and sent to the House floor later this month.

Additional information on the bills follows.

The House Ways and Means Committee adopted 33-0 the *Preventing Sex Trafficking and Improving Opportunities for Youth in Foster Care Act* (H.R. 4058). The bill would require state plans for foster care and adoption assistance to include policies and procedures for identifying, screening, and determining appropriate services for children who are believed to be victims of sex trafficking, or at risk of being such victims. Sex trafficking data would be included in the adoption and foster care analysis and reporting system (AFCARS).

The bill contains other reporting requirements. It would require the U.S. Department of Health and Human Services (HHS) to report annually to Congress on the aggregate number of children in foster care identified as victims of sex trafficking or a severe form of trafficking, along with relevant information about the identification of, and provision of services for, such foster care children.

HHS would be required to report to Congress on children who run away from foster care and their risk of being trafficked; state efforts to provide specialized services, foster family homes, or child care facilities to children who are victims; and state efforts to ensure children in foster care form long-lasting connections to caring adults. State-by-state data on children in foster care who are pregnant or parenting also would be reported to Congress.

Also within the bill are provisions requiring states to include a "reasonable and prudent parent standard" similar to what already exists in California to enable foster youth to participate more readily in extracurricular, cultural and social activities with their peers. The measure would also eliminate Another Planned Permanent Living Arrangement (APPLA) as a permanency goal for children under the age of 16. It would also enable youth ages 14 and older to enlist the assistance of two other individuals to be part of their case planning team.

Dropped from the measure but contained in a similar Senate Finance Committee adopted bill was a provision to require child welfare agencies to provide youth exiting care who were not adopted or returning to live with family to have a birth certificate, a Social Security card, and medical records and, if over 18 years of age, the ability to obtain a low- or no-fee bank account. That provision was deleted due to a very small \$1 million a year cost because no offset was offered to fund it.

Upon adoption of the amended bill, the Committee enacted six permanent tax extender bills costing over \$310 billion over ten years, without any effort to pay for the lost revenue. That action was not lost on many Democrats who noted that the Republicans did not adopt a similar process to find a way to pay for a miniscule, one million dollar federal cost to provide important documents to emancipating foster youth.

The next day, the House Judiciary Committee adopted three measures. The CWDA-supported *Justice for Victims of Trafficking Act* (H.R. 3530), would establish a Domestic Victims Trafficking Fund to collect penalties imposed on individuals or entities convicted of human trafficking. Sponsored by Rep. Ted Poe (R-TX), monies from the Fund would be used to support services, including those provided by child welfare agencies.

The committee also approved the *Stop Exploitation Through Trafficking Act* (H.R. 3610). Sponsored by Rep. Erik Paulsen (R-MN), the bill would require states to enact laws treating minors who have engaged in commercial sex acts as victims. Those states failing to comply would risk of losing Byrne Memorial Justice Assistance Grants. The legislation also requires the U.S. Attorney General to implement and maintain a national strategy for combating human trafficking, which, among other provisions, integrates state, federal, local, and tribal efforts to investigate and prosecute human trafficking cases.

The final Judiciary Committee bill addressed the advertising of commercial sex via the Internet and other venues. Sponsored by Rep. Ann Wagner (R-MO), the *SAVE Act* (H.R.

4225) would fine and/or imprison for up to five years, individuals who benefit financially from or distribute advertising that offers a commercial sex act.

**Federal Appropriations Process Underway:** This week, the Senate Labor-HHS Appropriations Subcommittee will hear testimony from Mark Greenberg, Acting Assistant Secretary for the HHS Administration on Children and Families (ACF). The testimony will likely focus on at least two new initiatives proposed by the Obama administration: retargeting the \$602 million TANF contingency fund to support subsidized employment and providing \$50 million annually to child welfare agencies to address the over-prescribing of psychotropic medications to youth in the child welfare system.

And, last week CWDA sent the attached letter to the House and Senate Appropriations Committees to support the administration's request for \$25 million for the Elder Justice Act's adult protective services (APS) initiatives, including providing competitive grants to state and local governments to support and/or create innovative approaches to APS.