



CENTER FOR THE RIGHTS
OF ABUSED CHILDREN

Written Testimony

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U.S. House Committee on Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related Agencies

Wednesday, April 9, 2025, at 10:30 a.m.
2358-C Rayburn House Office Building

Chairman Aderholt, Ranking Member DeLauro, and Members of the Subcommittee:

My name is Brad Galbraith, and I serve as Policy Director at the Center for the Rights of Abused Children, a nonprofit organization dedicated to providing a lifeline for abused and neglected children. The Center offers pro bono legal representation in abuse and neglect proceedings, advocates for stronger child protection laws, and defends children's constitutional rights through public interest litigation. Our legal and policy work has impacted more than one million children across the United States.

Thank you for the opportunity to submit written testimony for the record. I respectfully urge the Subcommittee to include report language in the FY2026 appropriations bill directing the Administration for Children and Families (ACF) to further address the crisis of missing children in foster care. Specifically, ACF should issue guidance to child welfare agencies on the prompt reporting of missing children and establish consistent, comprehensive national data collection on this issue. These steps are essential to closing dangerous gaps that leave children vulnerable to exploitation and abuse.

In addition, I urge the Subcommittee to include report language instructing ACF to update its public-facing website to prioritize timely publication of data on the number of children who go missing from foster care each year. This update should feature the Child Welfare Outcomes Report Data Site, including annual reports to Congress for recent fiscal years. The data should be disaggregated by the number of children who go missing in each state and should include the number of children who die while in each state's child welfare system.



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On an average day, more than fifty foster children go missing each day across the United States. That amounts to roughly 20,000 per year.¹ Foster children who go missing are at heightened risk of being exploited, often becoming a victim of human trafficking. Research shows that approximately 19% of foster youth who go missing are likely victims of sex trafficking and that 70% of trafficked children were first exploited while they were missing from foster care.²

In 2013, Ms. Withelma “T” Ortiz Walker Pettigrew—a former foster youth who endured seven years of sexual trafficking—bravely testified before Congress about her experiences. She pointed to the child welfare system’s breakdown and failure to find missing children as empowering the people who trafficked her. “No one looks for us, or keeps us on their radar. The system just makes no effort. There are no amber alerts, no posters, when youth from the foster care system go missing,” Ms. Pettigrew testified.³

Since that hearing, Congress has passed laws to strengthen oversight of the child welfare system and address the problem of missing children.⁴ For example, the *Preventing Sex Trafficking and Strengthening Families Act of 2014* requires state agencies to report “immediately, and in no case later than 24 hours after receiving information on missing or abducted children or youth to the law enforcement authorities” including the National Crime Information Center and the National Center for Missing and Exploited Children.⁵ More recently, the *Trafficking Victims Prevention and Protection Reauthorization Act of 2022* included language directing state child welfare agencies to “prioritize developing and implementing protocols” to address missing and abducted foster care children and youth and to increase reporting to the federal government to improve transparency.⁶

However, a 2023 Inspector General report revealed alarming failures in state child welfare agency reporting of missing children as required by federal law. “On the basis of our sample results, we estimate that the State agencies did not report 13,983 of the 74,353 missing children episodes in accordance with Federal requirements,” the

¹ The Center for Children’s Law and Policy, *Disappearing and Dying: Why 20,000 Kids Disappear from Foster Care Every Year and How to End This Crisis* (Jan. 19, 2021), available at https://www.thecenterforchildren.org/assets/Blog-Files/1.19.21-Disappearing-and-Dying_-_Why-20000-kids-disappear-from-foster-care-every-year-and-how-to-end-this-crisis.-PRESS-RELEASE-FINAL.pdf.

² National Center for Missing & Exploited Children, *Our Impact*, available at <https://www.missingkids.org/ourwork/impact> (last visited Apr. 7, 2025).

³ Withelma “T” Ortiz Walker Pettigrew, testimony before the U.S. House of Representatives, Committee on Ways and Means, Subcommittee on Human Resources, *Hearing on Preventing and Addressing Trafficking of Youth in Foster Care*, 113th Cong., 1st sess., October 23, 2013, available at <https://docs.house.gov/meetings/WM/WM03/20131023/101417/HHRG-113-WM03-Wstate-OrtizWalkerPettigrewW-20131023.pdf>.

⁴ See National Center for Missing & Exploited Children.

⁵ Public Law 113–183, *Preventing Sex Trafficking and Strengthening Families Act*, 128 Stat. 1919 (2014), <https://www.congress.gov/113/statute/STATUTE-128/STATUTE-128-Pg1919.pdf>.

⁶ Public Law 117–348, *Trafficking Victims Prevention and Protection Reauthorization Act of 2022*, 136 Stat. 6199 (2023), available at <https://www.congress.gov/117/plaws/publ348/PLAW-117publ348.pdf>.



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Inspector General found. “Specifically, an estimated 5,659 missing children episodes during our audit period were not reported within 24 hours after the State agencies were notified that the child was missing, and an additional estimated 8,324 missing children episodes during our audit period were never reported for entry into the NCIC database.”⁷ The report recommended ACF work with state agencies to improve compliance with federal laws for missing child reporting; the recommendation was closed as of August 2024.⁸

Additional ACF guidance, stronger oversight, and additional transparency are needed to ensure that child welfare agencies comply with federal law. In 2024, the House of Representatives approved the bipartisan *Find and Protect Foster Youth Act*, which would have required the Department of Health and Human Services (HHS) to “conduct an evaluation and take actions to assist states in improving processes to identify and respond to children missing from foster care,” as well as a Government Accountability Office review of underlying factors contributing to youth runaways and identify options for reducing them.⁹ This legislation did not become law¹⁰; however, House passage of the bill demonstrates broad bipartisan concern about the urgent need to prevent foster youth and other children from going missing.

In the report accompanying the FY2026 funding bill, the Subcommittee should direct ACF to act to ensure that state child welfare agencies comply with federal laws requiring prompt reporting and to protect missing and abducted foster youth and other children from significant harm. I respectfully recommend that you consider including the following language in the report:

Missing Foster Youth Data Reporting. – *The Committee is concerned about deficiencies in state child welfare agencies’ compliance with federal requirements for reporting missing foster youth and the lack of consistent, comprehensive national data on this issue. The Committee directs the Administration for Children and Families (ACF) to issue additional guidance standardizing state reporting requirements, including circumstances of disappearance, duration missing, and recovery outcomes. The guidance should also clarify that locating and recovering missing children is a legitimate state interest justifying disclosure of relevant information. The*

⁷ U.S. Department of Health and Human Services, Office of Inspector General, *The Administration for Children and Families Did Not Report Complete and Accurate Information on Children Missing From Foster Care*, A-07-21-06104 (February 2023), available at <https://oig.hhs.gov/documents/audit/9125/A-07-21-06104-Complete%20Report.pdf>.

⁸ U.S. Department of Health and Human Services, Office of Inspector General, *Recommendation Tracker: A-07-21-06104*, available at <https://oig.hhs.gov/reports/recommendations/tracker/?view-mode=report-grouped&search=A-07-21-06104&hhs-agency=all#results> (last visited Apr. 7, 2025).

⁹ U.S. House of Representatives, *Foster Youth and Driving Act*, H.R. Rep. No. 118-385, 118th Cong., 2d sess. (2024), available at <https://www.congress.gov/congressional-report/118th-congress/house-report/385/1?outputFormat=pdf>.

¹⁰ *Foster Youth and Driving Act*, S. 1146, 118th Cong. (2023), available at <https://www.govtrack.us/congress/bills/118/s1146/text>.



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Committee further directs ACF to publicly report national aggregate data on missing foster youth annually and to use existing compliance monitoring mechanisms to ensure state adherence. The Committee encourages ACF to prioritize cross-agency data integration to improve recovery efforts and enhance child protection.

In addition, the Subcommittee should instruct ACF to update its public websites, including the Child Welfare Outcomes Report Data Site and its annual reports to Congress for recent fiscal years.

The federal government and broader society have a responsibility to protect children in foster care. Ensuring timely reporting and swift response when children go missing must be a top priority for Congress, HHS, and state and local child welfare agencies. Thank you for your attention to this urgent issue and for your continued commitment to protecting the nation's most vulnerable children.