

CHILDREN IN CARE · CAREGIVER SCREENING · WHY THE LAWS ARE NOT WORKING

The laws exist. The system that would make them work does not.

Federal law already sets out the core protections for children in foster care. What is missing is a system that can prove who the caregivers are and where the children are. Here is the evidence, on two pages.

Page one. What is already law, and what the measurements found

Since 1993 Congress has written two protections into law, though the 1993 Act itself required no one to be checked. One is screening the adults who care for children and vulnerable people, and the other is knowing where every child in the state's care is. The [24-hour rule](#) for a child missing from foster care, a report immediately, and in no case later than 24 hours, has been part of every state's Title IV-E plan since September 29, 2016.

47%

of the 74,353 episodes of two days or longer in 46 states, July 2018 to December 2020, never reported to NCMEC, by OIG's estimate

23,348

reports of children missing from care that NCMEC received in 2025

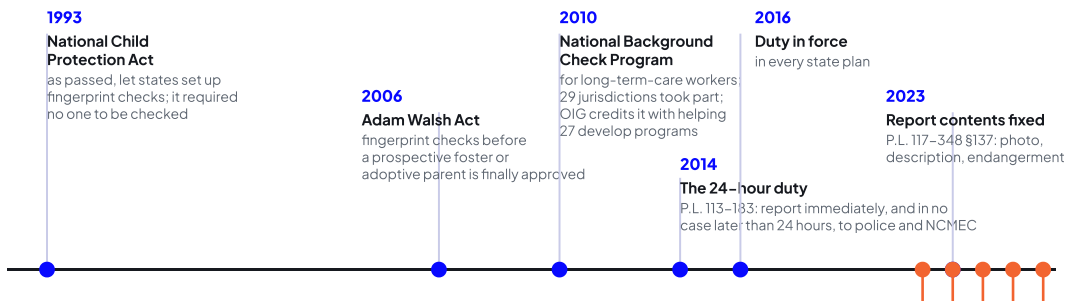
110,446

missing-from-care episodes in 30 months (HHS-OIG)

5

years at most between checks under federal child care rules (42 U.S.C. 9858f)

THE LAWS



WHAT THE MEASUREMENTS FOUND · 2022 TO 2026

- 2022** 110,446 missing episodes in 30 months
6,619 children still missing at the period's end · HHS-OIG national snapshot
- 2023** An estimated 47% never reported to NCMEC, 22% late and 19% not reported for NCIC entry · episodes in 46 states · HHS-OIG
- 2023** Georgia: 1,790 children reported missing in five years
NCMEC identified 410 as likely child sex trafficking victims in Senate subcommittee testimony, November 2023
- 2025** 23,348 reports of children missing from care
by NCMEC's own classification, 17% likely trafficking victims
- 2026** Required visits missed before most incidents
Alaska evaluation · HHS-OIG, February 2026

The pattern

Every law assumes the agency knows who the adults are and where the child is. Nothing in the system verifies either, so nothing can prove it.

Laws: P.L. 103-209 (1993); Adam Walsh Child Protection and Safety Act (2006); Affordable Care Act §6201 (2010); P.L. 113-183 (2014); P.L. 117-348 §137 (2023). Measurements: HHS-OIG A-07-20-06095 (May 2022), A-07-21-06102 (Mar 2023), A-07-21-06104 (May 2023), OEI-07-23-00480 (Feb 2026); U.S. Senate Judiciary Subcommittee on Human Rights and the Law (2023); NCMEC (2025). Figures count episodes or reports, not children.

The duty is one thing. The people who hold it are thousands.

A federal duty lands on 50 states, the District of Columbia and five territories; on 575 federally recognized tribal nations with custody jurisdiction under the Indian Child Welfare Act; in nine states (a 2018 federal count) it splits again across every county. It is carried out by thousands of private child-placing agencies, care providers and youth organizations, and checked through nearly 2,000 background-screening companies (a 2019 estimate). More than 190,000 licensed child-care centers and homes exist in the states that report their counts, before foster homes and care agencies are added. Nobody in that picture holds the whole record, so nobody can prove the whole duty was met.

Three reasons it cannot work as built

Fragmented

One duty, thousands of holders, no shared record.

Each jurisdiction, agency and screening company keeps its own piece. A child who moves, or a caregiver who works for two organizations, is a new record each time, and the OIG found agencies generally lacked systems to readily identify whether they had reported.

One-time

A check describes one day. The risk is in the years after.

The standard background check is run at hire or approval and rarely repeated; federal child care rules require a new one at least once every five years. It says nothing about the years in between, and a check by name alone can miss a record when someone gives a false identity (Attorney General's report, 2006).

Unverified

Systems record what people type, not what happened.

A visit is a form; a placement is a field; a report is a note. After ten years and roughly two billion dollars, fewer than a third of state child-welfare information-system projects are operational, and the federal rule for these systems never mentions a photograph or law enforcement.

The money follows the laws, not the outcome

Federal child-welfare funding is \$11.7 billion in the 2026 fiscal year, most of it under Title IV-E for foster care and adoption assistance; state and local child-welfare agencies reported spending \$34.3 billion from all sources, federal funds included, in state fiscal year 2022. Roughly two billion dollars has gone into state child-welfare information systems over the past decade, with fewer than a third of those projects operational. Almost half of agency spending goes to out-of-home placements, but none of it can be tied to a verified outcome, because the outcome was never measured at the moment it happened.

The fix is a verification layer, not another database

The statute already describes the events, the two reports due immediately, and in no case later than 24 hours, the monthly visit and the fingerprint check before final approval. What is missing is the layer that turns each event into a verified, timestamped record, beside the case-management systems states already run, not replacing them. The program doesn't need a new law to work, though it would help if the President directed the Attorney General to finish the national check program Congress ordered in 2018.

Who: Complied ID

Complied ID is being built and will work at launch. It will prove who a caregiver is, with a document, a live face and their device, and the Social Security number or ITIN will be checked, before any background check runs. The checks will then run through the channel each state authorizes, and again every year with the person's written consent. Only the identity carries over between organizations; each decides which checks it accepts.

- HHS-OIG, A-07-20-06095, *National Snapshot of State Agency Approaches to Reporting and Locating Children Missing From Foster Care*, May 2022: oig.hhs.gov
- HHS-OIG, A-07-21-06102 (March 2023) and A-07-21-06104 (May 2023); see our guide.
- HHS-OIG, OEI-07-23-00480, Alaska evaluation, February 2026: oig.hhs.gov (PDF)
- NCMEC, *Our Impact* (2025 data): missingkids.org
- U.S. Senate Judiciary Subcommittee on Human Rights and the Law, Georgia foster care investigation, 2023 to 2024: the release of November 6, 2023

- HHS/ASPE, *CCWIS Implementation Shows Minimal Progress*, June 2026: aspe.hhs.gov
- 45 CFR 1355.50 to 1355.59, the CCWIS rule, as of September 2026: ecfr.gov
- Congressional Research Service, IF10590, *Child Welfare: Purposes, Federal Programs, and Funding*: congress.gov
- Bureau of Indian Affairs, list of 575 federally recognized tribes, 91 FR 4102, January 30, 2026: federalregister.gov

Where: the Foster Care Compliance System

An active concept that FComply is building with developers and major investors. It is designed to enroll each child in foster care by photo, then record a photo with its time and place at every check-in, confirm where and when every monthly caseworker visit happened, and keep one record for each child.

- Child Welfare Information Gateway (Children's Bureau), *Major Federal Legislation Concerned With Child Protection, Child Welfare, and Adoption*: childwelfare.gov
- Consumer Financial Protection Bureau, *Market Snapshot: Background Screening Reports*, October 2019 (1,954 companies, citing IBISWorld): consumerfinance.gov; Child Welfare Information Gateway, *State vs. County Administration of Child Welfare Services*, March 2018: childwelfare.gov; Child Care Aware of America, *Price Landscape 2024*: childcareaware.org; Child Trends, *Child Welfare Financing SFY 2022*: childtrends.org