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June 13, 2018

Kathleen McHugh
U.S. Department of Health and Human Services
Administration for Children and Families
Director, Policy Division
330 C Street SW
Washington, D.C. 20024

RE: Proposed rulemaking for Adoption and Foster Care Analysis and Reporting System (AFCARS) data elements, 45 CFR 1355 (Mar. 15, 2018) [RIN 0970-AC72]

Submitted via email to CBComments@acf.hhs.gov.

Dear Ms. McHugh:

On behalf of the National Council of Jewish Women, we write to offer comments on the Notice of Proposed Rulemaking at 83 Fed. Reg. 11449 proposing to streamline the Adoption and Foster Care Analysis and Reporting System (AFCARS) [RIN 0970-AC72]. We urge HHS to retain the voluntary sexual orientation questions for foster youth and foster and adoptive parents and guardians, as well as the data element on the reason for removal of a child from a home due to “family conflict related to child's sexual orientation, gender identity, or gender expression.”

As an organization dedicated to improving the quality of life for women, children, and families, we endorse and resolve to work for laws, policies, and programs that protect every child from abuse, neglect, exploitation, bullying, discrimination, and violence. Further, we believe in *kavod ha'briot*, that all individuals are deserving of respect and dignity. It is crucial that the federal government help protect LGBTQ children, who are especially vulnerable and overrepresented in the foster care system. Eliminating LGBTQ data collection sends the message that LGBTQ children are unworthy of our attention and care. We know this is not the case.

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Studies show that approximately 19% of foster youth identify as LGBTQ, and they experience worse safety, well-being and permanency outcomes than non-LGBTQ youth. For states and tribes to improve these outcomes and identify best practices for doing so, data collection on the state and national level is urgently needed. Same-sex couples foster at six times the rate of their opposite-sex counterparts, and can provide loving, supportive homes for America's 400,000+ foster youth.

We also urge HHS to retain the data elements related to the Indian Child Welfare Act, as American Indian and Native Alaskan foster youth are another vulnerable population overrepresented in foster care with worse safety, well-being, and permanency outcomes than non-Native youth.

Further, we ask HHS to add voluntary gender identity questions for foster youth over the age of 14 and foster and adoptive parents and guardians to AFCARS. Collecting gender identity data as well as sexual orientation data will help states and tribes develop streamlined, comprehensive services.

For any questions or for additional information, please contact Faith Williams, Senior Legislative Associate, at faith@ncjwdc.org or 202-375-5063.

Sincerely,

Submitted electronically by Nancy K. Kaufman, CEO, National Council of Jewish Women, Inc.