

116TH CONGRESS
1ST SESSION

S. 1329

To amend the Child Abuse Prevention and Treatment Act to require that equitable distribution of assistance include equitable distribution to Indian Tribes and Tribal organizations and to increase amounts reserved for allotment to Indian Tribes and Tribal organizations under certain circumstances, and to provide for a Government Accountability Office report on child abuse and neglect in American Indian Tribal communities.

IN THE SENATE OF THE UNITED STATES

MAY 6, 2019

Ms. WARREN (for herself, Mr. UDALL, Ms. ROSEN, Mr. MERKLEY, Ms. DUCKWORTH, and Ms. SMITH) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Child Abuse Prevention and Treatment Act to require that equitable distribution of assistance include equitable distribution to Indian Tribes and Tribal organizations and to increase amounts reserved for allotment to Indian Tribes and Tribal organizations under certain circumstances, and to provide for a Government Accountability Office report on child abuse and neglect in American Indian Tribal communities.

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 “American Indian and
3 Alaska Native Child Abuse Prevention and Treatment
4 Act” or “AI/AN CAPTA”.

5 **SEC. 2. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
6 **ON CHILD ABUSE AND NEGLECT IN INDIAN**
7 **TRIBAL COMMUNITIES.**

8 (a) IN GENERAL.—The Comptroller General of the
9 United States (referred to in this section as the “Comp-
10 troller General”) shall conduct a study and issue a report
11 on child abuse and neglect in Indian Tribal communities
12 for the purpose of identifying vital information and mak-
13 ing recommendations to the appropriate congressional
14 committees concerning issues relating to child abuse and
15 neglect in such communities.

16 (b) CONSULTATION WITH INDIAN TRIBES.—In car-
17 rying out this section, the Comptroller General shall con-
18 sult with Indian Tribes from each of the 12 regions of
19 the Bureau of Indian Affairs.

20 (c) DUTIES.—Not later than 2 years after the date
21 of enactment of this Act, the Comptroller General shall
22 submit to the Committee on Health, Education, Labor,
23 and Pensions and the Committee on Indian Affairs of the
24 Senate and the Committee on Education and Labor and
25 the Committee on Natural Resources of the House of Rep-
26 resentatives a report on—

1 (1) the number of Indian Tribes providing pri-
2 mary child abuse and neglect prevention activities;

3 (2) the number of Indian Tribes providing sec-
4 ondary child abuse and neglect prevention activities;

5 (3) promising practices of Indian Tribes with
6 respect to child abuse and neglect prevention that
7 are culturally based or culturally adapted;

8 (4) information and recommendations on how
9 such culturally based or culturally adapted child
10 abuse and neglect prevention activities could become
11 evidence-based;

12 (5) the number of Indian Tribes that have
13 accessed Federal child abuse and neglect prevention
14 programs;

15 (6) child abuse and neglect prevention activities
16 that Indian Tribes provide using State funds;

17 (7) child abuse and neglect prevention activities
18 that Indian Tribes provide using Tribal funds;

19 (8) Tribal access to State children's trust fund
20 resources;

21 (9) how the children's trust fund model could
22 be used to support prevention efforts regarding child
23 abuse and neglect of American Indian and Alaska
24 Native children;

1 (10) Federal agency technical assistance efforts
 2 to address child abuse and neglect prevention and
 3 treatment of American Indian and Alaska Native
 4 children;

5 (11) Federal agency cross-system collaboration
 6 to address child abuse and neglect prevention and
 7 treatment of American Indian and Alaska Native
 8 children;

9 (12) Tribal access to child abuse and neglect
 10 prevention research and demonstration grants under
 11 the Child Abuse Prevention and Treatment Act (42
 12 U.S.C. 5101 et seq.);

13 (13) an examination of Federal child abuse and
 14 neglect data systems to identify what Tribal data is
 15 being submitted and barriers to submitting data;
 16 and

17 (14) an examination of Federal child abuse and
 18 neglect data systems to identify recommendations on
 19 improving the collection of data from Indian Tribes.

20 **SEC. 3. OTHER AMENDMENTS.**

21 (a) GEOGRAPHICAL DISTRIBUTION.—Section 108(b)
 22 of the Child Abuse Prevention and Treatment Act (42
 23 U.S.C. 5106d(b)) is amended by inserting “Indian Tribes,
 24 and Tribal organizations,” after “the States,”.

1 (b) ALLOCATION OF AMOUNTS.—Section 203 of the
2 Child Abuse Prevention and Treatment Act (42 U.S.C.
3 5116b) is amended—

4 (1) by striking “section 210” each place it ap-
5 pears and inserting “section 209”; and

6 (2) in subsection (a)—

7 (A) by striking “The Secretary” and in-
8 serting the following:

9 “(1) IN GENERAL.—Subject to paragraph (2),
10 the Secretary”; and

11 (B) by adding at the end the following:

12 “(2) ALLOTMENT FOR INCREASED APPROPRIA-
13 TION YEARS.—In any fiscal year for which the
14 amount appropriated under section 209 exceeds the
15 amount appropriated under such section for fiscal
16 year 2018 by more than \$1,000,000, the Secretary
17 shall reserve 5 percent of the amount appropriated
18 for the applicable fiscal year to make allotments to
19 Indian Tribes and Tribal organizations.”.

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