

scribed in paragraph (2)(A)(i) was completed.

(C) Guidance issued by the Secretary

The procedures established under subparagraph (A) shall be subject to any regulation or guidance issued by the Secretary that is in accordance with the purpose of this subsection.

(5) Guidance

Not later than 2 years after June 3, 2016, and after consultation with Indian tribes, the Secretary shall issue guidance regarding—

(A) procedures for a criminal records check of any covered individual who—

(i) resides in the home or is employed at the institution in which the foster care placement is made after the date on which the investigation described in paragraph (2)(A)(i) is completed; and

(ii) was not the subject of an investigation described in paragraph (2)(A)(i) before the foster care placement was made;

(B) self-reporting requirements for foster care homes or institutions in which any covered individual described in subparagraph (A) resides if the head of the household or the operator of the institution has knowledge that the covered individual—

(i) has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 671(a)(20)(A) of title 42; or

(ii) is listed on a registry described in clause (II) or (III) of paragraph (2)(B)(i);

(C) promising practices used by Indian tribes to address emergency foster care placement procedures under paragraph (3); and

(D) procedures for certifying compliance with this chapter.

(Pub. L. 101-630, title IV, §408, Nov. 28, 1990, 104 Stat. 4551; Pub. L. 106-568, title VIII, §814, Dec. 27, 2000, 114 Stat. 2918; Pub. L. 114-165, §2, June 3, 2016, 130 Stat. 415.)

Editorial Notes

REFERENCES IN TEXT

The Indian Self-Determination and Education Assistance Act, referred to in subsec. (c), is Pub. L. 93-638, Jan. 4, 1975, 88 Stat. 2203, which is classified principally to chapter 46 (§5301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5301 of this title and Tables.

The Tribally Controlled Schools Act of 1988, referred to in subsec. (c), is part B (§§5201-5212) of title V of Pub. L. 100-297, Apr. 28, 1988, 102 Stat. 385, which is classified generally to chapter 27 (§2501 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2501 of this title and Tables.

This chapter, referred to in subsec. (d)(5)(D), was in the original “this Act” and was translated as reading “this title”, meaning title IV of Pub. L. 101-630, Nov. 28, 1990, 104 Stat. 4544, known as the Indian Child Protection and Family Violence Prevention Act, which is classified principally to this chapter, to reflect the probable intent of Congress. For complete classification of title IV to the Code, see Short Title note set out under section 3201 of this title and Tables.

AMENDMENTS

2016—Subsec. (d). Pub. L. 114-165 added subsec. (d).

2000—Subsec. (b). Pub. L. 106-568 substituted “any felonious offense, or any of two or more misdemeanor offenses,” for “any offense” and “crimes against persons; or offenses committed against children” for “or crimes against persons”.

§ 3208. Indian Child Abuse Treatment Grant Program

(a) Establishment

The Service, in cooperation with the Bureau, shall establish an Indian Child Abuse Treatment Grant Program that provides grants to any Indian tribe or intertribal consortium for the establishment on Indian reservations of treatment programs for Indians who have been victims of child abuse or neglect.

(b) Grant applications

(1) Any Indian tribe or intertribal consortium, on its own or in partnership with an urban Indian organization, may submit to the Service an application for a grant under subsection (a).

(2) Any application submitted under paragraph (1)—

(A) shall be in such form as the Service may prescribe;

(B) shall be submitted to the Service on or before the date designated by the Service; and

(C) shall specify—

(i) the nature of the program proposed by the applicant,

(ii) the data and information on which the program is based,

(iii) the extent to which the program plans to use or incorporate existing services available on the reservation, and

(iv) the specific treatment concepts to be used under the program.

(c) Culturally appropriate treatment

In awarding grants under this section, the Service shall encourage the use of culturally appropriate treatment services and programs that respond to the unique cultural values, customs, and traditions of applicant Indian Tribes.

(d) Grant administration and final report

Each recipient of a grant awarded under subsection (a) shall—

(1) furnish the Service with such information as the Service may require to—

(A) evaluate the program for which the grant is made, and

(B) ensure that the grant funds are expended for the purposes for which the grant was made, and

(2) submit to the Service at the close of the term of the grant a final report which shall include such information as the Service may require.

(e) Report

Not later than 2 years after December 23, 2024, the Service shall submit a report to Congress on the award of grants under this section. The report shall contain—

(1) a description of treatment and services for which grantees have used funds awarded under this section; and

(2) any other information that the Service requires.

(f) Authorization of appropriations

there¹ is hereby authorized to be appropriated to carry out the provisions of this section \$10,000,000 for each of the fiscal years 1992, 1993, 1994, 1995, 1996, and 1997.

(Pub. L. 101-630, title IV, §409, Nov. 28, 1990, 104 Stat. 4551; Pub. L. 104-16, §1, June 21, 1995, 109 Stat. 190; Pub. L. 118-160, §2(2), Dec. 23, 2024, 138 Stat. 2567.)

Editorial Notes**AMENDMENTS**

2024—Subsec. (a). Pub. L. 118-160, §2(2)(A), substituted “The Service, in cooperation with the Bureau” for “The Secretary of Health and Human Services, acting through the Service and in cooperation with the Bureau” and “abuse or neglect” for “sexual abuse”.

Subsec. (b)(1). Pub. L. 118-160, §2(2)(B), (C), inserted “, on its own or in partnership with an urban Indian organization,” after “Any Indian tribe or intertribal consortium” and substituted “Service” for “Secretary of Health and Human Services”.

Subsec. (b)(2)(A). Pub. L. 118-160, §2(2)(B), substituted “Service” for “Secretary of Health and Human Services”.

Subsec. (b)(2)(B). Pub. L. 118-160, §2(2)(D), substituted “the Service” for “such Secretary” in two places.

Subsec. (c). Pub. L. 118-160, §2(2)(E), amended subsec. (c) generally. Prior to amendment, text read as follows: “The maximum amount of any grant awarded under subsection (a) shall not exceed \$500,000.”

Subsec. (d)(1). Pub. L. 118-160, §2(2)(B), (D), substituted “Service” for “Secretary of Health and Human Services” and “as the Service” for “as such Secretary” in introductory provisions.

Subsec. (d)(2). Pub. L. 118-160, §2(2)(D), (F), substituted “to the Service” for “to such Secretary” and “as the Service” for “as the Secretary”.

Subsecs. (e), (f). Pub. L. 118-160, §2(2)(G), (H), added subsec. (e) and redesignated former subsec. (e) as (f).

1995—Subsec. (e). Pub. L. 104-16 substituted “1995, 1996, and 1997” for “and 1995”.

§ 3209. National Indian Child Resource and Family Services Center**(a) Establishment**

Not later than 1 year after December 23, 2024, the Secretary shall establish a National Indian Child Resource and Family Services Center.

(b) Report

Not later than 2 years after December 23, 2024, the Secretary of the Interior, acting through the Bureau of Indian Affairs, shall submit a report to Congress on the status of the National Indian Child Resource and Family Services Center.

(c) Center staffing

The Center established under subsection (a) shall be staffed by a team of personnel with experience and training in prevention, identification, investigation, and treatment of incidents of family violence, child abuse, and child neglect.

(d) Center responsibilities and functions

The Center established under subsection (a) shall—

- (1) provide advice, technical assistance, and consultation to Indian tribes, tribal organizations, inter-tribal consortia, and urban Indian organizations upon request;

- (2) provide training to appropriate personnel of Indian tribes, tribal organizations, urban Indian organizations, the Bureau and the Service on the identification and investigation of cases of family violence, child abuse, and child neglect and, to the extent practicable, coordinate with institutions of higher education, including tribally controlled community colleges, to offer college-level credit to interested trainees;

- (3) develop training and technical assistance materials on the prevention, identification, investigation, and treatment of incidents of family violence, child abuse, and child neglect for distribution to Indian tribes, Tribal organizations, and urban Indian organizations;

- (4) develop recommendations to assist Federal, State, Tribal, and urban Indian personnel to respond to cases of family violence, child abuse, and child neglect; and

- (5) develop model intergovernmental agreements between Tribes and States, and other materials that provide examples of how Federal, State, and Tribal governments can develop effective relationships and provide for maximum cooperation in the furtherance of prevention, investigation, treatment, and prosecution of incidents of family violence and child abuse and child neglect involving Indian children and families.

(e) Team personnel

The team established under this section shall include, but is not limited to, personnel with a background in—

- (1) law enforcement,
- (2) child protective services,
- (3) juvenile counseling and adolescent mental health, and
- (4) domestic violence.

(f) Center advisory board

The Secretary shall establish an advisory board to advise and assist the National Indian Child Resource and Family Services Center in carrying out its activities under this section. The advisory board shall consist of 12 members appointed by the Secretary from Indian Tribes, Tribal organizations, and urban Indian organizations with expertise in child abuse and child neglect. Members shall serve without compensation, but may be reimbursed for travel and other expenses while carrying out the duties of the board. The advisory board shall assist the Center in coordinating programs, identifying training and technical assistance materials, and developing intergovernmental agreements relating to family violence, child abuse, and child neglect.

(g) Application of Indian Self-Determination Act to the Center

The National Indian Child Resource and Family Services Center shall be subject to the provisions of the Indian Self-Determination Act [25 U.S.C. 5321 et seq.]. The Secretary may also contract for the operation of the Center with a nonprofit Indian organization governed by an Indian-controlled board of directors that have substantial experience in child abuse, child neglect, and family violence involving Indian children and families.

¹ So in original. Probably should be capitalized.