

## EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113-183, title II, §221(e), Sept. 29, 2014, 128 Stat. 1943, provided that: “The amendments made by this section [amending this section] shall take effect as if enacted on October 1, 2013.”

## EFFECTIVE DATE

Section effective Oct. 7, 2008, and applicable to payments under this part and part E of this subchapter for quarters beginning on or after such date, with delay permitted if State legislation is required to meet additional requirements, see section 601 of Pub. L. 110-351, set out as an Effective Date of 2008 Amendment note under section 671 of this title.

## § 628. Payments to Indian tribal organizations

## (a) Amounts

The Secretary may, in appropriate cases (as determined by the Secretary) make payments under this subpart directly to an Indian tribal organization within any State which has a plan for child welfare services approved under this subpart. Such payments shall be made in such manner and in such amounts as the Secretary determines to be appropriate.

## (b) Inclusion in State allotment

Amounts paid under subsection (a) shall be deemed to be a part of the allotment (as determined under section 623 of this title) for the State in which such Indian tribal organization is located.

## (c) “Indian tribe” and “tribal organization” defined

For purposes of this section, the terms “Indian tribe” and “tribal organization” shall have the meanings given such terms by subsections (e) and (l) of section 5304 of title 25, respectively.

(Aug. 14, 1935, ch. 531, title IV, §428, as added Pub. L. 96-272, title I, §103(b), June 17, 1980, 94 Stat. 520; amended Pub. L. 103-66, title XIII, §13711(b)(3), Aug. 10, 1993, 107 Stat. 655; Pub. L. 104-193, title III, §375(d), Aug. 22, 1996, 110 Stat. 2257; Pub. L. 109-288, §6(f)(1), Sept. 28, 2006, 120 Stat. 1247; Pub. L. 118-258, title I, §107(a)(1)(A), (C), (3)(A), Jan. 4, 2025, 138 Stat. 2953-2955.)

## AMENDMENT OF SECTION

*Pub. L. 118-258, title I, §§107(a)(1)(A), (C), (3)(A), 117, Jan. 4, 2025, 138 Stat. 2953-2955, 2969, provided that, effective Oct. 1, 2025, and applicable to payments under this part for calendar quarters beginning on or after such date, with delay permitted if either State legislation or tribal action is required to meet additional requirements, this section is amended as follows:*

*(1) by striking subsections (a) and (b) and inserting the following:*

*“(a) Reservation of funds; direct payments*

*“Out of any amount appropriated pursuant to section 625 of this title for a fiscal year, the Secretary shall reserve 3 percent for grants to Indian tribes and tribal organizations, which shall be paid directly to Indian tribes and tribal organizations with a plan approved under this subpart, in accordance with section 629c(a) of this title.”;*

*(2) in subsection (c), by striking “450b” and inserting “5304” (which appears in reference in original act); and*

*(3) by redesignating subsection (c) as subsection (d) and inserting before such subsection the following:*

*(b) Authority to streamline reporting requirements*

*The Secretary shall, in consultation with the affected Indian tribes, modify any reporting requirement imposed by or under this part on an Indian tribe, tribal organization, or tribal consortium if the total of the amounts allotted to the Indian tribe, tribal organization, or tribal consortium under this part for the fiscal year is not more than \$50,000, and in a manner that limits the administrative burden on any tribe to which not more than \$50,000 is allotted under this subpart for the fiscal year.*

*(c) Tribal authority to substitute the Federal negotiated indirect cost rate for administrative costs cap*

*For purposes of sections 622(b)(14) and 624(e) of this title, an Indian tribal organization may elect to have the weighted average of the indirect cost rates in effect under part 220 of title 2, Code of Federal Regulations with respect to the administrative costs of the Indian tribal organization apply in lieu of the percentage specified in each such section.*

*See 2025 Amendment notes below.*

## Editorial Notes

## AMENDMENTS

2025—Subsecs. (a), (b). Pub. L. 118-258, §107(a)(1)(A), (3)(A), added subsections (a) and (b) and struck out former subsections (a) and (b) which read as follows:

“(a) The Secretary may, in appropriate cases (as determined by the Secretary) make payments under this subpart directly to an Indian tribal organization within any State which has a plan for child welfare services approved under this subpart. Such payments shall be made in such manner and in such amounts as the Secretary determines to be appropriate.

“(b) Amounts paid under subsection (a) shall be deemed to be a part of the allotment (as determined under section 623 of this title) for the State in which such Indian tribal organization is located.”

Subsec. (c). Pub. L. 118-258, §107(a)(3)(A), added subsec. (c). Former subsec. (c) redesignated (d).

Pub. L. 118-258, §107(a)(1)(C), made technical amendment to reference in original act which appears in text as reference to section 5304 of title 25.

Subsec. (d). Pub. L. 118-258, §107(a)(3)(A), redesignated subsec. (c) as (d).

2006—Subsec. (b). Pub. L. 109-288 substituted “section 623” for “section 621”.

1996—Subsec. (c). Pub. L. 104-193 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: “For purposes of this section—

“(1) the term ‘tribal organization’ means the recognized governing body of any Indian tribe, or any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body; and

“(2) the term ‘Indian tribe’ means any tribe, band, nation, or other organized group or community of Indians (including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (Public Law 92-203; 85 Stat. 688)) which (A) is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians, or (B) is located on, or in proximity to, a Federal or State reservation or rancheria.”

1993—Subsec. (a). Pub. L. 103-66 substituted “under this subpart” for “under this part” in two places.

## Statutory Notes and Related Subsidiaries

## EFFECTIVE DATE OF 2025 AMENDMENT

Amendment by Pub. L. 118-258 effective Oct. 1, 2025, and applicable to payments under this part for calendar

quarters beginning on or after such date, with delay permitted if either State legislation or tribal action is required to meet additional requirements, see section 117 of Pub. L. 118–258, set out as a note under section 622 of this title.

EFFECTIVE DATE OF 2006 AMENDMENT

Amendment by Pub. L. 109–288 effective Oct. 1, 2006, and applicable to payments under this part and part E of this subchapter for calendar quarters beginning on or after such date, without regard to whether implementing regulations have been promulgated, and with delay permitted if State legislation is required to meet additional requirements, see section 12(a), (b) of Pub. L. 109–288, set out as a note under section 621 of this title.

EFFECTIVE DATE OF 1996 AMENDMENT

For effective date of amendment by Pub. L. 104–193, see section 395(a)–(c) of Pub. L. 104–193, set out as a note under section 654 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–66 effective with respect to calendar quarters beginning on or after Oct. 1, 1993, see section 13711(c) of Pub. L. 103–66, set out as a note under section 622 of this title.

**§ 628a. Transferred**

**Editorial Notes**

CODIFICATION

Section, act Aug. 14, 1935, ch. 531, title IV, § 429, as added Pub. L. 103–432, title II, § 205(a), Oct. 31, 1994, 108 Stat. 4456, which related to child welfare traineeships, was redesignated section 426(c) of act Aug. 14, 1935, by Pub. L. 109–288, § 6(f)(2), Sept. 28, 2006, 120 Stat. 1247, and is classified to section 626(c) of this title.

**§ 628b. National random sample study of child welfare**

**(a) In general**

The Secretary shall conduct (directly, or by grant, contract, or interagency agreement) a national study based on random samples of children who are at risk of child abuse or neglect, or are determined by States to have been abused or neglected.

**(b) Requirements**

The study required by subsection (a) shall—

- (1) have a longitudinal component; and
- (2) yield data reliable at the State level for as many States as the Secretary determines is feasible.

**(c) Preferred contents**

In conducting the study required by subsection (a), the Secretary should—

- (1) carefully consider selecting the sample from cases of confirmed abuse or neglect; and
- (2) follow each case for several years while obtaining information on, among other things—
  - (A) the type of abuse or neglect involved;
  - (B) the frequency of contact with State or local agencies;
  - (C) whether the child involved has been separated from the family, and, if so, under what circumstances;
  - (D) the number, type, and characteristics of out-of-home placements of the child; and
  - (E) the average duration of each placement.

**(d) Reports**

**(1) In general**

From time to time, the Secretary shall prepare reports summarizing the results of the study required by subsection (a).

**(2) Availability**

The Secretary shall make available to the public any report prepared under paragraph (1), in writing or in the form of an electronic data tape.

**(3) Authority to charge fee**

The Secretary may charge and collect a fee for the furnishing of reports under paragraph (2).

**(e) Appropriation**

Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary for each of fiscal years 1996 through 2002 \$6,000,000 to carry out this section.

(Aug. 14, 1935, ch. 531, title IV, § 429, formerly § 429A, as added Pub. L. 104–193, title V, § 503, Aug. 22, 1996, 110 Stat. 2277; amended Pub. L. 105–33, title V, §§ 5591(a), 5592(a)(1)(C), Aug. 5, 1997, 111 Stat. 643, 644; renumbered § 429, Pub. L. 109–288, § 6(f)(3), Sept. 28, 2006, 120 Stat. 1247.)

**Editorial Notes**

PRIOR PROVISIONS

A prior section 429 of act Aug. 14, 1935, was renumbered section 426(c) and is classified to section 626(c) of this title.

AMENDMENTS

1997—Pub. L. 105–33, § 5592(a)(1)(C), transferred section in original to end of this subpart.

Subsec. (a). Pub. L. 105–33, § 5591(a), inserted “(directly, or by grant, contract, or interagency agreement)” after “conduct”.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE OF 1997 AMENDMENT

Amendment by Pub. L. 105–33 effective as if included in the enactment of title V of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. 104–193, see section 5593 of Pub. L. 105–33, set out as a note under section 622 of this title.

**§ 628c. Grants to States to enhance collaboration between State child welfare and juvenile justice systems**

**(a) Purpose**

The purpose of this section is to authorize the Secretary, in collaboration with the Attorney General and the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice—

- (1) to make grants to State child welfare and juvenile justice agencies and child- and youth-serving agencies to collaborate in the collection of data relating to dual status youth; and
- (2) to develop practices, policies, and protocols—
  - (A) to confront the challenges presented and experienced by dual status youth; and
  - (B) for the development of interoperable data systems.