

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.

(b) Authority to award grants**(1) In general**

Subject to the availability of appropriations, from amounts reserved under section 623(a)(2) of this title for a fiscal year, the Secretary shall award competitive grants jointly to a State child welfare agency and a State juvenile justice agency to facilitate or enhance collaboration between the child welfare and juvenile justice systems of the State in order to carry out programs to address the needs of dual status youth and their families.

(2) Length of grants**(A) In general**

Subject to subparagraph (B), a grant shall be awarded under this section for a period of not less than 2 fiscal years and not more than 5 fiscal years.

(B) Extension of grant

Upon the application of the grantee, the Secretary may extend the period for which a grant is awarded under this section for not more than 2 fiscal years.

(c) Additional requirements**(1) Application**

In order for a State to be eligible for a grant under this section, the State shall submit an application, subject to the approval of the Secretary, that includes—

(A) a description of the proposed leadership collaboration group (including the membership of such group), and how such group will manage and oversee a review and analysis of current practices while working to jointly address enhanced practices to improve outcomes for dual status youth;

(B) a description of how the State proposes—

- (i) to identify dual status youth;
- (ii) to identify individuals who are at risk of becoming dual status youth;
- (iii) to identify common characteristics shared by dual status youth in the State; and
- (iv) to determine the prevalence of dual status youth in the State;

(C) a description of current and proposed practices and procedures that the State intends to use—

- (i) to screen and assess dual status youth for risks and treatment needs;
- (ii) to provide targeted and evidence-based services, including educational, behavioral health, and pro-social treatment interventions for dual status youth and their families; and
- (iii) to provide for a lawful process to enhance or ensure the abilities of the State and any relevant agencies to share information and data about dual status youth, while maintaining confidentiality and privacy protections under Federal and State law; and

(D) a certification that the State has involved local governments, as appropriate, in the development, expansion, modification, operation, or improvement of proposed pol-

icy and practice reforms to address the needs of dual status youth.

(2) No supplantation of other funds

Any amounts paid to a State under a grant under this section shall be used to supplement and not supplant other State expenditures on dual status youths or children involved with either the child welfare or juvenile justice systems.

(3) Evaluation

Up to 10 percent of the amount made available to carry out this section for a fiscal year shall be made available to the Secretary to evaluate the effectiveness of the projects funded under this section, using a methodology that—

(A) includes random assignment whenever feasible, or other research methods that allow for the strongest possible causal inferences when random assignment is not feasible; and

(B) generates evidence on the impact of specific projects, or groups of projects with identical (or similar) practices and procedures.

(4) Report

A State child welfare agency and a State juvenile justice agency receiving a grant under this section shall jointly submit to the Secretary, the Attorney General, and the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice, a report on the evaluation of the activities carried out under the grant at the end of each fiscal year during the period of the grant. Such report shall include—

(A) a description of the scope and nature of the dual status youth population in the State, including the number of dual status youth;

(B) a description of the evidence-based practices and procedures used by the agencies to carry out the activities described in clauses (i) through (iii) of paragraph (1)(C); and

(C) an analysis of the effects of such practices and procedures, including information regarding—

(i) the collection of data related to individual dual status youths;

(ii) aggregate data related to the dual status youth population, including—

(I) characteristics of dual status youths in the State;

(II) case processing timelines; and

(III) information related to case management, the provision of targeted services, and placements within the foster care or juvenile justice system; and

(iii) the extent to which such practices and procedures have contributed to—

(I) improved educational outcomes for dual status youths;

(II) fewer delinquency referrals for dual status youths;

(III) shorter stays in intensive restrictive placements for dual status youths;

or

(IV) such other outcomes for dual status youths as the State child welfare

agency and State juvenile justice agency may identify.

(d) Training and technical assistance

The Secretary may support State child welfare agencies and State juvenile justice agencies by offering a program, developed in consultation with organizations and agencies with subject matter expertise, of training and technical assistance to assist such agencies in developing programs and protocols that draw on best practices for serving dual status youth in order to facilitate or enhance—

- (1) collaboration between State child welfare agencies and State juvenile justice agencies; and
- (2) the effectiveness of such agencies with respect to working with Federal agencies and child welfare and juvenile justice agencies from other States.

(e) Report

Not later than 3 years after January 5, 2023, and every 3 years thereafter, the Secretary, the Attorney General, and the Administrator of the Office of Juvenile Justice and Delinquency Prevention of the Department of Justice shall jointly submit to the Committee on Finance and the Committee on the Judiciary of the Senate and the Committee on Ways and Means and the Committee on Education and Labor of the House of Representatives, a report on the grants provided under this section.

(f) Definitions

In this section:

(1) Dual status youth

The term “dual status youth” means a child who has come into contact with both the child welfare and juvenile justice systems and occupies various statuses in terms of the individual’s relationship to such systems.

(2) Leadership collaboration group

The term “leadership collaboration group” means a group composed of senior officials from the State child welfare agency, the State juvenile justice agency, and other relevant youth and family-serving public agencies and private organizations, including, to the extent practicable, representatives from the State judiciary branch.

(3) State juvenile justice agency

The term “State juvenile justice agency” means the agency of the State or Indian tribe responsible for administering grant funds awarded under the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.).

(4) State child welfare agency

The term “State child welfare agency” means the State agency responsible for administering the program under this subpart, or, in the case of a tribal organization that is receiving payments under section 628 of this title, the tribal agency responsible for administering such program.

(Aug. 14, 1935, ch. 531, title IV, §429A, as added Pub. L. 117-348, title I, §101(a), Jan. 5, 2023, 136 Stat. 6212.)

Editorial Notes

REFERENCES IN TEXT

The Juvenile Justice and Delinquency Prevention Act of 1974, referred to in subsec. (f)(3), is Pub. L. 93-415, Sept. 7, 1974, 88 Stat. 1109, which is classified principally to chapter 111 (§11101 et seq.) of Title 34, Crime Control and Law Enforcement. For complete classification of this Act to the Code, see section 1 of Pub. L. 93-415, set out as a Short Title of 1974 Act under section 10101 of Title 34, and Tables.

PRIOR PROVISIONS

A prior section 429A of act Aug. 14, 1935, was renumbered section 429 and is classified to section 628b of this title.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

§ 628d. Effective implementation of the Indian Child Welfare Act of 1978

(a) In general

Not later than October 1, 2025, the Secretary, in consultation with Indian tribal organizations and States, shall develop a plan and provide technical assistance supporting effective implementation of the Indian Child Welfare Act of 1978 [25 U.S.C. 1901 et seq.], including specific measures identified in State plans as required by section 622(b)(9) of this title. The technical assistance plan shall be based on data sufficient to assess State strengths and areas for improvement in implementing Federal standards established under the Indian Child Welfare Act of 1978, including, at a minimum, the following:

(1) Timely identification of Indian children and extended family members.

(2) Timely tribal notice of State child custody proceedings involving an Indian child.

(3) Reports of cases in which a transfer of jurisdiction (as defined under the Indian Child Welfare Act of 1978) was granted or was not granted, and reasons specified for denial in cases where transfer was denied.

(4) In cases in which a State court orders a foster care placement of an Indian child, whether requirements for active efforts to prevent the breakup of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.

(5) Whether an Indian child was placed in a placement that is required to be preferred under the Indian Child Welfare Act of 1978, and if not, the reasons specified.

(6) In cases in which a State court orders the termination of parental rights to an Indian child, whether requirements for active efforts to prevent the breakup of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.

(b) Interagency coordination

On request of the Secretary, the Secretary of the Interior shall provide the Secretary with such guidance and assistance as may be necessary to facilitate informing States and public