

117TH CONGRESS
1ST SESSION

S. 1868

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, to increase amounts reserved for allotment to Indian Tribes and Tribal organizations under certain circumstances, and to reserve amounts for migrant programs 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 26, 2021

Ms. WARREN (for herself, Ms. MURKOWSKI, Ms. ROSEN, Mr. MERKLEY, Mr. LUJÁN, Mr. KELLY, 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, to increase amounts reserved for allotment to Indian Tribes and Tribal organizations under certain circumstances, and to reserve amounts for migrant programs 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Indian and
 5 Alaska Native Child Abuse Prevention and Treatment
 6 Act”, the “AI/AN Child Abuse Prevention and Treatment
 7 Act”, or “AI/AN CAPTA”.

8 **SEC. 2. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**

9 **ON CHILD ABUSE AND NEGLECT IN INDIAN**

10 **TRIBAL COMMUNITIES.**

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

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

23 (c) DUTIES.—Not later than 2 years after the date
 24 of enactment of this Act, the Comptroller General shall
 25 submit to the Committee on Health, Education, Labor,

1 and Pensions and the Committee on Indian Affairs of the
2 Senate and the Committee on Education and Labor and
3 the Committee on Natural Resources of the House of Rep-
4 resentatives a report on—

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

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

9 (3) promising practices of Indian Tribes with
10 respect to child abuse and neglect prevention that
11 are culturally-based or culturally-adapted;

12 (4) information and recommendations on how
13 such culturally-based or culturally-adapted child
14 abuse and neglect prevention activities could become
15 evidence-based;

16 (5) the number of Indian Tribes that have
17 accessed Federal child abuse and neglect prevention
18 programs;

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

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

23 (8) Tribal access to State children's trust fund
24 resources;

1 (9) how the children’s trust fund model could
2 be used to support prevention efforts regarding child
3 abuse and neglect of American Indian and Alaska
4 Native children;

5 (10) Federal agency technical assistance efforts
6 to address child abuse and neglect prevention and
7 treatment of American Indian and Alaska Native
8 children;

9 (11) Federal agency cross-system collaboration
10 to address child abuse and neglect prevention and
11 treatment of American Indian and Alaska Native
12 children;

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

17 (13) an examination of Federal child abuse and
18 neglect data systems to identify what Tribal data is
19 being submitted and barriers to submitting data;
20 and

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

1 **SEC. 3. OTHER AMENDMENTS.**

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

6 (b) ALLOCATION OF AMOUNTS.—Section 203 of the
7 Child Abuse Prevention and Treatment Act (42 U.S.C.
8 5116b) is amended—

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

11 (2) in subsection (a)—

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

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

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

17 “(2) ALLOTMENT FOR INCREASED APPROPRIA-
18 TION YEARS.—In any fiscal year for which the
19 amount appropriated under section 209 exceeds the
20 amount appropriated under such section for fiscal
21 year 2020 by more than \$1,000,000, the Secretary
22 shall reserve—

23 “(A) 5 percent of the amount appropriated
24 for the applicable fiscal year to make allotments
25 to Indian Tribes and Tribal organizations; and

1 “(B) 1 percent of the amount appropriated
2 for the applicable fiscal year to make allotments
3 to migrant programs.”.

