

118TH CONGRESS
2D SESSION

S. 4471

To amend part B of title IV of the Social Security Act to support State implementation of Federal standards established under the Indian Child Welfare Act of 1978.

IN THE SENATE OF THE UNITED STATES

JUNE 5, 2024

Ms. BALDWIN introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend part B of title IV of the Social Security Act to support State implementation of Federal standards established under the Indian Child Welfare Act of 1978.

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 “Strengthening Tribal
5 Families Act of 2024”.

1 **SEC. 2. EFFECTIVE IMPLEMENTATION OF THE INDIAN**
2 **CHILD WELFARE ACT OF 1978.**

3 Subpart 1 of part B of title IV of the Social Security
4 Act (42 U.S.C. 621 et seq.) is amended by adding at the
5 end the following:

6 **“SEC. 429B. EFFECTIVE IMPLEMENTATION OF THE INDIAN**
7 **CHILD WELFARE ACT OF 1978.**

8 “(a) IN GENERAL.—Not later than January 1, 2025,
9 the Secretary, in consultation with Indian tribal organiza-
10 tions and States, shall develop a plan and provide tech-
11 nical assistance supporting effective implementation of the
12 Indian Child Welfare Act of 1978, including specific meas-
13 ures identified in State plans as required by section
14 422(b)(9) of this Act. The technical assistance plan shall
15 be based upon data sufficient to assess State strengths
16 and areas for improvement in implementing Federal
17 standards established under the Indian Child Welfare Act
18 of 1978, including, at a minimum, the following:

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

21 “(2) Timely tribal notice of State child custody
22 proceedings.

23 “(3) Reports of cases in which a transfer of ju-
24 risdiction (as defined under the Indian Child Wel-
25 fare Act of 1978) was granted or was not granted,

1 and reasons specified for denial in cases where
2 transfer was denied.

3 “(4) In cases in which a State court orders a
4 foster care placement, whether requirements for ac-
5 tive efforts to prevent the breakup of the Indian
6 family, testimony of a qualified expert witness, and
7 evidentiary standards were met.

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

12 “(6) In cases in which a State court orders the
13 termination of parental rights, whether requirements
14 for active efforts to prevent the breakup of the In-
15 dian family, testimony of a qualified expert witness,
16 and evidentiary standards were met.

17 “(b) INTERAGENCY COORDINATION.—On request of
18 the Secretary, the Secretary of the Interior shall provide
19 the Secretary with such guidance and assistance as may
20 be necessary to facilitate informing States and public child
21 welfare agencies on how to comply with the Indian Child
22 Welfare Act of 1978, including specific measures identi-
23 fied in State plans as required by section 422(b)(9) of this
24 Act.

1 “(c) BIENNIAL REPORTS TO CONGRESS.—The Sec-
2 retary shall biennially submit to the Committee on Ways
3 and Means of the House of Representatives and the Com-
4 mittee on Finance of the Senate a written report on how—

5 “(1) the States are complying with the Indian
6 Child Welfare Act of 1978, as required by section
7 422(b)(9) of this Act; and

8 “(2) the Secretary is assisting States and In-
9 dian Tribes to improve implementation of Federal
10 standards established under the Indian Child Wel-
11 fare Act of 1978.”.

○