



ADMINISTRATION FOR
CHILDREN & FAMILIES

Office of the Assistant Secretary | 330 C Street, S.W., Suite 4034
Washington, D.C. 20201 | www.acf.hhs.gov

July 25, 2025

Dear Tribal Leader:

The Administration on Children, Youth and Families (ACYF) and the Children's Bureau (CB) within the Administration for Children and Families (ACF) recognize the central role that Tribal Nations play in the care and protection of children and families. To advance our collaborative efforts to that end, we extend an invitation to participate in formal tribal consultation on the ["Supporting America's Children and Families Act,"](#) (Public Law 118-258), which reauthorized Title IV-B of the Social Security Act (Act).

Consultation will focus on the changes to title IV-B of the Act, listed in detail in attached documents, and how they may impact Tribes. In summary, the focus areas are the Indian Child Welfare Act, title IV-B funding for child welfare agencies, the Court Improvement Program and remote hearings, and the Prevention Services Clearinghouse.

We are soliciting your input as we value your perspectives and experiences, which are crucial as we work together to implement the Act. The consultation is intended to create meaningful opportunity for dialogue that enhances the effectiveness of child welfare services for Tribal Nations and the people they serve.

We look forward to hearing from you at one or more of the following sessions:

CONSULTATION #1 - MINNESOTA

Date: August 25, 2025

Type: In-person and Virtual (Hybrid) Tribal Consultation

Time: 1 – 4 PM Central Time

In-Person Location: Grand Casino Mille Lacs
777 Grand Avenue
Onamia, MN 56359

RSVP for In-Person Participation: [Tribal Consultation In-Person RSVP](#)

Zoom Registration for Virtual Participation: [Zoom Link Registration](#)

CONSULTATION #2 – SOUTH DAKOTA

Date: October 10, 2025

Type: In-person

Time: 1- 3 PM Mountain Time

In-Person Location: DoubleTree by Hilton Rapid City Downtown Convention Center
505 N. 5th Street
Rapid City, SD 57701

RSVP for In-Person Participation: [Tribal Consultation In-Person RSVP](#)

CONSULTATION #3 – ALASKA

Date: October 14, 2025

Type: In-person

Time: 1:30 - 5 PM Alaska Daylight Time

In-Person Location: Hilton Anchorage
500 West Third Avenue
Anchorage, Alaska 99501

RSVP for In-Person Participation: [Tribal Consultation In-Person RSVP](#)

CONSULTATION #4 - WASHINGTON

Date: November 18, 2025

Type: In-person and Virtual (Hybrid)

Time: 10 AM – 3 PM Pacific Time

In-Person Location: University of Washington School of Social Work -3rd floor Conference Room
4101 15th Ave NE
Seattle, WA 98105

RSVP for In-Person Participation: [Tribal Consultation In-Person RSVP](#)

Zoom Registration for Virtual Participation: [Zoom Link Registration](#)

CONSULTATION #5 – WASHINGTON DC

Date: December 2, 2025

Type: In-person

Time: 2 PM – 5 PM Eastern Time

In-Person Location: Mary E Switzer Building
330 C Street
Washington DC 20201

RSVP for In-Person Participation by November 25, 2025: [Tribal Consultation In-Person RSVP](#)

****This is a Federal Building - Please be prepared to present valid ID to meet security requirements for building entrance.**

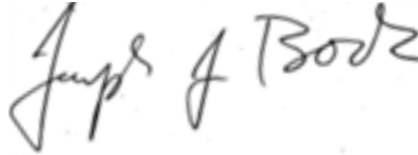
Written comments may also be submitted to TribalConsultationACYF@acf.hhs.gov by January 9, 2026. Please include the following in the subject line: Title IV-B Implementation Tribal Consultation. A consultation report will be made available within ninety (90) of the final consultation session.

In addition to these formal consultations, and in response to requirements in the Act, ACF is also issuing a [Federal Register Notice](#) to solicit additional input from the public.

To facilitate preparation for the consultation, please find attached a Children's Bureau Information Memo of June 18, 2025, Summary of Provisions, Framing Questions, and a Side-by-Side legislative language comparison.

If you have questions about the consultations, please contact Laurel Iron Cloud at ACYF, Laurel.IronCloud@acf.hhs.gov .

Sincerely,

A handwritten signature in black ink that reads "Joseph J. Bock". The signature is written in a cursive, slightly slanted style.

Joseph Bock
Acting Commissioner
Administration on Children, Youth and Families

Enclosures: Information Memo, Summary of Provisions, Framing Questions, Side-by-Side Comparison

ATTACHMENT A

<h1>ACF</h1> <p>Administration for Children and Families</p>	U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES Administration on Children, Youth and Families	
	1. Log No: ACF-ACYF-CB-IM-25-04	2. Issuance Date: June 18, 2025
	3. Originating Office: Children's Bureau	
	4. Key Words: Title IV-B; Reauthorization; Supporting America's Children and Families Act	

INFORMATION MEMORANDUM

TO: State, Tribal, and Territorial Agencies Administering or Supervising the Administration of Title IV-B of the Social Security Act.

SUBJECT: NEW Law – Public Law (Pub. L.) 118-258, The Supporting America's Children and Families Act

RELATED REFERENCES: Title IV-B of the Social Security Act (the Act) as amended by Public Law 118-258, enacted January 4, 2025.

PURPOSE: To inform states and Tribes of enactment of the *Supporting America's Children and Families Act* and provide information on the new law.

BACKGROUND: The Supporting America's Children and Families Act, [Pub. L. 118-258](#), was signed into law on January 4, 2025. This law reauthorizes and amends title IV-B programs. The major changes are described below (please refer to attachment A for the complete amendments).

EFFECTIVE DATES: The amendments made by the Supporting America's Children and Families Act take effect on October 1, 2025, and apply to title IV-B payments for calendar quarters beginning on or after such date.

For States: A delay is permitted if the Department of Health and Human Services (HHS) determines that legislation (other than legislation appropriating funds) is required for a state to meet the additional title IV-B plan requirements imposed by this legislation. The delay is defined as the first day of the first calendar quarter beginning after the first regular session of the state legislature that begins after the date of the enactment (sec. 117 of Pub. L. 118-258).

For Indian tribes, tribal organizations, or tribal consortiums: If a Tribe requires time to take action to comply with the additional requirements imposed by this legislation, HHS will provide the Tribe with such additional time as determined necessary.

INFORMATION:

Reauthorization:

- Reauthorizes appropriations for title IV-B, subpart 1 through FY 2029 at the current authorization level of \$325,000,000 per fiscal year (FY) (sec. 425 of the Act).
- Reauthorizes mandatory and discretionary appropriations for title IV-B, subpart 2 through FY 2029. ○ *Mandatory Appropriation:* Maintains the current mandatory appropriation of \$345,000,000 for FY 2025 and increases the mandatory appropriation for FYs 2026-2029 to \$420,000,00 (sec. 436(a) of the Act). ○ *Discretionary Appropriation:* Reauthorizes the discretionary appropriation at the current level of \$200,000,000 for FYs 2025-2029 (sec. 437(a) of the Act).

Summary of Provisions Relating to State and Tribal Title IV-B Formula Grants:

Title IV-B, subpart 1 Stephanie Tubbs Jones Child Welfare Services Program:

- ***Amendments to Title IV-B, Subpart 1 Plan Requirements:***
 - ***Plan Administration:*** Provides that a “state agency” will administer/supervise the administration of the title IV-B, subpart 1 plan, removing the requirement that the agency that administers the Social Services Block Grant (SSBG) under title XX of the Act must also administer the title IV-B, subpart 1 plan (sec. 422(b)(1) of the Act).
 - ***Legal Representation:*** Requires agencies to describe the steps they will take to ensure that information about available independent legal representation in specified child welfare proceedings are provided to the child, as appropriate, and the child’s parent, legal guardian or individual who has legal custody (sec. 422(b)(4)(C) of the Act). ○ ***The Indian Child Welfare Act of 1978 (ICWA):*** Expands the current state plan requirement directing agencies to consult with Tribes and describe specific measures taken to comply with ICWA to now also describe how the state will ensure timely notice to Tribes of state custody proceedings and placements involving Indian children and case recordkeeping related to transfers of jurisdiction, termination of parental rights, and active efforts (sec. 422(b)(9) of the Act).
 - ***Health Care Oversight and Coordination Plan:*** Requires agencies to modify their title IV-B Health Care Oversight and Coordination plan to include consultation with mental health agencies and providers in the development of the plan, describe the steps taken to ensure continuity of mental as well as physical health services, and expand the description of oversight of prescription medications to include informed consent of youth, and compliance with professional practice guidelines (sec. 422(b)(15)(A) of the Act). ○ ***Monthly Caseworker Visits:*** Requires agencies to describe how they may offer virtual monthly caseworker visits to youth in foster care aged 18 and older who have consented to receiving virtual visits (sec. 422(b)(17) of the Act).
- ***Elimination of Financial Penalties Relating to Caseworker Visit Performance Standards:*** Eliminates the reduction in Federal Financial Participation for states not meeting targets for monthly caseworker visits with children in foster care (sec. 424(f) of the Act).
- ***Tribal Funding and Flexibilities:***
 - Revises direct payments to Tribes to require that HHS reserve 3 percent from the title IVB, subpart 1 appropriation prior to allotting funds to states (sec. 423(a)(1) and 428(a) of the Act). Previously, title IV-B, subpart 1 had no specific set aside for tribal awards; instead, allotments have been deducted from amounts otherwise allotted to the state(s) in which the Tribe is located. Tribal allotments from the new set aside will be based on the Tribe’s population of children under age 21 (sec. 433(a) of the Act).

- Allows HHS to modify any title IV-B reporting requirement for Tribes whose allotment under title IV-B, subpart 1 is less than \$50,000 (sec. 428(b) of the Act).
- Allows Tribes to substitute a weighted average of federally negotiated indirect cost rates for administrative cost caps required in sec. 422(b)(14) and 424(e) of the Act (sec. 428(c) of the Act).

Title IV-B, subpart 2 MaryLee Allen Promoting Safe and Stable Families Program (PSSF):

• ***Definitions:***

- Expands and modifies definitions of “family preservation services,” “family support services,” and “family reunification services” and clarifies that kinship care families are eligible for services (sec. 431(a)(1)-(2) and (7) of the Act). Includes mentoring as a “family preservation service” (sec. 431(a)(1)(G) and (12) of the Act).
- Adds a definition for “family resource center” to mean a community or school-based hub of support services for families that builds communities of peer support for families, among other things (sec. 431(a)(10) of the Act).
- Adds a definition of “youth” to mean an individual who has not attained 26 years of age (sec. 431(a)(11) of the Act).

• ***Amendments to Title IV-B, Subpart 2 PSSF Plan Requirements:***

- ***Policies Relating to Poverty and Neglect:*** Requires agencies to provide a description of policies, including training for employees, to address child welfare reports and investigations of neglect concerning living arrangements and subsistence needs to prevent the separation of a child from a parent solely due to poverty, to ensure access to support services for immediate needs (sec. 432(a)(11) of the Act).
- ***Involving Youth and Families with Lived Experience:*** Requires agencies to consult with youth and families with lived experience in child welfare systems, in addition to the nonprofit and community-based organizations currently required, and to make a report publicly available on how the agency has implemented the youth’s suggestions (sec. 432(b)(1) of the Act).

• ***Tribal PSSF Funding and Set-aside:*** No changes are made to the tribal funding formula for FY 2025. Beginning in FY 2026:

- The 3 percent set-aside for Tribes is applied to the full mandatory appropriation before applying set-asides for the Regional Partnership Grants and Monthly Caseworker Visit grants (sec. 436(b)(2) of the Act).
- The 3 percent set-aside of the discretionary appropriation for Tribes remains unchanged (sec. 437(b)(3) of the Act).
- A Tribe may receive PSSF funds if it qualifies for an allotment of at least \$10,000 based on mandatory and discretionary funds combined (sec. 432(b)(2)(B) of the Act).

• ***Monthly Caseworker Visit Grants:***

- ***Purpose:*** Beginning in FY 2026, funds must be used to improve the quality of monthly caseworker visits with an emphasis on reducing caseload ratios and administrative burden, improving caseworker safety, technology solutions, mental health resources for caseworkers, and recruitment campaigns to attract qualified caseworker candidates (sec. 436(b)(3) of the Act).

- **Funding:** Retains the reservation of \$20,000,000 from the mandatory appropriation for states and territories in FY 2025. In FY 2026 and each year thereafter, increases the reservation to \$26,000,000 and modifies the allotment formula by establishing a new base amount of \$100,000 (sec. 436(b)(3) of the Act).
- **Court Improvement Program:**
 - **Purpose:** Expands the program purposes to include support for assessing and implementing strategies around continuity of services including using technology to allow remote court proceedings (sec. 438(a)(1)(F), (2)(C), and (3) of the Act).
 - **Funding:** Retains the current 3.3 percent set-aside from the discretionary appropriation for FYs 2025-2029 (sec. 437(b)(2) of the Act). Retains reservation of \$30,000,000 from the mandatory appropriation for the Court Improvement Program in FY 2025. In FY 2026 and each year thereafter increases the reservation to \$40,000,000 (sec. 436(b)(1) of the Act). Increases annual funding for Tribal Court Improvement grants to \$2,000,000 from \$1,000,000 for FYs 2026-2029 (sec. 438(c)(3) of the Act).

Title IV-B, Subpart 3: Common Provisions

- **Reduction of Administrative Burden:** Requires that HHS reduce administrative burden on the title IV-B program to eliminate duplication and streamline reporting requirements to reduce the number of hours required for compliance by at least 15 percent. Within 2 years of enactment, HHS must notify grantees of any changes made and within 3 years must submit a report to Congress on efforts to comply (sec. 441 of the Act).
- **Public Access to State Plans:** Requires HHS to create a standardized title IV-B plan format, make plans available on a public website, produce comparisons and analyses of trends, and include aggregated national summaries of state submissions (sec. 442 of the Act).

Summary of Provisions Relating to Title IV-B, Subparts 1 and 2 Competitive Discretionary Grants

- **Grants Supporting Collaboration Between State Child Welfare and Juvenile Justice Systems:** Establishes a \$10,000,000 cap on grants authorized in sec. 429A to enhance collaboration between state child welfare and juvenile justice systems (sec. 423(a)(2)(A) of the Act). Continues current requirement that grants must be funded in any year in which the total appropriation for title IV-B, subpart 1 exceeds \$270,000,000.
- **Kinship Navigators:** Renames sec. 427 of the Act to *Kinship Navigators* (previously *Family Connection Grants*) and prescribes revised requirements for purposes and applications (sec. 427 of the Act). Beginning in FY 2026 and through 2029, grants are funded at \$10,000,000 annually from a set-aside in the title IV-B, subpart 2 discretionary appropriation (sec. 437(b)(6) of the Act).
- **Regional Partnership Grants (RPG):**
 - Reauthorizes appropriations through FY 2029 (sec. 437(a) of the Act).
 - Makes the following revisions: Broadens the purposes of the program to expand the scope of evidence-based services that may be approved by the Title IV-E Prevention Services Clearinghouse in sec. 476(d) of the Act; adds to the list of entities that may be partners; sufficient planning requirements; considerations in awarding grants; and the performance indicators (sec. 437(f)(1), (2), (3)(B), (6), and (8) of the Act).

- Maintains the set-aside from the title IV-B, subpart 2 mandatory appropriation of \$20,000,000 in FY 2025 and increases to \$30,000,000 for FY 2026 and each year thereafter (sec. 436(b)(4) of the Act).
- Reserves at least \$1,000,000 from the 3.3 percent set-aside in the discretionary appropriation for title IV-B, subpart 2 to support local RPG site evaluations with the goal of publishing and submitting evaluation findings to the Title IV-E Prevention Services Clearinghouse or to award grants to allow current/former RPG grantees to analyze, publish, and submit clearinghouse data collected during past grants (sec. 435(c)(1) and 437(b)(1) of the Act).
- ***Prevention Services Evaluation Partnership Grants:*** Beginning in FY 2026 and through 2029, sets aside \$5,000,000 from the title IV-B, subpart 2 discretionary appropriation for competitive grants to support the timely evaluation of Title IV-E Prevention Services in sec. 471(e) of the Act or Kinship Navigator Programs in sec. 474(a)(7) of the Act (sec. 435(f) of the Act). Provides requirements for eligible entities, grant applications, priorities, external evaluations, grantee reports, and requires HHS to report to Congress annually on the grants (sec. 435(f) and 437(b)(5) of the Act).
- ***Grants to Support Meaningful Relationships Between Foster Children and Incarcerated Parents of Children in Foster Care:*** Authorizes \$35,000,000 for each FY 2026-2029 for demonstration grants to eligible state partnerships to develop and implement support programs enabling and sustaining relationships between foster children and their incarcerated parents (sec. 439 of the Act). Prescribes requirements for eligible partnerships, program planning, grant application, program activities, technical assistance, evaluations, and reports to Congress. Allows HHS to modify grant requirements for Tribes if HHS determines it is appropriate to the needs, culture, and circumstances of the Tribe (sec. 429(g) of the Act).

Additional HHS Requirements:

- ***Effective Implementation of ICWA:*** Creates new sec. 429B of the Act on improving state compliance with ICWA.
 - Requires HHS, in consultation with Tribes and states, to develop a plan no later than October 1, 2025, to provide technical assistance to support the effective implementation of ICWA. The technical assistance plan must be based on data sufficient to assess state strengths and areas for improvement in implementing Federal standards established under ICWA (sec. 429B(a) of the Act).
 - Requires the Department of Interior, at the request of HHS, to provide guidance and assistance necessary to facilitate compliance with ICWA (sec. 429B(b) of the Act).
 - Requires HHS to report to Congress biennially on state compliance with ICWA and sec. 422(b)(9) of the Act and how HHS is assisting states and Tribes to improve implementation of Federal standards established under ICWA (sec. 429B(c) of the Act).
 - Reserves at least \$1,000,000 from the 3.3 percent set-aside in the discretionary appropriation for title IV-B, subpart 2 to support technical assistance to support the effective implementation of ICWA and the requirements in sec. 422(b)(9) of the Act (sec. 435(c)(2) of the Act).
- ***Guidelines for Court Proceedings:*** Requires HHS to issue best practice guidance every 5 years for technological changes needed for remote court proceedings. Initial guidance is due October 1, 2025. Requires HHS to consult with Tribes on the development of appropriate guidelines

for state court proceedings involving Indian children and state court proceedings that are subject to ICWA (sec. 438(e) of the Act).

- ***Report to Congress on Regional Partnership Grants:*** Requires that HHS include in the report to Congress on Regional Partnership Grants whether any programs funded by the grants were submitted to the Title IV-E Prevention Services Clearinghouse for review and the results (sec. 437(f)(9)(B)(iv) of the Act).
- ***Guidance to States on Improving Data Collection and Reporting for Youth in Residential Treatment Programs:*** Within 2 years of enactment, HHS, in collaboration with several Federal agencies and other policy experts, must issue best practice guidance to state title IVE and IV-B agencies on collecting, sharing, and improving data collection on youth residing in residential treatment facilities and improving oversight of these facilities (sec. 114 of Pub. L. 118-258).
- ***Report on Post Adoption and Subsidized Guardianship Services:*** Within 2 years of enactment, HHS must report to Congress on children who enter foster care after an adoption or legal guardianship. The report must include information on the circumstances of adoption disruptions and dissolutions, services received, and available services and funding in each state (sec. 116 of Pub. L. 118-258).

INQUIRIES: Contact the appropriate Regional email contact listed below.

Region 1: CBRegion1@acf.hhs.gov

Region 2: CBRegion2@acf.hhs.gov

Region 3: CBRegion3@acf.hhs.gov

Region 4: CBRegion4@acf.hhs.gov

Region 5: CBRegion5@acf.hhs.gov

Region 6: CBRegion6@acf.hhs.gov

Region 7: CBRegion7@acf.hhs.gov

Region 8: CBRegion8@acf.hhs.gov

Region 9: CBRegion9@acf.hhs.gov

Region 10: CBRegion10@acf.hhs.gov

/s/

Joseph Bock

Acting Commissioner

Administration on Children, Youth and
Families

Attachments:

A – [Public Law 118-258](#)

Disclaimer: Information Memoranda (IMs) provide information or recommendations to states, Indian tribes, grantees, and others on a variety of child welfare issues. IMs do not establish requirements or supersede existing laws or official guidance.

ATTACHMENT B

Summary of Provisions

The Supporting America’s Children and Families Act (P.L. 118-258), signed into law on January 4, 2025, reauthorizes programs funded under title IV-B of the Social Security Act (the Act). Below is a summary of provisions that impact Indian tribes, Indian tribal organizations and consortia (Tribes).

Provision	Description
Title IV-B, Subpart 1 Plans Sec.422(b)(9)	Amends the requirement for the State to consult with Tribes on State compliance with ICWA to also require States to describe how the State will ensure timely notice to Indian Tribes of State custody proceedings and placements involving Indian children, and case recordkeeping related to transfers of jurisdiction, termination of parental rights, and active efforts.
Allotments Subpart 1, Sec. 423(a)(1)	Amends the requirement that for each fiscal year, the amounts in sec. 428(a) of the Act for Tribes must be allotted before the State allotments.
Kinship Navigators Sec. 427(b)(6)	Adds a new application requirement for Kinship Navigator grants that a State/local/Tribal child welfare agency must document support from a relevant community-based organization with experience serving kinship families or describe how it will coordinate its services with those offered by such organizations.
Payments to Indian Tribal Organizations (ITOs) Sec. 428(a)	For direct payment to Tribes, HHS must reserve 3% from the title IV-B, subpart 1 appropriation and pay directly to Indian Tribes and Tribal organizations that have an approved title IV-B, subpart 1 plan.
Payments to ITOs Sec. 428(b)	Requires HHS to modify any title IV-B, subpart 1 reporting requirement for Tribes whose title IV-B, subpart 1 allotment is \$50,000 or less in a federal fiscal year.
Payments to ITOs Sec. 428(c)	Allows Tribes to substitute a weighted average of federally negotiated indirect cost rates for administrative cost caps in sec. 422(b)(14) and 424(e) of the Act.
Effective Implementation of ICWA Sec. 429B	Requires HHS to consult with States and Tribes to develop a plan and provide technical assistance (TA) for States to support effective implementation of ICWA. The TA plan must include specific measures identified in State plans required by the amendments to sec. 422(b)(9) of the Act, and it must be based on data sufficient to assess State strengths and areas for improvement in implementing ICWA’s requirements, such as timely identification of Indian children and active efforts to prevent the breakup of the Indian family. Requires the Department of Interior to provide HHS with guidance and assistance as necessary.
Title IV-B, Subpart 2 Plans Sec. 432(b)(2)(B)	Revises the requirement that Tribes must qualify for a grant of at least \$10,000 to be able to receive a title IV-B, subpart 2 to consider both the mandatory and discretionary appropriations in the determination.

Evaluation, Research, Technical Assistance Sec. 435(d)(6) and (f)	Requires HHS to provide TA to States and Tribes for grants under sec. 437(f) in coordination with other federal funds to serve families affected by substance use disorder. Beginning in FY 2026 through 2029, authorizes competitive grants to support the timely evaluation of Title IV-E Prevention Services or Kinship Navigator Programs.
Title IV-B, Subpart 2 Appropriations Sec. 436(b)(2)	Beginning in FY 2026 the 3% Tribal set aside is applied to the full mandatory appropriation before set-asides for RPG and caseworker visit grants.
Court Improvement Program Sec. 438(c) and (e)	Increase funding for Tribal court improvement programs from \$1 million to \$2 million for FYs 2026-2029. Requires HHS to issue best practice guidance every 5 years for technological changes needed for remote court proceedings. Also requires HHS to consult with Indian tribes on the development of appropriate guidelines for state court proceedings subject to ICWA.
Reduction of Administrative Burden Sec. 441(a)(4)	Requires HHS to reduce administrative burden on title IV-B program grantees by eliminating duplication and streamlining reporting requirements in a way that respects the sovereignty of Indian tribes.
Effective Date	The amendments take effect on October 1, 2025, and apply to payments under title IV-B for calendar quarters beginning on or after such date. The Secretary must provide Tribes additional time to comply if determined necessary.

ATTACHMENT C

Framing Questions

Questions for Comment

- I. *Technical Assistance Related to ICWA.* As stated above, P.L. 118-258 requires HHS to develop a plan to provide TA to support the effective implementation of ICWA.
 - a. What barriers has your state/Tribe experienced in effectively implementing ICWA, including these specific topics:
 - Timely identification of Indian children and extended family members.
 - Timely notice of state child custody proceedings involving an Indian child to the Tribe(s).
 - Transfer of jurisdiction under ICWA.
 - Active efforts to prevent the breakup of the Indian family and meeting evidentiary standards, including testimony of a qualified expert witness for placements into foster care and terminations of parental rights.
 - Placements of children that meet the placement preferences of ICWA.
 - b. Has your state/Tribe identified a method of receiving TA that worked well in the past? Can your state/Tribe identify a method of receiving TA that did not work?
 - c. What existing state-Tribe partnerships or processes are helpful in effectively implementing ICWA?
 - d. How could HHS coordinate with the Department of Interior (DOI) in working on a technical assistance plan? How could HHS, DOI and other Federal agencies coordinate to provide effective TA for ICWA implementation?
 - e. What data is needed to know whether TA is effective?
 - f. Are there specific supports ACF could provide to help state courts and child welfare agencies address barriers to effectively implement ICWA?
 - g. What additional supports would Tribes find helpful to build their capacity to respond to ICWA notices, attend court hearings, and certify foster families under ICWA?
- II. *Reducing Administrative Burden.* As stated above, P.L. 118-258 requires that HHS reduce the administrative burden for administering the title IV-B program, and it allows HHS to modify any title IV-B reporting requirement for Tribes whose allotment under title IV-B, subpart 1 is less than \$50,000 for a FY.
 - a. How does your state/Tribe use the information reported in the CFSP, APSR, and CFS-101 for non-federal purposes, for example, in collaborative efforts with multi-disciplinary groups, reports to internal agency leadership or the State legislature/Tribal governing body?
 - b. Regarding title IV-B subpart 1 and 2 requirements: What suggestions does your state/Tribe have to streamline reporting on programmatic work and expenditures and that would ensure consistency with standards and guidelines for other Federal formula grant programs? Please identify the specific requirement and note information that is duplicative or where the cost to report on it outweighs any benefits provided through the funding.
 - c. Currently, information on the Child Abuse and Prevention Treatment Act (CAPTA) and the Chafee program are reported on the CFSP, APSR, and CFS-101 to ensure consistent reporting across these programs. Does your state/Tribe believe that continuing to combine these requirements into an integrated plan is the least burdensome way to administer and report on administering the title IV-B, Chafee, and CAPTA programs? Would it be more efficient to require that agencies submit a stand-alone application/report separately for each

program? Does your state/Tribe have input on changes that would better ensure consistency across fiscal reporting for these programs? We also appreciate comments on what streamlined reporting may look like.

- d. Currently, Tribes that submit a CFSP have the option to use a preprint template (see Attachment H to ACF-ACYF-CB-PI-24-03). States do not use a template. Does your state/Tribe believe that a template format for a streamlined CFSP/APSR would be helpful? If so, how?
- e. Does your state/Tribe have suggestions for improvements to the CFS-101 that would be less burden on your agency and improve fiscal reporting consistent with standards and guidelines for other Federal formula grant programs?
- f. What title IV-B reporting requirements for Tribes whose allotment under title IV-B, subpart 1 is less than \$50,000 for a FY can be modified to reduce administrative burden on these Tribal grantees?
- g. When streamlining and eliminating duplication of reporting requirements and making changes to ensure consistency for fiscal reporting, what concerns regarding Tribal sovereignty might you have?

III. *Court Improvement Program.* As stated above, P.L. 118-258 requires HHS to issue best practice guidance every five years for technological changes needed for remote court proceedings and to consult with Tribes on the development of appropriate guidelines for state court proceedings involving Indian children and state court proceedings that are subject to ICWA. Additionally, ACF is seeking input on the Tribal Court Improvement Program grant ceiling.

- a. What are the technological barriers and resources/capacity barriers to participating in virtual court hearings?
- b. What should ACF include in guidance for state courts to ensure appropriate engagement of Tribes in state court proceedings subject to ICWA that are conducted remotely? What practice issues are important to address in ICWA cases that are conducted remotely?
- c. Are there particular considerations for individuals in different roles (for example, qualified expert witnesses, Tribal attorneys) participating remotely in these cases?
- d. Currently, Court Improvement grants for Tribes have a \$150,000 award ceiling. With the increase in the total authorization available for funding Tribal Court Improvement Program grants, does your Tribe think there should be adjustments to the amount or approach to the award ceiling? If yes, what are your suggestions? How does the current ceiling, or your suggestions for a new ceiling, impact small, medium, and larger Tribal courts?

IV. *Increasing Studies of Programs and Services Eligible for Review by the Title IV-E Prevention Services Clearinghouse.* As stated above, P.L. 118-258 set aside funding for competitive grants intended to increase the pool of evidence-based programs and services in the Clearinghouse.

- a. How can ACF structure these grants to build evidence for program and services that are adapted to the culture and context of the Tribal communities served and eligible for review by the Clearinghouse?
- b. What TA do states and Tribes need to be able to successfully engage individuals with lived expertise to develop and study new or adapted programs and services that are eligible for review by the Clearinghouse?

Attachment D

Side By Side Comparison

Sec. 422(b)(9): State must describe how it will comply with specific list of ICWA requirements

Old Language	As Amended by P.L. 118-258
(9) contain a description, developed after consultation with tribal organizations (as defined in section 4 of the Indian Self Determination and Education Assistance Act) in the State, of the specific measures taken by the State to comply with the Indian Child Welfare Act;	(9) contain a description, developed after consultation with tribal organizations (as defined in section 4 of the Indian Self Determination and Education Assistance Act) in the State, of the specific measures taken by the State to comply with the Indian Child Welfare Act of 1978, including how the State will ensure timely notice to Indian tribes of State custody proceedings involving Indian children, foster care or adoptive placements of Indian children, and case recordkeeping as such matters relate to transfers of jurisdiction, termination of parental rights, and active efforts;

Sec. 429B: HHS to consult with Tribes and states to develop a plan and provide technical assistance to states to support effective implementation of ICWA

Old Language	As Amended by P.L. 118-258
N/A	<p>EFFECTIVE IMPLEMENTATION OF THE INDIAN CHILD WELFARE ACT OF 1978</p> <p>SEC. 429B. [42 USC 628d.] (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, including specific measures identified in State plans as required by section 422(b)(9) of this Act. 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:</p> <p>(1) Timely identification of Indian children and extended family members.</p> <p>(2) Timely tribal notice of State child custody proceedings involving an Indian child.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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 child welfare agencies on how to comply with the Indian Child Welfare Act of 1978, including specific measures identified in State plans as required by section 422(b)(9) of this Act.</p> <p>(c) BIENNIAL REPORTS TO CONGRESS.—The Secretary shall biennially submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a written report on how—</p> <p>(1) the States are complying with the Indian Child Welfare Act of 1978 and section 422(b)(9) of this Act, as informed by data collected under this section; and</p> <p>(2) the Secretary is assisting States and Indian tribes to improve implementation of Federal standards established under the Indian Child Welfare Act of 1978.</p>

Developed for TAC- Internal only.

Sec. 441: Reduction of Administrative Burden in Title IV-B

Old Language	As Amended by P.L. 118-258
N/A	<p>REDUCTION OF ADMINISTRATIVE BURDEN</p> <p>SEC. 441. [42 USC 6291] (a) IN GENERAL.—The Secretary shall reduce the burden of administering this part imposed on the recipients of funds under this part, by—</p> <p>(1) reviewing and revising administrative data collection instruments and forms to eliminate duplication and streamline reporting requirements for the recipients while collecting all data required under this part;</p> <p>(2) in coordination with activities required under the Paperwork Reduction Act, conducting an analysis of the total number of hours reported by the recipients to comply with paperwork requirements and exploring, in consultation with the recipients, how to reduce the number of hours required for the compliance by at least 15 percent;</p> <p>(3) collecting input from the recipients with respect to fiscal and oversight requirements and making changes to ensure consistency with standards and guidelines for other Federal formula grant programs based on the input; and</p> <p>(4) respecting the sovereignty of Indian tribes when complying with this subsection.</p> <p>(b) LIMITATION ON APPLICABILITY.—Subsection (a) of this section shall not apply to any reporting or data collection otherwise required by law that would affect the ability of the Secretary to monitor and ensure compliance with State plans approved under this part or ensure that funds are expended consistent with this part.</p>

Sec. 428(b): Modify any title IV-B, subpart 1 reporting requirement for Tribes w/a subpart 1 allotment of \$50,000 or less/FY

Old Language	As Amended by P.L. 118-258
(b) Amounts paid under subsection (a) shall be deemed to be a part of the allotment (as determined under section 421) for the State in which such Indian tribal organization is located.	<p>(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.</p>

Sec. 438(c)(3): Increases CIP allocation for Tribes for FYs 2026-2029

Old Language	As Amended by P.L. 118-258
<p>(3) INDIAN TRIBES.—From the amounts reserved under section 436(b)(2) for a fiscal year, the Secretary shall, before applying paragraph (1) of this subsection, allocate \$1,000,000 for grants to be awarded on a competitive basis among the highest courts of Indian tribes or tribal consortia that—</p> <p>(A) are operating a program under part E, in accordance with section 479B;</p> <p>(B) are seeking to operate a program under part E and have received an implementation grant under section 476; or</p> <p>(C) have a court responsible for proceedings related to foster care or adoption.</p>	<p>(3) INDIAN TRIBES.—From the amounts reserved under section 436(b)(1) for a fiscal year, the Secretary shall, before applying paragraph (1) of this subsection, allocate \$1,000,000 for fiscal year 2025, and \$2,000,000 for each of fiscal years 2026 through 2029 for grants to be awarded on a competitive basis among the highest courts of Indian tribes or tribal consortia that—</p> <p>(A) are operating a program under part E, in accordance with section 479B;</p> <p>(B) are seeking to operate a program under part E and have received an implementation grant under section 476; or</p> <p>(C) have a court responsible for proceedings related to foster care or adoption.</p>

Sec. 438(e): HHS to issue best practices for technological changes needed for remote court proceedings and consult with Tribes on guidelines for state court proceedings subject to ICWA

Old Language	As Amended by P.L. 118-258
N/A	<p>(e) GUIDANCE.—</p> <p>(1) IN GENERAL.—Every 5 years, the Secretary shall issue implementation guidance for sharing information on best practices for—</p> <p>(A) technological changes needed for court proceedings for foster care, guardianship, or adoption to be conducted remotely in a way that maximizes engagement and protects the privacy of participants; and</p> <p>(B) the manner in which the proceedings should be conducted.</p> <p>(2) INITIAL ISSUANCE.—The Secretary shall issue initial guidance required by paragraph (1) with preliminary information on best practices not later than October 1, 2025.</p> <p>(3) ADDITIONAL CONSULTATION.—The Secretary shall consult with Indian tribes on the development of appropriate guidelines for State court proceedings involving Indian children to maximize engagement of Indian tribes and provide appropriate guidelines on conducting State court proceedings subject to the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.)</p>

Sec. 435(f): New Competitive Prevention Services Evaluation Partnership Grants

Old Language	As Amended by P.L. 118-258
N/A	<p>(f) PREVENTION SERVICES EVALUATION PARTNERSHIPS.—</p> <p>(1) PURPOSE.—The purpose of this subsection is to authorize the Secretary to make competitive grants to support the timely evaluation of—</p> <p>(A) services and programs described in section 471(e); or</p> <p>(B) kinship navigator programs described in section 474(a)(7).</p> <p>(2) GRANTS.—In accordance with applications approved under this subsection, the Secretary may make grants, on a competitive basis, to eligible entities to carry out projects designed to evaluate a service or program provided by the eligible entity, or an entity in partnership with the eligible entity, with respect to the requirements for a promising practice, supported practice, or well-supported practice described in section 471(e)(4)(C).</p> <p>(3) APPLICATIONS.—</p> <p>(A) IN GENERAL.—An eligible entity may apply to the Secretary for a grant under this subsection to carry out a project that meets the following requirements:</p> <p>(i) The project is designed in accordance with paragraph (2).</p> <p>(ii) The project is to be carried out by the applicant in partnership with—</p> <p>(I) a State agency that administers, or supervises the administration of, the State plan approved under part E, or an agency administering the plan under the supervision of the State agency; and</p> <p>(II) if the applicant is unable or unwilling to do so, at least 1 external evaluator to carry out the evaluation of the service or program provided by the applicant.</p> <p>(B) CONTENTS.—The application shall contain the following:</p> <p>(i) A description of the project, including—</p> <p>(I) a statement explaining why a grant is necessary to carry out the project; and</p> <p>(II) the amount of grant funds that would be disbursed to each entity described in subparagraph (A)(i) in partnership with the applicant.</p> <p>(ii) A certification from each entity described in subparagraph (A)(ii) that provides assurances that the individual or entity is in partnership with the applicant and will fulfill the responsibilities of the entity specified in the description provided pursuant to clause (i) of this subparagraph.</p> <p>(iii) A certification from the applicant that provides assurances that the applicant intends to comply with subparagraph (A)(ii)(II), if applicable.</p> <p>(iv) At the option of the eligible entity, a certification from the applicant that the applicant requires an external evaluator secured by the Secretary pursuant to paragraph (5), if applicable.</p>

Sec. 435(f), cont.

Old Language	As Amended by P.L. 118-258
N/A	<p>(4) PRIORITIES.—In approving applications under this subsection, the Secretary shall prioritize the following:</p> <p>(A) Addressing, with respect to the clearinghouse of practices described in section 476(d)(2), deficiencies or gaps identified by the Secretary in consultation with—</p> <p>(i) States, political subdivisions of a State, and tribal communities carrying out, or receiving the benefits of, a service or program; and</p> <p>(ii) child welfare experts, including individuals with lived experience.</p> <p>(B) Maximizing the number of evidence-based services or programs to be included in the clearinghouse of practices described in section 476(d)(2).</p> <p>(C) Timely completion of evaluations and the production of evidence.</p> <p>(D) Supporting services or programs that are based on, or are adaptations to new population settings of, a service or program with reliable evidence about the benefits and risks of the service or program.</p> <p>(5) AVAILABILITY OF EXTERNAL EVALUATORS.—</p> <p>(A) In general.—Before accepting applications under this subsection, the Secretary shall make reasonable efforts to identify at least 1 entity to serve as an external evaluator for any eligible entity that includes a certification under paragraph (3)(B)(iv) with an application under this subsection.</p> <p>(B) NO EFFECT ON CONSIDERATION OF APPLICATION.—The Secretary may not consider whether an eligible entity is in partnership with an external evaluator described in paragraph (A) in approving an application under this subsection submitted by the eligible entity.</p> <p>(6) REPORTS.—</p> <p>(A) BY GRANT RECIPIENTS.—Within 1 year after receiving a grant under this subsection, and every year thereafter for the next 5 years, the grant recipient shall submit to the Secretary a written report on—</p> <p>(i) the use of grant funds;</p> <p>(ii) whether the program or service evaluated by the project meets a requirement specified in section 471(e)(4)(C), including information about—</p> <p>(I) how the program or service is being carried out in accordance with standards specified in the requirement;</p> <p>(II) any outcomes of the program or service; and</p> <p>(III) any outcome with respect to which the service or program compares favorably to a comparison practice; and</p> <p>(iii) whether the Secretary has included the program or service in an update to the clearinghouse of practices described in section 476(d)(2).</p>

Sec. 435(f), cont.

Developed for TAC- Internal only.

Old Language	As Amended by P.L. 118-258
N/A	<p>(B) BY THE SECRETARY.--The Secretary shall submit to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate an annual written report on--</p> <p>(i) the grants awarded under this subsection;</p> <p>(ii) the programs funded by the grants;</p> <p>(iii) any technical assistance provided by the Secretary in carrying out this subsection, including with respect to the efforts to secure external evaluators pursuant to paragraph (5); and</p> <p>(iv) any efforts by the Secretary to support program evaluation and review pursuant to section 471(e) and inclusion of programs in the pre-approved list of services and programs described in section 471(e)(4)(D) or the clearinghouse of practices described in section 476(d)(2).</p> <p>(7) FUNDING.--</p> <p>(A) LIMITATIONS.--Of the amounts available to carry out this subsection, the Secretary may use not more than 5 percent to provide technical assistance.</p> <p>(B) CARRYOVER.--Amounts made available to carry out this subsection shall remain available until expended.</p> <p>(8) DEFINITIONS.--In this subsection:</p> <p>(A) ELIGIBLE ENTITY.--The term "eligible entity" means any of the following providing a service or program or, in the sole determination of the Secretary, able to provide a service or program if awarded a grant under this subsection:</p> <p>(i) A State, a political subdivision of a State, or an agency or department of a State or political subdivision of a State.</p> <p>(ii) An entity described in subparagraph (A) or (B) of section 426(a)(1).</p> <p>(iii) An Indian tribe or tribal organization.</p> <p>(B) EXTERNAL EVALUATOR.--The term "external evaluator" means an entity with the ability and willingness to evaluate a service or program pursuant to paragraph (2) that is not provided by the entity.</p> <p>(C) SERVICE OR PROGRAM.--The term "service or program"--</p> <p>(i) means a service or program described in section 471(e); and</p> <p>(ii) includes a kinship navigator program described in section 474(a)(7).</p>

Sec. 427(b)(3): Kinship Navigators Program Evaluations to increase programs approved by the title IV-E Prevention Clearinghouse

Old Language	As Amended by P.L. 118-258
<p>(3) if the entity is a private organization—</p> <p>(A) documentation of support from the relevant local or State child welfare agency; or</p> <p>(B) a description of how the organization plans to coordinate its services and activities with those offered by the relevant local or State child welfare agency;</p> <p><i>(note that this was renumbered to be (b)(4))</i></p>	<p>(3) a description of how the entity will directly fund, or provide data to the Secretary for, an evaluation which will publish and submit information to the clearinghouse described in section 476(d)(2) and which is designed to meet the requirements of section 471(e)(4)(C), or a description of how the funds will be used to help the State transition to a program for which the State will seek reimbursement under section 474(a)(7);</p>