

## **Section by Section: The Promoting Strong Native Families and Children Act**

### **Senator Murkowski (R-AK) and Senator Cortez Masto (D-NV)**

**Section 1 – Short Title:** Establishes the title as the “Promoting Strong Native Families and Children Act.”

**Section 2 – Additional Resources and Improvements for Tribal Child Welfare Programs:** Contains provisions expanding Tribal access to critical and flexible funding under the Social Security Act that did not pass in the 118th Congress’ Tribal Family Fairness Act.

Section 2(a): Establishes minimum grant amounts for Tribes for Title IV-B Promoting Safe and Stable Families Program and allows Tribes to work together in a consortium to administer funding, making it more feasible for smaller Tribes to access this funding.

Section 2(b): Eliminates the prohibition on the Secretary approving plans for Tribes whose Title IV-B allocations are under \$10,000. Adds provision that clarifies Title IV-B, Subpart 2 funds can be used to support and facilitate Tribal customary adoptions.

Section 2(c): Increases the Tribal set-aside of Mandatory Funding to Title IV-B Promoting Safe and Stable Families Funding from 3% to 5%.

Section 2(d): Increases the Tribal set-aside of Discretionary Funding to Promoting Safe and Stable Families Funding from 3% to 5%.

Section 2(e): Increases the Tribal set-aside for the Title IV-B Child Welfare Services Program from 3% to 5%.

Section 2(f): Streamlines reporting requirements for Title IV-B funding, making it more feasible for smaller Tribes to administer this funding.

Section 2(g): Allows the Secretary to waive or modify match requirements for Tribes for both the Title IV-B Child Welfare Services Program and Promoting Safe and Stable Families Program.

Section 2(h): Allows Tribes to substitute their federal negotiated indirect cost rate for the administrative costs cap for the Title IV-B Promoting Safe and Stable Families Program, improving Tribal grant access and administration.

Section 2(i): Increases the authorized appropriations of the Tribal Court Improvement Program from \$2 million each fiscal year to \$5 million each fiscal year.

Section 2(j): Allows the Secretary to exempt Tribes and Tribal consortia from any inappropriate requirements, based on the resources, needs, and other circumstances of the Tribe or Tribal consortium.

**Section 3 – Authority to Provide Social Services Block Grants Directly to Indian Tribes:** Creates a 5% set-aside for Tribes within the Social Service Block Grant and ensures there is a

minimum of \$25,000 for each Tribe, making it more feasible for smaller Tribes to access this funding. It also allows Tribes to form a consortium to receive funding and provides for a mechanism to reallocate funding if there is leftover funding out of the set-aside in any given fiscal year.

**Section 4 – Tribal Prevention-Only Agreement Authority:** This section allows Tribes or Tribal consortia to provide only prevention services under an approved Title IV-E plan or agreement with a state. Currently, Tribes can only operate the Title IV-E Prevention Services Program if they also provide foster care and adoption assistance programs, which creates unnecessary barriers to standing up services to mitigate harm to Tribal children, strengthen families, and reduce out-of-home placements.

**Section 5 – State Option to Include Tribal Caseworker Visits for the Purposes of Satisfying Monthly Caseworker Visit Requirements:** This section allows states to coordinate caseworker visits with Tribes and include Tribal caseworker visits in their monthly metrics. Additional collaboration ensures Tribal children are better supervised in out-of-home care and relative and foster care placements are better supported.

- This is an ongoing issue that the State of Alaska Department of Children and Family Services has raised. Currently, they cannot count Tribal caseworker visits in their monthly metrics without also assigning supervisory responsibilities, which many tribes don't have capacity for. This provides an avenue to allow in community tribal caseworkers to make visits.

**Section 6 – Effective Date:** Sets the effective date as 30 days after enactment.