

The Supporting America's Children and Families Act: Supporting Full Implementation of Tribal Provisions and Taking Action on Requests for Comment

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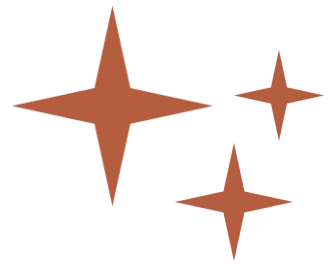
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Welcome! Zoom Features & Housekeeping



- Introductions in the chat
- Drop questions in the Q&A
- Share dialogue and resources in the chat
- Today's session will not be recorded
- All participants will receive a copy of the slide deck



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Agenda

- Welcome and Prayer
- Summary of Public Comment Period
- Overview of Tribal Provisions in the Supporting America's Children and Families Act
- Review Public Comment Questions and Guidance for Drafting Written Response
- Save the Dates
- Resources & Contacts



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Opening Comments and Prayer

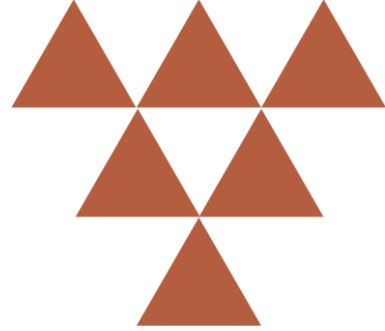


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Submitting Public Comments



Deadline: September 22, 2025, at 11:59 p.m. EST

Submit comments through the Federal eRulemaking Portal:

<https://www.regulations.gov/commenton/ACF-2025-0038-0001>

Identify docket number (**ACF-2025-0038-0001**) in written comments before submission

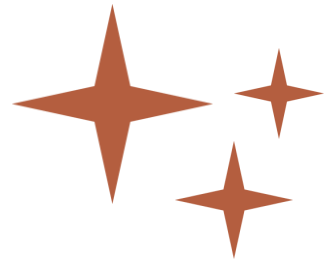


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Overview – Supporting America's Children and Families Act (P.L. 118-258)



- Increases mandatory funding under Subpart 2, the Promoting Safe and Stable Families program (\$420M/year, 3% Tribal set-aside)
- Changes funding mechanism under Subpart 1, Child Welfare Services program to 3% Tribal set-aside
- Increases Tribal Court Improvement Program funds (\$2M/year)
- Allows streamlining of Title IV-B reporting requirements to reduce administrative burden
- ICWA compliance: new TA for states and Tribes based upon data to assess state strengths and areas for improvement and reports to Congress on ICWA compliance
- Increases studies of programs and services eligible for review by the Title IV-E Prevention Services Clearinghouse (Tribes eligible for competitive grant funding)
- HHS to consult with Tribes to develop guidelines that improve Tribal engagement in state court proceedings
- Allows Tribes to use their federally negotiated indirect rate with Title IV-B programs
- Allows waiver of matching requirement and modification of application requirements for Tribal grants to support foster children and their incarcerated parents
- Tribal child support programs now have direct access to the Treasury Offset Program

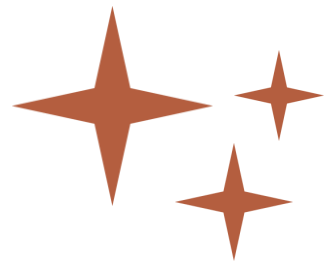


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Technical Assistance Related to ICWA



Public Law 118-258
requires HHS to
develop a plan to
provide TA to support
the effective
implementation of
ICWA



Public Comment Questions & Examples

- Barriers to effective ICWA implementation
- Methods of TA that have/have not worked well
- Helpful state-Tribal partnerships/processes
- Federal agency coordination in providing TA
- Specific support to state courts and child welfare agencies to address barriers
- Data needed to know whether TA is effective
- Supports to build Tribal capacity in support of effective ICWA implementation

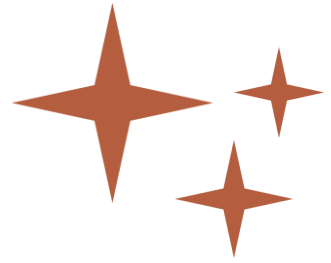


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Technical Assistance Related to ICWA Questions



What methods of receiving TA have worked well for your state/Tribe in supporting ICWA implementation?

How could HHS coordinate with the Department of Interior and other Federal agencies to provide TA? Who should provide the TA?

What data is needed to know whether TA is effective?

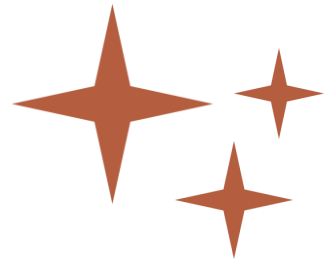


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Technical Assistance Related to ICWA Comment Examples



- **Example 1:** Community-based opportunities for Tribes and states to receive technical assistance together.
- **Example 2:** Support a coordinated technical assistance approach across federal departments and interface with existing Tribal Advisory Committees to help guide implementation and elevate Tribal priorities.
- **Example 3:** The 2024 AFCARS Final Rule ([RIN 0970-AC98](#)) provides an opportunity for enhanced ICWA data collection, which is critical to helping Tribal Nations, states, and ACF better understand how ICWA is being implemented across the country and effectively target resources to improve implementation.

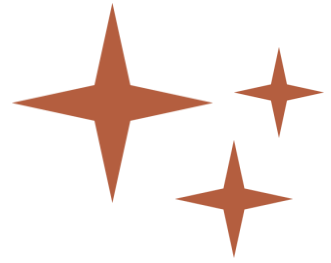


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Title IV-B Programs Reducing Administrative Burden



Supporting America's Children and Families Act:

- Requires streamlining and elimination of duplication in reporting under both Title IV-B Subpart 1 and 2 for states and Tribes
- Allows for the reduction of time spent on reporting under both Title IV-B Subpart 1 and 2 for states and Tribes by at least 15%
- Allows for the modification of any reporting requirements under Title IV-B Subpart 1 for Tribes receiving less than \$50,000



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How many participants have considered not applying for Title IV-B or didn't apply because they felt the funding was too small to justify the administrative requirements?



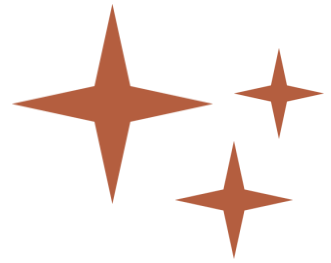
Does it cost you more than 20% of your grant funding to comply with reporting requirements?



How much time does it take you to write your CFSP? How much time does it take you to write your APSR?



What parts of the CFSP and/or APSR do you think could be eliminated?



How to Reduce Administrative Burden on Tribes

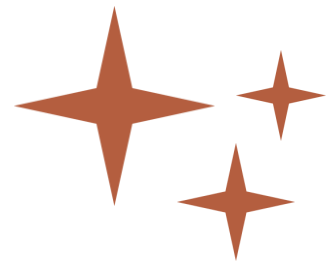


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Title IV-B Plan and Reporting Parts



Diligent Recruitment Plan

**Health Care Oversight
Plan in Coordination with
State Medicaid Plan**

**Service Coordination with
State/Tribal/Community
Based agencies and
Court**

Services Description

**Goals/Objectives/
Measures**

**Reducing the Length of
Time Children under 5 in
Foster Care**

Disaster Response Plan

**Caseworker Visits
Standards**

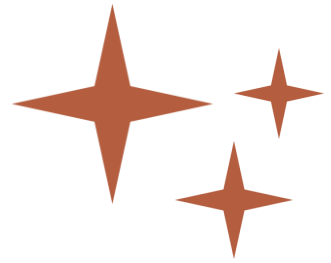
**Chafee Program
Reporting**

Population Certification

Staff Training Plan

CFS 101s

Reporting Reduction Comment Examples



- **Example 1:** It takes our ICWA manager 250 hours to write the 5-year comprehensive report, we receive only \$5,000 in funding but it costs \$12,500 in staff time on reporting.
- **Example 2:** We recommend ACF reduce the annual report to only include progress on goals and objectives and the CFS 101s. We recommend elimination of the 5-year report.
- **Example 3:** We recommend ACF eliminate the following requirements in initial Plan development for Tribes:
 - Disaster Plan
 - Diligent Recruitment Plan
 - Health Care Oversight Plan
 - Consultation and Service Coordination Plan

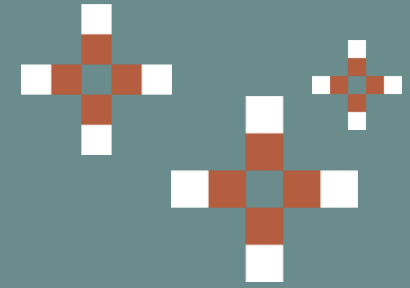


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Court Improvement Questions



- HHS is required to issue best practice guidance every five years for virtual court proceedings and court proceedings subject to ICWA, consider:
 - Technology and capacity barriers?
 - What considerations for QEWs, Tribal attorneys, and Tribal representatives should be made in virtual proceedings?
 - Award ceiling of \$150k?

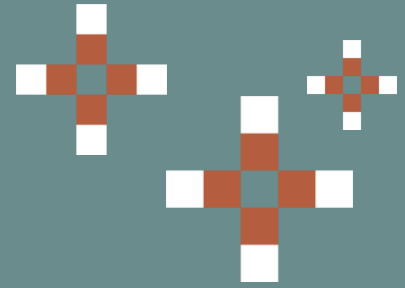


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Court Improvement Comment Examples



- **Example 1:** We have 90 cases across 12 states. Our Tribal attorney is licensed in two states, so we often have to navigate various state pro hac vice laws and cumbersome fees and local counsel rules. We recommend federal guidance that a best practice for state ICWA proceedings includes an ICWA exemption to pro hac vice rules that includes:
 - Waiver of fees for Tribes as parties in ICWA cases
 - Waiver of association with local counsel
 - Simplified application process with local Jx or State Bar

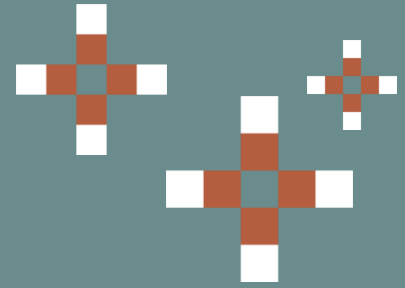


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Court Improvement Comment Examples



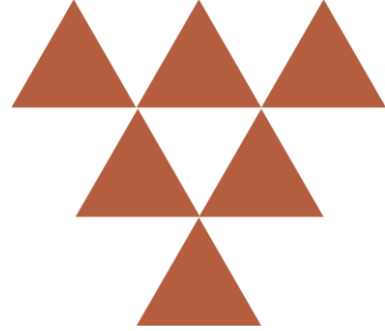
- **Example 2:** We recommend guidance for states on providing access to e-filing portals and case management systems in parity with other ICWA case parties.
- **Example 3:** Describe your position on the amount and approach to the Court Improvement grants for Tribes and specify in comments if you consider your community to have a small, medium, or large Tribal court.



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Title IV-E Prevention Clearinghouse

Public Law 118-258
provides set aside
funding for competitive
grants intended to
increase the pool of
evidence-based
programs and services in
the Clearinghouse

Public Comment Questions & Examples

- Grants to build evidence for programs and services that are culturally adapted to Tribal communities
- Engaging individuals with lived experience to develop and study new or adapted programs and services

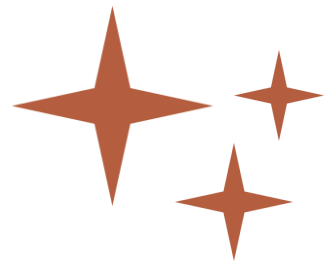


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Title IV-E Prevention Clearinghouse Questions



What considerations should ACF make when structuring grants to build evidence around culturally adapted services? Are there existing methods for documenting Tribal cultural practices that are not overly burdensome and sensitive to Tribal concerns regarding documentation of cultural practices?

What TA would be helpful to ensure individuals with lived experience can engage in the development and study of new or adapted programs?



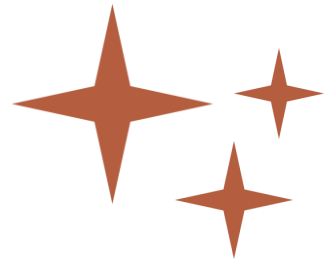
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Title IV-E Prevention Clearinghouse

Comment Examples



- **Example 1:** Use grant reviewers for Tribal grant applications that have relevant cultural knowledge and experience to assist in accurately assessing Tribal prevention services plans and appropriate methods for building evidence in a Tribal setting.
- **Example 2:** Revise current Clearinghouse guidance to provide more flexibility and clarity about Tribal cultural adaptation of Clearinghouse approved programs and services.
- **Example 3:** Promote strategies to successfully engage lived experience experts that allow use of a portion of the grant funds to help recruit and support lived experience people, provide opportunities to learn about and actively engage with the programs being studied, and allow funding to be used for trainings on trauma-informed practices.

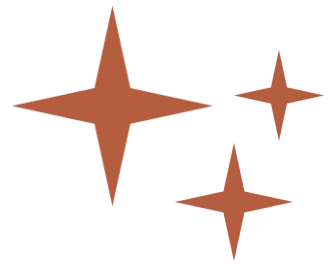


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Save the Dates



- Public Comments on “Providing Technical Assistance Related to the Indian Child Welfare Act” are due September 22, 2025
- ACF Consultations
 - Chandler, Arizona: **September 8, 2025** (in-person)
 - Rapid City, South Dakota: **October 10, 2025** (in-person)
 - Anchorage, Alaska: **October 14, 2025** (in-person)
 - Seattle, Washington: **November 18, 2025** (hybrid)
 - Washington DC: **December 2, 2025** (in-person)
- Written Comments for ACF Consultations are due January 9, 2026, to
TribalConsultationACYF@acf.hhs.gov

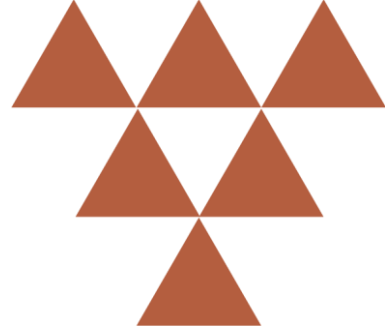


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Resources



- Dear Tribal Leader Letter for ACF Consultations
https://content.govdelivery.com/attachments/USACFCWIG/2025/07/25/file_attachments/3334759/DTLL%20IV-B%20ACYF%20Consultation.pdf
- Federal Register Request for Public Comments on “Providing Technical Assistance Related to the Indian Child Welfare Act”
<https://www.federalregister.gov/documents/2025/07/22/2025-13790/providing-technical-assistance-related-to-the-indian-child-welfare-act>
- Supporting America’s Children and Families Act (Public Law 118-258)
<https://www.congress.gov/bill/118th-congress/house-bill/9076/text>



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Resources

- [Sample Comments Letter](#)
- [NICWA's Written Comments](#)

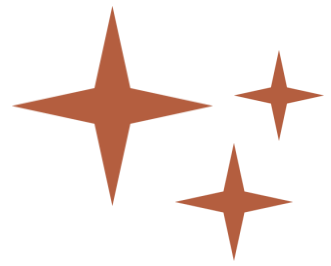


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Thank you!



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