

S 398

Indian Child Protection and Family Violence Prevention Act Amendments of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: Jan 25, 2007

Current Status: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

Latest Action: Referred to the Subcommittee on Crime, Terrorism, and Homeland Security. (Jun 25, 2007)

Official Text: https://www.congress.gov/bill/110th-congress/senate-bill/398

Sponsor

Name: Sen. Dorgan, Byron L. [D-ND]

Party: Democratic • State: ND • Chamber: Senate

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Domenici, Pete V. [R-NM]	R · NM		Jan 25, 2007
Sen. Inouye, Daniel K. [D-HI]	D · HI		Jan 25, 2007
Sen. McCain, John [R-AZ]	R · AZ		Jan 25, 2007
Sen. Thomas, Craig [R-WY]	R · WY		Jan 25, 2007
Sen. Crapo, Mike [R-ID]	R · ID		Feb 1, 2007
Sen. Johnson, Tim [D-SD]	D · SD		Mar 7, 2007

Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Reported By	Apr 10, 2007
Judiciary Committee	House	Referred to	Jun 25, 2007
Natural Resources Committee	House	Referred To	Jun 6, 2007

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

No related bills are listed.

Indian Child Protection and Family Violence Prevention Act Amendments of 2007 - (Sec. 4) Amends the Indian Child Protection and Family Violence Prevention Act to require a local law enforcement or local child protective services agency's final written report on the investigation of any child abuse allegation to include any federal, state, or tribal final conviction. Requires transmission of a copy of the report to the Federal Bureau of Investigation (FBI).

Requires the FBI to maintain a record of each written report in a manner accessible to: (1) a local law enforcement agency that requires the information to carry out an official duty; and (2) any agency requesting the information for character investigations.

Requires the FBI Director, in coordination with the Secretary of the Interior and the Attorney General, to report annually to specified congressional committees on child abuse in Indian country.

Requires the Secretary to collect at least once a year any information concerning child abuse in Indian country (including notification of child abuse reports) including information relating to: (1) the number of criminal and civil child abuse allegations and investigations in Indian country (2) the number of child abuse prosecutions referred, declined, or deferred in Indian country; (3) the number of child victims who are the subject of reports of child abuse in Indian country; (4) sentencing patterns of individuals convicted of child abuse in Indian country; and (5) rates of recidivism with respect to child abuse in Indian country.

Prescribes confidentiality guidelines for dealing with alleged child abuse victims.

(Sec. 5) Directs the Secretary to identify and report to specified congressional committees on any impediment to the reduction of child abuse in Indian country and on Indian reservations. Repeals provisions relating to the preparation of a study on the feasibility of, and need for, the establishment of a Central Register for reports or information on the abuse of children in Indian Country.

(Sec. 6) Modifies confidentiality requirements to consider an Indian tribal government to be an entity of the federal government for purposes of interagency sharing of child abuse incident investigation or treatment information and records.

(Sec. 7) Permits, without parental consent, forensic examinations of an Indian child alleged to have been subject to abuse in Indian country if local child protective services or local law enforcement officials have reason to believe that the child has been subject to abuse. Requires any examination or interview of a child who may have been the subject of child abuse to avoid, to the maximum extent practicable, subjecting the child to multiple interviewers during the the examination and interview processes.

(Sec. 8) Requires character investigations of individuals in voluntary positions which involve regular contact with, or control over, Indian children. Specifies child abuse and child neglect among the offenses to be included in a criminal records check portion of a character investigation. Provides that an Indian tribe that submits a written statement to the applicable state official documenting that it has conducted a background investigation for the placement of an Indian child in a tribally-licensed or tribally-approved foster care or adoptive home, or for another out-of-home placement, shall be considered to have satisfied the background investigation requirements of any federal or state law.

(Sec. 9) Extends the authorization of appropriations for the Indian child abuse treatment grant program for FY2008-

FY2012.

(Sec. 10) Revises requirements for Indian Child Resource and Family Services Centers. Requires establishment of such Centers in Bureau of Indian Affairs (BIA) Regional Offices (currently, area offices). Requires the Attorney General to participate in the Memorandum of Agreement which provides for the staffing of the Centers. Requires the multidisciplinary team personnel of a Center to include individuals with backgrounds in adolescent mental and behavioral health (including suicide prevention and treatment), sexual assault, criminal prosecution, and medicine. Requires: (1) an application for a grant, contract, or compact under the Indian Self-Determination and Education Assistance Act to operate a Center located in a BIA Regional Center serving more than one Indian tribe to contain a consent form signed by an official of each Indian tribe to be served under the grant, contract, or compact; and (2) for Centers located in the Alaska Region, such an application to contain a consent form signed by an official of each Indian tribe or tribal consortium that is a member of a grant, contract, or compact relating to an Indian child protection and family violence prevention program under such Act.

Authorizes appropriations for FY2008-FY2012.

(Sec. 11) Authorizes the Indian Health Service (IHS) to enter into any contract or agreement for the use of telemedicine with a public or private university or facility, including a medical university or facility, or any private medical or behavioral health professional, with experience relating to pediatrics, including the diagnosis and treatment of child abuse, to assist the IHS respecting: (1) the diagnosis and treatment of child abuse; or (2) methods of training IHS personnel in diagnosing and treating child abuse. Defines a medical or behavioral health professional as an employee or volunteer of an organization that provides a service as part of a comprehensive service program that combines: (1) substance abuse (including abuse of alcohol, drugs, inhalants, and tobacco) prevention and treatment; and (2) mental health treatment.

Authorizes appropriations for FY2008-FY2012.

(Sec. 12) Makes conforming amendments to federal criminal law relating to the reporting of child abuse in Indian country.

Actions Timeline

- **Jun 25, 2007:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Jun 5, 2007:** Received in the House.
- **Jun 5, 2007:** Referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **May 25, 2007:** Measure laid before Senate by unanimous consent. (consideration: CR S6965-6967)
- **May 25, 2007:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.(text: CR S6965-6967)
- **May 25, 2007:** Passed Senate with an amendment by Unanimous Consent. (text: CR S6965-6967)
- **May 25, 2007:** Message on Senate action sent to the House.
- **Apr 10, 2007:** Committee on Indian Affairs. Reported by Senator Dorgan without amendment. With written report No. 110-45.
- **Apr 10, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 110.
- **Feb 8, 2007:** Committee on Indian Affairs. Ordered to be reported without amendment favorably.
- **Jan 25, 2007:** Introduced in Senate
- **Jan 25, 2007:** Sponsor introductory remarks on measure. (CR S1195)
- **Jan 25, 2007:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S1196-1198)