

Sec.

- (a) Examinations and interviews.
- (b) Interviews by law enforcement and child protective services officials.
- (c) Protection of child.
- (d) Court orders.
- 3207. Character investigations.
 - (a) By Secretary of the Interior and Secretary of Health and Human Services.
 - (b) Criminal records.
 - (c) Investigations by Indian tribes and tribal organizations.
- 3208. Indian Child Abuse Treatment Grant Program.
 - (a) Establishment.
 - (b) Grant applications.
 - (c) Maximum grant amount.
 - (d) Grant administration and final report.
 - (e) Authorization of appropriations.
- 3209. Indian Child Resource and Family Services Centers.
 - (a) Establishment.
 - (b) Memorandum of Agreement.
 - (c) Center staffing.
 - (d) Center responsibilities and functions.
 - (e) Multidisciplinary team personnel.
 - (f) Center advisory board.
 - (g) Application of Indian Self-Determination Act to Centers.
 - (h) Authorization of appropriations.
- 3210. Indian Child Protection and Family Violence Prevention Program.
 - (a) Establishment.
 - (b) Indian Self-Determination Act agreements.
 - (c) Investigation and treatment and prevention of child abuse and family violence.
 - (d) Program responsibilities and functions.
 - (f) Secretarial regulations; base support funding.
 - (g) Maintenance of effort.
 - (h) Contract evaluation and annual report.
 - (i) Authorization of appropriations.
- 3211. Repealed.

§ 3201. Findings and purpose

(a) Findings

The Congress, after careful review of the problem of child abuse on Indian reservations and the historical and special relationship of the Federal Government with Indian people,

(1) finds that—

(A) incidents of abuse of children on Indian reservations are grossly underreported;

(B) such underreporting is often a result of the lack of a mandatory Federal reporting law;

(C) multiple incidents of sexual abuse of children on Indian reservations have been perpetrated by persons employed or funded by the Federal Government;

(D) Federal Government investigations of the background of Federal employees who care for, or teach, Indian children are often deficient;

(E) funds spent by the United States on Indian reservations or otherwise spent for the benefit of Indians who are victims of child abuse or family violence are inadequate to meet the growing needs for mental health treatment and counseling for victims of

child abuse or family violence and their families; and

(F) there is no resource that is more vital to the continued existence and integrity of Indian tribes than their children and the United States has a direct interest, as trustee, in protecting Indian children who are members of, or are eligible for membership in, an Indian tribe; and

(2) declares that two major goals of the United States are to—

(A) identify the scope of incidents of abuse of children and family violence in Indian country and to reduce such incidents; and

(B) provide funds for mental health treatment for Indian victims of child abuse and family violence on Indian reservations.

(b) Purpose

The purposes of this chapter are to—

(1) require that reports of abused Indian children are made to the appropriate authorities in an effort to prevent further abuse;

(2) establish a reliable data base for statistical purposes and to authorize a study to determine the need for a central registry for reported incidents of abuse;

(3) authorize such other actions as are necessary to ensure effective child protection in Indian country;

(4) establish the Indian Child Abuse Prevention and Treatment Grant Program to provide funds for the establishment on Indian reservations of treatment programs for victims of child sexual abuse;

(5) provide for technical assistance and training related to the investigation and treatment of cases of child abuse and neglect;

(6) establish Indian Child Resource and Family Services Centers in each Bureau of Indian Affairs Area Office which will consist of multidisciplinary teams of personnel with experience and training in the prevention, identification, investigation, and treatment of child abuse and neglect;

(7) provide for the treatment and prevention of incidents of family violence;

(8) establish tribally operated programs to protect Indian children and reduce the incidents of family violence in Indian country; and

(9) authorize other actions necessary to ensure effective child protection on Indian reservations.

(Pub. L. 101-630, title IV, § 402, Nov. 28, 1990, 104 Stat. 4544.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this title”, meaning title IV of Pub. L. 101-630, Nov. 28, 1990, 104 Stat. 4544, which is classified principally to this chapter. For complete classification of title IV to the Code, see Short Title note below and Tables.

SHORT TITLE

Section 401 of title IV of Pub. L. 101-630 provided that: “This title [enacting this chapter and section 1169 of Title 18, Crimes and Criminal Procedure] may be cited as the ‘Indian Child Protection and Family Violence Prevention Act’.”

§ 3202. Definitions

For the purposes of this chapter, the term—