



CALIFORNIA TRIBAL FAMILIES COALITION

May 29, 2026

U.S. Department of Health and Human Services
Children's Bureau
Administration for Children and Families
330 C Street, SW
Washington, DC 20201

Submitted via email to infocollection@acf.hhs.gov

Re: Comments in Response to Adoption and Foster Care Analysis and Reporting System (91 FR 15622) Published March 30, 2026, in the Federal Register

The California Tribal Families Coalition (CTFC), on behalf of its nearly 50 Member Tribes, respectfully submits these comments in response to the Administration for Children and Families' request for public input regarding the Adoption and Foster Care Analysis and Reporting System (AFCARS) information collection (OMB No. 0970-0422). The CTFC appreciates the opportunity to comment under the Paperwork Reduction Act of 1995. These comments focus specifically on the practical utility of the expanded AFCARS requirements, the estimated reporting burden associated with the proposed data collection, the quality, utility, and clarity of the Indian Child Welfare Act (ICWA) data points, and considerations necessary to support effective, accurate, and equitable implementation.

CTFC is a non-profit coalition dedicated to advancing the rights of Tribal nations and improving outcomes for American Indian and Alaska Native children and families involved in child welfare systems. The Coalition's mission is to promote and protect the health, safety and welfare of tribal children and families, which are inherent tribal governmental functions and are at the core of tribal sovereignty and governance.

A) The Expanded AFCARS Data Collection Has Significant Practical Utility

The absence of reliable ICWA-specific data has historically limited the ability of federal agencies, Tribes, and policymakers to assess whether Indian children are being properly identified and whether the substantive and procedural protections of ICWA are being implemented consistently across jurisdictions. Our Coalition of Tribes supports the collection of expanded AFCARS data because the information has substantial practical utility for federal oversight, policy development, program evaluation,

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technical assistance, and ICWA compliance monitoring. ICWA-related data collection is long overdue and remains essential to promoting accountability, improving outcomes for Tribal children and families, identifying systemic disparities, and ensuring compliance with federal law.

The information collected will assist in identifying trends, disparities, and systemic barriers impacting Native children and families involved in state child welfare systems. The data will also improve the federal government's ability to respond to Congressional inquiries, support Child and Family Services Reviews, inform technical assistance efforts, and evaluate whether state child welfare systems are meeting their obligations under federal law.

The revised AFCARS requirements are particularly important given the longstanding overrepresentation of American Indian and Alaska Native children in foster care systems nationwide. Accurate and comprehensive data collection is essential to understanding the experiences and outcomes of Native children and ensuring that the protections guaranteed under ICWA are meaningfully implemented in practice.

B) The Reporting Burden is Justified

The collection of more detailed ICWA-related information will require substantial coordination among state agencies, counties, courts, and Tribal governments. Many jurisdictions currently lack standardized mechanisms for tracking ICWA-specific information within existing child welfare data systems. As a result, agencies may initially need to engage in manual review, staff training, database redesign, and cross-system coordination to ensure accurate reporting. For some states, like those with relatively smaller Native populations, the primary workload associated with the revised AFCARS requirements will likely arise during the initial development and implementation phase rather than from ongoing operational reporting obligations. Once these data elements are incorporated into existing reporting systems and workflows, the ongoing operational burden associated with maintaining and reporting the information likely will be comparatively similar to current demands. This distinction is important when evaluating the overall impact associated with the revised requirements and further supports the conclusion that the long-term value of the data outweighs the investment to begin collection. Because the implementation date is less than two years away, most states have likely already started the pre-planning and work to update systems and policies to account for the new data measures.

While acknowledging there will be an initial investment of time and resources to update data collection systems, CTFC still emphasizes that

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reporting on the new measures is justified and necessary. ICWA compliance information has historically been inconsistently documented and insufficiently monitored. Improved data collection is essential to addressing longstanding accountability gaps and strengthening oversight of ICWA implementation nationwide. The administration associated with collecting this information is outweighed by the importance of ensuring compliance with federal law and improving outcomes for Native children and families.

Without meaningful data collection, compliance with ICWA cannot be effectively monitored and, therefore, not properly enforced. These reporting requirements are not duplicative of existing federal reporting mechanisms. Currently, there is no comprehensive national child welfare data system that captures standardized ICWA-specific procedural and compliance information across jurisdictions. While certain information may exist in individual case files, court records, or fragmented state and county systems, those sources are not collected uniformly, are not publicly aggregated for oversight purposes, and do not provide a consistent mechanism for evaluating nationwide ICWA implementation.

AFCARS therefore serves as the primary and only comprehensive federal mechanism for collecting standardized data regarding critical ICWA protections and outcomes. The absence of this data has thus far contributed to longstanding gaps in accountability, oversight, and policy evaluation affecting Native children and families involved in state child welfare systems.

C) Quality, Utility, and Clarity of the ICWA Data Elements

Many of the revised AFCARS data elements concern information that state title IV-E agencies should already be identifying, documenting, and maintaining as part of their existing obligations under federal law and ICWA compliance requirements. Information related to inquiry regarding whether a child is an Indian child, notice to Tribes, active efforts, placement preference compliance, transfer-of-jurisdiction considerations, and related procedural safeguards are not new substantive obligations created by the AFCARS reporting requirements. Rather, these are nearly 50-year old federal requirements that agencies are already obligated to address in child welfare proceedings involving Indian children. To the extent states may experience implementation challenges, those challenges often reflect existing gaps in documentation, tracking, or data management practices rather than the creation of entirely new responsibilities. The revised AFCARS requirements, therefore, provide an important opportunity to improve consistency, transparency, and accountability

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regarding information that should already be accessible within state child welfare systems.

D) Effective Implementation to Minimize Burden

As noted, many jurisdictions, including California, have already begun implementing system modifications and operational changes necessary to comply with the revised AFCARS requirements. California's ongoing implementation efforts demonstrate that integration of the additional ICWA-related data elements is feasible when supported by modernized child welfare case management infrastructure and coordinated planning. Continued federal guidance, standardized implementation materials, and technical assistance will nevertheless remain critical to promoting consistency across jurisdictions and ensuring accurate and reliable data collection nationwide.

CTFC encourages ACF to continue supporting modernization efforts through federal technology and innovation initiatives related to child welfare case management systems. Many older legacy systems were not designed to capture detailed ICWA-related procedural information and often required burdensome workarounds or manual tracking methods. By contrast, updated systems and modernized case management platforms are significantly more adaptable and capable of integrating additional data elements into existing workflows with less operational burden. As more states transition away from legacy systems and adopt modernized child welfare data infrastructure, the long-term burden associated with AFCARS reporting requirements is likely to decrease substantially. Several states have already begun implementing or utilizing these more flexible systems, demonstrating that modernization can improve both reporting efficiency and data quality.

We appreciate the opportunity to provide comments on the above outlined topics and remain open to any questions or follow-up you may have. Please contact Blair Kreuzer at blair.kreuzer@caltribalfamilies.org for further discussion.

Blair Kreuzer

Co-Executive Director

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