

**National Indian Child Welfare Association FY 2027 Testimony**  
**United States House of Representatives**  
**Committee on Appropriations, Subcommittee Interior, Environment, and Related Agencies**  
**Department of the Interior; Bureau of Indian Affairs Recommendations**

The National Indian Child Welfare Association (NICWA) is a national American Indian/Alaska Native (Native) nonprofit organization. NICWA has been a leader in the development of public policy that supports Tribal sovereignty and self-determination in child welfare and social services for over 40 years. This testimony will provide funding recommendations for the following programs under the Bureau of Indian Affairs (BIA) in the Department of the Interior: (1) Indian Child Protection and Family Violence Prevention grant programs for the treatment of victims and prevention services (\$50 million combined), (2) Indian Child Welfare Act On-Reservation grant program (Tribal Priority Allocation—\$35 million), (3) Indian Child Welfare Act Off-Reservation grant program (\$5 million), (4) Social Services Assistance (\$80 million), and (5) Welfare Assistance (\$100 million). We also support the expansion of the Tiwahe Initiative, which supports more well-integrated Tribal human service systems, reduces unnecessary administrative burdens, and emphasizes holistic approaches that better meet Tribal family needs. We also want to thank the Committee for previous appropriations for these critical programs.

Funding for Tribal child welfare and social services is especially critical given the disproportionate number of Native children in state foster care and levels of unemployment and poverty in many Tribal communities. There are 2.8 times the number of Native youth in state foster care than the general population. By the age of 18, one out of 14 Native children will be the subject of a maltreatment investigation.<sup>i</sup> Tribal Nations operate many aspects of child welfare and social service programming, including investigating cases of child abuse and neglect, building and managing case plans, securing out-of-home placements, providing training and support to secure employment, and implementing prevention and treatment programs. They are also important partners with states to help them manage and provide support to Native families under state jurisdiction. Investing in Tribal nations is beneficial for Native children and families, Tribal communities, and state agencies and court systems. When Tribal Nations have adequate resources, they can provide tailored, responsive care that reduces trauma to children and families and can help them stay connected to their community and the support of their extended families. Tribal community-based care opens the door to greater well-being for Native children in many ways, including neurological benefits.<sup>ii</sup> Native nations are developing helping systems that provide tangible results that, in many cases, outperform state efforts in the same systems and reduce long term dependence or reentry into care.

When Tribes have adequate resources, they can design and operate systems that keep more children safely at home whenever possible, reduce the lengths of stay in foster care, and speed them to alternative permanent placements when they can't be returned home. The Confederated Tribes of Umatilla Indian Reservation in Oregon has a child welfare program that has been carefully designed to increase early engagement with families before more complex and difficult crisis sets in. Their system design is based upon what connects and supports their community members. They address risk factors for children and families in a manner that thoroughly engages them but also holds families accountable through intensive collaboration with community service providers and the court and effectively supports the role of extended families

in decision making and support. After several months of work designing and carefully implementing a new community-based child welfare system, they were able to reduce the flow of Tribal children into foster care by over 60%. The Tribal child welfare system they designed reduced trauma to children and families, improved coordination with other Tribal programs, and improved the program's reputation in the community, which led to more families seeking help voluntarily as opposed to being ordered to by the Tribal court. These results and those of many other Tribes that have used their federal funds in a similar fashion reveal the value of federal support that can have profound and lasting effects on Tribal communities. At a time when federal lawmakers are asking for greater accountability and value for federal taxpayer funds, Tribal Nations are leading the way in meeting these goals. As Tribes redesign their human service programs to focus on the strengths within their communities and families and increase accountability, better outcomes occur, which helps reduce the use of costly crisis services, like foster care, and promote healing for many children and families.

### **BIA Indian Child Protection and Family Violence Prevention Act Grant Programs (2)**

*NICWA recommends appropriations of \$20 million for the Indian Child Abuse Treatment grant program and \$30 million for the Indian Child Protection and Family Violence Prevention grant program. These are some of the only child abuse prevention and treatment grant programs that Tribes do not have to compete with states and have never received more than \$5 million in a fiscal year, despite the great need for these programs.*

The Indian Child Protection and Family Violence Prevention Act (ICPFVPA), P.L. 101-630 was enacted to support Tribal child welfare and family violence services by building Tribal resources for prevention and treatment of child abuse and neglect and promoting greater coordination between child protection and domestic violence programs. Domestic violence and child abuse and neglect are significant issues in Native communities that need immediate attention and funding support. Native women are 1.2 times more likely than other women to experience violence over the course of their lives, and over 50% of Native women have experienced physical violence by an intimate partner.<sup>iii</sup> Women who experience domestic violence need medical care, legal, housing, and advocacy services. The Indian Child Protection and Family Violence Prevention grant program funds prevention efforts, as well as investigation and emergency shelter services, all of which are necessary for victims of domestic violence. The Indian Child Abuse Treatment Grant Program provides support to Tribal Nations to establish treatment programs for victims of child maltreatment. Native children have the highest rate of victimization of any other race or ethnicity, with 14.3 per 1,000 children reported as victims of child maltreatment, compared to the national rate of 7.7 per 1,000 children<sup>iv</sup>. While Tribal nations have the best knowledge and are in the best position to prevent child abuse and neglect and treat victims successfully overall Tribal Nations receive less than one-half of one percent of all federal child welfare funding while representing over two percent of the U.S. population.

While Congress enacted a statute that speaks to the critical relationship between child abuse and domestic violence, appropriations for this critical program have been abysmal with little to no funding appropriated since the enactment of this law in 1990. NICWA strongly recommends that Congress make significant investments in these two grant programs to help protect some of our community's most vulnerable citizens. This is NICWA's highest priority recommendation.

## **BIA Indian Child Welfare Act Program and Tiwahe Initiative**

*NICWA recommends an increase in appropriations to the Indian Child Welfare Act On-or-Near Reservation Program to \$35 million and the Off-Reservation grant program to \$5 million, as well as a \$7.5 million increase to the ICWA component of the Tiwahe Initiative.*

The Indian Child Welfare Act (1978) was enacted in response to a pattern of Native children being systematically removed from their homes, often without due process or fair evaluation of home circumstances and placed in state public and private agency care. Native children continue to be removed from their home communities in disproportionate numbers even with the protections of the Indian Child Welfare Act (ICWA), so grants under the ICWA program are necessary to sufficiently fund Tribes as they intervene in cases under state jurisdiction, assist states to meet ICWA requirements, and address child welfare concerns in their Tribal communities. The Off-Reservation program funds Native organizations in urban areas to work with Tribal families and assist states to ensure appropriate care for Native children and families.

The Tiwahe Initiative<sup>1</sup> supports the integration of Tribal social services programs to provide a more holistic and community-based approach to keeping children safe and strengthening Tribal families, including child welfare services. Tiwahe Tribal sites have flexibility to redesign their programs in a manner that makes different programs more seamless, more collaborative, easier to administer, and united under shared values that support community-based care. NICWA recommends increasing funding for this initiative so additional Tribes can more effectively integrate social service designs within their community services for families.

## **BIA Social Services Program**

*NICWA recommends increasing funds appropriated to the BIA Social Services Program to \$80 million to support Tribal social service programs across the country.*

The BIA Social Services program provides a range of support to Tribal families and communities. These are critical services that span a number of areas, such as child welfare, housing, Tribal courts, domestic violence, and job training and placement. The Social Services component of the Tiwahe Initiative allows participating Tribal communities to have greater flexibility with more reasonable reporting requirements to support integrated services that are more accessible for families and develop greater accountability. Providing additional funding will not only help maintain the services that the current Tiwahe sites provide but also expand the opportunity for effective service system integration to more Tribal communities. Tiwahe programs have already created tangible, sustained changes in Tribal communities. In the Red Lake Nation based in Minnesota, Tiwahe resources allowed their social services department to reunite 182 families in 2019, a significant increase from 45 families in 2017. In the Spirit Lake Nation based in North Dakota, Tiwahe allowed for staffing increases that directly led to the first-time implementation of a children's code related to child and family welfare, which will continue to positively impact the community for generations to come.<sup>v</sup>

## **BIA Welfare Assistance Program**

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<sup>1</sup> The Tiwahe Initiative uses an integrated model of service delivery for BIA funded child and family programs, which supports improved coordination, reduced administrative burdens, and improved outcomes. The funding is spread across several different programs for Tribal Tiwahe grantees.

*NICWA recommends increasing appropriation levels to \$100 million to support Tribal programs that provide services for community welfare, including those that assist families in crisis, prevent and treat cases of child abuse and neglect, and sustain kinship and relative care placements for children placed outside of their homes.*

The Welfare Assistance Program provides five programs important to Native families and communities: general assistance, child assistance, non-medical institution or custodial care of adults, burial assistance, and emergency assistance. Each of these programs responds to different needs that Tribal families and communities have in times of crisis or need. Data from the Commission for Native Children in 2024 shows that 36% of families with Native children in the household have difficulty covering food and housing expenses.<sup>vi</sup> Vulnerable elders need protection and children placed out of home need child welfare services. This funding is necessary to support the many community care efforts that Native families and individuals need. We want to highlight the important role relatives and other adults play in the care of children. Census data finds that in 45.8% of Tribal homes with grandparents and children present, grandparents have a key role in the care of children.<sup>vii</sup> This multigenerational approach to childcare is central to the care of children who live both in and out of their homes in Tribal communities. Tribal programs are best suited to understand the needs of their community and provide timely, effective services to protect their most vulnerable from further hardship or trauma.

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<sup>i</sup> Puzanchera, C., Taylor, M., Kang, W. & Smith, J. (2022). *Disproportionality rates for children of color in foster care dashboard, profile and disproportionality index data display, disproportionality index by date*. National Council of Juvenile and Family Court Judges. [https://www.ncjj.org/AFCARS/Disproportionality\\_Dashboard.asp](https://www.ncjj.org/AFCARS/Disproportionality_Dashboard.asp)

<sup>ii</sup> Gonzalez, R., Yellow Bird, M., & Walters, K. (2016). *The Indigenous Lifecourse: Strengthening the health and well-being of Native youth*. Native Americans in Philanthropy. <https://20951050.fs1.hubspotusercontent-na1.net/hubfs/20951050/Indigenous-Lifecourse-NAP-Report.pdf>

<sup>iii</sup> Rosay, A. (2016). *Violence Against American Indian and Alaska Native Women and Men*. National Institute of Justice. U.S. Department of Justice. <https://nij.ojp.gov/topics/articles/violence-against-american-indian-and-alaska-native-women-and-men>

<sup>iv</sup> Children's Bureau. (2024). *Child Maltreatment 2022*. U.S. Department of Health and Human Services, Administration for Children and Families. <https://www.acf.hhs.gov/sites/default/files/documents/cb/cm2022.pdf>

<sup>v</sup> Dukess, L., Dailey, C., Carter, P., & Garcia Lopez V.. (2020). *Tiwahe: Integrating Family, Community, and Tribal Services*. FHI 360. <https://www.fhi360.org/wp-content/uploads/drupal/documents/resource-tiwahe-family-community-tribal-services-report.pdf>

<sup>vi</sup> Subia Bigfoot, D., et al. (2024). *The Way Forward: Report of the Alyce Spotted Bear & Walter Soboleff Commission on Native Children*. Commission on Native Children. <https://commissiononnativechildren.org/reports/TheWayForward.pdf>

<sup>vii</sup> United States Census Bureau. *Census Bureau Releases New American Community Survey Selected Population Tables and American Indian and Alaska Native Tables*. United States Census Bureau. <https://www.census.gov/newsroom/press-releases/2023/acs-selected-population-aian-tables.html>