

**United States House of Representatives
Labor, Health and Human Services, Education, and Related Agencies
Department of Health and Human Services Recommendations
National Indian Child Welfare Association FY 2016 Testimony**

The National Indian Child Welfare Association (NICWA) has over 35 years of experience advocating on behalf of American Indian and Alaska Native (AI/AN) children in child welfare and children's mental health systems. Thank you for the opportunity to provide FY 2016 budget recommendations for child welfare and children's mental health programs administered by the Department of Health and Human Services (DHHS) (ACF, Payments for Foster Care and Permanency: +\$27m for tribal start up; ACF, Promoting Safe and Stable Families Discretionary: +20m for tribal capacity; SAMHSA, Tribal Behavioral Health Program, +25m).

Child Welfare Recommendations

A recent report from the Attorney General's Advisory Committee on American Indian/Alaska Native (AI/AN) Children Exposed to Violence provided the following recommendation:

Congress and the executive branch shall direct sufficient funds to AI/AN tribes to bring funding for tribal criminal and civil justice systems and tribal protection systems into parity with the rest of the United States (U. S. Department of Justice [USDOJ], 2014, p. 51).

Tribes, like states, rely on the federal government for the majority of their child welfare funding. Child safety and family stability are tribal governments' highest priorities, yet their programs remain drastically underfunded by the federal government. This underfunding has contributed to the increased risk for child maltreatment of AI/AN children and has stymied efforts to heal victims of child maltreatment and rehabilitate their families. Congress must prioritize the safety and well-being of these children and families in the budget process. NICWA provides the following recommendations:

| Agency | Program | President's FY 2016 Budget | FY 2016 Rec. |
|--------|--|----------------------------------|---|
| DHHS | Promoting Safe and Stable Families-Disc. | \$89.7m | \$89.7m |
| ACF/CB | (tribal) | (\$31.8m) | (\$31.8m) |
| DHHS | Child Abuse Discretionary Activities | \$48.7m | \$48.7m |
| ACF/CB | (tribal) | (unknown) | (unknown) |
| DHHS | Community-Based Child Abuse Prevention | \$39.7m | \$60m |
| ACF/CB | (tribal) | (\$416k) | (\$600k) |
| DHHS | Child Welfare Services | \$268.7m | \$280m |
| ACF/CB | (tribal) | (\$6.3m) | (~\$7.1m) |
| DHHS | Payments for Foster Care and Permanency | +\$27m for tribal start-up funds | +\$27m for tribal start-up funds |
| ACF/CB | | | |
| DHHS | Maternal Infant & Early Childhood Home | \$500m | \$500m |
| HRSA | Visiting Program (tribal) | (\$15m) | (\$15m) |

Priority Recommendations

Payments for Foster Care and Permanency

DHHS, Administration for Children and Families

Budget Recommendation: Increase this program's funding by \$27 million to specifically support tribal Title IV-E program start-up for tribes with approved Title IV-E plans.

The Fostering Connections to Success and Increasing Adoptions Act (2008) provided tribal governments with historic new opportunities to access foster care and permanency funding and technical assistance under the Title IV-E program—an area of child welfare services where tribes are woefully underfunded.

As described in a recent GAO report (2015) more tribes are not running Title IV-E programs because Title IV-E does not provide the funding or support needed by many tribes to actually begin implementation of the program. Essential to Title IV-E implementation is the ability to provide a substantial non-federal match and support initial caregiver payments and program costs with tribal funds. Yet, tribes interested in operating IV-E do not have the same access to general revenue as states. Also essential to Title IV-E implementation is the staffing and infrastructure necessary to support expanded services, additional requirements, and new accounting systems. Tribes—who have been chronically underfunded and only reassumed

control over their child welfare services in 1978—do not have the same child welfare infrastructure or capacity as states.

The President's FY 2016 budget requests an increase of \$27 million to the Payments for Adoption and Permanency Program to allow for tribes that have approved Title IV-E plans to apply for start-up funding. For tribes to successfully access Title IV-E and children to have safe and supported foster homes this program must be funded.

Promoting Safe and Stable Families (Social Security Act Title IV-B, Subpart 2)
DHHS, Administration for Children and Families

Budget Recommendation: Increase discretionary funding in this program to \$89.75 million to support the President's \$20 million initiative to increase tribal capacity and rural child welfare.

The Promoting Safe and Stable Families (PSSF) Program provides funds to tribes for coordinated child welfare services that include family preservation, family support, family reunification, and adoption support services. There is a 3% set-aside for tribes based on a formula, however if a tribe would qualify for less than \$10,000 then it is not eligible to receive any funding under this program. This means that many tribes, typically those tribes who are most in need, cannot access PSSF funding because the overall appropriation is currently too low and affects the individual tribal allocation. This means that tribes are providing intensive family preservation and family reunification services in spite of inadequate funding and insufficient staffing. This puts incredible strain on individual workers and programs. This strain stands in the way of tribes' ability to build capacity, expand programs, and coordinate services.

The President's FY 2016 budget includes a \$20 million increase to PSSF Program discretionary funds for a tribal child welfare capacity building initiative. This initiative would provide tribes with the resources necessary to support the staff time, infrastructure, and

development of child welfare departments and services. NICWA recommends that this initiative be funded.

Children's Mental Health

The Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence provided the following recommendation:

The Secretary of Health and Human Services should increase and support access to culturally appropriate behavioral health services in all AI/AN communities (USDOJ, 2014, p. 88).

In order to effectively serve AI/AN children and communities, funding must provide flexible opportunities that allow tribes to integrate culturally appropriate comprehensive mental and behavioral health services. NICWA provides the following recommendations:

| Agency | Program | President's FY 2016 Budget | NICWA FY 2016 Rec. |
|-----------------------|---|-----------------------------------|--|
| DHHS SAMHSA | Programs of Regional and National Significance— Children and Family Programs (includes Circles of Care) | \$6.5m | \$8.5m (Reserve \$6.5m for Circles of Care) |
| DHHS SAMHSA | Children's Mental Health Services Program— Systems of Care | \$117m | \$117m |
| DHHS SAMHSA | GLS State/Tribal Youth Suicide Prevention | \$40.5m | \$40.5m |
| DHHS SAMHSA | GLS Campus Suicide Prevention Program | \$8.9m | \$9.5m |
| DHHS SAMHSA | AI/AN Suicide Prevention | \$2.9m | \$3m |
| DHHS SAMHSA | Tribal Behavioral Health Grant | \$30m | \$50m |
| DHHS SAMHSA | Project LAUNCH | \$34.5m | \$34.5m |

Priority Recommendations

Tribal Behavioral Health Program

DHHS, Substance Abuse Mental Health Services Administration

Budget Recommendation: Increase funding of this program to \$50 million to make this funding available across Indian Country.

The Consolidated Appropriations Act of 2015 recommended that \$5 million be allocated to Tribal Behavioral Health Grants in the form of the Native Connections grant program appropriating this funding for the first time. These are competitive grants designed to target tribal entities with the highest rates of suicide per capita over the last 10 years. These funds must be used for effective and promising strategies to address the problems of substance abuse and suicide, and to promote mental health and well-being among AI/AN young people.

As originally conceptualized, the FY 2012 budget request sought \$50 million for a new Behavioral Health-Tribal Prevention Grant. Approximately half of the funding was to be allocated as a “base level” to federally recognized tribes that applied for these funds. Originally, the base amount that each tribe would be eligible for was at least \$50,000. As eventually passed by Congress in the 2015 budget, funding for what is now known as the Native Connections grant program, focuses more specifically on youth and, due to the level of funding, are competitive grants available to approximately 20 tribes. The President’s FY 2016 budget request includes a \$25 million increase, \$10 million additional dollars in the Mental Health Services appropriations and \$15 million new dollars in the Substance Abuse appropriations. This additional funding is still not enough to provide the program with adequate support to fulfill its initial conceptualization. To make it available across Indian Country NICWA recommends this program be funded at \$50 million, as suggested by the initial conceptualization of the program.

If you have any questions about this testimony please contact NICWA Government Affairs Associate Addie Smith at addie@nicwa.org or (503) 222-4044 ext. 134.

References:

U. S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention. (2014). *Attorney General’s Advisory Committee on American Indian/Alaska Native Children Exposed to Violence: Ending violence so children can thrive*. Retrieved from <http://www.justice.gov/sites/default/files/defendingchildhood/pages/attachments/2014/11/18/finalaianreport.pdf>