



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

MAR - 5 2020

The Honorable Ruben Gallego  
Chairman, Subcommittee for Indigenous Peoples  
of the United States  
Natural Resources Committee  
United States House of Representatives  
Washington, DC 20515

Dear Chairman Gallego:

Enclosed are responses to the follow-up questions from the November 13, 2019, legislative hearing on H.R. 4957, a bill to amend the Indian Child Protection and Family Violence Prevention Act, before your Subcommittee. These responses were prepared by the Bureau of Indian Affairs.

Thank you for the opportunity to respond to you on this matter.

Sincerely,

Christopher P. Salotti  
Legislative Counsel  
Office of Congressional and  
Legislative Affairs

Enclosure

cc: The Honorable Paul Cook  
Ranking Member

**Questions from Representative Rob Bishop**

**Question 1: What steps has the Bureau of Indian Affairs taken to help facilitate better sharing of information and reporting between the federal government, state and tribes?**

**Response:** To facilitate information sharing and reporting between the federal government, state and tribes, the Bureau of Indian Affairs (BIA):

- Developed and implemented the Social Services Center for Excellence, a training platform with a focus on creating and disseminating information, knowledge and best practices among Tribal and BIA social services staff on child protection, welfare and family violence prevention.
- Deployed the National Training Center for Indian Social Services website ([www.ntciss.org](http://www.ntciss.org)) in partnership with the Rocky Mountain Tribal Leaders Council and the University of Montana– Center for Children, Families and Workforce Development. The website serves as a training hub with on-demand access to resources, training, trending policies, practices, legislative changes and deliverables that impact social services programs and practices.
- Uses the Indian Child Welfare Quarterly and Annual Report (CAN Report) to collect Tribal Indian Child Welfare Act (ICWA) Program data to determine the extent of service needs in local Indian communities, to assess ICWA program effectiveness, formulate annual program budget justification, capture “best practices” techniques to ensure culturally appropriate child abuse and neglect prevention and protection services, and monitor states’ ICWA compliance.
- Is providing CAN Report technical assistance and training that includes data on the number of ICWA notices and the number of American Indian and Alaska Native children who receive child abuse and neglect referrals.
- Is integrating the Tribal ICWA Designated Agents List with the Bureau’s online Tribal Leaders Directory.
- Is coordinating with the Department of Health and Human Services and the Alyce Spotted Bear and Walter Soboleff Commission on Native Children to develop and establish intergovernmental agreements with an objective of fostering effective intergovernmental relationships between the BIA, Tribes and states to address racial disproportionality and disparity in the child welfare system to formulate and implement solutions.

## Questions for the Record

House Natural Resources Subcommittee on Indigenous Peoples of the United States

Legislative Hearing on H.R. 4957, the Native American Child Protection Act

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### **Question 2: While Congress has failed to appropriate funds for the Indian Child Protection and Family Violence Prevention Act, what other steps have the Bureau of Indian Affairs and the Indian Health Service taken to prevent, reduce, or provide treatment for victims of child abuse, neglect, etc.?**

**Response:** Indian Affairs has taken steps to prevent, reduce, and provide treatment for victims of child abuse and neglect through special initiatives, including:

- In FY 2018, the BIA's Eastern Oklahoma Region and the University of Oklahoma, School of Social Work (OU) developed and implemented a simulation-based Child Welfare and Child Protection training that included training modules for Indian Child Welfare/Child Protection and Domestic Violence.
- In FY 2019, BIA and OU delivered core competency training sessions to over 70 BIA and Tribal social service staff to increase skills in developing long-term strategies with families and their Tribal communities to address factors that impact the breakup of Indian families.
- In FY 2020, BIA will develop a Child Protection and Child Welfare Standard Operating Procedures (SOP) to guide the Bureau's child welfare and social services administration.
- *The Social Services Center for Excellence (the Center)*. The Center is developing culturally-based training and standardized practice and protocols in the areas of Child Protection Services and Child Welfare. The Center offers on-demand access to resources and trainings from the BIA, Tribes, state and local agencies. These resources are designed to give workers the tools and skills to effectively prevent, reduce and work alongside victims of child abuse and neglect as well as families impacted by violence.
- *Bureau Tribal Access Program (TAP) Kiosk*. In FY 2019, the Department of the Interior (Department) and the Department of Justice (DOJ) entered into an Interagency Agreement with the DOJ's Tribal Access Program (TAP) to deploy TAP kiosks at Bureau agency locations with direct law enforcement and/or social services programs. TAP provides federally recognized tribes and BIA Agencies the ability to access and exchange data with national crime information databases for both civil and criminal purposes. One goal of the project is to help prevent the placement of an Indian child in an unsafe foster home and to reduce the risk associated with out-of-home placements. TAP allows Social Services programs to run fingerprint based background checks on all prospective foster care placements, in accordance with the Native American Children's Safety Act (NACSA).
- *Tiwahe Initiative*. In FY 2015, BIA implemented the Tiwahe Initiative (Initiative). It is presently operating at 6 sites in Indian Country and is focused on building tribal capacity and tribal services infrastructure to integrate delivery of services to children and families.

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The Department cannot speak to Indian Health Service (IHS) programs. As such, questions regarding IHS should be referred to the Department of Health and Human Services.

**Question 3: According to the National Indian Child Welfare Association testimony, no Administration since 1990, Democrat or Republican, has ever requested funding for any of the Indian Child Protection and Family Violence Prevention Act, why is that?**

**Response:** Pursuant to the Indian Child Protection and Family Violence Prevention Act (the Act), Congress is authorized to appropriate up to \$30 million per year to establish the Indian Child Protection and Family Violence Prevention Program, and \$3 million per year to support Indian Child Resource and Family Services Centers. In the past, the Department has made direct funding requests in the President's Budget for purposes of the Act. In 2016, Congress amended the Act with the passage of the Native American Children's Safety Act which requires Tribes to conduct fingerprint based background checks prior to the placement of Indian children in foster home placements. However, Congress did not authorize additional funding for this directive.



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HAND CARRY

DATE: \_\_\_\_\_

TO:

The Honorable Ruben Gallego  
Chairman  
Subcommittee for Indigenous Peoples of the United States  
Natural Resources Committee  
U.S. House of Representatives  
Washington, D.C. 20515

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FROM:

LEGISLATIVE COUNSEL  
OFFICE OF CONGRESSIONAL AND LEGISLATIVE  
AFFAIRS

SUBJECT:

Responses to Questions from 11-13-19  
hearing on H.R. 4957

DELIVERED TO:

Carlynn LeGrant

DATE & TIME RECEIVED:

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