

# Alyce Spotted Bear and Walter Soboleff Commission on Native Children

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## Commissioners

Gloria O'Neill  
Chair

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Vice Chair

Carlyle Begay

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Jesse Delmar

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## ALYCE SPOTTED BEAR AND WALTER SOBOLOFF COMMISSION ON NATIVE CHILDREN STATEMENT TO THE HOUSE SUBCOMMITTEE FOR INDIGENOUS PEOPLES OF THE UNITED STATES REGARDING H.R. 438, EXTENSION OF TIMELINE FOR REPORT TO CONGRESS

The Commission on Native Children supports [H.R. 438](#), *To amend the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act to extend the deadline for a report by the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes*. This extension is essential in order to ensure a complete and thoughtful report to Congress because of the delays that the Commission has experienced after all of the commissioners were appointed and the funding was appropriated in February, 2019, including both delays in deploying appropriated funds and inability to hold the minimum of five community hearings required by the legislation because of community closure due to the pandemic.

The Alyce Spotted Bear and Walter Soboleff Commission on Native Children legislation passed in October, 2016 (PL 114-244) and all Commissioners were appointed by May 24, 2018. As required by the legislation, a Chair was selected within 14 days and a telephonic meeting was held within 30 days of the selection of the Chair. However, funding was not appropriated until February, 2019, and was not released for Commission use until October, 2019. The February, 2019 appropriation date triggered the statutory deadline for a report to Congress and the President within three years, creating a due date of February, 2022.

In the six months prior to the funding being appropriated, the Commission held a meeting in November, 2018 (generously hosted and funded by Casey Family Programs due to lack of distributed appropriations) to begin its work, and in the following eleven months, when the funding was appropriated and then finally allocated so that the Commission could officially begin, staff worked diligently with each of the federal departments charged with identifying a detailee to work with the Commission to facilitate its work so that the Commission would be ready as soon as possible after the funding was released.

Not until October, 2019 was the funding allocated via the Department of Interior and the official work could begin. Nevertheless, the Commission has accomplished a tremendous amount of work in spite of all this:

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- At the end of October, 2019, because of the six months of work prior to appropriation, the Commission was ready to have and did have its first in-person official meeting in Washington, D.C., in which the Commission established the Commission Framework, operating principles and subcommittee structure.
- Between October, 2019 and March 2020, when the second in-person Commission meeting was held, the Commission had a virtual Commission meeting and many subcommittee meetings, prepared the systems and processes to ensure good Commission practice, and issued a request for proposals and negotiated for a technical writer. While

several commissioners were already present for the second Commission meeting and first in-person hearing scheduled for March 12-13, 2020, in Phoenix, AZ the hearing had to be cancelled because COVID-19 was declared a pandemic, communities declared a shut down and some commissioners and community members were not allowed to travel.

Since then, the Commission has faced the challenges of COVID-19, moving to virtual work for Commission and subcommittee meetings and scheduling several hearings with experts whose testimony will be able to inform its work when the Commission finally gets to the communities to hear from the people themselves, and as required by the legislation. The Commission has also:

- laid the foundations so that future meetings and hearings of the Commission will be smooth;
- implemented the technical assistance contract to ensure timely report writing;
- launched the website;
- appointed the Native Advisory Committee;
- held two virtual Commission meetings in 2019 and eight virtual Commission meetings in 2020;

However, the Commission still has much research to gather, testimony to hear, and, most importantly, a minimum of five hearings in the community (as required by the legislation) to implement, which will require additional time as provided for in H.R. 438. The two year extension will address the funding and pandemic delays that have inhibited the Commission's ability to comply with the February, 2022 deadline.