

November 30, 2022

The Honorable Richard Neal
Chair
House Ways and Means Committee
Washington, D.C. 20510

The Honorable Kevin Brady
Minority Leader
House Ways and Means Committee
Washington, D.C. 20510

Dear Chairman Neal and Minority Leader Brady:

As advocates, we are dedicated to holding our country's child welfare system accountable to performance standards that respect and support families and provide children with the necessary protections and connections so that they can thrive in their communities. Therefore, we write to request your support for the bipartisan Strengthening Tribal Families Act of 2022 (H.R. 8954), which will ensure child welfare agencies make active efforts to maintain Native American children's connection to their homes, families, communities and culture.

The bipartisan Strengthening Tribal Families Act of 2022, which was introduced by Representatives Judy Chu (CA-27) and Don Bacon (NE-02), will provide the assistance and guidance that state and local child welfare agencies need to follow the federal standards established in the Indian Child Welfare Act (ICWA) concerning custody proceedings involving Native American children. ICWA is an important tool in addressing and redressing the historical prejudice and ongoing disparities that the Native American community has experienced at the hand of the child welfare system.

ICWA is considered by many child welfare policy and practice experts to be the "gold standard" for keeping, finding, and supporting Native American children's familial and cultural connections. The law requires state child welfare agencies to make "active efforts" to maintain or reunite an "Indian child" with their family. The law also mandates that the child welfare agency give notice to the child's tribe and allows the tribe to intervene in the child's custody proceeding.

ICWA aligns with the child welfare field's goal of maintaining connections to family and cultural identity. This goal, which was most recently codified in the Family First Prevention Services Act, is associated with a number of positive outcomes for children, such as:

- Mitigating the trauma children experience when they have to be removed from their homes for safety concerns,
- Protecting against feelings of isolation and rejection,
- Improved educational and occupational outcomes, and
- Strengthening children's support networks as they prepare for adulthood.

Currently, there is no federal agency that has been tasked with ensuring and supporting state and local child welfare agencies' compliance with ICWA standards. The bipartisan Strengthening Tribal

Families Act would grant such responsibility to the Department of Health and Human Services (HHS) by tying the ICWA requirements to a federal funding stream, Title IV-B of the Social Security Act. We anticipate that empowering HHS to assist child welfare agencies in their ICWA implementation will result in more Native American children remaining connected to their families of origin, extended family, and culture when they encounter the child welfare system.

We urgently ask that you support the Strengthening Tribal Families Act on its journey to becoming law. Thank you for your commitment to enhancing the accountability of the child welfare system and supporting the connections between our country's children, their families, and communities.

Sincerely,

Congressional Research Institute for Social Work Policy (CRISP)

National Organizations

American Youth Policy Forum
Association of Children's Residential & Community Services (ACRC)
Center for the Study of Social Policy
Child Welfare League of America
Children's Rights
Children's Advocacy Institute
Coalition for Juvenile Justice
Congressional Research Institute for Social Work Policy (CRISP)
First Focus Campaign for Children
iFoster
Juvenile Law Center
National Association of Counsel for Children
National Center for Youth Law
National Disability Rights Network (NDRN)
National Foster Youth Institute
National Homelessness Law Center
National Indian Child Welfare Association
Sayra & Neil Meyerhoff Center for Families, Children and the Courts
SDM Consulting
Think of Us
Youth Law Center
Youth Villages

State/Local Organizations

Advocates for Children of New Jersey (New Jersey)
Alliance for Children's Rights (California)

California Youth Connection (California)
Children's Action Alliance (Arizona)
Culture Creations Inc. (Kansas)
Foster Kinship (Nevada)
Foster Success (Indiana)
John Burton Advocates for Youth (California)
Maine Children's Alliance (Maine)
Nebraska Appleseed (Nebraska)
Nebraska Indian Child Welfare Coalition, Inc (Nebraska)
Our Children Oregon (Oregon)
Partners for Our Children (Washington)
Rhode Island KIDS COUNT (Rhode Island)
Voices for Vermont's Children (Vermont)
Voices for Virginia's Children (Virginia)