



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #SD-15-071

**TITLE: Support for the Inclusion of ICWA Data in the Adoption and Foster Care Automated Reporting System (AFCARS)**

### EXECUTIVE COMMITTEE

PRESIDENT  
**Brian Cladoosby**  
*Swinomish Tribe*

FIRST VICE-PRESIDENT  
**Randy Noka**  
*Narragansett Tribe*

RECORDING SECRETARY  
**Aaron Payment**  
*Sault Ste. Marie Tribe of Chippewa  
Indians of Michigan*

TREASURER  
**W. Ron Allen**  
*Jamestown S'Kallam Tribe*

### REGIONAL VICE- PRESIDENTS

ALASKA  
**Jerry Isaac**  
*Native Village of Tanacross*

EASTERN OKLAHOMA  
**Joe Byrd**  
*Cherokee Nation*

GREAT PLAINS  
**Leander McDonald**  
*Spirit Lake Nation*

MIDWEST  
**Roger Rader**  
*Pokagon Band of Potawatomi*

NORTHEAST  
**Lance Gumbs**  
*Shinnecock Indian Nation*

NORTHWEST  
**Fawn Sharp**  
*Quinalt Indian Nation*

PACIFIC  
**Jack Potter, Jr.**  
*Redding Rancheria*

ROCKY MOUNTAIN  
**Darrin Old Coyote**  
*Crow Nation*

SOUTHEAST  
**Larry Townsend**  
*Lumbee Tribe*

SOUTHERN PLAINS  
**Liana Onnen**  
*Prairie Band of Potawatomi Nation*

SOUTHWEST  
**Joe Garcia**  
*Ohkay Owingeh Pueblo*

WESTERN  
**Bruce Ignacio**  
*Ute Indian Tribe*

EXECUTIVE DIRECTOR  
**Jacqueline Pata**  
*Tlingit*

### NCAI HEADQUARTERS

1516 P Street, N.W.  
Washington, DC 20005  
202.466.7767  
202.466.7797 fax  
www.ncai.org

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, there is minimal data collected at the state or federal level on American Indian and Alaska Native (AI/AN) children in state child welfare systems and efforts to effectively implement the Indian Child Welfare Act in their cases; and

**WHEREAS**, quality state-level data is necessary to understand how states treating AI/AN children in the child welfare system and what assistance states need to better serve these children; and

**WHEREAS**, under Title IV-E of the Social Security Act all states are required to collect and report data about children in the child welfare system to the Adoption and Foster Care Automated Reporting System (AFCARS); and

**WHEREAS**, the AFCARS requirements do not currently include any data on AI/AN children and families or Indian Child Welfare Act (ICWA) implementation; and

**WHEREAS**, the Department of Health and Human Services, through the legislation that authorizes the collection of AFCARS data and the various laws that provide for the protection of AI/AN children and the reporting of information on ICWA compliance, has the authority to collect data on AI/AN children and ICWA implementation; and

**WHEREAS**, in the Federal Register on February 9, 2015, the Department of Health and Human Service, Administration on Children and Families issued a Notice of Proposed Rulemaking that did not include requirements related to AI/AN children or ICWA Compliance and then on April 2, 2015 issued a Notice Intent to Publish Supplemental Proposed Rules for data collection on AI/AN children and ICWA compliance were forthcoming.

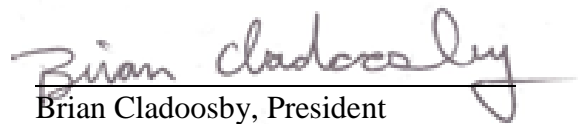
**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) does hereby recognize and firmly support the publication of AFCARS regulations that include data collection requirements for AI/AN children and ICWA implementation; and

**BE IT FURTHER RESOLVED**, that the federal laws that protect AI/AN children and families, and guide child welfare systems, deserve the same data reporting considerations as those that address protections and services to other children; and

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2015 Annual Session of the National Congress of American Indians, held at the Town and Country Resort, San Diego, CA, October 18-23, 2015, with a quorum present.

  
Brian Cladoosby, President

**ATTEST:**

  
Aaron Payment, Recording Secretary