



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PSP-09-080

TITLE: Support for Improving Tribal Child Welfare Technical Assistance to Tribal Governments

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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, the Congress has provided authority for tribes to directly apply for and operate the many of the existing federal child welfare programs, such as Title IV-B and IV-E; and

WHEREAS, in providing authority to operate these federal programs Congress has acknowledged both the federal trust responsibility and government to government relationship that exists between the United States and tribal governments; and

WHEREAS, tribal governments are eligible to receive technical assistance from the federal government to prepare for accessing these programs and enhancing their overall child welfare operations; and

WHEREAS, the federal government's interest in assisting tribal governments in the development and operation of tribal child welfare services goes beyond just the operation of federal programs as is demonstrated by the expressed intent within the Indian Child Welfare Act and Indian Self Determination Act; and

WHEREAS, tribal governments have increasingly been asking for assistance to help them prepare for operation of federal child welfare programs, enhancement of their service delivery system; and

WHEREAS, the Children’s Bureau under the Department of Health and Human Services, which is charged with providing child welfare technical assistance to tribes, has set criteria for how technical assistance is provided and what can be provided that is often not responsive to tribal needs and has limited capacity to assist tribal governments in developing effective programs; and

WHEREAS, several tribal governments that have tried to work with the Children’s Bureau have expressed their concerns regarding the technical assistance process, but little or no improvements have been made; and

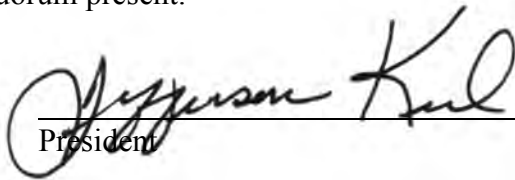
WHEREAS, if technical assistance from the Children’s Bureau continues to not be responsive to tribal needs the result will likely be fewer tribes participating in federal programs, little improvement in service capacity for tribes and improved outcomes and permanency for tribal children and families not being attainable.

NOW THEREFORE BE IT RESOLVED, that NCAI will convene a meeting with tribal leadership and officials from the Department of Health and Human Services to review the Children’s Bureau’s implementation of government to government policies and protocols for federal agencies working with tribal governments and specifically address tribal concerns regarding child welfare technical assistance to tribes; and

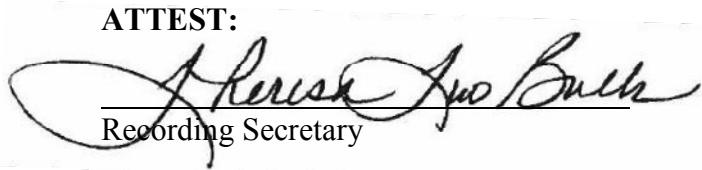
BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2009 Annual Session of the National Congress of American Indians, held at the Palm Springs Convention Center in Palm Springs, California on October 11-16, 2009, with a quorum present.



President

ATTEST:


Recording Secretary