



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #TUL-05-044

### **TITLE: Support for Commission on Foster Care Recommendations to Direct Fund Tribal Governments in Child Welfare**

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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 and Bush Administration are making efforts to reform the way federal child welfare funding is distributed to tribes and states and the role of courts in overseeing child welfare proceedings; and

**WHEREAS**, these efforts could result in dramatic changes in federal funding for tribes and possible changes to state court procedures in child welfare proceedings; and

**WHEREAS**, tribal governments have not been afforded equitable access to a number of the cornerstone federal child welfare programs that are being targeted for change and federal resources to support their tribal court systems; and

**WHEREAS**, the Pew Commission on Foster Care conducted a thorough examination of the current child welfare funding system in the United States and the role of court oversight and made several recommendations on how to address many of the complex issues of federal child welfare reform (see Pew Report at [www.nicwa.org/policy/legislation/index.asp](http://www.nicwa.org/policy/legislation/index.asp)); and

**WHEREAS**, the Pew Commission included recommendations in their report to provide tribal governments direct access to federal child welfare programs, such as Title IV-B and IV-E, and technical assistance to assist them in their efforts to strengthen their capacity; and

**WHEREAS**, the Pew Commission did not include recommendations on the role of tribal courts in child welfare proceedings, but left it open for further discussion and development within Indian Country; and

**WHEREAS**, the Pew Commission recommendations concerning the direct funding of tribal governments support tribal sovereignty and acknowledge the resources necessary to exercise that authority.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI does hereby support the Pew Commission on Foster Care recommendations to fund tribal governments directly from federal child welfare programs and provide assistance to strengthen their capacity; and

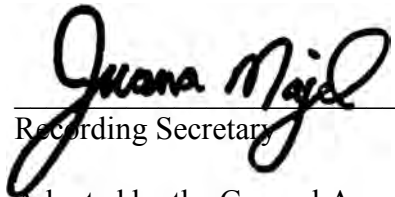
**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

**CERTIFICATION**

The foregoing resolution was adopted at the 2005 Annual Session of the National Congress of American Indians, held at the 62<sup>nd</sup> Annual Convention in Tulsa, Oklahoma on November 4, 2005 with a quorum present.

  
\_\_\_\_\_  
President

**ATTEST:**

  
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Recording Secretary

Adopted by the General Assembly during the 2005 Annual Session of the National Congress of American Indians held from October 30, 2005 to November 4, 2005 at the Convention Center in Tulsa, Oklahoma.