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National Indian Child Welfare Association

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PRESS RELEASE

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Congress Passes Landmark Child Welfare Bill, Includes Tribal Access to Foster Care, Adoption, Kinship Care, and Independent Living Funds for Tribes

Washington, DC—The Fostering Connections to Success and Increasing Adoptions Act, passed by Congress on Monday, September 22, 2008, generates significant improvements to the nation's child welfare system, including creating direct access for tribal governments to this country's largest child welfare program, the Title IV-E Foster Care and Adoption Assistance program. This groundbreaking legislation marks the most sweeping Congressional reform of the U.S. foster care system in more than a decade.

The legislation, spanning several areas of foster care reform, would allow tribal governments to directly access Title IV-E federal funds for foster care and adoption assistance for the first time since enactment of the Title IV-E program in 1981. The legislation also provides tribal access to new funding for guardianship placements involving relative caregivers and independent living funding.

Also, the legislation authorizes and appropriates \$3 million for each fiscal year (FY) beginning in FY 2009 for technical assistance to tribes regarding activities needed to enhance the administration of tribal programs under Title IV-E and one-time start-up grants of up to \$300,000 a year for up to two years for tribes seeking to apply to the federal government to operate the Title IV-E program.

The National Indian Child Welfare Association (NICWA), a national nonprofit headquartered in Portland, Oregon, has led much of the advocacy for this legislation, as well as past attempts by Congressional leaders to address tribal access to federal child welfare funds.

NICWA Executive Director Terry Cross, MSW, LCSW, and member of the Seneca Nation, said, "The effort to pass this legislation was bi-partisan from the beginning. Leaders in the Senate, such as Senators Baucus, Grassley, Rockefeller, and Smith, and leaders in the House, such as Congressman McDermott, Weller, Pomeroy, and Camp were instrumental in keeping tribal children's issues addressed in the legislation throughout the process."

"Implementation of this legislation, if signed into law by the President, will transform child welfare services for thousands of American Indian and Alaska Native children. Tribes will be able to pay for foster and kinship care, recruit, and train caregivers, and most importantly, insure the safety, sense of belonging, and well-being of their children," said Cross.

"We also want to recognize there was unprecedented support and effort from many Indian and non-Indian leaders and organizations, especially the members of The Pew Commission on Children in Foster Care, the Kids are Waiting campaign, the National Congress of American Indians (NCAI), and the Association on American Indian Affairs (AAIA), who have helped to make this effort on behalf of Indian Country a success," said David Simmons, MSW, NICWA Director of Government Affairs and Advocacy.

The new legislation implements many of the core recommendations articulated four years ago by the Pew Commission on Children in Foster Care. The Pew Commission, a national, nonpartisan panel established by The Pew Charitable Trusts, undertook a comprehensive assessment of the nation's foster care system and developed a blueprint for reform of the federal child welfare finance system, including direct tribal funding.

National Indian Child Welfare Association (NICWA) is a national nonprofit and the most comprehensive source of information on American Indian child welfare and works on behalf of Indian children and families. NICWA provides public policy, research, advocacy, information, training, and community development services to a broad national audience; state child welfare agencies; and other organizations, agencies, and professionals interested in the field of Indian child welfare. Their website is www.nicwa.org or call 503.222.4044.