

NICWA NEWS

Quarterly Newsletter • Winter 2023

The *LATEST* *INSIDE*

Standing Together
for Native Children





National Indian Child Welfare Association
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The National Indian Child Welfare Association (NICWA) is a nonprofit, membership-based organization dedicated to the well-being of American Indian and Alaska Native children and families. Headquartered in Portland, Oregon, NICWA serves tribes, individuals, and private organizations throughout the United States and Canada by serving as the most comprehensive source of information on American Indian child welfare and acting as the only national Native organization focused on building tribal capacity to prevent child abuse and neglect.

Our Mission

The National Indian Child Welfare Association is dedicated to the well-being of American Indian and Alaska Native children and families.

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Sarah Kastelic (*Alutiiq*)

NICWA News is the quarterly newsletter for members and donors of the National Indian Child Welfare Association. Membership is available in multiple levels starting at \$35. For reprint requests, additional copies, or other information, contact us at info@nicwa.org



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Message from the Executive Director

Dear NICWA Members, Sponsors, Donors, and Friends,

Welcome to the winter issue of *NICWA News*, “Standing Together for Native Children.” As advocates for Native children and families, you know about the threats to the Indian Child Welfare Act (ICWA). We’ve consistently shared with you about the progress of *Haaland v. Brackeen*, the case challenging the constitutionality of ICWA, through the federal court system, culminating in oral arguments before the U.S. Supreme Court last November.

Many of you, our NICWA community, were among the more than 300 people who joined us at the steps of the Supreme Court on November 9, when the justices heard oral arguments in the case. We gathered outside in a prayerful, family-friendly demonstration of support for ICWA. We felt it was important for the justices to remember the full weight of the decision they are asked to make and the people whom that decision most immediately impacts. Thank you for standing with us.

Also standing with us that day were thousands of people from tribal communities across the country. There were also expressions of support from our relatives in Canada and Australia. Tribal governments, community groups, tribal citizens, and our allies came together in small and large gatherings in hundreds of places across the country to hold space—physically and spiritually.

We asked our Creator to help the justices who heard this case, the attorneys who made their arguments before the Court, and the communities and families who will be most closely impacted by the Court’s decision. We prayed for the justices’ open ears, hearts, and minds. While the Court was in session, we offered prayers and songs to our Creator. Photos of this powerful demonstration of support for ICWA are in the center spread of this issue of *NICWA News*.

Our prayer gathering was a strong and visible stand for Native children and their families, but the opportunity to stand together for Native children presents itself every day in dozens of decisions we make and actions we take. Standing together for Native children is reflected in the steps we take to keep kids and their families safely together. It’s about being a good relative, checking in with neighbors and families who are struggling, intervening before there are “bumps and bruises” or abandonment to offer concrete support, developing culturally appropriate services, accounting for strengths—not just detailing deficits—in family assessments, developing a tailored case plan that builds family capacity to keep kids safe, and engaging extended family in family group decision making to make the best decisions for their relative children.

We also stand together for Native children when we, as people doing this work, check in on each other, debrief difficult situations, seek support when we need it, and take care of ourselves so that we have the capacity to keep doing work that keeps families together. As Alutiiq Elder Mary Peterson used to say, “Take care of the Elder you will become.”

Standing Together for Our Children,

Sarah L. Kastelic

Sarah L. Kastelic, PhD, MSW
(Alutiiq)





Supreme Court Weighs Arguments in *Haaland v. Brackeen*

After hearing oral arguments on November 9, the United States Supreme Court is considering how they will rule in the *Haaland v. Brackeen* case. The oral argument lasted more than three hours with a debate about Congress's authority to enact the Indian Child Welfare Act (ICWA), including the application and boundaries of the Indian Commerce Clause of the United States Constitution and whether ICWA violates the Equal Protection Clause (whether ICWA is based upon the political status of Native people and tribes or a racial classification). The Court also heard arguments about whether ICWA unlawfully commandeers state agencies resources and actions. Materials for the case, including oral argument [audio](#) and [transcripts](#), are available at sct.narf.org/caseindexes/haaland_v_brackeen.html.

While it is difficult to predict how the Court will rule in this case, the federal government and tribal defendants presented their arguments and responded to questions from the justices very well. It was clear that a number of the justices were strongly pushing back against the plaintiffs' arguments that ICWA was unconstitutional, especially the more extreme arguments, like the claim that ICWA protections are based on race. Because of the complexity of the case that could result in a range of outcomes, it's likely that a decision will not come forward until the spring and possibly as late as June 2023.

NICWA, with Protect ICWA Campaign partners the National Congress of American Indians, Native American Rights Fund, and Association on American Indian Affairs, are leading efforts to defend ICWA through litigation, communications, and policy work. You can find information on how to support ICWA by following the Protect ICWA Campaign @ProtectICWA on [Twitter](#) and [Instagram](#). The Protect ICWA Campaign is continuing communication efforts and preparing resources for tribes and states to preserve protections for Native children and families after the decision is issued.

118th Congress—Challenges and Opportunities for Tribal Advocates

Following the results of the 2022 midterm elections, tribal advocates will work with new leadership in the House of Representatives and a slightly larger Democratic majority in the Senate. New House rules will place greater restrictions on the legislative process and may make it more difficult to increase funding levels for federal programs.

For tribal child welfare advocates, there were some key bills that did not make it through the 117th Congress that will likely be reintroduced in the 118th Congress. While it could be a lean 118th Congress in terms of new legislation and increases to federal program funding, there will be opportunities to work with the Congress to pass priority legislation for Native children and families. Below are some legislative bills that made progress in the 117th Congress but will need to be reintroduced in the new 118th Congress.

- Truth and Healing Commission on Indian Boarding School Policies (H.R. 5444 and S. 2907)
- Tribal Family Fairness Act (H.R. 4348)
- Native American Child Protection Act (H.R. 1688 and S. 2326)
- Reauthorization of Child Abuse Prevention and Treatment Act (H.R. 485 and S. 1927)
- Strengthening Tribal Families Act (H.R. 8954)

Administration for Children and Families Seeks to Restore Native Data Elements

The Administration for Children and Families (ACF) forecasts promulgating new regulations in 2023 to restore Native child and family data elements from the 2016 Adoption and Foster Care Analysis Reporting System (AFCARS) that were removed by the previous administration in 2020. The 2016 data elements were the first data elements to track data on Native children in state child welfare systems and were supported by many tribes and tribal advocates for years. They became final in 2016 but were rescinded before state implementation began. Many of the data elements track Indian Child Welfare Act requirements. The announcement from ACF is contained [here](#). The publication date of the proposed regulations has not been identified but is expected by June 2023.

To learn more about these policy updates in NICWA's [Child and Policy Update](#), visit www.nicwa.org/policy-update.

NICWA Has Lost a Dear Friend

On November 21, at the age of 90, Tessie Williams made her journey to the spirit realm. Tessie was one of the original advisory board members of the Northwest Indian Child Welfare Institute (NWICWI) and was instrumental in the founding of NICWA.

As a founding board member, Tessie helped shape NICWA's work and the spiritual and cultural base of our organization. Tessie was a key teacher informing the content for the Heritage and Helping curriculum as well as Positive Indian Parenting.

As a member of the Confederated Tribes of the Umatilla Indian Reservation, she was a natural born social worker and was one of the first community health representatives in the country. She served in that role for more than 28 years supporting the health of her community.

NICWA founder Terry Cross, a Seneca man from New York, met Tessie at a training event on Indian child welfare well before NWICWI was conceived of. Tessie accepted and supported Terry and, along with others, welcomed him warmly to the Northwest. When the opportunity came to develop the Institute, Terry called on Tessie to be an advisor. She agreed. She would stay involved and become a leader helping turn NWICWI into the Northwest Indian Child Welfare Association in 1987 and then help this regional association become the National Indian Child Welfare Association (NICWA) in 1994.

Tessie reviewed and commented on every publication, ensuring that the cultural content consistently addressed the needs of our families. She was a strong teacher with a gentle spirit. She led by example and was the very essence of courage and integrity. Tessie served her community her entire adult life and was highly respected professionally and personally; and, thankfully for NICWA, her service went well beyond Umatilla to several regional and national organizations.

Through her maternal line, Tessie descended from the Cayuse leader Five Crows, half-brother to Old Chief Joseph. Five Crows wielded considerable regional influence in historic events in the first half of the 19th century and was among the 36 tribal headmen who eventually agreed to the Treaty of 1855 that reserved 512,000 acres in Eastern Oregon for the Cayuse, Umatilla, and Walla Walla peoples. Tessie traveled

to Washington, DC, to advocate for health and child welfare, among other issues and to raise funds for the causes she believed in, including NICWA. She traveled internationally raising awareness of cultural issues. She was a devoted volunteer in her community and a guide to all who knew her. We will miss her warm smile and the power of her voice for our Native children and families.

(Pictured: Tessie Williams with her granddaughter Shalaya recreating the same moment of the two of them from the Protecting Our Children poster for NICWA's campaign, "grandmas matter," to uplift the importance of grandmothers in Native communities.)



Standing Together for Native Children



(Pictured left to right: Uptown Singerz, Vice-Chairwoman Loni Greninger of Jamestown S’Klallam Tribe)



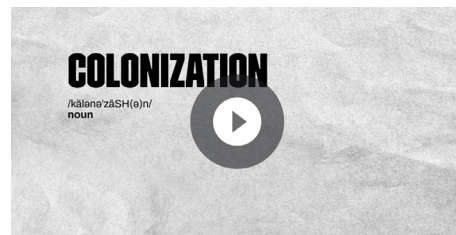
On November 9, the US Supreme Court heard oral arguments in *Haaland v. Brackeen*, a case involving the constitutionality of the Indian Child Welfare Act (ICWA) (see page four to read about oral arguments). NICWA and the Protect ICWA Campaign began setting up a prayerful gathering in front of the steps of the Supreme Court in the early morning as attorneys and the public stood waiting in two lines wrapping down East Capitol Street and Maryland Avenue to enter the court for the hearing. A crowd began to gather, which grew to be over 300 people—relatives, children and families, tribal leaders, Indian child welfare workers, child welfare organizations, and allies.

We began our gathering as oral arguments started. Former NICWA board member Paul Day, chief judge of the Leech Lake Court, offered a blessing and pipe ceremony, which was followed by songs offered by the local Uptown Singerz drum group and prayers from NICWA members and friends from across the country. For two hours, people shared their prayers, songs, drumming, and dancing in support of ICWA and the protection of Native children and families. Our final song was offered by Vice-Chairwoman Loni Greninger of the Jamestown S’Klallam Tribe, and after oral arguments, leaders from the four tribes who intervened in the case held a press conference.



Now, several months later, we wait for a decision from the Court. As we know, an attack on ICWA is a direct attack on tribal sovereignty. Attacking ICWA is part of a larger formula for colonization—the last stage being taking Native children from their families and communities.

Regardless of how the justices rule, together as ICWA advocates, we will work to keep the spirit of ICWA alive by ensuring Native children are connected to their families, tribes, culture, and their sense of belonging. Depending on the ruling, various policy and practice strategies may help us do that.



WATCH: [The Recipe of Colonization](#) on NICWA's YouTube Channel @NativeChildren

Meet NICWA's Newest Staff



La Rae Driftwood (Crow)
Program Project Coordinator

La Rae Driftwood is a member of the Crow Tribe of Montana. La Rae has over eight years of experience working with tribal communities. Before coming to NICWA, she oversaw daily operations of the Crow Nation transit department where she enjoyed working and serving within her tribe. Her passion is helping tribal members thrive and have access to services that will meet their needs. La Rae joined NICWA as the program project coordinator in October 2022 and is excited about bringing her experience and passion for advocacy to the NICWA team.



Kyra Antone (Coeur d' Alene/ Tohono O'odham)
Communications Specialist

Kyra's Indian name is 'Kiohod,' which translates to Rainbow. She is Coeur d' Alene and Tohono O'odham and a direct descendant of Chief Spokane Gary. Kyra is a graduate from Washington State University (WSU) where she majored in digital technology and culture (DTC), while minoring in both fine arts and comparative ethnic studies. While at WSU, she received the President's Leadership Award, DTC Community Service and Engagement Award, and DTC Outstanding Senior Award.

Kyra is very passionate about working with Native communities and believes storytelling can be a form of both learning and healing. Before joining NICWA, she helped Native youth create podcasts with Voices to Hear, was a communications consultant for the Center for Native American Youth at the Aspen Institute, and spent time as a production assistant working on telling the stories of Indigenous people with Providence Pictures on the PBS series Native America 2.0.

Where We've Been



(Pictured left to right: Star Hagen, Kinship Navigator; Cheryl Miller, Director; Tara Reynon, NICWA; Joylina Gonzalas, Program Manager.)

Port Gamble S'Klallam Tribe Children and Family Services

In January, NICWA's Child Welfare Director Tara Reynon was welcomed by the Port Gamble S'Klallam Tribe's (PGST) Children and Family Services program to learn more about their model Kinship Navigator program. This prevention model that PGST implemented has seen a significant decrease in children entering the child welfare system by providing holistic supports to relative and community care providers. The PGST Children and Family Services program will join the 41st Annual Conference for both a plenary panel and workshop presentation.

Suquamish Tribe

On January 19, Tara joined NICWA board member Robin LW Sigo, Suquamish tribal member and director of research and strategic development for the tribe, and two other Suquamish tribal members for a Treaty Days forum focused on the protection of Native children. The Treaty of Point Elliott was signed on January 22, 1855, and the Suquamish Tribe was one of more than 20 tribal groups that were parties to this treaty (<http://Suquamish.nsn.us>). Each year, the Suquamish Tribe holds a Treaty Days event and explores different ways that the treaty has impacted their people. This year, the focus was on their children and the Indian Child Welfare Act. The culture committee chose this topic as the trauma that has resulted from the boarding school era and children's separation from family continues to impact generations within their community. A panel of three tribal members, a child welfare leader, a placement provider, and a parent, who have all been impacted by ICWA and its protections for Native

children, and NICWA's child welfare director participated in a moderated discussion before a packed room of community members.

Kinship Unity National Convening

On February 1-2, NICWA participated in the Kinship Unity National Convening hosted by Generations United, Think of Us, and the American Bar Association Center on Children and the Law, in Washington, DC. The goal of the convening was to identify and prioritize key policy opportunities and start the process of building and engaging other critical stakeholders in a strong and actionable national policy agenda.

The day and a half convening brought together policy advocates with lived experience and professional expertise in kinship care, with one-third of the group present having lived experience. The convening was a time to share the collective policy successes to date and to explore new opportunities to build on. Although not an explicit goal of the convening, relationship building among friends and colleagues who hadn't been together in person in years and making new connections was critically important.

The day started with a panel that centered lived experiences. Autumn Adams (*Yakama Nation*), youth leader and relative caregiver, spoke about her experiences as a caregiver to her siblings. Other panelists included Alisa Thornton, birth parent leader and kinship caregiver, Santana Lee, kinship caregiver and leader, and Raul Enriquez, kinship caregiver and leader. The panel was moderated by Dr. Sharon McDaniel, founder



(Pictured left to right: Tara Reynon and NICWA board member and the Suquamish Tribe's Director of Research and Strategic Development Robin LW Sigo)



(Pictured left to right: Alisa Thornton, Autumn Adams, Santana Lee, Raul Enriquez, and Dr. Sharon McDaniel)

and CEO of A Second Chance, Inc. Throughout the day, more and more colorful neon post-it notes, placed onto posters, filled the room. On them, participants wrote down responses and ideas to different questions and prompts. Lively conversation took place during the deep dive discussions. NICWA Research Assistant Alexis Contreras and Think of Us CEO Sixto Cancel co-presented and facilitated one of these deep dive discussions focused on the question, “What are the roles of lived experts in developing policy?” During this discussion, Alexis, who was raised in a kinship family herself, shared her experience of what NICWA hears from Native communities on this topic and cultural considerations in Indian Country. By the end of the first day, critical policy issues were identified.

Policy priorities identified included:

- Ensure cultural equity and respect tribal sovereignty
- Provide affordable, high-quality legal representation for kinship families
- Ensure that kinship caregivers receive equitable financial and other supports
- Fully integrate lived expertise into policy review, design, and implementation
- Ensure policies that meet kinship families’ basic needs
- Develop specialized programs to meet the unique needs of kinship families
- Ensure that the child welfare system respects, values, and fully supports kinship families
- Support effective strategies to change the public narrative on kinship care

The final day of the convening was focused on prioritizing these policy priorities. It was also a chance for participants to say if the hosts “got it right,” and add additional items that may have been missed. This work is in a beginning stage, and more people will be included in the future. Stay tuned!

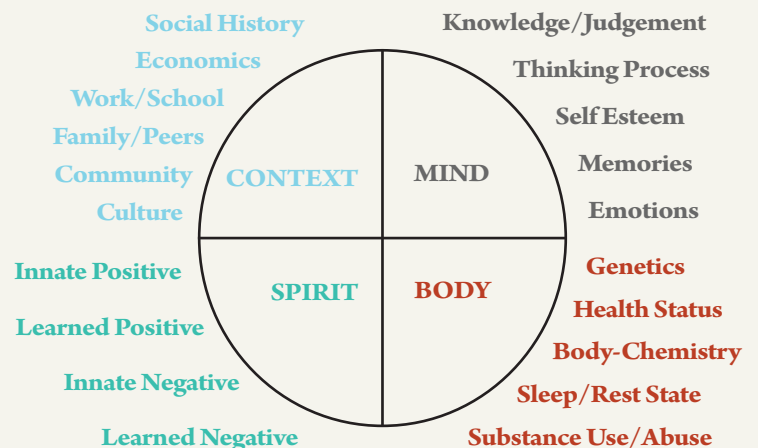
Intentional Resilience, Community Care, and Self-Care

To start the year off in a good way, our January member webinar featured Terry Cross, NICWA founder and senior advisor, who shared valuable tools for social workers and child advocates to use to prioritize self-care and intentional resilience to be able to continue to work in service to Native children and families. Working in social services, where burn out rates are high and imbalance is prevalent, can be both challenging and, when families make progress, very rewarding. At times, professionals in this field can feel buried in crisis management. The purpose of this member webinar was to share tools to promote self-care and find a healthy balance that builds resilience as workers face the daily struggles of the profession.

Developed by Terry Cross, the Relational Worldview Model is an Indigenous approach to finding balance using traditional teachings represented by a four-quadrant circle. The relational worldview uses traditional teachings in a contemporary model for healing, helping, and supporting a balanced well-being.

Using the Relational Worldview as a road map in building greater resilience in the workforce, Dr. Cross introduced the concept of intentional resilience as a strategy for healing the healer. He shared, “Intentional resilience is to actively plan and engage in holistic personalized strategies that promote balance and mitigate the negative impacts of adversity.” Being intentional and incorporating positive trauma responses can help shift the balance in high stress situations and promote greater self-care among social service professionals. Indigenous communities have found that one of the greatest strategies for building resilience is use of tribal teachings, traditions, and practices.

RELATIONAL WORLDVIEW



Events and Trainings

Train with NICWA in 2023-2024



June 6–8, 2023
St. Paul, MN



September 11–13, 2023
Oklahoma City, OK



January 9–12, 2024
Albuquerque, NM



April 10–12, 2024
Seattle, WA

Visit www.nicwa.org/training-institutes for more information.

41st Annual Protecting Our Children Conference Travels to Reno

We look forward to our 41st Annual Protecting Our Children Conference with great anticipation. The conference will take place April 2–5, 2023 in Reno, Nevada, the traditional homelands of the Shoshone, Washoe, and Paiute peoples. The gathering will be our first in-person conference in three years. We look forward to connecting with you, building relationships, and restoring hope together after a challenging period for our communities. We invite you to take part in this annual gathering for training and information on best practices, policy updates, networking with peers, and healing through community and laughter. The conference typically welcomes over 1,200 people working in Indian child welfare and related fields. We hope that you will join tribal leaders, social workers, judges, mental health professionals, and child welfare workers by attending this year's conference.

About the artwork: *Lifeway* represents the nurturing of future generations. Culture is represented through the Northern baskets in the floral designs, the traditional dress, and the color scheme of the family. The various colors of brown tones on the woman represent Mother Earth because she is a creator of life. The color blue on the children represents water and lifeways. Our lifeways heal our spirits.

Shawna Fricke is a traditional contemporary artist based in North Dakota with an associate of fine arts degree in two and three-dimensional art from the Institute of American Indian Arts. Shawna's work reflects her Indigenous heritage stemming from her Paiute and Taos Pueblo heritage.

To read the full artwork description and artist bio, visit www.nicwa.org/call-for-artists.



Membership

NICWA Member Spotlight: Rochelle Ettawageshik

We are pleased to shine a light on Rochelle Ettawageshik (*Little Traverse Bay Bands of Odawa Indians*), NICWA board member, National Native American Boarding School Healing Coalition (NABS) board member, and former director of Native American Affairs at the Department of Children and Families Services in Michigan.

You serve on the boards of two national Native organizations, NICWA and NABS. Why is this service important to you? What do you aim to contribute with your leadership?

The boards I serve on are a result of a lifelong pursuit of my love of Native families, culture, and community. My hope is to bring awareness and healing from historical trauma. My parents instilled in me a strong knowledge of our traditions and strength in our culture and pride in being a Native American woman.

What brings you to this work? How have your life experiences shaped your career and professional interests?

My life has been shaped by hearing stories of boarding schools from my mother and grandmother. As a result of their boarding school experiences, my professional and career choices were to learn more about the generations of children being taken away from their families. I also began to learn about the many federal policies that were detrimental to the Native American community.

For many years, you worked for the State of Michigan Department of Children and Family Services (DCFS) to support good tribal/state relationships. How do tribal/state relationships impact the well-being of Native children?

While working for the State of Michigan DCFS as director of Native American affairs, I created the tribal/state partnership, which included all tribal social services directors of the 12 tribes of Michigan. This group's goal was to bring a working relationship between the tribes and DCFS. This had never been done before. I developed the departmental policy as it related to providing services to Native American families in foster care and adoption. While working for the State of Michigan, I developed an educational track for the Indian Outreach Worker's Program at the Michigan Indian Education Council Conference, where I am currently the vice president. I am also the past chairperson of the Little Traverse Bay Bands of Odawa Indians Child Welfare Commission where I served for over 20 years.



As you look back over the decades, you've worked on issues that impact Native children and families, what progress have you seen? What gives you hope?

As I think back on my work, what gives me hope is the positive impact on many Native children and families that I have seen throughout my life both professionally and personally. We have survived as a people, and I am hopeful for the future.

2023 NICWA Membership Meeting

As is customary, NICWA will kick off the Protecting Our Children Conference with our annual membership meeting. This Sunday evening gathering is a special time to reconnect with friends after three years of virtual conferences and to expand your network with new colleagues. At the annual membership meeting you'll enjoy yummy desserts and hear updates from our board of directors about NICWA's program work, advocacy, and financial position. The slate of nominees for the board of directors will be presented, and our brand new five-year strategic plan goals will be rolled out.

We'll share with you our vision for the new member relations manager position, an integral part of NICWA's program department, which takes the lead on all of our community development, public policy, and research work. The new member relations manager will help NICWA to develop a process for ongoing listening to our members. We'll create regular opportunities for members to identify emerging issues, highlight program and practice strategies, share resources, and identify challenges that they need help addressing. Additionally, we'll intentionally draw on all of the information that members share with us to inform our advocacy priorities and strategies, resources we develop, our workforce training opportunities, our conference programming, and funding proposals to support work that is meaningful and of benefit to you. Help us find our next member relations manager!



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National Day of Prayer for Native Children

Tuesday, April 4, 2023

As advocates for Native children gather for NICWA's 41st Annual Protecting Our Children Conference, we call upon Native communities and our partners nationwide to join together in a National Day of Prayer for Native Children. Please join us in person for this respectful gathering or host an event in your community to demonstrate support for all Native children.

Where:

NICWA's 41st Annual Protecting Our Children Conference Peppermill Resort Casino Poolside Terrace Gazebo

When:

7:30 a.m.-8:15 a.m.

