



NICWA

National Indian Child Welfare Association

NICWA 2024 Policy Priorities

Each year, the National Indian Child Welfare Association (NICWA) identifies policy priorities that will guide our efforts and focus our resources during the calendar year. These annual priorities are developed through input from our board, staff, and tribal constituents. They reflect our mission, ongoing commitments, and assessment of opportunities to improve services and resources for American Indian and Alaska Native children and families. NICWA's 2024 policy priorities include the following:

1) Expand and support the network of tribal leaders who advocate on behalf of Native children and families.

- a) Provide tribal leadership with information on effective child welfare governance, including working in partnership with youth, parents, and relative caregivers, to support change in tribal communities that improves the well-being of AI/AN children, youth, and families and reduces threats to children's safety, such as substance abuse (fentanyl and opioids) and neglect.
- b) Expand tribal leader engagement and advocacy on NICWA priority policy issues at the federal and state levels. NICWA's post-*Brackeen v. Haaland* work to create a long-term strategic plan to protect ICWA and improve tribal capacity in child welfare requires the active engagement of tribal leadership. NICWA is committed to nurturing existing tribal nation relationships and developing new ones to support this work.

2) Protect the Indian Child Welfare Act (ICWA) and advocate for proper and consistent implementation.

- a) Develop a long-term strategic plan to protect ICWA and support tribal involvement in ICWA cases informed by priorities of tribal leadership and tribal child welfare program administrators. This plan will identify key policy and system change priorities to improve

ICWA compliance, increase tribal intervention in ICWA cases, and remove barriers to proper implementation of the law.

- b) Support the Administration for Children and Families 2024 Notice of Proposed Rulemaking ([RIN 0970-AC98](#)) that restores all the 2016 Adoption and Foster Care Analysis Reporting System (AFCARS) ICWA data elements for Native children and families in state child welfare systems that were removed in a 2020 final rule. These data elements are the first to require state reporting on key ICWA requirements in cases involving Native children and families.
- a) Educate federal policymakers, federal and state administrative officials, and state courts on the benefits of ICWA, its relationship to good child welfare practice, and opportunities to strengthen ICWA implementation and protect the law at federal, state, and local levels. NICWA supports the Strengthening Tribal Families Act, which supports better data collection on ICWA implementation and expanded technical assistance for states and tribes working to improve ICWA compliance.
- b) Educate non-Native advocacy partners about the steps they can take to protect ICWA and support necessary policy changes.
- c) Advocate for passage of the Truth and Healing Commission on Indian Boarding School Policy Act ([S. 1723](#) and [H.R. 7227](#)) to establish the first public examination of the Indian boarding school legacy and provide recommendations on how to help address the trauma and negative effects of the boarding school era in Indian Country.

3) Ensure federal and state child welfare policy supports culturally appropriate services for Native children and families and provides tribal nations equitable access to federal resources.

- a) Reauthorize the Title IV-B, Subpart 1 and 2 child welfare programs to provide all tribal nations access to funding and provide significantly higher levels of mandatory funding. Application and administration requirements for these grant programs should be streamlined, and tribal court improvement program funding should be increased. The Strengthening Tribal Families Act ([H.R. 2762](#)) and Tribal Family Fairness Act achieve these purposes and NICWA supports their inclusion in any Title IV-B reauthorization bill that Congress takes up.

- b) Advocate for legislative and administrative policy that allows tribal nations and states to develop and utilize culturally based and culturally adapted prevention and kinship navigator services for Native children and families as provided for under the Family First Prevention Services Act (Division E of Bipartisan Budget Act of 2018—H.R. 1892). This includes extending current guidance for tribes operating the Title IV-E program directly through the federal government to tribes operating the Title IV-E program through agreements with states. NICWA also supports the President’s FY 2025 budget that includes a legislative proposal to allow tribes to operate the Title IV-E Prevention Services Program without having to also operate the Title IV-E Foster Care and Adoption Assistance programs.
- c) Advocate for reauthorization of the Indian Child Protection and Family Violence Prevention Act that reauthorizes existing child abuse prevention and victim treatment grant programs and increases authorizations to needed levels. The Native American Child Protection Act ([H.R. 663](#) and [S. 2273](#)) includes supportive amendments to the law that will improve the grant programs and NICWA supports passage of this legislation.

4) Advocate for federal funding levels that provide parity with other governments to address the needs of Native children and families in child welfare, children’s mental health, and juvenile justice systems as well as poverty reduction and family support programs.

- a) Advocate for a tribal set-aside to the Social Services Block Grant to provide tribal nations with the opportunity to receive funding and administer the program directly through the federal government for social service-related purposes.
- b) Educate federal policymakers and administration officials on the barriers to tribal and urban Indian program access to child welfare funding.
- c) Advocate for sufficient federal funding levels so that every tribal nation and urban Indian program can offer child welfare and related services needed within their communities.
- d) Advocate for Administration for Children and Families programs to be compacted in a similar manner as Bureau of Indian Affairs and Indian Health Services programs to eliminate unnecessary and burdensome administrative requirements and allow tribal governments with flexibility to provide the services their communities need.