



TALKING POINTS FOR SUPPORTING AMERICA'S CHILDREN AND FAMILIES ACT (P.L. 118-258) TRIBAL CONSULTATIONS

- Title IV-B funding provides important, flexible funding for Tribal Nations to help at-risk children stay at home safely and avoid removal into foster care. It also supports Tribal efforts to partner with states to ensure the protections of the Indian Child Welfare Act are provided to our tribal citizens.
- The increased Tribal funding, focus on collecting ICWA data and using this to create improved technical assistance to Tribes and states, and reduction of administrative burdens make important progress towards increasing Tribal capacity in child welfare and improving ICWA compliance.
- These are our specific recommendations for implementation:
 - Ensure implementation of the 2024 Adoption and Foster Care Analysis and Reporting System regulations that require collection of ICWA-related data continues without disruption. Congress, Tribes, and States need this data and it will support compliance with new Title IV-B requirements, including biennial reports to Congress on ICWA implementation and development of new data-driven TA that will improve ICWA implementation.
 - Reduce Tribal administrative reporting requirements under Title IV-B, such as reducing information required for the Child and Families Services Plan application that don't apply to Tribes specifically or have limited value in assessing whether statutorily required plan requirements are met.
 - Where statutory plan requirements exist, explore easier ways for Tribes to provide this information, such as checklists or assurances.
 - Yearly reporting under the Annual Progress and Services Report can also be examined for ways to reduce administrative burden. For example, the fifth-year final report requires a summary of all of the previous years information.

Instead, only require the Tribe to provide data on the fifth year's progress and not a summary across all years.

- Improving Tribal engagement in state court proceedings is key to improving outcomes for Native families in state child welfare systems and is one of the areas of focus under the new law. Key barriers for Tribes include not having funding to hire an attorney, varying state court rules and fees regarding participating of attorneys from outside the state and non-attorney Tribal representatives, and technology barriers for Tribes and Tribal parents. We urge you to review the National Indian Child Welfare Association's written testimony and recommendations on this subject.
- Tribal Court Improvement Program funding is doubled under the new law and ACF in their recent solicitation for public comment asks for input on how the new funds should be distributed. They specifically ask if the funding amounts should be increased for Tribal grantees or if the current grant amount, \$150,000 pre year, should remain in place and increase the number of Tribal grantees. *(Fill in your Tribal recommendation).*