House Passes NCUIH-Endorsed Bipartisan Native American Child Protection Act, Includes Urban Indian Organizations in Grant Program

Category: Policy Blog
written by Jeremy Grabiner | October 10, 2023

On September 18, 2023, the House passed the National Council of Urban Indian Health (NCUIH)-endorsed legislation, the *Native American Child Protection Act* (H.R. 663) with a vote of 378-32. The original sponsors, Representative Ruben Gallego (D-AZ- 3) and Representative Dan Newhouse (R-WA-4), reintroduced this bipartisan legislation on January 31, 2023, which would reauthorize the Indian Child Protection and Family Violence Prevention Act programs through Fiscal Year 2028. The bill includes urban Indian organizations (UIOs) as eligible entities and encourages culturally appropriate treatment services and programs.

Specifically, the bill:

1. **Makes UIOs eligible** for the Indian Child Abuse Treatment Grant Program.
2. Creates a National Indian Child Resource and Family Services Center (the Center) that will provide technical assistance and training to Tribes, Tribal organizations, **and UIOs**.
3. Establishes an advisory board to advise and assist the Center, that will consist of 12 members, appointed by the Secretary, from Indian Tribes, Tribal Organizations, and Urban Indian Organizations, with expertise in child abuse and child neglect.
4. Requires the development of model intergovernmental agreements between Tribes and states to prevent, investigate, treat, and prosecute family violence.
5. Revises the Indian Child Protection and Family Violence Prevention Program to allow funding to be used for additional activities such as operational costs for child protective services.

Bill Garners Bipartisan Support for Native Children

On the House floor, **Representative Mike Collins (R-GA-10)** noted the importance of the bill for Native children, “Advocates cite that the Indian Child Protection and Family Violence Prevention Act is the only federal statute that sets aside funding for Tribal governments dedicated to child abuse prevention and victim treatment funding for Tribal governments… abuse, neglect, and violence have no place in any community.”

Representative Ruben Gallego (D-AZ-3) highlighted the federal trust responsibility to Native children, stating “That bill [Indian Child Protection and Family Violence Prevention Act] was part of a promise to answer for the tragic abuse that happened at the federally run Native American boarding schools, but the programs have never been fully funded, were never authorized, and eventually expired. This is a failure by the federal government and the continuation of centuries of broken promises.”

Background

Native American/Alaska Native Child Maltreatment

According to a 2021 Administration for Children and Families Report, Native American children experience the highest child abuse/victimization rate in the U.S. at 15.1 cases for every 1,000 children. The youngest children are the most vulnerable to maltreatment, with the rate of victims younger than one year is 56.6 per 1,000 children, which is the highest rate among all races or ethnicities. Among types of maltreatment, Native American/Alaska Native Children are most likely to experience neglect at 83.5%.

Legislative History

The programs revised by the Native American Child Protection Act were originally established in 1990 under the Indian Child Protection and Family Violence Prevention Act. The programs include the Indian Child Abuse Treatment Grant Program, the National Indian Child Resource Center, and the Indian Child Protection and Family Violence Prevention Program. These programs have yet to be fully funded and have not been reauthorized by Congress.

This legislation previously passed the House with a majority recorded by voice vote in the 116th Congress (H.R. 4957). On July 14, 2021, the Senate Committee on Indian Affairs held a legislative hearing on H.R. 4957 where then Senior Advisor of the Office of the Assistant Secretary for Indian Affairs at the Department of Interior, Heidi Toadacheene, spoke in support of the act. In acknowledgment of the first inclusion of urban Indian organizations in the legislation, Assistant Secretary Toadacheene said in her testimony, "… services to be extended to the urban Indian organizations, and as you know those are critical services to help tribal communities, especially in places where American Indian, Alaskan Natives don't have access to some of the services on reservations."

Next Steps

This bill has been received in the Senate. NCUIH will continue to monitor the bill's progress.

Resources

- Full Text of H.R. 663
- NCUIH Blog on H.R. 4957 Legislative Hearing
- Representative Gallego Press Release on H.R. 663
- Link to Recording of H.R. 663 House Consideration