



EVERY CHILD IS SACRED



National
Congress of
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National Indian Child Welfare Association
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NATIONAL INDIAN EDUCATION ASSOCIATION
Advancing Excellence for All Native Students

National Indian
Health Board



Native Children's Policy Agenda: Putting First Kids 1st

**NATIVE CHILDREN'S POLICY AGENDA:
PUTTING FIRST KIDS 1ST**

**By the National Congress of American Indians, National Indian Child
Welfare Association, National Indian Education Association, and the National
Indian Health Board**

Updated August 2015

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EXECUTIVE SUMMARY

For time immemorial, bound by love and responsibility, tribes have worked to ensure the health, well-being, and success of Native children. Tribal governments are responsible for protecting youth, teaching and guiding these next generations, providing services to families, and creating supportive environments where children can live and flourish. Native children, in turn, form the backbone of future tribal success and will someday lead the charge to create thriving, vibrant communities. In 2008, the National Congress of American Indians, the National Indian Health Board, the National Indian Education Association, the National Indian Child Welfare Association, and the National Council of Urban Indian Health created a joint policy agenda for American Indian and Alaska Native children. The goal of this initiative is to set forth specific recommendations to improve the social, emotional, mental, physical, and economic health of children and youth, allowing them to achieve their learning and developmental potential. In short, this initiative calls on key stakeholders to put *First Kids 1st*.

This agenda, updated in 2015, is intended as a tool to assist tribal leaders and other policymakers in their work to create and implement a vision for vibrant, healthy communities. It is also intended to guide stakeholders as they prioritize legislation and policy issues that may affect Native children and youth. We identify four overarching themes that we believe must be guiding principles for improving children's lives and outcomes. Within each theme, the agenda sets forth tribal strategies and policy objectives to implement these principles. The themes are:

Healthy Lifestyles. Native children must have the resources and support they need to develop strong self-esteem, positive self-identity, healthy bodies, and the life skills to usher them successfully into adulthood. One of these resources is good health. Children who are physically, mentally, emotionally, and spiritually healthy are more able to play, learn, and work. And since health is a component of the mind as well as the body, they are also more apt to influence their peers to promote an encouraging social norm around health and healthy behaviors.

Supportive Environments. Children who have their basic needs met, including love, shelter, food, clothing, and play, are children who are more likely to go on to thrive, explore, learn, and dream. Our children must be supported by our communities and protected from harm.

Successful Students. Children who have a positive, safe, and culturally relevant learning environment will achieve to the best of their abilities. Qualified and skilled teachers, culture-based curriculum, and family involvement are effective and promising practices critical to ensuring children are able to develop to their full potential.

Vibrant Communities. In order to invest in children and the community structures that support them, tribal governments must have options for economic development, flexibility to channel tribal and federal funds into programs that best support their members, and resources to help move families out of poverty. The objective is to foster economically strong and resilient communities which can support community programs that provide basic support for children and families.

INTRODUCTION

From time immemorial, bound by love and responsibility, tribes have worked to ensure the health, well-being, and success of Native children and youth, from before birth to adulthood. Tribal governments are responsible for protecting youth, teaching and guiding these next generations, providing services to families, and creating supportive environments where children can live and flourish. In exercising this responsibility, tribal governments rely on collaborations and partnerships with other stakeholders. Because of these relationships, it is critical that tribes and tribal organizations lead the way in developing and implementing sound, culturally appropriate policy strategies to support the healthy development of Native children.

Recognizing this need, in 2008, the boards of directors of the National Congress of American Indians, National Indian Health Board, National Indian Education Association, National Indian Child Welfare Association, and the National Council of Urban Indian Health created a joint policy agenda for American Indian and Alaska Native children. The result of this collaboration is this Native Children's Policy Agenda. This agenda, updated in 2015, is intended to be a tool to develop integrated policy approaches and specific recommendations for tribal governments, policymakers, and local leaders to use when creating and implementing a vision for a thriving, vibrant Native community. It is also intended to guide stakeholders in identifying specific legislative vehicles and policy issues that may affect Native children. This agenda will also inform and guide the work of the emergent initiative-- *First Kids 1st*.

We believe that in order to be successful, a Native children's initiative must encompass both broad themes and specific goals and must reach beyond typical children's issues to identify the full range of factors important to Native children's well-being. Some of these factors are more obvious: children need quality education, supportive communities, and good health. Each of these, however, depends on factors which may be less obviously associated with children, such as access to affordable housing, the availability of healthy foods in communities, and economic development to support community services. Recognizing the challenges that present on the path from prenatal to adulthood, we also must foster resilience in children and youth by ensuring access to both traditional knowledge and new research on life skills which will allow our young people to successfully overcome barriers they may face.

In this policy agenda, we identify guiding policy principles for improving the lives of Native children and provide concrete recommendations for implementation. We have grouped these principles into four overarching themes: Healthy Lifestyles, Supportive Environments, Successful Students, and Vibrant Communities. Within each theme, we identify specific areas of focus and set forth specific tribal strategies and policy objectives to improve the lives of Native children and youth.

HEALTHY LIFESTYLES

Our children must have the resources they need to develop strong self-esteem and the life skills needed to help usher them into adulthood. One of these resources is good health. Children who are physically and emotionally healthy are better able to play, learn, and work.

Access to Health Care

In order to raise healthy children, communities need access to comprehensive quality health care delivered in a culturally appropriate and sensitive manner. Comprehensive health care includes physical and behavioral health providers, urgent and preventative care, women's health services, prenatal and infant health services, dental services, and eye care. The federal Indian Health Service (IHS) is responsible for providing health care to all Indian people, but IHS is typically funded at just over half the level of need,¹ resulting in inadequate health care and poor health outcomes for Native people. Between 2007 and 2009 life expectancy for an American Indian or Alaska Native (AI/AN) was just 73.7 years, which is 4 years less than the 2008 U.S. average.² The infant mortality rate from 2007 to 2009 for AI/AN people residing in the IHS service area is 8.3 deaths per every 1,000 live births – 26 percent higher than the overall U.S. rate.³ In order to address these disparities, the IHS must be fully funded, health facilities must be constructed and renovated to keep pace with need and technology, and tribes must have the flexibility to explore programmatic approaches and service models, including telemedicine, community health workers, integration of traditional and Western strategies, and use of mid-level providers in order to improve service to remote areas and underserved communities. Where these innovative programs exist, like the Dental Health Aide Therapy program in Alaska -- we see impressive outcomes for community health, patient engagement and workforce development.

Tribal Strategies

- Develop programs to recruit and train Native people in health professions and to attract skilled health care practitioners to tribal communities, especially in rural and remote areas.
- Develop partnerships with urban centers using telehealth technology to promote access to specialty care.
- Integrate traditional health care practices into existing health and wellness services. For many Native people, culture, tradition, and spirituality are critical to their overall health and well-being. Modern health care delivery need not, and should not, result in suppression of traditional methods.
- Incorporate wellness programs in health clinics and facilities. While health care addresses disease prevention and treatment, wellness encompasses daily lifestyle choices, environment, emotional and spiritual well-being, and health education.

¹ U.S. Department of Health and Human Services, Indian Health Service. (1999). *Part 1: Level of Need Cost Model*.

² U.S. Department of Health and Human Services. (2014). Indian Health Service. Trends in Indian health: 2014 edition. *Public Health Service, Indian Health Service, US Government Printing Office, Washington, DC*.

³ Ibid.

Through wellness promotion, the incidence of health problems can be reduced, along with long term health care costs.

- Improve outreach services and health education. For example, a tribal diabetes patient education program, which focuses on teaching people how to manage their disease on a daily basis, is an important tool for reducing diabetes-related complications. These programs can also be directed to helping children manage their diabetes from an early age. Similarly, community outreach services can help educate people about the availability of health benefits and teach children to make healthy choices early in life.
- Develop school-based health clinics. Students perform better in class when they are healthy and ready to learn. School-based health centers bring the doctor's office to the school so students avoid health-related absences and get support to succeed in the classroom.
- Increase enrollment in Medicaid, Medicare, and SCHIP for eligible Indian people.
- Improve the overall capacity of Tribal public health systems with the development of public health codes and policies.
- Promote broader adoption of a mid-level dental provider program at the Tribal level.

Policy Objectives

- Work toward full funding for the Indian Health Service, ensuring that IHS, tribal and urban Indian health providers have adequate funding and modern equipment and technology.
- Become engaged in non-Native national health policy initiatives.
- Advocate for a federal authorization program for school-based health clinics.
- Continue to work with the Indian Health Service to achieve 100% *Baby Friendly Hospital* designation among all IHS hospitals.

Behavioral Health & Emotional Well-Being

Lack of behavioral health services is a major issue for many tribal communities. AI/AN youth have extraordinarily high suicide rates, and suicide has reached epidemic proportions on some reservations. The death rate from suicide for American Indian and Alaska Native people is 62% higher than the general population.⁴ Unfortunately, the services needed to prevent, diagnose, treat, intervene and provide aftercare for these behavioral health crisis situations does not exist in most tribal health clinics. A 2001 study estimated that the ratio of behavioral health providers to Indian children was as low 1 to 25,000.⁵ Children need access to mental health professionals, paraprofessionals, and crisis intervention services in their schools and

⁴ U.S. Department of Health and Human Services, Indian Health Service. (2006). *Facts on Indian Health Disparities (based on 2000-2002 rates)*. Retrieved August 25, 2008, from <http://info.ihs.gov/Files/DisparitiesFacts-Jan2006.pdf>

⁵ Freeman, B., Iron Cloud-Two Dogs, E., Novins, D.K., & LeMaster, P.L. (2004). Contextual Issues for Strategic Planning and Evaluation of Systems of Care for American Indian & Alaska Native Communities: An Introduction to Circles of Care. *American Indian and Alaska Native Mental Health Research* 11(2), 7.(citing McNevins, M. & Shepard-Erickson, J. (1998) SAMHSA, American Indian Children's Mental Health Services: An Assessment of Tribal Access to Children's Mental Health Funding and a Review of Tribal Mental Health Programs), Retrieved August 25, 2008, from [http://aianp.uchsc.edu/ncaianmhr/journal/pdf_files/11\(2\).pdf](http://aianp.uchsc.edu/ncaianmhr/journal/pdf_files/11(2).pdf).

communities; and support and skills-building should be available to those who work with and provide care for youth as well – both professionally and personally. And knowing that protecting youth is a community value, community members and family members need to understand suicide and how to intervene when they fear that a person may be contemplating suicide.

Tribal Strategies

- Recognize that behavioral health is an important issue for Native communities and support research in the mental health field focusing on culturally appropriate, trauma-informed, effective treatment methods and models of care that are feasible for reservation and Alaska Native communities.
- Use system of care approaches that integrate services and operate on a child and family centered philosophy.⁶
- Support teaching of culture and tradition as a primary means of rejuvenating the self-worth, resilience, and mental health of AI/AN youth.
- Work to ensure the availability of non-crisis services, such as mediation, anger management programs, peacemaking, and other conflict resolution approaches.
- Develop culturally relevant school-based counseling programs to provide schoolchildren with immediate access to mental health services. School counselors should be trained in crisis intervention, provide general counseling services, and be equipped to refer students to other providers for more in-depth treatment.
- Diffuse prevention and intervention strategies for non-health professional peers and family members that are culturally appropriate and align to the community's resources.
- Support requires in-services classes for teachers, school employees and child care professionals on suicide and intervention strategies.

Policy Objectives

- Advocate for tribal provisions that establish direct tribal access to the Community Mental Health Services Block Grant in amounts that reflect the need within tribal communities for mental health services.
- Increase tribal funding for existing SAMHSA programs such as the System of Care and Circles of Care grant programs.
- Encourage state agencies and local service providers to fund and support programs to treat alcohol and substance abuse among Native people, including programs addressing co-occurrences of alcohol and substance abuse with other mental health problems.
- Establish federal requirements and incentives to increase state-tribal Medicaid agreements that can increase AI/AN peoples participation in the Medicaid program and improve coordination between states and tribes on the provision of mental health services.
- Support legislation to provide additional resources for suicide prevention in tribal communities.

⁶ Pires, Sheila A. (Spring 2002). *Building Systems of Care: A Primer*. Retrieved August 14, 2015 from http://gucchd.georgetown.edu/products/PRIMER_CompleteBook.pdf

- Encourage Congress to fully fund IHS behavioral health services, fully staff all IHS mental health care positions, and increase the number of therapists available, especially those with child and adolescent training.
- Develop interagency cooperative agreements for placement of behavioral health professionals within schools on tribal lands, including Bureau of Indian Education schools.

Healthy Foods

Traditional subsistence lifestyles have been replaced with federal programs such as the Food Distribution Program on Indian reservations, the Food Stamp Program, and the Commodity Supplemental Food Program. Additionally, new reliance on store-bought foods, poor access to fresh produce, and the increased consumption of fast foods have resulted in American Indian and Alaska Native children suffering from higher rates of obesity and related complications, such as type 2 diabetes.⁷ The prevalence for type 2 diabetes in Native children can be as high as 76% -compared to 6% for non-Hispanic white children.⁸ The Centers for Disease Control and Prevention (CDC) reported in 2012 that 59.9% of non-Hispanic White adults (both male and female) in the U.S. are either overweight or obese, while 71.1% of AI/AN adults are overweight or obese.⁹ Additional research shows that longer time spent traveling to purchase groceries can have a direct correlation on high body mass and obesity.¹⁰

Tribal Strategies

- Ensure that community food programs, especially youth breakfast and lunch programs, incorporate healthy food choices and locally produced or traditional food options.
- Consider partnering with businesses that will bring healthy food options, rather than snack or fast food, to the community.
- Consider co-locating programs to serve meals to elders with Head Start, child care, or school programs.
- Partner with local food producers on projects, including food exchanges, local markets, or community gardens.
- Encourage school garden programs to grow local and traditional foods that can provide produce for school cafeterias.
- Create kitchens in community centers to educate community members on healthy food preparation.
- Teach community members to budget and shop for healthy foods.

⁷ Story, M. et al. (2003). Obesity in American-Indian Children: Prevalence, Consequences, and Prevention. *Preventative Medicine*, 37(1), S3-S12, S5.

⁸ Kaufman, F. (2008, July 16,). Written Testimony before the Senate Committee on Health, Education, Labor, and Pensions, Subcommittee on Children and Families. *Childhood Obesity: The Declining Health of American's Next Generation—Part I*, 3.

⁹ CDC 2013. Health Behaviors of Adult: Unites States, 2008-2010. Table 6.1. Retrived from http://www.cdc.gov/nchs/data/series/sr_10/sr10_257.pdf

¹⁰ Chuang, K.. (2012). Food deserts: What they are, what they do, and what is being done about them. Nutrition, 245. Retrieved from <http://gillingsproject.wordpress.com/food-deserts-what-they-are-what-they-do-and-what-is-being-done-about-them/>

- Create community garden programs to incentivize locally grown and family-produced food, as well as explore creating a community co-op or food share program.

Policy Objectives

- Work to improve the Food Distribution Program on Indian reservations to incorporate more traditional, locally-produced foods as healthier options.
- Provide direct funding to tribes who want to administer the Supplemental Nutrition Assistance Program (formerly the Food Stamp Program).
- Work to create similar options for the Women, Infants and Children (WIC) program and increase tribal flexibility in administering this program.
- Advocate for tribal provisions within the National School Lunch Program and the School Breakfast Program for tribal schools.
- Work with school nutrition programs to replace junk foods with healthier options in vending machines and school cafeterias.¹¹ These programs should permit tribal administration and should ensure that state-administered programs are sufficiently responsive to the needs of Native youth.
- Promote the expansion of retail grocery markets in Native communities.
- Support federal programs that encourage at-home food production, such as backyard gardens and training on planting and maintenance.
- Encourage federal agencies to focus outreach and education efforts on reducing childhood obesity among Native children.
- Promote the adoption of Tribal policies governing the availability of unhealthy vending machine foods and beverages.
- Work with national funders to create a tribal grant program for the creation of local food co-ops or tribal farmers' markets.

Physical Activity

Regular exercise is key to maintaining good health. Exercise habits formed early in life can lay the foundation for healthy exercise habits in adulthood. Creating outlets for healthy physical activity encourages children to be active, and creates opportunities for family and social engagement on a much broader scale. In many tribal communities, however, physical activity options like summer camps and organized sports teams are not readily available to children, and the environment may not be conducive to outdoor play or activity.

Tribal Strategies

- Work to ensure that schools in Native communities provide comprehensive physical education and organized sports opportunities. Elementary schools should be required to incorporate at least 30 minutes of physical activity a day and should be prohibited from using recess as a form of punishment or reward.

¹¹ Center for Public Health Advocacy, National Consensus Panel on School Nutrition: Recommendations for Competitive Food Standard in California Schools, Aptos Middle School Student Nutrition Committee. (2002). *Waistlines and Bottom Lines: How Eliminating Junk Food from a School's Cafeteria Affects Revenue*. Retrieved November 18, 2008, from <http://www.sfusdfood.org/pdfs/science.pdf>.

- Develop adventure-based youth intervention programs. Adventure-based programs, such as Outward Bound, or those that utilize an outdoor survival model to teach youth life skills provide structured intervention for at-risk, substance abusing, or justice-involved youth.
- Construct sidewalks, community playgrounds, and sports facilities to help increase overall physical activity.
- Organize youth sport leagues in AI/AN communities.
- Promote the creation of employer-based fitness and workplace wellness programs, including creating incentives for employers that establish walking and/or exercise programs.
- Assist with organizing community-based cleanup activities that can be used to remove trash and harmful materials from public spaces, parks, playgrounds and sidewalks, and make improvement and general maintenance to playground equipment.
- Establish community walking programs that provide a structure and support for walking and movement-based activities including pairing youth with elders for walking , creating designated walking routes, posting distance signs, creating local incentives for walking certain distances, and aligning walks with community events.

Policy Objectives

- Advocate for funding after-school programs and summer activities for children on reservations and in Alaska Native villages. Consider incorporating traditional activities and subsistence practices into these programs.
- Work to ensure that Bureau of Indian Education (BIE) schools receive funding to build and upgrade sports-related facilities, such as gymnasiums, fields, and tracks.
- Encourage federal programs that support the development of parks, playgrounds, and walking/biking paths on Indian reservations.

Alcohol and Drug Free Communities

Alcohol and other drugs pose a significant health risk to Native children. Alcohol is a factor in 12% of all deaths among American Indians and Alaska Natives, which is twice the rate of alcohol-related deaths in the general population.¹² Furthermore, 7% of these alcohol-related deaths occur in people under the age of twenty.¹³ Alcohol and drugs can be dangerous to children even when consumed by other people. For example, children may suffer from fetal alcohol spectrum disorder and may be at an increased risk of child abuse, neglect, or unsafe conditions if a parent drinks. Exposure to drugs and related chemicals can pose a significant threat, such as the risk to children when methamphetamines are manufactured in the home. Comprehensive community-based strategies to combat alcohol and drug abuse amongst youth include varied approaches that include education, familial engagement, alternate activities, and intervention and prevention programming. Alternate activities is a valuable approach in rural areas, where youth can become invested easily in one of few popular extracurricular activities -

¹² U.S. Centers for Disease Control. (2008). Alcohol-Attributable Deaths and Years of Potential Life Lost Among American Indians and Alaska Natives – United States, 2001-2005. *Morbidity and Mortality Weekly Report*, 57(34), 938-941. Retrieved November 18, 2008, from <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5734a3.htm>.

¹³ *Id.*

whether it be sports, cultural activities, or academics. When youth are involved and invested in positive activities they are less likely to engage in alcohol and substance abuse out of boredom. Additionally, positive options and the relationships that develop through these activities will give children and youth reasons to stay healthy.

Tribal Strategies

- Create comprehensive, culturally appropriate drug and alcohol screening and treatment programs in Native communities.
- Create positive and engaging options for youth, such as after-school programs, sports activities, mentorship opportunities, and traditional activities.
- Reduce the availability of alcohol in the community. For example, a tribe may elect to ban alcohol sales, limit sales, or prohibit sales to intoxicated people.
- Strengthen tribal laws designed to prevent the sale of alcohol and commercial tobacco to minors.
- Implement prescription drug monitoring programs to reduce abuse of painkillers and other medications.
- Work with surrounding communities to reduce the availability of alcohol and influx of illegal drugs into the Native community.
- Strengthen tribal laws limiting or regulating the sale of potentially dangerous over-the-counter items such as paint, glue, and cold medicine.
- Implement a strong substance use prevention curriculum in the school settings.
- Strengthen the capacity of tribes to implement and evaluate evidence-based and practice-based evidenced programs to combat alcohol and drug use among community youth.

Policy Objectives

- Advocate for increased funding for the Department of Justice, Substance Abuse and Mental Health Services Administration, and the Indian Health Service alcohol and drug treatment programs currently serving Native communities.
- Encourage Congress and the IHS to make alcohol and drug counseling and treatment available to all pregnant women.
- Advocate for increased funding to combat illegal drugs, including funding for police, special drug task forces, lab cleanup, and drug treatment programs.
- Encourage Congress to fully fund IHS and the IHS to fully staff all IHS substance abuse and treatment counseling positions.
- Encourage CDC and SAMHSA to implement demonstration projects to create an evidence base for culturally-based substance use prevention programming and homegrown interventions in Indian Country.

SUPPORTIVE ENVIRONMENTS

Children who have their basic needs met, including love, shelter, food, clothing, and play, are children more likely to thrive, explore, learn, and dream. Our children must be protected from unsafe environments and supported by our communities.

Affordable & Safe Housing

Healthy children begin their lives in healthy homes. The availability of affordable and safe housing is critical to the success of Native children. Most tribal communities face severe housing shortages, with waitlists that far exceed rates of new housing construction.¹⁴ Construction costs are higher in remote communities. Many tribes struggle to repair existing housing, which more often leaves tribal housing stock in substandard conditions. Additionally, overcrowding on Indian trust land is six times the national rate. In Alaska Native villages it is eight times the national rate.¹⁵ More than a third of homes on reservations and more than 40 percent of homes in Alaska Native villages are overcrowded, compared with roughly five percent of other homes in the United States.¹⁶ For children in particular, overcrowded, deteriorated building conditions can lead to health problems, lack of sleep, magnified family dysfunction, and transient living conditions, which can significantly affect school performance. In the area of housing, tribes' flexibility in administering federal housing programs has been an important tool for improving the quantity and quality of housing conditions on reservations.

Tribal Strategies

- Create tribal housing agencies to oversee housing construction, make repairs, and to administer federal programs.
- Ensure that adequate emergency and temporary housing options are available to reduce overcrowding.
- Create home ownership programs for tribal members.
- Support the co-location of housing programs and health programs. Placing community based health services in housing projects allows community members to have greater access to both types of services.

Policy Objectives

- Advocate for increased funding for Indian housing programs.
- Encourage Congress and the Bureau of Indian Affairs to continue funding the BIA Housing Improvement Program, which provides resources for emergency improvements.
- Advocate for reauthorization and funding of the Section 184 Indian Housing Loan Guarantee Program, which facilitates Indian home ownership by allowing the U.S. Department of Housing and Urban Development to guarantee loans made by private lenders to Indian people.
- Become involved in current mortgage reform conversations to increase access for Native people.

¹⁴ National American Indian Housing Council. (2001). *Too Few Rooms: Crowding in Native American Communities and Alaska Native Villages*. Retrieved November 4, 2008, from <http://naihc.net/NAIHC/files/CCLIBRARYFILES/FILENAME/000000051/Too%20Few%20Rooms%20Publication.pdf>.

¹⁵ U.S. Commission on Civil Rights. (2003). *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* 62 (citing Native American Indian Housing Council. *Overcrowding is Extensive, Causing Host of Health Problems*. (2002)).

¹⁶ *Id.* at 62, (citing Native American Indian Housing Council. (2001)).

Supportive Families

Child development begins at the family level. Programs that strengthen and support families are an important way to invest in children's success. Native children are overrepresented in state foster care systems, with the majority referred for neglect.¹⁷ This trend can be reversed with investment in strong Native families. Keeping families safe means keeping families free from abuse. It also means supporting parents and ensuring that parents have access to the services and support they need to raise healthy and safe children.

Tribal Strategies

- Develop programs to make emergency support services available in tribal communities, such as domestic violence and runaway shelters, crisis hotlines, and family counseling programs.
- Develop parent training programs and outreach programs to provide basic safety tools and training to parents.
- Offer parenting courses that integrate culturally appropriate childrearing philosophies and practices where appropriate.
- Encourage parents to participate in child development programs after experiencing difficulties related to domestic violence or addiction.

Policy Objectives

- Increase funding for Child Abuse Discretionary Activities, including Evidence-Based Community Prevention Programs, to support research to test treatment and interventions, allowing for the identification of tribal child welfare best practices.
- Ensure that tribal police and courts have adequate resources and access to tools to effectively investigate and prosecute domestic violence and child abuse offenders on tribal lands. This includes allowing tribal courts to exercise criminal jurisdiction over non-Indian child abuse offenders that abuse AI/AN children on tribal lands.
- Increase coordination and support from federal law enforcement agencies, such as the Federal Bureau of Investigation and Attorney General's office, to improve timely investigations and successful prosecutions of child abuse offenders that abuse AI/AN children on tribal lands.
- Ensure that tribal justice systems have resources for victims of crime that include family counseling options.

Child Welfare

Given the importance of family in child development, it is imperative that communities have in place structures to support troubled families and to provide children with loving and supportive homes if their parents cannot care for them. Family reunification services are an important part of this, as are non-family placement options that reflect traditional child-rearing practices, such as placement with relatives and flexible permanent placement options. Tribal child welfare systems are particularly important because they can offer placement options that better reflect

¹⁷ National Indian Child Welfare Association. (2007). *A Time for Reform: A Matter of Justice for American Indian and Alaska Native Children*, 4-5. PEW Charitable Trusts.

traditional child-rearing practices and allow Native children to remain connected to family, tribe, and culture.

Tribal Strategies

- Take a public health approach to supporting families. Increase the integration of services that work together to prevent, identify, and address child abuse and neglect in communities.
- Develop and promote culturally-appropriate materials, activities, and programs that focus on the prevention of child abuse and neglect.
- Develop tribal practice models and service delivery systems that build tribal child welfare capacity in a manner that optimizes support for in-home and other family support services that can prevent placement of children in foster care or help them be successfully reunified with their family after placement. Capacity building plans should incorporate tribal strengths and challenges as well as culturally appropriate training and technical assistance.
- Develop tribal foster care, guardianship, and adoptive home licensing/approval standards and related training to increase the capacity to recruit and retain Native foster families.
- Develop tribal independent living programs in order to help older foster youth transition into adulthood, including vocational training, financial support, and incentives to attend college.
- Enact tribal child welfare codes that set forth a continuum of placement options and incorporate permanency options that reflect traditional practices, such as relative placement, shared parenting arrangements, and customary adoption without the termination of parental rights.

Policy Objectives

- Enact legislation to increase permanent placement options to ensure that all AI/AN children that cannot be reunified with their parents have a family-based placement that nurtures their relationship with their extended family, community, and tribe, including customary adoption and other cultural permanent placements without the termination of parental rights.
- Provide start-up funds for the implementation of ACF-approved tribal Title IV-E programs that support foster care and adoption assistance payments, case management, training, and data collection activities for children placed by tribal agencies and courts (under tribal jurisdiction).
- Ensure consistent federal assistance and oversight from various regions to tribes developing Title IV-E programs.
- Advocate for changes in the tax code to support federal tax credit parity for tribal families that seek to adopt children through a tribal court.
- Ensure that federal child welfare finance reform policy supports new funding for tribes to provide in-home and treatment services that can keep children in their homes safely or avoid returning to out of home care.

- Ensure compliance with the Indian Child Welfare Act and provide incentives to states to increase tribal-state ICWA collaboration.

Juvenile Justice

Supportive communities also have structures in place to intervene and provide assistance to children and families when youth get into trouble. Intermediate sanctions and alternatives to detention are not widely available in tribal communities.¹⁸ These policies result in Native youth overrepresentation in detention and waived into the adult criminal system, despite these acts being mostly low-level offenses.¹⁹ Another consequence is that Native youth are often forced to leave their communities in order to receive rehabilitative services, a practice that is reminiscent of the era when Native youth were sent away to federal boarding schools. Programs that rehabilitate, treat, and redirect justice-involved youth in their communities are critical to ensuring that youthful misbehavior does not lead to dysfunction and criminality in adulthood.

Tribal Strategies

- Develop trauma-informed, culturally specific tribal codes.
- Engage in tribally initiated partnerships with community members and nonprofit organizations to offer organized activities for at-risk or delinquent youth, such as Boys and Girls Clubs or elders as mentors.
- Invest in alternatives to detention and work to reduce over-reliance on secure detention in cases where it is not absolutely necessary. Use detention for youth only when they are a danger to themselves or the community. For the majority of delinquent youth, non-detention programs are more effective and economical.
- Construct youth residential facilities (including emergency shelters, detention centers, treatment centers and transitional living units) within tribal communities, ensuring that non-detention facilities receive at least equal construction priority as detention facilities.
- Construct and staff places for youth to spend time after school and during the summer months. Provide cultural activities and life skills programs.
- Develop a tribal juvenile justice code that includes criminal provisions so that youth are not subject to the general criminal code.
- Design youth court systems that incorporate a range of dispositions, from early intervention to detention with inclusion of relevant cultural components.
- Create tribal reentry programs. Reentry programs are critical to ensuring that youth coming out of detention can transition back into work or school, rather than falling again into delinquent behavior or crime.

¹⁸ Arya, Neelum & Rolnick, Addie C. (2008). *A Tangled Web of Justice: American Indian and Alaska Native Youth in Federal, State, and Tribal Justice Systems*, 14. Campaign for Youth Justice

¹⁹ *Id.* at 8, 20-24.

Policy Objectives

- Support legislation to make tribes directly eligible for juvenile justice program funding, including funding for diversion, intervention, and rehabilitation services.
- Support tribes in developing trauma-informed, culturally appropriate, individually tailored services for youth.
- Encourage the Department of Justice to make sufficient funding available to tribes through combined, flexible tribal grant programs.
- Encourage tribes to seek and participate in funding opportunities and projects offered by non-profit organizations that specialize in juvenile justice matters.
- Encourage the Bureau of Indian Affairs and the Department of Justice to provide funding and support for youth rehabilitation and treatment, and to follow federal requirements that detention be used only where absolutely necessary.
- Encourage the Bureau of Prisons to follow existing requirements for youth to be housed near their home communities.
- Create a juvenile justice law for Native youth that parallels protections in the Indian Child Welfare Act, including tribal notice, tribal ability to intervene in state court proceedings, authority to petition for transfer of a case from state to tribal court, and a requirement for active efforts to avoid secure confinement and rehabilitate youth.
- Provide publicly-funded legal representation to Native youth in juvenile justice systems to protect their rights and minimize harm.
- Support funding and curriculum for educational services for detained and incarcerated youth at BIA funded juvenile detention facilities.

Vibrant Communities

Domestic violence, child abuse, and alcohol and substance abuse are longstanding problems on many reservations and in Alaska Native villages, and several Native communities have seen escalating violent crime rates in recent years. American Indian and Alaska Native people are twice as likely as the general population to be victims of violent crime.²⁰ In particular, compared to other racial and ethnic groups, Native women, youth, and young adults have high rates of violent victimization, such as rape, sexual assault, and robbery.²¹ Native people are also more likely to report being victimized by a stranger and by someone of another race.²² Crime must be addressed to keep children safe and give them opportunities for positive development.

Tribal Strategies

- Develop comprehensive tribal justice systems. A comprehensive justice system includes police and law enforcement, tribal courts and prosecutors, detention and corrections, and alternatives to detention, such as probation, treatment programs, and transitional residential facilities.

²⁰ Perry, Stephen W. (2004). *American Indians and Crime: A BJS Statistical Profile, 1999-2000*, 4-5. U.S. Department of Justice, Bureau of Justice Statistics.

²¹ *Id.* at 7.

²² *Id.* at 8-9.

- Develop community policing, neighborhood watch, and safe streets programs that allow residents to be trained and organized to monitor their communities and report crimes. While not a substitute for adequate police resources, such programs can supplement traditional police programs and help reduce crime while empowering community members.
- Recruit, train, and retain qualified police officers in tribal communities.
- Ensure that officers receive cultural training as well as training on specific issues such as domestic violence.

Policy Objectives

- Advocate for expanded tribal criminal jurisdiction so that tribes can prosecute non-members and non-Indians in cases of family violence and sexual assault.
- Encourage Congress and federal agencies to fund construction, staffing, and operation of residential youth and adult treatment facilities in Indian communities. Local residential treatment facilities allow tribes to create culturally appropriate programming and keep residents close to their communities so that families are not broken up during the course of treatment.
- Encourage Congress and federal agencies to increase program funding for tribal drug courts, peacemaker courts, and other therapeutic and traditional alternatives.
- Encourage Congress, the Bureau of Indian Affairs and the Department of Justice to increase funding for all aspects of tribal law enforcement.
- Encourage the Bureau of Indian Affairs to fully staff all BIA law enforcement officer positions.
- Encourage Congress and federal agencies to fully fund implementation of the Adam Walsh Act and provide funding and training to address barriers such as the lack of access to either state or federal background check systems and the resources to be in compliance with federal security procedures related to access of national database systems administered by the FBI.

Protection from Environmental Hazards

Environmental toxins and waste contribute to long-term health problems for children. Like other poor and rural communities, Native homelands are more likely to be used as legal and illegal toxic waste disposals sites. Native peoples' dependence on the land for subsistence and ceremonial needs makes them especially vulnerable to pollution and environmental toxins.²³ Therefore, environment improvement is critical to children's well-being.

Tribal Strategies

- Develop and implement lead-reduction campaigns by testing and replacing old water pipes and lead-based paint in antiquated buildings.
- Develop tribal waste management codes to regulate waste disposal and discourage illegal dumping on tribal lands.

²³ Brook, D. (1998, Jan.). Environmental Genocide: Native Americans and Toxic Waste. *The American Journal of Economics and Sociology*, 57(1), 105-113.

- Strengthen tribal clean air, clean water, and natural resource management programs. These programs often incorporate environmental monitoring measures, which can assist tribes in identifying and addressing problem areas.
- Ensure waste dumps and storage facility sites located on, or near reservations, are carefully considered by the affected tribal community and that adequate environmental precautions are taken.

Policy Objectives

- Ensure that IHS fully funds tribal sanitation facilities construction, particularly in remote reservations and Alaska Native villages, which often lack plumbing and sanitation facilities.
- Encourage Congress and federal agencies to support and fund tribal capacity and authority to engage in environmental activities such as water pollution control, clean-up of solid and hazardous waste sites, monitoring of mercury and other toxins, and invasive species control.
- Encourage Congress and federal agencies to provide grants for clean energy development in order to reduce the environmental hazards associated with production of carbon fuels.

SUCCESSFUL STUDENTS

Children who have a positive, safe and culturally relevant learning environment will achieve to the best of their abilities. Qualified and skilled teachers, culture-based curriculum, and family involvement are effective and promising practices critical to ensuring children are able to develop to their full potential.

Qualified and Skilled Educators

Investment in effective teacher training is critical to student success. Additionally adequate support to expand and strengthen the skills of Native and non-Native educators to address the varying cultural, linguistic, and academic needs of all Native students. Teacher development is especially important in remote rural communities, where attracting skilled professionals can be difficult due to location and limited resources.

Tribal Strategies

- Recruit, train, and retain effective teachers and school leaders in Native communities. A key tool to recruitment and retention is to offer financial incentives, housing assistance, and student loan repayment programs to those deciding to teach in Indian Country.
- Develop educational degree programs, teacher certification programs, culture/language teacher certification programs, and educational research projects at tribal colleges and universities.
- Engage elders and other cultural experts to assist in the classroom.
- Train youth to become peer support mechanism in the school system - as mentors, counselors, or buddies.

Policy Objectives

- Support legislation for incentives and loan repayment programs for students deciding to become educators on reservations or in other Native communities, especially those incentives that encourage students to teach and become administrators on a long-term basis.
- Support legislation that provides for teacher training, school administrator and school superintendent grants and institutional infrastructure support to tribal colleges and universities.
- Encourage equity in funding for all teacher education programs - including tribal colleges and universities.

Culture-Based Education

Educational success of Native students is critical in light of the national emphasis on accountability and standards, and it is equally critical that such success be achieved consistent with tribal beliefs, thought, and philosophy and be respectful of cultural practices. Academic standard courses must be taught alongside art, and language guided by tribal/cultural standards. Culture-based education standards comprise of five elements: 1) Language: recognizing and using native or heritage language; 2) Family & Community: actively involving family and community in the development of curricula, everyday learning and leadership; 3) Context: structuring the school and the classroom in culturally respectful ways; 4) Content: making learning meaningful and relevant through culturally grounded content and assessment; and 5) Data & Accountability: gathering and maintaining data using various methods to ensure students develop in a culture-based academic system.

Tribal Strategies

- Create tribal education departments as resources and professional learning centers.
- Work on the development of tribal curricula, standards, and assessment systems. School curricula should ensure that the special educational needs of Native students are met within tribal and local schools.
- Support research to develop meaningful strategies to improve Native education and success, and to ensure that this research is made accessible to tribal governments and Native education programs.
- Develop innovative programs to partner elders with youth, such as mentoring programs or traditional subsistence and arts apprenticeships.
- Integrate Native content into all school curricula where appropriate – including contemporary tribal issues and information on local tribes.
- Develop cooperative agreements with state and local education agencies for training and technical assistance.

Policy Objectives

- Encourage meaningful consultation between tribes and state and local education agencies in the development of their education plans.
- Support state standards that are inclusive of tribal ways of knowing.

- Encourage the development and funding of immersion programs within all school settings.
- Support increased appropriations for Title VII and the Johnson O’Malley programs.
- Support BIE flexibility in the development and adoption of tribal specific accountability systems.

School Readiness

Successful schooling starts before kindergarten. Children who attend quality early education programs are better prepared and perform better in school.²⁴ Research on Head Start programs in particular has shown them to increase high school graduation rates, narrow the achievement gap between low and high income children, and to reduce crime.²⁵ Given the well-documented educational barriers faced by many Native children – from poverty to poor schools to high dropout rates – Head Start and Early Head Start are important components to educational success.

Tribal Strategies

- Develop language nests within the Head Start and Early Head Start centers in tribal communities.
- Encourage partnerships between Head Start programs and tribal colleges for teacher and language certification and graduate higher education programs to ensure adequate teacher training is available.
- Encourage families to be actively involved in children’s education beginning at the preschool stage.
- Collaborate with tribal college language and culture programs to ensure Native language and culture is integrated into Head Start curriculum appropriately.
- Promote strong parent involvement and active school board participation in all schools that tribal students attend, including tribal, public, charter, and parochial schools.

Policy Objectives

- Work to ensure that Indian Head Start programs are fully funded and tribes have the flexibility to administer these programs in a manner that best suits their communities.
- Encourage state early learning programs to be inclusive of tribes and Native communities.

21st Century Learning Environments

Skilled teachers and sound curricula are of limited value if the school itself is not a safe facility, or lacks the resources needed to implement quality educational programs. In 2001, 87% of BIE owned or funded Indian school facilities were found to be in poor condition. Additionally, the

²⁴ National Head Start Association. *Benefits of Head Start and Early Head Start Programs* (2008). Retrieved November, 4, from <http://www.nhsa.org/download/research/REDFactSheets1.pdf>.

²⁵ Fight Crime: Invest in Kids. *Head Start Reduces Crime and Improves Achievement* (2006). Retrieved August 29, 2009, from <http://www.fightcrime.org/reports/headstartbrief.pdf>.

BIE faces a significant backlog of facilities in need of replacement.²⁶ Native children attending public schools, especially those in poorer districts face these unsafe buildings and lack adequate supplies.

Tribal Strategies

- Improve classroom buildings and dormitories to bring them up to current standards.
- Regularly check to make sure that textbooks, lab equipment, computers, technology assets and other supplies are kept up to date.
- Develop conflict resolution, counseling, and anti-bullying programs in schools in order to ensure that all students have a safe learning environment.
- Require all local schools to establish recess/playtime safety guidelines.

Policy Objectives

- Encourage Congress and the BIE to fully fund school construction and renovation on reservations in order to ensure that school buildings are safe, modern, handicapped-accessible, and large enough to accommodate all students.
- Encourage Congress and federal agencies to provide schools with adequate funds to purchase new textbooks, libraries, modern computers, and laboratory equipment.
- Encourage states and localities to survey public schools on tribal lands in order to ensure that the state is meeting its obligation of safe, modern, handicapped-accessible facilities.

College and Career Readiness

21st century education systems directly impact an ever-changing education and workplace landscape. This includes the establishment of national standards, aligned assessments, and renewed focus on academic readiness. Emphasis on higher education and career readiness is forcing K-12 and postsecondary institutions to improve their collection, assessing, and sharing of data and student information in order to make informed program and policy decisions. Unfortunately, Native students have comparatively low rates of high school graduation and are less likely than other students to obtain a post-secondary education. By age twenty-five, nearly one quarter of Native Americans have not graduated from high school or obtained a GED (compared to 16% in the general population), and only 14% have obtained a bachelor's degree or higher (compared with 27% in the general population). Encouraging collaborative solutions to develop data sharing policies, agreements and opportunities among tribal government, communities, federal and state agencies will ensure improved college and career readiness for students on and off reservations and in Alaska Native villages.

Tribal Strategies

- Develop and encourage partnerships between tribal colleges and universities and partnering four-year institutions - specifically focused on distance learning - so that Native students have higher education options in their home communities.

²⁶ Rever, J. P.E., (March 6, 2008). Written Testimony before the Senate Committee on Indian Affairs. *Oversight Hearing on the State of Facilities in Indian Country – Jails, Schools and Health Facilities*, 2.

- Provide scholarships to tribal member students attending college or pursuing advanced degrees.
- Offer loan repayment assistance to tribal members who return to their home communities to work after obtaining a college or graduate degree.
- To assist in student retention, encourage colleges to build in funds in student financial aid packages for students to visit home frequently.

Policy Objectives

- Advocate for full funding for TCUs.
- Advocate for funding to address remediation crises in TCUs so that Native students are able to have the academic skills necessary to begin their college careers.
- Encourage Congress and federal agencies to create scholarship opportunities, educational placement, internship, and loan repayment programs for Native youth.
- Encourage Congress to authorize targeted programs to attract more Native students to specific professional careers, such as health care, STEM, and education.
- Encourage better collection of data on Native students attending four-year institutions
- Support legislation that would direct four-year institutions receiving funding for the Native student population to focus those funds on Native student retention efforts. .

VIBRANT COMMUNITIES

In order to invest in children and the community structures that support them, tribal governments must have options for economic development and flexibility to channel tribal and federal funds into programs that best support their members. The objective is to foster economically strong and resilient communities which can support community programs that provide basic support for children and families and help lift families out of poverty.

Effective Governance

Vibrant communities have strong governments. Tribal governments have long led Native communities using both traditional and modern forms of governance, but to be most effective, they need solid legal and political infrastructures. They also need access to a broad range of flexible funding sources, including government grants and must be recognized as equal partners when working cooperatively within other governments. Tribal governments operate in a political spectrum that interfaces with the federal and state governments in many ways. Strong tribal governments recognize when to consider cooperation with both state and federal governments and agencies. Tribal governments create vibrant communities by understanding when to cooperate and when to lead in their relationships with other sovereigns.

Tribal Strategies

- Enact tribal codes to support the various aspects of tribal governance, including tax and business codes and codes governing land use, zoning, and the provision of social services.
- Explore partnerships and agreements with non-tribal entities, including state and local governments, to improve provisions of governmental services to tribal members.

- Consider engaging in state-tribal compacts and agreements for clarifying roles and processes in shared responsibilities of government, such as patrolling for safe streets, enforcing truancy laws, and enforcing child support orders.
- Explore partnerships and agreements with businesses and industry to develop methods of delivering government services to tribal members.
- Create a governance program for new tribal council members.

Policy Objectives

- Advocate for increased funding and greater flexibility for Indian Community Development Block Grants through the U.S. Department of Housing and Urban Development.
- Advocate for tribal access to a wider range of state and local government block grants. Tribes are often excluded from the distribution formulas for these block grants, which provide an important source of stable base funding for non-Indian governments.
- Advocate for increased opportunities for self-governance programs which enhance tribal capacity to create governmental programs that offer opportunities for tribal communities and tribal members.
- Advocate for effective consultation methods that incorporate meaningful tribal government participation during policy consideration at both the state and federal levels.

Economic Development

Sustainable economic development is a critical prerequisite for all of the activities outlined in this agenda. Without healthy economies, tribal governments are forced to depend solely on limited federal assistance and scarce private funding to build the infrastructure and programs needed to raise healthy children. Equally important, healthy economies create job opportunities within the tribe, which help children to have goals and future career aspirations.

Tribal Strategies

- Pursue diverse avenues of economic development and/or develop a comprehensive, culturally appropriate economic development plan in order to create a long-term, sustainable economic community.
- Encourage new business ventures to create jobs in the community by hiring and training tribal members.
- Develop job training programs and encourage small business development in tribal communities.
- Provide incentives for tribal members who have specialized education or training to return to the community.
- Pursue opportunities to build capacity in technology and information systems so that businesses locate on tribal lands and tribal citizens can pursue employment remotely.

Policy Objectives

- Encourage Congress to make permanent tax incentives for businesses located on tribal land, including the Indian employment tax credit and the accelerated depreciation allowance.
- Encourage Congress to enact new tax credits to benefit economic development on tribal land, including a shareable tax credit for development of renewable energy resources.
- Encourage Congress and the IRS to treat tribal governments in the tax code, on par with state governments, including clarification of tribal authority to issue tax-exempt bonds for governmental and economic development purposes.
- Encourage agencies to expand implementation of the Indian Employment and Related Services Demonstration Act (Pub. L. 102-477) and Section 166 of the Workforce Investment Act to foster job training, job creation, and economic development in tribal communities.
- Encourage the Department of Labor to develop additional tribal Job Corps sites and to create other job training programs in tribal communities.

Safe Drinking Water

Like the availability of healthy food, access to safe drinking water is a basic requirement for healthy children. Many Native communities have no water delivery infrastructure, or the infrastructure that does exist is old and in disrepair. Safe and adequate water supply and waste disposal facilities are lacking in approximately 12% of American Indian and Alaska Native homes, compared to 1% of the homes for the U.S. general population.²⁷ These conditions have direct and adverse impacts on children's health. Infants living in Alaska Native villages without water service, compared to the general population, have been found to have five times the number of hospitalizations due to lower respiratory tract infections, and eleven times the average rate for hospitalizations due to pneumonia.²⁸ In a time when groundwater contamination is common, tribes need community water treatment and delivery systems, in addition to reliable operation and maintenance of existing systems to ensure access to safe drinking water for their members.

Tribal Strategies

- Construct community water and wastewater systems in tribal communities.
- Ensure that water and wastewater systems are consistently and properly operated and maintained.

²⁷ U.S. Department of Health and Human Services, Indian Health Service. (2006). *Facts on Indian Health Disparities (based on 2000-2002 rates)*. Retrieved August 25, 2008, from <http://info.ihs.gov/Files/DisparitiesFacts-Jan2006.pdf>.

²⁸ Hennessy, T.W., et al. (2008). The Relationship Between In-Home Water Service and the Risk of Respiratory Tract, Skin, and Gastrointestinal Tract Infections Among Rural Alaska Natives. *American Journal of Public Health*, 98(11):2072-8.

Policy Objectives

- Support legislation that would permit tribes to use federal funds to repay the interest and principal on construction loans where tribes elect to undertake construction, even when federal appropriations for the project are spread out over a period of years.
- Advocate for removal of the tribal match requirement for construction of water and wastewater systems.
- Federal government must promote safe water quality standards to protect surface and subsurface streams and repositories flowing into tribal lands.

Social Services and Community Support

Tribal governments can use the resources generated by government grants and economic development to build strong social service and community support systems. When these programs are administered by tribes, they can be more closely tailored to the needs of tribal members and the unique characteristics (such as geographic isolation or harsh climates) of community. Tribal governments are also in the best position to offer services in a manner that reflects tribal culture and values.

Tribal Strategies

- Tribes should explore the feasibility of administering education and social service support programs. At times, doing so may mean compacting with a state.
- Construct tribal community centers which offer a range of activities for children and families after school and during the summer. Community centers are an important way to provide youth with activities and services, especially where other activities are lacking.
- Encourage partnerships between health clinics and community centers in order to provide after hours and emergency care for children.

Policy Objectives

- Support Temporary Aid for Needy Families (TANF), welfare assistance, and other federal poverty programs. Work to increase opportunities and resources for direct tribal administration of these programs and encourage Congress and federal agencies to allow tribes greater flexibility in administration.
- Through reauthorization, ensure adequate funding for tribal TANF programs by providing incentives for states to match tribal TANF programs and allowing tribes to negotiate their TANF block grant funding level and administrative costs.
- Establish planning grants for tribal TANF and allocate additional funding for infrastructure.
- Recognize TANF as an eligible program under self-governance and Public Law 93-638.
- Provide direct tribal access to Title XX, the Social Services Block Grant, of the Social Security Act.
- Encourage the Administration for Children and Families to expand tribal administration of federal child support enforcement programs.
- Advocate for tribal college inclusion in job training programs and funding made available to community colleges.

- Support capacity building opportunities for tribal education agencies.

Dependable Infrastructure

In addition to personnel and programming, vibrant communities require strong physical and information infrastructure to support development and services. Maintaining and enhancing community infrastructure is critical to safety, economic development, job creation, and improving living conditions for youth and families throughout Indian Country. In many tribal communities, utility services, telecommunications, and roads are lacking or serve only limited areas. This can make economic development difficult, and it also means that children living in those communities may lack access to basic services, such as electricity or emergency medical care. Investment in physical and information infrastructure is a necessary first step to developing systems to support children.

Tribal Strategies

- Strengthen tribal and local control over utility services, including electric, water and telecommunications, and invest in infrastructure to support these services. Tribal control over utility and information services allows tribes to better serve their members and to generate additional revenue by selling excess power or capacity.
- Ensure that all community members have access to affordable, modern utility services. Access to heat, electricity, and water is essential to maintaining basic health standards in homes where children are raised. Access to telecommunications services provides an important educational outlet for children living in remote communities and also offers vital emergency notification and communication links.
- Modernization of transportation infrastructure in tribal communities, which includes developing roads, bike paths, sidewalks, and public transport options.
- Foster intra-tribal data and information coordination across tribal departments by strengthening tribal data capacity and infrastructure.

Policy Objectives

- Encourage Congress, the Department of the Interior, and the Department of Energy to fully implement Title V of the Energy Policy Act, which authorizes a range of programs to foster energy development on tribal lands.
- Advocate for increased funding for road construction and maintenance programs and for tribal access to public transportation planning and implementation grants.
- Encourage the Administration to permanently authorize the Tribal Office at the Federal Communications Commission.
- Support legislation that would expand tribal transportation self-governance programs at the Department of Transportation.
- Encourage Congress and federal agencies to provide affordable access to the electric power grid to serve tribal and other remote communities.
- Advocate for flexible construction funding to help tribes build multipurpose government structures and other community buildings.
- Advocate for greater investment and coordination in tribal data capacity building.

Safe Transportation to School

Children need to be able to get to school safely. The roads in many Native communities are in poor condition and some are impassable by school buses.²⁹ Many Indian reservation roads and school bus routes were never intended to be used as major vehicle thoroughfares, so they were not built to any safety specifications and do not have adequate signage, safety barriers, or even road shoulders.³⁰ Native people also have much higher rates of traffic-related pedestrian injury and death than other groups, a significant number of which occur in children under the age of fifteen.³¹ Often, the main road through a reservation is a two-lane state highway, where vehicles travel at high speeds, and these generally have no sidewalks, crosswalks, or traffic controls.³² Development of safe transportation options for school children is critical in these communities.

Tribal Strategies

- Ensure safe bus routes are available for children to get to and from school, including construction, maintenance, and repair of roads where buses travel.
- Construct, maintain, and repair sidewalks and crosswalks on roads frequently used by children. Employ crossing guards during school hours.
- Construct walking or biking routes off of major roadways.
- Develop school travel plans to improve pedestrian and bike travel routes.
- Contact your state's Safe Routes to School Program to find projects currently funded and application requirements.

Policy Objectives

- Advocate for tribes to have reserved funding, and to be direct recipients of funding provided under the Safe Routes to School Program.
- Encourage Congress and federal agencies to increase funding for road and sidewalk construction, maintenance and repair, and fuel costs.
- Advocate for tribal access to targeted programs to improve transportation options for youth, such as school buses, and walking or biking routes.

Water Rights

Water is sacred to many tribal nations and is vital to tribal subsistence, cultural practices, health and welfare, agricultural production, and economic development. Legal rights to water resources have been long contested by tribes, states, and localities. Water allocations to tribal lands first originated in the early 1800s through tribal treaty provisions, advancing through tribal water settlements and claims, and now water resources are becoming more scarce

²⁹ U.S. Department of the Interior, Bureau of Indian Affairs. (2008). *TEA-21 Reauthorization Paper: Transportation Serving Native American Lands*, 13.

³⁰ *Id.* at 11, 15.

³¹ LaValley, J., Crandall, C.S., Sklar, D.P., & Banks, L. (2004). *Pedestrian Safety in Native America*. Department of Transportation, 1, 6, 20.

³² *Id.* at 7-8, 12, 18.

resources due to overuse and the impacts of climate change. Water rights are among the most important rights many tribes have yet to exercise.

Although the United States carries the obligation as trustee to protect tribal rights, federal water policy and programs have too often supported non-Native communities to the detriment of tribal legal rights. As a result, many tribal communities now suffer from an inadequate, and often compromised, water supply. Many homes on Indian reservations still lack a clean and reliable water supply, and the lack of water and water infrastructure has halted economic development on some reservations and damaged precious cultural and natural resources. Increasing pressure on water supply from climate change, population growth, and economic development will require more tribes to resolve their water rights claims in the near future.

As of 2011, only 75 federally-recognized tribes have resolved their water rights claims through litigation or settlement, and only 27 have water settlements approved by Congress. The federal government continues to bypass development of tribal water resources and move slowly on water rights settlements. In 2009, the federal government spent over \$3 billion on water projects in foreign countries, while Indian water rights languish.

Tribal Strategies

- Develop and implement tribal water codes addressing both water quality and quantity to assert tribal water rights
- Actively assert and protect tribal water rights to ensure that they are established and legally protected.

Policy Objectives

- Advocate for the Department of the Interior to lift its moratorium on approving tribal water codes for tribes with Indian Reorganization Act constitutions requiring Secretarial approval. The moratorium, established in 1975, needs to be lifted to all tribes to adopt water codes.
- Support legislation to authorize funding for the construction, maintenance, and rehabilitation of existing Indian irrigation and related water projects.
- The federal government should work with tribes to build tribal technical capacity to develop water resources, water management, and water infrastructure. This could be done by instructing agencies, such as the Bureau of Reclamation, the United States Geological Survey, and the Environmental Protection Agency, to work with tribes on water resources projects on tribal lands.

First Kids 1st Collaborative

Founded in 1944, the National Congress of American Indians is the oldest, largest and most representative American Indian and Alaska Native organization in the country. NCAI advocates on behalf of more than 250 tribal governments, promoting strong tribal-federal government-to-government policies, and promoting a better understanding among the general public regarding American Indian and Alaska Native governments, people and rights.

Established in 1972, the National Indian Health Board serves federally recognized American Indian and Alaska Native Tribal governments by advocating for the improvement of health care delivery to Native populations. We strive to advance the level and quality of health care and adequacy of funding for health programs operated by the Indian Health Service, Tribal governments, and urban Indian organizations.

The National Indian Education Association is membership based organization committed to increasing educational opportunities and resources for American Indian, Alaska Native, and Native Hawaiian students while protecting our cultural and linguistic traditions. Founded in 1969, NIEA is the largest and oldest Indian education organization in the nation and strives to keep Indian Country moving toward educational equity. Governed by a Board of Directors made up of twelve representatives, the NIEA has several committees that work to ensure native educators and students are represented in various educational institutions and forums throughout Indian Country and Washington, D.C.

The National Indian Child Welfare Association is a national voice for American Indian and Alaska Native children and families. We are the most comprehensive source for information on Indian child welfare and the only national American Indian organization focused specifically on the tribal capacity to prevent child abuse and neglect. Our members include tribes, individuals, and private organizations concerned with American Indian and Alaska Native child and family issues.