



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #REN-19-002

TITLE: To Add Cousins to the Definition of “Eligible Child Care Providers” in the Child Care and Development Block Grant Act

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the Child Care and Development Block Grant Program (CCDBG) under the Child Care and Development Fund (CCDF) is a primary federal program supporting tribal governments’ efforts to provide safe and secure child care for working parents in tribal communities; and

WHEREAS, in tribal communities relatives are critical to providing safe, secure, and culturally sensitive child care; and

WHEREAS, cousins are critical members of the tribal family structure and in many tribal communities cousins are considered siblings; and

WHEREAS, the Child Care and Development Block Grant Act (the Act) allows relatives to be compensated for providing child care under the definition of “Eligible Child Care Providers;” and

WHEREAS, the Department of Health and Human Services (HHS) no longer interprets the definition of “Eligible Child Care Providers” in the Act to include “cousins;” and

WHEREAS, many tribal nations have provided compensation to “cousins” who provide child care consistent with their federally approved plans; and

WHEREAS, absent a waiver of the definition of “Eligible Child Care Providers” many Native parents will be left without child care; and

WHEREAS, Executive Order 13175 § 6 and the Department of Health and Human Services Tribal Consultation Policy allow HHS to consider and grant tribal waivers of statutory and regulatory requirements in cases where the waiver is consistent with the applicable Federal policy objectives.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) urges HHS to waive the definition of “Eligible Child Care Providers” as it applies to cousins for tribal nations operating a CCDBG Program, permitting tribal nations to include cousins in their definition of “relative” within their CCDF Plan; and

BE IT FURTHER RESOLVED, that the NCAI urges HHS to allow tribal nations with existing plans to submit an amendment to change their definition of “relative” to include cousins; and

BE IT FURTHER RESOLVED, that the NCAI urges Congress to amend the Child Care and Development Block Grant Act to add “cousins” to the definition of “Eligible Child Care Providers;” and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

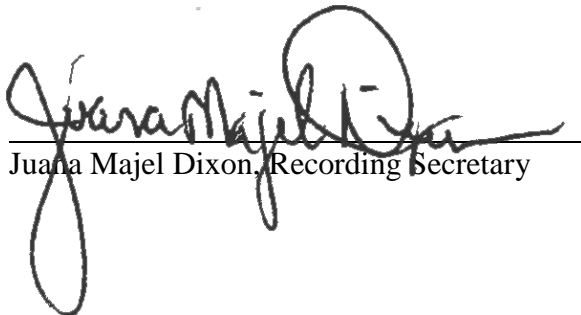
CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2019 Mid-Year Session of the National Congress of American Indians, held at the Nugget Casino Resort, June 24-27, 2019, with a quorum present.



Jefferson Keel, President

ATTEST:


Juana Majel Dixon, Recording Secretary