



ICWA

IN THE CROSSHAIRS

FY26 AND THE 47TH ADMINISTRATION

TEXT "YAQUI25" to (602)780-0440

Presented by: Cody Hartt, Founder, Indian Country Legal



ICWA DIVISION

ICWA Compliance

ICLS assists both Tribal and State agencies to review ICWA compliance and report results of the act.

ICWA QEW

ICLS provides QEW testimony in cases around the US. Tribes are often stuck with the State or County QEW providing testimony against their member and the child.

ICW Program Reviews

Tribal Governance and restructures are vital to maintain funding, expand funding, and meeting long term objectives.

ICW Coaching

We hold bi-weekly "office hours" to members in our Coaching program. Providing experience in child welfare cases in any state or tribal court.



AS-INDIAN AFFAIRS

- ICWA SETS LEGAL REQUIREMENTS IN STATE COURTS
- DOES NOT APPLY IN TRIBAL COURTS

Funding:

- TITLE 1 - SELF DETERMINATION (638)
- TITLE IV - SELF GOVERNANCE

Scope:

1. the ICWA policy applies to all programs, offices under the authority of Assistant Secretary - Indian Affairs
2. also applies to entities carrying out the activities on behalf of th AS-IA, under Title 1 and Title IV.



Bryan Newland
Tribal President, Chief Judge, Counselor, Policy
Advisor

1

BIA – ICW/ICWA

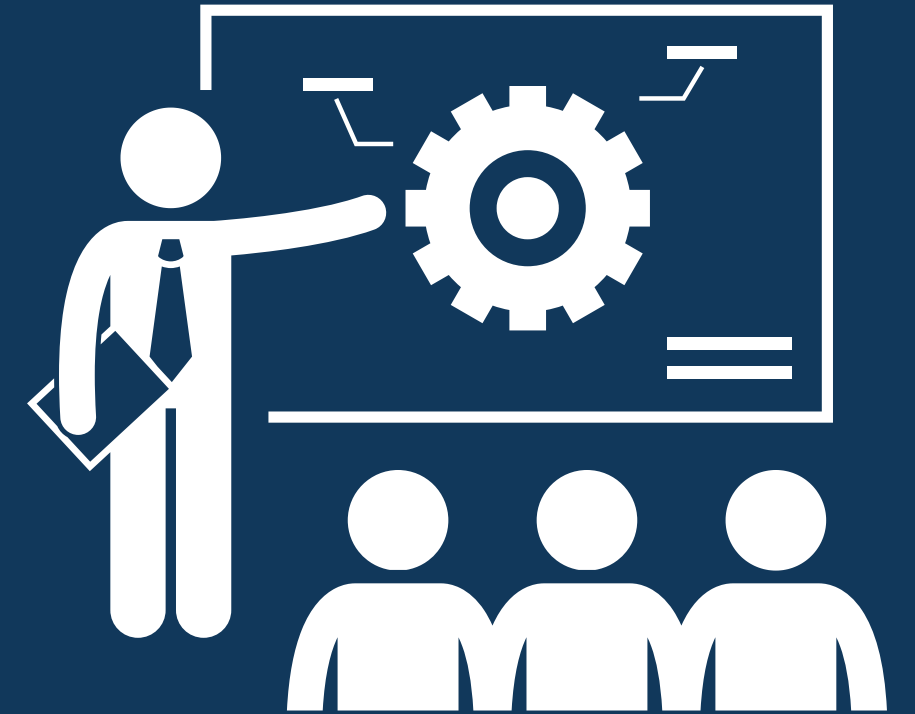
- Human Services
 - Child Protection and Child Welfare
 - Part 70, Chapter 4
 - Indian Child Welfare Act
 - Part 70, Chapter 6
 - Indian Child Welfare Quarterly
 - Indian Child Welfare Annual
 - FASSR
- Single Audits
 - Part 5, Chapter 2
 - \$750,000 expenditures in entities FY
 - Adequate Controls
 - In Compliance with program requirements



2

TRIBAL PRIORITY ALLOCATION (TPA)

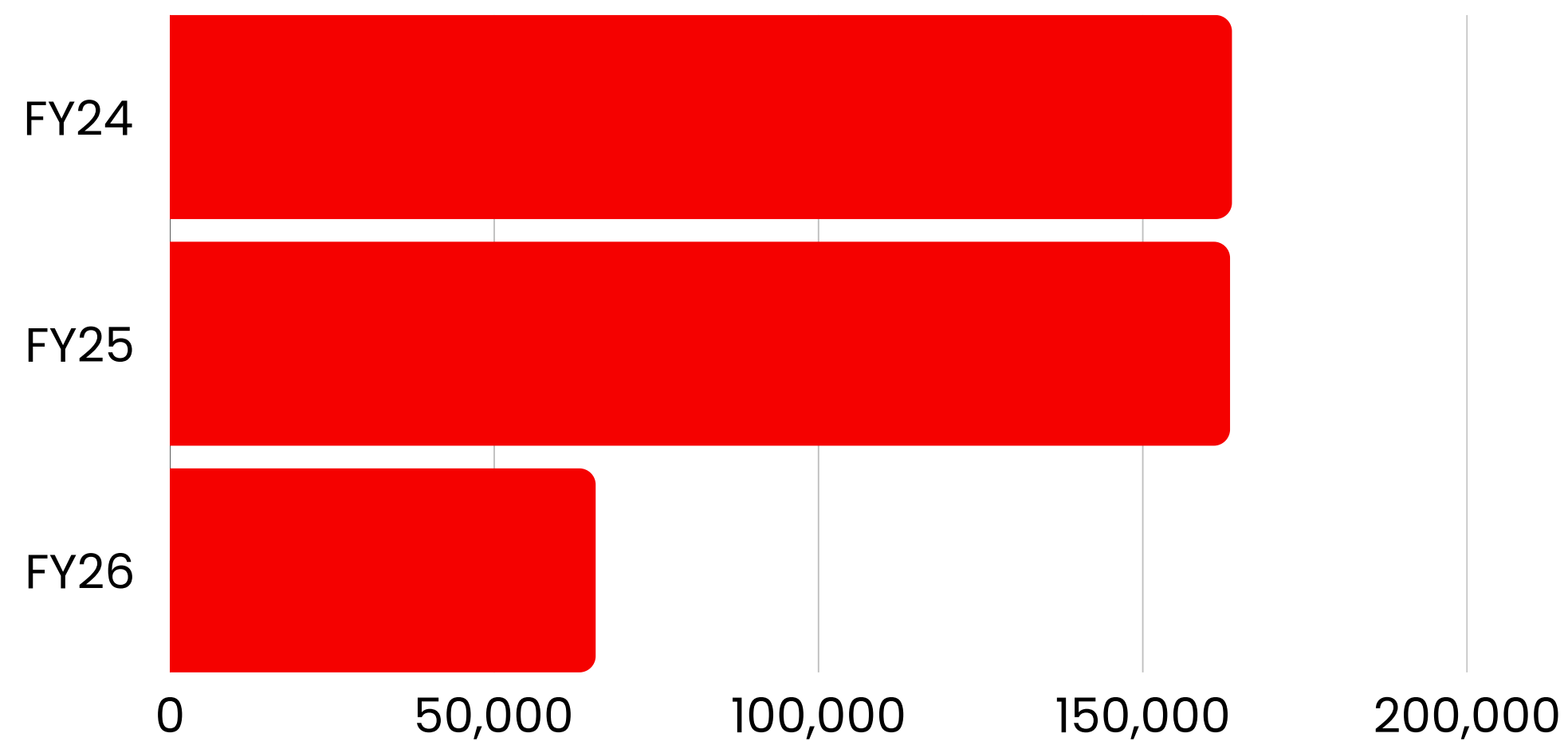
- 1990 ERA FORMULA
- BASE FUNDING - WHAT TRIBES WERE GETTING, NOW GROUPED TOGETHER
- HISTORICAL BASE + INCREMENTAL INCREASES BY CONGRESS
- TRIBES CAN REPROGRAM TPA FUNDING BETWEEN CATEGORIES



3

BIA REQUEST PER FY

BIA BUDGET



4

PRESIDENTS RECOMMENDATION

Bureau of Indian Affairs Programs that support Tribal Self Governance and Tribal Communities

-617million

- Indian Guaranteed Loan Program-Tribal Businesses (Duplicate)
- Indian Land Consolidation Program (Ineffective)
- Roads
- Housing
- Social Services

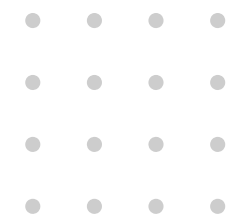
to focus on core priorities for tribal communities, such as law enforcement

*May 2, 2024 letter to Susan Collins, Chair for Committee on Appropriations



PLANNING AHEAD

TRIBES MAY NEED TO APPROACH THESE
SERVICES USING MULTIPLE STREAMS
OF REVENUES



Tribal Revenues

- Gaming
- Tourism and Hospitality
- Convenience Stores / Retail
- Agriculture & Natural Resources
- Financial Services
- Taxation
- Grants
- Private Donations
- Investments
- TERO Programs
- Licenses and Permit Fees
- Rent and Leases



OTHER RESOURCES FOR TRIBES



- Operations
- Programs
- Membership
 - Distributions
 - Per Capita

Tribal Restructure

OTHER RESOURCES FOR TRIBES



- Social Services
 - Division Changes > Funding Sources
 - ICWA, Admin, Assistance
- Mental Health
 - New Positions – Reclassify Positions
- Tribal Court
 - Restructure
 - Coordinators not case managers
 - Child Support
- Law Enforcement
 - Investigators
- HHS
- DOJ – VOCA, VAWA
 - Coordinators, Child Victim Services, Support

Social Security Act

OTHER RESOURCES FOR TRIBES



- Title IV-B Programs
 - Subpart 1 - improve child welfare services and support workforce
 - Subpart 2 - operate coordinated programs of community based family support, family preservation, family reunification, and adoption
 - Court improvement - courts handling of child abuse and neglect cases

- Title IV-E Programs
 - Adoption Assistance
 - Medical, Financial
 - Foster Care
 - Costs, Admin, Training
 - Guardianship Assistance
 - Financial, Medical, Admin, Training
 - Kinship
 - Navigator Programs
 - Prevention
 - Mental Health, Substance Abuse, In-Home Parenting
 - Adulthood
 - Support for transition

Changes / Non Profits

OTHER RESOURCES FOR TRIBES



- BIA
 - ICWA GRANTS
- Tribal Orgs
 - Housing
 - Group Homes
 - Off Reservation > Metro Areas
 - Non Profits
 - Boards
 - Quarterly Meetings
 - Directors
- Fines / Fees
 - Courts
 - Law Enforcement
 - Restitution
- Non Member Tracking
 - Housing
 - Enrollment
 - Law Enforcement
 - Courts

CONTACT

THANK YOU FOR ALL YOU DO FOR
NATIVE CHILDREN

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