

HOUSE RESOLUTION NO. 7

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - FIRST SESSION

BY THE HOUSE SPECIAL COMMITTEE ON TRIBAL AFFAIRS

Introduced: 4/10/19

Referred:

A RESOLUTION

- 1 **Urging the governor to continue to fully implement the Alaska Tribal Child Welfare**
2 **Compact and build ongoing partnerships between the state and tribal governments.**

3 **BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:**

4 **WHEREAS** all children in the state have the right to have basic needs met, including
5 food, shelter, and clothing, to be free from abuse and neglect in body and mind, to experience
6 love, affection, and belonging, and to be raised by the children's parents, receive special
7 protection through foster care, if necessary, or achieve permanency through adoption, so the
8 children can reach their full potential; and

9 **WHEREAS** the well-being and welfare of a child are often determined by a number
10 of factors, including family and social conditions, economic circumstances, physical
11 environment and safety, health care coverage, quality of education, and behavioral and overall
12 health; and

13 **WHEREAS** Alaska Native tribes, tribal organizations, and the state share in the
14 obligation to protect the best interests of Alaska Native children in the state and establish
15 policies to promote the stability and security of Alaska Native families; and

16 **WHEREAS** the state is home to 229 federally-recognized tribes; and

1 **WHEREAS** increasing tribal involvement in child welfare matters encourages
2 community involvement, creates greater local accountability for the well-being and safety of
3 Alaska Native children, and promotes a stronger relationship between tribes, the state, and all
4 residents of the state; and

5 **WHEREAS**, historically, the lives of Alaska Native families in the state have been
6 negatively affected by trauma, but a strong foundation of healing exists within Alaska Native
7 cultures, values, and traditions; and

8 **WHEREAS** tribes and tribal organizations increasingly demonstrate the capacity to
9 improve the life outcomes of tribal members and their beneficiaries; and

10 **WHEREAS** certain tribes in the state have formed and authorized certain tribal
11 organizations and consortia, including intertribal consortia, for the purpose of contracting with
12 federal and non-tribal agencies to provide services to Alaska Native and non-Native residents
13 of the state, as well as to provide services to residents within their respective service areas, as
14 permitted under the Indian Health Care Improvement Act, or applicable law; and

15 **WHEREAS** Alaska Native children are removed from their homes at rates
16 disproportionate to non-Native children; and

17 **WHEREAS**, between 1973 and 1976, statistics show that one out of every 30 Alaska
18 Native children in the state was adopted and 93 percent of those children were placed with
19 non-Native families; and

20 **WHEREAS**, when drafting 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act of
21 1978), Congress was keenly aware that adoptions of Native children into non-Native homes
22 through state court proceedings resulted in the removal of Native children from their tribes
23 and cultures; and

24 **WHEREAS**, now, 40 years after the Indian Child Welfare Act was enacted, severe
25 disproportionality still exists in the numbers of Alaska Native versus non-Native children in
26 the foster care system in the state; and

27 **WHEREAS** 57 percent of children in foster care in the state are of Alaska Native
28 descent, but Alaska Native children make up only 18.9 percent of the overall population of
29 children in the state; and

30 **WHEREAS** high disproportionality and caseload ratios within the Office of
31 Children's Services have resulted in poor permanency outcomes for children in state custody;

1 and

2 **WHEREAS** Alaska Native children are more likely than non-Native children to
3 remain in foster care for extended periods of time, and the reunification rate is lower for
4 Alaska Native families compared to overall reunification rates; and

5 **WHEREAS** families are healthier when children can remain in their homes or
6 communities and parents can access supportive services close to home; and

7 **WHEREAS**, when a child must be removed from the child's home, frequent and
8 meaningful visitation significantly increases the likelihood of reunification as an outcome;
9 and

10 **WHEREAS**, through the establishment of the Alaska Tribal Child Welfare Compact
11 on December 15, 2017, the state recognized the inherent authority of Alaska Native tribes to
12 initiate and adjudicate actions related to Alaska Native children and to deliver local, culturally
13 relevant services and other programs to support the well-being of their communities through a
14 holistic and healing approach; and

15 **WHEREAS** 161 tribal governments and consortia participate in the newly formed and
16 historic Alaska Tribal Child Welfare Compact, successfully identifying family placements
17 and restructuring programs to promote meaningful collaboration with the state and striving for
18 increased federal funding under Part E, Title IV, of the Social Security Act (42 U.S.C. 670 -
19 679c), which pertains to federal payments for foster care and adoption assistance; and

20 **WHEREAS** state and tribal resources are limited, and the House of Representatives
21 recognizes the need to partner with tribes and tribal organizations and to prioritize and
22 maximize existing resources for the benefit of families in the state;

23 **BE IT RESOLVED** that the House of Representatives urges the governor to continue
24 to fully implement the Alaska Tribal Child Welfare Compact and build ongoing partnerships
25 between the state and tribal governments in the interest of the children of the state.