

# Executive Summary



Congress established the Alyce Spotted Bear and Walter Soboleff Commission on Native Children (Commission), named for two passionate advocates for Native children and youth, in 2016. It charged the Commission with conducting a comprehensive study of the programs, grants, and supports available to American Indians, Alaska Natives, and Native Hawaiians from birth through age 24 and with making recommendations about how this overall system could be strengthened, improved, and where needed, transformed to better help Native children and youth thrive.

The 11-member Commission included experts in education, juvenile justice, child welfare, social services, and mental and physical health. It received additional guidance from a geographically and culturally diverse Native Advisory Committee. It conducted ten regional public hearings throughout the United States to hear directly from Native communities; 25 virtual hearings on specific topics to gain targeted information in areas of particular interest; and 26 site visits to urban, rural, and reservation-based programs serving Native children and youth, designed to examine what is working at ground level and learn from existing efforts.

The Commission based its process in Native values. It agreed on norms to structure its work and restated them at each meeting and hearing. These practices included opening every meeting with prayer and opening every hearing with ceremony appropriate to the community in which the hearing was held. The Commission's commitment to open, constructive dialogue and to hearing diverse viewpoints ensured that meetings and hearings were conducted in a spirit of mutual respect and with a focus on identifying opportunities for meaningful change.

In examining the unique challenges that Native children and youth face and the range of currently available programs designed to address those challenges, the Commission focused not only on improving the current system but also on highlighting and leveraging the strengths of Native communities. This dual focus produced two primary goals:

- To develop sustainable systems that can deliver effective wraparound services to children, youth, and their families
- To amplify the unique factors offered by Native cultures that promote resilience among Native children and youth

This report constitutes the Commission's recommendations on how to achieve these outcomes.

## KEY THEMES

Five key themes were apparent in the Commission’s research and are reflected in its recommendations:

**Cultural engagement and language learning are critical components of healing and resilience for Native children and youth.**

Examples from Alaska to Florida and from the Navajo Nation to the Penobscot Nation provided evidence of the powerful effects of revitalized culture and language on Native children and youth, supporting positive identity formation and standing as protective factors against other risks.

**Community control and community-level decisionmaking yield the best results for Native children and youth and for their families and communities.**

Putting communities in the driver’s seat in determining how best to address the needs of their children and youth and in controlling the funding to do so recognizes and affirms the principles of Tribal sovereignty and self-determination (as described in the Indian Self-Determination and Education Assistance Act and other Federal statutes). It also allows Tribes and Tribal organizations to put their own cultures, knowledges, and experience to work in the process of addressing those needs. Additionally, it responds to a growing body of research in support of devolution: the idea that levels of government closest to the people are best at making local decisions about how to serve them.

**Flexible funding approaches support innovation and responsiveness.**

Flexible funding across programs, agencies, and departments not only supports self-governance and self-determination but allows Native communities to integrate complementary programs, respond more quickly to urgent or changing circumstances, create wraparound services, and provide more holistic responses to the needs of children and youth.

**Trauma—the emotional response to a terrible event or circumstances—is a root cause of many of the issues with which Native children, youth, and families wrestle today.**

Personal, intergenerational, and historical trauma give rise to layered and cyclical effects in Native families; adverse childhood experiences are both a cause and an effect of such trauma. By contrast, benevolent childhood experiences are an important counterbalance and healing force in the lives of Native children and youth throughout the lifecourse. Appropriate Federal, state, local, and Tribal policy can support benevolent experiences and lay practical groundwork for them.

**Native community leaders, service delivery practitioners, and other experts generally have a broad understanding of who qualifies as a “Native” child.**

Participants in Commission hearings and site visits emphasized diverse criteria—descendancy, state recognition, multiracial heritage, among others—suggesting that Native children and youth would be best served by the broadest definition possible concerning “who counts” to receive programs and services under Federal law.

## RECOMMENDATIONS

### Child Welfare

With regard to Child Welfare, the Commission received evidence about the importance of resource equity with states (and how increased funding can strengthen Tribes' and Tribal organizations' capacities to address child welfare issues), and about the importance of Federal measures to ensure state compliance with the Indian Child Welfare Act.

- 1 **Enhance the capacity of Tribal social services and Tribal courts**
- 2 **Ensure compliance with the Indian Child Welfare Act**
- 3 **Strengthen advocacy for Native children and youth in child welfare cases**
- 4 **Follow local community standards for Native foster and kinship placements**
- 5 **Promote family dependency treatment courts**

### Justice

With regard to Juvenile Justice, the Commission received evidence about the importance of Tribes' and Tribal organizations' freedom to flexibly implement their own juvenile justice systems and to track their children and youth who are in other justice systems. Testimony focused on the value in both settings of preventive measures and treatment as opposed to detention in addressing the behavior of Native children and youth.

- 6 **Redesign Federal programming and funding for Tribal juvenile justice to maximize trauma-informed, community-based care**
- 7 **Keep track of Native youth in Federal, state, and local juvenile justice systems**

### Education

With regard to Education (including early childhood development, K-12, and postsecondary/vocational opportunities), the Commission received evidence about the importance of tailored education for Native students from early childhood through higher education and about the critical role that Native cultures and languages can play in supporting Native student success.

- 8 **Expand access to the Maternal, Infant, and Early Childhood Home Visiting Program**
- 9 **Support Native culture and language learners in early childhood programs and K-12 schools**
- 10 **Expand primary and secondary education to include Native Peoples' histories and cultures**
- 11 **Ensure Native students' access to educational services through appropriate enumeration of Native children and youth**
- 12 **Ensure state government accountability for funding for Native students**
- 13 **Strengthen school, family, and community partnerships**
- 14 **Expand afterschool programming for Native children and youth**
- 15 **Expand opportunities in higher education for Native students**
- 16 **Expand loan forgiveness for Native students**

## Physical, Mental, and Behavioral Health

With regard to Physical, Mental, and Behavioral Health, the Commission received evidence about the importance of healthy lifestyles, nutrition, and behavioral health throughout the lifecourse.

- 17** Provide comprehensive prenatal health education and related services to Native mothers and families
- 18** Develop multigenerational nutrition programs for Native children, youth, and families
- 19** Expand health-related services where Native children and youth are present
- 20** Improve Native student access to education and services that address the linkages among trauma exposure, suicide, and substance misuse
- 21** Establish and enhance disability services for Native children and youth and reduce barriers to access
- 22** Fund Native sexual health organizations and sexual health programs
- 23** Require environmental impact health assessments to reduce risks to Native children and youth
- 24** Fund short-term investments to support Native entities' capacities to bill for health care services

## Cross-Systems Issues

With regard to Cross-Systems Issues, the Commission received evidence about the importance of multidisciplinary flexibility in program and funding streams, of more and more highly qualified professional Native and non-Native staff across all sectors, of more consistent funding through set-asides and noncompetitive grant processes, and of incentivizing programs that deliver success.

- 25** Create and expand mechanisms that allow Native entities to integrate and/or consolidate funding streams to support more multidisciplinary programs for Native children and youth
- 26** Create more Tribal set-asides, to be distributed as noncompetitive formula funds
- 27** Create incentives to expand and strengthen the workforce serving Native children and youth
- 28** Incentivize positive progress against indicators of social distress in Native communities

## Research and Data


With regard to Research and Data, the Commission received evidence about the importance of collaborative research in Native communities that accurately enumerates and addresses Native children and youth, recognizes issues of data sovereignty in Native communities, and is directly responsive to Native aspirations for their children and youth.

- 29** Create a Federal Office of American Indian, Alaska Native, and Native Hawaiian Data, Evaluation, and Research

In this report, the Commission has identified both concepts to follow and concrete steps to take toward greater resilience and success for Native children and youth. A throughline running across all domains in the Commission's charge, made evident in expert and public testimony and in relevant scholarly work, is that *transformative outcomes for Native children and youth are possible*. This conclusion rests not only on rich learning from American Indian and Alaska Native communities but also on wisdom from the Native Hawaiian community, which faces several distinctive challenges but for whom the point clearly resonates.

The Commission notes that few of its recommendations are truly new. Much has been known—and for quite some time—about how to improve the wellbeing of Native children and youth. A tendency toward top-down decisionmaking, inadequate funding, and a limited understanding (or lack of appreciation) of the cultural factors that can enhance wellbeing have combined to forestall the implementation of strategies and approaches that would turn the wheel. Thus, the overarching request in the Commission's report to the President and Congress is to fulfill the Federal trust responsibility as articulated in treaties, statutes, and policies—a responsibility that in the modern era includes providing an appropriate level of Federal support for self-determination and self-governance so that Tribes, Tribal organizations, and other Native entities can implement and manage programs and services in their communities. Doing so will chart a bold, new path toward intergenerational wellbeing.

This report was written with a variety of users in mind. Those who wish to gain a general understanding of the Commission on Native Children's conclusions and recommendations may wish to read only the ***Executive Summary***. Those who want to know what, specifically, the Commission recommends and gain a more detailed understanding of the recommendations should read the ***Introduction*** and the body of the report, entitled ***Recommendations of the Commission***. Users who want more detail on particular topics may be most interested in ***Appendix D***, which presents additional analysis and research underpinning the Commission's recommendations.



**“ In our culture, our children are sacred...they are the future leaders of Tribes and the future parents and grandparents who will help carry on our traditions.”**



**ALYCE SPOTTED BEAR (1945–2013)**  
*Mandan, Hidatsa, and Arikara Nation*

**“ It’s more than one measure. It’s the people working together to make a better world.”**



**WALTER SOBOLEFF (1908–2011)**  
*Tlingit*