



October 6, 2023

Dear Tribal Leader:

The Department of the Interior (DOI), Department of Health and Human Services (HHS), and the Department of Justice (DOJ) are committed to partnering on a nation-to-nation basis with Tribes to ensure the well-being of Tribal children and preservation of Tribal families. In response to requests by Tribal leaders for updates on our collective efforts, we invite you to provide input on the Indian Child Welfare Act and what steps the agencies can take to promote federal protections for Indian children and their parents and caregivers.

The DOJ, DOI, and HHS recognize the importance of the Indian Child Welfare Act (ICWA), 25 U.S.C. 1901 et seq., in preventing the unwarranted removal of Indian children from their homes and keeping tribal children connected to their families, communities, and cultures. The DOI Bureau of Indian Affairs (BIA) is working to promote the consistent application of ICWA and protect Indian children, families, and Tribes.

The HHS Administration for Children and Families (ACF), through the Children's Bureau (CB), oversees the implementation and improvement of federal child welfare programs authorized by titles IV-B and IV-E of the Social Security Act and the Child Abuse Prevention and Treatment Act. In carrying out these responsibilities, CB provides funding and capacity building services to Tribal and state child welfare agencies, as well as to state and tribal courts to strengthen and improve legal and judicial administration of child welfare proceedings.

The DOJ defends agency actions in furtherance of tribal interests and the constitutionality of federal statutes like ICWA. It successfully defended ICWA in a recent Supreme Court case, *Haaland v. Brackeen*.

The DOI, HHS, and DOJ are continuing to conduct Tribal consultation as listed below and will accept oral and written comments. Additional consultations will be scheduled at a later date.

We are seeking input on the following:

- What additional supports would Tribal leaders find helpful to build their Tribe's capacity to exercise their rights and responsibilities under ICWA?
- Are there specific supports you believe the Federal government could provide to help state courts and child welfare agencies meet their obligations under ICWA? In your experience, are there specific aspects or requirements of ICWA where state courts and agencies need to build greater understanding or capacity?
- Are there existing State-Tribe collaborative partnerships or processes that you believe have helped support effective implementation of ICWA?

Please note that the Tribal consultation will be closed to the press and the public to protect confidential information that may be discussed during the sessions. We look forward to speaking with you at one or more of the following sessions:

Date	Time	Location	Notes - Connectivity
Tuesday, November 7, 2023	1:00 – 4:00 pm (Central)	Virtual and In-Person: Skyline Event Center Osage Casino Hotel 951 West 36th Street North Tulsa, OK 73127	Register here: https://tinyurl.com/3ywr7x3j

We also welcome your written comments, which should be submitted by email to consultation@bia.gov by 11:59 p.m. ET on **Friday, January 12, 2024**.

If you have any questions regarding this effort, please contact Meghan Bishop, Policy Specialist to the Assistant Secretary — Indian Affairs, via email at meghan.bishop@bia.gov or (202) 208-7163. We look forward to receiving your input on this matter.

Sincerely,



Jeff Hild
Acting Assistant Secretary — Administration for Children and Families



Bryan Newland
Assistant Secretary — Indian Affairs



Todd Kim
Assistant Attorney General — Environment and Natural Resources Division