

American Indian and Alaska Native Child Abuse Prevention and Treatment Act (AI/AN CAPTA)

Senator Murkowski (AK), Senator Warren (MA), Representative Grijalva (AZ-7)

For decades, the Child Abuse Prevention and Treatment Act (CAPTA) has been the primary federal law addressing child abuse and neglect in the United States. Although it has been a crucial measure in protecting our nation's children, it has not sufficiently addressed the needs of American Indian and Alaska Native (AI/AN) children. Despite specific provisions in CAPTA regarding Tribal eligibility for federal grants and an emphasis on AI/AN child maltreatment issues, Tribes still receive very little federal CAPTA funding. Additionally, research projects that focus specifically on unique Tribal community issues go largely unfunded. The limited research available shows that American Indian and Alaska Native children are significantly more likely than children from other groups to face traumatic experiences in childhood, demonstrating the need for additional resources and research.

The American Indian and Alaska Native Child Abuse Prevention and Treatment Act (AI/AN CAPTA) helps fill that gap. The legislation:

- Amends CAPTA to require that Tribes be included in the criteria for achieving equitable distribution of CAPTA funding.
- Increases the percentage of funds set aside for Tribes and Tribal organizations and separates it from the set-aside for migrant programs.

AI/AN CAPTA would:

1. Include tribal communities in equitable distribution of aid. CAPTA requires the Secretary of Health and Human Services to establish criteria to achieve equitable distribution of CAPTA assistance among the states, geographic areas, and rural and urban areas. AI/AN CAPTA would clarify that Tribes should be part of these criteria.

2. Increase to 5% the Tribal set-aside for funding.

- Since the inception of CAPTA, Tribes have shared a 1% set-aside of the community-based grant funds with migrant programs. Typically, only two Tribal grants are awarded each three-year cycle at less than \$400,000 per tribe. This bill would separate the Tribal and migrant set aside and establish a 5% Tribal set-aside.
- Because of the unique political status of Tribes and the trust relationship between Tribes and the federal government, Congress routinely provides larger Tribal set-asides for social service programming.
- The lack of Tribal CAPTA funding has hampered the development of innovative child abuse and neglect prevention program models and has left Tribal communities with unstable and inadequate funding for child abuse and neglect prevention programs, which are key in reducing out-of-home foster care placements and strengthening families to be able to keep their children safely at home.

AI/AN CAPTA is supported by the National Indian Child Welfare Association (NICWA), the National Congress of American Indians (NCAI), the Navajo Nation, and the Child Welfare League of America (CWLA).