



Bipartisan Policy Center

# Invisible Children, Invisible Families

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**A BLUEPRINT FOR SUPPORTING  
THE CHILD CARE NEEDS  
OF AMERICAN INDIAN AND  
ALASKA NATIVE FAMILIES**

**November 2023**

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## METHODOLOGY

In 2022, the Bipartisan Policy Center concluded a review of 184 Tribal Child Care Plans to determine the extent to which Native American children have access to high-quality, culturally relevant child care and early learning. The results were published in a report titled “Righting a Wrong: Advancing Equity in Child Care Funding for American Indian and Alaska Native Families.” That report led to a four-part webinar series focusing on how tribal history and sovereignty impacted child care access and policy. The authors also interviewed 40 stakeholders and experts between February 2022 and September 2023. Those quoted in the body of the report provided information in either a public webinar or an individual interview. For a list of those interviewed, please see the back cover.

Parts of this report were informed by the [four-part webinar series](#) which addressed tribal sovereignty, tribal-state relations, and child care. The series was released between February 2022 and February 2023.

- Part I: How Did We Get Here? - Understanding Tribes, Sovereignty, and How It Impacts Services for Indigenous Children
- Part II: Understanding Sovereignty & Tribal-State Collaboration - Making Them Work for American Indian/Alaskan Native Child Care
- Part III: Tribes and States Working Together for AI/AN Children
- Part IV: Tribal Child Care – The Salish Kootenai College Learning Center

The totality of our research, interviews, and webinars exploring tribal sovereignty, tribal-state communication and collaboration, and AI/AN early childhood programs on tribal reservations and in urban areas provide the basis for our recommendations to help address critical issues facing AI/AN communities.

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# Foreword

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This report “*Invisible Children/Invisible Families: A Blueprint for Supporting the Child Care Needs of American Indian and Alaska Native Families*” is the result of several years spent examining the child care and early learning needs of Native American families. Researching and understanding the extent to which current funding levels support American Indian and Alaska Native families was like peeling an onion, layer by layer. We discovered additional elements to help better understand the child care needs of AI/AN families. We took a closer look at families living on and off Tribal lands and how families living in cities and towns are served by state programs. This, in turn, required an understanding of Tribal sovereignty and government to government relations.

Most native families do not live on Tribal lands. According to the 2020 Census, around 10 million people (about half the population of New York) identify as American Indian/Alaska Native, either solely or in combination with other races, and about 80% of them live in a metropolitan area. These facts are cause for concern. How these families get child care support is, for the most part, unknown. They are, in fact, invisible in many of our cities and towns. Although many Tribal Governments would like to support their members, they lack both the jurisdiction and funding to do so. As a result, many children are left without access to quality care that acknowledges their culture, languages, and customs, and their parents are left without access to child care that supports their employment.

This report serves as a blueprint to guide state government officials through the complexities of working with Tribes as sovereign governments. It is a call to action to policymakers at all levels to listen, learn, and work towards a future where every child, especially our youngest and first citizens, can thrive.

We would like to express our sincere appreciation to Barb Fabre and Rob Grunewald, who authored this report, and all those who generously shared their insights, experiences, and wisdom with us. Our work included several site visits and dozens of interviews with Tribal leaders, parents, and tribal child care personnel. We commissioned the first-ever national survey of Native American parents asking about their child care needs. Finally, we consulted and lifted the voices of state government officials leading the way in working with Tribal Governments to improve child care and early learning services for all Native American children, no matter where they live. As the readers will see, many states are actively working to address the needs of Native Americans, but so much more needs to be done. Success will depend on two things: trust and communication. As Kirsten Baesler, North Dakota Superintendent of Public Instruction, said in one of our webinars, “Consultation must be meaningful, it must be authentic... government to government, speaking for the needs of each government, and driving towards common goals that benefit all of us.”

**Linda K. Smith**  
Director, Early Childhood Initiative

# Executive Summary

During the first webinar of BPC's [four-part webinar series](#) that addressed tribal sovereignty, tribal-state relations, and child care, Sen. Byron Dorgan (D-ND), former chair of the Senate Committee on Indian Affairs, said, "Every American should understand that children deserve our assistance, our investment, but in many circumstances, Native American children fall far behind."

Sen. Dorgan's statement aligns with those we heard from tribal leaders, federal and state government officials, and leaders of nongovernmental organizations, as well as data that highlight disparities between American Indian and Alaska Native (AI/AN) children and the overall U.S. child population on health, child welfare, and education outcomes.

The interviews and data that inform this report (see *Methodology*) coalesce around three core issues that affect AI/AN young children and their families, particularly regarding child care. First, relations between state and tribal governments play a key role in AI/AN families' access to high-quality early care and education. States and tribal governments receive funding through the federal Child Care and Development Fund (CCDF) to help low-income families pay for child care and invest to improve child care quality. Effective state and tribal government coordination and collaboration can leverage those resources to improve AI/AN family access to child care on and off reservations as well as support initiatives to boost the quality of AI/AN child care programs.

Second, most AI/AN families live off reservations (see *By the Numbers*), and among those families, most live in a metropolitan area. Like AI/AN families who live on reservations, AI/AN families living in large cities face disparities in education, income, and use

## BY THE NUMBERS

There are [574 federally recognized Indian tribes](#) in the United States, located across 36 states. Alaska is home to the most tribes, with a total of 229. According to [2020 Census data](#), 3.7 million people identify solely as American Indian/Alaska Native (AI/AN), while an additional 5.9 million identify as AI/AN in combination with one or more other races. There are 326 AI/AN land areas administered as federal Indian reservations. Among AI/AN alone or in combination with one or more other races, 87% live outside a tribal reservation and 80% live in a metropolitan area.

## AI/AN EARLY CARE AND EDUCATION IS A BIPARTISAN ISSUE

Here is what Montana's U.S. senators have to say about the importance of child care; both serve on the U.S. Senate Committee for Indian Affairs.

"Having access to child care is critical not only for families and children but for the whole community," said Republican Sen. Steve Daines. "Thank you for shedding light on the importance of accessible child care to help give Native children the resources they need to have a brighter future."

And Democratic Sen. Jon Tester added, "Any parent in the room will tell you that the cost of child care is too darn high. That's true across the board, but it's especially true for Native parents who are disproportionately impacted by the lack of affordable child care in rural communities."

of social services compared with the general population. But whereas tribes can tailor services for members and their descendants who live on reservations, federal policies limit the ability of tribes to provide child care support to members who live off reservations in metropolitan areas and outside of service areas.

Third, federal funding for tribal members and AI/AN populations has always fallen short of their needs, including access to early care and education. According to a recent BPC national [survey of AI/AN parents](#), 54% of respondents reported difficulties finding child care within their budget. In the case of federal child care funding, states receive funding based on the population of young children in low-income families. A percentage is set aside for tribes. However, the methods used to determine the tribal set-asides are inadequate in part due to a lack of data to accurately assess AI/AN population needs.

Based on multiple interviews, webinar discussions, and data, the authors make the following recommendations for tribes, states, and the federal government to improve child care and other services that impact AI/AN communities. The recommendations respond to the three core issues introduced above.

1. **Strengthen communication and collaboration between state governments and tribes.** Tribal sovereignty is the cornerstone for state and federal government relations with tribal governments. As sovereign nations, AI/AN people have the right to govern themselves. The federal government, not state governments, has [authority](#) regarding tribal affairs, subject to constitutional limitations. Nevertheless, because [state governments also interact with tribal nations](#), government-to-government also describes how they should view their relationships with AI/AN tribes.<sup>a</sup>

Several states have processes in place within governors' offices and state agencies to guide state-tribal consultation, but more can be done to support leaders in these offices or offer ways to connect or convene across counterparts at the state or tribal levels. Section 1 highlights several state policies and practices that effectively facilitate state-tribal consultation.

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<sup>a</sup> Throughout the report, "tribe" and "tribal" refer to the definition of a federally recognized tribe: an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States, with the responsibilities, powers, limitations, and obligations attached to that designation. Furthermore, federally recognized tribes are recognized as possessing certain inherent rights of self-government (i.e., tribal sovereignty) and are entitled to receive certain federal benefits, services, and protections because of their special relationship with the United States. See [What is a federally recognized tribe?](#) (U.S. Department of the Interior, Bureau of Indian Affairs). Some federally recognized tribes refer to themselves as nations, pueblos, villages, or rancheria.

*Recommendation:* As with the Every Student Succeeds Act (ESSA) which requires states to enter into consultation with tribes on state ESSA plans, Congress should require states to consult with tribes on state CCDF plan development<sup>b</sup>. In addition, tribes should be encouraged to attend and participate in their state's CCDF public hearing process and share tribal CCDF plans and relevant needs with states. Office of Child Care regional offices, which connect with both states and tribes about their respective CCDF plans, can facilitate information sharing between states and tribes.

2. **Open new approaches for tribes to serve members living off-reservation in urban areas.** Many tribes orient to connecting with and serving their members wherever they may live. However, federal legislation, administrative rules, and lack of funding are often barriers that keep tribes from serving members who live off-reservation, the vast majority of whom live in urban areas.

Tribal agencies develop and administer a variety of services for their members on tribal lands, such as housing, employment, social services, and child care–related services. While federal or state government programs fund many of these services, tribes exercise their sovereign rights by ensuring services are rooted in their cultural heritage and values. In addition, AI/AN people often prefer tribal-led services compared with those from federal or state government, including AI/AN families living off-reservation in urban areas. For all of these reasons, there are several benefits in providing tribes flexibility and fostering ways tribes can work with each other or within an urban organization to serve their members living off-reservation in urban areas.

*Recommendations:*

1. Congress should amend federal legislation or policies to give tribes flexibility to serve the child care needs of their members and descendants who live off-reservation in urban areas.
2. Congress should authorize Urban Indian Organizations (UIO) to receive federal funding to provide CCDF-related early childhood services to tribal members and descendants living in urban areas.
3. Government, nongovernmental organizations, and private philanthropy should create mechanisms for tribes to collaborate providing services in urban areas.
4. State should allow tribal child care licensing in urban areas.
5. Congress should authorize pilot projects with tribes or within a state to serve their families with young children in urban areas.

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<sup>b</sup> CCDF is a term given by HHS to describe the combination of both mandatory and discretionary funds in the Child Care and Development Block Grant (CCDBG).

3. **Reform federal funding to address tribal and AI/AN needs using data-driven methods.** While Congress and the federal government recently allocated a relatively large proportion of pandemic-related relief funds to tribes, ongoing funding for AI/AN communities continues to lag their needs. As noted above, the lack of quality data on AI/AN populations limits the ability to accurately assess AI/AN population needs, including access to high-quality early care and education services.

There are several headwinds to producing quality data at the tribal and AI/AN population levels. AI/AN sample sizes in surveys and data sets are often too small to break out and describe conditions for tribes and AI/AN populations. In addition, there are inherent challenges in counting people widely dispersed in rural areas, such as reservations, which can lead to undercounts. Finally, many tribal communities lack resources to develop their own data collection and management systems, which contributes to a cycle of underinvestment since accurate population counts and assessment of need are necessary to justify federal funding.

*Recommendations:*

1. The Commerce Department should prioritize ongoing improvements to the decennial census and American Community Survey data collection processes, such as outreach to connect and build trust with AI/AN communities, and consider potential costs to tribes as census balances producing quality data and maintaining privacy when producing tables with small geographic units.
2. Federal agencies and state governments use data from other sources to complement census data and coordinate data access across agencies.
3. Congress and the federal government should support tribes to develop data collection and management systems.
4. Federal agencies should aggregate and disseminate tribal-level and AI/AN data.
5. All federal funding allocations should shift from a percentage set-aside to funding AI/AN needs based on data-driven methods.

## Addressing historical trauma

A key message BPC staff heard throughout the four webinars and interviews is the importance of understanding the historical experience of Native Americans in the United States. This is also a message Barb Fabre, CEO of Indigenous Visioning and president of All Nations Rise, often hears from tribal leaders. An elder and White Earth historian on the White Earth reservation, located in northern Minnesota, once told her, “If non-Native people don’t understand our history, how can they help us?”



Patina Park, executive director, Tribal State Relations Office of Minnesota Governor Tim Walz and Lieutenant Governor Peggy Flanagan, presented on AI/AN history during the [second webinar](#), which is summarized below.

*Since first contact with Europeans, AI/AN people have experienced genocide, forced removals and loss of ancestral lands, and intense assimilation efforts by severing ties to culture and tribal identity. One of the most painful ways this was accomplished was through the forced removal of AI/AN children to Indian boarding schools.*

*These cumulative and multigenerational experiences of emotional and psychological violence in AI/AN communities are commonly referred to as historical trauma, with effects currently visible in high levels of health challenges, substance use, and mental health disorders. Before working with AI/AN communities, it is critical to understand the history and its impact, but even more important to focus on AI/AN communities' resiliency and strengths.*

*In addition, following the Revolutionary War the United States signed almost 400 treaties with tribal nations. Treaties are signed agreements between the federal government and tribes. They recognize tribes as sovereign nations with the right to self-determination and self-rule, and protect tribal nations' inherent rights to cultural, economic, and subsistence means of life. Unfortunately, tribes have experienced a long history of broken treaties and broken promises—another layer to the historical trauma experienced by AI/AN communities and why trust is often difficult to build.*

Each of the three recommendations builds on tribal sovereignty and AI/AN cultural heritage and resilience as well as addresses AI/AN history and multigenerational trauma. The report sections highlight key principles and facts related to each recommendation followed by promising practices and policies.



# Section 1

## Strengthen communication and collaboration between state governments and tribes.<sup>c</sup>

### TRIBAL SOVEREIGNTY AND GOVERNMENT-TO-GOVERNMENT RELATIONS

Tribal sovereignty is the cornerstone for state and federal government relations with tribal governments. As sovereign nations, AI/AN people have the right to govern themselves. As Melanie Benjamin, chief executive, Mille Lacs Band of Ojibwe, stated, “Across all 574 of the native nations in the United States, we are governments.”

**“ACROSS ALL 574 OF THE NATIVE NATIONS IN THE UNITED STATES, WE ARE GOVERNMENTS.”**

**MELANIE BENJAMIN, CHIEF EXECUTIVE, MILLE LACS BAND OF OJIBWE**

Anton Treuer, author and professor at Bemidji State University, notes that tribes are mentioned in specific places in the U.S. Constitution. “Because tribes have distinct governments, there is a nation-to-nation relationship between tribes and the federal government.”

<sup>c</sup> Some tribal governments also interact and work with local governments, such as unincorporated towns on or near reservations and nearby small incorporated towns, cities, and school boards. This section focuses on communication and collaboration primarily between tribal nations and state governments, but general principles would likely apply to interactions between tribal governments and other local governments.

The *Promising Policies and Practices Blueprint* is the culmination of over two years of research on early care and learning for AI/AN families. This work includes a national survey of AI/AN parents; interviews with 40 stakeholders; an analysis of 184 tribal child care plans; and review of relevant data from U.S. Census Bureau, Department of Labor, Department of Education, HHS, Bureau of Indian Affairs, San Diego State University, Data Resource Center for Child and Adolescent Health, First Nations Development Institute, the Center for Law and Social Policy, and National Home Visiting Research Center. Below is a timeline of the BPC’s previous work that informed the content and recommendations included in this report.

**March 18, 2021**

#### Tribal Home Visiting

Tribal Home Visiting (THV), one part of the federal Maternal Infant and Early Childhood Home Visiting program (MIECHV), provides home visiting services for AI/AN parents. This report recommends a GAO study on the cost of full implementation of home visiting for tribal nations to inform reauthorization.

**March 30, 2021**

#### Tribal Early Care and Education Programs

Data shows that AI/AN children may face barriers in meeting their full potential. In a scan of federal early care and education programs, this report shows how gaps in eligibility for tribes to apply for federal programs and arbitrary funding formulas limit their ability to serve this population.

The federal government, not state governments, has [authority](#) regarding tribal affairs, subject to constitutional limitations. Nevertheless, because [state governments also interact with tribal nations](#), government-to-government also describes how they should view their relationships with AI/AN tribes. “Tribal nations should not be considered just stakeholders; that is not who they are.”

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**“THE STATE NEEDS TO ENGAGE WITH TRIBES AS GOVERNMENTS”**

**PEGGY FLANAGAN, MINNESOTA  
LIEUTENANT GOVERNOR**

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A key component of government-to-government relations is regular communication and meaningful consultation on state or federal policies that affect tribes as well as key issues facing tribes. Several interviewees stated that state-tribe and federal-tribe consultation needs to be intentional, not just a meet-and-greet but rather an opportunity to work out issues.

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**“CONSULTATION MUST BE MEANINGFUL, IT MUST BE AUTHENTIC ... CAN'T JUST BE A REPORT OUT BUT RATHER GOVERNMENT-TO-GOVERNMENT, SPEAKING FOR THE NEEDS OF EACH GOVERNMENT DRIVING TOWARD COMMON GOALS THAT BENEFITS ALL OF US,”**

**KIRSTEN BAESLER, NORTH  
DAKOTA STATE SUPERINTENDENT  
OF PUBLIC INSTRUCTION**

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And just like each state is different, each tribe has a unique history and governance structure.

**April 14, 2021**

**Data and Funding Gaps in Tribal Early Care and Education**

Programs aimed at supporting the early development of AI/AN children with a history of proven success require increased federal funding to maximize their impact and expand the scope of those they serve. This report explains that the full impact of federal tribal programs cannot be measured without more comprehensive data collection.

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**April 25, 2022**

**Righting a Wrong: Advancing Equity in Child Care Funding for American Indian & Alaska Native Families**

In an analysis of 184 FY2019-FY2022 Tribal Plans, BPC found that federal programs for AI/AN families are systematically underfunded. This report provides recommendations to HHS and other federal agencies to use information in Tribal Plans to incorporate the voices, experiences, and preferences of AI/AN people into these federal programs.

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**September 29, 2022**

**The Impact of Federal Early Care and Education Programs on Tribes**

Federal programs often exclude or systematically underfund tribal nations. Tribes are not eligible to apply for several federal programs, including Child Abuse Prevention and Treatment Act (CAPTA), Preschool Development Grant (PDG), Child and Adult Care Food Program (CACFP), Child Care Access Means Parents in Schools (CCAMPIS), and Individuals with Disabilities Education Act (IDEA) Part B. When tribes are allowed to apply, funding is often based on an arbitrary flat rate rather than demonstrated need. This includes the CCDF, MIECHV, IDEA Part C, and Comprehensive Literacy Development Grants.

Tribal, federal, and state governments have obligations to serve tribal members.

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**“I CONSIDER MYSELF TO BE A DUAL CITIZEN: I AM A CITIZEN OF THE UNITED STATES, BUT I AM ALSO A CITIZEN OF THE WHITE EARTH NATION,”**

**PEGGY FLANAGAN, MINNESOTA  
LIEUTENANT GOVERNOR**

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Coordinating or collaborating across tribal and state governments helps each government best meet the needs of both tribal members and non-Native citizens. Flanagan noted that partnering with the 11 federally recognized tribes in Minnesota during the COVID-19 pandemic was important for both the state and the tribes. “There were things that our Native nations were doing within their enterprises and communities that we adopted, and vice versa.”

## **STATE GOVERNMENT COMMUNICATION AND CONSULTATION WITH TRIBAL GOVERNMENTS**

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The foundation for communication and consultation between state and tribal governments is a government-to-government structure with the purpose of building long-term relationships that prevail despite changes in state or tribal leadership. Establishing a process that doesn’t go away after a tribal or state election is crucial since state governors change as frequently as every four years; many tribes hold elections even more frequently.

The starting point is for state governors to reach out to tribal leaders as equals and ask for permission to reestablish consultation and ongoing

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**November 8, 2022**

### **Blind Spots in Tribal 477 Plans**

Consolidating the CCDF and other federal formula programs into 477 Plans has helped parents living on tribal lands receive the child care assistance they need, but the merger has created significant blind spots. The report recommends the creation of an accountability system that both honors the values that animate Public Law 102-477 and ensures that CCDF funds support early childhood development.

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**February 24, 2022**

### **Survey of American Indian/Alaska Native Parents**

BPC and Morning Consult conducted a national survey of AI/AN parents with children under 12 to understand their use of and demand for child care. This blog highlights trends in AI/AN parents’ preferences found in the survey. For more information, see the [survey analysis](#).

**For more information, see BPC’s [Tribal Early Childhood Resource Hub](#).**

communication. This process is typically facilitated through the state’s tribal relations or Indian affairs office. Tribes often have a government affairs official to contact, and if not, states can reach out to the executive director. Tribal governments can also take the lead and initiate communication with state governors. States and tribes then establish methods for regular communication and co-create meeting agendas. The goal is to build reciprocal relationships, the practice of exchanging to achieve mutual benefits.<sup>d</sup>

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<sup>d</sup> National Congress of American Indians has this resource on [State/Tribal Relations](#) and the National Conference of State Legislatures has this resource on [State-Tribal Collaboration](#).

## TRIBAL CONSULTATION

A tribal consultation is a formal, two-way, government-to-government dialogue between official representatives of tribes and federal agencies to discuss federal proposals before the federal agency makes decisions. While the focus is on federal-tribal government consultation, the descriptions below can inform state-tribal government consultation.

### What Triggers a Tribal Consultation?

Any agency action with substantial direct effects on:

- One or more Indian tribes,
- The relationship between the federal government and tribes, or
- The distribution of power and responsibilities between the federal government and tribes.

The defining features of tribal consultations are:

- Notice to tribes provided at least 30 days in advance of the first scheduled consultation session and containing sufficient detail of the topic to be discussed to allow tribal leaders an opportunity to fully engage in the consultation
- Federal decision-maker participation
- Discussion between tribes and federal decision-makers
- Record of proceedings (transcript or meeting notes)
- Federal response to tribes regarding how tribal input was incorporated into the final federal decision.

**Note:** Sometimes outreach to tribes is first appropriate to determine whether an action actually has any substantial direct effects.

**Source:** [What is Tribal Consultation?](#) Indian Affairs, U.S. Department of the Interior

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**“I WOULD SAY TO ANY STATE OFFICIAL IS WHAT YOU DO IS GET INTO THE CAR AND MEET WITH TRIBAL LEADERS AND ASK THEM, ‘WHAT CAN WE DO TOGETHER?’”**

**SEN. BYRON DORGAN (D-ND), FORMER CHAIR OF THE U.S. SENATE COMMITTEE ON INDIAN AFFAIRS, NOTED THAT THERE ARE MANY NEW YOUNG AI/AN LEADERS AND SKILLED AND CAPABLE TRIBAL CHAIRS**

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In addition to communication between tribal and state leaders, sharing information between directors of tribal and state programs, including those that serve families with young children, also leads to mutual benefits. Within early childhood, related agencies include state and tribal leaders who oversee the Child Care and Development Fund (CCDF), Head Start, early intervention (Part C of the Individuals with Disabilities Education Act), public health (for example, Special Supplemental Nutrition Program for Women, Infants, and Children), and home visiting programs (Maternal, Infant, and Early Childhood Home Visiting Program).

Just like tribes need to understand state guidelines and regulations, state leadership and staff should understand the government and cultural context for each tribe, as not all tribes govern the same way. “Each of New Mexico’s 23 pueblos, tribes, and nations is unique,”

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“I’VE LEARNED THE IMPORTANCE OF TAKING THE TIME TO LEARN AND UNDERSTAND THE TRADITIONS, LANGUAGES, AND GOVERNANCE OF EACH SOVEREIGN NATION, ESPECIALLY AROUND EARLY CHILDHOOD.”

**ELIZABETH GROGINSKY, CABINET SECRETARY, NEW MEXICO EARLY CHILDHOOD EDUCATION AND CARE DEPARTMENT**

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“AS A STATE-ELECTED OFFICIAL, I DON’T WANT TO ASSUME OR PRETEND TO KNOW EVERYTHING BUT RATHER OPEN MYSELF UP AND ASK QUESTIONS FROM A DEEP DESIRE TO LEARN AND UNDERSTAND.”

**KIRSTEN BAESLER ALSO STRESSED THE IMPORTANCE OF HUMILITY AND AUTHENTICITY WHEN MEETING WITH TRIBAL LEADERS**

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## **BUILDING TRUST**

North Dakota’s state superintendent of public instruction, Kirsten Baesler, said that Anton Treuer’s book, *Everything You Wanted to Know About Indians But Were Afraid to Ask*, resonates with her. “In my first six months of office, I was invited to speak with the tribal and school leaders on Standing Rock Reservation,” Baesler said. She grew up 30 minutes from Standing Rock and was friends with students attending high schools in and around the reservation. “We ran track together, we played basketball together, we would meet up town in Bismarck together,” she added.

Nevertheless, during the car ride to her first consultation at Standing Rock, Baesler was nervous and asked several questions of Scott Davis, executive director of the North Dakota Indian Affairs Commission and member of the Standing Rock Sioux Tribe. “‘Is it Native American or is it Indian?’ may have been one of my first questions,” Baesler said. “I just didn’t want to misstep knowing how important trust and respect are in government-to-government conversations. Scott actually pulled to the side of the road, stopped the car, looked at me and said, ‘Just ask. If there is anything you need to know or want to know, just ask.’ That was the best piece of advice I could have heard within my first year.”

Baesler said this set that stage for what she considers a better relationship each and every month she worked together with tribes in North Dakota. “The advice I would give to anybody on either side is to be honest, humble, and vulnerable,” Baesler said. “These qualities build trust, and I believe progress travels through the speed of trust.”

## AGENCY-LEVEL COMMUNICATION AND CONSULTATION

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Several states have designated tribal liaisons within agencies. Tribal liaisons generally have responsibility to understand tribal governance and culture, determine when communication should go between the governor's office and tribal leaders or between state agency and tribal agency leaders, and assess how state programs impact tribal communities. For example, in Alaska, [Administrative Order No. 300](#) includes a provision that each principal department designates a tribal liaison to aid in producing a plan for engagement in consultation and collaboration with Alaska tribes and tribal organizations. Also see examples of state-agency tribal liaisons in [New Mexico](#), [Washington](#), and [Wisconsin](#).

Some states' resources provide broader guidance to managers and employees on state-tribal relations, such as Montana's [Tribal Relations Handbook: A Guide for State Employees on Preserving the State-Tribal Relationship](#). The handbook provides background on each of the eight tribal governments located in Montana, guidance on communicating and meeting with tribal leaders, and resources for state employees, such as an annual training hosted by the Governor's Office of Indian Affairs.

In Michigan, [Executive Directive 2019-17](#), issued on Oct. 31, 2019, reaffirms the state's [government-to-government accord](#) with the 12 federally recognized tribes located in Michigan. Directed to state department directors and autonomous agency heads, the executive directive provides guidance on activities that may be appropriate for consultation with a tribal government as well as guidance on communicating with and receiving input from tribal governments.

Other examples of state executive activities are found in this compilation of [state executive branch Indian affairs commissions or contacts](#) by the National Conference of State Legislatures (NCSL).



Based on our review of resources for state-tribal relations or Indian affairs offices, tribal liaisons at the state agency level, and tribal government relations and agency leaders, more can be done to support leaders in these offices or offer ways to connect or convene across counterparts at the state or tribal level.

## EARLY CHILDHOOD TRIBAL CONSULTATION

New Mexico is the homeland for 23 tribes, pueblos, and nations, each having a government-to-government relationship with the state. Specific to early childhood, tribal leaders in New Mexico recently requested an assistant secretary within the early childhood and care department to strengthen government-to-government relationships. The role of Assistant Secretary for Native American Early Education and Care was written into law. Gov. Michelle Lujan Grisham appointed Jovanna Archuleta from the Pueblo of Nambé as the first to hold the position, and she served from 2020 to 2022.<sup>e</sup>

In this role, Archuleta advised department leadership on communication and engagement with tribal leaders and facilitated consultation meetings between department leadership and tribal leaders on early childhood topics. Tribal consultation is a key emphasis in New Mexico's [Indian Education Act](#), and the State-Tribal Collaboration Act further supports government-government relations and effective communication and collaboration.<sup>f</sup>

Archuleta said that the department starts with asking permission of tribal leaders for consultation, noting that as tribal leadership changes, the department establishes new relationships with each new leader. "We then enter with a proposed agenda and craft the agenda in consultation with the tribe to include topics the state and tribe decide to discuss," Archuleta said.

In December 2022, Cotillion Sneddy was appointed to succeed Archuleta. Assistant Secretary Sneddy emphasized the importance of on-site meetings to build personal relationships, discuss issues, and answer questions. "It's important for building rapport with tribal communities to provide clear and concise information and invite texts or calls after the meeting," Sneddy said. "Our department is open to provide support and collaboration as tribal communities request it."

In regards to collecting feedback on the state's 2022-24 CCDF plan, Archuleta convened a forum with tribal leaders and offered a comment period for tribal leadership. The department also engaged with tribal leaders through biweekly meetings with representation from tribal communities and attended meetings of the 15 tribal communities represented in New Mexico's tribal CCDF workgroup.<sup>g</sup> Tribal partners commented on a wide range of topics, including state and tribal agency reciprocity and the background check process, addressing child care quality and training, reviewing data to inform decisions, and increasing understanding of Native families and the importance of cultural education equity.

Sneddy noted that New Mexico's success with tribes on early childhood issues did not happen overnight. "The tribal communities in New Mexico have strong leadership, and now everyone who needs to be at the table is at the table," she said. Within the department there are 11 tribal liaisons working collaboratively with tribal communities across the state.

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e Archuleta is currently the director of early childhood community outreach at the LANL Foundation.

f See page 6 of [Tribal Consultation Guide 2022](#), Indian Education Division, New Mexico Public Education Department.

g Recently the tribal CCDF workgroup hosted a statewide conference with over 100 attendees.



## MOVING FROM COMMUNICATION AND CONSULTATION TO COLLABORATION

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Constructive and mutual relationship-building can set state government and tribes up for success. For example, Minnesota established [Minnesota Tribal Resources for Early Childhood Care](#) (MNTRECC) to coordinate early care and education programming (CCDF and Head Start) and workforce training across the state's 11 federally recognized tribes. State government staff attend quarterly MNTRECC meetings, help coordinate state resources available to tribes, and work with tribal agency leaders to develop new resources.

Another example is Oregon's plan to create a [Tribal Early Learning Hub](#), which is underway after the state established early learning hubs in 16 geographic regions in 2013. The hubs coordinate early childhood-related services in health care, education, and social services, as well as with school districts and the private sector. The Tribal Early Learning Hub will coordinate these sectors with respect to the shared history, culture, and values of the state's nine sovereign tribal nations.

"The state's Early Learning Council created a tribal advisory committee with representatives from the nine tribes in the state to lead this work moving forward and what our tribal consultation looks like," said Crys O'Grady, legal affairs manager, Oregon Early Learning Division tribal member and former CCDF administrator. The state also holds monthly engagement meetings with tribal CCDF administrators to review each other's CCDF plans and discuss how they can better serve and work together.

Representatives from the 39 tribes in Oklahoma meet quarterly on early childhood issues along with representatives from state agencies. The state typically hosts the first meeting of the year, and tribes take turns hosting the other meetings. Meeting agendas are set by the tribes. Brittany Lee, CCDF administrator for Oklahoma, said, "The tribal association meetings and

## TRIBAL CONSULTATION TIPS FOR STATES

- Research how each tribe governs and operates.
- Contact tribal leadership and ask for permission first.
- Work with the tribe to set the meeting agenda.
- Reserve ample time for state and tribal representatives to speak openly about issues, identify opportunities to make improvements, and work together on shared objectives.
- Record proceedings, maintain meeting records, and share with tribes.
- After meeting, follow up with tribe to consult about progress on next steps and preferences for ongoing communication.

collaborative agreements with individual tribes are helpful in coordinating working relationships between tribes and the state office of child care." A tribal association member also represents tribes during public comment periods on CCDF state plans.

## CONNECTIONS BETWEEN STATE LEGISLATURES AND TRIBAL GOVERNMENTS

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NCSL reports that state forums on Indian affairs and state-tribal relations are traditionally administered by the executive branch, but state legislatures are recognizing the benefits of having dedicated committees on these topics. This NCSL [compilation of state legislative committees](#) indicates that 19 legislatures have a committee or interim committee on Indian affairs or state-tribal relations. States may also have caucuses focused on AI/AN issues that

State legislatures with a committee or interim committee on Indian affairs or state-tribal relations: Arizona, California, Hawaii, Idaho, Kansas, Maine, Montana, Nebraska, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

**Source:** National Conference of State Legislatures

are comprised of AI/AN legislators. For example, Minnesota AI/AN legislators are represented in the [Minnesota People of Color and Indigenous Caucus](#).

## KEEPING TRIBAL RELATIONS VITAL AND RESPONSIVE

While Indian affairs policies and guidelines may be established for state governor's offices, agencies, and legislatures, keeping those policies and guidelines active and up to date is the role for current administrations and legislatures. Several webinar interviewees noted that despite established policies and guidelines, the state's level of tribal engagement can fluctuate depending on who is elected.

Furthermore, there is continued work in identifying policies and practices that fall short in supporting tribal sovereignty. "Governmental agreements do not have to be structured in a way that's always been done. There is opportunity to support sovereignty by listening to the vision of the community and tribal leaders," said Jovanna Archuleta, former New Mexico assistant secretary for Native American Early Education and Care.

As with the Every Student Succeeds Act (ESSA), which requires states to consult with tribes on state ESSA plans, Congress and the federal government should require states to enter into consultation with tribes on CCDF plan development. Such a requirement was included in the proposed [Child Care and Development Block Grant Reauthorization Act of 2022](#).<sup>h</sup> In addition, tribes should be encouraged to attend and participate in their state's CCDF public hearing process and share tribal CCDF plans and relevant needs with states. Office of Child Care regional offices, which connect with both states and tribes about their respective CCDF plans, can facilitate information-sharing between states and tribes.

Finally, improving relations with tribal governments is part of a broader effort to build understanding and relationships between Native and non-Native people throughout the country. "As a nation, we need to grow and we need to heal," said author Anton Treuer. "Some measure of discomfort will be a requirement in order to make that happen." Developing strong communication, consultation, and collaboration policies and practices between state governments and tribal governments is part of growth and healing as well as building reciprocal relationships with mutual benefits. "Having that excellent working relationship with your state government really benefits all citizens," said Melanie Benjamin.

<sup>h</sup> Under "SEC. 5. LEAD AGENCY" the bill language includes: "(2) DEVELOPMENT OF PLAN.—The lead agency shall develop the State plan described in paragraph (1)(B) in meaningful consultation with— "(A) parents of children eligible for services under this subchapter, which shall include parents of children in a priority population described in section 658E(c)(2)(M); "(B) eligible child care providers that represent the various geographic areas and types of providers in the State; "(C) employers of various sizes and with various hours and days of operations whose employees rely on reliable and accessible child care to work; and "(D) appropriate representatives of units of general purpose local government and, as appropriate, of Indian Tribes and Tribal organizations."

## Section 2

### Open new approaches for tribes to serve members living off-reservation in urban areas.

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Serving American Indian and Alaska Native (AI/AN) people in urban areas is an issue where federal and state governments can improve relations with tribes. Many tribes seek to connect with and serve their members wherever they may live. That is, for several types of services tribes don't regard reservation geographic boundaries in the same way that state, county, and other local governments regard their own geographic boundaries. "We want to make sure our tribal members are receiving all the services they are eligible for regardless of whether they live on the reservation." said Benjamin.

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**"OUR TRIBES' CONSTITUTION REQUIRES US, TO THE BEST OF OUR ABILITY, TO PROVIDE EQUAL ACCESS TO EVERY MEMBER FOR OUR RESOURCES AND GOVERNMENT SERVICES. WE ALWAYS LOOK FORWARD TO ANY WAY WE CAN TO PROVIDE ASSISTANCE TO THEM WHEN THEY LIVE FAR AWAY, ANY OF THE BENEFITS WE PROVIDE HERE ON THE RESERVATION."**

**TOM MCDONALD, CHAIRMAN OF THE CONFEDERATED SALISH AND KOOTENAI TRIBES, LOCATED IN NORTHWEST MONTANA**

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However, federal legislation, administrative rules, and lack of funding are often barriers that keep tribes from serving members who live off-reservation, the vast majority of whom live in urban areas. In this section we describe the off-reservation urban AI/AN population and discuss how changing policies could support tribes to better serve their members who live off-reservation in urban areas, particularly services for young children and their families.

### MAJORITY OF AI/AN PEOPLE LIVE IN CITIES

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According to [2020 Census data](#), 3.7 million people identify solely as AI/AN, while another 5.9 million identify as AI/AN in combination with one or more other races. Across both groups, the vast majority of AI/AN individuals and families live outside tribal reservations and in metropolitan areas.

Among AI/AN alone or in combination with one or more other races, 87% live outside a tribal reservation and 80% live in a metropolitan area.<sup>i</sup>

The largest number of AI/AN people live in the largest U.S. metropolitan areas, led by Los Angeles, New York, Dallas, and Chicago (see Table 1). Meanwhile, cities with the largest share of AI/AN people are near tribal reservations, such as those in Oklahoma, Alaska, Arizona, New Mexico, South Dakota, Montana, and California (see Table 2). Among cities with a total population of nearly 1 million or more, Tulsa, Oklahoma City, and Albuquerque stand out as having a relatively large number and share of AI/AN people.

Disparities in education, income, and use of social services between AI/AN populations and the general population in large urban areas are similar in proportion to disparities between AI/AN populations and the general population throughout the United States (see Table 3). While 40% of the population over age 25 in large urban areas has a bachelor's degree or higher, only 27% of the AI/AN population does.

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<sup>i</sup> In the U.S., 75% of AI/AN alone live off-reservation and 72% live in a metropolitan area; 87% of the U.S. population lives in a [metropolitan area](#) (has at least one urban area of 50,000 or more inhabitants). 2020 Census Data, P.L. 94-171 Redistricting Data Summary File from IPUMS NHGIS, University of Minnesota, [www.nhgis.org](http://www.nhgis.org). Author's calculations.

Meanwhile, median family income in large urban areas is \$99,000 compared with \$79,000 for AI/AN families. AI/AN populations in large urban areas also have higher rates of disability and more use of SNAP benefits, and are less likely to have health insurance than the total population.<sup>j</sup> AI/AN people are also overrepresented in urban homeless populations.

## TRIBAL SERVICES ROOTED IN CULTURAL HERITAGE AND VALUES

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Tribal agencies develop and administer a variety of services for their members on tribal lands, such as housing, employment, social services, and early childhood–related services. While federal or state government programs fund many of these services, tribes exercise their sovereign rights by ensuring services are rooted in their cultural heritage and values. “Empowering children with cultural knowledge is needed at the earliest age possible and supporting that to the greatest extent we can. It’s language, it’s a sense of place, that pride that people need to know, and they need to be proud that they’re Native American,” said McDonald.

Tribal cultural values themselves are [a protective factor for AI/AN families and promote resiliency](#), especially since many of the current challenges AI/AN people face derive from historical trauma. AI/AN people often prefer tribal-led services compared with those from federal or state government. According to a recent [BPC survey](#), a majority of AI/AN parents prefer child care services from a tribe rather than from the state, even when living off tribal lands.

Barb Fabre, CEO of Indigenous Visioning and President of All Nations Rise, noted that when she worked as the CCDF administrator for White Earth Nation, she often received calls from tribal members and descendants living in the Minneapolis-St. Paul area asking about the availability of child

care assistance or support for child care providers. “I received numerous calls from members living in urban areas seeking tribal support with early childhood issues, whether parents seeking a tribal early childhood preschool or locating an AI/AN provider or an AI/AN early childhood teacher looking for support to become a provider,” Fabre said.

Tribes are in an advantageous position to serve members who live off-reservation because members trust that their tribe and tribal services are rooted in cultural values and practices. Several tribes offer services to members who live off-reservation, particularly regarding enrollment. However, the reach of tribally provided services is limited by funding availability and, in a number of cases, by federal policy and administrative rules.

In 2007, Citizen Potawatomi Nation amended its constitution to include district offices throughout the United States close to where there was a population of over 2,000 citizens, according to Linda Capps, vice chairman of CPN. “We elect eight of our 13 [legislators](#) from outside Oklahoma and they are assigned to those districts,” Capps said.

## FEDERAL POLICIES LIMIT TRIBES’ ABILITY TO SERVE OFF-RESERVATION MEMBERS

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Laws and federal policy limits the ability of tribes to serve enrolled members who live outside the reservation to families who live on or near the reservation. The Office of Child Care (OCC) notes that a tribal CCDF “service area” must be on or near the reservation except tribes in Alaska, California, and Oklahoma.<sup>k</sup>

Some tribes would like to extend the early childhood services and child care licensing programs they offer on reservations to members who live off-reservation

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j Similar to the total population, AI/AN median family income is higher in large urban areas compared with the total AI/AN population.

k Tribes that do not have reservations must establish service areas within reasonably close geographic proximity to the area where the tribe’s population resides.

but face service area restrictions. From a historical and cultural perspective, the service area definition is tied to political boundaries the federal government imposed on AI/AN people who lived for millennia without arbitrary boundaries. In these states, reservations are often far from urban areas and are not considered on or near reservations.

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**“IN CONSULTATION AND CONVERSATION WITH TRIBES, WE’VE REALLY HEARD THAT THERE IS A NEED TO SERVE URBAN POPULATIONS BECAUSE TRIBES ARE RESTRICTED WITH CCDF FUNDS AS WELL AS SOME OTHER FEDERAL FUNDING TO THEIR TRIBAL SERVICE AREAS.”**

**CRYS O’GRADY, LEGAL AFFAIRS  
MANAGER, OREGON STATE CHILD CARE**

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Tribes in Oregon and many other states are asked by members living off-reservation for services but are constrained by policies or lack of funding.

Removing barriers that impede tribes from serving members living off-reservation in urban areas, allowing for flexibility in how tribes serve their members, and fostering ways tribes can work with each other or within an urban organization to serve their members are necessary steps to improving relations.

A similar circumstance is how the Department of Defense offers child care to service members living on bases and also provides child care support for those living off-base.<sup>1</sup> While some practices and mechanisms are in place for tribes in specific cities, early childhood services are generally limited.

## **REVISE FEDERAL POLICIES TO GIVE TRIBES FLEXIBILITY**

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With appropriate changes to the CCDBG Act, the OCC could expand CCDF service areas to include urban areas where tribal members live.

Tribes recognize the value of providing services to members who live off-reservation in urban areas. For example, the Mille Lacs Band of Ojibwe Indians has [an office in Minneapolis](#) to serve members living there. Like similar offices on the reservation, the urban office assists members with “education, training, work experiences, cultural participation, and support services to be prosperous and change their life.”

As with these services, expanding the reach of tribal CCDF to urban areas could allow tribes to support members in accessing child care assistance, license new child care providers, support the quality of existing providers, and increase availability of culturally responsive early care and education offerings.

## **MAKE URBAN INDIAN ORGANIZATIONS ELIGIBLE TO RECEIVE CCDF FUNDING AND PROVIDE RELATED SERVICES**

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Congress should authorize Urban Indian Organizations (UIO) to receive federal funding to provide CCDF-related child care services to tribal members and descendants living in urban areas.

Authorized by Title V of the Indian Health Care Improvement Act, UIOs are contracted organizations that provide services to AI/AN individuals and families living in urban areas. Services tend to be related to health care, but some UIOs offer after-

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<sup>1</sup> Public Law 106-65, “National Defense Authorization Act for Fiscal Year 2000,” Oct. 5, 1999, Section 584 of this law (“Support for Expanded Child Care Services and Youth Program Services for Dependents”) authorized the Department of Defense to offer financial assistance to civilian providers who meet DOD standards to expand or supplement the availability of child care services for children of service members.

school care and youth programs. UIOs are also eligible to receive federal funding to provide home visiting services through the Maternal, Infant, and Early Childhood Home Visiting program, which overlap many families who also need or will soon need child care. UIOs are required to collect certain data on the service population, which could be useful for informing provision of other early childhood services. UIO-related health care services often have a culturally responsive component, consistent with child care needs among AI/AN families.<sup>m</sup>

As organizations authorized to receive CCDF funds, UIOs wouldn't necessarily directly provide and administer child care subsidies, but they could assist families with applying for state- or tribal-administered subsidies and finding available child care, functioning like a child care resource and referral agency. UIOs could be given authority to license child care providers directly or work in cooperation with a tribal agency that has child-care licensing authority. UIOs could use CCDF funds to promote quality for these and other child care providers through culturally responsive teacher training and curriculum assistance.

## CREATE MECHANISMS FOR TRIBES TO COLLABORATE PROVIDING SERVICES IN URBAN AREAS

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Several tribes are already active in cities, either through their own urban offices or by collaborating with one or more nongovernmental organizations (NGO). For example, some urban areas have nonprofit AI/AN community and service centers, such as [Albuquerque](#) and [Seattle](#). Several tribes work with urban NGOs to help their members connect with services. NGOs may also be in a position to provide early childhood services to tribal members in urban areas. In Portland, Oregon, the [Native American Youth and Family Center](#) (NAYA) is an AI/AN-

centered program that offers early childhood services such as Early Head Start, preschool, playgroups, and parenting support for families with pregnant mothers or infants. Oregon State Child Care developed the Early Childhood Equity Fund in consultation with tribal leaders to supplement NAYA's federal funding in order to offer this array of programs for AI/AN families living in the Portland area.

Supporting collaboration between tribes and urban NGOs has several mutual benefits. Louise Matson, executive director of Division of Indian Work, notes that the AI/AN community is diverse, "which is wonderful, but we don't always have access to cultural teachings for all... We are always seeking to expand our knowledge base and access to elders from different tribes." The [Division of Indian Work](#) is an NGO in Minneapolis that offers AI/AN programs and services directly or in partnership with other organizations, including family home visiting and a doula program. Matson also notes that working with tribes can open opportunities for program referrals and coordinated strategies to fund services, including those eligible for Medicaid payments.

Federal agencies and national organizations can also support early childhood programs within urban areas. For example, the Administration for Native Americans<sup>n</sup> recently awarded grants for Native-language immersion programs for young children in Rapid City, South Dakota, and Anchorage, Alaska, and a language preservation grant to the [Phoenix Indian Center](#), which offers an early childhood Navajo language class.

Including AI/AN people living in urban areas in broader policy discussions can also ensure that the urban AI/AN perspective is included in administrative or legislative policymaking. For example, the New Mexico Department of Early Childhood and Care invited members from Albuquerque to join the state's Tribal Advisory Coalition, which includes representatives from the

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<sup>m</sup> See [Office of Urban Indian Health Programs](#) and [Title V of the Indian Health Care Improvement Act](#).

<sup>n</sup> Administration for Native Americans is an agency within the U.S. Department of Health and Human Services, Administration for Children and Families.

Native tribes, pueblos, and nations located in the state. In Albuquerque, 17 percent of children under age 5 are AI/AN alone or in combination with one or more other races.<sup>o</sup> “This way as we continue to grow as an agency, we continue to think about urban populations and making investments in the Albuquerque area to ensure there is connection to culture, language, and traditions,” said Jovanna Archuleta, former New Mexico assistant secretary for Native American Early Education and Care.

## **OPEN TRIBAL CHILD CARE LICENSING TO URBAN AREAS**

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Extending tribal child care licensing into urban areas can increase the number of providers that offer AI/AN cultural programs. As an example, the Minneapolis-St. Paul metropolitan area is home to nearly 4,000 AI/AN children under age 5. However, aside from a large tribally licensed center in the southwest metro, the four AI/AN-oriented providers in the urban core have capacity for only 150 children under age 5. Extending tribal licensing into urban areas like Minneapolis-St. Paul would create an accessible pathway for AI/AN providers to start programs. “The ability for tribes to license child care and other early childhood programs in urban communities is extremely important to the well-being of young children living in those areas,” noted Barb Fabre.

## **START A PILOT PROJECT WITH A TRIBE OR WITHIN A STATE**

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One option for moving some of these promising policies and practices forward is to develop a pilot project with one or more tribes that have a substantial number of members and descendants living off-reservation in one or more urban areas. The project could connect the tribe or tribes with UIOs and NGOs that serve AI/ANs in the urban area and



fund initiatives that serve member and descendant families with young children. The pilot could also operate at the state level by funding initiatives that connect tribes within a state with organizations in the state’s urban areas that could serve members and descendants. As noted above, services could include offering culturally responsive early care and education, connecting families with AI/AN child care providers, licensing AI/AN child care providers, or providing family support services, some of which may qualify for Medicaid payments.

A variation on the pilot-project concept is to fund a few UIOs to provide CCDF-related early care and education services to AI/AN families living in urban areas. The project could study the feasibility and effectiveness of providing CCDF funds to UIOs.

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<sup>o</sup> 2021, American Community Survey 1-Year Estimates, Selected Population Profiles, Table S0201. Author’s calculations.

**Table 1. Top 30 Metropolitan and Micropolitan Areas by AI/AN population\***

		<b>AI/AN Population</b>	<b>AI/AN Population as a Percent of Total Population</b>
1	Los Angeles-Long Beach-Anaheim, CA	416,493	3.2%
2	New York-Newark-Jersey City, NY-NJ-PA	351,127	1.7%
3	Dallas-Fort Worth-Arlington, TX	223,723	2.9%
4	Chicago-Naperville-Elgin, IL-IN-WI	216,992	2.3%
5	Phoenix-Mesa-Chandler, AZ	206,887	4.3%
6	Houston-The Woodlands-Sugar Land, TX	186,678	2.6%
7	Riverside-San Bernardino-Ontario, CA	182,049	4.0%
8	Tulsa, OK	171,750	16.9%
9	Oklahoma City, OK	144,700	10.1%
10	Washington-Arlington-Alexandria, DC-VA-MD-WV	133,890	2.1%
11	Seattle-Tacoma-Bellevue, WA	130,373	3.2%
12	San Francisco-Oakland-Berkeley, CA	127,166	2.7%
13	Atlanta-Sandy Springs-Alpharetta, GA	119,190	2.0%
14	San Diego-Chula Vista-Carlsbad, CA	101,050	3.1%
15	Denver-Aurora-Lakewood, CO	100,416	3.4%
16	Philadelphia-Camden-Wilmington, PA-NJ-DE-MD	92,378	1.5%
17	Portland-Vancouver-Hillsboro, OR-WA	89,829	3.6%
18	Sacramento-Roseville-Folsom, CA	89,214	3.7%
19	Albuquerque, NM	84,319	9.2%
20	Detroit-Warren-Dearborn, MI	83,425	1.9%
21	Minneapolis-St. Paul-Bloomington, MN-WI	82,804	2.2%
22	San Antonio-New Braunfels, TX	74,735	2.9%
23	Miami-Fort Lauderdale-Pompano Beach, FL	70,430	1.1%
24	Kansas City, MO-KS	67,376	3.1%
25	Austin-Round Rock-Georgetown, TX	65,653	2.9%
26	Las Vegas-Henderson-Paradise, NV	64,415	2.8%
27	Tampa-St. Petersburg-Clearwater, FL	63,478	2.0%
28	St. Louis, MO-IL	61,436	2.2%
29	Charlotte-Concord-Gastonia, NC-SC	59,049	2.2%
30	Gallup, NM**	58,845	80.7%

\*AI/AN population refers to AI/AN alone or in combination with one or more races.

\*\*Micropolitan Area, others are Metropolitan Areas.

**Source:** 2020 Census Data, P.L. 94-171 Redistricting Data Summary File from IPUMS NHGIS, University of Minnesota, [www.nhgis.org](http://www.nhgis.org). Author's calculations.



**Table 2. Top 30 Metropolitan and Micropolitan Areas by AI/AN Population as a Share of Total Population\***

		AI/AN Population as a Percent of Total Population	AI/AN Population
1	Show Low, AZ**	46.9%	50,017
2	Farmington, NM	44.3%	53,898
3	Lumberton, NC**	41.8%	48,706
4	Flagstaff, AZ	27.5%	39,927
5	Tulsa, OK	16.9%	171,750
6	Anchorage, AK	14.3%	57,072
7	Fairbanks, AK	14.1%	13,527
8	Rapid City, SD	13.1%	18,253
9	Fort Smith, AR-OK	11.8%	28,885
10	Stillwater, OK**	11.6%	9,460
11	Eureka-Arcata, CA**	11.3%	15,367
12	Lawton, OK	11.1%	14,038
13	Oklahoma City, OK	10.1%	144,700
14	Albuquerque, NM	9.2%	84,319
15	Ukiah, CA**	8.7%	8,003
16	Great Falls, MT	8.7%	7,326
17	Yakima, WA	7.7%	19,839
18	Madera, CA	7.7%	12,054
19	Redding, CA	7.2%	13,127
20	Billings, MT	6.9%	12,679
21	Houma-Thibodaux, LA	6.7%	13,863
22	Joplin, MO	6.7%	12,116
23	Hermiston-Pendleton, OR**	6.4%	5,921
24	Brainerd, MN**	6.2%	5,976
25	Chico, CA	6.2%	13,111
26	Bismarck, ND	6.1%	8,187
27	Santa Fe, NM	5.9%	9,109
28	Yuba City, CA	5.9%	10,657
29	Roseburg, OR**	5.7%	6,330
30	Fayetteville-Springdale-Rogers, AR	5.6%	30,828

\*Metropolitan and Micropolitan Areas with total population over 80,000. AI/AN population refers to AI/AN alone or in combination with one or more races.

\*\*Micropolitan Area, others are Metropolitan Areas.

Source: 2020 Census Data, P.L. 94-171 Redistricting Data Summary File from IPUMS NHGIS, University of Minnesota, [www.nhgis.org](http://www.nhgis.org). Author's calculations.

**Table 3. Disparities between AI/AN and general population apparent nationwide and in large urban populations, 2021**

	Total U.S. Population		Large urban population*	
	Total	AI/AN**	Total	AI/AN**
Population 25 years and over with less than high school diploma	11%	16%	12%	17%
Population 25 years and over with at least a Bachelor's degree or higher	35%	23%	40%	27%
Total civilian noninstitutionalized population with a disability	13%	17%	11%	14%
Percent of households with Food Stamp/SNAP benefits	12%	21%	12%	18%
Median family income (dollars)	\$85,806	\$68,275	\$99,127	\$78,913
No health insurance coverage	9%	14%	9%	14%

**Source:** 2021, American Community Survey 1-Year Estimates, Selected Population Profiles, Table S0201. Author's calculations.

\*Includes 24 metropolitan areas with large AI/AN populations.

\*\*AI/AN alone or in combination with one or more other races.



## Section 3

### Reform federal funding to address tribal and AI/AN needs using data-driven methods

In 2003, [a report by the U.S. Commission on Civil Rights](#) noted that despite increases in funding for AI/AN people over the previous 10 years, “there persists a large deficit in funding Native American programs that needs to be paid to eliminate the backlog of unmet Native American needs.” The report also recommended that “all agencies that distribute funds for Native American programs should be required to regularly assess unmet needs, including gaps in service delivery, for both urban and rural Native individuals.” A follow-up report released 15 years later, [Broken Promises: Continuing Federal Funding Shortfall for Native Americans](#), noted that funding for AI/AN programs mostly remained flat.

While the federal government recently allocated [a relatively large amount of pandemic-related](#)

[relief funds to tribes](#), ongoing funding for AI/AN communities continues to lag and does not meet their needs. In the case of federal child care funding, states receive funding based on the population of young children in low-income families and a percentage set-aside for tribes in their states.

The methods used to determine the tribal set-aside are inadequate in part because Congress does not use a full tribal-level count of children to determine tribal funding levels. For example, a [BPC study](#) of 184 tribal Child Care and Development Fund plans showed that not all eligible American Indian and Alaska Native (AI/AN) children and families can access the federally funded support they may need. Another confounding issue is that as more tribes access CCDF funding, funding allocations are diluted across a larger number of tribes. Currently more than 500 federally recognized Indian tribes, and Alaska Native villages [access CCDF funds](#) directly or through consortium arrangements.

Tom McDonald, chairman of the Confederated Salish and Kootenai Tribes located in Montana, observed that “affordable child care has always been an unmet need. We need equitable pay for child care teachers and support for private and institutional providers with funding at the national level.”

The Flathead Reservation, spanning 1.2 million acres in northwestern Montana, is home to the Confederated Salish and Kootenai Tribes. Relative to the 1,453 children living on the Flathead Reservation under age 6 with all parents in the labor force, there are only 792 spaces in home- and center-based child care providers, a child care supply gap of 46.5%. Moreover, many of the existing slots are for preschool-aged children, meaning working parents with infants and toddlers likely find it especially challenging to find care. Child care providers are clustered in the towns of Polson, Pablo, St. Ignatius, and Arlee, leaving parents in more remote areas of the reservation without access to a local provider.<sup>p</sup> Similar data and analysis for other AI/AN reservations could quantify the number of children who may benefit from child care and the relative gap in supply.

<sup>p</sup> Linda Smith and Caroline Osborn, “Child Care Gap on the Flathead Reservation,” *Bipartisan Policy Center*, February 14, 2023. Available at: <https://bipartisanpolicy.org/blog/child-care-gap/>.

To adequately assess the AI/AN population, we need more, and higher-quality, data. AI/AN sample sizes in surveys and datasets are often too small to break out and describe conditions for tribes and AI/AN populations. In addition, there are inherent challenges in counting people widely dispersed in rural areas, such as reservations, which can [lead to undercounts](#). There can also be challenges with how addresses are listed in remote geographies.

U.S. Census Bureau implementation of [differential privacy](#) protections for 2020 data products will lead to reduced availability of geographic and subgroup data. Census officials note that growing computing power that enables access to large public databases makes it more possible for bad actors to identify common data points between Census data products or between Census and other databases, increasing the possibility of identifying individuals or households in Census data. A consequence of Census disclosure avoidance practices is reduced specificity of information available for small geographies and subgroups, including tribal groups.

As discussed in [New 2020 Census Rules Make It Harder to Navigate Native American Data](#), a working paper from Center for Indian Country Development (CICD), Federal Reserve Bank of Minneapolis, roughly 80 percent of all tribal groups who previously received a full suite of demographic data would no longer have their age data reported by sex. In 2010, detailed data tables were available for a tribal group with at least 100 people. [For the 2020 Census](#), the minimum population increased to 500 people at the nation or state level and 1,000 people for a substate geography for a tribal group to receive four categories of sex by age counts. [National Congress of American Indians has identified concerns](#) about the impact of differential privacy protections on AI/AN data quality and usability.

Finally, many tribal communities lack resources to develop their own data collection and management systems, which contributes to a cycle of underinvestment because accurate population counts and assessment of need are necessary to justify federal funding. However, since federal funding

formulas don't account for tribal needs, tribes don't receive enough resources to build data systems that can quantify and demonstrate local needs, a veritable Catch-22.

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**“FEDERAL FUNDING APPLICATIONS ARE OFTEN LONG AND COMPLICATED, AND TRIBES WITH GRANT WRITING SUPPORT SERVICES ARE AT AN ADVANTAGE, EVEN THOUGH TRIBES WITHOUT THOSE SUPPORT SERVICES ALSO NEED THE FUNDING.”**

**PATRICE KUNESH, COMMISSIONER OF THE ADMINISTRATION FOR NATIVE AMERICANS**

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Tribes also vary in how they define and qualify enrollment and the extent to which they maintain connection with and serve descendants of enrolled members. That is, tribes with relatively narrow qualifications for membership and inclusivity of descendants also have a narrower reach in providing services compared with tribes with broader qualifications for membership.

While more work is needed to place tribes and AI/AN populations at the forefront of concern among government agencies and policymakers, there are indications that some federal agencies and state governments are looking closer at tribes and AI/AN populations.

One example is the Child Care and Development Block Grant Reauthorization Act of 2014, in which Congress changed the tribal set-aside language from “no more than” to [“at least” 2 percent](#) of the total CCDBG appropriation is to be reserved for Indian tribes and tribal organizations, creating opportunity to increase funding above a certain threshold. And as discussed in Section 1, several states are establishing protocols and following practices to better communicate and collaborate with tribes.

Promising policies and practices fall within four categories:

- Reforms to the decennial Census and American Community Survey data collection process
- Federal agencies and state government use data from other sources that complement Census data
- Supporting tribal initiatives to develop their own data collection and management systems
- Backing initiatives that aggregate and disseminate tribal and AI/AN-related data

In terms of process, it is essential that changes are made in consultation with tribes and respect tribal sovereignty in terms of data privacy and governance.

## IMPROVING CENSUS COUNTS

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Ongoing improvements to the decennial census and American Community Survey (ACS) data collection processes can produce more accurate counts for reservations and the AI/AN population. The [decennial census of population and housing](#) is an effort to count each individual and household in the country; [ACS](#) is an annual survey of a population sample.

The Census Bureau has a process for consulting with tribal leaders on activities regarding the decennial census and ACS that might affect their tribes. In 2011, Census made [changes to the ACS](#) to improve sampling procedures and increase reliability of ACS estimates for populations in certain well-defined geographic areas, including AI/AN areas. Since 2011, Census has conducted in-person interviews for housing units with unmailable addresses and those that did not respond via internet, mail, or phone in Hawaiian Home Lands, Alaska Native Village Statistical Areas, and American Indian areas with at least 10 percent of the population responding to the 2010 census as American Indian or Alaska Native. Meanwhile, for the 2020 census, the Census Bureau recruited workers from tribal communities to conduct field work and build trust with the census counting process.



Despite efforts to improve the accuracy of the decennial census and ACS, the challenges noted above continue to blow headwinds against accuracy, particularly counting people widely dispersed in rural areas.

Nevertheless, the Census Bureau should continue to conduct outreach to connect and build trust with AI/AN communities, both on and off reservations, including urban AI/AN communities. Census and other organizations can also share with AI/AN communities how census data impacts the resources available to their community. Census should also continue to take into consideration potential costs to tribes as it balances producing quality data and maintaining privacy when producing tables with small geographic units. (For census data users, the aforementioned [Center for Indian Country Development \[CICD\] working paper](#) offers recommendations on how to increase the usefulness of 2020 census data when working with detailed AI/AN tribal groupings.)

## USING OTHER DATA SOURCES AND COORDINATING ACROSS AGENCIES

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Federal agencies and state governments can use data from other sources to complement census data and coordinate data access across agencies. For example, the Bureau of Indian Affairs [recently worked closely with tribes to use tribal enrollment data](#) to inform American Rescue Plan funding allocations. In addition, the Treasury Department worked with BIA to use enrollment data to allocate funding related to ARP and other pandemic recovery funds.

Tribes often submit information on federal funding applications that reveal information about AI/AN populations in and near reservations. Like the BPC study of tribal CCDF plans, data from these tribal funding applications could help clarify population demographics and needs in tribal communities.

## SUPPORT TRIBES TO DEVELOP DATA COLLECTION AND MANAGEMENT SYSTEMS

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With more resources and technical assistance, many tribes would be better positioned to develop their own data collection and management systems. Some tribes have already taken steps in this direction. The CICD [recently reported](#) examples of tribes conducting their own census and surveys and using the data to enhance service delivery.

Targeting resources to tribes to develop data collection and management systems would not only help tribes better serve their members but also facilitate developing methods to compare tribal-generated and -certified data with census decennial and ACS data.

In addition, tribes are asked to conduct multiple community needs assessments in response to federal agency applications. Often these assessments are conducted on a small scale by individual tribal agencies to meet federal program requirements.

Federal agencies could work with tribes to develop best practices for coordinating data collection across tribal agencies to reduce duplication and improve data accuracy.

Specific to early childhood, Administration for Children and Families could provide guidance to tribes on coordinating family and young child population counts for ACF-funded programs, including CCDF, Head Start, and Maternal, Infant, and Early Childhood Home Visiting, as well as coordinate with U.S. Department of Agriculture's Child and Adult Care Food Program on data collection. Eligibility is different for each program, but basic counts of families and young children by child age and measure of need, such as family income or poverty status, apply to all. In addition, methods to track program capacity can help tribes and ACF estimate the number of children served relative to need. Finally, ACF could provide tribes the option of submitting a common needs assessment across all or a subset of ACF-funded programs.

## AGGREGATE AND DISSEMINATE TRIBAL-LEVEL AND AI/AN DATA

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In cooperation with tribes, initiatives that aggregate and disseminate tribal- and AI/AN-related data can provide policymakers, researchers, and other stakeholders a clearer picture of tribal and AI/AN child populations, employment, housing, and many other topics. For example, the CICD offers a suite of [data tools](#) and leads initiatives to make public data more accessible through economic development-related datasets.

At the state level, Oregon State Child Care is tracking tribally operated and tribally affiliated child care programs within its licensing and child care subsidy functions. "We can then provide specialized support to providers that are serving a significant portion of AI/AN children," said Crys O'Grady, legal affairs manager, Oregon State Child Care. Tribes also have access to the data so they can provide resources to providers who are members and support the service providers members use.



Research projects not only benefit from data accessibility, but the process of research itself can illuminate data gaps and spur innovation to improve data availability. Organizations such as [CICD](#), [Harvard Project on Indigenous Governance and Development](#), and [Native Nations Institute](#) foster and disseminate research that addresses issues of interest to tribal communities. Within early childhood, the [Tribal Early Childhood Research Center's](#) mission is to grow the field of AI/AN-related early childhood research in partnership with federal program leaders, AI/AN community partners, and other organizations that serve AI/AN communities.

## **CHANGING FEDERAL APPROACH TO FUNDING TRIBAL AND AI/AN NEEDS**

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With these data reforms in place, federal funding allocations for tribes and AI/AN communities should shift from a percentage set-aside to funding AI/AN needs based on data-driven methods. Each of the preceding four recommendations takes a different

approach to making a more accurate assessment of AI/AN needs and therefore the levels of funding required to meet them. Furthermore, federal funding isn't the only means to implement these recommendations; there are roles to play for tribes, NGOs, and philanthropy. Finally, putting these reforms in place is the first step to support Congress's efforts to fully fund tribal and AI/AN needs, but these changes would provide a better gauge of the current shortfall.

# Conclusions and Next Steps

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Each of the *Blueprint's* primary recommendations—strengthen communication and collaboration between state governments and tribes, open new approaches for tribes to serve members living off-reservation in urban areas, and reform federal funding to address tribal and AI/AN needs using data-driven methods—will lead to stronger support for AI/AN families with young children.

The first few months and years of life are a sensitive period for child development, and they can also be a particularly vulnerable time for families. Reaching AI/AN families with young children with culturally responsive early care and education can have particularly large benefits for AI/AN families and communities.

Policies and practices within state and tribal governments have the most promise for strengthening communication and collaboration between the two. Section 1 offered several examples of methods to build stronger state-tribal relations, such as policies that establish government-to-government communication and meetings with open dialogue and responsive follow-up. Federal agencies and NGOs can also support the state-tribal relationship-building process. For example, the federal Office of Child Care could require states to enter into consultation with tribes on state CCDF plan development.

Several government jurisdictions, NGOs, and philanthropy could facilitate opening new approaches for tribes to serve members living off-reservation in urban areas. A starting point is amending federal legislation or policies to give tribes flexibility to serve their members and descendants who live off-reservation in urban areas. Other steps include authorizing Urban Indian Organizations to provide CCDF-related early childhood services; encouraging governments, NGOs, and private philanthropy to create mechanisms for tribes to collaborate providing services in urban areas; and opening tribal child care licensing to urban areas.

Finally, Congress, federal, state, and tribal governments, NGOs, and philanthropy can all advance data quality via improved methods of sharing tribal data across federal and state agencies, supporting tribes to develop data collection and management systems, and disseminating tribal-level and AI/AN data. Advancing these reforms could more easily open the door to shifting federal funding allocations from a percentage set-aside to funding AI/AN needs based on data-driven methods.



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