



Talking Points: ACF Consultation

About the National Indigenous Women's Resource Center

The [National Indigenous Women's Resource Center](#) (NIWRC) is a Native-led nonprofit organization that provides national leadership to promote safety for Native women and communities by supporting culturally grounded grassroots advocacy and strengthening Tribal sovereignty. For the past 15 years, NIWRC has provided technical assistance, training, resources, research, and policy recommendations to Tribal Nations, victim services programs, and advocates to strengthen the response to and prevent violence against Native people and ensure safety in our communities.

Consultation Logistics:

- Tuesday, August 25, 2026
- Wednesday, August 26, 2026
- Location: Mary E. Switzer Federal Building, 330 C. Street SW, Washington, D.C. 20201, Conference Center
- Registration: <https://app.smartsheetgov.com/b/form/2c4c1869c1044f058b7f31a120bee4c4>
- Written comments: Due by Friday, September 25, 2026, by 5:00 p.m. ET. Save as a PDF or Word document on Tribal letterhead and email to tribalaffairs@acf.hhs.gov and include the subject line: ACF Tribal Consultation Testimony.

Purpose of the Tribal Consultation

The Administration for Children and Families (ACF) is an operating division within the Department of Health and Human Services. The purpose of the Administration for Children and Families' (ACF) Annual Tribal Consultation is to build meaningful relationships with federally recognized Tribes by engaging in open, continuous, and meaningful consultation on topics that promote the economic and social well-being of families, children, individuals, and communities.

NIWRC's Recommendations:

Engaging in Meaningful Tribal Consultation

Meaningful Tribal consultation requires the federal government to engage with Tribal Nations *before* decisions are made, with genuine dialogue, room for questions, and openness to alternative approaches. The Administration for Children and Families' Annual Tribal Consultation is vital to strengthening the Nation-to-Nation relationship between Tribal Nations and the United States; however, Tribal Nations must be given advance notice of the consultation, framing questions, and proposals ACF is considering for Tribal leaders to make necessary travel arrangements, develop thoughtful responses, and prepare testimony, in line with ACF's consultation policy.¹

Recommendations:

¹ Administration for Children and Families. (2011). *ACF tribal consultation policy*. U.S. Department of Health and Human Services.

- ACF should provide Tribal leaders with at least 120 days' notice before the annual government-to-government Tribal consultation date – similar to the U.S. Department of Justice Office on Violence Against Women (OVW) statutory notice requirement under the Violence Against Women Act – to ensure they have enough time to prepare for meaningful engagement.
- ACF should release a framing paper outlining specific proposals and discussion questions for Tribal leaders' consideration at least 60 days before the annual consultation to give Tribal leaders adequate time to develop responses.
- ACF should extend the public comment period to 90 days to provide Tribal Nations sufficient time to develop and submit responses.

Increasing Access to Shelters and Supportive Services in Indian Country

Safe housing, shelters, and supportive services are essential for the safety and stability of Native victims of violence, their families, and their communities; however, there are currently fewer than 60 Native-centered domestic violence shelters serving all 575 Tribal Nations across the country. The Family Violence Prevention and Services Act (FVPSA) is the only federal funding source dedicated to domestic violence shelters and related assistance for victims of domestic violence and their children nationwide, including in Indian country. FVPSA authorization expired in 2015, yet the need for victim service programming and resources continues to grow in Tribal communities.

Recommendations:

- To address this critical issue, ACF, which administers FVPSA through the Office of Family Violence Prevention and Services (OFVPS), should support S.3764/H.R.7333, the Family Violence Prevention and Services Improvement Act of 2026, and work to advance its Tribal provisions. This legislation aims to increase the Tribal set-aside, dedicate funding for Tribal domestic violence coalitions, and provide permanent funding for the national Indian domestic violence hotline and Tribal resource centers focused on domestic violence prevention and support.

Sustaining Funding for Tribal Resource Centers and Technical Assistance Providers

Tribal and Native-serving resource centers and technical assistance providers are specifically designed to help Tribal programs build capacity, navigate federal program requirements, and adapt services to reflect Tribal priorities and needs. These organizations play a critical role in upholding the federal trust responsibility by ensuring Tribal Nations and programs have access to the necessary tools, guidance, support, and resources to develop tailored responses to issues impacting their communities. By investing in Tribal Nations and Native-led organizations as they design and implement community-driven, culturally grounded services, HHS programs help advance Tribal self-determination.

Recommendations:

- ACF should restore funding for the Capacity Building Center on Safe and Supportive Housing for Domestic Violence Survivors in Tribal Communities (Tribal Safe Housing Center), which addresses the intersection of housing instability, homelessness, and domestic violence in

Indian Country; alternatively, ensure the National Indian Resource Center Addressing Domestic Violence and Safety for Indian Women receives dedicated funding to deliver training on increasing access to emergency shelter, safe housing, and housing stability for Tribal Nations and Tribal organizations.

- ACF should ensure Tribal resource centers and technical assistance providers receive adequate, sustained funding as they help to build specialized capacity and programmatic support for Tribal programs.

Ensuring Timely and Predictable Federal Funding for Tribal Victim Services Programs

The federal government has a trust and treaty obligation to “assist Tribal governments in safeguarding the lives of Indian women,”² which includes the timely allocation of federal funding to Tribal Nations and Tribal organizations serving survivors of domestic and sexual violence. Notice of Funding Opportunities (NOFOs), including Family Violence Prevention and Services Act funding, have increasingly been released later in the year, leaving Tribal administrators and grantees little time to complete and thoughtfully consider applications. When funding to victim service programs is terminated or delayed, programs are left without the resources needed to operate, which can lead to reduced services, staff shortages, and program closures, placing survivors' safety and stability at further risk. Disruption of these life-saving services and resources erodes Tribal self-determination, increases violence and trauma in Indian Country, and breaches the federal trust responsibility. Timely, transparent forecasting of funding notices enables Tribal Nations and Native-serving organizations to engage in the federal grant process fully.

Recommendations:

- HHS must expedite the release of congressionally appropriated funds for FVPSA grants so programs can continue providing lifesaving services to survivors.
- HHS should immediately publish all delayed Notices of Funding Opportunities.
- ACF should implement a mandatory NOFO release schedule with at least 90 days between the NOFO release and the application due date. Compressed timelines undermine genuine Tribal input.
- ACF should commit to providing reliable advance notice of upcoming NOFOs to ensure Tribal communities can operate strategically, rather than reactively.

Responses to ACF Consultation Topics

Below are NIWRC's suggested responses to some of ACF's proposed topics and changes.

A Home for Every Child:

Housing instability is a significant predictor of continued exposure to violence, particularly intimate partner violence. As a result, survivors often face the difficult choice between homelessness and returning to an abusive relationship. This risk is especially high for AI/AN women, who frequently

² Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. No. 109-162, § 901(6), 119 Stat. 2960, 3077 (2006).



lack access to shelters and supportive services in many communities. The impacts of violence in a home not only affect survivors but also any children who may be in their care. Addressing the need for temporary or long-term housing supports the well-being of children by ensuring they are not placed in a fluctuating housing situation, and any services that serve survivors, in turn, support the long-term wellness of a family unit.

Ensuring dedicated funding for victim services within Tribal Nations and reauthorizing the Family Violence Prevention and Services Act (S.3764/H.R.7333) – the only dedicated federal funding source for domestic violence shelters nationwide and in Indian Country – is therefore not just a service priority, but a matter of public safety.

ACF must also work directly with Tribal Nations and hold formal government-to-government consultation on the implementation of the “A Home for Every Child” initiative to ensure compliance with the Indian Child Welfare Act and to best incorporate the unique needs of Tribal communities and Native children into the initiative.

Tribal Child Support Services:

We appreciate ACF's proposal to structure this as an opt-in, thereby permitting Tribal Nations to exercise their inherent sovereign authority to determine whether to change the definition of “child” for Title IV-D funding for pregnancy expenses and child support for the period before birth. Notwithstanding this suggestion, we respectfully maintain our opposition to the proposal in light of the substantial number of unresolved questions, which would leave under-resourced Tribal programs to bear the burden of working through them.

A definitional change of this magnitude would have unintended or unforeseen consequences that Tribal Nations have not had time to consider, nor have they received enough information to determine the impact such a proposal would have on other Tribal programs, and on their communities. For example, the proposal does not clarify how a Tribal program would calculate child support obligations for the prenatal period or how enforcement of such a proposal would work if a pregnancy does not result in a live birth. This lack of clarity would impose an unfunded and disproportionate burden on Tribal programs. Tribal Nations need adequate time and notice to examine and respond to proposals that could have unexamined legal and administrative implications.

Given the short window of time Tribal leaders had to prepare for this consultation and review the specific topics and proposals, ACF should not interpret silence, lack of feedback, or lack of formal objection as support for or acceptance of this proposal. ACF should extend the written comment period and provide complete information about the proposal's implications to allow for robust and informed Tribal input.

Administrative and Regulatory Burden:

We appreciate the ACF's leadership in seeking to reduce administrative burdens, improve efficiency, and provide flexibility to programs serving Indian Country. It is essential that, in its pursuit of deregulation, ACF does not impose additional administrative burdens on small Tribal programs by removing important legal protections and clarity that Tribal grantees depend on, such as program framing, terminology, and other details that help define how grant programs are understood and implemented. For Tribal grantees, regulatory language can serve as a stable guideline from grant cycle to grant cycle, with any needed changes subject to public notice-and-comment and Tribal consultation. Removing such language without taking Tribal input into account could lead to inconsistencies across grant cycles, harming Tribal grantees and the families they serve.

Meaningful engagement with a regulatory proposal requires Tribal governments to convene decision-making bodies, consult stakeholders and attorneys, and develop formal positions. 30 days is an inadequate amount of time for Tribes and under-resourced programs to engage with this process.

We respectfully request that ACF extend the public comment period to at least 90 days before closing the record on proposed rule changes. ACF must also engage in formal government-to-government Tribal consultation with at least 60 days' advance notice to allow Tribal Nations to learn more about the proposal and provide feedback before any changes are made. This is consistent with the federal government's trust responsibility and with the spirit of ACF's Tribal Consultation Policy.

Public Law 102-477 Modernization:

As ACF seeks to modernize and transition implementation responsibilities under Public Law 102-477 (477), it should ensure that any restructuring or consolidation strengthens, rather than sidelines, the resources American Indian and Alaska Native survivors of domestic and sexual violence depend on. Expanding the inclusion of ACF programs into Tribal 477 plans could support Tribal self-determination by reducing inefficiencies. In particular, FVPSA formula grants, which assist Tribal efforts to address the disproportionate rates of domestic violence in Indian Country³ by providing immediate shelter, supportive services, and domestic violence prevention and awareness, would benefit from reduced reporting and administrative burdens, while maintaining the full funding amount for their intended purposes rather than redirecting those resources elsewhere. At the same time, Tribal Nations also need immediate technical assistance to ensure that dedicated, timely funding, specialized expertise, and program confidentiality standards that protect AI/AN survivors and their families remain in place.

³ National Institute of Justice, *Violence Against American Indian and Alaska Native Women and Men: 2010 Findings From the National Intimate Partner and Sexual Violence Survey*, May 2016.
<https://www.ncjrs.gov/pdffiles1/nij/249736.pdf>.