



NICWA

National Indian Child Welfare Association
Protecting Our Children • Preserving Our Culture

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Sarah Kastelic
(Alutiiq)

February 10, 2026

Chair Annessa Hartman
House Interim Committee on Early Childhood and Human Services
900 Court St. NE, H-487
Salem, Oregon 97301
Email: Rep.AnnessaHartman@oregonlegislature.gov

Dear Chair Hartman:

The National Indian Child Welfare Association (NICWA) submits this letter of support for the Oregon House of Representatives Bill (HB) 4058 and amendments proposed by the Confederated Tribes of the Umatilla Indian Reservation. A core focus of our organization is to promote proper implementation of the Indian Child Welfare Act (ICWA) and strengthen Tribal-state relations in support of improved services to Native children and families. HB 4058 ensures that state law supports ICWA's requirements and American Indian/Alaska Native Tribal sovereignty in determining the most appropriate placements for Native children and youth.

NICWA is a Native-led nonprofit organization founded in Portland, OR, in 1983 and is governed by an all-Native Board of Directors. Our mission is to protect the safety, health, and cultural identity of all Native children and families—today and for future generations—by upholding culturally based services, community strength, and Tribal sovereignty. Our work includes policy development and advocacy, community development to improve services and governance in Tribal communities, and training to strengthen the workforce that serves Native children and families in child welfare systems. Previously, NICWA provided testimony in support of Oregon's state ICWA law (HB 4214 in the 80th Assembly). We also work with Oregon Tribal Nations in support of their programs and services.

HB 4058 is important because it helps the State of Oregon meet its requirements under the federal ICWA (25 USC 1901 et. seq.) and Oregon's state ICWA law (ORICWA). While meeting legal requirements is important, HB 4058 also ensures that the most appropriate placements for Native children and youth are chosen and done so with the full involvement of the child's Tribe. For example, when Native youth need residential treatment services, their Tribes look for programs that have experience with Native youth and provide culturally based programs and services. With few of these types of programs available, it may be necessary to use ones located outside of Oregon.

National Indian Child Welfare Association

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Furthermore, ICWA and ORICWA's placement preferences require the state to place Native children in foster care or adoptive homes that may include a Tribal member (relative or non-relative) of the Tribe of which the child is a member.

ICWA's enactment into law in 1978 was a recognition that Tribal sovereignty is a resource for Native children; it brings the knowledge of those who are best positioned to understand their needs to bear in child custody proceedings. Prior to ICWA's enactment into law, generations of Native children were removed from their homes and communities and placed in foster care, often unnecessarily and without the involvement of their Tribal Nations. The harmful effects of these removals are still felt today in Tribal communities across the United States, but because of ICWA and state ICWA laws, there is hope and healing. Tribal-state partnerships are growing and improving, and Tribal Nations are indigenizing their child welfare systems to reflect their culture, traditions, and beliefs, with results that include dramatic reductions in out-of-home placements and strengthened families that can safely care for their children without child welfare system involvement. Strong Tribal Nations provide states with capable partners that can help them meet federal and state law requirements and ensure better outcomes for Native children and families. Many child welfare experts and advocates have called ICWA the gold standard of child welfare policy in the United States, and with the passage of HB 4058, we can continue to improve the well-being of Native children and families in Oregon.

Thank you for allowing NICWA to provide these comments on HB 4058 and share our views on the critical importance of ICWA and Tribal sovereignty in child welfare. We appreciate the Oregon legislature's attention to improving services to Native children and families and the government-to-government relationship with Tribal Nations.

Sincerely,

A handwritten signature in blue ink that reads "Sarah Kastelic".

Sarah Kastelic, MSW, PhD (*Alutiiq*)
Executive Director