

**Statement of Daryle Conquering Bear**  
**Former Foster Youth, Colorado**  
**Before the Subcommittee on Income Security and Family Support**  
**of the House Committee on Ways and Means**

**Hearing on Racial Disproportionality in Foster Care**  
Thursday, July 31, 2008

Chairman McDermott, Representative Weller, and Members of the Subcommittee, thank you for inviting me to testify today. I thank the Members of the Subcommittee for their commitment to creating a better life and a brighter future for the half a million children who are living in foster care today.

At age 13, I was removed from my family and my Lakota Sioux tribe, and I was placed in foster care in Colorado. Five years later, at age 18, I “aged out” completely on my own. During the five years I spent in foster care, I lost touch with my siblings, became disconnected from my tribal customs and drifted from placement to placement. I moved four times during the five years I was in foster care, living in two group homes and two foster homes. Adjusting to different schools and rules each time I moved made it hard to stay connected to both my heritage and my family. I was separated from my grandmother, the one person that connected me with my culture and my heritage. I missed so many important moments – my sister’s birthday, my brother’s high school graduation, and holiday celebrations.

Traditionally, American Indian families are very close. Before I entered foster care, my youngest sister was my best friend and, as the oldest brother, my role would be to pass along knowledge to all my younger siblings. In foster care, however, I was separated from my brothers and sisters. At first, we saw one another every week and tried to stay in touch as much as we could. But then my brothers and sisters were moved to another town, and I didn’t see them for over a year. One brother ran away from his group home and was sent to a placement far away. After the age of 13, I had no opportunity to be either the older brother or the tribal member I dreamed of becoming.

Being separated from your family is unbelievably hard for anyone. It is particularly hard for a child or teenager. But when you are separated from your family and isolated from your traditions and heritage, it is even more difficult. Foster care took both my family and my culture away. When I was young, I looked forward to the day I could participate in pow wows and sweat lodges – rites of passage that, in my culture, would mean I was becoming an adult. In foster care, I wasn’t able to take part in those cultural events that meant so much to me. As a result, I often feel like an outsider in my own Lakota Sioux tribe in Colorado. My experience is not, unfortunately, uncommon. Many other American Indian children have similar stories to tell.

I am convinced one reason I lost connection with both my culture and my family is that most tribes cannot access federal child welfare funding to help them serve the children and families in their care. More than 560 federally recognized tribes are struggling to meet the needs of their members, but current federal law does not allow tribes to receive the direct Title IV-E funding

that would help pay for these services. Only those tribes that have developed special contracts with their states can be reimbursed for providing supports and services to children and families.

This inability to directly access federal foster care funds limits tribes' capacity to meet the needs of children and families in crisis. As a result, tribes are only able to provide services for 30 to 40 percent of Native American children in foster care, and there is little or no capacity for tribes to engage in efforts to help children and families remain safely together. Tribal children often must go into the care of state agencies, reducing the chance that they and their families will receive services that are specifically geared to their culture and community.

Thanks to the leadership of this committee, especially Chairman McDermott and Representative Weller, earlier this summer the House unanimously passed the Fostering Connections to Success Act (H.R. 6307). Among its many important provisions, this bill addresses one of the biggest barriers facing tribes and their ability to serve abused and neglected tribal youth. The bill would allow tribes to receive direct federal foster care funding, so that more American Indian families could remain intact and children would be able to stay strongly connected to two things that define them—their family and their culture. Many experts agree on this policy, including the national, nonpartisan Pew Commission on Children in Foster Care. The Pew Commission studied the nation's foster care system and recommended that Indian tribes have the option to directly access funding for Title IV-E.

A recent report, released jointly by Pew and National Indian Child Welfare Association, finds that American Indian and Alaskan Native children are overrepresented in foster care at more than 1.6 times the expected level. It shows that American Indian and Alaskan Native children are less likely than other children in foster care to have experienced abuse, but more likely to have experienced neglect. States with the greatest overrepresentation of Native American children in foster care include Alaska, Minnesota, Montana, Nebraska, North Dakota, Oregon, South Dakota, Utah, and Washington. **Native American children make up from one-fourth to over one-half of the foster care population in South Dakota, Alaska, Montana, and North Dakota.**

My experiences in foster care have taught me how important tradition, cultural heritage, and family are. Today I am voicing the hopes of American Indian and Alaskan Native young people across the country who are currently or have formerly been in foster care. My name is Daryle Conquering Bear, and I am waiting to reconnect with my grandmother, who I lost touch with as a result of my leaving the community of the Lakota Sioux tribe when I was placed in foster care. We ask you very simply to make certain that other children don't have to endure the unnecessary losses so many of us have experienced.

Right now as you listen to my story, there are more stories taking shape – stories of native children being removed from their homes and being placed with strangers, losing their brothers and sisters, but more importantly, losing who they are as individuals, losing their culture. We hope that Congress will change child welfare legislation to give tribes the ability to serve their children and families with culturally appropriate care and understanding. American Indian and Alaskan Native kids and families have waited long enough. The time for real, lasting and meaningful reform is now. Thank you.