



2026 Annual Convention Snoqualmie, Washington

RESOLUTION # 2026 – 042

“CONSULTING WITH TRIBAL NATIONS ON THE APPROPRIATE USE OF ARTIFICIAL INTELLIGENCE (AI) WITH NATIVE CHILDREN AND FAMILIES IN STATE CHILD WELFARE SYSTEMS”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties and benefits to which we are entitled under the laws and Constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following Resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are the representatives and advocates for national, regional, and specific Tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and Indian Tribal governments in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

WHEREAS, through federal Executive Order 14359 and Administration for Children and Families (ACF) initiatives such as “A Home for Every Child”, the integration of artificial intelligence (AI), predictive analytics, and risk modeling into child welfare systems is a priority of the Administration; and

WHEREAS, embedding AI tools in child welfare systems can influence how decisions are made in child welfare systems regarding investigation and findings of child abuse and neglect, when and where children are placed in out-of-home care, and access to services that strengthen and support Native families; and

WHEREAS, AI tools have limitations in capturing nuanced data and responding to complex questions and analysis of human behavior; and

WHEREAS, AI tools, especially those that use predictive analytics to estimate the likelihood that parents may abuse or neglect their children or respond successfully to services, may rely on historical case data that can often include bias or human error; and

WHEREAS, bias or human error in AI tools can negatively influence findings and recommendations concerning families, particularly families and children of color, potentially increasing disparities for children and families and contributing to poor outcomes; and

WHEREAS, a number of states that have examined or implemented AI in their child welfare systems have found that AI tools can produce results that disadvantage certain populations, especially children and families of color; and

WHEREAS, despite guidance from the federal Department of Health and Human Services (DHS) on the appropriate use of AI in child welfare, a number of states using AI in their child welfare systems have been found to not have incorporated measures from that guidance designed to protect children and families; and

WHEREAS, AI tools that shape state child welfare decisions can negatively impact compliance with the Indian Child Welfare Act (ICWA) and the availability of ICWA protections for Native children and families; and

WHEREAS, if AI tools cannot adequately account for the complex jurisdictional schemes in Indian Country, extended family structures, unique policy frameworks, and cultural traditions, customs, and belief systems, there is significant potential for these systems to harm Native children and families; and

WHEREAS, the use of AI tools that collect and process information about Native children and families in state child welfare systems remains largely unregulated, raising questions about who owns and controls the data, who participates in developing guidelines and training for the use of such tools, and what secondary uses of the data are allowed; and

WHEREAS, Tribal Nations possess governmental interests in the ownership of Tribal data, stewardship of Tribal information, control over secondary uses, and culturally appropriate governance of Tribal information; and

WHEREAS, discussions regarding the use of AI in state child welfare systems must incorporate principles of Tribal sovereignty, self-determination, federal trust responsibility, and Tribal data governance identified through Tribal consultation; and

WHEREAS, because of the complex governance of child welfare matters involving Native children and families, including Tribal sovereign authority, shared jurisdiction, federal trust obligations, and ICWA compliance, it is necessary that ACF consult with Tribal Nations regarding how best to proceed with support and guidance of AI technology in state child welfare systems affecting Native children and families; now

THEREFORE, BE IT RESOLVED, that ATNI calls on the Administration of Children and Families (ACF) to consult with Tribal Nations on the use of artificial intelligence (AI) technology by state child welfare systems serving Native children and families and the role of ACF in guiding implementation and protecting the rights of Native children, families, and Tribal Nations; and

BE IT FURTHER RESOLVED, that this resolution be advanced to the National Congress of American Indians; and

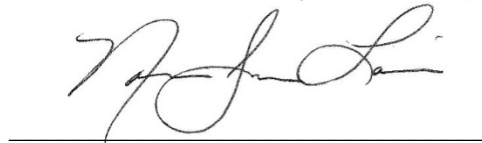
BE IT FINALLY RESOLVED, that this will be the policy of ATNI until it is withdrawn or modified by subsequent resolution(s).

CERTIFICATION

The foregoing Resolution was adopted at the Affiliated Tribes of Northwest Indians 2026 Annual Convention held at the Snoqualmie Casino and Hotel in Snoqualmie, Washington, on September 13-17, 2026, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary