

HOUSE JOINT RESOLUTION NO. 73

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES MACLEAN, Lincoln

Introduced: 2/18/92

Referred: Health, Education & Social Services

A RESOLUTION

1 **Urging appropriate federal officials to review implementation of the Indian Child Welfare**
2 **Act.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS** 25 U.S.C. 1901 - 1963 (Indian Child Welfare Act) (ICWA) requires that adoption
5 and custody proceedings for an Alaska Native child be conducted in a way that emphasizes the child's
6 tribal heritage and the rights of the child's tribe or village to intervene in the proceedings to protect the
7 tribe's or village's rights; and

8 **WHEREAS** ICWA's purpose was to protect American Indian and Alaska Native children from
9 being removed from their tribes or villages due to social, emotional, or family problems; and

10 **WHEREAS** the effect of ICWA has been that placement decisions and social services related
11 to Alaska Native children are handled differently than they are for non-Native children; and

12 **WHEREAS** it has been 14 years since passage of ICWA, and no comprehensive study of its
13 effects has ever been done;

14 **BE IT RESOLVED** that the Alaska State Legislature urgently requests the Bureau of Indian
15 Affairs and the General Accounting Office of the Congress to cooperate in a comprehensive review of
16 the implementation of the Indian Child Welfare Act, with particular attention to the following issues:

1 (1) whether Alaska Native children are being well protected by ICWA and whether
2 improvements could be made in ICWA so that Alaska Native children are better protected;

3 (2) whether tribes and villages are aided by ICWA in maintaining their cultural integrity;

4 (3) whether Alaska Natives have personal comments to make about implementation of
5 ICWA and whether ICWA has caused any problems;

6 (4) whether related funding and provision of social services to strengthen Alaska Native
7 families, tribes, and villages has kept pace with the goals of ICWA and the needs of Alaska Natives;

8 (5) whether, based on the last 14 years of experience in implementing ICWA, changes
9 are now needed in the law to better achieve its purposes.

10 **COPIES** of this resolution shall be sent to the Honorable Dan Quayle, Vice-President of the
11 United States and President of the U.S. Senate; the Honorable Eddie F. Brown, Assistant Secretary of
12 the Interior, Bureau of Indian Affairs; the Honorable Charles A. Bowsher, Comptroller General, General
13 Accounting Office; the Honorable Robert C. Byrd, President Pro Tempore of the U.S. Senate; the
14 Honorable Thomas S. Foley, Speaker of the U.S. House of Representatives; and to the Honorable Ted
15 Stevens and the Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.
16 Representative, members of the Alaska delegation in Congress.