

**CS FOR HOUSE JOINT RESOLUTION NO. 73 (HES)  
IN THE LEGISLATURE OF THE STATE OF ALASKA  
SEVENTEENTH LEGISLATURE - SECOND SESSION**

**BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered: 3/11/92**

**Referred: Rules**

**Sponsor(s): REPRESENTATIVES MACLEAN, Lincoln, Ivan**

**A RESOLUTION**

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

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

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

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

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

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

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

17 **(1) whether Alaska Native children are being well protected by ICWA and whether**

1 improvements could be made in ICWA so that Alaska Native children are better protected;

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

3 (3) whether Alaska Natives have personal comments to make about implementation of

4 ICWA and whether ICWA has caused any problems;

5 (4) whether related funding and provision of social services to strengthen Alaska Native

6 families, tribes, and villages has kept pace with the goals of ICWA and the needs of Alaska Natives;

7 (5) whether, based on the last 14 years of experience in implementing ICWA, changes

8 are now needed in the law to better achieve its purposes.

9 COPIES of this resolution shall be sent to the Honorable Dan Quayle, Vice-President of the  
10 United States and President of the U.S. Senate; the Honorable Eddie F. Brown, Assistant Secretary of  
11 the Interior, Bureau of Indian Affairs; the Honorable Charles A. Bowsher, Comptroller General, General  
12 Accounting Office; the Honorable Robert C. Byrd, President Pro Tempore of the U.S. Senate; the  
13 Honorable Thomas S. Foley, Speaker of the U.S. House of Representatives; Perry Eaton and Mary Jane  
14 Fate, co-chairs of the Joint Federal-State Commission on Policies and Programs Affecting Alaska  
15 Natives; and to the Honorable Ted Stevens and the Honorable Frank Murkowski, U.S. Senators, and the  
16 Honorable Don Young, U.S. Representative, members of the Alaska delegation in Congress.