

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

BY THE HOUSE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE

Amended: 3/20/92
Offered: 3/11/92

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 or others have personal comments to make about
4 implementation of 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.