



NATIONAL CONGRESS OF AMERICAN INDIANS

THE NATIONAL CONGRESS OF AMERICAN INDIANS

RESOLUTION #MSH-01-036

Title: Establish Workgroup to Draft ICWA Regulations

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WHEREAS, we, the members of the National Congress of American 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 the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United 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; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest, largest, and most representative national American Indian and Alaska Native tribal government organization; and

WHEREAS, Congress declared it "the policy of this nation to protect the best interests of Indian children and to promote the stability of Indian tribes and families" by establishing federal standards regarding removal of Indian children and preferences for their placement in foster or adoptive homes reflective of their unique cultures; and

WHEREAS, compliance with the ICWA varies from State to State, county to county, judge to judge. This general lack of consistency with the law will continue without clear direction from the administration; and

WHEREAS, the relationship between States and Tribes relevant to child welfare must be directly addressed and strengthened; and

WHEREAS, after more than twenty years of ICWA, many horror stories still exist in Indian Country, where state court judges and county child protection agencies continue to ignore ICWA because of a lack of federal regulations to enforce compliance; and

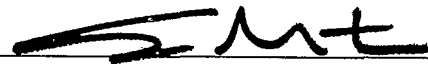
WHEREAS, the legal language for the protection of Indian children is in the ICWA, the lack of federal regulations to enforce compliance remains to be developed in cooperation with Tribal representatives.

NOW THEREFORE BE IT RESOLVED, that NCAI does hereby support the establishment of a NCAI Tribal/BIA Indian Child Welfare Act Workgroup to draft proposed federal regulations to the Indian Child Welfare Act; and

BE IT FINALLY RESOLVED, that NCAI requests support funds from BIA for this workgroup.

CERTIFICATION

The foregoing resolution was adopted at the 2001 Mid-Year Session of the National Congress of American Indians, held at Foxwoods Resort Casino in Mashantucket, Connecticut on May 13-16, 2001, with a quorum present.



Susan Masten, President

ATTEST:



Juana Major, Recording Secretary

Adopted by the General Assembly during the 2001 Mid-Year Session of the National Congress of American Indians, held in Mashantucket, Connecticut on May 13-16, 2001.