



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #MOH-04-029

TITLE: Support for Increased Tribal Input into the U.S. General Accounting Office's Study on the Indian Child Welfare Act

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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 health, safety and 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 and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, Congress, through statutes and treaties has assumed the responsibility for the protection and preservation of Indian tribes and our resources; and

WHEREAS, there is no resource more vital to the continued existence of Indian tribes than our children; and

WHEREAS, the Indian Child Welfare Act (ICWA) was enacted due to the overwhelming number of Indian children being taken from their families and tribal communities by public and private agencies and placed in non-Indian homes; and

WHEREAS, tribal governments have the responsibility and authority for guiding child welfare decisions that impact our children and families; and

WHEREAS, to facilitate compliance with ICWA and develop effective relationships with state government implementing the law, tribal governments have been involved for many years in developing intergovernmental agreements, providing services to Indian children and families and collaborating on ICWA cases; and

WHEREAS, Congressman Tom Delay (R-TX) has asked the General Accounting Office (GAO) to conduct a study on ICWA; and

WHEREAS, for purposes of the ICWA study, the GAO is seeking information from tribal governments, states, Indian organizations, and private child placing agencies and individuals; and

WHEREAS, the GAO study seems to measure ICWA implementation by a standard that does not consider the unique political status or cultural connections important to Indian children and families; and

WHEREAS, the current GAO study methodology seems to overlook the positive tribal efforts to improve the lives of Indian children and families related to ICWA; and

WHEREAS, the GAO methodology does not facilitate sufficient opportunity for tribal governments to be heard and to provide information related to the issues that state governments are asked to address through the study; and

WHEREAS, this unbalanced focus will result in information that will not fully inform Congress of implementation issues related to ICWA or the positive benefits of the law.

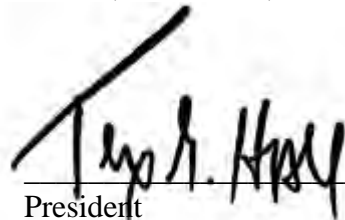
NOW THEREFORE BE IT RESOLVED, that NCAI does hereby request that the GAO extend the upcoming deadline for their report to Congress to ensure adequate regional tribal consultation in Indian Country.

BE IT FURTHER RESOLVED, that NCAI facilitate communications between tribal representatives and agencies involved in the GAO site visits (e.g., tribes from California, Oklahoma, Oregon, South Dakota, the National Indian Child Welfare Association) and other tribal representatives nationwide in order to facilitate a sharing of information amongst tribal entities.

BE IT FINALLY RESOLVED, that NCAI facilitate additional communication between tribal representatives and GAO representatives in order to facilitate increased regional tribal input into the ICWA study.

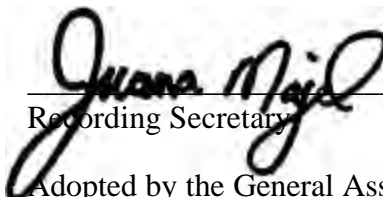
CERTIFICATION

The foregoing resolution was adopted at the 2004 Mid-Year Session of the National Congress of American Indians, held at the Mohegan Sun Hotel and Casino, Uncasville, CT on June 23, 2004 with a quorum present.



 President

ATTEST:



 Recording Secretary

Adopted by the General Assembly during the 2004 Mid-Year Session of the National Congress of American Indians, held at the Mohegan Sun Hotel and Casino, in Uncasville, CT on June 23, 2004.