



USET Resolution No. 2011:054

**ENSURING THE PROTECTION AND CARE OF TRIBAL CHILDREN
THROUGH ENFORCEMENT OF THE INDIAN CHILD WELFARE ACT**

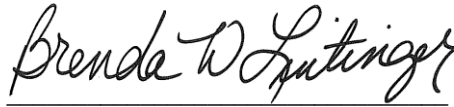
- WHEREAS,** United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-six (26) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** the United States has a special trust responsibility to Indian Tribes that is confirmed through various treaties and executive orders; and
- WHEREAS,** the Indian Child Welfare Act (ICWA) was signed into law in 1978 specifically to remedy decades of abuse and neglect by public and private agencies that were removing large numbers of American Indian and Alaska Native children from their families and placing them in non-Indian homes outside their communities; and
- WHEREAS,** the USET Member Tribes are working in partnership with the National Indian Child Welfare Association (NICWA), National Congress of American Indians (NCAI), Child Welfare League of America (CWLA), and the National Association of State Indian Child Welfare Managers (NASICWM) to raise the awareness of issues related to the protection and care of Indian children under the Indian Child Welfare Act specifically because states are non-compliant with the requirements of the law; and
- WHEREAS,** the USET member Tribes recognize that we must preserve and safeguard the legacy of each Indian Tribe through the protection and care of its most precious resource, our children; and
- WHEREAS,** ICWA provides a legislative framework which requires all States to timely notify Tribes of involuntary custody proceedings pertaining to Indian children; and
- WHEREAS,** USET member Tribes are identifying more and more cases where Indian Tribes have not been properly and timely notified such as to allow ample opportunity to intervene or work in conjunction with state agencies to ensure the safety, permanency, and well-being of Tribal children, therefore be it
- RESOLVED** the USET Board of Directors calls for increased data collection and monitoring of State activities through the Statewide Automatic Child Welfare Information Systems, the Children and Family Services Review process, Title IV-E program reviews, and other Federal review processes to ensure that both the spirit and the letter of the law are upheld; and, be it further
- RESOLVED** the USET Board of Directors respectfully requests key officials of the U.S. Department Health and Human Services, Children's Bureau, and Administration for Children and Families, and Bureau of Indian Affairs to consult with Tribal Leaders on improving state implementation of the Indian Child Welfare Act and establishing mechanisms for the ongoing review of state Indian Child Welfare Act compliance; and, be it further
- RESOLVED** the USET Board of Directors respectfully requests that Congress hold an oversight hearing(s) to review state implementation of Indian Child Welfare Act and identify ways to improve compliance.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Meeting, at which a quorum was present, in Marksville, LA, Thursday, May 19, 2011.



Brian Patterson, President
United South and Eastern Tribe, Inc.



Brenda Lintinger, Secretary
United South and Eastern Tribes, Inc.

“Because there is strength in Unity”