



UNITED SOUTH AND EASTERN TRIBES, INC.
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UNITED SOUTH AND EASTERN TRIBES, INC.

Resolution No. USET 96:34

**TITLE III OF H.R. 3286 MUST BE OMITTED FROM THE
ADOPTION PROMOTION AND STABILITY ACT OF 1996**

WHEREAS, the United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-three (23) 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 is comprised of delegates from the member tribes leadership; and

WHEREAS, the USET Board of Directors is dedicated and committed to the needs of its tribes and members to the goal of preserving the sovereignty, inherent rights, integrity, and stability of our Indian children and families; and

WHEREAS, on May 10, 1996, the House of Representatives passed the *Adoption Promotion and Stability Act of 1996*, and Title III of the bill contains provisions to amend the Indian Child Welfare Act of 1978 [ICWA] that will undermine the ability of Indian Tribes to intervene in adoptions and child protection proceedings involving Indian children living off the reservation; and

WHEREAS, Title III was developed without any consultation with Indian Tribes, passed without a hearing and over the objection of the House Resources Committee, and is not supported by a single Tribe; and

WHEREAS, the bill was passed by the House in response to perceived problems with ICWA and in the absence of constructive alternative stands a good chance of passage in the Senate; and

NOW, THEREFORE BE IT RESOLVED, the USET Board of Directors hereby forwards the National Congress of American Indians workshop draft amendments to the Indian Child Welfare Act of 1978 [official attachment dated June 2, 1996] for favorable consideration by the Senate Indian Affairs Committee, which constructively responds to the issues raised by Title III of H.R. 3286 by providing:

- 1) notice to Indian Tribes for voluntary adoptions, termination of parental rights, and foster care proceedings;
- 2) time limits for Tribal intervention in voluntary cases;

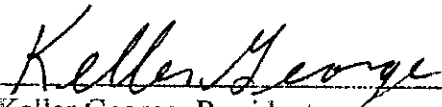
“Because there is strength in Unity”

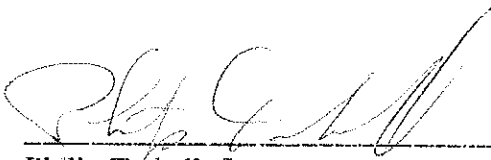
(USET 96:34)

- 3) criminal sanctions to discourage fraudulent practices in Indian adoptions;
- 4) clarification of the limits on withdrawal of parental consent to adoptions;
- 5) application of ICWA in Alaska;
- 6) open adoptions in states where state law prohibits them;
- 7) clarification of Tribal court's authority to declare children wards of Tribal court;
- 8) a duty that attorneys and state, public and private agencies must inform Indian parents of their rights under ICWA; and,
- 9) Tribal determination of membership is beyond compromise. Any method of addressing membership must be done with full protection of Tribal sovereignty.

CERTIFICATION

This resolution was duly passed at the USET Semi-Annual Board of Directors meeting, at which a quorum was present, in Bangor, ME on Friday, June 21, 1996.


Keller George, President
United South & Eastern Tribes, Inc.


Philip Tarbell, Secretary
United South & Eastern Tribes, Inc.