

Tribes work on child welfare agreement

by the Tlingit and Haida
Central Council

The Indian Child Welfare Act was enacted because many people were concerned about the high number of Native children who were being removed from their homes and families and being placed in out-of-home care. Of all children removed from their homes in Fiscal Year 1989, 43 percent were Native.

The act gives tribes the right to have a say in the placement of Indian children when the child is removed by the state because the child is in danger of serious physical or emotional harm.

The drafting process of the ICWA Model Agreement was authorized by Rep. Kay Wallis' bill in 1986, authorizing the state on behalf of the Department of Health and Social Services to enter an agreement with tribes to write a model agreement on the Indian Child Welfare Act.

DHSS Commissioner Myra Munson invited tribes in 1986 to participate in



drafting a model agreement, and she remains very committed to negotiating the Statewide Model Agreement with tribes.

The Small Tribal Drafting Team of the ICWA Model Agreement is now ready to release the tribe's version of the agreement to the state of Alaska, DHSS and to the Large Tribal Drafting Team and other interested parties for their review so negotiations can begin.

It has been suggested that tribes who participate send their representative to the negotiations with a resolution

stating who will represent them in the negotiations.

The Small Tribal Drafting team has requested Gov. Steve Cowper to provide travel and support funds through the Governor's Interim Commission on Children and Youth to allow tribes who have limited travel funds to participate in ICWA negotiations, since this has severely limited tribal participation.

It is hoped that state legislators will refrain from drafting ICWA legislation until the DHSS and the tribes have a signed agreement to avoid unnecessary conflicting case law.

The tribes look forward to a

favorable working relationship with Munson and her negotiations staff and hope to have a signed agreement by mid-year. The tribes appreciate Munson's commitment to completing a model agreement as soon as possible.

The Alaska Federation of Natives has agreed to assist the Small ICWA Tribal Drafting Team in disseminating copies of the ICWA Model Agreement to tribes. Any tribes who wish to have a copy of the Model Agreement may contact Julie Kitka at:

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