



**A RESOLUTION OF THE TRIBAL COUNCIL OF THE
DELAWARE TRIBE OF INDIANS TO SUPPORT THE
BUREAU OF INDIAN AFFAIRS RULE FOR THE
INDIAN CHILD WELFARE ACT**

RESOLUTION 2015-32

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and,

WHEREAS, the Delaware Tribal Council recognizes that the Indian Child Welfare Act (ICWA) was passed in 1978 to protect the best interest of Indian Children in adoption and foster care cases

WHEREAS, the Commentators have asserted, however, that it has not reached its full potential due largely to ineffective or inconsistent implementation in some cases.

WHEREAS, To establish a new subpart to regulations implementing ICWA at 25 CFR 23 to address Indian child welfare proceedings in State courts, the Bureau of Indian Affairs (BIA) has proposed regulations to increase the protections of Indian children, strengthen compliance, and enhance necessary procedures for comment of the ICWA:

“This proposed rule would add a new subpart to the Department of the Interior's (Department) regulations implementing the Indian Child Welfare Act (ICWA), to improve ICWA implementation by State courts and child welfare agencies. These regulations complement recently published Guidelines for State Courts and Agencies in Indian Child Custody Proceedings, reflect recommendations made by the Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence, and address significant developments in jurisprudence since ICWA's inception.”

NOW THEREFORE BE IT RESOLVED, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby support the BIA proposed regulations in efforts to reach ICWA's full potential.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this 19th day of May 2015 with a vote of 6 yes, 0 no, and 0 abstaining.

Chet Brooks, Chief

Dr. Nicky K. Michael, Secretary

