



**For immediate release
December 12, 2016**

Regulations to protect Native children go into effect
ICWA Defense Project praises critical step to enforce federal law

Today, the Bureau of Indian Affairs' (BIA) regulations on the Indian Child Welfare Act (ICWA) went into effect. These comprehensive, and now legally binding, regulations, published in the Federal Register on June 14, 2016, are the first of their kind since the passage of the Act nearly four decades ago.

Congress passed ICWA in 1978 in response to the alarmingly high percentage of Indian children forcibly removed, often unwarranted, from their families and communities. The law is designed to protect the best interests of Indian children and promote the stability and security of Indian families. ICWA is as necessary today as it was in 1978, as Indian children continue to be disproportionately represented in state foster care systems at almost three times their population rate, and in some states as high as 12 times their population rate.

Key clarifications provided by the regulations include: a requirement that state courts inquire whether ICWA applies in every child custody proceeding; clear articulation of the efforts that state courts and agencies must take to provide appropriate family services designed to keep families together; and procedures governing emergency removal of Indian children from their homes. Over the last six months, states and tribes across the country have been preparing to implement the regulations in a variety of ways, including: revising state and county policies and procedures, jointly developing and attending trainings, and collaborating to identify best practices needed to ensure effective implementation.

Members of the ICWA Defense Project—the Native American Rights Fund (NARF), National Congress of American Indians (NCAI), National Indian Child Welfare Association (NICWA), and the ICWA Appellate Project at Michigan State University College of Law—applaud the regulations, which come at a critical time, as a small group of private adoption interests and allied groups seek to remove the basic rights of Indian children to be placed within their family and have the support of their extended family and community, rights all other children in this country enjoy.

The ICWA Defense Project continues to support the implementation of the regulations and protect ICWA through training state, county, and tribal social service agency staff, court staff, lawyers, and judges; developing educational materials; providing consultation and best practices technical assistance to states, counties, and tribes; coordinating legal and policy strategy; and developing communications materials that tell the story of the positive impact of ICWA protections on Native children and families. Later this week, NICWA will launch a compelling video series, *The Heart of ICWA*, in which Native families convey firsthand what happens when the basic protections of ICWA are followed and the devastating consequences when families and children are deprived of these basic rights.

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About the ICWA Defense Project

The ICWA Defense Project is a coalition of organizations working to serve and support vulnerable Native children. Together, we endeavor to promote the type of social and systems change that will create a world where Native children can grow up happy, safe, and culturally centered, and thrive in a loving community that values their unique strengths and needs as Native Americans.