



PUEBLO OF POJOAQUE

GOVERNOR
Joseph M. Talachy
LIEUTENANT GOVERNOR
Jenelle C. Roybal
TRIBAL SECRETARY
Stephanie J. Crosby
TRIBAL TREASURER
Mary Ann K. Fierro

TRIBAL COURT

58 CITIES OF GOLD ROAD, SUITE 5
SANTA FE, NEW MEXICO 87506
(505) 455-2271 FAX (505) 455-0102

May 11, 2015

Ms. Elizabeth Appel
Office of Regulatory Affairs & Collaborative Action
Indian Affairs, U.S. Department of the Interior
1849 C Street NW, MS 3642
Washington, DC 20240

Re: Notice of Proposed Rulemaking—Regulations for State Courts and
Agencies in Indian Child Custody Proceedings—RIN 1076-AF25—Federal
Register (March 20, 2015)

Dear Ms. Appel:

I am the presiding judge for the Pueblo of Pojoaque Tribal Court. I write to support the proposed regulations to improve Indian Child Welfare Act implementation by State courts and child welfare agencies.

The clarity and certainty provided in these regulations will help preserve Indian families and promote permanency for Indian children. These regulations will ensure that tribes become involved as early as possible in state child welfare cases so that these case are transferred to tribal courts with little delay. It is also important that state courts understand that the "Existing Indian Family Exception" is not a valid consideration under ICWA.

Thank you for considering these comments.

Sincerely,


Kim McGinnis, PhD.

Judge
Pueblo of Pojoaque Tribal Court