



Comments Inbox, Indian Affairs <comments@bia.gov>

ICWA

1 message

Tara M. Houska <THouska@hobbsstrauss.com>
To: "comments@bia.gov" <comments@bia.gov>

Tue, May 19, 2015 at 11:46 PM

Dear Ms. Appel,

I write in support of the proposed regulations for state courts and agencies in custody proceedings involving Native American children. It is truly wonderful to see the Department of the Interior and the Bureau of Indian Affairs seek to strengthen one of Indian Country's most important laws.

My experience with the Indian Child Welfare Act and its extreme importance to Native families began in my second year of law school, when I clerked for the ICWA Law Center in Minneapolis, MN. Over the course of two years, I worked to reunify many Native families and above all ensure the connection of Native children to their tribe.

Too many Native families still feel the effects of the boarding school era and government-sponsored adoption scoops that tore apart and threatened the very existence of our people. Many of my living relatives were sent to residential schools, the mirror policy against First Nations. The terrible act of stealing Native children who often underwent abuse while in the care of the federal government is not something forgotten in a generation or two. It continues to bleed through the fabric of our family structures today.

ICWA was intended to begin righting past wrongs by creating greater protections for our families. Native American children are disproportionately removed from the home -- in Minnesota, Natives are over 12 times as likely to be taken out of home than any other race. ICWA requires that a court first make active efforts to reunify the family; if that cannot be done, then relatives are considered followed by the tribe.

It is assuredly in the best interest of a Native child to at a minimum remain with Native people. Having grown up as a child of divorce, I am all too familiar with identity struggles and the lasting impact of lacking Native connections.

Watching *Adoptive Couple v. Baby Girl* unfold was heart-breaking -- here was a fit Native parent fighting desperately for his child, yet he ultimately was forced to hand her over to a non-Native couple. A couple that had seemingly attempted to go around every mandate of ICWA by immediately bringing the child across state lines, not properly informing the Cherokee Nation of attempted adoption, all while the clock ran and they formed "bonds" with the child.

I strongly support the proposed regulations strengthening of the Indian Child Welfare Act. Native American children belong with Native American people, if at all possible. They represent the future and continued survival of our people. Denying them access to tribal culture, language, and structure is something that no child should endure. ICWA is vital to Indian Country; we still have a long way towards rectifying and overcoming the impact of the boarding school era, but the law represents the commitment to do so.

Thank you for your time and consideration.

Sincerely,
Tara Houska (Couchiching First Nation)

Tara M. Houska, Attorney At Law
(Licensed in Minnesota Only)

T 202.822.8282 | F 202.296.8834

HOBBS STRAUS DEAN & WALKER, LLP

2120 L Street NW, Suite 700, Washington, DC 20037

HOBBSSTRAUS.COM

Hobbs, Straus, Dean and Walker, LLP. Confidentiality Statement

This message is intended only for the use of the individuals to which this e-mail is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable laws. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this e-mail in error, please notify the sender immediately and delete this e-mail from both your "mailbox" and your "trash." Thank you.

IRS Circular 230 Disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that any tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding tax-related penalties under the Internal Revenue Code, or (ii) promoting, marketing or recommending to another party any tax-related matter addressed herein.
