CONTINUATION PROTECT OF YEARS OLD NATIVE CHILDREN CULTURALLY DESTRUCTIVE ACTIONS GOVERNMENT POLICIES

Indian Child Welfare Act

responsible for continuing the cultures and traditions of our ancestors

CHAPTER 21—INDIAN CHILD WELFARE

1901. Congressional findings.
1902. Congressional declaration of policy.
1903. Definitions.
SUBCHAPTER I—CHILD CUSTODY PROCEEDINGS
1911. Indian tribe jurisdiction over Indian child custody proceedings.
1912. Pending court proceedings.
1913. Parental rights; voluntary termination.
1914. Petition of court of competent jurisdiction to invalidate action upon showing of certain violations.
1915. Placement of Indian children.
1916. Return of custody.
1917. Tribal access to certain information.
1918. Reassumption of jurisdiction over child custody proceedings.
1919. Agreements between States and Indian tribes.
1920. Improper removal of child from custody.
1921. Higher State or Federal standard applicable to protect rights of parent or Indian custodian of Indian child.
1922. Emergency removal or placement of child; termination; appropriate action.
1923. Effective date.
SUBCHAPTER II—GRANTS TO INDIAN TRIBES FOR ESTABLISHMENT OF INDIAN CHILD AND FAMILY PROGRAMS
1931. Grants for on or near reservations and in off-reservation programs.
1932. Grants to Indian tribes for Indian child and family service programs.
1933. Indian child and family development programs.
1934. Limitations on use of funds; "Indian" defined for certain purposes.
SUBCHAPTER III—RECORDKEEPING, INFORMATION AVAILABILITY, AND TIMETABLES
1951. Information availability to and disclosure by Secretary.
1952. Rules and regulations.
1953. Penalties.
1954. Local exchange of information; copies for Secretary.
1955. Severability.

§ 1902. Congressional declaration of policy

The Congress hereby declares that it is the policy of this Nation to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families by the establishment of minimum Federal standards for the removal of Indian children from their families and the placement of such children in foster or adoptive homes which will reflect the unique values of Indian culture, and by providing for assistance to Indian tribes in the operation of child and family service programs.

(Pub. L. 95-608, §3, Nov. 8, 1978, 92 Stat. 3069.)

§ 1903. Definitions

For the purposes of this chapter, except as may be specifically provided otherwise, the term—

(1) "child custody proceeding" shall mean and include—

"foster care placement" which shall mean any action removing an Indian child from its parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator where the parent or Indian custodian cannot have the child returned upon demand, but where parental rights have not been terminated;

(ii) "termination of parental rights" which shall mean any action resulting in the termination of the parent-child relationship;

(iii) "preadoptive placement" which shall mean the temporary placement of an Indian child in a foster home or institution after the termination of parental rights, but prior to or in lieu of adoptive placement; and

(iv) "adoptive placement" which shall mean the permanent placement of an Indian child for adoption, including any action resulting in a final decree of adoption.

Such term or terms shall not include a placement based upon an act which, if committed by an adult, would be deemed a crime or upon

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Annotations & Commentaries