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SENATE MEMORIAL 9

43RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1997

INTRODUCED BY

JOHN PINTO

A MEMORIAL

REQUESTING THAT THE LEGISLATURE SUPPORT THE PASSAGE OF H. R. 261,
THE INDIAN CHILD ADOPTION ASSISTANCE AND FOSTER CARE ACT,
RECENTLY INTRODUCED BY CONGRESS.

WHEREAS, the Indian Child Adoption Assistance and Foster
Care Act, recently introduced in congress by Congressman Bill
Richardson, is intended to improve the quality of life for
Indian children; and

WHEREAS, the Indian Child Adoption Assistance and Foster
Care Act encourages Indian families to adopt Indian children by
allowing Indian families in need who adopt or provide foster
care to receive financial assistance; and

WHEREAS, a loophole in the existing Title IV-E foster care
maintenance and adoption subsidy program of the Child Welfare
Assistance and Adoption Subsidy Act of 1980 precludes such

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1 assistance for families who adopt or provide foster care to
2 Indian children through a tribal rather than a state court; and

3 WHEREAS, the Indian Child Adoption Assistance and Foster
4 Care Act seeks to close that loophole; and

5 WHEREAS, the difficulty has always been that once the
6 jurisdiction of foster care or adoption cases is transferred
7 back to the Navajo Nation from the state, the financial
8 responsibility for that child is also transferred, even though
9 the child may still need foster care maintenance or adoption
10 subsidy services; and

11 WHEREAS, the Navajo Nation believes that even though the
12 jurisdiction of the case is transferred back to the nation, the
13 child is still a resident of the state and should be afforded
14 the same opportunities and services that every other child in
15 the state receives;

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
17 OF NEW MEXICO that passage of H. R. 261, the Indian Child
18 Adoption Assistance and Foster Care Act, be supported and
19 encouraged; and

20 BE IT FURTHER RESOLVED that Congressman Bill Richardson,
21 now United States Ambassador to the United Nations, be urged to
22 continue his efforts in helping the native American people of
23 New Mexico; and

24 BE IT FURTHER RESOLVED that a copy of this memorial be
25 transmitted to President Albert Hale of the Navajo Nation and to

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Ambassador Bill Richardson.

1 FORTY-THIRD LEGISLATURE
2 FIRST SESSION, 1997
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5 March 11, 1997
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7 Mr. President:
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9 Your RULES COMMITTEE, to whom has been referred
10

11 SENATE MEMORIAL 9
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13 has had it under consideration and reports same with
14 recommendation that it DO PASS.
15

16 Respectfully submitted,
17

18 _____
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21 Gloria Howes, Chairman
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25 Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

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Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Aragon

Absent: None

SMD09RU1