

(c) Withholding for unpaid wages and liquidated damages. The Contracting Officer may withhold from the Government Prime Contractor, from any moneys payable on account of work performed by the Contractor or subcontractor, such sums as may administratively be determined to be necessary to satisfy any liabilities of such Contractor or subcontractor for unpaid wages and liquidated damages as provided in the provisions of paragraph (b).

(d) Subcontracts. The Contractor shall insert paragraph (a) through (d) of this clause in all subcontracts, and shall require their inclusion in all subcontracts of any tier.

(e) Records. The Contractor shall maintain pay roll records containing the information specified in 29 CFR 516.2(a). Such records shall be preserved for three years from the completion of the contract.

14. GOVERNMENT INSPECTORS: The work will be conducted under the general direction of the Contracting Officer and is subject to inspection by his designated inspectors to insure strict compliance with the terms of the contract. No inspector is authorized to change any provisions of the contract without written authorization of the Contracting Officer, nor shall the presence or absence of an inspector relieve the Contractor from any requirements of the contract.

15. SUPERVISION BY THE CONTRACTOR: The Contractor shall arrange for satisfactory supervision of the work or services to be performed under this contract. The Contractor or his designated representative shall be available at reasonable times when the work or services are being performed for the consultation with the Contracting Officer or his representative.

16. PREFERENCE TO LOCAL RESIDENTS: Preference in employment for all work to be performed under this contract, including subcontracts thereunder, shall be given to local residents subject to the provisions of Clause 4, EQUAL OPPORTUNITY.

BUREAU OF INDIAN AFFAIRS SOCIAL SERVICES PROGRAM
FOSTER CARE OF INDIAN CHILDREN
IN THE STATE OF MINNESOTA

1. Definitions. (a) The term "Contracting Officer" as used in this contract refers to the Official of the Bureau of Indian Affairs, who executes this contract on behalf of the United States of America or any person authorized to act for him in his official capacity or his successor.

(b) The term "Designated representative of the Contracting Officer" when used by the Contracting Officer during the performance of this contract means those persons designated by the Contracting Officer to perform certain specified functions required by the terms of the contract and the general provisions.

(c) The term "eligible Indian children" whenever used herein is defined as follows:

(1) Children in foster care, who were eligible under the terms of the previous year's contract.

(2) Indian children accepted for foster care on or after the current fiscal year, whose families on date of acceptance reside on tax exempt property held in trust for Indians by the Federal Government and whose families reside on other tax exempt lands for Indian use under the jurisdiction of the Federal Government.

(3) Children from the Red Lake Reservation, when there is mutual agreement between the Commissioner of Public Welfare and the Area Director, the designated representative of the Contracting Officer, that foster care placement can be arranged outside the boundaries of the reservation without the necessity of invoking the jurisdiction of the Juvenile Court of Beltrami County.

(4) Indian children to be eligible under this contract must have one-fourth or more Indian blood and be under twenty-one years of age.

(5) Indian children residing in Minnesota who are eligible to receive Aid to Families with Dependent Children are not eligible under this contract.

(6) The child of a non-Indian father shall not be considered eligible under this contract unless by Minnesota Law or court order the Indian mother had legal responsibility for and custody of the child prior to placement in foster care.

(d) The term "Welfare Department" as used in this contract means the State Department of Public Welfare; also referred to herein as the Contractor.

(e) The term "foster care" as used in this contract shall include board, room, incidental costs, clothing, and medical care when such medical care is not readily available through other resources, including Medical Assistance (Title XIX of the Social Security Act of 1966), the U. S. Public Health Service facilities and the U. S. Public Health Service contracts with the Department of Public Welfare.

2. The Contractor agrees: (a) That the Minnesota County Welfare Departments shall accept for foster care, and shall determine eligibility of Indian children in accordance with subparagraphs (2), (3), (4), (5), and

(6) of paragraph 1 (c) above.

(b) To provide for the foster care of eligible Indian children in the State of Minnesota in accordance with the provisions and specifications of the services cited herein.

(c) That the determination of need for foster care shall be based on the same criteria as those applied to any other citizens in the State of Minnesota. It is understood that consideration shall be given to all legal entitlements that may be available to the child.

(d) To provide support from State funds for Indian children included under this agreement who are wards of the Commissioner of Public Welfare in the same manner and to the same extent as is provided for non-Indian wards of the Commissioner of Public Welfare.

(e) That the standards for foster care facilities and for child placement activities shall be the same as those established by the Department of Public Welfare for dependent and neglected children who are wards of the Commissioner of Public Welfare and for children under care of private agencies licensed by the Department of Public Welfare, and shall not be less than those standards maintained by the State for other clients requiring similar aid, care, and services.

(f) To furnish a plan of operation, titled Minnesota Annual Plan for Foster Care of Indian Children which is incorporated in and becomes a part of this contract. This plan shall describe the services and assistance to be rendered under the terms of the contract. It shall include a budget showing the plan of expenditure of the funds to be turned over to the Department of Public Welfare; the standards and policies established by the Department of Public Welfare for foster care and child-placing activities; the plan for review and supervision of county welfare departments' operations to determine initial and continuing eligibility and adherence to State policies and standards.

(g) To furnish the Minneapolis Area Office after the close of each quarter a detailed financial statement showing all expenditures made pursuant to this contract; and to submit after the close of the fiscal year a report of services rendered.

(h) That, in accordance with 25 C.F.R., the personnel employed for welfare services to Indians under this contract shall be subject to the State merit system or systems and to the approval of the Welfare authorities of the State.

3. Eligibility. The Bureau of Indian Affairs will certify eligibility of individual children for services under this contract and will transmit such certification to the Welfare Department. It is understood that the Welfare Department may negotiate with the Bureau of Indian Affairs for the inclusion of the other Indians under the contract by requesting an investigation of their eligibility, and if they are found eligible, the Bureau of Indian Affairs will certify their names as eligible.
4. Payments. (a) For carrying out the program agreed upon, payment will be made to the contractor up to the maximum of Two Hundred Sixty Thousand Dollars (\$260,000); payment to be made quarterly, in advance, in an amount to cover the estimated foster care cost for Indian children certified eligible in that quarter by the Minnesota Department of Public Welfare and an amount equivalent to ten per cent (10%) of the foster care payments for administrative costs and an additional amount of Eight Thousand Dollars (\$8,000) to be advanced in the first quarter to pay all or any part of the salary of a person or persons who will be primarily responsible for administration and services under this contract. An additional amount of Five Thousand Dollars (\$5,000) shall be advanced in the first quarter to help offset all or any part of the increased cost to Beltrami County of providing Child Welfare services through their Red Lake sub-office.

(b) Any funds remaining after payments in the first, second, and third quarters and after obligations based on estimates of costs for the fourth quarter will be available to the Bureau of Indian Affairs during the fourth quarter to meet needs elsewhere.

5. Inspection of Program. The Contractor shall make available to the Contracting Officer or his designated representatives State and County records relating to Indian children covered by this contract as may be necessary to enable them to conduct inspections of the program.
6. Contract Term - Termination - Renewal - Modification. This contract shall be for a term beginning July 1, 1972, and ending on June 30, 1973, subject to termination at any time upon sixty (60) days' written notice given by either party to the other. Unless so terminated, the contract may be renewed annually by the Contracting Officer for successive one-year terms commencing July 1 of each year, subject to the availability of appropriations being made by the Congress and the legislature of the State, respectively, and subject to termination during any such term as provided above. This contract may be modified in writing by mutual consent of both parties.
7. Access to Facilities. The Contracting Officer or his designated representative shall have access to the Contractor's facilities at any time in order to observe and evaluate the services provided under this contract.

PRICE CERTIFICATION

(a) By submission of this bid (offer) bidder (offeror) certifies that he is in compliance and will continue to comply with the requirements of Executive Order 11615, August 15, 1971, as superseded by Executive Order 11627, October 15, 1971, for the duration thereof and further certifies that the prices bid (offered) herein conform to the requirements of Executive Order 11615, as superseded by Executive Order 11627, October 15, 1971, or shall be reduced accordingly at the time of any billings that are made during the effective period of the Executive order.

(b) Prior to the payment of invoices under this contract, the Contractor shall place on, or attach to, each invoice submitted the following certification:

I hereby certify that amounts invoiced herein do not exceed the lower of (i) the contract price, or (ii) maximum levels established in accordance with Executive Order 11615, August 15, 1971, as superseded by Executive Order 11627, October 15, 1971.

(c) The Contractor agrees to insert the substance of this clause, including this paragraph (c), in all subcontracts for supplies or services issued under this contract.

CONTRACTOR AND SUBCONTRACTOR LISTING

REQUIREMENT

(1) As provided by 41 CFR 50-250, the contractor agrees that all employment openings of the contractor which exist at the time of the execution of this contract and those which occur during the performance of this contract, including those not generated by the contract and including those occurring at an establishment of the contractor other than the one wherein the contract is being performed but excluding those of independently operated corporate affiliates, shall, to the maximum extent feasible, be offered for listing at an appropriate local office of the State employment service system wherein the opening occurs and to provide such periodic reports to such local office regarding employment openings and hires as may be required: Provided, That this provision shall not apply to openings which the contractor fills from within the contractor's organization or are filled pursuant to a customary and traditional employer-union hiring arrangement and that the listing of employment openings shall involve only the normal obligations which attach to the placing of job orders.

(2) The contractor agrees further to place the above provision in any subcontract directly under this contract.

(b) Federal executive departments and agencies may, with the prior approval of the Secretary of Labor, where necessary or appropriate, substitute a contract clause different from that prescribed in subsection (a) so long as such substitute clause is found by the Secretary of Labor to comply with section 2 of Executive Order 11598.

April 28, 1972

Attachment C

PRICING OF ADJUSTMENTS

When costs are a factor in any determination of a contract price adjustment pursuant to the "Changes" clause or any other provision of this contract, such costs shall be in accordance with the contract cost principles and procedures in Part 1-15 of the Federal procurement regulations (41 CFR 1-15) or section XIV of the Armed Services Procurement Regulation in effect on the date of this contract.

Senator ABOUREZK. The next witness is Evelyn Blanchard from the Bureau of Indian Affairs, Albuquerque, N. Mex. Is Evelyn here?

STATEMENT OF EVELYN BLANCHARD, ASSISTANT AREA SOCIAL WORKER, BUREAU OF INDIAN AFFAIRS, ALBUQUERQUE, N. MEX.

Mrs. BLANCHARD. My name is Evelyn Blanchard and I'm Assistant Area Social Worker of the Bureau of Indian Affairs in Albuquerque, N. Mex. However my statement here today, or my presence here today is not as a representative of the Bureau of Indian Affairs. Someone else from that department will speak for the Bureau of Indian Affairs, however, because I am involved in the work I am, my testimony will address that work.

It is a certain honor for me to have this opportunity to address you regarding the very broad issue of Indian child welfare. What I have to say is said from the broad perspective of having been an Indian who received protective services as a child, as a social worker whose whole career has been involved with child welfare services to Indians and non-Indian family life and of a human person, like you, who wants the best world for all of us today and tomorrow.

As we look at the situation of services to Indian children today we must of necessity look at the history of Federal Indian relationships. It cannot be denied that the thrust of governmental programs has in many instances created conditions which have led to the destruction of Indian family life as opposed to the strengthening of it. Perhaps the days of the deadly overt acts have passed. This is something not yet fully determined. What is obvious is that Indian children and their families across the country generally are not being provided the services they require to grow into healthy productive persons. For those individuals who have needed assistance all too often the alternatives have been extremely narrow. One has the choice to conform or rebel. Neither of these choices provide an opportunity for individual enhancement. Somehow the feeling of our country has been that certain groups are not entitled to develop fully. Much lipservice and many reactive fly-by-night programs have been proposed and implemented. But all of these are of a compensatory nature. Yet, how do you compensate a young man with a congenital hip deformity at age 23 because neither he nor his parents had sufficient food? How do you compensate an Indian high school graduate who upon having completed 12 years of school cannot read? How do you compensate legions of Indian parents whose rights and responsibilities to themselves and their children have been usurped by the paternalistic attitude which has characterized Federal-Indian relationships. Out of this background comes the sensationally tragic experiences of Indian children who are the victims of not only malpractice of some social workers but also the victims of our lack of concern.

There are no excuses for the trauma that Indian children are experiencing today and will experience tomorrow. The question of whom bears the greatest guilt seems inconsequential to me. What is important is that each of us today accepts our responsibility. Services to Indian children and their families vary greatly in terms of quality throughout the country. In situations like those cited in the information from the Association on American Indian Affairs one could hardly

expect that Indian persons will be treated with dignity, especially those Indian people who are experiencing numerous problems in daily living. It is not necessary to cite the economic and social characteristics of Indian populations in these communities, reports you have read and various newspaper accounts are replete with descriptions. What must be recognized is that profound prejudice and discrimination exist. This must be confronted and dealt with prior to the mere enactment of laws or providing of additional funds to cause any positive change in services to Indian children and their families.

I work in the Albuquerque area of the Bureau of Indian Affairs. This area provides services to approximately 30,000 Indians representing 24 tribes. In all of these communities there exist all the problems that face other families everywhere in the country. In Indian communities these problems are magnified, unemployment is higher, educational and income levels are lower. These situations provide many stresses for the individuals involved.

To service these 30,000 people we have a total permanent field staff of 18 persons and an area staff of 2. If we consider the entire population as potential clientele we are talking about a potential caseload of 1,666 persons per worker. This is unrealistic and exaggerated, but this is in fact the ratio. In actuality our total caseload for February 1974 amounted to 1,475 cases receiving services. This means that each worker would have worked with an average of 82 cases per month. The situations in these families called for numerous types of services which included financial assistance, alcoholism, unemployment, emotional disorders of various types in addition to a wide range of child welfare services. It is impossible for a staff of 18 social workers to provide quality services to all these people in all of these problem areas. In addition to direct work with clients the workers are also involved in program development, consultation with tribal officials and courts. These statistics are not cited to excuse work that is not being done, but rather to impress you with the fact that providing needed services is impossible in our area. Other areas within the Bureau of Indian Affairs fare no better than we do. The clients these workers see are not next door; great distances must be traveled to provide services. The hours spent in travel allow fewer hours for actual work. Of the total staff, including area personnel, only six workers are Indians, and only three of these Indian workers are professionally trained social workers. Throughout the country there are now approximately 100 professionally trained Indian social workers. Many do not work in Indian communities with their own people. Some choose not to work in Indian communities out of personal choice; others because there are not positions available.

Employment ceilings, positions, and limited funding are something of which you are cognizant, but your awareness and understanding does little to improve the quantity and the quality of services available to Indian people. Indians are citizens of this country and thus entitled to all services offered to others. However, in reality this does not occur. State and local governments sluff off their responsibilities to Indians, often by bureaucratic technicalities and thereby avoid providing meaningful services. It is obvious that much effort must be directed toward the development of professionally trained Indian personnel. If, in fact, the aim is to preserve the strengths of the Indian communi-

ties. Young Indian people must see people like themselves in positions of power and influence before they can aspire to that level.

Funds must be appropriated to allow Indian communities to develop local resources. In our area during the month of February 1974, 117 children were residing in foster homes. More than half of these homes are Indian foster homes on the reservation. We began several years ago to develop Indian foster homes. We did not obligate ourselves to State licensing standards. We are more concerned with providing an atmosphere which is familiar and nurturing. In the past Indian families have been dealt with on the basis of outside standards not geared to allow them to develop consistently with conditions in their communities. To combat this we have stressed working within the communities and existing conditions, moving children back to their reservation homes as rapidly as possible. In a number of instances we provided home repairs and household equipment to allow these families to accept children. We need funds to establish group homes in Indian communities. Having the resources in the local community allows many people to become involved in the social welfare needs of that community. The investment for them as individuals is enhanced and recognized perhaps for the first time.

During the month of February, we had 197 children in boarding schools. These children were in the boarding schools because we presently have no other resource to offer. The Commissioner of Indian Affairs, Mr. Morris Thompson, shares our concern regarding the harmful effects of these placements and is urging development of alternate resources. Child welfare services in Indian communities are characterized by restrictions as opposed to an approach of individual self-determination. This is directly related to our lack of resources. The tribal court in all its awesome external character is frequently the primary recourse to family difficulties. Use of the court as a primary resource is an indirect contradiction to accepted child welfare practice.

Indian courts are placed in a dilemma between the needs of the family problems which come before them and the realities of having few alternatives to solve or even deal with these problems. For example, with placement of children the traditional approach in many Indian communities is a community family effort which tried to provide the best solutions for problems. Some of these problems are too great to be handled by nonprofessionals or within the environment of the community. But acceptable off-reservation facilities are seldom available. They create conflicts which frequently compound the problems rather than improve them.

Many Indian families are instinctively hostile to any attempt to have nonfamily members deal with their problems.

This is because of the bitter experience of "children being stolen", removed from their homes and taken off reservation and deprived of their heritage. The consistent policies of the past stressed off-reservation norms and theories which often conflicted with the views subscribed to on the reservations.

When a tribal judge faces these cases he must deal with a fearful, frustrated family and overloaded social workers who often have no positive solutions in mind. Foster homes on the reservations are few, many off the reservation are unacceptable and as a result children are

placed in institutions and other facilities which are not capable of dealing with the problems at hand. Almost all of these facilities are off the reservation. The child in effect is placed wherever there is an opening and not where the type of care needed exists.

The only solution is in providing competent Indian social workers who are given the funds to work within the community. We must be allowed to develop programs and facilities on the reservation which will enable the child who has to be removed from the home, the source of his distress, to develop not according to the norms and mores of the outside but according to his or her own needs and the prevailing conditions and precepts of his or her tribe. Emphasis must be placed on keeping children with their own or substitute families.

Within the Albuquerque area this is presently impossible because of the present structure of social services within the Bureau of Indian Affairs. Two examples are the Northern Pueblos Agency and the Southern Pueblos Agency. The former provides services to eight tribes in northern New Mexico encompassing approximately 3,780 people. The Southern Pueblos Agency covers 10 tribes with a combined total of 11,820 people. On none of these Pueblos are there permanently stationed social workers or facilities to deal with family problems. Heavy reliance is placed on outside facilities, outside personnel and our Pueblo children are often sent elsewhere to deal with their problems.

There is a crisis in Indian child welfare services. We have vital decisions to make about the kind of world in which we and our children will live. Pronouncements of commitment must be translated into action, programs, personnel, and funds. These actions must be meaningful, individually enhancing and just. Mere words will not suffice.

Senator ABOUREZK. Thank you very much, Mrs. Blanchard. We appreciate your testimony.

I just have one question. You are presently a social worker for the Bureau of Indian Affairs?

Mrs. BLANCHARD. That is correct.

Senator ABOUREZK. Senator Bartlett.

Senator BARTLETT. I have no questions, Mr. Chairman.

Senator ABOUREZK. Dr. Carl Hammerschlag from Phoenix, Ariz., is here with us.

STATEMENT OF DR. CARL HAMMERSCHLAG, PHOENIX, ARIZ.

Dr. HAMMERSCHLAG. Good morning, Senator. I'm sorry I'm late. I'm sorry but I don't have a prepared statement.

I am not going to show you more horror stories, which you undoubtedly have already heard in boarding schools and offreservation adoptions and institutional homes that are available for Indian children on the reservation. Those kind of things make it very clear.

Senator ABOUREZK. Doctor, I wonder if I can interrupt you for a minute and ask you what kind of a doctor you are so, we may have that information.

Dr. HAMMERSCHLAG. I'm a psychiatrist and I work with the Indian Health Service. I am a mental health consultant for this area and I'm responsible for the mental health services for the tribes of Arizona, Nevada, California, and Utah. Most of my work is in and around these areas. I travel to many other reservations as well.

Senator ABOUREZK. Thank you. I'm glad to have that information. Dr. HAMMERSCHLAG. It's difficult to know where to begin.

I think that if we pay attention only to legislative procedures that will change laws, for example, for Indian parents to keep their children, we're dealing only with the surface areas.

I think that what we see on the Indian reservation is the result of, at least, 100 years of Federal neocolonialism which functions under the policy whereby giving the individual something, there is the assumption that an individual really gets.

I think we're going to have to move away from that as a philosophical trend. I think that those policies and the policies for the last 100 years has been counterfeit in that by giving something we are really taking something away.

I think the problems with Indian children is, by and large, a problem that Indians are rendered essentially powerless and institutionally impotent.

I think that one of the other things that we've discovered in the last 100 years is that in giving somebody something, we really take something away and you're taking away the individual self-respect, a sense of dignity and a sense of worth.

I think that one of the things that has happened in the last century has been that our children on the reservation today have precious little to identify with in terms of dignity of their forebearers and the pride and power that once was their people.

When I asked the children to draw a picture of their community or where they come from, they draw hometowns with bars where Indians were lying drunk in the street.

The sadness of that is not that one can see that from the age of 5 and 6 and preschoolers, but the fact that one already at the age incorporated a negative image of oneself.

If we're going to do something about the problem of the children, I think we're going to have to do something about the problem of parents and reservation communities as well. And, I think that a way to deal with that, if you will forgive me, is by allowing people to develop some sense of their own power and fullness. By power, I don't mean a rise in machinegun militancy; I mean in the sense that one is the captain of one's own ship and that one has the power in the sense of dignity to be able to followthrough.

I think that if we stop making decisions for Indians and Indian people. I think that we have become the passive recipients of their dictates. I think that when Indian people speak, we have to respond.

I think the converse has appeared long enough. We suggest to the Indian people what we think they ought to do. We suggest legislation of which they then are recipients, but in essence, they have to followthrough.

I think that perpetuates a counterfeit nurturing center.

I think that the argument has frequently been used in the past that we have to do it because the Indian people have not been able to do it themselves.

It is true there are precious few professionals, as Evelyn assured us just before my testimony, few Indian social workers, precious few Indian physicians and very few Indian psychiatrists.

I think that even if there were more, that would only be symptomatic. I think that we can deal with many of the problems of our

communities, not by providing with more professionals. I don't think, for example, an increase in the number of counselors in school is going to make any difference in terms of the problems that our children have, or are having in offreservation boarding schools or in public schools. No increase in the number of counselors is going to change those issues.

I think in order to deal with any of the problems that our children have in educational institutions, I think we have to deal with the institution themselves. We're going to have to deal with curriculum. We're going to have to deal with what turns our kids off after they're 6 or 7 years old. After they reach 9 or in the third grade, their performance begins to drop.

Indians, on competitive examinations, by and large, scored among the lowest in the national college entrance examinations. Our students graduating from boarding schools are graduating at least 2 years academically retarded as compared to the students in public schools. I think the way to deal with that is not to provide more counselors, for example to children who have problems. I think the way to deal with that is to understand what is happening in schools that turn our children off. I think one of the things that we have to deal with is curriculum and parental input into the school system.

Senator ABOUREZK. Isn't that true of non-Indian schools as well?

Dr. HAMMERSCHLAG. Absolutely.

I think it becomes increasingly true in Indian schools because many of our students come with English as a second language, for example, and with difficulty with white schools from nearby reservations and come to the boarding schools, or are referred, for social reasons. At least 60 and up to 90 percent of our students could go to school elsewhere, but were referred for some kind of social reason, and because we deal with a high range of studentry, we frequently justify their inability to perform, on the basis of their very special problems.

I think that in some ways the program blames the victim. We make the students responsible for their own failure instead of recognizing that we, in society, are responsible for it as well.

But, to answer your question, yes. I think it's a problem everywhere. I don't think that any increase in the number of physicians, psychiatrists or social workers is going to make any difference in terms of the real problems that face American Indian people today. I think that is a symptomatic expression.

I think that if we deal with the expression of the illness, like fever or leukemia, and by giving individual social workers, and doctors and counselors, one is giving aspirin, where one doesn't feel the underlying disease, and the underlying disease is the disenfranchisement and the powerlessness that has been reinforced for 100 years.

I think if we're going to make a real difference, then the tables are going to have to be changed. One has to give back to the community their own sense of powerfulness.

I think the real advances of medicine don't come by having any more physicians. I think they come by developing a vaccine against typhus or smallpox which changes the face of medicine.

I think no increase in the number of individuals to deal with the symptomatic expressions of any kind of disease or social illness, are going to make a real difference.

I think things are changing. I think the Indian people are beginning to make their voices and demands heard and I think it is our obligation, and you have been very sensitive Senator on the Indian issues, that that is going to have to continue and for public exchange for these kinds of ideas for Federal legislative committees and for congressional hearings to be responsive to those needs.

I think that the problems of our children are, by and large, the problems of our parents and the problem of our reservations as well. It is foolish for us to suggest that only by legislatively changing, for example, the availability of homes and increasing money, are we going to make a real dent in the problem, the problem is one that it suggests at least a century's history, and that precious few of our people have any personal recollection as to the dignity of their forebearers.

I think that is going to have to change and I think that one way of changing this is for us to be perceptive to those ideas.

Senator ABOUREZK. Dr. Hammerschlag, I think you have hit right to the heart of the problem. I just passed a note back to Sherwin on how close you have come to the central point.

The issue is really this, that when there is real political and economic power given back to the Indian people, that is the beginning of the end of the problem, as we see it.

You have very aptly described it.

Dr. HAMMERSCHLAG. Are there any questions that I can respond to?

Senator BARTLETT. Dr. Hammerschlag, what observations have you in the adoption area? Have you observed a high percentage of Indians put up for adoption, and if that is the case, could you comment on the reasons and motivations?

Dr. HAMMERSCHLAG. It is hard for me to comment, Senator on the adoptions. All of us that work in this field are familiar with our children leaving reservations and going to non-Indian homes. I will say, in premise, that I think those excesses are decreasing with intensity. That doesn't mean they don't exist, as you've heard before. They still exist but less so, I believe than they have in the past. That doesn't mean that the situation is one of unbridled happiness.

I think that what happens is that it's so hard to describe, and one has to be on the reservation in September when the buses come to take our children away, for example to placement homes, missionary placement homes, to see children leaving their parents, leaving for 9 to 10 months of the year.

The children who are most attractive, for example, and go away to school, are not legally adopted but are essentially presented with such a compromising situation to have to adapt to a new way of life. They leave the reservations and are expected to adopt a new value. They quickly go to homes where the expectation is that they will become part and parcel of that family. Part of that means that when they leave and they come back to the reservation, they've been inculcated with a new set of values. Their sense of importance is critically related to what life experience they have had when they go to school, and our children are presented with two feet in two different grounds. One in the nature and soil of their heritage and the other in an adopted kind of new values. It's devastating for many of our kids.

I think that the best children are asked to leave reservations, the kind of children that other people want to keep in their homes during the school year. The kind who can reform; the kids who are intellectually achieving. They are bright children who have had no problems, the elite from many of our families and homes. They are the ones that are most likely to leave reservations.

I think the kids that do the best in school are the ones that go to public schools because they can compete. The kids that have the greatest difficulty in school are sent to boarding schools, which fail somehow to meet the special needs of our children and they do seem, as a result, to continue to reinforce the negative image of themselves. They don't compare well on competitive examinations. They score poorly on college aptitude tests, for example, and they know that when they get to college, they will have more difficulty than the other students.

All of those kinds of things reinforce the negative kinds of images. There are very few Indian homes that hold themselves up for legal adoption. Most of the adoptions occurring on reservations never come to the attention of social agencies. Indian families take in their own, a daughter who has a child, an orphan, are kept within the community.

But, there are many, many excesses. We have heard about them all and the horror stories of these children are too many to mention.

I'm not sure I've answered your question.

Senator BARTLETT. Yes; do I understand you correctly that in your experience, the experience of leaving the reservation and living in other homes, either adoptive homes or just staying in homes for part of the time, does interfere with their education as well as seeming to be upsetting to them and so on?

Dr. HAMMERSCHLAG. My perception is when you present somebody with conflicting values, it only exacts a price.

Some of our children do extremely well off-reservation, which some go to placement homes and some not. I'm reluctant to be as straightforward as I might be in a less microphoned type hearing and I'm trying to be circumspect.

One of the things that happens when the children leave is that part of the expectancy is that you succeed well in school by the families who raise these children and they have some expectations of these children, usually religious expectations.

Am I making myself clear?

And, they do it for reasons that are altruistic in motive, and there are some fine people involved in such programs; but one cannot fail to understand that there is a price that is exacted and that price is the education of the child will be to follow along those precepts, or will—at least adhere to a rigorously confined way of life.

That frequently is not in accordance with the life experience of the child before coming to such a home, and when frequently presented those conflicting kind of areas, our kids have difficulty when they come back.

Senator BARTLETT. Is there a price also for the Indian parents?

Dr. HAMMERSCHLAG. Oh, yes.

The price is one of self-image. Children come home and they've used flush toilets and hot bath tubs and they come back to a village where there's no running water or electricity, and they begin to wonder.

One gets used to having hot showers and there's nothing peculiarly Indian about enjoying taking a hot bath, and if you've been taking a hot bath for 8 months and you come home and you can't, you say to your folks, how come you don't take baths. One of the prices it exacts is that the parents feel bad and the children feel confused and conflicted.

Senator BARTLETT. You said earlier that the number of adoptions taking place and the number of children that are leaving homes is decreasing.

Dr. HAMMERSCHLAG. That's my perception, Senator, but I have no figures.

Senator BARTLETT. What is the reason behind that, could that be because of a greater desire on the Indian family and also the tribes to reduce the amount, or is it, the result of an obvious effort on the part of the Indian?

Dr. HAMMERSCHLAG. I think, Senator, yes.

We're beginning to see, in this decade, a reflection, for example, of the black movements in the 1960's. I think Indian people are becoming increasingly aware of the legislation, what impact aid is, what legislation has been enacted to help them, and I think the people are coming together to expect and demand, in some ways, what are the legal treaty rights that have been in since the creation of this country.

I think that we will begin to continue to see that in the ensuing remainder of this decade. I think that the people are, by and large, beginning to have great expectations of us and will increasingly begin to participate. I think the things that happen in the first several years of this decade, in terms of occupations, growing signs of militancy, is hardly a universal Indian phenomenon. It is, at least, I think a beginning of a reflection of what has been called the Sleeping Red Giant, and if that will continue, it will effect, also the children, the adoptions and the placements.

Senator BARTLETT. Are you seeing a greater participation in tribal affairs and actions and activities within the tribe?

Dr. HAMMERSCHLAG. I see only the reflection of the white man, who is sometimes invited and sometimes not.

I think that there's greater participation, greater awareness, there's a greater seeking for an increasing voice. I think that there are some excesses that still exist. I think that Indian tribes and Indian governments suffer from the same difficulties, and I say that with some kindness, that the rest of the Government is involved with and there's frequently political intrigues and backbiting, and not so subtle guarding of territories. I think those things will continue to occur for reasons that there is no reason to expect that it will be any different than it is any place else.

I think the fact that it is occurring is a sign of increased, growing participation.

Senator BARTLETT. Dr. Hammerschlag, I thank you very much.

Senator ABOUREZK. Thank you, Doctor. Thank you very much for your testimony.

The next witnesses will be Mr. Ben Rowland, Mrs. Freda Moore, and her daughter from Lame Deer, Mont. Are they here?

Yes. We'd like to welcome you to the committee.

STATEMENT OF BEN ROWLAND AND FREDA MOORE, LAME DEER,
MONT.

Mr. ROWLAND. My name is Ben Rowland from Pine Ridge, S. Dak. I live in Montana right now.

Senator ABOUREZK. Are you originally from the Oglala? Are you enrolled in the Oglala?

Mr. ROWLAND. Yes, I am.

I'm with my daughter and her mother is not here. We're divorced and she has remarried and she has a little baby and she couldn't make it. I wish she was here because she knows more than I do because she was with her when those people took her.

Senator ABOUREZK. What's your daughter's name?

Mr. ROWLAND. It's Benita.

Senator ABOUREZK. How old is she now?

Mr. ROWLAND. She's 6 now.

Senator ABOUREZK. Was she taken by somebody back to Pine Ridge?

Mr. ROWLAND. Yes.

Senator ABOUREZK. When was that, Ben?

Mr. ROWLAND. That was in 1972, January of 1972.

Senator ABOUREZK. Would you tell us about what happened then?

Mr. ROWLAND. I live in Montana and one day I got this letter from this reverend.

Senator ABOUREZK. Was he a reverend or a priest?

Mr. ROWLAND. Yes, a minister.

Senator ABOUREZK. A Protestant minister?

Mr. ROWLAND. A gospel minister.

He asked permission because he wanted me to give him permission for my little girl to go with his people back to Wisconsin.

So, I called up my brother the same day and I told him to go down there and pick her up. I guess he went down there and he told them that, and they took this little girl for 3 days before then. So, I went home and went to see the judge and he told me to go back to Montana and see somebody down there because we were divorced down there in Montana.

I went back there and went down to see one of the attorneys. So, he wrote to these people and they wrote back to him and told him that she was doing fine and they wanted to keep her.

I told him to write back again and he wrote to them again and they told him the same thing again. I went back to Pine Ridge and went to the legal service down there.

Senator ABOUREZK. These were two women that took her?

Mr. ROWLAND. That's right.

Senator ABOUREZK. Did they tell your wife, at that time, that they wanted to take her, take Benita on vacation?

Mr. ROWLAND. Yes.

Senator ABOUREZK. Did they give both you and your wife papers to sign?

Mr. ROWLAND. See, I wasn't there.

Senator ABOUREZK. Did they give your wife papers to sign?

Mr. ROWLAND. I guess they gave her some kind of papers to sign.

Senator ABOUREZK. Did she know what the papers were?
Mr. ROWLAND. She told me she didn't know what it was.

Senator ABOUREZK. She signed them?

Mr. ROWLAND. I guess she did.

Senator ABOUREZK. Did you ever find out what they were?

Mr. ROWLAND. No, I didn't.

Senator ABOUREZK. Just for the record, the staff has informed me that they were consent for adoption papers. After that, they took Benita with them and took her to Wisconsin. Is that right?

Mr. ROWLAND. Right.

Senator ABOUREZK. You had to go to court to get her back?

Mr. ROWLAND. Right.

Senator ABOUREZK. Is there anything else that you'd like to say?

Mr. ROWLAND. No.

I guess that's it.

Senator ABOUREZK. If you'd like to say anything more, please feel free to do so.

Mr. ROWLAND. I don't have anything to say.

Senator ABOUREZK. All right.

Senator BARTLETT. No questions, thank you.

Senator ABOUREZK. I thank you and your daughter, Benita, for coming. Thank you very much.

The next witness is Mr. Mel Tonasket, who is the president of the National Congress of American Indians, Colville, Wash.

Mel, we want to welcome you to the committee.

STATEMENT OF MEL TONASKET, PRESIDENT OF THE NATIONAL
CONGRESS OF AMERICAN INDIANS, COLVILLE, WASH.

Mr. TONASKET. Thank you very much, Senator. It's my pleasure to be here again. It seems that I was just here a couple of days ago.

Senator ABOUREZK. Yes. You're a regular customer.

Mr. TONASKET. As you can see, I don't have anything prepared for the official record, but I would like to submit some statistics and other records later on.

Senator ABOUREZK. The record will be held open for 2 weeks so you can submit it anytime within that period.

Mr. TONASKET. Fine. Thank you very much.

I would like to open up my statement with a quote that was made back in 1870 by an Apache. I think it's very true and he said:

In the budding and blooming days of Indian history, public sentiment was against the Indian, that they could not be civilized, they could not be educated, they were somewhat like human beings, but not quite within the line of human rights. The only hope was to let the bullets do the work, cover up the bloody deeds and say no more. God and humanity were forgotten.

Patient and silent and distant the Indian race has been these many years. There comes a time in human events when abandonment of racial responsibilities become very oppressive, unbearable, intolerable, and there seems to be no hope. A man must exert himself, speak and act. And, that is exactly what is happening today and has been happening ever since the 1700's. And yet, it seems there are always Indian leaders repeating and repeating.

The examples of things that have happened, that I'm going to refer to, are things that I have been personally involved in. It's not hearsay.

These are examples of when Indian parents or Indian children came to me as a member of my tribal council asking for help. I'll be very brief.

There was an example in a little town north of our reservation called Orville, Wash., where this Indian lady went to the home of her family. The caseworker, the State caseworker, came to her house and told her to get her daughter ready to leave, they were taking her away, with no explanation as to why, with no court order, no nothing. That's when the lady came to me and I went to the council to ask for help.

It took us about 3 weeks, battling like heck with the social and health services to get that child back.

The second example is of a 10-year-old girl who had been in an Okanogen County jail for 4 days before I found out that she was in there.

I called up the county chief and an officer and he admitted that the girl was in there and I asked why and he said because she had run away from her foster home. I asked if it was a white foster home, and he said yes.

Then I called up St. Mary's Mission; it's a boarding school on the reservation, an all-Indian boarding school and asked if they had facilities to keep this child. They said yes. They said that that's what they are there for.

I called up the juvenile officer again and by the time I made that original call that morning, that afternoon the child was gone and I still don't know where she's at. She's a ward of the court.

The reason she had run away, she had run away 3 times from this foster—the same foster home and rather than find out what the problems were, then it was a lot simpler to throw that girl in the Okanogen County jail. They had no juvenile facilities there.

The third case is, the court took the children away from the mother, three children away because, and the only reason we can find out, is because the parents got a divorce, and the father moved away from the reservation. We don't know where.

It sounds like the juvenile officer is like Jesus Christ or something because all he seems to have to do is to walk into the council and get a ward of the court paper filled out, because that's the only thing that we can find is a recommendation by the juvenile officer to make these children wards of the court. And, in my opinion, that's a crime because if you just think of all the children that would be taken away from the mother because of a divorce, our country would be overloaded with wards of the court. I think they are overloaded anyway.

The same works in reverse for a father of six children and the mother of the six children died. Exactly the same thing happened. Those six children are made wards of the court and we've been fighting now for over 2 years to get those children to be placed back into the father's household. He works at a small lumber company. He supports the children very well, is involved in all sorts of athletics and yet we can find no reason why he cannot have those children.

The first case I was ever involved in was a young lady, a teenager, that was taken away from her parents. She was put in a white group foster home off the reservation. She ran away about three times, so they took her from that foster home, and that's when I got involved in the case, and I had an Indian foster home lined up for this girl I had the Bureau of Indian Affairs involved in the case and yet, the

State refused to let this girl go to her Indian foster home and sent her into Spokane, which is 130 miles away to another Catholic group foster home, from which she ran away.

So, they couldn't hold her there. I pleaded with them again to let her come back to the reservation and put her in an Indian home.

About the second time she ran away from Spokane, they put her over someplace in Seattle, which is 250 miles away. And, it never seems to cure the problem. It just seems to push it further and further away.

The last case that I want to refer to is the case that these three children were made wards of the court in the State of Washington. They were given to a foster parent. The foster parent took the kids from Okanogen County to Montana. In fact, to Lame Deer, Mont., without the approval of the court, without approval of social health services.

We tried to get the children back to the reservation and again, we had another Indian foster home lined up for the children. The State said that they couldn't do anything about it because it was not their jurisdiction.

We tried to go to the Crow Tribal Council and I guess that's one of the benefits of not being under 280 because they blocked us out completely for lack of jurisdiction.

We went to the FBI, the Bureau of Indian Affairs, and we fought for over a year and neither the Bureau, the Federal Bureau of Investigation or the State of Washington could get those children. I had to go back to Washington to negotiate to get the kids back. Instead of getting them back, we found a home over there in which they were placed in good shape.

Our concern is that after the kids left the State of Washington, they were completely out of everybody's jurisdiction, it seemed to us, and if that's the sort of care that an Indian child is going to get as a ward of the court, then I think that Indian tribes can provide a whole lot better. I'm positive they can, because of the different ways of the Indian peoples to the non-Indian people, and I'm sure that you've probably heard this through the hearing so far. There's no such thing on my reservation as an abandoned child because even if you are a one-eighth cousin, if that child is left alone, that's like your brother or your sister, or your son or your daughter. It's been that way since our old people can remember.

We talked about families that are so large in size, maybe 20 people in a household. That is the reason that the family is so large because they bring in the children who need a roof, and need food. And, yet, we find ourselves fighting head to head with the State of Washington, and I'm sure it's true in other States. It's a lot simpler to take these children and move them away from us.

As soon as they find out who they are, they come back when they get old enough to hitchhike. We've had that happen in the last couple of years. We've had a young gentleman who just turned 18 years old, who found out he was an Indian. He was adopted to a non-Indian family and lived in Florida all his life. He left that family to come home. Didn't know who he was. Didn't know who his family was, but he was home.

I have some comparisons that I would like to give you, and then some recommendations. I have received some documents concerning the problems of the Indians in Paraguay.

And, I was asked for advice because I had been in South America and Brazil, on what to do. In reading these reports and these statements, it was repeated over and over again about these Indian children of the age of 10, whose parents were slaughtered, or were sold into slavery. That sounds very bad, but if you look at what's happening in the United States of America today, probably it's happening this very minute someplace, not only are our Indian children being taken away but they're paying the non-Indian for taking the child. This is the problem in Paraguay.

What I mean is, they pay the parent for taking the child and the foster parents are usually paid by the State for care of that child, or if the child has to use, and we have files and files of it, I've seen some documents that Mel Sampson from the Yakima Council had, where the children, from using their dividend payments, or taking their dividend payments or per capita payments, or land claims or whatever it may be, pay that either to the foster parents or to the adoptive parents. So, the Yakima Council objected to that very, very much.

I strongly feel and our council strongly feels that if a family wants to adopt or take an Indian child into its home, and there's no other place to go, then that family should be able to support that child and that child should not have to support itself.

Now, I have some recommendations, but I do think they have to be said. I think the Bureau of Indian Affairs must take a more active role to take over the responsibility and jurisdiction of Indian children on welfare, for welfare purposes, and more appropriations must be given to the Bureau of Indian Affairs to a total social services program.

Right now, the social services branch of the Bureau of Indian Affairs is just a token office as far as we're concerned in Colville. We have no money to operate anything. They can't even assist us in getting Indian group foster homes developed.

I think that we cannot attack the welfare system and not work to correct the law and order, the judicial system and all the other programs. We must correct the whole system on the reservation to properly eliminate our social problems, and I think that that really attacks Public Law 83-280.

To repeat the trail of the Crows that are really taking care of themselves as compared with what the Colville's have taken care of themselves in jurisdiction over their people, when they can tell the State of Washington to stay out, and tell the State of Montana to stay out, tell the Bureau of Indian Affairs to leave us alone, then that's a sovereign government.

The Colville Tribes and the tribes that are under Public Law 83-280, have almost lost their handhold and the responsibility and the ability to take care of their own people.

I think that this committee, and the Congress, have to look at many areas when they talk about child welfare. Just in the State of Washington, where I'm from, I can give you some things, some examples of what has to be done and specific problems with the State system.

One, there is almost no preventive services being delivered to the Indian family. No way are services provided to the Indian families to help them rehabilitate or whatever the words may be for giving the child back.

State caseworkers have difficulty in relating to Indian family service and the Child Protection Service for their Indian clients. They

don't even bother to explain, because they don't know how to explain what the procedures are and what they're faced with in getting your child back or why the child is being taken.

It's strange to us, that Indian children are almost always uprooted from their culture, the relatives, and the tribal communities.

There has to be more special training and sensitivity training to potential case workers that come to Indian country, or near Indian country where they're going to be servicing Indian people.

There are no group homes in the State of Washington, not one. Or, no Indian group homes in the State of Washington. There is a tremendous need of Indian foster homes and for people on reservations, or Indian families who can be taught, or shown, or assisted on how to become a foster home or receiving home.

I could talk, probably the rest of the day about the problems of Indian children, social problems and welfare problems, but I think, to make it very simple, I'll end my statement by this; when I look at our children, our Indian children, they are too few, but when one is taken away, that is too many.

Thank you very much.

Senator ABOUREZK. Mel, thank you very much for your testimony. Senator Bartlett, do you have any questions?

Senator BARTLETT. Yes.

Mr. Tonasket, you said on a number of instances where the children were taken from their homes and you resisted those takings on a case by case basis, as you learned about them. Did you make an overall effort to work with the proper authorities in having them evaluate their approaches, trying to get at the root of the problem, trying to eliminate the problem, or on the other hand, to work with the tribal organizations that you had and develop programs there?

Just what was the general effort made, not on a case by case basis, but just in an overall manner to deal with this problem both with the State and local welfare people and HEW, as well as your tribal unit?

Mr. TONASKET. Senator Bartlett, the very first thing that we had done that we thought in the long run would help alleviate any future problems, we got the local department of social health services to send some of their case workers and administrators to the reservation and we conducted an Indian awareness workshop that lasted many a week or even up to a month.

We went back to our State capital, Olympia, a number of times to try to educate the top level people in social services. We set up, or were instrumental in getting Indian desks set up in the department of social and health services to make sure that policies and procedures and directions of the department that affected Indians in any way, that their trust rights, their lands and their relationship with their tribe would be protected.

The other portion of this was kind of a police function, going out to the local office to make sure that those policies and bylines were developed by the Indian desks were followed through.

It's like the educational structure, I guess. It's really hard to break it down. It's easy to get somebody into your workshop and preach to them and give them samples, but 2 or 3 days later, they seem to forget it.

Senator BARTLETT. I've been aware of a training program that has existed for quite some time that has affected Oklahoma Indians where

the BIA would take young Indian children in Oklahoma and train them in San Francisco for jobs in that area.

We felt that this program didn't work too well in most cases, for some reason.

One was that they would take the young people who had the best potential and capabilities and hence remove a leader from the local community.

Second, in many cases the person, after staying awhile and perhaps adjusting well to the new environments and jobs and doing well, when he learned the problems at home and would be needed at home because of his strong family ties would come back. So, I'm very much aware of the strongly knit family units that exist in the Indian families and Indian tribes.

I just wondered, in view of that, with the many adoptions and many youngsters who are put in foster homes, what efforts within family units and within the tribes have there been made to resistance, or have there been an increasing effort?

Dr. Hammerschlag seemed to testify, a few minutes ago, and testified very definitely that it appeared to him to be a declining rate of youngsters placed in foster homes and placed for adoption in non-Indian homes. I was just wondering if there was a growing effort on the part of the Indians and the tribal organizations to resist this, or to work with problems that might be leading to it?

Mr. TONASKET. I can't speak for any other tribe except mine in answering your question.

There's been a lot of effort, in the last 4 years by the Colville Tribe to stop Indian children from being placed in non-Indian foster homes or to being adopted in non-Indian homes.

One of the first things that we've done, and it might seem strange and then again it might not seem strange, the first thing that we've done is we stopped allowing dividend payments, per capita payments, claims money payments to be issued to the foster home or to the adopted home. We kept that money and the individual Indian moneys accounts in our office there until the child reaches the age of majority.

Immediately, we've seen a slowdown of non-Indians taking Indians into their homes as foster children.

Senator BARTLETT. Say that again, I didn't quite understand.

Mr. TONASKET. I'll try to explain it a little better.

It happened in the past, where the Bureau of Indian Affairs would issue checks from the IIM, individual Indian moneys accounts to the individual, to a foster parent or the adoptive parent. And, there are many instances where those moneys of the child were used for their own maintenance, besides the State paying foster parents for having the child.

When we cut off the child's money to the foster or adoptive parent, her own money from the tribe, there was a decrease of non-Indians who wanted to adopt or take any children into their foster homes.

Senator BARTLETT. That's very interesting.

Mr. TONASKET. It seems bad, a sin, that the only reason that a person wanted the children in their homes is to get paid for it and not because of love, or not because of the need for sharing. I think if everyone would do that, you would see a decline and I would highly recommend that.

I think that tribal councils have to spend a lot of time working with their local FHS office. We have spent a lot of time, and the tribes in the State of Washington totally have spent a lot of time, with social health services and from that there is a study going on right now throughout the State concerning child welfare and child placement, where is the child now. Has it been detrimental or been beneficial, and there are Indians on that study team.

Senator BARTLETT. Mr. Tonasket, do you have statistical information comparing the adoptions of Indian children and the placement of foster homes compared to others in the State of Washington?

Mr. TONASKET. Compared to others?

Senator BARTLETT. Yes.

Mr. TONASKET. I don't have any comparisons at all. All I have is the Indian.

Senator BARTLETT. Do you think it is available for the State of Washington?

Mr. TONASKET. Yes.

Senator BARTLETT. Would you send that to the committee?

Mr. TONASKET. Yes. I plan on having that introduced into the record when I first opened up my statement.

Senator BARTLETT. Has the tribe made an effort to increase the number of Indian parents or the Indian couples who would be available as foster parents?

Mr. TONASKET. Yes. We've increased our number of foster homes, eligible foster homes, probably 300 percent.

One of the reasons we were able to do is because when I first got on the tribal council 4 years ago, our unemployment was about 64 percent of the available work force. Our family average income was about \$2,050 a year for an average family of six. Over half of our people who lived on the reservation needed a home to live in, either they didn't have a home or they were with somebody else. There was as high as three or four families living in one dwelling. That was one reason that we didn't have enough Indians that were qualified for foster parents.

Today we have reduced our unemployment to approximately 22 to 24 percent and that houses are being built all over the reservation and we just have a new housing program approved by HUD last year that will be starting this year, that will also assist us in having Indian parents as qualified foster parents by just the combination of things having happen.

Senator BARTLETT. So, you see the housing program as a very important key to expanding the possibilities of foster parents?

Mr. TONASKET. One of the important. I think it's more important to have a family to be able to support itself and housing will come automatically if a person can make enough money to feed themselves first and then find a home and build a home second.

Senator BARTLETT. Then, jobs play a primary role?

Mr. TONASKET. In my opinion, they do. What we've found is that at home. It's just made it a lot easier for us to sit down and try to show the courts, the juvenile departments, an Indian home, even though it might not be up to par according to white standards, as long as parents can support themselves financially and give the child love, that's what is important; and we're finally starting to get people to listen to that philosophy.

It used to be you had to have a bedroom per child and all kinds of other stuff. Indians just could not qualify.

Senator BARTLETT. Thank you very much, Mr. Tonasket. That is very fine testimony. If you do have that other information that you haven't discussed, we'd like to have it.

[Subsequent to the hearing the following information was submitted:]

ASSOCIATION ON AMERICAN INDIAN AFFAIRS, INC.
432 PARK AVENUE SOUTH
NEW YORK, N. Y. 10016

STATE OF WASHINGTON ADOPTION AND FOSTER CARE STATISTICS

Basic Facts

1. There are 1,357,716 under 21-year-olds in the State of Washington.¹
2. There are 15,980 under 21-year-old American Indians in the State of Washington.²
3. There are 1,341,736 non-Indians under 21 in the State of Washington.³

I. Adoption In the State of Washington according to the Washington Department of Social and Health Services, there are an average of 48 completed non-related adoptions of Indian children a year. Using the State's own figures, 69%⁵ (or 33) are under 1 year of age when placed. Another 11% are 1 or 2 years-old; an additional 9% are 3, 4, and 5; and 11% are over the age of 5. Using the formula then that 33 Indian children per year are placed in adoption for at least 17 years and an additional 15 Indian children are placed in adoption for a minimal average of 14 years, there are 771 Indian under-21-year-olds in adoption at any one time in the State of Washington. This represents one in every 20.7 Indians under the age of 21 in the State. Using the same formula for non-Indians (an average of 213 non-Indian children⁶ per year are adopted in Washington) there are 3,423 non-Indians in adoptive homes at any one time, or one in every 392 non-Indian children.

Fact: There are therefore, by proportion, 19 times as many Indian children in adoptive homes in Washington as non-Indians.

II. Foster Care According to statistics from the Washington Department of Social and Health Services⁷ there were a minimum of 558 Indian children in foster homes in 1973. This represents one in every 28.5 Indian children. By comparison, there were 4,873 non-Indian children in foster care in 1973⁸ representing one in every 275 non-Indian children in the State.

Fact: By rate, therefore, Indian children are placed in foster care almost 10 times (9.6) as often as non-Indian child-

ren in the State of Washington.

III. Combined Foster Care and Adoptive Care Using the above figures, a total of 1,329 under 21-year-old Indian children are either in foster homes or adoptive homes in the State of Washington. This represents one in every 12 Indian children. Similarly, for non-Indians in the State, 8,296 under 21-year-olds are either in foster care or adoptive care, representing one in every 162 non-Indian children.

Fact: By rate, Indian children are removed from their homes and placed in adoptive care or foster care 13.5 times more often than non-Indian children in the State of Washington.

The above figures are based only on the statistics of the Washington Department of Social and Health Services and does not include private agency placements or boarding school placements. They are therefore minimal figures.

FOOTNOTES

1. "Age and Race Population, by States, 1970," p. I-308.
2. "American Indians, 1970 Census of Population," p.16.
3. $1,357,716 - 15,980 = 1,341,736$
4. Letter from Dr. Robert J. Shearer, Assistant Secretary, Social Services Division, State of Washington, Department of Social and Health Services, April 4, 1973.
5. Ibid.
6. Ibid.
7. Ibid.
8. Ibid.

ASSOCIATION ON AMERICAN INDIAN AFFAIRS, INC.
432 PARK AVENUE SOUTH
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SOUTH DAKOTA ADOPTION AND FOSTER CARE STATISTICS

BASIC FACTS:

BIA serves 28,398 on-reservation Indians in South Dakota*-1.

Approximately 51% of this population is under 21*-2

Therefore, approximately 14,482 Indians under the BIA in South Dakota are under 21.

Total South Dakota completed, non-related adoptions (according to records of South Dakota, Department of Public Welfare) since 1967-68: 908 (by telephone).*3.

Total Indian, non-related completed adoptions since 1967-68: 350 (by telephone).*3.

- I. One in every 2.6 completed, non-related adoptions in South Dakota since 1967-68 as acknowledged by the South Dakota Department of Public Welfare, has been Indian, whereas only one out of every 15 under 18-year-olds in South Dakota is Indian.*4. Thus, almost 6 times as many Indians as non-Indians, proportionally, are placed for adoption in South Dakota.
By percentage, approximately 40% of all adoptions, by South Dakota Department of Public Welfare, are Indian whereas Indians under 18 represent only 7% of the under-18 population in South Dakota.
- II. An average of 55 Indian children per year are adopted in South Dakota. Since at least 80% of these, as a minimum, are placed under the age of one year*-5 (44), living in an adoptive home therefore for approximately 17 years or more, and since the remainder (11) can be considered to average at least 14 years in adoptive homes,*6 at any one time

approximately 902 Indian children in South Dakota, under 21, are in adoptive homes; this is one in every 21 Indian children in the State. Using only the non-Indian under 21 population for South Dakota, and the same age-duration of placement formula there are 1,675 non-Indian children in adoptive homes, or one in every 158 non-Indians, a rate more than 7.5 times lower than for Indians.

- III. In 1970-71 one in every 18 Indian children born in that year was placed for adoption (80% of the 67 Indian children listed as placed for adoption by South Dakota Department of Public Welfare in 1970-71, as a portion of the 1,010*-7 Indian children born in that year); this compares to one in every 94 children (all) born in South Dakota in 1970 placed for adoption (approximately 10,850 children*-8 born in South Dakota in 1970, and 116 non-Indians placed for adoption). The rate here, once again, is more than 5 times higher for Indians than for non-Indians.
- IV. The Bureau listed 471 under 21-year-old Indian children in foster care in 1972.*9
The State lists approximately 600 non-Indians in foster care in 1972*10 representing one out of every 440 of the 264,051 non-Indians*-11 and non-reservation Indians in South Dakota under 21. In other words, using only BIA figures, Indian children are removed from their homes and placed in foster care at a rate 11 times the rate for non-Indians.
- V. Additionally, the State of South Dakota lists approximately 360 Indian children in foster care in 1973 (the numbers have not increased according to a phone conversation with SDWD officials since 1972 so we can assume that 1972 figures were at least as high). Of these, the BIA

indicates an average of 60 per month are under State-BIA contract*-12 and therefore would be duplicated in the above-mentioned 471 BIA figures. Therefore approximately another 200 Indian children are in foster care in the State of South Dakota apart from the Bureau figures. This brings the total number of Indian children in foster care under 21 in South Dakota to a minimum (in 1972) of 671. The combined BIA and State Indian under-21 population as noted by the American Indian Census Report (1970) is 18,864*-13. This means that one out of every 28 Indians in South Dakota under 21, at a minimum, was in foster care in 1972. Indian children are in foster care in South Dakota therefore at a rate of 15.7 times that for non-Indians.

VI. Combined Foster Care and Adoption Statistics;

Using the adoptive figures cited before of 902 Indian children in adoptive care in South Dakota, and the foster care figures cited above (671) for 1972 we can see that a total of 1,573 Indian children under 21 were either in adoptive or foster care; this represents one out of every 12 Indian children in the State, and does not include Indian boarding school students.

The same calculation for non-Indian children shows 1,675 in adoptive care and 600 in foster care, a total of 2,275 non-Indians were out of their homes in adoptive or foster care in 1972. This represents one out of every 116 non-Indian children. In other words Indian children are taken out of their homes and placed in adoptive or foster care at a rate almost 10 times (9.6) that for non-Indians.

VII. Additionally Indian children represent almost 41% of the children in foster and adoptive care in South Dakota, but they represent only 6.5% of the total under-21 population in the State.

SUMMARY:

ADOPTION: Indian children are placed for adoption in South Dakota at a rate more than 7.5 times that for non-Indian children.

FOSTER CARE: Indian children are placed in foster care in South Dakota at a rate 15.7 times that for non-Indian children.

COMBINED: Indian children are taken out of their homes and placed in foster or adoptive care at a rate almost 10 times that for non-Indian children.

FOOTNOTES

1. From Aberdeen Area Office, BIA.
2. "American Indians" 1970 Census of Population, U.S. Dept. of Commerce, Bureau of the Census, p.14.
3. Gathered from Mrs. Margaret Hansen, S.D. Dept. of Public Welfare, Pierre, S.D.
4. Op. Cit., "American Indians," p.14 and U.S. Census Bureau's, "1970 Age of Race Population," p.1-307.
5. "Adoptions in 1971" U.S. Dept. of HEW, SRS, Program Statistics and Data Systems, Nat'l Center for Social Statistics, May 23, 1973, Table 6.
6. Ibid
7. Op. Cit., "American Indians," p.14.
8. Op. Cit., "1970 Age and Race Population," p.1-307.
9. BIA Statistics, FY1972 - "Child Welfare - Unduplicated Case Count," p.3
10. By phone, A.R. McCorkle South Dakota DFW, and "Children Served by Public Welfare Agencies and Voluntary Child Welfare Agencies, 1971" DHEW Pub. No. (SRS) 73-0325 Table 8.
11. Op. Cit. "1970 Age and Race Population" p.1-307
12. Phone Conversation with Aberdeen Area Office, Roger Lonnevik, February, 1974.
13. Op. Cit. "American Indian Report," p.14

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WISCONSIN ADOPTION AND FOSTER CARE STATISTICS

Basic Facts

1. There are 1,843,534 under 21-year-olds in the State of Wisconsin. ¹
2. There are 10,456 under 21-year-old American Indians in the State of Wisconsin. ²
3. There are, therefore, 1,833,078 non-Indians under 21 in Wisconsin. ³

I. Adoption. In the State of Wisconsin, according to the State Division of Family Services, there are an average of 48 completed, non-related adoptions of Indian children per year. Using the State's own figures, 67% (or 33) ⁴ are under one year of age when placed. Another 11% are one or two-years-old; an additional 9% are 3, 4, and 5; and 11% are over the age of 5. Using the formula, then, that 33 Indian children per year are placed in adoption for at least 17 years, and an additional 15 Indian children are placed in adoption for a minimal average of 14 years, there are 771 Indian under-21-year-olds in adoption at any one time in the State of Wisconsin. This represents one out of every 13.5 Indians under the age of 21 in the State. Using this same formula for non-Indians (an average of 473 non-Indians per year are adopted in Wisconsin) ⁵ there are 7,600 non-Indians under 21 in adoption at any one time, or one out of every 241 non-Indian under 21 years of age in the State.

Fact: There are therefore, by proportion, 17.8 times as many Indian children in adoptive homes in Wisconsin as non-Indians. ⁷

Additionally, using the 1970 census figure for Indian births in Wisconsin, we can see that one in every 13 Indian children born in that year (and the average seems to hold true up to the present date) was placed for adoption in his or her first year of life.

II. Foster Care. According to statistics from the Wisconsin State Division of Family Services and county social service departments, a minimum of 545 Indian children were in foster care in 1973. This represents one out of every 19 Indian children. By comparison, approximately 6,800 non-Indian children were in foster care in 1973, or one out of every 269 non-Indian children.

Fact: By rate, Indian children are placed in foster care more than 14 times as often as non-Indian children in the State of Wisconsin.

III. Combined Foster Care and Adoptive Care. Using the above figures, a total of 1,316 under 21-year-old American Indians are in foster care or adoptive care in the State of Wisconsin in any given year. (This represents one out of every 8 Indian children. A total of 14,424 non-Indian children are in adoptive care or foster care in any given year in the State of Wisconsin.) This represents one out of every 127 non-Indian children.

Fact: By rate, Indian children are removed from their homes and placed in adoptive care or foster care situations 15.8 times more often than non-Indian children in the State of Wisconsin.

FOOTNOTES

1. "1970 Census of Population Age and Race," U.S. Dept. of Commerce, Bureau of the Census P. 1-309
2. "American Indians, 1970 Census of Population" U.S. Dept. of Commerce, Bureau of the Census, pp. 16-17
3. Subtracting:
$$\begin{array}{r} 1,843,534 \\ \underline{10,456} \\ 1,833,078 \end{array}$$
4. Wisconsin Dept. of Health & Social Services, Division of Family Services - Material sent by Frank Newgent, Administrator, Div. of Family Services, Feb. 1974 - "State of Wisconsin Adoptions, 1966 - 70"
5. Ibid
6. Ibid
7. Op. Cit., "Am. Indians, 1970 Census of Pop.," p. 16
8. Op. Cit., Division of Family Services, "Indian Children in Foster Care," by State and County, unduplicated, unrepeated figures, March, 1973
9. "Children Served by Public Welfare Agencies and Voluntary Child Welfare Agencies and Institutions, March, 1971," U.S. Dept. of Health, Education, and Welfare, SRS, Program Statistics and Data Systems, National Center for Social Statistics. Table 8- Also, statement from Ian McClean, Dept. HEM, SRS, Program and Statistics Div.: "The figures have not changed substantively in the past 5 years."

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MINNESOTA INDIAN ADOPTION AND FOSTER CARE

I. We can estimate -- given the conclusion that the vast majority of Indian-child adoptions are non-relative adoptions -- that at the present time approximately 1400 Indian children are now in adoptive homes in the State of Minnesota. This figure is derived from the fact that over the past eighteen years an average of eighty Indian children per year^{*1} have been placed for adoption (more in recent years, the last five years (1967-1972) averaging 126 per year,^{*2} 1961-1966 averaging 56 per year^{*2}). Since the average age at adoption, for non-relative adoptions, is three to four months of age,^{*3} under-18 adoptions last for approximately 17 years, 8 months. Thus $17.66 \times 80 = 1413$.

FACT: An estimated minimum of 1413 Indian children in Minnesota under 18 years of age are in adoptive homes.

II. Given 1413 under-18 Indian children in adoptive homes in Minnesota, given a total under-18 Indian population in Minnesota of 11,542^{*4} we can conclude that approximately one out of every eight Indian children under 18 in Minnesota is in an adoptive home.

FACT: One out of every eight Indian children under 18 is in an adoptive home in Minnesota.

IIA. Although the overall 18-year rate for adoption of Indian children shows the above rate, a closer examination of the statistics reveals an even more ~~striking~~ ratio figure indicating the latest trend. In 1971-1972 one hundred and fifty-nine Indian children were adopted in Minnesota;^{*5} in that same year an estimated 558 Indian children were under one year of age^{*6}; since the average age at adoption is 3-4 months, as stated above, most of the 159 adoptions involved the 558 under-one-year-olds. Since 65% of adoptions involve under 3-month olds,^{*7} one hundred and three of the 159 children above were under three months old. A purely speculative minimal estimate of another 15% of the children were between 3 months - 12 months of age: if so, another 24 children were under one year of age when placed or a total of 127 Indian children placed for adoption in 1971-72 in Minnesota were less than twelve months of age. Thus, 127 Indian children of the 558 in that age group in 1971-72 were adopted, or one out of every 4.4 Indian children. If that rate were to continue, and indications are that it is continuing and even increasing, an unbelievable ratio of approximately one in four Indian children under 18 in the State of Minnesota would be in adoptive care and homes within ten years.

FACT: An estimated one in every 4.4 Indian children under one year of age in Minnesota in 1971-72 was in an adoptive home. State another way, one out of every 4.4 Indian children born in Minnesota in 1971-72 was placed for adoption.

IIA. (Continued)

PROJECTION: At current adoptive rates, within ten years one in every four Indian children under age 18 will be in adoptive homes in the State of Minnesota; thus, 25% of all Indians within a generation would have been brought up by adoptive parents, mostly non-Indian. (At least 91% of the adoptions of Indian children in Minnesota were made by white^{non-Indian} parents).^{*9}

III. For the State of Minnesota as a whole, there are 1,369,945 non-Indian children under 18 years of age.^{*10} Of the total, 2242 non-Indians were adopted in 1971-72^{*11} by non-related petitioners, or one in every 611 children in Minnesota under 18 were adopted in 1971-72. This compares to one in every 76 Indian children under 18 ($11,542 \div 152$ ^{*12}). Thus eight times as many Indian children under 18 were adopted in Minnesota in 1971-72 as non-Indian children, or, stated another way, 800% more Indian children were adopted in 1971-72 than non-Indian children, by population.

FACT: One in every 76 Indian children in Minnesota was adopted in 1971-1972, compared to one in 611 non-Indian children. Indian children are adopted today in Minnesota at a rate eight times the norm for non-Indian children.

IV. Of the 152 Indian children adopted by non-related petitioners in 1971-72, an estimated 127 were under one year old.^{*13} Using the same procedure (80% of all non-related adopted children are under one year of age at the time of adoption^{*14}), 1794 non-Indians under one year of age were adopted in 1971-72. There were approximately 65,796 non-Indians under one year of age in Minnesota in 1971-72, using ~~estimated~~ 1970 census figures.^{*15} Thus, while one of every 4.4 under one-year-old Indian children under one year old were adopted in 1971-72,^{*16} one of every 36.7 non-Indian children under one year old were adopted in 1971-72. Thus the rate of Indian adoptions under one year old, an ever-increasing rate, is 8.3 times the rate for non-Indians.

FACT: Indian infants -- under one year olds -- are adopted today at a rate 8.3 times (830%) greater than the rate for non-Indians in the State of Minnesota.

V. An average of 1817 non-Indian children per year under 18 have been adopted by non-relatives in Minnesota over the past 18 years.*17 This means that, given an average age at adoption of 34 months,*18 adoptions last an average of 17.66 years. Thus, 17.66×1817 or 32,088 non-Indian children under 18 are in adoptive homes in Minnesota. There are 1,369,945 non-Indians under 18 in Minnesota.*19 Thus, one out of every 42.6 non-Indian children under 18 in Minnesota is in an adoptive home. This compares to one out of every 8 Indian children.*20 Therefore, Indian children ~~are in~~ adoptive homes at a rate more than five times that for non-Indian children in Minnesota.

FACT: Indian children are in adoptive homes at a rate more than five times that for non-Indian children.

VA. Since at current rates,*21 one in every four Indian children will be in adoptive homes within ten years, the comparative rate difference between Indian children and non-Indian children, if present trends continue, will be greater than 1,000% within ten years.

VI. There were a minimum of 262 Indian children in foster care in 1971-72 in the State of Minnesota.*22 This represents one out of every 48 Indian children.*23

FACT: A minimum of 262 Indian children under 21 are in foster care in Minnesota, or one out of every 48 Indian children.

VIA. Whereas, 7,288 non-Indian children under 21 were in foster care in 1971-72*24 of a total under 21, non-Indian population in Minnesota of 1,566,815.*25 Thus, one of every 215 non-Indian children were in foster care in Minnesota as compared to one in every 48 Indian children; or, the rate for Indian children placed in foster homes is 4-5 times the rate for non-Indians, or 450% greater.

FACT: Indian children are placed in foster homes 4-5 times as often as non-Indian children in Minnesota.

VII. An average of 259 Indian children are in foster care in Minnesota in any five year.*26

VIII. Given the 1971-72 figure of 262 children under 21 in foster care, it can be estimated that approximately 241 are under 18.*27 Further, given 1413 Indian children under 18 in adoptive care,*28 and 241 under 18 in foster care in 1971-72, a total of 1654 Indian children under the age of 18 were either in foster or adoptive homes in 1971-72. This represents one out of every seven Indian children in the State of Minnesota.

FACT: One out of every seven Indian children in Minnesota is in either a foster home or an adoptive home.

IX. Whereas, there are 7,288 non-Indian children in foster care in Minnesota under 21, an estimated 6,682 are under 18.*29 Additionally, 32,088 non-Indian children are estimated to be in adoptive homes.*30 Thus, 38,770 non-Indian children under 18 are either in a foster home or an adoptive home, or approximately one in every 35.5 non-Indian children under 18.*31 Thus, Indian children are out of their natural homes, in foster or adoptive care at a rate more than 5 times that for non-Indian children.

FACT: Proportionally, five times as many Indian children as non-Indian children are in foster homes or adoptive homes.

FOOTNOTES:

1. Minnesota Department of Public Welfare, Annual Report, Adoptions, 1971-72, P. 14.
2. Ibid., P. 14.
3. Adoptions in 1971, U.S. Dept. of HEW, SRS, Program Statistics & Data System, National Center for Social Studies, P.3.
4. 1970 Census of Population, American Indians, Bureau of the Census, P.8.
5. Op.Cit. Minn. DPW - Adopt. - P.14.
6. Op.Cit. Census American Indian, P.8.
7. Op.Cit. Adoptions in 1971, HEW, p.3.
8. Op.Cit. Minn.DPW, Adopt. - P. 14.
9. Ibid., P. 17.
10. 1970 Census of Population, Age and Race of Population of the United States, by States: 1970; U.S. Dept. of Commerce, March,
11. Op.Cit. Minn. Dept. PW - Annual Report, Adoptions, 1971-72, P.22.
12. 152 American Indians under 18 were adopted by non-related petitioners in 1971-72; Op. Cit. Minn. DPW, Annual Report, Adopt. 1971-72, P.22.
13. See P.3, this report.
14. Op.Cit. U.S., Dept. HEW, SRS, Prog. State., P.3.
15. Op.Cit. 1970 Census of Pop., Age, Race Pop., U.S. Dept. of Commerce, P. 1-302 and Op.Cit. Census of Population, American Indian, Bureau of Census, P.8.
16. See P. 3, this Report.
17. Op.Cit. Minn. DPW, Annual Rep. - Adopt. - 1971-72, P. 14.
Also: Averaging 79% non-related adoptions of non-Indians of total non-Indian adoptions: 79% of 2300 (average total non-Indian adoptions over 18 years).
18. Op.Cit., Adoptions in 1971, U.S. Dept HEW, SRS, Prog. Stat., P.3.
19. Op.Cit., Census of Pop., Age/Race Pop., U.S. Dept. of Commerce, P. 1-302. (1,381,487) less Indian under 18 population (11,542 - from U.S. Census of pop., American Indians, Bureau of the Census, P.9) = 1,369,945.
20. See P. 1, This Report.

FOOTNOTES: (Continued)

21. See P.2, this Report.
22. Minn. Annual Report for Indian Foster Care Contract (Year ending June 30, 1972, P.5 hereafter referred to as Minn. Foster Care, 1972. Also: This figure as opposed to adoptions includes 18-20 year olds.
23. Op. Cit., 1970 Census of Pop., American Indian Bureau of the Census, Pp.8-9.
24. Dept. HEW Publication No. (SRS) 73-03258, "Children Served by Public Welfare Agencies and Voluntary Child Welfare and Institutions, March, 1971, U.S. Dept. of HEW, Table 8. Hereafter: DHEN Public. Less 262 American Indians in foster care = 7288.
25. Op.Cit. 1970 Census of Pop. Age-Race, U.S. Dept. of Commerce, P.1-302. and Op.Cit. Census of Pop., American Indian, Bureau of Census, P.8.

As follows: Under 18 Minneapolis Pop. 1,381,487
Estimated Pop. 18,19 & 20-yr olds. 198,000
1,579,487
Less Indian Pop. under 21 12,672
1,566,815 = 7,288
26. Op.Cit., Minn. Foster Care, 1972, P. 4, "Case Openings and Case Closings, 1962-1972."
27. An average of 12 children/age group are in foster care ($259 \div 21$), but far fewer are between the ages of 18-20 proportionally than in other age groups. I have estimated 7 per year or 21 total for 18-20 age group.
28. See P. 1, this report.
29. Using same procedure as in Sec.VIII, this report, see footnote #27.
30. See P.5, Sec.V, this report.
31. $1,369,945 \div 38,770$, or total under 18 non-Indian pop. divided by non-Indian adoptive children and foster care children.

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ARIZONA

Basic Facts

1. There are 701,098 under-21-year-olds in the State of Arizona.¹
2. There are 54,709 under-21-year-old American Indians in the State of Arizona.²
3. There are 646,389 non-Indians under 21 in the State of Arizona.

I. Adoption. In the State of Arizona, according to the Arizona Department of Economic Security, there is an average of 48 public agency adoptions per year of American Indian children.⁴ Using federal age-at-adoption figures,⁵ 69 per cent (or 33) of these are under one year of age when placed. Another 11 per cent are one or two years old; an additional 9 per cent are three, four, or five years of age; and 11 per cent are over the age of five. Using the formula then that 33 Indian children per year are placed in adoption for at least 17 years and an additional 15 Indian children are placed in adoption for a minimal average of 14 years, there are 771 Indian under-21-year-olds in adoption in Arizona. This represents one out of every 71 Indian children in the State.

Using the same formula for non-Indians (there is an average public agency placement of non-Indians in adoptive homes in Arizona⁶ of 446 per year as of 1971). There are 7,168 non-Indians in adoptive homes at any one time, or one out of every 90 non-Indian children.

Fact: There are therefore by porportion,
1.3 times as many Indian children
in adoptive homes as non-Indians.

II. Foster Care. According to statistics from the Bureau of Indian Affairs,⁷ there were 522 Indian children in foster homes in 1972. This represents one in every 105 Indian children in the State. By comparison, there were 2,328 non-Indian children in foster homes in 1972,⁸ representing one out of every 278 non-Indian children in the State.

Fact: By rate therefore Indian children
are placed in foster homes 2.6 times
more often than non-Indians in Arizona.

III. Adoptive Care, Foster Care, and Boarding School Attendance.

In the above figures it will be noted that the State of Arizona shows an unusually low number of Indian adoptions and foster home placements by comparison to other states with substantitive Indian population. The reason for this is clear: the large number of Indian children attending boarding schools full time. In Arizona alone 12,342⁹ Indian children attend boarding schools, or one out of every 4.4 Indian children under 21 years old in the State. Therefore, a more proper way of computing the number of Indian children who do not live in their natural homes in the State of Arizona, is to include the boarding school figures.

When this is done, it can be seen that the combined total of Indian children in foster homes, adoptive homes and boarding schools is a minimum of 13,635,¹⁰ representing more than one out of every four Indian children in the State.

Since no non-Indians are forced to go to federal boarding schools, the non-Indian figure of 9,496¹¹ non-Indian children in adoptive homes and foster homes remains the same, thus representing one out of every 268 non-Indians.

Fact: In other words, Indian children are out of their homes and in foster homes, adoptive homes, or boarding schools at a rate more than 17 times greater than that for non-Indians in the State of Arizona

Statistics:

Number of Indian children adopted in Washington State in 1972
 48 went through adoption process
 33 went to non-Indian parents
 15 went to Indian homes

Total number of Indian children in foster homes in Washington State is 684

Total number of licensed Indian foster homes in Washington State is 99

Number of Indian children there are on juvenile parole is 67

Number of Indian children in institutional care is 48 (boy's ranches, group homes, etc.)

Number of Indian children in juvenile rehabilitation institutions (sent through court) is about 35

Statement:

Recent review of Indian foster children served by the Department of Social and Health Services in Washington State indicates:

1. Almost no prevention services are being delivered to the Indian families.
2. State caseworkers have difficulty in relating to Indian family service and child protection service for their Indian clients.
3. When an Indian child is in foster care the communication and relationships are a mess.

In order for things to work out, the following people and/or groups have to communicate: caseworker, foster parents, Indian child, the child's family, Tribe or Tribal community, and the BIA.

4. The review indicates that these children are almost always uprooted from their culture, relatives, and Tribal community.

5. The general inexperience and insensitive attitude and poor training of many caseworkers adds to the problem.

6. There are no Indian group homes in the State and there is a tremendous need for Indian foster homes and receiving homes.

7. Many Indian children who are eligible to be enrolled but are in foster homes and adoptive homes do not become enrolled.

8. There is a tremendous communication and service problem between the county juvenile courts and Indian Tribes and people in the area of foster care and adoption.

The Department of Social and Health Services Indian Desk said, "We recommend that jurisdiction over juvenile matters be turned back to those Tribes who want to handle it themselves on the basis of the material gathered in this review and other material we have in our records."

Mel Conard

Senator BARTLETT. Gov. Robert E. Lewis, we're very happy to have you. We still have quite a few witnesses, so if you could highlight, it all will be printed in the record and you can highlight it.

STATEMENT OF GOV. ROBERT E. LEWIS, PRESIDENT OF THE NATIONAL TRIBAL CHAIRMAN'S ASSOCIATION, ZUNI, N. MEX.

Governor LEWIS. I would like to read from my statement. It's not too long.

Senator BARTLETT. That would be fine.

Governor LEWIS. My name is Robert Lewis. I am governor of the Pueblo, Zuni, N. Mex., and president of the National Tribal Chairmen's Association. I appreciate this opportunity to testify relative to the needs of Indian children and their families.

There is a growing concern and anguish in Indian country over the increasing numbers of Indian children being removed from their natural homes. Removal of the children by BIA social workers and county welfare workers is regarded as the most frequently related to problems generated by abuse of alcohol, which is prevalent in Indian country.

Poor living conditions, unemployment on reservations, and other factors create a breakdown of the concept of the extended family. No longer is there a willing grandmother, aunt, or sister who will assume child care for a relative. Often a sick or distraught Indian mother seeks to place her children off the reservation in a non-Indian home because of alienation with her own relatives.

Foster home care, as it is known by the non-Indian culture, is a new way of life for Indian people. To apply for a license, to meet standards set by a State welfare association, and to receive pay for caring for a child are ideas difficult to introduce to traditional Indian people. Non-Indian social workers not accustomed to the lifestyle of an Indian family and the different cultural mores are often unwilling to place Indian children in Indian homes. A State may refuse to license foster homes on reservations because of jurisdictional conflicts. There have been cases of differential payment to foster parents on Indian reservations and foster parents off reservations. Social workers sometimes do not inform relatives they are eligible for payment if children are placed with them.

Placing a child off reservation poses other problems such as eligibilities for health and educational services. The Indian parent must face a county welfare system to get this child back.

Before discussing the cultural impact on Indian children placed in off-reservation homes, I want to emphasize the tremendous psychological impact on the Indian parent who are in effect told they are "bad parents." The loss they suffer when their children are removed has impact on them the rest of their lives.

Children who are removed from their parents—in some reservations, over 23 percent of the children are off reservation in foster homes—suffer severe psychological damage for the rest of their lives. An IHS consulting psychiatrist describes this as "lack of parenting" and the results of this loss leaves an adult with a sense of incompleteness. There is some indication that this loss leads to alcoholism and other psychological damage.

Children who must adjust to a new way of life away from their own cultural group often must overcome a language barrier, adjust to a new religion, learn new foods, and are often faced with overt and covert racism. Some families, hopefully rare, assume care for Indian children for reasons of religious zeal, or even more appalling, to show off their liberal ways. This is called "rent an Indian program" by an Indian professional who is aware of such liberal practices.

The continued removal of children from the reservation contributes to destruction of the family. A woman BIA superintendent said recently, in a speech, that destruction of the Indian family was one of the most serious problems on the reservation today. Lack of resource and capability at the reservation level will continue to facilitate child removal. Emphasis on placement in off-reservation homes will cause the Indian family to view itself as incapable, remove its sense of responsibility and unity, and contribute to continued destruction of the Indian way of life.

There is a significant number of Indian children who have special needs, who are placed by the BIA for care outside their own homes in foster family homes, boarding schools, and other child care facilities. In order to give assistance to the growth and development of the whole child, the North American Indian Women's Association, NAIWA, undertook the development of a prototype program for Indian children with special needs, as these needs have never been documented.

I recommend for your review the final report of the NAIWA relative to this important subject, which was recently published. The report is entitled "North American Indian Women's Association—Prototype Program for a National Action for Special Needs of Indian Children Program." This report is 100 pages in length, and I will not attempt to summarize it in its entirety here. However, I would like to highlight a few of the recommendations therein because I feel they are pertinent to your inquiry. Please note these are only a few of the final recommendations made by NAIWA. There are many more, all worthy of your attention.

In the area of foster child care for Indian children, NAIWA recommends:

1. When at all possible, Indian children should be placed with Indian foster parents.
2. In licensing Indian foster parents, the primary consideration should be love and understanding, not the physical standards of the house. The house should meet community standards and have space to shelter the child.
3. There should be an active effort to recruit Indian foster parents.
4. The possibility of subsidized adoption should be considered by those dealing with Indian children.

Also, in the area of program improvements desired for Indian students who have special needs and who attend boarding school or dormitories:

- (a) Have funds commensurate with each program in order to meet the needs of the school.
- (b) Have cottage type living or small group living in dormitories to lower ratio.
- (c) Have parental, community, and tribal involvement and support.

(d) Have remedial programs in all boarding schools in the following order of need: Math, science, reading, language arts, English, and social studies.

(e) Have programs to stimulate a code of life that will aid the Indian student to function effectively in present day society, including strong leadership training together with emphasis on cultural awareness.

(f) Have flexibility in selecting training and putting staff together to accomplish goals by defining and assessing needs of the students and developing program and service to meet the needs on the part of all staff.

5. In the area of children who have special needs and are generally cared for in specialized institutions:

(a) In order to alleviate the environment deprivation of the boarding school child, the home living staff should be increased.

(b) The possibility of placing the exceptional students in boarding schools in urban areas should be considered.

(c) Group homes should be established on reservations to serve the teenager.

(d) Specialized boarding schools should be established in each area to serve the child who must attend boarding school because of social problems. Such a school would have a small teacher-student ratio and a small number of children in each home living unit. It would provide psychological counseling and psychiatric consultation. It would be geared toward preparing the child to reenter his boarding school or return to his home environment.

Gentlemen, as indicated, this report contains many more extremely relevant recommendations concerning the needs of Indian children and their families. Whether or not you concur with these recommendations, is, of course, entirely up to you. However, I wish to point out that this study and its conclusions represent the combined efforts of a group of Indian women very much concerned for their children. It is their way of conveying their concern to individuals and groups such as you, and I hope you, in turn, will be responsive to this concern.

Now, I would like to present to the chairman the first copy of the report that was set up by this Indian Women's Association. They are in print and will be delivered; I feel that this first copy should go to the chairman.

Senator BARTLETT. Governor Lewis, thank you very much.

We will accept this on behalf of the chairman. I know he will be very appreciative of it.

I know that Mrs. Cox played a very big role in this report, in its preparation, and received an award the other day. My wife had the pleasure of being there to celebrate with her.

I appreciate your outline as to the various suggested areas that are in the report.

Has the tribal organization been studying this area, and if so, what areas of concentration or what areas of concern have been discussed, and are there efforts underway to have an overall effort by all the tribes in being aware of the problem of taking action to reduce the number of young people who are placed in foster homes, to increase the number of Indian families available for foster parents and so on?

Governor LEWIS. Senator Bartlett, I feel that this inquiry regarding child welfare has been brought to the attention of your committee