

also served on the boards of CALM and is a founding trustee of United Against Crime. He has also co-chaired the site committee for the City's new police headquarters.

Because James and Susan Petrovich truly appreciate how wonderful it is to live in Santa Barbara, they have adapted a unique philosophy about the community, and strive to give back to the community the same amount of joy and success the community has given to them. It is obvious that the Petrovichs have more than adequately given their share back to this community, and have aptly contributed in making Santa Barbara a truly special place to live. I hope all of my colleagues will join me in acknowledging the Petrovichs on their honorable contributions to the Santa Barbara Community.

IN RECOGNITION OF COLONEL  
KENNETH S. KASPRISIN

**HON. EARL POMEROY**

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 25, 2001*

Mr. POMEROY. Mr. Speaker, I rise today to recognize Colonel Kenneth S. Kasprisin. Three years ago, Ken assumed the position of Commander with the St. Paul District of the Corps of Engineers. During that time, I have come to know Ken not only as a fine, trusted public servant, but also as an extraordinary friend.

Throughout his time with the Corps, Ken has set the highest standards for himself and the people with the St. Paul District. Ken's drive and determination in working to make the Corps and the St. Paul District truly responsive to the needs of the people has resulted in service that is unmatched and pales in comparison to other districts within the Corps of Engineers. He is a man of great integrity, with a deep commitment to the issues he works on. I have been impressed both by his sincerity and his ability to look beyond the box to understand and advocate for proposals that are in the best interests of communities throughout the district. As Ken departs from his service with the Corps, he leaves behind a remarkable record of accomplishments that is matched by the dedication with which he has served.

No matter what challenge is posed, Ken is able to tackle it head on and is always able to meet or exceed it. Ken's keen ability to sift through complex issues has been well recognized by those within the Corps of Engineers and by Members of Congress. His work ethic has been nothing but top-notch as he has fought for improvements within the district. In particular, Ken has been diligent in his efforts to bring much needed relief to the folks in the Devils Lake Basin who have been plagued by years of flooding. He has fought hand and hand with the North Dakota congressional delegation as we have worked to implement workable solutions to this crisis.

Earlier this year, as communities in North Dakota and Minnesota battled the rising water of the Red River, Ken led efforts coordinating the emergency response to ensure residents and businesses received the vital protection they needed. But his commitment does not end there. Ken has worked with many communities throughout my state of North Dakota in

developing long-term flood protection and solutions. Cities from Wahpeton to Grand Forks to my hometown of Valley City, will have the flood protection so desperately needed thanks to the leadership and dedication of Ken Kasprisin. There is no doubt that the Corps and North Dakota has been well-served under his leadership.

While Ken will be leaving the Corps of Engineers and the U.S. Army after a distinguished career of 26 years, we are very fortunate that he will continue in public service with the Federal Emergency Management Agency (FEMA). FEMA Director Joe Allbaugh could not have made a better choice! As he takes the reigns as regional director for Region X at FEMA, Ken will continue to serve as an effective public servant. I have no doubt that Ken will be a true asset to the agency and to the many people who are impacted by natural disasters each year. I wish him all the best in his new position.

INDIAN CHILD WELFARE ACT  
AMENDMENTS OF 2001

**HON. DON YOUNG**

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, July 25, 2001*

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to introduce legislation with my colleagues, Congressman J.D. HAYWORTH of Arizona, Congressman DAVE CAMP of Michigan and Congressman CHRIS CANNON of Utah to amend the Indian Child Welfare Act (ICWA). This legislation has been drafted with the input of the Association on American Indian Affairs, Tanana Chiefs Conference, National Indian Child Welfare Association, National Congress of American Indians, tribal attorneys and the American Academy of Adoption Attorneys. It has always been my intent to have all affected parties participate in the legislative process in the drafting of ICWA amendments.

In 2001, we still have American Indian and Alaska Native children being adopted out of families, tribal communities and states. We continue to have this problem in Alaska and I have been asked to introduce ICWA amendments to further clarify ICWA.

Specifically, the bill details jurisdiction of child custody and child adoption proceedings that involve an Indian child.

The bill has a couple of specific provisions which outline jurisdiction in Alaska since Alaska is not a reservation state (outside of Metlakatla). The bill states that an Indian tribe in Alaska shall have concurrent jurisdiction with the State of Alaska over voluntary and involuntary child custody proceedings involving an Indian child who resides or is domiciled in Alaska. Additionally, a person seeking to adopt an Indian child in the State of Alaska, may file an adoption petition at any time in the tribal court of the Indian child's tribe. If the tribal court agrees to assume the jurisdiction over the proceeding, that tribal court has exclusive jurisdiction and no adoptive placement or proceeding can continue in the state court.

The bill makes conforming technical amendments conditioning an Indian tribe's existing right of intervention.

It clarifies that State and tribal courts are required to accord full faith and credit to tribal court judgments affecting the custody of an In-

dian child in ICWA child custody proceedings, and in any other proceedings involving the determination of an Indian child's custody, including divorce proceedings.

It clarifies that ICWA applies to voluntary consents to termination of parental rights and voluntary consents to adoptive, preadoptive and foster care placements.

It clarifies and adds exacting details on setting limits on when an Indian birth parent may withdraw his or her consent to an adoption.

It clarifies that tribe's are to receive notice of voluntary adoptive placements of Indian children and details the content of notice when an Indian child is placed for an adoption.

It clarifies in detail the intervention by an Indian tribe and sets specific time frames for intervention by a tribe in the voluntary foster care placement proceeding and voluntary adoptive proceeding. It also requires tribes to show why it considers a child to be covered by the ICWA.

It provides for a detailed notice to parents when a child is placed for adoption.

It provides detailed requirements for resumption of jurisdiction over child custody proceedings.

It imposes criminal sanctions on any individual, group or association who knowingly conceals whether a child is an Indian child or whether a parent is an Indian.

Finally, the bill provides further clarification of the definition of "Indian child" and "Indian child's tribe" as applied in child custody proceedings.

I think it is appropriate that Congress further clarifies the ICWA to ensure that American Indian and Alaska Native children are not snatched from their families or tribal communities without cause. In a recent July 1, 2001 article in the San Antonio Express News, the story stated that "This year, the head of the Child Welfare League of America offered American Indians something they have longed to hear for more than three decades: an apology for taking American Indian children." (San Antonio Express News, Sunday, July 1, 2001 Article "Torn from their roots; The unfortunate legacy of the Indian Adoption Project is that it has separated many Native Americans from their culture").

"It was genuinely believed that Indian children were better off in white homes," said Terry Cross, Executive Director of the National Indian Child Welfare Association. (San Antonio Express News, Sunday, July 1, 2001 Article).

That changed in 1978 when Congress passed the Indian Child Welfare Act. "Even now, Cross cites problems. Sometimes social workers are not properly trained to identify children as Indian. Or agencies fail to notify tribes of adoptions". (San Antonio Express News, Sunday, July 1, 2001 Article).

I believe that these FY 2001 ICWA amendments to be acceptable legislation which will protect the interests of prospective adoptive parents, Native extended families, and most importantly, American Indian and Alaska Native children.

The Committee on Resources will seek additional input from the Department of Justice, the Department of the Interior and the Department of Health and Human Services. I am hopeful that these agencies will again embrace this legislation so that we can affirm this country's commitment to protect Native American families and promote the best interest of Native children.