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**Statement of Sharnell Seaboy regarding HB 1536**  
**Field Organizer at North Dakota Native Vote**  
**March 22, 2023**  
**Senate Human Services Committee**

Chairwoman Lee and members of the Senate Human Services Committee, my name is Sharnell Seaboy. I am an enrolled citizen of the Mni Wakan Oyate (Spirit Lake Nation) and I am a Field Organizer at North Dakota Native Vote. I am here to support House bill 1536 on behalf of North Dakota Native Vote. North Dakota Native Vote is a non-partisan grassroots organization. Our mission is to create and affect policy to promote equitable representation for the Native people of North Dakota. This includes working to promote the safety, success, and well being of our relatives.

This past fall, I experienced the benefit of how ICWA works for families like mine. I received a call from a social worker regarding a newborn baby relative of mine. Baby is a boy and he was abandoned at the hospital. Because of ICWA requirements, I felt the agency took the time and effort to locate his family and relatives, and because of that, I am currently going through the process to adopt him. Thankfully, social services followed ICWA requirements and started contacting family members, I was the last relative contacted. I am considered a distant relative, a fourth cousin. In the Native way, he is now my son. He became my son the day I agreed to take care of him. Baby is growing up surrounded by his Tiwahe (family). He has great grandparents, grandparents, aunts, uncles, lots of cousins, and some biological siblings involved in his life now. Most importantly, he is loved and connected to his culture and spirituality.

The Indian Child Welfare Act (ICWA) is a federal law passed in 1978 which establishes basic requirements to protect Native American children from continued forced removal from their families, tribes, and tribal culture. It is currently being reviewed by the Supreme Court via *Brackeen v. Haaland*.

If the Supreme Court overturns the Indian Child Welfare Act, it would have devastating consequences for Native children, families and tribes. Without ICWA's protections, Native children could be forcibly removed from their families and culture while simultaneously depriving tribes of their greatest asset, our future generations.

House bill 1536 will protect Native children by upholding family integrity and stability within the child's community. Its protections consider the immediate needs of Indian children and recognize that growing up connected to family and tribal culture is in a child's long-term best interest.

It is especially important in North Dakota to understand ICWA requirements and to understand that continuing ICWA requirements is essential for the welfare of Native children in North Dakota. A report by North Dakota Kids Count shows that in North Dakota, Native children are placed in foster care at a five times higher rate than in the general population. In 2021, Native children made up 9% of the overall population, but 44% of all the children in foster care.<sup>1</sup> We must make sure Native children have the opportunity to grow up in their own communities.

Placing the child with family members promotes a sense of community and identity for children who otherwise might feel lost in the system. The state system is often overburdened by the sheer number of cases that go through it each month, therefore, working with Tribal agencies under ICWA requirements will ensure that Native children will not suffer unnecessary trauma by removal from their families.

North Dakota Native Vote recommends the committee give a do pass on House Bill 1536. Thank you for your time, I stand for questions.

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<sup>1</sup> <https://ndkidscount.org/policy-basics-indian-child-welfare-act-icwa>