

**Testimony of Harmony Bercier  
In Support of House Bill 1564  
January 26, 2025**

Chair Ruby, Vice Chair Frelich, and Distinguished Members of the House Human Services Committee,

Thank you for the opportunity to testify in support of House Bill 1564. My name is Harmony Bercier, and I am an enrolled member of the Turtle Mountain Band of Chippewa. I serve as the Grant Manager for the North Dakota ICWA Family Preservation (Best Practices) Partnership at the University of North Dakota. I am writing today to strongly support this important bill, which clarifies and strengthens protections for Native American children and families in North Dakota.

The proposed revisions in HB 1564 address critical areas that will enhance the practical application of the Indian Child Welfare Act (ICWA). One of the most significant clarifications ensures that active efforts are made immediately following an emergency removal, establishing a clear framework for securing early tribal involvement, preferred placements, and promoting best practices. Strengthening the early response in this way has been shown to lead to improved outcomes for children and families.

Additionally, HB 1564 permits affidavit testimony when a party cannot be reached for consent. This provision removes barriers that contribute to unnecessary delays, providing courts with a practical and effective solution. By aligning the language with existing child welfare statutes, the bill reinforces consistency and ensures that best practices are adhered to.

Equally important, HB 1564 addresses certain drafting errors in the original law, ensuring that its application remains accurate and effective. These updates not only clarify the intent of the law but also highlight North Dakota's continued leadership in upholding the rights of Native children and families. Our state is regarded as a leader in providing services to Native families and ensuring that ICWA's principles are implemented with fidelity. These revisions further reinforce that commitment and ensure that North Dakota remains at the forefront of this critical work.

I respectfully urge the committee to support the advancement of HB 1564, with the recognition that additional refinements may be necessary to further clarify and strengthen its implementation.

Thank you for your time and consideration. I welcome the opportunity to answer any questions you may have.

Respectfully,  
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