



# North Dakota House of Representatives

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## Representative Jayme Davis

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## COMMITTEES:

Human Services  
Political Subdivisions

March 12, 2025

Good Morning Chair Lee and Vice Chair Weston and Members of the Human Services Committee, for the record I am Jayme Davis, Representative from District 9. I am also a proud member of the Turtle Mountain Band of Chippewa Indians and Descendent of the Standing Rock Nation.

Thank you for the opportunity to present House Bill 1564. This bill represents a critical step toward strengthening the welfare and protection of Indian children in North Dakota while respecting the unique cultural and social fabric of our communities. Many people worked diligently on the language of this bill and as its carrier, I respectfully request a favorable vote.

House Bill 1564 seeks to amend and reenact specific sections of the North Dakota Century Code to align with the principles of the Indian Child Welfare Act (ICWA). It introduces clarifications and procedural updates designed to ensure that the best interests of Indian children are served while honoring tribal sovereignty and cultural preservation. Let me highlight the key amendments and their significance.

The bill refines the definition of "active efforts" to require affirmative, tailored actions by agencies to prevent the breakup of Indian families. This ensures comprehensive, timely, and culturally appropriate support for parents and custodians, from accessing services to reuniting families. This amendment emphasizes collaboration with tribal entities and extended family members to respect traditional tribal values.

We have revised the jurisdictional framework to affirm tribal authority over child custody proceedings involving tribal children, except where specific legal exceptions apply. These updates are vital for ensuring that Indian children are placed in homes that uphold their cultural heritage and identity.

This bill also strengthens the notification process to ensure parents, custodians, and tribes are timely and adequately informed of proceedings affecting their children. Clear timelines and mechanisms are introduced to promote fairness and preparation in these critical matters.

The amendments solidify placement preferences for Indian children, prioritizing extended family and tribal members, and emphasizing cultural connection. Importantly, the bill limits the grounds for departing from these preferences, ensuring decisions are not influenced by socioeconomic status or convenience but by the child's best interests and tribal standards.

Lastly, the bill requires that records of Indian child adoptive placements be shared with the Bureau of Indian Affairs to preserve tribal affiliations and membership eligibility. This provision ensures the continuity of a child's cultural and legal identity, even in cases of adoption.

The protections outlined in House Bill 1564 safeguard the rights and identities of Indian children and promote the integrity of tribal communities.

The experts in the field that will follow my introduction do have a additional amendments that I fully support. These experts are the authors of the original North Dakota ICWA and continue to work to work to strengthen its foundation for protecting some of our most vulnerable children.

Chair Lee and members of the committee, I respectfully ask for your support in voting favorably for this bill. By doing so, you affirm your commitment to justice and the enduring rights of North Dakota's tribal nations.

Miigwech, Thank you, and I'm happy to answer any questions you may have.