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Proposed regulations to implement the provisions of the Indian Child Welfare Act of 1978 (P.L. 95-608) were published in the Federal Register April 23, Interior Deputy Assistant Secretary for Indian Affairs Rick Lavis said today.

Lavis also said that proposed regulations establishing procedures for Tribal Reassumption of jurisdiction over child custody proceedings and a statement of recommended guidelines for use by state courts in Indian child custody cases were published in the same Federal Register issue.

The Act deals with a deeply felt concern of the Indian community -- the proper care of Indian children needing adoptive or foster home care. Its main objective is to restrict the placement of Indian children by non-Indian social agencies in non-Indian homes and environments.

The Act makes clear that tribal courts have jurisdiction for children living on reservations. For those not living on reservations, it provides for the transfer of jurisdiction from state courts to tribal courts, under certain conditions and upon request of the child's parent, custodian or tribe.

The recommended guidelines for state courts are not mandatory. They were prepared by the Department of the Interior in response to the request of judges who asked for the Department's views on how they might best implement the Act.

Comments on the proposed regulations must be received by May 23.

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