



Please see below a joint statement from:

- *Principal Chief Bill John Baker, Cherokee Nation*
- *Chairman Robert Martin, Morongo Band of Mission Indians*
- *Chairman Tehassi Hill, Oneida Nation*
- *President Fawn Sharp, Quinault Indian Nation*

Tribal Statement Responding to Briefs Filed in Fifth Circuit Court of Appeals Opposing the Indian Child Welfare Act

(February 6, 2019) – We are dismayed that opponents of the Indian Child Welfare Act (ICWA) and tribal sovereignty continued to perpetuate damaging falsehoods in briefs filed this week with the U.S. Court of Appeals for the Fifth Circuit regarding tribal citizenship and the care that Native children receive under the ICWA’s landmark protections.

Passed more than 40 years ago by Congress, ICWA was designed to reverse decades of cultural insensitivity and political bias that had resulted in up to a third of all Indian children being forcibly removed from their families, their tribes and their cultural heritage.

ICWA ensures the best interests and wellbeing of Native American children are protected. ICWA preserves the stability and cohesion of Tribal families, Tribal communities and Tribal cultures. As federally-recognized sovereign nations, we have the duty, the responsibility, and the wisdom to protect our children.

The flawed arguments by the plaintiffs and their allies have been rejected time and again by state and federal courts over the past 40 years. ICWA is not based on race but the political relationships of individual Native Americans with federally-recognized tribes. The district court’s flawed decision potentially upsets a foundational precept of federal Indian law—that the relationship between tribes and tribal citizens is a political one.

Most importantly, opponents disregard decades of evidence and case law that show ICWA’s provisions are demonstrably in the best interests of the child. Accepted best practices among child welfare experts – including those in Texas – call for keeping a child with his or her family or relatives whenever possible. ICWA does just that. That is why ICWA is regarded as **the gold standard** for child welfare and is so strongly supported by preeminent organizations such as the National CASA Association, the National Association of Social Workers, Casey Family Programs and the Annie E. Casey Foundation.

We stand with the bipartisan coalition of federal lawmakers, attorneys general from 21 states, and 30 child welfare organizations who have joined 325 Tribal governments and 57 Tribal organizations in filing numerous amicus briefs urging the Fifth Circuit to overturn the district court's disastrous ruling

We remain committed to protecting the Constitutionality of ICWA for Native children, families, and Tribes. We firmly believe that our rights, and our children's rights, will be affirmed and reinforced.

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