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## **U.S. and Tribes Stand Together to Protect Native Children and Uphold the Indian Child Welfare Act**

(NEW ORLEANS, March 13, 2019)—The Fifth Circuit Court of Appeals heard arguments today in *Brackeen v. Bernhardt*, in which the United States and tribal nations stand together in defense of the Indian Child Welfare Act (ICWA) and the American Indian and Alaska Native children that it serves. A nationwide coalition of 325 tribal nations, 57 Native organizations, 21 states, 31 child welfare organizations, 7 members of Congress, and dozens of scholars of federal Indian law and constitutional law also stood with the parties in court during their amicus briefs supporting Native children and families through the Indian Child Welfare Act.

“ICWA is vital to the well-being of Native children and the stability and integrity of Native families today. We can’t afford to go back to the days when massive numbers of Native children were forcibly removed from their loved ones and were often separated from their families with little hope of ever seeing them again. It’s not an option,” said the Protect ICWA Campaign.

The National Indian Child Welfare Association, the National Congress of American Indians, the Association on American Indian Affairs, and the Native American Rights Fund urge the ruling of the district court to be reversed.

A decision by the Fifth Circuit Court of Appeals is expected within a few months after the oral argument.

### **More about the Indian Child Welfare Act:**

Congress enacted the Indian Child Welfare Act in response to alarmingly high numbers of Indian children being removed from their families and communities, many unnecessarily. Years of extensive research and testimony by Congress and others demonstrated that state courts, state agencies, and private adoption agencies often worked counter to the best interests of Indian children. In enacting ICWA, Congress created minimum federal standards for the removal of Indian children from their families, and it established procedural safeguards to ensure that state courts fully consider the best interests of Indian children when deciding Indian child custody cases.

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### **Protect ICWA Campaign**

The Protect ICWA Campaign (the Campaign) was established by four national Native organizations: the [National Indian Child Welfare Association](#), the [National Congress of American Indians](#), the [Association on American Indian Affairs](#), and the [Native American Rights Fund](#). Together, the Campaign works to serve and support Native children, youth, and families through upholding the Indian Child Welfare Act (ICWA). The Campaign works to inform policy, legal, and communications strategies with the mission to uphold and protect ICWA.