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## PRESS RELEASE

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### Native Ways Federation Stands With ICWA Decision Ruled by SCOTUS

St. Paul, Minn. (June 15, 2023) – Native Ways Federation (NWF) announces their support of the Supreme Court of the United States’ (SCOTUS) ruling, in the case of *Haaland v. Brackeen*, in favor of the Indian Child Welfare Act (ICWA) on Thursday, June 15, 2023.

The constitutionality of the ICWA was challenged by a non-Native Texas couple, Chad and Jennifer Brackeen, who wanted to adopt a Native child that was protect by ICWA. The couple argued that ICWA’s practices were racially discriminating due to the requirement that an adoptive family should at first be sought within the child’s own Native community.

Around 545 Tribal communities and organizations filed supporting briefs to SCOTUS in favor of upholding ICWA. They argued that for the purposes of this law, Native Americans should be regarded not as a racial group but as a political class with their own sovereign status.

In a seven to two vote, SCOTUS ruled that ICWA does not discriminate on the basis of race and does not impose a federal mandate on traditionally state-regulated areas of power. This ruling ensures that Native American children will continue to be protected under federal law and rejects the argument that ICWA provisions are a form of racial discrimination.

“The Indian Child Welfare Act (ICWA) is widely regarded as the gold standard of child welfare and, today, the United States Supreme Court upheld that standard,” said NWF Executive Director Carly Bad Heart Bull, JD (Flandreau Santee). “Though this decision ushers in a wave of immense satisfaction, it also reminds Native communities to be ever vigilant in our protection of the safety and well-being of our Native children and families. The importance and significance of this day will surely be felt across Indian Country for many generations.”

NWF would like to thank all of the Indigenous communities that rallied together and its founding members, especially National Indian Child Welfare Association (NICWA), the Association of American Indian Affairs, and Native American Rights Fund (NARF), for their continued support and advocacy of Native children and families.

#### About NWF:

The Native Ways Federation was founded in 2008 by a group of seven national Native-led nonprofits to activate and expand informed giving in Indian Country through donor education and advocacy. NWF strengthens the circle of giving by uniting the Native nonprofit sector, advocating for Native nonprofits, and influencing philanthropy.