



25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

MEDIA CONTACT:

nnlb.communications@gmail.com

FOR IMMEDIATE RELEASE

June 15, 2023

President Nygren and Speaker Curley praise the Supreme Court decision in the ICWA case

WINDOW ROCK — The U.S. Supreme Court has made a significant ruling in the *Brackeen v. Haaland* case, which relates to the adoption of Native American children.

The court has upheld the Indian Child Welfare Act (ICWA), a federal law that was enacted in 1978 to protect the rights of Native American children and families.

The case centered on a challenge to ICWA by a non-Native American couple who sought to adopt a Native American child. The couple argued that ICWA violated their constitutional rights by treating them differently from other prospective adoptive parents.

The Supreme Court rejected this argument and upheld ICWA. The court found that the law's provisions regarding the placement of Native American children with Native American families are constitutional and that they serve the important purpose of protecting the cultural and familial ties of Native American children.

The decision has been hailed by Navajo Nation President Buu Nygren and Native American advocates, who have long argued that ICWA is critical to preserving Native American communities and preventing the forced assimilation of Native American children. The ruling is also likely to have broader implications for the rights of Native Americans in the United States.

In a statement, President Nygren praised the Supreme Court's decision and urged continued support for the ICWA. "The Indian Child Welfare Act is a vital tool for protecting Navajo families and communities, and we are grateful that the Supreme Court has recognized its importance."

"Recently, I met a baby Navajo boy about the same age as my daughter. His smile lit up my office as I watched him play. He filled the office with the happiness children bring," said President Nygren. "The U.S. Supreme Court's decision in the *Brackeen v. Haaland* case is a victory for the Navajo baby toddler and all Indigenous children and all Indigenous Nations in the United States. Thank you to the advocates, to our Navajo Nation Department of Justice, and the U.S. Supreme Court Justices."

Speaker of the 25th Navajo Nation Council Crystalyne Curley also expressed her appreciation.

“Our prayers have been answered with today’s ICWA ruling from the Supreme Court. It’s been a long hard-fought battle on the legal end and in the hearts and minds of Indigenous children and families across the country. Our families, leaders, and advocates remained united and persevered throughout this legal challenge,” said Speaker Curley. “On behalf of the Navajo Nation Council, I thank the Supreme Court Justices who honored and respected the sovereignty of the first people of this country and ruled in support of our children.”

Longtime ICWA advocate, Council Delegate Amber Kanazbah Crotty, also expressed her appreciation for the ruling.

“The United States Supreme Court upholding the Indian child welfare act as constitutional is just one small step in the right direction to protect our Navajo children. As a nation, we must do more to prevent our children from entering the child welfare system, and we must continue to fight for their futures. A future free of violence, a future, with unlimited opportunities, and a future where our language and culture are integrated back into our lifeways,” stated Delegate Crotty.

Overall, the Supreme Court’s decision in *Brackeen v. Haaland* is a significant victory for Native American rights and the protection of Native American children and families. It reaffirms the importance of ICWA and sets an important precedent for future cases involving Native American rights.

#