



The Navajo Nation **DR. BUU NYGREN** *PRESIDENT*
Yideeskáądi Nitsáhákees **RICHELLE MONTOYA** *VICE PRESIDENT*

FOR IMMEDIATE RELEASE:

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Press Conference: Navajo Nation's Response to Supreme Court Decision in Haaland v. Brackeen

WINDOW ROCK, Ariz. – Monday, June 19, the Navajo Nation will host a press conference to discuss its reaction to the recent U.S. Supreme Court decision in Haaland v. Brackeen affirming the constitutionality of the Indian Child Welfare Act.

The Nation's panel will include Navajo Nation President Buu Nygren, Speaker of the 25th Navajo Nation Council Crystalyne Curley, Navajo Nation Attorney General Ethel Branch, and Navajo Nation Division of Social Services Executive Director Thomas Cody.

Congress passed the Indian Child Welfare Act in 1978 after many years of overreach by state child welfare services and state family courts in breaking up Native families and facilitating adoptions of Native children by non-Indians. Under ICWA, Congress mandated minimum protections of Indian children and families to maintain a child's cultural connections to their Indian family and Indigenous Nation. ICWA also created preferences if an Indian child's extended family, a family of that child's Indigenous Nation, or another Indigenous Nation, were available as a foster or adoptive home.

The Navajo Nation intervened in the case as a party to defend ICWA from attack by the Brackeen family, who adopted one Navajo child, and seeks to adopt a second Navajo child, despite the Nation's identification of Navajo families willing and able to care for the children. The Nation collaborated with other tribal nations in filing a joint brief before the Court urging it to uphold ICWA as a vital statute protecting the sovereignty and cultural integrity of Indian tribes.

In yesterday's opinion, Justice Amy Coney Barrett and six other justices agreed that Congress had the constitutional authority to pass ICWA under the Indian Commerce Clause of the U.S. Constitution. They also held ICWA does not violate the anti-commandeering doctrine arising from the Tenth Amendment of the Constitution. In doing so, the Court has honored fundamental principles of Federal Indian Law and Constitutional Law.

The press conference will take place Monday, June 19 at 10 a.m. Mountain Standard Time at the offices of Dickinson Wright, 1850 N Central Ave, Phoenix Conference Room, Concourse level, Phoenix, AZ 85004, and via Zoom.

The Navajo Nation remains committed to defending ICWA and the rights of Indian children, as well as the inherent sovereign authority of Indigenous Nations.

For more information, please contact Marquita Garnenez in the Office of the Attorney General at mgarnenez@nndoj.org or 928-871-6345.

To join by Zoom, please use the following:

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