



Contact: June M. Shorthair
Director
Communications & Public Affairs Office
Gila River Indian Community
P: 520-562-9851
C: 520-610-6218
F: 520-562-9712
June.Shorthair@gric.nsn.us

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GILA RIVER INDIAN COMMUNITY STANDS WITH FEDERAL AND TRIBAL PARTIES DEFENDING THE INDIAN CHILD WELFARE ACT IN THE FIFTH CIRCUIT BRACKEEN V. BERNHARDT CASE

(Sacaton, Arizona) Yesterday, the United States Court of Appeals for the Fifth Circuit held oral argument in *Brackeen v. Bernhardt* and the Gila River Indian Community applauds and stands with the Federal and Tribal parties in the case who are fighting to defend the Indian Child Welfare Act (ICWA). Governor Stephen Roe Lewis expressed the views of the Community stating, “There is no question that ICWA works and that it protects our sovereign governments’ ability to protect our children. Judge Priscilla Owens said it correctly—that these children are not the children of States, they are first and foremost, the children of Indian tribes, of our tribal communities. I hope that the judges on the Fifth Circuit will remember this and the purpose of ICWA, and ultimately overturn the District Court’s decision.”

ICWA is the gold standard for child welfare policy and practice. For 40 years, ICWA has successfully protected the best interests of Native American children, and is viewed by national child advocacy organizations as critical for ensuring that children and families receive the services they deserve. Native children continue to be removed from their homes by state authorities at much higher rates than non-Native children, so ICWA continues to play an important role in preventing Native children from suffering the trauma of unnecessary removal from their families.

ICWA requires agencies and courts take into account not just the immediate needs of Native children, but also their long-term needs as they grow and move into adulthood. Research shows that all children fare better when placed with family members. Keeping Native children connected to their extended families and tribal communities result in greater school success, lower alcohol and drug use, and lower rates of depression. These are the reasons why the Gila River Indian Community is proud to protect ICWA.

ICWA has a proven record of stabilizing families and providing strong foundations for children to grow into positive adults. The Community is very concerned about the ruling of the district court in the *Brackeen* case and supports the efforts of the Federal and Tribal parties to have the Fifth Circuit reverse the ruling. According to Governor Lewis, “The impact of the Fifth Circuit’s decision will be felt across Indian Country and the Community will continue to stand with the Federal and tribal parties against anti-ICWA groups’ efforts to bring this important law down and undermine tribal sovereignty and the special government-to-government relationship between Indian tribes and the United States.”



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“There is no question that ICWA works, and that it protects Tribal governments’ ability to protect our children. These children are not the children of States, they are the children of the Tribal communities and we want them to stay within and connected to our communities,” according to Governor Lewis.

A decision from the Fifth Circuit is expected later this year.

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Gila River Indian Community located on 372,000 acres in south-central Arizona and home to the indigenous O’odham (Pima) and Pee Posh (Maricopa) people. The Tribe is comprised of seven districts, the administrative offices and departments are located in Sacaton, and serve the people throughout these seven community districts. 100% of its profits from gaming and 17 other Enterprises are utilized by the community providing services and opportunities to achieve the highest quality of life.