



Please find a joint statement below:

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Stay Granted

We applaud the Fifth Circuit Court of Appeals for staying a recent ruling in Texas that struck down the Indian Child Welfare Act (ICWA). This stay decision protects children from potential abuse and forced separation from their families.

As a result, tribal families and their children in Texas and Indiana will continue to be protected from the types of abusive child welfare practices that Congress outlawed 40 years ago when it enacted ICWA.

By granting the stay, the protections provided by ICWA will remain in full force pending an appeal of the ruling handed down in October by a federal judge in the Northern District of Texas.

The Cherokee Nation, the Morongo Band of Mission Indians, the Oneida Nation and the Quinalt Indian Nation will continue to defend Native children and Native families by advocating for the constitutionality of ICWA by all available means. We strongly believe the ruling holding the Indian Child Welfare Act is unconstitutional was wrong, will ultimately be reversed on appeal, and as a result, the rights of Indian children, families and communities protected by the Indian Child Welfare Act will be affirmed and reinforced.