



OFFICE OF THE TRIBAL CHIEF PHYLISS J. ANDERSON  
101 Industrial Road • Post Office Box 6010 • Choctaw, Mississippi 39350  
Phone: (601) 656-5251 • Fax: (601) 656-7333

**Tribal Contact:**

Misty Brescia  
(601) 650-1613  
Email: [misty.dreifuss@choctaw.org](mailto:misty.dreifuss@choctaw.org)

**FOR IMMEDIATE RELEASE:**

October 16, 2018

**Tribal Chief Phyliss J. Anderson Statement on *Brackeen v. Zinke*  
Decision Ruling Indian Child Welfare Act as Unconstitutional**

CHOCTAW, Miss. – (October 16, 2018) – “On October 4, 2018, the U.S. District Court for the Northern District of Texas issued a ruling in the case of *Brackeen v. Zinke* striking down portions of the Indian Child Welfare Act (ICWA) as unconstitutional. The *Brackeen* ruling is an unprecedented decision that strikes at the heart of Tribal sovereignty and self-preservation. An appeal of the ruling may end up before the U.S. Supreme Court, and an equally negative ruling there would affect all tribes.

Our children are our Tribe’s greatest and most precious resource for the continuation of our cherished Tribal heritage, customs, and traditions. This ruling striking down ICWA has the potential to result in an interpretation of ICWA that will directly harm Indian children and families for generations to come. The ruling also ignores decades of federal law upholding ICWA in the face of constitutional challenges and is contrary to the federal trust relationship with Indian tribes and the protection of tribal sovereignty.

MBCI has always supported and defended our Tribal way of life through the rights and protections afforded Indian tribes under ICWA, even all the way to the U.S. Supreme Court in *Mississippi Band of Choctaw Indians v. Holyfield*, 490 U.S. 30 (1989). I believe it is important for our Tribe to support the tribes who joined in the *Brackeen* case and who are in federal court fighting against this court ruling. Those tribes will undoubtedly appeal this case, and I have instructed our Tribal Attorney General’s office to file supporting briefs defending the constitutionality of ICWA and the congressional intent behind ICWA to protect and preserve Tribal families and communities. ICWA is vital for our tribal heritage, customs, and traditions both now and for our future, and MBCI will be there to continue to fight for and defend ICWA and tribal sovereignty.”