

# **RECOGNIZE TRIBAL SOVEREIGNTY**

## **LD 2007 will Recognize the Wabanaki Nations' inherent rights to self-govern.**

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**The Wabanaki Nations in Maine have a different, more restrictive status than all 570 other federally-recognized tribes in the United States.**

- Federal law ensures recognition of tribes' inherent rights to govern themselves. The Maine Indian Claims Settlement Act of 1980 excludes the Wabanaki Nations from that legal framework and other rights and protections guaranteed by Federal Indian Law.
- According to the Wabanaki Alliance: "[The] tribes in Maine have been unable to benefit from more than 150 federal laws passed since 1980, missing out on opportunities for economic development; to increase access to health care, respond to natural disasters, and expand environmental protections; [as well as] opportunities to foster job creation, protect safe drinking water, and take action under the Violence Against Women Act against the epidemic of violence against native women."
- The Wabanaki Nations are not asking for special privileges. They are asking for fairness and equity – to be treated like the other federally-recognized tribes across the country.

**The Maine Indian Claims Settlement Act of 1980 has harmed the Wabanaki Nations.**

- In the 1970s, Wabanaki Nations still had legal claim to more than twelve million acres of land that were then owned by private landowners and the State of Maine.
- Through the Maine Indian Claims Settlement Act (MICSA) of 1980, the U.S. brokered a deal with the State of Maine on behalf of three of the tribes to provide funds to two of them (Passamaquoddy Tribe & Penobscot Nation) and outline a process for them to purchase land to replace a small fraction of the land they had unlawfully lost. In exchange, the tribes gave up their legal claim to their dispossessed lands.
- Due to many factors, Passamaquoddy Tribe and Penobscot Nation have only been able to purchase two-thirds of the land intended by the act, which was already only a fraction of the land unlawfully taken. The Houlton Band of Maliseet Indians and Mi'kmaq Nation have no guaranteed land return.
- The act has also led to many legal disputes between the State of Maine and the tribes, which have harmed the tribes and cost Maine taxpayers unnecessary legal costs for 40 years.
- A recent report from the Harvard Kennedy School shows that MICSA has resulted in lagging economic growth for Wabanaki Nations and for surrounding rural Maine communities. Because of the act, all four Wabanaki Nations are stark economic under-performers relative to the other tribes in the Lower 48 states.
- In 2020, a bipartisan task force recommended changes to the act to avoid and help settle future disputes between the state and tribes; remove some of the barriers preventing the tribes from purchasing land; and restore the tribes' inherent rights, including the rights to regulate hunting, fishing, natural resources, and land use on tribal lands, as allowed by federal law. Those recommendations, excluding the gaming provisions, are contained in this bill.

**The Wabanaki Nations' sovereign rights should never have been revoked and urgently need to be restored.**

- The Wabanaki Nations – the Penobscot Nation, Passamaquoddy Tribe, Houlton Band of Maliseet, and Mi'kmaq Nation – as well as the Abenaki and other tribal communities living in diaspora, have lived in what is now Maine for thousands of years. Throughout that time, the Wabanaki have lived in relationship with the land and waters, managing natural resources so that future generations can thrive.
- In the few hundred years since European settlers began arriving in Maine, they, directly and indirectly, killed 98% of Wabanaki people, unlawfully took almost all of their land and waters, and separated children – some of whom are still alive today – from their families.
- Recognizing the Wabanaki Nations' inherent rights to self-govern is a first step to end the ongoing and deep suffering that European settlers and the State of Maine have inflicted.

**Support LD 2007. Restore fairness, equity, and sovereignty for Wabanaki tribes.**

For more information, please contact

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# Environmental Priorities Coalition



**Maine's Environmental Priorities Coalition** is a partnership of 37 environmental, conservation, and public health organizations representing over 120,000 members who want to protect the good health, good jobs, and quality of life that our environment provides.

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**We are counting on Maine policymakers to take the important steps needed to protect Maine's extraordinary environment so all Maine people and Maine communities can thrive.**

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