

RECOGNIZE TRIBAL SELF-DETERMINATION

LD 2007 will recognize the Wabanaki Nations' inherent rights to self-govern.

Tribal self-determination is right of tribes to govern themselves.

- Under the U.S. Constitution, federally recognized tribes have a government-to-government relationship with the United States and the power to regulate affairs on tribal land.
- This includes the inherent right to sustain their traditional cultural values and practices, establish their own form of government, determine citizenship requirements, enact legislation, and establish law enforcement and court systems.
- Federally recognized tribes are still subject to federal statutes and court decisions that are generally applicable to tribes and their citizens.

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

- In 1980, the State of Maine and U.S. Congress passed legislation to resolve a dispute between federal and state governments over the illegal sale and seizure of federally protected tribal land.
- The Maine Indian Claims Settlement Act of 1980 (MISCA) required the Wabanaki Nations to give up their claim to their dispossessed lands in exchange for a federally funded pathway to buy back just 2.5% of the 12 million acres unlawfully lost.
- The State of Maine has interpreted this legislation to deny the Wabanaki Nations' inherent tribal self-determination, effectively reducing Wabanaki Nations to municipalities and excluding the Houlton Band of Maliseet Indians, Mi'kmaq Nation, Passamaquoddy Tribe, and Penobscot Nation from many rights and protections guaranteed by Federal Indian Law.

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

- The Wabanaki Nations and the State of Maine have been unable to benefit from more than 150 federal laws passed since 1980, missing out on opportunities for economic development, health care, housing, environmental protections, disaster response, and development of tribal government services.
- Research shows that the tribes' lack of self-governance has resulted in lagging economic growth for Wabanaki Nations and for surrounding rural Maine communities. This lag represents thousands of lost jobs, millions of dollars in lost tax revenue, and loss of opportunity for both tribal and non-tribal citizens.
- MISCA 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.

Restoring Wabanaki self-determination has strong bipartisan support and will move the Wabanaki Nations and State of Maine forward together.

- In 2020, a bipartisan task force recommended changes to the Settlement Acts to restore self-governance over a range of issues, including criminal justice, the use of natural resources, gaming, taxation, and land acquisition. Efforts to modernize the Settlement Acts by implementing many of these task force recommendations have received broad bipartisan support in the Maine Legislature.
- Support for tribal self-determination continues to grow across Maine. Recognizing the Wabanaki Nations' inherent rights to self-govern will improve economic opportunity, foster careful stewardship of the land, and renew partnership among neighbors.
- 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.

Support LD 2007. Restore fairness, equity, and self-determination for Wabanaki Nations.

For more information, please contact
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Environmental Priorities Coalition

Maine's **Environmental Priorities Coalition** is an inclusive statewide alliance of 34 conservation, climate action, and public health organizations. Each year we collectively identify a slate of policy priorities to act on the climate crisis, further environmental justice, protect land, water, and wildlife, and cultivate healthy Maine communities.

We are counting on Maine policymakers to protect the extraordinary environment so all people and communities in Maine can thrive.



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