

House Natural Resources Committee
Subcommittee for Indigenous Peoples of the United States
Statement for the Record
Congresswoman Chellie Pingree, Maine's 1st District
March 31, 2022

Chair Leger Fernández, thank you for holding this important hearing. I am grateful for the Subcommittee's leadership in advancing legislation that affirms Tribal sovereignty and fulfills the federal government's trust obligations to Tribal Nations across the country.

I am pleased to submit testimony today in strong support of H.R. 6707, the Advancing Equality for Wabanaki Nations Act. As an original co-sponsor of the bill, I have been proud to work alongside my Maine delegation colleague Congressman Jared Golden to develop and introduce this legislation.

To put it simply, advancing this bill is a matter of fairness.

The Maine Indian Claims Settlement Act (MICSA) was passed by Congress and signed into law in 1980. Passage of this legislation settled the land claims of three Wabanaki tribal nations: the Penobscot Nation, the Passamaquoddy Tribe, and the Houlton Band of Maliseet Indians. However, the statute also included unique language that prohibited any federal beneficial laws from applying to Maine Tribes if the law impacted the state's civil or criminal jurisdiction. Since the passage of the law, Congress has been required to specifically provide for Maine Tribes in any legislation subject to this prohibition. To our knowledge, no other federally recognized tribe is subject to such a comprehensive exclusion.

The exclusion has presented substantial challenges to Maine's Native communities in accessing critical federal resources and protections, from seeking disaster relief funds to recruiting medical professionals. Most recently, I worked to secure language in the recently passed Violence Against Women Act reauthorization that specifically includes Maine Tribes under the tribal jurisdiction provisions.

While I was pleased to see this language pass, it represents a multi-year fight that should not have been necessary in the first place. There is no substantive reason why Maine Tribes should have to jump through hoops that don't apply to any other federally recognized tribe. I have long felt that the exclusion is contrary to the principles of tribal self-determination and self-governance, and I believe it is time to make a long-overdue correction.

The Advancing Equality for Wabanaki Nations Act would amend MICSA to ensure that Maine Tribes are covered under any future law that generally benefits other Tribes across the country. It would also ensure that the Indian Child Welfare Act would apply to the Houlton Band of Maliseet Indians as it does to the Penobscot Nation and Passamaquoddy Tribe under MICSA. These provisions are narrowly tailored and forward-looking—yet they represent vital progress in advancing sovereignty for Maine Tribes.

Thank you again for your consideration of H.R. 6707, the Advancing Equality for Wabanaki Nations Act. I look forward to working with you to advance this critical measure.