



MOFGA Testimony In Support Of
LD 2004 - *An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations*
May 31, 2023

Dear Senator Carney, Representative Moonen and members of the Judiciary Committee,

My name is Heather Spalding and I am deputy director of the Maine Organic Farmers and Gardeners Association (MOFGA). I am submitting comments in support of LD 2004 - *An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations*. MOFGA believes that the State of Maine should recognize the inherent sovereignty of the Wabanaki tribes – the Penobscot Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet, and the Aroostook Band of Micmac. Their rights should never have been revoked and must be restored.

We understand that LD 2004 would not give sovereignty to the Wabanaki people per sé, but would provide important access to federal benefits afforded to 574 federally recognized tribes in the United States. Since 1980, when the Maine Indian Claims Settlement Act (MICSA) was signed, these benefits have been elusive if not out of Wabanaki reach because MICSA states that federal laws created to benefit Indian tribes do not apply to Wabanaki Nations unless Congress specifies that a law applies to Maine tribes. LD 2004 would streamline Wabanaki access to important federal incentive programs to encourage renewable energy systems and other environmentally friendly technologies, good medical care and counseling, and protection from domestic violence, among many other public programs. Rather than requiring the Wabanaki Nations to navigate the terms and potential state AND federal regulations relating to any public benefit, the Wabanaki people would be presumed eligible for the federal benefits. LD 2004 would put the onus of responsibility on the state of Maine to justify when and why a specific federal benefit should not be available to Wabanaki people.

MOFGA is committed to working towards Wabanaki prosperity, tribal sovereignty and food sovereignty. Our mission is to work for a fair and healthy food system for all of us, and we recognize that Wabanaki food sovereignty is a critical part of accomplishing this mission. We also recognize the interdependence of all aspects of a healthy food system, and the importance of Wabanaki knowledge, stewardship and leadership in creating a regenerative food system that supports all of us. The Wabanaki people were the first organic land stewards of the region. While agriculture originally represented a small part of indigenous foodways in the Northeast, the Wabanaki have derived their sustenance in harmony with nature and with respect and care for the soil and natural resources for 16,000 or more years.

There are countless opportunities for Maine government, municipalities, institutions, organizations, businesses and private citizens to stand in solidarity with the Wabanaki and honor their food sovereignty and indigenous knowledge. For more than three decades MOFGA has worked with the Maine Indian Basketmakers Alliance to host a Native American Arts and Education Area at the Common Ground Country Fair in order to promote a better understanding and appreciation of Maine

Native people and culture through educational displays with historical references. Now we are engaging in many efforts to educate ourselves further about the injustices committed against the Wabanaki people since colonial settlement.

MOFGA staff and board members also have been fortunate to collaborate with the Wabanaki community in many ways to support indigenous people's efforts to gain access to land, and to gain access to financial and technical assistance programs administered by non-profit organizations, academic institutions, and state and federal agencies. We support the Wabanaki Self-Determination Fund. We participate in the [First Light Learning Journey](#), which brings non-Native leaders of land conservation organizations together with Wabanaki tribe members in order to expand Wabanaki access to and stewardship of land. Part of our commitment to the First Light Learning Journey is to facilitate a working group focusing on food sovereignty for the Wabanaki Nations. We believe that they have an inherent right to feed their people in ways that they determine support the health, wellbeing and traditions of their community.

It is encouraging that important work and conversations are happening among landowners, advocacy organizations, and philanthropic entities across Maine to help Wabanaki people regain sovereignty and land stewardship. MOFGA is happy to be part of that network. But the 67 groups working together with the Wabanaki nations cannot provide the many benefits that Wabanaki people could obtain from the federal government with the passage of LD 2004. We urge you to support LD 2004, and ensure that Maine tribes have the same access to federal programs that benefits all other tribes in the country. We will continue to advocate for Maine tribes regaining access and stewardship of ancestral lands as well as the rights to regulate hunting, fishing, natural resources, and land use on tribal lands, as allowed by federal law. MOFGA supports tribal sovereignty for the Wabanaki people and we feel that LD 2004 is an essential first step on the road to healing and reconciliation for the harms inflicted upon the Wabanaki people.

Respectfully,



Heather Spalding
Deputy Director

The Maine Organic Farmers and Gardeners Association (MOFGA) started in 1971 and is the oldest and largest state organic organization in the country. We're a broad-based community that educates about and advocates for organic agriculture, illuminating its interdependence with a healthy environment, local food production, and thriving communities. We have 15,000 members, we certify more than 500 organic farms and processing facilities representing \$90 million in sales, and we are working hard to provide training and create opportunities for Maine's next generation of farmers. Each of these farmers is a Maine businessperson for whom economic health and environmental health are interdependent. While MOFGA envisions a future of healthy ecosystems, communities, people and economies sustained by the practices of organic agriculture, we attribute our success to collaboration and outreach to growers across the management spectrum.