

Testimony in Support of LD 1970: An Act to Enact the Maine Indian Child Welfare Act (ICWA)

To: Senator Carney, Representative Moonen, and honorable members of the Joint Standing Committee on Judiciary

From: Janet Hough, 401 S Edmunds Rd, Edmunds Twp ME 04628

Re: **Support for L.D. 1970: An Act to Enact the Maine Indian Child Welfare Act (ICWA)**

I urge your Committee to vote unanimously OUGHT TO PASS on LD 1970.

In 2012 Wabanaki Tribal leaders and the Governor of the state of Maine established the historic Maine Wabanaki-State Child Welfare Truth & Reconciliation Commission, which delivered its final report in 2015. Using the findings reported by this Commission, state and Tribal child welfare workers have collaborated to advocate for systemic changes in child protection procedures and public policy, knowing that the well-being of Native children is inextricably linked to their connectedness to their culture, their land, and their Tribal community. It is this knowledge that underlies the specific child protection procedures and standards established in the 1978 federal Indian Child Welfare Act (ICWA) on which this state ICWA bill (LD 1970) is modeled.

The federal Indian Child Welfare Act is currently under threat in a case pending before the US Supreme Court: *Brackeen vs. Haaland*. As I expect you know, Maine is one of 26 states that filed “friends of the court” briefs in 2019 supporting ICWA. In addition, Maine’s U.S. Sens. Susan Collins and Angus King and Rep. Chellie Pingree are among the 87 members of Congress who signed the “friends of the court” brief supporting.

In ruling on the upcoming ICWA case, the Supreme Court could weaken or destroy important child welfare standards that protect all Native children including Wabanaki children, families, culture and sovereignty. By enacting LD 1970, Maine would codify the ICWA procedures and standards on the state level and thereby affirm its commitment to support the well-being of Wabanaki children, their families, and their nations.

I strongly urge the Judiciary Committee to vote unanimously OUGHT TO PASS on LD 1970.