

## **Testimony in Support of LD 2004 “An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations”**

May 30, 2023

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

My name is Claire Horne and I'm a resident of Appleton, ME. I am writing today to strongly encourage you to support LD 2004: “An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations”.

This legislation would make changes that have been long overdue to establish equal rights for Wabanaki tribes under federal law. The Wabanaki tribes in Maine are treated differently than the other 570 federally recognized tribes across the country because of the 1980 Settlement Act. It is unreasonable to expect Wabanaki tribes to lobby for every piece of federal legislation that should include them to explicitly name the Wabanaki tribes in Maine. This is what they would have to do in order to be included, but tribes have neither the time nor finances to keep up with such a gargantuan undertaking. No one should have to. I imagine that if my hometown of Appleton had to be explicitly named in every piece of state legislation in order to have that legislation apply to me and my town, my neighbors and I would constantly be excluded and left behind. I imagine that even if my State Rep and Senator were working around the clock, they wouldn't be able to advocate fast enough to make sure Appleton was named in the nearly 3,000 pieces of legislation being considered just this legislative session. I wouldn't want to be excluded, and I don't want that for the Wabanaki tribes.

I care deeply about equity. Because Wabanaki tribes are not being given the same rights as other federally recognized tribes, they have not been able to benefit from any of the 150+ federal laws passed since 1980. This is incredibly inequitable and unfair. If there were this many federal laws that all 49 other states benefited from that Maine was excluded from, there would be an uproar of disapproval - everyone wants to be treated fairly and given the same rights as everyone else. This is no different. The passing of this act would allow Wabanaki tribes to start being treated like the 570 federally recognized tribes in this country, and restore rights that never should have been taken in the first place.

I have heard the argument that legislation should be passed on a case by case basis. This approach adds years, even decades, onto the timeline for progress. Just as one example, the Violence Against Woman's Act was amended to include Native American women in 2013 on the federal level. The tribes in Maine could not be included in this update due to the 1980 Settlement Act. Maine finally passed legislation mirroring the federal law to include the tribes in Maine in 2020, seven years later. For those seven years, the tribes in Maine didn't have the same rights as other tribal nations to protect their tribal members from domestic violence. It is ludicrous to expect that the state of Maine will pass enough state laws to keep up with the

federal laws impacting federally-recognized tribes nationwide. This doesn't happen often, and when it does it takes nearly a decade. Clearly, this isn't working.

LD 2004 doesn't circumvent the 1980's Settlement Act, but instead changes a provision in the Settlement Act that would begin the process of placing the tribes in Maine on the same footing as the other 570 federally recognized tribes, and would start putting the tribes and rural Maine on a path to prosperity. This is beneficial for our entire state. I wholeheartedly ask for your support in passing this legislation.

Sincerely,  
Claire Horne

Claire Horne  
Appleton  
LD 2004

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