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Maine Family Planning  
Testimony in Support of  
LD 1970, An Act to Enact the Maine Indian Child Welfare Act  
June 6, 2023

Senator Carney, Representative Moonen, and honorable members of the Joint Standing Committee on Judiciary, my name is Mareisa Weil, and I am the Vice President for Development & Community Engagement at Maine Family Planning, and we are writing today in support of LD 1970, An Act to Enact the Maine Indian Child Welfare Act.

The ICWA, enacted in 1978, was a significant step towards rectifying the historic and ongoing injustices inflicted upon Native American communities. It was designed to address the disproportionate removal of Native American children from their families and tribes, resulting in cultural erosion and profound psychological impacts. The Act recognized the inherent sovereignty of tribes and the unique political and cultural relationship between the United States government and Native American tribes.

The federal Indian Child Welfare Act has played a pivotal role in recognizing the unique cultural, historical, and political circumstances of Native American tribes across the United States. It has provided a legal framework that respects the sovereignty of tribal nations and aims to prevent the unwarranted removal of Native American children from their families and communities. The ICWA has been an instrumental tool in rectifying past injustices and addressing the devastating impact of forced assimilation policies.

With the recent discussions surrounding the potential overturning of the federal ICWA, it is crucial to proactively consider alternative measures at the state level. State governments must assume responsibility for ensuring that Native American children continue to receive the protection and support they deserve. Implementing a state-level Indian Child Welfare Act will be a critical step forward in safeguarding the rights and well-being of Native American children within the jurisdiction of our state. By enacting this legislation, we would demonstrate our commitment to upholding principles of justice, cultural preservation, and community well-being. A state-level ICWA would ensure that Native American children and families receive equal protection under the law, regardless of any potential changes at the federal level.

By maintaining the core principles of the federal ICWA at the state level, we can:

- Safeguard the best interests of Native American children: A state-level ICWA would prioritize the best interests of Native American children, ensuring that their cultural and emotional needs are met. It would provide stability and promote their overall well-being, while also acknowledging the importance of maintaining their connection to their tribal community and heritage.
- Respect tribal sovereignty: The state-level ICWA would recognize and respect the sovereignty of Native American tribes within our state's borders. It would foster a collaborative relationship between state agencies and tribal governments, ensuring that decisions about the welfare of Native American children are made with the active involvement and input of their respective tribal communities.
- Preserve cultural identity and heritage: Native American children possess a rich cultural identity that

deserves to be preserved and nurtured. A state-level ICWA would prioritize the preservation of their cultural heritage, language, and traditions, enabling them to grow up with a strong sense of belonging and pride in their Native American heritage.

- Promote community well-being: Native American communities thrive when their children and families are supported and empowered. By enacting a state-level ICWA, we would be fostering the well-being and resilience of Native American communities within our state, thereby contributing to their overall social, cultural, and economic development.

It is my sincere hope that you will consider my testimony and support the implementation of the Maine Indian Child Welfare Act. Together, we can ensure that Native American children are protected, their cultural heritage is respected, and their future is filled with opportunities to thrive within their families and communities.