

Dear members of the Judiciary Committee,

My name is Chris Buchanan, I am from Searsport, and this is my written testimony in favor of both LD 395 and LD 785. Together, these bills would go a long way to address the broken relationship between the State and the Wabanaki Nations within "Maine." Its overdue time to leave the State's sad, oppressive, and paternalistic path and walk in right relationship with the people who have been here since time immemorial. Enabling access to federal laws denied to the Wabanaki Nations and modernizing the Settlement Act will uplift everyone in our state, especially rural people, whether they are native or non native. The Harvard study made that clear, but what's less clear is the millions of dollars spent in litigation by both the state and the tribes since 1980. Passing these bills unanimously makes sense to move "Maine" away from institutional racism, as well as to save *everyone* time and money.

Until now, Maine has chosen to be the only state in the country to deny native people their inherent sovereignty and rights enjoyed by the other 570 federally recognized tribes. The community services organization, Solid Ground, defines "Institutional Racism" as "the systematic distribution of resources, power and opportunity in our society to the benefit of people who are white and the exclusion of people of color." In their 1969 book, "Institutional Racism in America," Knowles and Prewitt wrote, "Any nation [or state] that permits race to affect the distribution of benefits from social policies is racist." Beyond a doubt, these definitions define the actual circumstances caused by the Settlement Act.

It is overdue time to recognize and honor the sovereignty of the peoples who are indigenous to these lands. Contrary to fear mongering statements meant to maintain the oppressive status quo, the relationship between the State and the Tribes would finally follow clear guidelines, made even clearer through federal case law. On their website, the Bureau of Indian Affairs clearly lays out the relationship between states and tribes:

*Because the Constitution vested the Legislative Branch with plenary power over Indian Affairs, states have no authority over tribal governments unless expressly authorized by Congress. While federally recognized tribes generally are not subordinate to states, they can have a government-to-government relationship with these other sovereigns, as well.*

*Furthermore, federally recognized tribes possess both the right and the authority to regulate activities on their lands independently from state government control. They can enact and enforce stricter or more lenient laws and regulations than those of the surrounding or neighboring state(s) wherein they are located. Yet, tribes frequently collaborate and cooperate with states through compacts or other agreements on matters of mutual concern such as environmental protection and law enforcement.*

The U.S. government has put laws in place to prevent states from perpetuating institutionally racist policies against federally recognized tribes. The State of Maine has sidestepped these laws by using, abusing, and refusing to rectify the Settlement Act. But you can be a part of changing that, today, through passage of both these bills.

I believe we owe our wealth to these Nations, who stewarded these lands and waters for thousands of years. Many of *our ancestors* became very wealthy harvesting and using the massive timbers, fishing the abundant rivers and oceans, and farming the lands. Then came mills and manufacturing. We have had to overcome extensive pollution. Many of our most cherished fish and wildlife are attempting to recover. Maine has been booming and busting ever since colonial rule took hold, guided by an extraction economy. But we still have the wild beauty, the best fresh water, and the rural character. I think that is what defines us. And that is because of the stewardship by native peoples. Moving forward as equals will give us all the best opportunity to thrive.

Please help us step out from the dark shadow of institutional racism. Please do everything you can to educate your colleagues in the legislature, so that Governor Mills does not succeed through veto to continue to hinder the advancement of Maine's relationship with the Wabanaki Nations. It is time to, "Respect and acknowledge the Tribes' inherent sovereignty consistent with federal Indian Law," as Penobscot Chief Kirk Francis said in one of his previous testimonies before this Committee.

Thank you for your time and service.

Respectfully,  
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PLEASE SEE ATTACHED FILE