

February 19, 2026

Dear members of the Judiciary Committee,

Thank you for your service and the gift of your time today.

I was one of the early speakers in favor of LD 395 and LD 785. Given the number of people, I shortened my comments out of respect for everyone's time.

I mentioned that *Article 1, Section 8, Clause 3* is the superseding document and the constitutional basis for indigenous sovereignty. I intended, but neglected, to mention that *Cherokee v. Georgia* lays this out further. According to John Marshall, the relationship between the tribes and the federal government and the tribes is that of a ward and a guardian. The further extension is that the relationship between the tribes and the states is that of step-siblings, not a hierarchy. This all philosophically (and potentially legally) supersedes the *Maine Indian Claims Settlement Act*.

So, in my opinion as a researcher and writer, I would say that the current legal relationship is dubious constitutionally and also, as I mentioned in my verbal comments, a disenfranchisement of ingenious Mainers relative to all other indigenous American recognized tribes.

Regarding the comments opposed, considering the other almost 600 tribes and the other 49 states exist in a more "step-sibling relationship," the fear of patchwork rules when there are 38 states geographically larger and the 42 larger states by population, seems, respectfully, rather hyperbolic.

In gratitude,

~Dr. Tom Keefe

February 18, 2026

Dear Members of the Committee,

My name is Dr. Thomas Keefe, and I live in Augusta, Maine. I am a retired Associate Professor of Humanities. In that capacity, I specialized in human rights and genocide education. I am the author of *This Day in Native America* (2018) and *This Day in Genocide* (2016). I also presented at the University of North Carolina on Native American genocide in 2018.

I am submitting my comments today in support of both LD 785 and LD 395.

These bills not only continue the process of addressing historical wrongs, but they will stimulate the economy and benefit all Mainers, indigenous and non-indigenous alike. In addition, economic growth that increases the economic status of Mainers also positively benefits the State of Maine's budget in reduced expenditures.

Please support Maine's economy, our indigenous communities, and be on the right side of history.

Thank you,

Thomas E. Keefe, Ed.D

References

Keefe, T. (2019). Genocide and the Native American Experience.

<https://www.youtube.com/watch?v=R1DHz4XluYI>

Keefe, T. (2019). Native American Genocide: Realities and Denials, First International Conference of the Center for Holocaust, Genocide & Human Rights Studies, University of North Carolina – Charlotte, April 13-14, 2019. https://www.researchgate.net/publication/332383826_Native_American_Genocide_Realities_and_Denials.