



Maine Equal Justice

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MEJ Testimony in *Support* of LD 395, An Act to Restore Access to Federal Laws Beneficial to the Wabanaki Nations

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Good morning, Senator Carney, Representative Kuhn and members of the Judiciary Committee. My name is Dina Malual (she/her) and I am a Policy Advocate with Maine Equal Justice (MEJ), a nonprofit legal aid provider working to increase economic security, opportunity, and equity for people in Maine. We are pleased to testify in support of LD 395.

Maine Equal Justice (MEJ) strongly supports the opportunity to correct historically exclusive laws that prohibit the Wabanaki Nations (Passamaquoddy Tribe, Penobscot Nation, Mi'kmaq Nation and Houlton Band of Maliseet Indians) from accessing beneficial federal laws.

As we know, Wabanaki Nations in Maine do not have the same rights as the 570 federally recognized tribes in the US. This bill would allow Wabanaki tribes to be explicitly written into each federal law to benefit from it. LD 395 would restore access to laws that are vital to the overall health of Wabanaki people, including:¹

- **Indian Health Care Improvement Act** - helps tribal governments recruit licensed medical professionals to work in tribal health centers,
- **Stafford Act** - emergency funds for national disasters and public health crises,
- **Violence Against Women Act** - permits tribes to arrest and prosecute non-tribal individuals who commit certain domestic violence crimes, and
- **Environmental Protection Laws** - Authorizes tribes to assume primary regulatory authority for federal environmental programs on their lands.

Since the 1980s, Wabanaki people have been unjustly excluded from federal laws extended to other federally recognized tribes. Today, those effects are still present, as Wabanaki people continue to face vast disparities in comparison to federally recognized tribes in other states relating to issues such as health care and disaster assistance, per an analysis by the Harvard Project on American Indian Economic Development.² Lawmakers have the opportunity to collaborate with the Wabanaki people to continue making significant strides to correct historical mistakes and to build trust with Wabanaki Nations.

This bill aligns the state with federal law and helps restore tribal and state trust. LD 395 is a necessary bill that restores critical protections and autonomy to the Tribes. For these reasons, we urge the committee to vote in support of LD 395.

¹ <https://www.wabanakialliance.com/ld-395-talking-points/>

² https://ash.harvard.edu/sites/hwpi.harvard.edu/files/ash/files/wabanaki_report_vfin_for_dist_2022-12-09.pdf?m=1670635016