

# Native American Rights Fund

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April 28, 2022

**Via Email**

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**RE: H.R. 6707, the Advancing Equity for Wabanaki Nations Act**

To Rep. Grijalva and Rep. Westerman:

The Native American Rights Fund (“NARF”) firmly supports H.R. 6707, the Advancing Equity for Wabanaki Nations Act (“AEWNA”). For decades, NARF has used litigation and advocacy to advance tribal sovereignty, defend tribal resources, and enforce the United States’ trust responsibility to Native people. NARF is proud to support the Houlton Band of Maliseet Indians, the Mi’kmaq Nation, the Passamaquoddy Tribe, and the Penobscot Nation (collectively the “Wabanaki Nations”) in their joint effort to achieve greater equity under the federal laws affecting Indian Country.

Currently, the Maine Indian Claims Settlement Act (“MICSA”) excludes all tribes in Maine from federal laws enacted for the benefit of Indian Country that would affect the application of state law. The only exception is when a federal Indian law that affects the application of state law explicitly states that it applies in Maine. This means that the Wabanaki Nations do not benefit from critical pieces of federal legislation designed to meet the federal government’s trust responsibility to Tribal Nations or that they benefit only after extensive negotiations or costly litigation with the state of Maine. As a result, the Wabanaki people face unique barriers to the exercise of their inherent right to self-determination.

The importance of tribal self-determination to the safety, health, and mental, emotional, and spiritual wellbeing of Native people cannot be overstated. Recognizing that importance, landmark pieces of federal legislation like the Indian Health Care Improvement Act (“IHCA”), the Violence Against Women Act (“VAWA”), and the Stafford Act allow tribes to manage the delivery of health care to their communities, to prosecute non-Indian defendants for crimes against tribal members, and to help meet the needs of tribal citizens during emergencies. Yet, MICSA has precluded the utility of these critical laws for the Wabanaki Nations.

H.R. 6707 represents an important step. Through a narrowly tailored amendment to MICSA, H.R. 6707 will allow the Indian Child Welfare Act, which was enacted in 1978 to combat the systematic removal of Native children from their communities, to apply to the Houlton Band of Maliseet Indians and the Mi’kmaq Nation in the same way that it currently applies to the other Wabanaki Nations. In addition, H.R. 6707 will ensure that the Wabanaki Nations are included in *future* legislation passed to benefit Indian Country.

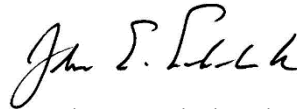
Shortly after his inauguration, President Biden announced his priority to respect tribal sovereignty and self-governance, and fulfill the federal trust and treaty responsibility to Tribal Nations. When federal legislation is advanced in alignment with such commitments to Native people, the Wabanaki Nations should benefit just as the rest of Indian Country does.

Letter of Support for H.R. 6707  
Advancing Equity for Wabanaki Nations Act  
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The former Maine Attorney General recently wrote that the Wabanaki Nations “have not benefitted from more than 150 laws passed since 1980.” As a result of this, the Wabanaki Nations have lost opportunities that would have generated economic development and improved health and wellbeing for tribal members and for surrounding communities in rural Maine.

H.R. 6707 seeks to change that using a common-sense approach to advancing parity for Wabanaki people. It is the first joint attempt by the four Wabanaki Nations in Maine to amend MICSA in more than 40 years and we commend Representative Jared Golden (D-ME) for working with the Wabanaki Nations to bring the bill forward.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Echohawk". The signature is fluid and cursive, with the first name "John" being more prominent.

John E. Echohawk  
Executive Director

CC: Rep. Jared Golden, [aisha.woodward@mail.house.gov](mailto:aisha.woodward@mail.house.gov)