

Maine has profited from centuries of Wabanaki land loss. **Supporting land return and sovereignty reforms is both a moral responsibility and a smart economic investment.**

Key facts

- For at least **13,000 years**, Wabanaki people and their ancestors have cared for this region's land, water, and natural resources through sustainable stewardship.
- About **12.5 million acres** of Wabanaki territory, valued at \$105 billion in 1976, were claimed by Maine before rulings showed the claims were based on invalid treaties. Between 1820 and 1980, **Maine extracted hundreds of millions in profits** from tribal land seizures and sales, resource exploitation, tourism, and taxes — without compensating the Wabanaki Nations.
- The 1980 Settlement Acts ended the federal land claims case but **left the Wabanaki Nations uniquely constrained** compared to other federally recognized tribes, granting the state unusual control over their affairs and sparking decades of contention over unfulfilled promises.
- The Federal government contributed **\$26.8 million** each to trust funds for Passamaquoddy and Penobscot Nations to purchase a maximum of **150,000 acres** each, and **\$900,000** for the Houton Band of Maliseet Indians to purchase **5,000 acres**. But the funds were exhausted before the full amount of land could be secured. **Maine did not contribute any funds to the settlement.**
- The federal land acquisition funding was based on a calculation of **\$181 per acre**. A recent purchase on behalf of the Penobscot Nation was valued at more than **\$1,000 per acre**.
- The Mi'kmaq Nation did not receive any federal funding for land acquisition until 1991. Today, **the Mi'kmaq Nation still faces more land acquisition restrictions** than other Wabanaki Nations.
- In contrast to efforts across North America to foster tribal sovereignty, the Settlement Acts lock the Wabanaki in an outdated system that **blocks access to federal programs and about \$4.6 million in funding per year, limits land acquisition and usage, and stifles economic growth.**
- Between 1989 and 2020, tribes in the US with full recognition of their sovereign authority had **six times greater income growth** per capita than Wabanaki Nations.
- Modernizing the Settlement Acts could add **\$330 million** to Maine's GDP each year, create **2,700 new jobs**, and generate **\$51 million** in state and local tax revenue.
- Collaboration between Wabanaki Nations and non-native organizations will secure the return of over **50,000 acres** to Wabanaki communities. But the state and federal government can and should do far more to fund and facilitate land return.

5 ways Maine profited from stolen land before the settlement*

- **Hundreds of millions** in tax revenue from 1820 to 1980 — in that time period, lumber, paper, and associated industries generated approximately \$390B
- At least **\$60M** from timber sales on illegally used tribal land between 1824–1960
- At least **\$58M** from the sale of 3.9 million acres between 1820–1875
- At least **\$500,000** from tribal islands taken without payment
- At least **\$473,000** in tribal funds misappropriated and never repaid

**Amounts listed in 2024 dollars*

Policy recommendations

- Modernize the Settlement Acts to align Wabanaki rights with all other federally recognized tribes
- Facilitate private land return by removing barriers like municipal vetoes, and exploring new easement forms
- Investigate opportunities for public land return or co-stewardship
- Account for and restore mismanaged trust funds
- Establish dedicated funding streams for land acquisition and economic development
- Reform the Maine Indian Tribal State Commission

Full report



Tribal Sovereignty Explainer



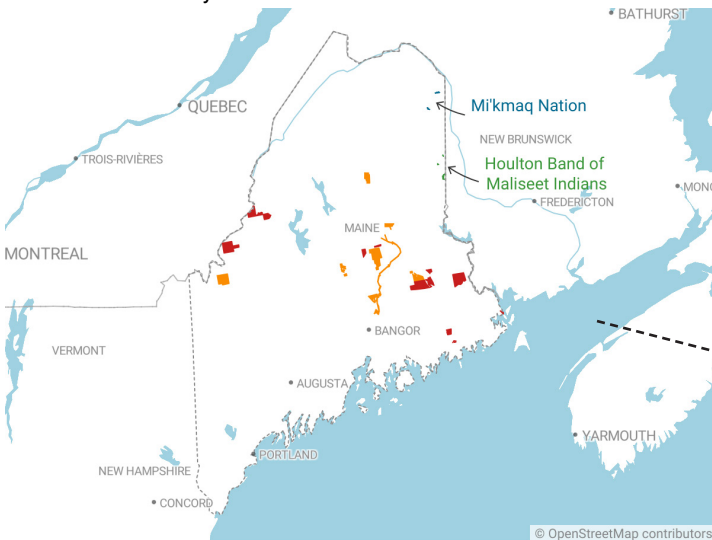
The Dawnland Before 1600



Wabanaki Territorial Loss, Late Colonial Period and U.S. founding (c.1755-1790)



Wabanaki Lands Today



Timeline

11,000 BCE ▶ Artifacts confirm Wabanaki ancestors in Dawnland.

1524 ▶ European explorers and fishermen arrive in Dawnland.

1616 – 1619 ▶ 75% of Wabanaki perish in The Great Dying.

1776 ▶ After aiding revolution, Wabanaki sign treaty with new US government.

1790 ▶ Non-Intercourse Act says only federal government can make treaties and land deals with tribes.

1794 – 1818 ▶ Massachusetts continues making treaties with Wabanaki for large parcels of land.

1820 ▶ Maine becomes a state, assumes Massachusetts treaty obligations.

1820 – 1842 ▶ Maine seizes and sells Wabanaki land, violating treaties. New borders with Canada divide tribal land.

1935 ▶ Impure water sources for tribes fuel rise in deadly diseases, federal government finds state negligent.

1942 ▶ Maine officials admit to defrauding Wabanaki Nations, ignoring treaties, in effort to ultimately eliminate tribes.

1975 – 1979 ▶ Federal courts affirm federal trust responsibility to Wabanaki Nations, rule Massachusetts treaties invalid, and affirm tribal sovereignty in Maine. US government files land claims case against Maine.

1980 ▶ The Settlement Acts bring an end to the federal government's land claims case.

2012 ▶ Maine Indian Tribal State Commission's letter to the United Nations says Settlements Acts' impact leads to human rights violations.

2020 ▶ A commission evaluating the Settlement Acts releases 22 recommendations for improving it.