Wabanaki Legal News

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Continuing the Conversation: Supreme Court Upholds ICWA in Haaland v. Brackeen

By: Bruce Leal, Indigenous Peoples Unit Intern

On June 15, 2023, the Supreme Court rejected a challenge to the constitutionality of the Indian Child Welfare Act (ICWA), a federal law enacted in 1978 to address the alarming rate of Native American children being removed from their families and placed in non-Native homes. An adoptive couple, the Brackeens, brought the case along with support from several states and other petitioners, who argued that the law exceeds federal authority, violates state sovereignty, and is racially discriminatory.

ICWA's primary aim is to maintain the connection between Native children and their families, which is essential for the continued existence of tribal nations. This law has played a crucial role in preserving the cultural heritage of Native American communities and safeguarding the rights of their children and families. ICWA establishes minimum standards for the removal of Native children from their families and a preference for placing these children with extended family members or in Native foster homes. The law regulates child custody proceedings in state courts for Native children and grants tribal courts exclusive jurisdiction over all child custody proceedings for Native children residing on a reservation. For other Native children, state and tribal courts exercise concurrent jurisdiction.

In a 7-2 decision, the Court upheld ICWA, rejecting arguments that the law violates the Tenth Amendment's anticommandeering doctrine, which prohibits the federal government from requiring states to implement or enforce federal law. The Court declined to reach two other claims raised by the petitioners, explaining that the petitioners lack standing to contest issues related to equal protection and non-delegation. The petitioners argued that ICWA's placement preferences violate the Constitution's Equal Protection clause, which prohibits the government from discriminating based on protected characteristics such as race. They further contend that a specific provision in the law, which permits tribes to establish their own placement preferences for Native children, unlawfully delegates legislative authority to the tribes.

Justice Amy Coney Barrett penned the majority opinion, which was joined by Chief Justice John Roberts and Justices Sonia Sotomayor, Elena Kagan, Neal Gorsuch, Brett Kavanaugh, and Ketanji Brown Jackson. "[T]he bottom line is that we reject all of petitioners' challenges to the [ICWA], some on the merits and others for lack of standing," wrote Justice Barrett. Justices Gorsuch and Kavanaugh each filed separate concurring opinions, with the former joined in part by

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Federal Student Loan Payment Has Restarted

By: Sophie Laing, Student Loan and Consumer Attorney at Pine Tree Legal Assistance

You may have received a bill recently for your student loans. You are not alone: about forty million people across the country are now back in repayment on their federal student loans, after payments and interest were paused for about three and a half years.

So, what does this mean for you? First, you should familiarize yourself with your student loan situation. Log into your account on studentaid.gov, where you can apply for different programs and find out information about your loans. You can also sign up for an online account with your loan servicer. It's important to keep your information updated with Federal Student Aid and your loan servicer so that you don't miss any important notices or updates.

Second, figure out what programs might be available to you. A lot has changed over the past few years! If your payment is too high, consider applying for an Income-Driven Repayment (IDR) Plan. IDR plans base your payment off of your income. The newest IDR plan is called SAVE, and for many people, this is the most generous repayment plan yet. On SAVE, if your payment isn't enough to cover the monthly interest accruing on your loans, the government will subsidize (cover) the difference. If you stay on IDR plans for a certain amount of time, you can have your loan balance forgiven at the end. One thing to remember is that you have to "recertify" for these plans every year, which will involve updating your servicer as to your family size and income.

Third, if your loans are in default, get them back in good standing through Fresh Start. You can call your loan servicer to enroll. Fresh Start is an easier way to get your loans out of default; all you have to do is call your loan servicer, ask to enroll, and then your loans will be transferred to a new servicer. From there, you can sign up for an IDR plan.

Fourth, determine if you qualify for other types of forgiveness or cancellation programs. For example, Public Service Loan Forgiveness (PSLF) provides cancellation after 10 years of payments while working for a nonprofit or public service employee. Time during the pandemic payment pause, as long as you met the other PSLF requirements, counts towards these 10 years! Another program you may want to know about is called Total & Permanent Disability (TPD) Discharge. TPD can be a good option for people who are unable to work due to a mental or physical condition. Sometimes you can provide your Social Security benefits or VA benefits as proof with your application, and

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Justices Sotomayor and Jackson. Gorsuch praised the Court's decision as "further steps in the right direction." Justices Clarence Thomas and Samuel Alito each filed separate dissents.

Gorsuch began his concurring opinion by recounting the tragic history that prompted the passage of ICWA, including systematic attempts by federal and state governments to obliterate tribal identity through child welfare policies aimed at Native children. "In adopting the [ICWA], Congress exercised that lawful authority to secure the right of Indian parents to raise their families as they please; the right of Indian children to grow in their culture; and the right of Indian communities to resist fading into the twilight of history," wrote Justice Gorsuch.

The Court's ruling in Brackeen affirms the rights of tribal nations and their posterity, but it leaves unresolved issues about the rights of non-Native families seeking to foster or adopt Native children. In a separate concurring opinion, Justice Kavanaugh expressed concern over the equal protection issue, emphasizing that it should be addressed when a plaintiff with standing appropriately raises it. This unaddressed argument could spell trouble in the future. If ICWA were to be held by the Court to be racially discriminatory, it could significantly hinder Congress's duty to address violence against Native women and children and could pave the way for challenges to other rights enshrined in federal Indian law, such as mineral and land rights. Brackeen thus has implications that extend beyond the realm of child welfare and into broader issues of tribal sovereignty.

Brackeen is an impressive moment of collective action within and outside of Indian Country. There were 21 pro-ICWA amicus briefs submitted in this case, which were supported by nearly 500 Tribal Nations, over a dozen child welfare organizations, Maine's U.S. Sens. Susan Collins and Angus King, and many others. The Court's ruling has been hailed as a victory for Native communities and their children by Wabanaki leaders.

The state of Maine, which joined 22 other states and the District of Columbia in defending ICWA, received considerable attention for its treatment of Wabanaki tribes. In recognizing challenges with the law's implementation, Gorsuch specifically highlighted the 2015 report from the Maine Wabanaki-State Child Welfare Truth & Reconciliation Commission. This report details the disproportionate representation of Wabanaki children in the child welfare system and the continued cultural genocide of the Wabanaki community. The report was also cited in three separate amicus briefs submitted to the Court by former foster children, the American Psychological Association, and the National Indigenous Women's Resource Center, which was joined by Pine Tree Legal Assistance.

Against this backdrop, Maine enacted emergency legislation to codify ICWA protections at the state level by setting clear procedures and standards for cases involving Wabanaki children. The Maine Indian Child Welfare Act (MICWA), which was signed into law this summer, arose out of widespread concerns from Wabanaki tribal leaders and Maine lawmakers that the Supreme Court would weaken or overturn ICWA. MICWA is intended to protect and strengthen families within Wabanaki nations by minimizing out-of-home placements.

By upholding ICWA, the Court has recognized the unbreakable bond between Native children and their rich, vibrant heritage. And by enacting MICWA, Maine has committed itself to a promising path embraced by a dozen other states – that of safeguarding the rights of Native children and families despite shifting political landscapes. The implications of this decision reverberate well beyond child welfare and will continue to be felt for generations to come.

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We Want to Hear from You!

If you have comments, articles, or ideas on how the newsletter can be helpful to you, please let us know.

Pine Tree Legal Assistance, Inc.

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How To Reach Us

Pine Tree Legal Assistance, Inc., including its Indigenous Peoples Unit, has currently closed it's walk-in hours out of precaution due to the Covid-19 pandemic. We are available to be reached on our toll free line at 1-877-213-5630; V/TTY 711, or through the expanded call center hours at Pine Tree Legal Assistance, Inc. by calling:

Presque Isle 207-764-4349

Machias 207-255-8656

Bangor 207-942-8241

Augusta 207-622-4731

Lewiston 207-784-1558

Portland 207-774-8211

HOURS:

Monday 12:00 - 2:30 pm

Tues, Thurs, Fri. 9:00 – 11:30 am

We apologize for any inconvenience this may cause, but we hold the health and safety of our clients and staff in very high regard, and look forward to reopening to walk-in service and in-person outreach when it is deemed safe to do so.

Tribal Sovereign Immunity and Bankruptcy: LDF v. Coughlin

By: Ryan Lolar, Indigenous Peoples Unit Staff Attorney

The most consequential Supreme Court case on most people's minds in Indian Country this past term was Haaland v. Brackeen, but the Court issued two other decisions involving federal Indian law. This article will cover one of those two cases, Lac du Flambeau Band of Lake Superior Chippewa Indians v. Coughlin (Lac du Flambeau), a case on tribal sovereign immunity.

In Lac du Flambeau, the Lac du Flambeau Band of Lake Superior Chippewa Indians ran a short-term lending business named Evergreen. Evergreen made a short-term loan to a man named Brian Coughlin. Mr. Coughlin then later filed for Chapter 13 bankruptcy, which triggered an automatic stay against collection efforts by creditors. The automatic stay under the bankruptcy act means that no creditor can continue to attempt to collect, inquire about collection, or issue any legal actions related to collection. However, Lendgreen continued to try and collect Mr. Coughlin's debt to them.

When Lendgreen continued its collection efforts, Mr. Coughlin sued in federal Bankruptcy Court to enforce the automatic stay and to seek damages from Lendgreen. The Bankruptcy Court dismissed the lawsuit because Lendgreen and Lac du Flambeau argued that the federal Bankruptcy Code does not abrogate tribal sovereign immunity. Sovereign immunity is the concept that a government cannot be sued without its consent. Mr. Coughlin appealed to the U.S. First Circuit Court of Appeals, which reversed and found that that the Bankruptcy Code does abrogate tribal sovereign immunity. After losing at the First Circuit, the tribe filed a petition for a writ of certiorari, a special type of request filed when asking the Supreme Court to hear an appeal.

In the Court's most recent decision on tribal sovereign immunity, Michigan v. Bay Mills Indian Community (2014), the Court held that tribes have sovereign immunity "even when a suit arises from off-reservation commercial activity." The Court's decision was based, in part, upon its precedent that if Congress intends to abrogate tribal sovereign immunity, its decision to do so must be clear. In other words, there must be a clear statement of congressional intent that tribes can be sued for a cause of action arising under a given statute. Importantly, the Court has also found that a clear statement does not need to contain "magic language" and can be found when "Congress's abrogation of tribal sovereign immunity is 'clearly discernable' from the statute itself."

In Lac Du Flambeau, the Court, in an 8-1 decision drafted by Justice Ketanji Brown-Jackson, held that the Bankruptcy Code "unambiguously abrogates the sovereign immunity of all governments, including federally recognized Indian tribes." The Court looked first to 11 U.S.C. § 106(a), which states that "sovereign immunity is abrogated as to a governmental unit to the extent set forth in this section." Then, the Court looked to the definition of "governmental unit" from 11 U.S.C. § 101(27), which states that the term "means United States; State; …a municipality, or a foreign state; or other foreign or domestic government." (emphasis added). The majority found that the sweeping language of 11 U.S.C. § 101(27) satisfied the need for a clear statement of congressional intent for abrogation of tribal sovereign immunity. In response to the arguments by petitioners and by the dissent that the language did not satisfy the clear statement rule, the majority pointed to recognition of tribes as governments and to how expansive the provision from 11 U.S.C. § 101(27) was in including different governments.

The lone Justice in dissent was Justice Neil Gorsuch, who sided with tribal interests and would have found that the Bankruptcy Code does not abrogate tribal sovereign immunity. In his opening paragraph, Justice Gorsuch highlights that until its majority opinion in Lac du Flambeau, the Court had never found abrogation of tribal sovereign immunity without expressly mentioning tribes somewhere in the statute. Next, he targets the majority's focus on the expansiveness of the definition of "governmental unit" and takes issue with the majority's interpretation of the catch-all "other foreign or domestic government."

Justice Gorsuch writes that the Constitution is clear that tribes "enjoy a unique status in our law" and are not foreign or domestic governments under the definitional provision at § 101(27). He would have found a clear statement had the language stated, "any and every government," "any other government that operates, in whole or in part, within the territorial bounds of the United States," or another configuration where the provision was unambiguously inclusive. However, without such a statement, he dissented from the majority and found the Bankruptcy Code did not contain a clear statement abrogating tribal sovereign immunity

Federal Commissions Aim to Address MMIP and the Trauma of Boarding Schools

By Ryan Lolar, Indigenous Peoples Unit Staff Attorney

Two different federal initiatives aim to address serious historical and present-day issues in Indian Country. These two initiatives are the Not Invisible Act Commission and the Federal Indian Boarding School Initiative, each covered below.

Not Invisible Act Commission

The Not Invisible Act Commission (NIAC) was established via the Not Invisible Act of 2019 and aims to develop recommendations to improve intergovernmental coordination between tribal, state, and federal law enforcement to combat the missing and murdered Indigenous peoples epidemic and to improve resources for survivors and their families. On November 1, 2023, the Commission produced a report of its findings and issued initial recommendations in a report titled 'Not One More.' The report identifies inconsistent coverage, loopholes, and other areas of the law and regulatory framework affecting the investigation and prosecution of violent crime in Indian Country and/or against Native people. The report goes on to make

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Maine Legislature Passes Maine Indian Child Welfare Act

By Ryan Lolar, Indigenous Peoples Unit Staff Attorney

Tribal interests and allies accomplished a major victory in the last legislative session when the Maine Indian Child Welfare Act was passed into law via LD 1970, "An Act to Enact the Maine Indian Child Welfare Act." The bill was a response to pressure being put on the federal Indian Child Welfare Act (ICWA) through the Haaland v. Brackeen case. While those pressures have largely subsided due to ICWA being upheld in Brackeen, the Maine ICWA intends to provide additional protections for Native children going forward. There are still active attempts to bring litigation to disestablish federal Indian law precedent using the same logic as was pursued in Brackeen, even if the likelihood of success for the opponents of tribal interests appears lower after the Court's decision.

The Maine ICWA largely mirrors the federal ICWA with provisions regarding the need for active efforts toward reunification, the exclusion jurisdiction of tribal courts over certain cases, transferring jurisdiction, foster care placements, and adoptive placements. However, there are some differences between the federal language and the language in the Maine ICWA. A notable addition to the Maine ICWA is a finding that "membership or citizenship in an Indian tribe, as well as eligibility for membership or citizenship…, as determined by each Indian tribe is a political classification." This language enshrines a key principle from federal Indian law that tribal membership or citizenship is a political classification. The finding is intended to insulate the Maine ICWA from claims made by opponents to federal Indian law that rights for tribal members or citizens in state and federal law are race-based.

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Mi'kmaq Nation Sees Statutory Update to Tribal-State Relationship in LD 1620

By Ryan Lolar, Indigenous Peoples Unit Staff Attorney

The Mi'kmaq Nation secured an update to its relationship with the state of Maine earlier this year in LD 1620 'An Act to Enact the Mi'kmaq Restoration Act.' LD 1620 was supported by the Mi'kmaq Nation and the Wabanaki Alliance. The Wabanaki Alliance is a collaboration between the Mi'kmaq Nation, Houlton Band of Maliseets, the Passamaquoddy Tribe, and the Penobscot Nation. The Mi'kmaq Nation drafted the language of LD 1620 in coordination with the state of Maine and other partners.

The Mi'kmaq Nation was not included in the 1980 Settlement Acts, which included the Penobscot Nation, the Passamaquoddy Tribe, and the Houlton Band of Maliseets. However, the Mi'kmaq Nation was federally recognized and had its own federal Settlement Act in 1991. The language in the Mi'kmaq Settlement Acts did not mirror the language from the state MIA and the federal MICSA, and the Mi'kmaq Nation has not been able to fully realize all the same governmental activities and benefits as the other federally recognized tribes for these reasons.

There were several cases litigated in federal court in the 1990s and the 2000s that highlighted the different positionality of the Mi'kmaq Nation. There were thoughts prior to this litigation that the Mi'kmaq Nation was differently situated in a way that avoided some of the limiting provisions of the federal Maine Indian Claims Settlement Act (MICSA) and the state Maine Implementing Act (MIA) that applied to the other three Wabanaki nations. However, the United States Court of Appeals for the First Circuit held in Aroostook Band of Micmacs v. Ryan (Aroostook III) that the federal Aroostook Band of Micmacs Settlement Act (ABMSA) did not alter or disrupt the applicability of limiting provisions in MICSA to the Mi'kmaq Nation. In the Aroostook line of cases, the underlying fact pattern involved employment claims by non-members against the Mi'kmaq Nation. The Penobscot Nation and the Passamaquoddy Tribe had both been found by the U.S. First Circuit and by the Maine Supreme Judicial Court to not be subject to Maine Human Rights Commission (MHRC) jurisdiction because of the "internal tribal matters" language in the state MIA. The Aroostook cases did not extend this logic to the Mi'kmaq Nation.

LD 1620 brings the Mi'kmaq Nation to a similar positionality as the other Wabanaki Tribes. In written testimony submitted to the Maine Legislature's Judiciary Committee, Wabanaki Alliance Executive Director John Dieffenbacher-Krall framed the historical situation when he said that "The Mi'kmaq Nation has been greatly hindered by enduring all the negative restrictions of the Maine Indian Claims Settlement Act with none of the benefit." The language in the Mi'kmaq Nation Restoration Act (MNRA) largely mirrors the language of the MIA, which makes benefits of the MIA and the MICSA available to the Mi'kmaq Nation. Some examples are provided below:

- Inclusion of "internal tribal matters" language at 30 M.R.S. § 7205(2), which likely would have resolved the Aroostook line of

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Western Water Rights and the Trust Responsibility: Arizona v. Navajo Nation

By Ryan Lolar, Indigenous Peoples Unit Staff Attorney

In addition to Haaland v. Brackeen and Lac du Flambeau, which are covered earlier in this edition of the Wabanaki Legal News, the Supreme Court also heard Arizona v. Navajo Nation, a case on tribal water rights and the trust responsibility.

In Arizona v. Navajo Nation, the Navajo Nation filed a suit against the United States to compel the federal government to take steps to identify the appropriate allocation of Navajo's water rights, and if those rights had been misappropriated, to take steps to correct the misappropriation. When the Navajo filed suit, the states of Arizona, Nevada, and Colorado intervened because their water interests come from the Colorado River, which is implicated in the Navajo's request. The U.S. District Court for the District of Arizona dismissed the tribe's complaint, then the U.S. Ninth Circuit Court of Appeals reversed and held that the United States had a treaty obligation to determine the appropriate allocation of the Navajo Nation's water rights.

An understanding of western water rights and history is important to understanding this case. Unlike in the eastern half of the country, where water is generally more plentiful, water is naturally scarcer in the western states. In the east, water rights are riparian rights, which means that people whose land touches water have the right to use it. However, in the west, the prior appropriation doctrine is used, which means that the right to use water is based on claims of use where senior or older water rights take priority over junior or younger rights. This allows for senior rights holders to "put a call" on a river or stream to stop junior rights holders from taking water for irrigation or other uses, even if the junior rights holder is upstream from the senior rights holder. Further, it also means that water rights are allocated between individuals based on their claims. The unit of measurement that is used for someone's allocation is an "acre-foot," which is the amount of water needed to cover one acre in one foot of water.

This concept of the allocation of water rights extends up from individuals to the states and tribes. There are two countries, seven states, and over two dozen tribes that use water from the Colorado River System (the "Colorado"). The Colorado is allocated between the United States and Mexico in an international treaty, as well as between the states and tribes in several interstate compacts and through water rights adjudications. The states and tribes are generally split between the Upper Division, which includes Colorado, New Mexico, Utah, and Wyoming, and the Lower Division, which includes Arizona, California, and Nevada. The Colorado is then broken down into the Upper Basin and Lower Basin depending on where the water from streams, rivers, and other sources drains into the Colorado. The Colorado under this regime is set at 15 million acre-feet with the Upper Basin receiving 7.5 million acre-feet annually and the Lower Basin receiving 7.5 million acre-feet annually.

The Navajo Nation's suit against the United States is based on the Colorado River Compact described above. While some tribes have had their water rights adjudicated based on the present compact, the Navajo Nation has never had its rights adjudicated. When the Navajo Nation has tried to intervene in previous negotiations, the United States has rejected the Nation's ability to be present. In response to continual rejections, the Navajo Nation filed suit against the United States based on the United States' trust responsibility to the Nation and the Nation's right to water based on the 1868 Treaty of Bosque Redondo. As cited by Arizona v. Navajo Nation, a 1908 Supreme Court case, Winters v. United States, makes clear that "The Federal Government's reservation of land for an Indian tribe implicitly reserves the right to use needed water from various sources—such as groundwater, rivers, streams, lakes, and springs that—arise on, border, cross, underlie, or are encompassed within the reservation."

Unfortunately, in Arizona v. Navajo Nation the Supreme Court held in a 5-4 decision that the United States has no "affirmative duty" to the Navajo Nation to secure water for it. The majority opinion indicated that while the Navajo Nation has the right to use water per Winters that the United States has no obligation to take steps to assess or secure those water rights. The majority opinion was drafted by Justice Brett Kavanaugh and joined by Chief Justice John Roberts and Justices Clarence Thomas, Samuel Alito, Amy Coney Barrett. Justice Thomas issued a concurring opinion where he expressed views about

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If you or someone you know was discharged from the military and believe the discharge status you were given was unjust, please visit Statesidelegal.com and click on the Legal Help Navigator Tool to find an organization in your community that may be able to help. The Veterans Consortium (https://www.vetsprobono.org/) can also provide assistance nationwide.

IMPORTANT NOTICE

If you receive TANF and live on an Indian Reservation, your TANF benefits cannot be terminated because of the five year time limit if over half of the adults on the reservation are not employed.

Call Pine Tree Legal Assistance at: 1-877-213-5630 if you get a letter from DHHS telling you that you have reached the 60 month (5 year) lifetime limit.

You may be exempt from termination.

MICWA

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The most notable difference between the state and federal acts is in the adoptive placement preferences and foster care or preadoptive placement preferences. The federal act establishes preferences for adoptive placement that a child be placed with "(1) a member of the child's extended family; (2) other members of the Indian child's tribe; or (3) other Indian families." 25 U.S.C. § 1915(a). In contrast, the Maine ICWA sets the following adoptive placement preferences:

> A. An extended family member of the Indian child; B. Another member or citizen of the Indian child's tribe; C. A member or citizen of an Indian tribe in which the Indian child is eligible for membership or citizenship, but that is not the Indian child's tribe; D. Another Indian with whom the Indian child has a relationship; or E. Another Indian from a tribe that is culturally similar to or linguistically connected to the Indian child's tribe.

The difference in this provision is motivated by concerns from Brackeen. Tribal membership is well understood in federal law as a political classification stemming from tribes' status as sovereigns, but opponents to tribal interests argue that laws like ICWA are based on race, not on political classification. The "other Indian families" catch-all in the federal ICWA was a target of tribal opponents because of the broad sweep of its language, although in practice the provision is rarely if ever used. The Maine statute avoids the catch-all language and instead anchors the additional placement preferences in the child's individual connections or in the child's tribe's connections to an alternative placement that is not within the child's tribe.

The bill was signed into law in 2023 and was granted an emergency status that allowed its provisions to go into effect immediately.

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federal-tribal relations that are inconsistent with two centuries of precedent. Justice Neil Gorsuch authored the dissent and wrote strongly about the United States' continued failures to secure or allocate water rights for the Navajo Nation. Justices Ketanji Brown Jackson, Sonia Sotomayor, and Elena Kagan joined Justice Gorsuch in dissent.

While recent cases like McGirt v. Oklahoma and Haaland v. Brackeen are great victories for Indian Country, the Court continues to issue opinions like Arizona v. Navajo Nation and Oklahoma v. Castro Huerta that indicate that tribes still face an uphill battle in the "highest court in the land."

Mi'kmaq Nation

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> cases in Mi'kmaq Nation's favor;

- Expanded recognition of Mi'kmaq jurisdiction over hunting and fishing regulation;
- Expanded recognition of jurisdiction over drinking water;
- Expanded recognition of criminal jurisdiction; and
- Other provisions that recognize civil regulatory jurisdiction, especially within tribal lands.

The MNRA also updates other provisions of the MIA involving the criminal and civil regulatory jurisdiction of the Penobscot Nation, Passamaquoddy Tribe, and the Houlton Band of Maliseets.

Boarding Schools

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recommendations on ways to address these issues to improve prevention of violent crime and to improve access to justice.

The NIAC is a collaborative effort between the United States Department of Justice, the United States Department of the Interior, Congress, and tribes across the country.

The 'Not One More' report is available at: https://www.justice.gov/usdoj-media/otj/media/1322566/dl?inline

Federal Boarding School Initiative

The Federal Boarding School Initiative (FBSI) is a federal program of the United States Department of the Interior that is intended to collect relevant information from historical records and from listening sessions about the impact of federal Indian boarding schools on tribal communities throughout the United States, including for Alaskan Natives and Native Hawaiians. Several tribal consultations have occurred throughout Indian Country. Additionally, the FBSI produced a report in May 2022 that details the number of boarding schools the United States operated and funded, as well as the years those schools were in operation, and the status of investigation into burial sites and identification of children that attended schools. The report is available at: https://www.bia.gov/sites/default/files/dup/inline-files/bsi_investigative_report_may_2022_508.pdf.

Student Loans

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sometimes you need to file a physician certification as part of the application. An MD, DO, PA, NP, or certified psychologist can now sign the physician certification.

A lot has changed over the past few years, and there may be better options available to you now as compared to when you last dealt with your loans.

To find out more information about your federal student loans, you can visit Federal Student Aid at studentaid.gov.

If you run into issues with your student loans or student loan servicer, you can also file a complaint with:

Federal Student Aid
https://studentaid.gov/feedback-center and/or the Consumer
Financial Protection Bureau
https://www.consumerfinance.gov/data-research/consumer-complaints/
Maine Student Loan Ombudsman
https://www.maine.gov/pfr/consumercredit/complaint.htm

TRIBAL COMMUNITY RESOURCES

Mi'kmaq Nation:

www.micmac-nsn.gov

Administration, Housing, Child/Family Services	764-1972
Micmac Head Start Program	768-3217 or bbasso@micmac-nsn.gov
Health Department	764-1792

Houlton Band of Maliseet Indians:

www.maliseets.net

Administration	532-4273
	1-800-564-8524 (in-state)
	1-800-545-8524 (out-of-state)
Maliseet Health Department	532-2240
Maliseet Health Clinic	533-4229
Maliseet Housing Authority	532-7637
Indian Child Welfare	532-7260 or 866-3103
Social Services and LEAD	532-7260 or 1-800-532-7280
Domestic and Sexual Violence Advocacy Center	532-3000
	532-6401 (24/7 helpline)

Penobscot Indian Nation

www.penobscotnation.org

Administration, Tribal Clerk's Office	817-7351
Indian Health Services, Front Desk	817-7400
Penobscot Housing Dept.	817-7372
Penobscot Human Services	817-7492
Public Safety	817-7358
Domestic Violence and Sexual Assault Crisis Hotline	
	631-4886 (24/7 helpline)
Main Office	817-7349

Penobscot Nation Tribal Court System

Main Line	827-3415
Clerk of Courts	817-7327

Passamaquoddy Tribe:

Sipayik (Pleasant Point) www.wabanaki.com

Administration	853-2600
Health Center	853-0644
Housing Authority	853-6021
Domestic Violence-Peaceful Relations	853-2600 ext. 266 or 291
	1-877-853-2613 (24/7 helpline)
Police (Emergency)	911
Police (non-Emergency)	853-6100
Social Services	853-2600 ext. 258 or 853-9618

Tribal Court System (www.wabanaki.com/tribal_court.htm)

Clerk of Courts	853-2600 ext. 251 (Clerk, Rachael Nicholas) or 248 (Adminstrator/Probation)

Motahkomikuk (Indian Township)

(www.passamaquoddy.com)

Passamaquoddy Tribe(continued):

Administration	796-2301
Indian Township Clinic	796-2321
Indian Township Housing	796-8004
Police Department	796-5296
Domestic Violence	214-1917

Tribal Court System (www.wabanaki.com/tribal_court.htm)

Clerk of Courts	853-2600 ext. 251

(when court is in session call: 796-2301 ext. 205)

STATEWIDE AND TRIBAL SERVICES

Health and Human Services (DHHS)

DHHS Child Abuse	1-800-452-1999 (24/7)
	1-800-963-9490
DHHS Adult Abuse and Neglect	1-800-624-8404

DOMESTIC VIOLENCE

Maine Coalition to End DV 1-866-834-4357 (24/7)

Aroostook Band of Micmac,

Domestic and Sexual Violence Advocacy Center
750-0570 or 551-3939 (hotline)

Houlton Band of Maliseets,

Domestic and Sexual Violence Advocacy Center
532-6401 (24/7) or 532-3000

Penobscot Nation,

Domestic and Sexual Violence Advocacy Center
631-4886 (24/7) or 817-3165 ext. 4

Passamaquoddy Tribe at Sipayik,

Passamaquoddy Peaceful Relations 853-2600 ext. 266

Passamaquoddy Tribe at Indian Township,

Indian Twnshp Passamaquoddy Dom. and Sexual Violence Advocacy Ctr.
(207) 214-1917

Penobscot County

Partners for Peace	1-800-863-9909 (24/7) or
	1-800-437-1220 (24/7) (TTY)

Washington County

The Next Step	1-800-315-5579 or 255-4934

Aroostook County

Hope and Justice Project	1-800-439-2323 (24/7) or 764-2977

RAPE CRISIS SERVICES

Penobscot County

Rape Response Services	1-800-310-0000

Aroostook County

Aroostook Mental Health Center	1-800-871-7741

OTHER SERVICES

Maine Crisis Line	1-888-568-112
Statewide Suicide Referral Line	1-800-568-1112
Poison Control Center	1-800-222-1222

2-1-1 Maine & Community Action Programs

2-1-1 Maine (www.211maine.org)

2-1-1 Maine is part of a national movement to centralize and streamline access to health and human service information and resources. The state of Maine has thousands of programs offering all types of health and human services.

Community Action Programs bring community resources together such as heating assistance and other utility issues, subsidized housing, child care, and transportation services for disabled people. Call 2-1-1 for your local program.

LEGAL SERVICES

Pine Tree Legal Assistance

www.ptla.org

Pine Tree Legal represents low-income people with legal problems.

- Portland: 774-8211
- Augusta 622-4731
- Machias: 255-8656
- Lewiston: 784-1558
- Presque Isle: 764-4349
- Bangor: 942-8241
- Farm Worker Unit (FWU): 1-800-879-7463
- Indigenous Peoples Unit (IPU): 1-877-213-5630

Volunteer Lawyers Project

www.vlp.org 1-800-442-4293 or 942-9348

Civil Legal Cases: If you are low income, the VLP may be able to find a free lawyer to take your case. No criminal cases and no family law. Intake by phone.

Family Law: If you are low income and have a family law case, you can consult with a free lawyer for up to half an hour at the following courthouse clinics:

Legal Services for the Elderly

www.mainelse.org 1 (800) 750-5353

If you are 60 or older, LSE can give you free legal advice or limited representation.

The helpline is open Monday to Friday, 9 AM to 4 PM.

Penquis Law Project

www.penquis.org 1-800-215-4942 or 973-3671

This group gives legal representation to low-income residents of Penobscot and Piscataquis Counties in cases involving domestic relations. Priority is given to people who have experienced or are experiencing domestic violence, sexual assault, or stalking.

Disability Rights Maine

www.drme.org 1-800-452-1948 or 626-2774

Bangor Court Assistance Program

561-2300 TTY: 941-3000

Volunteers are available at the Bangor District Court once a month to help you fill out family law and small claims court forms. For upcoming dates call Holly Jarvis at 561-2300.

OTHER COMMUNITY RESOURCES

Wabanaki Public Health and Wellness

992-0411

Wabanaki Public Health & Wellness' (WPHW) mission is to provide community-driven, culturally centered public health and social services to all Wabanaki communities and people while honoring Wabanaki cultural knowledge, cultivating innovation, and fostering collaboration. Our values include: inclusivity, balance, and cultural centeredness. Wabanaki traditions, language, and culture guide our approach and describe the ways we live in harmony with each other and the land we collectively share.

Maine Indian Tribal State Commission

www.mitsc.org 944-8376

Social Security Administration

www.ssa.gov/reach.htm

Statewide	1-800-772-1213
Bangor Area	1-877-405-1448 or 207-942-8698
Presque Isle Area	1-866-837-2719 or 207-764-2925

Maine Human Rights Commission

www.maine.gov/mhrc/mhrc/home

Veterans Administration

https://www.maine.va.gov/

Pine Tree's Veteran's Unit may also be able to help by contacting 400-3229 or email veterans@ptla.org.

EMPLOYMENT INFORMATION

Maine Department of Labor

To file unemployment claims online:

www.maine.gov/labor/unemployment

To file unemployment claims by telephone: 1-800-593-7660

Or go to your nearest Career Center: (mainecareercenter.com)

Bangor: 561-4050

Calais : 454-7551

Machias: 255-1900

Presque Isle: 760-6300