



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

SEP 18 2015

The Honorable Cedric Cromwell
Chairman, Mashpee Wampanoag Tribe
483 Great Neck Road South
Mashpee, Massachusetts 02649

Dear Chairman Cromwell:

In 2007, the Mashpee Wampanoag Tribe (Tribe) submitted an application to the Department of the Interior (Department) to acquire 170 acres of land in trust in the Town of Mashpee, Barnstable County, Massachusetts, for tribal governmental, cultural, and conservation purposes; and 151 acres of land in trust in the City of Taunton, Bristol County, Massachusetts, for the purpose of constructing and operating a gaming facility and resort. Pursuant to Section 5 of the Indian Reorganization Act, 25 U.S.C. §465, the application is approved, and these lands will now become the Tribe's first lands to be held in trust.

The reasons for our decision are reflected in the enclosed analysis and follow a thorough review of the Tribe's history and application, the administrative record, and comments submitted by numerous interested parties, including the Commonwealth of Massachusetts (Commonwealth) and local jurisdictions. The Department also developed an Environmental Impact Statement that included an in-depth analysis of potential impacts from the proposed casino/resort and required mitigation measures to address potential impacts.

Although the Indian Gaming Regulatory Act (IGRA) generally prohibits gaming activities on lands acquired in trust by the United States on behalf of a tribe after October 17, 1988, an exception is made for lands that are acquired in trust as part of the "initial reservation" of an Indian tribe acknowledged by the Department through the Federal acknowledgment process. 25 U.S.C. § 2719 (b)(1)(B). We have determined that the lands under our review meet the initial reservation exception of IGRA and are eligible for gaming.

The Tribe's origins in southeastern Massachusetts predate arrival of Europeans on this continent. At the time of initial European contact, the Tribe's ancestors occupied all of modern-day Bristol, Barnstable, and Plymouth Counties. Following King Philip's War, the Tribe's descendants were dispersed and lost much of their land in these areas to English settlers. This loss of land deprived the Tribe of a means to generate economic development to support and care for its members. Consequently, the Tribe and its members were relegated to economic poverty, a condition that still persists today. Yet, the tribal community persisted.

Today, many tribal members remain unemployed and live below the Federal poverty level. In 2012, the Tribe's unemployment rate was nearly 50 percent, compared to 8.1 percent nationally. Moreover, the percentage of tribal members in poor health has been twice that of the average of the general population in Massachusetts, with tribal members lacking access to quality health and dental care, and suffering serious health concerns at a higher rate than their neighbors.

The Tribe endured a long and rigorous process to achieve Federal recognition in 2007 through the Federal acknowledgment process. Federal recognition ushered in a reestablishment of a government-to-government relationship with the United States, including the privileges and immunities available to other federally recognized tribes, such as tribal sovereignty and a recognized tribal homeland. The land to be acquired in Mashpee is located near the Tribe's historical Indian community during the colonial and revolutionary periods. The Tribe historically used lands in the vicinity of Taunton for subsistence and occupancy. With the acquisition in trust of the lands in Mashpee and Taunton, the Tribe can enjoy the restoration of lands similar to those it lost long ago.

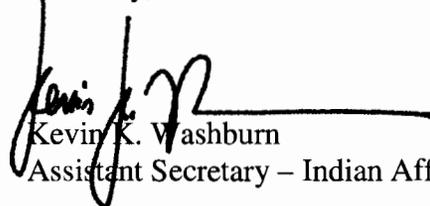
As a result of this acquisition, the Tribe will be positioned to achieve long-term and stable economic development which will provide employment opportunities for tribal members. Revenue from economic development will greatly enhance the Tribe's ability to provide environmental protection and conservation, increase the public health and safety of its members, and preserve its history and community by funding the preservation and restoration of culturally significant sites. Increased revenue will also enhance educational and cultural programs, and increase services available to tribal members.

The Tribe received significant support from the Commonwealth, local governments, and the public for its application. Moreover, the Tribe has established strong relationships with the Town of Mashpee and the City of Taunton, as evidenced by Intergovernmental Agreements between the Tribe and both of these municipal governments. We appreciate the constructive government-to-government relationships that have developed between the Tribe and these two municipalities. A spirit of cooperation and collaboration between the Tribe and its neighbors, lost in the 17th century, has been reignited in the 21st century.

Our decision to acquire lands in trust for the Tribe reflects a profound belief in the importance of tribal sovereignty as a mechanism for providing for the future of the tribal community. The Tribe and other interested parties have been patient while our staff worked, first, through the acknowledgment process and, more recently, through the land-into-trust process. It has been a long road for the Tribe. We thank the Tribe, other interested parties, and the public for their patience and cooperation as our staff has taken the time necessary in deliberations to make the correct decision.

We congratulate the tribal leadership in particular for its persistence in seeing these lengthy regulatory processes through to completion.

Sincerely,



Kevin K. Washburn
Assistant Secretary – Indian Affairs

Enclosure