



20 Black Brook Road
Aquinnah, MA 02535

Phone: 508-645-9265
Fax: 508-645-3790

January 22, 2019

Massachusetts Gaming Commission
101 Federal Street
12 Floor
Boston, MA 02110

RE: Region C discussion – Open Meeting #259

Dear Interim Chairwoman Cameron:

Greetings from Noepe! In preparation for your discussion on Region C, we write to remind the Commission that the only federally recognized tribe with land eligible for gaming in the Commonwealth is the Wampanoag Tribe of Gay Head (Aquinnah) (hereinafter “Aquinnah Wampanoag”) and must be considered in any discussion regarding gaming in the Commonwealth and Region C.

Furthermore, the Aquinnah Wampanoag has serious concerns about the federal bill “Mashpee Reservation Reaffirmation Act” as was drafted and introduced by Congressmen Keating and Kennedy which seeks to clarify the status of the Mashpee Wampanoag land in Region C. While we remain empathetic to the legal challenges facing our sister tribe the Mashpee Wampanoag, as introduced, the legislation has the very real potential to have a serious adverse effect on our Tribe and our sovereign right to acquire additional lands in shared Wampanoag Ancestral territory within the Commonwealth of Massachusetts. Unless and until the legislation is amended to include our tribe, we must remain adamantly opposed to its introduction and passage and have relayed our position to members of Congress co-sponsoring the bill.

Both the Aquinnah Wampanoag and the Mashpee Wampanoag Tribe are recognized by the United States as successor tribes to the Great Wampanoag Nation whose territory span from the Boston area, southwest to eastern Rhode Island, and eastward out to the outer continental shelf; including Cape Cod and the Islands of Martha’s Vineyard and Nantucket. This “successor” designation is important because as the remaining successors to the Wampanoag Nation, we are also both the successors to all the territory of the Nation, which encompasses all of southeastern Massachusetts, including the area designated as Region C.

We followed separate paths to achieving federal recognition and in 1987 the Aquinnah Wampanoag were the first Tribe in the Commonwealth to achieve federal recognition with the Mashpee Tribe following twenty years later. However, today only twenty-five percent of Aquinnah Wampanoag tribal members reside on the island of Martha's Vineyard with the majority of the other members residing within the former Wampanoag Nation territory on the mainland – primarily within Region C. This disbursement of tribal members makes maintaining the right and ability to acquire tribal trust land within this territory even more critical for the Aquinnah Wampanoag.

It is because there are only two federally recognized Tribes in the Commonwealth of Massachusetts and both those Tribes descend from the same former Nation we adamantly believe that it is only fair and reasonable to request that any legislation that has the effect of applying “all laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 ([25 U.S.C. 5101](#) et seq.)), to apply to both Tribes. In other words, if Congress is going to reaffirm the Mashpee Wampanoag right to have tribal trust land then they must also do so for the Aquinnah Wampanoag. We are simply requesting parity.

Therefore, we continue to request the following simple amendment to the Mashpee Reservation Reaffirmation Act: (additions in underline):

All laws (including regulations) of the United States of general applicability to Indians or nations, Indian tribes, or bands of Indians (including the Act of June 18, 1934 ([25 U.S.C. 5101](#) et seq.)), shall be applicable to the Mashpee Wampanoag Tribe of Massachusetts and Wampanoag Tribe of Gay Head (Aquinnah) and their Tribal Members.

While we do not dispute the right of Mashpee to acquire trust land within the Town of Mashpee, or even within our shared territory, we must also protect our own right to do the same. We look forward to continuing dialogue about the development of gaming in the Commonwealth and Region C. Please feel free to contact me with any questions.

In Balance, Harmony and Peace,



Chairwoman Cheryl Andrews-Maltais
The Wampanoag Tribe of Gay Head (Aquinnah)
Aquinnah Wampanoag Gaming Corporation