Indian Affairs - Office of Public Affairs

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WASHINGTON, D.C. – Assistant Secretary – Indian Affairs Kevin K. Washburn today issued a decision approving a request by the Mashpee Wampanoag Tribe to acquire 170 acres of land into trust in the town of Mashpee, Mass., for tribal governmental, cultural and conservation purposes, and 151 acres in trust in the City of Taunton, Mass., for the purpose of constructing and operating a gaming facility and resort. The lands in both Mashpee and Taunton will become the tribe's first lands held in trust.

In addition to the casino/resort, the tribe's plans for the site in Taunton includes three hotels, an event center, restaurants, retail stores, and a water park. The project would create at least 3,500 full-time (permanent) and part-time positions, and 287 construction jobs.

"The tribe's origins in southeastern Massachusetts predate the arrival of Europeans on this continent," Assistant Secretary Washburn said in his decision. "At the time of initial European contact, the tribe's ancestors occupied all of modern-day Bristol, Barnstable, and Plymouth Counties." Washburn said that the tribe's descendants were dispersed and lost much of their land in these areas to English settlers.

The land to be acquired in Mashpee is located near the tribe's historical Indian community during the colonial and revolutionary periods. Traditionally, they used the lands in Mashpee, and in the vicinity of the Taunton, for subsistence use 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.

The Indian Reorganization Act (IRA) authorizes the Secretary of the Interior to acquire land in trust for Indian tribes. Pursuant the Indian Gaming Regulatory Act (IGRA), a tribe may conduct gaming on trust land if the land is the "initial reservation" of an Indian tribe. The lands in Mashpee and Taunton will be the first lands acquired in trust and, upon issuance of a Reservation Proclamation, the first proclaimed reservation for the tribe, which received federal acknowledgment and re-establishment of a government-to-government relationship with the United States in 2007.

In reaching today's decision, the Department conducted a thorough review of the tribe's history and application, as well as the administrative record and comments submitted by numerous interested parties. The Department also developed an Environmental Impact Statement (EIS) that included an in-depth analysis of potential effects of the proposed casino/resort and required mitigation measures to address any potential impacts.

The Department also determined that the lands in Mashpee and Taunton met the "initial reservation" exception of IGRA, and, thus, the tribe may conduct gaming. (Further, the Department determined that it is authorized to acquire the lands in Mashpee and Taunton in trust pursuant to the IRA, and in keeping with the United States Supreme Court's decision in Carcieri v. Salazar.)

Washburn noted that as a result of acquiring these lands in trust, the tribe will benefit from longterm and stable economic development as well as opportunities for self-governance and self-determination. Acquisition will enable the tribe to meet the needs of its members by providing employment, housing, and educational opportunities, and will enable the tribe to meet other critical tribal needs. Economic

development also will greatly enhance the tribe's ability to preserve its history and community by funding the preservation and restoration of culturally significant sites. Washburn praised the constructive government-to-government cooperation between the tribe and the Town of Mashpee and the City of Taunton.

The Office of Trust Services administers the BIA's land-into-trust and other trust land-related regulations. For more information about the Office of Trust Services and its mission, visit https://www.bia.gov/bia/ots.

The Office of Indian Gaming handles gaming issues related to land-into-trust decisions for the Office of the Assistant Secretary. For more information about the Office of Indian Gaming and its mission, visit https://www.bia.gov/as-ia/oig

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