

# **\$2 million housing grant, new tribal court help build Mashpee Wampanoag nation**

MASHPEE, Mass. – The Mashpee Wampanoag Tribe is continuing its nation-building with a \$2 million housing grant and three appointments to its new tribal Supreme Court.

The housing grant is from American Recovery and Reinvestment Act funds through the U.S. Department of Housing and Urban Development. Chairman Cedric Cromwell said the community was “thrilled” to receive it.

“It will help us to make housing more affordable for tribal members who are too often priced out of the extraordinarily expensive housing in our tribe’s ancestral land.” Cromwell thanked the late Sen. Edward Kennedy for his help in securing the grant, as well as Sen. John Kerry and members of the state’s congressional delegation, Barney Frank and Bill Delahunt.

Mashpee Wampanoag Housing Director Alice Lopez said the funding will be used to complete infrastructure and erect a few of the planned 51 new units of affordable housing, which will be built on a 48-acre nation-owned property and leased to its citizens.

The land is currently held in fee and is subject to local and state taxes and regulations. It is included in an application with the Interior Department to take around 680 acres of fee land into trust as an initial reservation. The application includes around 540 acres in Middleborough where the nation hopes to open a casino, and 140 acres in the town of Mashpee.

An application is in the final stages of a preliminary Environmental Impact Statement. Cromwell anticipates the process to be completed by next summer.

The issue of gaming has been revived in Massachusetts. Last year, Gov. Deval Patrick’s proposal to authorize three commercial casinos went down in the face of opposition from some of the state’s legislators, but the proposal’s fiercest opponent is no longer there. New law makers who are more amenable to receiving millions of dollars of gaming revenues into the state’s badly stretched general fund are expected to move forward on approving a gaming proposal during this legislative year.

“The tribe definitely wants to be at the table when the state’s gaming discussion takes place and we certainly want to be considered,” Cromwell said. He said the tribe is open to various gaming options.

“While we’re looking at sovereign Indian gaming, we want to understand what other gaming opportunities are available for the tribe and we’re definitely flexible to talk about them and negotiate them.”

The nation’s land into trust application may depend on a solution to the U.S. Supreme Court’s decision earlier this year in the Carcieri case – named after the governor of Rhode Island – that the Interior Department secretary does not have the authority to take land into trust for tribes recognized after 1934. Mashpee received federal acknowledgment in 2007.

“We’re still closely monitoring the Carcieri situation and hoping for a quick resolution,” Cromwell said.

The nation has asked the state’s congressional delegation to support a “Carcieri fix” that would recognize the right of all American Indian nations to seek land into trust no matter when they were federally recognized.

Meanwhile, the nation continues to build its internal governance infrastructure.

In late August, the Mashpee Wampanoag Tribe held a swearing in ceremony for three new Supreme Court justices – Chief Justice Henry Sockbeson, Justice Robert Mills and Justice Rochelle Ducheneaux. All three were recommended by the tribe’s Elders Judiciary Committee and approved by tribal council.

As chief justice, Sockbeson, a member of the Penobscot Indian Nation, will hear the majority of cases and assist the tribe as it further develops its sovereign judiciary system.

Sockbeson is a Harvard Law School graduate who has practiced law for more than 25 years and has been involved in land claims, tribal taxation and religious and voting rights issues.

He worked as the directing attorney for the Native American Rights Fund in Colorado and Washington from 1983 to 1993 on a variety of federal legislative issues including the Wampanoag Tribe of Gay Head (Aquinnah) Settlement Act, the Native American Graves Protection and Repatriation Act and the Indian Reorganization Act amendments.

Mills, a graduate of Boston College and Boston College Law School, is an active Mashpee Wampanoag tribal member and a partner at Wynne and Wynne law firm on Cape Cod where he has worked as an attorney for nearly 20 years.

Ducheneaux, who has served as an interim judge for the Mashpee Wampanoag Tribe since last year, is a member of the Cheyenne River Sioux Tribe and has extensive experience in Indian law.

Aside from the new justices, the tribe is also seeking a \$2 million grant for health care.

“We’re aggressively working with the congressional delegation about appropriations for a health care center. Indian Health Service is talking about funding a health clinic and dental clinic for the tribe that would also fund some job positions. When we think about the health of our tribe, the good news is we’re now being served where we’ve been traditionally underserved,” Cromwell said.

The nation is aggressively seeking recovery funds and other grants from U.S. Fish and Wildlife Service and various agencies and other sources for education funding for its K-12 students who attend local public schools. Part of the plan is to provide cultural training to staff in the schools and attract American Indian teachers to the local schools.

The Mashpee Wampanoags are building their nation in the wake of a scandal that culminated early this year when the former chairman, who was convicted on various charges of embezzlement, was sentenced to three-and-a-half years in prison.

“It’s very exciting,” Cromwell said. “We’re able to tell positive stories now and let all of Indian country know that what has happened with the previous administration in a negative sense for many years is far behind us and when we look forward to positive prosperity for our tribe we have a whole host of optimism, and not only do we move forward for us, but as ambassadors for all of Indian country. After all, it all started here in the east.”