

Island tribe wants to deal

Gay Head tribe leader says federal recognition doesn't bring prosperity without a casino

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STAFF WRITERS

March 14, 2008 10:35 AM

and GEORGE BRENNAN

AQUINNAH — Federal recognition was supposed to bring economic opportunity to the Wampanoag Tribe of Gay Head (Aquinnah).

Twenty years later, only one quarter of tribe members can afford to live on the tribe's ancestral island, federal money has failed to live up to expectations, and tribal enterprises barely stay afloat.

Tuesday, tribal council Chairwoman Cheryl Andrews-Maltais, who took office a little more than two months ago, will be among those attending a Beacon Hill hearing on Gov. Deval Patrick's casino plan.

The Mashpee Wampanoag tribe, which is pursuing a \$1 billion Indian casino in Middleboro, is also expected to be part of Tuesday's debate.

After two decades of pushing the state to allow casino gambling, the Gay Head tribe is willing to wait longer if necessary, Andrews-Maltais said.

But one way or another — be it by bidding on a commercial casino license if the governor's plan passes or applying to put land into federal trust for a casino — the Gay Head tribe will continue to fight for a casino and the economic stability it would provide.

"People's perception is we're all rich living on an island with expensive oceanfront homes," Andrews-Maltais said. "This is an extraordinary beautiful place to be and to come from. However, the cost of living here is astronomical."

The tribe would prefer to work with the state and is primarily looking for land in southeastern Massachusetts for a casino, she said. The tribe and its development partner, Seneca Nation of New York, have no intention of building a casino on Martha's Vineyard or Cape Cod.

Patrick's plan would allow three resort casinos — one in the Boston area, one in western Massachusetts and one in the southeast region. The state's two federally recognized tribes would have preferred status in the licensing process, though exactly what that means is unclear.

Land in the southeast region of the state, where the tribe has ancestral ties and where the bulk of its members live would also give the Gay Head tribe the best shot at an Indian casino, Andrews-Maltais said.

A land settlement with the state in 1987 gave the tribe 460 acres in Aquinnah. When the tribe was federally recognized the same year, the land was put into trust.

Because of the settlement, state officials believe there are "constraints" on the tribe's gambling rights, Daniel O'Connell, the governor's casino pitch man, told the Times in September.

"We think that their status and rights are materially different than the Mashpee tribe," O'Connell said. The Mashpee tribe was recognized one year ago and does not yet have a reservation.

Andrews-Maltais disagrees. "Our position is that our rights under the Indian Gaming Regulatory Act are intact and they weren't signed away," she said.

Under Indian gaming regulations, the Gay Head tribe would have to seek an off-reservation casino, which would require federal approval and the go-ahead of the governor.

That has proven to be a difficult path for other tribes. In January, the U.S. Department of the Interior rejected 11 off-reservation casinos mainly because of their distance from the tribe's existing lands.

Andrews-Maltais said the Aquinnah are in a unique position as an island-based tribe.

"I think we are able to make a very strong and convincing case for off-island or off-reservation land into trust," she said.

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Aquinnah Wampanoag

Federally recognized in 1987

- About 1,100 tribe members - 300 on Martha's Vineyard
- Receives \$850,000 per year from federal government, plus \$1 million for health program and \$1.4 million in other grants
- Reservation includes 467 acres in Aquinnah in federal trust and 7.7 acres that were either donated or purchased by the tribe.

Source: Cheryl Andrews-Maltais, tribal council chairwoman