

TESTIMONY OF
CEDRIC CROMWELL, CHAIRMAN, MASHPEE WAMPANOAG TRIBE
TO THE
SENATE COMMITTEE ON INDIAN AFFAIRS
REGARDING
DEFICIT REDUCTION AND JOB CREATION: REGULATORY REFORM IN INDIAN COUNTRY
DECEMBER 1, 2011

Good afternoon Chairman Akaka and members of the Committee, and thank you for your efforts on behalf of so many issues affecting Indian Country. As Chairman of the Mashpee Wampanoag Tribe, I am honored to speak with you about job creation, and what can be done at the federal level to allow us to create jobs not only for tribal members, but also our neighbors in Massachusetts.

The single most effective measure that this Congress can take to spur job creation and economic development is to end the uncertainty caused by the controversial Carcieri decision. That uncertainty impedes trust land acquisition, denies access to funds and funding opportunities, and creates a continuing threat of litigation that casts a cloud over all of our economic development planning.

As you know, despite our Tribe's long history, including being the Nation that met the Pilgrims back in 1620, we were only reaffirmed as a federally recognized Tribe in 2007. As a recently reaffirmed tribe, we have much work to do. We have to recover from the centuries in which we lost control of our homes, our lands, our natural resources and the ability to protect our way of life. Despite all those losses, my community is strong, and working to overcome the difficulties that the Carcieri decision poses to our efforts to restore a piece of our homeland and fulfill our obligation to provide for the Mashpee people.

After centuries of neglect, my people's needs are crushing. Over 50% of our adults are out of work. Less than half have a high school diploma. Not coincidentally, half of our population lives below the poverty line. Our elders and families struggle to find affordable housing in one of the most expensive housing markets in the country – on lands that were allotted away from us in

the nineteenth century. And our people suffer from poverty-related health issues like heart disease, diabetes, substance abuse, and depression.

The Tribe's needs, although starker, are not much different from the rest of the country. My people need housing, and we are working to build our first tribal housing development, aided by NAHASDA funding. But the delay in restoring our trust land base means that we are burdened by state, as well as federal regulation, and progress is slower and more expensive. Jobs are slower in coming, as are our homes.

We want to do more with our homeland. We are planning to build a tribal government and community center, assisted by a low interest loan from USDA – with the goal of concentrating our governmental programs in one site, serving our population more efficiently, and without paying for outside rental. But we cannot yet build on trust land, because we don't yet have it. So we must confront state assertions of jurisdiction, including zoning and taxation. So our costs go up, jobs and programs are delayed and deferred.

We are about to celebrate the opening of the Tribe's health clinic, funded by IHS, and operating near our tribal headquarters, in our traditional homeland, but still not on trust land. We wish that we could build bigger and better, but we are providing much needed service to our people.

With funds from DOI and EPA, we are working to restore the natural resources of our home area by introducing conservation efforts, shellfish cultivation, and other programs to strengthen and restore our cultural heritage, all in areas of our traditional homeland, but without the protections that could be much more intense were we to have clear jurisdiction over a trust land base.

We have a high value on teaching our children, and are working to improve the quality of education for our young people who are now surrounded by a much larger non-tribal community that has come to occupy our Mashpee homeland. To our great pride, our children – and our adults – are learning in Wampanoag again.

We are not waiting to build our dreams, but wish that the few federal programs that we can now access could be supplemented by the others that are outside our grasp because we have

no trust land. We wish that the minimal funds we receive as a recently reaffirmed tribe more closely tracked the centuries of unmet needs we must remedy. The federal programs now in place to benefit Indians are a fragile lifeline, not enough, but certainly not a fair target for budget cuts.

Finally, and beyond just catching up, we would look move beyond the present and into the future Indian economy of free trade zones and the many jobs that we could create were we to be able to so develop our trust land base.

I urge, again, that this Congress swiftly enact a fix to the Supreme Court's erroneous ruling in *Carcieri*. Once that uncertainty is resolved, we will be able to more speedily restore a land base, access funding, reconstruct portions of our homeland, and create jobs and opportunities for us and for the communities among whom we now live.

Thank you.