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Chairwoman Cheryl Andrews-Maltais Statement Senate Bill 2808

To amend the Act of June 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes and for other purposes.

The Wampanoag Tribe of Gay Head Aquinnah (the Aquinnah Wampanoag Tribe) is delighted and very grateful that our Senator, Elizabeth Warren (and Senator Ed Markey) has co-sponsored this Bill, S.2808 *To amend the Act of June 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian Tribes and for other purposes*, intended to correct the wrongs, and injustice that has been imposed upon our Aquinnah Wampanoag People and all Indian People since the disastrous Supreme Court decision in the *Carcieri v. Salazar* case in 2009.

This Bill is long overdue. For the last ten years, a whole decade, the negative impacts of the perceived uncertainty of the Secretary's authority to take land into trust for *all* Federally Recognized Tribes has devastated Tribes' ability to acquire trust lands to rebuild our communities, build housing for our Elders and Families, or to build healthcare or educational facilities. This uncertainty has also overshadowed, or more often, completely destroyed economic development for Tribes. Investors are unwilling to partner with Tribes when they are unsure of the status of the lands or a Tribe's ability of have the lands taken into trust; creating a chilling effect on Tribes' ability to become economically self-sufficient.

Tribal Lands are the cornerstone of Tribal sovereignty for all Indian Peoples. We have been forced to cede millions of acres of land, only to live on fractions of fractions of our former territory, without regard for the need to have adequate lands in order to provide for the housing, health, education and well-being of our Tribal Communities. Like every other constituency, our populations and community's needs continue to grow, and land is desperately needed to accommodate those needs. In addition, we are force to purchase back the very lands that were often stolen from us. Despite these setbacks and challenges, being deprived of the ability to regain just some of our desperately needed lands must be fixed now, because so many opportunities have already been lost and can never be recaptured.

As a signatory on the first treaty in this hemisphere, the 1621 Treaty of Peace, we, the Wampanoag People have been sharing our lands and resources since first contact with the English, long before there was a United States of America. To be prohibited from acquiring land into trust at most, and challenged in the courts on every turn to acquire land at best; this Bill will restore and reaffirm our rights to have land taken into trust, in the same manner as any other Federally Recognized Tribal Nation; consistent with the previous 1994 Amendments to the July 1934 Act (Section 16 (f) and (g)). This bill will also serve as a formal commitment to honoring the promises this Nation made to Indian Peoples since contact. We have paid it forward with the lives and blood of our Ancestors, and with our lands and Natural Resources.

The passage of this Bill should be swift and without irrelevant controversial elements being brought into the discussion. Passage of this bill can and should serve as an example of how the injustices perpetrated against Indians and Indian Country can be fixed, by a simple, basic and fundamental act of Congress. It should be passed without prejudice to any region or any Federally Recognized Tribal Nation.

Senator Warren's co-sponsorship of this bill is a testament to her commitment to Indian Country, and a way to begin to address the injustices and failures of the United States with regard to its obligation to Indians, as she has noted after

reading the U.S. Commission on Civil Rights report Broken Promises. The United States Government has a duty and obligation to Federally Recognized Indian Tribes and, that fiduciary responsibility knows no political party or affiliation. So, it's so very refreshing to see this Bill is bi-partisan sponsored as it should be. We are hopeful that the Senate will pass this Bill, which mirrors the House Bill H.R. 375 of the same title, so we can finally return to rebuilding our Tribal Communities and our Tribal Economies. Kutaputush (Thank You) Senator Warren.