



## **JUDGE CLARIFIES DECISION**

### **MASHPEE TRIBE WILL SEEK REVISED RECORD-OF-DECISION ON LAND**

**MASHPEE, Ma. (October 13, 2016)** -- Mashpee Wampanoag Tribal leaders are applauding Federal District Court Judge William Young's decision today that clarifies his initial ruling on the historic Tribe's land status and provides a legal path forward.

"It is no violation of the Court's order should the agency wish to analyze the Mashpees' eligibility under the first definition of 'Indian,'" Judge Young's ruling reads in part.

When the Interior Department issued its' Record-of-Decision to authorize approximately 170 acres of land in Mashpee and 151 acres of land in Taunton as the Tribe's initial reservation, the Interior Department used the second of three categories to make its determination. It was that determination, under Category 2, that has been challenged in court by a group of anti-Native American East Taunton residents.

What today's ruling means is: while Judge Young technically denied the United States' motion for reconsideration, in doing so he gave the United States the most important thing it asked for in seeking clarification of his initial ruling, Mashpee Wampanoag Tribal Council Chairman Cedric Cromwell explained.

Judge Young has now made clear that the Department of Interior is now free and fully able to consider whether the Tribe meets the criteria for re-establishing reservation land under the first part of the statute which gives the United States authority to take land into trust for Indian tribes under "federal jurisdiction" in 1934. That is something, Cromwell said, the Tribe is confident its history will demonstrate.

"The bottom line: The United States has a full opportunity here to further address our request to have our land held in trust, and we expect any setback caused by the Court's initial decision will be temporary," Cromwell said.

**In fact, Cromwell added: "we intend to make a formal request with the Interior Department for a revision and update of our Land-in-Trust application under Category 1," Cromwell said.**

Cromwell said tribal leaders are wholly focused on defending their land and underscored the injustice the Tribe has been made to endure.

“It’s unfortunate that a small group of residents have tried to bog us down in legal technicalities and attempt to thwart justice. We’ve been on our land for thousands of years and all we seek is the right to exist here as a sovereign people. It was promised to us soon after the first Pilgrims arrived and it’s a promise we have faith will ultimately prevail in the courts,” Cromwell said.

Today’s ruling comes on the heels of a ruling last month in which Judge Young allowed the Mashpee Tribe to become party to the case and play a more direct role in defending the status of their ancestral homelands.

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**About the Mashpee Wampanoag Tribe:**

The Mashpee Wampanoag Tribe, known as the People of the First Light, has inhabited present day Massachusetts for more than 12,000 years. After an arduous process lasting more than three decades, the Mashpee Wampanoag were re-acknowledged as a federally recognized tribe in 2007 and retain full tribal sovereignty rights. The Mashpee tribe currently has approximately 2,600 enrolled citizens.

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