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TESTIMONY OF THE HONORABLE CHERYL ANDREWS-MALTAIS, CHAIRWOMAN
BEFORE THE U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON NATURAL RESOURCES,
SUBCOMMITTEE ON INDIAN AND INSULAR AFFAIRS

on

AN ACT TO AMEND THE "LONG-TERM LEASING ACT" TO AUTHORIZE LEASES OF
UP TO 99 YEARS FOR LAND HELD IN TRUST FOR THE MASHPEE WAMPANOAG
TRIBE AND THE WAMPANOAG TRIBE OF GAY HEAD
(H.R. 681)

September 9, 2025

Chairman Hurd, Ranking Member Leger Fernandez, and distinguished Members of the Subcommittee:

Good Afternoon, my name is Cheryl Andrews-Maltais, and I serve as Chairwoman of the Wampanoag Tribe of Gay Head (Aquinnah). On behalf of my Tribe, I extend heartfelt gratitude for holding this hearing on H.R. 681. I also wish to thank our Representative, Congressman Bill Keating, for introducing this important legislation and for his consistent support of the Wampanoag people.

Before I begin, I bring greetings from Chairman Brian Weeden of the Mashpee Wampanoag Tribe, our sister tribe. Given the importance of this Bill to both our Tribes, I know he wanted to be here in person today. Chairman Weeden thanks the Subcommittee for holding this important hearing and like my Tribe, we look forward to working together with you to move this legislation forward. On behalf of both the Aquinnah Wampanoag and the Mashpee Wampanoag, I underscore the unity of the Wampanoag people in supporting this legislation.

Introduction to the Wampanoag Tribe of Gay Head (Aquinnah)

The Wampanoag Tribe of Gay Head (Aquinnah) or the "Aquinnah Wampanoag" and the Mashpee Wampanoag are successor Tribes to the Great Wampanoag Nation. We are the People of the First Light. For thousands of years, we have lived along the shores of what is now called

New England – as the first to see the sunrise over the waters of the Atlantic. Our ancestors sustained themselves through the land and sea, maintained vibrant cultural and spiritual traditions, and with the Treaty of 1621, formed one of the earliest alliances with the English settlers.

In the 1970s, the Aquinnah Wampanoag began pursuing federal recognition through the Bureau of Indian Affairs' administrative process. After years of assembling documentary and historical evidence, the Department of the Interior formally acknowledged the Wampanoag Tribe of Gay Head (Aquinnah) as a federally recognized Tribe on April 10, 1987. This recognition reaffirmed what our people had always known—that we have existed continuously as a Tribal community and government since time immemorial.

At the same time as our recognition process was moving forward, we filed claims in federal court to regain former Tribal lands in the Town of Aquinnah (formerly Gay Head) that had been transferred in violation of the Indian Non-Intercourse Act of 1790 (codified at 25 U.S.C. § 177). That Act prohibits the sale or transfer of Tribal lands without federal approval. Like other land claims brought in the Northeast during this period, our case demonstrated that Tribal lands had been alienated unlawfully over the course of centuries. Ultimately, Congress enacted the Massachusetts Indian Land Claims Settlement Act, Pub. L. No. 100-95 (Aug. 18, 1987). That Settlement Act settled outstanding claims between the Tribe, the Commonwealth of Massachusetts, the Town of Gay Head and the United States, restoring approximately 400 acres of Aquinnah Wampanoag ancestral homelands on the Island of Noepe, now known as Martha's Vineyard, into trust for the Tribe. However, today, due to the constraints of the Long-Term Leasing Act, we are restricted from efficiently and effectively developing our homelands.

Purpose and Importance of H.R. 681

The purpose of H.R. 681 is to amend the Long-Term Leasing Act, codified in 25 U.S.C. § 415, to allow the Aquinnah Wampanoag and the Mashpee Wampanoag to enter into lease agreements for up to 99 years. The Act was passed in 1955 to allow Tribes to enter into a broader range of leases for terms longer than previously permitted—25 years plus a single renewal—with the approval of the Secretary of the Interior. H.R. 681 recognizes that current statutory limitations on leasing trust land—typically capped at 25 years—do not meet the modern realities of economic development.

By allowing leases of up to 99 years for the Wampanoag Tribe of Gay Head (Aquinnah) and the Mashpee Wampanoag, Congress will:

1. Promote Long-Term Economic Stability – Lenders, investors, and development partners rely on long-term certainty; 99-year terms provide the scope needed for the Tribe to attract and sustain substantial investments. For the Tribes, economic development is not simply about profit—it is about survival, opportunity, and self-sufficiency. It allows us to create affordable housing for our people, build and maintain essential infrastructure, provide jobs and training for our citizens, and generate revenue to support vital services

such as health care, education, and cultural preservation. Without the ability to engage in long-term land use planning, our options are limited, our costs are higher, and potential partners are often discouraged from working with us. By extending leasing authority to 99 years, Congress provides our Tribes with the stability and flexibility needed to build a stronger, more resilient future for the next seven generations.

2. Ensure Parity with Other Tribes – Many federally recognized Tribes already benefit from 99-year leasing authority. Providing the same flexibility to the Aquinnah Wampanoag and the Mashpee Wampanoag aligns with federal support for Tribal self-determination. In fact, in the decades since it was first enacted, the Act has been amended *almost 50 times* to authorize *nearly sixty other Tribes* to enter into 99-year leases, thereby promoting their economic development and enabling long-term land use planning without the need for additional Secretarial approval. Whereas other Tribes, like ours, who are not included in Section 415(a) remain limited to 25-year lease terms, leaving us at a disadvantage compared to those with 99-year leasing authority. Indeed, there have been repeated efforts to amend the Act more broadly to make clear that all Tribes should be provided with this vital tool of self-determination and economic development. We support any effort to ensure that all Tribes are treated equally under the Act.

3. Advance Self-Sufficiency and Cultural Continuity – Our Tribe lives on Noepe, also known as Martha's Vineyard, where the demand for vacation and second homes by millionaires has made it increasingly difficult—if not impossible—for many of our Tribal members to afford to live in their own community. The COVID-19 pandemic exacerbated this problem, as more individuals relocated to the Island full time, driving up housing demand and costs even further. On an Island where real estate is both scarce and prohibitively expensive, the ability to enter into long-term leases is essential for creating affordable housing, building community facilities, and supporting sustainable economic opportunities, all while ensuring that our trust lands are preserved for future generations.

H.R. 681 also aligns with broader federal Indian policy—including the Indian Self-Determination and Education Assistance Act and the HEARTH Act—which affirm that Tribal governments are best positioned to manage and govern their own resources. As the first Self-Governance Tribe in the Eastern Region, the Aquinnah Wampanoag have consistently demonstrated our ability to make responsible decisions for our people. This bill represents another important step in strengthening that self-determination and reducing unnecessary federal interference.

Finally, we wish to emphasize our strong support for the principle of equal treatment of all federally recognized Tribes as codified by Congress in the 1994 amendments to the Indian Reorganization Act (25 U.S.C. § 5123(f)). Those amendments made clear that all Tribes, whether recognized in 1934 or subsequently, are entitled to the same rights, responsibilities, and opportunities under federal law. Extending 99-year leasing authority to the Aquinnah Wampanoag and the Mashpee Wampanoag is fully consistent with that mandate of equality and fairness.

Conclusion

On behalf of the Wampanoag Tribe of Gay Head (Aquinnah), and in solidarity with the Mashpee Wampanoag Tribe, I urge this Subcommittee and the full House to act swiftly in passing H.R. 681. This bill is a necessary and respectful step toward honoring Tribal sovereignty, advancing economic self-sufficiency, and upholding the federal trust responsibility to our peoples.

Thank you again for the opportunity to testify. I welcome any questions.