

S 1074

Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2013

Congress: 113 (2013–2015, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: May 23, 2013

Current Status: By Senator Tester from Committee on Indian Affairs filed written report. Report No. 113-209. Additio

Latest Action: By Senator Tester from Committee on Indian Affairs filed written report. Report No. 113-209. Additional views filed. (Jul 14, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/senate-bill/1074>

Sponsor

Name: Sen. Kaine, Tim [D-VA]

Party: Democratic • **State:** VA • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Warner, Mark R. [D-VA]	D · VA		May 23, 2013

Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Reported By	Apr 3, 2014

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

Bill	Relationship	Last Action
113 HR 2190	Identical bill	Jun 4, 2013: Referred to the Subcommittee Indian and Alaska Native Affairs.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2013 - (Sec. 2) States that nothing in this Act affects the application of the Indian Child Welfare Act of 1978 regarding agreements between states and Indian tribes.

Title I: Chickahominy Indian Tribe - (Sec. 103) Extends federal recognition to the Chickahominy Tribe.

Makes: (1) all U.S. laws of general applicability to Indians or nations, Indian tribes, or bands of Indians applicable to the Tribe and tribal members; and (2) the Tribe and tribal members eligible for all federal services and benefits provided to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

Considers the federal service area of the Tribe to be the area comprised of New Kent, James City, Charles City, and Henrico Counties, Virginia.

(Sec. 104) States that the membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents submitted by the Tribe to the Secretary of the Interior (Secretary) before the date of this Act's enactment.

(Sec. 105) States that the governing body of the Tribe shall be: (1) the governing body in place on the date of this Act's enactment, or (2) any subsequent duly elected governing body.

(Sec. 106) Provides, upon tribal request, that the Secretary: (1) shall take into trust any land held in fee by the Tribe that was acquired on or before January 1, 2007, and that is located within New Kent County, James City County, Charles City County, or Henrico County, Virginia; and (2) may take into trust lands held by the Tribe in fee that are located within those counties. Directs the Secretary to make a final determination of any such request within three years.

Considers, upon tribal request, any land taken into trust to be a part of the Tribe's reservation.

Prohibits the Tribe from conducting gaming activities as a matter of claimed inherent authority or pursuant to federal law.

(Sec. 107) States that nothing in this title changes any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

Title II: Chickahominy Indian Tribe--Eastern Division - (Sec. 203) Extends federal recognition to the Chickahominy Indian Tribe--Eastern Division.

Makes: (1) all U.S. laws of general applicability to Indians or nations, Indian tribes, or bands of Indians applicable to the Tribe and tribal members; and (2) the Tribe and tribal members eligible for all federal services and benefits provided to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

Considers the federal service area of the Tribe to be the area comprised of New Kent, James City, Charles City, and Henrico Counties, Virginia.

(Sec. 204) States that the membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents submitted by the Tribe to the Secretary before the date of this Act's enactment.

(Sec. 205) States that the governing body of the Tribe shall be: (1) the governing body in place on the date of this Act's enactment, or (2) any subsequent duly elected governing body.

(Sec. 206) Provides, upon tribal request, that the Secretary: (1) shall take into trust any land held in fee by the Tribe that was acquired on or before January 1, 2007, and that is located within New Kent County, James City County, Charles City County, or Henrico County, Virginia; and (2) may take into trust lands held by the Tribe in fee that are located within those counties. Directs the Secretary to make a final determination of any such request within three years.

Considers, upon tribal request, any land taken into trust to be a part of the Tribe's reservation.

Prohibits the Tribe from conducting gaming activities as a matter of claimed inherent authority or pursuant to federal law.

(Sec. 207) States that nothing in this title changes any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

Title III: Upper Mattaponi Tribe - (Sec. 303) Extends federal recognition to the Upper Mattaponi Tribe.

Makes: (1) all U.S. laws of general applicability to Indians or nations, Indian tribes, or bands of Indians applicable to the Tribe and tribal members; and (2) the Tribe and tribal members eligible for all federal services and benefits provided to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

Considers the federal service area of the Tribe to be the area within 25 miles of the Sharon Indian School at 13383 King William Road, King William County, Virginia.

(Sec. 304) States that the membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents submitted by the Tribe to the Secretary before the date of this Act's enactment.

(Sec. 305) States that the governing body of the Tribe shall be: (1) the governing body in place on the date of this Act's enactment, or (2) any subsequent duly elected governing body.

(Sec. 306) Provides, upon tribal request, that the Secretary: (1) shall take into trust any land held in fee by the Tribe that was acquired on or before January 1, 2007, and that is located within King William County, Caroline County, Hanover County, King and Queen County, or New Kent County, Virginia; and (2) may take into trust lands held by the Tribe in fee that are located within those counties. Directs the Secretary to make a final determination of any such request within three years.

Considers, upon tribal request, any land taken into trust to be a part of the Tribe's reservation.

Prohibits the Tribe from conducting gaming activities as a matter of claimed inherent authority or pursuant to federal law.

(Sec. 307) States that nothing in this title changes any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

Title IV: Rappahannock Tribe, Inc. - (Sec. 403) Extends federal recognition to the organization possessing the legal name Rappahannock Tribe, Inc. (Excludes from the Tribe any other Indian tribe, subtribe, band, or splinter group the members of which represent themselves as Rappahannock Indians.)

Makes: (1) all U.S. laws of general applicability to Indians or nations, Indian tribes, or bands of Indians applicable to the Tribe and tribal members; and (2) the Tribe and tribal members eligible for all federal services and benefits provided to

federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

Considers the federal service area of the Tribe to be the area comprised of King and Queen, Caroline, Essex, and King William Counties, Virginia.

(Sec. 404) States that the membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents submitted by the Tribe to the Secretary before the date of this Act's enactment.

(Sec. 405) States that the governing body of the Tribe shall be: (1) the governing body in place on the date of this Act's enactment, or (2) any subsequent duly elected governing body.

(Sec. 406) Provides, upon tribal request, that the Secretary: (1) shall take into trust any land held in fee by the Tribe that was acquired on or before January 1, 2007, and that is located within King and Queen County, Stafford County, Spotsylvania County, Richmond County, Essex County, or Caroline County, Virginia; and (2) may take into trust lands held by the Tribe in fee that are located within King and Queen County, Richmond County, Lancaster County, King George County, Essex County, Caroline County, New Kent County, King William County, or James City County, Virginia. Directs the Secretary to make a final determination of any such request within three years.

Considers, upon tribal request, any land taken into trust to be a part of the Tribe's reservation.

Prohibits the Tribe from conducting gaming activities as a matter of claimed inherent authority or pursuant to federal law.

(Sec. 407) States that nothing in this title changes any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

Title V: Monacan Indian Nation - (Sec. 503) Extends federal recognition to the Monacan Indian Nation.

Makes: (1) all U.S. laws of general applicability to Indians or nations, Indian tribes, or bands of Indians applicable to the Tribe and tribal members; and (2) the Tribe and tribal members eligible for all federal services and benefits provided to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

Considers the federal service area of the Tribe to be the area within 25 miles from the center of Amherst, Virginia.

(Sec. 504) States that the membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents submitted by the Tribe to the Secretary before the date of this Act's enactment.

(Sec. 505) States that the governing body of the Tribe shall be: (1) the governing body in place on the date of this Act's enactment, or (2) any subsequent duly elected governing body.

(Sec. 506) Provides, upon tribal request, that the Secretary: (1) shall take into trust any land held in fee by the Tribe that was acquired on or before January 1, 2007, and that is located within Amherst County, Virginia; and (2) may take into trust land held by the Tribe in fee that is located within Amherst County, Virginia, and certain parcels of land in Rockbridge County, Virginia, owned by Mr. J. Poole. Directs the Secretary to make a final determination of any such request within three years.

Considers, upon tribal request, any land taken into trust to be a part of the Tribe's reservation.

Prohibits the Tribe from conducting gaming activities as a matter of claimed inherent authority or pursuant to federal law.

(Sec. 507) States that nothing in this title changes any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

Title VI: Nansemond Indian Tribe - (Sec. 603) Extends federal recognition to the Nansemond Tribe.

Makes: (1) all U.S. laws of general applicability to Indians or nations, Indian tribes, or bands of Indians applicable to the Tribe and tribal members; and (2) the Tribe and tribal members eligible for all federal services and benefits provided to federally recognized Indian tribes without regard to the existence of a reservation for the Tribe.

Considers the federal service area of the Tribe to be the area comprised of the cities of Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Suffolk, and Virginia Beach, Virginia.

(Sec. 604) States that the membership roll and governing documents of the Tribe shall be the most recent membership roll and governing documents submitted by the Tribe to the Secretary before the date of this Act's enactment.

(Sec. 605) States that the governing body of the Tribe shall be: (1) the governing body in place on the date of this Act's enactment, or (2) any subsequent duly elected governing body.

(Sec. 606) Provides, upon tribal request, that the Secretary: (1) shall take into trust any land held in fee by the Tribe that was acquired on or before January 1, 2007, and that is located within the city of Suffolk or Chesapeake, or within Isle of Wight County, Virginia; and (2) may take into trust lands held by the Tribe in fee that are located within those jurisdictions. Directs the Secretary to make a final determination of any such request within three years.

Considers, upon tribal request, any land taken into trust to be a part of the Tribe's reservation.

Prohibits the Tribe from conducting gaming activities as a matter of claimed inherent authority or pursuant to federal law.

(Sec. 607) States that nothing in this title changes any hunting, fishing, trapping, gathering, or water rights of the Tribe and members of the Tribe.

Title VII: Eminent Domain - (Sec. 701) Prohibits the use of Eminent domain in acquiring lands in fee or in trust for the Indian tribes this Act recognizes.

Actions Timeline

- **Jul 14, 2014:** By Senator Tester from Committee on Indian Affairs filed written report. Report No. 113-209. Additional views filed.
- **Apr 3, 2014:** Committee on Indian Affairs. Reported by Senator Tester without amendment. Without written report.
- **Apr 3, 2014:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 348.
- **Apr 2, 2014:** Committee on Indian Affairs. Ordered to be reported without amendment favorably.
- **Oct 30, 2013:** Committee on Indian Affairs. Hearings held. Hearings printed: S.Hrg. 113-219.
- **May 23, 2013:** Introduced in Senate
- **May 23, 2013:** Sponsor introductory remarks on measure. (CR S3858)
- **May 23, 2013:** Read twice and referred to the Committee on Indian Affairs.