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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To extend Federal recognition to the Nottoway Indian Tribe of Virginia,  
and for other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Ms. McCLELLAN introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To extend Federal recognition to the Nottoway Indian Tribe  
of Virginia, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Nottoway Indian Tribe of Virginia Federal Recognition  
6       Act”.

7       (b) TABLE OF CONTENTS.—The table of contents of  
8       this Act is as follows:

Sec. 1. Short title; table of contents.  
Sec. 2. Findings.

- Sec. 3. Definitions.
- Sec. 4. Federal recognition.
- Sec. 5. Membership; governing documents.
- Sec. 6. Governing body.
- Sec. 7. Reservation of the Tribe.
- Sec. 8. Gaming.
- Sec. 9. Hunting, fishing, trapping, gathering, and water rights.
- Sec. 10. Indian Child Welfare Act of 1978.

**1 SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) 1586: Ralph Lane, leader of the Colony at  
4 Roanoke (Virginia), documented his engagement  
5 with Iroquois nations of Nottoways, Meherrin, and  
6 Tuscarora Indians—collectively referred to by the  
7 Algonquian term Mangoaks, (also known as  
8 Mangoags)—reporting that they possessed a  
9 “...great quantity of copper.”

10 (2) 1609: In search of information concerning  
11 the “Lost Colony” of Virginia, Nathaniel Powell and  
12 Anas Todkill were led to the Mangoaks for informa-  
13 tion.

14 (3) 1612: Oxford University press published the  
15 first detailed map of the Chesapeake Bay and what  
16 is now Virginia, Maryland, Delaware, Pennsylvania,  
17 and the District of Columbia—“A Map of Virginia.  
18 With a Description of the Countrey, the Commod-  
19 ities, People, Government and Religion”— was  
20 charted by explorer Captain John Smith and docu-

1       menting 200 Indian names and locations, including  
2       Mannahoack.

3           (4) 1646: The Treaty of 1646 was signed by  
4       Gov. William Berkeley and Necotowance recognized  
5       as the regional “King of the Indians” and ended  
6       Third Anglo-Powhatan War (1644–46). As a result  
7       of the treaty, regional tribes were considered tribu-  
8       taries to the English government and cede much of  
9       their territory to the English. The treaty also con-  
10      structed strict terms of segregation and engagement  
11      between Indians and colonists.

12          (5) 1650: Nottoways provided Iroquois inter-  
13      preters and diplomatic envoys to the Tuscarora tribe  
14      on behalf of explorers English merchants Abraham  
15      Wood and Edward Bland as they traveled south  
16      from Fort Henry to the Roanoke River, hoping to  
17      establish trade with the Indians and to discover po-  
18      tentially marketable commodities. On their journey  
19      they visited the two Nottoway Towns, Chounteroute  
20      near present day Rowantee Creek and  
21      Cohannehahanka further south toward the Nottoway  
22      River.

23          (6) 1677: In response to the aggressions and  
24      plundering of Bacon’s Rebellion, the Chief of the  
25      Nottoways joined in signing the “Articles of Peace,”

1       also known as the Treaty of Middle Plantation be-  
2       tween the Crown of England and Virginia Tribes.  
3       Through the articles in the agreement, the Nottoway  
4       nation became “tributary” to the English king—a  
5       quasi-alliance – that forced the Nottoway and other  
6       tribes to accept the dominion of the Crown but con-  
7       firmed Indian governments and territories as de-  
8       pendent sovereigns and outlined mutual rights and  
9       responsibilities, including military cooperation and  
10      territorial boundaries.

11           (7) 1680–1690: Due to the increased colonial  
12      expansion throughout the latter half of the 17th cen-  
13      tury, the Nottoways migrated south along the  
14      Nottoway River toward Assamoosick Swamp (mod-  
15      ern day Southampton County, Virginia).

16           (8) 1705: Pursuant to the Articles of Peace, in  
17      1705, an act of the Virginia House of Burgesses or-  
18      dered “the Bounds for the Nottoway Lands be Laid  
19      out for Them. . .a Circle Three Miles  
20      Round. . .and another parcel of Land on the South  
21      Side Nottoway River Six Miles Square.” Accord-  
22      ingly, two tracts of land comprised of approximately  
23      40,000 acres were designated as Nottoway land: a  
24      twenty-eight square mile polygon north of the  
25      Nottoway River along the Assamoosick Swamp,

1 known as the “Circle Tract,” and thirty-six square  
2 miles south of the Nottoway River, known as the  
3 “Square Tract.” Legal oversight of the reservations  
4 was entrusted to a small circle of related and politi-  
5 cally aligned non-Indian men who remained in con-  
6 trol of the Nottoway Trusteeship for over one hun-  
7 dred years. Their management of Nottoway re-  
8 sources undermined traditional Nottoway leadership  
9 roles, restricted Nottoway economic maneuverability  
10 and self-determination, and eventually was deter-  
11 mined by a Virginia court to have violated fiduciary  
12 responsibilities, resulting in the gradual diminishing  
13 of once plentiful resources.

14 (9) 1711–1713: The Nottoway governance  
15 structure relied upon kin-based governing bodies  
16 that prioritized building community consensus and  
17 consisted of a tribal leader and a council referred to  
18 as “great men.”

19 (10) 1711–1760: In an effort to resolve ongoing  
20 conflicts at the North Carolina border, Alexander  
21 Spotswood, Lieutenant Governor of the Colony of  
22 Virginia negotiated with Tribal chiefs, including the  
23 Nottoways, ultimately demanding that the Nottoway  
24 send two of their sons as “hostages” to be educated  
25 and religiously indoctrinated at the Brafferton

1 School at Williamsburg (Virginia) at what is now  
2 William & Mary College, in exchange for the ceasing  
3 of hostilities and the Colonial government granting  
4 waivers of the tribes' annual tribute payments. At  
5 one point, Nottoway tribal leadership were put in  
6 irons until they complied with the Treaty. Subse-  
7 quently, Nottoway children attended and appeared  
8 on the rolls at the Brafferton (Indian) School (brief-  
9 ly relocated at Fort Christianna) until about 1760.

10 (11) 1713–14: The Nottoway and Meherrin  
11 tribes partnered to act as regional intermediaries,  
12 buffering colonial settlements from the ongoing hos-  
13 tility of tribes along the North Carolina frontier.

14 (12) 1728: The William Byrd Expedition stayed  
15 with the Nottoway while journeying to survey the di-  
16 viding line between Virginia and North Carolina Wil-  
17 liam Byrd recounts his visit to the Nottoway Great  
18 Town on the Assomoosick Swamp. He describes  
19 them as the “Mehogony Skins” or the “Copper  
20 Colourd Ones of Nottoway Towne” and also states  
21 that the Nottoway are “the only Indians of con-  
22 sequence now remaining within the limits of Vir-  
23 ginia.”

24 (13) 1735: The Virginia legislature passed their  
25 first Act authorizing the Nottoway to sell a portion

1 of their 40,000 acre reservation land in the Circular  
2 Tract (in Isle of Wight County, Virginia, north of  
3 the Nottoway River) under the supervision of ap-  
4 pointed Trustees.

5 (14) 1750's: During the French and Indian  
6 War of the mid-1750's, the Nottoway joined with  
7 the Cherokee and Catawba fought in several engage-  
8 ments against the French and Shawnee, under the  
9 command of the young Lt. Colonel George Wash-  
10 ington. Lt. Colonel Washington believed their service  
11 was invaluable in the woodland warfare of the fron-  
12 tier and recommended that Governor Dinwiddie rec-  
13 ognize the distinguished service of Thomas Step,  
14 saying "Captain Tom, the Chief of the Nottoways:  
15 He has received less, and deserves more than any of  
16 them; as he used great pains to bring the  
17 Tuskaroras, and has met with no reward for it, al-  
18 though he was promised one." Subsequently, the  
19 Virginia House of Burgesses noted, "Tom Step,  
20 Billy John, School Robin Robert Scholar, and Aleck  
21 Scholar, Nottoway Indians. . .were in the Service of  
22 this Colony, and did behave themselves with great  
23 Bravery during the last Campaign, particu-  
24 larly. . .Tom Step, who distinguished himself very

1       remarkably in the Action before Fort Du Quesne,  
2       under the Command of Major Grant.”

3           (15) 1752: The Virginia House of Burgesses  
4       passed an act, empowering colonial Trustees to man-  
5       age transactions pertaining to the Nottoway land  
6       and resources: “Many evil disposed persons under  
7       pretence of the said Indians being indebted to them  
8       do frequently disposes them of their guns, blankets,  
9       and other apparel, to their great impoverishment ...  
10      persons so offending, shall forfeit and pay to the In-  
11      dian or Indians so injured, the sum of twenty shil-  
12      lings current money, for every such offence ... and  
13      shall be paid to the trustees aforesaid, and by them  
14      laid out in common necessities of life, for the Indian  
15      to whose use the same shall be recovered.” Addition-  
16      ally, an extinction clause in the act directed that,  
17      should the Nottoway tribe go extinct, all proceeds  
18      from the reservation lands were to be deposited in  
19      the public treasury. Trustee mismanagement of  
20      Nottoway funds ensued, to the advantage of the  
21      Trustees and to the inequity of the Nottoway people  
22      (Woodard 2013:152).

23           (16) 1776: From the beginning of the American  
24      Revolution, Nottoway soldiers fought alongside  
25      whites, African Americans, and other Indians in the



1 service of the Commonwealth, integrated within rev-  
2 olutionary Virginia's Regiments of Foot. Out of the  
3 Nottoway families represented in the 1770s docu-  
4 ments from the Nottoway Indian Town, half sent  
5 young men into the service of the American Revolu-  
6 tion, and at least three of the Nottoway families lost  
7 family members during the conflict.

8 (17) 1800's: At the beginning of the nineteenth  
9 century, the Nottoway were the only Iroquoian com-  
10 munity in the region to maintain continuous control  
11 over a portion of their indigenous territory – 4,235  
12 acres in Southampton County, Virginia. Tradition-  
13 ally, tribal custom had determined Nottoway descent  
14 only through matrilineal lines instead of genetic con-  
15 nection. Within Nottoway governance, this cus-  
16 tomary distinction impacted access to tribal leader-  
17 ship and hereditary roles. Within the Common-  
18 wealth's legal structure, however matrilineal descent  
19 determined legal access to tribal resources derived  
20 from the reservation lands. The Commonwealth's  
21 matrilineal distinction resulted in limited documenta-  
22 tion of children born of Nottoway men by non-  
23 Nottoway mothers. Many of those genetic Nottoway  
24 were documented "Free Negro," "Indian," "Mu-  
25 latto," or "White." Any decrease in Nottoway in-

1 heritors through removal or exogamy or removal  
2 from documentation as Nottoway allowed larger  
3 amounts of money to remain in the trust because  
4 there were fewer eligible recipients. This manipula-  
5 tion of documentation provided the trustees more  
6 control over matrilineal Nottoway lands because  
7 there were fewer potential Nottoway leaders to  
8 counter the trustees' recommendations.

9 (18) 1809: A legal opinion submitted to the  
10 Governor of Virginia by Attorney General Phillip  
11 Norborne Nicholas summarized legislative acts re-  
12 garding Nottoway Indian land held "the Nottoway  
13 Indians' claim under title paramount to every other  
14 – the aboriginal right to their soil before the rights  
15 of either the King or colony. . .or of the Common-  
16 wealth."

17 (19) 1820: John Wood, a professor from Wil-  
18 liam and Mary College interviewed Nottoway speak-  
19 ers including Chief Edy Turner (b.1754-d.1838),  
20 and established a vocabulary list of over 250  
21 Nottoway words and phrases. Former President  
22 Thomas Jefferson and linguist Peter S. DuPonceau  
23 determined Nottoway language to be an Iroquoian  
24 dialect and the vocabulary was published in 1836 by

1 Albert Gallatin, who had been Secretary of the  
2 Treasury during the Jefferson Administration.

3 (20) 1821–1852: The Nottoway community was  
4 politically active, petitioning the Virginia legislature,  
5 governors, and county courts to intercede on matters  
6 related to the mismanagement of Nottoway funds,  
7 accusing the Trustees of conflicts of interest, embez-  
8 zlement, and mismanagement/misappropriation of  
9 Indian funds distribution of property, illegal seizure,  
10 and violation of treaty obligations. In response, the  
11 General Assembly conducted audits and twice re-  
12 moved appointed trustees, although the displaced  
13 trustees selected their own successors.

14 (21) 1821: Nottoway citizens acquired legal  
15 representation and petitioned the Virginia General  
16 Assembly for the Nottoway to be freed from the  
17 exploitive oversight of the Trustees, to restrict fur-  
18 ther sales of Nottoway lands, to have full control  
19 over the principal amounts derived, and to internally  
20 manage the distribution of those resources. The peti-  
21 tion was signed by Chief Edy Turner and three  
22 other Nottoway citizens, using their Iroquoian titles  
23 or personal names: Wane' Roonseraw or Edith Tur-  
24 ner, Kare' hout or Polly Woodson, William Woodson,  
25 and Te-res-ke' or Solomon Rogers. This petition is

1 the only extant documentation of nineteenth-century  
2 Tidewater Virginia where Indian people used their  
3 indigenous language in political discourse.

4 (22) 1824: Although the 1821 petition was de-  
5 nied, in 1824, matrilineal Nottoway William G.  
6 Bozeman, also known as William Woodson, applied  
7 for permission “to hold in fee simple so much land  
8 as he may be considered entitled to free from the  
9 control of the Trustees. The subsequent act con-  
10 cerning William G. Bozeman held that ‘any descend-  
11 ant of a female of the Nottoway’ gained the right to  
12 possess land allotments and monies from the tribal  
13 trust and the same power to sell convey or exchange  
14 the same, as free white persons of this Common-  
15 wealth possess and enjoy.” In this way, the Virginia  
16 legislature codified Nottoway inheritance and access  
17 to materials and assets derived from reservation  
18 lands as being determined solely by descent.

19 (23) 1830–1880: Trustees divided the reserva-  
20 tions among matrilineal Nottoways. “Allotment”  
21 farms of extended Indian families were developed as  
22 private property homesteads. Nottoway Millie Wood-  
23 son-Turner was one of the few residents of Nottoway  
24 Indian Town whose parents were both of matrilineal  
25 Nottoway descent. Her homestead (the Millie Wood-

1 son-Turner Home Site) was established circa 1850  
2 on Nottoway Indian allotment land and was continu-  
3 ously occupied by the family and descendants until  
4 circa 1950. The Millie Woodson-Turner Home Site  
5 has been designated a state and federal historical  
6 landmark, in 2020 and 2021, respectively.

7 (24) 1838: In litigation involving the status of  
8 matrilineal Nottoway Parsons Turner and the quag-  
9 mire of Virginia's legal classification of races, the  
10 Attorney General of Virginia determined that "In  
11 their character of members of a dependent tribe of  
12 Indians the individuals of the Nottoway tribe have  
13 all the privileges of Indians. The fact that some of  
14 them may also be mulattoes should not deprive them  
15 of this privilege."

16 (25) 1849: Trustees for the Nottoway and  
17 Nansemond Tribes of Indians brought a lawsuit  
18 against former Trustee Jeremiah Cobb, a prominent  
19 local slave owner and the judge who presided over  
20 the 1831 trial of Nat Turner. The lawsuit was a  
21 success and Cobb had to pay monetary damages.  
22 This case is one of only several documented in-  
23 stances in which a Virginia tribe successfully  
24 brought a lawsuit under treaty/reservation rights  
25 during the nineteenth century.

1           (26) 1878: The children of Edwin Turner, who  
2           was heir to the property of Edy Turner, made the  
3           last recorded application for 575 acres of Nottoway  
4           reservation Land.

5           (27) 1889: James Mooney of the Smithsonian  
6           Institution receives responses to questionnaires stat-  
7           ing Nottoway living in the area near Courtland, Vir-  
8           ginia.

9           (28) 1890: Throughout the first half of the  
10          20th Century, Nottoway citizens continued to reside  
11          on Nottoway allotments. Nottoway collaborating  
12          with each other for labor and survived by pooling re-  
13          sources between the urban and rural Nottoway, cre-  
14          ating a type of socioeconomic continuum of kinship  
15          between “city life” and “in the country.” The “Vir-  
16          ginia News” section of the July 28, 1890 edition of  
17          the Alexandria Gazette stated “John Williams, the  
18          eldest of the remaining Nottoway tribe of Indians,  
19          was at court at Boykins last week. He is seventy-  
20          four years old, hale and hearty and works on his  
21          farm every day.”

22          (29) 1918: As late as 1918, Nottoway were still  
23          being buried in Old Indian Graveyard in Capron  
24          District, Virginia.

1           (30) 1924–1930: The Indian Citizenship Act  
2           granted citizenship to indigenous people born within  
3           the territorial United States who were not already  
4           considered citizens. The Virginia General Assembly  
5           passed a series of “Racial Integrity Laws” with the  
6           intention of limiting miscegenation: The 1924 law  
7           defined a person as “white” as one with no known  
8           trace of any other race except caucasion, with the  
9           exception of 1/16 or less of American Indian (often  
10          referred to as the Pocahontas exception). The 1926  
11          law required public spaces to be racially segregated  
12          public spaces. The 1930 law defined a person with  
13          any trace of African American ancestry as “negro”  
14          (often referred to as the “one drop rule.”), resulted  
15          in many indigenous people in Virginia, who pre-  
16          viously had been classified as Indian, to be reclassi-  
17          fied as “negro.”

18          (31) 1948: The annual Smithsonian Institute  
19          Report by Dr. William H. Gilbert restated, “West of  
20          the Nansemond in Southampton County between  
21          Sebrell and Courtland, there are asserted to be still  
22          remaining remnants of the Nottoway Tribe.”

23          (32) 1965–69: Archeological excavations were  
24          made at Hand Site in Southampton County, Vir-  
25          ginia, on the western bank of the Nottoway River

1 through the inner coastal plains in Southern Vir-  
2 ginia. The site revealed remains dating to the late  
3 sixteenth and early seventeenth century of Iroquoian  
4 houses and a cemetery containing 132 graves sur-  
5 rounded by a stockade with remains which were re-  
6 moved and are presently stored at the Smithsonian  
7 National Museum of Natural History in the District  
8 of Columbia.

9 (33) 1980: An article in the Tidewater News  
10 described that as late as the 1920's Nottoway Indi-  
11 ans had gathered on the Kello farm, a portion of the  
12 old Nottoway Reservation, for ceremonial and cul-  
13 tural gatherings.

14 (34) 2004: Citizen members of the Nottoway  
15 Indian Tribe of Virginia participated in the opening  
16 celebration of the National Museum of the American  
17 Indian.

18 (35) 2006: Family groups of Nottoway from  
19 throughout the Tidewater region gathered for Tribal  
20 reorganization. The Nottoway Indian Tribe of Vir-  
21 ginia Incorporated was established and structured  
22 according to historic Iroquoian democratic principles  
23 of governance principles, including a preeminent  
24 Tribal Council and ceremonial Chiefs. Chief Lynette  
25 Lewis Allston was chosen as chief and has consist-



1       ently led the Tribe to develop community outreach  
2       through cultural engagements, educational collabora-  
3       tions, and environmental projects, respecting histori-  
4       cally Nottoway lands in Virginia.

5           (36) 2006 October: The Nottoway Indian Tribe  
6       of Virginia submitted a detailed petition to the Vir-  
7       ginia Council on Indians (VCI), a statutorily estab-  
8       lished advisory body on Native American affairs.  
9       The petition requested tribal recognition of the  
10      Nottoway Indian Tribe of Virginia by the Common-  
11      wealth of Virginia and included ten Nottoway family  
12      descendant lines/genealogies, examined and corrobo-  
13      rated by public records. The VCI Recognition Com-  
14      mittee examined the records and determined that  
15      each family line was comprised of Nottoway descend-  
16      ants. Subsequently, the VCI Recognition Committee  
17      deemed the Nottoway Indian Tribe of Virginia, In-  
18      corporated to be a historic Virginia tribe.

19           (37) 2007: The Nottoway Indian Tribe of Vir-  
20      ginia has consistently led community outreach  
21      through cultural engagements, educational collabora-  
22      tions, and environmental projects, respecting histori-  
23      cally Nottoway lands in Virginia. At the invitation of  
24      the Surry County Board of Supervisors, the  
25      Nottoway Indian Tribe of Virginia, established the

1 tradition of holding an annual pow wow in Surry  
2 County, Virginia. The powwows include intertribal  
3 drums and dancing, storytelling, educational dis-  
4 plays, arts and crafts, Native American cooking, as  
5 well as historical and public service information.

6 (38) June 3, 2008: The Nottoway Indian Tribe  
7 of Virginia established the Virginia Nottoway Indian  
8 Circle and Square Foundation, Incorporated, a IRS  
9 501(c)(3) non-profit entity with a mission to pre-  
10 serve and perpetuate the ideas, culture, and tradi-  
11 tions of the Nottoway Indian Tribe of Virginia.

12 (39) 2008: Nottoway Asphy Sidney Turner was  
13 appointed to the Virginia Council on Indians Advi-  
14 sory Committee.

15 (40) 2009: The National Park Service, in con-  
16 junction with Historic Jamestowne, commissioned  
17 historical artist Keith Rocco to create an oil paint-  
18 ing, “Jamestown in the 1690’s - Changing Times,”  
19 depicting the Nottoway Tribe making its annual  
20 tribute to the Royal Governor of Virginia in 1691.

21 (41) 2010: The Virginia General Assembly  
22 granted state recognition to the Nottoway Indian  
23 Tribe of Virginia Incorporated, including the rep-  
24 resentation of the Nottoway Indian Tribe on the Vir-  
25 ginia Council of Indians.

1           (42) 2012: Nottoway Indian Tribe of Virginia  
2       established and opened the Nottoway Community  
3       House and Interpretive Center in Capron, Virginia,  
4       which offers a dedicated space for tribal governance,  
5       as well as community engagement and educational  
6       programming such as demonstrations of traditional  
7       crafts and classes on beading, flute making, and  
8       quilting.

9           (43) 2020: The Iroquoian site of the Millie  
10      Woodson Turner Home Site was designated a his-  
11      toric landmark and included in the Virginia Land-  
12      marks Register based upon its historical significance  
13      and connection to the continuous presence of the  
14      Nottoways in Virginia. Descendants of Mille Wood-  
15      son Turner are members of the Nottoway Indian  
16      Tribe of Virginia.

17          (44) 2021: The Millie Woodson Turner Home  
18      Site was approved by the National Park Service for  
19      designation as a national historic landmark, to be in-  
20      cluded in the National Register of Historic Places.

21   **SEC. 3. DEFINITIONS.**

22      In this Act:

23          (1) SECRETARY.—The term “Secretary” means  
24      the Secretary of the Interior.

1 (2) TRIBAL MEMBER.—The term “Tribal mem-  
2 ber” means—

3 (A) an individual who is an enrolled mem-  
4 ber of the Tribe as of the date of the enactment  
5 of this Act; and

6 (B) an individual who has been placed on  
7 the membership rolls of the Tribe in accordance  
8 with this Act.

9 (3) TRIBE.—The term “Tribe” means the  
10 Nottoway Indian Tribe of Virginia, Incorporated.

11 **SEC. 4. FEDERAL RECOGNITION.**

12 (a) FEDERAL RECOGNITION.—

13 (1) IN GENERAL.—Federal recognition is ex-  
14 tended to the Tribe.

15 (2) APPLICABILITY OF LAWS.—All laws (includ-  
16 ing regulations) of the United States of general ap-  
17 plicability to Indians or nations, Indian Tribes, or  
18 bands of Indians (including the Act of June 18,  
19 1934 (25 U.S.C. 5101)) that are not inconsistent  
20 with this Act shall be applicable to the Tribe and  
21 Tribal members.

22 (b) FEDERAL SERVICES AND BENEFITS.—

23 (1) IN GENERAL.—On and after the date of the  
24 enactment of this Act, the Tribe and Tribal mem-  
25 bers shall be eligible for all services and benefits pro-

1 vided by the Federal Government to federally recog-  
2 nized Indian Tribes without regard to the existence  
3 of a reservation for the Tribe.

4 (2) SERVICE AREA.—For the purpose of the de-  
5 livery of Federal services to Tribal members, the  
6 service area of the Tribe shall be considered to be  
7 the area comprised of the counties of Nottoway,  
8 Southampton, Sussex, Surry, Isle of Wight, Frank-  
9 lin, and Dinwiddie in Virginia.

10 **SEC. 5. MEMBERSHIP; GOVERNING DOCUMENTS.**

11 The membership roll and governing documents of the  
12 Tribe shall be the most recent membership roll and gov-  
13 erning documents, respectively, submitted by the Tribe to  
14 the Secretary before the date of the enactment of this Act.

15 **SEC. 6. GOVERNING BODY.**

16 The governing body of the Tribe shall be—

17 (1) the governing body of the Tribe in place as  
18 of the date of the enactment of this Act; or

19 (2) any subsequent governing body elected in  
20 accordance with the election procedures specified in  
21 the governing documents of the Tribe.

22 **SEC. 7. RESERVATION OF THE TRIBE.**

23 (a) IN GENERAL.—Upon the request of the Tribe, the  
24 Secretary of the Interior—

1           (1) shall take into trust for the benefit of the  
2       Tribe any land held in fee by the Tribe that was ac-  
3       quired by the Tribe on or before January 1, 2022,  
4       if such lands are located within the boundaries of  
5       the counties of Southampton, Sussex, Surry, Isle of  
6       Wight, Nottoway, and Dinwiddie in Virginia; and

7           (2) may take into trust for the benefit of the  
8       Tribe any land held in fee by the Tribe, if such  
9       lands are located within the boundaries of the coun-  
10      ties of Southampton, Sussex, Surry, Isle of Wight,  
11      Nottoway, and Dinwiddie in Virginia.

12      (b) RESERVATION STATUS.—Any land taken into  
13      trust for the benefit of the Tribe pursuant to subsection  
14      (a)(1) shall, upon request of the Tribe, be considered part  
15      of the reservation of the Tribe.

16      (c) DEADLINE FOR DETERMINATION.—The Sec-  
17      retary shall make a final written determination not later  
18      than 3 years after the date on which the Tribe submits  
19      a request for land to be taken into trust under subsection  
20      (a)(2) and shall immediately make that determination  
21      available to the Tribe.

22      **SEC. 8. GAMING.**

23      The Tribe may not conduct gaming activities as a  
24      matter of claimed inherent authority or under the author-  
25      ity of any Federal law, including the Indian Gaming Regu-

1 latory Act (25 U.S.C. 2701 et seq.) or under any regula-  
2 tions thereunder promulgated by the Secretary or the Na-  
3 tional Indian Gaming Commission.

4 **SEC. 9. HUNTING, FISHING, TRAPPING, GATHERING, AND**  
5 **WATER RIGHTS.**

6 Nothing in this Act expands, reduces, or affects in  
7 any manner any hunting, fishing, trapping, gathering, or  
8 water rights of the Tribe and members of the Tribe.

9 **SEC. 10. INDIAN CHILD WELFARE ACT OF 1978.**

10 Nothing in this Act affects the application of section  
11 109 of the Indian Child Welfare Act of 1978 (25 U.S.C.  
12 1919).