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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

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

To extend Federal recognition to the Cheroenhaka (Nottoway) Indian Tribe  
of Southampton County, Virginia, and for other purposes.

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

Mrs. KIGGANS of Virginia introduced the following bill; which was referred to  
the Committee on \_\_\_\_\_  
\_\_\_\_\_

**A BILL**

To extend Federal recognition to the Cheroenhaka  
(Nottoway) Indian Tribe of Southampton County, Vir-  
ginia, 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.**

4       This Act may be cited as the “Cheroenhaka  
5 (Nottoway) Indian Tribe of Southampton County, Vir-  
6 ginia, Federal Recognition Act”.

7       **SEC. 2. FINDINGS.**

8       Congress finds the following:

1           (1) The Hand Site Excavation (44SN22) in  
2           Southampton County in 1965, 1966, and 1969, car-  
3           bon dates the ancestors of the Cheroenhaka  
4           (Nottoway) Indian Tribe of Southampton County,  
5           Virginia, to 1580. The site existed as early as A.D.  
6           900 as highlighted by a Department of Historical  
7           Resources-approved State site marker whose nar-  
8           rative reflects the site was “long claimed” by the  
9           Cheroenhaka (Nottoway) Indian Tribe.

10          (2) The Cheroenhaka (Nottoway) Indians made  
11          first ethnohistorical contact with the Colonials in  
12          1608 when Nathaniel Powell and Anas Todkill met  
13          them at a village called Tomihitton in Nottoway  
14          County while looking for information germane to the  
15          Roanoke Island’s survivors and the Lost Colony of  
16          1585.

17          (3) In 1607, the Cheroenhaka (Nottoway) In-  
18          dian Tribe was called Man-goaks or Men-gwe by the  
19          Powhatan Confederation’s Algonquian speakers as  
20          listed in the upper left-hand quadrant on Captain  
21          John Smith’s 1607 map of Virginia.

22          (4) In 1650, per the diary entries of James Ed-  
23          ward Bland, the Cheroenhaka (Nottoway) Indians  
24          were called by the Algonquian speakers NA-DA-WA  
25          meaning “snake, enemy, stealthy” in the Algonquian

1 language, which the Colonials reverted to  
2 NOTTOWAY.

3 (5) In May 1676, Tribal warriors of the  
4 Cheroenhaka (Nottoway) Indian Tribe joined forces  
5 with Bacon in what became known as the infamous  
6 Nathaniel Bacon's Rebellion, resulting in the down-  
7 fall of the Occoneechee Indians at Occoneechee Is-  
8 land on the Roanoke River which was a catalyst that  
9 lead to the Woodland Plantation Treaty of 1677.

10 (6) The King of the Cheroenhaka (Nottoway)  
11 Indian Tribe, "Sarahoeque", signed the Woodland  
12 Plantation Treaty in 1677 in Williamsburg, Virginia,  
13 bearing his signature mark of "3 rivers" rep-  
14 resenting the Nottoway River, and the Blackwater  
15 River forming a fork where it met the Chowan  
16 River—hence "People at the fork of the stream".

17 (7) The true name of the "Nottoway" Indians,  
18 as penned from 1728 to 2016, in the papers and  
19 books authored by historians Lewis Binford, Albert  
20 Gallatin, James Tresevant (Trezevant), Floyd Paint-  
21 er, Gary Williams, and William Ashley Hinson, and  
22 the War Papers of 1796, is CHEROENHAKA  
23 meaning "People at the fork of the stream".

24 (8) In 1711, Colonial Lieutenant Governor  
25 Alexander Spotswood met with the Chief (King) and

1 Chief Men of the Cheroenhaka (Nottoway) Indian  
2 Tribe offering Treaty Tribute forgiveness of the  
3 Treaty of 1677 (20 beaver pelts) if the Cheroenhaka  
4 (Nottoway) Indian Chief Men were to send their 8-  
5 to 10-year-old sons to the “Brafferton”, a school for  
6 Indians at William & Mary College. On November  
7 11, 1711, it was noted that 2 of the Chief Men’s  
8 sons were attending the Brafferton.

9 (9) In the 17th century, the Iroquoian-speaking  
10 Tribes occupied lands east of the inner Coastal  
11 Plains of southeastern Virginia. These Tribes were  
12 the Cheroenhaka (Nottoway), the Meherrin, and the  
13 Tuscarora.

14 (10) On April 7, 1728, William Byrd II of  
15 Westover visited the village of the Cheroenhaka  
16 (Nottoway) Indian Tribe in Southampton County,  
17 Virginia, recording a description of the Palisade  
18 Fort and how of all the Indigenous Tribes in Vir-  
19 ginia, the Cheroenhaka (Nottoway) Indian Tribe was  
20 the only Tribe remaining in Virginia of any promi-  
21 nence.

22 (11) Cheroenhaka (Nottoway) Indian surnames  
23 continued to appear on the enrollment roster of the  
24 Brafferton throughout the 1750s (e.g., Captain Tom  
25 Step, Captain Sam, Alexander Scholar, Billy

1 John(s), and School Robin a.k.a. Robert Schalor), as  
2 documented in the 1984 Graduate Thesis, “So  
3 Greater Work”, by Karen A. Stuart for her M.A. de-  
4 gree at William & Mary College, all of whom sub-  
5 mitted a petition for pay on March 8, 1759, for  
6 serving in the French and Indian War under George  
7 Washington.

8 (12) In 1816, new trustees were appointed for  
9 the Cheroenhaka (Nottoway) Indian’s Reservation.  
10 These trustees were empowered to make reasonable  
11 rules and regulations for the Tribe and for the ex-  
12 penditure of the money held in trust for them, which  
13 was to continue so long as any number of the Tribe  
14 was still living. Any funds remaining on hand were  
15 then to be paid into the public treasury.

16 (13) On March 4, 1820, John Wood, a former  
17 William & Mary College professor of mathematics,  
18 met with the Cheroenhaka (Nottoway) Indian  
19 Tribe’s Queen, according to Thomas Jefferson, by  
20 the name of Edy Turner, a.k.a. “Wane Rounseraw”,  
21 (1754–1834), on the Tribe’s land in Southampton  
22 County, and recorded the language of the Tribe.

23 (14) In 1838, the Cheroenhaka (Nottoway) In-  
24 dian Tribe’s Queen Edy (Edith) Turner’s last will  
25 and testament was probated in the courts of South-

1       ampton County, Virginia. On March 27, 2008, the  
2       Library of Virginia honored Queen Edy Turner,  
3       posthumously, in their special awards ceremony, ti-  
4       tled “Women In History”, by presenting an award  
5       on her behalf to the current Chief of the  
6       Cheroenhaka (Nottoway) Indian Tribe of South-  
7       ampton County, Virginia.

8               (15) The Cheroenhaka (Nottoway) Indian Tribe  
9       of Southampton County, Virginia, has more than  
10      325 Tribal citizens on its rolls, all of whom, via a  
11      paper trail, can document their genealogical line to  
12      an ethnohistoric surname of the Cheroenhaka  
13      (Nottoway) Indian Tribe of Southampton County,  
14      Virginia.

15             (16) The Tribe currently owns 263 acres of  
16      Tribal land in Southampton County, Courtland Vir-  
17      ginia, formerly Jerusalem, which is part of its origi-  
18      nal 41,000 acres of reservation land that was grant-  
19      ed to the Tribe by the House of Burgesses in 1705.

20             (17) The Virginia Racial Integrity Act of 1924  
21      under the direction of the Virginia Bureau of Vital  
22      Statistics, per Walter Plecker, its first director, via  
23      “paper genocide” negated out Virginia Indians by  
24      reclassifying the Indians as “colored or mulatto”.  
25      This reclassification has created genealogical gaps,

1 making it nearly impossible for Virginia Tribes to  
2 gain Federal recognition via the Bureau of Indian  
3 Affairs (BIA) process.

4 (18) In 1705, the House of Burgesses granted  
5 2 tracts of reservation land to the Cheroenhaka  
6 (Nottoway) Indian Tribe—the Circle Tract (18,000  
7 acres) and the Square Tract (23,000 acres), totaling  
8 some 41,000 acres of reservation land. The 2 tracts  
9 fell within the confines of what was then Isle of  
10 Wight County, now Southampton and Sussex Coun-  
11 ties. The Tribe’s reservation land was sold off be-  
12 tween 1735 and 1875, with the last acres belonging  
13 to the Sykes family being sold in 1953 for back  
14 taxes.

15 (19) As a result of reservation land sales, in the  
16 early 1830s, many members of the Cheroenhaka  
17 (Nottoway) Indian Tribe of Southampton County,  
18 Virginia, the Turners, Rogers, Woodson, Artis,  
19 Brown, Sykes, Cutler, and Bailey, left the Tribe’s  
20 reservation and relocated to now Highway No. 686,  
21 2 miles back in the woods, and settled off the banks  
22 of Jenkins and Bean Creeks, to a place that became  
23 known as Artis Town.

24 (20) In July 1808, the Governor of the Com-  
25 monwealth of Virginia mandated a “Special”

1       Cheroenhaka (Nottoway) Indian Census be taken of  
2       those Indians, documenting by name (colonial names  
3       given) of Cheroenhaka (Nottoway) Indians still liv-  
4       ing on the remaining 7,000 acres of the Tribe's res-  
5       ervation land in Courtland, Virginia.

6           (21) From 1918 to 1957, Cheroenhaka  
7       (Nottoway) Indian children living in "Artis Town",  
8       and their descendants living on Artis Town Road in  
9       accordance with the 1920, 1930, and 1940 census,  
10      attended Diamond Grove school, a Rosenwald School  
11      built in 1918, and their descendants continued to at-  
12      tend the school until the school closed in 1957.

13          (22) The Cheroenhaka (Nottoway) Indian Tribe  
14      of Southampton County, Virginia, is an officially  
15      State-recognized Tribe by the Commonwealth of Vir-  
16      ginia via H.J. Res 171 (Virginia House of Dele-  
17      gates, 2010) and S.J. Res. 127 (Virginia Senate,  
18      2010).

19          (23) The Cheroenhaka (Nottoway) Indian  
20      Tribe's King, "Ouracoorass Teerheer" a.k.a. William  
21      Edmund, signed a stand alone treaty with Virginia's  
22      provisional Lieutenant Governor Alexander  
23      Spotswood on February 27, 1713, that required a  
24      "Peace Tribute" of 3 arrows to be delivered and pre-



1       sented to the Virginia sitting Governor, annually, on  
2       Saint George’s Day, April 23.

3           (24) The Tribe has presented the Spotswood  
4       treaty tribute to the sitting Virginia Governor on the  
5       299th, 300th, 301st, 302d, 303d, 304th, 305th,  
6       306th, 307th, 308th, 309th, 310th, 311th, and the  
7       312th anniversaries of the treaty.

8           (25) On February 2, 2002, the Cheroenhaka  
9       (Nottoway) Indian Tribe of Southampton County,  
10      Virginia, reorganized the ethnohistoric Tribe by  
11      bringing together family clusters of Cheroenhaka  
12      (Nottoway) Indians still living in Southampton  
13      County, Virginia. In March 2002, the Tribe  
14      launched its constitution and bylaws and elected its  
15      first modern-day Chief—Chief Walt Red Hawk  
16      Brown.

17          (26) On December 7, 2002, the Cheroenhaka  
18      (Nottoway) Indian Tribe submitted a letter of intent  
19      to the Bureau of Indian Affairs (BIA), Office of  
20      Federal Acknowledgment (OFA) stating that it  
21      would be filing for Federal recognition via the BIA.

22          (27) On December 2, 2005, the Tribe received  
23      a letter from the Department of the Interior, OFA,  
24      listing the Cheroenhaka (Nottoway) Indian Tribe as  
25      “Petitioner #264”.

1           (28) On September 21, 2004, the Cheroenhaka  
2           (Nottoway) Indian Tribe participated as 1 of the  
3           500 Tribes, some 20,000 Natives, in the grand open-  
4           ing of the National Museum of American Indian  
5           (NMAI) in Washington, DC. In honor of the Tribe's  
6           participation, the name of the Cheroenhaka  
7           (Nottoway) Indian Tribe is engraved on the NMAI  
8           Honor Wall (panel 4.22, line 20 of the wall).

9           (29) On November 26, 2006, the Tribe con-  
10          ducted a "Public" Peake (Peace) Belt and Pipe  
11          Ceremony by the bank of the Nottoway River, on the  
12          grounds of the Southampton County Court House;  
13          wherein, elected officials from the Counties of  
14          Nottoway, Sussex, Surry, Isle of Wight, and South-  
15          ampton passed the peace pipe and presented the  
16          Tribe with proclamations of Tribal recognition under  
17          their counties' official seal.

18          (30) From 2002 to 2024, the Cheroenhaka  
19          (Nottoway) Indian Tribe has given Native American  
20          ethnohistoric presentations to every military installa-  
21          tion, aircraft carriers, colleges and universities, com-  
22          munity colleges, elementary and middle schools, the  
23          Daughters of the American Revolution and Archeo-  
24          logical Society of Virginia, "annually", throughout  
25          Hampton Roads, Southside Virginia, North Caro-

1       lina, Northern Virginia, and on the Hill in Wash-  
2       ington, DC, including—

3               (A) hosting 35 American Indian Powwows  
4               and School Days, celebrating 444 years of Trib-  
5               al history; and

6               (B) two television documentaries, sharing  
7               the Tribe’s Native history with some 1,500,000  
8               individuals.

9       (31) The Cheroenhaka (Nottoway) Indian Tribe  
10      has published 6 Tribal journals, issue I–VI, titled  
11      the “WaSKEHEE” (“to see” in the Tribe’s  
12      Iroquoian language), all of which have been accepted  
13      in the collections of the Library of Virginia, docu-  
14      menting the history of the Cheroenhaka (Nottoway)  
15      Indian Tribe of Southampton County, Virginia.

16 **SEC. 3. DEFINITIONS.**

17      In this Act:

18           (1) SECRETARY.—The term “Secretary” means  
19           the Secretary of the Interior.

20           (2) TRIBAL CITIZEN.—The term “Tribal cit-  
21           izen” means an individual who is an enrolled mem-  
22           ber of the Tribe as of the date of the enactment of  
23           this Act.

1           (3) TRIBE.—The term “Tribe” means the  
2       Cheroenhaka (Nottoway) Indian Tribe of South-  
3       ampton County, Virginia.

4   **SEC. 4. FEDERAL RECOGNITION.**

5       (a) FEDERAL RECOGNITION.—

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

8           (2) APPLICABILITY OF LAWS.—All laws (includ-  
9       ing regulations) of the United States of general ap-  
10      plicability to Indians of nations, Indian Tribes, or  
11      bands of Indians (including the Act of June 18,  
12      1934 (25 U.S.C. 461 et seq.)) that are not incon-  
13      sistent with this Act shall be applicable to the Tribe  
14      and Tribal citizens.

15      (b) FEDERAL SERVICES AND BENEFITS.—

16           (1) IN GENERAL.—The Tribe and Tribal citi-  
17      zens shall be eligible for all services and benefits  
18      provided by the Federal Government to federally rec-  
19      ognized Indian Tribes without regard to existence of  
20      a reservation for the Tribe.

21           (2) SERVICE AREA.—The service area for the  
22      purpose of delivery of Federal services to Tribal citi-  
23      zens shall be determined in coordination and con-  
24      sultation with the Secretary not later than 120 days  
25      after the date of the enactment of this Act.

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

2           The membership roll and governing documents of the  
3 Tribe shall be the most recent membership roll and gov-  
4 erning documents, respectively, submitted by the Tribe to  
5 the Secretary before the date of the enactment of this Act.

6   **SEC. 6. GOVERNING BODY.**

7           The governing body of the Tribe shall be—

8               (1) the governing body in place as of the date  
9               of enactment of this Act; or

10              (2) any subsequent governing body elected in  
11              accordance with the election procedure specified in  
12              the governing document of the Tribe.

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

14           (a) IN GENERAL.—Upon the request of the Tribe, the  
15 Secretary of the Interior shall take into trust any land  
16 held in fee by the Tribe that was acquired on or before  
17 January 1, 2007, if such lands are located within the  
18 boundaries of Southampton County, Virginia.

19           (b) DEADLINE FOR DETERMINATION.—The Sec-  
20 retary shall—

21               (1) make a final written determination not later  
22               than 3 years after the date on which the Tribe sub-  
23               mits a request for land to be taken into trust under  
24               subsection (a); and

25               (2) immediately make that determination avail-  
26               able to the Tribe.

1       (c) RESERVATION STATUS.—Any land taken into  
2 trust for the benefit of the Tribe pursuant to this section  
3 shall, upon request of the Tribe, be considered part of the  
4 reservation of the Tribe.

5 **SEC. 8. GAMING.**

6       The Tribe may not conduct gaming activities as a  
7 matter of claimed inherent authority or under the author-  
8 ity of any Federal law, including the Indian Gaming Regu-  
9 latory Act (25 U.S.C. 2701 et seq.) or under any regula-  
10 tions thereunder promulgated by the Secretary or the Na-  
11 tional Indian Gaming Commission.

12 **SEC. 9. HUNTING, FISHING, TRAPPING, GATHERING, AND**  
13 **WATER RIGHTS.**

14       Nothing in this Act expands, reduces, or affects in  
15 any manner any hunting, fishing, trapping, gathering, or  
16 water rights of the Tribe and Tribal citizens.