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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

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

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

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**IN THE HOUSE OF REPRESENTATIVES**

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

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

To extend Federal recognition to the Patawomeck 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.**

4       This Act may be cited as the “Patawomeck Indian  
5       Tribe of Virginia Federal Recognition Act”.

6       **SEC. 2. FINDINGS.**

7       Congress finds as follows:

8               (1) The Patawomeck, or Patawomeke, Tribe,  
9       also referred to as the Potomac Tribe, Potomac

1 Band, Patamacks, and White Oakers was situated in  
2 and around Indian Point and Pasapatanzky in what  
3 are now Stafford and King George Counties, Vir-  
4 ginia, and occupied a prominent place in the docu-  
5 mented history of the first half-century of European  
6 contact with the Native Virginians.

7 (2) In 1608, Captain John Smith visited the  
8 village of Patawomeke between Potomac and  
9 Accokeek Creeks. The population of the Tribe was  
10 estimated at about 800, with 160 bowmen. Around  
11 this same time, Smith also visited and recorded the  
12 Patawomeck villages at Passapatanzky, Quiyough,  
13 and other small Patawomeck hamlets in the area.

14 (3) In 1610, Japazaw, brother of the  
15 Patawomeck weroance, related the Patawomeck cre-  
16 ation story to Captain Samuel Argall, the only sur-  
17 viving Virginia Algonquian creation story recorded  
18 by the English.

19 (4) In 1642, Patawomeck weroance,  
20 Wahanganoche, and his family were baptized into  
21 the Christian faith by Father Andrew White.

22 (5) In 1662, Wahanganoche was issued a silver  
23 badge by the King of England to wear for safety  
24 when traveling across English lands and as an ac-  
25 knowledgement of Patawomeck sovereignty. The

1 weroance was acquitted of charges of high treason  
2 and murder brought against him by Captain Giles  
3 Brent at the General Assembly in James City that  
4 year, but died on his way home, or shortly after his  
5 arrival.

6 (6) In July 1666, the General Council of Vir-  
7 ginia declared war on the Patawomecks. Most of the  
8 men were killed and most of the women and chil-  
9 dren, who were not already living in English fami-  
10 lies, were captured as slaves. Others likely joined  
11 with nearby existing Indian groups such as the  
12 Doegs, Nanzaticos, and Portobagos.

13 (7) In 1680, King Pattanochus signs the Trea-  
14 ty of Middle Plantation of behalf of the  
15 “Nansatiocoes, Nanzemunds, and Portabacchoes”.  
16 By this time, displaced Patawomecks are living  
17 among these groups of people.

18 (8) In 1692, A reference to payment for Rang-  
19 ers in Stafford County notes the presence of “two  
20 Indians belonging to Stafford” in the detachment, il-  
21 lustrating the continued presence within the area of  
22 Patawomeck ancestors.

23 (9) Through most of the 1700s the  
24 Patawomeck community lived in the Northern Neck,  
25 moving as necessary. Portions of the community set-

1 tled near the area known as Indian Town in mod-  
2 ern-day King George County.

3 (10) In 1789, White Oak church was estab-  
4 lished. This church, which still stands, became a sig-  
5 nificant space that facilitated the continued inter-  
6 action of members of the Patawomeck community  
7 who attended well into the 1900s and used the reg-  
8 ular meeting opportunities as venues to pass down  
9 and maintain Tribal knowledge and traditions, meet  
10 suitable Patawomeck marriage partners, and con-  
11 duct business in formal and informal ways. Genera-  
12 tions of Patawomeck ancestors account for the vast  
13 majority of the interments in the cemetery, including  
14 members with the surnames of Newton, Green, Cur-  
15 tis, Jett, and Monteith.

16 (11) By the early 1800s, the majority of the  
17 Patawomeck community had again coalesced in the  
18 area of Stafford County known as White Oak, with  
19 some members living in nearby Passapatanzy, in  
20 King George County, only a few miles from the loca-  
21 tions of their ancestral villages, dating back to the  
22 1300s.

23 (12) In 1832, Wahanganoche's badge was  
24 found at Camden, in Caroline County, a well-known  
25 location of coalescent Indian communities and the

1       likely location of a portion of the Patawomeck com-  
2       munity in the late 1600s.

3           (13) During the United States Civil War, van-  
4       dalism, courthouse fires, and other disasters destroy  
5       many of the records within the Stafford and King  
6       George County courthouses, serving to reduce the  
7       archival footprint of the Patawomecks within their  
8       historic areas of habitation.

9           (14) In the late 1910s and 1920s, the anthro-  
10      pologist Frank Speck, visited the Patawomeck com-  
11      munity to take photographs, conduct interviews, and  
12      collect objects related to Indigenous heritage, noting  
13      that the “northern divisions of the [Powhatan] Con-  
14      federacy are represented by descendants on Potomac  
15      Creek in King George county. . .”. Since this time,  
16      partnerships have existed between the Tribe and re-  
17      searchers from institutions such as the Smithsonian  
18      Institution, the University of Pennsylvania, the Col-  
19      lege of William and Mary, American University, the  
20      University of Mary Washington, and Santa Clara  
21      University.

22           (15) In 1924, Virginia passed the Racial Integ-  
23      rity Act which removed the category of Indian iden-  
24      tity from official records. Instead, all people were re-  
25      quired to be identified as white or colored. This law,

1 in addition to other aspects of the racialized society  
2 that existed in Virginia starting in the late 1600s,  
3 effectively erased Virginia Indians from the official  
4 records of the Commonwealth until the middle of the  
5 1900s, amounting to a paper genocide.

6 (16) In the 1930s and 1940s, at least 722  
7 Patawomeck ancestors were taken from their graves  
8 under the guise of archaeological research. Many of  
9 these ancestors were discarded by the excavators.  
10 The remainder, numbering well over 200 individuals,  
11 are currently held by the Smithsonian Institution.

12 (17) In 1954, Elizabeth Newton of the  
13 Patawomecks married O.T. Custalow, Chief of the  
14 Mattaponis.

15 (18) In 1996, the contemporary and formal re-  
16 organization of the Patawomeck Tribe took place  
17 with the adoption of a written constitution.

18 (19) In 2006, in partnership with linguists the  
19 Patawomecks began to work on reconstructing their  
20 native Algonquin language and sharing it with other  
21 Tribes and fellow Virginians. Since that time the  
22 Patawomecks have taught, transcribed, greatly en-  
23 hanced the common Algonquin dictionary, and edu-  
24 cated hundreds of Virginians in classroom settings.

1           (20) In February 2010, The Patawomecks re-  
2           ceived official recognition from the Commonwealth  
3           of Virginia after years of hard work by Tribal mem-  
4           bers and anthropologists at the College of William  
5           and Mary.

6   **SEC. 3. DEFINITIONS.**

7           In this Act:

8           (1) SECRETARY.—The term “Secretary” means  
9           the Secretary of the Interior.

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

12                (A) an individual who is an enrolled mem-  
13                ber of the Tribe as of the date of enactment of  
14                this Act; and

15                (B) an individual who has been placed on  
16                the membership rolls of the Tribe in accordance  
17                with this title.

18          (3) TRIBE.—The term “Tribe” means the  
19          Patawomeck Indian Tribe.

20   **SEC. 4. FEDERAL RECOGNITION.**

21          (a) FEDERAL RECOGNITION.—

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

24                (2) APPLICABILITY OF LAWS.—All laws (includ-  
25                ing regulations) of the United States of general ap-

1 plicability to Indians or nations, Indian Tribes, or  
2 bands of Indians (including the Act of June 18,  
3 1934 (25 U.S.C. 5101 et seq.)) that are not incon-  
4 sistent with this title shall be applicable to the Tribe  
5 and Tribal members.

6 (b) FEDERAL SERVICES AND BENEFITS.—

7 (1) IN GENERAL.—On and after the date of en-  
8 actment of this Act, the Tribe and Tribal members  
9 shall be eligible for all services and benefits provided  
10 by the Federal Government to federally recognized  
11 Indian Tribes without to the existence of a reserva-  
12 tion for the Tribe.

13 (2) SERVICE AREA.—For the purpose of the de-  
14 livery of Federal services to Tribal members, the  
15 service area of the Tribe shall be considered to be  
16 the area comprised of Stafford and King George  
17 counties.

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

19 The membership roll and governing documents of the  
20 Tribe shall be the most recent membership roll and gov-  
21 erning documents, respectively, submitted by the Tribe to  
22 the Secretary before the date of enactment of this Act.

23 **SEC. 6. GOVERNING BODY.**

24 The governing body of the Tribe shall be—



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

3           (2) any subsequent governing body elected in  
4           accordance with the election procedures specified in  
5           the governing documents of the Tribe.

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

7           (a) IN GENERAL.—Upon the request of the Tribe, the  
8           Secretary of the Interior may take into trust for the ben-  
9           efit of the Tribe any land held in fee by the Tribe, if such  
10          lands are located within the boundaries of King George  
11          County or Stafford County, Virginia.

12          (b) DEADLINE FOR DETERMINATION.—The Sec-  
13          retary shall make a final written determination not later  
14          than 3 years of the date which the Tribe submits a request  
15          for land to be taken into trust under subsection (a)(1) and  
16          shall immediately make that determination available to the  
17          Tribe.

18          (c) RESERVATION STATUS.—Any land taken into  
19          trust for the benefit of the Tribe pursuant to this para-  
20          graph shall, upon request of the Tribe, be considered part  
21          of the reservation of the Tribe.

22          (d) GAMING.—The Tribe may not conduct gaming ac-  
23          tivities as a matter of claimed inherent authority or under  
24          the authority of any Federal law, including the Indian  
25          Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under

1 any regulations thereunder promulgated by the Secretary  
2 or the National Indian Gaming Commission.

3 **SEC. 8. HUNTING, FISHING, TRAPPING, GATHERING, AND**  
4 **WATER RIGHTS.**

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

8 **SEC. 9. EMINENT DOMAIN.**

9 Eminent domain may not be used to acquire lands  
10 for a Tribe recognized under this Act.