



COMMONWEALTH of VIRGINIA

Office of the Governor

Kelly Thomasson
Secretary of the Commonwealth

December 30, 2016

TO THE GENERAL ASSEMBLY OF VIRGINIA:

Pursuant to §2.2-401.01 of the Code of Virginia, I submit the attached report on the status of Indian tribes in Virginia for calendar year 2016.

Please do not hesitate to contact me if I can be of any assistance as you review this report.

Sincerely,

A handwritten signature in blue ink that reads "Kelly Thomasson" with a long horizontal flourish at the end.

Kelly Thomasson
Secretary of the Commonwealth

2016 Report on the Status of Virginia Indian Tribes

No new Indian tribes were recognized by the Commonwealth between September 30, 2015 and October 1, 2016; therefore, there remains in the Commonwealth 11 state-recognized Indian tribes: the Cheroenhaka (Nottoway) Indian Tribe, Chickahominy Indian Tribe, Chickahominy Indians Eastern Division, Mattaponi Indian Tribe, Monacan Indian Nation, Nansemond Indian Tribe, Nottoway Indian Tribe of Virginia, Pamunkey Indian Tribe, Patowomeck Indian Tribe of Virginia, Rappahannock Tribe, and the Upper Mattaponi Indian Tribe.

Federal Affairs

On January 28, 2016, Judge Steven K. Linsceid dismissed Stand Up for California's request for reconsideration regarding the Pamunkey Indian Tribe's federal acknowledgment. By that order, the Pamunkey Indian tribe became the first federally recognized Indian tribe in Virginia.

Stand Up for California – A California-based, anti-gambling, nonprofit organization – challenged the Tribe's recognition status, charging the current members are not descendants of the original Pamunkey and the tribe has not always had a functioning political influence. Both factors were required for recognition. However, the organization was unable to show that it was an "interested party," as defined in the Bureau of Indian Affairs Federal Acknowledgment Regulations.

Among the federal agencies the Pamunkey have met with post-recognition are FEMA, HHS, IHS, the Army Corps of Engineers, and HUD. HUD has informed the Pamunkey they received a grant to improve tribal buildings, build housing, and establish their reservation as a service area for tribal members on and off the reservation.

Six of Virginia's other state-recognized tribes continue to seek federal recognition through Congress: the Chickahominy, Eastern Chickahominy, Upper Mattaponi, Rappahannock, Monacan, and Nansemond.

In the Senate, the *Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2015* (S.465) continues to languish. The latest action on the bill was on September 10, 2015, when it was reported from the Committee on Indian Affairs.

Similarly, in the House, H.R.872, *to extend Federal recognition to the Chickahominy Indian Tribe, the Chickahominy Indian Tribe-Eastern Division, the Upper Mattaponi Tribe, the Rappahannock Tribe, Inc., the Monacan Indian Nation, and the Nansemond Indian Tribe*, has seen a little action in the last year.

On November 30, Governor McAuliffe, Secretary Thomasson and the Chiefs of the Rappahannock, Pamunkey, Upper Mattaponi, Chickahominy, and Nansemond tribes traveled to Washington DC for a meeting with Secretary of the Interior Sally Jewell and announcement of the National Park Service's purchase of the 264-acre property of Werowocomoco site in Gloucester County. The purchase of the land came after several years of negotiations and planning. In 2014, the Werowocomoco site was added

to the National Park System's Captain John Smith Chesapeake National Historic Trail. This land acquisition is the first, as part of the trail. Werowocomoco is the location of the leader Powhatan's headquarters during the time of the English arrival at Jamestown in 1607 and is one of the most significant American Indian Sites in eastern North America.

State Affairs

On April 15, 2016, the Virginia Department of Health's Office of Minority Health and Health Equity launched Virginia Minority Health Month 2016 at the VCU Rice Rivers Center, with a particular emphasis on Indian health. The event included a networking session, a listening session, proclamation by Governor McAuliffe, and an Ojibwe water ceremony.

The Virginia Department of Education's Office of the Superintendent of Public Instruction held a meeting between the Virginia Indian Chiefs and Virginia education officials on October 19, 2016. The group discussed new educational resources offered to social studies teachers as they relate to new federal education standards and the Standards of Learning. The group also discussed K-12 education reform initiatives under consideration by the Virginia Board of Education.

The Mattaponi would like to add additional land to their reservation in King William County. The reservation currently has 125 acres of land, and the Mattaponi are hoping to add an additional 194.88 acres. Secretary Thomasson held meetings with Chief Custalow, the Office of the Attorney General and the Department of General Services to discuss steps for moving forward.

The Chiefs of the Virginia Indian tribes conferenced twice with Secretary Kelly Thomasson, in person on June 17, 2016 and via phone on September 15, 2016. Secretary Thomason hopes these meetings begin a legacy of quarterly meetings between the Secretary of the Commonwealth and the Virginia Indian Chiefs.

Secretary Thomasson has met multiple times with Chief Price and members of the Wolf Creek Cherokee Tribe who would like to pursue state recognition.

Legislative Affairs

Delegate Paul Krizek introduced HB 144, which would have designated the second Monday in October as "Native Americans Day." That day would have been shared with Columbus Day. The bill, in its original form, was the subject of considerable consternation among the Virginia Indian chiefs. Consequentially, the bill was amended to designate the third Wednesday in November as "Indigenous Peoples Day." The bill passed the House of Delegates and was stricken in committee in the Senate.

Delegate Christopher Peace introduced HB 814, which allows the Secretary of the Commonwealth to create a Virginia Indian advisory board. Such an advisory board would assist the Secretary in reviewing applications seeking recognition as a Virginia Indian tribe and give recommendations to the General

Assembly on such applications and other matters relating to recognition. The bill passed the House of Delegates, passed the State Senate, and was signed by the Governor. Secretary Kelly Thomasson began taking applications for board membership in August 2016.

Cultural Affairs

Seven Virginia Indian tribes held powwows in 2016, a generations-long tradition, tribal heritage celebration, and opportunity for non-tribal members to learn about Virginia Indian culture.

The Monacan Indian Nation held the year's first powwow from May 20-22: their 24th annual powwow. The Upper Mattaponi held their 29th annual pow-wow from May 28-29. The Mattaponi held their 21st annual pow-wow from June 16-17. The Cheroenhaka held their 19th annual Inter-Tribal "Green Corn Dance" Powwow and Gathering on July 23. The Cheroenhaka also held their 20th annual "Corn Harvest" Powwow and School Day. The Nansemond held their 28th annual powwow from August 20-21. Nottoway held their 9th annual powwow from September 17-18. Finally, The Chickahominy held their 65th annual Fall Festival and Pow-Wow September 24-25, longest running annual powwow in the Commonwealth.

The Pamunkey held a federal recognition and celebration after the Bureau of Indian Affairs granted them federal recognition. The event included a dinner, a live band, and a bonfire on their reservation.

On April 24, 2016, three Virginia Indian Chiefs – Bob Gray of the Pamunkey, Mark Custalow of the Mattaponi, and Lynette Allston of the Nottoway – welcomed the *Hōkūle'a*, the Polynesian Voyaging Society, to Yorktown and gave them permission to dock their canoes.

The Cheroenhaka (Nottoway) Indian Tribe celebrated the acquisition of 160+ acres of new tribal land on April 23, 2016 at their Land Closing and Pipe Ceremony.

The Nansemond continue upkeep and additions to Mattanock town, a replica traditional Nansemond town. In the last year, the tribe has added over a mile of trails to the property and added a chief's longhouse.

The Nottoway Indian Tribe of Virginia contributed three exhibits to historical societies in 2016: A quilt and wood sculpture to the Native American Resource Center at the University of North Carolina Pembroke, a feature in *Virginia Voices* film at the Virginia Historical Society in Richmond, and wampum belt at the Muscarelle Museum in Williamsburg.