



COMMONWEALTH of VIRGINIA

Office of the Governor

Kay C. James
Secretary of the Commonwealth

December 30, 2022

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 2021.

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

Sincerely,

A handwritten signature in black ink that reads "Kay C. James".

Kay Coles James
Secretary of the Commonwealth

2022 Report on the Status of Virginia Indian Tribes

The Commonwealth recognizes 11 Virginia 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, Patawomeck Indian Tribe of Virginia, Rappahannock Tribe, and the Upper Mattaponi Indian Tribe.

Seven of these are federally recognized Tribal Nations, including the Chickahominy Indians Eastern Division, Chickahominy Indian Tribe, Monacan Indian Nation, Nansemond Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, and Upper Mattaponi Indian Tribe.

State Affairs

After Inauguration, the Youngkin Administration led by Secretary Kay Coles James worked to cultivate and open and positive relationship with Tribal Leaders and their communities.

On February 17, 2022, the Youngkin administration met with Tribal Leaders, their attorneys, and key stakeholders to begin work for the first year of the Administration and set long term priorities for our continuing successful relationship.

Various other meetings, phone calls, and virtual meetings took place with Tribal leaders regarding interest in boards and commissions, issues within tribes, mental health listening sessions, and event preparation over the course of the year.

The Virginia Indian Advisory Board, led by Brandon Custalow, met 10 times in 2022 and among their recommendations to the Administration, sought to address a petition for state recognition submitted by the Wolf Creek Cherokee Tribe, Inc.

The Indian Advisory Workgroup, led by Buck Woodard convened 12 times this year to consider documentation, testimony, and historical records. This resulted in a final report and recommendation to the Indian Advisory Board which was presented to the Board and the Petitioners on the 21st day of December 2022. The Indian Advisory Workgroup recommended that the Petition be denied to the Indian Advisory Board based on their findings.

Legislative Affairs

Members of the General Assembly introduced several bills related to the Virginia Indian Tribes during the 2022 Legislative Session. Below is a summary of all bills.

The following legislation passed and are represented in the Acts of Assembly.

SB 31 Introduced by Senator Marsden; Virginia Land Conservation Foundation and Fund. Allows the Virginia Land Conservation Fund to make grants to state-recognized and federally

recognized Virginia Indian Tribes and requires that at least one non-legislative citizen member of the Virginia Land Conservation Foundation Board of Trustees be a member of a state-recognized or federally recognized Virginia Indian Tribe. This bill passed and was signed by the Governor on April 27, 2022.

HB 141 introduced by Delegate McQuinn and SB 158 introduced by Senator Hashmi Virginia Black, Indigenous, and People of Color Historic Preservation Fund established. This bill passed and was signed by the Governor on April 7, 2022.

HB 1136 was introduced by Delegate Krezek to form a Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes Establishes the Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes in the legislative branch of state government for the purpose of performing a comprehensive review of Virginia law to assess ways in which it must be revised to include federally recognized Tribal Nations located in the Commonwealth. This bill passed and was signed by the Governor on May 27, 2022. The Commission will begin in 2023 and expire July 1, 2024.

The following bills failed or were left in committee:

HJ 138 – Introduced by Delegate McQuinn; Recognition of the Wolf Creek Cherokee Tribe of Virginia; Extends state recognition to the Wolf Creek Cherokee Tribe of Virginia within the Commonwealth. This bill was tabled in Rules to allow the Virginia Indian Advisory Board and Workgroup to continue the application review process.

SB 482 and HB 715 – Introduced by Senator McClellan and Delegate Krizek, respectively; Consultation with federally recognized Tribal Nations; permits and reviews with potential impacts on environmental, cultural, and historic resources. Requires the Department of Conservation and Recreation, the Department of Environmental Quality, the Department of Historic Resources, and the Virginia Marine Resources Commission to establish policies and procedures for consulting with federally recognized Tribal Nations in the Commonwealth when evaluating certain permits and reviews with potential impacts on environmental, cultural, or historic resources or that would have tribal implications, as defined in the bill. This bill was Continued in House Agriculture, Chesapeake, and Natural Resources.

HB 1120 – Introduced by Delegate McQuinn; Public institutions of higher education; admission, in-state tuition, and tuition waivers; members of certain American Indian tribes. Requires each public institution of higher education to establish and implement an admissions policy whereby a certain number of annual offers of student admission is reserved for individuals who are members of a state-recognized or federally recognized American Indian tribe that is headquartered in the Commonwealth. This bill was left in the House Education Committee.

HB 1179 – Introduced by Delegate Clark; Proposal of new Advisory Board Virginia Asian American, Pacific Islander, Latino, and Indigenous Education Advisory Board. Left in House Education

HR 7 – Introduced by Delegate McQuinn; Tribal nations; acknowledging harmful history and policies in the Commonwealth. This bill was Left in House Rules

Federal Affairs

The seven federally recognized tribes have continued work with federal government agencies to build direct government-to-government relationships and pursue federal programs and grants to improve the tribal members' lives and preserve the tribes' history and culture.

The four Virginia Indian Tribes not federally recognized are at various stages in the process of requesting federal recognition. To date, no legislation has been introduced in Congress to extend recognition to any additional Virginia tribes.

The Bureau of Indian Affairs accepted two parcels of land in King William County totaling 27.69 acres into trust for the benefit of the Upper Mattaponi Indian Tribe on April 14, 2022. These land parcels include the historic Sharon Indian School, the tribe's government center and its pow wow grounds. This trust is the first of its kind in the Commonwealth of Virginia.

The Secretary of the Commonwealth attended the Return to the River event hosted by Chief Anne Richardson. After nearly 400 years, Virginia's Rappahannock Indian tribe is again in possession of over 465 acres, Fones Cliffs, on the north side of the Rappahannock River in Richmond County. There were many partners in making this acquisition including the Rappahannock Indian Tribe, the Chesapeake Conservancy and the Wilderness Society. The tribe also received gifts from the Angle family and the National Fish and Wildlife Foundation through Walmart's Acres for America Program. Chief Anne Richardson held a Return to the River event.

Cultural Affairs

After two years of shutdowns, 2022 saw a resurgence of events in tribal communities. The Commonwealth was open for business, and the Virginia Indian Tribes worked to reinstate powwows, and other cultural opportunities for members, Virginians, and visitors.

On April 22, 2022, Chief Walt Red Hawk Brown and tribal citizens of the Cheroenhaka (Nottoway) Indian Tribe of Southampton County, Virginia, presented the 309th year Spotswood Treaty Tribute of three Peace Arrows wrapped in a Beaver Pelt with a Wampum Belt to the Governor Glenn Youngkin. The Spotswood Treaty with the Crown of England was signed between Virginia's provisional Lieutenant Governor Alexander Spotswood and the Cheroenhaka (Nottoway) Indian King, Ouracoorass Teerher, aka William Edmonds, on February 27, 1713. It is presented to the Governor of Virginia on or before Saint George Day, which falls on April 23.

Patawomeck Indian Tribe Covid Vaccination Clinic- April 30, 2022

The Free COVID-19 Vaccination Clinic was held at White Oak Primitive Baptist Church, in Fredericksburg, from 8:00am - 10:30am. The Virginia Department of Health and the Rappahannock Area Health District provided support and resources for this event.

33rd Annual Upper Mattaponi Indian Tribe Pow – **May 28-29, 2022**

29th Monacan Indian Nation Powwow – **June 4-5, 2022**

30th Annual Mattaponi Indian Reservation Pow-Wow – **June 18, 2022**

29th Annual Cheroenhaka (Nottoway) Indian “Green Corn Dance” Powwow and Gathering- **July 2, 2022**

Patawomeck Indian Tribe Living History Village at the Fredericksburg Heritage Day Festival- **July 4, 2022**. The Patawomeck Living History Village at the Fredericksburg Heritage Day Festival was from 10:00am to 4:00pm. This showcased the traditions and heritage of the Patawomeck Tribe.

34th Annual Nansemond Indian Pow Wow – **August 20-21, 2022**

14th Annual Nottoway Indian Tribe of Virginia Pow Wow – **September 17-18, 2022**

70th Annual Chickahominy Fall Festival and Pow Wow – **September 24-25, 2022**

The Chickahominy Indian Tribe Eastern Division 2022 CIT-ED Naming Ceremony – **October 8, 2022**. The naming ceremony is a sacred and traditional ceremony where Virginia Indians receive their tribal names. The Ceremony is filled with traditional music, blessings, and the history of the tradition.

30th Annual Cheroenhaka Indian Fall Festival Corn Harvest Powwow was held from **November 4-6, 2022**

The Office of the Governor attended the groundbreaking of the Indian Health Services Clinic in Charles City. The clinic is a collaboration between Indian Health Services and federally recognized tribes in the Commonwealth held on **November 15, 2022**.

5th Annual Pocahontas Reframed Film Festival- was held from **November 18-20, 2022**.

This year marked the 5th Pocahontas Reframed Festival. The Festival increases awareness of Native American language, cultures, and societies through the screening of films that present Native American perspectives on previously untold stories. The Festival, which is the only one of its kind on the East Coast, brings together artists, authors, cineastes, and actors who celebrate film and provides learning opportunities for the general public.

345th Tax Day Tribute Ceremony- **November 23, 2022**

On November 23, 2022, Governor Glenn Youngkin and First Lady Suzanne Youngkin hosted the 345th Tax Day Tribute Ceremony with Secretary of the Commonwealth, Kay Coles James. Members of the Mattaponi and Pamunkey tribes were present along with members of the public. Before the tribute ceremony, Governor Youngkin, the First Lady, and Secretary James met in a small group with the chiefs of the Pamunkey and Mattaponi tribes to discuss pertinent issues in the Commonwealth. This annual ceremony dates back to the 1677 Treaty of Middle Plantation.

Tribal Leadership

No changes in Tribal Leadership occurred in 2022.