

118TH CONGRESS
1ST SESSION

H. R. 5236

To extend the full measure of the Federal Government-to-government relationship between the United States and the Haliwa Saponi Tribe of North Carolina.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 18, 2023

Mr. DAVIS of North Carolina (for himself and Ms. ADAMS) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To extend the full measure of the Federal Government-to-government relationship between the United States and the Haliwa Saponi Tribe of North Carolina.

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 “Haliwa Saponi Indian
5 Tribe of North Carolina Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The Haliwa Saponi Indian Tribe of North
9 Carolina is a confederated Tribe that is a political

1 successor to the historical Saponi Nation and to the
2 Nansemond and affiliated Tribes that inhabited the
3 Piedmont and coastal regions of what are now Vir-
4 ginia and North Carolina.

5 (2) “Haliwa” is a geographical designation that
6 is derived from the physical location of the Tribe,
7 which is primarily in Halifax and Warren Counties,
8 North Carolina.

9 (3) In North Carolina, in 1733, the Saponi Na-
10 tion made peace with the Tuscarora and moved to
11 a portion of the Tuscarora reservation in modern
12 Bertie County, North Carolina, occupying a village
13 known as Sapona Town.

14 (4) In 1754, Captain William Hurst observed
15 the residence of Saponi warriors and many women
16 and children on Colonel William Eaton’s lands in the
17 Granville District (modern Bertie, Granville, War-
18 ren, and Vance Counties, North Carolina).

19 (5) In 1761, the Saponi Indians were living on
20 10,000 acres of land in the Granville District on and
21 near the Roanoke River along with the Meherrin and
22 Tuscarora.

23 (6) In Virginia, as acknowledged by Congress in
24 the Thomasina E. Jordan Indian Tribes of Virginia
25 Federal Recognition Act of 2017 (Public Law 115–

1 121; 132 Stat. 59 et seq.), there were two sections
2 of the Nansemond Tribe, one of which remained in
3 Virginia and was accorded Federal recognition in
4 2018 concurrently with five other Tribes still resi-
5 dent in Virginia by that same statute.

6 (7) Another section of the Nansemond Tribe
7 had migrated to North Carolina due to hostilities in
8 Virginia, and today enrolled citizens of the Haliwa
9 Saponi Indian Tribe include lineal descendants of
10 those Nansemond.

11 (8) After the American Revolution (1775–
12 1783), the Nansemond and Saponi merged together
13 for mutual protection and survival in Halifax, War-
14 ren, Nash, and Franklin Counties, in an area known
15 as “The Meadows”.

16 (9) Among the surrounding communities, the
17 Haliwa Saponi Indian Tribe has often been referred
18 to as the “Meadows Indians”.

19 (10) In 1889, Warren County, North Carolina
20 resident G.B. Alston wrote to the Smithsonian Insti-
21 tution anthropologist James Mooney and confirmed
22 the residence of a Tribe of 300–600 Indians in the
23 Meadows in Halifax and Warren Counties.

1 (11) The Tribe has continually existed as a sep-
2 arate community, with leaders exhibiting clear polit-
3 ical authority.

4 (12) While local non-Indians recognized the In-
5 dian and Tribal identity of the Haliwa Saponi, oth-
6 ers insisted on classifying Tribal citizens as “col-
7 ored” rather than Indian, due to segregation.

8 (13) During the era of school segregation, the
9 Tribe opened its own school, the Haliwa Indian
10 School, operated with the Tribe’s own funds.

11 (14) Since 1957 the State of North Carolina
12 has had continuous dealings with the recognized po-
13 litical leaders of the Haliwa Saponi.

14 (15) In 1957, the Tribe opened the Haliwa In-
15 dian School.

16 (16) Between 1960 and 1963, students from
17 the Haliwa Saponi Indian Tribe attended Bacone
18 College for Indians in Muscogee, Oklahoma.

19 (17) In 1965, the Haliwa Saponi Indian Tribe
20 won a lawsuit against the North Carolina Division
21 of Vital Statistics to correct the race of Haliwa
22 Saponi citizens on official records to read “Indian”.

23 (18) In 1965 the State of North Carolina took
24 formal legislative action recognizing the Haliwa
25 Saponi Indian Tribe.

1 (19) The United States has been providing
2 Federal funding to the Tribe from the Department
3 of Education’s Office of Indian Education for half a
4 century.

5 (20) The United States has been providing
6 Federal funding to the Tribe for housing and related
7 infrastructure development from the U.S. Depart-
8 ment of Housing and Urban Development pursuant
9 to the Federal Native American Housing and Self-
10 Determination Act for 25 years.

11 (21) In 2000, the Tribe opened the Haliwa
12 Saponi Tribal School, a charter school under the
13 State of North Carolina, at the location of the origi-
14 nal Haliwa Indian School, and the school currently
15 receives Federal funds from the Department of Edu-
16 cation, Office of Indian Education for Haliwa
17 Saponi Indian students.

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) MEMBER.—The term “Member” means a
21 member of the Haliwa-Saponi Indian Tribe of North
22 Carolina.

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

1 (3) **TRIBE.**—The term “Tribe” means the
2 Haliwa Saponi Tribe of North Carolina.

3 **SEC. 4. EXTENSION OF FULL FEDERAL GOVERNMENT-TO-**
4 **GOVERNMENT RELATIONS.**

5 The United States hereby extends to the Haliwa
6 Saponi Indian Tribe the full measure of the Federal Gov-
7 ernment-to-government relationship to make all laws (in-
8 cluding regulations) of the United States of general appli-
9 cability to Indians or nations, Indian Tribes, or bands of
10 Indians (including the Act of June 18, 1934 (25 U.S.C.
11 5101 et seq.)) that are not inconsistent with this Act ap-
12 plicable to the Tribe and Tribal members.

13 **SEC. 5. FEDERAL SERVICES AND BENEFIT.**

14 (a) **IN GENERAL.**—The Tribe and its members shall
15 be eligible for all services and benefits provided by the
16 Federal Government to federally recognized Indian Tribes
17 without regard to the existence of a reservation for the
18 Tribe, including services and benefits under the Act of
19 June 18, 1934 (25 U.S.C. 5101 et seq.).

20 (b) **SERVICE AREA.**—For the purpose of the delivery
21 of Federal services and benefits to members, the service
22 area of the Tribe shall include Halifax, Warren, Nash,
23 Franklin, Vance, and Granville counties in the State of
24 North Carolina.

1 (c) SERVICE POPULATION.—For purpose of the deliv-
2 ery of Federal services and benefits described in sub-
3 section (a), the Tribal roll in effect on the date of enact-
4 ment of this Act shall, subject to verification by the Sec-
5 retary, define the service population of the Tribe.

6 (d) ROLL; GOVERNING DOCUMENTS.—The member-
7 ship roll and government documents of the Tribe shall be
8 the most recent membership roll and governing docu-
9 ments, respectively, submitted by the Tribe to the Sec-
10 retary before the date of enactment of this Act.

11 **SEC. 6. AUTHORIZATION TO TAKE LAND INTO TRUST.**

12 Notwithstanding any other provision of law, the Sec-
13 retary is authorized to take land into trust for the benefit
14 of the Tribe and proclaim a reservation for the Tribe pur-
15 suant to the authorities granted to the Secretary in the
16 Act of June 18, 1934 (25 U.S.C. 5101 et seq.), and lands
17 acquired in trust for the Tribe and included in the first
18 reservation proclamation for the Tribe shall be treated as
19 an initial reservation that meets the requirements of Pub-
20 lic Law 100–497, section 20(b)(1)(B)(ii).

○