

**Testimony of Congressman Robert C. “Bobby” Scott
Committee on Natural Resources Legislative Hearing
H.R. 1294, the Thomasina E. Jordan Indian Tribes of Virginia
Federal Recognition Act
Wednesday, April 18, 2007
10:00 A.M.**

Good Morning and thank you, Chairman Rahall, Ranking Member Young, and members of this Committee for holding this hearing on H.R. 1294, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act, introduced by my fellow Virginian, Congressman Jim Moran.

This year marks the 400th Anniversary of the founding of Jamestown, Virginia, the first permanent English settlement in North America. Jamestown is the cornerstone of our great republic and its success relied heavily on the help of the indigenous people of Virginia. Virginia’s Native Americans played a critical role in helping the first settlers of Jamestown survive the harsh conditions of the New World.

After the Jamestown colony weathered its first couple years in the New World, the colony expanded and the English pushed further inland, and the same Native Americans that helped those first settlers were coerced and pushed from their land without compensation. Treaties, many of which precede our own Constitution, were often made in an effort to compensate the Virginia Native Americans. As history has shown, these treaties were rarely honored or upheld.

Like many other Native Americans, the Virginia Indian Tribes were marginalized from society. They were deprived of their land, prevented from getting an education, and denied a role in our society. Virginia's Native Americans were denied their fundamental human rights and the very freedoms and liberties enshrined in our Constitution.

The bill before this Committee will finally grant federal recognition to the Chickahominy, the Eastern Chickahominy, the

Upper Mattaponi, the Rappahannock, the Monacan Indian Nation, and the Nansemond tribes. Some may argue that H.R. 1294 supersedes the standard process of federal recognition through the Bureau of Indian Affairs. Unfortunately this route towards federal recognition by an act of Congress is necessary and long overdue because of the actions of one state government official in the early 20th century. During that time, Virginia's leaders experimented with eugenics, the so-called science of improving the human race by controlled breeding to increase the occurrence of desirable heritable traits, and implemented harsh racial laws. These laws led to the actions of Walter Plecker, State Registrar for the Commonwealth of Virginia, who purged Virginia's birth and marriage records of "Indian" and other non-white classifications. Virginia's Native Americans refer to Plecker's actions as the "paper genocide." Without this paper trail, standard federal recognition through the BIA is all but impossible. The legacy of Walter Plecker's actions and Virginia's regrettable harsh racial

laws should no longer stand. The legislation before this Committee will be the first step in correcting this injustice.

The tribes in Virginia have made great strides in protecting their culture and history, even without the aid of federal recognition. During my time in the Virginia General Assembly, I had the privilege to serve on the study committee that looked into state recognition of Virginia's tribes. Based on the study committee's recommendations, the Commonwealth of Virginia recognized these tribes in the 1980s and has made great efforts to correct these injustices at the state level. H.R. 1294 will ensure the rightful status of Virginia's tribes in our national history. Federal recognition will provide housing and educational opportunities to those who cannot afford it. Federal recognition will also promote tribal economic development that will allow Virginia's tribes to become self-sustaining. These new opportunities will allow Virginia's tribes to flourish culturally and economically, which will lead to a brighter future for a whole new generation.

In 2002, this Committee held hearings on a similar bill to grant federal recognition to Virginia's tribes and many of my colleagues on this panel have heard about the struggles of Virginia's Native Americans before. As the Commonwealth of Virginia, our entire Nation, and the international community commemorate the 400th anniversary of the founding of Jamestown, there is no better time to grant federal recognition to the descendants of the Native Americans who were first to welcome the English settlers at Jamestown.

We have waited too long to recognize Virginia's tribes. The time has come for this Congress to act and I urge you to support H.R. 1294. Thank you again for allowing me to address you on this issue.