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A renowned Virginia Indian tribe finally wins federal recognition

By **Joe Heim** July 2

More than 400 years after their ancestors greeted John Smith and other English settlers, Virginia's Pamunkey Indians have won recognition from the federal government that they are a Native American tribe.

The U.S. Bureau of Indian Affairs announced Thursday that the Pamunkey tribe's decades-long quest for recognition has been approved, making the tribe of Pocahontas the first in Virginia to receive the coveted designation. Six other Virginia tribes are seeking recognition through an act of Congress.

"We're just elated," said Kevin Brown, outgoing chief of the 208-member tribe. "It's been a long time coming. . . . We met the criteria and met every challenge. And we were challenged all the way. It wasn't easy."

The decision, which takes effect in 90 days, could have a big impact beyond the borders of the Pamunkey Indians' 1,200-acre reservation east of Richmond. The tribe's new status means it could eventually open stores that sell tax-free goods and pursue gambling ventures in a state that has long rejected casinos. That possibility had raised strenuous opposition from MGM, which is opening a \$1.2 billion casino in Prince George's County next year, and from Virginia's gas station and convenience store owners, who worry they will lose customers if the tribe can sell gas, alcohol, cigarettes and other items without charging state taxes.

During the recognition process, the Pamunkey tribe had not commented on whether it would pursue gambling interests. But Brown said Thursday that the tribe will consider a wide range of possibilities for development, including casinos.

"To date, there's been no decision, no deals made, but it is something that the tribe has looked at and will continue to look at," Brown said. "Everybody focuses on gaming, but there's a lot of opportunities for federally recognized tribes because of your unique status, your tax-exempt status and your sovereign territory."

The Pamunkey Indians, who spent more than \$2 million to press their claim over the years, will join the 566 other federally recognized tribes and immediately be eligible for federal funding for housing, education and health care.

The Pamunkey is the second tribe to receive federal recognition during President Obama's administration.

"This is a group that Pocahontas was a member of, so it truly is a historical act," Kevin Washburn, assistant secretary for Indian Affairs, said in an interview. "This is one of the most solemn duties we have in my job, to determine who the United States has a government-to-government relationship with. It's really gratifying to go through this rigorous process and be at this stage."

Washburn acknowledged that the government's decision allows the tribe "access to other processes that could ultimately someday result potentially in gaming long down the road."

MGM had strenuously opposed recognition for the Pamunkey tribe and teamed with Stand Up for California, an organization that has fought tribal casinos, to try to prevent final approval. MGM officials declined to comment Thursday on the decision.

Members of Congress, including five Democratic congresswomen and members of the Congressional Black Caucus, had also opposed the Pamunkey bid, claiming that the tribe once had rules that discriminated based on race and gender. The tribe said it abandoned those practices long ago.

"We looked very closely at the actual evidence and arguments [opponents] submitted during the comments period, but ultimately their arguments were not compelling," Washburn said. The tribe, he added, "submitted a petition that is frankly one of the most well-documented petitions we've ever received."

Steve Adkins, the chief of Virginia's Chickahominy tribe, said he called the Pamunkey chief yesterday to congratulate him.

"It's a great day for Virginia's Indians, and it's a great day for Virginia," said Adkins, whose 850-member tribe also is seeking federal recognition. "It signals to the world that the folks who offered safe haven to the first English settlers are still here."

Virginia Sens. Timothy M. Kaine (D) and Mark R. Warner (D) issued a joint news release praising the Bureau of Indian Affairs's decision, congratulating the tribe and expressing hope that Virginia's other tribes will also be recognized.

"Despite the integral role the tribes played in American history and the unique cultures they have continued to maintain for thousands of years, they have faced barriers to recognition due to extraordinary circumstances out of their control," Kaine said. "Today's announcement is an important step toward righting this historical wrong, and I'm optimistic that the federal government's decision to recognize the Pamunkey will spur Congress to act on our bill that seeks long-overdue recognition for six other Virginia tribes — the Chickahominy, the Eastern Chickahominy, the Upper Mattaponi, the Rappahannock, the Monacan and the Nansemond."

The Pamunkey tribe's presence has been well documented since English settlers arrived on Virginia's shores. Scholars estimate that there were 14,000 to 21,000 members of the Powhatan Confederacy — Algonquian-speaking tribes that included the Pamunkey — when the English settlers arrived in 1607. The Indians, who had inhabited the region for hundreds of years before the English settlement at Jamestown, provided the colonists with food and aid.

Each year, in a much-photographed event Thanksgiving week, the Pamunkey and Mattaponi tribes present the governor of Virginia with two deer and a turkey in lieu of taxes. The Pamunkey reservation, among the oldest in the United States, is based on treaties signed with the English government in 1646 and 1677.

Joe Heim joined The Post in 1999. He is currently a staff writer for the Metro section's Local Enterprise team. He also writes Just Asking, a weekly Q&A column in the Sunday magazine and is the paper's resident Downton Abbey expert.

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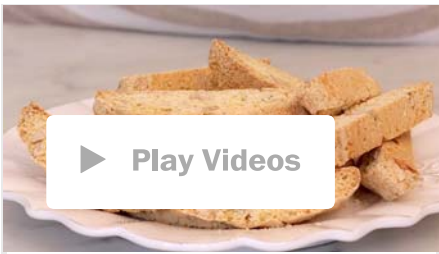
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