

117TH CONGRESS  
1ST SESSION

# H. R. 5822

To extend Federal recognition to the Edisto Natchez-Kusso Tribe of South Carolina, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 2, 2021

Ms. MACE introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To extend Federal recognition to the Edisto Natchez-Kusso Tribe of South Carolina, and for other purposes.

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. DEFINITIONS.**

4       In this Act:

5               (1) SECRETARY.—The term “Secretary” means  
6       the Secretary of the Interior.

7               (2) TRIBAL MEMBER.—The term “Tribal mem-  
8       ber” means—

1 (A) an individual who is an enrolled mem-  
2 ber of the Tribe as of the date of the enactment  
3 of this Act; and

4 (B) an individual who is placed on the  
5 membership rolls of the Tribe in accordance  
6 with this Act.

7 (3) **TRIBE.**—The term “Tribe” means the Ed-  
8 isto Natchez-Kusso Tribe of South Carolina.

9 **SEC. 2. FEDERAL RECOGNITION.**

10 (a) **FEDERAL RECOGNITION.**—

11 (1) **IN GENERAL.**—Federal recognition is ex-  
12 tended to the Tribe.

13 (2) **APPLICABILITY OF LAWS.**—All laws (includ-  
14 ing regulations) of the United States of general ap-  
15 plicability to Indians or nations, Indian Tribes, or  
16 bands of Indians (including the Act of June 18,  
17 1934 (25 U.S.C. 461 et seq.)) that are not incon-  
18 sistent with this Act shall be applicable to the Tribe  
19 and Tribal members.

20 (b) **FEDERAL SERVICES AND BENEFITS.**—

21 (1) **IN GENERAL.**—The Tribe and Tribal mem-  
22 bers shall be eligible for all services and benefits pro-  
23 vided by the Federal Government to federally recog-  
24 nized Indian Tribes without regard to the existence  
25 of a reservation for the Tribe.

1           (2) SERVICE AREA.—The service area for the  
2           purpose of the delivery of Federal services to Tribal  
3           members shall be determined in coordination and  
4           consultation with the Secretary not later than 120  
5           days after the date of the enactment of this Act.

6 **SEC. 3. MEMBERSHIP; GOVERNING DOCUMENTS.**

7           The membership roll and governing documents of the  
8           Tribe shall be the most recent membership roll and gov-  
9           erning documents, respectively, submitted by the Tribe to  
10          the Secretary before the date of the enactment of this Act.

11 **SEC. 4. GOVERNING BODY.**

12          The governing body of the Tribe shall be—

13               (1) the governing body of the Tribe in place as  
14               of the date of enactment of this Act; or

15               (2) any subsequent governing body elected in  
16               accordance with the election procedures specified in  
17               the governing documents of the Tribe.

18 **SEC. 5. RESERVATION OF THE TRIBE.**

19          (a) IN GENERAL.—Upon the request of the Tribe, the  
20          Secretary—

21               (1) shall take into trust for the benefit of the  
22               Tribe any lands held in fee by the Tribe that were  
23               acquired by the Tribe on or before January 1, 2021,  
24               if such lands are located within the boundaries of

1       Dorchester and Colleton counties in South Carolina;  
2       and

3               (2) may take into trust for the benefit of the  
4       Tribe any lands held in fee by the Tribe, if such  
5       lands are located within the boundaries of Beaufort,  
6       Berkeley, Charleston, Colleton, and Dorchester coun-  
7       ties in South Carolina.

8       (b) DEADLINE FOR DETERMINATION.—Not later  
9       than 3 years of the date on which the Tribe submits a  
10      request for land to be taken into trust under subsection  
11      (a)(2), the Secretary shall—

12              (1) make a final written determination; and

13              (2) immediately make that determination avail-  
14      able to the Tribe.

15      (c) RESERVATION STATUS.—Any land taken into  
16      trust for the benefit of the Tribe pursuant to this section  
17      shall, upon the request of the Tribe, be considered part  
18      of the reservation of the Tribe.

19      (d) GAMING.—The Tribe may not conduct gaming ac-  
20      tivities as a matter of claimed inherent authority or under  
21      the authority of any Federal law, including the Indian  
22      Gaming Regulatory Act (25 U.S.C. 2701 et seq.) or under  
23      any regulations thereunder promulgated by the Secretary  
24      or the National Indian Gaming Commission.

1 **SEC. 6. HUNTING, FISHING, TRAPPING, GATHERING, AND**  
2 **WATER RIGHTS.**

3       Nothing in this Act expands, reduces, or affects in  
4 any manner any hunting, fishing, trapping, gathering, or  
5 water rights of the Tribe and Tribal members.

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