

117TH CONGRESS
2D SESSION

S. 3443

To extend Federal recognition to the MOWA Band of Choctaw Indians,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 5, 2022

Mr. SHELBY introduced the following bill; which was read twice and referred
to the Committee on Indian Affairs

A BILL

To extend Federal recognition to the MOWA Band of
Choctaw Indians, 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. SHORT TITLE.**

4 This Act may be cited as the “MOWA Band of Choc-
5 taw Indians Recognition Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) MEMBER.—The term “member” means—

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

4 (B) an individual who is included on the
 5 membership roll of the Tribe under section 4.

6 (2) RESERVATION.—The term “Reservation”
 7 means the boundaries of the reservation of the
 8 Tribe, which are the same as the boundaries of
 9 Washington County and Mobile County in the State
 10 of Alabama.

11 (3) SECRETARY.—The term “Secretary” means
 12 the Secretary of the Interior.

13 (4) TRIBE.—The term “Tribe” means the
 14 MOWA Band of Choctaw Indians.

15 **SEC. 3. FEDERAL RECOGNITION.**

16 (a) FEDERAL RECOGNITION.—

17 (1) IN GENERAL.—Federal recognition is ex-
 18 tended to the Tribe.

19 (2) APPLICABILITY OF LAWS.—All laws (includ-
 20 ing regulations) of the United States of general ap-
 21 plicability to Indians or Indian Tribes, nations, or
 22 bands of Indians, including the Act of June 18,
 23 1934 (commonly known as the “Indian Reorganiza-
 24 tion Act”) (48 Stat. 984, chapter 576; 25 U.S.C.

1 5101 et seq.), that are not inconsistent with this Act
 2 shall be applicable to the Tribe and the members.

3 (b) FEDERAL SERVICES AND BENEFITS.—

4 (1) IN GENERAL.—Beginning on the date of en-
 5 actment of this Act, the Tribe and the members
 6 shall be eligible for all services and benefits provided
 7 by the Federal Government to federally recognized
 8 Indian Tribes and members of federally recognized
 9 Indian Tribes, without regard to—

10 (A) the existence of a reservation for the
 11 Tribe; or

12 (B) the location of the residence of any
 13 member, including whether the member resides
 14 on or near a reservation.

15 (2) SERVICE AREA.—For the purpose of the de-
 16 livery of Federal services and benefits to members,
 17 the service area of the Tribe shall be considered to
 18 be the area comprised of Washington County and
 19 Mobile County in the State of Alabama.

20 **SEC. 4. MEMBERSHIP ROLL.**

21 (a) IN GENERAL.—Not later than 18 months after
 22 the date of enactment of this Act, the Tribe shall submit
 23 to the Secretary an initial membership roll consisting of
 24 the name of each individual enrolled as a member of the
 25 Tribe.

1 (b) DETERMINATION OF MEMBERSHIP.—The quali-
 2 fications for inclusion on the membership roll of the Tribe
 3 shall be determined in accordance with—

4 (1) the Constitution of the Mobile-Washington
 5 County Band of Choctaw Indians of South Alabama,
 6 enacted on June 15, 1991; and

7 (2) any amendments or changes to the Con-
 8 stitution.

9 (c) MAINTENANCE OF ROLL.—The Tribe shall have
 10 the sole authority and responsibility to maintain the mem-
 11 bership roll under this section.

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

13 (a) IN GENERAL.—The Secretary shall acquire and
 14 take into trust for the benefit of the Tribe title to land
 15 identified by the Tribe, not to exceed 3,223 acres, within
 16 the Reservation.

17 (b) SUBSEQUENT TRUST ACQUISITIONS.—The Sec-
 18 retary may acquire and take into trust for the benefit of
 19 the Tribe additional land pursuant to section 5 of the Act
 20 of June 18, 1934 (commonly known as the “Indian Reor-
 21 ganization Act”) (25 U.S.C. 5108).

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