

117TH CONGRESS  
2D SESSION

# S. 3443

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

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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

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## 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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