



NANSEMOND INDIAN NATION

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February 25, 2025

Via email to ofa_info@bia.gov

Dr. Wendi-Starr Brown
Acting Director, Bureau of Indian Affairs
Office of the Assistant Secretary for Indian Affairs
Department of the Interior
Attn: Office of Federal Acknowledgment
1849 C Street, NW
Washington, DC 20240

**Re: Nansemond Indian Nation Comments on Documented Petition #405: Tripanick
Nansemond Family Indian Tribe, KS**

Dear Acting Director Brown,

The Nansemond Indian Nation (“Nation”) provides these comments in response to Petition #405 (“Petition”) received by the Office of Federal Acknowledgement by a Petitioner calling themselves the Tripanick Nansemond Family Indian Tribe (“Petitioner”) on August 30, 2024.

The Nation is a federally recognized Indian Tribe located in southeastern Virginia. The Nation received federal recognition in 2018 through the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017 (P.L. 115-121). This Act recognizes the Nation as a sovereign nation with the power to govern itself and its citizens.

The Nation descends from the Nansemond tribe, one of the native Algonquian groups that was part of the Powhatan Confederacy first encountered by English colonists. The Nation has never left its Nansemond ancestral territory and has maintained tribal traditions and cultural beliefs associated with this territory with an associated record of such activity. Additionally, the Nation has an extensive history of stewarding its cultural and historic resources in the area, including obtaining National Register eligibility determinations for the Indiana United Methodist Church, the adjacent archaeological site of the Nansemond Indian School, and the Mawinsowa Swamp Traditional Cultural Place.

The Nation is disturbed by the false characterizations contained in the petition narrative, especially related to co-option of the Nation’s own history. The Office of Federal Acknowledgement (“OFA”) should issue a negative Proposed Finding against this Petition for federal acknowledgement as a federal Indian tribe, because the Petition fails to meet the requirements for Criterion E: Descent of current members. Furthermore, the Nansemond Indian Nation believes that any Phase II review will also illustrate that the Petition fails to meet the requirements of Criterion A, B, and C.

The Submitted Petition Mischaracterizes the Petitioner's History with the Nation

The Petition contains falsehoods related to the Petitioner's relationship with the Nation and its tribal government. Specifically, the Petition mischaracterizes the nature, extent, and timeline of limited communications between the Nation and the Petitioner. The Nation has no documentation of ongoing communications between Robert Bass, other members of this group, and the Nansemond Indian Tribe, Nansemond Indian Tribal Association, or the federally-recognized tribal government of the Nation prior to the Nation's federal recognition in 2018. Regardless, the Nansemond Indian Nation possesses sovereign authority to determine the disposition of applications for tribal citizenship in the Nation.

Beyond the mischaracterizations of the recent communications between the Petitioner and the Nation, the narrative portrayed in this Petition regarding the Petitioner's Nansemond affiliation is fundamentally unsupported by the Nation's own extensive written and oral history. The Nation has no awareness of the name Tripanick or the existence of a Nansemond Kansas community.

The Submitted Petition Lacks Sufficient Specificity to Evaluate the Petitioner's Claims

The petition narrative selectively adopts elements from a variety of mainly secondary sources about the historical and contemporary Nansemond tribe but provides no evidence that a separate "Tripanick" branch has existed continuously during this time. The Petition also demonstrates a significant lack of understanding of genealogy and historical research. In its current form, the vast majority of documents referenced and discussed in the Petition as support for various federal acknowledgement criteria (such as the Dred Scott case, the Dawes Act, the Northwest Ordinance) have no clear connection to the argument being made in the Petition. The petition narrative typically contains no explanation of the relationship between these individual historical documents and the criteria claims being made by the Petitioner.

The Submitted Petition Fails to Meet the Requirements for Criterion E: Descent of Current Members

The Petition does not include evidence regarding the descent of present members as being descendants of a historical Indian tribe based on documents or evidence as required in 25 CFR § 83.11(e), and it also fails to provide any explanation for the claim that the Tripanicks were another name for Nansemond. The little evidence for this link that the Petition provides is unfounded, as we have thus far been unable to verify the source of the quotation located on page 31 of the Petition, that "Tripanick, or Trypaniks was the name the Nansemond used to refer to themselves. The Tripanicks cultivated tubers, root vegetables, fished and hunted game animals in the surrounding area." Neither the *Handbook of American Indians* nor the primary sources referenced in the Tripanick definition provided in the *Handbook* appear to contain such a quote. The Petition has not presented any evidence that the Tripanick group is related to the Nansemond or other related Algonquian tribal communities, likely due to the absence of references to Tripanick tribal affiliation in primary and secondary sources. All post-1600 evidence related to the "Tripanick" provided by Petitioner appears to be a co-option and misappropriation of the history of the

Nansemond to create a false narrative of association despite the lack of historical evidence linking the Nation to Petitioner's "Tripanicks."

Similarly, the Petition claims without evidence that signature of the 1677 and 1680 versions of the Treaty of Middle Plantation illustrate that "Tripanick-Nansemond" and "Virginia-Nansemond" groups were differentiated in the 17th century (pages 10-11). The Petitioner does not cite any evidence for this assertion, and no other secondary sources on the Nansemond have made similar arguments. In short, the Petitioner cannot and will not meet the requirements of Criterion E, because the Petitioner does not consist of an integrated tribal community that can trace its lineage back to a historical Indian tribe prior to 1900.

The Petition Deficits Illustrate that the Petition Will Also Fail Mandatory Criteria A, B, and C

The Nation additionally believes that the Petitioner cannot and will not meet many of the other mandatory criteria for federal acknowledgement, such as Criterion A: Identifications of Indian Entity; Criterion B: Distinct Community; and Criterion C: Political influence or Authority.

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We appreciate OFA's careful review of our comments. If the Nation can provide any further documentation for the concerns brought up in this letter to further assist OFA, please do not hesitate to reach out to the Nation at 1001 Pembroke Lane, Suffolk, VA. 23434 and chief@nansemond.gov, CCing the Nation's legal counsel Jessie Barrington at jessie@culturalheritagepartners.com.

Regards,

Keith F. Anderson

Chief Keith F. Anderson
Nansemond Indian Nation

cc:
Jessie Barrington, Esq.
jessie@culturalheritagepartners.com