

[received by e-mail 23 March 2008]

**THE VERMONT COMMISSION ON NATIVE AMERICAN AFFAIRS:
AN OPEN LETTER TO GOVERNOR JIM DOUGLAS.**

**Bigoted comments regarding the native participants in 3/14/08 Senate Hearings regarding
Abenaki recognition**

Homer St. Francis (the late Missisquoi Abenaki Chief, father of April Merrill, a testifier at the hearing) thought it would be alright to simply drive around without a lisencc (sic) or a plate on top of that because he believed both were the way of the white man, spare us all!

Audi

Homer drove around without a license because of his numerous DUI convictions. He couldn't see past the windshield wiper blades let alone determine if there was a plate on the car.

Wayne

I do not know how your 5% (native ancestry of Vermont Indians) was calculated. It may be correct for many in Vermont. If it is true, I feel for many at the hearings making the claim, it is an overstatement by 5%.

Watso, Bear Clan Odanak

(forums.burlingtonf reeprss. com/viewtopic. php?t=42996)

Dear Governor Douglas

Senate Bill S.117, the historic 2006 statute recognizing the Abenaki people of Vermont, established a Vermont Commission on Native American Affairs to represent the collective interests of Vermont's indigenous population. As part of the statute, the Missisquoi and other formal Abenaki groups were provided the official opportunity to advise the Governor on the selection of Commissioners. Under this authority, we, the four Organized Tribes of Vermont, insist that, that the commissions as it stands, not be reappointed at the conclusion of their Commissioners' tenure. Our reasons are discussed below, supported by appended documentation.

In addition, in 2006, the Vermont Governor's Commission on Native American Affairs (which was about to be superceded), sent you an important message regarding the VCNAA selection process. It was their last official act. It cautioned the Governor in his selection of Vermont Commission on Native American Affairs commissioners to be appointed under the S.117 bill, to

assure their ethnic identity and commitment to representing the interests of Vermont Indians, both individual and collective in its relations to the state (1). Governor's Counsel Suzanne Young informed the former Commissioners, through its former Chair, Dr. Jeffrey Benay, that the Governor's Office chose not to follow these recommendations. We believe that, had these recommendations and guidelines been followed, we would not be where we are today.

Unfortunately, there has long been discontent in the Vermont Abenaki community with regards to the actions of the Commission. The hostility of the Commission to Vermont Tribal political initiatives led, in early March, 2006, to Koasek Abenaki Chief Chenevert (2), Koasek activist Nancy Millette (3) Missisquoi Chief April Merrill (4), Nulhegan Speaker Luke Willard (5) and El-Nu Abenaki Tribal elders (6) to express their individual and collective frustration with the Vermont Commission, basically giving the Commission a vote of no confidence. This dissatisfaction has been exacerbated by the recent S.369 amendment to the S.117 (Abenaki Recognition) bill, which gives the Commission and the VT Attorney General power of denying an Indian identity to the Indigenous peoples of Vermont. This frustration on the part of Abenaki leaders reflected the general unrest in the Vermont Abenaki Community. The four organized tribes of Vermont have discovered that some members of the Commission are partisan and represent personal or non-Vermont Abenaki interests distinctly hostile to Vermont Abenakis. These Abenaki groups feel that Commissioners have misused their power to actively thwart individual and collective Tribal desires. These perceived actions on the part of Commissioners were considered so threatening that the VT tribes, some heretofore unfriendly to one another, joined together to undue this threat posed by the commission. Although most Vermont Abenakis recognize the positive efforts of some Commissioners, nevertheless they believe that the overall Commission is compromised. Below we have abstracted a few of our most recent concerns.

The Commission's non VT Abenaki interests

There has been a growing concern voiced by Indigenous Vermonters that members of the new Vermont Commission on Native American Affairs may have cultural and political allegiance to political entities outside Vermont. The issue of Odanak, a Canadian Abenaki reserve, is particularly troubling. Since the fall of 2003, Odanak officials have denied that there are Vermont Abenakis other than Odanak descendents. In a particularly cruel move, Odanak officials collaborated with the Vermont Attorney General's 1995-2006 cleansing of Indigenous Vermont history and identity, focusing on Missisquoi. In response, Indigenous Vermonters bearing the brunt of this ethnic violence became suspicious of Odanak's oft-stated position is encapsulated in her pretentious demand that Indigenous Vermonters submit to Odanak's determination of who is and who is not Indian. Such combative pomposity has necessarily exerted a certain toxic effect on Indigenous Vermonters opinion of their former brethren to the North, and perhaps their descendents now living in the Green Mountain State. For example, during testimony to the Senate on March 13, 2008, papers attacking the ethnicity of an attending tribal leader were explicitly given to legislators by a representative of this Odanak interest (William Whitney, Northfield, VT, pers. comm.. to Jeffrey Benay and Frederick Wiseman,

3/13/08). Many Abenakis question whether VT Odanak descendants harbor similar beliefs in Odanak cultural and political supremacy. When pressed, they vehemently deny this connection, even threatening further action (8). But if they are empowered by the legislature to decide who is or is not a Vermont Indian, we doubt that they be impartial, given the semi-official position of the Canadian Reserve.

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Timothy de la Breuere is the other person on the VT Commission on Native American Affairs who meets Ms. Watson's position in relation with Vermont, New Hampshire and Maine (14). Apparently de La Breuere, shares some of Bernier's and Watson's group, caused great concern regarding his judgment of other Vermont tribes that could potentially seek recognition through the Native Commission. In personal contact with representatives of other tribes, de la Breuere uses combative and implied threatening verbiage. These statements have led one VT tribe to have concerns regarding the success of tribal initiatives entirely unconnected to the Commission, such as a Native cultural center for Newport, VT (16). Vermont Native Commission Chair Mitchell has complained that de la Breuere told him that during a lunch meeting that Governor Douglas indicated to him (de la Breuere) that the Commission's composition would not change. Subsequent discussions with Suzanne Young, Governor's positions at the Commission, reveal an overt over lack of impartiality, and a perceived problem of manipulating the truth in Commission business.

A question of identity and the appearance of abuse of power

The difficulty that we, the Four Organized Vermont Tribes have with Commissioner Dow is due to the possibility of identity fraud and abuse of political, and to a certain extent intellectual power, within the Commission or VT political world. Heretofore, the tribes have not pursued identity fraud issues. However, the written attack on Koasek leader Nancy Lyons' with deep ancestral roots to the Moccasin Village in the Winooski Intervale (18) 's sister, her family is not Native. Unfortunately, many Vermont families have factions that claim differing ethnic identities, especially a Native ancestry. However, our issue of concern is more than ancestry; it is personal cultural history and veracity, the foundations of Dow's ethnic authority and livelihood. We believe that family testimony has reveal deception in this foundation. Ms. Comstock said they (Judy Dow's family) did not grow up at the Winooski Intervale and stories that Dow tells about gathering and walking on the trails are untrue. Comstock said she had never heard of Moccasin Village and Dow's file; Missisquoi's citizenship requirements require applicants to demonstrate a documented descendancy from a known Abenaki individual, family or band. This genealogical database includes historically known Abenaki families in the, Burlington VT area, an reason for Missisquoi's collaboration with the Intervale Center in Chittenden County to properly deal with Native concerns in the lower Winooski River Valley.

Recently there have been several problems that have surfaced with regards to Dow's claims that arise from the issues of character referred to in this section (22).

Although there have been many disagreements between Commissioner Dow and other Abenakis over the two years of her appointment, we only sample current issues. The first of these is that Commissioner Dow called for testimony only hostile to a bill amendment in which she had a political interest. The bill amendment in question proposed direct recognition of existing Abenaki bands. Contra Dow's Senate testimony. The tenor of this can also be inferred from the source posting (24) for the above quote. Interestingly, some of these heretofore opposing factions have joined together out of frustration with these activities and are signatories to this document.

's Advisory Commission on Native American Affairs Commissioner Dave Skinas, Koasek Spokesperson Nancy Millette, Missisquoi Tribal Council Member John Churchill and Koasek genealogist Dr. Raymond Lussier. Wiseman was acquainted with Chief Merrill's brothers, and he reports that they were not there (25). Two other people, Dr Ray Lussier, (26) and Jeanne Linclon Kent (27) sat near Merrill and, corroborated the videotape data, refuting Dow's alleged report to Chairman Mitchell. They indicated that Chief Merrill was quite restrained, especially considering the tenor of the testimony as revealed in Wiseman's

Abenaki leaders, who have known of Commissioner Dow's ethnic identity problem, as well as her penchant for assailing other Abenaki individuals and groups by using misinformation, are disappointed and angry. One has said that she is viscerally protecting her well being while trying to take away our (other Abenaki groups)

Conclusion

In the previous sections, we have listed specific problems that representatives of the Vermont Abenaki Community have with the Vermont Commission on Native American Affairs, and why the Missisquoi, Koasek and Nulhegan Bands, who collectively represent the vast majority of the identified, enrolled Abenaki tribal people in the state, believe that they cannot receive a fair hearing on the highly charged political issue of recognition by the Commission. In addition the Abenaki communities believe that the VT Native Commission Chair is compromised due to his inability to get true information from his commissioners. We respectfully request that Governor Douglas revisit his appointments to the Vermont Commission on Native American Affairs, and, as stipulated in S.117, consult with the organized tribes in appointing new commissioners who will more effectively, honestly, and representatively serve Vermont's Indigenous community.

signed (in alphabetical order)

Jeffrey Benay, Ed. D. Former Chair, Governor's Commission on Native American Affairs;

Brian Chenevert, Chief, Koasek Traditional Band of the Sovereign Abenaki Nation, Newbury, Vermont, Todd Hebert, President, Ndakinna Cultural Center and Museum, Inc,

Roger Longtoe Sheehan Sagamo (Chief), Jim Taylor (Elder)Rose Hartwell (Elder), Vera Longtoe Sheehan (Genealogist) , El-Nu Abenaki Tribe;

April Merrill, Chief, St. Francis Sokoki Band (Missisquoi) , former Commissioner, Governor's Commission on Native American Affairs,

Nancy Millette, Director, White Pine Association, and Koasek Traditional Band;

David Skinas, former Commissioner, Governor's Commission on Native American Affairs,

Luke Willard, Speaker and Trustee, Nulhegan Band;

Fred Wiseman, Ph.D. former Commissioner, Governor's Commission on Native American Affairs

Supporting references with complete or abstracted primary documentation.

(1)Application for Vermont Commission on Native American Affairs

Job Description: the Vermont Commission on Native American Affairs seeks highly experienced and motivated Vermont residents in Tribal government, academia, the arts, and public service with significant skill in Native American affairs, preferably in Vermont or the immediate region. Experience in Vermont indigenous cultural, grant writing, public and media relations, education, information technology, cultural resources protection and political science a plus.

1. Name:
2. Current professional position or vocational status:

3. Describe experience in Native American cultural, political, artistic or spiritual affairs:
4. Describe experience in local, state, or national commissions, organizations etc. that pertain to Native American issues:
5. If applying as an individual Native candidate for the Commission please list the historically- verifiable Tribal Band (this is optional, but is desired to give us a wide diversity of Native participants as possible.)
6. Please write a description of why you believe that you would be an asset to the Commission:
7. The candidate shall adhere to the code of ethics included herein.

(Attach a resume and two letters of recommendation from people who are aware of your contribution to Native American culture or politics.)

Code of Ethics (Draft Version of 4/12/06 from Mr. Don Stevens)

(a) No member of the Vermont Commission on Native American affairs (the "Commission") shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest of serving on the Vermont Commission on Native American affairs (the "Commission").

(b) No member of the Vermont Commission on Native American affairs (the "Commission") shall engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority without permission from the Commission.

(c) No member of the Vermont Commission on Native American affairs (the "Commission"), member of the legislature or legislative employee should disclose confidential information acquired by him in the course of his official duties nor use such information to further his personal interests that are not approved by the Commission.

(d) No member of the Vermont Commission on Native American affairs (the "Commission") shall use or attempt to use his official position to secure unwarranted privileges or exemptions for himself or others without the approval of the Commission.

(e) Any member of the Vermont Commission on Native American affairs (the "Commission") shall not, by his conduct, give reasonable basis for the impression that any person or organization

can improperly influence him or unduly enjoy his favor in the performance of his official duties, or that he is affected by the kinship, rank, position or influence of any party or person.

(f) Any member of the Vermont Commission on Native American affairs (the "Commission") shall endeavor to pursue a course of conduct which will not raise suspicion among the public that he is likely to be engaged in acts in violation of his trust.

(g) Any violation of section (a) through (f) listed above may constitute disciplinary action, seizure of items obtained through the misconduct, fines set by the commission, and/or removal from the Commission.

***Note: member constitutes person serving on the Vermont Commission of Native American affairs, their family members, and any businesses where that they may gain profit or compensation from.

(2) Letter of Chief Brian Chenevert, Koasek

To Whom It May Concern:

I am writing this letter to express my opinions and concerns regarding the current Vermont Commission of Native American Affairs. The Koasek Traditional Band has had representatives attend many of the commission meetings over the past two year and has had many conversations and correspondence with the commission chair Mark Mitchell. Based on these interactions I do not feel that the Koasek Traditional Band was ever represented by the commission. The main purpose for any state commission of Native American affairs is to act as a liaison between the state government and the tribes of that state. The Vermont commission has severely failed to act in this regard. Not once has this current commission reached out to any of the long standing Abenaki groups in the state of Vermont. Rarely has this current commission reached out to any of the long standing Abenaki groups in the state of Vermont, and when it did they did not heed the advice given even when it was substantiated with legal precedence set in other states. This commission has worked solely by itself for itself. We have brought many concerns to the commission about amending Bill S 117. I have explained over and over again to the commission our many concerns about their version of the amendment for S.117 and provided them with legal precedence set previously in other states across the U.S., particularly regarding providing genealogies to any state agency or the commission as this would be a clear violation of our sovereignty. Not only have they not worked with us, they have ignored us to the point that they are now working against us. A perfect example of this would be when two commission members provided testimony at the recent legislative committee hearing on the amendments for bill S.117 as individuals and not on the behalf of the commission but failed to state that point during their testimonies. Additionally, one of these commission members forwarded numerous email correspondence to the commission on to outside interests groups who do not reside in Vermont in an effort to draw as many people to the committee hearing as possible to voice their opinions against the Koasek and Missisquoi Abenaki. The behavior, inability to act in an unbiased manner and the overall lack of professionalism by some members of the Vermont commission on

Native American Affairs has been appalling and the majority of Abenaki people are anticipating the expiration of their terms in July 2008 so that they can be replaced.

Sincerely,

Signed electronically on 03/06/08

Chief Brian Chenevert

Koasek Traditional Band of the Sovereign

Abenaki Nation

Newbury, Vermont

(3) Letter of Nancy Millette, Koasek Spokesperson

I have attended many commission meetings and have had many conversations with Mark Mitchell over the last two years. I can honestly say I do not believe the Koasek Traditional Band was ever represented by the commission. I have neither seen nor heard them do anything for or with us. I have brought many concerns to the commission about the drafting of the addition to Bill S 117. I arranged a meeting with Governor Douglas to ask him by way of executive order to give the power to the commission to recognize tribes. I invited Mark Mitchell to accompany me to this meeting. What came out of the meeting with Governor Douglas was a task force to work with Mark Mitchell over the summer to draw a new bill. I offered and a friend of mine offered to help finance a Lawyer for the Native Rights Fund or one they would suggest who was schooled in Indian Law. I was never asked to help the commission with that offer. I have explained over and over again to the commission many concerns about giving genealogies over to the state or even the commission. They didn't pay any attention to my concerns. I have not seen any respect given to the historic tribes St Francis Sokoki Missisquoi or to Koasek. We have not been represented in the bill or during any of the drafting. I have sent what I thought were private emails to Mark Mitchell to only find they have been sent to all commission members who then sent them out to their friends outside of the commission until those private emails were all over message boards on the internet which has caused a great deal of slander, bashing and more division with in the Abenaki Territory.

Signed on this Day March 6, 2008

Nancy Millette

(4) Letter of Chief April Merrill, Missisquoi

To Whom It May Concern:

For the record, I have been saying for months the Vermont Commission on Native American Affairs does not represent me or my Tribe. I have stated this publicly on several occasions. We don't feel they are representing us. After listening to Commission members testify Friday February 29, 2008 in Montpelier it is very clear they do not represent us in any way, shape, or form. I guess what they don't realize is that if it wasn't for Missisquoi they wouldn't be sitting on

a Commission today. When Commission member Jeanne Brink was testifying, Commission member Judy Dow was jumping up and down to help her answer a question that was asked of her (Jeanne) and wouldn't even let Jeanne answer the question herself. I'm sorry I thought this made Jeanne and the Commission look like fools. This made me wonder, does Judy do all the talking for the Commission? When Commission member Judy Dow testified she said we (meaning Missisquoi) didn't have State or Federal Recognition. None of these other groups have even filed for Federal Recognition so what difference does this make? As a Commission member Judy should be required to know just in how S 117 reads now wouldn't you think? She didn't even know that Missisquoi is the only tribe recognized by name in S 117 as it reads now and yet she claims to represent all Abenaki or Native Americans in Vermont by serving on this Commission. We are still trying to figure out just what it is that this Commission has done for any Native American in Vermont since they have been in existence? Some Commission members represent their own interest and don't care about the entire Native population in Vermont. I can't believe that the Commission held a meeting to let all of these out of State groups have a forum. I thought the Vermont Commission was set up to deal with Vermont issues and Vermont Native peoples. No wonder the Senators & Legislators do not know who is who. It must be very confusing to them to have out of State people coming here to testify. I do not understand the reasoning behind this myself. Most of the testimonies given by these people were to discredit Missisquoi. I believe Missisquoi has proven itself over and over. However, we can't say that about others that have come out of the wood work. As I stated in earlier testimony where were these clans, bands, or sub groups when the Jane Baker study was conducted back in 1976? How can these Commission members be given the power to be judge & jury of who is and who isn't Abenaki in this state if each one of them have not proven their authenticity and/or citizenship in one of the remaining historically verifiable bands in Vermont. Where is the fairness and legitimacy in this process? With said the Abenaki Nation of Missisquoi St.Francis/Sokoki Band and I have no confidence in the Vermont Commission on Native American Affairs as it stands now.

Chief April St.Francis Merrill
Abenaki Nation of Missisquoi
St.Francis/Sokoki Band

(5) Statement of Nulhegan Band

Since the passing of S.117 and the appointment of the current VCNAA commissioners, the Nulhegan Band has had zero representation on a commission that was formed to develop S.117. Not one single call regarding recognition or S.117. The once or twice that we talked with any commissioner; they were only seeking support on issues not pertinent to Nulhegan's interests that we had no knowledge of. When I testified before Senate Committee on Feb 29, 2008, I only supported the commission draft because Nulhegan was absent in draft four. We encourage a draft that is inclusive to Missisquoi, Koasek, AND Nulhegan as the three populated historical

Vermont Abenaki Bands with respective appointments to VCNAA. While I do not support the notion that Jeanne Brink is acting on behalf of her Canadian Band at Odanak, it is apparent to me that VCNAA is not working with, assisting, or representing the needs and concerns of any of the aforementioned Abenaki communities. I'm not quite sure what it is that they do. Regarding the Odanak Abenakis of Vermont AKA the Obomsawin Family of Vermont, a family unit led by Richard 'Skip' Bernier, of which Tim Delabruere is a member, I find it suspicious that Tim and Richard both testified against S.117 yet Tim was appointed to the commission formed by its passing into law. Regardless of what transpires, the VCNAA must be representative of Missisquoi, Nulhegan, and Koasek.

Luke Willard

Nulhegan Band Speaker and Trustee

(6) Letter of El-Nu Abenaki Tribe

To whom it may concern.

We have had concerns over the VCNAA and we believe the commission is compromised. We voiced our concerns, when we testified at the VCNAA meeting back in October 2007, then again February 15, 2008 at the Senate testimony. Denise Watso's letter clearly shows the attitude Odanak has toward Vermont Abenakis who are not members of Odanak. Additionally, a member of the VCNAA forwarded numerous private emails to at least one individual (who the email was not intended for). As a result, this email was posted to numerous message boards and forums, causing a great deal of slanderous controversy. We believe some of the VCNAA commissioners are honorable and have been working hard, however the commission has been compromised and it is not a fair representation our interests. Thank you for your time and consideration!

Sincerely,

El-Nu Abenaki Tribe

Signed this day March 11, 2008

(7) Portion of E-mail by Denise Watso condemning VT Abenaki groups

Why is the Vermont Commission on Native American Affairs seeking the power to recognize groups as Indian, when only two of its members can provide evidence (sic) of their Abenaki ancestry? How can we trust this Commission to evaluate historical evidence, when they have not been able to document their own claims? Who is this "Koasek" group? And why should the "St. Francis/Sokoki" group take precedence in his proposal after the Vermont Attorney General and the Bureau of Indian Affairs found that they couldn't provide evidence (sic) of Indian, let alone Abenaki? How do you think many of us feel seeing strangers, not knowing most if not any of

them are native, portraying us in public? And the press and the public want to see the play-acting. We demand better. Should self-identified groups and individuals wish to secure recognition, they should come to us to present their case, asking for our support. They should do so in humility rather than arrogance.

Denise Watso, NY Liaison, Odanak (Quebec) Reserve, Albany,
NY, Feb. 26, 2008

From: Jeanne <*****z@aol.com>

To: *****i@comcast.net

Subject: Odanak

Date: Mon, 25 Feb 2008 04:01:54 +0000

> Nancy

> I would like to settle once and for all that I do not represent or have the interest of Odanak when I am serving on the Commission? I have the interest of all Native Americans in Vermont? I'm sure Odanak would get a big laugh if they heard that people think I am representing Odanak? I was born and raised in Vermont and am a VT Abenaki.? People say that white people have been biased and prejudiced against Native Americans and now I hear members of your band being biased and prejudiced against other Abenaki such as myself? How unfair!! What are they afraid of?? Are they not confident in themselves or so paranoid that they have to attack other Abenaki?? They need to take a look at themselves and ask what kind of Native American are they? I hope I don't hear this anymore or I will have to take other action.

Jeanne A. Brink

(9) Senate testimony of VCNAA Commissioner Jeanne Brink, 2/29/08

There are two of us that have family ties to Odanak and I am one of them. I was born and raised in Vermont, I am a Vermonter; I have never lived in any other place. I am a Vermont Abenaki. To say that we (Brink and De la Breuere) are on the Commission representing Odanak is a lie.

Jeanne Brink, N.A. Commissioner, Senate Testimony 2/29/08

(10) Burlington Free Press article identifying Commissioner Jeanne Brink as Odanak Band member.

"I think it will solve the problem," said Jeanne Brink of Barre, an Abenaki basketmaker who is a member of the Vermont Commission on Native American Affairs. She is able to sell her work as

Native American as a citizen of the Odanak Reserve in Quebec, but she said she works with other Vermont Abenaki artists who cannot.

Terri Hallenbeck, Burlington Free Press, October 3, 2007

Terri Hallenbeck, The Burlington Free Press March 3, 2008

(11) Part of Jeanne Lincoln Kent's public e-mail

At Friday's(Senate) hearing, one member (Jeanne Brink) came over to me and asked why I was sitting with April Merrill and Nancy Millet, then quietly said that if the Senate did not pass the Committee's bill, she was going to recommend that the no recognition be given to anyone. (My husband was sitting between us and heard the conversation.) Further, when giving testimony she stated she was not affiliated with Odanak. I am attaching a news item (See above Burlington Free Press article # 8 extracted) which indicates differently.

Jeanne Lincoln Kent

3/1/2008

(12) Statement of Indigenous Vermont identity by Timothy de la Bruere

I'

Tim de la Bruere VT Native American Commissioner,

Feb 25, 2008

(13) Political expectations of Timothy de la Bruere

Leaders in two nations participated Friday afternoon in the ceremonial swearing in of city resident Tim de la Bruere, 24, as a member of the Vermont Commission on Native American Affairs. One leader was Vermont Gov. James Douglas. The other was Chief Gillis Obomsawin, leader of the Odanak band of Abenaki. Yet once the bill (S.117) became law, according to (Duncan) Kilmartin, he and (Michael) Marcotte pushed to have a grandson of an Odanak band member sit on the commission to bring that perspective to its deliberations. "You have a unique opportunity to represent your heritage," Kilmartin said to de la Bruere. Chief Obomsawin said he was proud to have a representative of a recognized band on the Vermont commission.

Robin Smith, Caledonian Record. September 4, 2006

(14) Statement by Fred Wiseman, Ph.D. March, 8, 2008

In the fall of 2003, there were letters sent by Odanak officials to historic preservation officers in Maine, New Hampshire and Vermont, specifically to disrupt the cordial relations between these

states and Missisquoi Abenakis. I believe that Chief April Merrill retains copies of these letters. Richard Bernier's group was asserted in these letters to be the only true representatives of Vermont (or American) Abenakis. It took me and April (Chief April Merrill) a lot of phone calling to straighten this problem out. I am not sure that a slight misgiving still remains (in the spring of 2008) in some State government circles caused by this attempted take over.

Fred Wiseman

Missisquoi Tribal Historian, March, 8, 2008)

(15) Statement by Luke Willard, Trustee, Nulhegan Band

Tim Delabreure (sic) is a member of Skip Bernier's group, the Odanak Abenakis of Vermont. He told me there wasn't an Abenaki in this state except for his family.

Luke Willard, Nulhegan Band, Sept. 5, 2006

16 E-Mail Transmitted by Luke Willard Trustee, Nulhegan band

I've read the agreement you and Dawn both have with Fred Wiseman. I know what you think you're getting into. Just make sure you understand the process. The second this amendment will get out of Vince's committee it will go into about 10 before moving into the House of Reps. Any individual can attend committees and argue to change the wording. Do you think your band will stand a chance? Will you and Dawn be able to attend 4 or 5 committee meetings a week? At any rate the amendment will fail as Gov. Douglas has already expressed his intent to veto. This isn't an issue of it passing or not, it's an issue of trust, and you and Dawn have completely showed me true colors here. Just remember that this amendment was the Abenakis only shot here. Senators are getting very weary and tired of all the showing around. Its an election year. If it fails now it will not be brought up again for a long time. See you tomorrow if your there and I've been looking over some letters about your cultural center. be well Tim de la Breuere

(17) www.unh.edu/users/unh/acad/libarts/cnec/exhibit1/dow.html

(18) uvm.edu/~crvt/?Page=eventsSP07.html&SM=eventsmenu.html,

(19) www.nativebiz.com/community/News,file=print,nid=17918.html

also Senate Testimony on 25 March 2008, My name is Judy Dow. I am an Abenaki member of

(21) Text of Chief Merrill's sense of conversations with Nancy Comstock

FYI, I'm writing to tell you about a phone call I received on March 1, 2008 at 8:50 AM. A woman named Nancy Comstock called me at my home, she claimed to be Judy Dow's sister. She said she supported me, my efforts, and what I do for my people. She apologized for her sisters actions and said she wasn't impressed with her actions. She said they are not Native. She said Judy has made a living on the Abenaki name. She said they never grew up at the interval and the stories that Judy tells about the gathering and walking on the trails is all lies. She said she didn't know why Judy tells lies, and that she lies so much she believes herself. I told her we know about that we have one of our own who does this by telling people, her grandmother was born in a cave. I told her they must think by telling these stories this makes them more Abenaki. I thanked her for calling. Told he r I needed to get going because I was going to New Hampshire this morning for a funeral.

After thinking about this phone call for a couple of days, I decided I needed to call her back. I had questions I needed answered. So, I tried to call her back and we played phone tag for a couple of days. Last night March 6, 2008 I finally talked to her again. I asked her where they grew up. She said in Burlington, but they summered in South Hero most of the time. She asked me why I wanted to know this. I said that Judy has been telling people she her family is from Moccasin Village and the interval and she was from the Winooski family group of Abenaki. She said she had never heard of Moccasin Village and that they didn't grow up at the interval. She said her dad grew up at Convent Square which overlooked the interval, but that it was not at the interval and that it was in the New North End. She said they grew up in Burlington not Winooski. She didn't know where Judy got any of her information from because nobody was raised in the Native way or ever talked about it at all. She said Judy is pretty convincing with the stories she tells. She said Judy claims the Native side comes in on her grandfather's wife's side of the family. I asked her what their maiden name was she said Fortin. I asked what her grandmother's name was that the Native side was on she said she thinks Rocheleau but was not sure. She said Judy gave her some genealogy once and it had everyone listed on it but the problem was she (meaning Judy) had all of her sisters birth dates wrong so she didn't believe the rest of it and threw it out. After all Judy should have known when their birthdays were, they are sisters. She said there may be Native blood but she doesn't know for sure or not. I told her that Judy had applied for citizenship with our Tribe and she didn't meet the requirements and that she needed more documentation. We didn't say she wasn't Abenaki but, she didn't have the paperwork to prove it at the time she applied. She never provided us with any other documentation showing where an Abenaki line came in on her family tree. We knew she had learned to make baskets from Mali Keating (who by the way was Abenaki and her family came from Odanak) and that Judy had also been do educational stuff with the schools we figured this is why she applied for a citizenship card. We believe this is why Judy is using her position on the Commission to attack Missisquoi every chance she gets is because we didn't approve her application back when. Since she was already claiming to be Abenaki, I guess she thought it would be easy for her to get citizenship with us and she found out that it is not easy we have requirements that need to be met. Then we find out that years later she is saying she is from the

Winooski Family Bands of Abenaki, which is not a group we have ever heard of before. She talks about Moccasin Village, and we have never heard of this before either. I told Nancy that when I testified the first time I said that whom ever is coming forward saying they are Abenaki that they should have to prove it with Historical Documents and not just because they say so. I told Nancy there has been a lot of new groups coming out of the wood work not just the one Judy speaks of and most of them came out just before State Recognition. I told her anyone who claims to be Abenaki, is Abenaki in the eyes of the State of Vermont the way the law reads now. They do not have to show any historical proof to anyone. But, that Missisquoi is the only Tribe by name mentioned in the bill. Then, I told her even Historians have never heard of Moccasin Village or of any Winooski based group. Yes, there are sites in Winooski. I told her Judy hasn't really said to much more about Moccasin Village since I put the word out to people that I would like her to show us or anyone the historical documents that have the name "Moccasin Village" on them or the Winooski group . First of all, Abenakis wouldn't have used a white man's name to name a village to begin with. Nancy said her father's parents got divorce when he was around 10 or 12 and shortly after his mother died and he was raised in the orphanage. She said he was definitely not raised in the Native way either. They were not raised knowing they were Indian. She gets very upset when Judy talks about the colonist and what they did to the Native people because she (Nancy) believes she was raised as a colonist. She doesn't know where Judy get the bit about being Winooski family group of Abenaki because they were not from Winooski. She said Judy lies so much that she believes her own lies. ; I asked her if she would come forward with this information. She said come forward to who? I said to the Vermont Government, the Governor; Senators, Legislators, & Suzanne Young legal council to the Governor and possible the press. She said she would talk with Senators about this but wasn't for sure whether or not she would talk with the press because of past experience. I said she should definitely speak with Senator Illuzzi and that she should also speak with others as well and I suggested the Governor, Suzanne Young, and Senators from her area. I don't know if she has contacted any of these people or not.

She said that a Sally Pollack from the Burlington Free Press did a story on Judy once and that she (Nancy) called her on it. She said she told Sally she had been duped and Sally responded by saying that she only printed what she was told. Nancy said she asked Sally if she printed everything without the facts. Maybe, we should ask Terry Hallenbeck if she could look into this. She said she doesn't know where Judy gets all of her information from because no one in the family ever talked about be Abenaki or Native.

Chief April St.Francis Merrill

(22) Statement of Todd Hebert, President, Ndinakina Cultural Center

Recognition granted in 2006 was in my mind to finally give The Abenaki a status. But the other part of recognition I believe was about protecting us. The current recognition basically says

anyone who claims to be Abenaki is. At least in there minds. So where are we at now. Now we have to legally say who is Abenaki. Well my feeling on that is that the people who have been making money off from our heritage for all these years are now going to fight this to the end. Judy Dow is one of those people at least from what I can see. She is bringing in people from all over to join her on this fight. Why? Because she has a lot to lose. She makes & sells baskets, she teaches classes, she is in the public spotlight saying she is Abenaki. The lifestyle she is now living could potentially come to an end since she cannot prove her heritage. Heck, her own sister says she's not native. She is viscosly protecting her well being while trying to take away our recognition. It makes me ill that a person could do this to not only a group of people but a minority culture that has already endured so much pain.

(23) VCNAA Chair Mark Mitchell, VCNAA Commission notes, Feb. 25, 2008

(24) Widespread public E-mail Posting

From: "abenakichild" <douglaslloyd@verizon.net>
Date: February 24, 2008 1:37:12 PM GMT-05:00
To: Abenaki_news_issues@yahoo.com
Subject: [Abenaki_news_issues] 3rd email....
Reply-To: Abenaki_news_issues@yahoo.com

-----Original Message-----

From: RickPouliot@gedakina.org [mailto:RickPouliot@gedakina.org]
Sent: Friday, February 22, 2008 10:34 AM
To: Paul Pouliot
Subject: Urgent!!!! Controversial Amendment to Vermont Abenaki Recognition Bill
She:kon Paul,

This is in reference to an urgent matter that concerns members of the Cowasuck band of Pennacook/Abenaki that are living in Vermont. Apparently April St. Francis, a family leader from Swanton Vermont and Nancy Millette a group leader from the central Connecticut river (sic) valley have been working behind closed doors with Mark Mitchell (Chair of the Vermont Commission on Native American Affairs), without support or inclusion of the Commission, to push through an amendment to the Vermont state recognition bill that would recognize April and Nancy's groups as being the only legitimate Abenaki groups in Vermont. This would exclude members of all other families and tribal groups. This is a significant issue and there is a hearing on Monday 25 February 10AM - 12PM at the National Life Building - 1 National Life Drive in Montpelier, Vermont. The Vermont Commission has requested that representation from families and Bands that oppose this bill, be in attendance to present testimony. I would suggest that a representative from your band Concil (sic), speaking on behalf of the Band and family members attend this meeting.

Rick

For additional information, please contact Judy Dow, Vermont Commission on Native American Affairs. 802-879-6155 jdowbasket@aol.com. Com

(25) Fred Wiseman's review of the 2/29/07 Senate hearing tapes.

(26) Regarding Dow's alleged assertions

On the 29th of February 2008, Nancy Millette and I went to the State House for the hearings. I don't recall the exact times but it is not that important. When we arrived, we met April St. Francis and (sic) Richard (sic I believe that this was John Churchill) in the foyer. Nancy introduced us all. April said she was glad to finally meet me and she and Nancy went on talking their business. Richard and I, started talking about fishing and hunting and Vet's affairs and our Grandchildren. We have no idea what Nancy and April were talking about but they were standing right next to us the entire time. When the time came, we all went inside and took seats on the right back of the hall. April and Nancy sat together and Richard sat on the outside seat next to me. One of the Senator's (sic) sat with us for a bit and we looked at an old map of the Koasek area. The only time I stepped out was for a minute to speak with Howard at the doorway and I could still see and hear what was going on in the room-nothing unusual. The proceedings began. Nancy presented her part and then April. There were no out of order discussions that I witnessed at any time. April never threatened anyone or "went off" in any way. Nancy and April sat with Richard and me for the duration. When the meeting was over we went to the hall. Richard and April came out at the same time. I was standing in the doorway with Howard Knight, and Senator Illuzzi went past us. We both said thanks to him but he did not stop because he was late for the next session. Nancy and I said goodbye to Richard (John Churchill) and April and Nancy and I left, with Todd Hebert and his wife. I am not April's brother nor is Richard. Richard is not my brother and that day was the first day we ever met. By coincidence, Richard and I had the same jackets and are around the same age and size. This is the whole truth as I recall it. I hope this helps. It should correspond to the video in general sequence of events.

Dr. Ray Lussier

Tribal Judge, Koasek

3/2/ 2008

(27) Regarding Dow's alleged assertions

The only time April (Chief April Merrill) spoke up was when Paul (Pouliot) testified and she said he didn't live in VT. Other than that, I heard nothing, certainly not toward Judy Dow. And when she asked where Paul lived, there were no threats. As a matter of fact, I was more upset then (sic) she. When I voiced my agitation to her, she shrugged her shoulders and said "What will be, will be." No, I did not witness any hostility. .

Jeanne Lincoln Kent
Abenaki Craftsperson
3/1/2008

It has been the historical way of the Abenaki to have family bands. Centralized tribes were not part of our life ways but merely a construct developed for Indian groups to abide by the rules of the colonizer. I have for you a list of quotes from historians that explain through time what a family band was and still is for the Abenaki. The point these historians are trying to make is that it is the Abenaki life way to exist in family bands; it is the non-Indian way to categorize Abenaki into tribes. However some Abenaki may choose to follow this path today.

VCNAA Commissioner Judy Dow,
Feb 29, 2008

Introduction

's premise with citation to a sample of my applicable academically presented and published work. The issue is empirically (the ethnographic and archaeological data), theoretically (functionalism [my theoretical bent as an archaeologist by training] structuralism, post modernism etc.) and politically (competitive access to and control of the Indigenous past) complex, but I will attempt a primer.

The idea that the people now classified by anthropologists as Abenaki functioned only at the band level of sociocultural integration is a dated and simplistic concept (Wiseman 1997a, 1998a, 2001, 2005). There are widely accepted (since the mid 20th

Pre-American era complexity

Colonial era complexity

In summary

st century continuance of this ancient complexity. Finally, a peer reviewer of this argument believed that I was too kind in my detailed deconstruction of Ms. Dow's argument:

I think you need to review your conclusion to be sure you deliver the "knock out punch" because I didn't get a clear wrap up. It should end with the clear statement: "therefore Ms. Dow is dead wrong".

Dr. Raymond Lussier, Koasek Band,

March 2, 2008

References (F.M. Wiseman, unless otherwise stated)

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1983 Subsistence and complex societies: the case of the Maya. Advances in Archaeological

Method and Theory. VI:143-189. Academic Press. New York.

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1989 10,000 Native American years in Vermont. Summer Lecture Series, Vermont Historical Society. Calais, VT. August, 1989

1990 Abenaki prehistory and history. "We Vermonters", Fletcher Free Library Series, Burlington VT. February, 1990.

1992 The Material Heritage of the Western Abenaki. The Columbian Legacy Symposium, Goddard College, Plainfield. Oct. 1992

1993 The Western Abenaki Renaissance. Humanities Department symposium, Penobscot Nation, Old Town Maine, October 1993.

1997 (a) Abenaki History and Ceremony Vermont Council on the Humanities Annual Adult

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- 1998 (a)The Great Council Fire. Musee des Abenakis Odanak, Que. May 1998.
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- 2000 (a) The Abenakis' Role in the Great Peace of 1701. Musee de Montreal; FÃte des paix, March 28, 2000
 Wabanaki Confederacy Annual Gathering, Old Town, ME. June, 21, 2000
 (c)The Abenakis and their political heritage. Heritage Days Celebration, Highgate, VT, May, 2000
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(29.) Dartmouth Historian Colin Calloway, communication to Nancy Millette, 11 Mar 2008

Dartmouth Historian Colin Calloway, the foremost Euro American authority of Vermont Abenaki history, has never, in his researches, heard of Moccasin Village, and does not have anything on the historical Winooski community. In response to a Query by Koasek activist Nancy Millette, he said the following.

From: *****@Dartmouth. EDU (Colin G. Calloway)

To: chiefnaki@comcast. net

Subject: Re: another question

Date: Tue, 11 Mar 2008 12:20:34 +0000

Nancy:

I'm afraid I did not have much on Winooski and I had not heard of Moccasin Village.

Colin