

From: [Mishaan, Jessica](#)
To: [REDACTED]
Subject: your public records request
Date: Friday, March 10, 2023 11:33:58 AM
Attachments: [2023-03-10 Jandl response to Davis w docs.pdf](#)

Dear Sky Davis,

Please find the attached response to your public records request dated March 5, 2023.

Thank you,

Jessica Mishaan | Paralegal
Office of the Attorney General | General Counsel and Administrative Law Division
109 State Street Montpelier, VT 05609-1001
p (802) 828-5500
Pronouns: she/her/hers



STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001

March 10, 2023

Sky Davis, via email to: [REDACTED]

Re: Public Records Request

Dear Sky Davis:

I write in response to your Public Record Act request received on March 6, 2023 in which you requested: *Any and all communications between members of the Nulhegan Band of the Coosuk Abenaki Nation and any and all representative of the State of Vermont regarding the pursuit of recognition in the state of New Hampshire including clarification as to recognition as a tribe in any other state, province, or nation being a concern.*

Enclosed you will find one record that is a responsive to your request from the Attorney General's Office. The record has been redacted on the following grounds:

- Personal information has been redacted pursuant to 1 V.S.A. § 317(c)(7)

Please know that the Vermont Attorney General's Office is **not** the custodian of records for "all representatives of the State of Vermont," as was requested. To the extent you seek additional records related to this matter, you will need to contact the appropriate State of Vermont Agency or Department.

To the extent you feel information has been withheld in error, you may appeal to the Deputy Attorney General, Robert McDougall. Such appeal should be in writing:

Robert McDougall
Deputy Attorney General
Office of the Attorney General
109 State Street
Montpelier, VT 05609-1001

Sincerely,

/s/ Lauren Jandl

Lauren Jandl
Chief of Staff

From: [REDACTED]
To: [Clark, Charity](#)
Cc: [Jandl, Lauren](#)
Subject: Legal interpretation of Vermont Statute - important question needed by Feb 3rd
Date: Monday, January 30, 2023 3:36:10 PM
Importance: High

EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.

Good Afternoon Charity,

I have a legal question that popped up this week and I hope you or your office can help answer it before February 3rd. This is when the NH Legislative Committee is taking up language in regards to our tribe. So here is the context and question.....

Nulhegan has a number of Abenaki Citizens who live in NH. These citizens are not currently represented in NH state government because there are no recognized tribes in NH. Our Vermont recognition does not extend into NH law so the NH Legislature is considering "recognizing" the Nulhegan Abenaki Tribe this session which would allow us to represent our NH citizens within state government there.

My interpretation of the VT statutes below suggest that if NH recognizes Nulhegan as an Abenaki Indian Tribe in NH, it would NOT affect our VT Recognition status. Is that a correct interpretation? I base this interpretation on the fact that the criteria listed in statute is part of the application process for consideration for recognition and not an on-going requirement after recognition has taken place. Especially when Abenaki are starting to feel ok with coming forward 10 year later and we have communities needing representation throughout our homelands.

The Section below is listed for your convenience and I hope you agree with my assessment.

Title 1: General Provisions

Chapter 023: Native American Indian People

<https://legislature.vermont.gov/statutes/section/01/023/00853> *"(8) The applicant has not been recognized as a tribe in any other state, province, or nation."*

Thank you for your time. I look forward in meeting with you on February 8th on other matters....

Waolowzi (Be Very Well),

Don Stevens, Chief

Nulhegan Band of the Coosuk - Abenaki Nation

Executive Director, AHA - Abenaki Helping Abenaki, Inc.

www.abenakitribe.org

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