Indian Affairs - Office of Public Affairs

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WASHINGTON – Associate Deputy Secretary James E. Cason today announced that the Department of the Interior has declined to acknowledge that a group known as the St. Francis/Sokoki Band of Abenaki located in and around Swanton, Vt., is an Indian tribe within the meaning of Federal law. The petitioning group did not demonstrate that it meets all seven mandatory criteria for Federal acknowledgment as an Indian tribe under Part 83 of Title 25 of the United States Code of Federal Regulations (25 CFR Part 83), "Procedures for Establishing that an American Indian Group Exists as an Indian Tribe."

The purpose of 25 CFR Part 83 is to provide a means to acknowledge Indian tribes that have continuous social and political existence and to determine whether the group descends from a historical Indian tribe or tribes. Federal acknowledgment of a group as an Indian tribe establishes a government-to-government relationship between the United States and an Indian tribe and is a prerequisite for the offering of services by the Department's Bureau of Indian Affairs to Indian tribes.

The petitioning group did not meet criteria 83.7(a), (b), (c) and (e) of the acknowledgment regulations. Under criterion 83.7(a), the petitioner did not demonstrate that it was identified as an Indian entity on a "substantially continuous" basis for 75 years, from 1900 to 1975. The evidence in the record revealed that the petitioner has been identified on a substantially continuous basis only since it formed its organization in the mid-1970s. Under criterion 83.7(b), the petitioner did not demonstrate that "a predominant portion of the petitioning group comprised a distinct community" on a substantially continuous basis from first sustained contact with non-Indians to the present. Under criterion 83.7(c), the petitioner did not demonstrate that it had maintained "political influence or authority" over its members as an autonomous entity from first sustained contact with non-Indians to the present. Under criterion 83.7(e), the petitioner did not demonstrate that its membership consisted of individuals who descended from a historical Indian tribe or tribes that combined and functioned as a single autonomous political entity.

The record further revealed that the petitioner is not the same as the historical Western Abenaki tribe that was recorded in the Missisquoi River area during the Colonial era. This group eventually retreated north across the border to Canada, where they were joined by a number of refugee Indians from the various Colonial wars. These Indians were eventually incorporated into the larger Abenaki group, which eventually settled on the St. Francis (also called "Odanak") Reservation near Pierreville, Quebec, in Canada.

The petitioning group did meet criteria 83.7(d), (f), and (g) of the acknowledgment regulations by demonstrating that it has a governing document, that its membership is not principally composed of members of an acknowledged North American Indian tribe, and that neither the petitioner nor its members are the subject of congressional legislation that has expressly terminated or forbidden the Federal relationship.

The Notice of Proposed Finding on the St. Francis/Sokoki Band of Abenaki of Vermont will be published in the Federal Register. As provided by 25 CFR Part 83.10(i), the petitioner or any individual or

organization wishing to challenge or support the proposed finding shall have 180 days after the notice’s publication date to submit arguments and evidence to rebut or support the proposed finding before any final determination is issued.