

PUBLIC COMMENTS: SCHAGHTICOKE INDIAN TRIBE PETITION #401
June 27, 2022



Ancestors from Left to Right: (Left Picture)
Great Great Uncle Frank
Cotsure/Cockshure/ Cogswell

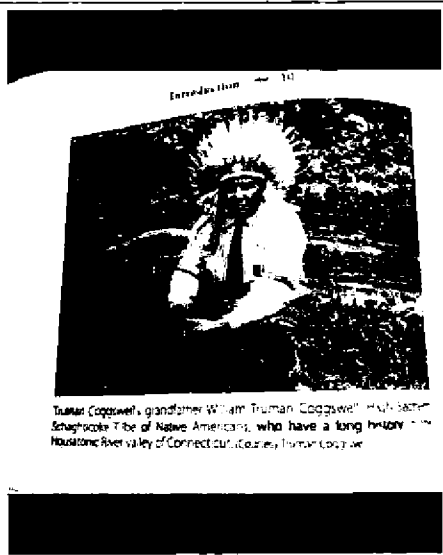
Great Aunt Sade
Cotsure/Cockshure/Cogswell (One of my
Grandfather's sisters)

Great Grandfather William Truman
Cotsure/Cockshure Cogswell

Great Great Aunt Julia Cotsure/Cockshure
Cogswell (Indian Princess – denoted by the
Indian Crown)



(Top Picture)
Ancestor: William H. Cogswell - a
member of the Schaghticoke Tribe and
Connecticut's first Native American to
enlist during the war. On July 21, 1862,
Cogswell enlisted with Company B of the
19th Infantry (later the 2nd Heavy
Artillery).



Truman Cogswell's grandfather William Truman Cogswell, High Sachem
Schaghticoke Tribe of Native Americans, who have a long history in the
Housatonic River valley of Connecticut, (Cousin Truman Cogswell)



Schaghticoke Lineal Descendant: **Robin G.
Cogswell, Esq. (Cotsure/Cockshure
Cogswell)**

(Top Picture)
Great Grandfather: High Sachem, William T.
Cogswell on Schaghticoke Reservation, Kent, CT.

June 27, 2022

R. Lee Fleming
Director, Office of Federal Acknowledgment
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240
Main number (202) 513-7650
Email: lee.fleming@bia.gov

Sent: **Certified Mail: 7017 3040 0000 9498 4383** and Email: lee.fleming@bia.gov

RE: Public Comments: Petition #401- Request for Federal Acknowledgement of the Schaghticoke Indian Tribe

Dear Mr. Fleming:

My name is Robin Cogswell (Cotsure/Cockshure/Cogswell) and I am a lineal descendant of the Schaghticoke Indian Tribe of Kent, Connecticut. My father is Truman Hill (Cotsure/Cockshure/Cogswell). Please take note this communication is written on behalf of the "Cogswell Group" which includes the following family members:

- **Truman Hill Cotsure/Cockshure/Cogswell** (still living) and all of his children, grandchildren, great-grandchildren, and subsequent generations to come.
- **All of the children, grandchildren, great-grandchildren, and subsequent generations/descendants of Theodore William Cotsure/Cockshure/Cogswell, Jr. (deceased)** – twin brother of Truman Hill Cotsure/Cockshure/Cogswell
- **Donna Rymer (Cotsure/Cockshure/Cogswell)**, oldest daughter of Truman Hill Cotsure/Cockshure/Cogswell
- **Robin Cogswell (Cotsure/Cockshure/Cogswell)** youngest daughter of Truman Hill Cotsure/Cockshure/Cogswell
- **Andrew Rymer (Cotsure/Cockshure/Cogswell)** youngest son of Donna Rymer (Cotsure/Cockshure/Cogswell)
- **Isabella Rymer (Cotsure/Cockshure/Cogswell)** oldest daughter of Andrew Rymer (Cotsure/Cockshure/Cogswell)
- **Brandon Rymer (Cotsure/Cockshure/Cogswell)** son of Andrew Rymer (Cotsure/Cockshure/Cogswell)
- **Adriana Rymer (Cotsure/Cockshure/Cogswell)** youngest daughter of Andrew Rymer (Cotsure/Cockshure/Cogswell)

- **Tiffany Ann Rymer (Cotsure/Cockshure/Cogswell)** daughter of Donna Rymer (Cotsure/Cockshure/Cogswell)
- **Ariana De Los Santos (Cotsure/Cockshure/Cogswell)** daughter of Tiffany Ann Rymer (Cotsure/Cockshure/Cogswell)
- All of the children, grandchildren, great-grandchildren, and subsequent generations/descendants of Victor Rymer, Jr. (Cotsure/Cockshure/Cogswell) (deceased) – oldest son Donna Rymer (Cotsure/Cockshure/Cogswell)
- **Aiyanna Rymer (Cotsure/Cockshure/Cogswell)** daughter of Victor Rymer, Jr. (Cotsure/Cockshure/Cogswell)
- **Ava Rymer (Cotsure/Cockshure/Cogswell)** daughter of Victor Rymer, Jr. (Cotsure/Cockshure/Cogswell)

Our ancestors (Cotsure/Cockshure/Cogswell) have historically been a key and dominant family and influence among the Schaghticoke people. We have always been very influential and held positions of leadership as High Sachems, Sagamores, and members of the Tribal Council throughout our tribal history. Particularly, my Great Grandfather William Truman Cogswell held the position of Chief - High Sachem. In addition, my Great Great Uncle Frank Cogswell also held the position of Chief of the Schaghticoke Indian Tribe. My grandfather Theodore William Cogswell, Sr., held the position of a High Sachem. My Father, Truman Hill Cogswell, Sr., and my Uncle, Theodore William Cogswell, Jr. had always been active and key tribal members in the historical Schaghticoke Indian Tribe. My Uncle, Theodore William Cogswell, Jr. also held the position of Sagamore.

Our lineage traces back pre-English settlers through our bloodline and as descendants of the Potatuck/Pootatuck Tribe of Connecticut. Out of the core historical Schaghticoke families recognized by the Bureau of Indian Affairs (Costure/Cogswell, Kilson, Bradley, Johnson, and Harris), it is the Cotsure/Cockshure/Cogswell bloodline which is the key family to support and justify land claims. In the 18th Century, the Cotsure/Cockshure family held the capacity to deed land.

The information provided is nothing new to the U.S. Department of the Interior, Bureau of Indian Affairs. Literature in American Indian History, Connecticut Historical Libraries and Books, as well as, within your Agency there exists in-depth knowledge and documentation which supports the legitimacy of the Cotsure/Cockshure/Cogswell bloodline, its dominance in the historical Pootatuck Tribe, and the leadership and influence of the Cotsure/Cockshure/Cogswell people in the Schaghticoke Indian Tribe of Kent, Connecticut.

As you well know, under the Secretary of Interior and particularly through the Bureau of Indian Affairs (BIA) a tribe can be federally recognized as a government and pursue a government-to-government relationship. A tribe's relationship with the government can render many benefits to assist Indian Tribes and tribal members in pursuit of economic development and independence. The BIA's federal recognition process is one of the ways the United States acknowledges the harm that had been done to Indians as a result of colonialism. The spirit and intent of the BIA's federal recognition process is admirable and justifiable. However, Indians who are meant to benefit from the federal recognition process don't always do.

First, please note that the true historical Schaghticoke Indian Tribe and its Indian-blood descendants deserve Federal Recognition. It is us who have been damaged economically and emotionally through the wrongdoing that has historically occurred with our ancestors. The passing of the Indian Gaming Regulatory Act of 1988 (IGRA) opened the

floodgates for tribes to petition for federal recognition. The passing of this Act also provided a framework for fraud, tribal corruption, discrimination and other constitutional, civil, and criminal violations. Since the passage of this Act, it seems as though the recognition process is no longer seeking to right a wrong, the exploitation of Native Americans on this continent by the early settlers; it is now about a multibillion-dollar industry called gambling.

Second, please take special note that the "Cogswell Group" as true and authentic blood descendants of the Schaghticoke Indian Tribe of Kent, Ct. is cloaked with every right to be the recipients of any and all benefits that would flow from Federal Recognition by the Bureau of Indian Affairs. However, knowing the long standing involvement, influence, and leadership roles of the **Cotsure/Cockshure Cogswell** family who are members of the "Cogswell Group", Mr. Allan Russell has had no communication with members of the "Cogswell Group" as it relates to the submission of the Petition for Federal Recognition. It is only by chance and recently did we find out that that Mr. Allan Russell submitted a Petition for Federal Recognition for the Schaghticoke Indian Tribe. There has not been an outreach of any kind or communication by Mr. Allan Russell. After finding out about the submission of the Petition, I reached out to one of our cousins, Robert Cogswell who lives in Colorado and is a descendant of **Cotsure/Cockshure Cogswell** bloodline to ask if he was notified of the filing of the Petition for Federal Recognition. Robert Cogswell indicated he was not aware and had not received communication from Mr. Allan Russell. Robert Cogswell has children, grandchildren, and great grandchildren all who should be recipients of any and all benefits flowing from Federal Recognition. I also spoke with

Gary Ritchie from the Truman Bradley Schaghticoke bloodline. He also did not receive any communication from Allan Russell. I am sure there are others who have not received communication of tribal events and status.

Notwithstanding Mr. Allan Russell's lack of communication and involvement of the Cogswell Group's (**Cotsure/Cockshure Cogswell**) family and bloodline, it does not appear on its face to have swayed him from significantly using and documenting in the SIT Petition the **Cotsure/Cockshure Cogswell** name/likeness - ancestors/ancestry in order to obtain the benefits that will derive from Federal Recognition. The **Cotsure/Cockshure Cogswell** family, bloodline, timelines, and events are recorded and noted throughout the SIT Petition.

Below are a few references in SIT's Petition regarding **Cotsure/Cockshure/Cogswell** family's involvement in the Schaghticoke Indian Tribe of Kent, Ct. The involvement and references to the **Cotsure/Cockshure /Cogswell Family** in SIT's Petition are too voluminous to reference all.

- On page 4 of the SIT Petition, Mr. Allan Russell acknowledges the **Cotsure/Cockshure /Cogswell** family as significant leaders and influential members of the Schaghticoke Indian Tribe.
- In 1902, pg. 36, article re: George Cogswell, President, Schaghticoke Rattlesnake Club.
- In 1903 article, pg. 37, article re: George Cogswell. "great rattlesnake hunter." "The most renowned rattlesnake hunter in Connecticut."

- In 1903 article, pg. 37 Anthropologist Frank G. Speck recorded “three major lineages (Kilson, Cogswell, and Harris)”
- In May 1907, pg. 40, “The article mentions partaking of the sagwa-the Tribe’s antidote for snake bite, and President George Cogswell and Scott James Harris leading activities and guiding the white outsiders in hunt procedures. Some of the latter caught the train in Bridgeport to Kent, where they met and transported 16 wagons to Cogswell’s house on the Reservation.”
- In 1909 article pg. 41. “The article also demonstrates Schaghticoke’s leadership.” George Cogswell’s behavior as tribal intermediary.”
- In 1910, pg. 20, George Cogswell featured in the *New Milford Gazette* article – documenting his longevity living on the Schaghticoke Reservation.
- In 1954, pg. 10, Council Meeting - Theodore Cogswell (Grandfather) was voted Rear Sagamore.
- In November 1958, pg. 10, “Bearce Letter to Pahei Theodore Cogswell, (Grandfather) High Sachem , Kent Schaghticoke Tribe of Indians
- In 1963, pg. 11, Theodore Cogswell, Jr. (Uncle) is listed as Sachem. Julia Paralee Cogswell (Great Aunt) was also acknowledged as a Tribal Committee Member. Beatrice Arlene Cogswell was listed as Treasurer.

- In 1933, pg. 23, Frank Cogswell(Great Great Uncle) – references photo and Frank Cogswell as “Scatacook Indians of Kent 1933.”
- In 1935, pg. 24, Frank Cogswell – Interview of Frank Cogswell at the Kilson House – re: Schaghticoke Reservation residents.”
- In 1939, pg. 26, Frank Cogswell — referenced as “Schaghticoke Chief” and “Schaghticoke Sachem.”
- In 1939, pg. 27, Frank Cogswell — referenced as “Schaghticoke Chief” and “Indian Day Celebration
- In 1940s, pg. 28, Frank Cogswell — referenced as “Schaghticoke Chief” by “Mohawk Tribal Leadership”
- In 1953, pg. 28, Frank Cogswell – referenced article on Frank Cogswell, “oldest member living on reservation.”
- In 1958, pg. 29, Theodore Cogswell (Grandfather) – referenced as “Pahei Theodore Cogswell, High Sachem Kent Schaghticoke Tribe of Indians, “Chief of the Schaghticoke.”
- In 1974, pg. 30, Truman Cogswell (Father) referenced in writing letter to Havasupai Tribal Council re: support to regain lost lands.

Opposition to Petition #401 - Schaghticoke Indian Tribe:

1. The Coggsweil Group opposes Petition #401 of Schaghticoke Indian Tribe for reasons indicated below:
 - a. 25 C.F.R §83.11 (c), Political influence or authority.
 - i. The Petitioner reflects a failure in political influence or authority due to excluding, not involving, and not communicating to key descendants (members of the Coggsweil Group) of the Schaghticoke Indian Tribe about the Petition and other affairs of the Schaghticoke Indian Tribe.
 - ii. The Petitioner reflects a failure in political influence or authority due to the Petitioner's failure to send or make known any governance documents to members of the Coggsweil Group and to elicit our involvement and participation in the governing of the Schaghticoke Indian Tribe to include its activities and events.
 - iii. The Petitioner reflects a failure in political influence or authority because members of the Coggsweil Group were not asked to participate in voting for the current Tribal Chairman, current list of Officers,

and current governing body of officers. Governance documents were not provided to members of the Coggswell Group to in order to provide context and relevant information for our involvement and participation in the electoral process. The Schedule of elections were not provided. Officer Descriptions, roles, and responsibilities were not provided. Written candidate qualifications or tribal membership criteria have not been provided to members of the Coggswell Group by the Petitioner.

iv. The Petitioner could possibly reflect a failure in political influence or authority because of its inability to show that its membership consists of certain key and pertinent individuals who descend from a historical Indian tribe. The limited information of the Interior's Website does not make known the current Schaghticoke Tribal List alleged by the Petitioner. The Petitioner is very much aware of the Coggswell Group and the Group's historical context as direct descendants from the historical Schaghticoke Indian Tribe of Kent, Ct. Throughout its Petition, the SIT shows its understanding of the importance and significance of the Coggswell Group's ancestry in the Schaghticoke Indian Tribe of Kent, Ct. such that the Petitioner uses the ancestry of the Coggswell Group throughout SIT's Petition

to bolster and justify its Petition for Federal Recognition. Any reflection of the removal of the Cogswell Group from the Schaghticoke Indian Tribe of Kent, Ct. Tribal membership is arbitrary and unconstitutional. The continuation of the SIT Petition absent the Cogswell Group is defective on its face. We are living and we are Schaghticoke lineal descendants who have always been involved in the Schaghticoke Indian Tribe of Kent, Ct.

b. 25 C.F.R §83.11 (d), Governing Document; 25 C.F.R §83.11 (c), Political influence or authority.

i. The Governing Document of an American Indian Tribe is analogous to State Constitutions. The Governing Document of an American Indian Tribe should outline the liberties and rights of its members/citizens within its jurisdiction. This essential document as in the United States and State Constitutions are grounded in liberties, justice, due process, and inclusiveness. It should detail the framework in which the Tribal Government will operate in representing and in its relationships with tribal members. The Governing Document of a Tribe should be verified that it has undergone an internal tribal review process and subsequently endorsed by the Tribal Members.

- ii. The Governing Document must detail and outline election procedures which support an open, fair, transparent, and inclusive process. Subsequently, actions taken by the Petitioner which show that the Petitioner followed an open and fair process of inclusiveness should be sought out when reviewing the Petition. The lack of these details and information in the Petitioner's Governing Document and/or no documentation/events within the Petition showing inclusiveness in the execution of Tribal business dilutes any assertion by the Petitioner of political influence or authority.
- iii. Essentially, American Indians are members of the U.S. Government, State Governments, and Tribal Governments. Upholding applicable liberties and rights bestowed by the various governments and including them in the Tribal Governance Documents are essential when working within a framework of a government-to-government relationship, working with tribal members, and working with outside organizations on behalf of the Tribe.
- iv. On page 3, of the Part of the SIT Petition (Introduction Page) available on the Website, the information reflects, "The Schaghticoke Indian Tribe currently has a five-member Tribal Council

organized under its 2002 Constitution.” The information reflect the Chairman of the Council as “Alan Russell and the co-Chairman is Steven Birch.” “The other Council members are Deborah Richards, Jeffrey Kilson, Jason Lamb, and Eric McDonald.”

- v. There is no information within sections of SIT’s Petition available to the public which reflect the details, communications sent to Schaghticoke Tribal Members, and reference to any governance endorsed by tribal members surrounding the election of any of the aforementioned individuals to Tribal seats. There is no reflection of dates, processes used, attendance records, voting records, reference to any governance document, or any supporting documentation that the Schaghticoke Tribal Members voted Allan Russell as their Chief and representative in an open, transparent, and fair process. In the Petitioner’s Bibliography section, entry 254. C-3 reads, “On 03/28/2011 Letter from First Selectman – Town of Kent certifying that Allan Russell is Chief of SIT.” Is this information provided to ratify and support of Allan Russell as Chief of SIT? When does an outside government official have any influence as to who should be leading an American Indian Tribe? Under what

circumstances within the United States Constitution or State Constitutions do the people not have the right to vote for its leaders and representatives in an open, fair, transparent, governing, and significantly documented process? Similarly, there is nothing in the sections of SIT's Petition which are available to the public on the Website reflecting that the Schaghticoke Tribal members voted in Steven Birch as co-Chairman or voted for Tribal Council Members Deborah Richards, Jeffrey Kilson, Jason Lamb, and Eric McDonald in an open, fair, transparent, governing, and documented process.

1. The information regarding "Jason Lamb" needs clarity in the Petition. Jason Lamb passed in 2013. In the Bibliography section of SIT's Petition, **Entry 259** acknowledges the passing of Jason Lamb. The Entry as it relates to the seat previously held by Jason Lamb reads, "voted in new member." It does not specify the name of the "new member." There is not an indication that communications were sent to Schaghticoke Tribal Members not only about the passing of Mr. Lamb but any reference to a process, procedure, or provision of a governing document used in the voting of this "new member." Who is the "new member" referenced in the SIT

Petition? The Petition does not reveal. Who was present during the voting of the "new member"? Who were the candidates for the vacant tribal seat? Who voted on the alleged "new member?" Who tallied the votes which rendered the "new member" the successful candidate for this tribal seat? What tribal governing rules applied to this voting process and events?

2. Does SIT's Governing Document outline the voting/rules/procedures/process for the vetting and selection of Tribal Chair and Council positions?
3. Does the SIT Governing Document which is not accessible for public view set term limits and qualifications for Chair positions? Council members?
4. What does it reflect in SIT's Governing Documents the criteria used in determining who is now listed as a Schaghticoke Tribal Members? The Office of Federal Acknowledgment should be seeking to find this information in the Petition.

5. What constitutional provisions were in force and upheld during if any removal of historical tribal members, enrollment of non-historical individuals, and the voting of current Tribal Chairman and current Tribal council members? The Office of Federal Acknowledgment should be seeking to find this information in the Petition.
6. What details are included in SIT's Governing Document about the requirement of proving descent as part of its membership application? Are there DNA results of members which prove Indian blood? What is the documented process? What documentation exists within the Petition on each tribal member (both Adults and Children) which supports and affirms each tribal member's descent? Where is this process detailed and supporting documentation reflected in SIT's Petition? How and when was the membership criteria developed? What tribal members were involved and received communication about participating in developing membership criteria? The Office of Federal Acknowledgment should be seeking to find this information in the Petition.

7. Based on the information available to the public, SIT's Petition does not reflect or discuss in its Governing Document the mechanism, process, or procedure SIT uses and has used to prove the **true descent** of its membership from well-documented members of the Schaghticoke Historical Tribe. Are birth certificates required? Are there family tree/genealogy requirements that clearly show and prove each Schaghticoke Tribal member's genealogy traces back to a well-documented member of the historical Schaghticoke Indian Tribe? Specifically, where in SIT's Petition are the names, dates, and documentation of tribal members who reviewed, verified, and vetted membership applications. What was and is the membership criteria used? Where is it reflected in the SIT's Governing Document? The Office of Federal Acknowledgment should be seeking to find this information in the Petition.

c. 25 C.F.R §83.11(e) Descent.

i. As indicated in the Schaghticoke Indian Tribe Petition, "The current list of Schaghticoke tribal members includes forty four adults."

1. Does this include the living adults within the "Cogswell Group?" Does this include the living minor children within the "Cogswell Group?" For transparency purposes, how many Schaghticoke tribal members are there in total noted in the Petition? The parts of SIT's Petition available for public view do not reflect this information. If the current list of Schaghticoke Tribal members contain in the SIT Petition before this Office does not include ALL members of the descendants of the **Cotsure/Cockshure Cogswell** bloodline then the Petitioner fails to meet the Descent criteria. The Petitioner throughout its Petition repeatedly acknowledges the **Cotsure/Cockshure Cogswell** bloodline as a key, significant, and fully active reservation family of the historical Schaghticoke Tribe. Notwithstanding the **Cotsure/Cockshure Cogswell** descendants who have also been very active. Without the

memorialization and inclusion of the **Cotsure/Cockshure Cogswell** descendants in SIT's Petition, SIT fails to meet the Descent criteria.

2. Specifically, what are the names and number of Schaghticoke Tribal Members within SIT's Petition (both adults and minor children)? On page 3 of SIT's Petition, Letter "D" reads, "Number of current living members: The current list of Schaghticoke tribal members includes forty four adults." On this Introduction Page, SIT limits the disclosure of the number of SIT living tribal members to reflect only the number of tribal members of a certain group, "adults."
3. Pursuant to 25 C.F.R §83.11(e) Descent, "The petitioner's membership consists of individuals who descend from a historical Indian tribe (or from historical Indian tribes that combined and functioned as a single autonomous political entity). The purpose of the descent requirement is for the distribution of benefits that flow to tribal members based on Federal Recognition. The provision of the Code on descent does not define "membership" as "adults only." **The intent of this provision of the Code is to assure that Federal benefits which derive from**

Federal Recognition go to those individuals (adults and children) as true and proven descendants of members of the historical Schaghticoke Tribe.

4. Why did SIT not reflect the total number of its members on its Introduction Page of ALL Schaghticoke Tribal Members including adults and minors? Has the Petitioner put forth in another section of the Petition an all-inclusive list of the total number and names of SIT's current Tribal Membership?

We ask that the Department of the Interior, Office of Federal Acknowledgment DENY SIT's Petition for Federal Recognition at this time based on the aforementioned. We ask that the Department of the Interior, Office of Federal Acknowledgment not punish the Schaghticoke people and allow a future Petition to be put forth before this Office which does not abridge the rights of its members and clearly and unequivocally meets the Code requirements of Political Influence and Descent. The Schaghticoke Indian People have always been deserving of Federal Recognition.

The SIT's Petition must demonstrate through verifiable documentation that it did not abridge the rights of any Schaghticoke Tribal Member as it relates to his/her rights within the Tribe as a Schaghticoke Descendant and access to tribal elections and affairs.

The alleged leaders must demonstrate through documentation that they have always acted in the best interest and with transparency as it relates to ALL of the tribal people. It must be shown in the Petition the appropriate communications and invitations were extended to ALL of the tribal descendants to participate in the process of tribal elections and tribal business.

The alleged Tribal Leader must demonstrate a resume in which the Leader shows he/she has the proven ability and attributes necessary to lead an organization. American Indian People require no less than any Board which engages a CEO to represent the best interest of an organization in leading its people, its finances, developing new ventures and

systems, developing operational policies and procedures, developing an organization's vision and strategic plan, managing contracts and conflict, and managing the legal aspects of an organization in conjunction with legal counsel. Why do American Indian people deserve anything less as it relates to the business of American Indian Tribes? Effective leadership is effective leadership, despite the race of the people being led.

If the leadership of a Tribe does not possess these skills and attributes the Tribe becomes vulnerable, which normally lead to an overabundance of contractor engagements and outside entities to fill the competencies lacking within the Tribal leadership. Once again, the Indian benefits intended to "right a wrong" will be funneled to outside organizations most likely consisting of non-Indians. The lack of Leadership attributes in organizations also leads to more than necessary litigation due to the mismanagement of the organization's business.

It is up to the Office of Federal Acknowledgment to ensure this does not happen to the Schaghticoke people and to require that effective leadership is evident in SIT's Petition. It is important for American Indian Tribes that the leadership is able to properly execute any and all duties associated with a Government-to-Government relationship.

Thank you for taking the time out to review this information.

Exemption 6

Respectfully submitted on behalf of the "Coggswell Group."



Robin Coggswell
Schaghticoke Indian

[REDACTED]
Rex, Georgia 30273
[REDACTED]