After more than 30 years, the Nipmuc Nation (petition 69a) has received the long-awaited ruling from Acting Assistant Secretary-Indian Affairs Michael J. Anderson, Bureau of Indian Affairs (BIA), U.S. Department of the Interior. The ruling states that the Nipmuc Nation does exist as an Indian tribe within the meaning of Federal law. The proposed ruling would grant the Nipmucs 'sovereign nation' status thus qualifying the Nation for a host of federal programs & benefits. These benefits are designed to provide economic self-sufficiency, increased educational opportunities, health service benefits & private enterprise development for the current 1650 members on its tribal roll. The tribal roll includes members of different Nipmuc bands.

The proposed finding did, however, run into a snag when President Bush, as one of his first acts after taking office, had his Chief of Staff issue an order to executive branch agencies that blocked implementation of the Clinton administration's actions in its final weeks. The hold spans 60 days, allowing Bush appointees to review them. Although the finding was announced on Jan. 19, just hours before the inauguration, it had been rescheduled numerous times by the Bureau of Acknowledgment (BAR) over the last 2 years. The Council & its associates are working feverishly to have the hold lifted.

Despite the delay, both Nipmuc Nation Tribal Chairperson Bill Gould & Chief Walter Vickers expressed gratitude to the tribe & its supporters. "This is a monumental day in the history of the Nipmuc people. We had to fight for years for this long-withheld recognition -- despite our people's roots having been traced back thousands of years; & having recognition by officials here in the Commonwealth for more than 300 years."

"We wish to thank all of our members for their assistance & undying patience. We also wish to recognize the support & efforts of our advisors & our political representatives from Washington to Beacon Hill, & to area cities & towns. Congressman McGovern, in particular, has been unwavering in his assistance. Senators Kennedy & Kerry, Congressmen Neal & Olver, Governor Cellucci, leaders in the MA Senate & House -- & elected city & nearby town officials, have all made themselves heard on our behalf. Their (See Yes! pg.2)

JOIN THE FREE NIPMUC MESSAGE GROUP AT: WWW.YAHOO/GROUP/NIPMUC FOR CURRENT INFO, NIPMUC LINKS, CHATS, ETC. POST YOUR MESSAGE TO THE NIPMUC COMMUNITY!
continued support & that of our other neighbors will be most helpful in the continuing months ahead," they concluded.

The Wait Continues

Receipt of the proposed finding triggers more waiting & more work. The BIA requires a 6-month comment period after its proposed finding; it then has up to 2 additional months to finalize its finding. The Nation has already been hard at work in advance of the finding. It will supplement it further with new research that has been identified since the earlier deadline.

The Casino Question

With regard to gaming, the Nipmuc Nation has yet to finalize a position. It intends first to complete all activities necessary regarding federal recognition itself. It will not respond to queries regarding gaming until ready to make its own announcement on this subject.

What about Chief Wise Owl's group?

A second & separate Nipmuck petition (69b) submitted in 1996 by 350 members of the Chaubunagungamaug band received its proposed finding simultaneously. The BIA issued a negative finding based on the group's failure to meet 3 of the necessary criteria. According to a Jan. 19 BIA press release, the group failed to produce enough information to show continuity as an 'American Indian entity since 1900'; its 'existence as a distinct community' & its 'political influence or authority over its members'. The group will now have a 6-month period in which to collect & submit additional information supporting the above criteria before a final decision is rendered.

A Steady Course is Critical...

Meanwhile, both Vickers & Gould stress that a 'steady course is critical.' "The persistence, pressure, networking & intelligent approaches that got us here -- particularly over the past year - - will remain in force. We'll know for certain, our situation in summer of 2001. In the meantime, we'll expand further communications to all enrolled members; & will increasingly seek help from everyone as the process continues," he said.

Vickers added that the Nation's members owe a debt of gratitude to staff, advisors, & Council members -- as well as those who served positive roles in the past -- for this moment 'of singular importance to Nipmuc people past, present, & for seven generations to come.'
WHAT IS A PROPOSED FINDING?

Editor’s Note: Following the Bureau of Indian Affair’s (BIA) proposed findings, many Nipmucs may find themselves with questions about BIA policies & terminology. The following excerpts have been taken from the BIA website at: http://www.doi.gov/bia/bar/arguide.html

What is a Proposed Finding?
It is a preliminary decision issued by the Assistant Secretary - Indian Affairs, & contains the formal notification as to whether or not, on the basis of the documented petition, the petitioner has been determined to meet the criteria. The official portions are the: 1) Summary Under the Criteria & 2) Federal Register Notice. These are accompanied by the: technical reports, list of sources, & any additional materials such as a map supplement.

Is a proposed finding ever changed?
Yes, although a proposed finding is a complete decision, based on available information. However, it may be reversed if new information is discovered or a new argument is made which changes the initial finding. The government has reversed two negative proposed findings - the Gay Head Wampanoag & the Mohegan -- in the final determinations. New information may be located by the petitioners, interested parties, experts who are interested in the case, & the BIA staff.

What happens after the Proposed Finding?
There is a 180-day comment period from publication of the FEDERAL REGISTER notice, a possible 180-day extension, & a possible additional extension for good cause if progress is demonstrated. Comments on the proposed finding are accepted from both the petitioner & third parties. At the end of the comment period, the petitioner has 60 days to respond to third-party comments. Extensions are possible if a lot of new material has been submitted by the public during the comment period. The petitioner has the last say during the comment periods.

What happens to the Public Comments? How are they treated?
Public comments, are accepted from members of the public either as interested parties or informed parties. They are considered in the preparation of the final determination if they pertain to the facts & argument of the case. Political comments, such as those dealing with the economic impact of acknowledgment on the surrounding non-Indian population, would not be relevant to the acknowledgment decision; decisions are not based on political factors.

When Do We Receive a Final Determination?
The BIA consults with the petitioner & interested parties to set up a schedule for preparing the final determination. The Assistant secretary - Indian Affairs decides when the BIA will begin work on the final determination based mainly on the availability of staff. BIA researchers prepare the recommendation, taking into account the petitioner’s response to the finding, any public comments received, & the petitioner’s response to the public comments. The Assistant Secretary - Indian Affairs issues the final determination, within 60 days of the negotiated date. The Assistant Secretary may extend the time if a lot of new material has been submitted. When the final determination is issued, a notice of the final determination is published in the FEDERAL REGISTER.

When are decisions final?
The effective date is 90 days after publication of Notice of the Final Determination in the FEDERAL REGISTER, unless reconsideration is requested.

How Can We Appeal the Decision? If we don't agree with the final determination, do we have any recourse?
The regulations provide for a review of requests for reconsideration in the IBIA.

Who or what is the IBIA? What can IBIA do?
It's the Interior Board of Indian Appeals. The IBIA is part of the Department of the Interior, but it is independent of the BIA & the Assistant Secretary - Indian Affairs. The IBIA decision is issued by an administrative law judge. They can return the decision to the BIA for reconsideration, or affirm the BIA decision; or refer the decision to the Secretary of the Interior, who has discretion to ask the Assistant Secretary to reconsider the final determination.

Who can ask for reconsideration?
The petitioner or an interested party.

What if we still don't like the results?
If you don't agree with the decision, you may sue in the Federal courts. Some petitioners have done so.

Do we have to go to IBIA before going to court?
No. Requesting reconsideration before IBIA is optional.
DO YOU HOPE TO WORK FOR THE TRIBE SOMEDAY?

The Nipmuc Nation Tribal Office is currently seeking résumés of Tribal members to keep on file for future employment opportunities. All résumés should contain past & present employment information, training, awards, areas of expertise, & references from your last 3 positions. Also include your willingness to relocate & what you feel you can do to benefit the Nipmuc Nation. If you would like your résumé to be filed at the Tribal office, please send it to:

Nipmuc Nation Tribal Office
156 Worcester-Providence Rd., Ste.28,
Sutton MA 01570
Attn: Pat Garwood

Please Note: This announcement is not an offer of employment.

Position Available
FRONT DESK RECEPTIONIST

The Nipmuc Nation Tribal Office located in Sutton MA is currently seeking applicants for the position of Front Desk Receptionist. Applicants must live within reasonable commuting distance & have prior experience with multi-line phone/fax, filing, front desk reception & basic clerical duties.

This is a 40-hr./week position, M-F, occasional weekends. Rate of pay is set at $10/hr. Applicants should send résumés to:

Nipmuc Nation Tribal Office
156 Worcester-Providence Rd., Ste.28,
Sutton MA 01570
Attn: Pat Garwood

NO PHONE CALLS PLEASE!

COMING SOON! --LOOK FOR THE NIPMUC NATION TRIBAL WEBSITE AT:
WWW.NIPMUCNATION.ORG

The following obituary is from:
The Press of Atlantic City online. Southern New Jersey newspaper covering Atlantic, Cape May, Cumberland & Ocean counties.

URL: http://www.pressplus.com/content/sat/384087.html

Saturday, January 27, 2001

HAZARD, RICHARD A. AND SHIRLEY, of Pleasantville (NJ), on Jan. 18, 2001. Beloved father & mother of Michael Hazard, Gary Hazard, Sr., Sharon Hazard-Johnson, Helen M. Copeland & Shirley R. Hazard. A Memorial Service will be held at 11:00 AM on Saturday at the Pleasantville High School Auditorium, Pleasantville. Contributions may be made to:
Richard & Shirley Hazard Grandchildren's Education Scholarship Fund,
P.O. Box 232, Pleasantville, NJ 08232

Visit the Council of Chaubunagungamaugg website at:
www.webster-dudley-nipmuck.org
YOUR TRIBAL COUNCIL:
FIGHTING FOR THE NIPMUC NATION

Off & on for more than 3 decades, a small, but resolute group of Nipmuc have been keeping the flames of federal recognition burning. During this time, many have come & gone in support of this effort, & many not currently involved deserve significant credit for such involvement. Likewise, numerous others who haven't been elected as Council members, or approved at tribal gatherings, have been helpful in many ways.

This issue continues our efforts to provide some background on the Tribal Council members for those of you who don't personally know them. These are the people who are responsible for our Nation's progress in the federal recognition process & other development initiatives. While this progress has surged & ebbed at various times throughout the past, positive movement has been particularly noted in this 2000 millennium year. Much credit is due to the current Council, in particular, those who have been actively & positively involved for 10, 20, sometimes 30 years.

This issue will feature Chief Natachaman Walter Vickers, Fran Garnett & Don Gould.

WALTER A. VICKERS, Chief
Natachaman

As Chief of the Nipmuc Nation, Walter has been involved with the recognition process for more than 30 years & with Nipmuc activities for more than 50 years, in addition to hosting the annual powwow, homecomings & other functions at the Grafton reservation. Walter & his wife Carol have 4 daughters, 9 grandchildren & 1 great-grandchild. He worked in manufacturing capacities for nearby Bay State Abrasives for 35 years; & prior to that for 7 years with Raytheon. He spent 4 years active duty with the US Air Force in Korea, as a radio operator. He's been active in Masonic activities for 24 years, including serving as the District Deputy Grand Master of the MA Lodge.

FRANCES RICHARDSON GARNETT
Dawning Sun

Fran has been involved in a variety of human resources positions for UMass Memorial for more than 20 years now. She currently serves as Human Resources Consultant. She is also a member of the Board of Directors for the Nipmuc Indian Development Corporation & in both positions, provides guidance on programs of future importance to the Nation. Fran & her husband Lamar have one son. Fran also has 3 brothers & 2 sisters & lived in Worcester until moving to Ashland, MA, 8 years ago. She is a Business Administration graduate of Becker Junior College in Worcester. She often recalls childhood trips with her family to the Grafton reservation.

DONALD R. GOULD

Don is a 30-year veteran of the construction industry & a member of Local 230 of the Laborers Union in Hartford CT. An excellent stonemason, he is a graduate of Ellis Tech Trade School, Killingly CT. He & his wife, Louise have two daughters -- one of whom, Donna Rae, has been involved in the recognition research efforts -- & three grandchildren. Don has been a consistent voice in working on behalf of Nipmuc Nation members & the quest for federal recognition for more than 10 years now.

The Council has held regularly-scheduled meetings twice each month at the offices in Sutton for many years. The next issue will highlight members Bob Hazzard, Conrad Luster, Eugene Martin & Arthur Seldon.
"I am glad to hear about the proposed Federal Recognition! Can't wait to see how the separate findings affect the two clans & hope that this will be more of a uniting factor than causing more of a division. We have our work cut out for us, but the best is yet to come!"

Dana Jackson

"The best I could describe it - the feeling was like the birth of a new son or daughter."

Richard Massey, Spotted Rabbit

"I screamed, cried, I thought of my mother & grandfather who are deceased & prayed. Let them know that we did it."

Fran Garrett, Dawning Sun

"I picked up the GOOD NEWS on e-mail about 10:30 Fri. evening after spending 2 hours retrieving messages. Was I shocked?? That's an understatement. Though it's finally an official confirmation from the BIA, it's really unfortunate that we, as American Indians, must prove our ancestry. OH WELL! Oh happy day!! At my next Moon Ceremony many thanks will be given to the Great Creator."

Mary Anne Hendricks

"This is wonderful news!!! I had to call my dad & my sister right after I received the findings!!! Everyone is so excited!!! I know Gram is celebrating!!! (Irene Vickers Allaire) She is missed so much!!! Can't wait to Celebrate with everyone!!! See you all soon!!!"

Donna Dorsey

"It's about time. It has been a long hard struggle searching for long-lost records of our family, but hopefully now we, the NIPMUC NATION, have the recognition that we have waited a long time for."

Al Vickers
NIPMUC NATION TRIBAL COUNCIL MEETING MINUTES

(Below are summarized minutes from the Dec/Jan Tribal Council meetings. They have been recorded by Tribal members in attendance & are not 'official'.)

DEC. 4, 2000
Mr. Price, Project Manager for the Boston Harbor Islands Park Area, gave a presentation on the planned development of the Harbor Islands Park & held a Q&A period.

Kate April, Genealogical consultant, reported on the progress of the Genealogical Committee & the Tribal Community Survey. She also informed the Council that MA State Attorney General Thomas Riley requested a document pertaining to the federal recognition petition. On the advice of attorneys present, the Council voted on this matter which was passed unanimously.

Fran Garnett, Council member, reported on which health insurance companies she felt would best cover the needs of Tribal office employees.

DEC. 18, 2000
Kate April, Genealogical consultant, reported on her committee's progress, & provided new information on the history of Nipmuc country, specifically Northfield, Deerfield, & other towns in MA, RI, & CT.

Carole Palavra, read Donna Rae Gould's report on the 4-day interview with Susan McCullough Stevens, an associate of Zara Cisco Brough who lives in New Mexico. The report stated that the interviews were a great success. Susan advised them that Zara was on the Boston Indian Council in the 1970's, & she had compiled an extensive history of the Nipmuc Tribe. Zara also wrote a book on Nipmuc history that she had in her possession, as well as other documents that she allowed Rae & Carole to read. Carole requested that the Council compensate Susan for her time. The Council voted on the proposal, & it passed.

Conrad Luster, Council member, reported on his trip to Washington, D.C. on Dec. 15. He was accompanied by Tribal Attorney Chris Sullivan, & Consultant Guy Conrad. They met with Deputy Michael Anderson, (replacement for Kevin Gover), Lee Fleming & Virginia DeMarse. Mr. Anderson stated that the finding for our tribe is a top priority for him. He also stated that the Tribal Council will receive a letter from him regarding this, prior to January 20, 2001.

Little Crow Ron Henries, Tribal member, reminded the Council that they have received numerous past letters from the BIA, promising a federal recognition finding, & that we are still waiting for this finding. He added that the BIA is in violation of the federal statute governing the recognition process, to which Attorney Mark Press & Council Chairperson Bill "Running River" Gould agreed. Crow suggested that the Tribe's attorneys send a letter to the BIA, & all concerned, stating the above facts & that if a finding is not received in a timely manner, the Council is prepared to seek satisfaction in federal court. This proposal was agreed to by the Council chairperson, was voted on, & was passed.

JAN. 22, 2001
Kate April, Genealogical consultant, reported on her committee's study assessment & document organization that included: archives, equipment, genealogical records, collection of missing evidence, & analysis of the membership roll. There was also a recommendation referring to the tribe's constitution, that calls for a Tribal Clerk who will be responsible for the management of the Tribal roll, & associated responsibilities. This position is in the process of being filled.

During discussion of the proposed positive finding, Council Chairperson Bill Gould, received a telephone call from Lee Fleming, of the BIA. Bill explained that there was a Council meeting in progress & asked him if he could place their conversation on the speaker phone, to which Mr. Fleming agreed. Fleming said that President Bush issued an Executive order seeking to bar last minute decisions made by the Clinton administration until he has a chance to review them. At this time Lee Fleming stated that he could not be sure if President Bush's Executive order included the preliminary decision for the tribes that the agency made Jan. 19.

Little Crow Ron Henries asked what the policy was regarding members of Chaubunagungamaug who want to transfer to the Nipmuc Nation. Chairperson Bill Gould & Chief Natachaman (Walter Vickers) both agreed that the door to the Nipmuc Nation has always been open to any Nipmuc. Little Crow also stated his feelings in regard to the Executive meetings that are held following the regular Council meetings, where Tribal members have been excluded. He feels that any Tribal business should not be discussed behind closed doors.
If you are Nipmuc & online, you're welcome to join the new Nipmuc Yahoo! Group exclusively for Nipmucs, at www.yahoogroups.com/group/nipmuc. All you need is a Nipmuc ancestor in your family tree. Joining the Nipmuc Yahoo! Group allows members to:

- Read & post messages to Nipmucs throughout the world
- Stay updated on Nipmuc tribal news & events through announcements & calendars
- Chat with other Nipmucs in the chat room
- Check out numerous links to other Nipmuc & native websites
- Research your Nipmuc roots through related websites, files, & by swapping info with other Nipmucs in the group
- Vote in Nipmuc opinion polls or set up your own poll

The Nipmuc Yahoo! Group is 8 months old with 130 members & 800 messages posted already! Check the Nipmuc book list, links to the Earle Report, vital records, Nipmuc homepages, NIDC, NWHC, NIAC, Nipmucspoke, & more. Practice language lessons & Nipmuc prayers that can be printed & learned.

For more info, contact Cheryl Watching Crow at:
Nipmucnews@aol.com OR Nipmuc-subscribe@yahoogroups.com

NIPMUCSPOHKE
460 Whiton Rd.
Neshanic Station NJ 08853

ADDRESS CORRECTION REQUESTED