

THE TRIBAL NATIONS EXCHANGE
INFORMATION SHARING ON
U.S. ARMY CORPS OF ENGINEERS
ACTIVITIES IN INDIAN COUNTRY

A Message from The Honorable Mike Parker,
Assistant Secretary of the Army for Civil Works

Recently, I was briefed on Army Civil Works and Indian Affairs. I was both amazed and gratified to learn about this important aspect of the Civil Works mission. Working effectively with Indian Nations is critical for comprehensively preserving and protecting our Nation's cultural, environmental, and economic health. At first, the many ways in which we have interacted with Tribal governments and Indian people surprised me. I heard about projects (environmental, flood protection, etc.), emergency response, permit actions, land transfers, historic properties and sacred sites, resource management activities, and the repatriation of ancestors, just to name a few. These interactions reaffirm that trust responsibilities apply to all Army Civil Works actions, and not just historic preservation and Native American Graves Protection and Repatriation Act activities. As I thought about this extensive list of activities after the briefing, I realized that the Army shares a long, and sometimes controversial history, with American Indians and Alaska Natives. With hundreds of water resources projects around the country, 90,000 regulatory actions each year, and 12 million acres of water and related land resources under Corps jurisdiction, it is no wonder that Indian Affairs is an important part of our mission. The Army's "History" is intertwined with Native American "History".

As "Sovereigns" by treaty and law, Indian Nations have rights that must be recognized and preserved, protocols that must be learned and used in our interactions, and unique histories and cultural beliefs that must be taken into account as we accomplish our mission. All of us are, in a sense, ambassadors for the Administration. Therefore, it is important that we listen, learn, understand, interact, and ACT. We must be willing to interact one-on-one with Tribal governments, and people, to build these relationships.

On November 12, 2001, President George W. Bush issued a proclamation for Native American Heritage Month. The text box below contains a key commitment – a commitment that I intend to support fully. I am impressed by the series of accomplishments thus far, especially the Tribal Policy Principles established in Policy Guidance Letter 57, progress in the implementation of the Tribal provisions from WRDA 2000 (Secs. 203 and 208) and a draft *Indian Nations Strategy* that is working its way through the system. But we can and must do more. I encourage all of you to continue to look for ways to enhance our ability to meet our trust responsibilities, to interact with Indian people on a government-to-government basis, and to ensure that

proper consultation occurs BEFORE key decisions are made. By living up to our responsibilities to serve as trustees for Indian people, we can continue to support the economic development and education goals of the President.

"My Administration will continue to work with tribal governments on a sovereign to sovereign basis to provide Native Americans with new economic and educational opportunities. We will protect and honor tribal sovereignty and help to stimulate economic development in reservation communities. We will work with the American Indians and Alaska Natives to preserve their freedoms, as they practice their religion and culture."

President George W. Bush
November 12, 2001

The above message from Mr. Parker was provided by Mr. Chip Smith, Assistant for Environmental, Tribal and Regulatory Affairs in the Office of the Assistant Secretary of the Army for Civil Works

Tribal Legislative Initiative for 2002

The Director of Civil Works, Brigadier General Robert Griffin, has transmitted the Corps Civil Works Legislative Program for 2002 to the Honorable Mike Parker, Assistant Secretary of the Army, Civil Works.

In a descriptive paper titled High Performance Water Management, the Director outlines the proposed program, including a provision on "Cost Sharing for the Territories, Indian Tribes and Alaskan Natives."

The proposal increases the waiver of cost sharing requirements for U.S. Territories from \$200,000 to \$500,000, "to reflect cost increases since the waiver was authorized by Section 1156 of the Water Resources Development Act of 1986." The Director also proposes to extend the \$500,000 waivers to Federally recognized Indian tribes and Alaska Native Villages.

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Interior Creates New Office to Manage Indian Trust Fund Reforms

Interior Secretary Gale Norton last week announced the creation of a new office to oversee management of 300,000 Indian trust accounts.

The new Bureau of Indian Trust Assets Management will oversee reform of the department's troubled trust accounting system, consolidating duties currently performed by several offices. The department's [latest effort](#) to improve trust fund management comes two weeks before Norton and several other government officials are scheduled to appear in federal court on contempt charges related to a 1996 lawsuit against the government.

"The Bureau of Indian Trust Assets Management is needed to ensure that we move forward in the management of Indian trust reform," Norton said. "This administration is committed to taking action now that will chart a new course for positive, productive trust reform that will work to benefit American Indian tribes."

An assistant secretary who has not yet been named will lead the new bureau, which will consolidate the functions of several offices within Interior, including the Office of the Special Trustee for American Indians and the Office of Historical Trust Accounting. Management consulting firm Electronic Data Systems recommended that Interior create a central office to handle trust fund reform and establish greater accountability for trust management.

Interior's Bureau of Indian Affairs is responsible for sending checks to Indian trust beneficiaries who rely on trust funds for basic living necessities. The accounts were set up more than a century ago to compensate Native Americans for the use of their land.

Allegations of mismanagement of the BIA trust accounting system have plagued the agency for years, culminating in a 1996 lawsuit filed against Interior by Elouise Cobell, founder and current chair of the Blackfeet National Bank.

The National Congress of American Indians (NCAI) criticized Interior for devising the reorganization without consulting tribes and for failing to make overall substantive reforms to the trust accounting system.

Interior Deputy Secretary J. Steven Griles and Assistant Secretary for Indian Affairs Neal McCaleb discussed the reorganization plan with tribal leaders in

late November at NCAI's annual conference in Spokane, Washington.

This report is based on an article prepared by Kellie Lunney for Govexec.com.

From the FEDERAL REGISTER . . . Good News for the Red Lake Band of Chippewa?

The November 15, 2001 FEDERAL REGISTER contained a notice concerning the Red Lake Band of Chippewa Indians of Minnesota (Red Lake Band). The notice identifies lands to be restored to the Red Lake Band under an order issued by the Secretary of the Interior (Secretary). The order was issued on February 22, 1945.

The history of Red Lake Band land transactions with the government begins in the late 1800's. In 1889 and again in 1904, the Red Lake Band ceded a total of over 3 million acres of land to the Federal government. The ceded lands were opened for timber sales and homesteading. The Indian Reorganization Act of 1934 authorized the Secretary to restore to tribal ownership ceded lands determined to be surplus to the government's needs and in 1945 an order was issued for the restoration of approximately 158,000 acres to the Red Lake Band.

From 1945 to 1988, Interior attempted to resolve "vexing title and legal description problems" with the 1945 listed lands. A new lands list was prepared in 1988 that included approximately 187,000 acres but that list remained unpublicized until 1997. In 1999, Interior completed a review of the 1945 and 1988 lists and concluded that now, approximately 90,000 acres are eligible for restoration to the tribe.

The November 15 FR Notice concludes with the 1999 list of tracts to be restored and does not address the approximately 100,000 acre difference in the 1988 list and the current reckoning of restoration eligible lands. Our Interior colleagues do say, however, that descriptions of additional lands to be restored may be published as they are confirmed.

The notice does not contain any reaction from the Red Lake Band.

This report is based on an electronic mail message from Dr. Marc Kodack, Sacramento District.

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Team Profiles

Editor's Note: Last month we introduced Team Profiles as a permanent item in this newsletter and that has not changed. We are, however, modifying the format. In the months ahead, Corps Native American Coordinators and Alaska Native Liaisons will be asked to submit brief resumes of their experiences. The Corps specialist, in turn, will invite a tribal representative with whom they interact to also provide a resume of experience. In that way, we will get to know our Corps colleagues and their tribal counterparts. To initiate this approach, we are pleased to introduce Mr. Erwin Roemer, Memphis District and his tribal partner, Ms. Carrie Wilson of the Quapaw Tribe of Oklahoma.

Mr. Erwin Roemer is an archeologist at Memphis District, where in recent years his role has concentrated on National Environmental Policy Act (NEPA) coordination. Born in Austin, Texas, Erwin worked at the Maya site of Colha, Belize, for graduate studies at Texas A&M University. He has consulted with Native Americans over the years as he held positions including park superintendent at Caddoan Mounds State Historic Site, Texas, director of an archeological park at the Kingsland Site, Texas, and archeologist positions at three Corps Districts. While at Vicksburg District, Erwin worked with the Caddo Tribe of Oklahoma to develop a reburial site as part of the Red River Waterway Project in Louisiana. The reburial site was designed with a radial pattern walkway and color-tinted paving stones arranged in a design suggested by Caddo leaders, and enclosed within a low concrete block wall. It is situated near a Corps lock and dam facility that provides for a secure setting. More recently Erwin coordinated with the Quapaw Tribe of Oklahoma and the Tunica-Biloxi on projects such as the Memphis District's White River, Arkansas, Navigation Study. Erwin is keenly interested in seeking opportunities to implement cultural resources coordination to include Native Americans in broader environmental coordination under NEPA, and within the Corps' increased focus to restore natural ecosystems. Erwin believes the Corps Native American liaison and cultural resources staff, along with tribal and agency partners, are entering a fascinating period of public service and resource protection opportunities.

Ms. Carrie V. Wilson is a Native American Cultural Resources Consultant, who assists and advises Federal and state agencies and Federally-recognized tribes working under cultural resource legislation, including the Native American Graves Protection and Repatriation Act (NAGPRA), and the National Historic Preservation Act (NHPA). She is an enrolled member of the Quapaw Tribe of Oklahoma. The

Quapaw occupied a substantial portion of the Mississippi valley including present day Arkansas, Mississippi, southeast Missouri, northern Louisiana, and western Kentucky and Tennessee. Under Ms. Wilson's leadership as NAGPRA Representative and cultural resources coordinator for the Quapaw, she fulfills an important role with regard to consultation activities in recognition of Government-to-Government relations between the Quapaw Tribe with the USACE-Memphis, Little Rock, St. Louis and Vicksburg Districts. Ms. Wilson was born in Miami, Oklahoma and grew up as an active participant in Quapaw and Native American Indian culture. In 1976, she was Miss Indian Oklahoma representing all Tribes in her native state. In recognition of the tribe's importance in Arkansas history, she was the recipient of the Native American Indian Heritage Award and she graduated from the University of Arkansas with a BA degree in Anthropology *cum laude*. Ms. Wilson's background provides her with a unique blend of perspectives. Her familiarity with anthropology, archeology, Indian history, and cultural resource issues involving Federal agencies and traditional Native American concerns is an asset. In addition, having served in Quapaw Tribal government as a member of the Business Committee, she understands the diverse matters that Tribal governments are required to address. She has contributed substantive research on Quapaw cultural history. Through a grant sponsored by the American Indian Cultural Resource Training Program, she compiled a *Catalog of Quapaw-Related Manuscripts* for the Anthropological Archives, Smithsonian Institution. In 1999, Ms. Wilson was invited to deliver a paper, "The Three Village Robe: An Interpretation of an 18th Century Quapaw painted hide and its diagrammatic representation of a Mississippian Ceremonial Complex," at the Annual Southeast Archeological Conference and is currently working with the Art Institute of Chicago in planning an exhibit of precontact Mississippian Art. She is skilled and knowledgeable on the intricacies of merging cultural resources compliance with Native American concerns. She has been active in the Louisiana Army National Guard's (LAARNG) Native American Historical Initiative (NAHI) and was a key author for the NHPA Programmatic Agreement between LAARNG, the Signatory Tribes, the Louisiana State Historic Preservation Office and the Advisory Council. For her contribution to the NAHI project, she was presented with a Certificate of Appreciation from the National Guard Bureau in Washington, D.C. Ms. Wilson is known as a tenacious reviewer of Federal actions within the Quapaw's broad geographic area of ancestral affiliation, and has strong opinions on the Corp's role in Native American consultation and resource protection. Although she recognizes disagreement is part of the consultation process

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spectrum, Ms. Wilson seeks cooperative solutions to the challenges facing both Federally-recognized tribes and Corps staff in seeking respect and protection of Native American cultural resources.

Currently, Ms. Wilson is the Director for the Quapaw Tribe's NAGPRA Program. She is also working with the Osage Nation in establishing their NAGPRA program. Ms. Wilson resides in Fayetteville, Arkansas and can be reached at 501-442-7576 or Email: cvwilson@uark.edu

Rock Island District Works With Sac and Fox Tribe of the Mississippi in Iowa on GIS Implementation effort utilizing Planning Assistance to States Program.

In 1992, an amendment (Section 208(2) Of Public Law (PL) 102-580 to the Water Resources development Act of 1974 (PL 93-251) authorized the Secretary of the Army to assist Indian Tribes in the preparation of comprehensive plans for development, utilization and conservation of water, and related land resources. In 1990, Section 319 of the Water Resources Act (PL 101-640) authorized the Secretary of the Army to cost share on a 50-50 basis with non-Federal entities for any program established by this 1992 amendment. On December 19, 2000, the Sac and Fox Tribe of the Mississippi in Iowa entered into a Cost Sharing Agreement with the United States Government.

The objective of the agreement and on going technical assistance is to improve the tribal Geographic Information Systems (GIS) capability through the completion of a GIS implementation plan, automated digital housing inventory, and boundary survey. The overall effort is designed to help provide improved technology means by which the Sac & Fox may more effectively engage in land use planning and floodplain management. The digital housing inventory will be used for day to day work actions in the housing department, however the Sac & Fox are also planning to use their improved GIS capabilities in a newly created GIS department to help support the planning department and for a host of other applications.

For more information on this agreement and Rock Island effort, please see :

http://www.mvr.usace.army.mil/SAC-FOXPresentation/presentfinal_files/frame.htm

Submitted by Harry Bottorff, Community Planner, Rock Island District