

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

**Implementation Guidance for Section 203,  
Tribal Partnership Program, of the Water  
Resources Development Act of 2000.**

The Headquarters, U.S. Army Corps of Engineers, has issued implementation guidance on the Tribal Partnership Program (TPP) to all Corps Commands. Established by Section 203 of the Water Resources Development Act (WRDA) of 2000, the TPP authorizes the Secretary of the Army, in cooperation with Indian tribes and the heads of other Federal agencies, to study and determine the feasibility of carrying out projects that will substantially benefit Indian tribes.

The statutory language for the TPP defines the matters to be studied to include flood damage reduction, environmental restoration and protection, preservation of natural and cultural resources, and "such other projects as the Secretary, in cooperation with Indian tribes and the heads of other Federal agencies, determines to be appropriate." The TPP provides an opportunity to assist with water resources projects that address economic, environmental and cultural resources needs. The text for Section 203 of WRDA 2000 can be found at the following web site:

[http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=106\\_cong\\_public\\_laws&docid=f:publ541.106](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=106_cong_public_laws&docid=f:publ541.106).

The TPP implementation guidance builds on the statutory language with an analysis of section 203 program management and budgeting. It is the product of input from a number of offices in HQUSACE, the Office of the Assistant Secretary of the Army (Civil Works) and specialists in Corps Commands. The full text of the guidance follows in a PDF format.



Section 203  
Guidance

**Fort Worth District Works to Protect Native  
American Sites**



The East Texas region, and the adjoining parts of Oklahoma, Arkansas, and Louisiana, has an historic cultural affiliation with the Caddo tribe. The historic Caddo are readily identified by

their varied and finely crafted ceramics. Unfortunately, this pottery, and the other material aspects of Caddoan material culture are sought by collectors and others and are highly prized. This has created a long history of pothunting, vandalism, and looting in the four states area, especially at operating lakes projects in East Texas. Much of the pothunting that occurred pre-US Army Corps of Engineers ownership of the East Texas fee lands was an avocational archeology in nature and was accomplished by both trained and self-taught persons. A large amount of this collecting was simply part of family outings while some was an attempt to provide extra income to the marginal households of the time. Today, some minor collecting and the more destructive pothunting, or more appropriately 'looting,' activities still occur within the fee lands of the operating projects despite attempts to enforce regulations and laws against the practice. As the cultural resources manager (CRM) assigned to the Piney Woods and Sam Rayburn Projects of East Texas I have inserted a multi-phased approach to curb such activities.

Two activities, casual collecting and systematic vandalism/looting, are occurring on the fee lands of the East Texas lakes within my operating area. I have approached the casual collector issue by interacting with as many park visitors as possible, explaining the need for preservation in place and defining the applicability of 36CFR327.14(a). As part of this collector awareness campaign I have attended local archeological society meetings and provided both the preservation ethic topic as well as the applicable penalties. The word of mouth campaign has been very effective, as I have had individuals cite the specific content of my presentations. Contacts with local newspapers have resulted in articles that also provide a preservation perspective. A local archeological fair was also the opportunity to distribute pamphlets and posters and to provide a portable display discussing looting activities prepared by us specifically for the event. The display is being circulated to the each of the lake project offices.

Looting has required a more intensive approach and several approaches have been defined. Some actions are less obvious such as the word of mouth among avocationalists as a result of the meeting presentation and the overlap of the posters and pamphlets prepared which specifically cite the fines and penalties associated with an Archeological Resources Protection Act (ARPA) violation. These posters are being placed at attended and unattended gates. One pamphlet being distributed to park visitors specifically notes the potential for a reward for information leading to the arrest and conviction of an ARPA violator. ARPA Notice signs were designed and ordered which are

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being placed at boat ramps, attended and unattended gates, and hunting access roads. Also, while many will probably disagree with the approach, I have placed small signs in association with identified and placebo archeological sites which are remote and not readily accessible. This approach, undertaken in consultation with the Caddo Nation, was agreed upon simply because it can only be assumed that individuals penetrating an area to that depth are already aware of the sites and may or may not be deterred by an announcement of the potential fines and other penalties. Many of these individuals are already aware of the seriousness of the laws against such activities and are undeterred. Most are seeking materials that can be readily turned into cash.

One of the more visible activities has been the increased random patrols of archeologically sensitive areas. A marked and badged vehicle is utilized for these patrols and the vehicle is parked as conspicuously as possible. Site visits on foot are being made to identified archeological properties of concern as well. Remote sensing devices have been utilized in the past and continue to be utilized, but have some limitations. False alarms are a big problem as well as the remoteness of the location that prevents rapid responses. A future piece might be in order on the remote sensing issues.

Of all of these activities, one action is above all, the input and dedication of the lakes personnel, especially the Rangers. The Rangers are on the front lines of this campaign and, while some of their duties may seem like small dustups, the willingness of some of these personnel to actively step in front of perpetrators caught in the act is admirable. One of the most rewarding parts of this position has been to work with the Rangers and be witness to a new, or renewed interest in the preservation of the resources.

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Stephen P. Austin was formerly located in the Planning, Environmental and Regulatory Division of the Fort Worth District. He is now part of the Operations Division of CESWF assigned to the Piney Woods (PW) and Sam Rayburn Projects (SR) of East Texas with Cultural Resources Management responsibilities at Cooper Dam/Jim Chapman Lake, White Oak Creek Mitigation Area, Lake O Pines, Lake Wright Patman, Lake Sam Rayburn, and Town Bluff Dam/Lake Steinhagen.

**BOOK NOOK**

***The American Revolution in Tribal Country***

**Review by Rich Taylor**

If you are a part-time history buff like myself, this book may be for you. Dr. Colin G. Calloway provides a well-researched look into crisis and diversity in Native American communities before, during, and after the American Revolution.

Dr. Calloway's study presents a broad coverage of Tribal experiences in the American Revolution rather than of Tribal participation as allies or enemies of the "colonialists". Geographically focused east of the Mississippi, and set in the 1750-1800 time period, the book tracks the rise and fall of eight key Tribal communities. Beginning with the tribal communities of Odanak and Stockbridge in the Northeast U.S., the book traverses south to the Mikasuki and Cuscowilla communities in Florida. This track traces the impact of conflict on these key tribal communities, and how the American Revolution often translated into war among Tribals and their own struggles for independence.

I'm sure that you will have your own "takeaways" from the book, however I took away three key learnings. [One of LTG Flowers themes is for the Corps to be a "learning organization"] My first learning was a reminder of the central role of corn as a sustaining element in daily community life. Second, tribal leadership had the unique ability to adapt to the ebb and flow of British, French, and American diplomatic overtures. And finally, the foundation of U.S-tribal treaty violations and disputes of today finds its footings in the American Revolution.

Happy New Year and Good Reading!

***USACE Cultural Resources and Native American Specialists to Meet***

Each year the Society for American Archaeology sponsors an international convention on the cultural heritage of the Americas. The Society provides meeting space to the U.S. Army Corps of Engineers for a two-day meeting of specialists in cultural resource management and Native American / Alaska

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Native coordination. This year, the Society - USACE Meetings will be held at the Adams Mark Hotel in Denver, Colorado. The Corps Meeting will take place on 19-20 March 2002.

The program for the Denver meeting reflects the diversity of the Corps cultural resources and Native American missions. The first day's session will begin with overview presentations by district representatives from the Corps Northwestern Division. This session will be followed by a symposium on cultural resource assets at the Haskell Indian Nations University and a session on new and emerging partnerships between the Corps and the National Park Service. The first day will conclude with presentations by, and interaction with, representatives from the U.S. Army Environmental Center, the Office of the Assistant Secretary of the Army (Civil Works), and HQUSACE.

The second day's events include a two-part session on Native American Issues and Concerns in which Corps team members from a number of commands discuss problems, processes and successes in the Native American coordination and consultation arena. Indian representatives from Northern Plains tribes will offer their own perspectives on cultural resources issues and a group of attorneys from within and outside the Corps will offer their unique legal views during an interactive discussion session.

### **Newest Team Member in Alaska**

The Corps Alaska Native Liaison, Johnny Duplantis, will soon be applying his negotiating skills to his newest team member on an around-the-clock basis. On 8 January, Jessica Katelin was born to Johnny and his wife, Remi Sun. Jessica reported for duty at 6 lbs, 3ozs and almost 20 inches long. Best wishes from the Corps family to Johnny and his growing family.

### **Tribal Historic Preservation Officers**

The National Park Service has advised us that the Squaxin Island Tribe and the Timbisha Shoshone Tribe have assumed State Historic Preservation Officer functions within the exterior boundaries of the Tribes' reservations. The new Tribal Historic Preservation Officers are:

Mr. Bill Helmer, THPO, Timbisha Shoshone Tribe, Post Office Box 206, Death Valley, California 92328-0206. Telephone: 760-786-2374; and

Ms. Rhonda Foster, THPO, Squaxin Island Tribe, SE 70 Squaxin Lane, Shelton, Washington 98584. Telephone: 360-426-9781.

### **National NAGPRA Program Reorganized**

The National Park Service has reorganized its Washington-level NAGPRA office. Dr. Robert Stearns has replaced John Robbins as Program Manager. In addition, there are now four discrete functional areas in the office. They are Education and Development (Dr. Paula Malloy, 202-343-1095); Advisory Committee (Dr. Martha Graham, x1001); Databases (Dr. Mary Downs, x1214); and Regulations (Dr. Tim McKeown, x1142).