
KEEPERS OF THE TREASURES

Protecting Historic Properties and Cultural Traditions
on Indian Lands



A Report on Tribal Preservation Funding Needs
Submitted to Congress

United States Department of the Interior * National Park Service * Interagency Resources Division

Cover:

A Lummi elder guides a youth through a traditional Lummi name-giving ceremony. The name being bestowed has been passed through 15 generations. (Photograph by Al S. Johnnie, reprinted with permission)

This publication was compiled and written by Patricia L. Parker, National Park Service, Interagency Resource Division, Branch of Preservation Planning, Washington, D.C. Dr. Parker was assisted in this effort by David M. Banks and others of the same office.



United States Department of the Interior



NATIONAL PARK SERVICE

P.O. BOX 37127

WASHINGTON, D.C. 20013-7127

IN REPLY REFER TO

H32(413)

13 SEP 1990

Dear Colleague:

I am pleased to present to you a copy of Keepers of the Treasures: Protecting Historic Properties and Cultural Traditions on Indian Lands.

Senate Report 101-85 on Fiscal Year 1990 Appropriations for the Department of the Interior directed the National Park Service to "report (to Congress) on the funding needs for the management, research, interpretation, protection, and development of sites of historical significance on Indian lands." The Service's report is based on two general meetings and other consultation with Indian tribes, extensive study by National Park Service staff, discussions with Native American organizations, State Historic Preservation Officers, the Advisory Council on Historic Preservation, and other Federal agencies.

Keepers of the Treasures concludes that Indian tribes must have the opportunity to participate fully in the national historic preservation program, but on terms that respect their cultural values, traditions, and sovereignty. The report suggests that responding to the needs of Indian tribes highlights a more general development in historic preservation -- the concern for the cultural environment as a whole, including both historic properties and cultural traditions. What can be learned from this development has broad applicability beyond tribal concerns and should lead to improvements in procedures, standards, and guidelines.

We in the National Park Service welcome the opportunity to broaden our perspectives on preservation issues and look forward to working with all interested parties to implement the recommendations contained in Keepers of the Treasures.

For further information please write to the address above or call (202) 343-9500.

Sincerely,

James M. Ridenour
Director

Enclosure

KEEPERS OF THE TREASURES

Protecting Historic Properties and Cultural Traditions on
Indian Lands

A Report on Tribal Preservation Funding Needs
Submitted to Congress by the National Park Service,
United States Department of the Interior

May 1990

Prepared by

National Park Service
Interagency Resources Division
Branch of Preservation Planning

United States Department of the Interior

As the Nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally-owned public lands and natural and cultural resources. This includes fostering wise use of our land and water resources, protecting our fish and wildlife, preserving the environment and cultural values of our national parks and historical places, and providing for the enjoyment of life through outdoor recreation. The Department assesses our energy and mineral resources and works to assure that their development is in the best interests of all our people. The Department also promotes the goals of the Take Pride in America campaign by encouraging stewardship and citizen responsibility for the public lands and promoting citizen participation in their care. The Department also has a major responsibility for American Indian reservation communities and for people who live in Island Territories under U.S. Administration.

CONTENTS

	Page
Executive Summary	i
Introduction: The Mandate	1
 PART I: Tribal Perspectives on Preservation	
Section 1: Defining the Topic and the Terms	3
Section 2: Preservation Issues and American Indian Policy	18
Section 3: American Indians as Objects of Study	34
Section 4: Tribal Preservation Program Elements	53
Section 5: Tribal Perspectives in Summary	67
 PART II: Tribal Participation in the National Historic Preservation Program	
Section 1: Tribal Perspectives on States and Federal Agencies ..	69
Section 2: The National Park Service and the Chaco Archeological Protection Sites	73
Section 3: Federal Agency Perspectives	77
Section 3: State Historic Preservation Office Perspectives	97
Section 5: Summary	125
 PART III: Funding Needs for Tribal Preservation Programs	
Section 1: Tribal Perspective - The Written Survey	127
Section 2: Fiscal Year 1990 Historic Preservation Grants to Indian Tribes	158
Section 3: Summary	164
 PART IV: Findings and Recommendations	
Section 1: Findings	167
Section 2: Recommendations	172
Section 3: Conclusions	177
 Appendices	
Appendix A: Report Development	183
Appendix B: A Worksheet for Tribes	185
Appendix C: Funding Needs Tables	191
Appendix D: Informational Meetings Participants	212
Appendix E: Worksheet Respondents	213
 Bibliography	 214

EXECUTIVE SUMMARY

Introduction

In Senate Report No. 101-85, the National Park Service was directed to "report to the Committee on Appropriations on the funding needs for the management, research, interpretation, protection and development of sites of historical significance on Indian lands." This report has been prepared in response to that directive. It is based on two formal meetings with Indian tribes, extensive study by National Park Service staff, and consultation with tribes, other Native American organizations, State Historic Preservation Officers, the Bureau of Indian Affairs, the Advisory Council on Historic Preservation, and other Federal agencies.

Tribal Perspectives on Preservation

In meetings and correspondence with the National Park Service, Indian tribes made clear their unique perspectives on historic preservation. Tribes seek to preserve their cultural heritage as a living part of contemporary life. This means preserving not only historic properties but languages, traditions, and lifeways.

Preservation of heritage is seen as a key to fighting such contemporary problems as alcoholism and drug abuse, which flourish where society is in stress. Preservation can help to restore structure and pride to tribal society, providing direction from the past that is vital to the future. A Yavapai representative commented that "to know what you are, and where you came from, may determine where you are going."

Each tribe is unique, and has unique preservation needs, but all can learn from one another, as well as from other participants in the national historic preservation program. In order for tribes to participate meaningfully in that program, it is necessary that they be treated as equal partners with the State Historic Preservation Officers and Federal agencies. Tribes do not necessarily want to establish programs that mirror those of the State Historic Preservation Offices, however. As a representative of the Tlingit/Haida put it, "there must be a more wonderful word for the keeper of the treasures."

Although tribes are deeply concerned about the preservation of historic places on reservation lands, many are equally concerned about such places on other lands that they occupied before being removed to reservations. For tribes relocated over long distances (*e.g.*, the Cherokees, Chickasaws, Choctaws, Creeks, Seminoles, and Stockbridge-Munsee), places of cultural value may be hundreds of miles from their reservations. Such tribes are confronted with special problems in seeking protection for their historic places.

The ability of tribes to preserve their historic places and, in general, to maintain the integrity of their cultures has been seriously damaged by past Federal policies, notably those favoring assimilation into "mainstream" Euro-american society, allotment of reservation land to individuals, and termination of tribal status. Although all these policies have been abandoned today, tribes are still suffering from their effects.

Many tribes are interested in studying their past and in interpreting it through their own museums. Tribes, however, are opposed to being objects of studies over which they have no control. They strongly oppose the way Indians are portrayed in many historical studies, to the buying and selling of certain kinds of artifacts and objects, and to the curatorial policies of many museums. Some objects in museums are understood by tribal elders to have sacred power that makes it inappropriate or even dangerous for people without special authority and training to handle them. Others are simply regarded as having been stolen from the tribes, and their return is strongly desired. There are special concerns about the disturbance of graves during land development, and about the exhumation, study, and retention of human remains and grave offerings by private collectors and by archeologists. Relations between some Indian tribes and archeologists have deteriorated to the point where the tribes oppose all archeological research, even in advance of development.

Other tribes, however, are working together with archeologists, while some are even establishing their own archeological programs. The key issue is control. Indian people want to control the access to and study of their cultural resources, whether these are aspects of their living societies, archeological sites, or collections of artifacts and objects.

Existing tribal programs to preserve cultural heritage link the study of the past with the present and the future. They emphasize the maintenance of language and oral traditions, education of both young people and adults, coordination with Federal and State agencies that affect cultural resources, interaction with tourism programs, and the development of tribal arts: all parts of keeping heritage as a living part of contemporary life.

Tribal Participation in the National Historic Preservation Program

Tribes have mixed experiences working with Federal agencies, State Historic Preservation Officers, and other government entities in historic preservation. Although they want to participate in the national historic preservation program, they want to do so on a government-to-government basis, in a manner that recognizes the breadth of their preservation interests and that does not attempt to impose standards, guidelines, and priorities on them that are foreign to the very cultural values they seek to preserve. The views of the Advisory Council on Historic Preservation, six other Federal agencies that were consulted for this

report, and the State Historic Preservation Officers underscore the fact that tribal participation in the existing national historic preservation is highly variable. For example, while much could be gained through more systematic tribal participation in Federal agency planning under Sections 106 and 110 of the National Historic Preservation Act, few tribes participate fully, and few agencies have systematic, widely applicable policies and procedures to ensure their participation. State Historic Preservation Officers expressed interest in assisting tribes to participate more fully, but lack resources to do so. In some cases, State Historic Preservation Offices are impeded in assisting tribes by tribal perceptions that receiving assistance from State Historic Preservation Offices infringes upon their sovereignty. The Smithsonian Institution houses a variety of American Indian programs designed to assist tribal members in developing and improving museum-related preservation activities, but these programs do not begin to meet the full range of tribal preservation needs.

Tribal Perspectives on Funding Needs

Tribes were asked in a written survey to describe their existing preservation programs (if any) and to outline the costs of maintaining these programs and of making improvements they perceive as needed. Common tribal preservation program elements include cultural committees; museums and heritage centers; curation facilities; archeological operations; programs to identify, evaluate, and preserve historic properties; language programs; efforts to coordinate with Federal and State agencies; training; and a variety of other functions.

The current cost of maintaining existing programs among the 74 tribes that participated in the survey is approximately \$14 million. These programs are supported primarily by tribal government funds, supplemented by various grant programs and fund-raising activities. The estimated cost of desirable program improvements identified by the tribes is almost \$175 million, but the bulk of these costs are associated with capital construction and property acquisition. The estimated cost of program improvements not involving construction and acquisition is slightly more than \$46 million.

During Fiscal Year 1990, as authorized by Section 101(d)(3)(B) of the National Historic Preservation Act (16 USC 470) and pursuant to Public Law 101-121, the National Park Service awarded approximately \$500,000 in grants to support activities designed to preserve cultural heritage. 270 grant proposals were received from 171 tribes, requesting in excess of \$10.1 million: another measure of the tribes' concern about preserving their heritage, and of the level of funding needed to meet this concern.

The National Park Service and the Chaco Protection Sites

Senate Report No. 101-85 expressed special interest in the Chacoan Protection Sites. National Park Service projections of funding needs for management, research, interpretation, protection and development of these sites over the next ten years totals 8.15 million dollars.

Recommendations

- 1. The American people and their government should affirm as a national policy that the historical and cultural foundations of American Indian tribal cultures should be preserved and maintained as a vital part of our community life and development.**
- 2. The national American Indian cultural heritage policy should recognize that programs to preserve the cultural heritage of Indian tribes differ in character from other American preservation programs.**
- 3. Federal policy should encourage agencies that provide grants for museum, historic preservation, arts, humanities, education, and research projects to give reasonable priority to proposals for projects carried out by or in cooperation with Indian tribes.**
- 4. Federal policy should require Federal agencies, and encourage State and local governments, to ensure that Indian tribes are involved to the maximum extent feasible in decisions that affect properties of cultural importance to them.**
- 5. Federal policy should encourage State and local governments to enact laws and ordinances providing for the identification and protection of properties of significance to Indian tribes in order to protect such properties from the effects of land use and development and from looting and vandalism.**
- 6. Federal policy should encourage the accurate representation of the cultural values, languages, and histories of Indian tribes in the public schools and in other educational and interpretative programs.**

- 7. Federal policy should recognize the central importance of language in maintaining the integrity of Indian tribal traditions and the tribal sense of identity and well-being. National efforts to assist tribes to preserve and use their native languages and oral traditions should be established in conjunction with the amendment of the National Historic Preservation Act recommended below.**
- 8. As part of developing a consistent American Indian cultural heritage policy, a national approach should be developed regarding the exhumation, retention, display, study, repatriation, and appropriate cultural treatment of human remains, funerary artifacts, and sacred artifacts.**
- 9. Tribal needs for confidentiality of certain kinds of information should be respected.**
- 10. Federal policy should provide for the appropriate involvement of Indian tribes in Federally-assisted preservation research on tribal lands and on ancestral lands off reservations.**
- 11. Toward the achievement of tribal participation in preservation activities, it may be desirable to consider chartering the establishment of a national private organization to promote and assist in the preservation of the cultural heritage of Indian tribes.**
- 12. National programs for training of tribal members in preservation-related disciplines should be developed.**
- 13. The National Historic Preservation Act, as amended, (16 U.S.C. 470) should be amended to establish a separate title authorizing programs, policies and procedures for tribal heritage preservation and for financial support as part of the annual appropriations process.**



Paul Little of the Oglala Tribal Council addresses representatives from the National Park Service and Indian tribes at a meeting held to gather information for this report in Las Vegas, Nevada, January 18, 1990. (National Park Service photograph by John Renaud)

INTRODUCTION: THE MANDATE

On July 25, 1989, Senate Report 101-85 directed:

... the National Park Service to determine and report to the Committee [Committee on Appropriations] on the funding needs for the management, research, interpretation, protection and development of sites of historical significance on Indian lands throughout the Nation. The Committee is particularly interested in the Chaco protection sites on the Navajo Reservation. The Committee directs the National Park Service in consultation with the Bureau of Indian Affairs to investigate and report to the Committee on funding needs for historic preservation on Indian lands. The report shall be based on direct discussions with Indian tribes, and shall be provided to the Committee by March 1990. (Senate Report No. 101-85)

To carry out this request the National Park Service hosted meetings with tribal representatives, and requested information from many more.¹ The results and findings are presented here.

To American Indian people historic preservation is no less than the perpetuation of living cultural traditions: beliefs, lifeways, languages, oral traditions, arts, crafts, and ceremonies, as well as the places and properties associated with them. Tribal perspectives on preservation are presented in **PART I** of this report.

The issues surrounding the perpetuation of American Indian cultures are not expressed only on reservations, those areas remaining in the control of Indian people. The ancestral homelands of the Indian tribes cover the entire nation. Sacred and historic places critical to the continuation of cultural traditions are often not under tribal control, but rather are owned or managed by Federal, State, local governments, and other non-Indians. The cultural commitments and concerns of Indian people with ancestral places on non-Indian lands bring them, sometimes unwillingly and unprepared, into the national historic preservation program, particularly in connection with the review of proposed actions by Federal

¹The persons quoted in this section attended one or both meetings held by the National Park Service in January 1990 to gather information for this report. All spoke as official tribal representatives. The following individuals are employed by tribes and spoke as tribal representatives, but are not themselves tribal members: Roger Anyon, Director, Zuni Archeological Program, Zuni Pueblo; Greg Cleveland, Archeologist, Yakima Nation; Alan Downer, Historic Preservation Officer, Navajo Nation; Duane King, Executive Director, Middle Oregon Indian Historical Society, Confederated Tribes of Warm Springs; Rick Knecht, Cultural & Heritage Program Coordinator, Kodiak Area Native Association; Pam Nowak, Project Coordinator, Quechan Tribe; Ann Renker, Director, Makah Cultural Resource Center; Kurt Russo, Treaty Task Force, Lummi Tribe; C.M. Simon, S.J., Director, The Heritage Center, Inc., Oglala Lakota Tribe. Dean Suagee attended the meeting in Washington, D.C., as counsel to the Miccosukee Tribe; Mr. Suagee is a member of the Cherokee Nation.

agencies under Sections 106 and 110 of the National Historic Preservation Act. Tribal perspectives and the perspectives of Federal agencies and State Historic Preservation Offices concerning the role of tribes in the national historic preservation program are described in **PART II** of this report.

The National Park Service has unique and complex relationships with many Indian tribes who have interests in lands within National Parks. These relationships and the particular funding needs of the Chaco protection sites on the Navajo reservation are also described in **PART II**.

Indian tribes were asked to describe their funding needs for preservation by answering questions on a worksheet. The results of that written survey are reported in **PART III**.

As this report was prepared, 171 tribes applied for Historic Preservation Fund grants proposing 270 projects to preserve their cultural heritage, pursuant to the Fiscal Year 1990 appropriations act for the Department of the Interior (P.L. 101-121). These grant proposals are another important source of information concerning funding needs for preservation on Indian lands, and are also described in **PART III** of this report.

"Keepers of the Treasures" concludes with general findings and recommendations.

PART I: TRIBAL PERSPECTIVES ON PRESERVATION

Two meetings were held by the National Park Service in order to learn directly from Indian tribes what their concerns and needs were for preserving their cultural heritage. In both meetings, participants were concerned that this report reflect the perspectives of the tribes. Many asked to review the draft and the report has benefited from their comments. It was suggested that:

When this report is presented to Congress, a few of the members who spoke today should speak, not the [National] Park Service, so that Congress can hear from the people themselves. (Cecil Antone, Gila River)

Every effort has been made in this report to present Congress with the opportunity to "hear from the people themselves." **PART I: TRIBAL PERSPECTIVES ON PRESERVATION** uses the testimony of the meeting participants to describe the preservation issues Indian tribes face. Funding needs for preservation, based on the written responses of Indian tribes to a worksheet, are presented in **PART III**.

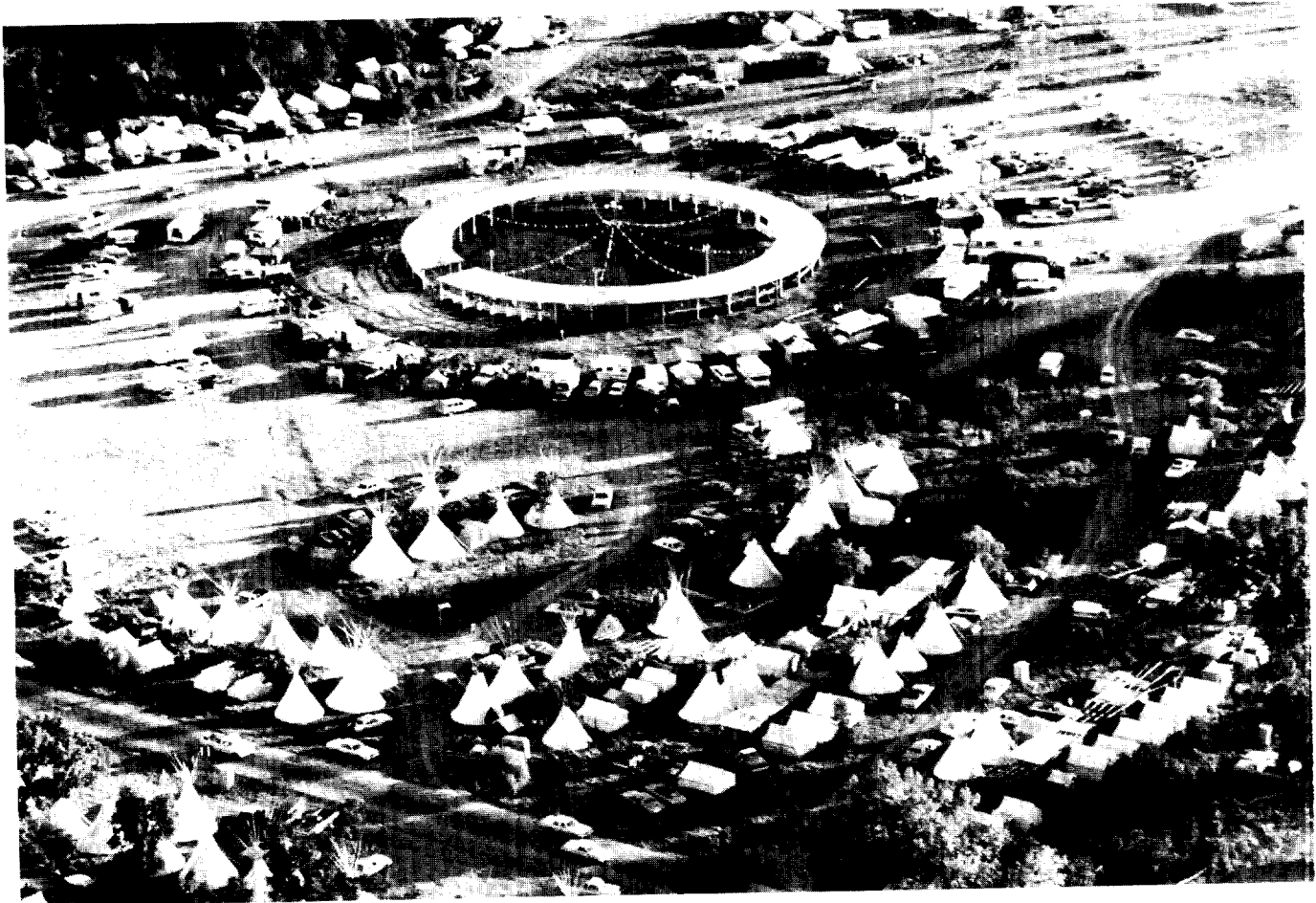
Section 1: Defining the Topic and the Terms

The national historic preservation program as carried out by Federal agencies, State Historic Preservation Offices, and Certified Local Governments incorporates several key concepts such as "historic properties," "historic preservation officer," and "historic preservation" itself. These are defined in law, regulations, and policy, and are generally understood among the participants. These terms are not widely understood among tribes; however, they are sources of concern.

"Historic Preservation"

"Historic preservation" as understood by the tribes is different from "historic preservation" as ordinarily practiced by Federal agencies, State Historic Preservation Officers and Certified Local Governments. While the preservation programs of the latter groups are place-oriented, preservation from a tribal perspective is conceived more broadly. It addresses the traditional aspects of unique, living cultures, only some of which are related to places. As one representative put it:

We all possess one common goal. It is the retention and the preservation of the American Indian way of life. (Michael Pratt, Osage)



The circle is an important symbol for many Indian tribes representing the continuity of traditional life. In this photograph of the Crow Fair campgrounds taken in August 1979, the symbol manifests itself in the shape of the arena and in the dances that take place there. (American Folklife Center photograph by Michael S. Crummett)

Another representative applied the term "historic preservation" to tribal tradition in this way:

When we think of historical preservation, I suppose that you think of something that is old, something that has happened in the past and that you want to put away on a shelf and bring it out and look at every now and then. . . . This is really a term that is completely contrary to the way that we need to look at our language for the sake of our people. . . . I was so puzzled by the whole thing that I looked up "historical" and it said "a significant past event." And I'm not really sure that that's the way we want to look at these things at all. In our way of thinking, everything is a significant event, and the past is as real as us being here right now. We are all connected to the things that happened at the beginning of our existence. And those things live on as they are handed down to us. (Parris Butler, Fort Mohave)

Tradition is living. As Governor Calvin Tafoya, of the Santa Clara Pueblo put it, "It's not history as we see it; it's everyday life."

These are living cultures with all the tradition and heritage and interdependence with the surrounding world and the dynamics of continuing culture. (Weldon Johnson, Colorado River Indian Tribes)

Some tribes are designing their preservation programs to respond to their own community's view of the past and its relationship to the present and the future. For example, the Ak-Chin Indian Community is planning an "eco-museum," which will be discussed in greater detail later.

An eco-museum promotes the sharing of the past, present, and future, and increases the awareness and perceptions of the community to their evolving environment. This evolution--or Circle of Life--encompasses respect for what has passed, the people as well as lifestyles, and also includes respect for the ways of today and the promise of tomorrow. Too much of the curation world has limited respect for artifacts, objects, and specimens in a way that presents Native American life as something only of the past. (Charles Carlyle, Ak-Chin)

The idea of institutionalizing preservation in a historic preservation office or elsewhere within a tribal government is a non-traditional concept that may need to be adjusted by the tribes that choose to establish historic preservation programs.

For centuries, cultural transmission was a family task, as were most activities concerning daily living. In this new era, tribal governments have become the service providers like their peers in cities and counties, and thus, as these meetings attest, have come to be seen as the body with responsibility for cultural preservation and transmission. But tribal governments, not having had this role before, need time to adjust to the changing demographics and lifestyles in order to perform those cultural transmission or historic preservation functions [they identify]. (Charles Carlyle, Ak-Chin)

Some Indians do not want to use the term "historic preservation" or "cultural preservation" at all because, from their point of view, the terms imply to non-Indians that Indians have somehow lost their culture:

I take personal umbrage at the idea that American Indians need to preserve their culture. I do not accept that. Regardless of where your tribe is or where your tribe has come from you do have a culture and no one can take that away from you. It may be at different stages, but it's still there. My people walked this land long before the Europeans came. We have survived countless wars, we have survived just about every human indignity that can be placed on a people, and we are still here. And we will still be here when I leave. (Bob Christjohn, Oneida)

Some tribes have adopted the term "cultural resource management" to describe their broad definition of preservation. However, the same term is used by many archeologists and some Federal agencies to describe their archeological programs.

It should be noted that Indian tribes are not alone in regarding preservation as involving more than historic properties *per se*. The *Cultural Conservation* report recommended that:

. . . folklife and related traditional lifeways [be included] among the cultural resources recognized by the National Historic Preservation Act and the National Environmental Policy Act.²

² "Executive Summary." *Cultural Conservation: The Protection of Cultural Heritage in the United States*. Coordinated by Ormond H. Loomis, Publications of the American Folklife Center, No. 10, Washington, D.C.: Library of Congress, 1983, p. V. *The Cultural Conservation* report was prepared by the American Folklife Center, in cooperation with the National Park Service and in response to Section 502 of the National Historic Preservation Act.

Many State Historic Preservation Officers, too, carry out or would like to carry out programs that go beyond the identification, evaluation, protection, and use of historic properties. Some Federal agencies acknowledge a responsibility to consider more than historic properties. The Bureau of Land Management, for example, defines "cultural resources" to include not only historic properties but "traditional lifeways/values" as well.³

The fact remains, however, that the core of the national historic preservation program is oriented to properties, while tribal preservation concerns are much broader.

Holistic Preservation

From a tribal perspective, preservation is approached holistically; the past lives on in the present. Land, water, trees, animals, birds, rocks, human remains, and man-made objects are instilled with vital and sacred qualities. Historic properties important for the "retention and preservation of the American Indian way of life" include not only the places where significant events happen or have happened, but also whole classes of natural elements: plants, animals, fish, birds, rocks, mountains. These natural elements are incorporated into tribal tradition and help form the matrix of spiritual, ceremonial, political, social, and economic life.

We do need help in all areas of preserving our culture, our heritage, our language, our burial grounds, and a multitude of things from trees, to birds and animals. And not only that, people. (Mary Proctor, Cherokee Band of Oklahoma)

These rocks are very sacred. They are people. They are nations. They are there to help us. Us Indian people. . . . I think that many people think that just plants exist along side of us as relatives and animals. But also the rocks. (Robert LaBatte, Cheyenne River Sioux)

The white man doesn't understand that there's an essence in all objects made for people that pass away for them to take with them. (Bonnie Teton, Shoshone-Bannock)

³ Bureau of Land Management, *Cultural Resource Management: Manual 8100*, (Washington, D.C.: Bureau of Land Management), Release 8-38, 1988.



The tortoise, to all Native American people, has a significance regardless of tribe. This animal represents longevity and long life and endurance. For an animal like that to survive in such a remote and hot and desolate area signifies strength and power. (Domingo Chance Esquerra, Chief Game Warden, Chemehuevi) (Photograph by Domingo Chance Esquerra)

Tribal representatives at the meetings were concerned that these differences in perception be made clear.

I think that it is important to let Congress know that cultural resources to tribes are a lot more than what the Anglo society usually regards as historic preservation needs. People in the East think of historic preservation as keeping nice buildings with beautiful facades in place. And that is often as far as people will think about historic preservation. I think it is absolutely critical [to] get the point across that in tribes, there is a much more holistic view of what cultural resources are. (Roger Anyon, Zuni)

If anything gets back to Washington, I believe that people there should be aware that the terms that are used to describe these areas of impact . . . are defined differently by the two cultures. (Parris Butler, Fort Mohave)

The Importance of Language

At the very core of preservation from the perspective of American Indian tribes is the retention and use of languages. Native American cultures are living traditional cultures in which the past is transmitted orally from one generation to the next. Information about the past, about the spiritual, ceremonial, and natural worlds is passed through language. Without it, a culture can be irreparably damaged.

The Mohave were told by the Creator not to have a written language. Schools were established, and a lot of children were told not to speak their native tongue. . . . If you can't talk your language, you can't relate to the land. You can't relate to your religion as such. . . . You can't relate to the land where you lived at. If you lose that language you lose that affinity, that tie with the land. It helps you define yourself, your purpose, your relationship to the land. It's very, very important to Indians, to their home base, their religion, and other [elements] that make up their life. (Weldon Johnson, Colorado River Indian Tribes)

I am bilingual, but not in an Indian language. I speak Spanish and English. My folks never did have the time to teach me about my own language. But language and culture are very closely related. So we need to intertwine all of these things: the language, the culture, the histories. (William Edmo, Shoshone-Bannock)

Preservation and Contemporary Social Issues

A holistic world view also provides a mechanism for the integration of preservation with other aspects of daily life, particularly life in the modern world and the social problems associated with it for many tribes.

Nationally, as a group of people, we all seek preservation. I feel that if Congress could understand the impact and importance of cultural preservation, we as American Indians can close the circles that are not complete. . . . Tribal preservation will be the key to enhanced social development and growth for all Indian people. To know what you are, and where you came from, may determine where you are going. (Arly Yanah, Yavapai-Prescott)

The problems the youth are having in most cases are related to a cultural vacuum. The high degree of alcoholism is a result of the cultural vacuum that we have. It seems to be perpetuating itself. We must see the significance of these issues as social issues. We need to deal with issues in a comprehensive way. (Parris Butler, Fort Mohave)

We focus a lot of energy on the young people because if culture is to survive intact, it is going to be through the young folks. They also need traditional culture in schools to deal with the social problems. It gives them strength. . . . We have tremendous social problems. (Rick Knecht, Kodiak Area Native Association)

Unique Cultures, Unique Approaches

While Indian tribes might face many of the same issues in preserving their cultural heritage, the efforts of each tribe must respond to local tribal needs and should operate according to tribal standards.

You [Indians] come from very proud backgrounds. You come from very rich traditions. You come from diversified backgrounds, and each of your heritages and cultures is unique in its own right. Each of you has specific methodology to use. Every program is not going to be the same. We need flexibility, spontaneity, and whatever program you build will have to address the needs of your community. (Michael Pratt, Osage)



We focus a lot of energy on the young people, because if culture is to survive in tact, it is going to be through the young people. Before our programs, our youngest basket-maker used to be in her sixties. This young lady is just sixteen. (Rick Knecht, Kodiak Area Native Association) (Kodiak Area Native Association Photograph)



Mary Jo Webb, a full blood Osage and Director of Indian Education at Fairfax public school in Pawhuska, Oklahoma, is shown working with Osage students in one of the school's Osage Language and Culture classes. Shown in the background to the far left is Osage ribbon work design and traditional symbols of Osage clans. In the middle is a drawing of Chief Pawhuska and a drawing of an Osage woman. All were done in the Indian Education class. (Michael Pratt, Osage) (Photograph by Michael Pratt)

We have the right, as tribal facilities, to set our own standards, to set new standards according to your tribe's culture and history. According to what your elders tell you. . . . Don't let consultants or anthropologists or museum people tell you [that] you have to do things the way the profession does it. Because you don't. (Ann Renker, Makah)

What a tribal program is about is a tribe establishing standards and policies in controlling its own cultural resources rather than letting someone else do that. (Alan Downer, Navajo)

Learning From One Another

Indian tribes want to share ideas and learn from each other about ways to preserve their cultural heritage.

When we come together again another time as cultural resources people, we can share our charts together and see where the gaps are. . . . It will be our own report to ourselves, The Congress of American Indians. . . . We need to report to ourselves as Indian people, and get encouragement from one another about how similar things are, recognizing the noble differences between us, and not get hung up on those differences. (Ellen Hays, Tlingit/Haida)

A significant idea that may hatch from this meeting is the need for a national American Indian or national Native American historical preservation society that would have several purposes. . . . It would be a tribally funded and controlled organization. (Charles Blackwell, Chickasaw)

Participation As Equals

Indian tribes are interested in joining the national preservation program as equal partners, in a manner mindful of their government-to-government relationship with the United States and responsive to their beliefs.

If you are dealing with Indian tribes, you have to deal with Indian tribes on a government-to-government basis. You can't assume that it is okay to subordinate tribal sovereignty to state sovereignty. There has to be a meeting of equals in some real sense and, if there is, then you can go on to cooperation. (Dean Suagee, representing the Miccosukee)

While tribes are dedicated to preserving their cultural heritage, their approach to joining the national historic preservation program is cautious. They are concerned that if they accept Federal money, they will be forced to abandon their own standards and policies, particularly regarding confidentiality of certain categories of information and their religious beliefs concerning the treatment of the dead.

Whenever there is Federal money spent, there are taxpayers out there who are always pointing at you with their finger saying ". . . As taxpayers we have a right to know, and we have a right to know what your history is." They're talking about Kootenai history. No one has a right to know that but Kootenai. A lot of the things that come out of those sites in Western Montana are things that no white man should be touching to begin with. They are sacred objects that were put in the ground for a reason. (Pat Lefthand, Kootenai)

I hope everything goes all right. I know there is a lot of distrust when an Indian comes to sign an agreement with the government. We're offering our hand in trust: in trust that we can trust you. (George Wahquahboshkuk, Prairie Band of Potawatomi)

"Keepers of the Treasures"

The responsibility for preserving the cultural heritage of Indian tribes is a sacred trust with dimensions not usually associated with Federal or State Historic Preservation Programs.

The term historic preservation officer is a real stiff term. It is almost inhumane to think of anyone having that title. And the non-Indian people call them "Ship-O's," even worse. We don't need to call our person that way. There must be a more wonderful word for the keeper of the treasures that we consider to be sacred forever. The Keepers of the Treasures... I can just see it myself in a visual way, and you can too. (Ellen Hays, Tlingit/Haida)

Many Indian tribes have places of special significance that knit the threads of the past with the present and future. The Cheyenne River Sioux's Medicine Rock, described in the following testimony, is such a place.



Preston Morrell, full blood Osage tribal elder with sister, Lenora Morrell Hamilton are acknowledged authorities on Osage language and culture. In this photograph they are explaining the importance of retaining Osage language and heritage to the Board of Directors of the Oklahoma Historical Society at the White Hair Memorial on the Osage Reservation. (Michael Pratt, Osage) (Photograph by Michael Pratt)

Our Forgotten Relatives

I'd like to talk about our forgotten relatives. In 1950, the Army Corps of Engineers was involved in building the Oahe Dam on the Missouri River, a proposed business to develop hydroelectric power for the State of South Dakota with all the profits to go to the non-Indian. But what really happened, and historical records do not show this, in reality, the building of this dam brought about the major destruction of our historic sites on the Cheyenne River Sioux reservation. The environment was destroyed. Our culture was destroyed. Our sacred cottonwood trees. The farmland. The homes for the wildlife. This was all taken away from us because they wanted to build a dam. It not only affected our reservation, but many other reservations along the Missouri River.

In the path of this oncoming destruction was a rock. A sacred rock. The name given to this rock by many is . . . "the Medicine Rock." The Medicine Rock, ten feet wide by twenty feet long, has long been a sacred object for the Lakota Sioux of the Cheyenne River Sioux reservation. It was said that this rock was placed here by the Great Spirit. And he placed his handprint upon the center of this rock. For in our times of need, we could pray, we could place our hand upon this rock and this handprint of the Great Spirit. Also upon this rock were five footprints of an Indian maiden, plus hoofprints of a buffalo and various other markings.

Many people, the archeologists, have tried to say that these were carved on there like petroglyphs. But we believe that rocks of this type are sacred, sacred to the Indian people. And just the message and the meaning of them has been lost to the people of this generation. Many Indian mothers came here and placed the clothes of their children upon this rock, with prayer ties, to help their children to become well. The bands of the Sioux Indian warriors stopped there to pray for victory before going to war. It was said that they prayed there before going to the Battle of the Little Big Horn.

In 1954, the Gettysburg fire department, a small non-Indian town east of us, got permission from a young non-Indian landowner, upon whose land the rock rested after [the] reservation was [created] by the Federal Government. They wanted to move this rock from its resting place before it was to be inundated by the rising flood caused by the dam. They wanted to move it to Gettysburg, the non-Indian town. They wanted to put it there for a tourist attraction. They did so. And they got the State Historical Society to place a marker there saying that the Indians were savage people who went there to pray at this rock.

They took this rock and they put it along the highway, next to an old rundown cafe to try to get tourists to come and buy their food. The town children took paint and they poured it on this rock. They went over and they scratched names on the sacred rock. They did everything to destroy this rock which was sacred to the Sioux people. It's been there for many years, and with the education of the White society, the Sioux people forgot about this rock.

And just last year, the Gettysburg city council decided to make a museum around this rock. They said to save it from further destruction from the elements. They built a museum around this rock, and it is to be owned by the Gettysburg city council. . . . They are going to use it to try to bring money to the non-Indian town again.

Well, our tribal chairman, Mr. Wayne Ducheneaux, has requested me to investigate how we can get this rock back to our people and bring it back to the reservation and the people where it belongs.

There are many sacred rocks in this country. They may be found on top of buttes in the Dakotas. The National Park Service and the archeological societies don't realize the importance of these sacred rocks. When some of the people of these societies came over there to investigate these rocks, they broke and chipped away these rocks and took them away to museums and universities.

These rocks are very sacred. They are people. They are nations. They are there to help us. Us Indian people. We have to go there to pray to them. We have to be very careful and stop four times in a sacred way before going to these rocks. I think that many people think that just plants exist along side of us as relatives and animals. But also the rocks. .

I'm glad that all of the people are trying to go back to our roots, to our cultural values and I hope that one day we will all gain this back because I believe that the creator has given us a spiritual power that no other people has on this planet, to become some of the greatest people in this universe.

*- Robert LaBatte, Cultural Center Director
Cheyenne River Sioux*

Section 2: Preservation Issues and American Indian Policy

Reservations, Removal, and Ancestral Lands Off Reservations

Over the past centuries, non-Indians have acquired title to nearly two billion acres of land in the United States that was once controlled by American Indians. Today, Indian tribes and individuals own only around 52 million acres. This transfer of title occurred in a variety of ways: through military defeats, sales, cessions, and theft. Indian title to land on the Atlantic seaboard had been all but lost by the time of the American Revolution. By 1858, the United States had acquired title to over 580 million acres of Indian land. Lands not ceded or sold to the United States were "reserved" for the Indians, and became reservations.⁴

From the 1830s to the 1850s, thousands of American Indians were removed from their lands east of the Mississippi River into areas not yet settled by white people west of the river. The Indian Removal Act of 1830 was officially a voluntary "exchange of lands." Indian tribes were powerless to oppose the policy of Congress, however, and while some tribes or portions of tribes remained in the east, most were ultimately coerced into leaving.⁵ During this time, the Five Civilized Tribes (the Cherokees, Chickasaws, Choctaws, Creeks, and Seminoles) were removed to the Oklahoma Territory where they established their own governmental, educational, and economic systems, only to have these powers stripped away by the turn of the century.⁶ Many other tribes were removed, often like the Five Civilized Tribes, into environments very different from their ancestral homes.

Reservations are areas of land, usually within former Indian land holdings, set aside for the exclusive use and occupancy of individual tribes or groups of tribes. Although reservations have existed since colonial times, between 1850 and 1880 they became a key element in Federal Indian policy. Prior to that time, tribes were moved westward into areas not yet settled by whites. As those areas were settled or opened up to mining, farming, and other extractive activities, western

⁴ Stuart, *Nations Within A Nation: Historical Statistics of American Indians*, (New York: Greenwood Press), 1987: p. 9.

⁵ Kickingbird et al., *Indian Sovereignty*, (Washington, D.C.: Indian Legal Curriculum and Training Program, Institute for the Development of Indian Law), 1977; reprint ed., 1983: p. 19.

⁶ U.S. Commission on Civil Rights, *Indian Tribes: A Continuing Quest for Survival*, (Washington, D.C.: U.S. Government Printing Office), June 1981: p. 20.

tribes and tribes relocated from the east were pressed into treaties and contained on reservations.⁷ The policies of removal of American Indians and their containment on reservations have created several important preservation issues.

1. Many, if not most, historic properties significant to Indian tribes are not on Indian lands. Reservations on ancestral lands represent only a small portion of the areas historically important to the Indian tribes that live on them. Many, if not most, places of historical significance lie outside the boundaries of reservations, perhaps thousands of miles away on lands now controlled by private parties, local and State governments, and Federal agencies. Despite great distances and long periods of separation, American Indians often retain deep emotional ties to the ancestral lands that were ceded by treaty or lost in war. In those ancestral places lie the graves of their ancestors and other significant sites that the tribes are seeking to protect.

With the removal period we were separated from our historical and traditional home sites in Mississippi and Tennessee and other parts of the South. . . . The vast majority of Chickasaw history is in the South, and that's where the tribe is looking now to stop the pillaging of tribal graves. (Charles Blackwell, Chickasaw)

2. Removed tribes have special preservation issues to address. The removal route itself represents a chain of places associated with a turning point in the history of many tribes.

We have left a trail of historical places across half of the United States. We don't have any way to really go back and recognize those places and do anything about them. (Mary Proctor, Cherokee Nation of Oklahoma)

Since we have been removed from the Great Lakes area, we have some burial grounds between Kansas and the Great Lakes that are unmarked. We feel that in some way in the future we want to recover them. We call it the "Trail of Death" because of what happened to the tribe. (George L. Wahquahboshkuk, Prairie Band of Potawatomi)

The Poarch Creek worked closely with the State Attorney General's Office to protect ancestral sites in Alabama before their reservation was officially established in 1983.

⁷ *Ibid.*, p. 19.



The sage plant is sacred to the Cheyenne River Sioux and has a variety of ceremonial and medicinal uses. These sage fields extend into lands managed by a Federal agency. Beyond the fence, missile silos have been dug into them. (Photograph by Robert LaBatte, Cheyenne River Sioux)

One of the things most important to us was the removal of the Creeks from Alabama in 1832-36. Our problem is that the reservation for the Poarch Creek Band has just been re-established in 1983. Now prior to that, when all the tribes were there--the Creeks, Choctaws, Cherokees, Chickasaws and the Seminoles--the lands were all over the State of Alabama. What we plan to do is to re-establish the presence of the Creeks in Alabama, and one of the things we were fortunate to accomplish, back in 1978, working within the Attorney General's Office, was to prosecute people who went in and dug into grave interment places. One non-Indian landowner, of a site that no one had discovered, worked very closely with us through the support of the Attorney General's office. That site was excavated and we were fortunate enough to be the recipients of those artifacts. So many times, this doesn't happen. So, I know that it is important to us all that we . . . make our presence known within the States that we live in. (Buford Rollin, Poarch Creek)

3. Tribes retain cultural ties to ancestral lands. Many tribes today want to take cultural and symbolic possession of their ancestral lands even if they cannot exercise title as such. For example, the Colorado River Indian Reservation is surrounded by ancestral tribal lands managed by the Bureau of Land Management. The Colorado River Indian Tribes view themselves as retaining symbolic possession of these off-reservation lands; as a result, their historic preservation program is active both on and off the reservation.

Our starting point in our cultural resources program is that we never did give up ownership of cultural resources off the reservation. (Weldon Johnson, Colorado River Indian Tribes)

The Chemehuevi take a similar perspective:

A lot of the land is not on the reservation. We call it ALOR, "Ancestral Lands Off the Reservation," and we patrol [it] as a courtesy to BLM [Bureau of Land Management] and to the Fish and Wildlife Service, because of their limited staff. (Domingo Chance Esquerra, Chemehuevi)

4. Many tribes believe that they must reconnect their people with these lands by physically returning temporarily, if not permanently. Once "returned" they believe they must work to make others aware of their presence and their connection to their ancestral places.

My tribe has lived for 300 years away from land base where I now work (The Ganondagan State Historical Site). The Nation brings children to the site and I tell them, "from the time you left home, two and a half hours ago, you never left your original territory. . . You have to take possession of this." . . . Once we were sitting at a picnic table and an elder remembered a story he had learned as a kid that he didn't realize was related to this place until he was there. All of that helps to reconnect, to re-establish your oral tradition and roots there. (Pete Jemison, Seneca)

We have made seven trips out east, historical trips. This summer a group came to us and told us that they wanted to take a trip to Stockbridge, Massachusetts, to some of our original lands out there, and would we help them plan it, so we did. In August, 28 of us made a bus trip out there, and what I had them do is write a one-page summary of what impressed them. (Dorothy Davids, Stockbridge-Munsee Band of Mohicans)

The summaries were presented to the tribal council in a booklet, "Our Trip to Stockbridge, Massachusetts, August 21-29, 1989." In that booklet, Dorothy Davids wrote:

It seemed to me that those who were making the trip for the first time were discovering that we are a people with roots, people with a history. Though we have been uprooted and moved many times, we know who we are. We are the people-of-the-waters-that-are-never-still and the people of the Many Trails.

I wonder if we'll go again next summer.

Steven James Davids wrote:

While at Stockbridge, the two moments that I will never forget are the tobacco offering we did at our ancient burial grounds and climbing Monument Mountain. Wes Gardner and I left the beaten path and climbed the mountain straight up through boulders and rocks. When we finally reached the top, we were out of breath and my chest filled both with pride and sorrow. Pride because my ancestors chose a most beautiful place to call home and sorrow because they weren't able to keep it and we weren't able to keep all of the rich culture that was ours.

Assimilation

An assimilationist movement developed during the early 19th century in conjunction with the policies of Removal. A Civilization Fund was established by Congress in 1819 to support missionaries and benevolent societies in their attempts to "civilize" American Indians. Starting in that year Congress regularly appropriated \$10,000 a year to support Christian missionaries whose purpose was to remake Indian culture.⁸ Not only were mission stations established east of the Mississippi to serve the tribes that remained, but there was a "massive movement of missionary stations to [the] west of the Mississippi."⁹

Basic to the concept of assimilation was the eventual elimination of American Indian culture and its replacement with the religion, world view, values, and behavior of Western European-based white society. The assimilationist policy of forcing Indians to abandon their culture was strengthened immeasurably by the establishment of Indian boarding schools between the 1880s and 1930s. Three generations of Indian students were separated from their families and forbidden to use their native languages or practice their customs and beliefs.

The following testimony *Assimilation of Natives in Southwestern Alaska* describes the assimilation process, its effects, and its implications for preservation in southwestern Alaska.

The result of assimilation is widely perceived as a loss of cultural identity.

In my tenure as a tribal council member, I have gone to different reservations across the country. There are some tribes, as I enter into the reservation, [in which] I can sense the cultureness of those people. There are others that I go to, I don't sense that at all. So, I guess that a lot is lacking today. (Billy Yallup, Yakima)

The Great Sioux Nation was the center of much assimilation activity. In 1889, the Nation was physically divided into six generally noncontiguous reservations, and Federal authorities vigorously enforced prohibition of the Ghost Dance, a religion which promised cultural revival. The final suppression of the Ghost Dance at the Battle of Wounded Knee is still regarded by Indians as a violent symbol of the government's commitment to the destruction of Sioux culture. At the same time, however, Wounded Knee is seen by many as a symbolic low point from which rebuilding began.

⁸ American Indian Policy Review Commission, *American Indian Policy Review Commission: Final Report*, (Washington, D.C.: U.S. Government Printing Office), Volume 1, 1977: p. 53.

⁹ U.S. Commission on Civil Rights, *Indian Tribes: A Continuing Quest for Survival*, (Washington, D.C.: U.S. Government Printing Office), June 1981: p. 19.

Assimilation of Natives in Southwestern Alaska

So about a hundred years ago, in about 1880, there had been several Christian boarding schools, very effective then. And the seminary of the Russian Orthodox church was also very effective in bringing about change in education, in language and belief. So those who were very interested in surviving and felt that they had to survive, knew that to do that they had to understand the new culture. And that is what they set about to do, a hundred years ago. . . .

They were committed people. Serious people. They believed that in order to survive, you had to understand the way of the white man, and you had to understand the language of the White man, and become educated that way. They were serious also in their belief in Russian orthodox and the protestant religion. So the [message of the] leadership in our state was survival in the white man's world. So by the time I came along as a child, I was the third generation of converted people, using the English language and living among other people.

For about 80 years, our effort was to survive in a new civilization. And the belief, though it was strong, was not very complete. In about the 1960s, after living this way as citizens of towns in Alaska, and sending our children to U.S. government schools and private church schools, there was a continuing loss of the values of what it meant to be a tribal member. Continuing loss.

All that was complicated by the fact that the contagious diseases, primarily tuberculosis, played a devastating role. 600% higher in Alaska than in the lower 48 which was also suffering through the loss of young people and old people. So our tradition bearers, or who might have become tradition bearers, . . . were sick and died, many of them. Not to mention smallpox. And the stories could be told region after region of the losses of human lives because of those diseases.

On top of that you add another ring of change: the second World War and the draft of all able bodied young men. We had a lot of people who were 4f. They had tuberculosis of the spine and all over. Lungs. . . . Our able-bodied nephews [were] very important to native tribes. . . [and] were going to be replacing their uncles. . . . [But] uncles were sick, grandfathers were sick and the able-bodied nephews went off to war and were gone all over

I come from the land of Crazy Horse. . . . We feel that Wounded Knee, . . . the tragedy there, . . . was probably the last major conflict with the U.S. cavalry and the sacred hoop was broken then. And we feel that if we can work together and mend that sacred hoop that we will have a renaissance. And that's what we are talking about. Start in again and get the stone ages past us and get out to the modern world. (Frank Means, Oglala Lakota)

the world for years. When they returned they went to boarding schools. . . .

So, to talk about what we were going to preserve was really against the social attitude of the time. All over. Even among the elders. They believed the church leadership and the educators were indeed the leaders.

All of this is to say that our cultural values are very weak. Very weak. We knew we were Native, but just what did it mean to me to be tribal? What values did that represent? Just to be Indian and to say your Indian name was a real accomplishment. To say what your Indian tribal name was, among us, a very important step.

So by the time the program of Community Action and the Anti-Poverty Program in the '60s, we were ready for it in Alaska. It was the means by which we could address our own social issues to know the political process and to get together on issues. At the same time, the old organization of leadership said "We think it's all right now to bring out our ceremonies at certain occasions." And with those ceremonies was the language, heretofore forbidden. That was 1964, 65, 66.

So, in the late 1960s, I'll use myself now as an example, if you will excuse me, I was working in a dormitory at Mt. Edgecumb a former military base. And we were all graduates of boarding schools, like the Bureau of Indian Affairs boarding schools. It is our cultural heritage. It has some good and it has some real negatives about it. But it is our history.

When the Alaska Native Claims Settlement Act was signed we became tribal shareholders. It has taken a lot of our energy, a lot of our leadership, it has taken a lot of our nephews, a lot of our uncles, because it was a war and they were warriors there at the beginning.

We have a developing relationship [with the white man's world] and I think we understand the principles much better than we used to.

- Ellen Hays, *Tlingit/Haida*

Wounded Knee is a place of sadness and regret but for all its consequences and implications the incident did not extinguish the hope of the Indian people. Today, with Wounded Knee almost a century past, they know that their pine ridge lands is home and pursue their lives in the belief that better days will come. (Wounded Knee National Historic Landmark pamphlet prepared by the South Dakota Historical Preservation Center, n.d.)

The Allotment System

Assimilationist policies were greatly strengthened by the Dawes Act of 1887, which established an allotment system for Indian lands. Under this system, Indian families were to receive 160 acres each, and single individuals 80 acres, to be held in trust for 25 years. "Surplus lands" on reservations were sold to the government, then opened up for homesteading.¹⁰ From 1887 to 1934, when allotment ceased, some 86 million acres were allotted, comprising more than half the Indian lands remaining at that time.¹¹

Loss of a tribal held land base had tremendous effects on tribal cultural systems. Indian families were frequently forced to live checker-boarded within white society. The Agua Caliente Band of Cahuilla of Palm Springs, California, are an example:

We were thrown into the 20th century by the fact that every other section of our reservation was given away to a non-Indian. So we had to develop. (Mildred Morris, Agua Caliente Band of Cahuilla)

The Indian Reorganization Act of 1934

The process of allotment was halted and some governmental powers were restored to Indian tribes by the Indian Reorganization Act of 1934. In the Act, Indian tribes were allowed to "organize for the common welfare," to adopt a constitution and bylaws for doing so, and to establish business councils. The Act provided many institutional and political advantages, such as the establishment of tribal councils and political organizations that could represent the tribal interests to Federal and State Governments and in courts.¹²

Representative government and business corporations generally are non-Indian institutions, however, and some tribes have chosen not to use them when designing preservation programs. The Makah Nation, for example, has a Constitution established in 1936 under which official tribal activities take place. However, when the Makah established the Makah Cultural and Research Center it became clear that many of the decisions that needed to be made would be best made by the elders of the community, not by elected governmental officials or tribal business corporations. The Charter for the Center now requires that the Center's

¹⁰ *Ibid.*, p. 21.

¹¹ Cornell, Stephen, "The New Indian Politics," *Wilson Quarterly*, 1986: p. 115.

¹² *Ibid.*, p. 117.

Board, its governing body, be made up of representatives from the twelve families that make up the traditional, pre-1936, governmental system. The Charter also provides for a system to pass seats on the Board to appropriate family members.

Similarly, the Makah Nation was advised by non-Indian consultants to capitalize on the fabulously rich and beautiful archeological collections excavated from the buried village at Ozette and turn the Center into a tourist attraction to bring money into the community. The tribe, however, took a different path:

We were beginning to find out that the professional community did not have the same standards as our village did and our elders did for culture and preservation. We were told, "Advertise, get tourists in here. You need to make lots of money, so advertise." But our elders and other tribal members said, "We're not ready for that. Our community has not adjusted to the idea of a museum yet. We would rather forego money for awhile and let our people bond to the idea." (Ann Renker, Makah)

Termination

During the 1950s, tribes experienced the final major expression of assimilation policies. Some tribes were removed from Federal supervision and Federal responsibility, and some jurisdiction over tribes was transferred to the State governments. In 1953, under Public Law 280, California, Minnesota, Nebraska, Oregon, and Wisconsin were granted jurisdiction over most criminal and civil matters on Indian reservations within their borders.¹³ The scope of jurisdiction the States obtained pursuant to Public Law 280 has been narrowly defined by the courts.¹⁴ By 1962, however more than 100 tribes, bands, and rancherias had been terminated. Over 12,000 Indians lost not only formal tribal affiliation, but also their physical and social ties to their tribes. Some Indian people were physically relocated from reservations into urban areas where many became residents of ghettos.¹⁵

¹³ Strickland, et al., eds., *Felix Cohen's Handbook of Federal Indian Law*, (Charlottesville, Virginia: Michie, Bobbs-Merrill), 1982: p. 362-368.

¹⁴ American Indian Policy Review Commission, *American Indian Policy Review Commission: Final Report*, (Washington, D.C.: U.S. Government Printing Office), Volume 1, 1977: p. 200-203.

¹⁵ U.S. Commission on Civil Rights, *Indian Tribes: A Continuing Quest for Survival*, (Washington, D.C.: U.S. Government Printing Office), June 1981: p. 23.



Xwe'Lemi>/Chosen (Lummi Language) Instructor Bill James teaches oral and written language at the Lummi Community College. (Photograph by Lynn Dennis-Olsen reprinted with permission)

We were terminated in 1956, and that termination not only terminated us as a federally recognized tribe, but terminated our culture and everything related to that. Survival for life became more important than survival of culture at that time. We were restored in 1977. We're really, for all practical purposes, culturally starting from scratch to put our tribe back together. We have 2000 tribal members scattered across the country. We have a lot to learn about ourselves and pass this on to our youth. . . . My brother Bob was one of the people who hung on to a dance group during the termination years and was instrumental in the restoration of the tribe. His family and a few other families have tried to hold the culture together, but it's dying off on us. . . . That is the vision: out of the white man's world back into the Indian world. (Phil Rilatos, Confederated Tribes of Siletz)

American Indian Languages

The years of assimilation, during which the use of native languages was discouraged or forbidden, have threatened the survival of many American Indian languages. In many tribes only a few elders speak their language fluently and know the "higher" levels of language used in oral tradition and the conduct of ceremonies.

At the end of the month we will be going into our mid-winter ceremonies. But the reality for us is that we see the people who can carry those on, the people who are traditional speakers, that they are diminishing in numbers. (Pete Jemison, Seneca)

This is not something to wait for until you have funding. Don't wait for funding for oral tradition in general. Go out there and grab it with both arms and stuff it into any file cabinet you can find, because the elders are not going to last forever. And every time one of them passes away there is knowledge that is lost forever from thousands and thousands of years ago. (Rick Knecht, Kodiak Area Native Association)

Few tribal members in their 40s and 50s are fluent speakers and, for that reason, many tribes are not able to learn and pass on ceremonies and oral tradition. Many of today's tribal leaders, elected officials, and tribal council members do not speak their native languages.

I am a very fortunate person in that I was able to get a college education, a degree in history, and a great experience in my adult lifetime. And it was all possible because my tribe set aside some money and some of its resources and insisted that some of its own men went to college. I was one of the lucky men to do that. However, my grandmother who just passed away last year, at 102 or 104, and my aunts and uncles consider me illiterate. They consider me illiterate because I cannot speak the language. (Bob Christjohn, Oneida)

Many of the children of this age group who went to college in the 1950s and 1960s have been raised in homes where their native language was not spoken. The interests and values of many in this "TV generation" are closer to modern American popular culture than they are to tribal tradition.

The first thing we had to do was turn to the elders. There is a whole generation that the traditional culture was not passed on to. They were raised on TV. That started about World War II and now people realize that they need this knowledge. There are not many elders left . . . maybe 30 to 40 with this knowledge. (Rick Knecht, Kodiak Area Native Association)

Tribal leaders know that if their language and their religion, ceremonies, and unique world view as expressed in oral tradition are to survive, they must bring together elders and young people 18 years old and younger. These age groups are the targets of most tribal language programs described in detail in **Section 3** below.

Respect for the wisdom and knowledge of elders as primary culture bearers is a basic concept in American Indian cultures.

I shake your hand from the bottom of my heart. Each and every one of you. And I learned a lot of things here. Number one, we are special people. Number one is respect. All our elderly people is who you respect. No matter where they come from. As I look around, not so many old people left. And that's where I get my information from. If it weren't for the old people, we wouldn't be here. (Paul Little, Devils Lake Sioux)



Alice Pratt teaches Hupa language at the Hupa Day Care Center, a department of the Hoopa Valley Business Council. (American Folklife Center photograph by Lee Davis, 1982)

At the same time, the need to interest the young in learning language and traditions is clear.

. . . [We need] some of the younger people [to] come forward now and be interested in our culture, and our heritage and our language and be our warriors as such. Because that's the only kind of warriors we have today that we can use to keep our culture and heritage alive. (Mary Proctor, Cherokee Nation of Oklahoma)

The passing of tradition from elders to the young is in itself traditional in American Indian culture. The language and cultural programs of the Osage Nation were modelled on the work of a traditional Osage Society, the No-hnon-sheen.

Our programs grew from a society of old men, who before they knew it were gone, and are only a handful today. In that time, there were no neophytes, only a few. There were no people to ask, "What are the stories? What are the legends? What are the responsibilities that we have?" They weren't there, except a handful. And it fell on certain people's shoulders to try to retain that. I was initiated into the Ponca clan when I was 10 years old. . . . The responsibilities of the No-hnon-sheen was the elders and the children, and that is what our program is based on. (Michael Pratt, Osage)

Even with tribal commitment, planning, and funding, it is still very difficult to maintain and use Indian languages.

One of my main concerns is language. The eastern Cherokees have words that the western Cherokee don't have. The western Cherokees don't have as many words as the eastern Cherokees do. Not only that, a real controversial subject is that there are things going on today because of white society that Indian tribes have no words for. They have to use a descriptive term, and then they have to continue with their descriptive terms until it gets much too complicated. This causes language problems and difficulty for people like me who understand the language but who don't speak the language. It makes it real hard to learn. (Mary Proctor, Cherokee Nation of Oklahoma)



"Spike" shows off his drawing lesson in an Osage language class at White Hair Memorial on the Osage Reservation. He began learning the Osage language when he was 3 years old and now speaks some Osage and sings his native songs. (Michael Pratt, Osage) (Photograph by Michael Pratt)

Section 3: American Indians as Objects of Study

Buying, Selling, Collecting, and Exhibiting Tribal Objects

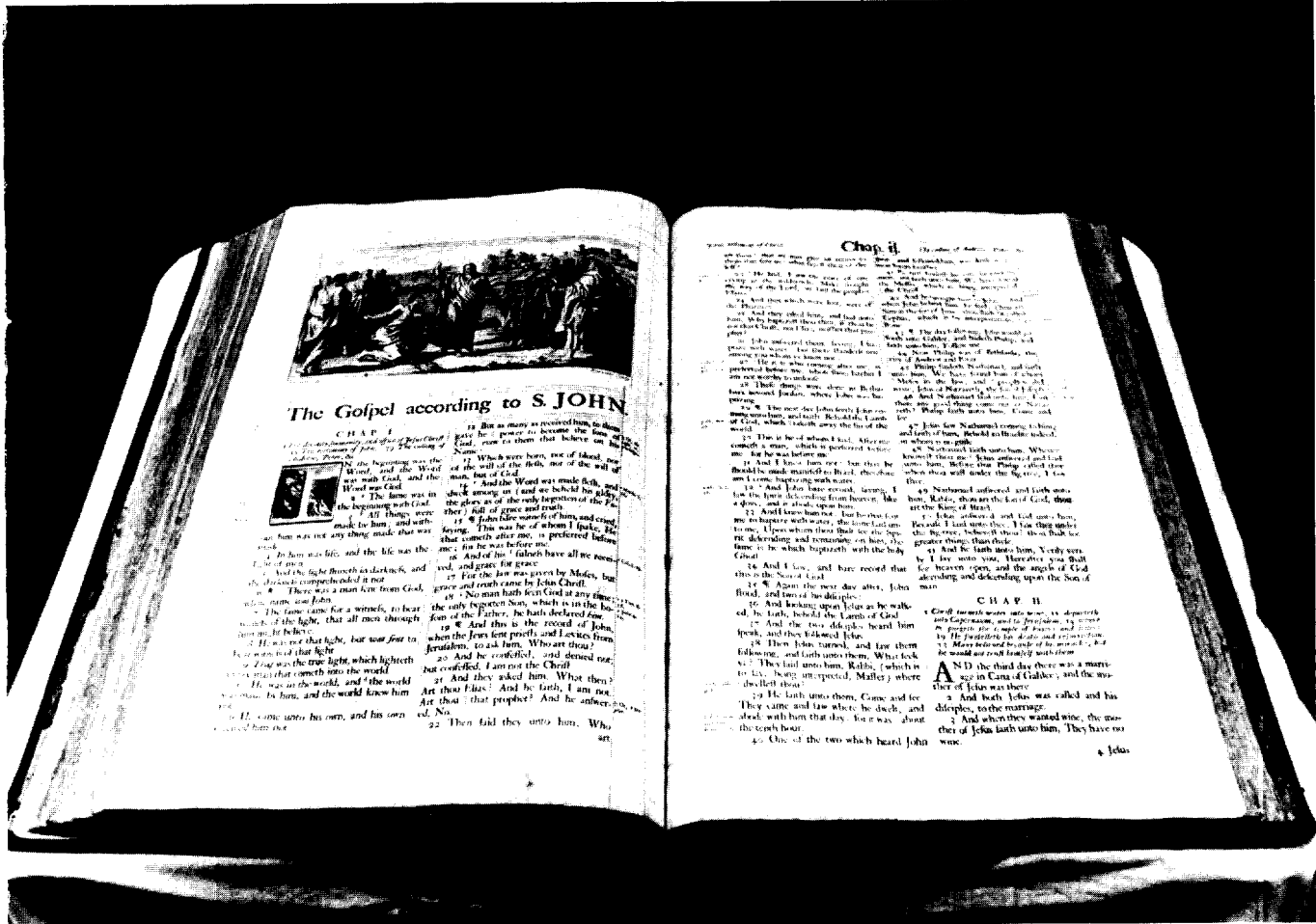
At this time, more historic tribal objects produced by tribal members for tribal use are held in private and public collections owned or managed by non-Indians than are held by Indians themselves. Some tribes have been left with little or no physical evidence of their traditional culture.

There are very few traditional artifacts left on Kodiak Island. Nearly everything is in museums thousands of miles away in the Smithsonian. There are objects all over Europe in Finland, Germany, and Russia that nobody in the Native community has ever seen. (Rick Knecht, Kodiak Area Native Association)

American Indians in United States History

In general, the contributions of Indian people to the history of the United States and the rest of the world is not widely understood.

We have to build the bridge to non-Indians so that they recognize that the Indian people in this country participated and played a very important role in the formation of this country. With the exception of beef, and a few other products like wheat, every vegetable and everything that you eat is ultimately from Native American people. Potatoes, tomatoes, I mean if you are of Italian descent, you didn't have it until the Chinese brought you the noodles, and you didn't have it until the Indians brought you the tomatoes. . . . We have definitely been part of this culture. We have had a major influence on other cultures in the process. Indian people on the whole have been ignored [by historians], but what is worse than that, Indian people have been identified historically as being in the way. Not only have we been ignored, but when we have been studied we have been seen as being in the way of progress. It's a two way street and it's only been going one way for too long. (Bob Christjohn, Oneida)



The Stockbridge-Munsee consider this Bible, now at the Mission House in Stockbridge, Massachusetts, to be theirs. In August, 1989, members of the Stockbridge-Munsee went to see this Bible on a trip from their reservation in Wisconsin to their ancestral lands in New England. (*The Berkshire Eagle*, Pittsfield, Massachusetts photograph reprinted with permission)

The Kodiak Area Native Association launched an aggressive set of cultural programs to re-introduce traditional skills and arts. They are described in **Section 4**.

Objects that have moved out of Indian control include not only those produced by tribal members, but also those given to the tribe by non-Indians that are valued by non-Indians for their historical or financial value.

It's been fair game and a common practice that started even before people were out of their homes during Removal, taking of things that were Indian. Sotheby's auctioned off -- for \$45,000 -- a Washington Peace Medal to Chief Piomingo, who was the chief of the Chickasaw during the Revolutionary Period. The tribe began the effort to recover the medal a year ago. The white people who had it put it underground, and it surfaced at Sotheby's. So it looks like we are going to have to go into litigation with Sotheby's. The State of New York has very good statutes on the books to help. It will probably cost the tribe as much to recover the medal as the people [at the auction] paid for it. . . . A railroad crew deliberately plowed into Chief Piomingo's grave site and took the Revolutionary War buttons and things that George Washington had given him in addition to the medal. (Charles Blackwell, Chickasaw)

We have been trying to recover two Bibles that were given to our tribe by the chaplain to the Prince of Wales in 1734-45 or something like that. We have been working on that for a good 20 years. What we did was the research for that, and we have had the trustees [who presently own the Bibles] come out to see us. And we are going to get our Bibles back. We don't have them. We'll get them. (Dorothy Davids, Stockbridge-Munsee)

Tribal objects may have meaning that is often not apparent to non-Indians, who might value them for aesthetic, anthropological, financial, or other reasons. While American Indians had elaborate trade networks, many other objects were not intended to move out of the tribe as barter, exchange, or purchase. Tribal objects created for ceremonial and social uses have meaning and significance to tribes that cannot be measured in dollars and cents. They have meanings that can only be understood by appropriate tribal members.

The Seneca-Iroquois National Museum was given a large collection. They had a policy from the beginning that they weren't going to have sacred objects. But they have baskets that come from California Indian tribes. The people who come from California and still make baskets are the ones who know what their significance is. Those are the people who should be brought to the

museum to talk to somebody who is in charge of restoration and who will be handling those baskets. . . . [They should] share their knowledge with them [the curators] so that they understand the material that they have. Maybe the people from California need to see some of these baskets so they can remember how to make them. (Pete Jemison, Seneca)

Some tribal members think that tribal objects, sacred or not, can only be appropriately cared for by those responsible for such duties within the tribe. Sacred objects should not be in collections where they are handled by people other than the appropriate spiritual authority.

When you get to the level of sacred objects, they shouldn't even be in collections with a curator. They should be back among the people who handle and care for them. They were given to us, each one of them was given to us by our Creator and they are for us. They are not for the general public. (Pete Jemison, Seneca)

The very concept of a collection of tribal objects seen, studied, and cared for by outsiders can be viewed as being inconsistent with tribal tradition. Some tribal objects were never intended for all tribal members to see, handle, or use. Some could only be seen and touched by men, others only by women. Some objects were only seen and touched by members of particular tribal societies, organizations, or families. The fact that public collections exist is a source of social problems in Indian communities.

The concept in the white world is that "everyone's culture is everyone else's." That's not really our concept. Our concept is there were certain things given to us that we have to take care of and that you are either part of it or you are not a part of it. If you are not a part of it, then you don't have to worry about it. But if you are a part of it, then you have got to be actively taking care of it on a yearly basis, or on whatever basis it is taken care of. We think that it's the ones out there that are uncared for by us [that] are causing problems with our own communities internally. (Pete Jemison, Seneca)

Curation is not only a problem of outsiders caring for objects that they have no right to touch; curation also changes the character of an object by artificially prolonging its life.

There are some things that deteriorate through use, and that is the way they were made. Nobody ever thought that these things would last forever because of the nature of the materials they were made from. If you are using it actively, it will wear out. Some of the parts you can replace, take care of it and put it back together again. There are some things, like wampum belts though, that are made of material that we consider to be very permanent. Wampum Quahog clam shell is really very permanent; if you step on it and break it, then you can restring it. That does require some care. It does require that you replace the leather that holds it together. It does require that you store it in a place that is safe, that nobody is going to go and steal it if they have the opportunity and someone is unscrupulous. Right now, if we had the opportunity, we would have a facility on the reservation to store these things and take them out when needed. That does involve controls: like climate, humidity and things like that. (Pete Jemison, Seneca)

Indians as Museum Professionals

I am a museum person, and recently I was interning at a museum that has several articles in there that, as a woman, I shouldn't even be looking at. But then, there were three of us Indian people there, and we decided we thought that we were kind of crazy being in that vault, touching those things and feeling everything coming at you. Spirits. Sad ones. Happy Ones. Confused ones. So we came to the bare fact that it takes a lot of guts for a museum person to be trained, especially an Indian person.

We hope one day that all Indian tribes will try to train at least one Indian person in how to take care of objects such as that. Because . . . the only way we're ever going to get them back is to train our own young people. Train them in the ways of your medicine. Train them in the ways of respect, in touching articles, protecting themselves.

It was very hard for me to work in this vault that had articles that I have seen from almost all of your tribes. Things that belong to you. And here I was carefully and cautiously handling them, putting them away and coding them and doing condition reports, but feeling sad that they were not where they belonged. But I know that it is sad to say "try to get back these articles," because I am a museum person too, and feel that having artifacts is another way of teaching and educating.

Here we are as tribes saying "We want our articles back. We want our people back. We want the dead back. We want to reinter them. We want to take care of them in the right way. We're being desecrated even today." The only way you are going to be able to do that is by training special people. You don't have to look at people who are traditional because right here in the heart we are all Indians and we all have that feeling. So train your young people. Send them to those big museums. Let them be the ones to take care of those articles until those facilities are going to return them to you. And that way you'll feel good in your hearts that they are being taken care of in a good way before they come back home to you.

- Bonnie C. Wutunee-Wadsworth, Shoshone-Bannock

Despite the fact that curation changes the character of tribal objects, many tribes want to establish tribal museums staffed by tribal members trained in curatorial methods. These tribal curators, however, also need training from appropriate tribal experts in order to learn the appropriate traditional methods used to care for and handle various kinds of objects.

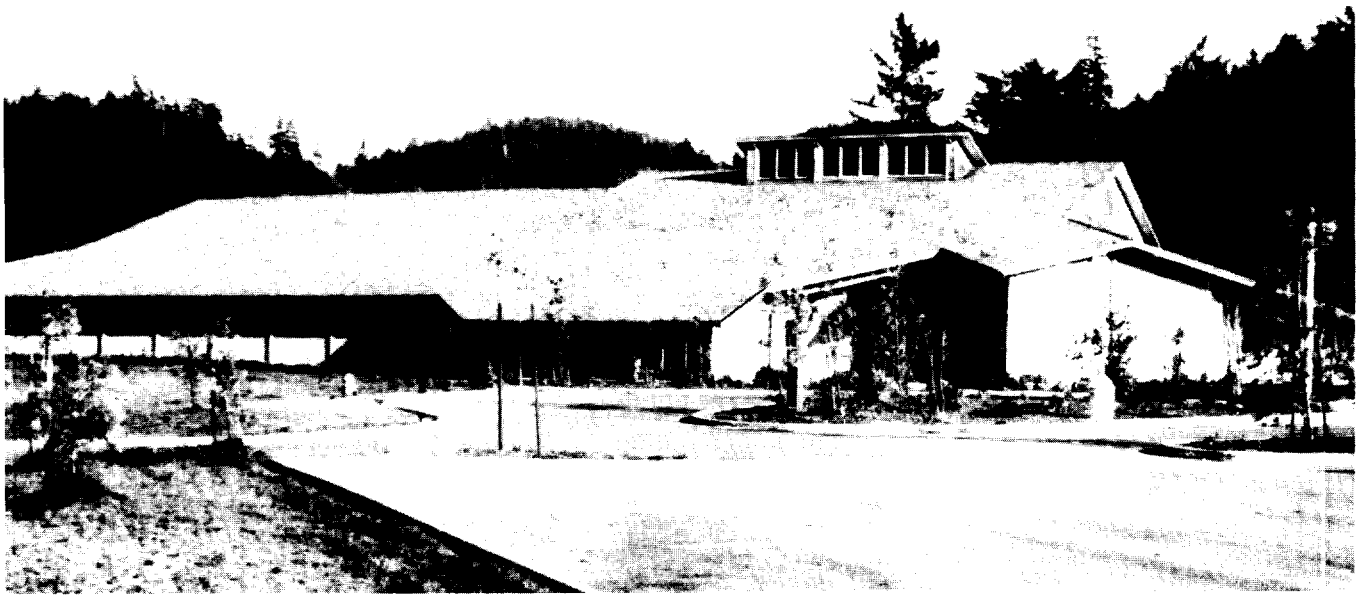
Curatorial and conservation training programs for Indians need to be sensitive to the belief that particular kinds of objects, especially those made for the dead, are infused with spiritual qualities and that there must be special precautions for, if not prohibition on, handling human remains.

What must be considered is not only will they [Indian students] get a degree, but that they will have the sensitivity to the material that they are handling. They should not be forced to handle human remains to get a graduate degree. If that is against our belief, then they should not have to go through a program that requires them to handle human remains. That shouldn't be a requirement. (Pete Jemison, Seneca)

More and more Indians are requesting the return of tribal objects, and more and more institutions are, if not initiating the repatriation of objects, at least responsive to requests.

The Chicago City Council recently informed us that they have some artifacts of the Potawatomi that they want to return. And I think this is all recently started, and I think the Smithsonian has some things they would like to return as well. They will be sending those artifacts back to the tribe within a couple of years . . . and we want to prepare for that time. (George Wahquahboshkuk, Prairie Band of Potawatomi)

When institutions and agencies are willing to return tribal objects or human remains, they often establish conditions that are difficult, if not impossible, for tribes to meet.



The Makah Research and Culture Center houses some of the extensive collections from the ancient Makah village of Ozette. The Center is also the largest employer of elders on the reservation. Elders participate in all stages of the Center's programs. At the same time, the Center actively trains young tribal members in curation, conservation, museum management and administration, and other preservation related disciplines. (Makah Culture and Research Center photograph)

In order to effect the removal of Ak-Chin artifacts, the Federal agencies require of any tribal group that they have not only appropriate storage space, but professional staff to inventory, accession, curate, and exhibit their collections. A well known fact of life within Tribal America is that Indian individuals may possess all the cultural knowledge, historical knowledge, administrative and artistic ability to do this, but for socio-economic reasons lack a formal education and thus lack certification. Certification makes it easy for the rest of the world to deny a tribe access and ultimately possession of their artifacts for lack of "qualified staff." (Charles Carlyle, Ak-Chin)

The critical issue from a tribal perspective in all of this is the control and management by native peoples of their cultural patrimony. Once that is established, tribes may be willing to share exhibits or displays of tribal objects on their own terms.

Much of the acrimony perpetrated between Tribal people and historical societies, anthropologists, legislators, etc., is rooted in the collection, analysis, interpretation, and display of artifacts, objects, and specimens. Much of the negative discussion becomes moot when a community, through ownership, determines the ultimate placement, interpretation, and exhibition of its artifacts. When a community is comfortable with placement, analysis, and interpretation, it wants to share. From sharing, the whole society benefits. (Charles Carlyle, Ak-Chin)

The Human Remains Issue

It has been reported in the previous section that objects prepared for and disposed with the dead have a spiritual essence; they are sacred objects. Human remains themselves are sacred objects, and can only be handled by those with the proper spiritual authority.

I have to prepare myself to handle those things. I am a medicine man. I am able to do that; not just anyone can be able to do that. I see a lot of things that are just sitting on tables, being tossed around, that to my people are sacred. The very people who are scientists haven't the foggiest idea what they are handling and yet they won't go back to the tribes to find out what it is, how those things should be handled. Whether they should be given back to the tribes or if they should be placed in a box in some university, in the basement. And when the tribes ask for those things back, they



When the Grand Coulee Dam was built they removed hundreds of graves. When I was first elected to the Tribal Council in 1970, I requested the bodies of our ancestors be sent back for re-burial. We buried them in cemeteries near where they were found in about 5 different locations. We placed everybody in separate boxes. It is sad, but we continue to have to do this in the name of progress for dams, roads, buildings, bridges, pipelines and whatever. (Andrew Joseph, Colville Confederated Tribes) (Colville Confederated Tribes Museum photograph)

*say "no, you don't have the proper facilities to take care of them."
We live this. We work with these people day in and day out, and
this is how they are treating our sacred objects. (Pat Lefthand,
Kootenai)*

Human remains in public and private collections and the disturbance of graves by grave robbing, vandalism, development projects and archeological research is a subject of intense concern to American Indian tribes. It is only recently that Indian grave sites in some States have been afforded the same respect as white cemeteries. In others they are still not considered to be in the same category.

*Some of us like to refer to them as cemetery mounds rather than effigy mounds, because in the modern times, the 1990s, it seems to carry a little more weight to the non-Indians when you put the word "cemetery" rather than saying the words "burial" or "burial site."
(Charles Kingswan, Winnebago)*

I've been involved in archeology and relocation of Indian graves ever since 1968. [It] used to be my father's duty as a medicine man. He was 67 when I was born and 97 when he passed away; I was 30 at the time, but he used to take care of the burials and things of that sort. When I was a young man, there was a lot of grave robberies. . . . A lot of our skeletal remains--skulls--were put on fenceposts and shot with 22s and different things like this. A lot of pot hunters were out there in our graves to take our moccasins, our beadwork, our elk teeth, whatever we had buried with us. This happens, has been happening for many, many years, and is pretty much still going on in a lot of cases. (Andrew Joseph, Colville)

In an attempt to halt this practice in the State of Washington, Indian tribes have worked together to increase the penalty for disturbing Indian burials to a felony.

While Indian tribes may want the benefits of development in communities and ancestral lands, they do not want development at the expense of destroying their cemeteries.

We want to be in the way of development if they are going to disturb our grandmothers. We must be in the way if they are going to disturb our grandmothers. (Bob Christjohn, Oneida)

The spiritual journey of the dead is interrupted when ancestral graves are disturbed and bones removed from their resting places. Spirits of the ancestors thus disturbed can harm tribal communities.

It is the things that are out in private collections and museums in public collections that are not being cared for that are the concerns of our elders. When they think about those things and they think about the things that are out, and in non-Indian hands, they say that those things bring problems into our own communities. Some internal problems we have in our communities are a result of the fact that we may not have been aggressive enough in going and getting those sacred things and bringing them home, or going and getting those remains and bringing them home. (Pete Jemison, Seneca)

The return of human remains from collections to tribes is fraught with difficulties. Frequently, human remains are returned to tribes only after prolonged and antagonistic negotiations. Institutions are suspected of withholding remains and objects that they fear will be reburied.

When we go to get those remains back in the proper place from where they came from there's always some pieces of paper missing. There's always some burial artifact missing that should have been with the human remains that some archeologist is trying to hold on to. I don't know what sort of meaning it has for them. It shouldn't have any. (Pat Lefthand, Kootenai)

Tribes are usually asked to demonstrate their physical and cultural affiliation with human remains as a condition of repatriation. Because this is often impossible, tribes see the condition as an artificial and deliberately placed obstacle to repatriation.

All the issues about, "Well, you can't identify them as yours, specifically," those issues are not [as] important to us as [the issue] that the remains are reburied. (Pete Jemison, Seneca)

The very nature of some tribal burial practices presents another obstacle to the repatriation of human remains. Sometimes very little physical evidence is left that indicates where burial sites are.



Lummi tree burial site showing plank markings in trees.
(Photograph by Al S. Johnnie reprinted with permission)

We are in the process right now of trying to preserve our grave sites on our usual and accustomed grounds. We have a great problem with them because we have a hard time establishing that these are grave sites. We have a hard time proving to the outside that these are our grave sites because many times there is nothing material there. There is nothing in the ground because sometimes our people were buried in the trees in canoes. This has deteriorated, but we know through oral history passed down to us that these are our grave sites. We are having a hard time up in our San Juans because we have a lot of development companies coming in there and wanting to put development over our grave sites. . . . (Florence Kinley, Lummi)

The return of human remains often raises agonizing questions for the elders who are responsible for caring for them.

Now here's the thing that the elders were really concerned about. When somebody comes to you with something that has been out of the ground for a long time, how much information do you have about where it came from? How much of the remains that you have now are there? Are there still remains over there where they really came from? Are we taking this individual and dividing him in half and putting half over here and half over there? Are you sure that these are even Indian remains or are you just giving us someone who died 10 years ago and getting us to take care of him? These are questions that people ask, questions that the chiefs ask. (Pete Jemison, Seneca)

Repatriation and reburial of ancestral remains is a complex process within the tribe itself that may well tax tribal energies and strain tribal resources.

What happens is that you get into a much more complicated process than you might imagine. It is complicated from the elders' side because the elders take the lead once the human remains are coming back. And they tell you how they are going to take care of them. That may involve you with more people than you would have thought would be involved. It will involve more time than you think will be involved, and it will involve someone to actually be the coordinator for all that. All this is going to happen.

Then it has to be that one of the communities opens up and says, "This is where we will put these people. They will rest here." But lots of other questions have to be answered along the way. It might involve the physical anthropologists, the archeologists, the record of a museum that is near you. It could involve the SHPO. It might involve a private individual; it might involve a museum. (Pete Jemison, Seneca)

So those were all the steps, and then the elders asked that I notify the local paper, The Buffalo Evening News, and tell them what we had done. They said, don't give them the details of where we put it, don't give them the details of who did it, but tell them enough so that they know that we care enough that if the remains were available we would take them back and take care of them. (Pete Jemison, Seneca)

Archeological and Physical Anthropological Research

Most of the human remains and tribal objects in museum and university collections have been collected by non-Indian scientists in the course of conducting archeological or physical anthropological research. Tribes view this research from a variety of perspectives. Some tribes reject the very practice of archeology as a legitimate way to learn about the history of their tribe. History is to be passed on through traditional means, not "destroyed" through archeological research that is of value to archeologists but not to Indians.

We don't care to have archeologists on our reservation. We think our own people are our experts. And when you go onto Kootenai territory and you start digging, and I don't care if you are a scientist or not, if you start digging in a Kootenai site, you are taking a page out of the history the way we know it. And that is what we are saying. Any disturbance of these sites, to me, is destruction, whether you are a scientist or not. Archeologists are always trying to dig into sites. There is one site of special significance to the tribe. But because we're saying that, the Corps of Engineers is getting more and more insistent, insisting every day that they must dig that site up for what is there. They don't know what the hell they're looking for. Only that we showed interest there, so they want to dig there. (Pat Lefthand, Kootenai)

Zuni Archeological Program

In the mid-1970s, the tribal council noticed that with every project on the reservation, archeologists came in from the outside and did projects, took the materials away and studied them, and that was the last that was heard of the project. So the tribal council decided that they would initiate an archeology program at Zuni. The archeology program has now been in existence for about 15 years.

The archeology program works on contracts both on and off the reservation to support its activities. We are completely self-funded, and have been for the last 15 years. Besides working on archeological contracts, the archeology program has worked for the tribe on its land claims cases. The Zuni Tribe filed its land claim cases in the late 1970s, and the archeology program worked with tribal elders to find shrine locations and to identify the lands that were used by the Zuni Tribe from the time the United States appropriated the area. The archeology program has also been working on a land damages case that the tribe has against the U.S. Government for damages to the land through erosion, cutting, logging, and mining where no royalties were paid to the tribe. In that case, the damages to archeological sites alone through government inability to mitigate impacts to archeological sites, the value of those damages is five million dollars. The archeology program also worked with the tribe on a recent case that was on trial in Phoenix on the Bare Foot Trail from Zuni to Zuni Heaven, to identify where the trail goes. [We used] archeological means to demonstrate the longevity of the trail. [This] was another angle that was used in the court case, as well as tribal elders speaking about how many generations of Zuni have used this trail. We've also worked in the tribal water cases in water suits against the State of New Mexico, demonstrating through archeological surveys the longevity of Zuni water use around the Zuni reservation and on the Zuni reservation. And this work is still underway. We have mapped farm fields that were used by the Zuni during this century, for example, demonstrating that Zuni agricultural use is much greater than government irrigation projects would lead one to believe.

The tribe has had a reburial policy now for the last ten years. When burials were found on the reservation, the archeology program went to the tribal elders and to the tribal council and asked them for guidance about what should be done about burials in the Zuni area. The tribal council directed the archeology program that the burials should go back in the ground with all of the grave goods, and this has been the policy of the program ever since that time. We are also the archives for the tribe, and we have been working with Andrew Wigget from New Mexico State University on a grant. . . . Andrew has taped stories from the elders that are played on the radio now in Zuni, and that is part of the cultural resources program in Zuni.

Roger Anyon, Zuni

The Zuni Archaeology Program (ZAP) conducts archeological research on and off the Pueblo. Here, Jeffery Waseta and another Zuni member of ZAP excavate a prehistoric pit structure in the path of road construction on Navajo land. (Zuni Archaeology Program photograph)



Some tribes see the need to protect archeological resources themselves. They have established archeological programs of their own, recognizing that there are some productive results of archeological research and that the research itself presents fulfilling job opportunities for tribal members.

Back in the 1950s when they built Chief Joseph's Dam, we ran the anthropologists and archeologists off our reservation. I can remember that pretty well. I was a young man at the time. I really didn't want them to have anything to do with us, myself. Unfortunately, what happened is that many of our graves became exposed. Many of our skeletal remains rolled down the river. Many of our archeological places became pothunters' paradises with people collecting arrowheads, spear points. We continue to chase out the anthropologists, but some of our tribal members are becoming anthropologists. We give lectures in anthropology. We have archeology students, museology students, and hopefully, one of them will be replacing me. (Andrew Joseph, Colville Confederated Tribes)

We have a small program . . . all we do is just issue permits for various programs. But we want to establish and develop our own programs in cultural resource management, have our own archeologist to do our own surveys and get some of the money that off-reservation consulting firms are receiving, and bring the economy back to the tribe and provide job opportunities for our people. (Cecil Antone, Gila River Pima)

People are beginning to realize that the testimony of the tribal archeologist can be very helpful in land claim cases and that archeological data about past land use complements testimony by tribal elders in a way that has benefited Native Americans in land claims court. A lot of Yakima people who were very skeptical at first about what I was doing, have become very interested [as they see that] there is a lot to contribute from the archeological community in reconstructing past land use that is helpful, not only in court. (Greg Cleveland, Yakima)

Because archeologists who work for tribal programs must conduct their work in a manner consistent with tribal values, they are sometimes at odds with the non-Indian archeological community.

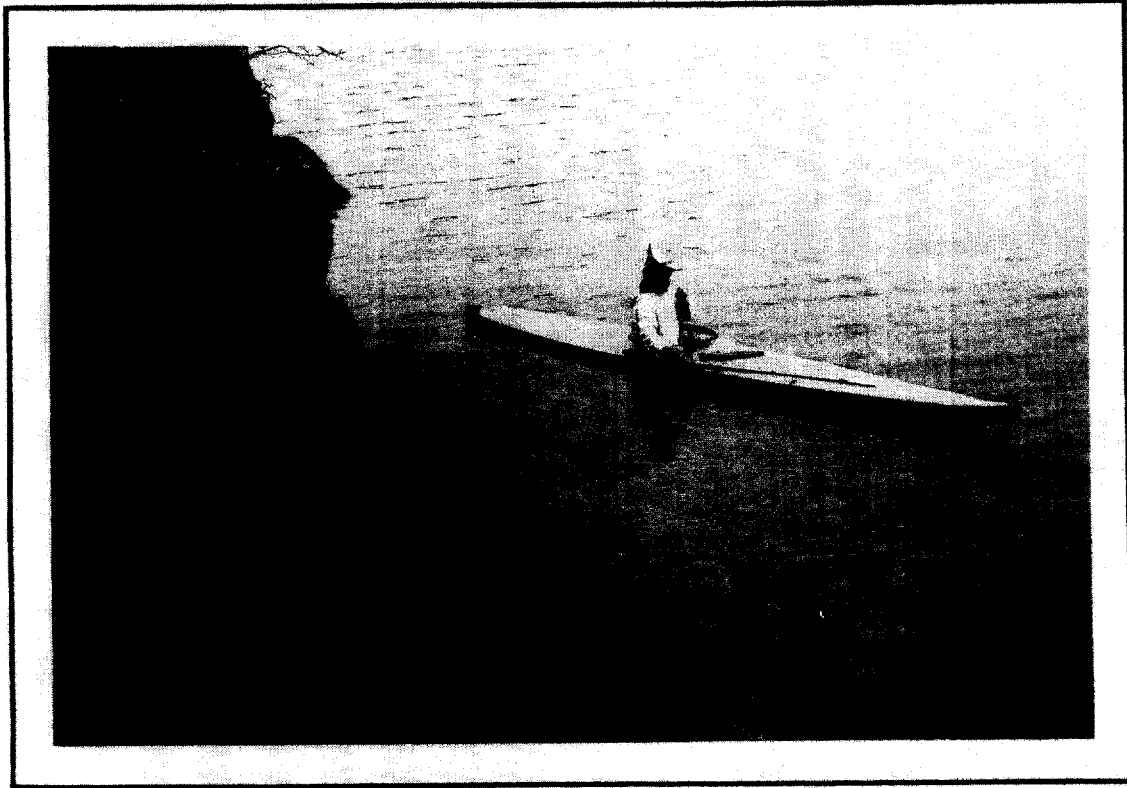
Representing the tribe at meetings like this and representing the tribe as a professional archeologist myself within the professional community is difficult. [The relationship between the two is] strained; there are no two ways about it. There are some archeologists who quite simply disagree with a lot of the policies of the Zuni Archeology Program. I see it as my job, first of all. While I'm in Zuni I feel I have to learn as much as I can about the Zuni attitude and ways of thinking about archeology and cultural resources in general. [I must learn] what are cultural resources from the perspective of the Zuni Tribe. And secondly, I feel like I must try to transmit these ideas and values as well as I can, not being a tribal member, . . . to archeologists, so they can gain a greater understanding of what tribal needs are. And it's really difficult, but I just keep plugging away at it and slowly but surely chip away at the wall. (Roger Anyon, Zuni)

Not all the time do you end up as a tribal archeologist having a firm relationship with your colleagues in academe or in the Federal agencies. But for the most part, I think, over the years the barriers are being broken down. I think there are a lot of archeologists in the State of Washington that have a lot of respect for the tribal programs that they did not have before. (Greg Cleveland, Yakima)

The Kodiak Area Native Association sees the importance of bringing scientists and the Native community together as colleagues to establish research goals and priorities and to find ways to combine the knowledge of each.

We have also had conferences every year funded through the National Endowment for the Humanities where the Native peoples and the scientific community can come together and discuss issues and work on team building. This way we can begin to work on turning these guns around. For years, scientific research has been used to make decisions about people's lives. I think if the Native community has more control over the research design, more input into it, we are going to get better information, better research. And the goals can be turned to better serve the Native community. In this way we are trying to build some teamwork. You've got to have it between the Native community and the academic community. There are two whole worlds of knowledge there that need to be synthesized before we really will be able to understand Native culture. (Rick Knecht, Kodiak Area Native Association)

NUAAN AUGUST 18-MEK20-MEN 1989 KATURCIIQUKUT
LITNAU'ITEKLLUKI CUUMILLALLRET QAYAIT CASTUN CANATAAQAIT



Organized by the Kodiak Area Native Association with support from the Alaska Humanities Forum and the National Endowment for the Humanities, a federal agency.

SKIN BOATS OF ANTIQUITY CONFERENCE
AUGUST 18-20, 1989, KODIAK, ALASKA

As this poster shows, in August 1989, the Kodiak Area Native Association sponsored the "Skin Boats of Antiquity Conference" with support from the Alaska Humanities Forum and the National Endowment for the Humanities. Local kayakers were joined by kayakers from the Soviet Union and Greenland and from the lower 48 States. The conference provided the opportunity for outstanding displays of traditional skill and for academicians, kayak designers, kayakers and Native elders to meet and talk at the same level. (Kodiak Area Native Association photograph)

Section 4: Tribal Preservation Program Elements

Participants at the meetings identified a number of elements that they felt must be part of tribal preservation programs. Many of these are not generally addressed today in the historic preservation programs of States and Federal agencies.

Preserving and Maintaining Oral Tradition

As tribes face the crisis of losing elders, and with them, tribal tradition, they must learn how best to document and pass on the traditional knowledge which elders have always held. This almost always involves nontraditional methods of documentation, and raises issues about how this information will be used in the future.

We have to preserve the addresses, thanksgiving speeches, those things that are part of the ceremonies, now. And we have to come to terms with how we are going to do that. Are we going to put it on videotape and make it available to our youth? Are we going to train people in oral tradition? How are we going to do it? We've been talking about it and talking about it, but our steps in that direction have been a little too slow. (Pete Jemison, Seneca)

Tribes want to design their cultural preservation programs in ways that permit the continued operation of traditional ways of managing information. In some tribes this means creating systems that reflect traditional hierarchical social structures. For example, in the Makah Nation, the Makah Cultural and Research Center works to record oral tradition on audio tapes as part of the creation of a tribal archives. Unlike most non-Indian archives, however, the audio tapes will not be available to the general public, researchers, or even other tribal members unless permission is expressly given by the contributing elder. This is because in the traditional information management system of the Makah Nation, different kinds of knowledge are the property of particular age, sex, and kin groups. The Center reasons that if they are truly to preserve Makah oral tradition, they must also preserve the cultural traditions by which it is transmitted. The Executive Director of the Center described this as a decision by the elders on the Center's board to "move ahead and go back."



Nora Barber, a Makah elder, teaches traditional Makah songs and dances to children preparing for the annual Makah Days celebration. (Makah Culture and Research Center photograph)

As a cultural institution, we would make a big mistake if we start to institutionalize and make decisions for the families who are the traditional units of government in the Makah community. We make sure, when it comes to this kind of information, that the rights of dissemination and access remain with the families and remain with the elders. Our elders are not afraid of death. What they are afraid of is having their words and their things used wrong later on.

In our case, in Makah country, knowledge was not available to [just] anyone. And it was not available to everyone. And that's the way it has been since the beginning of time. Men were only allowed to know some things. Women were only allowed to know some things. And then even within a family there might be only one person at a time who could have access to information. We feel that it is not our responsibility to change that system. As a cultural facility it is our job to make sure that system stays in place.

Tribes also must make very firm decisions about how they record their oral histories and the access within their own archives. Consequently, in our archives, regardless of what the Society of American Archivists says, regardless of what the American Association of Museums says, we have the responsibility to protect the ancestral information management system and we do that in our facility today. When an elder agrees to do an oral history for us [he or she must specify] if the information is ever to be committed to writing and if this information is ever to be published. And I know it might sound morbid to some people, but we make an arrangement for that elder for a beneficiary in their family, . . . who, when [the elder] passes on, will then have the responsibility to tell us what to do with that information.

I think in the Indo-European community that, as regards to information, things have been switched around some. In the Indo-European community many people believe that the person that writes the information down owns the information. In our case that is not correct. It's the person who speaks the information that has control over that information. (Ann Renker, Makah Nation)

The representative from the Seneca Nation faces similar issues with regard to the return of a collection of sacred songs, traditionally the property of specific societies within the Nation.

We're looking at music. We had a lot of people come to us, even before the '20s up through the '30s and '40s, and tape record our music on our reservations. The recordings have since disappeared

into the Library of Congress, Smithsonian Institution, Folklife Museum, Folklife Library at the University of Indiana. We know where they came from, so we wanted copies to be sent to the Ganondagan State Historical Site to be put in an archival setting. These are sacred songs. So I began to get tapes, and I went to the Societies and asked, "Is this a song you still have or is it one you lost? If it's one you have, is it important that you have a copy?" They might answer, "We don't need it, but you need to keep a copy of it so that we have access to it." (Pete Jemison, Seneca)

Some elders and knowledgeable people want or need to be compensated for their contribution to an archive or a cultural program. In some tribes, it is itself a tradition to pay for knowledge passed on to a tribal member not in a traditional position to receive it. In others it is not, and when demanded, is unseemly.

. . . It was my niece who said this, "If you want my skill, you're going to have to buy it." I didn't think much of that, and I still don't. Here we are trying to restore our culture and they want us to buy it back. That's what termination does for you. When I said it terminated our culture, it literally did that. We got into a buy and sell things mentality rather than "here I am, this is what I have to offer and whatever I have is yours." (Phil Rilatos Confederated Tribes of Siletz)

Others see the necessity and appropriateness in a modern economy to compensate those who contribute to a tribal archives or preservation program, as long as it is done respectfully.

If you have a sound tribal economy, which not all tribes do, you have some financial flexibility to give people incentives. You can assist the elders in a respectful kind of way, when they come in to share. . . . If you approach it in a tribal way, and mold it to your own tribal concepts of sharing, it can generally be done. (Charles Blackwell, Chickasaw)

I think the reality is that you do have to compensate your members for what they know, because they have to make a living. If they have a living off the reservation, or even if they work at the tribe, you have to compensate them. And then you almost have to compensate the people to give them free time to learn. [If] you've got young men who are pursuing that direction, but are doing it only



Martin E. Red Bear

Northern Plains Tribal Arts '88

September 23, 24, 25 Sloux Falls, South Dakota

The winner of the Northern Plains Tribal Arts competition receives a \$500 prize from the Governor of South Dakota. This poster by Lakota artist Martin E. Red Bear advertized and commemorates the 1988 competition.

when the ceremony is going to happen, maybe you need to give them compensation so they can learn on a full time basis. We are desperately holding on to what we have, and if we are going to see it survive for all of us Seneca people, we might have to use things we haven't used before. (Pete Jemison, Seneca)

Developing and Preserving Tribal Arts

The preservation and enhancement of traditional arts and crafts is very important to Indian tribes. They approach this in a variety of ways, for example through competitions and school programs.

The third annual competition of Northern Plains Tribal Arts will be held this fall. [It includes] fine arts and tribal arts. Tribal arts is working with leather, working with bones, making dolls, anything that was a tribal art. And please don't come up and say "Oh, don't you mean craft?" No! We mean tribal art, as it really is an art form. The Governor of South Dakota offers a \$500 cash prize for best tribal artist at the show.

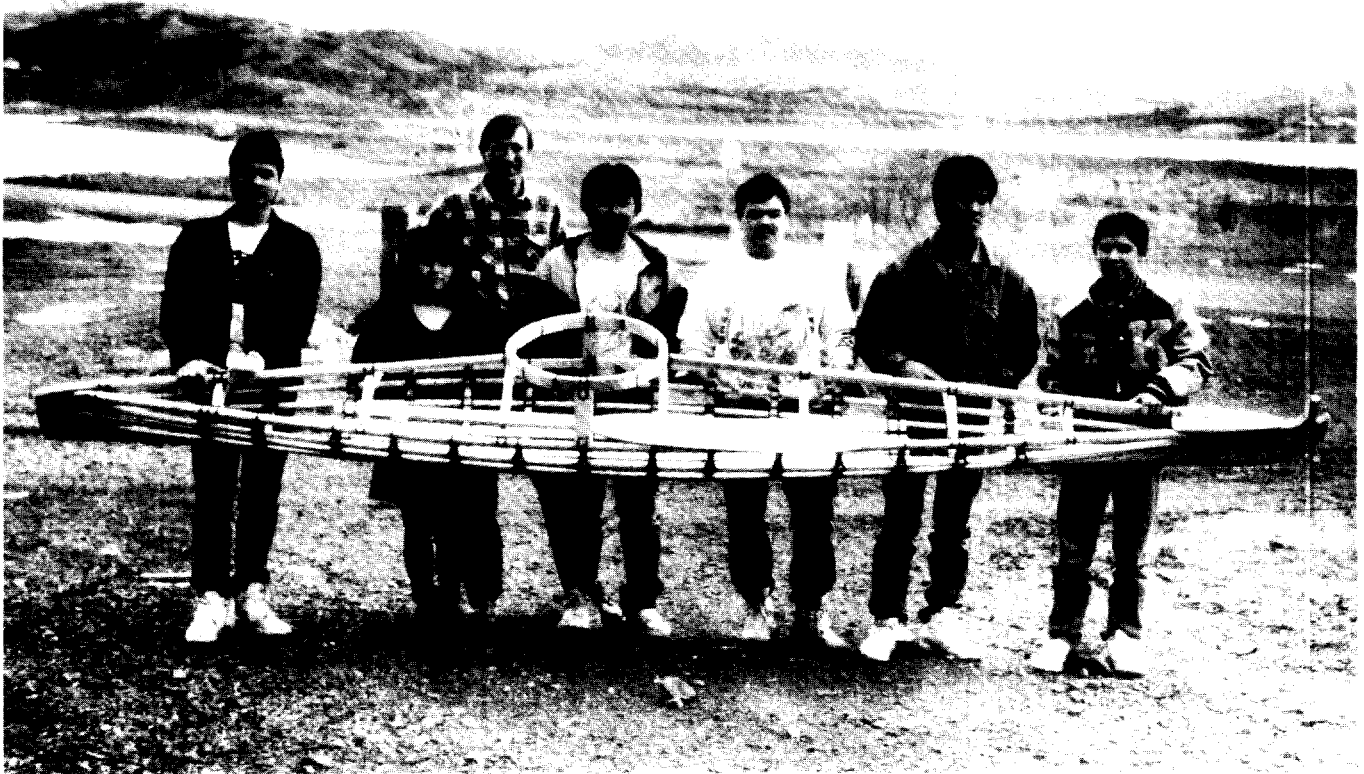
In South Dakota we want to have an "Indian Living Treasure," which is some artist either in fine arts, the tribal arts, or in the cultural and language arts to be declared as an "Indian Living Treasure" for the entire state. [The recipient] receives a plaque and support for continuation of his or her art form; but no funding for the latter is available yet. (Brother Simon, Oglala Lakota)

Tribal arts have a distinctive character that comes from tradition that is held within and reinterpreted by the artist.

In today's world the American Indian still retains a lot of the ways of doing hide articles, like teaching our people how to do the carved masks and such. They're not replicas. They are made by the actual Indians themselves. So that's the way you are going to have to go. If you want to fill your museum, you teach your people that craft or that art again, because they are American Indian. They're not making something that is a hundred years old, it is within them. It's all education. Like one lady said, "Knowing the past is important." So, by knowing your past you see your future, because it's replicated all the time. It's just done differently. (Bonnie Teton, Shoshone-Bannock)



The Lummi elder's program provides classes in Lummi traditional cedar bark basketry. (Photograph by Al S. Johnnie reprinted with permission)



Kayak making and use had almost died in Kodiak Island by the 1980s. However, these young men and women from Kodiak learned to build this kayak frame in the summer of 1988. The following summer, each built their own kayak. Despite lucrative offers from museums, they were so proud of their new skill that they refused to part with their kayaks. (Kodiak Area Native Association photograph)

In Kodiak, Alaska, the Kodiak Area Native Association (KANA) has worked within the school system to re-introduce traditional arts and crafts. They see benefits that extend beyond preservation of material culture. These programs help build self-esteem among the youth, and help to preserve traditional values as well as the native arts.

Elders help in our schools by doing presentations. It had been years since kids and elders really had a chance to interact, especially on traditional culture. You can talk about traditional crafts and so on. Those are just the trappings of culture. The real restoration goes on when you have elders and youth together re-learning some of these traditional skills. (Rick Knecht, Kodiak Area Native Association)

KANA visited museums around the world to locate articles from Kodiak and had color slides made to use in their school programs.

It really paid off to get photographs, color slides of these items and use those in our educational efforts. A lot of young people on Kodiak had never ever seen a piece of their own traditional artwork, and we had to remedy that as fast as we could. We used these slides as models in school programs. We had the school shop classes, instead of making furniture like they [normally] do, start to recreate some of these old crafts. Some of these things, like this bent-wood hat, hadn't been made in more than a century. Traditional games were a nice way to involve the younger children who couldn't use the shop tools. Traditional games also brought the elders and other members of the community together, because they are a social event as well as a cultural event. We bought traditional tools, crooked knives and adzes, for the schools for their use in carving. And some of the first masks carved in at least a century are being produced now.

Kodiak has a long tradition of using the Kayak. Kayak manufacture and use was a real art and was the basis of the sea mammal hunting economy of the island. Today, in the high school classes, we are rebuilding kayaks and working with people from around the Arctic to relearn some of these traditional skills. The first year one frame was built; the year after that, every kid in the class built his own. There was a museum in Europe that offered to buy this for a huge amount of money, I think it was ten thousand dollars, and the kids were so proud of their creation that they refused to sell it. (Rick Knecht, Kodiak Area Native Association)

Use of American Indian Concepts in Cultural Resource Management

Tribes believe that tribal concepts should be integrated not only into their own preservation efforts, but also into those of States and Federal agencies and the non-Indian professional community.

As we have seen, the Makah Nation sets its own standards for preserving traditional information.

Even though we have had lots of anthropologists and lawyers and other people tell us that the policies we use to protect and safeguard tribal information aren't what standard museums do, we respond by saying that, "We are not a standard museum. We're a tribal facility, and we establish our own standards." The Makah nation is a separate nation. And if people do not like our policies, that is not our problem. If they do not like the way we do things, they do not have to come and see us. And if researchers do not like the way we handle information, then [they can] go somewhere else to get their information. I think it is very, very important that tribes think ahead when it comes to oral history information to make sure that tribal values are protected and [that] elders know there is a place where their information will be treated as sacred and important as it is in their own family. (Ann Renker, Makah)

The Lummi have worked for years to communicate their values to State officials responsible for managing Lummi ancestral lands off their reservation.

The Lummi Tribe has developed a management concept for managing cultural resources based on Lummi tribal values. About seven years ago, the Lummi initiated a program called "Values Project Northwest." Its aim and objective is to enculturate State land managers who are responsible for clear-cutting forests that are used by traditional tribal people so that they have a better understanding of where the tribe is coming from in their world view and their reality. It has worked to the extent that old growth forests will be managed according to tribal values and an understanding of those values. The Lummi Tribe has stopped the government from clear-cutting on 12,000 acres of old growth forests. The project has changed the way of thinking, the world view, of 25 key managers. When people from institutions put aside their institutional roles and personalize their experience, organizations change. (Kurt Russo, Lummi Tribe)

Institutionalizing preservation in tribal governments means that each tribe needs to establish its own criteria and processes for selecting people to work in its program. These criteria and processes must themselves be consistent with tradition.

So the Yakima Tribe, realizing that [this] is something to be preserved, asked the tribal council to initiate a program for the tribe known as the cultural resources program. In 1982, this began. The tribal council was urged by the elders of the tribe that it is very important to retain the culture. In 1985, it came down to a point of knowing what type of people you have to have within that type of program. So they set up criteria for the selection process for that person to hold that office. In 1988, February, I was put through the mill of being selected for this position that I hold today.

On the Yakima reservation we have five major longhouses. At these longhouses are the chiefs, or religious leaders, that are selected by their own longhouse groups that have that same background. So 23 people applied for this job. And you sit before these five chiefs and you answer questions related to your culture. . . . So what I am saying is that the program of the Yakima Tribes is something that should be shared by everyone here. . . . It is the number one item of what has to happen. (Billy Yallup, Yakima)

Paying for Preservation and Generating Revenue

The ways in which tribes obtain funding for preservation are detailed in **PART III**. Tribes approach the problem in a variety of ways. Most use funds appropriated by their tribal council. Others charge entry fees and hold fundraisers. Some tribes, like the Zuni and Navajo, charge permit fees for researchers and agencies and run their own contracting operations for archeological survey and excavation. Many tribes compete for Federal and other grants.

In general, tribes perceive that they are under-represented in State, Federal, and private programs for preservation and the arts.

The reality is that in the State of New York, Indian programs are the least funded programs, the lowest funded programs of any programs for the Arts statewide. We rank below Hispanics, we rank below Asians, we rank below Blacks, and obviously we rank below white Americans. We rank below others in the National Endowment of the Arts. (Pete Jemison, Seneca)



Tribes and Cultural Tourism

One of the projects I'm working on not only with my own tribe, but with five tribes across the country, is a concept called "nature-based cultural resorts." In almost all tribes that are still in their original historical environment, and even those that got removed, there is a deep cultural appreciation of the natural environment. The concept of having cultural resorts [is to] give people from outside the tribe an exposure not only to the culture of the tribe but to the tribe's appreciation, as an extension of its culture, for the balance of nature. When tribes create tribal wildlife preserves and parks, they can set a new standard for environmental protection in the United States. . . . A lot of tribes have land that has not been disturbed as much as other lands, so the concept of nature-based cultural resorts fits.

If they [tourists] came to Florida, to the Seminole Tribal Resort, where they could have cooking classes in traditional Seminole food, lectures in Seminole history, play golf, swim, . . . have fine dining, that's how you make your money. That's why you call it a resort. That resort concept, it seems to me, is a way to capitalize on this, to make money out of it, without sacrificing the cultural integrity of the people. So if you have language classes, and you may only teach them once or twice a year, but if you advertise them in the right places, people will come and want to learn your language. You can also use this as refresher courses for tribal members who want to develop their language skills. Good sound planning from a cultural perspective and a business perspective can make this happen.

There will be people who will be purists about this, who will say, "you can't market your people," but we do already. I remember when I was a kid in New Mexico, and I saw those ladies from San Ildefonso Pueblo selling their pottery by the side of the road. But they weren't selling it, they were trading it . . . for cookies and fruit. I would . . . rather see the tribe and the members of the tribe get into [a business perspective] and learn how to handle their own arts and crafts co-ops. That could be part of your resort. Beadwork . . . you could offer classes in beadwork, quill design. Those are arts, and people will want to come and learn. That's what happens here [in Washington, DC]. People come to the Smithsonian, and what they are studying is a particular form of art from a particular historical period. But we have living cultures, and there is nothing to say that we can't have Olympic-sized swimming pools in our resorts. It provides jobs; it provides income.

- Charles Blackwell, Chickasaw

Hope Wilcox demonstrates a traditional Seminole method of cooking turtle. (Bureau of Florida Folklife Programs photograph)

On the other hand, tribes see potential for deriving economic benefit from preservation.

Tourists come to the United States and what is high on their priority to see is the Statue of Liberty, the White House, and an Indian. But they don't know where they are and they don't know how to get there. And we can give them Indians. Each tribe needs to do a market analysis of its cultural strengths, whether it's arts, crafts, language, or culinary traditions, things that would lend themselves to being tied into tourism without being offensive to the cultural sensitivities of the people. That way, tourists could have a cultural experience. (Charles Blackwell, Chickasaw)

Tourists may want more than a "cultural experience." They might want sports activities and restaurants. Some Indian tribes are thinking about these additional aspects of tourism.

The Quechan Tribe of the Fort Yuma Indian reservation wants to develop a historic park on its ancestral lands that it hopes will attract tourists.

The traditional homelands of Quechan people include historic Fort Yuma and the Fort Yuma Indian School. We want to develop these areas into a historic park that will tell the story of the Quechan Indians from their own perspective and will also attract tourists to the area for economic development. This project will complement activities in the city of Yuma. We are also working with the National Historic Landmark, Yuma Crossing, and with a private foundation, the Yuma Crossing Foundation. We have an ANA [Administration for Native Americans] grant, and are completing a master plan and an archeological study. We will develop economic benefit studies and will go into tourism and training for people to be employed at the site. (Pam Nowak, Quechan)

The Standing Rock Sioux are considering promoting tourism by providing tours of their reservation.

One of the things that we discuss is a traditional tour to draw international tourists. We have the Missouri River on our eastern border and that will be some sort of attraction. We might be able to use the centennial of Sitting Bull as an asset to draw tourists. (Teddy Wallace, Standing Rock Sioux)

Section 5: Tribal Perspectives in Summary

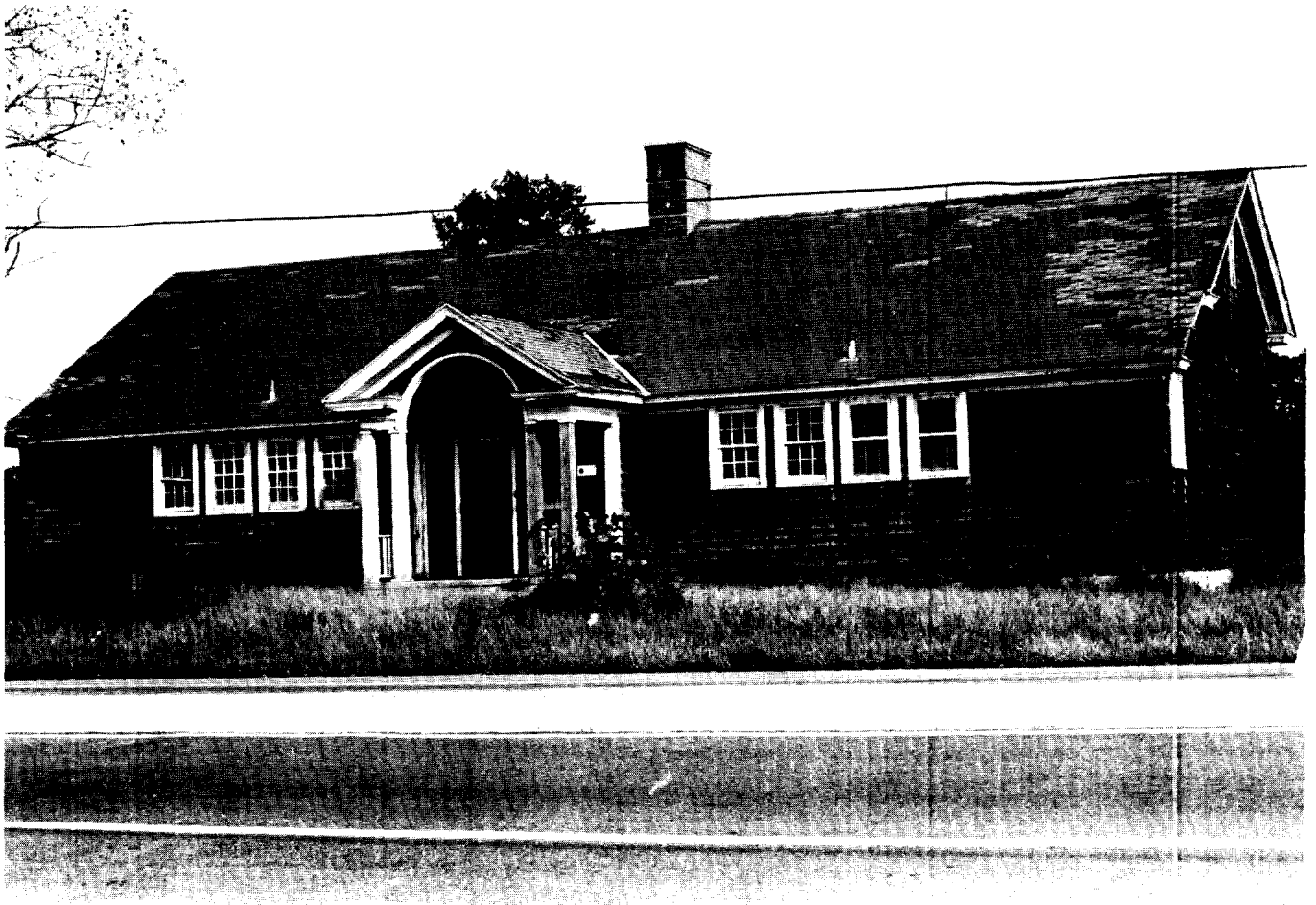
The views quoted above are representative of the perspectives expressed in over 22 hours of taped testimony offered by tribal representatives at the informational meetings held in Washington, D.C., and Las Vegas, Nevada. Several conclusions can be derived from this testimony and from the history of tribal relations with Federal, State, and local governments outlined above.

What Tribes Want to Preserve

What tribes seek to preserve through management, research, interpretation, protection and development are not only historic sites and structures, but the integrity of their cultures in general. Thus "historic preservation," or more accurately "cultural resource management," to Indian tribes involves integrated efforts to do all of the following things: to preserve and transmit language and oral tradition, arts and crafts, and traditional uses of plants and land; to maintain and practice traditional religion and culture; to preserve sacred places; to record and retain oral history; to communicate aspects of tribal culture to others; and to use cultural resources to maintain the integrity of communities and advance social and economic development.

Indian and Non-Indian Lands

While tribes are certainly concerned about preserving historic properties and other cultural resources on reservation lands, they are often equally or even more concerned about preserving ancestral sites and traditional use areas on lands that they no longer control, whether these lands are now under Federal, State, or local control or in private ownership. This concern indicates a need for tribes to be more involved in the management and planning activities of Federal agencies and State and local governments. These activities include, but are not limited to, those carried out by Federal agencies and State Historic Preservation Officers under Sections 106 and 110 of the National Historic Preservation Act as well as those by State and local governments under State and local environmental policy and historic preservation statutes.



The Harmon School was originally built in the 1880s to serve the Nanticoke Indian Community of Delaware. When Black teachers and students came to the school in the 1920s, many Indian families withdrew to a separate school in an effort to maintain a recognizable Indian identity. The school is listed on the National Register of Historic Places for the role it played in the Indian separatist movement. (Photographed by Frank W. Porter, III)

PART II: TRIBAL PARTICIPATION IN THE NATIONAL HISTORIC PRESERVATION PROGRAM

Section 1: Tribal Perspectives on States and Federal Agencies

The regulations implementing Section 106 and the guidelines for implementing Section 110 of the National Historic Preservation Act provide for the participation of Indian tribes in the review of Federal projects on their ancestral lands. In general, however, tribes do not fully participate in Section 106 review (see **Part II, Section 2** below). Some tribal members dislike that the Advisory Council on Historic Preservation's Section 106 regulations require the participation of the State Historic Preservation Office in the review process between Federal agencies and Indian tribes. Others feel that the State Historic Preservation Office involves them grudgingly. There is a general feeling that tribal interests are not adequately served by the current system.

Any time anything happens on the reservation, it seems that they go to the 1906 Antiquities Act, the Reservoir Salvage Act, the National Historic Preservation Act, the Archeological Resource Protection Act, the American Indian Religious Freedom Act. Each of these different groups are writing separate regulations. It seems that the National Historic Preservation Act is the one that has the most teeth in it that we can use. These new regulations aren't really out there where the people can get a hold of them. They're still looking at some of these old acts, if they can't find a way of getting around it to build a shopping center or a mall or apartment building or something like that. In some cities where some of our graves are, they go to one of the other acts, and they pull that portion that says they can do this and this and this, as long as they work with the State Historic Preservation Office. Our Colville tribe has been in a battle with the SHPO for many years. We do get along with them, but we ask that we be involved. (Andrew Joseph, Colville)

If [historic preservation] is going to do something good for the United States and its citizens, moreover the Indian people of this country, then you'd better put some teeth into the language of some of those statutes to do what is intended to be done. (Billy Yallup, Yakima)

The National Register of Historic Places is one of the mechanisms that helps give some protection, and it can help if you have cooperation between major players and you start using it early on in the process. In the long run, what we really need to be looking for is building a nationwide community of tribal officials and other Indian leaders who are involved in the preservation of cultural properties, and [this] needs to be done in cooperation with State and Federal agencies. (Dean Suagee, representing the Miccosukee Tribe)

Much of the preservation-related activity involving State governments and tribes is associated with State laws concerning Indian graves. Many States are reviewing, updating, and strengthening penalties for disturbing Indian graves. Tribes are still concerned, however, that the new laws do not offer adequate protection.

Recently, we were asked to make comments about a very bad situation, this grave robbing. Up until July of this year, anyone convicted under the previous rules and laws in the State of Washington was guilty of a misdemeanor. But today it is a Class C Felony. It's a \$10,000 fine, for anybody found guilty. So, this grave robbing thing or disturbance of any sacred areas has changed some.

But, the escape clause is a very bad situation. Under the terms of act(s) there is always this language. You find it in codes and CFR [Code of Federal Regulations] and regulations. If these people want not to be convicted, there is language in there that says "knowingly and willingly." Almost always these people go before the magistrate and say "I didn't know that grave was there. I'm not a professional archeologist, so I didn't do it willingly." But yet, they are grave robbers. (Billy Yallup, Yakima)

While tribes generally want to cooperate with State Historic Preservation Offices, they are very concerned about protecting the locations of their sacred sites. They look at the State Historic Preservation Office site inventories as public information systems that do not sufficiently protect information about their sacred sites.

In general, we share all of our information with the State Historic Preservation Office. But in the case of sacred sites, I'm not really convinced that it is a good idea to share these [locations] with State and Federal agencies. [This is] because they go into a register; someone wants to do an investigation, gets a permit, and there is not much you can do about it. The safeguards that you need to protect the sacred sites are not necessarily in place. It may not be anybody's fault at this time, but I would keep careful track of sacred sites and preserve them but keep them very, very confidential. Even the most well meaning scientist can inadvertently spread the locations further than you might like. (Rick Knecht, Kodiak Area Native Association)

There are too many things that occur within my program that I do not care to share with the SHPO. The 106 review process . . . [requires] my nomination or any other nomination to be scrutinized by people I don't care to have look at it. I think that there are sacred things that people do not need to share with anyone else except themselves. (Billy Yallup, Yakima)

In general, tribes may wish to look to the State Historic Preservation Office for technical and even financial assistance (see **PART III**, below), but tribal preservation programs will develop on their own initiative.

When it comes right down to it, the State Historic Preservation Office can be a way of facilitating, but we are really taking the lead in all ways. . . . We pushed the [New York] legislation to protect the burial sites. Whatever we are going to do internally, language-wise and anything culturally, it certainly is not going to be with the State Historic Preservation Office. . . . (Pete Jemison, Seneca)

While there is broad interest in being part of the national historic preservation program, there is considerable suspicion of the program and its major current participants. This suspicion is the product of several factors: the resentment that virtually all tribes feel toward the assimilationist policies of Federal, State and local governments in the past, and the belief that those policies have not necessarily been completely abandoned; the feeling that the national program addresses only a small segment of the cultural environment that is important to Indian tribes; and the belief that archeology and other preservation disciplines tend to ignore, or even be inimical to, the cultural interests and values of the tribes.

It can generally be concluded that most tribes want very much to participate in the national historic preservation program, but they want to do so on a government-to-government basis with the United States Government, cooperating with State Historic Preservation Offices but not working through them. Further, they want the national program to recognize and be sensitive to the breadth of their preservation interests, rather than forcing them to give priority to the same kinds of preservation activities given priority by State Historic Preservation Offices and Federal agencies. Finally, they are wary of the application of professional standards and policies that could effectively remove their preservation programs from tribal control in favor of control by archeologists and other professionals whose interests and ethics may differ from their own.



Kin Ya'a is a Chaco outlier site with a prominent tower kiva. This Chaco archeological protection site is also regarded as sacred by traditional Navajo. (Navajo Historic Preservation Department photograph)

Section 2: The National Park Service and the Chaco Archeological Protection Sites

Many Indian tribes have long-term relationships with the National Park Service based on historical and traditional associations with land and resources located in or near National Parks. The National Park Service assists Indian tribes to manage, research, interpret, protect, develop, and preserve historic properties on Indian lands and within National Parks in a variety of ways.

The National Park Service Anthropology Division and Southwest Regional Office provided the information from which this section was prepared.

National Park Service Responsibilities for Historic Properties on Indian Lands

A variety of arrangements have been established between Indian tribes and the National Park Service wherein the National Park Service is given responsibility to manage, protect, interpret, develop, research, and administer funds for preservation efforts on Indian lands. For example, the National Park Service's Alaska Regional Office is responsible for the preservation and management of the Kijik Cemetery and Historic Site. Agreements between tribes and the National Park Service's Pacific Northwest Regional Office give the National Park Service responsibility to preserve and protect the Nez Perce cemetery and to assist the Colville and Spokane tribes in protecting rock art sites on Indian land along Lake Roosevelt.

Sometimes the National Park Service has responsibility for historic properties owned by a tribe, as at Canyon de Chelly National Monument and at the south unit of Badlands National Park. In other cases, tribes have donated land to be managed by the National Park Service, as the Minnesota Chippewa Tribe and Grand Portage Band did at Grand Portage National Monument, with the condition that the donated land revert to tribal ownership should the National Park Service ever withdraw.

The National Park Service and the Chaco Archeological Protection Sites

The Chaco archeological protection sites represent a special case of National Park Service collaboration with an Indian tribe and other agencies to address the preservation needs of a unique complex of archeological properties. In December 1980, Congress passed Public Law 96-550 to recognize, protect, and facilitate research into the historic properties associated with the prehistoric Chacoan culture of the San Juan Basin. Public Law 96-550 enlarged the boundaries of

Chaco Culture National Historical Park and established a system of 33 outlying archeological protection sites, most of which are located on Navajo land.

A planning team with representatives from the National Park Service, Bureau of Land Management, Bureau of Indian Affairs, Navajo Nation, State of New Mexico, and U.S. Forest Service completed a joint management plan in 1983. The joint management plan provided for the management of 33 discrete archeological protection sites and allowed for future additions. Those sites on Navajo land were to be managed by the Navajo Nation with the technical and financial assistance of the Bureau of Indian Affairs.

In February 1990, the joint management plan was amended to establish National Park Service responsibility for requesting and distributing funds to the Navajo Nation for the management of the archeological protection sites on Navajo land. Such funds will be requested through the National Park Service's budgeting process.

The National Park Service will request funds for: 1) identification and documentation of Chacoan archeological protection sites; 2) preparation of site-management plans; 3) site protection, including patrolling and monitoring activities; 4) preparation of interpretive materials and devices; 5) design and construction of a Navajo-operated interpretive facility; 6) site stabilization and resource management needs; and, 7) annual operations costs.

Guidelines for the administration and use of funds appropriated for Chacoan sites on Navajo lands will be developed and formalized in a cooperative agreement or other suitable arrangement between the National Park Service and the Nation.

National Park Service projections of the funding needs for the Chaco Archeological Protection Sites are listed in the table below.

<u>Funding Needs</u>	<u>Amount per Year</u>	<u>Number of Years</u>	<u>Total</u>
Site Identification and Management Planning	\$300,000	5	\$1,500,000
Site Stabilization	\$ 75,000	10	\$ 750,000
Site Protection and Patrol	\$250,000	10	\$2,500,000
Land Protection	\$250,000	5	\$1,000,000
Navajo Interpretative Facility			\$2,400,000
Total			\$8,150,000

Historic Properties Significant to Indian Tribes Located on National Park Service Land

Many units under National Park Service management are located in areas of historical and cultural significance to Indian tribes.¹⁶ These National Park units, linked with Indian tribes, are likely to contain properties of historic and cultural significance to Indian tribes. Information provided by the Anthropology Division of the Washington Office of the National Park Service indicates that at least 133 Indian tribes are culturally or historically associated with 101 of the 355 National Park units. More such associations are likely to be identified with further research.

Unfortunately, data on the extent and nature of these properties and the culturally appropriate protections expected for them is meager. The ethnographic record of significant buildings, sites, structures, or objects barely exists at any Park unit. The archeological record is more extensive, but contains major gaps. Each new addition to the National Park System generates additional identification and documentation needs.

The National Park Service has begun an ethnographic program in which cultural anthropologists work with tribal members and members of other communities traditionally associated with areas now within the boundaries of National Park units to identify, document, and evaluate historic properties and to make recommendations for their protection. The ethnographic program is one way that the National Park Service implements its policy to "plan and execute programs in ways that safeguard cultural and natural resources while reflecting informed concern for the contemporary peoples and cultures traditionally associated with them."¹⁷

National Park Service Units in Alaska and Contemporary Alaska Natives

All National Park units in Alaska are associated with Alaska Native group(s) and contain significant evidence of their cultural heritage in the form of prehistoric, historic, and ethnographic properties. In units like Bering Land Bridge National Preserve, Cape Krusenstern National Monument, and Kobuk Valley National Park, the National Park Service cooperates with associated Native peoples to identify, document, evaluate and protect these properties. Given the immense acreage of

¹⁶ Units within the national park system are designated as Battlefields, Battlefield Sites, Battlefield Parks, Historical Parks, Historic Sites, Lakeshores, Monuments, Memorials, Military Parks, Parks, Preserves, Rivers or Riverways, Recreation Areas, Seashores, Scenic Rivers or Riverways, and Parkways.

¹⁷ National Park Service, *Management Policies*, (Washington, D.C., National Park Service), December 1988: p. 5:11.



Inupiat residents of Ambler, Alaska ice fish near the confluence of Ambler and Kobuk Rivers in October, 1973. (National Park Service photograph by Robert Bellous)

National Park units in Alaska, however, the National Park Service has only begun to inventory the historic properties associated with the heritage of Alaska Native populations. Unfortunately, many significant properties are being destroyed by natural forces and, in some cases, vandalism.

Under Section 1318 of the Alaska National Interest Lands Conservation Act (Public Law 96-487), the National Park Service is required to assist Alaska Natives, upon request, to manage natural and cultural resources on lands that have been selected for, or are in the process of, conveyance as Native allotments. Such assistance has been provided to the Bering Straits Corporation, Unalaska Corporation, Ahtna Corporation, Kijik Corporation, and the Sealaska Corporation.

The National Park Service also cooperates with Native people in the management of conservation easements in which it has acquired an interest, such as at Lake Clark National Park and Preserve, where the National Park Service has acquired an interest in approximately 6,000 acres of Alaska Native land.

Expanded National Park Service Efforts to Support Tribal Preservation

The National Park Service efforts to preserve and protect historic properties and cultural traditions of American Indians needs expansion. The National Park Service assists Indian tribes to manage, research, interpret, protect and develop historic properties on Indian lands in National Parks under various authorities. In order to meet the critical level of resource management and protection needs ethnographic and archeological survey, interpretive facilities, collection management, site stabilization and preservation planning programs should be expanded significantly.

Section 3: Federal Agency Perspectives

Advisory Council on Historic Preservation

Section 106 of the National Historic Preservation Act requires that Federal agencies consider the effect of their actions, and of those actions they assist or license, on historic properties. Section 106 applies to actions on Indian, Federal, and non-federal lands. The regulations of the Advisory Council implementing Section 106 (36 CFR 800) establish a process of consultation among Federal agencies, State Historic Preservation Officers, tribes, and other interested parties to identify historic properties and effects and to avoid or mitigate effects that are adverse. The Section 106 process can provide tribes with ways to protect historic properties both on and off reservations. The Advisory Council provided the following observations on tribal participation in Section 106 review.

1. Participation by Indian tribes in the Section 106 review process would provide important opportunities for the protection of historic properties of significance to tribes. Tribal participation would provide more effective consideration of traditional cultural properties that are of great significance to Indian tribes, but are often unfamiliar to, and therefore overlooked by, State Historic Preservation Offices and Federal agencies in their identification activities. Traditional cultural properties are historic properties that derive their significance from the role they play in on-going cultural traditions, for example areas used by tribal members to gather and process food, medicine, basket making materials, vision quest sites, ceremonial sites, and so forth.

Tribal participation in the review process would provide greater opportunity for ensuring culturally appropriate treatment of human remains and funerary objects and for the culturally appropriate disposition of tribal objects recovered during mitigation projects. Opinions and approaches to dealing with human remains vary among tribes, States, and agencies. This leads to tribal mistrust, Federal agency confusion, and Federal applicant exasperation over the appropriate course of action. Successful resolution of such cases has resulted from early and continuing consultation with tribes as full consulting parties and with a reasonable and flexible policy on the part of the Federal agency.

Regular participation by Indian tribes in the Section 106 process might also create a forum for forging partnerships with others interested in advocating preservation issues.

2. Indian tribes generally do not participate fully in Section 106 review. Although there are exceptions, in the Council's view, most tribes are not well informed about the Section 106 process and how they can participate in it. As a result, most tribes do not participate on a regular basis.

Federal agencies whose undertakings are subject to review under Section 106 are responsible for ensuring that tribes have adequate opportunities to participate. However, some agencies do not provide for culturally sensitive consultation with tribes when carrying out their Section 106 responsibilities. Combined with the tribes' mistrust of Federal and State government agencies, this discourages active tribal participation and encourages tribes to see Section 106 review as only a Federal/State bureaucratic process.

Particularly with respect to projects on non-reservation lands, Federal agencies often fail to notify or seek the involvement of tribes with legitimate interests in historic properties subject to effect. Ineffective notification and involvement leads to lost opportunities for cooperation, adversarial relationships between tribes and agencies, and ineffective consideration of alternatives that could avoid or minimize effects on properties of concern to the tribes.



In the summer of 1986, Kristy Balluta and her sister, Cherie, pick fireweed at Ch'ghitalisha, a Dena'ina fish camp near Nonalton, Alaska. Fireweed leaves are used to store sockeye salmon. (National Park Service photograph)



Tahquitz Canyon, in southern California, is listed on the National Register of Historic Places because of its association with the traditions of the Cahuilla Indians. In this canyon the ancestors of the Cahuilla entered the world from a world below. The protection of Tahquitz canyon was the subject of several cases under Section 106 of the National Historic Preservation Act. (Photograph by Thomas F. King)

Advisory Council staff, too, may not be cognizant of potential tribal interests, and may be poorly prepared to address tribal concerns, particularly when they arise late in the review or consultation process.

Many State Historic Preservation Officers, not fully recognizing potential tribal interests in specific Section 106 cases, may provide inadequate advice concerning such interests to Federal agencies. This contributes to the inadequacy of agency provision for tribal participation. Differing impressions about tribal sovereignty also influence tribal relationships with State Historic Preservation Offices; State Historic Preservation Officers, as State officials, may not always view tribal sovereignty with as much seriousness as the tribes do. If not sensitively dealt with by the State Historic Preservation Office, such differences may cause mistrust and miscommunication. Differing views of the State Historic Preservation Office's role also create problems. In some cases, a tribe may rely on the State Historic Preservation Office to advocate its concerns, while the State Historic Preservation Officer does not see himself or herself as an advocate but as a provider of advice and assistance to Federal agencies.

Tribes differ considerably in their ability to represent their interests through the Section 106 process. Tribes may have conflicting or competing interests in particular cases. For example, one segment of the tribe may favor a project because it will stimulate economic development, while another opposes it because it will destroy traditional sites. Internal mechanisms may be lacking to resolve such conflicts, or may produce one-sided results or stalemates. Federal agencies and others involved in the Section 106 process, who may be relatively inexperienced in working with tribes, may tend to disregard tribal interests when confronted with differing points of view from the members of a single tribe or from several tribes concerned with the same case.

As part of a recent survey on the effectiveness of the Council's regulations, the Council sent questionnaires to tribes and received several responses. The tribe that responded in the most detail reported the following.

- o Section 106 review was applied to all tribal projects by the Bureau of Indian Affairs, yet projects by other Federal agencies on the same reservation were not systematically subjected to review.
- o The cumulative and long-term effect of federally sponsored actions such as deep plowing of fields and pastures, road maintenance, fencing of grazing units and range areas, and construction for business leases on the reservation is a serious preservation problem. Such effects are not adequately dealt with under the Council's regulations.
- o Contrary to the Council's regulations, Federal agencies almost never consult with the tribe regarding its concerns on non-tribal lands.

3. Tribal participation in Section 106 review can be improved by providing Indian tribes with adequate and culturally sensitive training opportunities.

The Council believes that:

- o Funds should be made available for the hiring or training of expert personnel within tribal governments to manage historic preservation matters in general, and to coordinate tribal participation in the Section 106 process.
- o Training in the Section 106 process should be targeted to Indian tribes. Such training should address tribal concerns on tribal lands and on ancestral lands off reservations. It should be offered in close proximity to reservations, and be offered frequently enough to allow interested tribes and individuals to participate.
- o A clearinghouse should be established, perhaps within the National Park Service, for sharing of information about tribal preservation programs. A list should be prepared, in consultation with tribal governments, of contact people within tribes, so that the Council and State Historic Preservation Officers could better advise Federal agencies about inviting tribal participation in the Section 106 process.

4. These suggestions could be implemented at relatively modest funding levels. A clearing house could be established under current authorities with little or no additional funding except for the assignment of responsible staff. Funding a specific position for this purpose would certainly increase the chances of success.

Modest funding would substantially enhance the ability of tribes to participate in the Section 106 process. The Council currently offers a three-day training course called "Introduction to Federal Projects and Historic Preservation Law." The course can be tailored to address specific constituent needs. For example, the Council has sponsored the development of special curriculum materials and targeted case studies for the U.S. Forest Service. The three-day workshop could be offered to 30 tribal members and other interested individuals for \$5,000. \$10,000 annually would allow the Council to offer the courses twice a year at no cost to the participants other than travel expenses, which could be minimized by holding the course near several reservations.



These sandbars in the Rio Grande River are eligible for inclusion in the National Register because they have been used for generations by the people of Sandia Pueblo for rituals involving immersion in the River's waters. (Photograph by Thomas F. King)

5. Tribal participation in Section 106 cases typically takes several forms. Following are three examples.

Tribal Participation in the Section 106 Process as a "Federal Agency"

With certain types of Federal assistance, such as Community Development Block Grants (CDBG) for housing and infrastructure projects from the U.S. Department of Housing and Urban Development, the tribe may assume the responsibilities of a Federal agency for the purposes of compliance with Section 106 of the National Historic Preservation Act. This was the case with several New Mexico Pueblo communities in the last few years, most recently Taos Pueblo. The Pueblo, with assistance from the New Mexico SHPO and the Council, developed a Programmatic Agreement covering its residential rehabilitation and small-scale new construction projects that incorporate standards for protecting significant historic structures and archeological remains from inadvertent construction project damage. CDBG projects will be administered by the tribe in accordance with that Agreement.

Tribal Participation in the Section 106 Process as an "Interested Party" Off Reservation Lands

The Salem, Oregon, District Office of the Bureau of Land Management (BLM) consulted with the Confederated Tribes of Siletz Indians on the development of recreation facilities at site 35Lnc62 in the Yaquina Head Outstanding Natural Area. The Yaquina Head site has significance for its research potential as well as for its traditional cultural and religious significance to the Siletz Indians. Through the Section 106 consultation process, BLM developed a Memorandum of Agreement that establishes a mutually agreeable strategy for treating any human remains encountered during data recovery or other circumstances (such as naturally-occurring headlands erosion of the site). The agreement also provides active involvement by the Siletz Indians in the data recovery programs.

Tribal Participation in the Section 106 Process as an "Interested Party" Adjacent to Reservation Lands

The Corrales North subdivision near Albuquerque, New Mexico, involved a required permit for effluent discharge into the Rio Grande from the Environmental Protection Agency (EPA). Although a Memorandum of Agreement was executed among EPA, the New Mexico SHPO, the developer, and the Council for the project, several issues of great concern to the people of Sandia Pueblo across the river continued unresolved. Notable among these was the historical significance of a series of sandbars in the Rio Grande where the people of the Pueblo have long carried out important religious observances. The project will discharge effluent material immediately across from this site. The question was raised of whether and how a property used for traditional religious purposes can be included in the National Register. In August 1988, the Keeper of the National Register, after a detailed study of pertinent documentation, determined that the sandbar is eligible for the Register. As a result, further consultation was needed to reduce the project's effects on it. During 1989, the developer negotiated an agreement with the Pueblo of Sandia; unfortunately, the case has still not been completely resolved, since there will be two more treatment plants that were not covered under the Memorandum of Agreement with EPA. Further consultation will undoubtedly take place in the future, but at least the channels of communication have been opened for effective tribal participation.

Federal Land Managing Agencies and Tribal Preservation

Besides the National Park Service and the Advisory Council, other Federal agencies, notably those that manage public lands, have historic preservation programs that interact in various ways with Indian tribes. The National Park Service Archeological Assistance Division surveyed several of these agencies regarding the ways in which Indian tribes participate in the historic preservation activities of their agencies, the ways tribal participation might be improved, and the need for funding to assist the tribes with preservation-related work. The Bureau of Indian Affairs (BIA), the Bureau of Land Management (BLM), the Fish and Wildlife Service (FWS), the Bureau of Reclamation (BR), the USDA Forest Service, and the National Oceanic and Atmospheric Administration (NOAA) responded to a questionnaire that sought answers to the following questions:

- o Does your agency manage historic properties on Indian lands, or otherwise formally undertake historic preservation projects on Indian lands?
- o Does your agency manage historic properties on Federal lands that Indians or Indian tribes consider to have significant historical or heritage values?

- o Does your agency collaborate with Indian tribes to manage, research, interpret, protect and develop significant historic properties (including culturally significant natural resources) on Indian lands or Federal lands?
- o What funding is required to manage, research, interpret, protect and develop historically significant heritage properties on Indian lands or Federal lands?

Responses to each question are summarized and discussed below.

1. Historic preservation on Indian lands by Federal agencies is mostly Section 106 compliance. BIA reported that it does not manage historic properties on Indian lands, and that it does not regard historic preservation as among the trust responsibilities that it is obligated to carry out on behalf of Indian tribes. However, BIA does exercise trust responsibilities with respect to Indian lands. It manages some Indian lands and carries out some operations on Indian lands. In these contexts BIA reported that it coordinates its compliance with Sections 106 and 110 of National Historic Preservation Act and implementation of the Archeological Resources Protection Act with Indian tribes. This coordination is carried out on a government-to-government basis, mostly at the Area Office level. BIA has also contributed to historic preservation projects carried out by tribes as funds permit, and has helped tribes develop historic preservation programs. BIA also participates in the intergovernmental program to protect the Chacoan site complex.

BLM manages no properties on Indian lands, but does maintain a broad spectrum of relationships with tribal governments; BLM noted that while it could perform historic preservation work on behalf of tribes, it has never done so. Similarly, FWS commented that while it has provided technical assistance to Indian tribes, it has never provided such assistance in historic preservation. FWS, like BLM, manages no properties on Indian lands.

BR also does not manage historic properties on Indian lands, except where such properties are within the boundaries of a BR-managed project (e.g. a reservoir). It does carry out historic preservation activities on Indian lands, in compliance with Sections 106 and 110 of the National Historic Preservation Act. It consults with tribes in accordance with the regulations of the Advisory Council in conducting such activities; the potential for consultation under the Archeological Resources Protection Act also exists. In some specific projects and programs, for example the Central Arizona Project, special consultative arrangements have been developed with tribes, BIA, and other agencies.

Neither the Forest Service nor NOAA manage historic properties on Indian lands, and the Forest Service reported conducting no preservation activities on Indian lands. It is the Forest Service's policy, however, to promote preservation partnerships with Indian tribes and Alaska Natives in the management of historic



Bedrock mortars, like this one in central California, are essential to processing Black Oak acorns. (Theodoratus Cultural Research photograph)

properties on Indian and Forest Service lands. The Forest Service's policy provides technology transfer and technical assistance to tribal governments. NOAA reported that while at present it does not carry out historic preservation activities on Indian lands, it is possible that in the future National Marine Sanctuaries will be created adjacent to Indian lands, most likely in Alaska and the Pacific Northwest. This would create the potential for the conduct of NOAA activities on Indian lands.

In summary, such historic preservation activities as Federal agencies carry out on Indian lands are virtually all the products of compliance with Section 106 of the National Historic Preservation Act and the Advisory Council's regulations and, to a lesser extent, implementation of Section 110 of the National Historic Preservation Act and the Archeological Resources Protection Act. Tribes are consulted in the course of carrying out such activities, but as the Advisory Council noted above, such consultation is not always effective. BIA occasionally assists tribes in the conduct of historic preservation projects and programs, but apparently does not give such assistance high priority. BIA does not regard historic preservation as one of its trust responsibilities. Other agencies, notably BLM and FWS, have the potential to provide assistance to tribes in historic preservation on Indian lands, but traditionally have not done so.

2. Management of historic properties on Federal lands is carried out by the responsible Federal agencies. BIA stated that it manages a number of properties, including Indian schools, that tribes regard as having historic, cultural, or religious qualities, and that it consults with tribes in the conduct of Section 106 review of actions affecting such properties, as well as under the Archeological Resources Protection Act where it is applicable. BIA also reported consulting with tribes regarding reburial and repatriation of human remains.

BLM reported managing many such properties on Federal lands, including areas valued by tribes for traditional uses such as food gathering and the conduct of religious activities. BLM has developed substantial direction to its field personnel regarding Native American coordination and consultation, and accommodates the continuation of traditional activities through its land use and planning process. BLM defines "cultural resources" to include not only historic properties but "traditional lifeway values" as well, and provides for the management of both types of resources in its BLM Manual 8100.

FWS said that it manages both historic properties and natural resources of historic, cultural, and religious value to Indian tribes. It consults with tribes regarding effects of management and development activities on historic properties under Section 106 and the Advisory Council's regulations, and considers tribal requests for traditional use of natural resources in accordance with agency policy. It also interacts with tribes in enforcement of the Archeological Resources Protection Act. In two specific cases, at Stillwater (Nevada) and Malheur (Oregon) Wildlife

Refuges, FWS has engaged in extensive consultation with tribes about management of archeological sites containing human remains that were threatened by erosion and artifact collectors.

BR reported that it interacts with tribes in connection with Section 106 review of project impacts on historic properties, and often finds that tribes are concerned about effects on burial sites and sacred objects and places, as well as about how human remains will be addressed if encountered. It commented that consultations would be facilitated by improvements in tribal historic preservation programs.

The Forest Service, with which the tribes reported the most interaction on historic preservation matters, expectably reported that many tribes consider areas of the national forests to be historically or culturally significant. Tribes continue to use traditional cultural areas within national forests, particularly for religious purposes and to gather natural resources for specific cultural reasons. It reported that tribes are regularly contacted during forest planning and during planning for specific undertakings, apparently in the context of Section 106 review. Forest Plans document and provide direction on managing historic properties and for consulting with Indian tribes. The Forest Service also noted that cooperative work with tribes in historic preservation is becoming more common, and that State Historic Preservation Officers and others are also participating in such cooperative activities.

NOAA noted that prehistoric sites in some of its sanctuaries might be of interest to Indian tribes, and that its consultation with tribes thus far has been carried out through the National Park Service.

In summary, most of the agencies reported that they do manage properties that are regarded as culturally significant by Indian tribes and other Native American groups, and some of them are making definite efforts to manage such properties in consultation with the tribes. BLM's efforts seem to be particularly organized, and illustrate a holistic approach in addressing both historic properties and cultural traditions. The Forest Service also shows a high level of sensitivity to the interests of tribes in historic properties and culturally significant natural resources under its management.

3. Collaboration in management, research, interpretation, protection and development is reported by all responding Federal agencies. BIA did not report specific examples of collaboration, but suggested that such activities are carried out upon request, through Area Office archeologists. In contrast, BLM reported substantial collaborative activity with tribes in the conduct of broad-scale cultural resource overviews, in information sharing, in planning and management in general, and in specific preservation and interpretation projects. BLM pointed to a joint management agreement with the California State Native American Heritage Commission, an agreement with the Fort Bidwell Paiute tribe regarding



A view of the Ak-Chin Reservation, in central Arizona.
(Photograph by Eric Long, Smithsonian Institution)

management of a significant rock art complex, and an agreement with the Shoshone-Bannock Tribes of Fort Hall Reservation regarding the Chief Tendoy Cemetery as examples of collaborative efforts.

FWS noted that collaborative projects in research and management undertaken at various refuges often involve volunteers from Indian tribes. BR reported two formal collaborative efforts with the Ak-Chin Indian Community in connection with the Central Arizona Project. Through a grant under the Reclamation Small Loans Act to mitigate the impacts of development activity at no cost to project applicants, funds were provided to the Ak-Chin community for archeological data recovery and public education; this has led to a program for major museum development by the Ak-Chin community. BR has now entered into formal arrangements with the Ak-Chin community for curation of the BR's Ak-Chin and Tohono O'odham archeological collections.

The Forest Service also reported a number of collaborative activities, including tribal participation in its current "Windows on the Past" interpretive initiative. Collaborative management of historic properties is being undertaken in national forests in Idaho, Montana, Arizona, New Mexico and Wyoming. A collaborative interpretation project has been established at Elden Pueblo in the Coconino National Forest. National Forests in the Southwest have collaborated with the Hopi, Navajo and others in the protection of historic properties. At the regional level, the Eastern and Southeastern Regional Offices of the Forest Service collaborated with numerous tribes through the National Congress of American Indians to develop and implement a policy regarding appropriate treatment of human remains and grave goods. The Western Regional Office regularly consults with Indian tribes regarding management and protection of historic properties and tribal access to traditional properties and natural resources. Continued collaboration should be assured through the Forest Service's planning process which requires consulting with Indian tribes.

NOAA said that its Estuarine Research Program could be of interest to Indian tribes, and that its participation in the establishment of an National Park Service-operated museum in Channel Islands National Park involved consultation with Indian tribes.

In summary, BLM and the Forest Service seem to be particularly interested in collaborative activities with Indian tribes, and to be making vigorous efforts to encourage and develop such activities. The relationship that has developed between BR and the Ak-Chin community might well serve as a model of collaboration for other agencies.

4. Funding needs were identified by all responding Federal agencies. None of the agencies provided detailed estimates of funding needs, but all except BIA suggested that additional programs and funding are needed. BIA suggested



The U.S. Army Corps of Engineers, Seattle District, conducted archeological field training for 48 members of the Colville Tribe. The training was from survey work, site excavation, and filling in the site forms, unit level forms, feature forms, datum forms, and the countless other forms that are important to testing and data recovery. The tribal member shown here is excavating an old house-pit site. (Andrew Joseph, Colville Confederated Tribes) (Colville Confederated Tribes Museum photograph)

that it is up to the tribes to determine funding priorities, based on the principle of self-determination, noting again that historic preservation is not a BIA trust responsibility. Some BIA funding might be available in the future for reburial and repatriation efforts or for technical assistance in museum development, but apparently such matters have not yet been addressed.

BLM reported that a recently convened internal working group identified as a priority the need for training of BLM staff in the conduct of consultation with Native American groups, to improve coordination with tribes and others. BLM also has recently undertaken a servicewide public education and outreach program called "Adventures in the Past," which together with its joint management agreements could provide a mechanism for funding collaborative historic preservation programs.

FWS said that it needs to give greater emphasis to the preservation of historic properties important to the tribes. It pointed particularly to the need for an inventory to determine the extent of artifact collections for which FWS is responsible that relate to such properties. Apparently few records were maintained of such collections gathered under Archeological Resources Protection Act permits prior to 1984. FWS also suggested that broader interpretation of and public education about cultural resources under FWS administration would be beneficial.

BR emphasized the importance of collaboration with Indian tribes, particularly in regard to development of tribal museums, curation and conservation, public education, tribal involvement in agency preservation programs, and the identification of historic properties. It emphasized the need to resolve issues surrounding the treatment of human remains in order to remove impediments to tribal participation in historic preservation programs. BR also noted specific interest in collaborative activities on the part of the Ak-Chin community, the Shoshone-Bannock tribe, and the Colville tribe.

The Forest Service noted that additional funding for its cultural resources programs would improve its ability to deal with culturally significant historic properties. Additional funding needs include a variety of actions from consultations and technical training to collaborative interpretations. NOAA suggested that with appropriate funding it could assist tribes in research, public education, and interpretation where its Estuarine Research Program or Sanctuary Program involved lands of cultural importance to Indian tribes.

5. In summary, five of the six reporting agencies would like to educate their staffs in techniques of consultation with tribes, to engage in more collaborative efforts with tribes, to improve public education and interpretation regarding resources important to the tribes, and generally to improve their means of identifying and protecting culturally significant historic properties. BIA reports that it carries out these activities as part of the

agency's mission. Although none outlined specific dollar amounts needed, some identified programs that could efficiently administer additional funding for such purposes, and most noted that additional funding would be welcome to advance their efforts in these areas.

American Indian Programs in the Smithsonian Institution

In preparation of this report, the Smithsonian Institution was asked how its programs currently met the preservation needs of Indian tribes, what additional assistance to tribes was needed, and what it would cost to provide that additional assistance. The Smithsonian's Office of Public Affairs supplied the information from which this section was prepared.

1. President Bush signed Public Law 101-85 on November 28, 1989, establishing the National Museum of the American Indian within the Smithsonian Institution. The legislation calls for three separate facilities:

- o a museum on the National Mall in Washington, D.C., scheduled to open in 1998;
- o an exhibition site, the George Gustav Heye Center of the National Museum of the American Indian, in the Old United States Custom House in lower Manhattan, New York; and
- o a storage, research and conservation facility at the Smithsonian's Museum Support Center.

The centerpiece of the new museum will be the extensive collections of the Museum of the American Indian, Heye Foundation. Those collections contain more than one million artifacts covering the entire Western Hemisphere, an extensive archive of photographs, and other resource materials.

The National Museum of the American Indian Act provides the Smithsonian with the opportunity to work with Indian tribes in unprecedented ways. Smithsonian Secretary Robert McCormick Adams commented:

*[The Act] opens new horizons for the Smithsonian and the world because we'll be working with Native American communities in ways we have never done before, and it's a new model for working with other communities. Beyond that, this museum is unique because it is the first opportunity for American Indians to present their own civilizations in their own way, in their own voice.*¹⁸

¹⁸ "Indian Museum Bill Passes House: Vote Is Unanimous; Senate Approval Expected Today," *Washington Post*, 14 November 1989, Section C, p. 7.

2. The American Indian Program in the National Museum of Natural History was established in 1986 to serve as an outreach program to Indian reservations and communities, to make the Smithsonian more accessible to Indian people, and to encourage collection, research, exhibitions, and public programming by and about Indian peoples. One of the program's objectives is for staff to collaborate on projects with Indian-controlled museums, colleges, and other cultural and educational institutions. These projects could include traveling exhibits, loans of collections, and tribally initiated research efforts.

3. The National Anthropological Archives (National Museum of Natural History/National Museum of Man) serves as a repository for American Indian photographs and documents. The Archives actively engages in acquiring materials from Indian tribes, usually in exchange for copies of other documents in its holdings.

4. The Human Studies Film Archives (Department of Anthropology, National Museum of Natural History/National Museum of Man) was established in 1981 to collect, preserve, and make available for research anthropological film and video records. The Film Archives contains film and video materials of American Indians and include footage from the early 20th century as well as more recent material. Annotations, photographs, and sound recordings, field notes and dissertations accompany many of the film projects.

5. The Handbook of North American Indians (Department of Anthropology, National Museum of Natural History/National Museum of Man) is a 20 volume encyclopedia of North American Indian culture, language, history, prehistory, and human biology. The Handbook has become a standard reference for anthropologists, historians, students, and general readers.

6. The Arctic Program (Department of Anthropology, National Museum of Natural History/National Museum of Man) emphasizes cultural resources, education, exhibits, and research in the Arctic. International and multi-institutional in scope, its primary emphasis is on Alaska. A training aspect involves American Indians and covers curation, exhibition, and research. Once the program is fully established, fellowships will be made available to American Indians.

7. The American Indian Program at the National Museum of American History was founded in 1984 to offer technical assistance and cooperative support to American Indian tribes and communities and to other educational and cultural institutions; produce exhibits publications, and educational and scholarly materials; sponsor research and training; and develop collections, public programs, and collaborative initiatives on American Indians. The program works with and invites participation by a variety

of tribal, institutional, and individual projects. These include internships at the Smithsonian and supervision of research by Smithsonian scholars.

8. The Office of Museum Programs targets ethnic and minority museums, including American Indian museums. Workshops and other training are designed to meet special needs of such museums and is directed toward awareness of organizational issues rather than task specific activities. Research is continuing on the role of museums in tribal communities, specifically where they differ from Western concepts of empowerment. The Office of Museum Programs has worked closely with the Ak-Chin Indian Community in Arizona on the development of an eco-museum. The Office also administers funds appropriated for training of American Indians in museum operations.

9. The Office of Fellowships and Grants has a Native American Awards Program which is used to fund interns and American Indian community scholars who study Native American resources in Smithsonian collections.

10. The Office of Folklife Programs has helped tribal groups establish their own ethnographic programs by assessing tribal needs. While the folklife projects range from the collection of tribal music to tribal narratives, the Office of Folklife Programs is most notable for its annual Folklife Festival, which has had consistent American Indian representation in its activities on the Mall in Washington, D.C.

11. The Office of Elementary and Secondary Education makes a special effort to sponsor minorities, especially American Indian high school students, in its High School Summer Intern Program. It also reaches out to American Indian communities with school publications and other communications resources.

12. The Office of Quincentenary Programs coordinates a variety of activities and programs throughout the Institution relating to the 500th anniversary of the Columbus voyages to the New World. Among the projects planned is a major exhibition, to be developed by the National Museum of American History, titled "American Encounters." The exhibit will focus on encounters between Spanish, Indian, and Anglo-American cultures in New Mexico. The National Museum of Natural History/National Museum of Man is planning a major exhibit organized around the concept "Seeds of Change." The exhibit will look at plant, animal, and disease exchanges that occurred between the Old and New Worlds, transforming the cultural ecological landscape of the Americas. The National Zoological Park will present "Heritage Garden Plant Pioneers: Algonquin Indian Foods and Medicine." This is an interpretative garden to be cared for by volunteers.

The Smithsonian's Office of Telecommunications and the Native American Public Broadcasting Consortium are developing a radio series on the Columbus

encounter and its aftermath from a Native American perspective. The Corporation for Public Broadcasting has committed \$224,000 for production costs. Among the topics to be considered are Native American views of medicine, Indian religion and cosmology, and the history of treaties between Indian tribes and the government. The series of 13 half-hour programs will air on public radio stations nationwide in 1992. An accompanying educational packet for schools is also planned.

In summary, the Smithsonian Institution sponsors extensive American Indian programs throughout its research and museum facilities. These programs include, but are not limited to, training in research, exhibits, curation, conservation, production of educational materials, and developing tribal archives. The National Museum of the American Indian Act opens new possibilities for working with Indian tribes on an unprecedented scale. These programs, including the National Museum of the American Indian, focus on museums, collections, and research. They do not, however, address the full range of preservation needs identified by Indian tribes in **PART I** of this report nor the land management aspects of cultural preservation.

Section 4: State Historic Preservation Office Perspectives

State Historic Preservation Offices can assist tribes to manage, research, interpret, protect, and develop historic properties on Indian lands and on ancestral lands off reservations. This section describes how State Historic Preservation Offices view tribal needs, how they presently assist tribes, and how they would like to assist tribes in the future.

The information in this section was provided by State Historic Preservation Officers who were asked to describe how their offices assisted Indian tribes to manage, research, interpret, protect and develop historic properties on Indian lands. Some States, like Ohio, in which no Federally recognized tribes or Indian lands are located, did not provide information for this report. When appropriate, information provided by State Historic Preservation Offices concerning the preservation assistance provided to tribes by other State agencies has been included.

Assistance to Tribes on Indian Lands

State Historic Preservation Offices seldom, if ever, have programs of financial and technical assistance exclusively for tribes. Most provide assistance on a case by case basis. The Washington State Historic Preservation Office provided an

overview that broadly describes the relationship between tribes and State Historic Preservation Offices.

We offer technical assistance as requested by tribes, particularly concerning the protection of properties on ceded lands within the State. We fully support and recognize the government to government relationship between the State and the tribes and are supportive of the protection and preservation of tribal cultural values and properties. We have no separately funded programs for the identification, evaluation, or protection of cultural properties on Indian lands. (Washington State Historic Preservation Office)

Some State Historic Preservation Offices, however, have outreach efforts that address tribal issues. The Montana State Historic Preservation Office conducts an annual conference to provide a forum for the discussion of issues of importance to tribes.

For the past three years our office has co-sponsored a series of meetings which we call the "Maiden Conference" (named after Camp Maiden, the site of the first meeting). These conferences are meetings of tribal cultural representatives, archeologists, cultural resource managers, and Federal and State agency supervisors to discuss current cultural resource issues and to facilitate communication and face to face contact between tribal cultural representatives and cultural resource managers. Topics discussed at these meetings include cultural resource and American Indian Religious Freedom legislation, proposed statewide burial legislation, sacred landscapes, cultural resource information management, current Section 106 and American Indian Religious Freedom negotiations, and weed spraying programs which affect tribal plant collecting. (Montana State Historic Preservation Office)

Each conference costs the Montana State Historic Preservation Office about \$5,000.

1. State Historic Preservation Offices assist tribes in management activities on Indian lands. Management was defined in the worksheets sent to State Historic Preservation Offices to include preservation planning, establishing and maintaining inventories of historic properties, managing cultural centers and museums, administering language preservation programs, and managing the curation and care of tribal objects.

The Arizona State Historic Preservation Office has provided Historic Preservation Fund grants to the Navajo, Hopi, and the Fort McDowell Mojave Apache Indian

tribe over the past three years. In Fiscal Year 1987, the Navajo received \$25,000 for a pilot study in five Navajo Chapters as the first phase in developing a historic preservation plan for the Navajo Nation. In Fiscal Year 1988, the Hopi received \$12,804 to assess the Awatovi ruins on Hopi lands. One product of that assessment was a preservation plan for the site and recommendations for the development of an overall preservation plan for the Hopi tribe. In Fiscal Year 1990, the Fort McDowell Mohave Apache Indian tribe received a grant of \$8,000 to prepare, among other things, a preservation plan for the Fort McDowell historic district which is to be nominated to the National Register of Historic Places.

Most State Historic Preservation Offices reported that their inventories contain properties significant to Indian tribes and that they shared this information with Indian tribes on request. The cost of doing so is generally absorbed by the State Historic Preservation Office. Some State Historic Preservation Offices regularly communicate with tribes concerning properties and proposed activities on areas of importance to tribes.

The Montana State Historic Preservation Office regularly provides information to tribes upon request about documented sites on tribal lands from the statewide cultural resource information system. Computer printouts are provided to cultural committees and site forms are provided to the tribes for the cost of photocopying. We also provide information to tribes about past and upcoming Federal and State cultural resource compliance activities on Indian lands and on off-reservation lands of expressed concern to the tribes. We consistently make recommendations for Federal and State agencies who are conducting activities on Indian lands or in acknowledged aboriginal territory to contact the appropriate tribes. (Montana State Historic Preservation Office)

The Minnesota Historical Society has provided assistance to the Mille Lacs, Fond du Lac, and Red Lake bands of Chippewa for the curation and care of tribal archival materials through a State Grants-In-Aid program. Over the past five years, over \$29,000 has been spent for these purposes. In 1988, the Minnesota legislature authorized a capital building request of \$165,000 for development of a Tribal Information Center at Red Lake Reservation that will include archival storage, a research area, public library, and an interpretive center. Construction is planned to begin in the summer of 1990.

The Rhode Island State Historic Preservation Office curates and cares for tribal objects and archival materials. In 1983, the office spent about \$15,000 to stabilize the collection and spends about \$1,000 per year to maintain it.



Young people from the Coushatta, Chitimacha, Houma, and Choctaw tribes attended an archeological field school in 1982. The field school was sponsored by the Intertribal Council of Louisiana, the University of New Orleans, and the Louisiana State Historic Preservation Office. (Louisiana State Historic Preservation Office photograph)

The South Dakota State Historic Preservation Office has been working on a program to permanently protect Wounded Knee. They have spent \$3,000 to \$6,000 a year for the past two years and are working now to complete a feasibility study for site protection and interpretation. Of the \$15,000 spent to date, most has been from the Historic Preservation Fund with some assistance from the state tourism agency and from the Bureau of Indian Affairs.

In Utah, the State Historic Preservation Office helps with tribal preservation programs with the Utes and Paiutes and is consulting with the Paiutes on a proposed cultural center. The office uses from \$15,000 to \$25,000 per year in State and Federal funds.

The Wyoming State Historic Preservation Office maintains the records of all survey and sites conducted within the boundaries of the Wind River Reservation. Information pertaining to properties on the Reservation is not released without the permission of the Arapaho or Shoshone.

Several State Historic Preservation Offices reported on the assistance given to Indian tribes by other State agencies in managing historic properties. The Museum of Florida History, for example, administers a consulting service for history museums and historical societies, and in that capacity has answered questions and met with at least two Indian groups in the State.

2. State Historic Preservation Offices assist tribes in research on Indian lands. Research was defined in the worksheet sent to State Historic Preservation Offices to include surveying, identifying, recording, and documenting historic properties, traditional cultural practices and oral tradition; documenting where tribal objects are located; archeological excavations on tribal lands; recording traditional use of plants, animals, natural landmarks, and other natural resources; preparing nominations to the National Register of Historic Places; and conducting ethnographic studies.

The pilot study in five Chapters of the Navajo Nation was funded by a Fiscal Year 1987 Historic Preservation Fund matching grant (described below). The project included archival research, ethnographic research, and field visits to identify sites eligible for inclusion in the National Register of Historic Places. Additional phases of the project will include similar identification activities. In Fiscal Year 1990, the Hopi received a Historic Preservation Fund matching grant for \$11,000 to document certain archeological, historic, and sacred properties on the Hopi Reservation, including those within a 50 mile radius of the village of Moenkopi. This will include archeological surveys of major sites, assessment of surface artifacts, and preliminary evaluation of adjacent petroglyphs to correlate with Hopi oral history concerning those sites.



Bobby Henry teaches Danny Wilcox to make a Seminole cypress canoe. (Bureau of Florida Folklife Programs photograph)

Reclaiming the Tribal Past Through Archeological Research

The Mashantucket Pequot Indians have continuously occupied land now designated as the tribe's reservation for more than a thousand years. The Mashantucket's language and much of the tribe's history was lost during the past three and half centuries. The Mashantucket Tribal Council realized that one way to regain the tribe's cultural heritage was through historical and archeological research.

The Mashantucket Pequot Archeological Project was initiated by the tribe and funded by Historic Preservation Fund grants administered through the Connecticut State Historic Preservation Office. From 1984 - 1987, the Connecticut State Historic Preservation Office allocated \$68,695 to the project. In 1987 and 1988 the State Historic Preservation Office allocated \$15,000 and \$11,500, respectively, from the State of Connecticut Historic Restoration Fund for more detailed investigation and interpretation of significant archeological properties on the Pequot Reservation. Tribal members designed and carried out the work in cooperation with State Historic Preservation Office and the University of Connecticut.

Seventy-five archeological sites on the reservation have been identified, and 11 of these have been listed on the National Register of Historic Places. A museum is being planned to house the archeological and historic materials found during the project.

The Mashantucket Pequot Historical Conference was planned and sponsored by the Pequots in cooperation with the University of Connecticut. The conference brought together scholars from numerous disciplines and stimulated interest in Pequot history.

The Mashantucket Pequot Archeological District project was a recipient of a 1988 National Historic Preservation Award from the Secretary of the Interior and the Advisory Council on Historic Preservation. The jury commented: "This project is a rare example of research and documentation by Native Americans of their own resources on land that has been integral to their heritage. Particularly praiseworthy is the Pequots' initiative in sharing their findings with academicians and the public."

The Florida State Historic Preservation Office has awarded a Historic Preservation Fund matching grant of \$6,000 for a survey of properties on Seminole reservation land. The Office has awarded about 40 grants for the identification, evaluation, and documentation of Indian properties on lands off reservations.

The Bureau of Florida Folklife documents Seminole, Miccosukee, and Creek folklife as requested by cultural organizations and in support of projects like museum exhibits and video projects. From 1988 to 1989, the Bureau of Florida Folklife spent about \$8,500 on projects documenting Florida Indian folklife.

The Bureau of Florida Folklife also administers the State Folklife/Folk Arts Apprenticeship Program. Through the Apprenticeship Programs, students are able to work with a master folk artist to learn the techniques, aesthetics, and values



Jennie O. Billie teaches Minnie Bert how to make Miccosukee patchwork clothing. (Bureau of Florida Folklife Programs photograph)

associated with a folk tradition. The purpose of the program is to foster the continued practice of traditional forms and processes. During the last five years, four apprenticeships have gone to Indians in the State for Seminole herbal medicine, Seminole dugout canoe making, Creek pine needle basketry, and Miccosukee patchwork sewing. Apprenticeships cost approximately \$4,500 each, and are funded by grants from the National Endowment for the Arts Folk Arts Program, the Florida Division of Cultural Affairs, and State general revenue funds.

The Michigan State Historic Preservation Office assists tribes to research historic properties on Indian lands on request. The Office provides information to the Bureau of Indian Affairs and edits nominations to the National Register of Historic Places of properties on Indian lands. The Office plans to continue to solicit applications from tribes for Historic Preservation Fund grants.

The Minnesota Historical Society has assisted the Leech Lake and the Mille Lacs bands of Chippewa to conduct archeological surveys on reservation lands at a cost of \$70,000. These funds were appropriated by the Minnesota legislature as an "Indian-History Grant-In-Aid." The Minnesota Historical Society also funded a National Register nomination for the Birch Coulee School, an Indian school, at the cost of approximately \$1,500 from the Historic Preservation Fund. The State has also provided \$29,428 in State Grants for oral history projects. These funds have helped leverage private foundation grants of \$60,000, and Federal National Historical Publications and Records Commission funds of \$116,000 for oral history and other historic records projects. Grants for oral history and historic records projects have been awarded to the Mille Lacs, White Earth, Leech Lake, and Red Lake Bands of Chippewa.

The Nevada State Historic Preservation Office reports that while it has not assisted tribes in conducting research, some tribes are aware that they have historic properties, but they do not know how to record them or how to keep an inventory.

The New Mexico State Historic Preservation Office cooperated with the Arizona State Historic Preservation Office to fund the pilot project to identify historic properties on the Navajo Nation in New Mexico. As part of that project, described above, archeological survey was conducted and nominations to the National Register of Historic Places were prepared. The project was funded with a \$25,000 Historic Preservation Fund matching grant.

The South Dakota State Historic Preservation Office awarded a \$35,000 Historic Preservation Fund grant to survey sites associated with the Yankton Sioux.

The Utah State Historic Preservation Office assists with survey on Ute land, and with excavation when requested. The Office library has assisted research into Paiute oral history. Most funds for these projects have come from private sources.

The Wyoming State Historic Preservation Office is in the process of establishing a survey program for the Wind River Reservation to be staffed by Arapaho and Shoshone. The Office will provide survey training and will set up a historic properties inventory system for the Reservation. The Wyoming State Historic Preservation Office also prepares and modifies nominations to the National Register of Historic Places of historic properties on the Wind River Reservation.

3. State Historic Preservation Offices assist tribes in interpretation on Indian lands. Interpretation was defined on the worksheets sent to State Historic Preservation Offices as including such activities as preparing exhibits, signs, markers, and performing traditional arts, crafts, skills, to enhance and continue traditional tribal lifeways. In general, State Historic Preservation Offices assist tribes less in this area than in others because these activities, while eligible for funding with Historic Preservation Funds, have not been required of States or identified as Federal program priorities.

In Iowa, the State Historic Preservation Office has loaned artifacts for a major exhibit of Mesquakie art, but there was no formal State Historic Preservation Office involvement in the exhibit.

In Maryland, a traveling photographic exhibit will be created from the Piscataway Oral History Project described above that will be seen in schools, museums, and libraries throughout the State. The exhibit will be funded with \$5,000 from the Division of Historical and Cultural Programs.

The Maryland Commission on Indian Affairs has an aggressive program to interpret Indian culture in Maryland.

A major concern of the Indian community in the State is the limited availability of quality educational materials about Maryland Indians, both contemporary and historical, at all grade levels in the Maryland school system. The Commission began working with the Maryland Department of Education in 1989 to address this problem, recommending changes in school curricula. On a closely related matter, the Commission provided technical assistance to Maryland Instructional Television in the development of a video on the Maryland Indian for use at the fifth grade level. The video will be used during the 1990 school year. (Maryland Historic Preservation Office)

The Director of the Commission and members of the Maryland Indian community make public appearances in schools, seminars and conferences, libraries, and art institutions. In 1989, in addition to attending many public events in the State and

across the nation, the Commission made 21 public presentations at universities and other institutions, made 582 presentations on Indian crafts and history, and responded to 864 general requests for information.

Maryland's Indian community is also featured in two major articles: "Maryland's First Americans," in *Maryland Magazine*, and "The Last of the Piscataways, Maryland's First People Struggle to Preserve Their Identity," in *Inquiry Quarterly*, published by the University of Maryland.

In Michigan, the State Historic Preservation Office has a State marker program and is planning an exhibit on Michigan Indians for the State Historical Museum.

The Minnesota Historical Society administers and interprets a historic site within the boundaries of the Mille Lacs Chippewa Reservation. The site is open to the public. Annual operating costs for the site average \$150,000 per year; projected capital costs are approximately \$4,000,000. This is funded through the Minnesota Historical Society's Historic Sites Department budget. The Society would like to replace the current museum, restore the historic trading post located at the site, and improve the interpretive program by developing new exhibits and education programs, recording oral histories, developing library resources at the site, and transferring the curation of the Society's related archival collections to the site.

The Minnesota Historical Society has also cooperated with the Mille Lacs Band of Chippewa in their planning of commercial development near the proposed new museum and cultural center. The Band views the new museum as vital to the success of its commercial ventures.

The Nevada State Historic Preservation Office erected historic markers for the Walker River Reservation and the Pyramid Lake War, and received the tribe's approval of the text beforehand. The markers were put in place over five years ago. More could be proposed by the State Historic Preservation Office if Nevada tribes are interested.

South Dakota has a State Folklorist, funded through the National Endowment for the Humanities, who organizes folk festivals and exhibits featuring traditional Indian crafts, dance, and music at a cost of roughly \$5,000 to \$10,000 per year.

4. All State Historic Preservation Offices provide assistance in the protection of historic properties on Indian land through their participation in the Section 106 review process described above. The Nevada State Historic Preservation Office reported on particular problems associated with conducting Section 106 review on Indian lands, usually stemming from poor communication, lack of support from other Federal agencies, and ignorance about historic properties.



Saint Benedict's Mission School, White Earth Band of Chippewa Reservation, is listed in the National Register of Historic Places. A restoration project for the School was funded through the Minnesota State Historic Preservation Office under the Emergency Jobs Act of 1983. (Minnesota Historical Society photograph)

Tribal councils often apply for grants from the Department of Housing and Urban Development, the Economic Development Administration, or work from the Bureau of Indian Affairs. Many of these requests for review come from groups a long distance from Carson City so correspondence through the mail may be our sole means of communication (telephone systems are often poor). Submissions usually include a brief project description, a map and photographs. If we should request additional information, such as building inventory forms, we rarely receive a response. Most of our visits to tribal lands occur as a result of Section 106 generated correspondence. Through these visits, we have learned that historic sites exist. Often, projects are redesigned to avoid impacting properties, particularly buildings that might be eligible for inclusion on the National Register. Unfortunately, the tribes have informed us that the Department of Housing and Urban Development has not encouraged the reuse of historic properties and has made it difficult to obtain funds for rehabilitation of older buildings. Therefore, many buildings stand in major disrepair and do not stand a chance of being preserved. . . . We do know of examples where through ignorance, . . . archeological sites have been damaged or destroyed for construction projects. We usually discover these situations after the fact. When informed that archeological sites were present, Native Americans expressed amazement. They had not noted artifacts or features.

5. State Historic Preservation Offices assist tribes in developing historic properties on Indian lands. Development in the worksheet sent to State Historic Preservation Offices was defined to include, stabilizing, restoring, and rehabilitating historic properties; establishing facilities to manage, research, interpret, and protect historic properties and tribal traditions; and conducting cultural tourism programs and establishing cultural parks. With the exception of the Emergency Jobs Act of 1983, State Historic Preservation Offices have not been allowed to pay for development projects with Historic Preservation Funds since Fiscal Year 1981. States provide technical assistance, however, regarding standards and techniques for development projects, and some assist development using nonfederal funds.

The Minnesota State Historic Preservation Office provides funds for the stabilization, restoration, and rehabilitation of properties listed on the National Register of Historic Places on Indian lands. Over the past five years, the State Grants-In-Aid program has awarded \$14,619 for work on historic properties to the Lower Sioux Band of Dakota and to the Fond du Lac and White Earth Bands of Chippewa. In 1983, \$15,000 from the Historic Preservation Fund was awarded to the White Earth band for a development project under the Emergency Jobs Act.

The New Mexico State Historic Preservation Office helped to secure State funding for restoration work on Taos Pueblo. The State appropriated \$100,000 which was matched by a \$300,000 Housing and Urban Development grant along with private contributions.

Assistance to Indian Tribes on Non-Indian Lands

State Historic Preservation Officers assist Indian tribes with preservation on non-Indian lands in a variety of ways.

1. State Historic Preservation Offices did not report providing assistance with management on non-Indian lands, as that term was defined in the worksheet distributed to the States.

2. State Historic Preservation Offices assist tribes in research on non-Indian lands. The California State Historic Preservation Office estimates that it spends less than \$5,000 per year of Historic Preservation Funds and State funds to survey and record traditional use sites of California Indians. An expanded program is needed and is likely to cost \$50,000.

The Iowa State Historic Preservation Office has invited the Mesquakie to comment on nominations of Mesquakie sites off settlement lands to the National Register of Historic Places.

During 1990, the Maryland State Historic Preservation Office will use a \$7,500 Historic Preservation Fund matching grant for a project that will:

. . . develop a methodology for identifying Maryland Indian sites (many unmarked), as well as evaluation criteria to better pinpoint their significance. Survey work will be done on a test basis in Dorchester County, Maryland, an area rich in Indian history, and will result in the preparation of a number of Maryland Inventory of Historic Property forms. (Maryland State Historic Preservation Office)

The Office hopes to expand and accelerate the survey and evaluation activities into a five year program to gather basic information on Maryland Indian sites.

The Maryland Humanities Council awarded a \$15,000 grant to the Piscataway Indians Oral History Project to be completed in 1990. The grant was matched with in-kind and donated services from the Maryland Commission on Indian Affairs and the Maryland Indian community.



Participants in the Oral History Project of the Piscataway Indians of Southern Maryland, 1989-1990 (Maryland Commission on Indian Affairs photograph)

The goal of the project is to capture the voices, both old and young, of this group, so that Maryland's Indian culture, values, and beliefs are not lost for future generations. Materials collected for this oral history project will be used by archivists, historians, anthropologists and other social scientists, and should lead to further studies of the Piscataways, and the collection of additional oral histories from other Maryland tribes (this is a Division [of Historical and Cultural Programs] goal for the next five years). Recordings will ultimately be housed in the Maryland State Archives. (Maryland State Historic Preservation Office)

The Minnesota Historic Preservation Office is currently conducting a survey of Indian land treaty sites in Minnesota under contract. The survey was initiated after consultations with the Minnesota Historical Society Indian Advisory Committee regarding potential survey projects.

3. State Historic Preservation Offices assist tribes with interpretation on non-Indian lands. Some States have historical marker programs funded by State or private funds and State Folklife programs that assist tribes to interpret historic properties and traditional lifeways. For example, the State Historic Preservation Office in Florida administers a State marker program funded by the State. No markers have yet been erected on Indian land, but approximately 20 markers throughout Florida interpret Indian prehistoric and historic sites. In Blountstown, Florida, the Cochranetown marker that interprets a historic Creek settlement is the State's first bilingual marker, written in English and Apalachicola Creek. State historical markers cost approximately \$1,300.

The Minnesota Historic Society administers a historical marker program and interprets significant sites related to Indian history on non-Indian lands as well as on the reservation. The Society also consults with its newly formed Indian Advisory Committee to interpret the history of the Minnesota Indian population in historic sites owned by the Society and open to the public on non-Indian lands.

The Bureau of Florida Folklife arranges for Seminoles, Miccosukees, and Creeks to present their folk traditions at festivals, workshops for teachers and students, museum demonstrations, and other events. In these programs, the tribes have built chickees (traditional structures); cooked fry bread, sofkee, and turtle; demonstrated stick ball; told stories; and taught counting songs. The Bureau also helps prepare small traveling exhibits, videotapes and publications portraying Florida Indian folklife. The Bureau has spent an average of \$4,000 annually over the past three to five years on these activities. Most of these funds were used to cover expenses and honoraria of participating Seminoles, Creeks, and Miccosukees.



The hill behind Joe Rockboy was used by the Yankton Sioux as a place for fasting during spirit quests. (South Dakota State Historic Preservation Office photograph circa 1975)

In the past three to five years, the Museum of Florida History has produced two traveling exhibits on the Seminoles and the Miccosukees. The exhibits were produced in consultation with both tribes and involved extensive research. A display on the "Lifeways of Florida Indians" will be incorporated in the Museum of Florida History's permanent exhibit called "Peoples of Florida," at an estimated cost of \$30,000.

Four video programs on "Native American Peoples of Florida" and a photo essay book on the peoples of Florida are planned by the Bureau of Florida Folklife to commemorate the Columbian Quincentennial. Funds for these projects have been requested from the Florida legislature. The Bureau also is planning to produce a radio series on Florida folklife that will include selected Florida Indian traditions. Costs for the radio series have not been established.

4. State Historic Preservation Offices assist tribes in protection on non-Indian lands. The Arizona Site Steward Program is an organization of volunteers, sponsored by public land managers and tribal governments for the purpose of preventing destruction of prehistoric and historic archeological sites in Arizona through site monitoring on Indian and non-Indian Lands. Members of the Site Steward Program are selected, trained, and certified by the Arizona State Historic Preservation Office and must volunteer at least one day a month and serve at least a two year term. The Site Steward Program has more than 250 volunteers working to protect archeological sites throughout Arizona.

The Idaho State Historic Preservation Office assists the Nez Perce to monitor sites on their ancestral lands off the reservation to prevent vandalism. The cost of these activities is between \$5,000 and \$10,000 per year and is funded by the Historic Preservation Fund.

The Maryland State Historic Preservation Office and the Maryland Commission on Indian Affairs will work during 1990 with a variety of other interested groups and organizations on a Governor's Task Force on the Protection of Cemeteries. The Task Force is to complete a broad, statewide policy on the disposition of all burials and grave goods regardless of cultural origin. Reinforcing these efforts, the Office also has established a special emphasis on the "identification and survey of marked and unmarked ethnic burials" as a priority in their 1990-1991 Historic Preservation Fund Grant Application.

Several State Historic Preservation Offices reported that they have been working with tribes to strengthen State legislation to protect burials. The Florida State Historic Preservation Office works with tribes in Florida to amend and strengthen Florida statutes to protect Native American burials. The North Carolina State Historic Preservation Office worked with Cherokee representatives on the North Carolina Commission on Indian Affairs to develop burial laws. A workshop entitled "Burial Law and Problems with Vandalism" was held several years ago and funded by a North Carolina Humanities Council grant.

5. State Historic Preservation Offices did not report providing assistance with development on non-Indian lands, as that term was defined in the worksheet distributed to the States.

How State Historic Preservation Offices Would Like to Assist Tribes with Historic Properties

1. State Historic Preservation Offices would like to assist tribes to manage historic properties. States had several suggestions regarding how they would like assist tribes to manage properties on Indian lands.

The California State Historic Preservation Office reports that it spends less than \$5,000 per year assisting tribes in preservation planning projects but that it would be desirable to fund the development of tribal preservation programs and para-professional programs which would require about \$35,000.

The Florida State Historic Preservation Office is planning to flag, in its inventory, the historic properties on the three large reservations in the State and to keep this identification current. The office suggests that if a State service position were established for museum consulting services in the Museum of Florida History, the State could better assist tribes in managing historic properties on Indian lands. This would require approximately \$23,400 for salary and benefits.

The Minnesota Historical Society would like to see tribes develop preservation programs coordinated with the statewide preservation plan that include preservation planning and establishing and maintaining an inventory of tribal properties. As part of its preservation planning activities (in accordance with the "Secretary of the Interior's Standards and Guidelines for Preservation Planning"), the State Historic Preservation Office has identified a number of historic contexts ranging from ca. 12,000 B.C. to the reservation period.¹⁹ The Minnesota Historical Society is also consulting with the newly formed Minnesota Historical Society Advisory Committee and the Minnesota Indian community to further refine these contexts. These contexts will discuss historic Indian-related properties on both Indian and other lands.

The North Carolina State Historic Preservation Office reports that it does not regularly assist the one federally recognized tribe in the State, the Eastern Band of Cherokee, in preservation management. It would like, however, to work with the Cherokee on developing a tribal preservation program, maintaining an archeological site inventory, curation and conservation of artifacts and records, and completing a comprehensive inventory of archeological sites and historic structures.

¹⁹ *Federal Register*, Volume 48, Number 190, Part IV, September 29, 1983, p. 44716-44742.

The office estimates that these activities would require \$75,000 per year, of which about \$1,500 would be costs of the State Historic Preservation Office.

The Utah State Historic Preservation Office thinks tribes are interested in additional assistance in curation and language programs; such assistance could be provided for a little more than \$20,000 per year over the next three years.

2. State Historic Preservation Offices would like to assist tribes to research historic properties. The Iowa State Historic Preservation Office would like to conduct an intensive survey of the Mesquakie settlement and to nominate eligible sites to the National Register of Historic Places. These activities would cost approximately \$40,000.

A basic continuing program to document Florida Indian folklife can be funded for \$30,000 to \$45,000.

The Minnesota State Historic Preservation Office would like to see more survey and recording of historic properties on Indian lands and continuing projects in oral history and historic records. This is estimated to cost \$500,000 over the next three to five years.

The Montana State Historic Preservation Office would like to assist tribes in developing tribal historic property registration programs.

In order to adequately consider sites of value to tribes it is most efficient to obtain information about cultural sites in advance of proposed undertakings. A program of cultural site identification and evaluation encourages the tribes to identify properties in advance of threats. This allows government agencies an opportunity to undertake active rather than reactive historic preservation. The end result is that it streamlines the 106 process and avoids battles that result from misinformation or misunderstanding. (Montana State Historic Preservation Office)

The Montana State Historic Preservation Office would also like to establish cooperative archeological efforts with tribes.

We believe that cooperative archeological efforts with willing tribes are an important step in bridging understanding between tribes and archeologists. The mistrust and misunderstanding that have surfaced in the past between tribes and archeologists are best eliminated through communication and cooperative effort. We believe that the tribes have much to contribute to Montana archeology and that archeology has much to contribute to the tribes. . . . We would like to work with tribes to assist in excavating sites

of historic interest as a means of demonstrating the methods and theories of archeological research. We further anticipate that tribal knowledge and tradition can go a long way to help us to better understand and interpret Montana's archeological record. (Montana Historic Preservation Office)

The North Carolina State Historic Preservation Office reports that while no direct research assistance has been provided to the Eastern Band of Cherokee, a full range of cultural and historic inventories should be established. Estimated costs for archeological survey on and off the reservation, testing of archeological sites, preparation of nominations to the National Register of Historic Places, and preservation planning activities are \$226,500.

The Rhode Island State Historic Preservation Office estimates that a survey of the Charlestown reservation would cost between \$30,000 and \$50,000. The Office also suggests that it would be useful to prepare guidelines for survey targeted at Indian tribes.

The South Dakota State Historic Preservation Office reports that more survey is needed to identify and evaluate sites associated with the Yankton Sioux at an estimated cost of \$50,000.

The Utah State Historic Preservation Office suggests that the tribes would be interested in assistance for ethnographic studies and arts and crafts. Costs for adequate ethnographic studies for the Ute, Paiute, and Goshute are estimated at more than \$100,000 over a three year period.

The Wyoming State Historic Preservation Office would like to assist the Arapaho and Shoshone establish an oral history program on the Wind River Reservation.

We feel this would be one way to gather critical data in a manner fully compatible with the history of oral transmission of knowledge still practiced by both tribes. The cost [of this program] would be approximately \$25,000 per year, the likely salary of a full-time oral historian. (Wyoming State Historic Preservation Office)

3. State Historic Preservation Offices would like to assist tribes to interpret historic properties. The Minnesota State Historic Preservation Office provides predevelopment grants on tribal properties listed on the National Register of Historic Places in need of rehabilitation. These Historic Preservation Fund matching grants have totaled \$5,450.



The Stockbridge-Munsee Historical Library/Museum displays historical materials at the bingo hall as part of celebrating the fiftieth anniversary of their settlement on their reservation. (Stockbridge-Munsee Historical Library/Museum photograph)

The Montana State Historic Preservation Office is interested in setting up training opportunities for tribal members. The office is planning and reviewing cooperative efforts to provide training to tribal members in archival management, conservation, and collections management. The Office sees the interpretation of tribal culture through tribal cultural centers as central to the preservation of tribal tradition.

The development of cultural centers where tribal traditions, ceremonies, workshops, discussions, meetings of elders, cultural committee meetings, and so forth, can take place is very important to every Montana tribe. They believe that they need these kinds of facilities to assist in the transfer of tribal culture to future generations and to the interested public. The development of tribal cultural centers would provide much needed support for the preservation and continuation of traditional culture. This would not only benefit the tribes involved, but would be beneficial to the general public so that they can learn about and appreciate the rich Indian heritage of our nation.

The oral traditions, spiritual teachings, languages, arts, and crafts of Montana's Indian tribes are an active and living presence in the native communities. Many of those knowledgeable about cultural matters are elderly. A great concern in the tribal communities is the possible loss of these unique cultural traditions. Without recordation and documentation of these individuals' knowledge, many tribal traditions, stories, histories and philosophies are in danger of being lost. We believe that tribal oral history, arts and crafts, and language are essential for the preservation of traditional culture. Many tribes in Montana have begun such programs, while others recognize the need but do not have the facilities or expertise to develop them. (Montana State Historic Preservation Office)

The Montana State Historic Preservation Office wants to see curricula developed for elementary and secondary schools on the history and traditions of Montana Indians.

Such curricula should be developed directly with tribes and archeologists using archeological, ethnographic, and tribal data. The tribal representatives should have an active role in the development of the curriculum materials and in its review and finalization. A network of tribal representatives and archeologists should be developed to provide lectures, workshops and forums on important issues upon request. This educational effort is critical to eliminate the prejudice and misunderstanding between the Indian and white communities. We believe that Montana's rich Native American cultural traditions are an asset for our State and nation.

Realizing the potential of these unique cultural resources makes good sense from a cultural perspective as well as an economic perspective. (Montana State Historic Preservation Office)

The Montana State Historic Preservation Office would like to see additional interpretation of the archeological resources of the region. Associated projects should include public oriented programs for local citizens and documentation of arts and crafts. Such additional activities will cost approximately \$15,000 per year.

The South Dakota State Historic Preservation Office would like to expand the database on traditional lifeways and the program for displaying them at a cost of \$50,000 per year.

4. State Historic Preservation Offices would like to assist tribes to protect historic properties. California estimates the cost of establishing a training program in the Section 106 process in California at \$15,000.

The Minnesota State Historic Preservation Office would like to see tribes develop tribal preservation ordinances to improve the protection of historic properties, and estimates that this would cost \$200,000 over the next three to five years. The South Dakota State Historic Preservation Office also recommends that specific reservation protective legislation be passed and that good local protective organizations be established. The South Dakota Historic Preservation Office estimates that would cost \$75,000 to \$250,000 per reservation, or between \$500,000 and \$1,750,000 total.

The Nevada State Historic Preservation Office recommends more work to control vandalism in conjunction with a State Task Force on vandalism at a cost of \$50,000 for the three Nevada tribes that have, or will have shortly, a historic preservation officer.

The New Mexico State Historic Preservation Office suggests that additional funds for addressing preservation concerns be added to development projects funded by Federal agencies. Additional funding in New Mexico could begin at about \$50,000 per year.

The Rhode Island State Historic Preservation Office would like to assist the Narragansett to develop an ordinance to protect historic properties on their reservation.

5. State Historic Preservation Offices would like to assist tribes to develop historic properties. The Arizona State Historic Preservation Office's assistance to the Hopi tribe in assessing the Awatovi ruins was described above. The Office further reports:

The future might include stabilization work [and] analyses of mortar for biological and cultural remains. Too often this important aspect of stabilization is overlooked. The further development of Awatovi is a recommendation, but there are concerns among the Hopi that further excavation and development at Awatovi would cause spiritual unrest. (Arizona State Historic Preservation Office)

The Montana State Historic Preservation Office notes the importance of tribal museums for the preservation of tribal culture.

Many tribes are actively pursuing communally significant artifacts from private collections and museums nationally and internationally. Many private collectors and museums have expressed an interest in repatriating those items. The greatest problem for tribes in the transfer of these items which are significant in their cultural and ceremonial traditions is the lack of adequate facilities for curation. Most museums will not transfer such items without an acceptable facility for curation.

In addition, many tribal artifacts require special treatment and curation in a manner that is sensitive to tribal traditions. For example, the Northern Cheyenne of Montana do not accept storage of sacred artifacts in basements since the traffic of people on the upper floor is considered to be trampling on the sacred items.

Having a tribal facility for the storage of these important tribal artifacts is necessary for the preservation of tribal cultural objects, ceremonies and activities. Many of these items play significant roles in basic ceremonies such as the sun dance or annual renewal ceremonies. The loss of these items had a devastating effect on traditional practices.

The North Carolina State Historic Preservation Office reports that the Nununyi mound on the reservation of the Eastern Band of Cherokee warrants protection and could be developed with both a research and educational/tourism focus. At least \$25,000 is required to clear and reclaim the site; additional funds are needed to develop exhibits, trails, and support facilities.



The Stockbridge-Munsee Tribal Council used funds from the Bureau of Indian Affairs to build the Stockbridge-Munsee Historical Library/Museum equipped with a fire-proof vault, historical research room and exhibition space. In 1978, the Stockbridge-Munsee were awarded grant from the National Endowment for the Humanities for an annotated catalog of Historical Library/Museum materials. (National Park Service photograph)

State Historic Preservation Office Views of Tribal Needs

Several State Historic Preservation Offices advised that it is almost impossible for tribes to fund preservation because of other pressing tribal needs.

[We] have discussed the need for survey and inventory work and have encouraged tribes at Yomba, Duck Valley, Duckwater and Ely to apply for Historic Preservation Fund grants. However, tribal planning staff are stretched thinly and priorities for grants and matches for grants center on basic needs--health centers, senior centers, schools, water and sewer systems, employment. (Nevada State Historic Preservation Office)

Lack of adequate funding to support preservation can frustrate the efforts of State Historic Preservation Officers to work with tribes. The participation of tribal members in negotiations concerning Federal and State assisted projects is not supported financially by the responsible agencies.

Tribes need assistance to at least maintain basic level cultural programs and staff. One of the biggest problems we face in working with the tribes is maintaining permanent cultural contacts who can work with us on particular issues. Currently, with the lack of tribal funding for cultural programs and the dire economic conditions on many reservations, cultural programs are very difficult for the tribes to begin and maintain. Many tribal members work without pay and cover expenses from their own pockets to ensure that cultural concerns are heard. This is frustrating for the professionals who work with these individuals (who provide an invaluable service to cultural resource professionals) and difficult and embarrassing for Indian contacts. While all agencies think nothing of paying an archeologist for consulting on cultural resource issues, they sometimes take issue with compensating tribal representatives for providing a similar service. (Montana State Historic Preservation Office)

State Historic Preservation Officers deal not only with federally recognized tribes, but also with tribes that are not currently recognized. Patricia King, Director of the Maryland Commission on Indian Affairs, points out some problems that unrecognized tribes face.

It is unfortunate, and this is the point I want to convey, that State-recognized and unrecognized tribes are faced with the same issues, dilemmas, etc., that federally recognized tribes are, and yet do not

have the means or the money to do preservation planning, research, management and implementation of preservation programs and the like. Nor do they have the organization to help them. In many instances, the Indian community stands on its own and has to initiate preservation concerns. The State Historic Preservation Office and the Maryland Historical trust are helpful, but only to a limited extent. (Patricia King, Maryland Commission on Indian Affairs)

Several States addressed the need to respect the confidentiality of information concerning historic properties on tribal land and on ancestral lands off reservations.

The tribes also need to be assured that they can share information about important historic and traditional sites without fear of the information being misused and abused by agencies and individuals. The tribes have often expressed their concerns on the management of cultural site information. This concern extends beyond Indian lands to areas of concern off the reservations. (Montana State Historic Preservation Office)

Several State Historic Preservation Offices made broad suggestions concerning the need for developing tribal preservation programs and providing necessary training and funds.

I do not know whether the tribes would see it useful, but I would encourage the establishment of a historic preservation liaison officer on every reservation. We would find it helpful to deal with the same person every time a preservation issue arose. It would be helpful if each officer were to receive Section 106 training and other types of training and education. Each officer could be responsible for maintaining a set of maps of tribal lands where historic properties are located and where historic/archeological surveys were conducted. They could monitor sites for deterioration, vandalism or illegal collecting. They could establish programs for interpretation for their own people and the public. They could submit applications for historic preservation grants as needs arise. (Nevada State Historic Preservation Office)

All tribes need extensive training regarding identification and preservation of cultural resources on their lands. In addition, extensive training in the Section 106 process should be offered. Technical assistance should be available to all tribes, including an architect and a National Register specialist. The archeologist and

architect could provide training and technical assistance regarding identification of resources and the Section 106 process. The National Register specialist could work with tribal administrators to complete inventories of tribal cultural resources and have significant resources listed on the National Register. Perhaps a scholarship fund could be established to train Native Americans in archeology, architecture, and related fields. [This would cost] approximately \$85,000 per year, without a matching requirement for technical assistance. (New Mexico State Historic Preservation Office)

Almost all State Historic Preservation Offices identified training in the Section 106 process as a funding need for protecting historic properties on Indian lands.

The formalized participation of tribes in Section 106 actions and the growing awareness and activity of tribes in acknowledging and protecting historic and sacred properties requires strong and active tribal programs that can work in partnership with the State Historic Preservation Office and Federal and State agencies. (Montana State Historic Preservation Office)

Section 5: Summary

Indian tribes want to participate in the national historic preservation program, but their participation today is sporadic, and is impeded by a number of factors. Notable among these is the fact that in order to participate in many aspects of the program, a tribe today must work through one or more State Historic Preservation Officers. Even where relations between the State Historic Preservation Office and a tribe are excellent, or where the State Historic Preservation Office is anxious to cooperate, the belief that tribal sovereignty may be infringed by working through the State Historic Preservation Office tends to impede cooperation.

In theory, the Federal government could assist tribes in working with State Historic Preservation Offices in ways that did not infringe upon their sovereignty. Since historic preservation is not regarded as a trust responsibility of the Federal government, however, creative efforts to facilitate cooperation between tribes and State Historic Preservation Offices have not been undertaken at the national level.

Another impediment to tribal participation is the fact that the standards and guidelines used in many program activities promote the curation of human remains and grave goods rather than their repatriation and reburial. These same standards and guidelines also tend to require that information pertaining to sacred sites and cultural practices be made available to the public. Both tendencies are

often deeply objectionable to tribes, and make it virtually impossible for them to cooperate in the national program.

A more general problem is the perception that in order to participate, a tribe must adopt approaches to preservation that are foreign to them. These approaches include the narrow definition of "historic preservation" as pertaining only to tangible properties, and the use of professional standards that are not always relevant, and may be antithetical, to tribal needs.

Finally, on a very practical level, most tribes lack personnel with the training and experience needed to participate in such activities as Section 106 review, activities that are basic to the operation of the national program.

Despite these impediments, excellent examples exist of tribal participation in the national program. These include cooperation between tribes and the National Park Service regarding the Chaco Protection Sites and other properties of cultural importance to tribes, both within and beyond the boundaries of the National Park System; a number of cooperative efforts with State Historic Preservation Officers; work with Federal agencies, notably Bureau of Land Management, the Forest Service, and the Bureau of Reclamation; and participation in many Smithsonian Institution programs.

Both Federal agencies and State Historic Preservation Officers express the desire to work more closely with tribes and to facilitate tribal participation in those aspects of the national program for which they are responsible. As discussed in **PART IV**, relatively minor changes in policy and procedure and relatively minor increments of funding, would be required to increase such participation.

PART III: FUNDING NEEDS FOR TRIBAL PRESERVATION PROGRAMS

In preparing this report, Congress directed the National Park Service consider funding needs for the "management, research, interpretation, protection, and development of historic properties on Indian lands." Recognizing that tribes do not necessarily view preservation precisely in these terms, the National Park Service developed a list of activities that might be likely parts of any tribal program and that would explicitly or implicitly address the concerns on which the Secretary of the Interior was to report. This list served as the basis for a detailed, eight page worksheet that was distributed to all tribal governments. The worksheets elicited answers to questions regarding cultural committees, museums/cultural heritage centers, conservation/curation programs, tribal archives, survey and identification of historic properties and cultural traditions, tribal language programs, the tribe's work with Federal and State land management agencies, training programs, and other cultural heritage programs. The worksheet is attached as **Appendix B**.

By the time this report was compiled, 74 worksheets had been returned completed. It should be noted that there was a relatively short amount of time to answer the worksheets. In addition, the grant proposals for the Fiscal Year 1990 Historic Preservation Fund for Indian Tribes was due within the same time period. The worksheets and the grant proposals form the basis for **PART III**.

Section 1: Tribal Perspective - The Written Survey

Introduction

The responses to the worksheet form a rich data base that will be used by the National Park Service in its program of technical and financial assistance to Indian tribes, but that can be summarized only very generally in the space available here.

Worksheet Topics

- * Cultural committee
- * Museum/cultural heritage center
- * Curation program
- * Tribal archives
- * Program to identify, evaluate, register and protect historic properties and traditions
- * Program to record and teach tribal language
- * Work with Federal and State agencies and State Historic Preservation Office to protect historic properties off-reservation lands
- * Training program for tribal members
- * Other organized ways to manage, research, interpret, protect, and develop historic properties and tribal traditions

With respect to each topic, respondents were asked to report whether they maintained the entity or carried out the activity specified. If the response was affirmative, they were asked for further information about the nature of their activities, their current costs, what improvements they felt would be desirable, and the estimated cost of making such improvements. If the response to the initial question was negative, respondents were asked whether they felt it would be desirable to develop the specified entity or activity, and if so, what its components might be and what carrying them out might cost. Several of the questions touched on related areas of interest, so in some cases the same or similar answers were given to multiple questions.

Many of the tribes not only completed the worksheets, but also submitted detailed program descriptions and proposals, copies of pertinent documents, photographs, and other material. Cover letters and telephone calls expressed enthusiasm and appreciation for the study. For example:

I cannot stress strongly enough how interested in these endeavors the Seneca Nation is. A resolution was passed in Tribal Council supporting the proposal which will follow, and a great deal of interest has been initiated in the community in response. (Michele Stock, Seneca Nation of Indians)

Cultural Committees

Maintenance of a "cultural committee" (by whatever name it may be given) is one of the least expensive ways for a tribe to address the management, research, interpretation, protection, and development of its cultural heritage. The members of such a committee, typically traditional elders and other tribal members with special expertise in the tribe's history and culture, usually serve without pay as volunteer advisers to the tribal council. Sometimes the cultural committees may oversee other tribal cultural programs. The functions of the cultural committees tend to reflect the broad, holistic view of preservation that is typical of the tribes. For example, the Culture and Heritage Committee of the Confederated Tribes of the Warm Springs Reservation in Oregon oversees the Reservation's Culture and Heritage Department and:

Ensures the authentic recording and maintenance of the culture, traditions, values and languages of the three tribes; serves as the educational resource for cultural information and instruction; creates a strong sense of Indian identity for tribal members of the confederated tribes; records, documents, maps, and compiles archaeological and culturally sensitive area and subjects.

Of the 74 tribes returning completed worksheets, 43 reported that they have cultural committees. In some cases more than one such committee may operate on a single reservation; for example, on the Flathead Reservation there are both Kootenai and Flathead Cultural Committees.

Cultural committees operate under a variety of names, reflecting a variety of functions. Many are simply referred to as "cultural committees," and may carry out a wide range of activities. Others have names that imply a more limited range of functions: the Mescalero Apache Tribe, for example, has a Cultural Center Committee; the Poarch Band of Creek Indians has an Arts Council, and the Seminole Tribe of Florida has a Language Committee.

The activities carried out by cultural committees are summarized in Appendix C, Table 1. Cultural committees are broadly involved in language preservation, protection of traditional sites, researching tribal history, and public interpretation, but specific approaches vary widely. These include providing instruction in traditional arts and crafts; consulting regarding development projects; providing liaison with Federal and state agencies regarding activities that may affect traditional sites; approving museum loans; collecting oral historical, cultural, and language data; policy-making for tribal heritage centers and museums; documenting ceremonies; and overseeing disposition of artifacts and human remains.

Reported sources of funds for cultural committees are summarized in Appendix C, Table 2. Sixteen committees are reported to receive tribal funding; several of these also report that they are substantially supported by the volunteered time of their members, and the levels of funding reported for these programs bear this out. Of nine committees reporting volunteer support, four are reported to receive no funding at all; they are purely volunteer efforts. Other reported sources of funding include Federal, State, and foundation grants; private donations; fees for admission to cultural activities or museums; and community fund-raising.

The total amount of funding presently available to support the activities of cultural committees, according to respondents, is \$2,406,102.

Tribes with cultural committees identified a variety of activities that they would like their committees to undertake over the next three to five years, if funds were available. These are summarized in Appendix C, Table 3. Many cultural committees propose to establish or expand museums or cultural centers, and to document or preserve traditional lifeways and languages. A considerable number propose to protect historic properties, especially through planning and consultation with Federal and State agencies, and to promote education and public interpretation. Several perceive the need for program development and acquisition of qualified staff, a recognition that is probably implicit in a number of the other proposals.

The estimated cost of carrying out these proposed activities, according to respondents, is \$4,604,720.

Of the 35 tribes reporting that they do not have cultural committees, 29 reported interest in establishing one. Appendix C, Table 4 summarizes what these tribes reported that their cultural committees would be expected to do if they were established. Not surprisingly, the expected activities are diverse, but tend to emphasize museum/cultural center development, historical documentation, protection of historic properties, and education.

The estimated cost of carrying out these activities, according to respondents, is \$13,622,267.

Museums/Cultural Heritage Centers

Twenty-seven tribes reported that they operate museums, cultural heritage centers, or other facilities serving similar purposes. Appendix C, Table 5 summarizes activities carried out at such facilities. All the facilities store and, to varying degrees, exhibit and interpret cultural material. About half reach out to the public through loans, traveling exhibits, and other mechanisms. Many provide educational services or are centers for community activities or the production of arts and crafts.

Museums and cultural centers are often seen as serving purposes beyond those of public interpretation; they are tools for using traditional culture to address contemporary social problems. The role of the museum/cultural center in sustaining or revitalizing the community and its artists and artisans was stressed by a number of tribes:

Many talented Chippewa youths look at the lack of value placed on [Chippewa] crafts by the larger outside culture, feel both the lack of focus for their own creative needs in the larger community and the overwhelming distance, psychologically and physically, between every day rural life and the slick gallery/art business world. In frustration and confusion, they lose interest in developing their abilities. . . . Those who stay here and remain the artists and craftspeople learn that art is legitimate when it rises from and molds into every day life. For the Chippewa, it is an ancestral birthright growing out of a strong artistic heritage. This is the understanding the young talent needs to see, hear, and have practiced in this community to give them a sense of place, continuity, and fulfillment as artists. . . . With the best use of [the Lac du Flambeau Chippewa Museum and Cultural Center] in mind we have defined some of our major goals: to revive and strengthen the dying crafts



An Inupiat group performs a hunting dance at the Alaska Native Federation Conference. (Alaska Native Heritage Park, Inc. photograph by Chris Arend. Alaska Native Heritage Park, Inc., is a corporation dedicated to discovering and celebrating Alaska's Eskimo, Indian, and Aleut traditions.)

of our Chippewa Community; . . . to find, encourage, and provide instruction for the talented youth in the community; . . . and to raise the understanding, value, quality and marketability of the Chippewa traditional crafts. (Lac du Flambeau Band of Lake Superior Chippewa Indians)

Tribes were more specific about funding sources for their museums and cultural heritage centers than they were about funding for cultural committees, particularly regarding Federal support. Like cultural committees, however, most museums derive much if not most of their financial support from tribal budgets. Admission fees and income from gift shops and bookstores are other significant sources of support. Grants have been received from a variety of funding sources, including several Federal agencies and State, local, and private foundation sources. Appendix C, Table 6 summarizes sources of support reported.

Fund-raising for a Tribal Museum

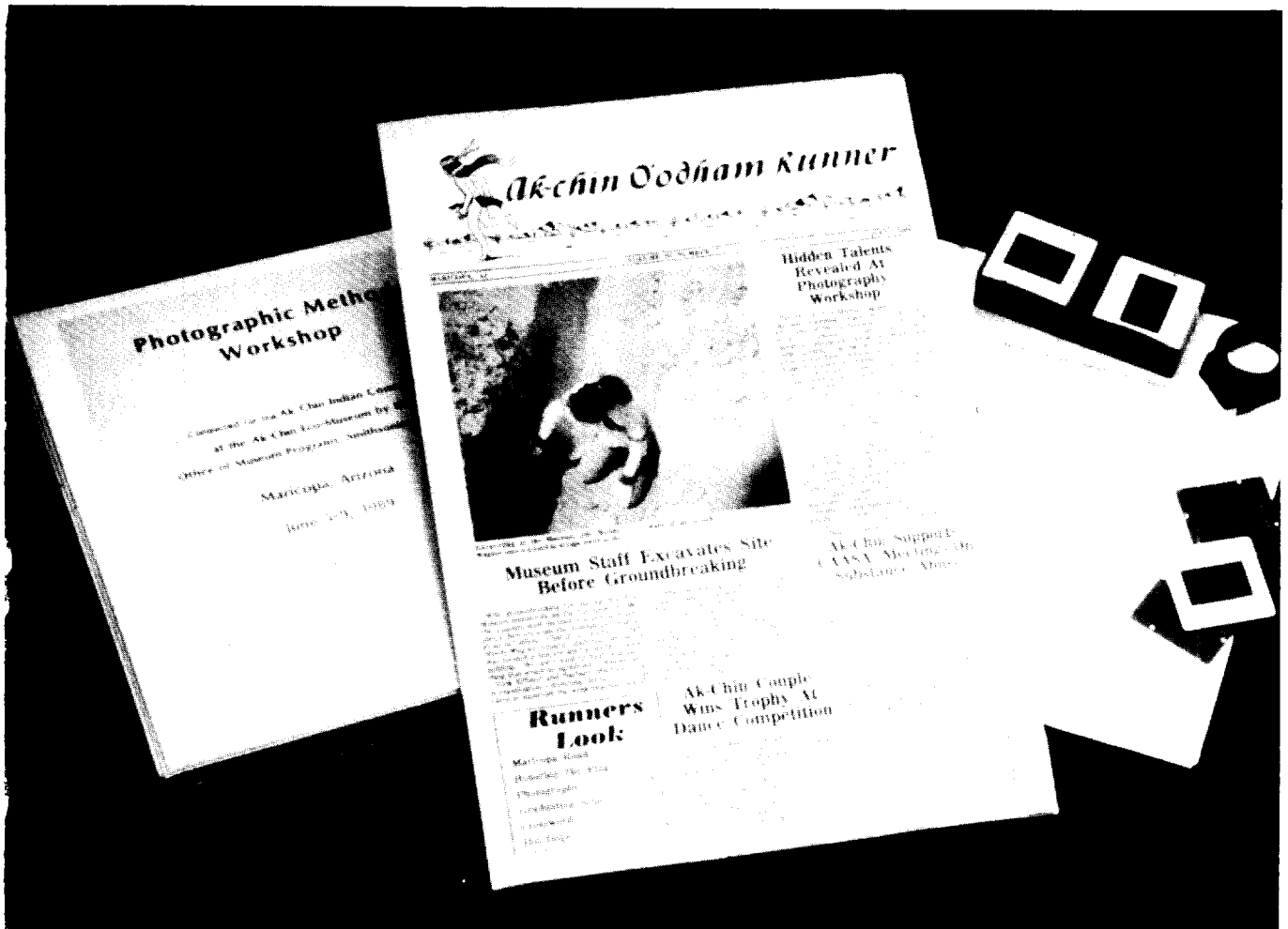
In 1974, the Tribal Council chartered the Middle Oregon Indian Historical Society and made it responsible for developing and building a tribal museum. At the same time the Tribal Council set aside a budget to develop a museum collection. By 1988 the tribe had spent more than \$650,000 on artifacts for the museum in the most aggressive acquisition program ever undertaken by an Indian tribe. In a tribal referendum held in October 1988, the tribal membership voted overwhelmingly to spend 2.5 million dollars of tribal funds for a museum despite pressing competing needs such as a proposed early childhood center, health care facility, and shopping center.

Such evidence of strong tribal commitment to the museum project was key to the tribe's successful fund-raising efforts. Even funding agencies without an active interest in Indian museums were so impressed with this high level of tribal commitment that they provided funds for the project.

The Middle Oregon Indian Historical Society put together a booklet describing the museum project. The entire publication was produced by the tribe. The tribal planning department prepared preliminary architectural plans allowing prospective funding agencies to see what the museum would look like. The tribal newspaper office prepared the booklet layout, photographs, and type. Booklet text was prepared by the Middle Oregon Indian Historical Society.

The Society also produced several videotapes realizing that some funding agencies would have little idea of who the Confederated Tribes were or even where Oregon was. Credibility for the project was provided by spokesmen recognized on the state and national levels: both the governor and senior senator from Oregon appeared on the videotape.

Ground breaking ceremonies for the Warm Springs Museum were held on June 3, 1990. The Museum is expected to open in the fall of 1992, thus realizing a dream of the Confederated Tribes of Warm Springs for more than three decades.



Prior to construction of the Ak-Chin Eco-museum & Archives, members of the Ak-Chin Eco-museum staff conducted an archeological data recovery project supported by the Bureau of Reclamation. Eco-museum staff received training in photographic methods from the Smithsonian Institution. Training in oral history for the Ak-Chin Eco-museum staff is supported through a Fiscal Year 1990 Historic Preservation Fund grant from the National Park Service. (Photograph by Nancy Fuller)

Developing a Tribal Eco-Museum

The Ak-Chin Indian Community is descended from the ancient farming communities of the Pima and Tohono O'odham. Ak-Chin farms were subjected to clearing and leveling as part of the Central Arizona Project that brought 75,000 acre feet of permanent water to the reservation. Archeological data recovery preceded the project which unearthed many artifacts relating to the early history of the Ak-Chin.

The discovery of many valuable artifacts contributed to a renewed interest by the Community in their past. The rediscovery of the lifestyle and cultural wealth of the Tohono O'odham past has led to a greater sense of self esteem within the community and the recognition that the entire reservation contains places and properties of historical significance to the Ak-Chin.

The Ak-Chin were interested in developing a museum/cultural center to house their archeological collection and decided to investigate the eco-museum concept. Eco-museums promote sharing a community's past, present, and future through the community's active participation in planning, staffing, managing, exhibiting, curating, and attending eco-museum programs and activities.

Six tribal members, who range in age from early twenties to forty, were selected to staff the Ak-Chin Eco-museum and to receive special training. The eco-museum staff, the Central Arizona College administrators, and professional advisors developed a non-traditional, flexible Associate of Arts Degree program with an emphasis in museum/archives management. The curriculum reflects individual aspirations, tribal goals, state education requirements, and professional standards.

A grant from the Administration for Native Americans (Department of Health and Human Services) provided financial support to plan the Ak-Chin Eco-Museum. As part of the planning process, eco-museum staff visited other tribal museums and worked with the Smithsonian Institution's Native American Museums Program staff and other professional consultants.

Funds were also provided to the Ak-Chin Community for archeological data recovery and public education by the Bureau of Reclamation under the Reclamation Small Loans Act.

The total reported financial support now being provided to tribal museums is \$4,147,938. Several tribes that do not have museums *per se* reported carrying out museum-like activities (exhibits in non-museum facilities, etc.). When the costs of these activities are considered, the total financial support reported for museum activities today is \$5,187,238.

Tribes with museums identified a range of activities that they would undertake in the next three to five years if funds were available; these are summarized in Appendix C, Table 7. Capital improvements head the list of proposed activities, including the replacement or expansion of existing facilities, which are widely perceived to be substandard and inadequate to the needs of the tribe. Expanded provision of educational services is also widely regarded as needed. A number of tribes propose such program improvements as the acquisition of qualified staff,

improvement of curation facilities, and acquisition of artifacts now in private collections or in non-Indian institutions.

The total estimated cost of undertaking the activities summarized by the responding tribes would be \$21,293,900.

Of the 51 tribes reporting that they do not have museums or cultural heritage centers, 45 reported that they were planning or considering such facilities, or that they would develop them if they could find the necessary funding. Appendix C, Table 8 summarizes the activities that this group said they would try to undertake over the next five years if funds became available. The activities proposed are very similar to those proposed by tribes that now have museums, but anticipated costs are considerably higher. These higher costs reflect both the larger number of tribes falling into the "no museum" category and the perceived need to acquire or construct new facilities, rather than to expand or renovate existing facilities.

The total estimated cost of undertaking the museum activities proposed by tribes without museums, according to the responding tribes, would be \$75,304,979.

Curation Programs

Curation is obviously an important part of both preserving and interpreting the material aspects of culture and history. Curation was distinguished from maintenance of a museum in the worksheet because it is possible to maintain a museum or cultural center, in the sense of a facility in which materials are displayed or cultural activities carried out, without having curation facilities *per se*, and *vice versa*. Not surprisingly, considering the costs and specialized knowledge involved in curation, more tribes reported having museums than reported having curation programs.

Of the 74 tribes responding to the worksheet, only 17 reported having curation programs. The activities of these programs are summarized in Appendix C, Table 9. It is apparent from the responses that most curation programs maintained by tribes are extremely limited. Some care for historical records only, and others provide only temporary curation for archeological and other specimens. Few maintain the fireproof, secure, climate-controlled facilities needed for the permanent preservation of delicate ethnographic specimens and perishable historical records.

Many of the respondents commented on the limited nature of their curation programs, identifying their collections as small and disorganized and describing their facilities as inadequate for proper maintenance of specimens, particularly those requiring climate control and other specialized treatment.

"Curation" Definition

"Curatorial services" as defined in Section 79.4 (b) of "Curation of Federally-owned and Administered Archeological Collections" (36 CFR Part 79) means managing and preserving a collection according to professional museum and archival practice, including, but not limited to:

- (1) inventorying, accessioning, labeling and cataloging a collection;
- (2) identifying, evaluating and documenting a collection;
- (3) storing and maintaining a collection using appropriate methods and containers, and under appropriate environmental conditions and physically secure controls;
- (4) periodically inspecting a collection and taking such actions as may be necessary to preserve it;
- (5) providing access and facilities to study a collection; and
- (6) handling, cleaning, stabilizing and conserving a collection in such a manner to preserve it.

Despite the limited facilities presently available to them, tribes are deeply interested in obtaining and caring for artifacts and other materials associated with their histories and historic properties. Many respondents commented that collections of materials produced by the tribe and its ancestors are housed elsewhere and are often unavailable for tribal use. Some tribes are making substantial investments of time and funds simply to ascertain where materials associated with their history have gone. For example:

The Tribes have also sent representatives at Tribal expense to the Smithsonian in Washington, D.C. and to the Heye Collection in New York City . . . to investigate the number of artifacts and kinds of items housed in these institutions which pertain to the Tribes. This particular fact-finding effort cost the Tribes approximately \$3,000 and was wholly Tribally funded. (Confederated Salish and Kootenai Tribes)

Appendix C, Table 10 summarizes the funding sources identified by respondents for their curation activities. Tribal budgets constitute the biggest single source of financial support for curation, though Federal agency grants and contracts are also important. Some tribal museums support their curation programs largely through revenues from entrance fees and gift shop sales.



This female effigy serving dish or seal oil bowl is one of thousands of objects made from organic materials discovered during the excavations at Ozette from 1970-1981. A plan for the conservation of the delicate Ozette collection is being funded by a Fiscal Year 1990 Historic Preservation Fund grant from the National Park Service. (Makah Culture and Research Center photograph)

A Tribal Cultural and Research Center

The Makah Cultural and Research Center (MCRC) was chartered by the Makah Tribal Council to oversee and coordinate programs affecting the culture and cultural education of the Makah people. The MCRC curates three permanent collections: the archeological collection, the archival collection, and the ethnographic collection.

The archeological collection contains artifacts from Ozette and other Makah sites. The MCRC is directing a \$2,000,000 capital campaign to raise funds to construct a new storage and research facility to house the 55,000 artifacts from the ancient Makah village of Ozette. The village was covered by a mudslide 500 years ago, and many of these artifacts were remarkably well preserved and present a uniquely rich glimpse of ancient tribal lifeways.

The Makah Archives contains cultural film, slides, photographs, oral history tapes, Makah language tapes, Makah-related books, and thousands of pages of unpublished research on the Makah. Information in the Makah Archives is used by the tribe in making decisions regarding historic properties and cultural traditions.

The ethnographic collection contains baskets, carvings and other historical Makah objects produced after contact with non-Indians.

The MCRC also operates the Makah Language Program, which teaches and preserves the Makah language. Since its beginning in 1978, the Makah Language Program has standardized the alphabet for Makah and published five instructional language books. All children enrolled in the tribal Head Start Program and in the public elementary school on the reservation are taught Makah. High school students may take Makah as an elective. Tribal elders conduct the classes with the help of Makah instructors. In the eight years that the Makah Language Program has taught Makah in the school system, the Language Arts CAT scores of Makah children increased 18.5%.

The total cost of carrying out existing curation programs was estimated by respondents at \$756,724.

Tribes with curation programs identified a number of activities that they would carry out over the next three to five years to improve their programs if funds were available. These are summarized in Appendix C, Table 11. As with museums, construction or acquisition of adequate facilities heads the list, with employment of qualified staff close behind. A variety of more specific improvements are also recognized as needed by several tribes: for example, expanding collections, improving catalogue systems, and providing security.

The total cost of achieving the improvements identified was estimated at \$4,392,022.

Fifty-one tribes that do not now have curation programs reported that they felt it would be desirable to develop such programs. The activities they thought such programs could carry out are summarized in Appendix C, Table 12. Acquisition of collections heads the list, reflecting the often-expressed belief, discussed



Minnie Polk, a Choctaw grandmother, strips cane for basket-making as her grandchildren watch. (Photograph by Carole Thompson)

in **PART I**, that many objects of deep cultural importance are now inappropriately held by private collectors, non-Indian museums, and Federal or State agencies. The need for construction or acquisition of appropriate facilities is also widely perceived, as is the need for establishing effective curation systems in general. Fewer tribes have specific ideas about what the necessary components of such a system might be. Many tribes recognize, however, the need for record-keeping and database management and the acquisition or training of qualified staff. While some specifically identify, as an important need, the installation of climate control or security systems or the establishment of special facilities for religious artifacts as important.

The cost of meeting these needs was estimated by respondents at \$10,821,290.

Tribal Archives

Documents and other archival materials are vital parts of any group's cultural heritage, and tribes, like other groups, see them as important resources for research and interpretation. Twenty-seven tribes reported that they maintain tribal archives containing historical documents, sometimes including photographs, audio tapes, videotapes, and other graphic material. Appendix C, Table 13 summarizes the kinds of materials preserved in tribal archives. Photographs, historical documents and other written records, and video/audio tapes are the most commonly archived materials.

Appendix C, Table 14 summarizes the activities carried out by tribal archives according to respondents. Storage and collection of materials were the most widely reported activities. Storage in fireproof and acid-free environments was rarely reported, and only one tribe reported that it is microfilming its archival records.

Appendix C, Table 15 summarizes reported sources of funding for tribal archives. As in other cases, the budget of the tribe is the most common source of support.

The cost of maintaining current tribal archives is estimated by respondents at \$722,334.

Tribes identified a number of activities that their archives would undertake in the next three to five years if funds were available; these are summarized in Appendix C, Table 16. Expansion of collections was the most widely perceived need, followed closely by the need to improve facilities. A number of tribes propose specific kinds of research projects or specific facility or program improvements, including improving catalogues, hiring qualified staff, training staff, and duplicating audio and video tapes.



The Whale Festival in Barrow, Alaska provides the opportunity to continue cultural traditions like the blanket-toss. Today the blanket-toss is done primarily for fun, but in the past it played a role in sighting whales. People were tossed up in the air to look for whales from a higher than ground-level viewpoint. (Alaska Native Heritage Park, Inc. photograph by Chris Arend. Alaska Native Heritage Park, Inc. is a corporation dedicated to discovering and celebrating Alaska's Eskimo, Indian, and Aleut traditions.)

The costs of carrying out the proposed activities of existing archives was estimated by respondents at \$2,132,800.

Forty-four of the tribes without current tribal archives indicated that they wanted to develop such archives. Appendix C, Table 17 summarizes what these respondents said they would do to develop such archives over the next three to five years if funds were available. Acquisition of materials and development of proper storage facilities are given priority by the largest number of tribes. Most also perceive the need to establish organized archival curation programs in general, but only a few offer specific ideas about what the components of such a program might be. There is also a widely perceived need to conduct research into tribal history and maintain the results in an archive. For example, the Mescalero Apache Tribe suggested that an archival program should:

. . . get out or write for records and photos, go to the homes of elderly to get information on some of the old legends and myths, to get information on how some of the clothing, weapons, accessories are made. Go out and gather Indian names of people and how the names were created. Record on tape old Indian songs, Indian stories, and how to say some of the old Apache words, and some of the old sayings. How to play old Indian games and how to make old Indian instruments. . . . (Mescalero Apache)

The costs of carrying out the activities proposed by tribes without archives was estimated by respondents at \$4,286,189.

Historic Preservation Programs

Fifteen tribes reported maintaining historic preservation programs that survey, identify, record, evaluate, register and protect historic properties and the tribal traditions through which such properties are understood, *i.e.*, programs equivalent to the historic preservation programs carried out by State Historic Preservation Offices and Federal agencies. A larger number of tribes reported carrying out some but not all such activities. Appendix C, Table 18 summarizes the activities carried out by tribal historic preservation programs. Tribes appear to be most active in their participation in Federal project review under Section 106 of the National Historic Preservation Act and the regulations of the Advisory Council on Historic Preservation (36 CFR 800), although as noted in **PARTS I and II**, the need for increased participation in this area is widely perceived. All those reporting that they have full-fledged historic preservation programs also engage in the identification of historic properties, including traditional cultural properties

A Tribal Historic Preservation Ordinance

For the Navajo Nation, a first step in building a historic preservation program was establishing a historic preservation ordinance.

The Navajo Nation Cultural Resources Protection Act was adopted by the Tribal Council in May 1988. This Act establishes the authorities of the Navajo Nation Historic Preservation Department, Archaeology Department, and Tribal Museum. The Act authorizes the establishment of a Navajo Nation Register of Cultural Properties and Cultural Landmarks and establishes requirements for issuing Cultural Resources Permits. Damage, destruction, and removal of cultural properties is prohibited by Section 301 of the Act. The Act establishes criminal penalties for Navajos and civil penalties for non-Navajos who violate Section 301.

As authorized by the Navajo Nation Cultural Resources Protection Act, the Historic Preservation Department participates in project review pursuant to Section 106 of the National Historic Preservation Act. In particular, they review applications and, as appropriate, issue permits authorizing cultural resources investigations and research on Navajo lands. A permit is required to visit or investigate any historic property located on Navajo lands or to conduct ethnographic research on the Navajo Reservation. Permit fees charged for visitation and research provides approximately \$60,000 a year to the tribe. Much of the archeological research on the Reservation is conducted by the Navajo Nation Archaeology Department, many of whom are tribal members.

The Navajo Register is comprised of "buildings, districts, objects, places, sites and structures significant in Navajo Nation history, architecture, archaeology, engineering and culture." The Act defines cultural resources as "any product of human activity, or any object or place given significance by human action or belief." Thus, the Navajo Register is designed to include natural landscape features containing sacred or other values, places mentioned in oral history, and places valued for gathering food, medicine, and other traditional cultural uses.

such as cemeteries and sacred sites. Eleven tribes reported having historic preservation ordinances that they seek to enforce; some of these, at least, provide for review of tribal and other activities that may affect historic properties.

Funding sources for historic preservation programs are summarized in Appendix C, Table 19. As with other tribal programs, the budget of the tribe itself is a major source of funding, but a variety of other sources are also tapped, including Bureau of Indian Affairs and other Federal granting agencies, contracts with agencies requiring surveys and other work in order to comply with Section 106, and Historic Preservation Fund grants administered by the State Historic Preservation Office.

The cost of current historic preservation programs was estimated by respondents at \$1,581,000.

Tribes with historic preservation programs identified a range of activities they would carry out if funds were available over the next three to five years; these are summarized in Appendix C, Table 20. Although no universally accepted priorities are evident in the data, it appears that most tribes would favor engaging in activities that would tend to stabilize and systematize their programs, for example, development of historic preservation plans, training staff, and developing data bases.

The cost of effecting these improvements was estimated by respondents at \$2,798,000.

Fifty-four tribes indicated that they felt it would be desirable to develop comprehensive historic preservation programs. Appendix C, Table 21 lists the activities that these tribes would expect such programs to undertake. Overall, identification, evaluation, and registration of properties heads the list; tribes also give priority to recording traditions, identifying and protecting traditional cultural properties, developing ordinances and guidelines, researching tribal history, and working with land managing agencies responsible for administering tribal lands.

The cost of developing programs in tribes now lacking them was estimated by respondents at \$3,494,000.

As noted in **PART I** and **PART II**, tribes are concerned not only about identifying and protecting historic properties on reservation lands, but on lands within their traditional use areas that now are under the control of others. Concern about off-reservation sites, including both those on public lands and those now privately owned, was noted in a number of worksheet responses, and was repeatedly expressed during the Washington, D.C. and Las Vegas, Nevada meetings. As the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians put it:

It has been difficult to preserve traditional sites and ceremonial areas since there has never been accurate inventory to turn in to the County Assessor's office to protect such sites. Often times sites occur on Bureau of Land Management and Forestry land, and the Tribes are not told of disruption in areas of the site. Often times a site is disturbed and then the Tribes are notified that the land has been disrupted. (Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians)

In answering questions other than those dealing directly with establishment of historic preservation programs, some tribes identified needs that relate to such programs. The Confederated Tribes of the Umatilla Indian Reservation in Oregon, for example, in discussing training needs, said that they perceived the need to:

Develop a program for protecting Tribal cultural resources utilizing established Federal agency programs but allowing enhanced Tribal participation. The Tribe must find a method to work within agency processes that allows the Tribe to protect those resources and interests without complete disclosure of their role and function. (Confederated Tribes of the Umatilla Indian Reservation)

Language Programs

The importance of language preservation, discussed in **PART I**, was clearly reflected in the worksheets. Thirty-nine tribes reported that they carry out programs to record and teach their tribal languages. Appendix C, Table 22 summarizes the activities of these programs. Clearly the most common activity is language teaching at the kindergarten through twelfth grade level. Adult education is also popular, and college courses in tribal languages are not uncommon.

The popularity of language programs undoubtedly reflects the importance of language as an instrument of cultural continuity and revitalization, discussed in **PART I**. The importance of educating youth regarding language and the cultural context in which language is used was stressed by a number of tribes, for example, the Coyote Valley Band of Pomo Indians in California:

What knowledge is left of our ceremonies, traditional arts, foods, and medicines, historic properties, and our language is in critical need of being documented, preserved, and passed on to our children so that they may understand who they are, where they came from, and what makes them unique. By instilling a sense of cultural pride in our young people we can give them the strength they will need to become productive and healthy adults.

Language programs are facilitated by the availability of funds from the Department of Education. Table 23 in Appendix C lists the sources of funding reported for language programs; it is clear that Department of Education Title IV and Johnson-O'Malley funds are of great importance in sustaining these programs.

Respondents estimated that the cost of maintaining current language programs is \$1,887,378.

Tribes with language programs identified activities that they would undertake over the next three to five years if funds were available; these are summarized in Appendix C, Table 24. Integration of language training into local K-12 school curricula was identified as a priority by most tribes; many also gave priority to recording endangered dialects, and a number identified preparing dictionaries, grammars and other written materials as important.



Osage children during an Osage language class workshop. The children are planting a garden using the Osage language. Corn, potatoes, earth, rain, and seed and the gardening process are used as tools to teach the Osage language. (Michael Pratt, Osage) (Osage Nation photograph)

A Tribal Language Preservation Program

Only about ten fluent speakers of the Osage language remain, five of whom are traditional native speaking "Original Alotees," or cultural curators, who were entrusted with tribal history, genealogies, prayers, songs, clan names, and other information necessary for tribal well-being. Their average age is 70 plus years. The next generation, with an average age of 55 years, contains a number of semi-speakers who can understand the Osage language but are not fluent.

Alarmed by the possibility of losing their language and the cultural traditions dependent upon it, the Osage Nation has been actively involved in language retention efforts since the early 1980s. A specialized approach to teaching the Osage language was developed by tribal language specialists with the assistance of linguists at the University of Oklahoma. An approach was developed that introduced pre-school students to the language using familiar concepts that can be easily linked to other concepts in Osage. For example, a learning module was developed based on the Osage numbering and counting system which was applied to learning the days of the week, months of the year, telling time, and changing money.

Osage language programs also introduce terms of address and terms of kinship reference and the various social settings in which they are appropriately used. This helps to retain traditional Osage protocol and traditionally appropriate social behavior and makes possible the continuation of Osage traditions such as religious practices, burial rites, and warrior initiation and naming ceremonies.

Osage language lessons have been included in the curriculum for Head Start children since 1984. In 1988 and 1989, workshops were held with former Head Start children now in elementary school to test the degree to which the children had retained the Osage language. The Head Start children recalled the initial word list and phrases of vocabulary and were still proficient with meaning and how to apply Osage syntax.

The Osage Nation is continuing its language education programs and is now developing curricula for intermediate and advanced Osage language classes for high school and adult students.

The cost of carrying out these improvements was estimated by respondents at \$3,818,220.

Two tribes report that their traditional languages have been completely lost, so there is no hope for developing language programs. Thirty-two reported that they currently lack language programs but regard them as desirable. Appendix C, Table 25 lists the activities these tribes say they would expect their language programs to undertake in the next three to five years if funds were available. Most tribes say they would give priority to initiating programs in language teaching; many also indicate that they would initiate programs in recording and documenting language. Development of instructional material is also identified as important by several tribes. Responding tribes estimate that establishing the programs they propose would cost \$4,413,250.



Materials developed by the Makah Culture and Research Center to teach the Makah language. (National Park Service photograph)

Work with Neighboring Land Managing Agencies and State Historic Preservation Office

Considering the concern of tribes about traditional properties on non-reservation lands, and the preservation expertise of the State Historic Preservation Offices and, Federal and State agencies preservation programs, working with agencies and State Historic Preservation Offices should be beneficial to tribal preservation programs. Also considering, however, the history of tribal relationships with Federal agencies and, State and local governments (see **PART I, Sections 2 and 5**), it is predictable that tribes might be reluctant to cooperate with the major participants in the existing national preservation program. Forty-three tribes reported that they work with neighboring land managing agencies and/or the State Historic Preservation Officer to identify and protect historic properties on non-reservation lands managed by such agencies. Appendix C, Table 26 outlines the activities reported. For the most part, tribes simply reported that they work in general with agencies and State Historic Preservation Offices. Eight tribes reported specific cooperative efforts in identification and registration of historic properties, five noted reburial of human remains as an area in which cooperation occurs, and five identified specific projects on which they have cooperated with land managing agencies. Seven identified Section 106 review as an area in which they work with agencies and the State Historic Preservation Office, but as noted above, twenty-one tribes identified Section 106 review as an activity of their historic preservation programs. This discrepancy probably indicates that fourteen of the twenty-one tribes that participate in Section 106 review do so only with reference to projects that occur on their reservation lands, while the other seven participate in review of other Federal projects as well.

The potential effectiveness of cooperative programs was emphasized by several tribes:

In 1982 the Reservation and the eight Minnesota counties within the Mississippi Headwaters watershed implemented a unified management plan and land use ordinance for the preservation of the Mississippi Headwaters River corridor. . . . Through the voluntary efforts of concerned citizens and the State Archaeologist's Office, a tribal heritage sites program was established on the Leech Lake Reservation in 1986. The program trained disadvantaged and unemployed youths to perform cultural resource reconnaissance surveys and formal site excavations. The enthusiasm and effort demonstrated. . . has blossomed into a highly knowledgeable and efficient heritage resource staff presently serving a number of clients. The U.S. Forest Service, the Bureau of Indian Affairs, State and local government agencies, as well as private landowners combined

to contract for over \$160,000 of survey work during 1989. Unfortunately, the Band cannot afford to pursue much of its own historical preservation work at this time. (Leech Lake Reservation, Minnesota)

Appendix C, Table 27 lists the Federal land agencies identified by tribes as those with which they regularly work. The Forest Service is by far the most frequently identified cooperating agency.

Funding sources for cooperative efforts with land managing agencies and State Historic Preservation Offices are listed in Appendix C, Table 28. Tribal governments are by far the major source of funding for such efforts; the Bureau of Indian Affairs and land managing agencies also provide some funding, as do State Historic Preservation Offices.

The tribes estimated that their current activities in cooperation with neighboring land managing agencies and State Historic Preservation Offices cost \$608,336.

Tribes that work with land managing agencies and State Historic Preservation Offices are by no means satisfied with the level of cooperative efforts made by Federal and State land managing agencies. Appendix C, Table 29 lists the additional activities they say they would undertake over the next three to five years if funds were available. For the most part there seems simply to be a general perception that intensified coordination with agencies and State Historic Preservation Offices would be desirable. Being able to devote full-time staff to such coordination is seen as important, as is training. Specific areas in which a need for cooperation is perceived include prevention of looting, coordination of preservation policy, and arranging for access to traditional use areas.

Respondents estimated that achieving the desired improvements in cooperation with land managing agencies and State Historic Preservation Offices would cost \$2,855,750.

Twenty-three tribes that do not currently work with neighboring land managing agencies and State Historic Preservation Officers identified this kind of work as desirable, and listed the activities outlined in Appendix C, Table 30 as those they believed should be undertaken during the next three to five years if funds were available. As with those tribes that now carry out cooperative efforts, those tribes that do not, identified general coordination as a basic concern. They also noted a number of specific areas in which they felt that cooperation would be desirable, including identification and evaluation of historic properties, training, and arranging to keep information on certain historic site locations confidential.

The costs of undertaking these activities was estimated at \$724,883.



Zuni tribal members recording historic architecture uncovered during water line construction at Zuni Pueblo. (Roger Anyon, Zuni Pueblo) (Zuni Archaeological Program photograph)

Training

Trained personnel are necessary to any program of management, research, protection, and development of historic properties. Considering the differences that exist between tribal concepts of preservation and those that tend to guide State Historic Preservation Offices and Federal agencies, there is undoubtedly also a need to train others to be sensitive to tribal values and approaches. Only nine tribes, however, reported having or having access to training in aspects of historic preservation. Three of these provide on-the-job training in archeology to students as interns on archeological projects. Similarly, one tribe builds training into individual projects carried out by its cultural center. Another tribe has established a training program in traditional carpentry techniques for historic structure restoration. One tribe receives training from the State museum, another has a cooperative training program with a local college, and another is assisted in training by the Forest Service. One tribe provides limited training to tribal members through its cultural committee.

Six tribes that did not identify themselves as having training programs noted that they avail themselves of some training activities. One reported carrying out language and culture training for tribal members, another provides archeological training, another trains tour guides, and another provides training in library science and archives management. One tribe has arranged for members to receive training from the State Historic Preservation Office, and one reported participating in the Section 106 training offered by the Advisory Council on Historic Preservation through the General Services Administration Training Center.

Funding sources identified for training activities were limited; the tribal government was identified as the funding source in four cases. The Bureau of Indian Affairs was identified as having provided funds in two cases; the State was the source in one case, and the tribe's archeological program was the source in another.

The cost of all current training activities was estimated at \$470,000.

Tribes with training programs identified a number of improvements they would make over the next three to five years if funds were available. These are outlined in Appendix C, Table 31.

The costs of carrying out the improvements called for by tribes with training programs was estimated by those tribes at \$2,219,400.

Tribes without current training programs also identified many activities that they would undertake if funds were available over the next three to five years. These generally tended to mirror the proposals of the tribes with programs, but the list

of suggested activities was considerably longer. The proposed activities are outlined in Appendix C, Table 32. Examples include:

The [Standing Rock] College would like to hire an instructor who has a college degree in Historic Preservation to develop a workshop and curriculum series so that we may seriously train our own members in historic preservation activities. (Standing Rock Sioux Tribe)

For individuals motivated to learn about the Green Corn Dance and other healing methods, they would have to go to an elder on a regular basis to listen to songs and other information. . . . (Seminole Tribe of Florida)

There is . . . an immediate need to establish training programs for Tribal members in library and archival techniques, curation, cultural resource grant and contract writing and administration, legislation analysis, and policy writing, Tribal and public education programs and general dissemination of information--as well as docents for traveling exhibits. . . . (Mashantucket Pequot Tribal Council)

The costs of undertaking training activities by tribes not now having training programs was estimated by those tribes at \$4,086,800.

Other Programs

Tribes were asked to provide information on any other programs or organized ways they might have to manage, research, interpret, protect, and develop historic properties and tribal traditions. Ten tribes reported having such programs. The most common other program reported involved supporting cultural organizations such as dance troupes and the conduct of cultural events or demonstrations, such as dance contests, art exhibits, and "pow-wows." Eight tribes reported involvement in such events. Three tribes reported taking part in school and college courses and providing lectures to the public on tribal cultural matters. Advising the tribal council on land issues, advising the tribe's legal department on cultural and historical matters, compiling a tribal bibliography, and maintaining a sweat lodge were additional programs each reported by one tribe.

The cost of carrying out these various activities was estimated by respondents at \$203,325. Sources of funding included the tribal government (five cases), the Department of Education (three cases), museum/cultural center revenue (three

cases), donations and fund-raising (three cases), State sources (two cases), and the Bureau of Indian Affairs, Housing and Urban Development, and non-federal grants (one case each).

Activities proposed by tribes with "other" programs if funds were available over the next three to five years were similarly various, but many overlapped with activities proposed in response to other questions. Three tribes proposed to organize formal historic preservation programs. Two proposed to support and expand language programs. Several proposals were for training, including craft training, classes in traditional culture, development of curriculum materials, and establishment of a work-study program. Other proposals were for activities related to museums or cultural centers: hiring a collections manager and developing a living history park. One tribe proposed to rebuild a sweat lodge, and another proposed to support a dance troupe.

The costs of carrying out these activities was estimated by the tribes proposing them at \$31,699,099.

Forty-eight tribes reported not carrying on "other" programs, and proposed the activities listed in Appendix C, Table 33 as activities they would undertake over the next three to five years if funds were available. For the most part, the proposals reiterated those made with reference to other questions, but some were unique to this question. One tribe, for instance, proposes to purchase an entire forest that has religious significance to the tribe but that is no longer in tribal ownership, and another proposed that:

Due to the fact the Creeks were removed from the Alabama area in the "Trail of Tears," the Creek Nation was segmented. The Tribe would like to establish a Student Exchange Program with the various Tribes that were spun from this separation. This would afford children a chance to go back to their original "home lands" and the Poarch Creeks the opportunity to live in Tribal situations that have been fortunate enough to maintain more of its traditional culture. (Poarch Band of Creek Indians, Alabama)

A Summary of Funding Needs

The priorities expressed by tribes in the worksheets on which this section is based are consistent with the overall perspectives expressed in **PART I**. In the worksheets, however, tribes identified specific actions that they are now taking and that they would like to take to manage, research, interpret, protect, and develop their cultural heritage. The table below outlines the estimated costs.

Preservation Costs Estimated by Tribes			
Program Elements	Current Cost (Annual)	Cost of Program Element Improvements (over a 3 to 5 year period)	
		<u>Tribes w/Programs</u>	<u>Tribes w/out Programs</u>
Program Building			
Cultural Committee	\$ 2,426,000	\$10,097,000	\$ 7,975,000
Historic Preservation Programs	\$ 1,581,000	\$ 2,798,000	\$ 3,494,000
Activities with Federal and State agencies	\$ 608,000	\$ 2,856,000	\$ 725,000
Training	\$ 470,000	\$ 2,219,000	\$ 4,087,000
Subtotals	\$ 5,085,000 (37%)	\$17,970,000 (22%)	\$16,281,000 (15%)
Information Sharing			
Museums/Heritage Centers			
Centers	\$ 5,187,000	\$21,294,000	\$75,305,000
Curation	\$ 757,000	\$ 4,392,000	\$10,821,000
Other	\$ 203,000	\$31,699,000	(NA)
Subtotals	\$ 6,147,000 (44%)	\$57,385,000 (71%)	\$86,126,000 (77%)
Documentation			
Archeology	\$ 722,000	\$ 2,133,000	\$ 4,286,000
Language Programs	\$ 1,887,000	\$ 3,818,000	\$ 4,413,000
Subtotals	\$ 2,609,000 (19%)	\$ 5,951,000 (7%)	\$ 8,699,000 (8%)
TOTALS	\$13,841,000	\$81,306,000	\$111,106,000

Taking the estimates at face value, several things are apparent. Tribes are putting the most money into museums/cultural heritage centers, cultural committees, historic preservation programs, and language programs. In general, these programs are funded by the tribal governments, although the Department of Education provides very significant support for language programs.

The largest perceived unmet needs are in museum/cultural heritage center development and operation and in the "other" category. The "other" category includes projects that involve substantial physical development or acquisition of property, and, of course, the development of museums and cultural heritage centers often requires the costly construction or acquisition of facilities.

Monetary needs in program elements other than museum/cultural heritage center development and operation and "other" are relatively modest, estimated at a total of \$46,043,000.

This information can be clarified by grouping into major categories of "Program Building," "Information Sharing Activities," and "Information Collection and



The Colville Confederated Tribes Archaeological Project included public education programs like this one. Here at the Colville Confederated Tribes History Office, children learn about some of the materials discovered during the Project. (Colville Confederated Tribes Museum photograph)

Documentation." These are the three great building blocks or components of a tribal preservation program. Significantly, we see that while current annual spending (first column) is greatest in Information Sharing, next largest in Program Building, and third largest in collection and documentation of new cultural information, tribes now are making significant outlays in all three areas.

Next, we note the total for the middle column (costs of program improvements estimated by tribes that currently have preservation programs) and divide it by five to approximate the annual increment of outlay that would be needed to achieve such improvements. Generally from the data presented above, it appears that approximately 25 tribes currently operate multi-faceted historic preservation programs. From this we see that, on the average, funding levels for tribes currently having preservation programs would need to be about 2.2 times the amount tribes currently are able to spend (\$13.9 million current annual outlay; \$16.2 million additional annual outlay desired; \$30 million estimated total annual outlay for programs able to do all intended activities).

Further, if we divide this desired annual outlay (\$30 million) by the number of tribes in the estimate (25), we can roughly estimate that an average annual outlay of about \$1.2 million would be required to operate an optimal level of activities.

If we look at the same numbers for tribes that do not now have programs (last column) and divide this by five to approximate an annual outlay, the result is \$22.2 million, somewhat less than the amount estimated for tribes that do have programs. The major factors accounting for this discrepancy are 1) experience with the realities of program operations (probably), and 2) no accounting for costs of "events" activities. If we account for this difference from estimates made by tribes with programs and divide by the number of tribes without programs that responded (49), we can roughly estimate that an average annual outlay of about \$1.7 million would be required to operate an optimal level of activities.

These two estimates have many variables that make precision difficult but they suggest that the present data for 74 of the 523 federally recognized tribes indicate that \$1-1.5 million is an optimal annual funding level for an "average" tribe to operate a wide-ranging preservation program broadly responsive to tribal needs. To what degree these data are typical of the remaining 449 tribes is not known.

Many more tribes (171) applied for Fiscal Year 1990 Historic Preservation Fund Tribal Grants than filled out the survey worksheets. Since the worksheets and the request for grant proposals had competing due dates, it was expected that many tribes would focus attention on applying for grant funds rather than completing the worksheet. The grant proposals also provided information regarding tribal preservation needs and costs, and this is described the following section.

Section 2: Fiscal Year 1990 Historic Preservation Fund Grants To Indian Tribes

Authorization and Appropriation

Section 101(d)(3)(B) of the National Historic Preservation Act (16 U.S. C. 470) authorizes the Secretary of the Interior "in consultation with the appropriate State Historic Preservation Officer, [to] make grants . . . to Indian tribes . . . for the preservation of their cultural heritage." The Fiscal Year 1990 Department of the Interior Appropriations Act (P.L.101-121) appropriated \$500,000 from the Historic Preservation Fund for grants to Indian tribes for this purpose.

Grants could be awarded only to those tribes meeting the definition of Section 301(4) of the National Historic Preservation Act.²⁰

Grant Program Procedures and Awards

The goals of the grant program, selection criteria, the grant application and application procedures were developed the National Park Service, in consultation with Indian tribes, State Historic Preservation Officers, the Bureau of Indian Affairs, and a grant selection advisory panel composed of recognized experts in the field of tribal historic and cultural preservation.

The goals of the grant program were to provide Indian tribes with funds to build or improve existing tribal cultural heritage programs and to build or improve cooperation and coordination between Indian tribes and State Historic Preservation Officers. Three categories of grants were established: 1) "start up" grants of up to \$20,000 to assist tribes in beginning preservation programs; 2) "program building" grants of up to \$50,000 to assist tribes in improving and developing existing preservation programs; and, 3) "information sharing" grants of up to \$50,000 to assist tribes in conducting conferences, workshops, institutes, etc., on tribal preservation programs and concerns. Tribes could submit grant applications in any or all categories.

²⁰ Section 301(4) of the National Historic Preservation Act, as amended, defines Indian tribes as "The Governing body of any Indian tribe, band, nation or other group which is recognized as an Indian tribe by the Secretary of the Interior for which the United States holds land in trust or restricted status for the entity or its members. Such term also includes any Native village corporation, regional corporation, or Native Group established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1701, et seq.)."

An announcement of the availability of Historic Preservation Fund grant monies, the application, and the application procedures were mailed to all Federally recognized tribes in November 1989. Proposals were due to the National Park Service postmarked no later than February 15, 1990.

The applications were evaluated and judged on their ability to meet eight selection criteria included in the application procedures and listed below.

- Selection Criteria - Fiscal Year 1990 Historic Preservation Fund Grants to Indian Tribes**
1. Address critical tribal preservation needs.
 2. Clearly describe the project. Project objectives must be defined as well as the specific activities to be conducted to meet those objectives.
 3. Propose an undertaking that has the intention of providing long-lasting benefits for the preservation of tribal historic properties and the traditions by which they are understood.
 4. Demonstrate the support of tribal leadership and tribal members.
 5. Provide for the employment and/or training of tribal members.
 6. Address how the project might build or improve cooperation or coordination between the tribe(s) and the appropriate State Historic Preservation Officer(s).
 7. Demonstrate the capability of the project program principals to conduct the proposed project.
 8. Demonstrate the capability of the applicant to provide proper fiscal management of the grant.

The grant selection advisory panel met on April 9-10, 1990, and recommended 15 grant awards. The panel's recommendations were forwarded to the Secretary of the Interior for approval.

A total of 270 grant proposals from 171 tribes were received by the National Park Service requesting \$10,105,528. Funds requested in a single proposal ranged from \$153,000 to \$3,955. The average amount requested per proposal was \$37,428. Many tribes submitted more than one proposal (see table below).

Number of Grant Proposals Submitted by Tribe

	<u>Number of Tribes</u>	<u>Total Number of Proposals</u>
Tribes submitting 1 proposal	104	104
Tribes submitting 2 proposals	45	90
Tribes submitting 3 proposals	15	45
Tribes submitting 4 proposals	4	16
Tribes submitting 5 proposals	3	15
TOTAL	171	270

Tribal Preservation Needs as Demonstrated by the Grant Proposals

The grant proposals for the Fiscal Year 1990 Historic Preservation Fund Grants to Indian tribes are an important source of information on tribal preservation needs. The number of grant proposals received far exceeded expectations. The receipt of 270 proposals to a new grant program with unfamiliar procedures and selection criteria and a relatively short response time, shows, at the very least, that cultural and historic preservation is of keen interest to Indian tribes. Similarly, the fact that tribes requested more than 20 times the amount of funds available indicates that despite this interest, there is an apparent lack of other funding sources to address tribal needs for cultural and historic preservation.

In order to meet the selection criteria, each applicant submitted a budget and described their proposed project, project objectives, and how the proposed project would address critical tribal needs. This information was coded and used to analyze tribal preservation needs.

Each proposal was reviewed and coded according to the types of activities being proposed, as presented in the table on the next page.

The table below (Grant Proposal Activities) organizes the grant proposals into the activity classes described above, and into the three major categories used previously in analyzing tribal funding needs: "Program Building," "Information Sharing Activities," and "Information Collection and Documentation."

1. Tribes place highest priority on basic preservation program building activities. The grant program selected for program building activities, and the applicants responded by stressing preservation planning, establishing historic preservation offices and ordinances, training, and data collection and management. In general, the proposals reflected a systematic approach to establishing and developing tribal preservation programs, supported by trained staff able to identify, evaluate and protect historic properties and to collect and manage information about tribal traditions. The proposals not only reflect the grant selection criteria but also indicate that as most tribes are just beginning preservation programs. The fact that many more tribes applied for funds to establish and staff an historic preservation office than to establish and fund a commission likely reflects the fact that many tribes have cultural commissions in place as shown by the worksheets described above, while relatively few have historic preservation offices as part of tribal government. Tribes have unmet needs in these areas that serve as the foundation for preservation programs.

The proposals showed that tribes viewed establishing a preservation ordinance and review system generally as steps taken after the development of a preservation plan



Cultural events such as the Omaha pow-wow provide opportunities to pass on tribal traditions. Here parents dress their children for the Omaha pow-wow in 1983. (American Folklife Center photograph by Carl Fleischhauer).

Classifications of Grant Proposal Activities

<u>Code</u>	<u>Definition</u>
ACQU	Acquisition: acquiring tribal objects from museums, archives and tribal members
ANCESTOR	Ancestor: identifying, locating and treating human remains in archeological sites and in archeological collections
COMMISSION	Preservation commission: establishing a commission to oversee cultural programs and activities
DATA	Data collection and management: collecting information about tribal history, historic properties; establishing preservation information systems including computerized databases
EVENT	Event: conducting a cultural event or preservation-related conference, workshop or meeting
HPO	Historic preservation office: establishing a historic preservation office, funding preservation staff positions
LANG	Language: establishing and operating programs to preserve, maintain, and teach tribal language
MACC	Museum/archive/cultural center planning or operation: planning or operating tribal museums, archives, cultural centers
ORAL-HIST	Oral history: planning and conducting tribal oral history programs and projects
ORDINANCE	Ordinance: preparing and implementing a tribal preservation
OTHER	Other: planning and conducting activities not falling into listed categories
PLAN	Planning: planning for historic preservation programs and activities
PROJ-REV	Protection and project review: planning and implementing tribal project review process for the protection of historic properties
PUBLISH	Publications: preparing and publishing books, brochures, curricula, catalogs and indexes on tribal history, historic properties, and cultural traditions
REGISTER	Registration: establishing and maintaining tribal registers of historic properties and cultural traditions, preparing nominations to the National Register of Historic Places
SURVEY	Survey: identifying historic properties and cultural traditions through survey, establishing and maintaining inventories of historic properties and cultural traditions
TRAINING	Training: planning, developing, conducting, and attending workshops, seminars, classes, etc., to learn preservation related skills

Grant Proposal Activities		
<u>Activity</u>	<u>Number of Proposals</u>	<u>Percentage</u>
Program Building		
COMMISSION	16	2.1
DATA	89	11.7
HPO	56	7.3
PLANNING	96	12.6
PROJ-REV/ORDINANCE	46	6.0
REGISTER	11	1.4
TRAINING	90	11.8
Subtotals	404	52.9
Information Sharing		
EVENT	36	4.7
MACC	44	5.8
OTHER	79	10.3
PUBLISH	29	3.8
Subtotal	188	24.6
Documentation		
ACQU	5	0.7
ANCESTORS	7	0.9
LANG	42	5.5
ORAL HISTORY	31	4.1
SURVEY	86	11.3
Subtotals	171	22.5
TOTAL	763	100

outlining tribal goals and objectives. Since most tribes are just beginning tribal preservation programs, it is not surprising that more requested funds for developing plans than for ordinances and review systems. At this time it appears that tribes do not consider the nomination of historic properties to the National Register of Historic Places as a high priority. This may well change as more tribes participate in the national historic preservation program in which the National Register of Historic Places plays an important role. It is likely that some tribes, like the Navajo, will develop their own formal evaluation and/or registration systems for historic properties and cultural traditions. However, it appears that tribes view this as following basic planning, training, and data collection and management activities.

2. Information Sharing activities involving museums/cultural centers, cultural events and publications are also important to tribes. The grant selection criteria selected against construction projects in favor of program building. Therefore, while the tribes outlined great unmet funding needs for museum construction and operation on the worksheets, very few proposals actually requested funds for construction and operation. Proposals in this category generally expressed funding needs for museum planning. Some tribes applied for

funding assistance for specific cultural events and publications. While relatively few requests for these kinds of specific projects were received, it should not be taken to mean that such activities are unimportant. Rather, these activities did not generally meet the grant program goals which emphasized program building.

3. Proposals for documentation activities stress the need for survey, language programs and oral history. As expressed elsewhere in this report, language retention and preservation is an important need. Funding needs associated with language preservation were sometimes combined survey and oral history programs. Acquisition of tribal historic objects and locating, acquiring, and treating human remains are likely to be key elements in tribal preservation programs. While relatively few funding requests for related activities were received, this should not be taken as lack of interest on the part of the tribes. It more likely reflects tribal response to the grant selection criteria and uncertainty regarding Federal policy approaches to the treatment of the dead in archeological sites and in museum collections.

Section 3: Summary

Information in **PART III** was drawn from two independent series of responses from Indian tribes: the worksheet requesting information on current activities and projected needs (74 tribal responses); and proposals submitted for grants from the Fiscal Year 1990 Historic Preservation Fund Tribal Grants program (171 tribal responses).

The worksheets were not constrained by any limitations to the responses; the grant proposals obviously were constrained by the criteria and their emphasis on proposals that would encourage program building in tribes.

Despite these differences the data indicate that tribes are strongly interested in all three of the major components of preservation programs: building infrastructure; collecting new information and documentation; and sharing information on the tribes' cultural heritage through cultural centers, museums, cultural events and other activities.

This conclusion is credibly indicated by both the current record of tribal funding for these activities and the requests tribes made for Fiscal Year 1990 grants. This is further supported by the worksheet data on what tribes that do not now have programs would like to do. In both their words and their actions, tribes generally seem to have a holistic and realistic sense of what is needed to operate a tribal preservation program.

The data available further indicate that, as a very crude average, a fully functioning tribal cultural heritage program probably will require around \$1-1.5 million in annual outlay costs. Of course, actual cases will vary significantly from this generalization but this provides a "rule of thumb" that can be used to evaluate what level of funding stimulus is appropriate to include within the Federal role for assisting tribal preservation programs. That is, within a \$1 million program, what proportion or what class of activities is the Federal government interested in supporting as a stimulus and aid to tribal fund-raising efforts.

Finally, it was not possible to determine precisely the funding needs for all 523 Federally-recognized tribes. There were 74 responses to the questionnaire and 270 grant proposals totalling \$10.1 million. The general compatibility between the two data sets suggests that the characterization given here is valid for at least 40-50 percent of the federally-recognized tribes. It may be unrealistic to assume that all tribes are interested in cultural preservation programs at this time, but we cannot project how many this may be.

Taken together these results suggest that a grant-in-aid program targeted at 5-10 percent support of the fully functioning program level for 150 tribes is a practical initial range to try to reach. Then, after five years or so of such a program, another assessment similar to the present one should be performed that is designed to measure progress and achieve a more precise estimate of future tribal preservation needs.



A traditional Choctaw treatment for high blood pressure involves applying suction through a buffalo horn. Indian tribes are concerned that tribal medicinal practices such as this one are retained as part of their cultural heritage. (Photograph by Carole Thompson)

PART IV: FINDINGS AND RECOMMENDATIONS

Section 1: Findings

American Indian tribes have as a common goal the retention, preservation, and enhancement of their cultural heritage. Over the last 500 years Indian cultures have experienced massive destruction, but the tide is changing. Indian tribes are using their limited resources to halt the loss of language, tradition, religion, objects, and sites.

Halting the loss is not enough, however. Indian tribes are living cultures, fundamentally different in character from other components of American society, that can continue and be strengthened only through the perpetuation of their traditions. Tribes, therefore are re-introducing ceremonies, teaching languages, and seeking the return and culturally appropriate treatment of tribal objects and the remains of their ancestors.

These activities are not peripheral to tribal life; they are basic to healthy contemporary tribal societies. From a tribal perspective, the "Keepers of the Treasures" hold not only the keys to the tribal past, but the keys to the tribal future.

The retention, preservation, and enhancement of the cultural heritage of American Indian tribes requires adequate and stable funding from multiple sources. As important, however, is the development of a comprehensive policy within which financial and technical assistance can be provided to tribes in a manner that respects and reinforces tribal values. The findings and recommendations that follow address both funding and policy needs.

1. Indian tribes see the preservation of their cultural heritage as basic to healthy contemporary societies. Cultural preservation activities that revive and enhance traditions also build self-esteem, which strengthens community resistance to social problems such as alcoholism and drug abuse. Cultural preservation can support the aged and spark in the youth new community awareness and pride in the knowledge of the elders.

There is no comprehensive Federal program designed to assist Indian tribes in preserving their cultural heritage although several specialized program exist. Other than the current appropriation of \$500,000 from the Historic Preservation Fund, no Federal assistance program is directed specifically to all aspects of the preservation of the cultural heritage of American Indians. In order to compete for Federal funds for preservation, tribes must exercise unusual ingenuity, describing cultural heritage projects in terms that meet the priorities of granting agencies but may have little to do with tribal preservation concerns. The Kodiak Area Native Association received a grant from the Administration for Native Americans (Department of Health and Human Services) to reconstruct a traditional style ceremonial meeting house because it was able to convince the agency that conducting traditional ceremonies and dances in the appropriate setting raised self-esteem and community pride, thus improving the health of the community.



Children on the Hoopa Valley Indian Reservation put on animal masks to act out legends as part of tribal efforts to retain the Hupa language. (American Folklife Center photograph by Lee Davis)

***Kodiak and the Department of Health and Human Services -
Rebuilding Barabaras and Self-Esteem***

We got a grant from the Department of Health and Human Services for a Traditional Healing Project. I'd like to emphasize that there are not many programs that are earmarked for tribal preservation. Just because it doesn't have preservation or history written on it doesn't mean you can't use it. We all know that cultural heritage is linked closely with self-esteem, and self-esteem is a basic part of being a healthy individual. So you can link this into a health program; in this case it was a program to fight drug and alcohol abuse. We convinced the Department of Health and Human Services that by rebuilding barabaras [large communal sod and wood frame structures] in each village we could recreate the traditional center of social and religious life and begin holding support group meetings in that context. We held dancing events, and it is amazing, it is so much better in the barabara than the ones we held in the high school gym. It has so much more meaning in the barabara, a tangible reminder of the past in the village that had been stripped [of its traditional buildings].

Rick Knecht, Kodiak Area Native Association

2. Indian tribes have developed a wide range of cultural preservation programs within their governments as a tool to meet tribal goals, but lack the adequate resources to make these programs effective. The perpetuation of tribal culture has traditionally been the responsibility of tribal elders. Tribal elders who possess traditional knowledge are rapidly passing on, often without having had the opportunity to share their knowledge and skills with younger generations. Tribal officials recognize that such opportunities can be provided through historic preservation programs developed in accordance with tribal standards and values.

The vast majority of tribal preservation activities are supported totally or in large part by tribal funds. As reported in **PART III**, tribal governments provided financial support to all preservation activities (cultural committees, museums/cultural centers, curation programs, language programs, archives, training programs, survey efforts, and the tribe's work with State and Federal agencies). Tribes reported receiving more funds from tribal governments than from any other source for every preservation activity except for language programs, which received important support from the Department of Education. Tribal budgets are insufficient to meet the need for preservation programs in the face of significant competing priorities.

3. Language is central to preserving tribal cultural heritage and many American Indian languages are in serious risk of being lost. Language is one of the most obvious characteristics by which one culture distinguishes itself from another. Loss of the native language affects Indian communities in all aspects of life. It means a decline in their ability to pass on oral tradition, to



A Makah youth performs a traditional dance at Neah Bay in preparation for the annual Makah Days celebration, held every year since 1926. Such celebrations provide opportunities to pass on tribal traditions and to share them with visitors. (Makah Culture and Research Center photograph)

perform ceremonies necessary for community well-being, and to understand the significance of the landscape and the tribal world view through which it is interpreted.

There are no Federal programs specifically encharged with the preservation and continued use of American Indian languages. Although Department of Education funds are used by tribes for this purpose, acquiring these funds often requires a tribe to apply standards that are only marginally relevant to the interests of language preservation, and to be competitive in doing so. For example, the Makah Nation has received Title IV funds from the Department of Education for language preservation largely because they are able to document that if Makah children learn the Makah language, they also learn English better, thus meeting a prime objective of the Title IV program.

4. Effective tribal participation in the national historic preservation program must be based on recognition of tribal sovereignty and respect for tribal cultural values. From the tribes' point of view, several characteristics of the present national historic preservation program seriously impede full tribal participation.

- o Current laws, regulations, policies and programs seem to be based on an assumption that the scientific value of Indian human remains is equal to, or transcends, the spiritual and emotional value attached by Indian people to proper treatment of the dead. Human remains, indeed, are important scientific and historical "documents," but, first and foremost, they are **human** remains and this value must take precedence.
- o Laws, regulations, policies and programs seem to be based on an assumption that all results of publicly funded activities must become publicly available information. Publicly funded activities on tribal lands or on ancestral lands off reservations may concern or yield information about matters that within tribal contexts are highly restricted. Public access to such information erodes the tribal context in which the information has its cultural and sometimes religious significance.
- o Laws, regulations, policies and programs seem to be based on an assumption that tribal programs for interpretation and conservation of tribal objects and information must conform to the standards and approaches of non-tribal preservation professions. There are situations in which the tribal cultural values lead to contrary interpretation and conservation approaches.

Assisting Indian tribes, or any indigenous cultures, to preserve their cultural heritage requires a recognition that standard approaches and techniques must be modified to function in a tribal or traditional setting. Because American Indian tribal cultures are a living heritage, where past meets present in daily life, they can be protected only by providing for their expression and transmission according to tribal values and standards.

Gaining the participation of Indian tribes as full partners in the national historic preservation movement, without undermining the basic goal of achieving healthy contemporary tribal societies, requires recognition of tribal sovereignty and resolution of key issues discussed in **PART I** of this report. These key issues are: 1) the treatment of human remains, 2) clarifying the nature of professional standards in tribal programs, and 3) acknowledging that some cultural information cannot become public. The national historic preservation program has to be sufficiently flexible to accommodate such differences when they arise.

5. Tribal cultural preservation goals may be advanced through adaptation of standard non-tribal preservation methods and techniques and by the substantive participation by and training of tribal members in preservation-related activities. Preservation of the cultural heritage of Indian tribes can be enhanced by training of tribal members in preservation disciplines. These open new aspects of knowledge to tribes interested in researching their past using archeological and anthropological methods or in caring for tribal objects using modern curation techniques. These disciplines, however, are based on the cultural values of non-tribal society and often will be adapted by Indian peoples to conform to their own cultural beliefs and standards. The Federal government has done little to facilitate this adaptation and as a result some tribes like the Kootenai now actively reject the practice of certain preservation disciplines.

Many tribes like the Ak-Chin, Colorado River, Zuni, and Yakima (quoted in **PART I** of this report) understand that the results of archeological and anthropological research may have long-lasting beneficial effects. They and other tribes, however, want to ensure that research priorities serve tribal goals, that research is carried out in a culturally sensitive manner by or with the assistance of tribal members, and that research results are made available to the tribe in forms that are usable to them.

Section 2: Recommendations

The Preservation and Retention of the American Indian Way of Life.

1. The American people and their government should affirm as a national policy that the historical and cultural foundations of American Indian tribal cultures should be preserved and maintained as a vital part of our community life and development. A national American Indian cultural heritage policy should be developed and adopted after broad consultation with Indian peoples and other interested parties. This policy should recognize the unique role that the continuity of cultural tradition plays in contemporary tribal society and its link to the well-being of Indian tribes in the present and future.



Stickball, a traditional Choctaw ball game, is played each year at the Choctaw's summer festivals. Except that players no longer wear the traditional waist cloth and horse-hair tail, the game has changed little over the years. (Photograph by Carole Thompson)

2. The national American Indian cultural heritage policy should recognize that programs to preserve the cultural heritage of Indian tribes differ in character from other American preservation programs. Federal agencies, State and local governments, museums, foundations, universities, and arts and humanities institutions that assist tribal preservation programs must recognize that basic program goals, standards, and approaches must be adjusted to accommodate the unique needs of grant recipients and program administrators in different cultures.

3. Federal policy should encourage agencies that provide grants for museum, historic preservation, arts, humanities, education, and research projects to give reasonable priority to proposals for projects carried out by or in cooperation with Indian tribes.

4. Federal policy should require Federal agencies, and encourage State and local governments, to ensure that Indian tribes are involved to the maximum extent feasible in decisions that affect properties of cultural importance to them. Agencies that own or manage lands, that carry out or assist development, that license or permit land-use projects, and that review the environmental and historic preservation impacts of such projects should establish systems to ensure culturally appropriate identification and protection of such properties in consultation with tribal cultural authorities.

5. Federal policy should encourage State and local governments to enact laws and ordinances providing for the identification and protection of properties of significance to Indian tribes in order to protect such properties from the effects of land use and development and from looting and vandalism.

6. Federal policy should encourage the accurate representation of the cultural values, languages, and histories of Indian tribes in the public schools and in other educational and interpretative programs.

Preserving American Indian Languages

7. Federal policy should recognize the central importance of language in maintaining the integrity of Indian tribal traditions and the tribal sense of identity and well-being. National efforts to assist tribes to preserve and use their native languages and oral traditions should be established in conjunction with the amendment of the National Historic Preservation Act recommended below. These efforts should recognize the importance not only of preserving and using language *per se*, but also the traditions and cultural practices expressed through American Indian languages.

Participation in the National Historic Preservation Program

8. As part of developing a consistent American Indian cultural heritage policy, a national approach should be developed regarding the exhumation, retention, display, study, repatriation, and appropriate cultural treatment of human remains, funerary artifacts, and sacred artifacts. This policy must be developed in consultation with Indian tribes and other interested parties and must be implemented in a timely fashion by statute, regulations, standards and guidelines.

9. Tribal needs for confidentiality of certain kinds of information should be respected. Federal agencies, State Historic Preservation Offices, other State agencies and local governments, universities, museums, and the public must become aware of and accommodate the importance and sensitivity ascribed by Indian tribes to certain kinds of information. Such information, usually associated with sacred ceremonies, oral traditions, and the locations of places associated with ceremonies and traditions, is often traditionally managed and transmitted only by certain individuals qualified by title, learning, kinship, or other means within tribes. The maintenance of confidentiality may be essential to the preservation of ancestral information management systems, and thus must be considered in the national American Indian cultural heritage policy.

Tribal Participation in the Preservation Disciplines

10. Federal policy should provide for the appropriate involvement of Indian tribes in Federally-assisted preservation research on tribal lands and on ancestral lands off reservations. Ideally, involvement should be established for all stages of research, from research design, implementation (including provision for training as appropriate), analysis, interpretation, conclusions, and recommendations.

11. Toward the achievement of tribal participation in preservation activities, it may be desirable to consider chartering the establishment of a national private organization to promote and assist in the preservation of the cultural heritage of Indian tribes. Such an organization might be patterned after the Congressionally-chartered National Trust for Historic Preservation. National private organizations of this kind have been successful in representing and advocating preservation issues and needs. A national private organization chartered to promote and assist in the preservation of the cultural heritage of Indian tribes should be created only after broad consultation with Indian peoples and should be designed to meet their needs.



Holy Fellowship Episcopal Church is a typical example of mission posts built on Indian reservations in the late nineteenth century. It is listed on the National Register of Historic Places because of the role it played in the conversion of the Yankton Sioux to Christianity. (South Dakota State Historic Preservation Office photograph)

12. National programs for training of tribal members in preservation-related disciplines should be developed. These programs should examine and adapt existing professional standards and guidelines as necessary to accommodate the cultural values of Indian tribes in carrying out their preservation activities. Training programs for tribal members in preservation related disciplines must recognize and respect traditional knowledge and skills gained or conferred outside colleges, universities and professional institutions.

Establishing and Developing Tribal Preservation Programs

13. The National Historic Preservation Act (16 U.S.C. 470) should be amended to establish a separate title authorizing programs, policies and procedures for tribal heritage preservation and for financial support as part of the annual appropriations process. At the present time, based on information assembled in this report, an annual funding level in the five to ten million dollar range with discretionary matching requirements seems appropriate. Such tribal heritage programs should provide for the activities described in the recommendations in this report. This funding should be linked to a requirement that the National Park Service re-assess tribal funding needs after a period of 5 years.

Section 3: Conclusions

The recommendations offered above, although developed through independent study, are consistent with policy trends that have been in existence for more than a decade. The *American Indian Policy Review Commission: Final Report* submitted to Congress on May 17, 1977, contained a variety of recommendations for the development, administration, review, and funding of tribal cultural programs in the Smithsonian Institution, the National Endowments for the Arts and Humanities, the Library of Congress, Federal agencies, universities, and public schools.²¹

From a broader perspective, policy trends have been toward the protection and preservation of community life and traditional lifeways on national and international levels. In the 1980 amendments to the National Historic Preservation Act, it was found that "the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people (16 U.S.C. 470, Section 1(b)(2))." The 1980 amendments to the Act also directed the National Park Service and the American Folklife Center of the Library of Congress to study means of "preserving and conserving the intangible elements of our cultural

²¹ American Indian Policy Review Commission, *American Indian Policy Review Commission: Final Report*, (Washington, D.C.: U.S. Government Printing Office), Volume 1, 1977: p. 44-45.

heritage such as arts, skills, folklife and folkways" and to recommend ways to "preserve, conserve, and encourage the continuation of the diverse traditional prehistoric, historic, ethnic, and folk cultural traditions that underlie and are a living expression of our American heritage (Section 502)."

The *Cultural Conservation* report, prepared in response to Section 502 of the Act, was transmitted to Congress and the President by Secretary of the Interior James Watt, in 1983.²² The report recommended that the President and the Congress commit the United States to a national effort at the Federal, State, and local levels to protect community life and values and related traditional lifeways.

The *Cultural Conservation* report further recommended that the National Park Service use its authorities to: 1) develop in cooperation with appropriate agencies and organizations a program for the survey and documentation of American folklife and related traditional lifeways; 2) provide funds to States and community groups, organizations, and institutions for folklife survey and documentation, using provisions of the National Historic Preservation Act for grants to States and to Native American, ethnic, and minority groups; 3) coordinate development of national policies and guidelines for protecting the full array of cultural resources; and, 4) give added priority to living traditions of communities associated with national parks in the planning, operation, and interpretation of the National Park system.

The First World Conference on Cultural Parks was held at Mesa Verde National Park, Colorado, in 1984. The recommendations of the Conference stressed the need to protect and preserve traditional cultural lifeways including "intangible culture, which is as much a part of the world's heritage as the unique historic and natural properties." The report also noted the need to "identify sites, cultures and ecosystems threatened with degradation or loss. . . and . . . also take the actions needed to protect and preserve such properties and ecosystems, as well as permit indigenous peoples to maintain their lifeways."²³

Over the last several years, the National Park Service has undertaken a special effort to adjust its administration of Historic Preservation Fund grant programs as they apply to the Freely Associated States of Micronesia. The National Park Service has strived to recognize that these new nations have special needs, not unlike those of Indian tribes, to address not only historic properties, *per se*, but the broad social and cultural contexts from which such properties derive their

²² *Cultural Conservation: The Protection of Cultural Heritage in the United States*, Coordinated by Ormond H. Loomis, Publications of the American Folklife Center, No. 10, (Washington, D.C.: Library of Congress), 1983.

²³ *International Perspectives on Cultural Parks: Proceedings of the First World Conference, Mesa Verde National Park, Colorado, 1984*, Colorado Historical Society with the U.S. National Park Service, (Washington, D.C.: National Park Service), January 1989: p. 402.



A Wainwright Eskimo girl dances in a summer parka to the beat of Eskimo drums. The drums are made from walrus stomach and drift wood. (Alaska Native Heritage Park, Inc. photograph by Chris Arend. The Alaska Native Heritage Park, Inc. is a corporation dedicated to discovering and celebrating Alaska's Eskimo, Indian, and Aleut traditions.)



Plants like Sxwa'/sem, or soapberry bush, are valued by the Lummi for many uses. (Photograph by Al S. Johnnie reprinted with permission)

significance. A concern for both historic properties and cultural tradition has emerged clearly from the Micronesian Resources Study authorized by Public Law 99-658 and undertaken by the National Park Service pursuant to Public Law 100-102. The final report of this study is now in preparation.

Most recently, the Library of Congress' American Folklife Center held a national conference, "Cultural Conservation: Reconfiguring the Cultural Mission," on May 16-19, 1990. Folklorists, folklife specialists, anthropologists, archeologists, naturalists, planners, design specialists, educators, government officials, and representatives from Indian tribes met to discuss current efforts to preserve and enhance our nation's cultural heritage and to make recommendations for the future. The recommendations from the conference, in draft form as this report goes to print, take a holistic approach to the conservation, preservation and enhancement of the nation's cultural and natural heritage. This holistic approach echoes perspectives on cultural preservation as described in this report by "the people themselves."

In conclusion, it is time for Indian tribes to be afforded the opportunity to participate fully in the national historic preservation program on terms that respect their cultural values and traditions as well as their status as sovereign nations. Doing this will require relatively modest funding, but it will also require adjustment in the way we look at historic preservation. To be responsive to the needs of Indian tribes the Federal government needs to shift from a focus on specific, clearly definable historic properties to a concern for the cultural environment as a whole, including both historic properties and cultural traditions, and to adjust Federal procedures, standards, and guidelines accordingly.

This shift in focus is necessary for more than accommodating the needs of Indian tribes. As prior studies like the 1983 *Cultural Conservation* report have suggested, it is the next logical step in the evolution of the national historic preservation program as a whole.



Pete Dyer, a Choctaw medicine man, is also a rainmaker.
(Photograph by Carole Thompson)