

U.S. Department of Defense

Progress Report on Plan of Action to Implement the Policies and Directives of Executive Order 13175



U.S. Department of Defense Seal

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**Office of the Deputy Assistant Secretary of Defense for
Environment and Energy Resilience**

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Executive Summary

The Presidential Memorandum of January 26, 2021, Tribal Consultation and Strengthening Nation-to-Nation Relationships directs each federal agency, in consultation with 574 federally recognized Indian Tribes, to develop and submit to the Office of Management and Budget a plan of action for engaging in regular, meaningful, robust consultation and implementing the policies and directives of E.O. 13175 (2000).

In July 2021, the Secretary of Defense submitted the DoD Plan of Action to Implement the Policies and Directives of Executive Order 13175 (DoD Plan). In transmitting the DoD Plan, Secretary Lloyd J. Austin named Richard G. Kidd IV, Deputy Assistant Secretary of Defense for Environment and Energy Resilience (DASD(E&ER)), as the lead DoD official responsible for overseeing implementation of the DoD Plan. This document serves as a status report on DoD's Plan and highlights policies and consultation activities within the February – August 2021 reporting period.

I. Office of the Secretary of Defense (OSD)

DoD Policy and Consultation

During the reporting period, the ODASD(E&ER) completed the following priority policy-related actions listed in the DoD Plan:

- Reviewed the consultation policies of each of the Military Departments and confirmed they are essentially aligned with E.O. 13175 and current Administration policies and guidance.
- Researched and reviewed other federal agencies' Tribal Advisory Committees, comprised of Tribal Leaders and agency leadership, in efforts to provide ongoing guidance on how to enhance nation-to-nation relationships.
 - OSD determined funding resources would be necessary to form such a committee. Action to create a DoD Tribal Advisory Committee postponed until such resources are available.
- Planned a DoD exhibit for the Annual Convention of the National Congress of American Indians to inform tribal participants of regional consultations on updating DoD's consultation policy; information on the Innovative Readiness Training Program; and information on services of the DoD Office of Small Business Programs.
- Planned listening sessions in SE Alaska, in partnership with the Alaskan Command (ALCOM). The ODASD(E&ER) made continued progress throughout this reporting period to facilitate relationship building and promote consultation to advance restorative justice efforts concerning the historic U.S. military bombardment of the tribal communities of Angoon, Kake, and Wrangell in the late 1860s. The ODASD(E&ER) and ALCOM communicated and collaborated with the Angoon Community Association (ACA), Organized Village of Kake (OVK), Wrangell Cooperative Association (WCA); and Sealaska Heritage Institute (SHI) in response to the Tribes' request for dialogue. The initial conversations with the three Tribes focused on organizing listening sessions to be

held with each Tribe in late October 2021. Communications were made via Zoom, phone, text, email, and U.S. Mail.

- Participated in continuous interagency coordination to enhance policy alignment and leveraging of federal resources to address Tribal concerns and improve consultation efforts, including:
 - The White House Council on Native American Affairs pursuant to E.O. 13647 of 2013;
 - Prepared the letter to Secretary of the Interior Haaland naming the Department of Defense official to serve on the Council.
 - Participated on the Climate Change, Tribal Homelands, and Treaty Rights Committee.
 - The White House Council Environmental Justice Advisory Council and their efforts to address whole-of-government strategies to implement E.O. 12898;
 - Participated in meetings between DoD and Center for Environmental Quality concerning DoD's environment justice policies.
 - The Steering Committee of the two dozen federal agency signatories to the 2016 Interagency MOU on Protection of Tribal Treaty Rights Related to Natural Resources; and
 - Coordinated and sent the updated 2021 MOU to the Secretary of Defense for signature.
 - the Steering Committee of the five federal agency signatories to the 2016 Interagency MOU on Coordination and Collaboration for the Protection of Indian Sacred Sites.
 - Reviewed the 2021 updated MOU on Indigenous Sacred Sites.

DoD's Native American Lands Environmental Mitigation Program

Under the DoD Native American Lands Environmental Mitigation Program (NALEMP), DoD enters into two-year Cooperative Agreements (CAs) with tribal governments to address environmental impacts attributable to past DoD activities on tribal lands and ANCSA-conveyed properties. DoD-related impacts include hazardous materials, munitions debris, unsafe buildings or structures, lead-based paint and asbestos, and abandoned equipment. During the reporting period, ODASD(E&ER) monitored progress on 34 open CAs. Five impact sites were closed on tribal lands in New Mexico resulting in the clearance of 2,371 acres of munitions debris from former practice bombing ranges. DoD consults NALEMP partner tribes to develop and execute the CAs. In FY 2021, fifteen tribes from five states participated in NALEMP. To date, DoD has executed 264 CAs with 64 tribal nations at a total funding level of over \$164 million.

Innovative Readiness Training Program

The DoD Innovative Readiness Training (IRT) program provides practical training opportunities for National Guard and Reserve service members and units to prepare them for wartime missions while supporting the needs of America's underserved communities and approved non-profits. Foundation documents for IRT include: 10 USC 2012; the Department of Defense's Directive

1100.20, “Support and Services for Eligible Organizations and Activities Outside the Department of Defense”; and 32 USC Section 508, “Assistance for certain youth and charitable organizations”.

In May 2021, 514 military medical personnel spent 12 days delivering medical, dental, optometry, and veterinary care to Alaska Native peoples. In partnership with the Kodiak Area Native Association in Kodiak, Alaska, military personnel visited Kodiak, Akhiok, Karluk, Larsen Bay, Native Village of Ouzinkie, and Port Lions, providing medical support to 2,156 patients through 11,406 procedures, including production of 631 pairs of eyeglasses.

From May 3 to August 13, 2021, the Air National Guard (ANG) led the Cherokee Veterans Housing Initiative in partnership with the Housing Authority of the Cherokee Nation, Oklahoma. This joint civil-engineering mission constructed new single-family homes and their supporting infrastructure for eligible Cherokee Nation veterans and their families. Alongside ANG, units from the Army National Guard, Navy Reserve, and Air Force Reserve Command supported this mission in Tahlequah, Oklahoma. Service Members trained in multiple civil-engineering and construction occupational specialties, including electrical, structural, heavy equipment, utilities, and operations management.

These efforts transformed unimproved land into seven single-family dwelling units complete with appurtenant roadway and utility connections. Six hundred and seven Service Members received training during this mission, garnering 55,000 training hours and delivering an estimated value of \$3.8 million in construction services to the community. Speaking on the significance of this partnership, Principal Chief Chuck Hoskin Jr. of the Cherokee Nation remarked, “This is a great project with the military where we are building homes for veterans. It is an exciting collaboration with our housing authority, the military, our Secretary of Veterans Affairs, and people in my administration.” ANG hosted a Distinguished Visitor Day on July 28 as the project approached substantial completion.

In addition to training, this partnership resulted in cultural exchange and awareness. Service Members were invited to the heritage center to learn more about Cherokee culture and given the chance to experience the history, language, games, and traditions of the local community. Through this IRT partnership, the military received real-world training while providing sustainable, lasting construction benefits to the Cherokee Nation.

The IRT program provides Reserve Component, National Guard, and Active Duty military personnel with mission-essential joint readiness training, as well as improving pre-deployment preparation for skills that are directly utilized in deployments. As evidenced by the examples previously mentioned, the IRT program assists in creating new partnerships in surrounding communities and supports underserved areas of the United States, including tribal communities.

II. Alaska NORAD Region and Alaskan Command

Introduction

Alaska NORAD Region (ANR) and Alaskan Command's (ALCOM) efforts during the reporting period demonstrate a commitment to building and enhancing working relationships with federally recognized Tribes, Alaska Native Corporations (ANCs), and Alaska Native organizations located throughout the joint operations area (JOA), which covers the entire state of Alaska. There are 229 federally recognized Tribes (nearly 40 percent of the Nation's Tribes), 12 regional ANCs, and 176 village ANCs located within the ANR and ALCOM JOA.

Consultation and Outreach

Commander, Alaskan Command (CDRALCOM) held one formal government-to-government consultation during this reporting period. CDRALCOM held a formal tribal consultation with the Native Village of Kaktovik (NVK), held in Kaktovik on the North Slope of Alaska, on August 24, 2021. Issues discussed included: relationship building; tribal concerns with previous military relocations of their community in 1947, 1953, and 1964; tribal interest in the Air Force's plan for the Former Barter Island Runway; and tribal concern with plastics the community perceives as having been used in the Air Force's cleanup of the Former Barter Island Runway. Outcomes of the consultation include a commitment by the Pacific Air Forces Regional Support Center (PRSC) to communicate Air Force cleanup activities at the site. PRSC also committed to bolster their relationship building efforts with the NVK. (The PRSC manages the Barter Island Long Range Radar Station (LRRS) installation that is co-located with the community of Kaktovik.) NVK plans to meet with the City of Kaktovik, the Kaktovik Inupiat Corporation (village ANC), and Alaska's congressional delegation to determine ways the community would like to move forward on the issue of past relocations.

CDRALCOM held a virtual leader-to-leader consultation meeting with The Aleut Corporation (TAC), a regional ANC, held on March 26, 2021. TAC emphasized their interest in having a permanent military presence on the island of Adak, Alaska, of which TAC is a major landowner. TAC provided notice to CDRALCOM of their plans to communicate with Commander, U.S. Northern Command (NORTHCOM), and Commander, U.S. Indo-Pacific Command, regarding various opportunities for U.S. Marine Corps and military training on the island.

ANR and ALCOM Native Affairs Liaison (ANR & ALCOM/NAL) held a staff level courtesy visit for relationship building with the Native Village of Afognak, on Kodiak Island, May 11, 2021. CDRALCOM engaged in leader-to-leader relationship building with the Native Village of Afognak and the Sun'aq Tribe of Kodiak during the Arctic Care Exercise Distinguished Visitor's (DV) Day held on Kodiak Island, May 12, 2021. The Arctic Care Exercise was a mutually beneficial exercise held May 5-13, 2021; the Exercise provided training for military units and free medical care and veterinarian services to six tribal communities on Kodiak Island through the IRT program.

ANR and ALCOM/NAL provided advanced notification of increased Air Force activity during an ANR training exercise held in the vicinity of St. Lawrence Island, Alaska, to the Native Village of

Gambell and Native Village of Savoonga, among others, on August 20, 2021. The two Tribes were supportive of military training and appreciative of the notification.

ANR and ALCOM/NAL facilitated Air Force recruitment opportunities for Alaska Native people through engagement with the Alaska Federation of Natives (AFN) and Major General Thomas, Commander, Air Force Recruiting Services, held virtually on March 3, 2021.

ANR and ALCOM/NAL continues to facilitate outreach and coordination between the leadership of ALCOM, the 673rd Medical Group, and the Alaska Native Tribal Health Consortium (ANTHC) throughout the COVID-19 pandemic, which includes email correspondence and in-person meetings to find shared areas of interest for collaboration in the area of healthcare. Meetings were held on Joint Base Elmendorf Richardson (JBER), June 1 and August 2, 2021.

CDRALCOM and ANR and ALCOM/NAL engaged in continuous communication with Ms. Julie Kitka, President, AFN, throughout the reporting period. Founded in 1966, AFN is the largest Alaska Native advocacy and lobbying organization in the state. It is governed by a 38-member board. Tribes, Alaska Native corporations (ANCs), and Alaska Native regional nonprofit and tribal consortiums can choose to be members of AFN.

- CDRALCOM and ANR & ALCOM/NAL participated virtually in Alaska Day '21, a national level event focused on Washington DC cabinet level leaders, policy makers, and the Congressional delegation, hosted by AFN on May 25-26, 2021.
- CDRALCOM and ANR & ALCOM/NAL prepared for participation in the AFN-hosted Roundtable “Leadership in Uncertain Times” a virtual event to be held 19 Oct 21 (hybrid).

ANR and ALCOM/NAL facilitated social engagement for senior Air Force officers with Alaska Native leader Chief PJ Simon, Chairman, Tanana Chiefs Conference (TCC), during the Eielson Air Show event on July 31, 2021, on Eielson Air Force Base Alaska. TCC is a tribal consortium and Alaska Native non-profit service provider headquartered in Fairbanks which serves the interior region of the state, covering 42 Alaska Native villages.

Policy Development and Implementation

During this reporting period, ANR and ALCOM/NAL promoted awareness among the Alaska Military Tribal Liaisons Synchronization Group regarding ALCOM's Alaska Implementation Guidance (AIG) for DoD Alaska Native Related Policies and Instructions published in April 2020. The AIG conveys the application of the Department of Defense Instruction: DoD Interactions With Federally Recognized Tribes (DoDI 4710.02 (September 2018) to the unique legal and cultural context of Alaska. The AIG applies to DoD Components conducting activities that may affect Alaska Native communities. The AIG assists DoD Components with requirements when DoD activities intersect with Alaska Native interests. The AIG is designed to inform DoD Components on how to approach trust relationships with Alaska Native peoples.

Training and Tools

CDRALCOM produced USNORTHCOM's Arctic Senior Leaders Summit (SLS) in March 2021 (virtual) which included an indigenous panel of esteemed Alaska Native Speakers as identified by ANR and ALCOM/NAL: Dr. Dalee Sambo Dorrough, International Chair, Inuit Circumpolar Council; Ms. Julie Kitka, President, AFN; Dr. Liza Mack, Executive Director, Aleut International Association; Dr. Rosita Worl, President, Sealaska Heritage Institute; and Mr. Eugene Peltola, Regional Director, Alaska Region, U.S. Department of Interior, Indian Affairs. The forum provided education and information sharing for General Officers and Senior Military Leaders whom serve in the Arctic region.

ANR and ALCOM/NAL facilitated relationships between the JBER Installation Commander and the Alaska Native Heritage Center (ANHC) to discuss potential opportunities for education and training, meetings held at ANHC (Anchorage) on June 23, 2021 and August 30, 2021.

CDRALCOM hosted the Alaska Native Heritage Center Dance Group to perform a cultural presentation for General Officers from around the world during the Executive Observer's Program (EOP) event at Moose Run Golf Course (JBER) on June 17, 2021. Senior military engagement with Alaska Native leaders also occurred during EOP dinner events on June 18, 2021 (Anchorage, Ms. Julie Kitka, President, AFN, attended) and June 20, 2021 (Fairbanks, Chief PJ Simon, Chairman, TCC, attended).

ANR and ALCOM/NAL provided education on Alaska Native culture, communication, and consultation to military officers in Alaska through the ALCOM Arctic Defense Security Orientation (ADSO) courses held on May 13 and 20, 2021, and September 16, 2021 (all virtual). ANR and ALCOM/NAL hosted monthly meetings of the Alaska Military Tribal Liaisons Synchronization Group to promote standardization in service tribal consultation policy implementation and to provide peer support. Tribal Liaisons participate from the U.S. Army Garrison Fort Wainwright, JBER (Air Force led), PRSC (Air Force radar sites in Alaska); U.S. Army Corps of Engineers, Alaska District; Alaska National Guard; U.S. Coast Guard District 17; and, Navy Region Northwest.

III. Department of the Army

Introduction

In 2012, the Secretary of the Army signed the Army's American Indian and Alaska Native Policy, establishing Department of the Army policy for interaction with Federally-recognized Tribes. The policy ensures that the Department of the Army will meet its responsibilities to Federally-recognized Tribes as derived from the federal trust doctrine, treaties, and agreements and comply with federal statutes and regulations, presidential memoranda and executive orders governing interactions with Federally-recognized Tribes. The Army will build stable and enduring government-to-government relations with Federally-recognized Tribes in a manner that sustains the Army mission and minimizes effects on protected tribal resources. The Army will communicate with Federally-recognized Tribes on a government-to-government basis in recognition of their sovereignty; recognize, respect and take into consideration the significance that federally recognized Tribes ascribe to protected tribal resources when undertaking Army

mission activities and when managing Army lands. The Army will fully integrate the principles of meaningful consultation and communication with federally recognized Tribes at all organizational levels including staff officers and civilian officials. The Army will consider the unique qualities of individual federally recognized Tribes when applying these principles. This policy recognizes the importance of understanding and addressing the concerns of Federally-recognized Tribes prior to reaching decisions on matters that may have the potential to significantly affect tribal rights, tribal lands or protected tribal resources.

Since Executive Order (EO) 13175 was published in 2000, the Army has taken measures to ensure compliance and has initiated extensive consultation activities. Army tribal consultation has been conducted to address everything from routine management activities, project undertakings, discovery of human remains, to include subsequent repatriation and burial and compliance with requirements under the Native American Graves Protection and Repatriation Act (NAGPRA).

Army Materiel Command (AMC) consists of 10 Major Subordinate Commands (MSCs) that manage 95 active Army installations, 26 Organic Industrial Base (OIB) facilities, and has a presence in all 50 states and more than 150 nations across globe. AMC strives to cultivate good faith efforts by working with federally recognized tribes to fulfill its responsibilities to consult on Federal actions capable of potentially affecting protected tribal equities.

AMC's mission is complex and worldwide with an emphasis on readiness, surge capacity, and modernizing of future capabilities. AMC is a critical component of the Army's role in fighting and winning the nation's wars. AMC's complex missions range from maintenance and distribution of spare parts to transportation and movement of equipment and munitions, to security assistance programs in support of partner nations. The command leads, manages and operates the Army's OIBs. AMC OIBs are comprised of 26 depots, arsenals and ammunition plants, the OIB overhauls, modernizes and upgrades major weapon systems. AMC maintains the Army's prepositioned stocks, both on land and afloat. The command is the DOD executive agent for the chemical weapons stockpile and for conventional ammunition, and includes global transportation experts who provide the warfighter with a single surface distribution provider that deliver capability and sustainment on time. The AMC OIBs mission is performed in well-defined boundaries known as the industrial core district or cantonment. The OIB cantonment is not prone to fluctuation or change in configuration.

Active Army installations are generally managed by AMC's MSC - the Installation Management Command (IMCOM). Over 40 Army Installation Management Command (IMCOM) installations have established on-going consultation relationships with Federally-recognized tribes. IMCOM installations engaged in consultation with 305 Federally-recognized Tribes in 39 states. IMCOM consultation efforts included the ceremonial burial of a light-colored bison born to a Fort Riley herd (2004). In this rare event, Tribes were notified of the calf's birth and celebration plans were begun. Unfortunately, the calf succumbed to birth defects four weeks later and the ceremony became one of mourning and burial. In 2004, Comprehensive Agreements entered into with the Kaw Nation and the Pawnee Nation of Oklahoma to address roles and responsibilities in addressing inadvertent discovery and intentional excavation of Native American remains and cultural items over which each individual tribe may have priority of custody on the installation. Fort Drum has engaged in consultation partnerships for over twenty years with the Oneida Indian

Nation, the Onondaga Nation, and the St. Regis Mohawk Tribe at both the Government to Government and Staff to Staff Levels. Fort Drum views the three Nations as management partners for stewardship of ancestral places.

IMCOM installations expanded coordination and consultation efforts including newly identify Tribe with an interest in reaching an informal understanding for what types of activities, resources and impacts each tribe would be interested in reviewing during the NHPA Section 106 review process. Outreach activities resulted in refining what tribes wanted to be engage in and when, additions to regular consultation and coordination actions, and cooperatively developing materials such as Fort Bragg's video titled "Voices of the Sandhills", produced in 2013 to highlight federally-recognized and state-recognized Indian Nations that once occupied Fort Bragg lands and their modern day descendants. This 21-minute video is also provided as a link on a state-wide webpage called Ancient Carolinians, hosted by the University of North Carolina at Chapel Hill.

The Army National Guard (ARNG) represents 54 states and territories that comprise ARNG installations. This summary of compliance activities related to EO 13175 includes interactions with over 80 federally recognized Tribes (referred to as Tribes for rest of report). For the ARNG, responsibility for initiating government-to-government consultation is delegated to the State and Territory ARNG Adjutant Generals (TAGs), with most day-to-day consultation and coordination occurring within the environmental offices via a cultural resource manager (CRM) or designated representative.

The United States Army Reserve (USAR) maintains properties and installations all across the United States. USAR works with its Federally-recognized tribal partners and meets its responsibilities to meaningfully consult on activities that may have the potential to affect protected tribal resources. The US Army Reserve Command has established relationships with over 200 Federally-recognized tribes.

Consultation and Outreach

AMC OIB

Radford Army Ammunition Plant (RFAAP)

RFAAP conducted a total of 42 tribal consultations; involving 17 federally recognized Tribes in six states, during the current reporting cycle. The consultations addressed two proposed Federal actions located at RFAAP that included implementation of master planning actions at the industrial core district and proposed construction of a new nitrate ester manufacturing facility. RFAAP received only one response from the Cherokee Nation regarding the invitation to consult. The Cherokee Nation located in Oklahoma did request RFAAP to update their records by reflecting a change in the Cherokee Nation Chief. RFAAP consultations occurred due to the creation of Environmental Assessments supporting the previously mentioned Federal actions implemented by RFAAP.

Milan Army Ammunition Plant (MLAAP)

MLAAP conducted one consultation involving six federally recognized Tribes during the current reporting cycle. This phased consultation addressed the divestiture of MLAAP. The MLAAP divestiture will transfer a portion of MLAAP's property to the City of Milan and University of Tennessee, non-Federal entities. The total amount of property available for transfer to non-Federal entities is 6,000 acres. The 6,000 acres are comprised of 1,500 acres characterized as previously surveyed and previously disturbed land with the remaining 4,500 acres classified as non-previously disturbed and unsurveyed property. MLAAP's consultation final determination is pending results of the phase I cultural resources survey on 4,500 acres of property.

IMCOM

In IMCOMs NE region, Fort Drum, Fort Hamilton, Natick Soldier Systems Center, West Point, Carlisle Barracks, Fort Lee, Fort Knox, Fort Campbell, Fort Bragg reported that multiple consultation meetings with affiliated tribes occurred during this period. The installations in the region conducted consultation with all tribes having cultural affiliation with lands under their stewardship.

Fort Bragg consulted with eight federally-recognized tribes and nation. Formal consultations occur annually, typically in the spring and are now regional, with Fort Benning, Fort Jackson, Fort Gordon and Fort Stewart. Fort Bragg, during the annual meeting Fort Bragg's cultural and natural resources overview. Tribal representatives from four of eight consulting nations were present: Tuscarora, Muscogee Creek, Thloptholocco, Alabama-Quassarte and Shawnee.

The consulting Nations gave Fort Bragg the following do-outs which the installation is currently working to address:

- 1) Develop two new MOUs for the Tuscarora Nation and Catawba Nation;
- 2) Coordinate input and participate with the Catawba Nation for a new Native American Pollinator Garden to be created in new greenspace initiatives on Fort Bragg;
- 3) Continue to bring the importance and relevance of NAGPRA consultation into monthly classroom discussions with soldiers and contractors;
- 4) Continue outreach opportunities for members of local tribes as internship opportunities arise;
- 5) Provide access to desirable natural resources to our Indian Nations upon request (pine straw, river cane, pine cones, and other non-endangered plants of interest); and
- 6) Consider engaging members of local Tribes in regular site monitoring duties as allowed, creating a "natural representative" for animal and plant harvesting.

Fort Drum consultation accomplishments include, NHPA Section 106 consultations, coordination for comments on their Integrated Natural Resources Management Plan, and staff-to-staff visits with the all three of their consulting Nations, the Oneida Indian Nation, the Onondaga Nation, and the St. Regis Mohawk Tribe. Fort Drum has endeavored to meet and exceed the letter and spirit of the DoD Consultation Policy. Fort Drum considers their partnerships with the Oneida Indian Nation, the Onondaga Nation, and the St. Regis Mohawk Tribe to be incredibly valuable. In their

continual effort to improve, Fort Drum personnel they shared EO 13175 with all three Nations and sought advice on how the consultation program could be improved.

Fort Campbell did not consult with Tribal Nations for NHPA or NEPA documents, however engaged in extensive NAGPRA consultation repatriation and reburial consultation. This activity accomplished the repatriation and reburial of curated NAGPRA human remains and associated funerary items, of both Section 3 and Section 5 category of NAGPRA, for fragmentary remains of at least 57 individuals and a total of 512 associated grave goods. This was the culmination of a long term effort. Consultation with 12 federally recognized Tribes began in 2018, the remains were determined to be Culturally Unidentifiable and recovered from land defined as aboriginal to the Cherokee based on Treaties. The Eastern Band of Cherokee Indians (EBCI) requested transfer and reburial of the remains on June 11, 2019. In the EBCI requested that the majority of the individuals and items be buried in the German POW Post Cemetery on Fort Campbell. The remains and items removed from archaeological sites not located on the installation, but in the Army's possession, were reburied by the EBCI in coordination with the USFS. The Executive Director of the Office of Army Cemeteries signed and Exemption to Policy Memo on May 29, 2021 to allow the internment in the Post Cemetery. All NAGPRA remains and associated funerary items were transferred to the EBCI and buried on July 20, 2021. This activity completed all Section 3 and Section 5 Requirements of NAGPRA for Fort Campbell.

Both Fort Hamilton and USAG West point accomplished standard NHPA Section 106 consultation Hamilton accomplished one consultation with their consulting tribes, the Delaware Tribe of Indians; Delaware Nation, Oklahoma; Shinnecock Nation; and Stockbridge-Munsee Community. West Point accomplished six with two federally recognized Tribes in two states.

No government-to-government consultation or outreach activities were undertaken during the reporting period by Carlisle Barracks, Fort Knox, Fort Lee, Natick Soldier Systems Center, due to no proposed actions that would initiate requirements government-to-government Tribal consultations.

In IMCOMs South East Region five garrisons reported during this period (Fort Jackson, Fort Benning, Redstone Arsenal, USAG Miami, and Fort Stewart/Hunter Army Airfield) reported 18 consultation events for NHPA and three for NAGPRA. The installations in the region conducted consultation with all tribes having cultural affiliation with lands under their stewardship.

All IMCOM installations in the southeast region conducted consultation with all tribes having cultural affiliation with lands under their stewardship. Each installation engaged in NHPA, Section 106 projects. In addition, Fort Jackson, Fort Benning, Redstone Arsenal, and Fort Stewart engaged in consultation for NAGPRA compliance, planning documents and development of standard operating procedures, and Programmatic Agreements (PAs).

Ft. Benning continues to maintain effective relationships and open communications with 14 Federally Recognized Tribes through Army Alternate Procedures. An example outreach and communications with the tribes occurred when The Muscogee (Creek) Nation (MCN) asked for Ft. Benning insight and included details related to Fort Benning Consultations in their response to

DoD on the 27JAN21 POTUS Memo for the DoD POA. The MCN response presented Fort Benning in a positive light. Specific highlights, from the MCN report, included:

- "...The fall consultation is dedicated to Ft. Benning while the spring consultation involves SE regional installations; including: Ft. Benning, Ft. Gordon, Ft. Stewart, Ft. Bragg, Ft. Jackson. It is important to note that MCN believes that without Ft. Benning's obligations to host these meetings, the other installations would rarely have interactions with Tribal representatives..."
- "The strong relations between Ft. Benning CRM & Environmental Division and MCN have created an environment that is very conducive to open communication and opportunities for cultural sharing. Ft. Benning personnel were able to visit our reservation when MCN hosted the bi-annual consultation in May of 2019 and shared in a multitude of cultural interactions including a stickball game, traditional foods, and visiting an active ceremonial ground – opportunities that are not offered to just anyone."

Fort Stewart/Hunter Army Airfield and Fort Jackson participated in the regional consultation meeting, hosted virtually by Fort Benning, with Fort Gordon, Fort Bragg, and Fort Jackson, as well as conducting an independent annual consultation meeting. Fort Stewart/Hunter Army Airfield initiated discussions regarding NAGPRA-related remains and desire for repatriation by at least one Tribe (Muscogee Creek Nation) and discussions regarding future Regional Consultation Meeting formats and possible face-to-face locations. The consultation meeting was held virtually, and resulted in plans to alternate host responsibilities between the garrison and consulting Tribes each year. Fort Jackson accomplished consultation work renewal of Memorandum of Understanding (MOU) between with 14 consulting tribes and nations. The MOU provides procedures for consultation and communication between the garrison and signatory tribes and nations. Additional consultation accomplishments include updates to the installation's PA, Curation MOU, ICRMP, and actions to protect and monitor archaeological sites.

During the reporting period, Redstone Arsenal accomplished consultation with 16 federally recognized Tribes for the disposition of NAGPRA Section 3 material and completed all NAGPRA requirements in response to a NAGPRA claim filed by the Chickasaw Nation for one set of human remains and two isolated human teeth recovered as inadvertent discoveries in 2016 and 2020. Redstone Arsenal is nearing completion of a major update to their Integrated Cultural Resources Management Plan (ICRMP) which includes Standard Operating Procedures (SOP) for tribal consultation, and a NAGPRA plan of action.

In IMCOMs central region, eight garrisons (Fort Carson, Fort Sill, Fort Hood, White Sands Missile Range, Fort Bliss, Fort Huachuca, Fort Polk) in the region conducted consultation with all tribes having cultural affiliation with lands under their stewardship. Each installation engaged in NHPA, Section 106 projects. All installations in the central region conducted consultation with all tribes having cultural affiliation with lands under their stewardship.

Fort Carson and Piñon Canyon Maneuver Site (PCMS) Environmental Assessments (EAs) and draft Findings of No Significant Impacts (FNSIs) consultation and coordination activities with 21 federally recognized Tribes in 8 states. USAG Fort Carson also consulted with 21 Federally recognized Tribes from eight states for accomplishment of the Hogback Traditional Use Study.

This August, Fort Polk coordinated with all consulting Tribes to develop and update installation educational displays, illustrating lifeways and technological advances.

Fort Hood conducted 180 NHPA, Section 106 consultations involving seven federally-recognized tribal stakeholders. The consultations included discussions for the Fort Hood Historic Properties Component (HPC), the FY20 annual report to stakeholders, a variety of proposed actions and plans including: individual plant treatment and seeding in Training Areas; maintenance of low water crossings, trails, and roads; water line upgrades along roadways; drainage improvements at airfields; low water crossing and bridge repair/replacements; and environmental assessments. Notable outcomes include continued Fort Hood NHPA Section 106 compliance and resolution of concerns from the Comanche Nation NAGPRA Director regarding deposition of human remains at Fort Hood's Comanche Indian National Cemetery.

Tribal outreach at Fort Hood is a challenge due the fact that all seven of Fort Hoods Tribal stakeholders are located great distances away from the installation out of state (New Mexico, Oklahoma) and outreach would require a large amount of funding to logistically accomplish. However, representatives from the Comanche Nation have visited Fort Hood in the recent past (2013) as part of a traditional cultural property survey. This visit helped facilitate reasonable access to the Comanche Nation to sites that have been identified as Comanche Nation TCP's.

Fort Huachuca receives regular requests from numerous Apache Tribes who annually collect acorns lands under the stewardship of the garrison. Fort Huachuca hosted one such collection event, with implementation of safety protocols due to COVID 19 restrictions.

In IMCOMs West Region three installations (Joint Base Lewis McCord, Presidio of Monterey, Yuma Proving Ground) reported 38 consultation events. JBLM also facilitated traditional practice site visits.

Joint Base Lewis McCord (JBLM) accomplished three Traditional Gathering Meetings with the Nisqually Indian Tribe, a meeting with Puyallup Indian Tribe, and consulted the Puyallup Indian Tribe to organize a gathering for camas bulbs. Additionally, JBLM hosted two site visits with the Nisqually Indian Tribe to Solo Point to facilitate accomplishment of canoe blessings and canoe practices.

U.S. Army Garrison Yuma Proving Ground extended invitations to two tribes to participate in site tours of two areas of the installation via helicopter. The command group for the installation, including mission and garrison leadership participation. The Fort Yuma-Quechan Indian Tribe (CA) participated in the site visit on April 13, 2021. The garrison invited two tribes to participate in a visit to view newly recorded cultural resources. The Cocopah Indian Tribe (AZ) accepted the invitation and participated in a fieldtrip on August 10, 2021.

U.S. Army Garrison Yuma Proving Ground initiated outreach to 14 federally recognized Tribes on September 2, 2021, inviting ideas for two new exhibits at the Yuma Proving Ground Heritage Center military museum. The purpose of the exhibits is to show the importance of the installation and its resources to the Tribes and to honor those members of the 14 Tribe with whom the installation consults that have served in the U.S. military. The Cocopah Indian Tribe mentioned

their difficulty in their attempts to replant the native Screwbean Mesquite tree. On September 16, 2021, U.S. Army Garrison Yuma Proving Ground reached out to the Cocopah Indian Tribe to initiate a partnership in the attempt to grow the plant along with the Arizona Game and Fish Department in the wildlife habitation areas on the installation. Consultation: U.S. Army Garrison Yuma Proving Ground will initiate consultation on new projects and continue to consult regarding ongoing projects.

USAR

Fort McCoy, Wisconsin

Fort McCoy is located in Monroe County, Wisconsin and covers an area of approximately 60,000 acres. Fort McCoy lies within the aboriginal homelands of the Ho-Chunk Nation of Wisconsin and have been the primary consulting partners on tribal concerns for Fort McCoy. The Winnebago Tribe of Nebraska does have ties to Fort McCoy but has deferred consultation to the Ho-Chunk Nation of Wisconsin. During the reporting period, Fort McCoy consulted with the Ho-Chunk Nation of Wisconsin, under the auspices of the Memorandum of Understanding Between the Ho-Chunk Nation of Wisconsin and Fort McCoy Regarding Tribal Consultation, regarding a property transfer related to Privatization of South Family Housing (September 2021). To-date, there has been no reply.

63rd Readiness Division (RD)

The 63rd RD is headquartered out of Mountain View, California and covers an area of responsibility (AOR) that includes seven states throughout the central and western United States: Arizona, Oklahoma, Arkansas, California, Nevada, New Mexico and Texas and there are 194 Federally-recognized tribes with ancestral or cultural affiliations to USAR properties within the AOR that they conduct consultations with. During the reporting period, the 63rd RD conducted 10 consultations involving 64 federally recognized Tribes in five states. Consultations were conducted for proposed actions such as the construction of a perimeter fence, the installation of a microgrid system, the expansion of a military equipment parking lot, the restoration and installation of telecommunications infrastructure, the remediation of the external ground and water surface infiltration as well as drainage construction, the removal of vegetation and repair of a detention pond. No outreach was conducted during the reporting period.

Some of the notable outcomes from the consultations completed during the reporting period included: the resolution of the Tonkawa Tribe of Oklahoma's concern with the vegetation removed from a Texas facility's retention pond and whether the vegetation was natural and if so, requesting the vegetation to be transplanted to a natural area such as a wildlife refuge; addressing the impact of the Covid-19 pandemic on the Osage Nation's (Oklahoma) tribal communication protocols for a groundwater mitigation project in Arkansas; the deferring of consultation by the Soboba Band of Luiseño Indians (California) to a non-federally recognized Native American tribe affiliated to the project area for the installation of a fence area in a Los Angeles, California facility; adjusting for the lack of personnel and deluge of projects faced by the Quapaw Nation (Oklahoma) and providing an archaeological survey for the expansion of the MEP for an Arkansas Army Reserve Center.

88th Readiness Division

The 88th RD is headquartered out of Fort Snelling, Minnesota, has an AOR that includes 19 states: Colorado, Idaho, Montana, Oregon, North Dakota, South Dakota, Utah, Washington, Wyoming, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio and Wisconsin. The 88th RD has a total of 129 federally recognized Tribes with ancestral or cultural affiliations to properties within the AOR. During the reporting period, the 88th RD conducted consultations with 23 Federally-recognized Tribes in Missouri and Kansas. These consultations were primarily for undertakings related to the Kansas City Area Development Plan Environmental Assessment. The Tribes consulted included: Absentee-Shawnee Tribe of Indians of Oklahoma, Apache Tribe of Oklahoma, Cheyenne Arapaho Tribes of Oklahoma, Citizen Potawatomi Nation (Oklahoma), Delaware Tribe of Indians (Oklahoma), Eastern Shawnee Tribe of Oklahoma, Iowa Tribe of Kansas and Nebraska (Nebraska), Iowa Tribe of Oklahoma, Kaw Nation (Oklahoma), Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas, Kickapoo Tribe of Oklahoma, Miami Tribe of Oklahoma, Nez Perce Tribe (Idaho), Omaha Tribe of Nebraska, Osage Nation (Oklahoma), Otoe-Missouria Tribe of Oklahoma, Prairie Band of Potawatomi Indians (Kansas), Sac and Fox Nation of Missouri in Kansas and Nebraska, Sac and Fox Nation of Oklahoma, Sac and Fox Tribe of the Mississippi in Iowa/Meskaki Nation, Stockbridge Munsee Community of Wisconsin, Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie) of Oklahoma, and the Wyandotte Nation (Oklahoma). No outreach was conducted during the reporting period. The 88th RD has drafted Native American Graves Protection and Repatriation Act (NAGPRA) Section 6 collections summary letters of Native American Collections for 65 Federally-recognized Tribes and anticipate consultation to occur within the next reporting period.

99th Readiness Division

The 99th RD is headquartered out of Fort Dix, New Jersey and covers an AOR that includes 13 states and the District of Columbia. The states include: Connecticut, Delaware, Maine, Maryland, Massachusetts, Pennsylvania, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Virginia and West Virginia. The 99th RD has a total of 27 federally recognized Tribes with ancestral or cultural affiliations to properties within their AOR. For the reporting period, the 99th RD did not conduct any consultations. However, they have begun the process of NAGPRA compliance and notified nine federally recognized Tribes about human remains that were initially uncovered during the construction of the Brownsville Army Reserve Center (ARC) in Brownsville, PA in 1963 (August 2021). These Tribes include the following: Catawba Indian Nation (South Carolina), Delaware Nation (Oklahoma), Delaware Tribe of Indians (Oklahoma), Eastern Shawnee Tribe of Oklahoma, Osage Nation (Oklahoma), Seneca Nation of New York, Seneca Cayuga Nation (Oklahoma), Shawnee Tribe (Oklahoma), Stockbridge Munsee Community (Wisconsin). The remains had moved into a collection and were recently located by the 99th RD during part of a larger effort to inventory, curate and centralize multiple artifact collections. The Seneca Nation of Indians (New York) have expressed interest in conducting formal consultation but only after responses are received from the other eight tribes that were notified. To date, two Tribes have responded that they are not interested in consultation and no response has been received from the remaining six. No outreach was conducted during the reporting period.

81st Readiness Division

The 81st RD is headquartered out of Fort Jackson, South Carolina, and covers an AOR that includes nine states and the Commonwealth of Puerto Rico. The states include: Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee. The 81st RD has a total of 31 federally recognized Tribes with ancestral or cultural affiliations to properties within their AOR. During the reporting period, the 81st RD conducted two consultations with two federally recognized Tribes regarding the construction of a new Army Reserve Center in Hendersonville County, NC. The 81st RD consulted with the Eastern Band of Cherokee Indians (North Carolina) and the Catawba Indian Nation (South Carolina); however, the 81st RD did not receive responses from the initial consultation letters. No outreach was conducted during the reporting period. The 81st RD is anticipating consultation with Federally-recognized tribes for a proposed addition to the ARC in Perrine, FL to occur within the next reporting period.

ARNG

While the COVID-19 pandemic limited and delayed some planned consultations, State ARNG offices continued to maintain communications and implemented strategies to conduct virtual as well as in person consultations with appropriate safety protocols. For purposes of this reporting, consultations refer to formal meetings, whether virtual or in person, rather than standard National Historic Preservation Act (NHPA) Section 106 and National Environmental Policy Act (NEPA) coordination conducted via letters or email, although they are also reported in summary below.

MW Region

Five state ARNGs (AR, MN, ND, TX, WY) out of 11 responding reported 6 consultations with 60 federally recognized Tribes invited and total of 19 Tribes participating in one or more of the consultations. MN ARNG conducted virtual annual consultation with 11 tribes invited, five participating. ND ARNG conducted one consultation with 13 Tribes invited and five participating. AR and TX ARNG held a joint consultation consisting of two virtual planning meetings (April and August 2021) and one hybrid (virtual and in person) meeting in September 2021 with 31 tribes invited and 11 participating. WY ARNG held one annual consultation with 18 Tribes invited and five participating. NM ARNG attended a state tribal leaders' summit but conducted no formal consultation.

Outreach activities occurred in five state ARNG (NM, MN, ND, TX, WY) of 11 states reporting data. NM ARNG's Youth Challenge Academy includes outreach to Native American students. ND ARNG reported site tours of training areas of Camp Grafton South and Camp Grafton North with three Tribes. WYARNG participated in a July 2021 Return to Foretops Father (Heart Mountain) 11th Annual and Commemorative Event with the Crow Tribe. TX ARNG collaborated with the Mescalero Apache Tribe of NM and the Kickapoo Tribe of OK to participate in a panel at the National Military Fisheries and Wildlife Association virtual meeting in March 2021.

State ARNGs also participated in events not directly affiliated with their programs to build stronger relations with Tribes. TX ARNG assisted in coordinating the Comanche Indian Veteran's Association (CIVA) to attend a retirement ceremony of a tribal member from the TX ARNG.

Twenty-one Comanche veterans traveled from Oklahoma for the ceremony, where TX ARNG also arranged for a CIVA member to receive his Lone Star Medal of Valor for his service to TX ARNG in the 1980s. WY ARNG participated in the state's Archaeology Fair in Laramie, Wyoming, at the Territorial State Park in September 2021.

MN ARNG invited tribal veterans to their Camp Ripley Open House event with representatives from three Tribes participating, including the Fond du Lac band of Ojibwe drum team. In September 2021, MN ARNG conducted a National Public Lands Day event called Planting for the Future. This event included tribal youth from Leech Lake and Mille Lacs tribal nations. The Mille Lacs Tribal Historic Preservation Officer (THPO) spoke before the event proceeded with harvesting of sage for use in Tribal cultural curriculum, planting native flowering vegetation on the installation, and a Mille Lacs archery demonstration. MN ARNG is also looking at using their Army Compatible Use Buffer (ACUB) program to establish a conservation easement on an interested landowner's property with significant cultural resources adjacent to Camp Ripley.

SE Region

Two States submitted data for the time period (AL ARNG and MS ARNG). No formal in person or virtual meetings were noted or outreach activities specific to tribes. AL ARNG conducts electronic (email) consultation with 19 Tribes on activities and undertakings.

WE Region

Two state ARNG (ID, UT) out of four states responding reported eight meeting consultations (virtual and in person) with 16 federally recognized Tribes. ID ARNG reported three in-person consultations with the Nez Perce Tribe of Idaho and two virtual meetings with the Coeur d'Alene Tribe (ID), Kootenai Tribe (ID), and the Northwestern Band of the Shoshone Nation (UT). UT ARNG completed three virtual meetings, including two quarterly meetings: one in Feb 2021 with six Tribes attending and a second in September 2021, with four Tribes participating. The third larger annual meeting, held April 2021, included over 20 tribal members from six federally recognized tribes and the Utah Division of Indian Affairs along with the Business Councils from Shoshone Bannock Tribes of the Fort Hall Reservation and the Wells Band of Western Shoshone. WA ARNG reported written consultation correspondence on a variety of undertakings with multiple Tribes.

The Western state ARNGs conduct a wide variety of unique outreach activities. Many of these efforts focus on participating in tribal events, such as memorials (UT) or conferences (ID) or arranging for tribal participation in archaeological site surveys (WA). The following are unique approaches to outreach and education for soldiers, civilians and tribal members.

The ID ARNG participated in the Return of the Boise Valley Peoples Conference where leadership met with the Shoshone Bannock Tribes (ID), Shoshone-Paiute Tribes (ID), Fort McDermitt Paiute-Shoshone Tribe (NV), Burns Paiute Tribe (OR), and the Confederated Tribe of the Warm Springs (OR). The ID ARNG utilizes the IRT Program to provide engineering and medical support to local Tribes. These projects allow soldiers to train while building a partnership with Idaho Tribes.

UT ARNG conducts various outreach activities with their partner tribal nations. In January 2021, UT ARNG attended virtually the Northwestern Band of Shoshone Bear River Massacre Memorial, as well as the summer 2021 Utah Governor's annual Native American Summit. The UT ARNG is working with eight Utah Tribes to develop interpretive displays for Camp Williams. Especially unique is the production of a 2022 calendar to represent the 21 consulting Tribes and four DoD Utah installations.

Policy

In October 2012, the Secretary of the Army signed the Army's American Indian and Alaska Native Policy, establishing Department of the Army policy for interaction with Federally-recognized Tribes. This remains the only Native American consultation policy signed by the Secretary of a military department. The Army also has prepared revised consultation policy in its draft Army Regulation 200-1 *Environmental Compliance, Enhancement and Protection*. The Army expects to issue that revised regulation in 2022. Based on the Secretary of the Army's Policy, individual Army Commands have taken command-level action to develop guidance and implement the Secretary of the Army policy.

AMC OIB

AMC does not have OIB-specific policies or guidance pertaining to Executive Order 13175 or Native American Grave Protection and Repatriation Act (NAGPRA). OIBs comply with Army and Department of Defense (DoD) instructions, policy and implementing guidance for meeting consultation requirements including but not limited to DoDI 4710.02: DoD Interactions with Federally Recognized Tribes, Army Regulation 200-1: Environmental Protection and Enhancement, and the Department of the Army's American Indian and Alaska Native Policy.

IMCOM

IMCOM activities include ongoing facilitation of garrison specialist working groups, engaged in developing consultation guidance documents, recommended SOPs, Best Management Practices, and template documents to facilitate consultation communications. Final deliverable will be incorporated in a Command CRM Playbook to be completed for reporting in the following reporting period. Documents will be treated as "living documents" and will continually be updated as consultation and coordination's activities improve our program activities. The purpose of the guide is to lay out the basics of consultation with tribes, from legal requirements to the ephemeral, in order to assist both new and seasoned CRM's, as well as army personnel unfamiliar with consultation protocols and procedures, such as commanders and attorneys. All working group deliverables will be hosted on the Command websites and be available to be hosted on garrison websites as well as for use in training events.

Primary activities in IMCOM garrisons include updating Integrated Cultural Resources Management Plans (ICRMPs) to include EO priorities, also NAGPRA and American Indian Religion and Freedom Act statutes. ICRMP revisions also include updates to SOPs and Protocols related to NAGPRA compliance and on-going formal tribal consultation. In response to new Federally-recognized status, Fort Lee also finalized their ICRMP including twelve federally

recognized tribes as external stakeholders: Catawba Indian Nation, Chickahominy Indian Tribe, Chickahominy Indians Eastern Division, Eastern Band of Cherokee Indians, Eastern Shawnee Tribe of Oklahoma, Monacan Indian Nation, Nansemond Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, Shawnee Tribe of Oklahoma, United Keetoowah Band of Cherokee Indians in Oklahoma, and Upper Mattaponi Indian Tribe. Communications with tribes for the ICRMP were undertaken just prior to the reporting period.

Dugway Proving Ground informational briefings to the mission Test Officers, Training Officers, and operational leadership. These briefings included status and expected timelines of consultation to tribal governments as well as feedback from tribal governments on planned projects. These weekly meetings have resulted in the mission side of Dugway better understanding the requirements of consultation.

As a result of the May 2021 consultation, Fort Bragg staff in coordination with THPOs from the Tuscarora and Catawba Nations will move towards compilation of new MOUs which will be renewal on a five-year rotation schedules to update policies and changes as they occur.

Revisions for the CRMP ICRMP will also include updates to SOPs and Protocols related to NAGPRA compliance and on-going formal tribal consultation. Because of a current standstill (since spring 2019) on archaeological endeavors on Fort Bragg (Section 110 survey or Section 106 evaluations), the need to request consultation from THPOs has not occurred.

Consultation with planning and creation of our Native American Pollinator Garden has begun with the THPO and cultural officer from the Catawba Nation (April 2021) and will continue as this project develops. It is hoped that travel restrictions will be lifted and the Catawba Indian Youth will participate in the planting and labeling of garden plants.

Fort Knox implemented new policies and guidance to develop, update or promote consultations with Indian Tribal Governments were issued to personnel during the reporting period

In August 2021, the Fort Polk Cultural Resources Office updated Fort Polk Regulation 200-1. This regulation highlights environmental compliance standards on the installation to include protection of Native American sites.

ARNG

The ARNG G-9 is in process of developing policy guidance for the Native American Graves Protection and Repatriation Act (NAGPRA) and is updating its Cultural Resources (CR) Handbook which includes guidance for compliance with the DoD American Indian and Alaska Native Policy (DoDI 4710.02) and E.O. 13175. In October 2021, a Cultural Resource Manager joined the ARNG G-9 Conservation Division team, bringing strong experience in working with tribal consultation and communications. ARNG G-9 will work with the NAGPRA working group composed of State ARNG CRMs to assess current NAGPRA situations and focus effort on finalizing policy. The CR Handbook and ARNG template for Integrated Cultural Resource Management Plans (ICRMP) will also be updated with relevant tribal guidance and policy.

USAR

The Army Reserve complies with Army and Department of Defense (DoD) instructions, policy and implementing guidance for meeting consultation requirements, including but not limited to DoDI 4710.02: DoD Interactions with Federally Recognized Tribes, Army Regulation 200-1: Environmental Protection and Enhancement, and the Department of the Army's American Indian and Alaska Native Policy. The Army Reserve does not currently have any organization-specific policy or guidance. The Office of the Chief, Army Reserve (OCAR) Conservation Team, is reviewing current procedures for conducting tribal coordination for USAR Integrated Natural Resource Management Plans and Integrated Cultural Resource Management Plans to identify ways to optimize and improve the process. The Office of the Chief, Army Reserves (OCAR) hosts a monthly meeting with the Environmental Chiefs from all the RDs and installations called the Army Reserve Environmental Leadership Forum. During the reporting period, the OCAR Cultural Resources Program Coordinator (contract support) utilized this as a platform to disseminate new information as well as emphasize and promote policies related to tribal consultation, including: E.O. 13175, Presidential Memorandum: Tribal Consultation and Strengthening Nation-to-Nation Relationship (January 26, 2021), updates on the effort to renew the 2016 Inter-agency Memorandum of Understanding Protection of Tribal Treaty Rights Related to Natural Resources, and information and discussions on installation-level tribal affairs and concerns related to Army Reserve properties (August 2021).

Training and Tools

IMCOM

IMCOM accomplished its annual Cultural Resources Trends Course virtually and included sessions on communication and tribal consultation, and the NAGPRA. The Command also hosts monthly virtual Cultural Resource Community of Practice (CoP) meetings and provides, timely communications covering multiple CRM topics, including Tribal consultations. Micro-trainings were incorporated to the monthly agenda, and the first training (August 12) was on Consultation Protocol.

USAR

During the reporting period in the OCAR, both the Cultural Resources Program Coordinator and the Natural Resources Program Coordinator regularly disseminated professional development opportunities, training and other resources to relevant staff the RDs and installations. Some of these resources include Advisory Council on Historic Preservation training modules and publications including "Traditional Knowledge and the Section 106 Process: Information for Federal Agencies and Other Participants" (April 2021), a webinar course on NAGPRA law and Native Hawaiian Burials hosted by the Historic Hawaii Foundation (April 2021), a Historic Hawaii web-based seminar called "Nature + Culture Connection: Indigenous Solutions to Climate Change" about the use of traditional knowledge in conservation (June 2021), and the U.S. Environmental Protection Agency's webinar on "Traditional Knowledge – Tribal Governments' and Indigenous Peoples' Experiences with Federal Agencies" (October 2021).

ARNG

State ARNGs continue to develop training for soldiers and tenants at facilities, as well as exploring innovative tools to assist personnel in meeting their consultation responsibilities. Training included in person and virtual or self-directed web-based training.

NE Region

Out of seven states responding, three State ARNGs (DE, NH, WV) reported trainings supporting consultation responsibilities. DE ARNG reported an August 2021 course including a consultation section for soldiers. NH ARNG conducted three Environmental Compliance Officers (ECO) trainings on the Archaeological Resources Protection Act (ARPA). WVARNG Natural/Cultural staff at Camp Dawson works with Range Control to present materials for in person training to visiting training units. These trainings include instruction on the processes to submit any ground disturbing activities for review and how to handle inadvertent discoveries. Training locations are also discussed to prevent unwanted disturbances.

MW Region

Out of 11 states reporting, six State ARNGs (NM, MN, ND, SD, TX, WY) reported some type of training events or tools within time period covered. NM ARNG, MN ARNG, TX ARNG reported conducting installation or soldier training modules that included ARPA and tribal consultation issues. SD ARNG uses a tribal consultation briefing to guide CR staff on process for consultation.

WY ARNG uses a training video made to brief soldiers training at Camp Guernsey. This video includes interviews with Tribal elders to increase awareness of preservation issues. ND ARNG also uses an Inadvertent Discoveries video to instruct soldiers on processes for reporting artifacts or human remains.

WE Region

Three states out of four WE ARNGs reported trainings. ID ARNG prepared slide decks for self-directed training to all soldiers, airmen and civilians on issues such as ARPA, Tribal relations, environmental protection, and the importance of archaeological site protection. Cultural resources consultations and inadvertent discovery protocols are address in a module presented during the WA ARNG Unit Environmental Compliance Officer Training and the agency's new employee orientation. Unique training is offered by the UT ARNG via a monthly history article distributed in the Morale Welfare Recreation (MWR) office to soldiers and employees.

IV. Army Corps of Engineers

Introduction

The U.S. Army Corps of Engineers (USACE) serves as the Nation's engineers and provides engineering solutions to our Nation's toughest challenges, including those challenges in Indian Country. Recognizing our responsibility to the Nation's federally recognized Tribes, USACE

implements six Tribal Policy Principles: 1) Recognition of Sovereignty; 2) Recognition of Government-to-government relationships with federally recognized tribes; 3) Pre-decisional consultation; 4) Fulfillment of the Trust responsibility; 5) Protection, where feasible, of cultural and natural resources; and 6) Promotion of Tribal economic capacity building and self-reliance when carrying out the USACE missions with federally recognized Tribes. Those Tribal Policy Principles echo those of Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, and *Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships* dated January 26, 2021. The USACE mission is to deliver vital engineering solutions, in collaboration with our partners, to secure our Nation, energize our economy, and reduce disaster risks. Whether working directly in Indian Country or ensuring our Trust responsibility to removed Tribes, the Tribal Policy Principles and Executive Order 13175 are the foundation upon which we carry out our missions. During the reporting period, USACE conducted over 8,000 consultations and outreach coordination activities with Indian Tribal governments.

Consultation and Outreach

Great Lakes and Ohio River Division

The Louisville District (LRL) executed a Programmatic Agreement (PA) to implement aquatic ecosystem restoration measures along Floyds Fork in Jefferson and Bullitt Counties, Kentucky, under authority of the Water Resources and Development Act of 1996 (33 USC 2330), as amended. The Section 106 consultation process for the agreement revealed the need for additional review and consultation pertaining to design development in order for LRL to fully assess the effects to historic properties, including those identified through additional survey. So the LRL consulted with the Shawnee Tribe (Oklahoma), Cherokee Nation (Oklahoma), Eastern Band of Cherokee Indians (North Carolina), United Keetoowah Band of Cherokee Indians in Oklahoma, Eastern Shawnee Tribe of Oklahoma (Oklahoma and Missouri), Absentee-Shawnee Tribe of Oklahoma, the Delaware Nation, Oklahoma, and The Osage Nation (Oklahoma). LRL also consulted with the Delaware Nation and the United Keetoowah Band of Cherokee Indians in Oklahoma regarding the effects of the Undertaking on historic properties and invited them to sign this PA as Concurring Parties. The PA was executed on May 3, 2021.

Mississippi Valley Division

The St. Paul District (MVP) conducted tribal consultations related to the review of the Enbridge Line 3 Pipeline Replacement Project over the course of many years, beginning in 2015. This project traverses northern Minnesota from the North Dakota border to the Wisconsin border near Duluth-Superior. MVP issued Department of the Army (DA) permits in November 2020, with conditions requiring avoidance and minimization of impacts to sites of significance to Tribes that had been identified during tribal cultural resource investigations. During the reporting period for this progress report, MVP continued to update consulting Tribes on status of construction and information on any discoveries during construction as reported by the tribal monitoring team. The tribal monitoring team included representatives from six Minnesota Tribes, and representatives from four Tribes in North Dakota, South Dakota, Nebraska, and Wisconsin. Of the over 100 meetings with tribes for this project, during this reporting period, MVP held 10 meetings where

the District shared information and provided an opportunity for discussion and questions with all consulting Tribes. At the request of tribal leadership from Red Lake Band of Chippewa Indians (Minnesota), White Earth Band of the Minnesota Chippewa Tribe, and Mille Lacs Band of the Minnesota Chippewa Tribe, the Acting Assistant Secretary of the Army (Civil Works) Mr. Pinkham, MVP Commander Colonel Karl Jansen, and MVP Regulatory leadership met with all three northern Minnesota Bands to discuss Enbridge Line 3 in July and August 2021. Following these meetings, MVP conducted numerous compliance field investigations to determine if the permittee was conducting construction activities in accordance with all permit conditions. The District identified no activities not in compliance with DA permits.

Mandatory Center of Expertise for the Curation and Management of Archaeological Collections (MCX CMAC)

The Mandatory Center of Expertise for the Curation and Management of Archaeological Collections (MCX CMAC), located in the St. Louis District (MVS), has worked with its sister Districts in four divisions to conduct consultation with 117 federally recognized Tribes in 40 states as part of USACE's ongoing National Regionalization Initiative. The National Regionalization Initiative is an Operations Division-sponsored effort that focuses on collections management and addresses the appropriate housing and care of archaeological collections (artifacts and records) recovered from USACE Operating projects. This initiative seeks to effectively manage the collections by coalescing the over 51,000 cubic feet into federally compliant facilities in each USACE division.

Consultations included: 1) a virtual meeting between representatives from the Northwestern Division (NWD), MCX CMAC, and the Coquille Indian Tribe (Oregon) to discuss tribal concerns related to the Regionalization effort within NWD; 2) a virtual meeting with representatives from the Bay Mills Indian Community, Michigan, Minnesota Chippewa Tribe, Minnesota (Mille Lacs Band of Ojibwe), USACE, Detroit District, and the MCX CMAC pertaining to the Great Lakes and Rivers Division (LRD) Regionalization effort; and 3) representatives from MCX CMAC and USACE, Seattle District, consulted with representatives from the Confederated Salish Tribes of the Flathead Reservation (CSKT) (Montana) on the CSKT reservation regarding a cataloging project of USACE operations collections housed the CSKT tribal repository.

A notable outcome from coordination conducted during the reporting period was the completion of the NWD Regionalization report and recommendations, and the decision by NWD Commander, Brigadier General Helmlinger, to implement the MCX CMAC recommendations. The report was the culmination of five years of work that included consultation with 108 tribes and communication through letters and webinars. Tribal input shaped the final recommendations on the number and location of regional repositories.

North Atlantic Division

On August 26, 2021, three District Regulatory Offices (Baltimore, Philadelphia and Pittsburgh Districts) and the Federal Highway Administration (FHWA), initiated consultation with the Pennsylvania State Historic Preservation Office (PA SHPO), the Advisory Council on Historic Preservation (ACHP), and the Pennsylvania Department of Transportation (PennDOT), as well as

invited 15 federally recognized Tribes: (Absentee-Shawnee Tribe of Indians of Oklahoma, Cayuga Nation (New York), Delaware Nation, Oklahoma, Delaware Tribe of Indians (Oklahoma), Eastern Shawnee Tribe of Oklahoma, Oneida Indian Nation (New York), Oneida Nation (Wisconsin), Onondaga Nation (New York), Saint Regis Mohawk Tribe (New York), Seneca Nation of Indians (New York), Seneca-Cayuga Nation (Oklahoma), Shawnee Tribe (Oklahoma), Stockbridge Munsee Community, Wisconsin, and Tonawanda Band of Seneca (New York) to participate in updating the Pennsylvania statewide Programmatic Agreement (PA) for federal aid highway projects and for highway projects that may require a permit from the USACE. The previous version of this PA (2017 amended PA) did not include the USACE.

Center of Expertise for Decommissioning Nuclear Power Plants

The USACE Center of Expertise for Decommissioning Nuclear Power Plants, located in the Baltimore District, is in the process of planning the decommissioning of the SM-1A Nuclear Power Plant at Fort Greeley, Alaska. With assistance from the Tribal Liaisons for the USACE Alaska District and Fort Wainwright, the Baltimore District is consulting with: the Native Village of Cantwell; Chickaloon Native Village; Village of Dot Lake; Eklutna Native Village; Gulkana Village Council; Healy Lake Village; Knik Tribe; Nenana Native Association; Northway Village; Native Village of Tanacross; Native Village of Tetlin; Cook Inlet Region, Inc.; Ahtna, Inc.; Chickaloon Moose Creek Native Association, Inc.; Doyon, Ltd.; Eklutna, Inc.; Tanana Chiefs Conference; and the Toghothle Corporation. The Baltimore District has responded to all requests received from the above-referenced Alaska Native entities to learn more about the project, and none of the entities has expressed concerns regarding potential effects to known historic properties at this time.

Northwestern Division

The Northwestern Division (NWD) continues to work closely with the consulting parties within the footprint of the Federal Columbia River Power System (FCRPS) cultural resources program in accordance with the provisions of the 2009 FCRPS System Wide Programmatic Agreement (SWPA). Through the FCRPS SWPA, NWD and three of its districts (Portland (NWP), Seattle (NWS) and Walla Walla (NWW) actively lead a series of five cooperating groups comprised of federal agencies, four State Historic Preservation Offices, and ten Tribes. The Tribes that participate in the program are the Coeur d'Alene Tribe (ID), Confederated Tribes of the Umatilla Indian Reservation (OR), the Confederated Tribes and Bands of the Yakama Nation (WA), the Confederated Tribes of the Colville Reservation (WA), Confederated Salish and Kootenai Tribes of the Flathead Reservation (MT), Confederated Tribes of Warm Springs Reservation of Oregon, the Nez Perce Tribe (ID), Kalispel Indian Community of the Kalispel Reservation (WA), Kootenai Tribe of Idaho, as well as the non-federally recognized Wanapum Band (WA). The five cooperating USACE groups conducted a total of twenty virtual meetings during the reporting period and discussed a wide range of topics related to the continued operations and maintenance at the 12 NWD Operating Projects. The program is also actively involved in developing and negotiating a Project Specific Programmatic Agreement for McNary Lock and Dam (NWW), and Historic Property Management Plans for The Dalles (NWP) and Chief Joseph (NWS) Projects. NWD and NWW have jointly worked with technical staff of the Nez Perce Tribe to facilitate the formation of a new FCRPS cooperating group to discuss and exchange technical information about

cultural resources management at the Dworshak Project. The Tribe proposed the name of Timíimap for this group, a Nez Perce (Sahaptin) word for a place name of an ancestral village location. These agreements and plans will further refine how the districts collaborate with Tribes to meet their Section 106 responsibilities under the National Historic Preservation Act within the areas of potential effect for those operating projects.

In Summer 2021, the largest ever NAGPRA reburial conducted by the Army Corps of Engineers was concluded in North Dakota on July 30, 2021, with the support of the Tribal Historic Preservation Office of the Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota. This was the culmination of intense work by the University of Tennessee (Knoxville), with support from the USACE Mandatory Center of Expertise for the Curation and Management of Archaeological Collections (MCX CMAC) and staff of the Omaha District.

Pacific Ocean Division

The Alaska District (POA) prepared and disseminated five regional newsletters focused on updating tribal communities about upcoming projects and the project status of environmental cleanup activities at Formerly Used Defense Sites in Alaska. In addition, the POA Commander conducted four informal meetings with Alaska Native Tribes. POA's outreach efforts resulted in increased awareness of POAs programs and services to Tribes in Alaska and strengthened relationships at both the leadership and District Staff level. The Aleutian Pribolof Islands Association formally made note of the Districts increased outreach efforts and the resulting improvements in government-to-government relationships.

South Atlantic Division

The Jacksonville District (SAJ) funded an ethnographic study for the Seminole Tribe of Florida at the request of the Seminole Tribe of Florida (STOF) Tribal Council. The main purpose of the ethnographic study is to develop a better understanding and interpretation of the historic use of tree islands within the Everglades, along with helping to identify traditional cultural properties. The STOF Chairman and SAJ leadership believe the ongoing study and resulting report will enhance coordination and communication between the Tribe and the District, as well as help to educate staff and transitioning District Commanders. STOF is spearheading the oral history research portion of the project to solicit tribal traditional knowledge related to changes in the Everglades ecosystem resulting from anthropogenic changes in the Everglades Hydrology.

South Pacific Division

The California National Shoreline Management Study was prepared as a product of the National Shoreline Management Study (NSMS) authorized by Section 215(C) of the Water Resources Development Act of 1999 and managed by the USACE Institute for Water Resources. A recent study update is expected to provide a meaningful report that includes recommendations for improved shoreline resilience and sediment management, a synthesis of existing data on coastal bathymetry and sea level change, and the additional of newly available data. On behalf of the San Francisco District (SPN) and the Los Angeles District (SPL) (with some overlap with Sacramento District (SPK), SPN Tribal Liaison conducted outreach to 45 federally recognized Tribes with

historic/ancestral interests in the California Coastline. The California Tribes included: the Bear River Band of Rohnerville Rancheria; Big Lagoon Rancheria; Big Valley Rancheria of Pomo Indians of the Big Valley Rancheria; Blue Lake Rancheria; Cher-Ae Heights Indian Community of the Trinidad Rancheria; Cloverdale Rancheria of Pomo Indians of California; Coyote Valley Band of Pomo Indians of California; Dry Creek Rancheria of Pomo Indians; Elem Indian Colony Pomo Indians of the Sulphur Bank Rancheria; Elk Valley Rancheria; Ewiiapaayp Band of Kumeyaay Indians; Federated Indians of Graton Rancheria; Guidiville Rancheria of California; Habematolel Pomo of Upper Lake; Hopland Band of Pomo Indians; Iipay Nation of Santa Ysabel; Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation; Jamul Indian Village of California; Kashia Band of Pomo Indians of the Stewarts Point Rancheria; Koi Nation of Northern California; La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation; Lytton Rancheria of California; Manchester Band of Pomo Indians of the Manchester Rancheria; Manzanita Band of Diegueno Mission Indians of the Manzanita Reservation; Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation; Middletown Rancheria of Pomo Indians of California; Pala Band of Mission Indians; Pauma Band of Luiseno Indians of the Pauma and Yuima Reservation; Pechanga Band of Luiseno Indians of the Pechanga Reservation; Pinoleville Pomo Nation; Potter Valley Tribe; Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria; Resighini Rancheria; Rincon Band of Luiseno Indians of Rincon Reservation; Robinson Rancheria; San Pasqual Band of Diegueno Mission Indians of California; Santa Ynez Band of Chumash Indians of the Santa Ynez Reservation; Scotts Valley Band of Pomo Indians of California; Sherwood Valley Rancheria of Pomo Indians of California; Tolowa Dee-ni' Nation; Soboba Band of Luiseno Indians; Sycuan Band of the Kumeyaay Nation; Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation; Wiyot Tribe; and the Yurok Tribe of the Yurok Reservation. The Rincon Band of Luiseño Indians is also actively participating in the study update.

Tribal Nations Technical Center of Expertise

The Tribal Nations Technical Center of Expertise located in the Albuquerque District continues to provide support to the South Pacific Border District with outreach to Tribes along the impacted area of the border wall. Tribes in Arizona, California, New Mexico, Texas, and Oklahoma consulted as part of the border wall project include: Tohono O'Odham Nation of Arizona; San Pasqual Band of Diegueno Mission Indians of California; Soboba Band of Luiseno Indians, California; Santa Rosa Band of Cahuilla Indians, California; Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation; Mesa Grande Band of Diegueno Mission Indians of the Mesa Grande Reservation, California; Sycuan Band of the Kumeyaay Nation; Rincon Band of Luiseno Mission Indians of Rincon Reservation, California; La Jolla Band of Luiseno Indians, California; Inaja Band of Diegueno Mission Indians of the Inaja and Cosmit Reservation, California; La Posta Band of Diegueno Mission Indians of the La Posta Indian Reservation, California; Iipay Nation of Santa Ysabel, California; Jamul Indian Village of California; Ewiiapaayp Band of Kumeyaay Indians, California; Cahuilla Band of Indians; Pala Band of Mission Indians; Torres-Martinez Desert Cahuilla Indians, California; Augustine Band of Cahuilla Indians, California; Chemehuevi Indian Tribe of the Chemehuevi Reservation, California; Cocopah Tribe of Arizona; Twenty-Nine Palms Band of Mission Indians of California; Ak-Chin Indian Community; Fort McDowell Yavapai Nation; Gila River Indian Community of the Gila River Indian Reservation; Pascua Yaqui Tribe of Arizona; Quechan Tribe of the Fort Yuma Indian

Reservation, California & Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma; Comanche Nation, Oklahoma; Tonkawa Tribe of Indians of Oklahoma; Kickapoo Traditional Tribe of Texas; Alabama-Coushatta Tribe of Texas; Kiowa Indian tribe of Oklahoma; Ysleta del Sur Pueblo; Jicarilla Apache Nation, New Mexico; Apache Tribe of Oklahoma; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Fort Sill Apache Tribe of Oklahoma; and Pueblo of Isleta, New Mexico.

Southwestern Division

The Tulsa District conducted significant outreach and government-to-government consultations with five Tribes on the Master Plan Revisions and Shoreline Management Plan Revisions. Master Plan Revisions consisted of six different reservoirs: Council Grove Reservoir (KS); Marion Reservoir (KS); El Dorado Reservoir (KS); Elk City Reservoir (KS); Oologah Reservoir (OK); and Hugo Reservoir (OK). Shoreline Management Plan Revisions included two different reservoirs (Lake Texoma (OK & TX) and Fort Gibson Reservoir (OK). Multiple Tribes were involved in consultation, including: The Osage Nation (OK); Kaw Nation, (OK); Cherokee Nation (OK); Shawne Tribe (OK) and the Wichita and Affiliated Tribes (Wichita, Keechi, Waco, and Tawakonie) (OK). Significant ongoing direct consultation with The Osage Nation is addressing concerns about impacts associated with Master Plan Revisions at five of the six reservoirs. This consultation has been a true partnering opportunity with information exchange, exchange of ideas, and give and take in outcome. It has facilitated partnership and good will and developed trust not only between the Tribes and the Corps' cultural resource professionals, but with the Corps' management professionals as well.

Policy

Mississippi Valley Division

The St. Paul District (MVP) held three Tribal Programmatic Review Boards (PRB) which provide an opportunity for discussion of the District Tribal Program with all senior leaders, Civil Works and Regulatory Tribal Liaisons, and other district personnel associated with projects of interest to Tribes. Attendees discuss project status, challenges, and opportunities associated with ongoing and potential projects, roles and responsibilities of MVP staff working with Tribes, and development of an MVP Tribal Engagement Strategy. The Tribal PRB provides an open platform for each MVP Program to share and provide updates and direction on their coordination and engagements with Tribes so we can further our consistent and transparent engagements with Tribes.

North Atlantic Division

Norfolk District's Regulatory Branch led a discussion and requested Tribes' comments on the existing Regulatory Tribal Standard Operating Procedures (SOP) during the reporting period. The Regulatory Branch will be revising the Regulatory Branch SOP, as well as working towards a

Streamlined Project Review List and a Consultation Memorandum of Agreement (MOA) with the seven federally recognized Virginia Tribes (Chickahominy Tribe, Chickahominy Indian Tribe-Eastern Division, Nansemond Indian Nation, Monacan Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, Inc., and Upper Mattaponi Tribe).

Training and Tools

Headquarters USACE has developed a Tribal Consultation and Coordination Database in partnership with the USACE Institute for Water Resources and with assistance from the Seattle and Alaska Districts. The database is undergoing beta testing within the Northwestern Division. The goal is to implement the Tribal Consultation and Coordination Database USACE-wide for effective and efficient tracking of engagement with federally recognized Tribes.

Mississippi Valley Division

The St. Paul District (MVP) Regulatory Branch continues to provide easy, anonymous access to the Tribal WebMap Viewer (initially launched in August 2018). The viewer displays pending permit actions (and permits issued in the last year) within the district's Regulatory Area of Responsibility in the states of Minnesota and Wisconsin. The Regulatory Branch continues to provide Tribes with updated contact lists and organization charts to promote easy access to St. Paul District Regulatory staff. The Tribal WebMap Viewer is being adopted by other Corps Districts Regulatory offices, such as the Norfolk District.

North Atlantic Division

Norfolk District's Regulatory Branch, is planning a Tribal Workshop for December 2021, with the intent of having quarterly Tribal Workshops in 2022. Norfolk District and the seven Virginia federally recognized Tribes (Chickahominy Tribe, Chickahominy Indian Tribe-Eastern Division, Nansemond Indian Nation, Monacan Indian Nation, Pamunkey Indian Tribe, Rappahannock Tribe, Inc, Upper Mattaponi Tribe) have discussed consultation protocols. Norfolk District's Regulatory Branch will continue those discussions at the December Tribal Workshop and will prepare a draft consultation MOA for discussion and comments from the Tribes.

Northwestern Division

The Columbia Basin Federal Tribal Caucus team, of which the Northwestern Division and Districts are members, sponsored a half-day Tribal Training Summit in June 2021, with over 1,200 Federal staff attendees, including 713 participants from USACE. The training featured presentations by the NW Regional BIA Director, Bryan Mercier (Confederated Tribes of Grand Ronde Community of Oregon); Chairwoman of the Confederated Tribes of Umatilla Reservation, Kat Brigham; Distinguished Federal Indian Law author & professor, Dr. Bob Miller (Eastern Shawnee Tribe of Omaha); and, Primary Deputy Assistant and Acting Assistant Secretary of the Army, Mr. Jamie Pinkham (Nez Perce Tribe). The Omaha District Planning Branch held a virtual Environmental Justice training for staff during the reporting period; the course included a Native American component.

Pacific Ocean Division

Alaska District held four trainings in the reporting period, three internal District training sessions and a series of external trainings for Tribes, Alaska Native entities, and communities. The three internal trainings focused on enhancing the awareness and skills of civilian personnel responsible for engaging and consulting with Alaska Native entities. These trainings were virtual and included a review of the cultural history of Alaska Natives and information on building skills in cross-cultural communications.

South Pacific Division

South Pacific Division conducted a total of five regional virtual training webinars during the reporting period, involving four District offices (San Francisco, Sacramento, Los Angeles, and Albuquerque), the TNTCX, and the USACE Headquarters office. Training topics included: Defining Public Review and Confidentiality Agreements in the Tribal Partnership Program (February 2021); Implementing Advanced Measures After the Las Conchas Fire, New Mexico (March 2021); Cultural Keystone Species and Indigenous Traditional Ecological Knowledge and Its Application to USACE (April 2021); California Creation Myth with the Campo Kumeyaay Nation (April 2021); and Tribal Cost-Sharing (September 2021). All of the webinars were recorded and placed on the TNTCX website under “Publications” at: www.spa.usace.army.mil. As many as 30-65 people attended each webinar, and with the video recordings available on a public website, even more will be able to take the training. Notable outcomes of the training for staff include improved understanding of effective strategies for working with Tribes, improved capacities for outreach and consultation with tribes, and networking opportunities within the agency.

V. Department of the Navy (DON)

Introduction

In recognition of its roles and responsibilities for building trust and sustained government-to-government relationships, the Department of Navy (DON) diligently engages federally recognized Tribes and Alaska Native entities to address the cultural and natural resources important to their cultures. This report provides information regarding actions by the US Marine Corps and the US Navy to conduct regular and meaningful consultation and collaboration with Tribal officials in the development and implementation of policies and actions with Tribal implications, and to strengthen all government-to-government relationships with federally recognized Tribes within DON areas of responsibility.

During the current reporting period, the DON conducted 126 consultation and outreach efforts with 171 federally recognized Tribes and Alaska Native Entities at 39 installations in 22 states. Organized by component and region, this section of the report summarizes and highlights consultation and outreach between DON components and American Indian and Alaska Native Tribes and other Alaska Native entities.

Consultation and Outreach

MARINE CORPS

Marine Corps Installations East (MCIEAST)

Marine Corps Base (MCB) Quantico (VA), Marine Corps Logistics Base Albany (GA), and Marine Forces Reserves (MARFORRES) conducted a total of four consultations during the reporting period, involving 19 federally recognized Tribes in five states. This included consultations on the revisions to the Integrated Cultural Resources Management Plan (ICRMP) for MCB Quantico (VA) and renewal of a Memorandum of Understanding (MOU) at MCLB Albany (NY).

During March and April 2021, MARFORRES conducted consultation on the proposed construction and operation of a new reserve center at Camp Fretterd Military Reservation (MD) with 12 federally recognized Tribes in four states: Delaware Nation (OK); Delaware Tribe of Indians (PA); Seneca-Cayuga Nation (OK); Cayuga Nation of New York (NY); Onondaga Nation of New York (NY); Oneida Nation of Wisconsin (WI); Saint Regis Mohawk Tribe, New York (NY); Saint Regis Mohawk Tribe, New York (NY); Stockbridge Munsee Community, Wisconsin (WI); Eastern Shawnee (OK); Oneida Nation of New York (NY); and Tuscarora Nation (NY).

Marine Corps Installations West (MCIWEST)

During the reporting period, six installations conducted 33 consultations, involving 59 federally recognized Tribes in four states. The consultations addressed a variety of situations and proposed actions, including a revision of the ICRMP for the Chocolate Mountain Aerial Gunnery Range (CA), numerous construction proposals, soil surveys, natural gas easement projects, and development of a programmatic agreement for routine activities at MCB Camp Pendleton (CA). The consultations also addressed ethnographic studies, archaeological surveys and treatment measures, and collections policies regarding archaeological survey. Three installations in MCIWEST conducted outreach activities during the reporting period.

Marine Corps Air Station (MCAS) Yuma (AZ and CA) conducted both consultation and outreach regarding the development of a Traditional Cultural Landscape study. For this ongoing project which began in 2021, MCAS Yuma has consulted with 12 federally recognized Tribes in four states: Ak Chin Indian Community (AZ), Cocopah Indian Tribe (AZ), Colorado River Indian Tribes of the Colorado River Indian Reservation (AZ and CA), Fort Mojave Indian Tribe (AZ, CA, and NV), Gila River Indian Community of the Gila River Indian Reservation (AZ), Hopi Tribe (AZ), Quechan Tribe of the Fort Yuma Indian Reservation (CA and AZ), Salt River Pima-Maricopa Indian Community of the Salt River Reservation (AZ), Tohono O'odham Nation (AZ), Yavapai-Apache Nation of the Camp Verde Indian Reservation (AZ), Yavapai-Prescott Indian Tribe (AZ), and Zuni Tribe of the Zuni Reservation (NM).

One notable outcome from consultations conducted is an agreement for tribal use of a proposed new road. As part of a consultation on a water tank survey, MCAS Yuma sent a report and letters to invite the Tribes to consult; in February 2021, Tribes requested limited use of the proposed new

road, and MCAS Yuma agreed.

NAVY

Naval District Washington

Naval Support Activity South Potomac (VA) conducted four consultations with the Pamunkey Indian Tribe (VA), which included an amendment to a National Historic Preservation Act (NHPA) Programmatic Agreement. Additionally, NAS Patuxent River provided the Tribe a copy of the installation's Environmental Impact Statement submitted to the Bureau of Indian Affairs (BIA), to support BIA's general distribution to all federally recognized Tribes in its Eastern Region. BIA's information distribution supplemented consultations the installation conducted in 2019 with federally recognized Tribes affiliated with installation-managed lands.

Navy Region Mid-Atlantic

Navy Region Mid-Atlantic conducted 11 consultation and outreach efforts with 24 federally recognized Tribes in ten states: Sac & Fox Tribe of the Mississippi in Iowa (IA), Stockbridge Munsee Community (MA), Mi'kmaq Nation (ME), Houlton Band of Maliseet Indians (ME), Passamaquoddy Tribe (ME), Penobscot Nation/Penobscot Tribe of Maine (ME), Eastern Band of Cherokee Indians (NC); Tuscarora Nation (NY), Cherokee Nation (OK), Delaware Nation (OK), Miami Tribe of Oklahoma (OK), Peoria Tribe of Indians of Oklahoma (OK), United Keetoowah Band of Cherokee Indians in Oklahoma (OK), Delaware Tribe of Indians (PA), Catawba Indian Nation (SC); Chickahominy Indian Tribe (VA), Chickahominy Indians Eastern Division (VA), Monacan Indian Nation (VA), Nansemond Indian Nation (VA), Pamunkey Indian Tribe (VA), Rappahannock Indian Tribe (VA), Upper Mattaponi Tribe (VA), Forest County Potawatami Community (VA), and Ho-Chunk Nation of Wisconsin (WI).

Consultations during the reporting period included the Shipyard Infrastructure Optimization Program (SIOP) at Portsmouth Naval Shipyard (ME) with the Mi'kmaq Nation (ME), Houlton Band of Maliseet Indians of Maine (ME), Passamaquoddy Tribe of Maine (ME), and Penobscot Tribe of Maine (ME). Additional consultations addressed the Naval Station Great Lakes (IL) Public Education and Outreach Plan with the Forest County Potawatomi Community (WI), Sac & Fox Tribe of the Mississippi in Iowa (IA), Ho-Chunk Nation of Wisconsin (WI), Miami Tribe of Oklahoma (OK), and Peoria Tribe of Indians of Oklahoma (OK).

Navy Region Northwest

Navy Region Northwest conducted 31 consultation and outreach activities with 51 federally recognized Tribes and Alaska Native Entities in Washington and Alaska: Agdaagux Tribe of King Cove (AK), Aleut Corporation (AK), Aleutian Pribilof Islands Association (AK), Aleutians East Borough (AK), Arctic Slope Regional Corporation (AK), Atqasuk Corporation (AK), Atqasuk Village (AK), Belkofski Corporation (AK), Cully Corporation (AK), Iñupiat Community of The Arctic Slope (AK), Isanotski Corporation (False Pass) (AK)), Kaktovik Iñupiat Corporation (AK), King Cove Corporation (AK), Kuukpik Corporation (AK), Native Village of Barrow Iñupiat Traditional Government (AK), Native Village of Belkofski (AK), Native Village of Kaktovik (Barter Island) (AK), Native Village of Nuiqsut (AK), Native Village of Point Hope (AK), Native

Village of Point Lay (AK), IRA Council (AK), Native Village of Unga (AK), Nunamiut Corporation (AK), Olgoonik Corporation (AK), Pauloff Harbor Village (AK), Qagan Tayagungin Tribe of Sand Point (AK), Sanak Corporation (ANC), Shumagin Corporation (Sand Point) (ANC), Tikigaq Corporation (AK), Ukpeaġvik Iñupiat Corporation (AK), Unga Corporation (AK), Village of Anaktuvuk Pass/Naqsrarmiut Tribe Village of Wainwright (AK), Hoh Indian Tribe (WA), Jamestown S'Klallam Tribe (WA), Lower Elwha Klallam Tribe (WA), Lummi Nation (WA), Makah Tribe (WA), Muckleshoot Indian Tribe (WA), Native Village of Port Lions (WA), Port Gamble (WA), S'Klallam Tribe (WA), Quileute Nation (WA), Quinault Indian Nation (WA), Samish Indian Nation (WA), Skokomish Indian Tribe (WA), Squaxin Island Tribe (WA), Stillaguamish Tribe of Indians (WA), Suquamish Indian Tribe (WA), Swinomish (WA), The Confederated Bands and Tribes of Yakama Nation (WA), Tulalip Tribes (WA) and Upper Skagit (WA).

Naval Radio Station Jim Creek (WA) consulted with the Stillaguamish Tribe of Indians (WA), Suquamish Tribe (WA), and Tulalip Tribes (WA) regarding the replacement of Culvert 172 at Jim Creek and coordinated with the Stillaguamish Tribe of Indians (WA) to provide information about potential opportunities in the future to work with the Department of Defense Readiness and Environmental Protection Initiative (REPI).

Outreach efforts addressed SIOP plans at Kitsap Naval Base (WA) with the Suquamish Tribe (WA) and the invitation by the Port Gamble S'Klallam Tribe (WA) for Navy personnel to visit to support the shellfish harvest at Devil's Hole Beach (WA).

Navy Region Southeast

Navy Region Southeast conducted five consultation and outreach efforts with 16 federally recognized Tribes in six states: Poarch Band of Creeks (AL), Miccosukee Tribe of Indians (FL), Seminole Tribe of Florida (FL), Chitimacha Tribe of Louisiana (LA), Coushatta Tribe of Louisiana (LA), Jena Band of Choctaw Indians (LA), Mississippi Band of Choctaw Indians (MS), Absentee-Shawnee Tribe of Indians of Oklahoma (OK), Alabama-Quassarte Tribal Town (OK), Choctaw Nation (OK), Kialegee Tribal Town (OK), Seminole Nation (OK), Shawnee Tribe (OK), Muscogee Nation (OK), Thlopthlocco Tribal Town (OK), and Alabama Coushatta Tribe of Texas (TX).

The projects addressed in consultation included a water distribution system, a building renovation and fence project at Naval Support Activity Panama City (FL), and construction of a wastewater treatment facility at Naval Station Mayport (FL).

Navy Region Southwest

Navy Region Southwest conducted 38 consultation and outreach efforts with 40 federally recognized Tribes in three states: Barona Band of Mission Indians (CA), Big Pine Paiute Tribe of the Owens Valley (CA), Bishop Paiute Tribe (CA), Bridgeport Indian Colony (CA), Campo Kumeyaay Nation (CA), Ewiiapaayp Band of Kumeyaay Indians (CA), Fort Independence Tribe of Paiute Indians (CA), Iipay Nation of Santa Ysabel (CA), Inaja-Cosmit Band of Indians (CA), Jamul Indian Village (CA), La Jolla Band of Luiseño Indians (CA), La Posta Band of Mission

Indians (CA), Lone Pine Paiute-Shoshone Tribe (CA), Manzanita Band of the Kumeyaay Nation (CA), Mesa Grande Band of Mission Indians (CA), Pala Band of Mission Indians (CA), Pauma Band of Luiseño Indians (CA), Pechanga Band of Luiseño Indians (CA), Rincon Band of Luiseño Indians (CA), San Pasqual Band of Mission Indians (CA), Santa Ynez Band of Chumash Indians (CA), Soboba Band of Luiseño Indians (CA), Sycuan Band of the Kumeyaay Nation (CA), Tejon Indian Tribe (CA), Timbisha Shoshone Tribe (CA), Utu Utu Gwaitu Paiute Tribe (Benton) (CA), Viejas Band of Kumeyaay Indians (CA), Washoe Tribe (CA), Duckwater Shoshone Tribe (NV), Fort McDermitt Paiute and Shoshone Tribes (NV), Lovelock Paiute Tribe (NV), Paiute Shoshone Tribe of the Fallon Reservation and Colony (NV), Pyramid Lake Paiute Tribe (NV), Reno-Sparks Indian Colony (NV), Summit Lake Paiute Tribe (NV), Te-Moak Tribes of Western Shoshone (NV), Walker River Paiute Tribe (NV), Washoe Tribe (NV), Winnemucca Indian Colony (NV), Yerington Paiute Tribe (NV), Yomba Shoshone Tribe (NV), and Fort McDermitt Paiute and Shoshone Tribes (OR).

Naval Air Station Fallon (NV) conducted consultations, informational meetings, and site visits associated with the installation Tribal Program, an agreement for Tribal access, and projects involving the operations of the Fallon Range Training Complex with 13 Tribes, including the Duckwater Shoshone Tribe (NV), Fort McDermitt Paiute and Shoshone Tribes (NV and OR), Lovelock Paiute Tribe (NV), Paiute Shoshone Tribe of the Fallon Reservation and Colony (NV), Pyramid Lake Paiute Tribe (NV), Reno-Sparks Indian Colony (NV), Summit Lake Paiute Tribe (NV), Te-Moak Tribes of Western Shoshone (NV), Walker River Paiute Tribe (NV), Washoe Tribes (NV and CA), Winnemucca Indian Colony (NV), Yerington Paiute Tribe (NV), and Yomba Shoshone Tribe (NV).

Naval Air Weapons Station China Lake (CA) completed the transfer of NAGPRA cultural items from the Phoebe A. Hearst Museum of Anthropology at University of California at Berkeley, to temporary custody at the Naval Air Weapons Station China Lake Regional Curation Facility, on behalf of and in consultation with the Pechanga Band of Luiseño Indians (CA) and Rincon Band of Luiseño Indians (CA). Additionally, the installation completed the return of a winnowing basket and handmade medicine bag offerings to the Big Pine Paiute Tribe of the Owens Valley (CA); these cultural items had been on loan and displayed at Building 1 on the installation in honor of the service of Native American veterans.

Naval Base Point Loma (CA) consulted on the Naval Information Warfare Systems Command revitalization of the Old Town Campus in San Diego with the Barona Band of Mission Indians (CA); Campo Kumeyaay Nation (CA); Ewiiapaayp Band of Kumeyaay Indians (CA); Iipay Nation of Santa Ysabel (CA); Inaja-Cosmit Band of Indians (CA); Jamul Indian Village (CA); La Posta Band of Mission Indians (CA); Manzanita Band of the Kumeyaay Nation (CA); Mesa Grande Band of Mission Indians (CA); San Pasqual Band of Mission Indians (CA); Sycuan Band of the Kumeyaay Nation (CA); Viejas Band of Kumeyaay Indians (CA).

Policy

With DoD Instruction 4710.02 DoD Interactions with Federally Recognized Tribes as overarching guidance, the DON SECNAV Instruction 11010.14B Department of the Navy Policy for Consultation with Federally Recognized Indian Tribes, Alaska Native Tribal Entities, and Native

Hawaiian Organizations assigns responsibilities and procedures for consultation with Tribes. The DON instruction addresses legislative and regulatory requirements, the federal trust responsibility, and the appropriate general procedures for consulting with federally recognized Tribes. A key objective for the DON instruction is “to build a permanent, working relationship of respect, trust, and openness with tribal government representatives.” The DON implements the above policies and takes actions to further develop and refine policy and execution.

Policy. The Marine Corps and Navy provide chain of command directions for implementing SECNAV Instruction 11010.14B at regional and installation levels. Marine Corps Order (MCO) 5090.2 provides policy and guidance to the Marine Corps regarding consultation with federally recognized Tribes. The Navy Environmental Readiness Program Manual (OPNAV-M) 5090.1 provides policy and guidance for Navy commands regarding consultation with federally recognized Tribes.

Navy Installation Cultural Resources Management Plan (ICRMP) Guidelines. The Naval Engineering Facility Systems Command Headquarters administers the Navy’s ICRMP guidelines used by Navy shore installations in developing and implementing these planning documents. The guidelines include substantive requirements for including Tribal consultation in developing the ICRMP and implementing it, as well as the proper process for completing the documents and coordinating other stakeholder reviews. The guidelines also include recommendations for consultations with Tribes to develop agreements on protocols for consultation.

Support for DoD-level Initiatives. The DON continues to support DoD initiatives to monitor and improve Tribal consultations. Both the Marine Corps and Navy collect consultation and compliance metrics annually, consistent with DoDI 4710.02, to assess the success of DON installations consulting with federally recognized Tribes and complying with the NAGPRA. The Marine Corps and Navy have designated positions filled by subject matter experts with the responsibility to ensure that policies and practices within the organizations adequately inform effective consultation. Each DON component participates in the OSD-led Native American Integrated Project Team.

Training and Tools

MARINE CORPS

Marine Corps installations routinely provide training regarding local tribal interests to all new staff, both military and civilian, as well as to units using installation training ranges.

A significant Marine Corps initiative during the reporting period was the implementation of an upgrade to the online system used to assess the health of cultural resource programs at all Marine Corps installations. The second generation version of Conservation Metrics Portal (CMP) is a government enterprise, internet-based tool for collecting data that are input by front-line installation staff on topics critical to a successful cultural resources program, including: ICRMP preparation; cultural resources data layer development within the installation Geographic Information System; identification and evaluation of historic properties; consultation with Native Americans and Native Hawaiian Organizations; budgetary programming; and public outreach.

With substantial upgrades to the system, installation staff are better able to track and understand trends regarding the health of their cultural resources programs and communicate across the Service to learn from their counterparts at other installations.

Beginning in August 2021, the Marine Corps Mountain Warfare Training Center Bridgeport (MCMWTC) (CA) installation staff partnered with U.S. Forest Services in support of a University of California at Davis (UC Davis) field school on land jointly managed by both agencies. Tribal members monitored site testing and met with UC Davis field school staff to discuss protocols regarding culture, respect, and archaeology.

At MCAS Yuma, every military, civilian, contract, or other personnel who enters either range must first receive MCAS Yuma Range Management training, which includes information on avoiding the types of cultural resources that they might come across on the Range. Due to COVID-19, approximately 300 personnel secured this training occurred online in 2021.

NAVY

Personnel from multiple installations within Commander Navy Region Mid-Atlantic participated in online training, including courses such as Native America 101 offered by the National Preservation Institute, and the Advisory Council on Historic Preservation's online courses, Early Coordination with Indian Tribes for Infrastructure Projects and Section 106 Training for Indian Tribes.

Navy Region Northwest's Tribal Liaison briefed incoming Region and installation leadership in early 2021 with a primer on tribal engagement and guidance for consultation, government-to-government policies and procedures, background on current issues, and introduction to Tribes in the region's Area of Responsibility (AOR), which includes the states of AK, WA, OR, ID, MT, WY, ND, SD, NE, MN, and IA. In July and August 2021, regional staff experts delivered one-on-one training sessions to the incoming Regional Commander and Naval Station Everett Installation Commanding Officer (ICO). The Region also developed a Tribal Outreach Plan that guides Navy leadership in fostering positive working relationships with Tribal Leadership in government-to-government meetings, ICO "State of the Stations" updates, and providing timely information on events that may be occurring in the communities that provide opportunities to build relationships.

Within CNRSW, the DON Office of Small Business Programs hosted a training on contracting opportunities for all NAS Fallon Tribal partners, including: the Duckwater Shoshone Tribe (NV); Fort McDermitt Paiute and Shoshone Tribes (NV and OR); Lovelock Paiute Tribe (NV); Paiute Shoshone Tribe of the Fallon Reservation and Colony (NV); Pyramid Lake Paiute Tribe (NV); Reno-Sparks Indian Colony (NV); Summit Lake Paiute Tribe (NV); Te-Moak Tribes of Western Shoshone (NV); Walker River Paiute Tribe (NV); Washoe Tribes (NV and CA); Winnemucca Indian Colony (NV); Yerington Paiute Tribe (NV) and Yomba Shoshone Tribe (NV). COVID-19-related travel restrictions delayed a plan to host docent training in 2021 for Little Petroglyph at Naval Air Weapons Station China Lake (CA).

VI. Department of the Air Force

The Department of the Air Force (DAF) has identified 328 federally recognized tribes and Native Hawaiian Organizations (NHOs) from 36 states as having cultural or historic affiliation with 134 Air Force installations. Formal consultations and outreach activities with federally recognized Tribes and NHOs has been conducted during the reporting period by 132 installations and multiple Major Commands. Consultations addressed issues such as repatriation of human remains; protection of and access to cultural resources, reserved treaty rights, and sacred sites; effects of DAF actions; ecosystem restoration; ethnographic studies; and identification of resources of traditional and cultural importance to tribes. Installation Tribal Liaison Officers have been appointed for 146 installations, and 32 have developed Installation Tribal Relations Plans (ITRPs).

In April 2021, the DAF launched an internal geographic information system (GIS) viewer integrating military lands with known lands to be affiliated with Tribes. The viewer provides a geographic context to enhance the understanding of tribal concerns about DAF activities. Throughout 2021, the DAF has engaged in robust and meaningful consultation with 54 Tribes regarding actions associated with the deployment of the Ground Base Strategic Deterrent intercontinental ballistic missile (ICBM) system and decommission and disposal of the Minuteman III ICBM.

Introduction

The DAF is committed to complying with EO 13175, all applicable federal laws regarding consultation, and DoD policies regarding consultation with federally recognized Tribes and NHOs. The DAF continuously strives to improve tribal and NHO relations while working with Tribes on a government-to-government basis in recognition of their sovereignty. In August 2020, the Air Force updated Department of Air Force Instruction (DAFI) 90-2002, *Interactions with Federally Recognized Tribes*. Changes in the DAFI seek to promote trustful, effective, and stable relationships that are beneficial to both the Air Force and Tribes.

Consultation and Outreach

DAF installations continue to maintain close relations with their affiliated Tribes, having instituted comprehensive programs for regularly recurring meetings at both the leadership and staff levels. These meetings often include guided trips to usually restricted range areas, visits to sacred or traditional sites, traditional ceremonies, and listening/discussion sessions between tribal and installation leaders. The DAF is working on becoming a more effective environmental steward. Overall, the DAF has identified 328 federally recognized Tribes and Native Hawaiian Organizations (NHOs) from 36 states as having cultural or historic affiliation with 134 installations. Formal consultations and outreach activities with federally recognized Tribes and NHOs has been conducted by 132 installations and multiple Major Commands.

Air Force Global Strike Command

In May 2020, Air Force Global Strike Command (AFGSC), in partnership with the Air Force Civil Engineer Center (AFCEC), formally initiated government-to-government consultation with 60

federally recognized Tribes with cultural affiliation to lands to be affected by the deployment of the Ground Base Strategic Deterrent intercontinental ballistic missile (ICBM) system and decommission and disposal of the Minuteman III ICBM. Six Tribes informed AFGSC of their request to not be consulted on the project so AFGSC and ACEC are continuing consultation with 54 tribes. Consultations are underway at the following installations: Camp Guernsey, Wyoming; Camp Navajo, Arizona; Francis E. Warren Air Force Base (AFB), Wyoming; Hill AFB, Utah; Malmstrom AFB, Montana; Minot AFB, Nebraska; and the Utah Test and Training Range, Utah. During April 2021, AFGSC and AFCEC held four virtual meetings to which all tribes were invited and 15 attended to discuss cultural resource identification requirements, tribal involvement in surveys, and development of areas of potential effects.

From June through September 2021, 15 Tribes hosted AFGSC and AFCEC teams on their reservations for consultation meetings. These in-person consultations occurred with the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation (MT), the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana (MT), the Cheyenne River Sioux Tribe of the Cheyenne River Reservation (SD), the Chippewa Cree Indians of the Rocky Boy's Reservation (MT), the Crow Tribe of Montana (MT), Eastern Shoshone Tribe of the Wind River Reservation (WY), the Fort Belknap Indian Community of the Fort Belknap Reservation of Montana (MT), the Little Shell Tribe of Chippewa Indians of Montana (MT), the Northern Arapaho Tribe of the Wind River Reservation (WY), the Rosebud Sioux Tribe of the Rosebud Indian Reservation (SD), the Santee Sioux Nation (NE), the Sisseton-Wahpeton Oyate of the Lake Traverse Reservation (SD), the Standing Rock Sioux Tribe of North & South Dakota (ND and SD), the Three Affiliated Tribes of the Fort Berthold Reservation (ND), and the Yankton Sioux Tribe of South Dakota (SD). Twenty-four Tribal Cultural Specialists from nine Tribes surveyed portions of the project area in September 2021 for resources of cultural or traditional significance.

Air Force Material Command

Edwards AFB, California; the San Manuel Band of Mission Indians (CA); and the Tejon Indian Tribe (CA) have been regularly consulting on the construction of an up to 650 megawatt solar array field that could impact up to 4,000 acres of land on the installation. A Memorandum of Agreement and a Native American Graves Protection and Repatriation (NAGPRA) Plan of Action were executed in 2020. During 2021, consultation has been necessary to revise the Historic Properties Treatment Plan and navigate project changes and challenges. This document will further structure ongoing consultation and collaboration to facilitate successful completion of this multi-year, renewal energy project.

Eglin AFB, Florida, finalized consultation with: the Miccosukee Tribe of Indians of Florida, the Seminole Tribe of Florida; the Seminole Nation of Oklahoma; the Poarch Band of Creek Indians (AL), the Muscogee (Creek) Nation (OK), and Thlopthlocco Tribal Town (OK), Florida State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) on a Programmatic Agreement (PA) regarding management of historic properties and consultation protocols. The Agreement replaces an existing PA with the SHPO and the ACHP and two Memoranda of Understanding with the Muscogee (Creek) Nation and Thlopthlocco Tribal Town. The agreement is the culmination of eight years of consultation and provides a robust consultation framework for years to come.

United States Space Force

On June 11, 2021, Vandenberg Space Force Base (SFB), California; the Santa Ynez Band of Chumash Indians (CA); the California SHPO; and the ACHP executed a PA regarding activities associated with the GBSD Test Program. The Santa Ynez Band of Chumash Indians are an Invited Signatory to the agreement. The PA describes procedures and requirements necessary for Vandenberg SFB and AFGSC to avoid, minimize, and mitigate adverse effect to multiple historic properties eligible for listing on the National Register of Historic Places. Vandenberg SFB and the Santa Ynez Band of Chumash Indians also developed a NAGPRA Plan of Action to address cultural items, as defined by Title 43 of the Code of Federal Regulations, Section 10.2(d), that could be discovered during the course of archaeological data recovery efforts and project execution.

Policy

The primary DAF policy guiding compliance with Federal laws and regulations is DAFI 90-2002, published in August 2020. DAFI 90-2002 is an update to AFI 90-2002, *Air Force Interactions with Federally-Recognized Tribes*, published in November 2014. The DAFI supports the unique trust relationship the United States government has with Tribes, and emphasizes aspects of the DAF's mission that may affect Tribes. This publication implements DoD Instruction 4710.02, *DoD Interactions with Federally Recognized Tribes*, and directs regular and meaningful consultation between installation commanders and tribal leaders to promote trustful, effective, and stable relationships that are beneficial to both the DAF and Tribes. It empowers commanders to represent DAF in government-to-government consultation, allowing those local land managers to consult directly with Tribes who have expressed an interest in an installation's activities and lands. The policy encourages development of agreement documents with Tribes that outline appropriate and efficient consultation procedures and protocols. Also under this DAFI revision, a requirement was changed to allow for virtual and telephonic modes of communication, with tribal approval, in lieu of in-person meetings. This change is helping both Tribes and commanders meet the goal of meaningful consultation in the context of the COVID-19 pandemic and its aftermath.

Training and Tools

DAF installations, Major Commands, and AFCEC routinely provide training regarding tribal and NHO interests to all military and civilian staff.

In April 2021, AFCEC launched its Tribal Relations Viewer. This tool is a geographic information system-enabled and housed on the Air Force GeoBase website. Access is only available to users with DoD or Air Force network accounts. It displays the boundaries of all DoD installations in relations to modern reservation lands and ancestral lands consolidated from multiple datasets including, but not limited to, the 1899 Indian Land Cessions maps, Smithsonian Handbook of North American Indians 1978-2008, and maps in House of Representatives Report 2503. It provides information on Tribal leaders, Installation Tribal Liaison Officers (ITLOs), planners, cultural and natural resource managers, and more, with a geographic context to enhance awareness of tribal concerns with DAF activities. AFCEC is identifying additional datasets and future enhancements to further improve the viewer.

Over 2019 and 2020, AFCEC developed and offered a new training opportunity entitled *Effective American Indian Communication and Consultation Course*. The course provides valuable information for DAF employees who consult with, or are preparing to consult with American Indian tribes. It covers compliance with DoDI 4710.02 and DAFI 90-2002, including how to develop an ITRP and organize government-to-government meetings. The course uses a variety of materials, including visual presentations, in-depth discussion, and interactive role-playing, to provide DAF personnel with the communication tools necessary to engage in effective and meaningful government-to-government consultation. There are two tracts, a full three-day course designed for any and all DAF personnel, and a six-hour Executive Session designed for senior leadership. Since its launch in 2019, approximately 200 DAF employees have attended the course. In June 2021, 39 individuals from 24 Air Force installations and organizations attended the virtual three-day course. Participating personnel included Civil Engineering leadership, ITLOs, cultural and natural resources managers, National Environmental Policy Act (NEPA) managers, other environmental managers, planners, legal counsel, and logistics personnel. Twelve senior leaders from nine installations and organizations attended the six-hour Executive Session. Attendees included Installation Commanders, a Vice Commander, an attorney, and Civil Engineering leaders.

AFCEC hosts an annual Cultural Resources Workshop, which is an opportunity for all DAF cultural resources staff to share best management practices and gather updates on policy, training opportunities, and updates to the DAF and DoD Cultural Resources and Tribal Affairs Programs. During the June 2021 Workshop, the Air Force invited the OSD Senior Advisor and Liaison for Native American Affairs to provide an overview of the OSD Native American Affairs Program. Air Force personnel also presented on topics important to tribal consultation: virtual outreach and consultation, the new Air Force Tribal Relations GIS Viewer, and strategies for protecting cultural and natural resources during wildland fire management activities (e.g., prescribed burns).

VII. Opportunities and Challenges Ahead

Office of the Secretary of Defense

For the next reporting period of September 2021 – October 2022, the ODASD(E&ER) will continue to work towards accomplishing the tasks listed in the DoD Plan of Action including the following areas of policy, consultation, and programs:

DoD Policy

- DASD(E&ER) Kidd, his staff, and ALCOM staff will participate in listening sessions in Angoon, Wrangell, and Kake, AK, in October 2021 regarding the historic bombardments of those communities in the late 1800s.
- In 2022, the ODASD(E&ER) will host virtual and/or in-person (as permissible due to COVID-19) regional consultation sessions to update DoDI 4710.02, including consideration of how to:
 - redefine consultation and include the aim of achieving mutual consensus, when possible;
 - provide guidance on a recommended frequency, and a consistent DoD-wide understanding of regular, meaningful, and robust consultation;

- enhance the description of when consultation is required;
 - reflect DoD's commitment to ensuring that its environmental programs reflect the goals of E.O. 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and the Department's update to its Environmental Justice Strategy;
 - review the Military Department progress regarding the statutory requirement to provide information on the status of consultation with each Tribe affected by proposed military construction projects;
 - clarify the responsibilities of DoD to record the results of consultation and report them to Tribal participants, with recognition given about how the Tribe's concerns were considered; and
 - reinforce requirements to consult with Alaska Native Corporations as required by statutes.
- Review opportunities to establish a DoD Steering Committee on Tribal Consultation comprised of OSD and Military Department leadership to facilitate compliance with Tribal consultation requirements and coordinate the efforts of the DoD Components on enhancing relationships with Tribal governments.

DoD Programs

In order to address opportunities to make programs more responsive, effective, and better serve the needs of the tribal communities they support, before the end of August 2022, the ODASD(E&ER) team will:

- Complete its review and report to Indian Tribes on the feasibility of creating a permanent staff position for the DoD Senior Advisor and Liaison for Native American Affairs, currently staffed through a four-year temporary Intergovernmental Personnel Act agreement;
- Complete its review of the feasibility of scaling up DoD's NALEMP Program to provide additional resources to address legacy pollution on Tribal lands caused by past DoD activities;
- Coordinate with 10 Tribes in Alaska and three Tribes in New Mexico to develop NALEMP CAs that provide Tribes funding to clean up building debris, munitions debris, and other waste on tribal lands resulting from past DoD activities.
- Coordinate with the DoD Office of Reserve Affairs (ORA) to promote to Indian Tribes the types of assistance available from the ORA-sponsored Innovative Readiness Training Program; and
- Review opportunities to provide internships for Native American students or fellowships for Native American professionals working on climate change or racial justice issues.

DoD Training

The Deputy Assistant Secretary of Defense for Environment and Energy Resilience (DASD(E&ER)) will host a half-day online Executive Session of the DoD-sponsored American

Indian Cultural Communication Course for senior staff of Rear Admiral Brad Collins in Navy Region Northwest (NRNW) in September 2021.

Alaskan Command

Upcoming opportunities and challenges include ANR and ALCOM/NAL overseeing service component tribal consultation and outreach in support of military training activities to be held in Alaska during the Arctic Edge 2022 Exercise (timeframe Feb/Mar 22). ANR and ALCOM/NAL remains in an advisory role to the services that will exercise in Alaska.

ALCOM/NAL will provide direct support to OSD to facilitate listening sessions with the Angoon Community Association, the Organized Village of Kake, and the Wrangell Cooperative Association to be held in each village in late October 2021. The listening sessions will provide future opportunities to service components (Navy and Army) for government-to-government consultation with these tribes.

Department of the Army

AMC OIB

For the upcoming reporting period (November 2021 to October 2022), AMC OIBs future opportunities and challenge include the following:

1. Continue to engage in productive consultation with federally recognized tribes regarding all OIB Federal actions.
2. Search for viable sources of funding to support training and educational opportunities for the OIBs.
3. Continue to pursue innovative techniques to acquire additional training and educational opportunities, optimize OIB relationship through the enhancement of consultation and coordination with federally recognized tribes, and acquire supplemental FTE support to be dedicated to AMC OIB cultural resources management.

AMC OIBs biggest challenge stems from resourcing including environmental support staff (labor) and funding. Because AMC OIBs are resourced using mission funds with an emphasis on production cost and mission, environmental support staff and environmental funds are limited to mission and production efficiencies.

IMCOM

Presidio of Monterey CA challenge for the next reporting period regards continuing NAGPRA and NHPA consultation with five (5) tribes to address the erosion of a Native American burial site. IMCOM is seeking funding to build a retaining wall to stop the erosion.

Dugway Proving Ground UT is a participant in several upcoming projects involving multiple states and multiple federal agencies including the NASA Mars Sample Return and the DoD Test

Resource Management Center's (TRMC) proposed establishment of the Mountain Desert Corridor. Especially the Mountain Desert Corridor will be challenging to ensure tribal engagement and consultation as the consultation will be headed by TRMC on behalf of several DoD sites and multiple federal agencies. White Sands Missile Range NM is also engaged in the Mountain Desert Corridor OSD action.

In order to ensure this challenge is appropriately accomplished, Dugway Proving Ground cultural resource staff will attend the scheduled tribal engagement strategy meetings for each project, provide appropriate contract information for the tribal governments Dugway is responsible to engage with, and provide supplemental information to tribes about the projects at each quarterly meeting.

U.S. Army Garrison Yuma Proving Ground faces a challenge in consultation with the Fort Yuma-Quechan Indian Tribe (CA), who claim that the entire 843,000-acre installation is a part of a larger undefined Traditional Cultural Property, the significance of which they will not discuss, and that the Army should not be conducting any projects therein. U.S. Army Garrison Yuma Proving Ground will work with the Advisory Council on Historic Preservation and the Arizona State Historic Preservation Office to determine the best way to address the Tribes concerns while allowing the mission of the installation to move forward. Efforts may include more in-depth ethnographic studies of various parts of the installation.

ARNG

With the pandemic continuing to present challenges for planning consultations and activities with Tribes, the ARNG G-9 and the State ARNGs continue to work to strengthen their tribal programs. The next 12 months may provide some limitations in resources and scheduling, however with innovative approaches to outreach and use of technology, many State ARNGs can maintain their responsibilities to Tribes.

The challenges facing most State ARNGs and ARNG is related to scheduling and resources to arrange consultations and activities. As indicated in the regional summaries below, tribal offices receive a significant number of requests to consult from public agencies and often lack staff and resources to respond effectively. This means the tribal offices must prioritize for the most critical tribal issues. In addition, the distances between installations and tribal offices, which are often located in distant states due to the relocation of Tribes from their ancestral lands also can prove challenging. When a State ARNG cannot bring Tribes to their installation, it is often equally difficult for the State ARNG personnel to find funding and time to visit Tribes located outside of their state.

One of the potential solutions to these challenges came from the pandemic situation. Many Tribes are expressing their support for virtual meetings to allow them to reduce their travel times and streamline their schedules. While it is important to note that this preference is unique to each tribal office, with many Tribes preferring in person consultation for specific regulatory issues and situations. Also, tribal offices must have technological capabilities to support virtual conferencing platforms. Therefore, ARNG will be working with State ARNGs to develop best practices and

recommended protocols for when and how to approach implementing virtual consultation options with tribal partners.

Another solution is looking at regionally based consultations for certain geographic areas, as noted below in the respective summaries. The regional approach is already utilized for the SE region, where the Native American Consultation (NAC) allows the participating states (AL, FL, GA, MS, LA) to rotate meeting annually between the states. This provides overall cost savings and streamlines tribal representatives travel time away from office. It does provide problems if the host state cannot implement the event. TX and AR ARNG recently initiated a similar regional effort and are looking to other MW state ARNGs to join the partnership. Several other State ARNGs collaborate with other DoD installations or state agencies for same purpose.

NE Region

With seven state ARNGs reporting to ARNG G-9, four State ARNGs have indicated they plan consultation and outreach in next reporting period. NH ARNG is planning a Tribal Consultation meeting with the Penobscot Nation and the Aroostook Band of Micmacs. NH ARNG also conducts annual site monitoring of several recorded Native American (rare Paleoindian) archaeological sites and plans to include field visits by THPOs to solicit input on protection measures. NJ ARNG has one planned Military Construction (MILCON) project taking place at their Vineland Readiness Center and will invite tribes to participate in the consultation process. VA ARNG is preparing to engage with 29 Tribes to confirm consultation interest. VA ARNG will also develop consultation protocols with interested Tribes in order to improve the government-to-government consultation process. WV ARNG anticipates more consultation with their four tribes next year with the ramp up of more Innovative Readiness Training projects.

MW Region

Nine of the 11 state ARNGs reporting are planning consultation and outreach in next reporting period. NM ARNG will consult with 22 Tribes directly on undertakings and participate in the State Tribal Leaders Summit and work with including tribal specialists on site monitoring projects in next reporting period. MI ARNG is planning a summer 2022 consultation meeting with 43 Tribes invited. MN ARNG will host another consultation with 11 Tribes in May 2022 and another Planting for the Future event in September 2022. MO ARNG is planning an annual consultation in next 12 months, usually conducted with other state agencies. MT ARNG is looking at working with Air Force installations in MT to conduct joint consultation. SD ARNG is looking at partnering with the SD Department of Transportation to ensure funding for consultation in FY22. OK ARNG is planning on meeting individually with Tribes by visiting tribal offices across the state in the next reporting period. WYARNG is planning a May 2022 annual consultation that will hopefully include other federal agencies. They also hope to host one or two sessions for a Traditional Cultural Sites (TCS) visit project to allow more opportunities for tribes to visit Camp Guernsey. WY ARNG also hired a Tribal Liaison consultant to assist with improving communications with Tribes. Regionally, AR ARNG will be hosting the joint Consultation meeting in FY22 with TX ARNG and KS ARNG and other MW state ARNGs will be invited as observers. In addition, AR ARNG is conducting a Traditional Cultural Property survey at Fort Chaffee. TX ARNG is continuing their Traditional Cultural Property surveys at Camp Maxey and Camp Swift. They also

have a seasonal support contract to facilitate tribal specialists joining archaeologists in annual site monitoring or conducting their own monitoring of cultural areas.

SE Region

The SE region conducts regional consultation, referred to as the Native American Consultation (NAC) meeting. The funding and hosting responsibilities rotate annually between AL, FL, GA, LA, MS, NC, SC, and TN. In the last few years, several issues (hurricanes, Covid and contracting problems at hosting state ARNG) have resulted in the NAC not being held. This presents a problem for the state ARNGs with urgent consultation matters to address. Alternative solutions for both natural events and unexpected problems in contract execution need to be developed to maintain commitment to the regional NAC. AL ARNG noted they are scheduled to host the NAC meeting for SE states but have not received funding to date. They will work to identify Tribes willing to meet virtually and continue with normal electronic email consultations. MS ARNG noted they will participate in the NAC and have no other consultations or outreach to report.

WE Region

The only problem noted in the four reporting State ARNGs were related to scheduling and distance between Tribal offices and installations. Travel time can be challenging for both Tribes and State ARNG staff as it takes time away from other priority tasks. Virtual meetings have helped alleviate this problem for certain issues. ID ARNG currently plans to host the 11th annual Return of the Boise Valley Peoples Conference as well as conduct two in person meetings in next reporting period, as well as conducting site monitoring with Tribes. The ID ARNG currently has three MOU for Government-to-Government Consultation process. The IDARNG is preparing a Medical IRT for the Nez Perce Tribe for FY 22-23 as well as a Behavioral Health and Medical IRT for FY 22-23 for the Shoshone-Paiute Tribes.

The UT ARNG will continue to hold three quarterly meetings and one annual meeting with the other three Utah DoD Installations and 21 Consulting Tribes. They will also work with Hill Air Force Base at their StarBase student outreach program and the Hill AFB “Kickin’ it for Conservation” summer event.

USAR

For the upcoming reporting period (September 2021 to October 2022), USAR will pursue the following:

Consultation and Outreach: FHL (California), the 88th RD, and the 99th RD will continue the process of working through NAGPRA compliance and anticipate tribal consultation during the next reporting period with Federally-recognized Tribes as part of the legal process to repatriate the remains and associated funerary objects. Future consultations are expected in the next reporting period for several of the RDs and installations.

Policy Development and Implementation: USAR will continue to comply with all Army and DoD instructions, policy and implementing guidance for meeting consultation requirements. OCAR

personnel will continue to review and evaluate Army tribal consultation guidance and identify areas that could benefit from the development of Army Reserve-specific policy.

Training and Tools: The OCAR Cultural Resources Program Coordinator is planning tribal consultation training as part of the Army Reserve Mission Resilience and Sustainability Annual Training (TBD Spring 2022). The 81st RD is planning to conduct training on government-to-government tribal consultation to DPW HQ and field staff at the annual “All-Hands” meeting (Note: this meeting did not take place in this reporting cycle due to Covid-19 restrictions).

One of the larger challenges that the Army Reserve faces as it relates to tribal consultation and relationship building is conducting regular outreach to our tribal partners. The USAR RD organizational structure, in addition to the geographically vast AORs, often do not articulate with the requirements for continual, localized outreach with tribal partners. Lack of manpower often prevents regular consultation outside the confines of NHPA Section 106 undertakings. USAR will confront these limitations by emphasizing and prioritizing the need to escalate outreach and tribal collaboration and intends to hire additional positions to support tribal affairs at one of the RDs to offset manpower issues.

Army Corps of Engineers

All USACE Division and Districts have all cited COVID-19 restrictions as having created challenges to effective Tribal consultation. In particular, COVID restrictions on travel, few opportunities for in-person meetings, and the increased workload on Tribal staff have affected communications between USACE staff and Tribes, and made collaboration and consultation more challenging. All USACE Divisions and Districts have risen to the challenge of providing effective coordination and consultation within a virtual environment. All USACE Divisions and Districts will seek opportunities for face-to-face coordination and consultation with Tribes when COVID-19 restrictions lift.

Mississippi Valley Division

The St. Louis District will be consulting in the next reporting period regarding the disposition of the District’s remaining Section 5 NAGPRA collections. One challenge that the District faces for this effort is that there are multiple Tribes with legal claimant standing under NAGPRA. However, through this effort, the St. Louis District will have the opportunity to further develop their relationship with individual Tribes by enhancing their understanding of the history of the lands managed by the St. Louis District through tribal traditional knowledge and incorporate this information into the NAGPRA disposition process.

Pacific Ocean Division

The Alaska District (POA) will continue to increase its effort to synchronize consultation, coordination, outreach, and engagement with Alaska Native Tribes. This effort is POA-wide to facilitate regular, meaningful, and robust engagements with Alaska Native Tribes. This includes standardizing best practices across mission areas, including revised guidance in the Regulatory

Division and building on the success of the newsletters published by the Formerly Used Defense Sites program by adding an annual update letter to all Alaska Native Tribes.

South Pacific Division

The Albuquerque District has an opportunity to repatriate and participate in reburying 51 sets of human remains from Trinidad Lake in southern Colorado. Consultation for this effort has been ongoing with the Kiowa Tribe of Oklahoma; Jicarilla Apache Nation (NM); and Southern Ute Indian Tribe of the Southern Ute Reservation (CO). Repatriation is expected in Spring 2022 and will complete Albuquerque District's responsibilities under the NAGPRA.

Southwestern Division

The Southwestern Division (SWD) continues to plan for a virtual tribal consultation meeting with the Tribes within its area of responsibility. The purpose of the meeting is to aid the Districts within SWD in ongoing and future Tribal Consultation for SWD planning, regulatory, and operations projects. The region oversees lands affiliated with 54 tribes, with 14 tribes that are consistently more active and interested in USACE activities. The goals of the meeting are to identify partnering opportunities and build a communication framework for Tribal Consultation. This meeting is currently planned for mid-February 2022.

Department of the Navy

Within the DON, most regions reported that maintaining consistent communication with federally recognized Tribes is a challenge, especially given restrictions on face-to-face meetings due to COVID-19. Additionally, restrictions on sharing information under regulations and policy regarding Controlled Unclassified Information present challenges to conducting effective consultations with federally recognized Tribes. The DON plans to tackle these challenges by maximizing alternative forms of consultation and working to define opportunities to protect sensitive DON information while also consulting effectively with our Tribal partners.

Department of the Air Force

DAF installations and Major Commands will continue to consult with Tribes and NHOs having historic or cultural affiliation with their installation lands regarding projects with the potential to affect resources of concern to tribes. The DAF will continue to encourage all installations to develop appropriate agreement documents, consultation protocols, and NAGPRA Comprehensive Agreements and Plans of Action.

The DAF will continue to work with OSD and the other Services on initiatives to improve implementation of tribal consultation policies. As described in the May 2021 "U.S. Department of Defense Plan of Action to Implement the Policies and Directives of Executive Order 13175," the DAF will review DAFI 90-2002 to ensure it aligns with E.O. 13175 and current Administration policies and guidance.

The DAF is aware that tribal governments and their staffs regularly receive an immense amount of communications and invitations to consult from many federal and non-federal agencies and entities. This is not a new development but has been exacerbated with resources, staff, and time having to be directed to wildfire and pandemic emergency responses in the last few years. The DAF will continue to encourage installations to organize regularly occurring meetings with Tribes at both the leadership and staff levels. Many installations or groups of installations within a region host annual, bi-annual, and/or quarterly meetings with affiliated Tribes. These meetings cover a myriad of topics and respect the time and capacity of tribal governments. Although face-to-face meetings are generally preferred, the DAF supports the use of virtual meeting technology platforms available during the COVID-19 pandemic, in cases where the Tribe or Tribes are supportive of their use. With ongoing travel restrictions and COVID-19 spikes around the country, virtual meetings have allowed installations and Tribes to sustain an open dialogue.

Air National Guard

The Air National Guard Readiness Center (ANGRC), headquartered at Joint Base Andrews, Maryland, has begun working with the United States Army Corps of Engineers Tribal Nations Technical Center of Expertise (TNTCX) to assist in developing a more comprehensive tribal consultation program. The ANGRC Cultural Resources Program Manager serves as Tribal Liaison for the Air National Guard (ANG), and consults on all NEPA projects and on undertakings that may affect cultural resources important to Tribes. TNTCX is scheduled to deliver a plan for implementation of an improved tribal outreach and consultation program in Spring 2022. The plan will incorporate the results of outreach to all Tribes who have expressed a cultural or historical interest in areas where the ANG has facilities, as well as Tribes who may have reserved treaty rights on ANG installations; a survey of current installation tribal contact that may have occurred separate from ANGRC involvement; and a plan for future and continued meaningful consultation.

The ANGRC actively encourages participation in the AFCEC *Effective American Indian Communication and Consultation Course* by senior leaders and installation Environmental Managers. The intent of developing a new, overarching consultation program is to increase contact with tribes outside of the NEPA or National Historic Preservation Act, Sections 106 and 110 processes; identify general tribal concerns on ANG installations; and improve relationships.

VIII. Conclusion

The Deputy Assistant Secretary of Defense for Environment and Energy Resilience (DASD(E&ER)) serves as the Department official designated to oversee the implementation of the Department's plan of action. The Office of the DASD(E&ER) coordinates with the Military Departments to gather input from them about the policy, programmatic, training, and outreach efforts they undertake and include that information and recommendations for improving the Department's plan in future progress reports.

The Department of Defense continuously makes good faith efforts to improve policies and meaningfully consult with federally recognized Indian Tribes on all matters that may have the potential to significantly affect protected Tribal resources, Tribal rights, or Indian lands. The

Department supports the initiatives of the Presidential Memorandum of January 26, 2021, Tribal Consultation and Strengthening Nation-to-Nation Relationships and is committed to engaging in regular, meaningful, robust consultation and implementing the policies and directives of E.O. 13175, Consultation and Coordination With Indian Tribal Governments (2000).