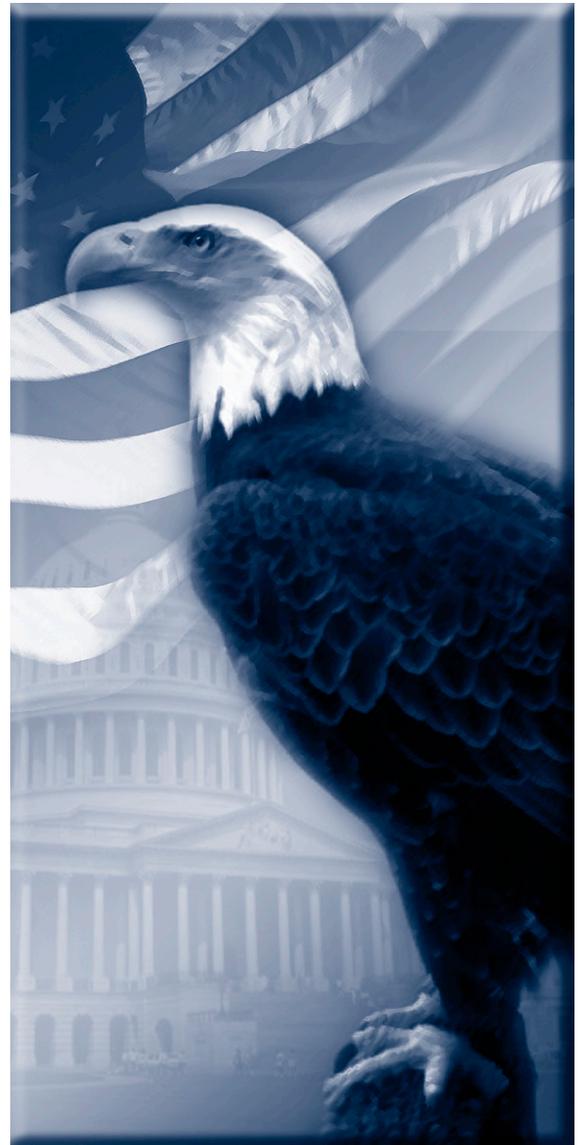

INTRODUCTION

In order to ensure that it meets its national security mission, DoD operates and trains on vast amounts of land, including American Indian and Alaska Native lands. Evidence of DoD's past use of these lands remains: hazardous materials, unexploded ordnance (UXO), abandoned equipment, unsafe buildings, and debris. This contamination degrades the natural environment and threatens tribal economic, social, and cultural welfare. In some cases, the contamination has an effect on tribal and traditional ways of life, such as the ability to access subsistence activities or to protect sacred sites. Contamination may also prevent tribes from using their land and natural resources in a safe and economically productive manner. As DoD continues to conduct realistic operational and training activities throughout the nation, some of these activities will invariably affect tribal lands and resources.

Under its Federal Indian trust responsibility, DoD has a duty to address the adverse effects of its activities on Indian lands. DoD continues to implement its American Indian and Alaska Native Policy, which recognize DoD's Federal trust responsibility. The DoD policy sets forth principles of consultation and acknowledges tribal self-governance and government-to-government relations between the Federal government and tribes. These principles recognize the importance of increasing understanding of tribal concerns and the need for DoD personnel to consider the unique qualities of individual tribes when applying these principles, particularly at the installation level. DoD is actively pursuing cooperative endeavors with American Indian and Alaska Native tribes to mitigate the negative impact of prior activities, minimize the effects of current activities, and prevent further impacts in the future.

AMERICAN INDIAN AND ALASKA NATIVE INITIATIVES



MITIGATING ENVIRONMENTAL IMPACTS ON INDIAN LANDS

DoD's cleanup programs embrace a relative-risk framework, as defined under the Comprehensive Environmental, Response Compensation, and Liability Act, and often do not consider tribal-unique factors, such as subsistence consumption, ceremonial use of certain plants and animals, and

the low population densities that exist on many reservations. As a

consequence, DoD sites on Indian lands often receive low relative-risk scores, which means that cleanup at these sites may be deferred for many years. Lacking a pre-existing program to address adverse effects on Indian lands and resources, DoD created the Native American Lands Environmental Mitigation Program (NALEMP).

NALEMP expressly considers concerns unique to Indian communities. These concerns include hazardous materials affecting small and isolated populations and the threats that UXO,

abandoned structures, and debris from past military operations pose to the use of already marginally productive lands.

Through NALEMP, DoD works directly with tribes to accomplish the following activities—

- Conduct site assessments to characterize the extent of environmental impacts
- Record environmental impacts on Indian lands through the Native American Environmental Tracking System (NAETS)
- Partner with tribal governments to address environmental impacts on Indian lands
- Address environmental impacts through on-the-ground cleanup projects and cooperative agreements with tribal governments

DoD AMERICAN INDIAN AND ALASKA NATIVE POLICY

To assist in mitigating impacts from prior DoD activities and to continue to build strong positive relationships with tribes, DoD developed an American Indian and Alaska Native Policy. Signed in October 20, 1998, the Policy reaffirms DoD's commitment to its trust responsibilities and obligation to consult with affected American Indian tribes and Alaska Native entities on a government-to-government basis. Developed in close consultation with tribal governments, the Policy acknowledges DoD's trust responsibilities to tribes; directs DoD to build stable and enduring government-to-government relationships with tribes; establishes consultation as the key component to successful, meaningful government-to-government relations; and requires DoD to recognize and respect the significance tribes attribute to natural and cultural resources. The Policy is intended to assist DoD Components in their efforts to meet mission requirements while addressing tribal concerns and interests.

- Build on pre-existing tribal expertise and provide training and technical assistance to tribes to encourage participation in Federal government activities
- Demonstrate and validate innovative cleanup technologies that can accelerate or improve cleanup on Indian lands
- Provide outreach to tribes through daily communication and attendance and participation at tribal conferences and meetings
- Build cross-cultural communications skills through training courses that teach cultural sensitivity and awareness.

In FY 2001, Congress appropriated \$10 million to mitigate environmental impacts on Indian lands. Of those funds, DoD used almost 90 percent for environmental mitigation activities, including site-specific cleanup projects, cooperative agreements with tribes to address environmental impacts, information gathering, and technology demonstration projects (Figure 33). The remaining funds have helped DoD implement its American Indian and Alaska Native Policy, produce a cultural communications course for DoD personnel, design and maintain NAETS, and educate and reach out to tribes about ongoing DoD activities of mutual interest.

Since NALEMP's creation in 1996, DoD has collected information from over 100 tribes with 351 potentially affected sites. In addition, DoD and tribal governments have entered into 16 cooperative agreements (Figure 34). These partnerships allow tribes and DoD to quickly respond to and clean up environmental contamination on Indian lands. The activities funded under NALEMP are consistent with congressional intent and have served to enhance DoD's credibility within the American Indian

Figure 33
FY 2001 NALEMP Funding Allocation

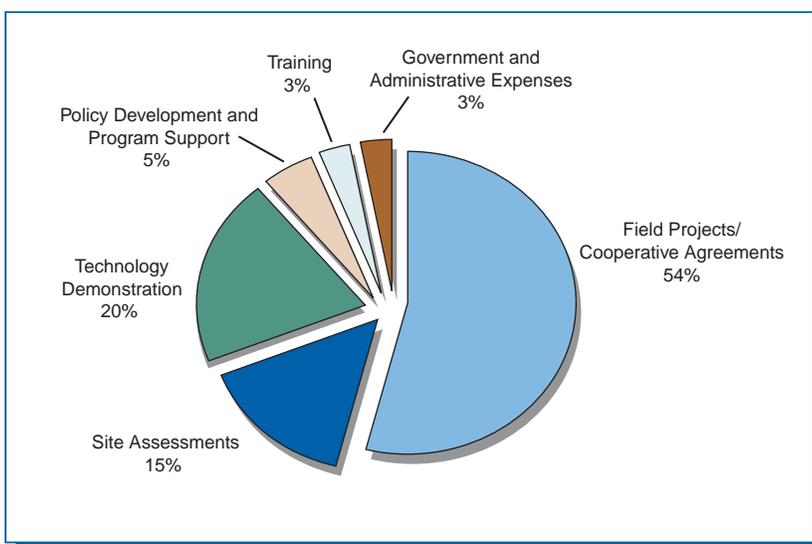
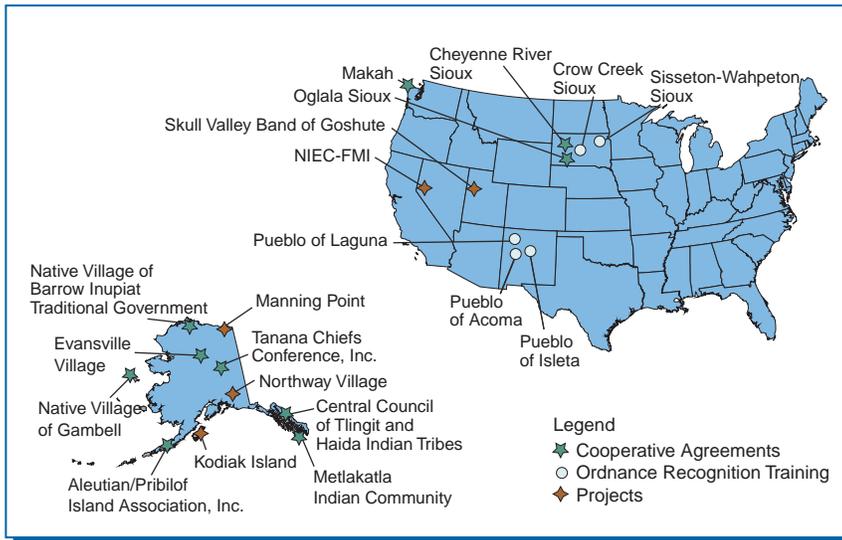


Figure 34
Cooperative Agreements and Projects



and Alaska Native community. NALEMP also has contributed substantially to DoD’s overall environmental restoration program on Indian lands.

REMOVING BARRIERS TO WORKING WITH TRIBES

In its American Indian and Alaska Native Policy, DoD pledged to work with other Federal agencies, in consultation with tribes, to minimize the administrative burden placed on tribal

governments from working with multiple Federal agencies at one location. Determining each agency’s role and/or responsibility can be difficult and coordinating among the various agencies is challenging.

The Metlakatla Indian Community found itself in just such a situation. From 1940 until 1977, several Federal agencies conducted various activities on the Annette Island Reserve, Alaska. Effects from operations included soil contamination, the existence of open dumps, and asbestos-contaminated buildings. DoD is using NALEMP resources in conjunction with the resources of other agencies to address environmental concerns efficiently and to facilitate more effective environmental cleanup. The Metlakatla Indian Community Unified Interagency Environmental Management Task Force established a partnership among the Metlakatla Indian Community, DoD, the Federal Aviation Administration, the Coast Guard, the Bureau of Indian Affairs, and EPA.

PROVIDING BUSINESS OPPORTUNITIES TO AMERICAN INDIANS AND ALASKA NATIVES

The economic conditions of many American Indian and Alaska Native communities are among the poorest in the nation. On the reservations, unemployment and school dropout rates can approach 75 percent. Economic development has been uniquely difficult because of the history

NALEMP COOPERATIVE AGREEMENT WITH TRIBES HELP ACHIEVE CLEANUP GOALS

To defend against potential threats to U.S. national security, DoD established a military base near Barrow, Alaska, the northernmost point of Alaska. To supply this installation, DoD brought in large quantities of material, equipment, and personnel to the northern shores of Elson Lagoon. The expense of shipping refuse from the Arctic created a large inventory of waste and material on the shores of the lagoon.

In 1963, a huge storm washed vast amounts of material into Elson Lagoon. The storm inundated the base, washing sections of a steel runway; 80,000 drums; boats; barges; and amphibious material into Elson Lagoon. Since 1963, both the Navy and the Department of the Interior have attempted to clean up the lagoon several times. However, the cleanup was limited to onshore areas around the lagoon. Wind driven blocks of sea ice that plow up the lagoon bottom push debris almost to the surface of the lagoon, posing navigational hazards to local fisherman. This has affected the subsistence activities and cultural traditions of people of the Native Village of Barrow.

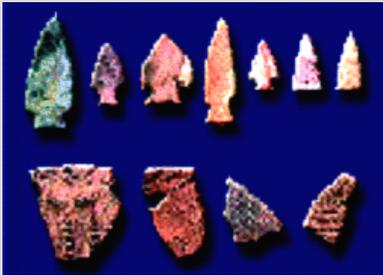
The NALEMP cooperative agreement between DoD and the Native Village of Barrow has effectively addressed the military debris in the lagoon. Through the cooperative agreement, DoD worked in partnership with the Native Village of Barrow to document and map the safety hazards and prioritize debris removal. In FY 2001, the tribe used funds from the cooperative agreement to develop a Strategic Project Implementation Plan (SPIP). This Plan provides a comprehensive picture of all the impacts on the tribe's lands and outlines the tasks required for mitigating DoD's impacts to these lands. After completing their SPIP, the Native Village of Barrow initiated a pilot project to remove several areas of debris that the tribe and the local community identified as hazardous.

and geographical isolation of Indian tribes. Through the Office of Small and Disadvantaged Business Utilization, DoD administers several programs aimed at providing developmental assistance to American Indians and Alaska Natives, including the DoD Mentor-Protégé Program.

DoD's Mentor-Protégé Program encourages DoD prime contractors to assist in developing the technical and business capabilities of American Indian and Alaska Native corporations. The mentor business implements a development assistance plan designed to better prepare a protégé organization to compete successfully for future DoD contracts. Presently, more than 120 firms are participating in the Mentor-Protégé Program, including companies specializing in environmental remediation, engineering services and information technology, manufacturing, telecommunications, and health care. More information on the program is available at http://www.acq.osd.mil/sadbu/mentor_protege/index.htm.

CONSULTATION WITH TRIBAL GOVERNMENTS LEADS TO HISTORIC LAND EXCHANGE AGREEMENT

On December 13, 2000, a historic land exchange agreement was signed by the City of Columbus, Georgia; Fort Benning, Georgia; and five American Indian nations (the Alabama Coushatta Tribe of Texas, the Chicasaw Nation, the Muscogee Creek Nation, the Poarch Band of Creek Indians, and the Seminole Tribe of Florida). The agreement marked an 11-year planning effort among the parties to protect tribal cultural resources and to create greater economic development opportunities for the City of Columbus.



The historic Fort Benning agreement spells out how American Indian cultural artifacts, such as these ancient arrowheads, and human remains discovered on the land will be handled.

As part of the agreement, the Army will transfer 2,124 acres of land on the north side of Fort Benning to the City of Columbus in exchange for 2,156 acres of land on the south side of Fort Benning. The purpose of the land exchange is to provide the city with a large tract of land for light industry. The city’s new acquisition will provide about 1,500 acres for a business park development. A new marina is planned in the area, as well as a new multi-million dollar National Infantry Museum.

The Army identified potential impacts to tribal cultural resources during the planning phase of the land exchange. In an effort to determine how to preserve these resources, the Army consulted with leaders of the 11 tribes who have historic ties to the area. These consultations led to the development of specific language in the agreement protecting tribal resources. The agreement describes how American Indian cultural artifacts and human remains discovered on the land will be handled. The agreement also requires that the land covenants pass with the land transfer, obligates the city to protect nine American Indian sites on the north tract, and mandates consultation with the tribes if preservation is not feasible.

“This is a great celebration,” said Colonel John Mitchell, former garrison commander. “Not only have we moved toward completion of a land exchange, but we have developed new protocols for working through sensitive issues. This process and the completion of an agreement will serve us well in the future.”

DoD’s Mentor-Protégé Program has helped build strong relationships between DoD and the tribes. The program not only provides DoD with access to small business efficiency, innovation, and creativity, but also allows the tribes to acquire the skills and knowledge to achieve greater economic, educational, and business opportunities.

HONORING TRIBAL HEROES

“Today we mark a moment of shared history and shared victory. We recall a story that all Americans can celebrate, and every American should know. It’s a story of young Navajos who brought honor to their nation and victory to their country.”

*—President George W. Bush, July 26, 2001,
Honoring World War II Native American code talkers*

It is a little-known fact that American Indians and Alaska Natives have the highest per capita participation in the military. There are nearly 190,000 Indian veterans—one out of every four Indian males is a military veteran and over 45 percent of present-day tribal leaders are military veterans. In addition, 24 Indian veterans have earned the highest military distinction of all, the Medal of Honor. In all of America’s wars and conflicts, American Indians and Alaska Natives have served with the strength and quiet valor their tradition has always inspired.



President George W. Bush honors Native Americans who fought in World War II.

In July 26, 2001, President George W. Bush honored 21 American Indians who, during World War II, used their native language to relay secret messages that influenced the course of the war. Just by speaking their native language, the Navajo code talkers could easily transmit information on tactics and troop movements, orders, and other vital battlefield communications over telephones and radios. The enemy never broke the code. The code talkers are credited with saving countless American and allied lives.

