

U.S. Department of Defense



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

October 2022

**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 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 Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*.

In July 2021, the Secretary of Defense Lloyd J. Austin submitted the Department of Defense (DoD) Plan of Action to Implement the Policies and Directives of EO 13175 (DoD Plan). In transmitting the DoD Plan, Secretary Austin named Mr. 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 second annual progress update reporting period of October 2021 – September 2022.

I. Office of the Secretary of Defense (OSD)

DoD Policy, Consultation, Training, and Programs

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

- Secured the signature of Secretary Austin on the 2021 update to the Interagency Memorandum of Understanding on Protection of Tribal Treaty Rights and Reserved Rights;
- Held listening sessions with the Wrangell Community Association in Wrangell, AK, and the Organized Village of Kake in Kake, AK, in October 2021, to learn about and understand the impacts of the historic bombardments of the villages by the U.S. Navy and the U.S. Army in the late 1860s;
- Delivered the American Indian Cultural Communications and Consultation Course (AICCCC) for 25 participants at the request of the Minnesota Army National Guard at Camp Ripley, MN, in June 2022. Course topics covered an overview of Administration priorities, Federal Indian law, tribal treaty and reserved rights held by tribes in the region, DoD consultant policies, Army National Guard Mission, best practices in consultation, and an overview of federal laws that contain consultation requirements;
- Delivered the Native Hawaiian Cultural Communications and Consultation Course in August 2022, at Joint Base Pearl Harbor–Hickam, Hawai'i. Fifty-two DoD personnel from the Army, Navy, Air Force, Marine Corps, Corps of Engineers, and Hawaii Air National Guard participated in the Action Officer Session; 32 senior leaders participated in the Executive Session. Course topics included DoDI: 4710.03: Consultation With Native Hawaiian Organizations, Hawaiian history, key elements of Native Hawaiian culture, practical strategies for effective engagement with the Native Hawaiian community, and federal laws that contain consultation requirements. Native Hawaiian experts from

academia, community organizations, state government, and cultural groups presented sessions and facilitated visits to cultural sites.

- Hosted a webinar in September 2022 in collaboration with Arizona State University (ASU) titled “Federal Indian Law and the Federal Treaty & Trust Responsibility”. Ninety-five attendees joined the virtual webinar including DoD personnel from the Military Departments. A recording of the webinar is available on the DENIX Native American Affairs webpage (www.denix.osd.mil/na);
- Initiated an update of the DoD Instruction (DoDI) 4710.02: DoD Interactions With Federally Recognized Tribes by hosting tribal leaders in virtual, regional consultations in September 2022;
 - Tribal Leaders were invited to offer input on: how DoD could do more to clarify the definition and standards for consultation; how to protect tribal treaty and off-reservation rights; how DoD could work with tribes on issues related to threats from climate change; how DoD could coordinate to enhance use of traditional knowledge held by tribes; and how DoD could better communicate with tribes to enhance working relationships and identify opportunities to collaborate.
 - Written comments requested by October 28, 2022. The policy update will be finalized in 2024.
- Began drafting a Tribal Protocols Guidebook to aid DoD leaders and personnel on how to build and enhance relationships with Tribal governments.
- Provided funding to support indexing of the Tribal Treaty Database hosted by the Oklahoma State University, in partnership with the U.S. Department of the Interior and the U.S. Department of Agriculture;
- Continued to participate in continuous interagency coordination to enhance policy alignment and leveraging of federal resources to address tribal concerns and improve consultation efforts, including:
 - White House Council on Native American Affairs (WHCNAA);
 - The WHCNAA Working group of the Interagency MOU on Protection of Tribal Treaty and Reserved Rights; and
 - White House Environmental Justice Advisory Council.
- Administered the Native American Lands Environmental Mitigation Program at \$20M in FY 2022 – the most ever awarded – to address environmental effects of past DoD activities on Indian lands and other locations where the DoD, the landowner, and the tribe agree. Projects will enable tribes to resume traditional and cultural subsistence activities and remediate threats to human health and the environment.

Native American Lands Environmental Mitigation Program

Under the 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) held a virtual NALEMP Biennial Meeting of federal and tribal partners in March 2022 to review program policy, budgeting, and coordination to address cleanup activities. ODASD(E&ER) also monitored progress on projects activities funded under 23 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 2022, 15 tribes from five states participated in NALEMP. To date, DoD has executed 369 CAs with 65 tribal nations at a total funding level of over \$179 million.

In January 2021, NALEMP legislation was codified into law as part of the National Defense Authorization Act for Fiscal Year 2021 (P.L.116-283), providing OSD permanent authority to implement the program and establishes in law the principles that have governed the program since 1996.

Innovative Readiness Training Program (IRT)

The 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 DoD 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."

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 provided below, the IRT program assists in creating new partnerships in surrounding communities and supports underserved areas of the United States, including tribal communities.

Alaska

The Army Reserve partnered with the Kodiak Area Native Association to provide over 6,000 no-cost medical procedures and services in coordination with the Kodiak Island Arctic Care mission. Medical support will include medical mission command, mission command for health service support, and mission command for force health protection support. The Army National Guard, Marine Corps Reserve, Active Duty Air Force, Air National Guard, and Air Force Reserve supported this mission, conducted May 2-15, 2022.

California

The Army Reserve partnered with the K'ima:w Medical Center (Hoopa Valley Tribe) to provide no-cost medical services to the local population in coordination with Operation Walking Shield. The mission provided medical, behavioral health, dental, nursing, outreach, and community education support. The Air National Guard and Air Force Reserve supported this mission.

Idaho

The Army National Guard partnered with the Kamiah Nimiipuu Health organization (Nez Perce Tribe) to provide no-cost clinical care services, including dental care, to the native population in April 2022. Military medics, nurses, dentists, physician's assistants, and physicians received real world training in screening, assessing, and treating patients. The Air National Guard supported this mission.

Montana

The Air National Guard partnered with the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana to provide real world civil engineering support and services to the Blackfeet Indian Reservation. This mission included administrative and personnel support functions, providing an exceptional opportunity to accomplish both unit and individual readiness.

Oklahoma

The Air National Guard, in partnership with the Cherokee Nation, provided real world medical services training with additional administrative and personnel support at multiple operational sites. The Army Reserve, Army National Guard, and Active Duty Air Force also supported this mission.

Service personnel from the Air National Guard, in partnership with the Cherokee Nation, provided real world civil engineering support & services readiness training with additional administrative and personnel support functions. Training included vertical and horizontal construction operations in support of veterans' housing for the Cherokee Nation. The Army National Guard supported this mission.

II. Alaska NORAD Region and Alaskan Command

Introduction

This report covers actions by the Alaskan NORAD Region (ANR) and Alaskan Command (ALCOM) to consult and conduct outreach with tribal governments and Alaska Native Corporations (ANCs) during the reporting period. ANR and ALCOM's efforts demonstrate a commitment that goes beyond what is required in Federal law and DoD policy. In addition to meeting the requirements of various laws, executive orders, and policies for government-to-government consultation, ANR/ALCOM strives to build and enhance enduring relationships with federally recognized tribes, ANCs, and Alaska Native organizations located throughout our joint operations area (JOA), which covers the entire state of Alaska. There are 227 federally recognized tribes (nearly 40 percent of the nation's tribes), 12 regional ANCs, and 150+ village ANCs located within the ANR and ALCOM JOA. Communications throughout this reporting period were executed via in-person meetings, WebEx, Zoom, phone, text, email, and U.S. Mail. All tribes and Native organizations referred to in this segment of the overall DoD report are in the state of Alaska.

Consultation and Outreach

ANR and ALCOM continued throughout this reporting period to facilitate relationship building and promote consultation to advance restorative efforts regarding the historic U.S. military bombardment of the tribal communities of Angoon, Kake, and Wrangell in the late 1800s. ANR and ALCOM's focus supports the DoD's government-to-government relationships with and responsibilities to federally recognized tribes. The intent is to meaningfully acknowledge this humbling history and properly recognize the impacts that DoD activities have had on the region. Such efforts represent a step forward in the effort to build substantive and enduring conditions of trust with Alaska Native people.

ANR and ALCOM Native Affairs Liaison (NAL) provided direct support to the Office of the Secretary of Defense (OSD) for several strategic engagements with the Organized Village of Kake, the Wrangell Cooperative Association, and the Sealaska Heritage Institute during October of 2021. On October 14, 2021, ANR and ALCOM NAL facilitated a virtual meeting between the DoD Senior Advisor and Liaison for Native American Affairs (SALNAA), and Dr. Rosita Worl, President, Sealaska Heritage Institute, to discuss OSD's planned visits to Juneau, Kake, and Wrangell. On October 17, 2021, ANR and ALCOM NAL participated in a cultural welcome hosted by the Wrangell Cooperative Association. ANR and ALCOM NAL facilitated relationships for the OSD listening session led by Mr. Richard Kidd, Deputy Assistant Secretary of Defense for Environment & Energy Resilience, and the DoD SALNAA with the Wrangell Cooperative Association on October 18, 2021. On October 19, 2021, ANR and ALCOM NAL participated in a community tour hosted by the Organized Village of Kake and facilitated relationships for the OSD listening session held in Kake on October 20, 2021. On October 21, 2021, ANR and ALCOM NAL facilitated an in-person visit between the DoD SALNAA and Dr. Rosita Worl in Juneau.

ANR and ALCOM held several events in preparation for and in support of military exercise ARCTIC EDGE 2022 (AE22). On January 10, 2022, CDR ANR and ALCOM sent letters of notification to eight tribes to inform them of AE22 and to connect the tribes with Special Operations Command North (SOCNORTH) units training in and around their village areas. Notifications were sent to: Native Village of Barrow; Central Council of Tlingit and Haida Indian Tribes of Alaska; Douglas Indian Association (DIA); Inupiat Community of the Arctic Slope; Native Village of Kotzebue; Native Village of Noatak; Sun'aq Tribe of Kodiak; and the Village of Wainwright. ANR and ALCOM NAL followed-up the letters with phone calls. CDR SOCNORTH followed-up with further communications and a letter dated January 20, 2022. AE22 was held in February and March of 2022. The objectives of AE22 included testing the ability of organizations, personnel, and equipment to operate in extreme cold weather environments and collect lessons on how best to prepare for future cold weather operations across the Arctic. No tribes expressed concerns in advance of the exercise. ANR and ALCOM resolved a post-exercise noise complaint reported from the Village of Anaktuvuk Pass during the AFN North Slope Roundtable on April 14, 2022.

In addition to tribal notifications, ANR and ALCOM NAL held staff level courtesy visits with the Central Council Tlingit Haida Indian Tribes of Alaska, Douglas Indian Association, and the Sealaska Heritage Institute on March 8, 2022, in preparation for AE22-related activities in the

Juneau area. The Douglas Indian Association collaborated with U.S. Army divers representing the 74th Engineer Dive Detachment to remove debris from the Gastineau Channel in 2019. DIA informed CDR ANR and ALCOM of these efforts during a leader-to-leader visit in the spring of 2020. ANR and ALCOM used this information to coordinate the efforts of the AE22 exercising unit Mine Countermeasure (MCM) Group 3 to share imagery of the Gastineau Channel floor with a federally recognized tribe in March 2022. The government-to-government relationship permits sharing of information, with the aim to protect subsistence fishing equipment that could be damaged by sea-floor debris. Sharing information with tribes affirmed tribal sovereignty and fostered trust between the military and Alaska Native communities, encouraging future collaboration. This positive exchange contributed to the military's overall working relationship within Native communities in Alaska and supported the viability of vital Alaska Native subsistence activities.

CDR ANR and ALCOM hosted representatives of the Central Council of Tlingit and Haida Indian Tribes of Alaska and Douglas Indian Association for relationship building during AE22 Distinguished Visitor's (DV) Day in Juneau on March 15, 2022. Tribal representatives toured a U.S. Coast Guard Cutter and socialized with senior military leaders who operate in Alaska.

CDR ANR and ALCOM produced USNORTHCOM's Arctic Symposium held May 2-6, 2022, at the Dena'ina Center in Anchorage. Several esteemed Alaska Native leaders participated in the forum, providing information to General Officers and Senior Military Leaders from around the world who serve in the Arctic region.

On the evening of May 6, 2022, CDR USNORTHCOM, exchanged gifts with the 2nd Chief and Vice President of the Native Village of Eklutna (Eklutna Village) after she provided a traditional welcome to guests during Alaskan Command's 75th Anniversary event. Eklutna Village is the only federally recognized tribe within the Municipality of Anchorage and has an active and long-term relationship with the military.

ANR and ALCOM NAL participated in Celebration at the invitation of Dr. Rosita Worl on June 8-9, 2022. Celebration is a biennial, four-day event that brings together and celebrates Southeast Alaska's Native peoples, dances, and cultures. The theme was "10,000 years of survival," with this year marking the 40th anniversary of the event. Approximately 1,200 dancers from 28 different dance groups performed, and thousands of people attended. ANR and ALCOM NAL leaders engaged with several Alaska Native leaders in support of the OSD effort towards healing the historical grievances of the Native communities of Angoon, Kake, and Wrangell targeted in the military bombardment of their villages in the late 1800s. Engagements held outside of meetings on specific topics provide a valuable opportunity to reinforce DoD's trust obligation to sovereign tribal governments and build trust with tribal members on a personal level.

ANR and ALCOM NAL assisted North American Aerospace Defense Command (NORAD) by contacting and providing notification to the Inupiat Community of the Arctic Slope, Native Village of Kaktovik, and the North Slope Borough on August 5, 2022, regarding deployment of military equipment near Kaktovik. The purpose of the equipment installation is to improve awareness, identification, and flight safety for commercial and non-commercial aircraft operating in the

Chukchi and Beaufort Seas by complementing the NORAD North Warning System (NWS), which provides early detection and identification of aircraft in support of Homeland Defense.

ANR and ALCOM engaged in continuous communication with Ms. Julie Kitka, President, Alaska Federation of Natives (AFN), throughout the reporting period. Founded in 1966, AFN is the largest statewide Native organization in Alaska. Membership currently includes 158 federally recognized tribes, 141 village ANCs, 10 regional ANCs, and 12 regional nonprofit and tribal consortiums that contract to run federal and state programs. AFN's mission is to enhance and promote the cultural, economic, and political voice of the entire Alaska Native community. CDR ANR and ALCOM actively participated in the following AFN and congressional delegation co-hosted events during the reporting period:

- Roundtable “Leadership in Uncertain Times,” a hybrid event held on October 19, 2021.
- CDR ANR and ALCOM led a panel of senior military leaders during the AFN Annual Convention on December 13, 2021. The event was held virtually.
- Roundtable with a focus on the topic of Yukon-Kuskowim Delta Search and Rescue on December 27, 2021. The event was held virtually.
- Regional Roundtable focused on the North Slope, this was an in-person event held in Utqiagvik, Alaska on April 14, 2021. ALCOM also facilitated the engagement of Deputy Commander, USNORTHCOM, who participated virtually.
- CDR ANR and ALCOM facilitated a meeting between Commander USNORTHCOM and several Alaska Native leaders including Ms. Julie Kitka, President, AFN; Ms. Gail Schubert, President and CEO, Bering Straits Native Corporation (BSNC); Mr. Nagruk Harcharek, Operations Manager, Ukpeagvik Inupiat Corporation (UIC) Construction; and Mr. Richard Glenn, retired, former leader, Arctic Slope Regional Corporation (ASRC). This was an in-person meeting held on Joint Base Elmendorf-Richardson on May 6, 2022.

Policy Development and Implementation

During this reporting period, ANR and ALCOM NAL led the Alaska Military Tribal and Native Liaisons Synchronization Group to increase domain awareness, encourage collaboration, provide peer support, and to promote consistent implementation of DoD Alaska Native related policies and instructions. Native and tribal liaisons participate from the U.S. Army Garrison Fort Wainwright, Joint Base Elmendorf Richardson (Air Force led), Pacific Air Forces Regional Support Center (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.

ANR and ALCOM NAL provided instruction and guidance for incoming units that participated in AE22 to educate them on the requirements when DoD activities intersect with Alaska Native interests, and to instruct DoD Components on how to approach trust relationships with Alaska Native people. ANR and ALCOM NAL also held ongoing conversations, provided advice and multiple educational trainings to SOCNORTH as they prepare to exercise and train in Alaska on a more regular basis.

Training and Tools

Throughout the reporting period, ANR and ALCOM NAL provided education for international and national general officers who visit Alaska, key spouses, senior military leadership, senior-level management, and staff on Alaska Native cultural communications and DoD consultation responsibilities. ANR & ALCOM NAL also delivered training to Alaska Native tribal and executive level leadership, staff, and the general population of Alaska Native people on USNORTHCOM, ANR and ALCOM mission sets and priorities.

ANR and ALCOM NAL facilitated Mr. Willie Hensley's visit and educational session at the Command Headquarters on January 24, 2022, which was broadcast virtually to a large group of military leaders with interest in the Arctic. Mr. Hensley is one of the principal architects and a driving force behind the passage of the Alaska Native Claims Settlement Act (ANCSA) of 1971 and the creation of the AFN. He also served multiple Alaska state legislative terms, starting at the age of 25.

CDR ANR and ALCOM hosted the Anchorage Unanga Dancers to educate and provide a cultural performance during ALCOM's 75th Anniversary event held at the Alaska Aviation Museum on May 6, 2022. We chose the Anchorage Unanga Dancers due to the deep impact that WWII had on the people and culture of the Aleut region. Eight hundred and eighty-one Alaska Native people were forcibly removed from the Aleutian Islands and interned at five camps in Southeast Alaska. They were held for several years throughout the war in unsanitary camps, with no plumbing, electricity, nor toilets. Nearly 10 percent of the evacuees died in the camps. This major cultural disruption caused many people to stop speaking their Native language and left them unable to practice their cultural traditions. Collaboration with the Anchorage Unanga Dance group for our 75th anniversary event was a meaningful way to recognize this humbling part of history and to make a positive step towards healing.

ANR and ALCOM NAL facilitated relationships between the 673 Medical Group and Alaska Native subject matter experts for their participation as special guest speakers in the Arctic Medicine Conference, held on Joint Base Elmendorf Richardson on May 6, 2022.

ANR and ALCOM NAL facilitated information sharing, knowledge, and education by hosting representatives of the Central Council of Tlingit and Haida Indian Tribes of Alaska and a retired leader from the Cook Inlet Regional Corporation (CIRI) to speak during the Alaska Military Tribal and Native Liaisons 3rd Annual Meeting, held on Joint Base Elmendorf Richardson on June 16, 2022.

III. Department of the Army

Introduction

The Department of the Army has stable and enduring government-to-government relations with federally recognized tribes. The Army recognizes that the government-to-government relationship is based on the acknowledgement of tribal sovereignty. The Army respects and takes into

consideration the significance that federally recognized tribes ascribe to protected tribal resources when undertaking military readiness mission activities and when managing Army lands. The Army fully integrates the principles of meaningful consultation and communication with federally recognized tribes at all organizational levels including staff officers and civilian officials. The Army considers the unique qualities of individual federally recognized tribes when applying these principles. The Army recognizes the importance of understanding and addressing the concerns of federally recognized tribes prior to reaching decisions on matters that may affect tribal rights, tribal lands or protected tribal resources. The government-to-government relationship between the Army and federally recognized tribes is implemented in a manner that sustains the Army military readiness mission while minimizing effects on protected tribal resources.

Consultation and Outreach

Headquarters Department of the Army (HQDA)

Beginning in November 2021, the Army Federal Preservation Officer (FPO) in the Office of the Assistant Secretary of the Army for Installations, Energy and Environment initiated an eight-month nation-wide consultation regarding the Program Comment for Army Vietnam War Era housing proposed under the National Historic Preservation Act (NHPA). Program Comments are a method for Federal agencies to meet their obligations under Section 106 of the NHPA in a programmatic manner for repetitive management actions.

The Army implemented an extensive tribal consultation process for the Army Vietnam War Era Program Comment from November 2021 through June 2022. The Army FPO invited nation-wide participation from all federally recognized tribes, all Tribal Historic Preservation Officers (THPOs), Native Hawaiian Organizations (NHOs), and non-governmental tribal organizations, including the National Association of Tribal Historic Preservation Officers (NATHPO) in the development of the Program Comment. The Army received written comments from tribes and consulted directly with tribal members on a government-to-government basis during the consultation period. The Army sought, discussed, and closely considered the views of all tribal participants in the Program Comment consultation process and, where feasible, reached agreement regarding matters arising during the consultation.

Army Materiel Command (AMC)

AMC oversees 10 Major Subordinate Commands (MSCs) that manage 95 Army installations and has a presence in all 50 states. The command manages and operates the Army's industrial base comprised of 26 depots, arsenals, and ammunition plants. The command also oversees 40 active Army installations operated by their MSC, the Installation Management Command (IMCOM).

Aberdeen Proving Ground (APG), Maryland

During the reporting period from October 2021 to August 2022, APG conducted four consultations involving 15 federally recognized tribes located in four states. The federally recognized tribes with ties to APG include: the Eastern Shawnee Tribe of Oklahoma; the Stockbridge-Munsee Mohican Indians; the Absentee Shawnee Tribe of Oklahoma; the Shawnee Tribe of Oklahoma; the

Oneida Indian Nation; the Oneida Nation of Wisconsin; the Onondaga Nation; the Seneca Nation of Indians; the Seneca Cayuga Tribe of Oklahoma; the Delaware Tribe of Indians; the Delaware Nation; the St. Regis Mohawk Tribe; the Tonawanda Seneca Nation; the Tuscarora Nation; and the Seneca Nation of New York. Consultation addressed a variety of proposed projects, including: the proposed demolition of the Atkisson Dam on November 10, 2021; the Army Research Laboratory building 1122 Reconstruction and Operation on July 12, 2022; the Construction, Operation, and Maintenance of the Woodley Road Extension to Maryland Route 715 on November 30, 2021; and the APG Adelphi Laboratory Center, Blossom Point Research Facility Environmental Assessment for the Continuation of Facility Mission Operations on April 27, 2022.

Fort Belvoir, Virginia

Fort Belvoir consults with 13 federally recognized tribes: the Catawba Indian Nation (SC); Chickahominy Indian Tribe (VA); Chickahominy Indian Tribe-Eastern Division (VA); Delaware Tribe of Indians (OK); Delaware Nation (OK); Eastern Band of Cherokee (NC); Monacan Indian Nation (VA); Nansemond Indian Nation (VA); Pamunkey Indian Tribe (VA); Rappahannock Tribe, Inc. (VA); Tuscarora Nation (NY); United Keetoowah Band of Cherokee Indians of Oklahoma (OK); and the Upper Mattaponi Tribe (VA). Fort Belvoir consulted with tribes on three projects and conducted consultations under Section 6 of the Native American Graves Protection and Repatriation Act (NAGPRA) with 11 tribes.

Fort Bliss, Texas

Fort Bliss conducted several consultations during the reporting period involving seven federally recognized tribes in four states, including: Comanche Nation (OK); Ysleta del Sur Pueblo (TX); Pueblo of Isleta (NM); Kiowa Tribe (OK); White Mountain Apache Tribe (AZ); Mescalero Apache Tribe (NM); and the Fort Sill Apache Tribe (OK). Two consultations occurred in the context of NHPA Section 106 compliance to review Research Designs for archeological data recovery projects. The data recovery projects entailed the mitigation of two historic properties with identified prehistoric occupations in the form of pit house villages. The Cultural Program at Fort Bliss, TX drafted two documents during the reporting period to facilitate tribal consultation, a Comprehensive Agreement (NAGPRA Plan of Action) and a Memorandum of Agreement (MOA) on consultation protocol that will be submitted to the tribes for review, input, and hopefully, agreement through the approval of tribal leadership.

Fort Drum, New York

Fort Drum has ongoing and highly valued consultation relationships with the Oneida Indian Nation, the Onondaga Nation, and the St. Regis Mohawk Tribe, all of New York. Specific consultation events during the reporting period included: corresponding with all three nations concerning the Traditional Ecological Knowledge Memorandum issued by President Biden and offering an opportunity to comment on the possibility of Fort Drum collaborating with State University of New York at Geneseo on a study of Haudenosaunee forest management using Fort Drum archaeological site and forestry data. Fort Drum consulted with all three tribes on archaeological reports and all the associated documentation for seven projects, including two timber harvests, a railhead improvement, creation of safe turtle nesting areas, repair of the

reflecting pool in the historic district, and documentation of a designated site to be added to the protected inventory. Fort Drum consulted with all three tribes concerning a possible archaeo-astronomy event to be hosted by the Colgate University Ho Tung Visualization Laboratory (planetarium). Fort Drum also provided all exhibit-planning materials for the Haudenosaunee portion of the proposed 10th Mountain Division and Fort Drum Museum to representatives of all three nations for comment. Fort Drum requested comments from all three tribes on an archaeological monitoring plan for berm repair activity in the Field Ammunition Supply Point, a sensitive archaeological area on Fort Drum. Fort Drum invited tribal elders from the three partner tribes to speak at a Cornell University-sponsored conference and discuss plans for a future cultural property protection program.

Fort Drum also coordinated consultation with all three nations on the Environmental Assessment concerning the proposed stationing of a Multi-domain Task Force at Fort Drum. Fort Drum took an international delegation of military officers to meet with Ron Patterson, Historian of the Oneida Indian Nation, and to visit Shakowi, the Oneida Nation Cultural Center. Fort Drum took an international delegation of military officers to visit the St. Regis Mohawk Roman Catholic Church and to visit the Akwesasne Museum, and collaborated with the archaeology team from the St. Regis Mohawk Tribe to provide geophysical data to support an archaeological survey of an area with possible burials. Fort Drum also welcomed a delegation of over 40 people from the St. Regis Mohawk Tribe to Fort Drum. Fort Drum hosted tribes at the 10th Mountain Division and Fort Drum Museum prior to coordinating camping in Training Area 5D. Fort Drum also coordinated all the necessary access and aviation quiet time for ceremonies at Fort Drum's calendar rock site for solstice, tobacco, and sun ceremonies in 2022. Fort Drum traveled to the Oneida Indian Nation Shakowi Cultural Center with four Army Reserve Officers' Training Corps Cultural Property Protection Intern Cadets so they could meet Historian Ron Patterson, along with the coordinator of the Cultural Center, and the Historic Resource Specialist for the Nation.

Fort Hood, Texas

Fort Hood's seven affiliated tribes are: the Apache Tribe of Oklahoma (OK); Caddo Nation of Oklahoma (OK); Comanche Nation of Oklahoma (OK); Kiowa Indian Tribe of Oklahoma (OK); Mescalero Apache Tribe (NM); Tonkawa Tribe of Indians of Oklahoma (OK); and the Wichita and Affiliated Tribes (OK). NHPA Section 106 consultations on Fort Hood operate under the Army Alternate Procedures (AAP) (see 36 CFR 800.14(a)) and Fort Hood's corresponding Historic Properties Component Plan (HPC) as certified by the Advisory Council on Historic Preservation (ACHP). Under the HPC, Fort Hood conducted over 120 NHPA Section 106 consultations with tribal stakeholders in FY 2022. The consultations included: discussions related to the upcoming FY 2022 HPC annual report which consists of a variety of proposed actions and plans including individual plant treatment and seeding in Training Areas; maintenance of low water crossings, trails, and roads; capping of prehistoric archaeological sites; water and fiber optic line upgrades along roadways; low water crossing and bridge repair/replacements; National Register of Historic Places (NRHP) testing on archaeological sites; and environmental assessments.

Fort Leavenworth, Kansas

The 17 tribes affiliated with Fort Leavenworth lands include: the Cheyenne and Arapaho Tribe (OK); Delaware Tribe of Indians (OK); Delaware Nation (OK); Iowa Tribe of Kansas and Nebraska (NE); Iowa Tribe of Oklahoma (OK); Kaw Nation (OK); Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas (KS); Nez Perce Tribe (ID); Omaha Tribe of Nebraska (NE); The Osage Nation (OK); Otoe-Missouria Tribe of Indians (OK); Prairie Band Potawatomi Nation (KS); Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac and Fox Nation of Oklahoma (OK); Sac & Fox Tribe of the Mississippi in Iowa (IA); and the Stockbridge-Munsee Mohican Tribe (WI), Stockbridge-Munsee Tribal Council. Consultation during the reporting period was limited to disposition of culturally unidentifiable Native American cultural items following updated NAGPRA Section 5 inventory of collections.

United States Army Garrison (USAG) Fort Lee, Virginia

Fort Lee consulted with tribes on a NHPA Section 106 MOA for the resolution of adverse effects on World War I era trenches (Site 44PG0299) on Fort Lee. Consulting parties included 13 tribes. Fort Lee currently has NHPA Section 106 tribal consultation underway for a Woodland period archeological site. The proposed removal of a dam and bank modification in the vicinity to alleviate significant erosion will affect a Woodland period site located downstream on one of the creek banks. Letters of invitation to consult will be sent to the following tribes prior to the end of the reporting period: Catawba Indian Nation (SC); Chickahominy Indian Tribe (VA); Chickahominy Indians Eastern Division (VA); Eastern Band of Cherokee Indians (NC); Eastern Shawnee Tribe of Oklahoma (OK); Monacan Indian Nation (VA); Nansemond Indian Nation (VA); Pamunkey Indian Tribe (VA); Rappahannock Tribe (VA); Shawnee Tribe of Oklahoma (OK); Tuscarora Nation (NY); United Keetoowah Band of Cherokee Indians in Oklahoma (OK); and Upper Mattaponi Indian Tribe (VA). As part of a DoD Legacy Program-funded project, Fort Lee is working in partnership with IMCOM on a pilot Regional Curation Project. Fort Lee also participated in consultations with tribes regarding the relocation of archaeological collections to the Fort Lee Regional Archaeological Curation Facility.

Fort George G. Meade, Maryland

Fort Meade conducted five NHPA Section 106 consultations during the reporting period involving 15 federally recognized tribes. The tribes consulted included: Absentee-Shawnee Tribe of Indians of Oklahoma (OK); Cayuga Nation of New York (NY); Delaware Nation (OK); Delaware Tribe of Indians (OK); Kansas Delaware Tribe (KS); Eastern Shawnee Tribe of Oklahoma (OK); Oneida Indian Nation (NY); Oneida Nation of Wisconsin (WI); Onondaga Nation (NY); Pawnee Nation (OK); Seneca-Cayuga Tribe (OK); Seneca Nation (NY); Stockbridge Munsee Community Band of Mohican Indians (WI); and the St. Regis Band Mohawk Tribe (NY). The consultations included discussions for the Fort Meade 100% Design for Finished Water Main and Valve Replacement, Verizon Cell Tower Installation, Fort Meade Barracks Project, National Security Agency Route 32 and O'Brien Road new access road, and the Fort Meade Solar Project on the Stockpile Site. In-person tribal outreach by Fort Meade is a logistical and budgetary challenge due the fact that all 15 of Fort Meade's tribal stakeholders are located great distances away from the installation (Oklahoma, New York, Kansas, Missouri, and Wisconsin).

Fort Polk, Louisiana

Fort Polk regularly consults with 10 federally recognized tribes affiliated with the installation including: the Alabama-Coushatta Tribe of Texas (TX); Alabama-Quassarte Tribal Town (OK); Caddo Nation (OK); Coushatta Tribe of Louisiana (LA); Chitimacha Tribe of Louisiana (LA); Choctaw Nation (OK); Jena Band of Choctaw Indians (LA); Mississippi Band of Choctaw Indians (MS); Thlopthlocco Tribal Town (OK); and the Tunica-Biloxi Indian Tribe (MS). The installation consulted with the tribes on three cultural resource management reports to request concurrence on National Register of Historic Places (NRHP) eligibility determinations. The consultations supported continued improvements on training lands. The installation invited tribal leadership to participate in a Naming Commission Listening Session. The meeting provided an opportunity for tribal leadership to offer input to the Naming Commission on the renaming of Fort Polk. The installation also completed a NAGPRA Section 6 summary following tribal consultation throughout that process.

Joint Base Lewis-McChord (JBLM), Washington

JBLM conducted several consultations during the reporting period involving three federally recognized tribes in Washington: the Nisqually Indian Tribe, the Puyallup Tribe of Indians, and the Squaxin Island Tribe. The consultations addressed a variety of situations and proposed actions. JBLM sent tribes 19 letters of invitation for Section 106 NHPA consultation regarding a variety of projects; three federally recognized tribes that have traditional territories that fall under current JBLM lands. These projects included the McChord Field bridges repairs, the Sequatchew Lake outlet repair and demolition, the renovation of various historic structures, and the Solo Point boat ramp replacement project. The tribes did not report any concerns with the projects. JBLM implemented extensive communications regarding the scheduling of the 2022 Leschi/Quiemuth Honor Walk with the Nisqually Indian Tribe. The Honor Walk is a culturally significant event that occurs within the boundaries of JBLM. JBLM also has requested an October 2022 meeting to discuss scheduling the 2023 Honor Walk with the Nisqually Indian Tribe. JBLM coordinated a site visit with representatives from the Nisqually Indian Tribe to the King Hill Pioneer Cemetery, a culturally and historically significant location. This successful meeting improved the lines of communication the Nisqually Indian Tribe and JBLM and allowed the tribe to raise concerns and requests with JBLM staff.

JBLM also coordinated 30 Range Access forms requesting to schedule tribal access to the base training areas. These events included multiple plant gathering sessions, canoe practice sessions, and the annual Canoe Journey event. Training area access reservations covered 62 unique days across eight different training areas. The total number of approved reservation days across all training areas was 343 (most requests covered identical days in different training areas). JBLM sent six consultation letters regarding the Programmatic Environmental Assessments for the Iron Dome Defense System and the Multi-Domain Task Force to the Nisqually Indian Tribe, the Puyallup Tribe of Indians, and the Squaxin Island Tribe. These letters were delivered either by certified mail or via email to the respective tribal chair. JBLM's Forestry program sends a weekly timber sale report to the Nisqually Indian Tribe. This report describes the upcoming areas of timber sale activity. No other tribes have requested the weekly report. Forty weekly reports have been issued between October 1, 2021, and August 31, 2022. Planned timber sales updates are also

transmitted to the Nisqually Indian Tribe, the Puyallup Tribe of Indians, and the Squaxin Island tribe via the Preview of Fiscal Year Timber Sales booklet issued by the Forestry program.

Joint Base Myer–Henderson Hall (JBM-HH), Virginia

JBM-HH conducted three government-to-government consultations during the reporting period involving renovation of buildings in Virginia and Washington, D.C. These efforts include outreach under the National Environmental Policy Act (NEPA) compliance procedures for the Area Development Plan (March 2022), one new project start (Barracks 248 renovation, June 2022), and several engagements for an ongoing Renovation and Maintenance program addressing Army Family Housing. Tribal consultation was undertaken in March 2022 on the Area Development Plan Programmatic Environmental Assessment. Consultation included outreach to seven federally recognized tribes: Catawba Indian Nation, Delaware Nation of Oklahoma, Delaware Tribe of Indians, Eastern Band of Cherokee Indians, Pamunkey Indian Tribe, Tuscarora Nation of New York, and United Keetoowah Band of Cherokee.

Milan Army Ammunition Plant (MLAAP), Tennessee

MLAAP conducted one consultation involving six federally recognized tribes during the current reporting cycle. This phased consultation addressed AMC Command General directed 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. MLAAP's consultation is pending results of the phase I cultural resources survey on 4,500 acres of property.

Military Ocean Terminal Concord (MOTCO), California

The United States Army Corps of Engineers (USACE), Sacramento District, on behalf of MOTCO conducted 10 consultations involving 14 federally recognized tribes during the reporting period. The consultations addressed a variety of proposed actions including a proposed construction of Access Control Point 1, a proposed repair of an Army Reserve Center wash rack, proposed construction of a boat ramp, the construction of a duct bank, the replacement of multiple rail curves and the installation restoration cleanup of Site 40 under a time critical removal action. Consultation also included Wharf 2 generator installation, the MOTCO Railroad modernization projects, and the Union Pacific Railroad industrial lead project.

Picatiny Arsenal, New Jersey

During the reporting period from late September/October 2021 to August 2022, USAG Picatinny conducted two consultations involving five federally recognized tribes in three states. The consultations occur under a procedure outlined in the Historic Property Component Plan related to the AAP for NHPA Section 106 compliance. Consultations during this reporting period addressed two archaeological surveys for current and future proposed projects related to test range activities, expansion and construction of Earth Covered Magazines, as well as a technical assistance request to review features identified during a third archaeological survey prior to the official report

becoming available. Actions taken to ensure active participation and effective consultation with tribal nations include an invitation to consult sent via email, follow-up phone calls and emails made during the request to consult within the time allotted to confirm the consultation request was received, and the utilization of confirmed delivery for the receipt of files. All tribes have a 30-day review period and as a courtesy are provided an additional 15 days to review any item should the consultation period close with no response. After the 15-day courtesy, should USAG Picatinny receive no response, it is assumed that the tribe(s) has/have agreed with the proposed findings or projects or do not wish to participate in consultation.

Radford Army Ammunition Plant (RFAAP), Virginia

AMC's RFAAP conducted 42 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 one response from the Cherokee Nation regarding the invitation to consult.

Redstone Arsenal, Alabama

During the reporting period, Redstone Arsenal conducted consultations with 16 federally recognized tribes for the disposition of cultural items under NAGPRA Section 3. Redstone Arsenal also 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), including Standard Operating Procedures for tribal consultation, and a NAGPRA plan of action.

Rock Island Arsenal, Illinois

Rock Island Arsenal conducted one consultation with a federally recognized tribe during the reporting period, which is ongoing at the time of this report. The undertaking involves the development of a NHPA Section 106 agreement to support the transfer of family housing maintenance and operation to a lessee partner. Eight tribes were invited to participate in consultation, and the installation is awaiting responses.

U.S. Army Garrison (USAG) Alaska

USAG Alaska regularly consults with seven tribes, one regional Alaska Native Corporation (ANC), one regional non-profit service provider, and seven village ANCs regarding Army activities on its 1.6 million managed acres divided among two installations and eleven other various training and recreation properties. During this reporting period, USAG Alaska conducted two regularly scheduled biannual government-to-government meetings. These meetings bring together six of the seven tribes for relationship reinforcement and needs/risk assessment for tribal-Army interface. Concerns over Army activities were discussed and these meetings, in their twentieth year, increase transparency and honor the federal trust responsibility. Staff-to-staff level

consultation occurred on four occasions. Assistance from regional tribes was requested for the granting of appropriate indigenous names to significant archaeological sites on Army-managed lands. Working with elders and tribe-selected linguists, the installation was able to progress the state-endorsed mission to continue the recovery of indigenous place names. Alaska Native tribal and corporation leaders were invited to, and tribal members participated in reflagging ceremonies in June 2022 at both Forts Wainwright and Richardson (Joint Base Elmendorf-Richardson). Participant provided prayers and blessings to the new US Army Alaska (11th Airborne Division) mission realignment. USAG Alaska senior leaders took part in a cultural immersion experience in November 2021, spending an afternoon with elders of Denakkanaaga-interior Alaska's native elder organization-to improve the knowledge base for leaders and move toward greater cultural engagement in support of the Army's Arctic Strategy. Assistance from tribes and the regional tribal service provider, Tanana Chiefs Conference, was received for four Hunter Information Forum sessions held from June through August 2022. These sessions brought subject matter experts from state and federal agencies and tribes to assist soldiers with being more ethical and knowledgeable hunters. Tribal members spoke to the customary practices and beliefs regarding hunting, harvest, and resource management.

White Sands Missile Range (WSMR), New Mexico

The WSMR Commanding General attended the semi-annual New Mexico Tribal Leaders Meeting at Kirtland AFB on November 15, 2021. The meeting is held every two years at Kirtland AFB to bring together all 20 tribal leaders (Governors and Presidents) to hear briefings on on-going missions and activities at New Mexico's four military installations (three United States Air Force and one Army). The Commanding General gave an overview of WSMR activities to the assembled tribal leaders and answered questions about WSMR programs.

Army National Guard (ARNG)

The ARNG represents 54 states and territories each comprising an ARNG installation. For the ARNG, responsibility for initiating government-to-government consultation is delegated to the state and territory ARNG adjutant generals, with most day-to-day consultation and coordination occurring within the environmental offices via a cultural resources manager (CRM) or designated representative. ARNG regularly engages in consultation with over 80 federally recognized tribes.

In the Northeast, there are 16 state ARNGs reporting consultations with over 17 federally recognized tribes. While the smaller states and Puerto Rico have limited or no affiliated Tribal nations, there are efforts to identify and expand tribal engagement. Maryland ARNG is working to improve consultation and identify tribes with interest. Virginia ARNG (VAARNG) conducted three consultations with 17 federally recognized tribes. VAARNG completed their NAGPRA Section 5 & 6 documentation, with their format serving as a template for the other state ARNGs responsible for this NAGPRA compliance step. The state ARNGs routinely send Section 106 consultation letters to appropriate federally recognized tribes.

In the Midwest, over 60 federally recognized tribal nations are consulted regularly by the 18 Midwest state ARNGs. Most state ARNGs in the Midwest region consult with an average of 20

different federally recognized tribes, with Oklahoma ARNG (OKARNG) consulting with 46 tribes, the largest number of consulting tribes reported. Indiana ARNG worked on addressing an inadvertent discovery via their existing consultation protocols in the reporting period, with plans to repatriate to the Miami Tribe of Oklahoma in FY 2023. Wyoming ARNG (WYARNG) conducted virtual meetings with National Park Service's Fort Laramie National Site: 22 persons visited the online presentation room with tribes listening in on the online meeting: Fort Peck tribes of Assiniboine and Sioux, Northern Cheyenne Tribe, and Comanche Nation of Oklahoma. The WYARNG is also working on an existing repatriation agreement project with the Northern Arapaho Tribe. Arizona ARNG (AZARNG) and Texas ARNG (TXARNG) hosted a joint consultation with 31 tribes and initiated planning for the meeting in the reporting period.

Minnesota ARNG (MNARNG) hosted a consultation with two tribes and included tribal representatives in the DoD American Indian Cultural Communication and Consultation Course (AICCC) course hosted at their Camp Ripley Training Site in June 2022. OKARNG offers a standing invitation for tribal representatives and members to visit Camp Gruber Training Center (CGTC) for traditional activities or general inquiry. During this reporting period, a representative of Muscogee Nation (OK) visited CGTC and conducted traditional plant gathering at the installation. TXARNG provides information on hunting opportunities at training sites to tribes and conducted field visits with representatives from three tribes as part of a Traditional Cultural Property Survey.

The nine state ARNGs in the Southeast include 21 federally recognized tribes in their consultation efforts. In early 2000s, the consulting tribal representative suggested the Southeast ARNGs conduct an annual face-to-face meeting with tribes, rotating location between state ARNGs. While the pandemic and funding resulted in the FY 2022 Native American Consultation (NAC) switching to a virtual format now scheduled for October 2022, this opportunity continues to be the centerpiece of engagement for these ARNGs. In addition to the NAC, there are standard Section 106 consultations initiated via electronic and standard mailings. On average, the Southeast region completes around 30 individual consultations per year via Section 106 packages. Louisiana ARNG sent invites to tribes to meet at location of their choice and plan on following up on the two tribes interested in this option.

The eight Western state ARNGs consult with over 40 tribal governments. Many of the Western states collaborate with other military installations or state agencies to conduct quarterly or routine face-to-face tribal consultations, as well as maintain consultation via virtual and electronic formats. On average, over ten Section 106 Consultations were completed per state ARNG reporting for this period (three state ARNGs). The Idaho ARNG (IDARNG) participates in the Return of the Boise Valley Peoples Conference where leadership met with the Shoshone Bannock tribes, Shoshone-Paiute tribes, Fort McDermitt Paiute-Shoshone Tribe, Burns Paiute Tribe, and the Confederated Tribe of the Warm Springs. The IDARNG utilizes the DoD Innovative Readiness Training Program to provide engineering and medical support to local tribes. These projects allow soldiers to train while building a partnership with Idaho tribes. The Oregon ARNG (ORARNG) engages in government-to-government consultation with federally recognized tribes at the staff-to-staff level, as requested by the tribes. The ORARNG via the state's Oregon Military Department entered into an Intergovernmental Agreement with the Confederated tribes of the Umatilla Indian

Reservation for an ongoing habitat restoration project. Utah ARNG (UTARNG) conducted multiple outreach activities with tribes during the reporting period. In April 2022, UTARNG completed a cultural exchange with seven tribes, other DoD installations, and the Utah Division of Indian Affairs at the Natural History Museum of Utah. UTARNG participated in a panel discussion and breakout session at the annual Utah Governor's Native American Summit in July 2022. UTARNG also worked with other Utah Military Installations and the 22 consulting tribes on a 2022 Tribal Flag calendar.

The Pacific region is unique for each ARNG. Alaska has 229 Alaska Native villages, which makes consultation unique for the Alaska ARNG (AKARNG). Based on the distribution of their armories across the state, they consult with over 100 villages and over 100 Alaska Native corporations on cultural resource issues. A Tribal Liaison within the Adjutant General's office handles many government-to-government contacts while the Cultural Resources Manager is responsible for Section 106 NHPA, NEPA and NAGPRA related consultations. While there are no federally recognized tribes in Hawai'i, the Hawai'i ARNG (HIARNG) consults with multiple NHOs pursuant to Section 106 of the NHPA. In the past year, the HIARNG has consulted with at least 12 NHOs on six separate occasions.

United States Army Reserve Command (USAR)

The USAR and its regional Readiness Divisions (RD) support installations and properties across the United States and its territories. USAR works with its federally recognized tribal partners and meets its responsibilities to consult meaningfully on activities that may have the potential to affect protected tribal resources. The USAR engaged with 385 federally recognized tribes in 49 states.

Fort McCoy, Wisconsin

Fort McCoy's five current tribal stakeholders include the Ho-Chunk Nation of Wisconsin, the Iowa Tribe of Kansas and Nebraska, the Winnebago Tribe of Nebraska, the Shakopee Mdewakanton Sioux Community of Minnesota, and the Upper Sioux Community of Minnesota. Of these five stakeholders, the latter two, the Shakopee Mdewakanton and Upper Sioux community have specified their interest as being limited only to NAGPRA-related issues and do not regularly consult on NRHP tribal consultation cases or projects.

In April of 2022, the Fort McCoy Garrison Commander initiated government-to-government consultation with 34 tribes that had historical or traditional associations with the Fort McCoy region. The goal of this outreach was to discover if any other tribes wished to consult with Fort McCoy on NRHP issues. Four new tribal partners expressed an interest in consultation and are now considered tribal stakeholders. A teleconference and on-site tour are planned for new consulting partners the week of September 26, 2022, to introduce them to the Native American sites located on Fort McCoy and provide initial information regarding any potential tribal concerns. One tribal nation, the Ho-Chunk Nation of Wisconsin, has traditionally been the primary tribal consultation partner at Fort McCoy based on their communities' modern proximity to the installation and their primary claim to historic territories in the area. Fort McCoy has maintained a tribal consultation Memorandum of Understanding with the Ho-Chunk Nation since 1999.

Fort McCoy Tribal Consultations with the Ho-Chunk Nation (Wisconsin) during the reporting period: Consultation involving tribe in 19th century homestead study to include tribal allotment settlements in the area. The Tribal Historic Preservation Officer (THPO) wishes to participate. Consultation will also be held regarding 1870 newspaper records of tribal burials along the installation boundary. The THPO confirmed that the burial ground in question is known to the tribe, is on private land, and not adjacent to or on the installation. The Garrison Commander and Tribal President held a signing ceremony to celebrate renewal of Tribal Consultation MOU at Ho-Chunk Nation headquarters in Black River Falls, Wisconsin. Fort McCoy also consulted on future management plans for a Native American burial mound site and sacred site, on August 15, 2022, and consulted regarding planning a field tour of the sacred site on installation; the tour will be held for late September of 2022.

Fort McCoy Tribal Consultations with the Winnebago Tribe (Nebraska) during the reporting period included: Fort McCoy welcomed a new THPO as a consulting partner; Fort McCoy provided background information on NAGPRA status, Native American artifact collections and other information as needed to the THPO; Fort McCoy consulted on future management plans for Native American burial mound site and sacred site; and consulted regarding field tour of a sacred site on the installation, with the tour scheduled for late September 2022.

Fort McCoy Tribal Consultations with the Iowa tribe (Kansas and Nebraska) during the reporting period included: Fort McCoy provided background information on the status of its collections of items subject to NAGPRA; consulted on future management plans for the Native American burial mound site and sacred site; and consulted regarding a field tour of a sacred site on the installation, with the tour scheduled for late September 2022.

Fort Devens, Massachusetts

Fort Devens is in Middlesex County, Massachusetts, and covers 5,220 acres of land. Fort Devens is within the traditional territory of the federally recognized Mashpee Wampanoag Tribe (MA), the Wampanoag Tribe of Gay Head (Aquinnah) (MA), and the Nipmuc Nation, which is not a federally recognized tribe, but is recognized by the State of Massachusetts. One consultation has taken place thus far in fiscal year 2022 regarding revisions to the ICRMP.

63rd Readiness Division

The 63rd RD is headquartered out of Mountain View, California, and covers an area of responsibility 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 area. During the reporting period, the 63rd RD conducted nine consultations involving 51 federally recognized tribes. Notable issues on which the 63rd RD conducted consultation in this period include: the Osage Nation's return to its pre-COVID protocol of providing hard copies of project reports; the Osage Nation request for archaeological monitoring of an undertaking involving the construction at a Barling, Arkansas Army Reserve Center; the Osage Nation request

to provide a Secretary of Interior Standards- qualified archaeologist to monitor the project; the Osage Nation request to have daily monitoring reports sent to the tribal archaeologist; and consultation on an easement project in California resulting in the deferring of consultation by the Ione Band of Miwok Indians (California) to non-federally recognized Native Americans located in the project area. The 63rd RD also worked with the Tejon Tribe regarding a water line project at the 63rd RD's facility in Bakersfield, California. The Tejon Tribe recommended cultural as well as archaeological monitoring. For this project, the 63rd RD is collaborating with the tribe to provide archaeological and cultural monitoring; it has the capacity to provide both forms of monitoring.

Due to COVID-19, in-person collaborations involving the participation of tribes, most notably Earth Day activities, were not held during the reporting period. Alternatively, the 63rd RD supported tribal interest and collaboration by creating an inadvertent discovery poster containing general information and pictures on cultural resources that are of interest to tribes and how to protect them. This poster is being distributed for display throughout the 63rd RD's footprint. This poster was also shared with the Fort Hunter Liggett installation as an example of outreach for its cultural resources team.

88th Readiness Division

The 88th RD is headquartered out of Fort Snelling, Minnesota covers an area of responsibility 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. There are 129 federally recognized tribes with ancestral or cultural affiliations to USAR properties within the area. The 88th RD conducted two consultations involving 31 federally recognized tribes. These consultations addressed a variety of proposed actions, including on-going consultation for the development of the Kansas City Area Development Plan Environmental Assessment Notice of Availability (NOA) in March 2022. The consultations required addressing potential effects associated with short and long-range facility improvement actions within 14 individual Army Reserve centers spanning 26 counties in Kansas and Missouri and consultation for the Phase 1 Archeological Survey of 5.72 acres in Sioux City, Iowa, during December 2021. The 88th RD will continue to consult with federally recognized tribes and implement the 19 individual Installation Cultural Resource Management Plans (ICRMPs) that cover more than 260 Army Reserve properties.

99th Readiness Division

The 99th RD is headquartered out of Fort Dix, New Jersey, and covers an area of responsibility that includes 13 states and the District of Columbia, including: Connecticut; Delaware; Maine; Maryland; Massachusetts; Pennsylvania; New Hampshire; New Jersey; New York; Rhode Island; Vermont; Virginia; and West Virginia. Twenty-seven federally recognized tribes have ancestral or cultural affiliations to properties within the 99th RD area of responsibility; the Division conducts consultations with all of them as required.

The 99th RD consulted with five tribes to address requirements under NAGPRA to identify the cultural affiliation of human remains discovered at the former ARC in Hiller, PA. The five tribes are the Delaware Nation (OK); Delaware Tribe of Indians (OK); Seneca Nation of Indians (NY); Shawnee Tribe (OK); and Tonawanda Band of Seneca (NY). Numerous emails and phone calls have taken place throughout the fiscal year. There was a virtual meeting on April 25, 2022, between the 99th RD and the tribes to discuss where and when the remains were found, the current location of the remains, and a path forward for repatriation. The 99th RD sent out early coordination letters April 22, 2022, to: the Absentee-Shawnee Tribe of Indians of Oklahoma; Cherokee Nation (OK); Cayuga Nation (NY); Delaware Nation (OK); Delaware Tribe of Indians (OK); Eastern Band of Cherokee (NC); Eastern Shawnee Tribe of Oklahoma (OK); Oneida Indian Nation (NY); Oneida Nation (WI); Stockbridge-Munsee Community Band of Mohican Indians (WI); and the United Keetoowah Band of Cherokee Indians in Oklahoma (OK). This coordination was to notify them of the Environmental Assessment underway for the Area Development Plan for the New York City metro area. The Area Development Plan Environmental Assessment covers facility improvement projects at the Caven Point Army Reserve Center in Jersey City, New Jersey; the Alexander Hamilton Army Reserve Center in Lodi, New Jersey; the CW2 Kerry P Hein Army Reserve Center in Shoreham, New York; and the Erie Pyle Army Reserve Center located in Fort Totten, New York. Responses were received from two of the tribes contacted. The Cherokee Nation replied on June 1, 2022, stating that the project was outside their area of interest. The Stockbridge-Munsee Community Band of Mohican Indians responded May 12, 2022, stating that they were researching any known traditional resources and/or cultural sites within the area of potential effect, and also noted interest in additional opportunities to consult on the individual undertakings.

81st Readiness Division

The 81st RD is headquartered out of Fort Jackson, South Carolina, and covers an area of responsibility 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. Thirty-one federally recognized tribes have with ancestral or cultural affiliations to properties within the 81st RD area of responsibility and the District consults with each of them as required. The 81st RD conducted two consultations during the reporting period related to proposed military construction in the Miami, Florida metro area. Request for input were sent to the Seminole Tribe of Florida and the Miccosukee Tribe of Indians in January 2022. To date, neither tribe has responded.

Policy Development and Implementation

HQDA

During the reporting period, the Army coordinated updated its consultation policy in its revised draft Army Regulation 200-1 *Environmental Compliance, Enhancement and Protection*. Department of the Army policy ensures that 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. Army regulation requires consultation policy implementation at all echelons within the Army.

Training and Tools

AMC

AMC distributes training opportunities to installations when training opportunities become available. Available training opportunities consist of webinars and online training events supported by the National Park Service, IMCOM, and the Naval Civil Engineer Corps Officer School (CECOS). IMCOM conducts an annual Cultural Resources Trends Course virtually and in 2022 included sessions on communication and tribal consultation, and NAGPRA. IMCOM training activities during the reporting period included: ongoing facilitation of garrison specialist working groups; developing consultation guidance documents; recommending Standard Operating Procedures; Best Management Practices; and providing template documents to facilitate consultation communications. The information will be incorporated in a Command Cultural Resources Management (CRM) Playbook. The IMCOM annual Cultural Resources Trends Course will be delivered virtually and include sessions on communication and tribal consultation, NAGPRA, and differences and requirements for Traditional Cultural Properties and Sacred Sites. IMCOM also hosts virtual monthly Cultural Resource Community of Practice (CoP) meetings and provides timely communications covering multiple CRM topics, including tribal consultations.

ARNG

In the reporting period, the MNARNG hosted the DoD American Indian Cultural Communications and Consultation course at Camp Ripley, MN (June 2022). Attendance included the ARNG G-9, HQDA staff, and seven state ARNGs. In addition, the ARNG G-9 newsletter included stories on Tribal Consultation Best Practices. Across the state ARNGs, there are a variety of mechanisms to provide training and awareness related to tribal consultation requirements and issues to different audiences, ranging from the command staff, soldiers, the public and maintenance and facilities staff. Some examples are highlighted as follows: WYARNG cultural resource manager and environmental staff briefed the Adjutant General (TAG) prior to consultation meetings. The WYARNG also provides environmental briefs to all Unit leadership who come to train at Camp Guernsey. This training brief includes a short film on cultural resources protection and stewardship. WYARNG also conducts an Inadvertent Discovery Plan brief by the CRM or cultural resources representative to anyone planning to disturb ground at WYARNG facilities. UTARNG conducts leadership briefs prior to any tribal consultation meeting. UTARNG also provides cultural briefs to fire crews each spring, so they are aware of the cultural resources at Camp Williams. In addition, if a project is located near/within an archaeological site at any UTARNG property, a similar cultural brief is provided to the construction crews.

USAR

Office of the Chief, Army Reserve

During the reporting period, both the Cultural Resources Program Coordinator and the Natural Resources Program Coordinator regularly disseminated professional development opportunities, training and other resources throughout the command, including: the ACHP training modules and publications including “Updated Federal Training Course on Working Effectively with Tribal Governments” (March 2022), a memorandum and associated documentation on Historic Preservation Training (March 2022) that disseminated training on topics related to cultural resources management and history preservation, the in-person American Indian Cultural Communications and Consultation Course (June 2022), an online speaker series in compliance of the 2021 Memorandum of Understanding regarding Interagency Coordination and Collaboration for the Protection of Tribal Treaty Rights and Reserved Right MOU to train appropriate staff on how to recognize tribal treaty and reserved rights (May 2022, July 2022), an online webinar Tribal Nations and Indigenous Peoples Engagement in NEPA: Challenges and Best Practices (June 2022), and an in-person Native Hawaiian Cultural Communications and Consultation training course (August 2022).

63rd Readiness Division

Initial and refresher training offered by the 63d RD’s Training Program Manager during this period provided soldiers and facility personnel training that would enhance effective government-to-government consultation. The types of projects requiring tribal consultation, and the affiliated tribes to facilities were included in the training. Numerous training classes occurred in person from November 2021 through August 2022 in multiple locations in California, Texas, Arizona, and Arkansas. The total number of personnel trained in the initial and refresher classes is 327. The 63d RD also conducted in-person training for facility coordinators that included mention of Native American concerns regarding burial sites and religious places. That training took place in October 19-21 (Tustin, California); November 2-4, 2021 (Phoenix, Arizona); December 14-16, 2021 (Grand Prairie, Texas); January 11-13, 2022 (Houston, Texas); July 19-21, 2022 (Mountain View, California); August 16-18, 2022 (Barling, Arkansas). The training was also streamed live for virtual participants. An estimated 107 participants attended the presentation in person. The 63d RD’s cultural team participated in two trainings that augment organization-wide compliance with the DoD American Indian and Alaska Native Policy (DoDI 4710.02) and Executive Order 13175.

On February 28 to March 3, 2022, the cultural resources team participated in an Advanced Historic Preservation Law held by CECOS. On June 29, 2022, the cultural resources team participated in a web-based training titled, “Tribal Nations and Indigenous Peoples Engagement in NEPA: Challenges and Best Practices.” The training was held by the FedCenter Training. On December 8, 2021, and June 27, 2022, training provided by the cultural resources team contractor support was provided to about 18 civilians and contractors. The topics covered included tribal monitoring and sacred sites as well as traditional cultural properties.

88th Readiness Division

During the reporting period, the Training Program Manager taught 52 initial and refresher classes to facility personnel and soldiers that included information about cultural resources laws and cultural protection measures within 88th RD properties. Eighteen of 19 states within the 88th RD area of responsibility had training courses during the reporting period. The total number of personnel in attendance for the initial and refresher classes was 682.

99th Readiness Division

The civilian resource conservation manager and contractor conservation program coordinator both attended the virtual Federal Training Course on Working Effectively with American Indian and Alaska Native Tribal Governments in April 2022. The civilian resource conservation manager also completed the EJScreen 2.0 Enhancements and Demonstration Overview for tribes and Indigenous Peoples virtual webinar in May 2022.

Fort Devens, Massachusetts

During the quarterly Environmental Quality Control Committee (EQCC) meetings, the Environmental Specialist briefed the Command Group on the ongoing Native American and cultural/historic issues and opportunities at Fort Devens. This is done through a short training the Environmental Specialist created on the Section 106 process and the requirements Fort Devens has for performing consultation, timelines, etc.

IV. Army Corps of Engineers

Introduction

The U.S. Army Corps of Engineers (USACE or the Corps) serves as the Nation's engineers and provides engineering solutions to our Nation's toughest challenges, including those challenges facing American Indian and Alaska Native tribes. 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 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*. 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 provide foundational guidance for how USACE carries out its missions. During the reporting period, USACE conducted over 8,000 consultations and outreach coordination activities with tribal governments.

Consultation and Outreach

This section highlights national and regional engagements.

National Engagement – Modernization of Army Civil Works

Army Civil Works and USACE issued a Federal Register Notice on June 3, 2022, to modernize and advance the Corps Civil Works program through a number of policy initiatives. The initiatives are focused on modernizing Civil Works programs to better serve disadvantaged communities, strengthen communications and relationships to solve water resources challenges, build innovative, climate-resilient infrastructure to protect communities and ecosystems, upgrade the Nation’s waterways and ports to strengthen supply chains and economic growth, and invest in science, research, and development to deliver enduring water-resources solutions. The Federal Register Notice called for gathering oral and written comments that will be used to inform future decision making related to: 1) Tribal Consultation Policy update; 2) Comprehensive guidance on the Tribal Partnership Program; 3) rulemaking action on the Corps’ Regulatory Program’s implementing regulations for the National Historic Preservation Act at 33 CFR 325, Appendix C; 4) rulemaking action on Principles, Requirements, and Guidelines; and 5) Environmental Justice Policy, including Section 160 of the Water Resources Development Act of 2020 draft definition of an “economically disadvantaged community.” Army Civil Works and the Corps conducted eleven virtual public and tribal listening sessions on each policy area. There was one joint meeting with the public and tribes and five separate tribal listening sessions. Army Civil Works and the Corps have developed comments summaries and are currently working on reviewing comments by policy initiative and developing recommended responses. This is an ongoing effort that will extend over the fiscal year and result in additional public and tribal coordination and tribal consultations.

Great Lakes and Ohio River Division

The Detroit District Regulatory Office continued consultation within the reporting period with tribes during its Environmental Impact Statement (EIS) and Section 106 processes for the proposed Enbridge Line 5 Tunnel project in the Straits of Mackinac, Michigan. The Detroit District held recurring bimonthly consultation meetings with seven tribes, as well as ad hoc consultation meetings on topics such as planning for an ethnographic study of the project area, completed, and planned archaeological studies, and EIS contractor selection. In addition, Detroit District supported the Assistant Secretary of the Army for Civil Works in virtual and on-site consultation meetings with the Bay Mills Indian Community on June 13, 2022. The District continues to engage seven tribes as cooperating agencies in its EIS preparation. During the reporting period, the District contacted 22 tribes, in addition to the 17 tribes that had previously participated in consultation, to seek input on their interest in consultation and participation in the Corps’ ethnographic and traditional cultural landscape study of the Straits of Mackinac. These efforts enable a high level of tribal involvement and robust consultation to support the ongoing EIS and Section 106 review processes. The 17 tribes involved in consultation are Bay Mills Indian Community (MI), Grand Traverse Band of Ottawa and Chippewa Indians (MI), Little River Band of Ottawa Indians (MI), Little Traverse Bay Bands of Odawa Indians (MI), Match-E-Be-Nash-She-Wish Band of Pottawatomis (MI), Nottawaseppi Huron Band of the Potawatomi (MI),

Sault Ste. Marie Tribe of Chippewa Indians (MI), Keweenaw Bay Indian Community (MI), Lac Vieux Desert Band of Lake Superior Chippewa Indians (MI), Miami Tribe of Oklahoma (OK), Pokagon Band of Potawatomi Indians (MI), Red Cliff Band of Lake Superior Chippewa Indians (WI), Saginaw Chippewa Indian Tribe (WI), Red Lake Band of Chippewa Indians (MN), Hannahville Indian Community (MI), Menominee Tribe of Wisconsin (WI), and Lac du Flambeau Band of Lake Superior Chippewa Indians (WI).

Mississippi Valley Division

The St Paul District conducted Tribal consultation on dredged material management plans (DMMP). The Corps determined due to the nature of the undertakings associated with dredged material placement and associated activities, and because effects on historic properties are similar and repetitive and are regional in scope, that a programmatic agreement (PA) was needed to clarify review procedures, improve consistency, consultation, and accountability in fulfilling its responsibilities to comply with Section 106 of the National Historic Preservation Act (NHPA) pursuant to 36 CFR § 800.14(b)(2). The PA developed applies to all dredged material placement undertakings under DMMP that have the potential to cause effects and require Section 106 review after the execution of the PA. The Corps continues to develop individual DMMPs, as necessary, to accommodate the long-term management of dredged material for the continued operation and maintenance of the Project. The Corps initiated consultation with leaders of 33 tribal nations, including: Bad River Band of the Lake Superior Tribe of Chippewa Indians (WI); Flandreau Santee Sioux Tribe of South Dakota (SD); Fond du Lac Band of the Minnesota Chippewa Tribe (MN); Fort Belknap Indian Community (MT); Grand Portage Band of the Minnesota Chippewa Tribe (MN); Ho-Chunk Nation of Wisconsin (WI); Iowa Tribe of Kansas and Nebraska (KS); Iowa Tribe of Oklahoma (OK); Keweenaw Bay Indian Community (MI); Kickapoo Tribe of Oklahoma (OK); Lac du Flambeau Band of Lake Superior Chippewa Indians (WI); Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan (MI); Leech Lake Band of the Minnesota Chippewa (MN); Little Traverse Bay Bands of Odawa Indians (MI); Lower Sioux Indian Community (MN); Menominee Indian Tribe of Wisconsin (WI); Miami Tribe of Oklahoma (OK); Mille Lacs Band of Ojibwe (MN); Omaha Tribe of Nebraska (NE); Otoe-Missouria Tribe of Indians (OK); Prairie Island Indian Community (MN); Red Cliff Band of Lake Superior Chippewa Indians (WI); Sac & Fox Nation of Missouri in Kansas and Nebraska; Sac & Fox Nation (OK); Sac & Fox Tribe of the Mississippi (IA); Santee Sioux Nation (NE); Shakopee Mdewakanton Sioux (MN); Sisseton-Wahpeton Oyate of the Lake Traverse Reservation (SD); Sokaogon Chippewa Community (WI); Spirit Lake Tribe (ND); Upper Sioux Community (MN); White Earth Band of the Minnesota Chippewa Tribe (MN); and Winnebago Tribe of Nebraska (NE); and 31 Tribal Historic Preservation Officers (THPO) across 10 states in November 2021. Two tribal nations did not have an acting THPO or cultural preservation director.

In addition to official letters being sent throughout the PA development, the Corps hosted an information webinar to kick off the PA development process and established monthly consulting party workshops. All webinars, workshops, and consultation efforts were conducted virtually due to the extensive geographic area of the project and consulting parties and the ongoing considerations regarding COVID-19. Consultation efforts led to the successful execution of a PA in August 2022, covering the Corps' DMMPs spanning over 230 river miles of the Mississippi River. Tribes were instrumental in the development of the PA and language ultimately included in the agreement.

North Atlantic Division

New York District (NAN) has consulted with four federally recognized tribes with ancestral ties to NAN's Area of Responsibility (AOR) regarding civil works projects including the New York New Jersey Harbor Deepening Channel Improvement Study and the Atlantic Coast of New Jersey Sea Bright to Manasquan Inlet Project. The tribes consulted were the Delaware Nation (OK), the Delaware Tribe of Indians (OK), the Stockbridge Munsee Community (WI), and the Shawnee Tribe (OK). Coordination included written correspondence, electronic data submissions, and Public Notices. No formal government-to-government consultation meetings were held within the reporting period. One NEPA/NHPA/tribal-focused meeting was held on May 23, 2022, for the New York and New Jersey Harbor and Tributaries (HAT) Study.

Northwestern Division

The Northwestern Division and the Walla Walla District (WA) conducted government-to-government consultation for the successful transition of the management of Dworshak National Fish Hatchery (DNFH) to the Nez Perce Tribe (ID). DNFH is owned by the USACE, managed by US Fish and Wildlife Service, and serves as mitigation for the construction of Dworshak Dam and the four Lower Snake River Dams. After three years of negotiation and collaboration, the parties reached an agreement to transfer hatchery management responsibility to the Nez Perce Tribe. The transfer ceremony held on June 16, 2022, was a celebration of this milestone agreement and included remarks by the Secretary of Interior and Assistant Secretary of Army (<https://www.youtube.com/watch?v=6U8DiWklBYQ>). The transition to Tribal management highlights USACE's fulfillment of its tribal policy principles and the implementation of the Administration's policies prioritizing greater federal-tribal cooperation.

St. Louis District

The Mandatory Center of Expertise for Curation and Management of Archeological Collections (MCX CMAC), located at the St. Louis District, also continues work on curation regionalization efforts across the USACE. Most recently, this has been assistance to the North Atlantic Division (NAD) and included 6 consultation meetings. These involved 9 tribal nations outside of the MVD boundaries including: Mashpee Wampanoag Tribe (MA); Mi'kmaq Nation (ME); Pamunkey Indian Tribe (VA); Passamaquoddy Tribe, Pleasant Point (ME), Passamaquoddy Indian Tribe, Indian Township (ME); Shinnecock Indian Nation (NY), Upper Mattaponi Tribe (VA); Rappahannock Indian Tribe (VA); Seneca Nation of Indians (NY), and Wampanoag of Gay Head-Aquinnah (MA).

Based on coordination for the NAD Regionalization Initiative, MCX CMAC anticipates finalizing recommendations for NAD, with provision of these recommendations to NAD leadership in the next reporting period.

Pacific Ocean Division

The Alaska District had several notable outcomes from the consultations during the reporting period, including one signed Feasibility Cost Share Agreement for a Tribal Partnership Program Feasibility Study with the Native Village of Atka (AK), a Planning Assistance to States and Tribes Agreement with Native Village of Deering (AK), and ten (10) successfully awarded Cooperative Agreements (CA) as part of the DoD-sponsored Native American Lands Environmental Mitigation Program which USACE Districts execute. The CAs were with Eklutna Native Village, Native Village of Tazlina, Village of Anaktuvuk Pass, Native Village of Tanacross, Kenaitze Indian Tribe, Native Village of Ouzinkie, Native Village of Saint Michael, Native Village of Tetlin, Qawalangin Tribe of Unalaska, and Yakutat Tlingit Tribe.

In addition, the Alaska District Regulatory Program invited all 227 federally recognized tribes in Alaska to consult on a permit application associated with the former property of Wrangell Indian Boarding School, seeking transparent and open communication to any Alaska Native community or individual who may have an interest or association with the now demolished school. To date, only the Wrangell Cooperative Association (federally recognized tribe) has responded to the Wrangell boarding school notification.

South Atlantic Division

The Charleston District Regulatory Program consulted with the Catawba Indian Nation to maintain a positive relationship between the district and the tribe and to improve information exchange. The Charleston District Regulatory Program conducted consultation, coordination and outreach actions for Section 106 National Historic Preservation undertakings involving 12 federally recognized tribes in five states. The federally recognized tribes included the Absentee-Shawnee Tribe of Oklahoma (OK), Alabama-Quassarte Tribal Town (OK), Catawba Indian Nation (SC), Cherokee Nation (OK), Chickasaw Nation (OK), Eastern Band of Cherokee Indians (NC), Eastern Shawnee Tribe of Oklahoma (OK), Kialegee Tribal Town (OK), Muscogee (Creek) Nation (OK), Poarch Band of Creek Indians (AL), Seminole Tribe of Florida (FL) and Shawnee Tribe (OK). Notable outcomes from the consultation, coordination, and outreach included archaeological monitoring during ground disturbing activities and resolution of concerns from the Catawba Indian Nation regarding archeological monitoring.

South Pacific Division

The Los Angeles District made a commitment to return a stone historically removed from Morro Rock, a site sacred to the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation (CA) and the Salinan Tribe of San Luis Obispo and Monterey Counties (CA) among others, during execution of a future navigation project. The Los Angeles District Commander Colonel Julie Balten attended a reunification ceremony that was hosted by the tribes on August 20, 2022.

Southwestern Division

Consultation was predominantly undertaken through correspondence, though in-person meetings occurred, notably including Tulsa District representatives visiting the Kaw Nation, Oklahoma to discuss land management, real estate, water supply, environmental and cultural resources, and other potential partnership opportunities at Kaw Lake in Oklahoma. The Tulsa District also met with The Osage Nation representatives to discuss and make site visits related to NAGPRA in Kansas. Notable outcomes of this work include: incorporating tribal interests and concerns into the master planning, management, and land usage on Tulsa District projects; the Tulsa District and Kaw Nation, Oklahoma partnering on land management to benefit the environment and protect local communities; and continuing to build positive working relationships with many of the tribes who have interest in the activities being undertaken in this region. All 38 federally recognized tribes who have interests within the Tulsa District area of responsibility were invited to the Change of Command ceremony held on July 8, 2022. Representatives from The Muscogee (Creek) Nation, Kaw Nation, Oklahoma, and The Choctaw Nation of Oklahoma were able to attend.

Policy Development and Implementation

National Engagement – Modernization of Army Civil Works

Army Civil Works and the U.S. Army Corps of Engineers have developed draft comprehensive guidance on the Tribal Partnership Program. The authority, Section 203 of WRDA 2000, as amended, allows for the design and construction of water resources development projects up to a federally authorized limit, currently \$18.5M per project or separable element of a project, without further authorization by Congress. As a result, there has been an increase in the number of feasibility studies and the need for a comprehensive guidance based on lessons learned as the program matures. The comments received during the virtual public and tribal meetings along with comments from the docket from the Federal Register Notice on the modernization of Civil Works will be used to further inform the draft comprehensive guidance. Army Civil Works and the Corps will provide the draft guidance to Tribes for comments prior to finalization.

South Pacific Division

South Pacific Division (SPD) Commander Colonel (Promotable) Antoinette Gant signed a memorandum on October 26, 2021, that designates the Albuquerque District as the lead district for the Navajo Nation Program. Navajo Nation is the largest Indian reservation in the United States, covering approximately 27,000 square miles in three states. Albuquerque District, Los Angeles District, and Sacramento District, with assistance from the Tribal Nations Technical Center of Expertise will serve the Navajo Nation through flood risk management and other critical infrastructure projects. Due to challenges expressed by the Navajo Nation in dealing with multiple offices, SPD leadership determined that Albuquerque District would serve as the single point-of-contact, coordinating all three Districts, to ensure “One Door to the Corps.” Anticipated outcomes include improved internal coordination needed to identify and pursue available authorities and funding best suited to meet the most pressing needs of the Navajo Nation. In addition, internal

coordination would ensure external communications with the tribe would be greatly improved, strengthening the overall relationship between USACE and the Navajo Nation.

Northwestern Division

The Northwestern Division is updating its tribal consultation and coordination policy and has shared a draft with our tribal partners for comment and review (completed November 2021). Army Civil Works and the Corps are updating their tribal consultation policy and once finalized the Division will ensure alignment, finalize the Northwestern Division policy in the next reporting period, and provide training to each of our five Districts on the updates and critical components to ensure compliance with DoDI 4710.02 and E.O. 13175.

Training and Tools

Pacific Ocean Division

The Alaska District held ten trainings in the reporting period, three within the District and seven internal to USACE. Alaska District works with 227 Alaska Native Villages and Alaska Native Corporations. The three District trainings focused on enhancing the awareness and skills of civilian personnel responsible for engaging and consulting with Alaska Native tribes. These trainings were virtual and included training on the cultural history of Alaska Natives, and on cultural communication skill building. The USACE trainings included presentations on best practice and case studies for the Planning Community of Practice webinar series on Environmental Justice and the 2021 Summer Series and highlighted projects in the Alaska Native communities of Utqiagvik, Nome, and Elim. In addition to the trainings, the Alaska District also participated in five presentations at Alaska Native organizations' conventions and conferences, including two panel discussions led by the Alaska District Commander at the Alaska Federation of Natives (AFN) Annual Convention. One panel included all military leaders in the state of Alaska and the second panel highlighted opportunities for Alaska Native communities following the recent passage of the Infrastructure Investment and Jobs Act of 2022. Additional presentations were made by the Formerly Used Defense Program (FUDS) and Civil Works Programs staff at the Alaska Tribal Conference for Environmental Managers (ATCEM) and the Alaska Climate Adaptation Community of Practice quarterly meetings in 2022.

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 U.S. 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 133 consultation and outreach efforts with 142 federally recognized Tribes at 35 installations in 25 states. Organized by component and region, this section of the DoD-wide 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 conducted a total of 57 consultation and outreach initiatives during the reporting period at 12 installations: Marine Corps Air Station Yuma, AZ; Marine Corps Base Camp Lejeune, NC; Marine Corps Base Quantico, VA; Marine Corps Logistics Base Albany, NY; Marine Corps Recruit Depot Parris Island, SC; Marine Corps Reserve Center Battle Creek, MI; Marine Corps Air Ground Combat Center Twenty-nine Palms, CA; Marine Corps Air Station Beaufort, SC; Marine Corps Air Station Miramar, CA; Marine Corps Air Ground Combat Center, Edwards Air Force Base, CA; Marine Corps Base Camp Pendleton, CA; Marine Corps Logistics Base, Barstow, CA.

Marine Corps consultations involved 84 federally recognized Tribes: Absentee-Shawnee Tribe of Indians of Oklahoma (OK); Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation (CA); Ak-Chin Indian Community (AZ); Alabama-Coushatta Tribe of Texas (TX); Alabama-Quassarte Tribal Town (OK); Augustine Band of Cahuilla Indians (CA); Barona Band of Mission Indians (CA); Bay Mills Indian Community (MI); Cabazon Band of Mission Indians (CA); Cahuilla Band of Indians (CA); Campo Kumeyaay Nation (CA); Catawba Indian Nation (SC); Cayuga Nation (NY); Chemehuevi Indian Tribe [Nüw] (CA); Cherokee Nation (OK); Chickahominy Indian Tribe - Eastern Division (VA); Chickahominy Indian Tribe (VA); Chickasaw Nation (OK); Choctaw Nation of Oklahoma (OK); Cocopah Indian Tribe (AZ); Colorado River Indian Tribes (AZ); Colorado River Indian Tribes [Mohave, Chemehuevi, and Navajos] (AZ); Colorado River Indian Tribes of the Colorado River Indian Reservation (AZ and CA); Coushatta Tribe of Louisiana (LA); Delaware Nation (OK); Delaware Tribe of Indians (OK); Eastern Band of Cherokee Indians (NC); Eastern Shawnee Tribe of Oklahoma (OK); Ewiiapaayp Band of Kumeyaay Indians (CA); Fort Mojave Indian Tribe (AZ, CA, and NV); Gila River Indian Community of the Gila River Indian Reservation (AZ); Grand Traverse Band of Ottawa and Chippewa Indians (MI); Hannahville Indian Community (MI); Hopi Tribe (AZ); Iipay Nation of Santa Ysabel (CA); Inaja-Cosmit Band of Indians (CA); Jamul Indian Village (CA); Keweenaw Bay Indian Community (MI); Kialegee Tribal Town (OK); La Posta Band of Mission Indians (CA); Lac Vieux Desert Band of Lake Superior Chippewa Indians of Michigan (MI); Little River Band of Ottawa Indians (MI); Little Traverse Bay Bands of Odawa Indians (MI); Manzanita Band of the Kumeyaay Nation (CA); Match-e-be-nash-she-wish Band of Pottawatomis Indians of Michigan (MI); Mesa Grande Band of Mission Indians (CA); Miccosukee Tribe of Indians of Florida (FL); Mississippi Band of Choctaw Indians (MS); Monacan Indian Nation (VA); Morongo Band of Mission Indians [Serrano, Cahuilla, and Cupenos] (CA); Muscogee (Creek) Nation of

Oklahoma (OK); Nansemond Indian Nation (VA); Nottawaseppi Huron Band of the Potawatomi (MI); Pala Band of Mission Indians of the Pala Reservation (CA); Pamunkey Indian Tribe (VA); Pauma Band of Luiseño Indians of the Pauma & Yuima Reservation (CA); Poarch Band of Creek Indians (AL); Pokagon Band of Potawatomi Indians (MI and IN); Quechan Tribe of the Fort Yuma Indian Reservation (CA and AZ); Rappahannock Tribe, Inc. (VA); Saginaw Chippewa Indian Tribe of Michigan (MI); Salt River Pima-Maricopa Indian Community of the Salt River Reservation (AZ); San Carlos Apache Tribe (AZ); San Pasqual Band of Mission Indians (CA); Sault Ste. Marie Tribe of Chippewa Indians (MI); Seminole Nation of Oklahoma (OK); Seminole Tribe of Florida (FL); Seneca-Cayuga Nation (OK); Shawnee Tribe (OK); Sycuan Band of the Kumeyaay Nation (CA); Thlopthlocco Tribal Town (OK); Tohono O'odham Nation (AZ); Torres-Martinez Desert Cahuilla Indians (CA); Tuscarora Nation (NY); Twenty-Nine Palms Band of Mission Indians (CA); United Keetoowah Band of Cherokee Indians in Oklahoma (OK); Upper Mattaponi Tribe (VA); Viejas Band of Kumeyaay Indians (CA); Yavapai-Apache Nation of the Camp Verde Indian Reservation (AZ); Yavapai-Prescott Indian Tribe (AZ); Yuhaaviatam of San Manuel Nation (CA); Zuni Tribe of the Zuni Reservation (NM).

Outreach included public outreach and education planning, and the focus of consultations included Integrated Cultural Resources Management Plans (ICRMPs), Section 106 Undertakings, Programmatic Agreements, determinations of eligibility for listing the National Register of Historic Places, and Marine Corps-Tribal outreach meetings.

Navy

Naval District Washington

During the reporting period Naval Support Facility Dahlgren, VA, and Naval Support Facility Indian Head, VA, conducted two consultations with nine tribes in two states. These consultations included Section 106 review of a shoreline stabilization project at NSF Dahlgren, and development of a site synthesis and consultation plan for the Posey Site (18CH281/282). The installations consulted with the Chickahominy Indian Tribe (VA); Chickahominy Indian Tribe - Eastern Division (VA); Delaware Nation (OK); Delaware Tribe of Indians (OK); Monacan Indian Nation (VA); Nansemond Indian Nation (VA); Pamunkey Indian Tribe (VA); Rappahannock Tribe, Inc. (VA); and Upper Mattaponi Tribe (VA).

Navy Region Mid-Atlantic

Navy Region Mid-Atlantic conducted 14 consultation and outreach efforts with 39 federally recognized tribes in 14 states. Tribes engaged by the Navy included: Absentee-Shawnee Tribe of Indians of Oklahoma (OK); Catawba Indian Nation (SC); Cherokee Nation (OK); Chickahominy Indian Tribe (VA); Chickahominy Indian Tribe - Eastern Division (VA); Citizen Potawatomi Nation (OK); Delaware Nation (OK); Delaware Tribe of Indians (OK and PA); Eastern Band of Cherokee Indians (NC); Eastern Shawnee Tribe of Oklahoma (OK); Forest County Potawatomi Community (WI); Ho-Chunk Nation of Wisconsin (WI); Houlton Band of Maliseet Indians of Maine (ME); Mashpee Wampanoag Tribe (MA); Miami Tribe of Oklahoma (OK); Michigan and Indiana (MI); Mi'kmaq Nation (ME); Monacan Indian Nation (VA); Nansemond Indian Nation

(VA); Narragansett Indian Tribe (RI); Ottawa Tribe of Oklahoma (OK); Pamunkey Indian Tribe (VA); Passamaquoddy Tribe of Maine (ME); Penobscot Nation of Maine (ME); Peoria Tribe of Indians of Oklahoma (OK); Pokagon Band of Potawatomi Indians (MI and IN); Prairie Band of Potawatomi Nation (KS); Rappahannock Indian Tribe (VA); Sac and Fox Tribe of Mississippi in Iowa (IA); Seneca Nation of Indians (NY); Seneca-Cayuga Nation (OK); Shawnee Tribe (OK); Stockbridge-Munsee Community Band of Mohican Indians (WI); Tonawanda Seneca Nation (NY); Tuscarora Nation (NY); United Keetoowah Band of Cherokee Indians in Oklahoma (OK); Upper Mattaponi Tribe (VA); Wampanoag Tribe of Gay Head Aquinnah (MA); and Wyandotte Nation (OK).

Consultations and outreach were conducted by Philadelphia Navy Yard Annex, PA; Naval Station Great Lakes, IL; Naval Operational Support Center and / Naval Air Reserve Center Columbus, OH; Public Works Divisions at Great Pond Outdoor Adventure Center, Portsmouth Naval Shipyard, and Naval Support Activity Cutler, ME; Naval Weapons Station, Earle, NJ; Norfolk Naval Shipyard, VA; Joint Expeditionary Base Little Creek-Fort Story, VA; Naval Station Newport, RI; and Naval Weapons Station Yorktown, VA. These Tribal engagements included public outreach and education, planning, and consultation regarding Integrated Cultural Resources Management Plans, Section 106 reviews, and notifications of release required under the Comprehensive Environmental Response, Compensation, and Liability Act.

Navy Region Northwest

Navy Region Northwest (NRNW) conducted 11 consultation and outreach activities with 15 federally recognized tribes in one state. Tribes engaged by the Navy included: Cowlitz Indian Tribe (WA); Hoh Indian Tribe (WA); Jamestown S'Klallam Tribe (WA); Lower Elwha Klallam Tribe (WA); Lummi Nation (WA); Port Gamble S'Klallam Tribe (WA); Samish Indian Nation (WA); Sauk-Suiattle Indian Tribe (WA); Skokomish Indian Tribe (WA); Squaxin Island Tribe of the Squaxin Island Reservation (WA); Stillaguamish Tribe of Indians (WA); Suquamish Indian Tribe of the Port Madison Reservation (WA); Swinomish Indian Tribal Community (WA); Tulalip Tribes of Washington (WA); Upper Skagit Indian Tribe (WA).

Consultations conducted by NRNW and four installations involved Naval Air Station Whidbey Island, WA; Naval Station Everett, WA; Naval Base Kitsap, WA; and Naval Magazine Indian Island, WA. Consultation and outreach efforts included in-person meetings with the Department of Navy Deputy Assistant Secretary of the Navy for Environment and Mission Readiness, Mr. Karnig Ohannessian, Section 106 review and site visit for projects at Puget Sound Naval Shipyard, and the Quarterly Navy Region Northwest Tribal Leadership Council Working Group.

Navy Region Southeast

Navy Region Southeast conducted seven consultation and outreach efforts with 28 federally recognized tribes in seven states. Tribes engaged by the Navy included: Absentee-Shawnee Tribe of Indians of Oklahoma (OK); Alabama-Coushatta Tribe of Texas (TX); Alabama-Quassarte Tribal Town (AL); Chitimacha Tribe of Louisiana; Comanche Nation, Oklahoma (OK); Coushatta Tribe of Louisiana (LA); Delaware Nation, Oklahoma (OK); Eastern Shawnee Tribe of Oklahoma

(OK); Jena Band of Choctaw Indians (LA); Kialegee Tribal Town (OK); Kickapoo Traditional Tribe of Texas (TX); Kiowa Tribe (OK); Mescalero Apache Tribe of the Mescalero Reservation, New Mexico (NM); Miccosukee Tribe of Indians (FL); Mississippi Band of Choctaw Indians (MS); Poarch Band of Creek Indians (AL); Seminole Nation of Oklahoma (OK); Seminole Tribe of Florida (FL); Shawnee Tribe (OK); Chickasaw Nation (OK); Choctaw Nation of Oklahoma; Muscogee [Creek] Nation (OK); Seminole Nation of Oklahoma (OK); Thlopthlocco Tribal Town (OK); Tonkawa Tribe of Indians of Oklahoma (OK); Tunica-Biloxi Indian Tribe (LA); United Keetoowah Band of Cherokee Indians in Oklahoma (OK); and Wichita and Affiliated Tribes [Wichita, Keechi, Waco & Tawakonie] (OK).

Consultation and outreach was conducted by Naval Air Station Corpus Christi, TX; Naval Air Station Key West, FL; Naval Submarine Base Kings Bay, GA; Naval Support Activity Panama City, FL; and Naval Air Station Pensacola, FL. These initiatives included consultations under the Native American Graves Protection and Repatriation Act, Section 106 reviews, and reviews of inventory surveys and evaluations of eligibility for the National Register of Historic Places.

Navy Region Southwest

Navy Region Southwest conducted 42 consultation and outreach efforts with 46 federally recognized tribes in four states. Tribes engaged by the Navy included: Augustine Band of Cahuilla Indians (CA); Barona Band of Mission Indians (CA); Big Pine Paiute Tribe of Owens Valley (CA); Bishop Paiute Tribe (CA); Bridgeport Indian Colony (CA); Cabazon Band of Mission Indians (CA); Campo Kumeyaay Nation (CA); Cocopah Indian Tribe (AZ); Duckwater Shoshone Tribe (NV); Ewiiapaayp Band of Kumeyaay Indians (CA); Fort Independence Tribe of Paiute Indians (CA); Fort McDermitt Paiute and Shoshone Tribes (NV and OR); Fort Yuma Quechan Indian Tribe (AZ); Iipay Nation of Santa Ysabel (CA); Inaja-Cosmit Band (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); Lovelock Paiute Tribe (NV); Manzanita Band of Kumeyaay Nation (CA); Mesa Grande Band of Mission Indians (AZ); Paiute Shoshone Tribe of the Fallon Reservation and Colony (NV); Pala Band of Mission Indians (CA); Pauma Band of Luiseño Indians (CA); Pechanga Band of Indians (CA); Pyramid Lake Paiute Tribe (NV); Reno-Sparks Indian Colony (NV); Rincon Band of Luiseño Indians (CA); San Pasqual Band of Mission Indians (CA); Santa Rosa Indian Community of the Santa Rosa Rancheria (CA); Santa Ynez Band of Chumash Indians (CA); Soboba Band of Luiseño Indians (CA); Summit Lake Paiute Tribe (NV); Sycuan Band of the Kumeyaay Nation (CA); Te-Moak Tribes of Western Shoshone (NV); Timbisha Shoshone Tribe (CA); Torres-Martinez Desert Cahuilla Indians (CA); Utu-Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation (CA); Viejas Band of the Kumeyaay Nation (CA); Walker River Paiute Tribe (NV); Washoe Tribes (NV); Winnemucca Indian Colony (NV); Yerington Paiute Tribe (NV); and Yomba Shoshone Tribe (NV).

Consultations and outreach were conducted by Naval Air Facility El Centro, CA; Naval Air Station Fallon, NV; Naval Air Station Lemoore, CA; Naval Air Weapons Station China Lake, CA; Naval Base Coronado, CA; Naval Base Ventura County, CA; and Naval Weapons Station Seal Beach, CA. Included in these initiatives were site visits to Little Petroglyph Canyon, San Nicolas Island, NAS Fallon North Range, Section 106 reviews, and Native American Graves Protection and Repatriation Act-related (NAGPRA) consultations.

Policy Development and Implementation

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. Highlights are provided below:

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 ICRMP Guidelines. The Naval Engineering Facility Systems Command Headquarters administers the Navy’s ICRMP guidelines used by Navy shore installations to develop and implement these planning documents. The guidelines include substantive requirements for including Tribal consultation in the ICRMP development and implementation, 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 consultation protocol agreements.

Support for DoD-level Initiatives. The DON continues to support DoD initiatives to evaluate and improve tribal consultation. Both the Marine Corps and Navy collect consultation and compliance metrics annually, consistent with DoDI 4710.02, to assess the success of the DON Cultural Resources Program, including its outreach initiatives, consultation protocol agreements with federally recognized Tribes and overall compliance with the NAGPRA. The Marine Corps and Navy have designated positions filled by subject matter experts to ensure that policies and practices adequately inform consultations. Each DON component participates in the OSD-led Native American Integrated Product Team.

Training and Tools

Marine Corps

The 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. Throughout the reporting period, personnel from multiple installations completed trainings and courses that

include information on best practices for tribal consultation and relationship building, including "Introduction to Cultural Resources Management Laws & Regulations" (Virtual - Naval Civil Engineer Corps Officers School [CECOS]), "Advanced Historic Preservation Law & Section 106 Compliance" (Virtual - CECOS), "Tribal Nations and Indigenous Peoples Engagement in NEPA: Challenges and Best Practices" (Virtual - Environmental Protection Agency); and "Innovative Approaches to Section 106 Mitigation" (Virtual - Advisory Council on Historic Preservation [ACHP] through the American Cultural Resources Association).

At MCAS Miramar, cultural resources awareness training was provided as a part of a 1-hour natural/cultural resources awareness/compliance presentation for unit Environmental Coordinators. This training was provided to 14 active duty military, 3 civilian employees, and 3 contractors during the reporting period.

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.

In April 2022, Marine Corps Base Quantico's cultural resources program manager created a general cultural resources awareness brochure in honor of Earth Day and provided them to attendees at the 2022 Spring Fest at Quantico. The brochure included general information about the historic presence of tribes in the area, cultural resources laws and regulations, and what to do if someone finds an artifact on base.

Navy

Personnel from multiple installations within Navy Region Mid-Atlantic participated in online training, including courses such as Native American 101 offered by the National Preservation Institute, and Working Effectively with American Indian and Alaska Native Tribal Governments offered on www.Tribal.USAlerning.net.

Navy Region Northwest implemented its Tribal Outreach Plan to guide Navy leadership in fostering relationships with tribal leadership in government-to-government meetings, installation commanding officers' "State of the Stations" updates, and providing timely information on events that may be occurring in the tribal communities that provide opportunities to build relationships. Additionally, the Navy Region Northwest Tribal Liaison briefs incoming leadership to provide a foundation for tribal engagement and guidance for consultation, background on current issues, and introduction to the history and cultures of tribes in their areas of responsibility.

VI. Department of the Air Force

Introduction

The Department of the Air Force (DAF) is committed to complying with EO 13175, all applicable federal laws regarding consultation, and DoD policies regarding consultation with federally

recognized Tribes and Native Hawaiian Organizations (NHOs). The DAF continuously strives to improve tribal and NHO relations operating additionally under its own policy, Department of Air Force Instruction (DAFI) 90-2002, *Interactions with Federally Recognized Tribes*. The DAFI directs all levels of leadership to foster trusting, effective, and stable relationships that are beneficial to both the DAF and tribes.

The DAF has identified 329 federally recognized tribes and NHOs from 36 states as having cultural or historic affiliation with 132 U.S. Air Force, U.S. Space Force, and Air National Guard installations. During the reporting period, 37 DAF installations, the Air National Guard Readiness Center, and Air Force Global Strike Command conducted 172 formal consultations with federally recognized tribes and NHOs affiliated with the installations' lands and airspace. Consultations addressed a wide breadth of topics including relationship building and reaffirmation; execution of programmatic agreements for the management of historic properties; treatment of human remains and cultural items; protection of and access to cultural resources, treaty rights, and sacred sites; effects of DAF actions; ethnographic studies; and identification of resources of traditional and cultural importance to tribes. Installation Tribal Liaison Officers have been appointed for 143 installations, and 33 have developed Installation Tribal Relations Plans (ITRPs).

Consultation and Outreach

Air Combat Command (ACC)

Seven ACC installations (Beale Air Force Base [AFB], California; Davis-Monthan AFB, Arizona; Grand Forks AFB, North Dakota; Joint Base Langley-Eustis, Virginia; Moody AFB, Georgia; Mountain Home AFB, Idaho; Nellis AFB, Creech AFB, and the Nevada Test and Training Range [NTTR], Nevada; and Tyndall AFB, Florida) conducted a total of 35 consultations during the reporting period, involving 92 federally recognized tribes in 18 states. The consultations addressed a variety of situations and proposed actions including concerns regarding noise expected to result from proposed airspace actions at Davis-Monthan AFB; efforts to identify properties and sites of significance to Tribes at Grand Forks AFB; proposed airspace expansion initiatives at Mountain Home AFB, and management of the NTTR.

Davis-Monthan AFB consulted with the White Mountain Apache Tribe of the Fort Apache Reservation (AZ) regarding a proposed airspace action to identify a traditional cultural property (TCP) and noise sensitive areas for populated locations with senior Tribal members and nesting sites of Bald Eagles and Golden Eagles. Consultation for this action is still ongoing, and Davis-Monthan AFB is planning to meet in-person with the Tribal Council. Additionally, Davis-Monthan AFB is consulting with the San Carlos Apache Tribe of the San Carlos Reservation (AZ) and Tohono O'odham Nation of Arizona on this same action.

Davis-Monthan AFB actively supports a robust program to keep tribes affiliated with the lands and/or airspace the installation occupies updated on its operations. They hold a monthly event called the "Honoree Commander Program for Native American Tribes." Once per month, a representative from one tribe is invited to visit the installation and receive a briefing on operations at Davis-Monthan AFB. All Native American partners are also invited to community partnering

meetings. The following tribes have been asked to participate in both information sharing events: Hopi Tribe of Arizona (AZ), Pascua Yaqui Tribe of Arizona (AZ), San Carlos Apache Tribe of the San Carlos Reservation (AZ), Tohono O'odham Nation of Arizona (AZ), White Mountain Apache Tribe of the Fort Apache Reservation, Arizona (AZ), Yavapai-Apache Nation of Camp Verde Indian Reservation (AZ), Zuni Tribe of the Zuni Reservation (NM), Tonto Apache Tribe of Arizona (AZ), Mescalero Apache Tribe of Mescalero Reservation (NM).

During a drought in 2021, the Tohono O'odham Nation of Arizona's cattle were dying due to the lack of safe and accessible watering holes. Davis-Monthan AFB provided fifty-six, 55-gallon metal and plastic drums at no cost to the Nation. The drums were used to create water troughs and save both thousands of dollars in materials and ultimately their bovine assets.

Grand Forks AFB consulted with the Tribal Historic Preservation Officers (THPOs) from the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation (MT), Cheyenne River Sioux Tribe of the Cheyenne River Reservation (SD), Mille Lacs Band of Ojibwe (MN), Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation (MT), Standing Rock Sioux Tribe (ND/SD) and Turtle Mountain Band of Chippewa Indians of North Dakota (ND) regarding a Bird Air Strike Hazard (BASH) mitigation project. A notable outcome of this consultation is that the Air Force hired Traditional Cultural Specialists to survey the project area for TCPs; the survey took place in July 2022. The TCP and archaeology survey report will soon be provided to the consulting Tribes for review, as consultation on the BASH mitigation project is ongoing.

Grand Forks AFB invited Tribal partners, Buckley Space Force Base (SFB), Cavalier Space Force Station (SFS), Minot AFB, Grand Forks County, Grand Sky, and U.S. Customs and Border Protection to attend a May 23, 2022 virtual meeting. The installation also included contracting representatives from the installations to participate in the tribal meeting. Grand Forks AFB acted as host and brought the invited groups together to improve outreach, make introductions, improve connections with all base partners, to provide a wider platform for tribes to connect with during the meeting, and to foster potential collaborations.

Moody AFB conducted an installation-wide baseline archeological survey, which was completed in 2022. Thlopthlocco Tribal Town (OK) was involved in the development of survey and reviewed the results.

Mountain Home AFB in Idaho has been consulting with the Shoshone-Paiute Tribes of the Duck Valley Reservation (NV) and the Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation (NV/OR) regarding proposed airspace expansion initiatives. On 30 March 2022, Mountain Home AFB executed a memorandum of agreement with the Shoshone-Paiute Tribes of Duck Valley to address the effects of the expansion on properties and resources of significance to the Tribe.

The installation commanders from Nellis AFB, Creech AFB, and NTTR, all in Nevada, visited in-person the Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada (NV). They discussed future management of the NTTR withdrawn lands and initiatives to increase

consultation frequency between the parties. Consultation is still ongoing, and meetings to visit sites on NTTR and to discuss future collaboration efforts are scheduled.

Nellis AFB, Creech AFB, and NTTR hosted a virtual meeting 18-19 November 2021, and an in-person meeting 11-13 May 2022 for all Tribal partners: Big Pine Paiute Tribe of Owens Valley (CA); Bishop Paiute Tribe (CA); Chemehuevi Indian Tribe of the Chemehuevi Reservation, California (CA); Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California (AZ/CA); Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada (NV); Ely Shoshone Tribe of Nevada (NV); Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California (CA); Fort Mojave Indian Tribe of Arizona, California & Nevada (AZ/CA/NV); Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona (AZ); Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada (NV); Lone Pine Paiute-Shoshone Tribe (CA); Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada (NV); Paiute Indian Tribe of Utah (Cedar Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes) (UT); Timbisha Shoshone Tribe (CA/NV); Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California (CA); and the Yomba Shoshone Tribe of the Yomba Reservation, Nevada (NV). The 11-13 May 2022 meeting included a site visit to the NTTR attended by the commanders of NAFB, NTTR, and CAFB as well as tribal representatives to a site of cultural significance. During both the virtual and in-person meetings, the installation briefed tribal partners on numerous topics related to project driven initiatives as well as requested topics. Installation specialty shops, explosive ordnance disposal, natural resources, cultural resources, and business development, presented and answered questions from the tribes. External agency partners also attended in relation to desert bighorn sheep programs: Bureau of Land Management; National Park Service-Lake Mead Recreation Area and Thule Spring National Monument; U.S. Fish and Wildlife Service-Desert National Refuge; and the Nevada Department of Wildlife.

Air Education and Training Command (AETC)

Three AETC installations (Joint Base San Antonio, Texas; Luke AFB, Arizona; and Maxwell AFB, Alabama) conducted five consultations during the reporting period, involving 29 federally recognized tribes in six states. The consultations addressed a variety of situations and proposed actions including impacts of military pilot training operations from Luke AFB on the Tohono O'odham Nation of Arizona and the development of the Air University Campus Plan at Maxwell AFB.

Luke AFB consulted with the Tohono O'odham Nation of Arizona (AZ) through June and July 2022 to examine mission impacts to the Tribe from current military pilot training operations. Potential impacts to the Nation from the Regional Special Use Airspace (SUA) Optimization Plan project were also vetted, and the tribe indicated that their preference was Alternative 1 (No Action) for inclusion in the EIS. Although consultation is still ongoing, these consultation meetings reaffirmed the partnership between the 56th Fighter Wing (56 FW) and the Tohono O'odham Nation. Luke AFB also hosted an annual consultation meeting on the implementation and update of its Integrated Cultural Resources Management Plan (ICRMP).

On November 16, 2021, Navajo Nation member and Arizona Senator Jamescita Peshlakai gave a keynote talk to 56 FW members. The event was accompanied by a Native American song and dance exposition as part of Native American and Alaskan Native Heritage Month at Luke AFB.

Luke AFB regularly engages with Tohono O'odham Nation's Domestic Affairs Committee and Department of Public Safety concerning public service announcements and reporting processes for Tribal members. This is done so that significant incidents associated with military training activities above the Nation are correctly identified and reported. The installation also regularly participates in the Western Regional Partnership Temporary Tribal Working Group to discuss relationships with other Federal and state agencies concerning a wide variety of topics from water security, renewable energy, disaster preparedness, etc.

On November 10, 2021, the Comanche Nation (OK) participated in a National American Indian Heritage Month panel at Sheppard AFB. On November 15, 2021, the Comanche Nation participated in a Wreath Ceremony and Retreat at Sheppard AFB Headquarters Building.

Air Force Global Strike Command (AFGSC)

AFGSC and four AFGSC installations (F.E. Warren AFB, Wyoming, Colorado, and Nebraska; Kirtland AFB, New Mexico; Malmstrom AFB, Montana; and Minot AFB, North Dakota) conducted 11 consultations during the reporting period, involving 45 federally recognized tribes in 12 states. The consultations addressed a variety of situations and proposed actions, including: the decommissioning and disposal of the Minuteman III intercontinental ballistic missile (ICBM) system and the deployment of the Sentinel ICBM system, concerns regarding Kirtland AFB overflights during Pueblo and tribal events and ceremonies, and standard Native American Graves Protection and Repatriation Act (NAGPRA) consultation protocols for F.E. Warren AFB.

AFGSC, in partnership with the Air Force Nuclear Weapon Center (AFNWC) and Air Force Civil Engineer Center (AFCEC), continues to consult with 57 federally recognized tribes with cultural affiliation to lands to be affected by the deployment of the Sentinel ICBM system and decommission and disposal of the Minuteman III ICBM. Included in this consultation are the following installations: Camp Guernsey, Wyoming; Camp Navajo, Arizona; F.E. Warren AFB; Hill AFB, Utah; Malmstrom AFB; Minot AFB; and the Utah Test and Training Range, Utah. The Sentinel team held eight in-person (February, March, and June) and six virtual (November, April, and August) meetings to which all tribes were invited and 27 attended to discuss the development of the Sentinel Section 106 programmatic agreement. From October 2021 through September 2022, 11 Tribes hosted the Sentinel team on their reservations for consultation meetings. These in-person consultations occurred with the Pawnee Nation of Oklahoma (OK); the Apache Tribe of Oklahoma (OK); the Oglala Sioux Tribe (SD); the Yankton Sioux Tribe of South Dakota (SD)(2 visits); the Flandreau Santee Sioux Tribe of South Dakota (SD); the Upper Sioux Community, Minnesota (MN); the Red Lake Band of Chippewa Indians, Minnesota (MN); the Hopi Tribe of Arizona (AZ); the San Juan Southern Paiute Tribe of Arizona (AZ); the Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana (MT); and Three Affiliated Tribes of the Mandan, Hidatsa, and Arikara Nation. Additionally, in April, the Sentinel team participated in the Rocky Mountain Tribal Leaders Conference in Billings, MT, with representatives of 10 tribes and in June at the North Dakota Indian Affairs Commission "Strengthening Government-to-

Government Relations Conference” in Bismarck, ND. In July 2022, AFGSC held a senior leader engagement with the Chairman of the Three Affiliated Tribes of the Mandan, Hidatsa, and Arikara Nation and then held, at the invitation of the tribe, the first Draft Environmental Impact Statement (DEIS) Public Hearing on the reservation. Two virtual meetings were also held in June to preview the release of the EIS to tribal governments; six tribes attended these meetings.

F.E. Warren AFB is actively consulting with tribes, affiliated with lands the installation and missile field occupy, on updating the ICRMP. Through summer 2022, three consultation meetings were held to discuss the tribes’ comments on the draft ICRMP, resolve their concerns, and provide additional clarity and information. One of the focuses of this update and the ongoing consultation is improving the NAGPRA consultation standard operating procedures within the ICRMP.

Kirtland AFB is in collaboration with the All Pueblo Council of Governors (APCG) - and Indian Pueblo Cultural Center (IPCC)-led effort to replace the New Mexico Indian Affairs Department’s website for notifications to the installation. The notifications are requests to restrict flights that could impinge Pueblo, tribe, and Nation events and ceremonies. Kirtland AFB regularly maintains dialogue with the IPCC and the APCG, as well as also receiving direct requests for cessation of overflights. In addition to overflights, Kirtland AFB is regularly discussing unexploded ordnance (UXO) findings, land transfers, and other activities that are of potential concern to the Pueblos and tribes.

Kirtland AFB leadership is committed to regular meetings with Pueblo and tribal leadership. On November 15, 2021, the 58th Special Operations Wing (58 SOW) hosted a visit from Pueblo and Tribal leaders to Kirtland AFB. On February 9, 2022, the Wing Commander of the 58 SOW and public affairs held a virtual meeting with the Pueblo of Acoma. On March 15, 2022, the 58 SOW Wing Commander and Vice Wing Commander, the Kirtland AFB ITLO, and public affairs hosted the Pueblo of Laguna (NM) and Navajo Nation (AZ). On June 11, 2022, Navajo Nation (AZ/NM/UT) President Jonathan Nez attended President Biden’s visit to Kirtland AFB, which was about wildland fire discussions.

Malmstrom AFB is in consultation with the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation (MT); Blackfeet Tribe of the Blackfeet Indian Reservation of Montana; Chippewa Cree Indians of the Rocky Boy's Reservation (MT); Confederated Salish and Kootenai Tribes of the Flathead Reservation; Crow Tribe of Montana; Fort Belknap Indian Community of the Fort Belknap Reservation of Montana; Little Shell Tribe of Chippewa Indians of Montana; and Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation (MT) regarding the Limestone Hills Training Area project. The installation has maintained communication with the tribes and provided updates on the status of the accompanying environmental assessment and cultural resources law compliance. Malmstrom AFB has also addressed and resolved concerns that Northern Cheyenne Tribe had regarding the Security Forces Training Facilities environmental assessment.

Resulting from discussions at the annual Malmstrom AFB Tribal Relations Meeting, the installation and the tribal representatives in attendance have agreed to partner with the Montana

Tribes to develop a Malmstrom Tribal Training Course. The installation and tribes agreed on the goal of all persons assigned to Malmstrom taking this one-time Tribal Awareness Training.

On May 23, 2022, Minot AFB leadership and staff participated in the annual Air Force Regional Tribal consultation meeting held jointly with Grand Forks AFB, Cavalier SFS, and Buckley SFB. The event was held virtually and brought together the proper installation and tribal representatives for an effective exchange of information. During the meeting, Minot AFB's 5th Contracting Squadron (5 CONS) presented a small business brief where information was provided about the Native American Development Corporation Procurement Technical Assistance Center, the types of business industries Minot AFB procure, and the types of contracts that are solicited. Also discussed were procurement technical assistance center services and upcoming construction and services opportunities.

On July 19, 2022, Minot AFB's 5th Civil Engineer Squadron (5 CES) and Explosive Ordnance Disposal (EOD) team participated in a Science, Technology, Engineering, and Mathematics (STEM)/Nuclear Energy Program event at Nueta Hidatsa Sahnish College in New Town, ND, for the Three Affiliated Tribes of the Fort Berthold Reservation (ND). High school-aged students and teachers learned about physics, robotics, chemistry, and nuclear energy. The EOD team provided a robotics demonstration, allowing the students to operate the robot.

Air Force Materiel Command (AFMC)

Seven AFMC installations (Arnold AFB, Tennessee; Edwards AFB, California; Eglin AFB, Florida; Hanscom AFB, Massachusetts; Hill AFB and Utah Test and Training Range [UTTR], Utah; Robins AFB, Georgia; Tinker AFB, Oklahoma) conducted a total of 33 consultations during the reporting period, involving 48 federally recognized tribes in 14 states. The consultations addressed a variety of situations and proposed actions, including: execution of programmatic agreement for all routine activities at Eglin AFB; sustaining the relationship between Hanscom AFB and the Wampanoag Tribe of Gay Head (Aquinnah) (MA); developing management practices for three sites at Hill AFB with the Northwestern Band of the Shoshone (UT) and the Duckwater Shoshone Tribe of the Duckwater Reservation (NV); and Hill AFB and the UTTR establishing a sound monitor to assess noise impacts on the reservation of the Confederated Tribes of the Goshute Reservation(NV/UT).

On October 22, 2021, Eglin AFB, Muscogee (Creek) Nation (OK), Seminole Nation of Oklahoma (OK), Thlopthlocco Tribal Town (OK), the Florida State Historic Preservation Officer, and the Advisory Council on Historic Preservation executed a National Historic Preservation Act (NHPA) programmatic agreement for the management of historic properties on the installation. The aforementioned tribes are invited signatories to the agreement, and the Miccosukee Tribe of Indians (FL), Poarch Band of Creek Indians (AL), and Seminole Tribe of Florida (FL) are concurring parties. This document greatly increases the efficiency of consultation between Eglin AFB and the Tribes. An annual report will be submitted to each Tribe detailing the nature and status of the previous year's undertakings that were covered by its terms and reviewed by the Eglin AFB Cultural Resources Office. In addition, there is an annual opportunity to review the

performance of the programmatic agreement for the first three years and every three years for the life of the agreement thereafter.

The first weekend of every November, the 96th Test Wing Commander reads the National American Indian Heritage Month proclamation at the opening ceremony of the Thunderbird Intertribal Powwow. Eglin AFB supports National American Indian Heritage Month through exhibits and public outreach materials.

Hill AFB coordinated with tribes on the development of two virtual reality exhibits to be housed at the Hill Aerospace Museum allowing tribal members and the public to encounter and better understand critical resources not easily accessible. The Northwestern Band of the Shoshone (UT) and Paiute Indian Tribe of Utah (UT) provided language and interpretation to the displays. Hill AFB is also in ongoing coordination with the Northwestern Band of the Shoshone and the Natural History Museum of Utah to development of a memorandum of understanding concerning research requirements and allowances on non-archeological remains held by the museum from a site of significance to the tribe.

Hill AFB partner with Dugway Proving Ground Army, Tooele Army Depot, and the Utah National Guard on tribal consultation matters, and invited a tribal consultation specialist from Argonne National Laboratories to assess and provide advice on increasing participation, meeting tribal needs, and continuing to build relationships for Annual DoD American Indian Meetings and DoD Quarterly American Indian Meetings.

Air Force Reserve Command (AFRC)

One AFRC installation (March Air Reserve Base, California) conducted one consultation during the reporting period, involving one federally recognized tribe in one state. The consultation was regarding a tribe's request for a monitor to be present during a construction project.

Air Force Special Operations Command (AFSOC)

Two AFSOC installation (Cannon AFB, New Mexico, and Hurlburt Field, Florida) conducted five consultations during the reporting period, involving 54 federally recognized tribes in 11 states. The consultations addressed a variety of situations and proposed actions, including inviting the tribes affiliated with Cannon AFB to discuss their interest with the installation and consultation on future proposed projects.

Air Mobility Command (AMC)

Eight AMC installations (Dover AFB, Delaware; Fairchild AFB, Washington; Joint Base McGuire-Dix-Lakehurst [JB MDL], New Jersey; Joint Base Charleston, South Carolina; Little Rock AFB, Arkansas; MacDill AFB, Florida; McConnell AFB, Kansas; and Travis AFB, California) conducted 19 consultations during the reporting period, involving 25 federally recognized tribes in eight states. The consultations addressed a variety of situations and proposed actions, including: the environmental assessment of the Dover AFB installation development plan,

development of the research design for an ethnobotanical study at Fairchild AFB, and mitigation for the demolition of multiple facilities at JB MDL.

The Spokane Tribe of the Spokane Reservation (WA) participated in the opening ceremony of Conseil Du Sport Militaire (CISM) Women's World Cup hosted by Fairchild AFB as well as the Wing's first "Unity Day." Members of the Spokane Tribe shared a traditional performance including a "whip" dance at the 11 July 2022 CISM event and joined the Fairchild Spirit dance team in a combined performance. At the 5 August 2022 Unity Day, members of the Spokane Tribe performed a traditional drum circle.

Between 20 May and 14 June 2022, JB MDL consulted with the Delaware Tribe of Indians (OK) and the Delaware Nation (OK) regarding damage caused to an archaeology site by off-road vehicles. The Tribes concurred on the damage assessment; the protection plan, including deterrence measures enacted to date; and the use of native plants to re-establish vegetation in areas impacted by erosion from off-road vehicles. The Delaware Tribe of Indians (OK), the Delaware Nation, and JB MDL agreed to develop a schedule of annual meetings between their THPO staff and the JB MDL ITLO staff. They are planning to discuss at the 2023 annual meeting the JB MDL ICRMP and INRMP, share dates of tribal and installation events, and develop protocols for inviting tribal leaders to tour the installation.

Members of the 931st Air Refueling Wing (931st ARW) at McConnell AFB presented the Tribal Chair of the Kaw Nation (OK) a lithograph on 7 November 2021 in honor of the years of respect and their longstanding friendship and partnership. The 931st ARW also honored other members of the Kaw Nation in recognition of National American Indian Heritage Month.

Air National Guard (ANG)

ANG conducted three consultations during the reporting period, involving 11 federally recognized tribes in six states. The consultations addressed a variety of situations, proposed actions, and concerns including: multiple proposed changes to airspace use; new bed downs; tribes' concerns regarding noise from overhead flights that may disturb ceremonies, natural resources, and elders; concerns regarding disturbance of ancestral burial locations during construction; and concerns regarding construction projects within or near the Trail of Tears.

Tribal consultation for ANG is generally conducted centrally by the Air National Guard Readiness Center (ANGRC) Cultural Resources program. The Cultural Resources Program Manager has engaged the USACE Tribal Nations Technical Center of Expertise (TNTCX) to assist with developing and standing up a full ANG consultation program. The initiative began during FY 2021 and continued through FY 2022. The purpose of the program is to identify tribes and Native Hawaiian Organizations (NHOs) interested in consulting with the ANG, raise awareness of federal trust responsibilities, assist local Wing leadership with training and consultation, and prepare consultation agreement documents with the Tribes interested. The ANG, on behalf of the Wings and with assistance from USACE TNTCX, will be inviting tribes to meet and assist with preparation of consultation agreements, discuss any tribal concerns regarding access to resources located on ANG installations, and any other on-going concerns from the tribal perspective.

Additionally, USACE TNTCX will assist with preparation of training for ANG Wing leadership that addresses the issues specific to the ANG and the Center's relationship with tribal governments. The Idaho ANG worked with Nez Perce (ID) on the Youth Challenge Academy and further discussed the initiative with Shoshone-Bannock (ID), Shoshone-Paiute (ID/NV), Burns Paiute (OR), and Fort McDemitt Paiute and Shoshone Tribes (NV/OR). At Gowen Field, ID, the Idaho ANG, the Army National Guard, and five tribes held the 11th Annual Return of the Boise Valley People event on 9-12 June 2022. Several events are open to the public and include cultural and Native American history educational events. Separate meetings with Nez Perce were held on December 8, 2021, March 9, 2022, and February 7, 2022.

Pacific Air Forces (PACAF) & the Pacific Air Forces Regional Support Center (PRSC)

Three PACAF installations (Bellows AFB, Hawai'i; Eielson AFB; Alaska; and Joint Base Elmendorf-Richardson [JBER], Alaska) and PRSC, which manages 42 installations throughout Alaska and Hawai'i, conducted 38 consultations during the reporting period, involving 24 federally recognized tribes in the Alaska and six NHOs in Hawai'i. The consultations addressed a variety of situations and proposed actions, including: leadership engagement between Eielson AFB and the Native Village of Tanana (AK); potential impact to land use with increased personnel and a new Army mission at JBER; and treatment of iwi koruna found on Bellows AFB and the development of a NAGPRA comprehensive agreement.

Bellows AFB consulted with NHOs regarding future identification of NAGPRA iwi kahuna (ancestral Hawai'ian skeletal remains) and cultural items. Discussions centered on creating a better process to notify the community when iwi koruna are found, handling of iwi kahuna, and expedited reinternment. These consultations will result in a NAGPRA comprehensive agreement as well as a programmatic agreement.

From November 4-13, 2021, Bellows AFB celebrated the Makahiki season with Hawai'ian practitioners, Waimanalo neighborhood board members, and the Malaya Honea Public Charter School in Waimanalo. The festival included a Makahiki Loon canoe arrival, procession, games, and a ceremonial protocol. Bellows AFB plans to host the Makahiki festival in November 2022. Throughout the year, Bellows AFB participated in education outreach events with the Malaya Honea Public Charter School. Bellows AFB staff work with third and fourth grade students the third and fourth Thursdays of each month and with eighth graders the second Monday of each month.

Resulting from efforts to identify and remediate previously used munitions areas, JBER consulted with the Chick loon Native Village (AK), Eklutna Native Village (AK), and Knik Tribe (AK) from September 22, 2021, through May 31, 2022, on the project. Topics discussed were the tribe's and Alaska Native villages' land use and importance for subsistence activities and potential effect on natural and cultural resources.

Consultation on a runway extension project at JBER, started on October 18, 2021, remains ongoing. The project that will include extensive earthworks and potential impacts to cultural and

natural resources. On May 24, 2022, members from the Chick loon Native Village (AK) and the Native Village of Eklutna visited the proposed project area and locations of cultural and natural resources sites on JBER.

JBER is consulting with the Chick loon Native Village (AK), Native Village of Eklutna (AK), Knik Tribe (AK), and Native Village of Tyonek (AK) on the development of a programmatic agreement for the management of historic properties on the installation. The agreement, once executed, will also streamline and simplify National Historic Preservation Act, Section 106 consultation.

The PRSC Installation Tribal Liaison Officer (ITLO) and the Alaskan Command (ALCOM) Native Affairs Liaison (NAL) engaged the Native Village of Kaktovik (AK) on discussions regarding three forced moves of the village in 1947, 1953, and 1964. These moves resulted in many adverse cumulative environmental and socioeconomic impacts and extensive contamination of the island and nearby traditional areas. The PRSC ITLO is currently working with Igiugig Village (AK) native corporation, Iliaska Environmental LLC, to reacquire an 8a status. The Center is also working with Alaska Small Business Administration.

United States Space Force (USSF)

Two USSF installations (Cape Canaveral SFS, Florida, and Buckley SFB, Colorado) conducted eight consultations during the reporting period, involving 34 federally recognized tribes in 11 states. The consultations addressed a variety of situations and proposed actions, including: multiple archaeological surveys occurring at Cape Canaveral SFS; an environmental assessment for a SpaceX action at Cape Canaveral SFS; updating the Buckley SFB ICRMP and INRMP; and a virtual annual meeting between Buckley SFS and 31 affiliated tribes.

From November 30, 2021, to April 12, 2022, Buckley SFB consulted with affiliated tribes on the installation's archaeological collection. The result of these conversations was removal of the collection from F.E. Warren AFB to a location closer to Buckley SFB, the Aurora History Museum.

Policy Development and Implementation

The primary DAF policy guiding compliance with federal laws and regulations related to tribal interactions is DAFI 90-2002, Interactions with Federally Recognized Tribes, published in August 2020. 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 the 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.

The DAF will support Office of the Secretary of Defense (OSD) efforts to consult with federally recognized tribes and NHOs and to update DoD Instructions 4710.02 and 4710.03, respectively. The DAF will review and update, if needed, its own consultation policy in tandem with OSD's revision processes. The DAF is currently in the process of updating Air Force Manual (AFMAN) 32-7003, *Environmental Conservation*, to remove redundancies with DAFI 90-2002. Updates will also include stronger and clearer language directing DAF installations to conduct meaningful consultation and to seek tribes' special expertise when complying with federal law.

Training and Tools

DAF installations, Major Commands, AFCEC, and the Air Force Institute of Technology (AFIT) routinely make available training regarding tribal and Native Hawai'ian interests to all military and civilian staff. In October 2021, the Air Force Institute of Technology in partnership with AFCEC made available a 35-minute self-paced training module entitled "USAF Introduction to Tribal Relations." The course is an introduction to regulations and requirements for tribal relations. It also provides an overview of the history of the United States government with American Indians and describes DAFI 90-2002 requirements. The module is available on the Air Force's environmental learning platform, The Environmental Awareness Course Hub (TEACH).

In April 2021, AFCEC launched the Air Force Tribal Relations Viewer, a geographic information system-enabled and housed on the Air Force GeoBase website. Access is only available to users with Air Force network (AFNet) accounts. Over 2022, additional datasets were added, and the functionality of the Viewer was improved to encourage its use by Installation Tribal Liaison Officers (ITLOs), planners, cultural, and natural resource managers, and others. Plans are to link layers within the Viewer to the Tribal Treaty Database once it is no longer in beta, and to publish a user guide and videos.

In April 2022, AFCEC offered its training course entitled "Effective American Indian Communication and Consultation Course" to DAF employees who consult with or are preparing to consult with Tribes. The course has two tracks, a full three-day course designed for all DAF personnel, and a six-hour Executive Session designed for senior leadership. Forty individuals from 31 Air Force installations and organizations attended the virtual three-day course. Participating personnel included Civil Engineering leadership, Installation Tribal Liaison Officers (ITLOs), cultural and natural resources managers, National Environmental Policy Act (NEPA) managers, other environmental managers, planners, and diversity and inclusion personnel. Fourteen senior leaders from 10 installations and organizations attended the six-hour Executive Session. Attendees included an Installation Commanders, Vice Commanders, and Civil Engineering leaders. Since its launch in 2019, over 250 DAF employees have attended the course. AFCEC is intending on offering the three-day track in-person during November 2022 and virtually in 2023, and offer the shorter track virtually in January 2023.

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 March 2022 Workshop, Air Force personnel presented on topics important to tribal

consultation: land acknowledgements; landscapes and ethnobotany; and considering climate change impacts to cultural resources management.

In November 2022, AFCEC will publish an updated edition of the Air Force’s “Installation Commander’s Handbook for Tribal Consultation: A Guide to Department of the Air Force Interactions with Federally Recognized Native American Tribes.” The new Handbook will be accompanied with a quick reference guide. In early 2023, a video will be released affirming DAF’s commitment to fostering positive relationships and describing DAF’s policy on government-to-government consultation and regular and meaningful consultation.

VII. Opportunities and Challenges Ahead

Office of the Secretary of Defense

For the next reporting period of October 2022 – September 2023, 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

- In 2023, the ODASD(E&ER) will continue to develop the update to DoDI 4710.02, including reviewing and addressing tribal input from consultations, coordination with the Military Departments on pending updates to their consultation policies to ensure alignment with the DoDI and emerging guidance on priority issues related to tribal rights, lands, and resources.
- In 2023, ODASD(E&ER) will continue to participate 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.

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 September 2023, 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 tribes in Alaska, New Mexico, and elsewhere to develop NALEMP CAs that provide funding to clean up building debris, munitions debris, and other waste on tribal lands resulting from past DoD activities; and
- 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.

DoD Training and Tools

The ODASD(E&ER) will:

- Host at least one webinar to educate DoD personnel on tribal rights, the federal trust responsibility, and/or other topics vital to building the capacity to conduct regular, meaningful, and robust consultation;
- Deliver the 3.5-day American Indian Cultural Communications and Consultation Course for one military installation in the lower 48 states (location TBD); and
- Deliver the 3.5-day Alaska Native Cultural Communications and Consultation Course in partnership with NORAD and the Alaskan Command in Spring 2023.

DoD Outreach

The ODASD(E&ER) will:

- Exhibit at the in-person marketplace at the Annual Convention of the National Congress of American Indians;
- Exhibit DoD policy and program information and/or present at one or more additional in-person conferences held by major regional or national organizations representing tribal interests; and
- Post additional consultation resources and reference materials to the DoD website, www.denix.osd.mil/na.

Department of the Army

Challenges facing the Department of the Army are the logistics, scheduling, and resources available for government-to-government tribal consultations. Large operating areas, limited staff, and competing resource requirements are challenges faced equally by the Army and by tribes. Army and tribal cultural resource offices usually have a considerable number of competing consultation requirements, often lack adequate staff and resources to respond, and must prioritize the most critical issues. In addition, the distances between installations and tribal offices that are often located in distant states exacerbates the issues. The Army's guidance regarding tribal consultation states that installations can provide invitational travel orders to tribal government representatives where that is more cost effective than Army staff traveling to meet with each individual tribe. Traditional religious practitioners and other traditional cultural authorities who are not salaried tribal government representatives may also be allowed fees or honoraria for consultation. Such actions are subject to the availability of resources and any legal or fiscal requirements.

While the pandemic required the increased use of virtual meetings, it is recognized that they are not always a satisfactory substitute for the value of face-to-face consultation. Virtual consultation meetings with tribes do however offer an important means to address the tribal consultation challenges of logistics, scheduling, and resources. Because some tribal offices may not have suitable technological capabilities to support virtual conferencing, it is important to examine what options the DoD and other federal agencies can pursue to support tribes interested in increasing the use of virtual government-to-government consultation platforms.

Army Corps of Engineers

Pacific Ocean Division

The Alaska District will continue to increase its effort to synchronize consultation, coordination, outreach, and engagement with Alaska Native tribes. This effort is District-wide to facilitate robust and holistic engagements with Alaska Native tribes and achieve meaningful consultation. This includes standardizing best practices across mission areas including the development of a government-to-government consultation guidance manual for the Alaska District's Regulatory Program and continuation of efforts to inform Alaska Native communities of our Planning Assistance to States/Tribes and Flood Plain Management Service program opportunities. The Alaska District anticipates an increase in Alaska Native engagements in Regulatory, Operations and Maintenance, Civil Works, and Real Estate as Alaska Native tribal governments apply for grants and other infrastructure and economic development opportunities under the Infrastructure Investment and Jobs Act of 2022 and through other sources of federal support.

Great Lakes and Rivers Division

The Detroit District will be evaluating the removal an obelisk celebrating the semi-centennial of the St. Mary's Falls Canal (Soo Locks), a National Historic Landmark, from a known tribal burial site. The Bay Mills Indian Community (Michigan) and the Sault Ste. Marie Tribe of Chippewa Indians, Michigan (Michigan) have requested that the Detroit District remove the Obelisk from the burial site, which has been used by both tribes for ceremonies since 2005. The Detroit District will consult with both tribes along with the National Park Service and Michigan State Historic Preservation Office.

South Pacific Division

As part of the California State Silver Jackets team and through the support of the USACE Floodplain Management Services (FPMS) Program, the Sacramento and Los Angeles Districts will hold a series of "flood after fire and emergency preparedness in flooding" workshops in FY 2023. These inter-tribal and inter-agency workshops will be open to all tribes within the region, and are planned for northern and southern California, Nevada, and Utah. The purpose is to connect tribes with state and federal resources to address "flood after fire" concerns and to support flood emergency preparedness and recovery.

North Atlantic Division

The Norfolk District plans to hold future virtual webinar(s) to introduce tribes to the Continuing Authorities Program. Depending on the outcome, face-to-face meetings will be scheduled with tribes interested in pursuing projects with USACE. The Norfolk District also has several Coastal Storm Risk Management projects starting soon where written outreach will be followed up with virtual and face-to-face meetings as needed.

Department of the Navy

Consultation and Outreach

The Marine Corps plans to continue working to identify best practices to ensure that all its installation personnel receive the proper training in cultural resources, working with the Comprehensive Environmental Training & Education Program (CETEP) manager and others to increase awareness of cultural resources responsibilities.

Navy Region Northwest consultation and outreach efforts will continue, including in-person meetings to the degree practicable for project reviews and the Navy Region Northwest Tribal Leadership Council. Key objectives include visits and engagement by Assistant Secretary of the Navy for Energy, Installations, and Environment, HON Meredith Berger, and Department of Navy Deputy Assistant Secretary of the Navy for Environment and Mission Readiness, Mr. Karnig Ohannessian, to continue DON efforts to resolve tribal concerns and objections to DON mission requirements and in-water construction.

Within Navy Region Southwest, ongoing efforts to locate, consolidate, and repatriate NAGPRA cultural items and human remains removed from San Clemente Island and San Nicolas Island have provided the Navy with opportunities to build and strengthen its relationships with the culturally affiliated tribes. Additionally, Navy Region Southwest holds bi-weekly teleconferences with the tribes to discuss Navy actions and plans of interest or concern to the tribes. This regular communication has strengthened relationships with the tribes.

The joint Navy Region Southwest/Tribal visit to San Nicolas Island will support future discussions regarding long-term management of the island, including tribes' concerns for the island as a whole as a cultural property and request for the Navy to demonstrate the low-impact nature of the mission activities that occur on the Island.

Navy Region Southwest plans to continue consulting with federally recognized tribes to identify archaeological districts, traditional cultural properties and traditional cultural landscapes on San Clemente and San Nicolas Islands in California, as well as at Naval Air Station Fallon in Nevada, as part of the effort to address concerns regarding land management.

Policy Development and Implementation

The DON plans to support DoD efforts to consult with federally recognized Tribes and revise DoDI 4710.02. The Northwest Region recognizes the need for new guidance on roles and responsibilities among Region and installation staff and leadership to ensure appropriate coordination and support for all government-to-government consultations. Additionally, current staffing levels will be reviewed to ensure necessary consultation and outreach support for the AOR. Navy leadership at all levels and key Navy Region Northwest staff will continue work to review and update Regional government-to-government consultation policy and procedures.

Recognizing that OSD is reviewing DoDI 4710.02, the DON will be ready to review and revise its tribe consultation instruction, SECNAVINST 11010.14B for consistency. The Marine Corps continues work to update MCO 5090.2. This update will provide greater clarity and additional guidance regarding tribal consultation. Likewise, the Chief of Naval Operations will review and revise OPNAV 5090.1 to ensure consistency with the DoDI and SECNAVINST, and to support continued proactive Navy interactions with tribes.

Training and Tools

The DON will continue working to develop and promulgate online training opportunities. The DON will continue coordinating closely with the DoD Native American Affairs Office to afford timely training for incoming DON leadership. Particularly in Navy Region Northwest, the OSD Native American Affairs staff provides important support for training needs through the DoD-sponsored American Indian Cultural Communications and Consultation Course.

Challenges Ahead

Throughout the DON, installations are challenged to maintain consistent communication with federally recognized tribes, especially given reduced opportunities for face-to-face meetings due to COVID-19.

In Navy Region Northwest, the Navy continues to be significantly challenged to coordinate its mission requirements with tribal treaty rights, especially reaching agreements on assessments of impact to tribes' usual and accustomed rights, and defining acceptable mitigations for impacts of mission activities, resulting in delays and, at times, an inability to complete reviews of in-water construction projects.

Increasingly, training range operations in Navy Region Southwest and Navy Region Northwest encounter challenges arising from concerns among tribes that training areas comprise Traditional Cultural Properties, landscapes, or burials, making assessments of potential impacts and completion of Section 106 reviews more difficult.

Department of the Air Force

DAF installations, the Air National Guard, 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 tribal rights and resources of concern to tribes. The DAF will continue to encourage all installations to develop with tribes and NHOs appropriate agreement documents, consultation protocols, and NAGPRA Comprehensive Agreements and Plans of Action. Across the DAF, installations have shared plans to invite affiliated tribes to events, tours, celebrations, and to initiate consultation on proposed projects, updating Integrated Natural Resources Management Plans (INRMPs), and updating Integrated Cultural Resources Management (Plans). More installations, however, are reporting intentions to invite tribes to discuss the perspectives, interests, and concerns of tribal nations and governments, and to consult on consultation protocols and Installation Tribal Relations Plans (ITRPs).

As stated in the 2021 progress report, the DAF is aware that tribal governments and their staff regularly receive an immense and ever-growing number of communications and invitations to consult from many federal and non-federal agencies and entities. The DAF has similar challenges of limited staff, increasing mission requirements, and competing resource requirements that require installation staff and leadership to prioritize those items that are the most critical. Many installations report not receiving back from tribes' responses to their invitations to initiate consultation. The DAF sees this as an opportunity to improve the quality of communication, continue to cross-feed best practices within the Air Force community of practice, and provide direct assistance to installations. The DAF is heartened by the return of in-person consultation meetings and events and will continue to encourage installations to organize regularly occurring meetings with Tribes at both the leadership and staff levels.

Air National Guard

The Air National Guard (ANG) intends to build on their 2022 progress of developing an ANG consultation program by fully standing up that program. In partnership with the USACE Tribal Nations Technical Center of Expertise (TNTCX), ANG will invite tribes to consult in order to assess potential concerns, work to improve relationships, and develop consultation agreement documents with the tribes that are interested. ANG will continue to work towards developing and conducting meaningful consultation.

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 program initiatives 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).