

A Southeastern Military Installation And A Small Tribe Protecting Cultural Resources From A Distance

- In the June of 1995, a Tribe that had originally occupied areas in Georgia, the Carolinas and Florida contacted a military installation located on some of its traditional homelands. The Tribe was concerned that training exercises were being conducted in areas where traditional medicine and ceremonial plants were growing. The nature of the exercises would ultimately lead to the complete destruction of the plants. The Tribe had been trying to negotiate an agreement with the installation for seasonal access to the areas where the plants grew for more than four years; when the negotiations began, the areas were not being used. Meetings on the access agreement had come to a standstill because the Commanding General (CG) who had asked staff to make the agreement a priority, had been reassigned.
- The new Base CG, not fully understanding why he had to deal with a Tribe that was located two states away from the installation, did not feel the access agreement was a priority. Staff did not mention that there were issues surrounding training activities. Cultural and natural resources staffs were instructed to direct their efforts into other areas. (There are no Tribes located near the installation proximity.)
- Installation staff had established an informal consultation process with their counterparts in the Tribal offices. The three installation staff members who had worked most closely with Tribal staff wanted to continue their relationship with the Tribe. They did so by telephone and email for the next few months. There were only three people in the Tribal offices that dealt with historic, cultural and environmental resources. During a trip to Washington, D.C. in the spring of 1996, Tribal staff took an extra two days and went to the installation to meet with staff; they discussed the access agreement and the destruction of traditional plants. During their visit, Tribal staff was introduced to the new CG, but none of their issues were discussed.
- In June of 1996 (on the advice of installation staff), the Tribe sent a letter to the CG asking for a formal meeting to discuss both the access agreement and the training activities that had the potential to destroy important Tribal resources. The meeting was set for August.
- The CG canceled the August meeting because he had to be in Washington, D.C. Another date, in mid-October, was selected. In between August and October, Tribal elections were held. A new Tribal Council was elected, and as often happens with a change in administration, some people lose their jobs and other people are put in their place. The Tribal member who had the most knowledge about the issues involved in the access agreement and the training activities was one of the people that got replaced.
- Although installation staff continued informal consultation with the Tribal staff, they were concerned that the new Tribal Council was very angry that the Tribe had been acting in good faith and meeting with installation CGs and installation staff for five years, with no positive results. In the meantime, important traditional cultural resources were being destroyed, and Tribal members were not allowed to gather the plants that remained.
- The meeting did not go well; instead of it being a discussion between the Tribal Council representatives, Tribal staff, the CG and installation cultural and natural resources staff, both sides showed up with their attorneys. The attorneys took over the discussion, which became very antagonistic. Everyone left the meeting frustrated and angry.
- Although staff on both "sides" continued to try and work with one another, there was no support from either the Tribal Council or the installation Commander. Eventually, after trying for more than a year, both staffs were able to arrange for an informal meeting between the CG and the Tribal Chairman, with appropriate support staff and no attorneys. The Commander agreed to travel to the Tribe, as a gesture of reconciliation.
- That meeting, which occurred in August 1997 was almost non-adversarial. The end result was that the Tribal Chairman and the CG directed their staff to work together to draft an MOA that would give

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Tribal members limited access to the installation to gather plants for medicinal and ceremonial uses. The CG felt that the issues surrounding the training activities were too complex to be discussed in the meeting. The Chairman made it clear that gaining access to gather plants would be meaningless if explosions, herbicides and heavy equipment destroyed all of the plants.

- In the summer of 1999, an MOA granting Tribal members access to specific areas of the installation was signed. However, by January of 2001, more than half of the vegetation in the areas where ceremonial and medicine plants grow had been destroyed.
- In May of 2001, the Tribe requested a meeting with the Secretary of Defense. They refuse to meet with the current installation CG and have instructed their staff to “cut themselves off” from the installation. The installation’s anthropologist and her counterpart at the Tribe have remained in contact, however.

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