
KEEPERS OF THE TREASURES

Protecting Historic Properties and Cultural Traditions
on Indian Lands



A Report on Tribal Preservation Funding Needs
Submitted to Congress

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

Cover:

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

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United States Department of the Interior



NATIONAL PARK SERVICE

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IN REPLY REFER TO

H32(413)

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Dear Colleague:

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

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

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

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

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

Sincerely,

James M. Ridenour
Director

Enclosure

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Protecting Historic Properties and Cultural Traditions on
Indian Lands

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

May 1990

Prepared by

National Park Service
Interagency Resources Division
Branch of Preservation Planning

United States Department of the Interior

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

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EXECUTIVE SUMMARY

Introduction

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

Tribal Perspectives on Preservation

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

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

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

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

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

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

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

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

Tribal Participation in the National Historic Preservation Program

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

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

Tribal Perspectives on Funding Needs

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

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

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

The National Park Service and the Chaco Protection Sites

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

Recommendations

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

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



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