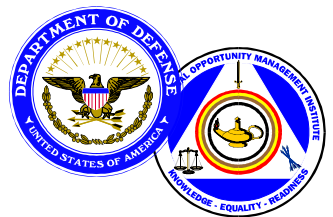


# Native-American Heritage Month November 2001



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## **PREFACE**

Master Chief Petty Officer George L. Markfelder, USN, assigned to COMSIXTHFLT Staff, embarked on USS LaSalle (AGF 3) homeported in Gaeta, Italy, served as a participant in the Topical Research Intern Program at the Defense Equal Opportunity Management Institute (DEOMI) during the month of May 2001. He conducted the necessary research to prepare this report. The Institute thanks JOCM(SW/AW) Markfelder for his contributions to the research efforts of DEOMI.

## **SCOPE**

The Topical Research Intern Program provides the opportunity for Service members and DoD civilian employees to work on diversity/equal opportunity projects while on a 30-day tour of duty at the Institute. During their tour, the interns use a variety of primary and secondary source materials to compile a review of data or research pertaining to an issue of importance to equal opportunity (EO) and equal employment opportunity (EEO) specialists, supervisors, and other leaders throughout the Services. The resulting publications (such as this one) are intended as resource and educational materials and do not represent official policy statements or endorsements by the DoD or any of its agencies. The publications are distributed to EO/EEO personnel and selected senior officials to aid them in their duties.

**The opinions expressed in this report are those of the author and should not be construed to represent the official position of DEOMI, the military Services, or the Department of Defense.**

*On the cover: Costa Rican native, Eneida Somarriba, is the artist of the Native-American cover design. She created the poster after spending one month in New Mexico. To order copies of the poster, go to [DiversityStore.com](http://DiversityStore.com) or call 1-800-200-5964.*

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## **UNDERSTANDING THE BUILDING BLOCKS OF OUR CULTURE**

The differences between peoples and the ensuing conflicts cultural differences create have been written about since the beginning of history. Prior to that, archaeologists tell us the ebb and flow of human migration throughout the world has led to countless cultural clashes. Understanding the historical contexts of such clashes can be a lengthy process. The cultural encounter between Native-American peoples and the predominantly White-European peoples who arrived on America's shores during the last 500 years is no different in this respect. Volumes of history and archaeological work have been done on this topic. This booklet provides a summary of sorts, giving insight into the European Old World migration to the New World of the Americas.

### **Cultural Clashes**

History is indeed full of huge population migrations. There are many reasons for the uniqueness of the migration from the Old World (Europe) to New World (Americas). One is the significant historical evidence of ruthless human behavior of both groups. Another is that such an event ever took place. Perhaps the one defining factor of the migration is how it happened. It was the differences between the two cultures that made the distinction between the receivers and immigrants so glaringly apparent. It wasn't as if two peoples were now sharing the same valley, or moved into another region of the same continent or even hemisphere. This migration was of two very different cultural groups, with little prior interchange, coming together in what is now called America.

## **CIVILIZATION DEVELOPS**

One of the most constant visuals from Hollywood is the scene of pre-industrial Native Americans and their industrialized European adversaries fighting it out with vastly different levels of weaponry. How did such different levels of technology develop between two groups? The answer may lie thousands of years in the past.

In many ways, New World civilizations excelled Old World civilizations. Native Americans had developed better agricultural skills as well as better pharmacology processes. They had more accurate calendars and their mathematical skills were more advanced when compared to the level of the Spaniards. (5:327)

However, there was a lack of animal domestication within Native-American cultures. Peoples in Mesoamerica used llamas, but there was no harnessing of animal usage technology on a large scale. This was a defining factor in the development of more complex societies and their progressing technological advancements. (5:327) According to one writer, "(Native Americans) built an elaborate civilization on human energy, but the Old World had thoroughly exploited animal energy sources that helped them in their endeavors." (10:251)

Long before the Columbus voyages, mechanical power was being exploited in the form of various siege mechanisms for attacking fortifications. Domesticated horses were

war-fighting tools that pulled wheeled chariots. In 1454, printing by movable type was perfected and the transfer of information got an incredible boost. (3:97) This was the beginning of the Renaissance.

However, even with growing technology via animal and mechanical power, the European population was nowhere as dense as in the New World. This differential in population changed when Old World explorers arrived in North America and exposed the inhabitants to diseases which their immune systems could not defend against. Millions ultimately succumbed to smallpox, tuberculosis, yellow fever, and influenza. (10:195)

This aspect of the cataclysmic Euro/America clash cannot be overstated. By 1500, an estimated 18 million people were living in North America with millions more living in Middle and South America. (1:105) Archaeological evidence suggests that population losses in some parts of the Americas were up to 90 percent because of the onslaught of disease. (2:xxvii) The loss of life was so great during the 1500s that very little knowledge of life before had been retained, even by the surviving Native populations themselves. (2:xxvi) There are estimates of tens of millions dying in Mexico during the 1520s and 1530s. (2:xxvi) Sixteen years after the De Soto raid of 1539-43, the Tristan de Luna expedition discovered “the full-fledged towns that De Soto had visited had devolved into sparsely occupied villages. When Juan Pardo came through the Carolinas in 1566-68, the towns of De Soto’s day housed mere handfuls of refugees.” (1:134)

More than just biological death occurred during these killing epidemics. Below is a short excerpt describing the totality of this process.

*With the demise of the Mississippian civilizations, drastic changes were made to create meaningful worlds. The social distance between noble and commoner all but vanished. Previously, the heads of clans had met inside temples set upon high earthen mounds to offer counsel to the chiefs. In the wake of depopulation a communal labor force became so difficult to muster that palisades and mounds could no longer be built according to ritual requirements. Moreover, the leading families, who had once directed the work and sustained the form of worship, were now gone. These kin had held their literally exalted positions because of a special, age-old bond forged between their ancestors and the resident spirits of that place. With their death and virtual wipeout, this bond with the land was broken and all spiritual relationships were thrown into disarray. (1:134)*

The Cherokee, Creek (Muskogee), Choctaw, and Chickasaw tribes are the latter remnants of the Mississippian culture. (1:137)

## PERCEPTIONS OF THE CULTURAL DIFFERENCE

European culture was no more homogenous than the various cultural groupings in the Americas. Beginning the mass immigration to America were the Spanish, French, Portuguese, and English European cultures. In the New World, such diverse cultures as the Aztecs, Incas, Huron, Iroquois, and Aleuts awaited them. Each group would have its own way and time of perceiving, reacting, and surviving the changes of the 1500 and 1600s.

### 1492 to 1600s

The following is an overview statement written in a book about the activities in the Americas, "Spanish civilization crushed the Indian; English civilization scorned and neglected him; French civilization embraced and cherished him." (6:61)

The writer claims to have encapsulated the general tone of activities the three dominant European cultures displayed upon their arrival in the Americas. During the early years of European immigration to the New World, there are few Native-American responses. This is because most historical references were written by the dominant European cultures. Many of the early Native writings come from literature written for the Natives as translations.

The following quote is the earliest recorded impressions of Native Americans. It also displays that the question of what to do with the indigenous population of the Americas was discussed immediately. The moral dilemma that European Christians found themselves in, as described by Vaz de Caminha, is a trend that will be followed through the centuries in one form or another.

*...(The natives) are of a dark brown, rather reddish color. They have good well-made faces.... They seem to be such innocent people that if we could understand their speech and they ours, they would immediately become Christians, seeing that, by all appearances, they do not understand about any faith.... I believe that if your Majesty could send some one who could stay awhile here with them, they would all be persuaded and converted as Your Majesty desires. - Pero Vaz de Caminha, secretary to Brazil's generally recognized discoverer, Pedro Alvarez Cabral - 1500. (10:20)*

Atahualpa, Inca ruler's responses to hearing that Pope Alexander VI had declared Peru to be the possession of Spain – 1533.

*Your emperor may be a great prince: I do not doubt it, seeing that he has sent his subjects so far across the waters; and I am willing to treat him as my brother. As for the pope of whom you speak, he must be mad to speak of giving away countries that do not belong to him. As for my faith, I will not change it. Your own god, as you tell me, was put to death*

*by the very men he created. But my god still looks down upon his children. - (1:131)*

An early French adventurer, Louis Armand de Lom d' Arce, Baron de Lahontan, wrote in the late 1600s about his visits to the Huron of North America. Lahontan quoted a Huron as saying,

*We are born free and united brothers, each as much a great lord as the other, while you are all slaves of one sole man. I am the master of my body, I dispose of myself, I do what I wish, I am the first and the last of my Nation...subject only to the Great Spirit. (10:123)*

*Very high, powerful, and good master. The things that seldom happen bring astonishment. Think, then, what must be the effect, on me and mine, of the sight of you and your people, whom we have at no time see, astride the fierce brutes, your horses, entering with such speed and fury into my country, that we have no tidings of your coming – things altogether new, as to strike awe and terror into our hearts. - Creek Chief of Achese – 1540. (1:129)*

*there is a great sin which is that almost all the men have taken Indian women as concubines...but all make excuses...(saying) that they do not have their (lawful) wives with them.*

*In this country the majority of the inhabitants have their consciences heavily weighted down because of the slaves whom they hold unjustly, besides the many... who were purchased from their fathers and whom the inhabitants will not free.... Thus Satan has all these souls in his power ... because the men who came out here find no other means of livelihood than by the work of their slaves, who fish and hunt food for them, and slothfulness rules them to such a degree ... that they are not disturbed at being excommunicated, provided they keep the slaves. - Father Manoel da Nobrega, Jesuit priest in Brazil – 1550. (10:24)*

### **1700s and 1800s**

Alexander McGillivray was the son of a Scottish father and Creek mother. Educated in Charleston, fluent in Muskogee and English, and with strong clan connections, McGillivray became one of the most accomplished diplomats of the eighteenth century. Below is an excerpt from his letter of August 12, 1788, to Estevan Miro, the Spanish governor of Florida, which conveys the magnitude of the difficulties he faced. (Spellings are original.) (1:288)

*We know not what to think of the French. Why...did the French come into our country? We did not go to seek them; they asked for land of us because their country was too little for all the men that were in it. We*

*told them they might take land where they pleased, there was enough for them and for us; that it was good the same sun should enlighten us both, and that we would give them of our provisions, assist them to build, and to labour in their fields. We have done so; is this not true? What occasion then did we have for French-men? Before they came, did we not live better than we do, seeing we deprive ourselves of a part of our corn, our game, and fish to give a part to them? In what respect, then, had we occasion for them? Was it for their guns? The bows and arrows which we used, were sufficient to make us live well. Was it for their white, blue, and red blankets? We can do well enough with buffalo skins, which are warmer; our women wrought feather blankets for the winter, and mulberry mantles for the summer; which were not so beautiful; but our women were more laborious and less vain than they are now. In fine, before the arrival of the French, we lived like men who can be satisfied with what they have; whereas that this day we are like slaves, who are not suffered to do as they please. - Stung Serpent (Natchez), ca. - 1720. (1:274)*

*In Short to Speak out my Sentiments at once, I am of the opinion that they (Congress) will not Compel the Georgians to restore our lands & if we take Strong Measures to obtain Justice, the force of the Union will be employd [sic] to reduce us to accept of their own terms of peace, which if they are permitted to effect they must have ourselves into the bargain.*

*I do not therefore hesitate to pronounce that the measure which the Governmt [sic] (of Spain) adopted to Withhold from us the Royal Support to Induce us to treat with the americans is premature. A moments reflection would have foreseen the ill Consequences of compelling a Naked unarmed people to treat with a designing & incensed Implacable enemy. Such a mode of Interference shoud have been reservd for the last, if it Shoud have been found that we woud not accede to Just & equitable terms of Peace - Alexander McGillivray, (Mushkogee) - 1788.*

Captain George Vancouver, from a 1793 journal describes the remnants of human life near Puget Sound.

*In our different excursions, particularly those in the neighborhood of port Discovery, the skull, limbs, ribs, and back bones, or some other vestiges of the human body, were found in many places promiscuously scattered about the beach, in great numbers. Similar relics were also frequently met with during our survey in the boats; and I was informed by the officers, that in their several perambulations, the like appearances had presented themselves so repeatedly, and in such abundance, as to produce an idea that the environs of port Discovery were a general cemetery for the whole of the surrounding country. Notwithstanding, these circumstances do not amount to a direct proof of the extensive population*



*they indicate, yet, when combined with other appearances, they warranted an opinion, that at no very remote period this country had been far more populous than at present. - (1:214)*

*If the Indians go to war without the consent of the great women, the mothers of the Sachems and National, The Great Spirit will not prosper them in War, but will cause them and their efforts to end in disgrace. - John Adlum, traveling among the Seneca in 1794.*

Many of the Native cultures reacted to using the White man's tools and artifacts with indifference. The more nomadic tribes such as the Lakota, Crows, and Pawnee used less of the European implements than did more sedentary, crop growing cultures. The mobility of the buffalo hunting tribes demanded a smaller household in order to move with the herds. At the other end of the spectrum, by the mid 1700s, the Iroquois were so imbued with European tools, weapons, and utensils that a missionary wrote he could find only minor [Indian] specimens to procure for momentos. (1:229)

*The man who came was from the Government. He wanted to make a treaty with us, and to give us presents, blankets and guns, and flint and steel, and knives.*

*The Head Chief told him that we needed none of these things. He said, We have our buffalo and our corn. These things the Ruler gave to us, and they are all that we need. See this robe. This keeps me warm in winter. I need no blanket.*

*The white man had with them some cattle, and the Pawnee Chief said, Lead out a heifer here on the prairie. They led her out, and the Chief stepping up to her, shot her through behind the shoulder with his arrow, and she fell down and died. Then the Chief said, Will not my arrow kill? I do not need your guns. Then he took his stone knife and skinned the heifer, and cut off a piece of fat meat. When he had done this, he said, Why should I take your knives? The Ruler has given me something to cut with. - Curly Chief, (Pawnee), ca. 1860.*

Until the late 1860s, reservation existence was typically grim, even deadly. (1:343)

*Before we left Minnesota [for Nebraska] they told us that the superintendent had started on ahead of us, and would be there before us, and that he had, plenty of Indians, and would have thirty houses built for us before we got there. After we got there they sometimes gave us rations, but not enough to go round most of the time. Some would have to go without eating two or three days. ...We got some goods now which the Great Father sent us. They are lying in the Omaha warehouse, and we don't know but that the rats have eaten them. There are a good many women and children that are naked and cannot come out of their tents.*

- Little Hill, (Winnebago), 1865, describing life on Indian reservations.

*There was more than one white man's road that we might take, and President Grant wanted us to take the right one. He sent Brinton Darlington to be our first, Agent. ...He brought assistants there, many of them Quakers like him self, who built good buildings and started schools and opened trading posts and laid out farms. He planted an orchard and a garden, so that our people might learn how fruits and vegetables grew. He was patient and kind; he managed like a chief. - Carl Sweezy, (Arapaho), 1871.*

In 1871, the debate of whether to keep Native Americans on the reservation or to get rid of the reservation system continued. President Grant's peace policy attempted to keep Indians on reservations and transform them into Whites. Also, along with this effort was the encouragement of church groups to appoint reservation agents throughout the West. (1:343)

*Government sends a man out to fight us, as it did General Miles, and then breaks his word. I do not understand why nothing is done for my people. I have heard talk and talk, but nothing is done. Words do not pay for my dead people. They do not pay for my country, now overrun by white men. They do not protect my father's grave....Good words will not give my people good health and stop them from dying. Good words will not get my people a home where they can live in peace and take care of themselves. I am tired of talk that comes to nothing. It makes my heart sick when I remember all the good words and all the broken promises....*

*If the white man wants to live in peace with the Indian he can live in peace. Treat all men alike. Give them all the same law. Give them all an even chance to live and grow. The earth is the mother of all people, and all people should have equal rights upon it. You might as well expect the rivers to run backward as that any man who was born free should be contented penned up and denied liberty to go where he pleases.*

*We ask to be recognized as men. We ask that the same law shall work alike on all men. Let me be a free man – free to travel, free to stop, free to work, free to trade, free to choose my own teachers, free to follow the religion of my fathers, free to think and talk and act for myself – and I will obey every law. - Chief Joseph, (Nez Perce), 1879, speaking to U.S. cabinet members, congressmen, and diplomats.*

Chief Joseph is often described as a brilliant general for the leading of his people on a 1,700-mile running battle with the U.S. Army. Unfortunately, General Sherman saw the solution to the Indian problem as elimination. Thus, after his people's inevitable capture they were sent to Fort Leavenworth where they, like so many other Native populations in the past, contracted various diseases and died in large numbers during

captivity. From 1878 to 1885, the tribes' numbers at Fort Leavenworth dropped from 400 to 150. (1:352)

*Murder is murder and somebody must answer, somebody must explain the streams of blood that flowed in the Indian country in the summer of 1838. Somebody must explain the four thousand silent graves that mark the trail of the Cherokees to their exile. I wish I could forget it all, but the picture of six-hundred and forty-five wagons lumbering over the frozen ground with their Cargo of suffering humanity still lingers in my memory. Let the historian of a future day tell the sad story with its sighs, its tears and dying groans. Let the great Judge of all the earth weigh our actions and reward us according to our work. - John G. Burnett, (U.S. Army), wrote this letter in 1890 and served as interpreter on the Trail of Tears. (1:298)*

There are many versions to what happened on December 29, 1890. The following quote describes Wounded Knee in the macro sense.

*The last significant battle between the American Indian and the white man took place on December 29, 1890, on the banks of Wounded Knee Creek in South Dakota. It has been called both a battle and a massacre – the term used depending on the bias of the speaker. Actually, it was mostly a battle, partly a massacre, and entirely a tragic blunder. Of the three hundred and fifty Indians present, two-thirds were women and children. When the smoke cleared, eighty-four Lakotah (Teton Sioux) men and sixty-two women and children lay dead, their bodies scattered along a stretch of more than a mile where they had been trying to flee. Of some five hundred soldiers and scouts, twenty-five were dead – some, possibly from the crossfire of their own guns...*

*...the tragedy that occurred at Wounded Knee was the result of neither individual personalities nor intentions. That it occurred where it did was an accident. That it would occur somewhere was almost predestined. It was the result of one of those inevitable tides of history that dictate change; for the long road to Wounded Knee actually began at the door of the first factory of the Industrial Age – an age that was to be the doom of nomadic hunting cultures everywhere. It ended with a final confrontation of two cultures separated by thousands of years of development, and so different that mutual understanding was improbable and coexistence impossible. It was the death spasm of the stone age hunter – vanquished by the industrial age farmer.*

*The frontier farmer, or settler, of the late 1800s, for instance, saw himself as sober, God-fearing, and industrious; and generally he was. He saw the Indian as an ignorant savage, uncouth, unsanitary, and unpredictable. He was convinced that in bringing civilization to the red*

*man he was doing him an immense favor. And he couldn't understand why the Indian was so stubbornly and irritatingly ungrateful. Nor did he feel wrong in seizing the land. On the contrary, he felt right about it. In his opinion the land belonged to no one, certainly not to any scattered bands of nomadic Indians. They didn't take care of it, and they didn't use it. They neither plowed, nor planted, nor tended flocks. Like children, he thought, they simply regarded it as a vast playground on which to hunt and fight and loaf. He saw a clear duty to make the land productive and, if possible, to make the Indian productive too.*

*On the other hand, the Indian saw himself as generous, God-fearing, honest, and self-respecting. Generally he was, and he thought the white men were uncivilized. They were like greedy, undisciplined children. They wanted to own everything and to shut it up where it couldn't get away – even the grass. They were crazy-wild for the maza skaze, that yellow metal that was too soft to be used for arrowheads or axes or any useful thing. They were so harsh to their little ones that sometimes they even struck them. And they had wantonly wasted the buffalo that was the food of life. They had killed it for merely the hide or just for the head and horns to hang in their lodges, and they had let the food meat to rot on the prairie. The Indians had done the same thing, it is true, once they found they could trade the hides for the white-man goods. However, the white man had done it so much more efficiently that it was his fault the buffalo now were gone. But worst of all the white men were liars, and with each of their broken promises the Indians' land had shrunk until it, too, was gone. Now the once-proud Lakotahs could live only on barren reservations and on the white man's charity.*

*Then, unexpectedly, when it seemed that everything had been taken away and the old life was gone forever, the prophet Wovoka gave the Indian a new dream and new hope – and the course was set for the final bloody collision at Wounded Knee. - Rex Alan Smith, 1975, author of book on Wounded Knee. (16:1-3)*

Below, Black Elk, (Oglala Souix), writes in the 1900s, about Wounded Knee, the last military action between Native Americans and the U.S. military.

*I did not know then how much was ended. As I look back from the high hill of my old age...I can see that something else died there in the bloody mud and was covered up by the blizzard. A people's dream died there. It was a beautiful dream. [Now] the nation's hope is broken and scattered. There is no center any longer, and the sacred tree is dead. - (16:200)*

## 1900s

*The Indian Bureau system is wrong. The only way to adjust wrong is to abolish it, and the only reform is to let my people go. After freeing the Indian from the shackles of government supervision, what is the Indian going to do: Leave that with the Indian, and it is none of your business.* - Carlos Montezuma, (Apache), ca. 1916. (1:378)

Chief Deskaheh's quote below is indicative of a new Indian awareness and reform movement that began in the U.S. shortly after WWI.

*Many of our young men volunteered and many gave their lives for you. You were willing to let them fight in the front ranks of France. Now we want to tell our troubles to you – I do not mean that we are calling on your governments. We are tired of calling on the governments of palefaced peoples in America and Europe. We have tried that and found it was no use. They deal only in fine words.... We have a little territory left -- just enough to live and die on. Don't you think your governments ought to be ashamed to take that away from us by pretending it is part of theirs?* - Deskaheh, (Cayuga), Chief of the Younger Bear clan, 1925. (1:381)

Myths of Native Americans continue into modernity. Such comments continue to portray indigenous peoples to the Americas as something apart and different.

*A good ironworker is afraid of high places. I don't want to work with no fool who's not a little bit afraid of being up so high. It's the fear that gives you the edge that keeps you alert.... No, a Mohawk is afraid of heights just like the next guy. The difference is, the Mohawk is willing to deal with it.* - Mohawk Ironworker, (anonymous) 1983. (1:389)

## HOW NATIVE AMERICA HAS SHAPED THE CURRENT UNITED STATES

Most Americans see various items from Native culture everyday. We just might not know it. How often do we eat tomatoes or popcorn? Both are examples of New World foods first cultivated by Native Americans. In addition to various foods, language and medicines of the New World culture are interwoven into today's mainstream culture. (10:102)

### Foods

Much of the world's cuisine is based on ingredients from the New World. Try to imagine Ireland without potatoes, Italy without tomatoes, India without spicy curries, or Chinese dishes without spicy Szechwan sauces. The spicy nature of these condiments come from peppers originating in the Americas. In the United States today, it has become quite chic to talk pepper talk. There are even stores whose sole product is the pepper. There are various heat indexes for peppers with some that go so high you have to wear gloves when handling them. (10:103)

Sweet peppers swept the Old World and were called bell, banana, and cherry peppers because their shapes reminded chefs of these familiar objects. Paprika became a favorite spice in the former Yugoslavia and in Hungary. (10:105) Closer to home, the New Englanders, not caring too much for many of the spices used by Native peoples, did take, however, to using maple syrup. They added the syrup, or the cheaper molasses with local beans and the tradition of American baked beans was born. (10:107)

The American South readily accepted the indigenous food staples into their diet. Maze, or corn, was eaten on the cob, popped as a snack, and baked into bread. It was stewed, placed into a mixture of beans, and called succotash, made into hominy, and ground up into grits. Perhaps the most familiar food to a European immigrant in the 1600 and 1700s would be the fried cornbread often called Johnnycake, or sometimes called by its Algonquian name, PONE. In later years, corn was mixed, in the European fashion, with milk and eggs and became the bread of choice for the wealthy families. When made this way, it was called corn bread. (10:108)

A Native cooking tradition that has been immersed into the current culture of America is the barbecue.

*The custom of basting fish and large pieces of meat with a special sauce and cooking them over an outdoor fire was adapted first from the Taino Indians of the island of Hispaniola. From the Taino language the word barbecue passed into the English language via the Spanish barbacoa. (10:109)*

## **Language**

With all the new foods, plants, and peoples in the New World, many descriptive words, such as barbecue, had to be developed. Some of the animals for instance are moose, caribou, raccoon, opossum, chipmunk, barracuda, manatee, cougar, puma, jaguar, terrapin, chigger, and skunk. Plants include hickory, pecan, persimmon, mahogany, mangrove, maypop, mesquite, yucca, and saguaro. Settlers often used the Native name for a plant as the description of the food itself, such as maize, hominy, squash, avocado, pemmican, manioc, cassava, papaya, pawpaw, tapioca, succotash, and scuppernong. (11:198)

Europeans also had to devise words to simply describe their surroundings. Surroundings in the New World for most Europeans were startling different than their topography across the ocean. Bayou, savanna, pampas, muskeg, chaco, blizzard, and chinook are all part of today's language. (11:198) It is estimated that there are about 2,200 words that may be directly traced to Native-American roots. (11:204)

## **Medicines**

For thousands of years malaria ravaged the Old World, and millions died. It is suggested that Alexander the Great died of malaria. When the disease was carried to the New World it was effectively fought by Native-American medicines.

Natives in the New World quickly deduced that the bark from a Peruvian tree, a traditionally used medicine, offered relief from the symptoms of malaria. The bark produced quinine. This treatment is considered by many to be the beginning of modern pharmacology. Prior to this, Old World doctors would treat patients with various oddities such as leeches, sacred potions, and bleedings. (11:177)

Another product used for the treatment of amoebic dysentery, a lethal intestinal infection, is from a tree that is a relative to the Peruvian tree with the bark that made quinine possible. The Indians made a medicine from roots of the *Cephalaelis* ipecacuanha plants. This medicine is called ipecac and one of its properties is to cause the patient to vomit. This drug is still used today by hospitals when poisons have been ingested. (11:181)

A common plant with excellent pain numbing properties is another New World addition. Native Americans used it to relieve itching, fatigue, thirst, and hunger. It was most often chewed and was first reported in 1565 in Spain. It would be hundreds of years, however, before a German chemist would be able to isolate the active ingredients in the plant. This substance became known as cocaine and by the 1880s was being used as an anesthesia for surgery. Chemists eventually synthesized cocaine to make procaine and it has since been marketed as Novocain.

Perhaps as a final sign of the excellence of Native medicine, as compared to European medicine, was the cure for scurvy. Scurvy is the lack of various vitamins and is easily cured by a massive dose of vitamin C. Early explorers into the New World suffered from this debilitating disease until the Indians showed them how to make a tonic from the bark and needles of an evergreen tree that the Hurons called Annedda. Instead of dying an ugly death, the men would recover within eight days of beginning treatment. (11:183)

## **Summary: Where Are We?**

### **Current Policy**

On April 29, 1994, President William Clinton met with the heads of tribal governments and reaffirmed the United States' relationship with Native-American tribal governments and issued a directive to all executive departments and agencies of the Federal government. The President's message stated that all executive departments and agencies undertake activities affecting Native-American tribal rights or trust resources, in a knowledgeable, sensitive manner, respectful of tribal sovereignty. (16)

On October 21, 1998, a new policy was announced by the Department of Defense which would implement the President's 1994 memorandum and provide specific guidance for all DoD interactions with Federally recognized tribes. The complete policy is located at Appendix 2.

In order to develop this policy, DoD personnel participated in 13 separate gatherings of Indian tribes and Alaska Natives throughout the United States. The DoD

also requested tribal comments on their efforts via several mailings to all Federally recognized tribes and worked with the National Congress of American Indians (NCAI) to form a tribal steering committee of interested tribal representatives. (14)

David R. Oliver Jr., Principal Deputy Undersecretary of Defense for Acquisition and Technology made the policy public in October 1998 during a short ceremony and spoke on behalf of Secretary of Defense, William Cohen. During his remarks, Oliver noted that there are more than 100 military training sites nationwide that are co-located with tribal areas. Oliver said, "That's one reason Secretary Cohen made the policy - - so the men and women running those areas will know what to do. Without a policy and a plan, they won't even know how to start when a problem comes up."

Tad McCall, the Deputy Assistant Secretary of the Air Force for Environment, Safety and Health, describes an example of a problem that may arise. In this example, there was a problem with local military activities and local Native interests. (14)

*We became aware we were overflying Shoshone and Paiute lands but we didn't have a formal way of communicating with them so the base commander visited the Shoshone. While he was talking to them, he was overflown and the windows rattled. They said, 'You see what we mean?'*

*We held a series of conversations with the tribal chairman, base commander and the attorney representing the Shoshone and Paiute. I met with Indian government representatives and visited their land. We took a helicopter ride and landed in the sacred areas where they explained their concept for preserving sacred sites and practicing their beliefs.*

*We started mapping all of our air space and overlaid them with tribal lands, and we found out we were flying over tribal lands we didn't know were there. Even though we knew the lands were there we needed to be more cognizant of the people we were flying over. (14)*

About two million members of nearly 260 Federally recognized Indian tribes in the United States are affected by this DoD policy. Two-hundred and twenty-six of these tribes are located in Alaska, with the others scattered over 34 other states. This policy is to ensure the entire department operates within the framework of the President's memorandum of 1994 which directs Federal agencies to form government-to-government relationships with Federally recognized tribal governments. It also supports the effort to build effective day-to-day working relations with tribal governments. (13)

### **Cultural Property**

Some points of contention between cultures do not have any physical artifacts that provide a ready legal peg for arbitration. Sometimes problems arise that defy normal legal proceedings. Who has ownership of the image of a people, organization, or tribe? How are they protected?



*I used to think these concerns were insignificant compared to the many issues that my people were facing just to survive...I have a good friend,...who raised her two children while working her way through college at the University of Illinois, home of the fighting Illini. Yes, the mascot is an Indian Chief. During the halftime programs Chief Illinawic parades around in an outfit that only a true warrior/leader should wear as a sign of the honor that his tribe recognizes he deserves.*

*As any good mother would, my friend told her children of the honors that are placed on certain people who are to be respected and looked up to. She has told me the heartbreaking story of the time she was able to take her family to the big game so that the children could see their basketball heroes. During halftime this ridiculous caricature, Chief Illinawic, came out in his beautiful warrior outfit and began acting like a clown, doing flips and tumbles and performing some phony Hollywood war dance. Her children were in shock. They cried from embarrassment as the rest of the crowd laughed. It was long time before her children recovered from this experience.... (4)*

In this illustration, Paul D. Gonzales, the first Native-American president of the Southwestern Association for Indian Art was writing for the *Speaking* column in the Summer 1996 issue of *Indian Artist*.

In Gonzales' article, note is also made of comments by talk show host Larry King, "If a modern professional team was being formed today, they would never consider using the word Redskin as the team name," says King. (4)

In a similar article, the sensitivities involved with titles, logos, and images is put another way. "What would the world say to sports teams with names like, Pittsburgh Negroes, Kansas City Jews, Houston Hispanics, Orlando Orientals, or Washington Whities?" The writer, Cornel Pewewardy, an assistant professor in the Department of Teaching and Leadership, School of Education, University of Kansas, Lawrence, stresses that very few Americans today would put up with such titles. The Native-American communities across the United States are similar in their concerns. (7)

On April 16, 2001, the United States Commission on Civil Rights (USCCR), an independent, bipartisan, fact-finding agency of the Executive Branch, called for an end to the use of Native-American images and team names by non-Native schools. Below is an excerpt from the April 16<sup>th</sup> statement:

*These references, whether mascots and their performances, logos, or names, are disrespectful and offensive to American Indians and others who are offended by such stereotyping. They are particularly inappropriate and insensitive in light of the long history of forced assimilation that American Indian people have endured in this country....*

*The Commission assumes that when Indian imagery was first adopted for sports mascots it was not to offend Native Americans. However, the use of the imagery and traditions, no matter how popular, should end when they are offensive. We applaud those who have been leading the fight to educate the public and the institutions that have voluntarily discontinued the use of insulting mascots. Dialogue and education are the roads to understanding. The use of American Indian mascots is not a trivial matter. The Commission has a firm understanding of the problems of poverty, education, housing, and health care that face many Native Americans. The fight to eliminate Indian nicknames and images in sports is only one front of the larger battle to eliminate obstacles that confront American Indians. The elimination of Native American nicknames and images as sports mascots will benefit not only Native Americans, but all Americans. The elimination of stereotypes will make room for education about real Indian people, current Native American issues, and the rich variety of American Indian cultures in our country. (15)*

### **Indian Heritage Month**

Former Deputy Assistant Secretary of Defense for Equal Opportunity, William E. Leftwich III made note of the importance of ethnic observations. He said that as long as discrimination and bigotry exist and the contributions and achievements of women and minorities are overlooked and misrepresented there would continue to be a need for ethnic and gender observances. (12)

It took more than 80 years for the nation to establish a National American Indian Heritage Month. The Boy Scouts set aside a day for the First Americans in the early 1900s. On Sept. 28, 1915, the Congress of the American Indian Association declared the second Saturday of each May as American Indian Day. Since then, several states declared American Indian days until 1976 when Congress passed a joint resolution authorizing the president to proclaim the week of October 10-16 as Native-American Awareness Week. In 1990, President Bush proclaimed 1992 as the Year of the American Indian based on legislation by Congress. Since 1994, a presidential proclamation designating November as the National American Indian Heritage Month has been signed. (12)

These days, weeks, months or even yearlong periods of recognition for various segments of our national culture are important to us as a nation. They are important to us as Americans and, in particular, to those of us who serve in the military forces of the United States of America. Standing together as a people, we are always greater than when standing apart and alone.

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## Appendix 1

*Note: The following information is from the U.S. Army web site. Gaps in citations listed below are from original sources. Citations are exactly as written. [www.army.mil/cmh-pg/topics/natam/natam-moh.htm](http://www.army.mil/cmh-pg/topics/natam/natam-moh.htm)*

### **Native-American Medal of Honor Recipients**

#### **The Indian War Period**

##### ***ALCHESAY***

Rank and organization: Sergeant, Indian Scouts. Place and date: Winter of 1872-73. Entered service at: Camp Verde, Ariz. Born: 1853, Arizona Territory. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

##### ***BLANQUET***

Rank and organization: Indian Scouts. Place and date: Winter of 1872-73. Entered service at:-----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

##### ***CHIQUITO***

Rank and organization: Indian Scouts. Place and date: Winter of 1871-73. Entered service at:-----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

##### ***CO-RUX-TE-CHOD-ISH (Mad Bear)***

Rank and organization: Sergeant, Pawnee Scouts, U.S. Army. Place and date: At Republican River, Kans., 8 July 1869. Entered service at:-----. Birth: Nebraska. Date of issue: 24 August 1869. Citation: Ran out from the command in pursuit of a dismounted Indian; was shot down and badly wounded by a bullet from his own command.

##### ***ELSATSOOSU***

Rank and organization: Corporal, Indian Scouts. Place and date: Winter of 1872-73. Entered service at:-----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

##### ***FACTOR, POMPEY***

Rank and organization: Private, Indian Scouts. Place and date: At Pecos River, Tex., 25 April 1875. Entered service at:-----. Birth: Arkansas. Date of issue: 28 May 1875. Citation: With 3 other men, he participated in a charge against 25 hostiles while on a scouting patrol.

##### ***JIM***

Rank and organization: Sergeant, Indian Scouts. Place and date: Winter of 1871-73.

Entered service at: -----. Birth: Arizona Territory. Date of issue: 12 April 1875.  
Citation: Gallant conduct during campaigns and engagements with Apaches.

***KELSAY***

Rank and organization: Indian Scouts. Place and date: Winter of 1872-73. Entered service at:-----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

***KOSOHA***

Rank and organization: Indian Scouts. Place and date: Winter of 1872-73. Entered service at: -----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

***MACHOL***

Rank and organization: Private, Indian Scouts. Place and date: Arizona, 1872-73. Entered service at: -----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaign and engagements with Apaches.

***NANNASADDIE***

Rank and organization: Indian Scouts. Place and date: 1872-73. Entered service at:----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

***NANTAJE (NANTAHE)***

Rank and organization: Indian Scouts. Place and date: 1872-73. Entered service at:----. Birth: Arizona. Date of issue: 12 April 1875. Citation: Gallant conduct during campaigns and engagements with Apaches.

***PAINE, ADAM***

Rank and organization: Private, Indian Scouts. Place and date: Canyon Blanco tributary of the Red River, Tex., 26-27 September 1874. Entered service at: Fort Duncan, Texas. Birth: Florida. Date of issue: 13 October 1875. Citation: Rendered invaluable service to Col. R. S. Mackenzie, 4th U.S. Cavalry, during this engagement.

***PAYNE, ISAAC***

Rank and organization: Trumpeter, Indian Scouts. Place and date: At Pecos River, Tex., 25 April 1875. Entered service at: -----. Birth: Mexico. Date of issue: 28 May 1875. Citation: With 3 other men, he participated in a charge against 25 hostiles while on a scouting patrol.

***ROWDY***

Rank and organization: Sergeant, Company A, Indian Scouts. Place and date: Arizona, 7 March 1890. Entered service at: -----. Birth: Arizona. Date of issue: 15 May 1890. Citation: Bravery in action with Apache Indians.

### ***WARD, JOHN***

Rank and organization: Sergeant, 24th U.S. Infantry Indian Scouts Place and date: At Pecos River, Tex., 25 April 1875. Entered service at Fort Duncan, Tex. Birth: Arkansas. Date of issue: 28 May 1875. Citation: With 3 other men, he participated in a charge against 25 hostiles while on a scouting patrol.

## **World War II**

### ***BARFOOT, VANT.***

Rank and organization: Second Lieutenant, U.S. Army, 157th Infantry, 45th Infantry Division. Place and date: Near Carano, Italy, 23 May 1944. Entered service at: Carthage, Miss. Birth: Edinburg, Miss. G.O. No.: 79, 4 October 1944. Citation: For conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty on 23 May 1944, near Carano, Italy. With his platoon heavily engaged during an assault against forces well entrenched on commanding ground, 2d Lt. Barfoot (then Tech. Sgt.) moved off alone upon the enemy left flank. He crawled to the proximity of 1 machinegun nest and made a direct hit on it with a hand grenade, killing 2 and wounding 3 Germans. He continued along the German defense line to another machinegun emplacement, and with his tommygun killed 2 and captured 3 soldiers. Members of another enemy machinegun crew then abandoned their position and gave themselves up to Sgt. Barfoot. Leaving the prisoners for his support squad to pick up, he proceeded to mop up positions in the immediate area, capturing more prisoners and bringing his total count to 17. Later that day, after he had reorganized his men and consolidated the newly captured ground, the enemy launched a fierce armored counterattack directly at his platoon positions. Securing a bazooka, Sgt. Barfoot took up an exposed position directly in front of 3 advancing Mark VI tanks. From a distance of 75 yards his first shot destroyed the track of the leading tank, effectively disabling it, while the other 2 changed direction toward the flank. As the crew of the disabled tank dismounted, Sgt. Barfoot killed 3 of them with his tommygun. He continued onward into enemy terrain and destroyed a recently abandoned German fieldpiece with a demolition charge placed in the breach. While returning to his platoon position, Sgt. Barfoot, though greatly fatigued by his Herculean efforts, assisted 2 of his seriously wounded men 1,700 yards to a position of safety. Sgt. Barfoot's extraordinary heroism, demonstration of magnificent valor, and aggressive determination in the face of pointblank fire are a perpetual inspiration to his fellow soldiers.

### ***CHILDERS, ERNEST***

Rank and organization: Second Lieutenant, U.S. Army, 45th Infantry Division. Place and date: At Oliveto, Italy, 22 September 1943. Entered service at: Tulsa, Okla. Birth: Broken Arrow, Okla. G.O. No. 30: 8 April 1944. Citation: For conspicuous gallantry and intrepidity at risk of life above and beyond the call of duty in action on 22 September 1943, at Oliveto, Italy. Although 2d Lt. Childers previously had just suffered a fractured instep he, with 8 enlisted men, advanced up a hill toward enemy machinegun nests. The group advanced to a rock wall overlooking a cornfield and 2d Lt. Childers ordered a base of fire laid across the field so that he could advance. When he was fired upon by 2 enemy snipers from a nearby house he killed both of them. He moved behind the

machinegun nests and killed all occupants of the nearer one. He continued toward the second one and threw rocks into it. When the 2 occupants of the nest raised up, he shot 1. The other was killed by 1 of the 8 enlisted men. 2d Lt. Childers continued his advance toward a house farther up the hill, and single-handed, captured an enemy mortar observer. The exceptional leadership, initiative, calmness under fire, and conspicuous gallantry displayed by 2d Lt. Childers were an inspiration to his men.

***EVANS, ERNEST EDWIN***

Rank and organization: Commander, U.S. Navy. Born: 13 August 1908, Pawnee, Okla. Accredited to: Oklahoma. Other Navy awards: Navy Cross, Bronze Star Medal. Citation: For conspicuous gallantry and intrepidity at the risk of his life above and beyond the call of duty as commanding officer of the U.S.S. Johnston in action against major units of the enemy Japanese fleet during the battle off Samar on 25 October 1944. The first to lay a smokescreen and to open fire as an enemy task force, vastly superior in number, firepower and armor, rapidly approached. Comdr. Evans gallantly diverted the powerful blasts of hostile guns from the lightly armed and armored carriers under his protection, launching the first torpedo attack when the Johnston came under straddling Japanese shellfire. Undaunted by damage sustained under the terrific volume of fire, he unhesitatingly joined others of his group to provide fire support during subsequent torpedo attacks against the Japanese and, outshooting and outmaneuvering the enemy as he consistently interposed his vessel between the hostile fleet units and our carriers despite the crippling loss of engine power and communications with steering aft, shifted command to the fantail, shouted steering orders through an open hatch to men turning the rudder by hand and battled furiously until the Johnston, burning and shuddering from a mortal blow, lay dead in the water after 3 hours of fierce combat. Seriously wounded early in the engagement, Comdr. Evans, by his indomitable courage and brilliant professional skill, aided materially in turning back the enemy during a critical phase of the action. His valiant fighting spirit throughout this historic battle will venture as an inspiration to all who served with him.

***MONTGOMERY, JACK C.***

Rank and organization: First Lieutenant, U.S. Army, 45th Infantry Division. Place and date: Near, Padiglione, Italy, 22 February 1944. Entered service at: Sallisaw, Okla. Birth: Long, Okla. G.O. No.: 5, 15 January 1945. Citation: For conspicuous gallantry and intrepidity at risk of life above and beyond the call of duty on 22 February 1944, near Padiglione, Italy. Two hours before daybreak a strong force of enemy infantry established themselves in 3 echelons at 50 yards, 100 yards, and 300 yards, respectively, in front of the rifle platoons commanded by 1st Lt. Montgomery. The closest position, consisting of 4 machineguns and 1 mortar, threatened the immediate security of the platoon position. Seizing an M1 rifle and several hand grenades, 1st Lt. Montgomery crawled up a ditch to within hand grenade range of the enemy. Then climbing boldly onto a little mound, he fired his rifle and threw his grenades so accurately that he killed 8 of the enemy and captured the remaining 4. Returning to his platoon, he called for artillery fire on a house, in and around which he suspected that the majority of the enemy had entrenched themselves. Arming himself with a carbine, he proceeded along the shallow ditch, as withering fire from the riflemen and machinegunners in the second



position was concentrated on him. He attacked this position with such fury that 7 of the enemy surrendered to him, and both machineguns were silenced. Three German dead were found in the vicinity later that morning. 1st Lt. Montgomery continued boldly toward the house, 300 yards from his platoon position. It was now daylight, and the enemy observation was excellent across the flat open terrain which led to 1st Lt. Montgomery's objective. When the artillery barrage had lifted, 1st Lt. Montgomery ran fearlessly toward the strongly defended position. As the enemy started streaming out of the house, 1st Lt. Montgomery, unafraid of treacherous snipers, exposed himself daringly to assemble the surrendering enemy and send them to the rear. His fearless, aggressive, and intrepid actions that morning, accounted for a total of 11 enemy dead, 32 prisoners, and an unknown number of wounded. That night, while aiding an adjacent unit to repulse a counterattack, he was struck by mortar fragments and seriously wounded. The selflessness and courage exhibited by 1st Lt. Montgomery in alone attacking 3 strong enemy positions inspired his men to a degree beyond estimation.

***REESE, JOHN N., JR.***

Rank and organization: Private First Class, U.S. Army, Company B, 148th Infantry, 37th Infantry Division. Place and date: Paco Railroad Station, Manila, Philippine Islands. 9 February 1945. Entered service at: Pryor, Okla. Birth: Muskogee, Okla. G.O. No.: 89, 19 October 1945. Citation: He was engaged in the attack on the Paco Railroad Station, which was strongly defended by 300 determined enemy soldiers with machineguns and rifles, supported by several pillboxes, 3 20mm. guns, 1 37-mm. gun and heavy mortars. While making a frontal assault across an open field, his platoon was halted 100 yards from the station by intense enemy fire. On his own initiative he left the platoon, accompanied by a comrade, and continued forward to a house 60 yards from the objective. Although under constant enemy observation, the 2 men remained in this position for an hour, firing at targets of opportunity, killing more than 35 Japanese and wounding many more. Moving closer to the station and discovering a group of Japanese replacements attempting to reach pillboxes, they opened heavy fire, killed more than 40 and stopped all subsequent attempts to man the emplacements. Enemy fire became more intense as they advanced to within 20 yards of the station. From that point Pfc. Reese provided effective covering fire and courageously drew enemy fire to himself while his companion killed 7 Japanese and destroyed a 20-mm. gun and heavy machinegun with hand grenades. With their ammunition running low, the 2 men started to return to the American lines, alternately providing covering fire for each other as they withdrew. During this movement, Pfc. Reese was killed by enemy fire as he reloaded his rifle. The intrepid team, in 2 1/2 hours of fierce fighting, killed more than 82 Japanese, completely disorganized their defense and paved the way for subsequent complete defeat of the enemy at this strong point. By his gallant determination in the face of tremendous odds, aggressive fighting spirit, and extreme heroism at the cost of his life, Pfc. Reese materially aided the advance of our troops in Manila and providing a lasting inspiration to all those with whom he served.

**Korean War**

***GEORGE, CHARLES***

Rank and organization: Private First Class, U.S. Army, Company C, 179th Infantry

Regiment, 45th Infantry Division. Place and date: Near Songnae-dong, Korea, 30 November 1952. Entered service at: Whittier, N.C. Born: 23 August 1932, Cherokee, N.C. G.O. NO.: 19, 18 March 1954. Citation: Pfc. George, a member of Company C, distinguished himself by conspicuous gallantry and outstanding courage above and beyond the call of duty in action against the enemy on the night of 30 November 1952. He was a member of a raiding party committed to engage the enemy and capture a prisoner for interrogation. Forging up the rugged slope of the key terrain feature, the group was subjected to intense mortar and machine gun fire and suffered several casualties. Throughout the advance, he fought valiantly and, upon reaching the crest of the hill, leaped into the trenches and closed with the enemy in hand-to-hand combat. When friendly troops were ordered to move back upon completion of the assignment, he and 2 comrades remained to cover the withdrawal. While in the process of leaving the trenches a hostile soldier hurled a grenade into their midst. Pfc. George shouted a warning to 1 comrade, pushed the other soldier out of danger, and, with full knowledge of the consequences, unhesitatingly threw himself upon the grenade, absorbing the full blast of the explosion. Although seriously wounded in this display of valor, he refrained from any outcry which would divulge the position of his companions. The two soldiers evacuated him to the forward aid station and shortly thereafter he succumbed to his wound. Pfc. George's indomitable courage, consummate devotion to duty, and willing self-sacrifice reflect the highest credit upon himself and uphold the finest traditions of the military service.

#### ***HARVEY, RAYMOND***

Rank and organization: Captain, U.S. Army, Company C, 17th Infantry Regiment. Place and date: Vicinity of Taemi-Dong, Korea, 9 March 1951. Entered service at: Pasadena, Calif. Born: 1 March 1920 Ford City, Pa. G.O. No.: 67, 2 August 1951. Citation: Capt. Harvey Company C, distinguished himself by conspicuous gallantry and intrepidity above and beyond the call of duty in action. When his company was pinned down by a barrage of automatic weapons fire from numerous well-entrenched emplacements, imperiling accomplishment of its mission, Capt. Harvey braved a hail of fire and exploding grenades to advance to the first enemy machine gun nest, killing its crew with grenades. Rushing to the edge of the next emplacement, he killed its crew with carbine fire. He then moved the 1st Platoon forward until it was again halted by a curtain of automatic fire from well fortified hostile positions. Disregarding the hail of fire, he personally charged and neutralized a third emplacement. Miraculously escaping death from intense crossfire, Capt. Harvey continued to lead the assault. Spotting an enemy pillbox well camouflaged by logs, he moved close enough to sweep the emplacement with carbine fire and throw grenades through the openings, annihilating its 5 occupants. Though wounded he then turned to order the company forward, and, suffering agonizing pain, he continued to direct the reduction of the remaining hostile positions, refusing evacuation until assured that the mission would be accomplished. Capt. Harvey's valorous and intrepid actions served as an inspiration to his company, reflecting the utmost glory upon himself and upholding the heroic traditions of the military service.

#### ***RED CLOUD, MITCHELL, JR.***

Rank and organization: Corporal, U S. Army, Company E, 19th Infantry Regiment, 24th

Infantry Division. Place and date: Near Chonghyon, Korea, 5 November 1950. Entered service at: Merrilan Wis. Born: 2 July 1924, Hatfield, Wis. G.O. No.: 26, 25 April 1951. Citation: Cpl. Red Cloud, Company E, distinguished himself by conspicuous gallantry and intrepidity above and beyond the call of duty in action against the enemy. From his position on the point of a ridge immediately in front of the company command post he was the first to detect the approach of the Chinese Communist forces and give the alarm as the enemy charged from a brush-covered area less than 100 feet from him. Springing up he delivered devastating pointblank automatic rifle fire into the advancing enemy. His accurate and intense fire checked this assault and gained time for the company to consolidate its defense. With utter fearlessness he maintained his firing position until severely wounded by enemy fire. Refusing assistance he pulled himself to his feet and wrapping his arm around a tree continued his deadly fire again, until he was fatally wounded. This heroic act stopped the enemy from overrunning his company's position and gained time for reorganization and evacuation of the wounded. Cpl. Red Cloud's dauntless courage and gallant self-sacrifice reflects the highest credit upon himself and upholds the esteemed traditions of the U.S. Army.

## Appendix 2

NOTE: Policy is posted at: [www.denix.osd.mil/denix/public/native/policy.html](http://www.denix.osd.mil/denix/public/native/policy.html).

# Department of Defense American Indian and Alaska Native Policy

October 20, 1998

## PREAMBLE

These principles establish the Department of Defense's (DoD) American Indian and Alaska Native Policy for interacting and working with Federally-recognized American Indian and Alaska Native governments (hereinafter referred to as tribes<sup>1</sup>). These principles are based on tribal input, Federal policy, treaties, and other Federal statutes. The DoD policy supports tribal self-governance and government-to-government relations between the Federal government and tribes. Although these principles are intended to provide general guidance to DoD Components on issues affecting tribes<sup>2</sup>, DoD personnel must consider the unique qualities of individual tribes when applying these principles, particularly at the installation level. These principles recognize the importance of increasing understanding and addressing tribal concerns, past, present, and future. These concerns should be addressed prior to reaching decisions on matters that may have the potential to significantly affect protected tribal resources, tribal rights, or Indian lands.<sup>3</sup>

## I. TRUST RESPONSIBILITIES

DoD will meet its responsibilities to tribes. These responsibilities are derived from:

- Federal trust doctrine (i.e., the trust obligation of the United States government to the tribes);
- Treaties, Executive Orders, Agreements, Statutes, and other legal obligations between the United States government and tribes, to include:
  1. Federal statutes (e.g., Native American Graves Protection and Repatriation Act, American Indian Religious Freedom Act, National Environmental Policy Act, National Historic Preservation Act, Alaska National Interest Lands Conservation Act, Alaskan Native Claims Settlement Act, and Archeological Resources Protection Act); and
  2. Other Federal policies (e.g., Executive Order 12898, Environmental Justice; Executive Order 13007, Indian Sacred Sites; Executive Order 13021 Tribal Colleges and Universities; Executive Memorandum: Government to Government Relations with Native American Tribal Governments, dated 29 April 1994; and Executive Order 13084, Consultation and Coordination with Indian Tribal Governments).

DoD will annually review the status of relations with tribes to ensure that DoD is:

- Fulfilling its Federal responsibilities; and

- Addressing tribal concerns related to protected tribal resources, tribal rights, or Indian lands.

## **II. GOVERNMENT TO GOVERNMENT RELATIONS**

Build stable and enduring relationships with tribes by:

- Communicating with tribes on a government-to-government basis in recognition of their sovereignty;
- Requiring meaningful communication addressing tribal concerns between tribes and military installations at both the tribal leadership-to-installation commander and the tribal staff-to-installation staff levels;
- Establishing a senior level tribal liaison in the Office of the Secretary of Defense and other appropriate points of contact within DoD to ensure that tribal inquiries are channeled to appropriate officials within DoD and responded to in a timely manner;
- Providing, to the extent permitted by DoD authorities and procedures, information concerning opportunities available to tribes necessary to enable tribes to take advantage of opportunities under established DoD authority to: 1) compete for contracts, subcontracts, and grants, and participate in cooperative agreements; 2) benefit from education and training; 3) obtain employment; and 4) obtain surplus equipment and property;
- Assessing, through consultation, the effect of proposed DoD actions that may have the potential to significantly affect protected tribal resources, tribal rights, and Indian lands before decisions are made;
- Taking appropriate steps to remove any procedural or regulatory impediments to DoD working directly and effectively with tribes on activities that may have the potential to significantly affect protected tribal resources, tribal rights, and Indian lands; and
- Working with other Federal agencies, in consultation with tribes, to minimize duplicative requests for information from tribes.

## **III. CONSULTATION**

Fully integrate (down to staff officers at the installation level) the principle and practice of meaningful consultation and communication with tribes by:

- Recognizing that there exists a unique and distinctive political relationship between the United States and the tribes that mandates that, whenever DoD actions may have the potential to significantly affect protected tribal resources, tribal rights, or Indian lands, DoD must provide affected tribes an opportunity to participate in the decision-making process that will ensure these tribal interests are given due consideration in a manner consistent with tribal sovereign authority;
- Consulting consistent with government-to-government relations and in accordance with protocols mutually agreed to by the particular tribe and DoD, including necessary dispute resolution processes;
- Providing timely notice to, and consulting with, tribal governments prior to taking any actions that may have the potential to significantly affect protected tribal resources, tribal rights, or Indian lands;
- Consulting and negotiating in good faith throughout the decision-making process; and;
- Developing and maintaining effective communication, coordination, and cooperation with tribes, especially at the tribal leadership-to-installation commander level and the tribal staff-to-installation staff levels.

#### **IV. NATURAL AND CULTURAL RESOURCES PROTECTION**

Recognize and respect the significance tribes ascribe to certain natural resources and properties of traditional or customary religious or cultural importance by:

- Undertaking DoD actions and managing DoD lands consistent with the conservation of protected tribal resources and in recognition of Indian treaty rights to fish, hunt, and gather resources at both on- and off- reservation locations;
- Enhancing, to the extent permitted by law, tribal capabilities to effectively protect and manage natural and cultural tribal trust resources whenever DoD acts to carry out a program that may have the potential to significantly affect those tribal trust resources;
- Accommodating, to the extent practicable and consistent with military training, security, and readiness requirements, tribal member access to sacred and off-reservation treaty fishing, hunting, and gathering sites located on military installations; and
- Developing tribal specific protocols to protect, to the maximum extent practicable and consistent with the Freedom of Information Act, Privacy Act, National Historic Preservation Act, and Archeological Resources Protection Act, tribal

information regarding protected tribal resources that has been disclosed to, or collected by, the DoD.

William S. Cohen  
Secretary of Defense

NOTE: Following paragraph is original material posted with policy on website source. [www.denix.osd.mil/denix/public/native/outreach/policy.html](http://www.denix.osd.mil/denix/public/native/outreach/policy.html).

1. *As defined by most current Department of Interior/Bureau of Indian Affairs list of tribal entities published in Federal Register pursuant to Section 104 of the Federally Recognized Indian Tribe List Act.*
2. *This policy is not intended to, and does not, grant, expand, create, or diminish any legally enforceable rights, benefits, or trust responsibilities, substantive or procedural, not otherwise granted or created under existing law. Nor shall this policy be construed to alter, amend, repeal, interpret, or modify tribal sovereignty, any treaty rights, or other rights of any Indian tribes, or to preempt, modify, or limit the exercise of any such rights.*
3. *Definition of Key Terms:*
  - ***Protected Tribal Resources:*** *Those natural resources and properties of traditional or customary religious or cultural importance, either on or off Indian lands, retained by, or reserved by or for, Indian tribes through treaties, statutes, judicial decisions, or executive orders, including tribal trust resources.*
  - ***Tribal Rights:*** *Those rights legally accruing to a tribe or tribes by virtue of inherent sovereign authority, unextinguished aboriginal title, treaty, statute, judicial decisions, executive order or agreement, and that give rise to legally enforceable remedies.*
  - ***Indian Lands:*** *Any lands title to which is either: 1) held in trust by the United States for the benefit of any Indian tribe or individual; or 2) held by any Indian tribe or individual subject to restrictions by the United States against alienation.*

## Appendix 3

The following information is posted at: The Department of Defense's Native-American Environmental Tracking System (NAETS) web site.  
<https://www.denix.osd.mil/denix/Public/Native/Outreach/American/indian.html>

### Answers to Some Frequently Asked Questions

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#### ■ What Is the legal status of American Indian and Alaska Native tribes?

Article 1, Section 8 of the Constitution of the United States vests the Federal government with the authority to engage in relations with the tribes and, thereby, firmly places tribes in the Constitutional family of our nation. When the governmental authority of tribes was first challenged in the 1830's, Chief Justice John Marshall articulated the fundamental principle that has guided the evolution of federal Indian law to the present -- *tribes possess a nationhood status and retain inherent powers of self-government.*

#### ■ What are the inherent powers of tribal self-government?

Tribes possess all powers of government except those which Congress has expressly extinguished or which the Supreme Court has ruled are inconsistent with overriding national interests. Tribes, therefore, possess the right to form their own government; enforce laws, both civil and criminal; to tax; to establish membership; to license and regulate activities; to zone; and to exclude persons from tribal territories.



Limitations on tribal powers of self-government are few and include the same limitations applicable to states; e.g., neither tribes nor states have the power to make war, engage in foreign relations, or coin money.

■ **How are tribes organized?**

Tribes have the inherent right to operate under their own governmental systems. Many have adopted constitutions, while others operate under Articles of Association or other bodies of law, and some still have traditional systems of government. The chief executive of a tribe is generally called the tribal chairperson, but may also be called principal chief, governor, or president. The chief executive usually presides over what is typically called the tribal council. The tribal council performs the legislative function for the tribe, although some tribes require a referendum of the membership to enact laws.

■ **What does the term Federal Recognized Tribe mean?**

Recognition is a legal term meaning that the United States recognizes a government-to-government relationship with a tribe and that a tribe exists politically in a domestic dependent nation status. A Federally recognized tribe is one that was in existence, or evolved as a successor to a tribe at the time of original contact with non-Indians. Federally recognized tribes possess certain inherent rights of self-government and entitlement to certain Federal benefits, services, and protections because of the special trust relationship.

■ **What is the jurisdiction of tribal courts?**

Tribal courts have civil jurisdiction over Indians and non-Indians who either reside or do business on the reservation. Tribal courts have criminal jurisdiction over tribal offenses occurring and committed by American's in Indian Country. (1)

■ **Why are American Indians and Alaska Natives sometimes referred to as Native Americans?**

When referring to American Indians or Alaska Natives, it is appropriate to use the terms American Indians and Alaska Natives. These terms denote the cultural distinction between the indigenous peoples of the continental United States and those of Alaska.

While the term Native Americans came into usage in the 1960's with respect to American Indians and Alaska Natives, over time, usage of the term has been expanded to include all native peoples of the United States and its territories, including Native Hawaiians, Chamorros, and American Samoans.

■ **Are American Indians and Alaska Natives Citizens?**

American Indians and Alaska Natives are citizens of the United States and of the states in which they reside. (2) They are also citizens of the tribes to which they belong according to the criteria established by each tribe.

■ **What is the relationship between the United States and the tribes?**

The relationship between the tribes and the United States is one of a government to a government. This principle has shaped the entire history of dealings between the

Federal government and the tribes and is lodged in the Constitution of the United States.

#### ■ **Can American Indians and Alaska Natives vote?**

American Indians and Alaska Natives have the same right to vote as all citizens. American Indians and Alaska Natives vote in state and local elections, as well as in tribal elections. Just as state, Federal, and local governments have the sovereign right to establish voter eligibility criteria each tribe has the right to decide its voter eligibility criteria.

#### ■ **Who is an American Indian or Alaska Native?**

As a general principle, an Indian is a person who has some degree of Indian blood and is recognized as an Indian by a tribe and/or the United States. No single Federal or tribal criterion establishes a person's identity as an Indian. Government agencies use differing criteria to determine eligibility for programs and services. Tribes also have varying eligibility criteria for membership. It is important to understand the difference between the ethnological term Indian and the political/legal term Indian. The protections and services provided by the United States for tribal members flow not from an individual's status as an American Indian in an ethnological sense, but because the person is a member of a tribe recognized by the United States and with which the United States has a special trust relationship. This special trust relationship entails certain legally enforceable obligations and responsibilities.

■ **Do American Indians and Alaska Natives have the right to hold Federal, state, and local government offices?**

American Indians and Alaska Natives have the same rights as all citizens to hold public office. In this century, American Indian and Alaska Native men and women have held elected and appointed offices at all levels of state, local, and Federal government. Charles Curtis, a member of the Kaw Tribe of Kansas, served as Vice President of the United States under President Herbert Hoover.

Indians have also been elected to the United States Congress. Ben Nighthorse Campbell, a member of the Cheyenne Tribe of Montana, was elected to the Senate in 1992 after having served his third term in the United States House of Representatives.

■ **Historically, did all American Indians and Alaska Natives speak a common language?**

American Indians and Alaska Natives speak many diverse languages. At the end of the 15th Century, more than 300 American Indian and Alaska Native languages were spoken. Some were linked by linguistic stocks which meant that widely scattered tribal groups had similar languages. Today, some 250 tribal languages are both spoken and many are written.

■ **What is a reservation?**

Reservations are territories reserved as permanent tribal homelands. Some were created through treaties while others were created by statutes or executive orders.

■ **What is meant by tribal self-determination and self-governance?**

These are important concepts in Federal Indian policy and are also the objectives of major Federal legislation. In policy, the concepts are similar to the block grant system, by which state and local governments are accorded the opportunity to administer Federal programs directly.

Under the self-determination and self-governance laws, tribes have been accorded the authority to control and operate Federally-funded and administered programs whenever tribal governments choose to do so. Moreover, these laws affirm the fundamental American belief that local problems are best resolved at the local level using the collective resources of the nation.

■ **What is the relationship between tribal and state governments?**

Because the Constitution vests authority over Indian Affairs in the Federal government, generally, states have no authority over tribal governments. Tribal governments are not subordinate to state governments. They retain the right to enact and enforce stricter or more lenient laws and regulations than those of the neighboring state(s).

Tribes possess both the right and the power to regulate activities on their lands independently from the neighboring state government. However, tribes frequently collaborate and cooperate with states through compacts or other agreements. The Tribal-to-State relationship is also one of a government to a government.

■ **What is the role of the bureau of Indian Affairs in the provision of services to American Indians and Alaska Natives?**

The role of the Bureau of Indian Affairs (BIA) has changed dramatically over time. Until the 1960's, the BIA was the direct provider of services to American Indians and Alaska Natives. As we near the 21st century, BIA is implementing the Federal policy and law of self-determination and self-governance.

In its modern role, BIA technical specialists work with tribal managers in protecting and managing trust resources pending informed decision-making by the tribe on the development of the resources. Also, BIA assists tribes to enhance their quality of life and to raise the standard of living in tribal communities.

■ **What are Treaty Rights?**

From 1777 to 1871, United States relations with individual Indian nations were conducted through treaty negotiations. These contracts among nations created unique sets of rights for the benefit of each of the treaty-making tribes. Those rights, like any other treaty obligations of the United States, represent *the supreme law of the land*. As such, the protection of treaty rights is a critical part of the Federal Indian trust relationship.

■ **What is the Federal Indian Trust Responsibility?**

The **Federal Indian Trust Responsibility** is a legal obligation under which the United States has charged itself with moral obligations of the highest responsibility and trust toward Indian tribes (*Seminole Nation v. United States, 1942*). It was first

discussed by U.S. Supreme Court Chief Justice John Marshall in *Cherokee Nation v. Georgia*, (1831). Over the years, the trust doctrine has been the center of numerous other Supreme Court cases. It is one of the most important principles in Federal Indian law.

The Federal Indian Trust Responsibility is a legally enforceable fiduciary obligation, on the part of the United States, to protect tribal lands, assets, resources, and treaty rights, as well as a duty to carry out the mandates of Federal law with respect to American Indian and Alaska Native tribes. In several cases discussing the trust responsibility, the Supreme Court has used language suggesting that it entails legal duties, moral obligations, and the fulfillment of understandings and expectations that have arisen over the entire course of dealings between the United States and the tribes.

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### Footnotes

1. Criminal jurisdiction in Indian Country is governed by Federal law set out primarily in Title 18 of the United States Code at Sections 1151, 1152, and 1153. Under these statutes, the United States expressly retained jurisdiction over major crimes committed by Indians and crimes against Indians committed by non-Indians. Under Supreme Court interpretations of these statutes, jurisdiction over crimes between non-Indians, even though occurring in Indian Country, is vested in states.
2. Indians were granted citizenship pursuant to the Indian Citizenship Act of 1924 (8 U.S.C. §1401). Later amendments clarified that the Act applied to Alaska Natives, as well.