

STATEMENT OF OBJECTIVES
Collection and Development of Tribal Protocols
For DoD Legacy Resource Management Program
17 June 2021

Applicants must be a member in one of the CESU National Network Regions
This is a nationwide project. The Office of the Undersecretary of Defense requests all 17 CESU Regions may have the opportunity to respond to this project.

1.0 PURPOSE

1.1 The DoD Legacy Resource Management Program funds projects to assist DoD in protecting and enhancing natural and cultural resources while enabling military readiness. Article I B of the master agreement states the objectives of the Cooperative Ecosystem Studies Units (CESU) are to: provide research, technical assistance and education to federal land management, environmental and research agencies and their potential partners; develop a program of research, technical assistance and education that involves the biological, physical, social sciences needed to address resource issues and interdisciplinary problem-solving at multiple scales and in an ecosystem context at the local, regional, and national level; and place special emphasis on the working collaboration among federal agencies and universities and their related partner institutions.

1.2 This work will be fully conducted offsite. The work will involve collecting extant tribal protocols from other Federal agencies for Federally recognized tribes as well as creating a guidebook to aid installations in the development of tribal consultation protocols. Personnel often lack references and examples to assist in creating consultation protocols with tribes. This collection of protocols and its accompanying guidebook will provide these references to improve and ease the development of consultation protocols. These protocols are the tribal rules for communicating with agencies, including such things as proper titles of tribal leaders, appropriate gifts between leaders, appropriate seasons for consulting (many tribes have ceremonial seasons in which they cannot consult; these are often in fall and mid-winter associated with Winter Solstice ceremonies, but can also be related to spring planting and early fall harvesting), election cycles, Tribal Historic Preservation Office (THPO) representation of the leaders or tribal council, appropriate times to visit tribal lands, other tribes with which tribes refuse to meet, etc. The project will work with entities recognized by tribes. Additionally, the guidebook will be published online where it will benefit the general public. Tribal communities will benefit from consistent protocols that will allow them access to sacred grounds, artifacts, hunting and fishing facilities and other natural resources as promised under Federal and Indian Laws. Non-tribal communities will benefit from the knowledge of how to appropriately interact with the local tribes and their lands and resources. The work includes: 1) provide technical and administrative services to the DoD Legacy Resource Management Program, to research extant Federal tribal protocols in order to produce a collection of tribal protocols and a guidebook to assist DoD installations in creating tribal protocols specific to their region; and 2) provide technical services and perform various support functions relating to outreach and dissemination of the final product. This project may lead to follow-on work to further develop regional aspects of the collection and guidebook.

2.0 AUTHORITY

2.1 The Authority to enter into a Cooperative Agreement: 10 U.S.C. § 2684 – Agreements for the management of cultural resources.

2.2 54 U.S.C. § 300101 et seq.- In agreement with the above stated goals, the recipient/cooperator agrees to provide the necessary personnel, equipment, and materials required to help implement, in part, the DoD's responsibilities pursuant to the National Historic Preservation Act (54 U.S.C. § 300101 et seq.), Native American Graves Protection and Repatriation Act (25 U.S.C. 3001 et seq.), the National Environmental Policy Act (42 U.S.C 4321 et seq.), and DoD Instruction 4715.16, *Cultural Resources Management*.

2.3 31 U.S.C. § 6301 et seq- In accordance with section 6305 – *Using cooperative agreements of the Federal Grant and Cooperative Agreements Act of 1977* (31 U.S.C. § 6301 et seq.), all CESU projects must carry out a public purpose of support or stimulation, instead of acquiring goods or services for the exclusive direct benefit of the United States Government. Examples of carrying out a public purpose may include, but are not limited to, the following:

- Project results/outputs add to the scientific literature/knowledge base, with applicability and utility beyond the scope of the project footprint/study area
- Academic and other nonfederal partner institutions (and their personnel) gain professional experience, increase knowledge, and develop skills and abilities

2.4 In accordance with section 6305 – *Using cooperative agreements of the Federal Grant and Cooperative Agreements Act of 1977* (31 U.S.C. § 6301 et seq.), substantial involvement is expected between the Department of Defense and the recipient when carrying out the activity contemplated by the cooperative agreement. The DoD agrees to participate at a national level in support of the CESU program as accepted in the Master MOU for the establishment and continuation of the CESU program Article II 1-4 and Article VI 1-7.

3.0 DESCRIPTION OF OBJECTIVES

3.1 **Task 1 (Mandatory): Identify stakeholders:** Identify stakeholders to participate and review documents for this project. Stakeholders should include representatives from National Association of Tribal Historic Preservation Officers, Tribal Historic Preservation Officers, tribal representatives, installation, and regional cultural resources managers, etc. Stakeholders should represent a diverse set of geographic affiliations and organizations. Coordinate with the DoD Cultural Resources Program, DoD Native American Affairs, Military Services, Native American Integrated Product Team, and DoD Historic Preservation Work Group (HPWG) to identify relevant stakeholders.

3.2 **Task 2 (Mandatory): Research:** Review relevant laws, regulations, DoD and Military Services policies, and identify and collect extant tribal protocols from other Federal agencies. Review and analyze past DoD Legacy Resource Management Program projects related to tribal consultation; gather stakeholder feedback on these project products and identify issues of outreach, distribution, awareness, etc., that contribute to the products' underutilization by DoD personnel.

3.3 **Task 3 (Mandatory): Consultation:** Coordinate with the DoD Cultural Resources Program, DoD Native American Affairs, Military Services, DoD HPWG, and stakeholders to request input and feedback on development of the collection and guidebook content. Request stakeholder feedback on example tribal consultation protocols to discuss their strengths and weaknesses.

3.4 **Task 4 (Mandatory): Develop a Collection and Guidebook:** Create a collection of extant tribal protocols and a guidebook to assist DoD installations in creating tribal protocols specific to their region in accordance with existing laws, regulations, DoD and Military Services policies. The guidebook should create a template of protocols for any regional stakeholders.

3.5 **Task 5 (Mandatory): Review:** Request feedback and review on the collection and resulting guidebook from stakeholders. Request review of guidebook at 50% and 85% completion. Present initial findings and recommendations to the DoD HPWG at 50% draft stage.

3.6 **Task 6 (Mandatory): Outreach:** Host three webinars for regional cultural resources personnel, including two webinars presenting a general overview of the project and how to use the resulting guidebook, and a webinar on how to conduct tribal consultation for senior leadership and installation commanders. Produce a fact sheet and a handout on how to use the resulting guidebook. Write an article for the DoD Cultural Resources Update Newsletter about the final products and how DoD personnel can use them to develop tribal protocols for their installations. Develop the fact sheet required for all DoD Legacy Resource Management Program projects.

4.0 QUALIFICATIONS

4.1 Cooperator personnel are required to have a functional knowledge of Microsoft Office software applications. Knowledge of computer software is required to write correspondence and complete forms and records as to DoD policies and standards. Cooperator employees assigned to the project shall meet at a minimum the Secretary of the Interior's Professional Qualification Standards including education and relevant work experience commensurate to a bachelor's degree and 3 years' experience or a master's degree in anthropology, history, or closely related field. The cooperator must have experience with and working knowledge of Federally recognized tribes. The cooperator shall provide technically proficient employees with skills required to carry out the requirements of this task order. The cooperator must meet these requirements and approved by the government prior to placement by the cooperator.

5.0 GOVERNMENT FURNISHED MATERIALS OR PROPERTY

5.1 Physical Data. Electronic and hardcopy data needed to complete tasks within this SOO will be provided by the government. Raw and summarized project data must be properly filed, both hardcopy and electronic formats, for the DoD Legacy Resource Management Program administrative record.

6.0 OPTIONS

6.1 No options periods will be available.

7.0 PERIOD OF PERFORMANCE

7.1 Period of Performance shall be for 12 months from the date of the award.

8.0 COORDINATION

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9.0 DELIVERABLES

Detailed descriptions of any required deliverables (reports, plans, etc.) and formats. Provide delivery schedules. All deliverables will be submitted electronically. At a minimum these deliverables should include:

9.1 Progress Reports - One (1) typed letter report describing progress on the project. The report shall be due as of the last day of the third month (**quarterly**) and shall be transmitted via electronic mail, facsimile, or regular mail no later than the 10th calendar day following the end of the reporting period. Invoices for partial payment shall be submitted to coincide with receipt of the monthly progress reports. No partial payment will be approved unless the government has received all progress reports which are due.

9.2 Annual Inventory –Federally owned property - an annual inventory listing Federal property (to include description of the property, a serial number or other identification number) that is in the custody of the recipient; Copies to be sent to USACE – SWF and the INSTALLATION.

9.3 Annual Inventory – Required under 2CFR for Grants and Cooperative Agreements - Acquired Property purchased with funding from award - property records must be maintained that includes description of the property, serial number or other identification number, source of funding, who holds title, acquisition date, cost of property, percentage of Federal participation in project costs, location, use and condition of property, and ultimate disposition including date of disposal and sale price. A physical inventory must be taken, and results reconciled every two years. Copies of the inventory to be sent annually to USACE – SWF and the INSTALLATION.

9.4 Annual Report per 2CFR. One (1) paper copy of an annual report should be submitted no later than one month before end of each year. At a minimum, the report shall contain an introduction section, and one section for each Task identified in your proposal. For each Task, the report shall summarize work accomplished for the Task. INSTALLATION POC staff will review and provide comments, if any, within fifteen (15) calendar days after receipt.

9.5 Draft Final Project Report. One (1) paper copy of a draft final report should be submitted no later than one month before end of the project. At a minimum, the report shall contain an introduction section, and one section for each Task identified in your proposal. For each Task, the report shall summarize work accomplished for the Task. INSTALLATION POC staff will review and provide comments, if any, within fifteen (15) calendar days after receipt. Must provide an electronic copy to the USACE POC at the time this document is submitted to the Installation POC.

9.6 Final Project Report. One (1) paper copy of the final report, incorporating INSTALLATION POC review comments on the draft, if any, shall be submitted no later than fifteen (15) days after receipt of the INSTALLATION POC comments. Additionally, one (1) copy of the final report shall be submitted in a MSWord file(s), on digital media. Must provide an electronic copy to the USACE POC at the time this document is submitted to the Installation POC.

9.7 50% Draft Final Guidebook. One (1) copy of a 50% draft final guidebook should be submitted no later than six months before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt.

9.8 85% Draft Final Guidebook. One (1) copy of an 85% draft final guidebook should be submitted no later than four months before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt.

9.8 Draft Final Guidebook. One (1) copy of a draft final guidebook should be submitted no later than three months before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt.

9.10 Draft Final Collection. One (1) copy of the final collection of extant tribal protocols, incorporating DoD Legacy Resource Program review comments on the draft, if any, must be submitted no later than thirty (30) days after receipt of the DoD Legacy Resource Program comments. The final collection must be submitted in MSWord or Excel file(s) format.

9.11 Draft Webinar Presentations. Two (2) individual copies of the two draft webinar presentations should be submitted no later than three months before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt.

9.12 Draft Handout. One (1) copy of a draft handout on how to use the guidebook should be submitted no later than three months before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt.

9.13 Draft Fact Sheet. One (1) copy of a draft fact sheet should be submitted no later than three months before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt.

9.14 Draft Article. One (1) copy of an article for the DoD Cultural Resources Update Newsletter should be submitted no later than three months before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt.

9.15 Final Guidebook. One (1) copy of the final guidebook, incorporating DoD Legacy Resource Program review comments on the draft, if any, must be submitted no later than thirty (30) days after receipt of the DoD Legacy Resource Program comments. The final report must be submitted in MSWord file(s) format.

9.16 Final Collection. One (1) copy of the final collection of extant tribal protocols, incorporating DoD Legacy Resource Program review comments on the draft, if any, must be submitted no later than thirty (30) days after receipt of the DoD Legacy Resource Program comments. The final collection must be submitted in MSWord and/or Excel file(s) format.

9.17 Final Webinar Presentations. Two (2) individual copies of the final two webinar presentations, incorporating DoD Legacy Resource Program review comments on the draft, if any, must be submitted no later than thirty (30) days after receipt of the DoD Legacy Resource Program comments. The final webinar presentations must be submitted in PowerPoint file(s) format and presented to DoD cultural resources personnel.

9.18 Final Handout. One (1) copy of the final handout on how to use the guidebook, incorporating DoD Legacy Resource Program review comments on the draft, if any, must be submitted no later than thirty (30) days after receipt of the DoD Legacy Resource Program comments. The final handout must be submitted in MSWord file(s) format.

9.19 Final Fact Sheet. One (1) copy of the final fact sheet, incorporating DoD Legacy Resource Program review comments on the draft, if any, must be submitted no later than thirty (30) days after receipt of the DoD Legacy Resource Program comments. The final fact sheet must be submitted in MSWord file(s) format.

9.20 Final Article. One (1) copy of an article for the DoD Cultural Resources Update Newsletter should be submitted no later than one month before end of the project. The DoD Legacy Resource Program will review and provide comments, if any, within thirty (30) calendar days after receipt. The final article must be submitted in MSWord file(s) format.

10.0 COOPERATIVE AGREEMENT ADMINISTRATION

10.1 This cooperative agreement may be administered through a CESU only upon mutual agreement and official authorization by both parties of the acceptance of the application of the CESU Network IDC rate (17.5%).

10.2 Any resulting cooperative agreement will be subject to and recipient/cooperator shall comply with 2 CFR 200.313 "Equipment", 200.314 "Supplies", and 200.315 "Intangible Property" which includes use of research data.

[End of SOO]

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