

American Indian Nation Protocol in Illinois (10/02)

NRCS recognizes that tribes have the right of self-government, which flows from the inherent sovereignty of tribes. NRCS further recognizes the rights of each tribe to set its own priorities and goals for the welfare of its members and that NRCS will work with each tribe, when appropriate, to meet that tribe's needs.

NRCS recognizes its responsibility to American Indian tribes and will consult and work with tribes prior to implementing any action that will affect American Indian tribes or their lands and resources. NRCS shall ensure that American Indian tribal interests are represented and concerns considered in all agency undertakings addressing issues which will affect American Indian tribes.

NRCS will consult and work with American Indian tribes before making decisions or implementing policy, rules or programs that may affect a tribe to ensure that tribal rights and concerns are addressed.

NRCS recognizes the importance of legal, social, cultural and economic independence to American Indian tribal self-determination and self-sufficiency, and pledges to assist these governments in developing strong, stable resource management programs. Therefore, NRCS will make every effort to ensure that tribes have access to NRCS technical assistance and programs that will help them meet their goal of self-sufficiency. This includes fully implementing Section 2501(g) of the Food Agriculture Commerce and Trade Act of 1990, by informing all American Indian and Alaskan Native Governments of their options and, through the consultative process, implementing their requests.

Section 106 of the amended (1999) National Historic Preservation Act of 1966 includes policy language from the 1998 Executive Order 13084, "Consultation and Coordination with Indian Tribal Governments". The law and the regulations direct Federal agencies to consult with federally recognized tribes and Tribal Historic Preservation Officers regarding proposed undertakings that might affect historic or cultural properties that are of cultural, historic, or religious importance to these communities.

List of Tribes

Following is a list of federally recognized tribes that have interests in Illinois. These interests are derived from historic occupation or from treaty rights. Most of these interests lie in specific areas within the state. We will use the 1978 Judicially Established Indian Land Areas map as the basis for determining ancestral claims unless NRCS and the tribes mutually agree upon other areas. ([See attached map](#))

Tribes with Judicially Established Treaty claims and/or interests in Illinois

- Citizen Band Potawatomi Nation, OK
- Prairie Band of Potawatomi Indians, KS
- Forest County Potawatomi Community of Wisconsin
- Hannahville Indian Community of Wisconsin
- Pokagon Band of Potawatomi Indians, MI
- Huron Potawatomi Indians, MI
- Gun Lake Potawatomi, MI
- Ho-Chunk Nation, WI
- Winnebago Tribe of Nebraska
- Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas
- Kickapoo Tribe of Oklahoma
- Kickapoo Traditional Tribe of Texas
- Peoria Tribe of Indians of Oklahoma

Tribes with Judicially Established Treaty claims and/or interests in Illinois

(Continued)

- Sac & Fox Nation of Missouri in Kansas and Nebraska
- Sac & Fox Nation of Oklahoma
- Sac & Fox Tribe of the Mississippi in Iowa

Other Tribes with historically documented interests in Illinois

- Absentee Shawnee Tribe, OK
- Eastern Shawnee Tribe of Oklahoma
- Cherokee Nation of Oklahoma
- United Keetoowah Band of Cherokee Indians, OK
- Delaware Tribe of Western Oklahoma
- Eastern Delaware Tribe, OK
- Menominee Indian Tribe of Wisconsin
- Kaw Tribe, OK *
- Omaha Tribe of Nebraska*
- Osage Nation of Oklahoma*
- Ponca Tribe of Nebraska*
- Ponca Tribe of Oklahoma*
- Quapaw Tribe, AR*
- Otoe-Missouria Tribe, OK*
- Iowa Tribe of Kansas and Nebraska*
- Iowa Tribe of Oklahoma*

*speculated residence pre-1600

Consultation Process

Consultation is an ongoing process. Because NRCS in Illinois has no history of working with tribes, the consultation process must start by contacting the tribes and establishing a relationship. In Illinois we have a need for both general and specific consultation. With no resident tribes, our initial contacts with tribes will likely be general in nature. Protocol requires the State Conservationist to personally make the initial contact with the tribe.

It is anticipated that most of the tribal input will relate to our earthmoving projects and our dealings with cultural resources. There is also a possibility of interest in religious sites or protecting the environment. The services we have to offer may vary by tribe depending on their former location and type of interest. Once a relationship has been established, we may find it necessary to consult with specific tribes on specific projects at specific sites. Although we have a current SLA with the Illinois Historic Preservation Office, as a federal agency NRCS has the responsibility to consult with tribal governments on the adequacy of these agreements.

The Winnebago Tribe of Nebraska and the Ho-Chunk nation of Wisconsin are the only federally recognized tribes that currently own land in Illinois. In addition to consultation responsibilities, NRCS has an obligation to contact these Nations and offer assistance on their property.

NRCS should continue to work with American Indian advocacy groups and individual American Indians, however, it is important to note that although it is good for outreach and program delivery, discussions with such groups do not meet the requirements of tribal consultation. Each tribe is its own legal entity and only the tribal government can authorize a spokesperson.