

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE U.S. ARMY FIELD ARTILLERY CENTER AND FORT SILL
AND
THE COMANCHE TRIBE OF OKLAHOMA

1. **PURPOSE.** This Memorandum of Understanding (MOU) formalizes the relationship between the U.S. Army and the Comanche Tribe of Oklahoma in reference to human remains located on Fort Sill that are attributed to the Comanche tribe. It establishes responsibilities and procedures regarding maintenance, interments, and accessibility for two existing historic cemeteries (Otipoby Comanche Cemetery and Comanche Mission Cemetery) and procedures for disposition of remains and artifacts from individual Comanche burials that may be encountered elsewhere on post.

2. **AUTHORITY.** This MOU is established in accordance with the Native American Grave Protection and Repatriation Act 101-60, the National Historic Preservation Act, and Army Regulations 420-40 and 870-20.

3. **ORGANIZATIONS.**

a. Comanche Nation of Oklahoma. The Comanche tribe is a sovereign entity with a long historical presence in Southwest Oklahoma. Rights and responsibilities ascribed to the Comanche Tribe by this agreement will be exercised by the Tribal Chairman or his designated representative. The tribal headquarters is situated North of Fort Sill on Highway 44 and at the Medicine Park exit.

b. Otipoby Comanche Cemetery Committee. This committee has been in existence for many years and has coordinated with Fort Sill on matters related to that cemetery. Members of the Otipoby family have always been represented on this committee. The address for this organization is 8 NW. 55th Street, Lawton, Oklahoma 73505, phone (405) 355-8290.

c. United States Army Field Artillery Center and Fort Sill (USAFACFS). The Fort Sill Commander is responsible for all aspects of base operations. The Field Artillery Center Chief of Staff is authorized to enter into agreements on behalf of the Commanding General. Subordinate staff elements affected by this memorandum include:

(1) Directorate of Public Works (DPW). The DPW, commonly referred to as the Post Engineers, is responsible for planning, construction, and maintenance of real property on post. This includes all utilities, buildings, roads, and grounds. Cemeteries, as real property, are the responsibility of the DPW Cemetery Maintenance Office. Both the Director's office and the Cemetery Maintenance Office are located in building 1950. The telephone number for the Director's office is 442-3015, the Cemetery Maintenance Office number is 442-5175.

(2) Directorate of Plans, Training, and Mobilization (DPTM). The DPTM is responsible for post operations, contingency and mobilization planning and exercises, range safety and scheduling, education services, Reserve Component support, security (except physical security and law enforcement), certain aspects of installation training, training aids and audiovisual support, museum operations, and the operation of Henry Post Army Airfield. The Fort Sill Museum and Aviation Division are divisions of DPTM. The Director's office is in building 455, McNair Hall. The telephone number is 442-3003.

(a) Aviation Division is responsible for the operation of Henry Post Army Airfield. The Division Chief's office is located in building 5020 and can be reached at 442-2023.

(b) The Fort Sill Museum functions as the post historical agency with responsibilities for the preservation and interpretation of historical properties. The Museum headquarters is located in building 437. The telephone number is 442-5123.

4. RELATIONSHIPS. Both historical and contemporary relationships have existed between the Comanche Tribe and Fort Sill. In the 19th century, interaction between the two groups was either confrontational during the Indian Wars period or parental during the reservation period. However, beginning in the 1890's the interaction between the military and the tribe became more cordial and supportive. Many Comanches have defended the United States against foreign powers during both World Wars, Korea, Vietnam, and the Southwest Asian Campaign.

5. CEMETERIES. In addition to the one Post Cemetery, there are an additional five known cemeteries which involve the remains of Native Americans on Fort Sill. Occasionally, an isolated burial which predates these cemeteries will be encountered elsewhere on post. The recognized cemeteries are:

a. Post Cemetery. This cemetery contains Chief's Knoll where a number of Native Americans are interred including Quanah Parker and his mother Cynthia Ann Parker, and her daughter, Prairie Flower. The Post Cemetery was established in 1869 and is still in use today.

b. Otipoby Comanche Cemetery. The Otipoby Cemetery dates from the late 1880's or early 1890's and was originally the Otipoby family burial ground located on their allotment northeast of Fort Sill. It was acquired by the Army in a 1943 expansion program and is considered a private cemetery on post. Other Comanche families also have been using this cemetery for many years.

c. Comanche Mission Cemetery. This cemetery also dates from the 1890's when it was established by the Dutch Reformed Church near the Kiowa, Comanche, and Apache Agency south of Fort Sill. This burial area was absorbed by the Army in the 1917 expansion project associated with World War I and the establishment of Henry Post Army Airfield. The site is presently located on the east end of the airfield and no vertical markers, headstones, or fences are present.

d. Apache Prisoner of War Cemeteries. These three cemeteries are located on the East Range, south of the Otipoby Comanche Cemetery and the old Elgin Road. These burial grounds were established by the government for use by the Apache prisoners of war during their confinement at Fort Sill from 1894 until 1913.

6. RESPONSIBILITIES. By virtue of this document, it is agreed that the parties identified herein understand their respective responsibilities for the utilization, maintenance, and preservation of the Comanche related cemeteries. General understanding includes:

a. Grounds Maintenance. The Fort Sill DPW will establish maintenance standards in accordance with Army Regulations and guidelines and with availability of funds. These standards will include grounds and access roads. Non-recurring maintenance requirements will be coordinated through DPIM and DPW from the office of the DPW Cemetery Administrator.

b. Headstones/Monuments. New requirements for headstones/monuments are private matters which will be the responsibility of the decedents' families. The Army will replace private headstones/monuments (that are broken during mission operations) with standard Government headstones. Damaged headstones attributable to a specific event, unit, or person(s) will be reported immediately to the proper authorities (Law Enforcement Command, DPIM, DPW). All headstone/monument maintenance (cleaning, setting, leveling, aligning, engraving, adhesive repairing) will be the responsibility of the respective decedents' families.

c. Directional or Interpretive Signs. The DPW will provide traffic or directional signs. Interpretive signs are written and designed by the museum and prepared and installed by the DPW.

d. Burial and Memorial Services. Interments and inurnments are private matters. The next-of-kin will arrange burial services with private contractors and other agencies or companies which provide excavations, grave closings, and burial set-ups. The DPW Cemetery Administrator or his representative will monitor cemetery utilization. The decedent's family and the Otipoby Cemetery Committee are responsible for marking graves for excavation. The Otipoby Cemetery Committee will maintain the cemetery's integrity by determining burial eligibility in the Otipoby Comanche Cemetery. The committee shall not charge families any fees related to the use of the cemetery. Also, the committee will appoint sextons with duties associated with burial and grave-site support service. The Otipoby Cemetery Committee shall be chartered with Fort Sill and shall acknowledge conformity with and understanding of regulations and guidelines established by the Department of the Army, Fort Sill, and Federal statutes. The DPW Cemetery Administrator shall be the technical manager of the Otipoby Comanche Cemetery and shall be the Committee Liaison/Manager, coordinating overall aspects of the cemetery with DPIM and DPW. The committee shall have exclusive scheduling authority for interments and memorial services for only the Otipoby Comanche Cemetery. Disinterments from the Otipoby Comanche Cemetery and the Comanche Mission Cemetery are to be coordinated through DPIM and DPW for approval authority from the Commanding

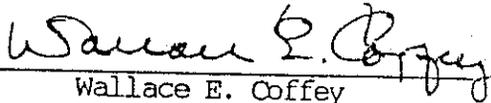
General. Disintements are personal and private matters to which the Government shall not be a party. The Comanche Reform Mission Cemetery is an inactive and closed cemetery. All requests and inquiries involving the real property aspects of the Comanche Mission Cemetery include the involvement of the the Comanche Nation.

e. Accessibility. Access to all cemeteries except the Comanche Mission Cemetery is during daylight hours, seven days a week. Access to the Comanche Mission Cemetery must be limited due to aviation safety considerations. Access arrangements to the Comanche Mission Cemetery must be made through the Fort Sill Museum or DPTM Aviation Division. Fort Sill's intent is to provide maximum access commensurate with safe operations. When necessary, Aviation Division will provide an escort to ensure the safety of visitors.

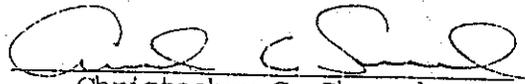
f. Historical Repository. The Fort Sill Museum will serve as the repository for all historical documents or records relating to the cemeteries. Any artifacts or historical objects encountered in grave excavations should be brought to the Museum's attention for possible documentation, but final disposition will be the responsibility of the tribe or its designee. The DPW Cemetery Maintenance Office will arrange for any reinterment or similar disposition.

7. Isolated Burials. Any isolated human remains found on the Fort Sill Military Reservation will be evaluated first by the proper law enforcement agencies as a potential crime scene. If the remains are historic or pre-historic in age, the Museum will be notified for documentation and study. Any remains and associated grave goods attributed to the Comanche Tribe will be brought to the Tribe's attention by the Museum for further evaluation. Final disposition will be as directed by the Comanche Tribe.

8. Modification of this MOU. This MOU is effective as of the latest date of signature below. It may be modified as required by agreement of the involved parties. Such modifications will be made in writing and attached to this MOU, and will be in full effect upon the date of signature of the parties.



Wallace E. Coffey
Chairman
Comanche Nation



Christopher C. Shoemaker
Colonel, U.S. Army
Chief of Staff

11-1-93

(DATE)

6 Jan 1994

(DATE)