Indian Affairs - Office of Public Affairs

New framework provides greater role for tribes in federal decisions affecting Indian Country

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WASHINGTON, D.C. -- Secretary of the Interior Ken Salazar and Assistant Secretary-Indian Affairs Larry Echo Hawk today announced a Tribal Consultation Policy for the Department of the Interior, launching a new era of enhanced communication with American Indian and Alaska Native tribes. The new policy emphasizes trust, respect and shared responsibility in providing tribal governments an expanded role in informing federal policy that impacts Indian Country.

“This comprehensive initiative reflects President Obama’s commitment to strengthening the government-to-government relationship between the United States and tribal nations and recognizing their fundamental right to self-governance,” Secretary Salazar said in signing a Secretarial Order implementing the departmental policy. “The new framework institutionalizes meaningful consultation so that tribal leaders are at the table and engaged when it comes to the matters that affect them.”

“Under this policy, consultation will be an open, transparent and deliberative process,” said Assistant Secretary Echo Hawk. “Forging a strong role for American Indian and Alaska Native tribes at all stages in the government’s decision-making process will benefit Indian Country and federal policy for generations to come.”

Developed in close coordination with tribal leaders around the Nation – including extensive meetings in seven cities with more than 300 tribal representatives – the new policy sets out detailed requirements and guidelines for Interior officials and managers to follow to ensure they are using the best practices and most innovative methods to achieve meaningful consultation with tribes.

Salazar’s announcement comes in advance of the third White House Tribal Nations Conference occurring Friday, December 2nd at the Department of the Interior. The conference will bring together leaders from the 565 federally recognized tribes to hear from President Obama and meet with senior federal officials.

The consultation policy creates a framework for synchronizing Interior’s consultation practices with its bureaus and offices by providing an approach that applies in all circumstances where statutory or administrative opportunities exist to consult with the tribes - including any regulation, rulemaking, policy, guidance, legislative proposal, grant funding formula change or operational activity that may have a substantial and direct effect on a tribe. Interior bureaus and offices, which are required to designate one or more Tribal Liaison Officers, must examine and change their consultation policies within 180 days to ensure they are consistent with the new departmental policy.

Under the policy, Interior officials will identify appropriate tribal consulting parties early in the planning process, provide the tribes a meaningful opportunity to participate in the consultation process,

and participate in a manner that demonstrates a commitment and ensures continuity.

To increase accountability, bureaus and office heads will implement training, performance standards and comprehensive annual reporting to the Secretary, through his designated Tribal Governance Officer, on the scope, cost and effectiveness of their consultation efforts.

Based on information received from the bureaus and offices, the Secretary will provide an annual report to the tribes on the Tribal Consultation Policy. In consultation with the tribes, the Secretary will also establish a joint Federal-Tribal Team to make recommendations on implementing and ensuring continued improvement of the policy.

Today's announcement fulfills President Obama's directive that all federal agencies develop ways to improve communication and consultation with tribal leaders to generate positive solutions for issues affecting the First Americans.

A Secretarial-established Tribal Consultation Team drafted the new policy, informed by input from the seven regional meetings. The team included tribal representatives from each Bureau of Indian Affairs region, in addition to departmental representatives, ensuring that the draft policy was a direct result of collaboration with tribal leaders. The draft policy was submitted to the tribes and public for review and comment, leading to further refinements reflected in the final policy announced today.

A picture of today's signing ceremony is available here.

The consultation policy is available here.
