Framework Provides Greater Role for Tribes in Federal Decisions Affecting Indian Country

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For Immediate Release: January 14, 2011
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WASHINGTON, D.C. -- Secretary of the Interior Ken Salazar and Assistant Secretary- Indian Affairs Larry Echo Hawk today provided the Department's draft Tribal Consultation Policy to the leaders of the nation's 565 federally-recognized American Indian and Alaska Native tribes for their review and comment. Receiving input from Indian country on the draft policy will guide the Department in carrying out President Obama's directive to all federal departments to develop ways to improve communication and consultation with Tribal leaders in order to develop positive solutions for issues affecting the First Americans.

"Our goal is a comprehensive, transparent and effective policy on which the Tribes can rely," Secretary Salazar said. "We must have a policy that embodies the best consultation practices available, responds to the needs of Tribal leaders to be more engaged in policy development and promotes more responsible decision-making on issues affecting American Indians and Alaska Natives," Salazar said. "The success of this policy depends greatly on the depth of input received from Indian Country."

"Meaningful, good faith consultation makes the Department's operations and governance practices more efficient and effective," said Assistant Secretary- Indian Affairs Larry Echo Hawk. "Forging a strong role for Indian Tribes' involvement at all stages in the government's decision-making process will benefit Federal Indian policy for generations to come."

The draft policy contains detailed requirements and guidelines for Interior officials and managers to ensure they are using the best practices and most innovative methods to achieve meaningful consultation with Indian Tribes. The Department will identify and seek to address impediments, both external and internal, to improving its consultation processes. In order to increase accountability, bureaus and office heads will implement training, performance standards, and comprehensive annual reporting to the Secretary on the results of their consultations, including the scope, cost and effectiveness of these efforts.

The draft policy was developed in response to President Obama's Nov. 5, 2009 White House Memorandum on Tribal Consultation, which signaled this Administration's commitment to strengthening the government-to-government relationship between the United States and Tribal nations. The President's memorandum supported tribal consultation as "a critical ingredient of a sound and productive Federal-tribal relationship" and called on all federal agencies to develop plans of action to establish tribal consultation policy.

Secretary Salazar directed departmental and bureau officials to conduct an assessment of current policy and convene a series of meetings with tribal representatives aimed at improving current tribal consultation practices. The process included extensive meetings in seven cities with 300 tribal

representatives and more than 250 federal officials participating.

With the input gained in these meetings, Salazar established a Tribal Consultation Team (TCT) to draft the new, comprehensive consultation policy. This team included tribal representatives from each Bureau of Indian Affairs region in addition to Departmental representatives. Brian Patterson, Clan Representative of the Oneida Nation, Robert Tippeconnie, Secretary/Treasurer of the Comanche Nation, and Governor Norman Cooeyate of the Zuni Pueblo served as co-chairs of the TCT and along with the other tribal representatives were integral to the success of the process, ensuring that the draft policy is a direct result of collaboration with tribal leaders.

The policy creates a framework for synchronizing the Department'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 American Indian and Alaska Native Tribes. Each Interior bureau and office will be required to examine and change their own consultation policies to ensure they are consistent with the final approved departmental policy.

The 60-day Tribal comment period ends on March 14. There will also be an additional 60-day public comment period beginning in April. The draft policy also will be submitted to Interior bureaus for a 14-day period of employee review and comment. All comments will be evaluated and considered as improvements are made to the current draft policy.

The final Tribal Consultation Policy will be signed by Secretary Salazar and added to the Departmental Manual. To view the Draft Tribal Consultation Policy, click HERE.