

Department of the Interior Departmental Manual

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Series: Environmental Quality Programs

Part ###: Indigenous Knowledge

Chapter 1: Departmental Responsibilities for Consideration and Inclusion of Indigenous Knowledge in Departmental Actions and Scientific Research

Originating Bureau/Office: Office of Policy Analysis

DM 1

1.1 **Purpose.** This chapter establishes Departmental policies, responsibilities, and procedures to respect, and equitably promote the inclusion of, Indigenous Knowledge in the Department's decision making, resource management, program implementation, policy development, scientific research, and other actions.

1.2 **Scope.** The policy in this chapter applies to the Department and its component bureaus and offices.

1.3 **Authorities.**

A. National Environmental Policy Act: Public Law 91-190 as amended, codified at 42 U.S.C. § 4321 et seq.;

B. National Historic Preservation Act: Public Law 89-665 as amended, codified at 16 U.S.C. § 470 et seq. and in multiple sections of 54 U.S.C. § 300101 et seq.;

C. Native American Graves Protection and Repatriation Act: Public Law 101-601, codified at 25 U.S.C. § 3001 et seq.;

D. Endangered Species Act: Public Law 93-205 as amended, codified at 16 U.S.C. § 1531 et seq.;

E. Marine Mammal Protection Act: Public Law 92-522, codified in multiple sections of 16 U.S.C. § 1362 et seq.;

F. Magnuson-Stevens Fishery Conservation and Management Act: Public Law 94-265 as amended, codified in multiple sections of 16 U.S.C. § 1801 et seq.;

G. Migratory Bird Treaty Act: 39 Stat. 1702 as amended, codified at 16 U.S.C. § 703 et seq.;

XX/XX/23 #####

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H. Bald Eagle and Golden Eagle Protection Act: Public Law 86-70 as amended; 16 U.S.C. § 668 et seq;

I. Foundations for Evidence-Based Policymaking Act of 2018: Public Law 115-435, relevant sections codified in 5 U.S.C. § 305 et seq. and 44 U.S.C. § 3502 et seq.;

J. Information Quality Act: section 515 of Public Law 106-554, codified at 44 U.S.C. § 3504(d)(1) and § 3516;

K. Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 Fed. Reg. 7629 (Feb. 16, 1994);

L. Executive Order 13175: Consultation and Coordination with Indian Tribal Governments, 65 Fed. Reg. 67249 (Nov. 6, 2000);

M. Executive Order 13985: Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 86 Fed. Reg. 7009 (Jan. 20, 2021);

N. Executive Order 14031: Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders, 86 Fed. Reg. 29675 (May 28, 2021);

O. Secretarial Order 3206: American Indian Tribal Rights, Federal-Tribal Trust responsibilities, and the Endangered Species Act (June 5, 1997);

P. Secretarial Order No. 3342 on Identifying Opportunities for Cooperative and Collaborative Partnerships with Federally Recognized Indian Tribes in the Management of Federal Lands and Resources (Oct. 21, 2016);

Q. Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships, 86 Fed. Reg. 7491 (Jan. 26, 2021);

R. Memorandum on “Indigenous Traditional Ecological Knowledge and Federal Decision Making” From Office of Science and Technology Policy and Chair, Council on Environmental Quality (Nov. 15, 2021);

S. White House Office of Science and Technology Policy – Council on Environmental Quality Guidance for Federal Agencies on Indigenous Knowledge (Nov. 30, 2022);

T. United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP, September 13, 2007), in the limited context of the “Announcement of U.S. Support for the United Nations Declaration on the Rights of Indigenous Peoples” (January 12, 2011).

1.4 **Definitions.**

A. Indigenous Knowledge (IK) – a body of observations, oral and written knowledge, innovations, practices, and beliefs developed by Indigenous Peoples through interaction and experience with the environment. It is applied to phenomena across biological,

physical, social, cultural, and spiritual systems. Indigenous Knowledge can be developed over millennia, continues to develop, and includes understanding based on evidence acquired through direct contact with the environment and long-term experiences, as well as extensive observations, lessons, and skills passed from generation to generation. IK is owned by Indigenous Peoples and is often intrinsic within customary or traditional governance structures and decision-making processes. Other terms such as Traditional Knowledge(s), Traditional Ecological Knowledge, Tribal Ecological Knowledge, Native Science, Indigenous Science, and others, are sometimes used to describe this knowledge system. This chapter uses the term Indigenous Knowledge (IK) throughout.

B. Indigenous Peoples – includes Native Americans, Alaska Natives, Native Hawaiians, and Indigenous People of the U.S. Territories, and their respective nations, communities, or groups that are indigenous to the United States and its territories.

1.5 **Background.**

Indigenous Knowledge (IK) is a specific type of knowledge that is passed from one generation to the next and integrated at the cultural level within an Indigenous group. IK uses systematic methodologies and verification through repetition and observation, derives from relationships with the environment and cultural ceremonies, evolves over time as new information is gained, and reflects cultural values. Generally, IK calls upon individuals, communities, organizations, governments, and others to act and make moral and ethical decisions in the best interests of future generations and place collective interests - including non-human interests - above individual interests. Indigenous Peoples are not homogenous: each nation and community, holds its own IK based on unique foundations and experiences as well as relationships with varied environments. IK is distinct from local knowledge or individual knowledge, both of which are based on recent experiences that may not have been validated with broad consensus within the culture of an Indigenous group.

IK includes holistic approaches to complex systems and should not be separated from its cultural, social, place-based, and ecological context or applied piecemeal. The importance of stories cannot be understated or minimized by other scientific approaches because Indigenous oral histories, traditions, and stories about the natural world inform everyday life.

Bringing IK and other scientific approaches into dialogue and mutual understanding (see Illustration 1) can generate a more holistic understanding of ecological processes. This can provide a foundation for improved implementation of Departmental actions, including agency decision making, resource management, program implementation, policy development, scientific research, and other actions. While bureaus and offices have historically included IK in certain actions or scientific research, this chapter is intended to facilitate and encourage the Department's consistent, broad, respectful, and equitable inclusion of IK in its internal and external engagements.

Bureaus and offices must work with the Indigenous nation or community's leadership or trusted advisors to identify Indigenous Knowledge holders who are generally respected and affirmed as knowledge holders by the appropriate Indigenous governing body or social structure. Bureaus and offices must ensure that IK is generally considered authoritative by the Indigenous Peoples

who possess it. Bureaus and offices must obtain informed consent from Indigenous Peoples before receiving and including IK in Departmental actions and scientific research.

1.6 **Policy.** It is the Department's policy to respect and equitably promote the inclusion of IK in the Department's decision making, resource management, program implementation, policy development, scientific research, and other actions. The Department recognizes IK as one of the many important knowledge systems that contribute to the scientific, technical, social, economic, cultural, and political well-being of the United States and to the collective understanding of the natural world. The term "Indigenous Knowledge" should be used by the Department unless a different term is preferred by the Indigenous nation or community with whom the Department is working, in which case their preferred term should be used.

A. Consistent with existing laws and regulations, it is the Department's policy to:

(1) Develop collegial and collaborative relationships with Indigenous Peoples built on reciprocity, equity, and mutual respect to facilitate the inclusion of IK in Departmental actions and scientific research, but that are not solely for the purpose of learning IK or obtaining consent to include IK. Bureaus and offices will engage Indigenous Peoples as true, vested, and enduring partners. Bureaus and offices will comply with the Department's policies regarding consultation as set forth in 512 DM 4 and 5, 512 DM 6 and 7. Bureaus and offices should:

(a) Transparently communicate to Indigenous Peoples that they have the right to grant or withhold consent to share their IK, to maintain control and access to their IK, and fully dictate the terms of inclusion and application of their IK.

(b) Exercise caution not to overstate or overcommit regarding the Department's ability to protect the confidentiality of IK, or regarding the outcome of a decision-making process or a conclusion of scientific research. Specific policies regarding communication with Indigenous Peoples are discussed in paragraph (3) below.

(c) Communicate to Indigenous Peoples in a timely manner and in an appropriate format how their IK was or was not included. Where inclusion of IK is ongoing, Departmental employees should, in collaboration with and with the consent of Indigenous Peoples, develop a schedule for continuing engagement.

(2) Obtain the free, prior, and informed consent from the appropriate Indigenous governing body and Indigenous knowledge holders prior to learning and including IK in Departmental actions and scientific research. Departmental employees should:

(a) Allow Indigenous Peoples to determine the processes by which such consent is given, consistent with applicable law and Departmental policy.

(b) Anticipate and transparently communicate to Indigenous People when obtaining their consent, the impacts to them of learning, including or not including, or limiting the inclusion of IK in Departmental actions and scientific research.

(c) Inform Indigenous Peoples when obtaining their consent of federal laws affecting the process of learning, including, or disclosing IK, including but not limited to, the Paperwork Reduction Act, Freedom of Information Act, and Information Quality Act.

(d) Inform Indigenous Peoples when obtaining their consent of the purpose, nature, scope, and parameters of the proposed Departmental action or scientific research and how their IK will be included. Inform Indigenous Peoples that the Department cannot ensure in advance a particular decision outcome or scientific conclusion.

(e) Be aware of the perspectives and processes of Institutional Review Boards and similar research approval processes, which may be required when working with Indigenous Peoples.

(f) Transparently communicate to Indigenous Peoples the potential for re-use of IK outside of its intended or original inclusion and any limits on the Department's ability to control re-use. Ensure that the expression of consent provided by Indigenous Peoples clearly states their position regarding re-use.

(3) Include IK in a manner that complies with federal laws, including the Information Quality Act, and with guidance and policies promulgated under these laws.

(a) Under the Information Quality Act, technical or scientific information, including IK, that is disseminated by bureaus and offices must generally meet the standards for objectivity, utility, and integrity set forth in the Department's Information Quality Guidelines. This requirement applies to information collected by the bureaus and offices themselves as well as information, including IK, provided by entities outside the Department. When a bureau or office relies on IK, the Department will disclose the inclusion of IK to the public.

(b) Federal statutes that require consideration of scientific information allow the inclusion of IK under established standards. In these cases, bureaus and offices should include IK as an aspect of best available science when it is generally considered authoritative by the Indigenous Peoples who possess it and freely available or gained by consent.

(4) Learn and include IK by using appropriate processes and procedures developed by Indigenous Peoples when preferred and available, or by relying on experts in the field that use appropriate and vetted social science methods as defined by Office of Personnel Management's Qualification Standards for Social Science, Psychology, and Welfare 0100-0199.

(5) Ensure that Departmental employees and those representing the Department are trained regarding the Department's policies for learning and including IK before engaging with Indigenous Peoples.

B. Bureaus and offices will develop guidance for inclusion of IK in their programs and policies, including guidance for:

(1) Ensuring that the inclusion of IK complies with applicable federal law and policy, including:

- (a) Ensuring that IK is learned transparently, and fairly, and with consent from Indigenous Peoples.
 - (b) Understanding and accounting for differences between IK and other scientific approaches, including different forms (i.e., songs, oral histories, etc.) and from different sources (i.e., Indigenous nations or communities).
 - (c) Developing procedures for citing or describing IK in bureau and office documents.
- (2) Developing guidance for outreach and communications materials that describe IK and its role in bureau or office actions or scientific research.
 - (3) Developing procedures for including IK in scientific research conducted by the bureau or office, including:
 - (a) Developing procedures for the identification of Indigenous Knowledge holders associated with an Indigenous nation or community with the guidance of the Tribal Historic Preservation Officer or Cultural Director, or other trusted advisors within an Indigenous nation or community, as appropriate.
 - (b) Collaborating with Indigenous Peoples in the development of processes for learning and including IK into Departmental actions and scientific research to the extent they are willing and able to participate. Bureaus and offices should engage Indigenous Peoples as early as possible and throughout the duration of an action or scientific research project.
 - (c) Developing guidelines for compliance with the Information Quality Act and other federal laws when including IK, consistent with paragraph 1.6(a)(4) above.
 - (d) Developing procedures to ensure that one or more subject matter expert(s) in the field of IK are included in the peer review of scientific reports or decision documents, which include IK and require peer review.
 - (e) Developing procedures for compensating Indigenous Knowledge holders or other Indigenous Peoples for providing services or information to the bureau or office, that are similar to services provided by a consultant or contractor.
 - (4) Developing procedures and processes for storing, maintaining, sharing, and disclosing IK, including procedures to identify information that is exempt from disclosure under federal law, and procedures for working with IK that do not rely on, or result in, the creation of disclosable federal records.
 - (5) Developing communication and reporting procedures for informing Indigenous Peoples how their IK was or was not included.

(6) Developing guidance for including IK in resource management actions, including actions involving co-stewardship, co-management, or collaborative management, as well as actions in which Indigenous Peoples do not have a specified role in management.

(7) Developing training requirements for engaging Indigenous Peoples for the purposes of learning and including IK in Departmental actions and scientific research.

1.7 Implementation. The Department will include IK in its actions and scientific research, where appropriate and available, unless explicitly prohibited by federal law or policy, and will at a minimum:

A. Elevate IK in the creation, selection, development, and implementation of Departmental actions, programs, and scientific research by inviting Indigenous Peoples to identify the IK they consider pertinent to the action or scientific research under consideration.
For example, but not limited to:

(1) Providing federally recognized Indian Tribes opportunities to serve as joint lead agencies or cooperating agencies under National Environmental Policy Act regulations, in the development of environmental impact statements or environmental assessments, and by encouraging Indigenous Peoples to suggest ways to include IK to inform the development of alternatives, analysis of effects, and when necessary, identification of mitigation measures.

(2) Inviting Indigenous Peoples to provide IK or other relevant information to inform decisions under the Endangered Species Act.

(3) Considering IK when evaluating features or circumstances unique to an Indian Tribe under the Tribal Forest Protection Act.

(4) Including IK when evaluating the eligibility of traditional cultural site landscapes or seascapes for inclusion on the National Register of Historic Places or evaluating potential impacts to eligible properties under the National Historic Preservation Act.

(5) Deferring to IK to identify Native American Graves Protection and Repatriation Act cultural items and human remains during project planning and in existing bureau and office collections.

(6) Including available IK when sponsoring or conducting scientific research and other actions of the Department.

(7) Ensuring that bureau and office funding opportunities include IK to the fullest extent allowable, including, but not limited to, ensuring that selection, award, and oversight processes are unbiased and value IK on par with other forms of evidence and methods of inquiry.

B. Hiring Authorities. The Department will use hiring authorities to recruit, hire, and retain employees with the experience, knowledge, and skills needed to work with IK and to engage Indigenous knowledge holders, and Indigenous Peoples, including by:

- (1) Working with professional and Indigenous organizations and Departmental employee affinity groups on recruitment and retention.
- (2) Collaborating with the Bureau of Indian Education and Indigenous Peoples regarding career development programs through Tribal colleges and universities.
- (3) Recruiting and hiring via the Pathways Program or other internship opportunities.
- (4) Including standards for cultural competencies as job skill requirements, where appropriate.
- (5) Using the Indian Preference Hiring Authority, where appropriate and allowed.
- (6) Using the Intergovernmental Personnel Mobility Act.
- (7) Using other appropriate hiring authorities or mechanisms, including bureau and office, regional, or site-specific authorities.
- (8) Incorporating education or experience working with IK, with Indigenous Knowledge holders, and with Indigenous Peoples into position descriptions and qualifications, where appropriate.

1.8 **Responsibilities.**

- A. The Assistant Secretary-Policy, Management and Budget is responsible for:
 - (1) Overseeing the Department's compliance with this policy, providing staff support to monitor implementation of the policy and coordinate budgets and practices that support consideration and inclusion of IK in Departmental actions and scientific research.
 - (2) Establishing an Indigenous Knowledge Coordination Committee (Committee) and approving the Committee Charter.
- B. Assistant Secretaries are responsible for ensuring that their subordinate bureaus and offices comply with the policy in this chapter.
- C. The Office of Policy Analysis (PPA):
 - (1) Serve as the lead Office for revising this policy when warranted by changes in technical information, federal statutes, regulations, Departmental policy, or other considerations. Any bureau or office can initiate changes by contacting the PPA.
 - (2) Solicit and consider the views of all interested Departmental offices and bureaus when the Department contemplates changes to this chapter. In recommending revisions to this chapter, bureaus and offices will provide PPA with appropriate supporting information.

(3) When requested, provide technical assistance and guidance to Departmental offices and bureaus in understanding and implementing this policy.

(4) Conduct Tribal Consultation, Native Hawaiian Community Consultation, and other appropriate consultations or listening sessions to inform the revision process.

D. Heads of Bureaus/Offices.

(1) Ensure that their organizations comply with this policy.

(2) Develop guidance documents specific to the needs of their bureau or office to implement this chapter, including the guidance documents described in section B of this chapter, and ensuring that IK is described and included in bureau or office - level guidance and handbooks.

(3) Ensure that personnel involved in planning, decision making, program implementation, policy development, scientific research, and other actions are aware of this chapter and have the appropriate experience and training to implement this chapter.

(4) Include standards for the application of the policies set forth in this chapter in employee performance appraisal plans, where appropriate.

(5) Appoint Departmental employees with appropriate technical and subject matter expertise to represent the bureau or office on the Department Indigenous Knowledge Coordination Committee. Representatives are required from the following bureaus and offices: Bureau of Indian Affairs, Bureau of Indian Education, Bureau of Land Management, Bureau of Reclamation, Bureau of Safety and Environmental Enforcement, Bureau of Ocean Energy Management, National Park Service, Office of Surface Mining Reclamation and Enforcement, Office of Insular Affairs, Office of Native Hawaiian Relations, Office of Policy Analysis, Office of Environmental Policy and Compliance, U.S. Fish and Wildlife Service, and U.S. Geological Survey. Heads of other bureaus and offices are encouraged, but not required, to appoint a representative to the Department Indigenous Knowledge Coordination Committee.

E. Tribal Liaison Officers (TLOs) are responsible for promoting and facilitating the identification and inclusion of IK and facilitating appropriate contacts between bureaus or offices and Indigenous Peoples in support of the policies set forth in this chapter.

F. The Department Indigenous Knowledge Coordination Committee (Committee) is responsible for:

(1) Establishing and maintaining a charter, to direct the operations of the Committee including the process of designating a Committee Chair.

(2) Providing communication, coordination, oversight, training, research, and technical assistance to bureaus and offices on the inclusion of IK by:

(a) Synthesizing and integrating new IK research, best practices, case studies on IK, decision science, and climate adaptation into IK guidance and trainings.

(b) Developing IK reporting metrics for bureaus, collecting reporting data, and sharing reporting and lessons learned within and across bureaus and among partners, Indigenous Peoples, and other collaborators.

(c) Establishing reporting requirements on the application of this policy as it relates to bureau/office-specific missions and authorities, consistent with existing Departmental performance metrics.

(d) Developing strategies to promote bureau and office engagement and investment in the consideration and inclusion of IK in Departmental actions and scientific research.

(3) Integrating approaches for the inclusion of IK into Departmental strategic plans and budget submissions where appropriate.

1.9 **Guidance.**

A. Departmental employees shall refer to the CEQ Guidance for Federal Departments and Agencies on Indigenous Knowledge for further guidance on this topic. See [ik_guidance_implementation_memo.pdf \(bia.gov\)](#)

B. The Advisory Council on Historic Preservation (ACHP), Office of Native American Affairs, maintains a website on Traditional Knowledge. The ACHP resources include a white paper discussing the importance of IK in the Section 106 process entitled “Traditional Knowledge and the Section 106 Process: Information for Federal Agencies and Other Participants”. See <https://www.achp.gov/indian-tribes-and-native-hawaiians/traditional-knowledge>.

C. The National Park Service maintains a website with resources related to Traditional Ecological Knowledge. See <https://www.nps.gov/subjects/tek/index.htm>.

D. The Department of the Interior’s guidance under the Foundations for Evidence-Based Policymaking Act of 2018, is available at <https://www.doi.gov/performance/evidence-doi>.

1.10 **Legal Effect.** This policy is intended to improve the internal management of the Department. It does not create any right or benefit, substantive or procedural, enforceable at law or in equity by any person against the United States, its agencies, its officers or employees, or any other person.

Illustration 1. Qualities of Indigenous Knowledge and other scientific approaches, adapted from Barnhardt and Kawagley, 2005.

