



May 19, 2025

The Honorable Doug Burgum
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240
via email: oliver.whaley@bia.gov

RE: Recommendations to Improve Effectiveness of Tribal Consultation

Dear Secretary Burgum:

On behalf of the undersigned organizations serving Tribal Nations and Tribal citizens and communities, we commend the Department of the Interior's (DOI) recent announcement to hold eight Tribal consultation sessions with Tribal Nations on many varied issues. Tribal consultation is *essential* to a meaningful and productive relationship between the United States and our Tribal governments. While we fully recognize DOI's ongoing efforts to advance Administration priorities while working to uphold trust and treaty obligations across Indian Country, we write to urge DOI to take the following actions prior to the upcoming Tribal consultation sessions in order to maximize the effectiveness of said sessions for both the United States and Tribal Nations. We also provide this feedback to facilitate Tribal consultation best practices for all future DOI Tribal consultations.

Recommended Action #1: Reduce the scope of the Tribal consultation and/or increase the number of sessions taking place—including holding separate Tribal consultations on proposed changes to NEPA, NHPA, and ESA. Based on DOI's [Dear Tribal Leader Letter](#) and addendums [[addendum 1](#), [addendum 2](#)], the upcoming Tribal consultation is expected to cover no fewer than six topics, including: (1) restructuring of Indian Affairs; (2) identifying efficiency barriers to current funding structures; (3) considering Indian Affairs support for Tribal self-governance and self-determination; (4) evaluating new proposed National Environmental Policy Act (NEPA) procedures; (5) evaluating new proposed Endangered Species Act (ESA) procedures; and (6) evaluating new proposed National Historic Preservation Act (NHPA) procedures. While we agree with DOI leadership that each of these issues absolutely warrants government-to-government Tribal consultation, the breadth of these topics is enormous. Each topic, if covered individually, would warrant multiple Tribal consultation sessions to fully understand the issues involved and to allow full participation from Tribal Nation leaders. Attempting to combine all six of these topics—several of which are asking for potentially technical feedback to new proposed federal processes—into a handful of Tribal consultation sessions is going to ensure that none of the topics are discussed to the full extent that they deserve and that the voices of at least some Tribal leaders will go unheard on one or more of these topics due to time and resource constraints. *Therefore, we urge DOI to take steps to ensure meaningful government-to-government Tribal consultation is taking place on each of these issues by either reducing the scope of topics to be covered in the upcoming Tribal consultation and/or by adding additional consultation sessions to*

accommodate additional Tribal feedback. Specifically, evaluations of NEPA, ESA, and NHPA are wholly unrelated to restructuring and administrative barrier conversations, thus we strongly urge DOI to hold a separate round of Tribal consultation on each of the proposed NEPA, NHPA, and ESA procedural changes.

Recommended Action #2: Provide full information and transparency on the federal government's current plans with respect to the Tribal consultation topics of interest. Tribal consultation is, at its heart, an ongoing conversation and dialogue between sovereigns. In order for such conversations to be worthwhile, it is critical for all parties involved to have similar understandings of the issues being discussed. In this case, while DOI's [*Dear Tribal Leader Letter*](#) and addendums [[addendum 1](#), [addendum 2](#)] do provide limited background information and questions for Tribal leaders to consider, any additional information DOI can provide on the topics proposed for discussion is helpful to encourage more robust participation from Tribal leaders. Specifically, with respect to Executive Order (EO) 14210, establishing the "Department of Government Efficiency" Workforce Optimization Initiative, it is nearly impossible for Tribal leaders to provide meaningful input and feedback without a better understanding of what actions DOI is considering taking in order to implement this EO, and we have heard that DOI already appears poised to carry out certain restructuring and downsizing efforts. We remind DOI that Tribal consultation must take place before a decision is made. *Therefore, at a minimum, we urge DOI to provide additional information about DOI's current thinking and plans with respect to EO 14210 so that Tribal Nations can appropriately prepare meaningful feedback on this issue. And, to the extent possible, we also request DOI provide any additional information about what actions DOI is currently contemplating with respect to the other proposed consultation topics.*

Recommended Action #3: Ensure that key federal decision-makers are in attendance at all Tribal consultation sessions. Tribal consultation is a government-to-government interaction and must be treated accordingly. In order for interactions between governments to be meaningful, the United States must ensure that federal officials with authority to make decisions are present at Tribal consultations sessions. Moreover, the federal government should take steps to ensure that federal officials with relevant expertise are present to improve the quality of dialogue and to be able to answer Tribal leader questions. *Therefore, we urge DOI to: (1) ensure that DOI officials with decision-making authority are present for all Tribal consultation sessions; (2) announce the names and positions of all DOI officials with decision-making authority who will be present at a session at least seven days prior to the start of said session; and (3) invite officials from both the Office of Management and Budget (OMB) and the Department of Government Efficiency (DOGE) in order to facilitate a meaningful discussion of EO 14210 and the potential impacts of its implementation at DOI with all relevant decision makers present.*

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Nurturing robust and healthy relationships between Tribal Nations and the United States is of paramount importance to protecting the rights and interests of our citizens and communities. As such, we are eager to engage in meaningful dialogue with DOI and other federal agencies anytime our sovereign rights may be impacted. We urge DOI to take our recommendations so that our time together at the upcoming consultation sessions can be used efficiently and with an eye towards



achieving consensus on how to move forward together. We offer an open door to DOI to discuss Tribal consultation best practices going forward.

Sincerely,

Affiliated Tribes of Northwest Indians (ATNI)
American Indian Higher Education Consortium (AIHEC)
Great Plains Tribal Chairmen's Association (GPTCA)
Inter Tribal Association of Arizona (ITAA)
Midwest Alliance of Sovereign Tribes (MAST)
National American Indian Housing Council (NAIHC)
National Association of Tribal Historic Preservation Officers (NATHPO)
National Congress of American Indians (NCAI)
National Indian Child Welfare Association (NICWA)
National Indian Education Association (NIEA)
National Indian Head Start Directors Association (NIHSDA)
National Indigenous Women's Resource Center (NIWRC)
Native American Finance Officers Association (NAFOA)
Rocky Mountain Tribal Leaders Council (RMTLC)
Self-Governance Communication & Education Tribal Consortium (SGCETC)
United South & Eastern Tribes Sovereign Protection Fund (USET SPF)