



Government-to-Government Relationships

Supporting Tribal Treaty and Trust Responsibilities

Why Do We Work With Tribes



Federal Tribal Trust
Responsibility

Statutes



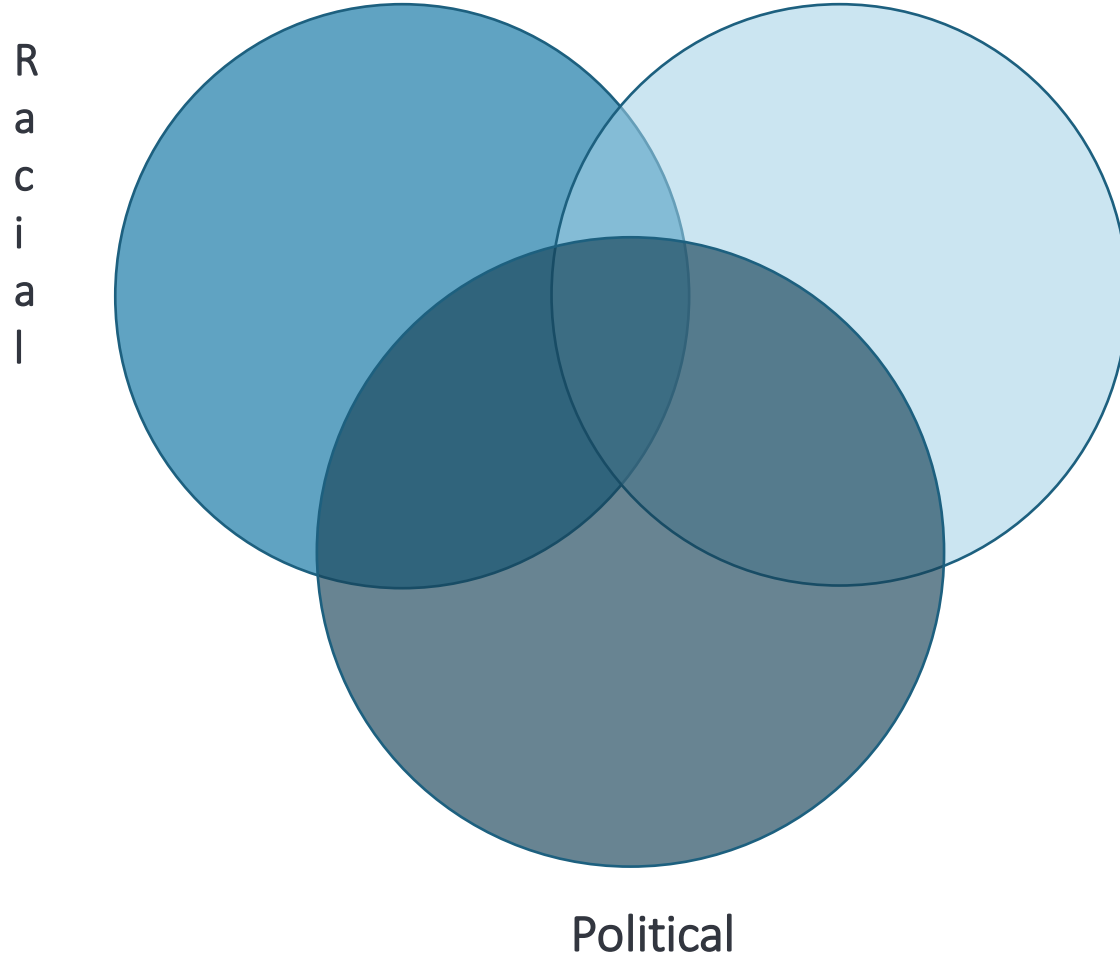
Executive and
Secretarial Orders

Policies





Contemporary Tribal Identity



From colonialism to today (Short Course on Federal Indian Law)

- Inherent sovereignty
- Aboriginal Title
- Right of Occupancy
- Treaties
- U.S. Constitution
- Marshall Trilogy
- Sovereign Domestic Dependent Nations
- Plenary Powers
- Federal Preemption
- Indian Commerce Clause



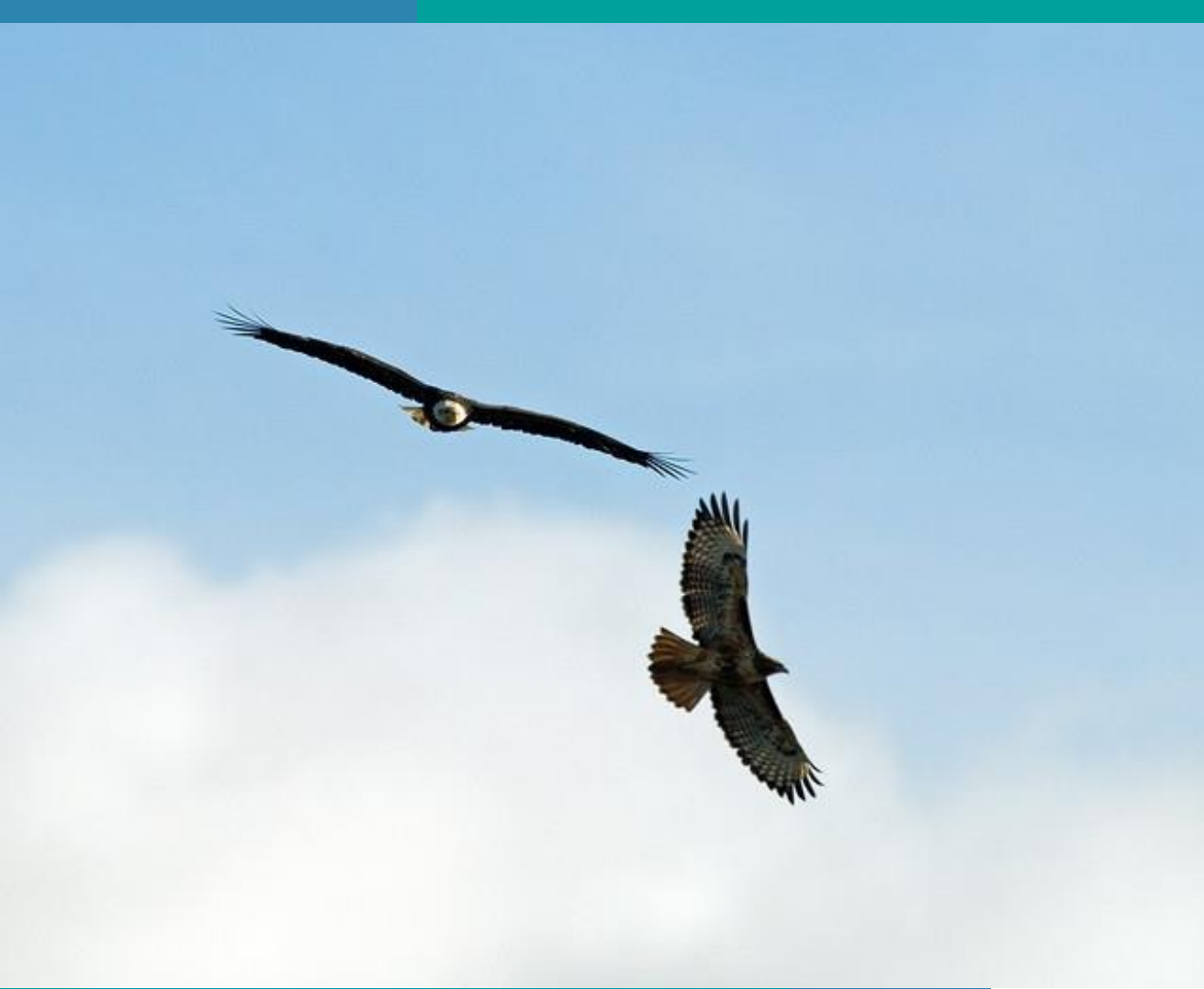
- Public Law 280
- Retrocession
- Indian Self Determination and Education Assistance Act (1975)
- Cougar Den v. WA
- Herrera v. Wyoming
- SCOTUS denied cert on Yakama Nation/Mt. Adams/Tract D

Federal Indian Policy Over Time

- Treaty Making (colonial era – 1887)
- Removal and Reservations (1829-1887)
- Allotment and Assimilation (1887-1934)
- Indian Reorganization Act (1934)



- Termination and Relocation(1945-1960)
- Indian Self Determination and Education Assistance Act (1975)
- Realizing and Expanding the Limits of Sovereignty (from now into the future)



Tribal Government

- Strengthening tribal governance
- Building tribal programs and services
- Educating tribal populations
- Developing tribal economies
- Managing tribal resources
- Protecting tribal rights, heritage, and culture

Government-to-Government Relationship



Beware the trap of lists and simple notification

Beyond Executive Order 13175

Tribes as governmental and administrative bodies

Treat each as unique

Build relationships

Continuum of Consultation (an all “C” approach)



Meaningful Opportunity Early in the Process for Tribes to Provide Input

Potential to effect tribal rights, properties, or interests

Communicate, collaborate, cooperate, and consult

Resources



Regional NAL

FWS Tribal Policy

FWS Tribal Consultation Handbook

Additional training

Time, experience, and natural curiosity



Questions?