



DEPARTMENT OF THE ARMY
ASSISTANT SECRETARY
INSTALLATIONS, ENERGY AND ENVIRONMENT
110 ARMY PENTAGON
WASHINGTON DC 20310-0110

JAN 17 2012

Dear Tribal Leader:

The Department of the Army continues to take important steps to implement President Obama's November 5, 2009, Executive Memorandum on Federal Consultation with Indian Tribes. One of our goals is to establish a Department of the Army policy for interaction with Federally-recognized Indian tribes. The intent of the policy is to strengthen the government-to-government relationship between the Department of the Army and Federally-recognized Indian tribes.

The success of this policy depends greatly on the voices of tribal officials from Indian Country. I am requesting your involvement and engagement as we develop the Department of the Army's policy. Dr. David Guldenzopf, my Director for Environmental Quality and Native American Policy will lead this effort. He may be contacted at david.b.guldenzopf.civ@mail.mil or (571) 256-7822. Thank you for your support of this important Army policy initiative.

Sincerely,

A handwritten signature in green ink, appearing to read "KH", is written over a light blue horizontal line.

Katherine Hammack

**EXECUTIVE SUMMARY:
DEVELOPMENT OF POLICY FOR DEPARTMENT OF THE ARMY
INTERACTION WITH FEDERALLY-RECOGNIZED INDIAN TRIBES**

This summary provides information for Tribal representatives regarding the Army's consultation with Federally-recognized Indian Tribes (Indian tribes) and Tribal organizations for the development of a Department of the Army (Army) policy for interaction with Indian tribes. The Assistant Secretary of the Army for Installations, Energy and Environment has initiated the consultation process for the development of Department of the Army policy principles for interaction with Federally-Recognized Indian Tribes by means of the letter to Tribal Leaders dated 17 January 2012. The Army has prepared a draft policy as a starting point for consultation.

There are three principles addressed in the Army's draft policy for interaction with Federally-recognized tribal governments; 1) tribal sovereignty, 2) the government-to-government relationship, and 3) trust responsibilities. Executive Order 13175 *Consultation and Coordination with Indian Tribal Governments* identifies requirements for tribal consultation in the course of agency policy development. The November 5, 2009, Executive Memorandum *Tribal Consultation* signed by President Obama directs federal departments to engage in regular and meaningful consultation with tribal officials and to strengthen the government-to-government relationship with Federally-recognized Indian tribes.

Consultation on the Army policy is intended to be an active process of seeking input from Indian tribes and Tribal organizations. The policy is intended to strengthen government-to-government relations and ensure that consultation with Indian tribes becomes integrated into and supports the Army mission. Once the policy is in place, the Army intends on developing more detailed guidance for policy implementation.

The Army is reaching out to meet with Tribes and Tribal organizations and to obtain input on the draft policy. Please provide meeting suggestions and any comments that you may have on the attached draft Army policy via phone call, email or letter to:

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***POLICY PRINCIPLES FOR DEPARTMENT OF THE ARMY
INTERACTION WITH FEDERALLY-RECOGNIZED INDIAN TRIBES***

The Federal government has a special legal relationship with Federally-recognized Indian tribes (Indian tribes) based on the Constitution of the United States, treaties, Federal statutes, and judicial decisions. The Department of the Army (Army) has a complex, shared history with Indian tribes. Tribal members have and continue to serve in the Army with distinction and many have made the ultimate sacrifice in service to the United States. The principles of tribal sovereignty, government-to-government relations and the trust responsibility shall guide Army interactions with Indian tribes. With these principles, the Army honors and respects all Native American service members and the members of Federally-recognized Indian tribes.

Tribal Sovereignty

Tribal sovereignty is the principle upon which the Federal government and tribal governments establish relations. The Army recognizes and acknowledges that Indian tribes retain inherent, sovereign powers of self-government and respects sovereign tribal authority. Sovereignty is the foundation of the government-to-government relationship existing between the United States and Indian tribes.

Government-to-Government Relations

The government-to-government relationship between the United States and Indian tribes is affirmed in Presidential Memoranda and Executive Order that direct federal agencies to engage with tribal officials and strengthen the government-to-government relationship. The Army is committed to engaging Indian tribes and strengthening the government-to-government relationship.

Trust Responsibility

The Federal Government's trust responsibility is derived from treaties, statutes, and Executive Orders that protect inherent tribal rights such as self-government on Indian lands and the right of use to certain natural and cultural resources off of Indian lands. The Army recognizes that it has a trust responsibility to Indian tribes and shall be guided by a standard of respect for the trust relationship.

Commitment

Army leaders at all levels shall implement these principles during their interactions with Indian tribes. This policy is the Army's commitment to strengthen the covenant that exists with Federally-recognized Indian tribes.

SIGNED:

DATE: