

UNITED STATES DEPARTMENT OF LABOR
AMERICAN INDIAN AND ALASKA NATIVE POLICY

I. Introduction

The Department of Labor recognizes that the United States government has a unique legal relationship with Native American tribal governments as set forth in the Constitution of the United States, treaties, statutes, and court decisions.

II. Purpose

This policy is intended: to reaffirm the Department of Labor's recognition of the sovereign status of federally-recognized Indian tribes as domestic dependent nations; to reaffirm adherence to the principles of government-to-government relations with Native American tribal governments, as embodied in President Clinton's April 29, 1994 memorandum for the heads of executive departments and agencies; to affirm the Department's intention to comply with Executive Order 13084 on consultation and coordination with Indian tribal governments; and to guide the Department in its work in the field of American Indian and Alaska Native affairs.

III. Principles

In order to ensure that the rights of sovereign tribal governments are fully respected, the activities of the Department of Labor shall be guided by the following principles:

- A. The Department and its agencies will operate within a government-to-government relationship with federally-recognized tribal governments.
- B. The Department and its agencies will consult, to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect federally-recognized tribal governments. All such consultations are to be open and candid so that all interested parties may evaluate for themselves the potential impact of relevant proposals.
- C. The Department and its agencies will assess the impact of federal government plans, projects, programs, and activities on tribal trust resources and assure that tribal government rights and concerns are considered during the development of such plans, projects, programs, and activities.
- D. The Department and its agencies will take appropriate steps to remove any procedural impediments to working directly and effectively with tribal governments on activities that affect the trust property and/or government rights of the tribes.
- E. The Department and its agencies will work cooperatively with other federal


departments and agencies to enlist their interest and support in cooperative efforts, where appropriate, to accomplish the goals of the President's executive memorandum of April 29, 1994.

- F. The Department and its agencies will apply the requirements of Executive Orders Nos. 12875 ("Enhancing the Intergovernmental Partnership") and 12866 ("Regulatory Planning and Review") to design solutions and tailor federal programs, in appropriate circumstances, to address specific or unique needs of tribal communities.
- G. The Department and its agencies, working with the White House Initiative on Tribal Colleges and Universities, will comply with the requirements of Executive Order No. 13021 ("Tribal Colleges and Universities") and will seek to further the purposes of the Order, including (but not limited to) increasing accessibility of Federal resources for tribal colleges and universities in tribal communities.
- H. The Department and its agencies will comply with the requirements of Executive Order No. 13084 ("Consultation and Coordination with Indian Tribal Governments").

IV. Disclaimers

This policy is intended only to improve the internal management of the Department of Labor and is not intended to, and does not, create any right to administrative or judicial review, or any other right or benefit or trust responsibility, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

This policy is intended to be implemented in a manner consistent with the legal requirements that apply to the Department's activities and with the Department's legal responsibility to administer and enforce certain statutes and executive orders. Those federal laws include laws of general applicability that apply to Indian tribes, to their members, and to tribal enterprises, including laws that may treat state governments differently than tribal governments.



Alexis M. Herman
Secretary of Labor

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