

**A Structure
For
Tribal, Tribal Agency and Tribal Organizations
Consultation, Collaboration and Coordination Procedures,
Including Federal Notice and Tribal Authorization Requirements**

**TRIBAL AND TRIBAL ORGANIZATIONS
CONSULTATION, COLLABORATION AND COORDINATION**

I. CONSULTATION

When there is any tribal implication (as defined by Executive Order 13175) involving a regulatory matter or an unfunded mandate.

A. Formal Consultation.

- When a matter involves a regulation.
- When a decision is being considered that creates an unfunded mandate or affects an existing unfunded mandate.
- Proposed legislation.
- Policy statements.
- Highly significant actions.

A written notice must be sent minimally to (i) every tribe (ii) to relevant applicable tribal agencies and (iii) to, national tribal organizations either announcing a scheduled consultation or to solicit input.

ANY RESULTING SUBMISSIONS OR PARTICIPATION BY A TRIBE MUST BE AUTHORIZED IN WRITING BY THAT TRIBE.

B. Informal Consultation.

- When a matter involves all other regulatory matters.
- Legislative comments.

A written notice must be sent minimally to (i) every tribe, (ii) to relevant applicable tribal agencies and (iii) to national tribal organizations either announcing a consultation or to solicit input.

NO WRITTEN AUTHORIZATION IS REQUIRED FROM A TRIBE FOR A SUBMISSION OR PARTICIPATION. HOWEVER, ANY TRIBAL SUBMISSION OR PARTICIPATION MUST CLEARLY IDENTIFY THE TRIBE OR TRIBES WHO ARE PARTICIPATING OR RESPONDING.

II. OTHER COLLABORATION AND COORDINATION

When a matter is not required above to go through consultation, including other non-highly significant action, but does have tribal implication (as defined by Executive Order 13175).

A written scheduling announcement or input solicitation notice must be sent to those tribes, tribal agencies and tribal organizations that the Federal agency might have an interest or concerns.

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