



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

January 30, 2023

via Email

Dear Tribal Leader:

As the Point of Contact for Tribal Consultation for the U.S. Department of the Treasury (Treasury), I invite you to a consultation on updating Treasury's Tribal Consultation Policy. The consultation will be held virtually on Wednesday, March 8, 2023, 2pm-5pm ET. [Register here for the consultation.](#)

Background

The United States has a unique trust relationship with, and responsibility to protect and support, Tribal Nations. In recognition of this unique legal relationship, and to strengthen the government-to-government relationship, [Executive Order 13175](#) of November 6, 2000 (Consultation and Coordination With Indian Tribal Governments), charges all executive departments and agencies (agencies) with engaging in regular, meaningful, and robust consultation with Tribal officials in the development of Federal policies that have Tribal implications, and sets forth fundamental principles and policymaking criteria.

On September 23, 2015, Treasury published its first [Tribal Consultation Policy](#) and in 2021, Treasury conducted a Tribal consultation on the [Presidential Memorandum on Strengthening Tribal Consultation and Nation to Nation Relationships](#) (January 26, 2021). Treasury considered Tribal feedback and recommendations received during the consultation to develop an [Action Plan for Tribal Consultation and Collaboration](#) which included the goal of updating Treasury's Tribal Consultation Policy.

On November 30, 2022, President Biden signed the [Presidential Memorandum on Uniform Standards for Tribal Consultation](#) which establishes uniform minimum standards to be implemented across all agencies regarding how Tribal consultations are to be conducted. The memorandum is also designed to respond to the input received from Tribal Nations regarding Tribal consultation on the January 26, 2021 Presidential Memorandum, improve and streamline the consultation process for both Tribes and Federal participants, and ensure more consistency in how agencies initiate, provide notice for, conduct, record, and report on Tribal consultations.

In 2023, Treasury intends to revise its Tribal Consultation Policy to support the department's increased nation-to-nation engagement with Tribal governments. Treasury looks forward to engaging with Tribal governments on how the provisions included in the Presidential Memorandum on Uniform Standards for Tribal Consultation should be implemented prior to the revision of the [department's current Tribal consultation policies](#). Please note, this consultation is to inform drafting of Treasury's revised consultation policy and Treasury intends to also conduct Tribal consultation on its revised policy.

Specifically, we hope to receive your input on the following questions:

1. What questions, comments, or suggestions do you have regarding Treasury current Tribal consultation policy?
2. What consultation practices and processes should Treasury adopt to support nation-to-nation engagement?
3. Section 7 of the November 30, 2022 Presidential Memorandum addresses Tribal consultation records; how should Treasury balance Tribal transparency interests with Tribal data privacy concerns with regard to the content of consultations?
4. Section 8 of the November 30, 2022 Presidential Memorandum provides that the head of each agency must require annual training of agency employees who work with Tribal Nations or who work on matters with Tribal implications; what recommendations do you have for Treasury's implementation of this section?

[Register here for the Wednesday, March 8, 2023, at 2:00 pm ET session.](#)

We respectfully request that each Tribal government register one primary leader or designee to provide comments. All others are welcome to register as listen-only participants. Please note that each consultation can host 500 participants.

Treasury will send out an agenda and a list of registered speakers on or before Wednesday, March 1, 2023.

The deadline to submit written comments is March 31, 2023, at 11:59 p.m. AKT. Written comments should be sent to tribal.consult@treasury.gov.

If you have any questions, please email tribal.consult@treasury.gov. We look forward to hearing your feedback on this issue to ensure Tribal governments and communities are integrated into the work of our department.

Sincerely,

Chief Lynn Malerba
Treasurer of the United States
Point of Contact for Tribal Consultation
U.S. Department of the Treasury