



March 16, 2021

The Honorable Debra Haaland
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Dear Secretary Haaland,

Congratulations on your historic appointment as Secretary of the Interior. With this appointment, the Department of the Interior is in a unique position to incorporate Indigenous perspectives on critical issues such as social injustice, responsible protection of ancestral tribal lands, climate change, and federal-tribal affairs, which have long been overlooked.

As you are aware, the Department of the Interior is responsible for managing our country's natural resources, federal and public lands, and honoring the Federal Government's trust responsibilities to American Indian, Native Hawaiian, Alaska Native nations, organizations, and villages. However, a deep mistrust overshadows the Indigenous community's attitude toward the Government, specifically the Department of the Interior. Now is the time to rebuild that trust.

Tribal representation matters. As tribal and historic preservation consultants, we help government agencies rebuild relationships with tribal nations and organizations based on renewed trust. Communication challenges, non-existent tribal consultation, and ineffective policy implementation have left the Indigenous population powerless in the public policy decision-making process. As the Biden Administration and the United States Congress prepare to undertake new legislation to address social injustice and environmental issues, we are confident you will use your knowledge and experience to ensure that Indigenous leaders and tribal perspectives are present during these discussions.

To encourage successful government-to-government relationships, we offer a few recommendations on improving the consultation process and opening the lines of communication with Tribal Nations:

1. Work with federally recognized tribes to ensure they have the available resources to engage in federal consultation.

A recent Government of Accountability Office (GAO) study¹ reported that some tribes do not have the existing resources to engage in meaningful consultation. Native American tribes listed many factors, including limited funding, the lack of staff, and high volumes of consultation requests with short deadlines, that have prevented thorough assessments of project consultation. We recommend your agency broaden the availability of resources to assist tribes as they engage in discussions with federal agencies. We ask that your agency identifies ways to support Tribal governments in their efforts to participate in consultation dialogue.

- Although the federal government only needs to consult federally recognized tribes, we recommend including state-recognized and non-federally recognized tribes in the consultation process. Many state-recognized and non-federally recognized tribes lack the resources to start the federal acknowledgment process and thus remain unrecognized even though they continue to practice their cultural traditions and have Indigenous knowledge of the land. Under federal law, the Government is required to consult with experts. Tribal members from state and non-federally recognized tribes are the experts.
2. Be transparent and share detailed information on how tribal input is considered in public policy decision making.

In a previous GAO study², tribes emphasized a disregard of tribal relations. We recommend creating a standard information-sharing process that includes a post-project debrief for Tribal leaders. Tribal leaders would appreciate hearing information explaining that tribal concerns were addressed and accommodated, even if project planning does not favor tribal interests.

3. Provide Tribal leadership with direct access to Department leadership during the consultation process.

As sovereign entities, Tribal leaders are responsible for decision making for their tribe. For the tribe, this is the equivalent role as the President of the United States. We believe you understand the importance of showing respect to the Tribal leader by having Department leadership or other high-ranking officials with decision-making power participate in tribal consultations.

¹ See *United States of America, United States Government of Accountability Office. (2019). TRIBAL CONSULTATION Additional Federal Actions Needed for Infrastructure Projects (pp. 24-26). Washington, D.C. Retrieved January 12, 2021, from <https://www.gao.gov/assets/700/697694.pdf>.*

² *Ibid, (pp. 39-44)*

4. Develop a tribal consultation policy to accommodate rural Indigenous communities.

A recent Census Bureau study estimates that over half of Native Americans living on rural tribal lands do not have access to essential wireless broadband services³. The lack of internet connectivity for tribal members presents difficulties when engaging in virtual consultation. Many tribal members rely on their mobile phones for online services but lack available service areas and struggle with unreliable cellular coverage. When federal agencies hold online webinars or request online public comments, they disproportionately exclude tribal members who do not have broadband access. While there have been significant improvements to communications funding on tribal lands, we recommend that your agency develop public outreach and consultation policies designed to include rural tribal community members who do not have internet access. General mailing services, text messaging systems, or public town hall-style meetings are ways for your agency to promote rural tribal communities' inclusion in the consultation process.

We appreciate the monumental task before you and recognize that decades of structural inequity will not be dismantled overnight. As minority, women-owned small businesses, we stand ready to work with you to ensure Indigenous and marginalized voices are heard and considered through the Department of the Interior's work.

Best wishes,

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³ See Martin, M. J. (2018). For the First Time, Census Bureau Data Show Impact of Geography, Income on Broadband Internet Access (United States, United States Census Bureau, America Counts: Stories behind the Numbers). Retrieved January 12, 2021, from <https://www.census.gov/library/stories/2018/12/rural-and-lower-income-counties-lag-nation-internet-subscription.html>