



# Tribal Engagement Basics



Avid Core believes that the most innovative, comprehensive, and viable solutions happen when there is equitable participation and inclusive conversation.

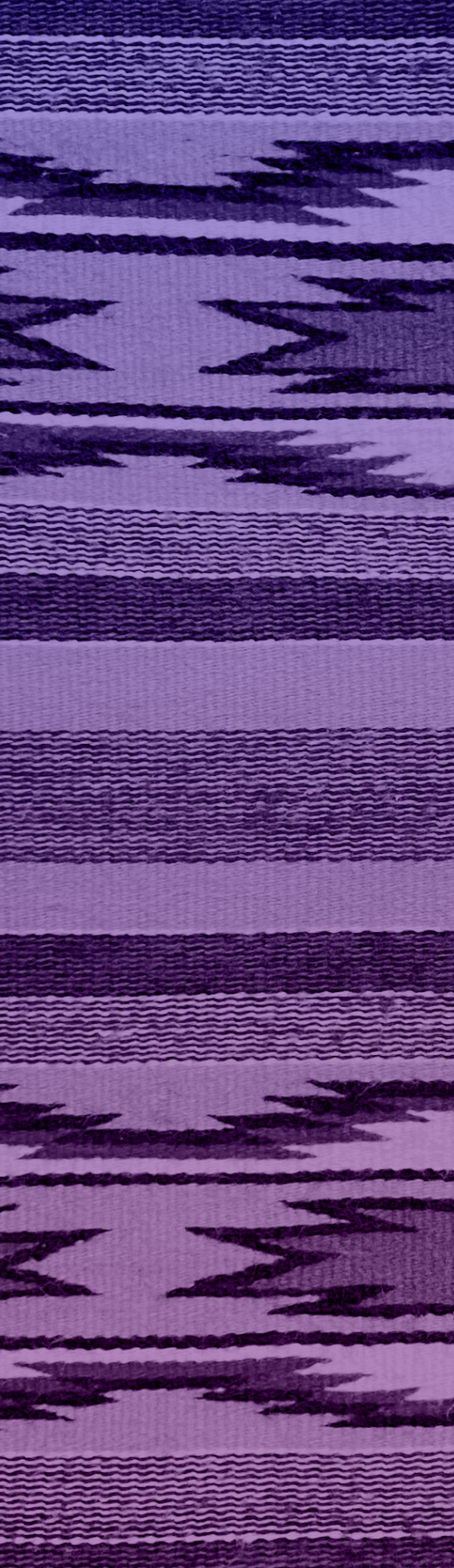
Tribal representation matters—but too often, Indigenous voices have been left out of the public policy decision-making process. As tribal engagement consultants, we help our clients rebuild relationships with tribal communities based on renewed trust. Our approach is tailored according to each tribe's unique culture, history, perspective, and structure. While many of these considerations vary considerably across different communities, the following definitions and guidelines provide important background and context for tribal engagement.

## Governance

- » **Tribal Sovereignty** – Tribal nations are typically committed to the principle of self-governance and are determined to affirm and maintain their sovereignty. Tribal sovereignty ensures that any significant decisions related to their land are made with the participation and consent of the tribe.
- » **Government** – Most federally recognized tribes are self-governing, and many have formal constitutions and elected tribal representatives that serve their constituents on the tribal council. After the Indian Reorganization Act in 1934, many tribes adopted legal governing structures, including legislative bodies and executive offices. The Chief Executive of the tribe is commonly referred to as chairman or chairwoman, president, or principal chief. Through tribal governments, tribes can define membership, regulate domestic relations, levy taxes, regulate property, and control their members' conduct by tribal ordinances. These tribal governments will utilize their traditional and cultural systems of self-governance to aid in legislative actions.



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- » **Federally-Recognized Tribes** – American Indian or Alaskan Native tribal entity officially recognized as having a government-to-government relationship with the United States. This designation authenticates "tribal sovereignty" and the "trust responsibility" that grants access to federal and state funding and federal protections. Reasons for a tribe not to be federally recognized may include termination of recognition, no existing treaty, or the tribe chooses not to pursue recognition. As of early 2021, there are 573 federally recognized American Indian tribes, Alaskan Native Corporations, and Native Hawaiian Organizations.
  - » **Federal Trust Responsibility** – A profound legal framework of the federal government to protect tribal treaty rights, lands, assets, resources, and federal funding.
  - » **Tribal Enrollment** – A process used by American Indian tribes to document, preserve, and protect their unique character and traditions. Tribes determine their enrollment and create their membership criteria. Typically, enrollment is based on a standard lineal descendency model or blood quantum; however, membership varies as there are no general federal eligibility requirements. Tribes have enrolled non-ethnic tribal members based on residency.
  - » **Tribes and Bands** – American Indian tribes are historical societies of people grounded by blood ties, family relationships, and languages dating back thousands of years. Bands, historically, describe a collective group within a broader tribal coalition. Tribes and bands are terms used interchangeably, but "band" would accurately describe smaller entities with similar kinship and customs within a larger tribal group. Ex. Campo Band of Diegueño Mission Indians.
  - » **Clanship** – Some tribes use a social organization system known as a kinship clan structure. Clans are patrilineal associations derived from each parent and grandparent. A tribal member will describe each clan when introducing themselves in a formal setting. Not all tribes use a clan structure but have a form of grouping system.
  - » **Trust Land** – Land held in trust by the federal government to protect and benefit American Indians. The government reserves all trust land located on or near reservations to benefit future tribal generations and protect tribal property and natural resources such as water, oil, and timber.

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- » **Reservation** – An established location usually set by treaty with the federal government to secure land for American Indians within the boundary or reservation. The tribal government is the governing body on a tribal reservation; tribal governments can create laws and enforce them with tribal law enforcement. Some tribes throughout the country are exempt from state law and taxes but are held to major federal regulations.

## Culture

- » **Name reference** – Many tribal members do not like being referred to as "Indians" unless officially stated in their official tribal name. The epithet is offensive to some members because it stems from Columbus discovering America while believing he was in India. Instead, more acceptable terms would be Native American, American Indian, or Indigenous Peoples of America.
- » **Religion/Spirituality** – Not all tribes practice the same belief. Each tribe has a unique philosophy of customs and practices and oral history. Although creation stories may be similar, there are many differences in tradition, cultural ceremonies, and oral history among tribes. Spiritual leaders commonly referred to as shaman, medicine people, or traditional healers, still exist today and practice traditional rituals that date back thousands of years. Ceremonies are significant to tribal members and should be respected.
- » **Tribal Elders** – Although tribal elders (over the age of 65) do not hold an official tribal leadership role, they are well revered and respected. It is a faux pas to disrespect or disagree with an elder in public. They are considered wise individuals and should be addressed and thanked during all interactions. A common custom in addressing tribal elders includes thanking them for the opportunity to speak before them and thanking them for allowing them to be on their land.
- » **Taboos** – Native American tribes, especially in the Southwest, have many traditional taboos. Certain animals—such as owls, coyotes, horned toads, eagles, bears, and snakes— hold traditional meaning and are considered messengers of the spirit world. Gravesites and discussions of deceased people are very sensitive topics for many American Indian cultures.





## Communication and Consultation

- » **Addressing Tribal Leadership** – Tribal leadership are highly respected individuals within the tribe and appreciate using formal titles such as chairwoman, chairman, or president to address them. It is rare to use "Chief" to address leadership—the correct term should be carefully verified beforehand.
- » **Communicating with Tribes** – Each tribal leader is considered the sole spokesperson on all external tribal engagement. It varies from tribe to tribe, but any official correspondence should happen from a top-down approach.
- » **National Historic Preservation Act Section 106** – Section 106 of the NHPA requires federal agencies to consider the effects of federally funded or permitted projects on historic properties. As part of compliance with Section 106, agencies may be required to consult with interested parties to identify and assess impacts.
- » **Native American Graves Protection and Repatriation Act** – A federal law passed in 1990 requires any federal agency to repatriate any Native American funerary objects, sacred objects, and cultural objects to the appropriate American Indian tribe, Native Hawaiian Organization, or Alaskan Native Organization. NAGPRA ensures tribal consultation in identifying, recording, and removing historical objects through appropriate repatriation measures.
- » **Invocation** – A traditional practice of many tribes to bless a gathering before it begins. An Invocation is considered a sign of respect to all attendees and elders of the tribe. The invocation is usually conducted by an elder or a traditional healer to bless the meeting and all attendees.
- » **Gift-giving** – Native American philosophy places a high value on gift-giving and sharing prized possessions. Gift-giving goes back thousands of years as it was a sign of wealth, abundance, and respect. Gifts can sometimes be expected at meetings.
- » **Storytelling** – A staple of American Indian, Alaskan Native, and Native Hawaiian oral traditions. Many tribes engage in storytelling ceremonies or meetings where elders of the tribe will speak at great length.