

TRIBAL CONSULTATION

ISSUE

The involvement of tribal governments in activities of the Indian Health Service (IHS) is mandated by law.

BACKGROUND

The United States has a government-to-government relationship with American Indian and Alaska Native Tribes that is based on treaties, law, Presidential Executive orders, and numerous court decisions. The IHS is committed to regular and meaningful consultation and collaboration with eligible tribal governments. Consultation is considered an essential element for a sound and productive relationship with Tribes. Tribal Consultation has been affirmed by Executive Order in 2000 and through Presidential Memoranda in 1994, 2004, and 2009. In 1997, the IHS Director promulgated the first comprehensive Tribal Consultation and Participation Policy in the federal government. The policy established a minimum set of expectations for IHS staff with respect to consulting and working with tribal leaders. The IHS Tribal Consultation Policy can be referenced at [IHS Circular No. 2006-01](#).



President Obama signing the Tribal Law and Order Act – July 29, 2010

STATUS

The IHS conducts a variety of consultation activities with tribal leaders and representatives of tribal governments, including national meetings, regional inter-tribal consultation sessions, individual tribal delegation meetings, Area consultation sessions, and tribal advisory workgroups. Tribal leaders and representatives also play an important role in the IHS budget formulation and setting health priorities at the national and regional levels.

The increased involvement of Tribes in advising and participating in the decision-making process of the Agency has resulted in stronger collaborations between the federal government and tribal governments; innovations in the management of programs; and important issues being brought forward for consideration by IHS, the Administration, and Congress in a timely fashion.

OPTIONS/PLANS

IHS consultation practices are reviewed continuously to ensure it meets the requirements of the Agency consultation policy. The IHS adopted a revised Tribal Consultation Policy in 2001. Continuing discussions with tribal leaders resulted in the adoption of the third IHS Tribal Consultation Policy in January 2006.

In 2014, the IHS implemented several additional tribal recommendations to improve tribal consultation. These included the first ever virtual Tribal Consultation Summit, listening sessions at all 12 IHS Areas, reinstatement of an IHS Contract Support Costs Workgroup, and a partnership with the Department of the Interior to convene three joint tribal consultation sessions.

ADDITIONAL INFORMATION

For referral to the appropriate spokesperson, contact the IHS Public Affairs Staff at 301-443-3593.