



Office of the Attorney General  
Washington, D. C. 20530

November 13, 2009

Dear Tribal Leader:

At last week's historic White House Tribal Nations Conference, President Obama signed a Memorandum on Tribal Consultation, pronouncing tribal consultations "a critical ingredient of a sound and productive Federal-tribal relationship." The President's Memorandum directs all federal agencies to develop a plan of action to implement President Clinton's Executive Order 13175 on "Consultation and Coordination with Indian Tribal Governments" within ninety days.

The Justice Department actively embraces this responsibility, and aims to develop a comprehensive plan for consultation and coordination with tribal nations. The Justice Department recognizes that the principles of tribal sovereignty and self-determination are sacrosanct, and we are committed to developing a comprehensive plan that improves consultation and coordination with tribal nations.

In recent years, the Justice Department has received tribal input on consultation and coordination practices, including through consultation sessions, work sessions, recommendations from the Office of Justice Programs' Tribal Justice Advisory Group, and, most recently, during the Justice Department's Listening Session with tribal nations.

We are writing to you, and to all other tribal leaders of the federally recognized tribes, to seek your formal written comments for a Justice Department policy on tribal consultation and coordination. To comply with the President's deadline for the submission of agency plans, we request that all comments be submitted to the Department of Justice no later than December 11, 2009.

The Department also will conduct several regional consultation conference calls with tribal leaders, and we invite you to participate in these consultations. The consultation conference call schedule is outlined in the enclosure accompanying this letter. Finally, we are available to provide additional information by phone at (202) 514-8812 or (202) 514-8835 and at other Justice Department events as detailed in the enclosure.

Your tribe's input is invaluable to us as we craft a consultation policy that respects tribal sovereignty and self-governance and maximizes tribal input and coordination. Comments might include, but are certainly not limited to:

- what actions or events should trigger consultation;
- what procedures best ensure meaningful, timely consultation;
- who should participate in consultation;

- how should follow up after consultation be documented and communicated; and
- when are alternatives to consultation, such as conferences, workshop sessions or task forces, appropriate to improve communication and coordination with tribal nations.

We hope you will participate in this important endeavor. The enclosure provides details for the submission of written comments, consultation conference calls, and informational sessions.

We have also enclosed for your convenience President Obama's Memorandum on Tribal Consultation and Executive Order 13175.

If you have any questions, please contact the Justice Department's Office of Tribal Justice at (202) 514-8812 or (202) 514-8835.

Sincerely,

A handwritten signature in blue ink, reading "Eric H. Holder, Jr.", with a stylized flourish at the end.

Eric H. Holder, Jr.  
Attorney General

Enclosures