## FEDERAL CONSULTATION SCHEDULE

<table>
<thead>
<tr>
<th>Date</th>
<th>Meeting Time (Local Time)</th>
<th>Meeting Type</th>
<th>Location</th>
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</thead>
<tbody>
<tr>
<td>Tuesday, October 11, 2016</td>
<td>6:00 pm to 8 pm</td>
<td>Listening Session</td>
<td>Phoenix, Arizona (NCAI Annual Conv.)</td>
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<tr>
<td>Tuesday, October 25, 2016</td>
<td>8:30 am to 12:30 pm</td>
<td>Tribal Consultation</td>
<td>Seattle, Washington</td>
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<tr>
<td>Thursday, October 27, 2016</td>
<td>8:30 am to 12:30 pm</td>
<td>Tribal Consultation</td>
<td>Albuquerque, New Mexico</td>
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<tr>
<td>Wednesday, November 2, 2016</td>
<td>8:30 am to 12:30 pm</td>
<td>Tribal Consultation</td>
<td>Billings, Montana</td>
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<tr>
<td>Tuesday, November 15, 2016</td>
<td>8:30 am to 12:30 pm</td>
<td>Tribal Consultation</td>
<td>Minneapolis, Minnesota</td>
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<tr>
<td>Thursday, November 17, 2016</td>
<td>8:30 am to 12:30 pm</td>
<td>Tribal Consultation</td>
<td>Rapid City, South Dakota</td>
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<tr>
<td>Monday, November 21, 2016</td>
<td>12:30 pm to 4:30 pm</td>
<td>Tribal Consultation via Teleconference</td>
<td>Teleconference</td>
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FEDERAL CONSULTATION QUESTIONS

1) Within the existing statutory framework, what should the federal government do to better ensure meaningful tribal input into infrastructure-related reviews and decisions and the protection of tribal lands, resources, and treaty rights; and

2) Should new legislation be proposed to Congress to alter that statutory framework and promote those goals.

• Written Comments are due Friday, November 30, 2016, email to: consultation@bia.gov
• Link to Federal Consultation Website: http://www.bia.gov/WhoWeAre/AS-IA/ORM/TribalInput/index.htm
WORKGROUP FRAMING PAPER PLAN

I. Historical Perspective

– How we got here? Long history of development projects impacting Indian Country

– Looking at the National Historic Preservation Act, it’s 50 year history, tribes only allowed to carry out preservation on tribal lands with THPOS since the 1992 Amendments
II. Contemporary Issues and Tribal Stories

– Build a record of all tribes’ stories of infrastructure projects harming tribal natural and cultural resources

– Old and current stories

– Short paragraphs outlining the major issues the tribe is facing/faced
III. Existing Process

- Permitting Dashboard, inclusion of tribes and work with tribes on development of projects
- Chart showing the current processes under NHPA and environmental laws, and where other governments (state and local) are engaged
- Other processes were tribes don’t have access or considerations
WORKGROUP FRAMING PAPER PLAN

IV. Trust Responsibility Connection to Consultation

– The role the tribal trust responsibility, relationship, and treaty rights in protection of tribal resources and the consultation process

– The role of private entities in the process
V. Consultation to Consent/Government-to-Government Negotiations

- How to change the language of the consultation process to make it better address tribal sovereignty and the true government-to-government partnership
- Current process for tribal governments
- What’s the consultation process between states and the federal government and how does it differ from tribal consultation?
- Make national consultation policies work at the local level
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VI. Administrative Solutions

– Army Corps Regulatory Fixes & Appendix C
– Memorandums of Agreement/Programmatic Agreements
– Cooperative Management Agreements
– Ensuring Effective Cultural Survey Policies
– Update Executive Order 13007 on Sacred Sites
– Review Executive Order 13212 on Actions to Expedite Energy-Related Projects
– UNDRIP’s Role – “free, prior, and informed consent”
WORKGROUP FRAMING PAPER PLAN

VII. Congressional Solutions

– NPHA Language Changes in Sections 106, 110, 101(d)(6)
– Addressing tribal concerns in NEPA, CWA, and environmental protection laws
– Congressional Oversight of laws protecting tribal resources
– Strengthening the Advisory Council on Historic Preservation
– Indian Trust Counsel Authority
VIII. Communications Strategy
   – Talking Points and Messaging
   – Advancing Indian Country’s Advocacy Strategy
   – Countering Opposition
DISCUSSION
Thank You!

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