



April 14, 2021

Dear Tribal Leader:

Upon taking office, President Biden issued a memorandum¹ not merely reaffirming prior commitments to engage in regular, meaningful, and robust consultation with Tribes, but also directing each Federal agency to develop plans for improvement. Specifically, each federal agency, including the U.S. Office of Government Ethics (OGE), is to prepare a detailed plan of actions the agency will take to implement the policies and directives of Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (Nov. 6, 2000).

President Biden's memorandum directs each federal agency to consult with Tribal Nations and Tribal officials before developing a detailed plan of actions the agency will take to implement Executive Order 13175, and to submit the plan to the Office of Management and Budget (OMB) by April 26, 2021.

Following President Biden's direction, OGE is seeking Tribal input on how to best improve its implementation of EO 13175 to consistently achieve meaningful consultation. Specifically, OGE will hold a Tribal consultation session on **Tuesday, April 20 at 1:00 p.m. - 2:00 p.m. (EST)**. Instructions for joining the meeting are provided below:

How to Join:

Phone #: 1-650-479-3208 Call-in number (US/Canada)
Attendee access code: 773 692 06

Specific questions on which we welcome your feedback are listed below.

1. Are there suggestions for the criteria OGE should use in determining if a regulation or policy has "substantial direct effects" that should trigger consultation?
2. Are there suggestions for how notices of consultations should be distributed?
3. Are there suggestions for what notices of consultations should contain?
4. Are there suggestions for what form consultations should take?
5. Are there suggestions for how OGE should follow-through on consultations?
6. Do you have any recommendations based on previous experience with small agencies?

I appreciate that you have other extraordinary demands upon your time given the pandemic and its impacts, but our schedule for this consultation is necessarily aggressive to meet the deadlines

¹ Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships (Jan. 26, 2021).



established in the Presidential Memorandum. I sincerely hope that you will be able to join the session and/or provide your written input to contactoge@oge.gov by midnight EST on April 20, 2021. If you are unfamiliar with OGE and would like to learn more about our mission, I encourage you to visit our website at www.oge.gov.

OGE looks forwards to speaking with you. If you have any questions regarding this effort, please contact Nicole Stein, Chief, Agency Assistance Branch, at nstein@oge.gov or (202) 482-9255.

Sincerely,

Shelley K. Finlayson
Chief of Staff and Program Counsel

