



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

DEC - 6 2022

Dear Tribal Leader:

On behalf of Secretary Haaland, I am pleased to reaffirm the Department of the Interior's (Department) commitment to co-stewardship and managing Federal lands and waters in a manner that seeks to protect the treaty, religious, subsistence, and cultural interests of federally recognized Indian Tribes including the Native Hawaiian Community. To fulfill this mission, the Assistant Secretary – Indian Affairs proposes to consult on the *List of Programs Eligible for Inclusion in Funding Agreements Negotiated with Self-Governance Tribes by Interior Bureaus Other than the Bureau of Indian Affairs (BIA)* (the "List") that is prepared annually pursuant to section 412(c) of the Indian Self-Determination and Education Assistance Act (the "ISDEAA"). A copy of the List for Fiscal Year 2022 can be found here: <https://www.federalregister.gov/d/2022-02584>.

It is important to note the list is NOT a definitive list of all potentially contractable programs and there may be many more that have yet to be identified. Prior versions of the List have included non-BIA programs or portions of programs that are eligible for inclusion in self-governance funding agreements with Indian Tribes. Past Lists have also included Fiscal Year programmatic targets for non-BIA bureaus under Title IV of the ISDEAA. We seek feedback on what information would be most helpful to Indian Tribes.

Joint Secretarial Order 3403 directs the Department's bureaus to "[m]ake agreements with Indian Tribes to collaborate in the co-stewardship of Federal lands and waters under the Departments' jurisdiction, including for wildlife and its habitat." The Department views the ISDEAA as an important means for fulfilling the goals of Joint Secretarial Order 3403, and the List as a valuable resource for Indian Tribes seeking ways to develop collaborative arrangements in the co-stewardship of Federal lands and waters.

A listening session on this issue was previously held at the 2022 Self Governance Conference on August 2, 2022, at which non-BIA program staff were available for questions and answers. The results indicated that further consultation on the format and content of the List would be helpful. Indian Affairs invites you to consult on three topics:

- (1) the value of the current format of the List to Indian Tribes seeking contracting, self-governance agreement(s), and/or compacting under ISDEAA;
- (2) whether adding to the List a list of all contracts, self-governance agreements, and/or compacts, entered into by Department bureaus other than the BIA would be helpful for Tribes seeking to contract or compact with non-BIA Department bureaus; and
- (3) whether general guidance on the principles governing contracting, self-governance agreement(s), and/or compacting under the ISDEAA should be included in the List.

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We will hold three consultation sessions on these topics as follows:

Date	Time	Location/Connectivity
Thursday, January 12, 2023	2 P.M. – 5 P.M. MT	In-Person Consultation to be held at: BLM National Training Center 9828 North 31st Ave. Phoenix, AZ 85051
Tuesday, January 17, 2023	2 P.M. – 5 P.M. PT	Virtual Meeting Please register in advance for this meeting: https://www.zoomgov.com/meeting/register/vJItduqorTgoGopPOO0pLs0gYX84bKdA08U
Friday, January 20, 2023	2 P.M. – 5 P.M. ET	Virtual Meeting Please register in advance for this meeting: https://www.zoomgov.com/meeting/register/vJItcu-rpzgqHN4fCs61rDTyoIEyJqzSJQU

We welcome your written comments, which should be submitted by email to consultations@bia.gov by 11:59pm ET on Monday, February 20, 2023.

If you have any questions regarding this effort, please contact Samuel Kohn, Senior Counselor to the Assistant Secretary – Indian Affairs, via email at samuel.kohn@bia.gov, or by phone at (202) 208-7163.

We look forward to speaking with you and receiving your input on the List.

Sincerely,



Bryan Newland
Assistant Secretary – Indian Affairs