

DRAFT

Key Tribal Consultation and Coordination Federal Law and Policy
(Adapted from USDA Forest Service Directives)

Authority	Whom To Contact	Subject
American Indian Religious Freedom Act of 1978.	Native Traditional Religious Leaders, Religious Practitioners, and Tribal Officials.	Protect and preserve for American Indians their inherent right of freedom to believe, express and exercise traditional American Indian, Eskimo, Aleut, and Native Hawaiian religion. Evaluate policies and procedures to determine changes necessary to preserve American Indian religious cultural rights and practices.
Archeological Resources Protection Act of 1979, as amended and implementing regulations.	Tribal Officials.	If permitted, work may harm an "Indian religious or cultural site or public or Indian lands."

NEPA - National Environmental Policy Act of 1969, as amended (and CEQ regulations at 40 CFR parts 1500-1509).	Tribal Officials.	Among other purposes, to preserve important historic, cultural and natural aspects of our national heritage. Provide opportunity to participate in land management decisions.
NHPA - National Historic Preservation Act of 1996, as amended.	Tribal Officials, Parties with a demonstrated interest (can include traditional practitioners).	Provide opportunity to consult if Federal undertaking may affect properties of historic value to an Indian Tribe on tribal or non-tribal lands. Invite Tribes to participate as concurring parties when requested.
RFRA - Religious Freedom Restoration Act of 1993.	Religious Practitioners.	Ensure agency decisions do not unduly burden free exercise of religion (access, use, or ritual practice) unless there is a compelling justification and the government chooses the least burdensome alternative.
Executive Order 13175 of 2000 - Consultation and Coordination with Indian Tribal Governments.	Tribal Governments.	Consult to greatest extent and operate within a government-to-government relationship.
Executive Order 13007 of 1996 – Indian Sacred Sites.	Tribal Officials and individuals who are an appropriately authoritative representative of an Indian religion.	Accommodate access to and ceremonial use of sacred sites; avoid physically affecting the integrity of such sites.