



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
CIVIL WORKS
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WASHINGTON DC 20310-0108

SACW

5 December 2023

MEMORANDUM FOR COMMANDING GENERAL, U.S. ARMY CORPS OF
ENGINEERS

SUBJECT: Updated U.S. Army Corps of Engineers Civil Works Tribal Consultation
Policy

1. References:

- a. Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 06 Nov 2000.
- b. Presidential Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships, 26 January 2021.
- c. Presidential Memorandum on Uniform Standards for Tribal Consultation, November 30, 2022.

2. The Presidential Memorandum in reference 1.a requires each agency to formulate a detailed plan of actions that it will undertake to implement the policies and directives of E.O. 13175. E.O. 13175 requires all federal agencies to formulate "an accountable process to ensure meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications." This document affirms the U.S. Army Corps of Engineers (USACE) commitment to engage in consultation with Tribal Nations and Alaska Native Corporations (ANCs).

3. The Civil Works Tribal Consultation Policy (Enclosure 1) provides guidance and definition for the USACE to build the collaborative and close relationships required for proper stewardship of our Nation's water resources and to fulfil our Constitutionally required treaty and trust responsibilities. Specifically, this policy provides meaningful definitions and clear guidance to USACE Civil Works on consultation, coordination and consensus building when working with Tribal Nations and ANCs.

4. As directed in reference 1.b, my office and USACE have collaboratively developed a comprehensive Tribal Consultation Policy. We also developed an enclosure capturing Best Practices for USACE leaders to reference when consulting or coordinating with tribal leaders. This policy was then promulgated for tribal comment and received fulsome feedback and collaboration from Tribal Nations and ANCs.

5. This memorandum directs USACE to apply the Tribal Consultation Policy to its Civil

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Works Program, to develop implementing guidance promulgating this Policy, and to plan the commensurate training and culture changes required to implement this policy as we prepare to announce its forthcoming completion at the 2023 White House Tribal Nations Summit, currently targeted in late November or early December 2023.

6. If there are any questions, please contact COL Xander Bullock, Tribal Policy Advisor at alexander.l.bullock@usace.army.mil or at 703-340-5750.



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Encl

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