

Office of Personnel Management

Consultation on Strengthening Nation-to-Nation Relationships with Tribes

December 2021

Framing Paper

The U.S. Office of Personnel Management (OPM) is the agency that serves as the Federal government's Human Resources advisor and is charged with developing and implementing governmentwide policies and practices around the full range of Human Resources issues including diversity, equity, inclusion, and accessibility; recruiting, hiring, retention, pay, benefits, and retirement.

OPM is committed to partnering with Tribes on a government-to-government basis, to meet our treaty and trust obligations, and to promote Tribal sovereignty. To advance this commitment, OPM held its first Tribal Consultation in April 2021 to consider steps the agency might take toward enhancing its consultation efforts. During this Consultation, OPM received meaningful input from Tribal leaders on a wide range of topics ranging from successes and barriers experienced with its programs, policies, and services to ways to improve its outreach, communication, and notification processes.

Based on this feedback and more, OPM developed the following draft set of Guiding Principles for Consultation with Federally Recognized Tribes:

Consultation will involve timely, adequate notice to the appropriate parties. Adequate notice has two components: first, giving Tribes enough time to arrange for attendance; second, providing a full description of the topics to be discussed and any relevant documents in advance of this discussion.

Consultation will be accessible and convenient to Tribal participants. OPM will allow for a variety of formats, including in-person and virtual, to ensure broad access to participation. Likewise, OPM will accept written comments to ensure that Tribes that are not able to participate in live discussions still have an opportunity to provide perspective and feedback.

Consultation will be a meaningful process involving appropriate participants. OPM will commit to consultation on matters that affect Tribal communities before the agency arrives at a decision. OPM participants will be individuals with decision-making authority, and OPM representatives will ensure that agency leadership is substantively involved even if they are not able to attend.

Consultation will be conducted through a transparent and accountable process. After consultation, OPM will prepare a summary that includes a synopsis of Tribal feedback and a description of OPM's consideration of those issues and concerns. This summary will be made available to participants of the consultation.

OPM intends to seriously consider all written comments received prior to finalizing these Guiding Principles and strongly encourages Tribal leader participation. Tribes are welcome to submit multiple times, before and after consultation discussions. Please submit feedback via email to consultation@opm.gov.