

**DoD American Indian and Alaska Native Consultation Protocol
Draft Annotated Outline**

CONSULTATION PROTOCOL
BETWEEN
[Name of Tribe] TRIBE
AND THE
[Department of Defense or Military Component or Installation]

Section I Purpose

Section I shall include the names of the parties involved, the purpose of the document, and the goals of the consultation. The section should also describe the activity the protocol addresses.

Section II Authorities

Section II shall describe the legal authorities by which this protocol is governed. The description should include the legal reference and, if possible, passages or citations and its relevance.

Section III Guiding Principles

Section III shall describe the guiding principles by which a stable and enduring relationship with the tribe and the Component can be achieved. This includes recognition of tribal sovereignty; commitment to trust responsibilities, government-to-government interaction, and consultation; respect for the significance tribes ascribe to cultural and natural resources; and provision of timely notice to potential activities or actions.

Section IV Procedure

Section IV shall describe the working relationship and procedure for interaction between the tribe and the Component. This section should include a description of:

- *Notification procedure when an action or activity is proposed*
- *When an interaction is considered a consultation*
- *How consultation will take place*
- *How information will be created and managed between the tribe and the Component*
- *Tribal and Component decision-making process*
- *Confidentiality responsibilities*
- *Points of contact for interaction*

Section V Dispute Resolution

Section V shall articulate the procedure for when a dispute or objection arises as part of the relationship between the tribe and the Component. This section should include:

- *The level of authority and procedure in which to resolve the issue*
- *The time frame for resolving issue*
- *If alternative dispute resolution is an option*
- *Procedure if the issue remains unresolved*

Section VI Termination

Section VI should describe how and when the agreement between the tribe and the Component terminates.

SIGNATORIES