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Tribal Consultation

Potential Mechanism to
Improving Health Policy

Main Findings

The majority of US jurisdictions (47 jurisdictions) have at least one mandatory Indigenous consultation law.

However, most jurisdictions that have Indigenous consultation laws do not clearly define consultation and/or what categories of Indigenous communities are covered.

The most common type of Indigenous consultation framework is an Indigenous policy Commission that handles some, but not necessarily all consultation.

Introduction

Tribal consultation laws allow Indigenous people to directly participate in decisions that impact their lives. Due to a lack of standardization, a hodgepodge of tribal consultation laws has emerged leading to significant variation in the ability of Indigenous people to engage in decision-making. Using legal epidemiology, this presentation analyzes state and territorial consultation laws serving as a guide to develop evidence-based, best-practices approach to tribal consultation.

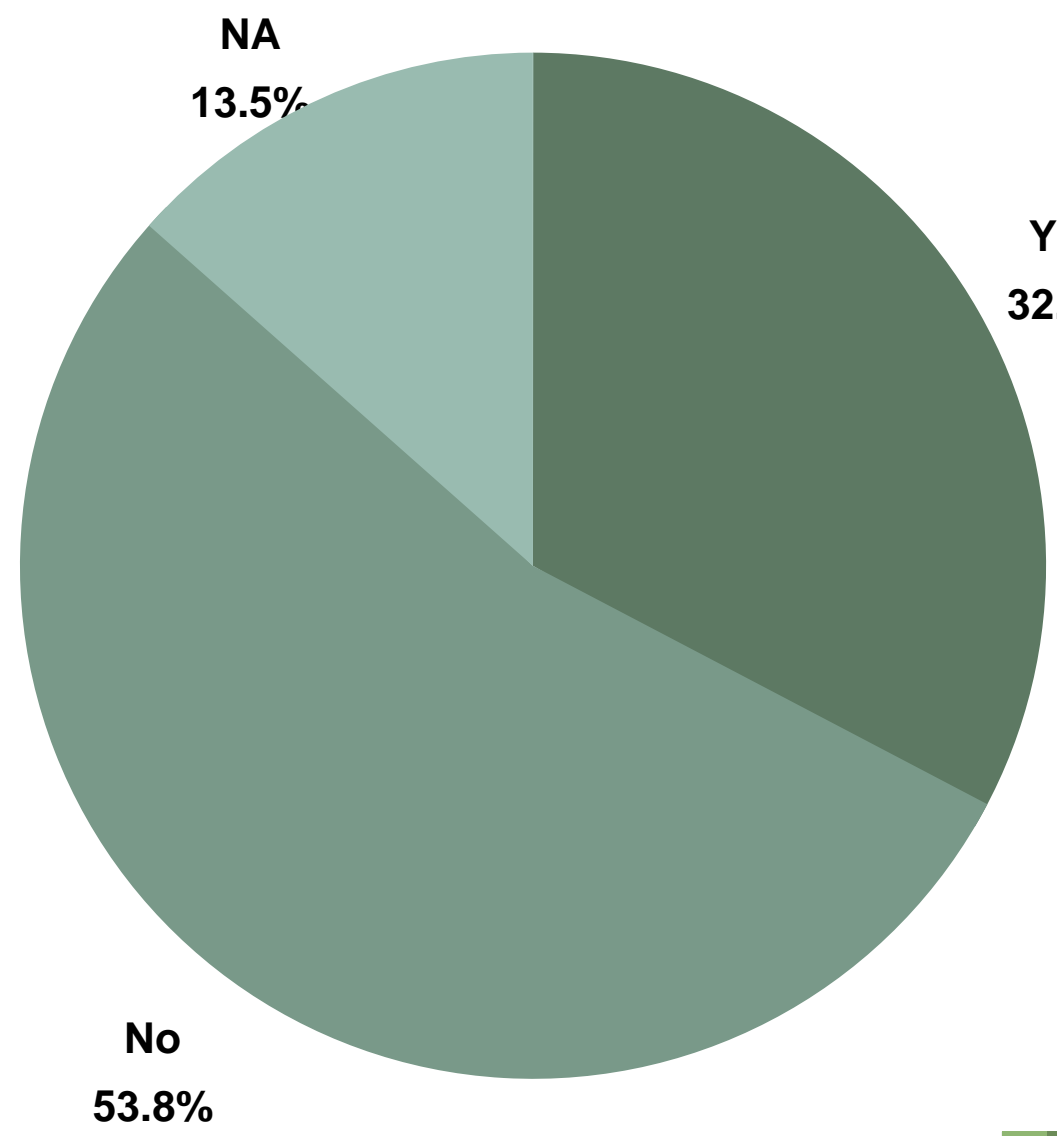
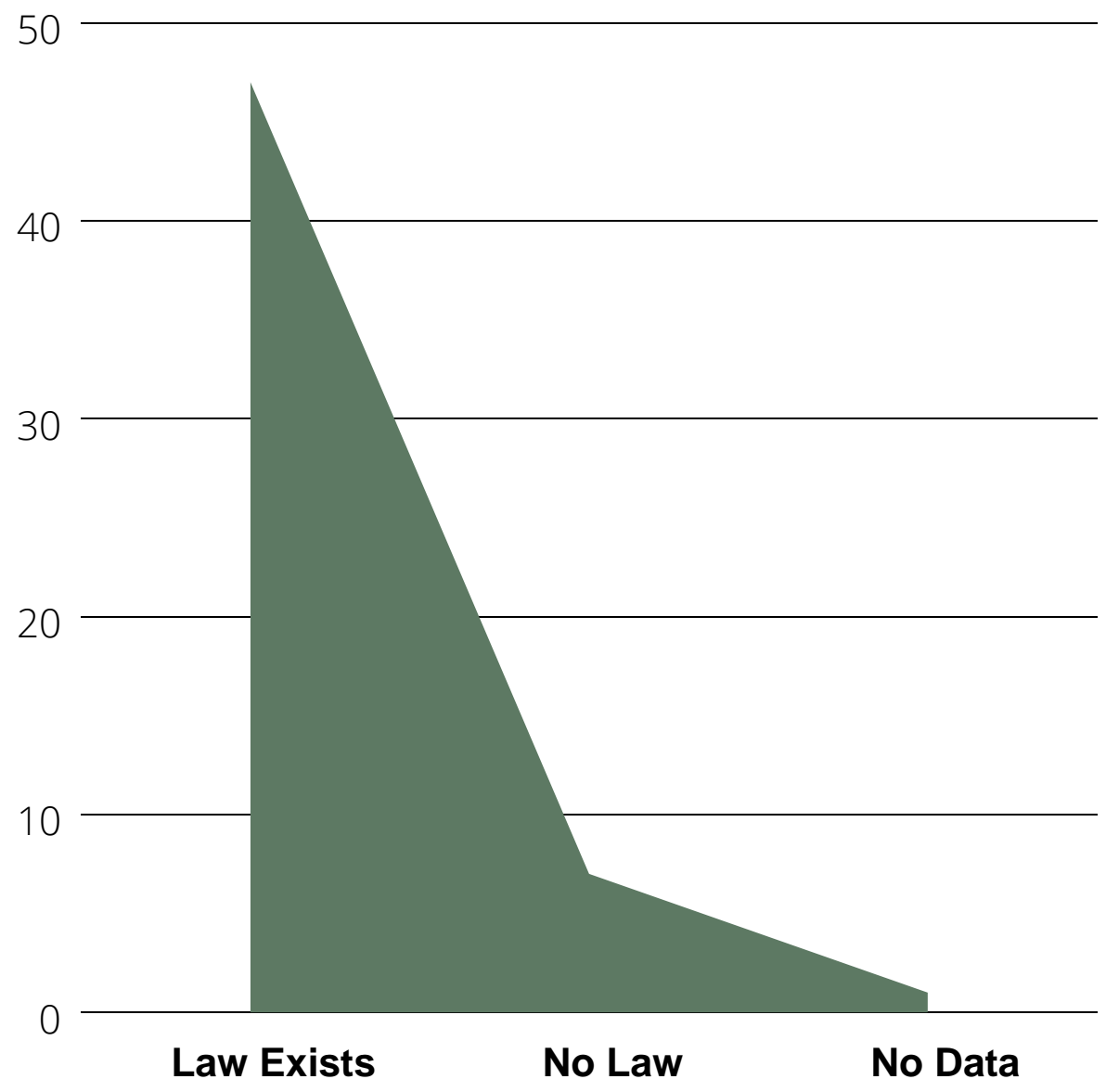


Methods

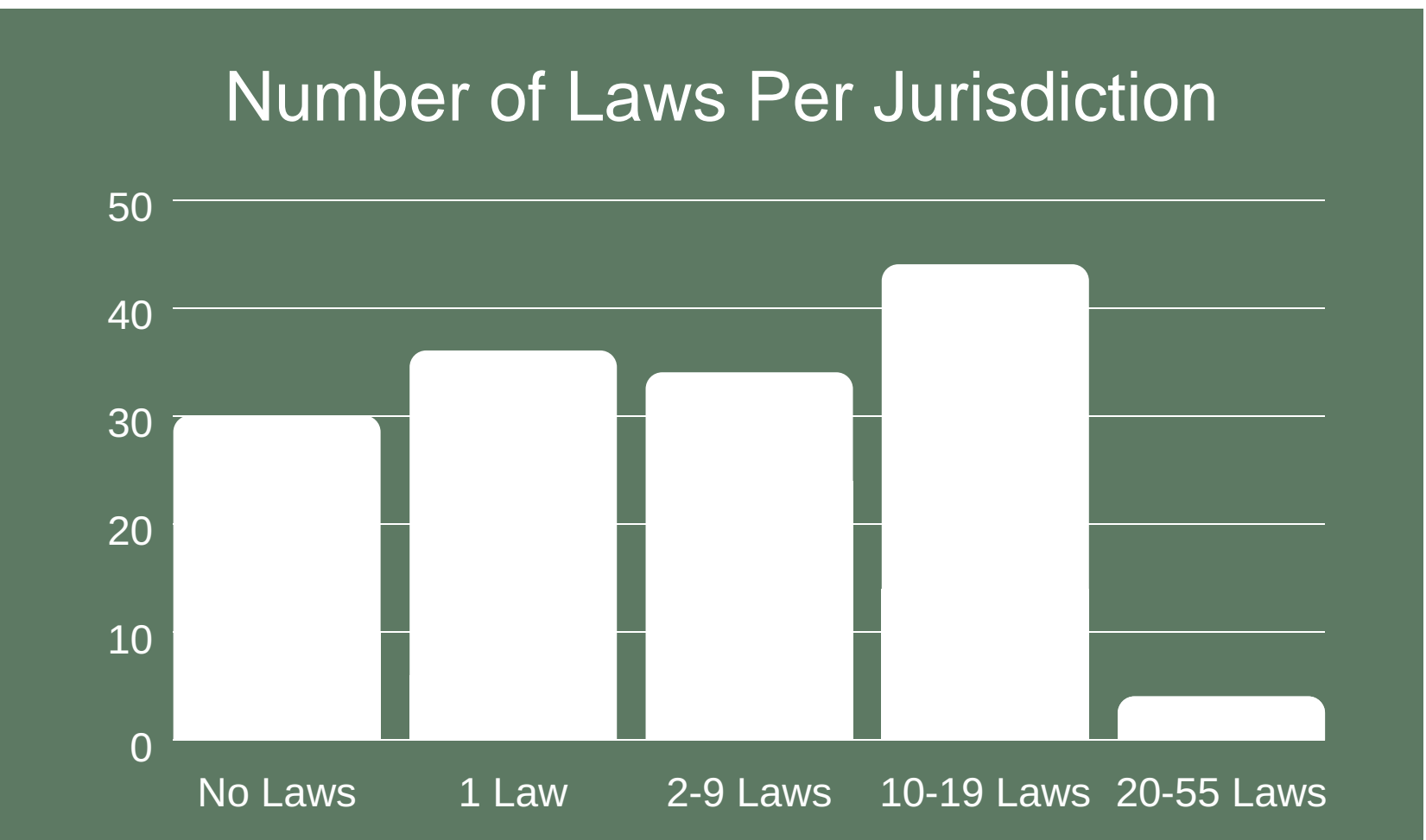
Using a set of standardized search terms, the research team redundantly gathered statutes, regulations, and executive materials on Indigenous consultation for the US states, territories, and District of Columbia.

We then redundantly excluded laws related to the Indian Child Welfare Act and laws that merely listed Indigenous communities as one of many entities that should be consulted until we reached a consensus.

Jurisdictions
with
Consultation
Laws

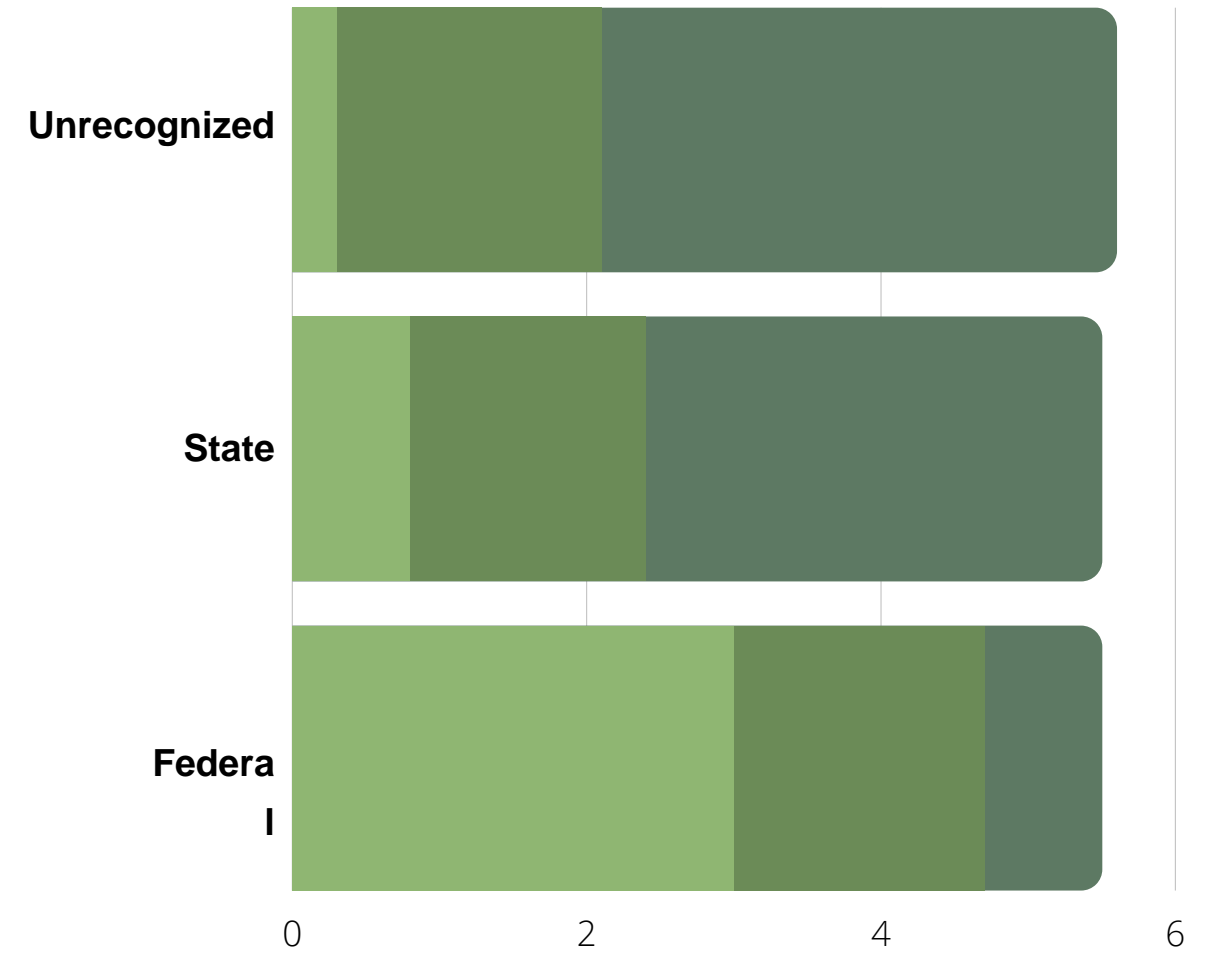


Jurisdictions
that
define
consultation

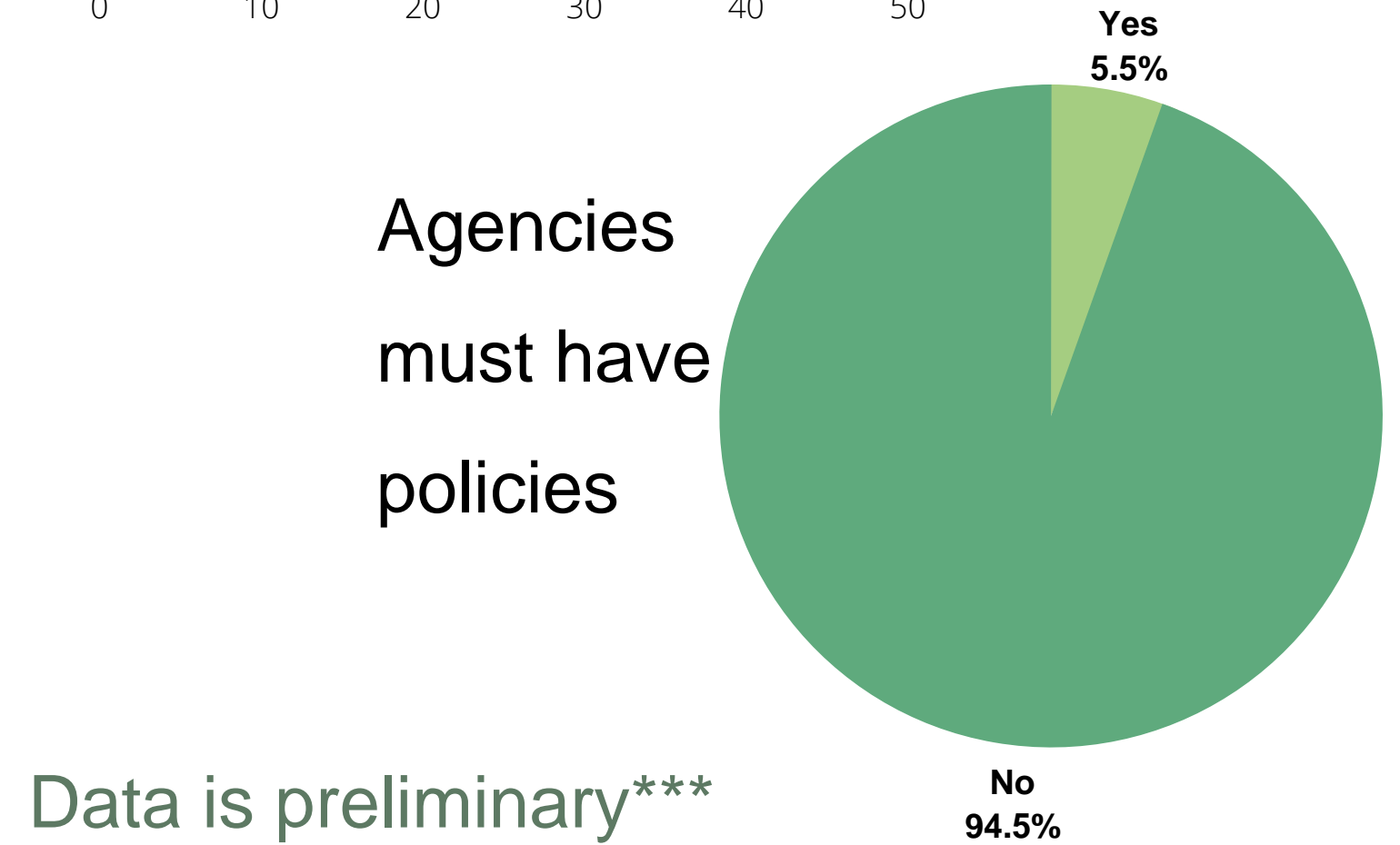
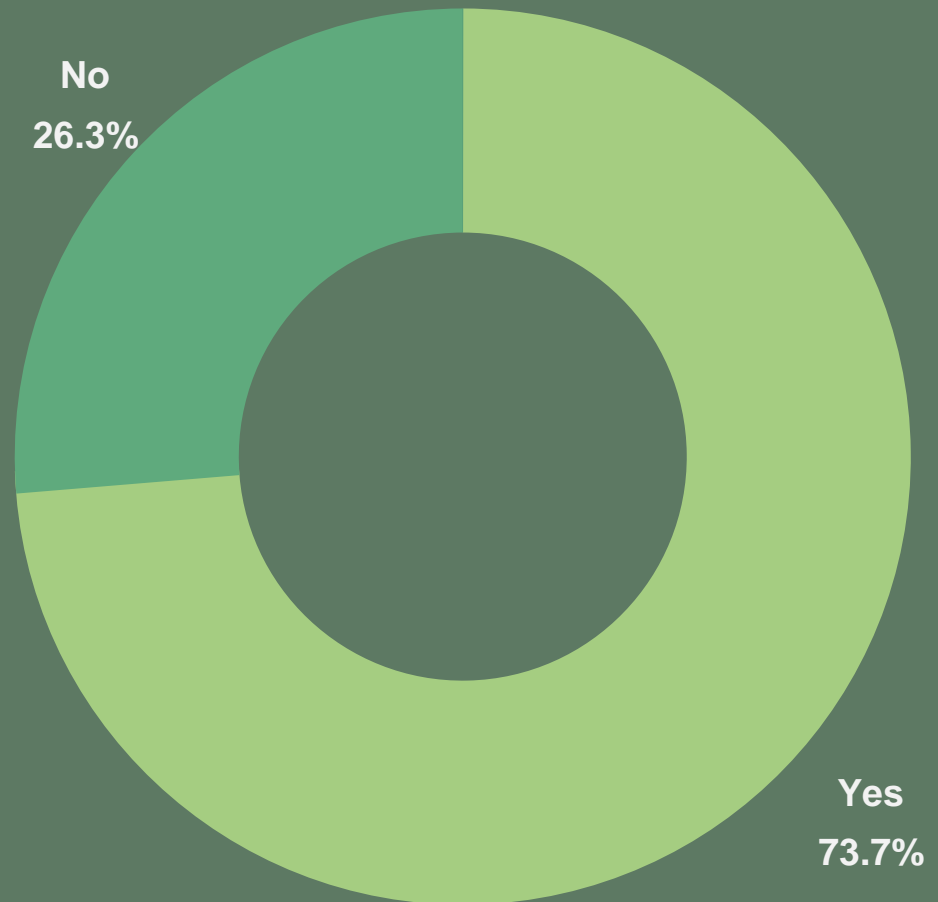
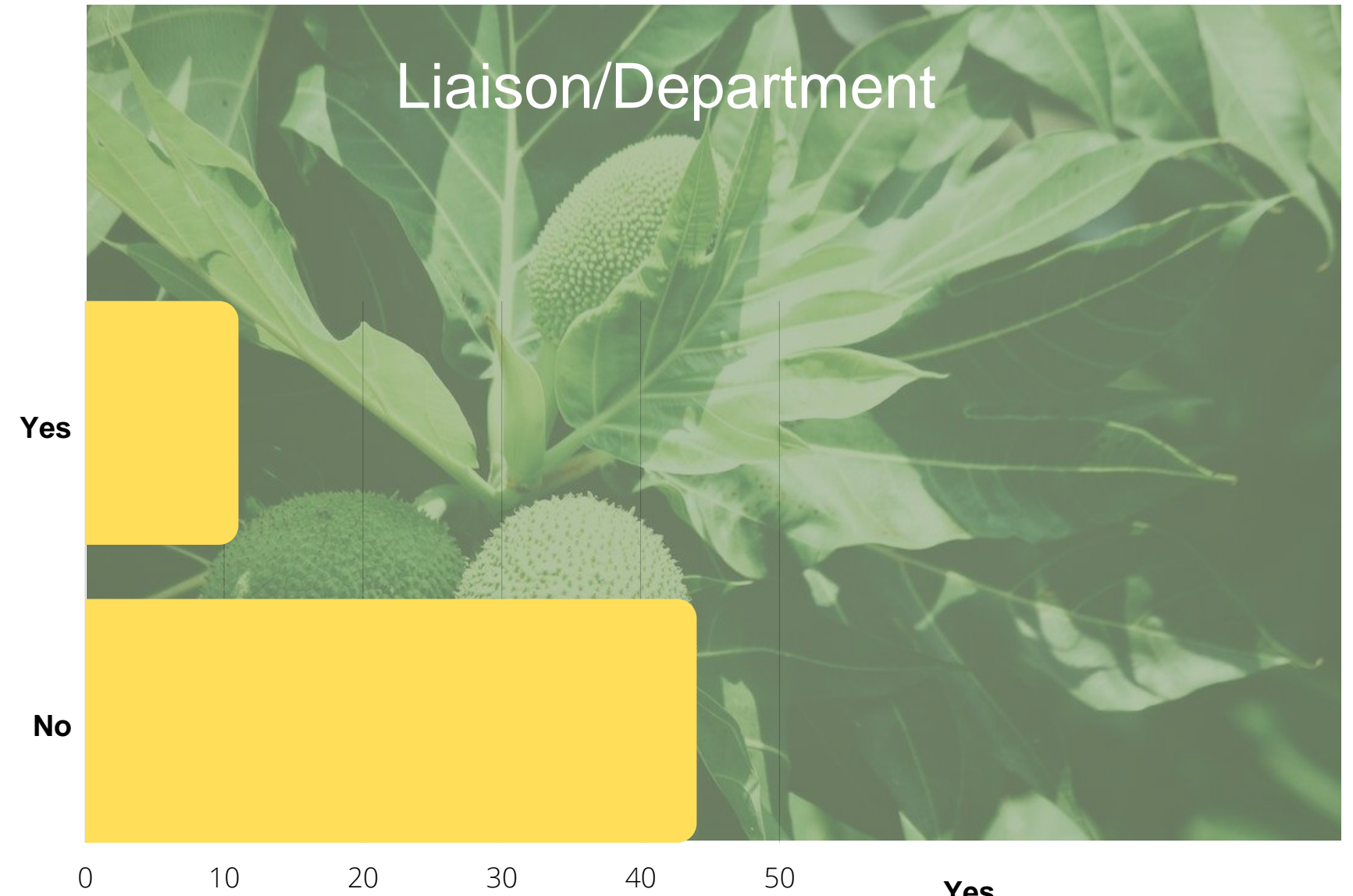
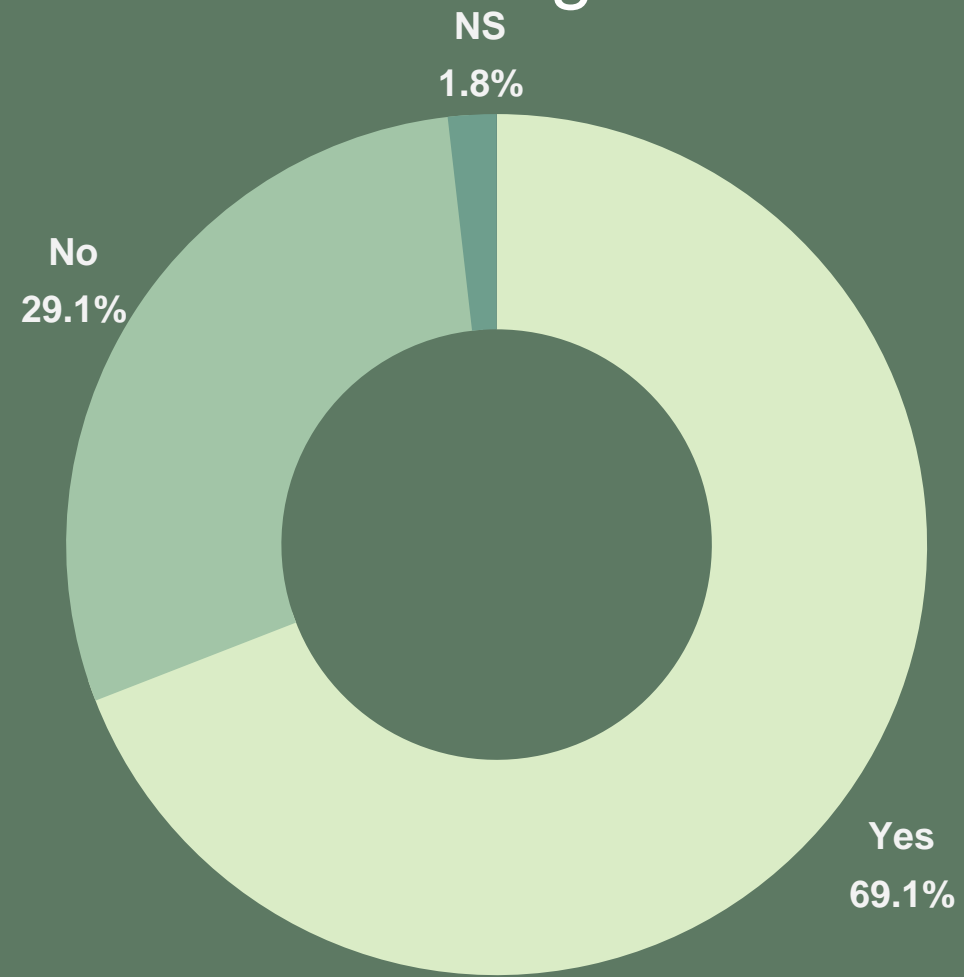


Included
as
Indigenous

Data is preliminary***



Commission on Indigenous Issues



Selection Requires Consultation

Data is preliminary***



Mahalo

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