

<b>ARIZONA</b> Department of Emergency and Military Affairs  <b>POLICY LETTER</b>	<b>POLICY LETTER NO.</b> 10.20	
	<b>DATE</b> 15 NOV 2018	<b>OPR</b> DEMA-TAG
<b>SUBJECT:</b> Tribal Consultation Policy	<b>ENSURE WIDEST DISSEMINATION (POLICY LETTER 10.01)</b>	

**PURPOSE:** This policy establishes the basic principles that govern the Arizona Department of Emergency & Military Affairs (DEMA) relations with Tribal Governments in the State of Arizona.

**INTRODUCTION:** DEMA’s mission is to promote, protect and defend the health, safety, peace and quality of life of the citizens of our communities, state and nation. There are 22 federally-recognized Tribal nations in Arizona that combined have jurisdiction over approximately 28% of the state’s land mass. DEMA respects the unique sovereign nation-to-state relationship between the Tribes in Arizona and the State of Arizona.

The State of Arizona and Tribes recognize that no jurisdiction has the standalone capacity to attend to all emergencies and disasters that affect both the State of Arizona and the Tribes in Arizona. Emergencies and disasters do not respect political boundaries; therefore, encouraging cooperation with Tribes in Arizona will benefit all levels of government. Program-level interaction, and collaboration and partnership will develop mutual trust and understanding. DEMA believes that this policy will strengthen the relationship between the State of Arizona and Tribal governments.

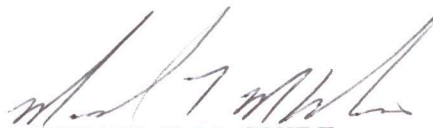
**POLICY:** DEMA will encourage collaboration with the Tribes in Arizona to increase the safety and wellbeing of the citizens of Arizona. The following policies support that endeavor:

1. DEMA recognizes the sovereignty of Tribal governments and their jurisdiction over lands within Indian Country as defined by federal law. The definition of federal law includes all lands within reservation boundaries [18 U.S.C.A. §1151].
2. DEMA’s support to the Tribes will not be used as a basis of authority within Indian Country.
3. DEMA is committed to developing cooperative relationships and agreements with the Tribes and will respect the concerns of each Tribal nation.
4. DEMA will, to the extent practicable and permitted by law, seek input from appropriate elected or appointed Tribal officials before undertaking any action or policy that will, or is reasonably believed to, have the potential to affect a Tribal community or its members.
5. DEMA will, to the fullest extent possible and to the best of its ability, integrate the input generated from Tribal consultation into its decision-making processes to achieve mutually acceptable solutions.
6. DEMA recognizes that the federal government has the primary responsibility for assisting Tribes with emergency management activities; however, DEMA will provide assistance and support to the Tribes whenever it is requested as permitted by State law.
7. DEMA supports the strengthening of Tribal capacity for emergency management activities and will offer Tribes the ability to apply for any grant under which the Tribes can be a sub-grantee to the State.

8. DEMA will designate a member of the staff to assume responsibility for the agency's implementation of the Tribal Consultation Policy and to act as the principle point of contact for Tribal issues. This individual will be designated as the Tribal Liaison. (Arizona Revised Statutes 41-2051 Section C).

**PROCEDURES:**

1. DEMA will coordinate emergency management, state activities and Army/Air National Guard activities and/or assistance to a Tribal government through the appropriate Tribal Official.
2. DEMA staff will engage in the consultation process with Tribes by various means, depending on the situation. However, that process will always be with the senior elected or appointed Tribal Official, unless otherwise noted by the Tribe. Consultation may consist of, but is not limited to: face-to-face meetings or other verbal communications; official correspondence from DEMA; surveys or other requests for feedback; workshops and conferences; and/or email communication.
3. DEMA will inform appropriate regional response partners, including County Emergency Manager(s), of any DEMA-Tribal emergency management activities occurring within their shared jurisdictional areas and will request reciprocity by these regional response partners out of respect for the concerns of the citizens of the State of Arizona.
4. DEMA will assist Tribal governments in developing emergency management programs by providing training and technical assistance to the extent resources allow.
5. DEMA will assist Tribal governments in their response to and recovery from emergencies as provided by State law and to the extent resources allow.
6. DEMA will enter into Intergovernmental Agreements or Memoranda of Understanding, including but not limited to the Arizona Mutual Aide Compact (AZMAC), when considered mutually appropriate by DEMA and the respective Tribal Government.
7. DEMA staff will coordinate with and/or inform the DEMA Tribal Liaison when initiating contact with Tribes.
8. DEMA staff will relay Tribal issues, including requests from Tribes for technical assistance, to the DEMA Tribal Liaison who will coordinate with the appropriate command.



MICHAEL T. McGUIRE  
Major General, AZNG  
The Adjutant General

*Note: This policy does not create a contract for employment between any employee and the Department of Emergency and Military Affairs (DEMA). Nothing in this policy changes the fact that all uncovered employees of the State are at-will employees and serve at the pleasure of the appointing authority. This policy supersedes all previous policy letters addressing this subject.*