

ARIZONA Department of Emergency and Military Affairs POLICY LETTER	POLICY LETTER NO. 10.20	
	DATE 17 SEPT 2012	OPR ADEM
SUBJECT: Tribal Consultation Policy	REGULAR POLICY LETTER DISTRIBUTION (POLICY LETTER 10.01)	

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 Tribal nations in Arizona that have jurisdiction over approximately 28% of the state’s land mass. The State of Arizona recognizes and respects the unique sovereign nation-to-state relationship between the State of Arizona and the Tribes in Arizona.

The State of Arizona and Tribes share the recognition 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. DEMA and the Tribes in Arizona both share the practical interests in assuring that emergency management capacity exists at each level of government. 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 be in the interest of the State, respecting tribal sovereignty, and 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 provide proper notification to Tribes on decisions that may affect them. DEMA requests reciprocity by Tribes and respect for the concerns of the State of Arizona.
5. DEMA recognizes that the federal government has the primary responsibility for assisting Tribes with emergency management activities.
6. DEMA supports the strengthening of Tribal Capacity for emergency management.
7. DEMA will not conduct any activities within Indian Country without first receiving an invitation from the appropriate tribal official.
8. DEMA will designate a Tribal Liaison per Governor’s Executive Order 2006-14 *Consultation and Cooperation with Arizona Tribes* and pursuant to A.R.S. §41-1013(B)(3).

(Continued)

PROCEDURES:

1. DEMA will coordinate emergency management, state activities and Army/Air National Guard assistance to a tribal government through the appropriate Tribal Official.
2. DEMA will inform the appropriate County Emergency Manager(s) of any DEMA-Tribal emergency management activities within their jurisdiction.
3. DEMA will assist tribal governments in developing emergency management programs by providing training and technical assistance to the extent resources allow.
4. DEMA will assist tribal governments in their response to and recovery from emergencies as provided by State law and to the extent resources allow.
5. DEMA will enter into Intergovernmental Agreements or Memoranda of Understanding when considered mutually appropriate by DEMA and the respective tribal government.
6. DEMA staff will relay tribal issues, including requests from Tribes for technical assistance, to the appropriate division director.
7. DEMA staff will coordinate with the DEMA Tribal Liaison and the appropriate Division Director when initiating contact with Tribes. This does not apply to ongoing activities previously approved by a Division Director.



HUGO E. SALAZAR
Major General, AZ ARNG
The Adjutant General