

FORT&RRA

Framework for Working with Sovereign Tribal Governments

Informed by guidance from the National Indian Health Board

May 8, 2023

Forterra employees are expected to act according to the following framework when working with Sovereign Tribal Governments. One means for encouraging transparency and best practices is to share this framework with Tribal representatives and discuss how to specifically work together within this framework. This policy will be updated from time-to-time based on learnings and guidance received from Tribal stakeholders.

Be committed

Commitment helps create certainty, stability, and sustainability, especially in times of transition.

- Develop and document a shared understanding and clear process for Tribal collaboration.
- Ensure Tribes are included from planning stages through implementation.
- Build institutional mechanisms and clear plans (e.g., workflow, triggering events, etc.)
- Track activities and commitments.
- Regularly review and assess policies, programs, and provision of services.
- Gather feedback/recommendations to improve.
- Train staff on Tribal social issues, culture, traditions and values.
- Ensure consistent collaboration despite administration changes and staff turnover.
- Analyze Tribal impacts both social and culturally of projects, policies and programs.
- Consider recognition/partnership events.

Build relationships

Relationship building and relationships are ESPECIALLY important in Indian Country.

- Recognize the need to overcome mistrust and troubled histories, even very recent ones.
- Build trust through actions and respect.
- Distrust is often associated with personal experience, like a representative being late to a meeting or appearing distracted during a consultation.
- Relationships should be built before you need something from the other party, or a crisis occurs.
- Relationship is built with you as a person not the organization. Share who you are.

- Tribes prefer in-person meetings when possible.
- Communicate regularly for situational awareness.
- Always follow up to increase the partnership's legitimacy and avoid the feeling that the organization is "checking a box" – especially when the outcome is not what the Tribes requested.
- Show where relationship is a benefit to your organization as well as to the Tribe.

Meet meaningfully

- Meet regularly (e.g., quarterly or more to build trust).
- Keep up-to-date lists of contact information.
- Be considerate in scheduling and give advance notice of meetings as Tribal leaders often have many obligations. Ask about dates, time and location that best fit their schedule.
- Consider location and cost barriers for meeting locations.
- Be direct about your and your agency's ability/inability to respond to requests or meet expectations. Be proactive if circumstances cause a change in your ability to achieve previously stated objectives or goals.
- Be honest and transparent. Tribes may not understand how the organization operates, including funding limitations, needs for cost-coverage, policies, and decision-making. They have diverse backgrounds and work in many areas and with many entities. Frequent turnover and changes in staff or organizational priorities can also be confusing.

Communicate effectively

- Introduce yourself based on who you are and where you come from, not necessarily what education or positional status you have. Never assume a Tribe knows your background, role, or purpose.
- Be clear and realistic about your role, motivations, and what you can accomplish. Tell who at your organization made the request to engage with Tribes, why, and why you were chosen.
- Use plain language, avoid or ensure understanding of acronyms and technical terms as a way to act with inclusivity and courtesy.
- Share organizational motivations, expectations and hopes for Tribal commitment.
- Communication should be two-way, not telling Tribes what you have already decided to do. Allow time for two-way communication.
- Offer ongoing forums and contacts for information sharing.
- Where possible develop stable and regular communication channels with designated Tribal representative(s).

Respect each Tribe's capabilities

Remember Tribes can provide unique perspectives and solutions to accomplish your goals and mutual goals.

- Tribes are in the best position to share information with their citizens.
- Tribal leaders can bring Tribal needs to you.
- Tribal organizations can assist in the information flow.
- Be proactive in providing resources or compensation that demonstrates respect for the value of Tribes' contributions.
- Try to send decision makers to meetings as much as possible, not simply lower-ranked staff who are unable to make commitments on behalf of the organization.

Be culturally competent

- When in doubt, ask (respectfully and openly). If you make a mistake, be humble.
- Do your homework before you meet with a Tribe. Most Tribes have webpages with their history, etc.
- Listen, respect, and ask permission.
- Understand that Tribal time may not match your schedule or agenda. Meeting or agenda items may be delayed; discussions may be extended; decisions may not be attainable within the timeframe of external deadlines. Put priority on respecting the Tribes' terms and timeframes for engagement.
- Acknowledge whose land you are on.
- Invite the Tribe to open meetings with a prayer.
- Respect the cultural roles of elders and spiritual leaders.
- Learn about Tribes, and the specifics of the Tribe(s)/Area(s) you work with, if applicable. Each Tribe is different, and members may not all share the Tribe's common beliefs/practices.
- Understand that Tribes vary widely in their capabilities and resources.
- Try to leave your prejudices at the door.
- Creatively problem solve, with relevant solutions.
- Remember Tribes have their own structures and worldviews.

Respect sovereignty

- Honor the United Nations Declaration on the Rights of Indigenous Peoples, along with treaties, instruments, and decisions of international law, by providing Tribes the opportunity to give "free, prior, and informed consent" to decisions, projects, policies and programs affecting their lands, natural resources, and other interests.
- Before moving forward, evaluate all projects, policies and programs as to whether Tribal treaty, reserved rights, or other similar rights might be affected. Do treaties, reserved rights, or other similar rights exist that are implicated by proposed agency actions? What Tribal treaty rights, reserved rights, or other similar rights

may exist in, or what Tribal treaty-protected resources rely upon, the area affected by the proposed action? How might Tribal treaty rights, reserved rights, or other similar rights potentially be affected by the proposed action?

- Invest the time to learn about the Tribe you are engaging with, including their treaty, constitution, agencies and staff, as well as information about their history and current areas of interest from available public sources (website and news articles).
- Speak to the person with authority to represent the Tribe, but do not make assumptions about their decision-making processes or authority. Seek their express guidance on how a decision would be achieved.
- Respect the Tribe's own self-determination and legal authority and Tribal leaders as representatives of a foreign government.
- Remember that Tribes own their own data, stories, projects, and initiatives.
- Do not share information you were given without permission from the Tribes, even if you think it's for the right reason or to help them.
- Always be honest and transparent about what you will do.

Acknowledge your own identity

Acknowledge your world view, privilege and bias.

- Recognize the privileges you received in life. A degree and a title are privileges not all Tribal members have. Privilege can also include socioeconomic status, title, race, birth family and more.
- Tribes may measure success in a different way, not necessarily based on an educational degree or official title. For example, elders or spiritual leaders may not have graduated from high school, yet know ceremonies, songs, prayers, and wisdom held in high regard by a Tribe, etc.
- If you have negative feelings (even from past experiences), try to abandon these when you interact with Tribes. This helps move forward.
- Work to build and earn mutual trust and respect. Focus on personal relationships and try to overcome past challenges and troubles.
- Recognize your own culture (everyone has one!) and the way it has shaped your values and ways of living/thinking. Understand that Tribes may have different cultural ideas.