

	<b>ARIZONA DEPARTMENT OF RACING</b> <b>Policy and Procedure</b>	
	Subject <b>TRIBAL CONSULTATION POLICY</b>	Policy Number <b>08-044</b>
	Effective Date <b>July 3, 2008</b>	
Supersedes: All Department of Racing's prior Tribal Consultation Policies and Procedures.		

## INTRODUCTION

The purpose of this policy is to provide guidance to Arizona Department of Racing and Boxing (Department) employees, officials, agents and their supervisors on the appropriate process to follow when consulting, working and otherwise communicating with Tribal governments and their representatives.

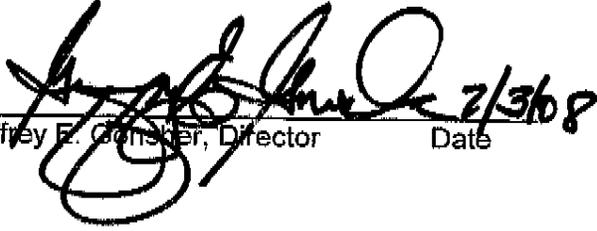
### A. POLICY

1. The Department recognizes the sovereignty of Tribal governments and their jurisdiction over lands within Indian Country as defined by federal law. The definition in federal law includes all lands within reservation boundaries (18 U.S.C.A. § 1151). The Department shall not assert or pretend to assert authority over Indian Country.
2. The Department recognizes that the federal government and Tribal governments have primary responsibility for regulating and managing pari-mutuel racing and boxing events within Indian Country.
3. The Department supports strengthening of Tribal capacity for regulation. The Department's support to Tribes shall be provided in the interest of the State and shall not be used as the basis for assertion of State authority within Indian Country, except as established by Tribal Agreements between the Department, the Arizona Racing Commission and/or the Arizona Boxing Commission and the Tribal government concerned.
4. The Department is committed to developing cooperative relationships with Tribes, and shall respect their regulatory concerns. The Department shall request that Tribes show similar respect for the regulatory concerns of the Department.
5. Responsibility for the enforcement of this policy lies with Department managers, supervisors, employees, officials, agents, and the Director.
6. The Department shall not conduct any activities within Indian Country without first receiving an invitation from the appropriate Tribal official.

**Policy: 08-044**  
**Effective Date: July 3, 2008**

**Page 2 of 2**

7. The Department shall enter into Intergovernmental Agreements (IGA) when considered mutually appropriate by the Department and an interested Tribal government and as established by statute.
8. The Department shall conduct training for employees, supervisors, and officials, when appropriate and as resources allow, to encourage and improve Departmental/Tribal understanding and communication.
9. The Department shall provide early notification to Tribes about decisions that may affect them and shall request reciprocity by Tribal governments.
10. Department staff will relay Tribal issues, including requests from Tribes for technical assistance, to the Director or designee as quickly as possible.
11. Department staff shall obtain approval from the Director before initiating contacts with Tribes. This requirement does not apply to contact in connection with ongoing Tribal Agreements and/or ongoing issues previously approved by the Director, unless requested by the Director.
12. The Director may authorize exceptions to this policy.

  
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Geoffrey E. Gonsky, Director

7/3/08  
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Date