



# URBAN CONFER OVERVIEW AND GUIDELINES

Congress has specifically declared that it is the policy of the United States "to ensure the highest possible health status for Indians and urban Indians."<sup>1</sup> To do this, it is important that any action that could have an effect, whether positive or negative, on American Indian and Alaska Native communities and community members be discussed with the tribes and organizations that encompass and serve those people.

Tribal Consultation and Urban Confer policies have been enacted to ensure tribal leaders and urban Indian organizations who serve the involved populations are equal partners in decision-making on actions that could affect the health and well-being of the people in their communities.

Urban Indian organizations are a major provider of health care and social services to urban American Indians and Alaska Natives across the country. When the Indian Health Care Improvement Act (IHCIA) was enacted in 1976, it identified the authorities, responsibilities, and functions of the Indian Health Service (IHS) as the primary federal agency charged with providing health care to Native people under the federal government's trust responsibility—"the highest moral obligations that the United States must meet to ensure the protection of tribal and individual Indian lands, assets, resources, and treaty and similarly recognized rights."<sup>2</sup> Urban Confers are held to collaborate with urban Indian-serving organizations and ensure the urban Indian community is taken into consideration when actions are taken that may affect them.<sup>1</sup>

Consulting Urban Indian Organizations (UIO) matters because Native-led organizations have the understanding and expertise to better advocate for the economic, social, and cultural needs of Native people.<sup>3</sup> An Urban Confer helps non-Indigenous governments fulfill their role in honoring trust and treaty obligations to American Indian and Alaska Native people.<sup>4</sup>

Nationwide, 71% of American Indians and Alaska Natives live within cities.<sup>5</sup> UIOs hold a unique position to ensure the needs and interests of this population are fulfilled. Urban Confer policies respect the inherent sovereign rights of American Indians and Alaska Natives living outside of tribal jurisdictions. Additionally, an Urban Confer process can help to address the systemic inequities urban American Indians and Alaska Natives experience within a non-tribal governing jurisdiction.

## **What is an Urban Confer?**

An Urban Confer is a process for urban Indian-serving organizations and federal, state, and local agencies to come together and participate in a free exchange of information when an agency is planning an action that will or may affect the urban Indian community and/or the urban Indian-serving organization.

This exchange of information leads to a mutual understanding and emphasizes trust, respect, and shared responsibilities between UIOs and non-Native agencies. During an Urban Confer, urban Indian-serving organizations should be given space to represent the needs of urban-dwelling American Indians and Alaska Natives and provide meaningful and timely input on issues that may have a substantial direct effect on them.<sup>6</sup> An Urban Confer is more than just a singular feedback session—it is an ongoing, repeated effort at relationship building and shared decision-making.

## **What are Urban Confer Policies?**

Urban Confer policies stem from decades of deliberate federal policy efforts (e.g. relocation, termination, forced assimilation) that have contributed to a significant number of American Indian and Alaska Native people residing in urban cities. Urban Confer policies allow UIOs and government agencies a formal mechanism for engagement to fulfill the trust responsibility to American Indians and Alaska Natives, regardless of where they reside.

Typically, UIOs, or agencies party to the Urban Confer policy, can invoke an Urban Confer when an event, issue, or form of continual communication is enacted to discuss the effects a program or policy will have on urban American Indians and Alaska Natives.<sup>4</sup>

## **When should you have an Urban Confer?**

Urban Confers should take place regularly to discuss policy and program changes that could affect urban Native communities. This allows Native leaders to assess anticipated impacts on urban Natives while being part of the decision-making process. An Urban Confer should also be convened when a critical event or issue arises that may affect the health and well-being of the urban Indian population in an urban area. A critical event or issue is one that significantly affects one or more urban Indian organizations and/or the urban Indian community.

For example, when official appropriations are passed, such as the recent Coronavirus Response and Relief Supplemental Appropriations Act (2021), an Urban Confer process is crucial to ensuring the needs of urban Natives are represented.<sup>7</sup>

## **Who should be present at an Urban Confer?**

- Leaders of all urban Indian organizations that may be affected by the event or issue or may have their local urban Indian community affected
- Leaders of the federal, state, county, or other regional agency

## What is the process for requesting and holding an Urban Confer?

1. Identify the action that requires an Urban Confer.
2. Identify the affected and potentially affected communities and the urban Indian organizations involved in providing services to those communities.
3. Request an Urban Confer through designated communication channels.
  - a. This could be through an officially designated liaison, a “Dear Urban Leader” letter, a governing board, or some other means as determined with local urban Indian organizations.
4. Determine the method(s) in which communication will happen between non-Native agencies and urban Indian organizations with the guidance of the organizations.
  - a. Written correspondence, official notification, meetings, etc.
5. Schedule Confer with the guidance of the urban Indian organizations.
  - a. Establishing and adhering to a formal schedule of meetings is vital.
  - b. Consult the organizations during all aspects of the activity.
6. Measure and report results and outcomes of the Confer; develop and utilize appropriate evaluation measures.

Urban Indian Organizations can request an Urban Confer for issues and actions that they wish to discuss as well. It is the responsibility of the non-Native agency to respond in a timely manner.

## References

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