



United States  
Department of  
Agriculture

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**TO:** Mission Area Chief Human Capital Officers  
Agency Tribal Relations Officers  
Native American Working Group Members

**FROM:** Heather Dawn Thompson, Director, Office of Tribal Relations (OSEC)

Mary Pletcher Rice, Chief Human Capital Officer

**SUBJECT:** Recruiting and Hiring Tribal Relations Positions Advisory

USDA is committed to the goal of increasing equitable access to federal opportunities, including as outlined in the [“Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government”](#) (January 20, 2021) and the [“Executive Order on Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce”](#) (July 25, 2021).<sup>1</sup> We continue to collaborate and take actions in response to feedback received from Tribal nations. Specifically, tribal leaders have requested that tribal positions be filled with individuals who have deeper experience outside the Federal government working directly in Indian Country, which includes knowledge and experience with treaties, cultural practices, Federal Indian law and tribal governments. Our goal is to attract the best talent to USDA in every occupational series. This advisory is effective the date of its issuance and will remain in effect until further notice.

The following policies and procedures have been compiled by a working group comprised of the Office of Tribal Relations, Office of Human Resource Management, Subject Matter Experts (SME), Tribal liaisons, and Human Resource (HR) specialists across agencies. While there will be some unique circumstances, for new and newly advertised positions in particular, this guidance will be used by all USDA agencies and Staff Offices as appropriate for agency specific needs.<sup>2</sup>

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<sup>1</sup> Sec 3 (b) (ii) “consistent with merit system principles, identify strategies to advance diversity, equity, inclusion, and accessibility, and eliminate, where applicable, barriers to equity, in Federal workforce functions, including: recruitment; hiring;...”

<sup>2</sup> USDA is maintaining a “no net loss” policy for all current funded specialized tribal relations positions. Agencies that have unfilled, unfunded tribal positions are encouraged to prioritize filling those positions when funding is available. Further, agencies are encouraged to assess needs and identify opportunities to expand efforts for either full time position or enhanced collateral duties. For staff that have duties working in Indian Country this shall be reflected in their performance plans.

## **I. HIRING PROCEDURES**

1. **Require Specialized Tribal Experience.** In addition to the requirements of specific educational or experience-based skills (soils, forestry, etc.) required for the positions and series advertised, agencies will require robust specialized tribal experience commensurate with the level of the position. Specialized knowledge, skills, and abilities will include knowledge of the unique federal trust and treaty responsibility, knowledge of Indian law, intertribal and tribal government experience, and cultural competency. The tribal specialization requirements will be incorporated into each step in the process including the 1) **development of the position description**, 2) **job analysis**, 3) **selective placement factors**, 4) **online assessment questionnaire**, 5) **SME evaluation criteria**, and the 6) **interview**.
2. **Recalibrate Focus Away From Exclusively on Federal Experience and Balance with Tribal Expertise.** Where specialized tribal positions and recruitment across agencies may have historically been weighted toward federal agency experience and agency programmatic knowledge, agencies are challenged to recalibrate that ratio to a more balanced ratio in favor of tribal knowledge, skills and abilities.<sup>3</sup> For example, two great candidates for a Regional Forest Service Tribal Relations position might be a Forest level tribal relations person and the Executive Director of a tribe's Department of Natural Resources. We want to ensure that both candidates are fairly considered.<sup>4</sup>
3. **Consider Grade Level Flexibility.** To increase opportunities to develop new talent from outside the federal family, after establishing the full performance grade level for the position also consider establishing/using career ladder positions.
4. **Advertise All Sources.** All tribal related positions will be advertised "all sources." (They may concurrently be advertised Merit Promotion when appropriate.) This will increase the breadth and diversity of candidates and give interested applicants the opportunity to apply. This approach will provide the benefit of having both experienced applicants from within the federal family as well as fostering new talent from outside of government.

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<sup>3</sup> In addition, the focus on skill sets helps address the EO encouraging creativity, including a de-emphasis on formal education and increasing emphasis on practical experience. "Employers adopting skills- and competency-based hiring recognize that an overreliance on college degrees excludes capable candidates and undermines labor-market efficiencies." [\*Executive Order on Modernizing and Reforming the Assessment and Hiring of Federal Job Candidates\*](#) (June 26, 2020). See also, [\*Interim Guidance - E.O. 13932: Modernizing and Reforming the Assessment and Hiring of Federal Job Candidates\*](#) (May 7, 2021).

<sup>4</sup> Agencies should take great care in drafting positions and questions to ensure the sought skills could be acquired within or external to USDA. Focus on the skill sets and knowledge, not the USDA programmatic experience. For example, rather than asking what expertise the applicant has with tribes applying for the USDA ReConnect program, we could ask what expertise the applicant has with tribal broadband needs and grant applications. Another example is tribal consultations. Only the federal government has a legal tribal consultation responsibility, so a tribal government employee would be unlikely to have experience running a tribal consultation but would have knowledge about the federal trust and treaty responsibility.

5. **Include “Selective Placement Factors.”** As outlined in the position descriptions for Tribal related positions, these positions require a specialized skill set, not unlike other occupations. As such there are basic skill requirements that any qualified applicant must meet to move to the next steps in the application process (as part of the basic qualification requirements). The Selective Placement Factors will save HR, the agency, and potential applicants much time and misdirected efforts.
6. **Incorporate Subject Matter Experts (SME).** Use of SMEs can significantly enhance the candidate assessment and selection process. SME can assist with HR with the workload of All Sources recruitment and identify better qualified candidates. SME’s should assist with 1) the development of the job analysis and assessment questions; 2) validation of applicant experience, education, and applicant responses to assessment questions; 3) and serving on interview panels. Office of Tribal Relations (OTR) will maintain a cadre of qualified tribal relations professionals to serve as tribal specific position SMEs, including, but not limited to the Native American Working Group (NAWG) HR Subcommittee. HR staff from across USDA can coordinate SME requests through OTR at [tribal.relations@usda.gov](mailto:tribal.relations@usda.gov).
7. **Reorder the Review Process.** Tribal positions require a distinct specialized set of knowledge and skills. Thus, the skills review should be applied first to screen out applicants without the necessary level of experience before applying preferences.
  - 1) HR Verify Eligibility to receive consideration under Merit Promotion, Delegated Examining, exception to competition, or other excepted hiring authorities.
  - 2) HR/SME Team Review and Apply Qualifications (including tribal qualifications)
  - 3) Apply Veterans Preference for Delegated Examining Unit (DEU) or Forest Service Demo Announcements<sup>5</sup>
  - 4) Create Certificate
8. **Consider Duty Location Flexibility/Virtual Duty Stations.** Reconsider the official duty station of the position. For example, consider allowing a location located anywhere within a region where the work needs to be conducted. Consider co-location duty stations (budget permitting) or virtual placements. Like many rural Americans, those living Indian Country are often hesitant to leave their family and cultural hub. USDA will attract more talent with critical tribal experiences if USDA increases the location flexibility for our positions when possible.

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<sup>5</sup> In March 2019, OPM partnered with agencies on a pilot project. “The primary objective of this pilot was to enhance the quality of hires through a partnership between the agency hiring manager, human resources specialist, and SMEs using a documented multiple hurdle assessment process. .... The SME Qualification Assessment used subject matter experts (SMEs), in partnership with HR specialists, to conduct resume review and structured interview assessments before determining an applicant was qualified and applying veterans’ preference. .... OPM will be issuing further guidance on this process; however, agencies can implement this process in advance of that guidance and agencies are encouraged to work actively with OPM to implement this process.” Improving Federal Hiring through the Use of Effective Assessment Strategies to Advance Mission Outcomes, Office of Personnel Management Memorandum For Heads Of Executive Departments And Agencies (September 13, 2019).

9. **Keep Delegated Examining Unit Announcements Open for Longer Announcement Periods.** When we target new talent not previously in the federal system, they will require more time to navigate the complexities of the federal application process. This is particularly true throughout Indian Country due to lack of adequate internet service and less frequent use of USAJobs. This will also allow more outreach on positions to ensure qualified candidates that are interested that may not be already looking at USAJobs are aware of the opportunity to apply.
10. **Consider Additional Incentives.** Selecting supervisors should be aware of flexibilities they can use for incentives and pay setting. For example, an applicant with superior qualifications could be brought on at a higher step, could receive a recruitment (or retention) incentive for multi/bilingual language skills, or could be eligible for a higher leave accrual rate based on previous creditable service. Some incentives are placed in the vacancy announcement (such as recruitment/relocation) and others are negotiated before the starting date (superior qualifications/higher starting step and creditable service for leave accrual). Each hiring organization would have to obtain funding for incentives.
11. **Advertise Broadly in Indian Country.** Native American communities are often rural and lack adequate internet service. Using regional or local resources to socialize the recruitment vacancies will increase eligible applicant pools. Hiring officials are encouraged to directly notify tribal HR offices, intertribal organizations, specialized tribal organizations, tribal colleges, & Indian Country social media, etc. A list of potential organizations is included below to include in vacancy notifications.

## **II. SPECIFIC APPLICATION LANGUAGE RECOMMENDATIONS**

This section is intended to be a guide, agencies can adopt the recommendations that best meet its needs. This Advisory does not require exact adoption of each of these questions and factors. But it does require adoption of them sufficient to meet the goals and principles of the Advisory. The design is intended to be limiting and focused to find highly skilled individuals with more of the skills and qualities that Tribal leaders have requested for USDA to fully implement its trust responsibility to Tribal nations.

### **A. SPECIALIZED TRIBAL EXPERIENCE**

To help guide our drafting of the 1) **development of the position description**, 2) **job analysis**, 3) **selective placement factors**, 4) **online assessment questionnaire**, 5) **SME evaluation criteria**, and the 6) **interview questions**, here are some specialized skills that should be incorporated:

- experience working in, with and/or for Tribal governments, tribal entities, and/or tribal organizations;
- understanding of tribal world views, values, and/or cultures;
- indigenous agriculture and/or subsistence practices and/or traditional ecological knowledge;
- experience with federal Indian law, tribal law, and/or tribal treaties;

- understanding of the unique status of tribal nations; and understanding of the federal Indian and tribal trust responsibility

**B. SELECTIVE PLACEMENT FACTORS**

Like many other positions across USDA, Tribal positions require a specialized skill set. As such there are basic skill requirements that any qualified applicant should meet to move to the next steps in the application process. The SPFs will save HR, the agency, and potential applicants much time and misdirected efforts. The SPF should be specific enough to rule in the right applicants but not so specific that it rules out too many good candidates. Some examples of SPF questions are:

- **Question 1:** I have (*substantial/expert*) knowledge and experience working in, with, and/or for Tribal governments, tribal entities, and/or tribal organizations.
  - 1) Yes
  - 2) No
- **Question 2:** I have (*substantial/expert*) knowledge and experience understanding the unique legal status of Tribal governments and the trust and treaty responsibility and role of the federal government.
  - 1) Yes
  - 2) No
- **Alaska Specific Question:**<sup>6</sup> I have (*substantial/expert*) experience working in, with, and/or for Alaska Native village governments, Alaska tribal entities, Alaska Native Corporations, and/or intertribal organizations.
  - 1) Yes
  - 2) No

**C. ASSESSMENT QUESTIONNAIRE**

**Sample Questions: Tribal Specific Skill Sets**

1. What experience do you have working with tribal governments, tribal communities, and/or tribal organizations?
  - a. No experience
  - b. I have prepared for and attended meetings with one or more of these entities
  - c. I have worked on one or more projects in, with, or for one or more of these entities
  - d. I have extensive knowledge about the issues important to these entities and have worked extensively in, with, or for one or more such entities

If you answered “d.” please indicate the entry on your resume in which the experience was obtained: \_\_\_\_\_

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<sup>6</sup> There are pros and cons of being specific to Alaskan tribes. Such a question may rule out lower 48 tribal experience. However, the majority opinion from Working Group members working in Alaska is that Alaska specific knowledge is essential.

2. What is your level of knowledge and experience with the federal Indian trust responsibility?
  - a. No knowledge or experience
  - b. I understand the federal trust responsibility
  - c. I have direct experience advocating for, or implementing, specific results directly tied to the federal government's trust responsibility

If you answered "c." please indicate the entry on your resume in which the experience was obtained: \_\_\_\_\_

3. What is your experience and knowledge of tribal world views, values, and/or cultures?
  - a. No knowledge or experience
  - b. Some exposure to the topics
  - c. I have personal experience directly participating in these areas on one or more occasions.
  - d. I have professional experience directly working on/in these areas on one or more occasions.
4. **Alaska Specific.** What experience do you have navigating the different roles and legal statuses of Alaska Villages, Intertribal regional organizations, Alaska Native Claims Settlement Act Corporations (ANCSA)?
  - a. What is your familiarity with federal and state subsistence laws and policies?
  - b. What is your knowledge of and experience with the Alaska Native Settlement Claims Act (ANSCA) and/or the Alaska National Interest Lands Conservation Act (ANILCA)?

### **Sample Questions: General Skills with and Added Tribal Component**

#### **Sample Answers:**

- A) I have not had education, training, or experience in performing this task.
- B) I have had education or training in performing this task but have not performed it on the job.
- C) I have performed this task on the job, with close supervision from supervisor or senior employee.
- D) I have performed this task as a regular part of the job, independently and usually without review by supervisor or senior employee.
- E) I have supervised performance of this task and/or I have trained others in performance and/or am normally consulted by others as an expert for assistance.
- C) I have performed this task on the job, with close supervision from supervisor or senior employee.
- D) I have performed this task as a regular part of the job, independently and usually without review by supervisor or senior employee.

- E) I have supervised performance of this task and/or I have trained others in performance and/or am normally consulted by others as an expert for assistance in performing this task.

### **Sample Skills Needed:**

#### **Outreach Skills**

- Provide outreach, training and technical assistance to create awareness of programs, services, regulations, and policies in, with, or for tribal communities.
- Ability to understand the nuances of the spoken and unspoken challenges or opportunities around a situation and advocate or facilitate the issues.
- Develop working relationships with Tribes, tribal members, and tribal organizations.
- Experience in coordinating communications between local, state and federal governments and Tribes and tribal entities to improve policies and/or the delivery of programs.

#### **Policy Experience**

- Participate in resolving specific issues and barriers related to programs and applications in, with, or for tribal members and/or tribal governments.
- Experience in providing specific recommendations to improve policies and/or processes in, with, or for tribal members and/or tribal governments.
- Experience in developing solutions and facilitating change to improve policies and/or processes in, with, or for tribal members and/or tribal governments.
- Assist in developing program-related guidance, training materials and training opportunities regarding in, with, or for tribal members and/or tribal governments.

#### **Communications**

- Develop clearly written correspondence, procedures, and other communication materials for various stakeholders including tribal audiences.
- Participate in oral discussions in, with or for Tribes in which the purpose is to explain, negotiate, or settle matters involving significant or controversial issues.
- Conduct oral presentations in a manner appropriate to tribal audiences.
- Provide written support for the creation, organization and facilitation of training and workshops to improve program delivery for or in tribal communities.

#### **D. POTENTIAL INTERVIEW QUESTIONS**

These are tribal skills specific questions which can augment the specific agency skills already being asked during the interview process. You are not required to ask these specific questions but should ask some questions to determine their level of tribal skill expertise. These are examples and ideas to help you frame your interview questions.

1. What is your understanding of the federal government's trust and treaty responsibility to Tribal nations? Can you share an example for how this understanding has enhanced your abilities in your work?
2. Discuss a public policy issue of importance to tribal nations that you have actively worked on and the outcome?
3. If you are selected for this position, how would you approach the tribes to build a relationship with them?
4. Some of the staff that work in the organization or with our partners may not have extensive experience working with Tribes. How would you engage with them to expand opportunities to Tribes, tribal organizations, or citizens within your organization?
5. Describe a difficult situation where there were multiple viewpoints? How did you guide the group to resolution? If you were not leading what did you observe?
6. Share an example how you analyzed information to come to a conclusion or recommendation in a challenging situation.
7. **RD:** Share an example of a tribal economic development project you worked on and the outcomes?
8. **FNS:** What experience do you have with indigenous foods and indigenous food sovereignty?
9. **REE:** What indigenous research and knowledge do you believe might be better integrated into the federal government? Or What is your experience with indigenous knowledge, research and/or values and how it intersects with our subject matter and mission area?
10. **USFS:** What knowledge or experience do you have with tribal treaties?
11. **Alaska Specific:** Are you comfortable in traveling in small planes, boats, helicopters, and other nonconventional means? Are you willing to travel to remote areas with limited services i.e., no running water?

#### **E. ADDITIONAL POTENTIALLY IMPORTANT SKILLS**

This is a broad array of skills that Working Group members identified as often being important in Tribal relations positions. Many of these may already be incorporated into existing job descriptions and competencies and are provided only as a resource.

- **Conflict Resolution.** Experience with complex conflict resolution issues.
- **Relationship Building.** Build, maintain, and engage in positive relationships between USDA and tribal stakeholders such as including tribal leaders, intertribal organizations, legislative staff, federal agencies, and non-governmental organizations.
- **Coalition Building.** Often required to find commonality between tribal and non-tribal communities on an array of topics.
- **Facilitation Skills.** Ability to facilitate tribal consultations and tribal leader input on sometimes complex and controversial topics.
- **Communications.** Knowledge and skill to communicate programs and procedures clearly and effectively in writing and orally to a variety of audiences.
- **Analytical Skills.** Knowledge and skill in applying analytical methods and techniques to issues involving Indian Country, including the use of analytical and critical thinking skills



to participate in strategic plans to identify prospective customers, translate strategies into plans and actions, identify improvements needed in a wide range of administrative areas, and evaluate and report OTR initiatives.

- **Policy Analysis and Review.** Review and analyze Federal regulations, research reports, and data from tribal communities. Identify problems, trends, and best practices and uses data to ensure the USDA conducts effective outreach, technical assistance, and guidance. Develops informational material about tribal organizations' customs, norms, traditional foods, and other aspects of tribal organizations' culture and shares these with USDA staff who work with tribal organizations.

**APPENDIX A:**  
**SAMPLE INDIAN COUNTRY ORGANIZATIONS FOR JOB ANNOUNCEMENTS & RECRUITMENT**

**Tribal Agriculture Related Organizations**

- Intertribal Agriculture Council (IAC)
- Intertribal Buffalo Council (ITBC)
- Intertribal Timber Council
- Native American Agriculture Fund (NAAF)
- Native American Fish and Wildlife Society
- University of Arkansas Indigenous Food and Agriculture Initiative (IFAI)

**Tribal Government Organizations**

- National Congress of American Indians (NCAI)
- Affiliated Tribes of Northwest Indians (ATNI)
- Alaska Federation of Natives (AFN)
- All Pueblo Council of Governors
- Association of Village Council Presidents (AVCP)
- Great Lakes Intertribal Council
- Great Plains Tribal Chairman's Association
- Intertribal Council of Arizona
- Intertribal Council of Michigan
- Intertribal Council of Nevada
- Southern California Tribal Chairman's Alliance
- Rocky Mountain Tribal Leadership Council
- Tribal Alliance of Sovereign Indian Nations
- United South and Eastern Tribes (USET)
- United Tribes of North Dakota
- Midwest Alliance of Sovereign Tribes (MAST)

**Tribal College/Student Facing Organizations**

- American Indian College Fund
- American Indian Higher Education Consortium (AIHEC)
- American Indian Science and Engineering and Society (AISES)
- Center for Native American Youth (CNAY)

**Tribal Economic Development Organizations**

- First Nations Development Institute
- National Center on American Indian Enterprise Development (NCAIED) (RES)
- Native American Financial Officers Association (NAFOA)
- Native CDFI
- National American Indian Housing Council (NAIHC)

**Federal Native Employees**

- Society of American Indian Government Employees (SAIGE)

**APPENDIX B:**  
**SAMPLE FEDERAL EMPLOYMENT INCENTIVE AUTHORITIES**

Form AD-1073 Recommendation and Approval of Recruitment/Relocation/Retention Incentive  
[https://www.ocio.usda.gov/sites/default/files/docs/2012/AD1073-N-04-91\\_0.PDF](https://www.ocio.usda.gov/sites/default/files/docs/2012/AD1073-N-04-91_0.PDF)

DM 4050-575-001 Pay Administration – Recruitment, Relocation and Retention Incentives  
[https://www.ocio.usda.gov/sites/default/files/docs/2012/DM4050-575-001%5B1%5D\\_0.pdf](https://www.ocio.usda.gov/sites/default/files/docs/2012/DM4050-575-001%5B1%5D_0.pdf)

OPM Recruitment, relocation, and retention incentives (3Rs) are compensation flexibilities available to help Federal agencies recruit and retain a world-class workforce. The 3Rs are administered under 5 U.S.C. 5753 and 5754 and 5 CFR part 575, subparts A, B, and C.  
<https://www.opm.gov/policy-data-oversight/pay-leave/recruitment-relocation-retention-incentives/>

DR 4050-531-002 Pay Administration – Superior Qualifications and Special Needs Pay Setting Authority  
<https://www.ocio.usda.gov/document/departmental-regulation-4050-531-002>

OPM Superior Qualifications and Special Needs Pay-Setting Authority  
<https://www.opm.gov/policy-data-oversight/pay-leave/pay-administration/fact-sheets/superior-qualifications-and-special-needs-pay-setting-authority/>

DR 4050-537 Repayment of Student Loans  
<https://www.ocio.usda.gov/document/departmental-regulation-4050-537>

Federal student loan repayment program permits agencies to repay Federally insured student loans as a recruitment or retention incentive for candidates or current employees of the agency.  
<https://www.opm.gov/policy-data-oversight/pay-leave/student-loan-repayment/>

DR 4060-630-001 Creditable Service for Annual Leave Accrual  
<https://www.ocio.usda.gov/document/departmental-regulation-4060-630-001>

OPM Creditable Service for Annual Leave Accrual for Non-Federal Work Experience and Experience in the Uniformed Service  
<https://www.opm.gov/policy-data-oversight/pay-leave/leave-administration/fact-sheets/creditable-service-for-annual-leave-accrual-for-non-federal-work-experience-and-experience-in-the-uniformed-service/>

Human Resources Flexibilities and Authorities in the Federal Government  
<https://www.opm.gov/policy-data-oversight/pay-leave/reference-materials/handbooks/humanresourcesflexibilitiesauthorities.pdf>

Incentives can be placed in the vacancy announcement, such as Recruitment/Relocation incentives.  
<https://www.opm.gov/policy-data-oversight/human-capital-management/hiring-reform/hiring-process-analysis-tool/create-and-post-a-job-opportunity-announcement-including-identifying-career-patterns/>