

From: [Tribal Outreach Resource](#)
To: OfficiallyRL@pm.me
Bcc: [Margo Stevens](#)
Subject: RE: NRC FOIA-2025-000477 Administrative Order
Date: Friday, June 20, 2025 5:49:00 PM
Attachments: image001.png

Good day Rikki L,

Thank you for your detailed correspondence and for taking the time to share your concerns and perspectives regarding the U.S. Nuclear Regulatory Commission's (NRC) engagement with Indigenous Nations. We appreciate your attention to issues of cross-border recognition, verification of representation, and the integrity of data and consultation practices.

In performing the agency's mission to protect public health and safety and advance the nation's common defense and security by enabling the safe and secure use and deployment of civilian nuclear energy technologies and radioactive materials through efficient and reliable licensing, oversight, and regulation for the benefit of society and the environment, the NRC demonstrates the Principles of Good Regulation (independence, openness, efficiency, clarity, and reliability). The agency puts these principles into practice through effective, responsive, and timely regulatory actions, consistent with our organizational values and our open, collaborative work environment. These principles focus us on ensuring safety and security while appropriately balancing the interests of Indian Tribes and NRC's stakeholders, including the public and licensees.

The NRC shares the Federal government's unique Trust Relationship with, and Trust Responsibility to, Indian Tribes, as defined as any Indian or Alaska Native Tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian Tribe under the Indian Tribe List Act of 1994, 25 U.S.C. 5130 (formerly cited as 25 U.S.C. 479a). Under the Federal Trust Doctrine, the United States—and the individual agencies of the Federal government—owe a fiduciary duty to Indian Tribes. The nature of that duty depends on the underlying substantive laws (i.e., treaties, statutes, agreements) creating the duty. The NRC exercises its Trust Responsibility in the context of its authorizing statutes including the Atomic Energy Act, the Energy Reorganization Act of 1974, the Nuclear Waste Policy Act of 1982, the Low-Level Radioactive Waste Policy Act of 1985, and the Uranium Mill Tailings Radiation Control Act of 1978, as amended. Although the NRC does not hold in trust Tribal lands or assets or provide services to Indian Tribes, the NRC fulfills its Trust Responsibility through implementation of the principles of its Tribal Policy Statement (TPS), by providing protections under its implementing regulations, and through recognition of additional obligations consistent with other applicable treaties and statutory authorities. The NRC's TPS sets forth principles to be followed by the NRC to promote effective government-to-government interactions with Federally recognized

American Indian and Alaska Native Tribes, and to encourage and facilitate Tribal involvement in the areas that the NRC has jurisdiction^[1]. These interactions are reciprocal actions involving the NRC and Indian Tribes, and may include, but is not limited to, outreach, consultation, coordination, training, and information exchanges.

The NRC TPS commits the agency to encouraging participation by State-recognized Tribes in its regulatory processes, including opportunities related to rulemaking, licensing, and decommissioning. As appropriate, NRC staff actively encourage involvement in outreach activities which includes sharing information and facilitating communication of concerns and interests, in alignment with the agency's Management Directive 5.1, "[Consultation and Coordination with Governments and Indian Tribes](#)." If a representative from a State-recognized Tribe, non-recognized Tribe, or Alaska Native Corporation demonstrates interest in certain regulatory activities, the NRC staff will make a reasonable effort to understand and address their interests, reflecting the agency's commitment to its Principles of Good Regulation.

Additionally, the NRC adheres to statutory and regulatory requirements for Tribal consultation and maintains interactions with Indian Tribes as mandated by other statutes, including the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et. seq.) which requires Federal agencies, as part of their decision-making process, to consider the environmental impacts of actions under their jurisdiction. In connection with a NEPA review, an agency action may require the NRC staff to engage in interagency or Tribal consultation. The NRC also upholds the statutory obligation to consult with Federally recognized Tribes under Section 106 of the National Historic Preservation Act (NHPA) (54 U.S.C. 306108). Consulting parties may consist of, but are not limited to, State/Tribal Historic Preservation Officers, Indian Tribes that attach cultural and religious significance to historic properties, and other parties that have a demonstrated interest in the effects of the undertaking, representatives of local governments, and certain individuals and organizations with a demonstrated interest in the undertaking due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties. For additional information on consulting parties, see [Title 36 of the Code of Federal Regulations \(CFR\) § 800.2](#).

When initiating an interaction with an Indian Tribe, State-recognized Tribe, or Tribal organization, the NRC will contact the appropriate Tribal official (an elected, appointed, or designated official or employee of an Indian Tribe or authorized intertribal organization) and/or the State/Tribal Historic Preservation Officer, as applicable. The NRC maintains an internal database of these Tribal contacts, informed by data from the Bureau of Indian Affairs (BIA), the [National Park Service](#), State governments, and direct Tribal communications. To support its initial determination of applicability, the NRC staff uses the U.S. Department of Housing and Urban Development eGIS [Tribal Directory Assessment Tool](#) which provides information on Indian Tribes' geographic areas of current and ancestral interest, as well as past Tribal interactions.

Tribal consultations and government-to-government meetings are conducted as non-public interactions. However, when the NRC contacts Indian Tribes to initiate the consultation process, those letters are made publicly available in the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is the agency's official recordkeeping system, through which the NRC provides access to a collection of publicly available documents. To search ADAMS, click here: <https://adams-search.nrc.gov/home>.

As part of outreach efforts and training notifications, the NRC will often contact all Indian Tribes by issuing a State and Tribal Communication (STC) letter. Previously issued letters can be viewed here: <https://www.nrc.gov/reading-rm/doc-collections/ag-comm/index.html>. To receive these letters upon issuance and updates on other NRC topics, click here: <https://www.nrc.gov/public-involve/listserver.html> to subscribe to the GovDelivery subscription service and/or Lyris subscription service. The subscription for STC letters is located in GovDelivery listed as "Federally Recognized Tribal Nations (non-control)" under "National Materials Program."

And lastly, in accordance with 10 CFR Sections 71.97 and 73.37, the NRC's Advance Notification Program affords the opportunity for Federally recognized Indian Tribes to receive advance notification of certain shipments of irradiated reactor fuel and nuclear wastes on NRC-approved routes within or across the boundary of their reservation. The NRC's regulations require licensees to provide notifications to participating Tribal officials, or their designees. For Tribes interested in participating in the program, Tribal officials are required to provide contact information, confirmation of completing NRC training on protection measures of safeguards information, and verification of reservation boundaries based on information provided by the BIA and/or U.S. Census Bureau. For more information on the NRC's Advance Notification Program, click here: [Advanced Notification Designees | NRC.gov](#).

The NRC remains committed to fostering proactive and meaningful interactions with Tribes and providing a fair and timely process to allow involvement in our decision-making. The NRC strives to uphold a decision-making process that is data driven and evidence based while ensuring information is available and accessible to interested parties.

Thank you,

NRC's Tribal Relations Team

From: OfficiallyRL@pm.me <OfficiallyRL@pm.me>

Sent: Tuesday, April 22, 2025 2:19 AM

To: info.security@oecd.org; Margo Stevens <Margo.Stevens@nrc.gov>; Tribal_Outreach Resource <Tribal_Outreach.Resource@nrc.gov>; Nadiyah Morgan <Nadiyah.Morgan@nrc.gov>; Heather Frey <Heather.Frey@nrc.gov>; Nachiketh Chandran <Nachiketh.Chandran@nrc.gov>; Gehan Flanders <Gehan.Flanders@nrc.gov>; Doug Tift <Doug.Tift@nrc.gov>; John Pelchat <John.Pelchat@nrc.gov>; Keion Henry <Keion.Henry@nrc.gov>; Harral Logaras <Harral.Logaras@nrc.gov>; Ryan Alexander <Ryan.Alexander@nrc.gov>; PDR Resource <PDR.Resource@nrc.gov>; Section508 Resource <Section508.Resource@nrc.gov>; EEOPROGRAMS Resource <EEOPROGRAMS.Resource@nrc.gov>; Reasonable_Accommodations Resource <Reasonable_Accommodations.Resource@nrc.gov>; comrights@oecd.org; iaean@un.org; GenevaOffice@iaea.org; MEL@iaea.org; sci_info@ictp.it; webmaster@oecd.org; press@oecd-nea.org; nea@oecd-nea.org; dpo@oecd.org; dpc@oecd.org; FORMS Resource <FORMS.Resource@nrc.gov>; OHRCComments Resource <OHRCComments.Resource@nrc.gov>; ext_Beth_Shelton <Beth.Shelton@tn.gov>; ext_Sarah_Sanderlin <Sarah.Sanderlin@dep.nj.gov>; ext_Keisha_Cornelius <Keisha.Cornelius@deq.ok.gov>; ext_Steve_Seeger <steve.seeger@tn.gov>; jeminnick@pa.gov; ext_David_Matos <David.Matos@dnr.ga.gov>; phillip.peterson@state.co.us; megan.cromie@state.co.us; ext_Kathy_Modes <kathy.modes@gmail.com>; FOIA Resource <FOIA.Resource@nrc.gov>; INFOQuality <INFO.Quality@nrc.gov>; nbartoosmith@underscore.news; lunar@underscore.news; ctrudeau@underscore.news; jwerk@underscore.news; kantone@underscore.news; mreece@underscore.news; info@underscore.news; newsroom@underscore.news; ada@loc.gov; legal@loc.gov; privacy@loc.gov; policy@loc.gov; kayla.gebeck@hklaw.com; rodney.lockett@hq.dhs.gov; environnement@caodanak.com; info@caodanak.com; reception@caodanak.com; David Bernard <davidbernard@gcnwa.com>; info@gcnwa.com; jrancourt@gcnwa.com; lgoujon@gcnwa.com; ljutras@gcnwa.com; npinceloup@gcnwa.com; slaubin@gcnwa.com; history@mail.house.gov; historian@sec.senate.gov; art@mail.house.gov; archives@mail.house.gov; mary.peltola@mail.house.gov; public-agwg-comments@w3.org; kirsten_gillibrand@gillibrand.senate.gov; kennedy@nysenate.gov; russ.fulcher@mail.house.gov; steve@daines.senate.gov

Subject: [External_Sender] NRC FOIA-2025-000477 Administrative Order

Re: FOIA Request FOIA-2025-000477

Our communication, which was structured as a Freedom of Information Act (FOIA) order, also constitutes a valid Information Quality Act (IQA), Public Law 106-554, § 515 order. This valid order also serves as a notice to publish these findings as a PSA across all NRC Social, News, Media, and subscription lists. As a taxpayer-funded agency responsible for energy and defense, the NRC must demonstrate transparency and accountability by prioritizing publicly accessible essential information about NRC interactions with self-identified First Nation members and excluding cross federal borders peer-recognized and qualified First Nations Officials. NRC is responsible for the meaningful effort of organizing the types of records involved with (e.g., policies, procedures, meeting minutes, correspondence, training materials, etc.) and state how evidently self-identification, within the NRC and beyond, perpetuates and escalates preventable systemic generational traumas. To the extent that the NRC maintains records related to these verification practices, the NRC is obligated to improve record-keeping to monitor, report, and publish this essential research.

The U.S. Nuclear Regulatory Commission's (NRC) enabled ethnic self-identification, particularly as relates to Indigenous representation in matters within the NRC's purview of commercial nuclear power reactors; nonpower research, testing, training reactors; fuel cycle facilities; medical, military, academic, and industrial uses of nuclear materials; and the transport, storage, and disposal of nuclear materials and waste. The issue of Cross-border Recognition of Indigenous Nations is relevant, as some Indigenous Nations have territories that span both the United States and Canada. The NRC's policies and programs should respect the historical and ongoing relationships between these First Nations and the U.S. The international border does not negate the rights of these First Nations, and recognition of their sovereignty and rights to consultation across these borders is essential.

This valid order outlines how the NRC must alter negligent self-identification, to reduce suffering against both First Nations, everybody, and environmental harm. The NRC must employ qualified First Nations Reps, providing them adequate resources, enabling meaningful and qualified consultations for legally and ethically sufficient processes to cease perpetual genocide. Include the training content, itinerary or schedule, total duration, and the qualifications and wages of the instructors involved. Including the current NRC map, which commits the war crimes of not acknowledge any First Nations by their Native Terms. Nor the qualifications of the assigned contacts to regions inside and outside U.S. borders. Educational multilingual illustrations of Indigenous Land Acknowledgements must be included.

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Tribal Liaison Program

The United States (U.S.) Nuclear Regulatory Commission (NRC) recognizes the unique legal relationship between the U.S. and Federally recognized Tribes as set forth in the U.S. Constitution, treaties, statutes, Executive Orders, and court decisions. The NRC continues to fulfill its statutory requirement to support proactive communications and government-to-government consultations with all federally recognized American Indian Tribes and Alaska Natives who are potentially affected by, or otherwise interested in, NRC regulatory activities.

NRC Locations

☆ Headquarters (1)
○ Regional Office (4)
□ Technical Training Center (1)

All Tribal Relations Team members may be reached via: tribal_outreach.resource@nrc.gov

Related Tribal Pages

[State & Tribal Programs](#)

[Tribal Protocol Manual](#)

[Tribal Policy Statement](#)

[Tribal Advance Notification Program of Radioactive Material](#)

[Tribal Consultation](#)

[NRC Regulatory Actions of Potential Interest To Tribes](#)

At least eight Indigenously recognized Peer Nations maintain territories crossing the U.S.-Canada border:

Akwesasne (Mohawk Nation) – Territory spans New York (U.S.) and Ontario/Quebec (Canada).

Haudenosaunee Confederacy (Iroquois Confederacy) – Includes Nations such as the Mohawk, Oneida, Onondaga, Cayuga, Seneca, and Tuscarora, with traditional territories extending across both countries.

Wabanaki Confederacy – Comprising Abenaki, Mi'kmaq, Wolastoqiyik, Passamaquoddy, and Penobscot Nations, with territories spanning northeastern U.S. and eastern Canada.

Sinixt Nation – Traditional territory spans southeastern British Columbia (Canada) and northern Washington state (U.S.).

Tlingit Nation - Traditional territory includes southeastern Alaska (U.S.) and parts of British Columbia (Canada).

Blackfeet Nation – Traditional territory includes parts of Montana (U.S.) and Alberta (Canada).

Cree Nation – Traditional territory spans northern U.S. (e.g., Minnesota) and Canada (e.g., Saskatchewan).

Anishinaabe (Ojibwe) Nation – Territories extend across parts of the U.S. Midwest and southern Canada.

These Nations have official peer accountability regulations holding longstanding cultural, political, and legal ties that transcend modern borders. U.S. recognition of their sovereignty and leadership with land and infrastructure consultations must reflect this cross-border reality.

If the NRC collects data related to Indigenous communities for any purpose (e.g., environmental justice assessments, impact studies), how does the NRC ensure the accuracy of that data to include cross federal border first nations and prevent misrepresentation of Indigenous identity? In programs like the First Nation Advance Notification program, how does the NRC verify that both cross federal borders' and internal U.S. First Nation representatives receiving notifications are the authorized representatives?

The data quality and integrity of information the NRC collects and disseminates regarding Indigenous identity, especially when relying solely on self-identification, is within the NRC regulatory scope. The NRC's First Nation Policy Statement and First Nation Protocol Manual acknowledge the importance of government-to-government relationships with federally recognized First Nations. How does the NRC ensure that individuals claiming to represent First Nations in consultations or other interactions are, in fact, officially authorized to do so, despite Federal borders? This is crucial in matters related to licensing, environmental impact assessments, and other regulatory decisions.

These practices raise concerns under the Information Quality Act (IQA), Public Law 106-554, § 515, which mandates federal agencies to ensure the quality, objectivity, utility, and integrity of disseminated information.

The need for qualified First Nations Representatives being employed with the authority, enabled, resourced, and respected to lead verification protocols is further supported by the following Relevant Federal Laws and Statutes:

Indigenous Reorganization Act (IRA) of 1934 (25 U.S.C. § 5101 et seq.): Supports Indigenous Nations' authority to establish membership rules.

Indigenous Self-Determination and Education Assistance Act of 1975 (25 U.S.C. § 5301 et seq.): Affirms Indigenous Nations' authority over internal governance and federal program operation.

Federally Recognized Indigenous Tribe List Act of 1994 (25 U.S.C. §§ 5130–5131): Establishes legal recognition criteria and consultation rights.

BIA Federal Acknowledgment Process (25 CFR Part 83): Sets recognition criteria including descent, community ties, and political continuity.

Furthermore, principles of Indigenous Sovereignty and Membership, as affirmed in cases like:

Santa Clara Pueblo v. Martinez (1978) (436 U.S. 49): Upholds Indigenous Nations' sovereign authority to determine membership.

Morton v. Mancari (1974) (417 U.S. 535): Recognizes the political classification of Indigenous identity in federal programs.

And the principles of Cross-Border Recognition of Indigenous Nations, as outlined in:

Jay Treaty of 1794 (U.S.-Canada): Affirms Indigenous Nations' rights to move, trade, and exercise traditional practices across borders.

Haudenosaunee Confederacy Engagement: Recognizes their cross-border consultation and land use engagement in both countries.

UN Declaration on the Rights of Indigenous Peoples (UNDRIP): Article 36 supports the maintenance of cross-border relationships among Indigenous Peoples and their participation in decisions affecting traditional territories.

And further detailed in Other Key References:

25 CFR Part 62 – Enrollment Appeals: Covers procedures for addressing denial of enrollment in BIA-approved Indigenous Nations.

Indigenous Civil Rights Act (ICRA) of 1968 (25 U.S.C. §§ 1301–1304): Applies constitutional protections while affirming internal governance of Indigenous Nations.

Constitutions of Federally Recognized Indigenous Nations: Include sovereign codes for determining membership based on descent, participation, and community ties.

Given these concerns and the relevant legal and policy frameworks, how is the NRC currently authorizing and resourcing verification processes conducted by qualified and authentic Indigenous representatives, such as those from Odanak and W8linak, to ensure accurate Indigenous representation in all interactions with First Nation governments and in all NRC activities?

Sincerely,

RL

[Municipality of Wantastegok, N'Dakina, 05302](#)

----- Forwarded Message -----

From: noreply@ains.com <noreply@ains.com>

Date: On Monday, April 21st, 2025 at 8:39 AM

Subject: FOIA-2025-000477 Administrative Closure Letter

To: rikirisatti@protonmail.com <rikirisatti@protonmail.com>

CC: margo.stevens@nrc.gov <margo.stevens@nrc.gov>

Good morning Rikki L,

For the reasons set forth in the attached letter, we have administratively closed our file on your request. Please do not reply to noreply@ains.com; this email box does not accept incoming messages. If you need to contact the assigned FOIA Specialist, please respond to margo.stevens@nrc.gov.

Margo Stevens

[1] This Tribal Policy Statement is not intended to, and does not, grant, expand, create, or diminish any rights, benefits, or trust responsibilities, substantive or procedural, enforceable at law or in equity in any cause of action by any party against the United States, the Commission, or any person. This Tribal Policy Statement does not alter, amend, repeal, interpret, or modify Tribal sovereignty, any treaty rights of any Indian Tribes, or preempt, modify, or limit the exercise of such rights. Nothing herein shall be interpreted as amending or changing the Commission's regulations.