

DUTIES OF THE NEGOTIATION TEAM MEMBERS

Team members are appointed to negotiation teams by the Office of the Secretary in recognition of particular expertise, insight and/or skill(s) which can contribute to the achievement of a successful settlement negotiation. Team members function under the direction of the Team Chair who, in turn, functions under the direction of the Chairman of the Working Group through the Secretary's Indian Water Rights Office (SIWRO). Team members are required to fulfill certain responsibilities as set forth in the Criteria and Procedures and as outlined below.

Roles

Negotiation teams function on the basis of consensus. Teams utilize the expertise and ideas of team members in order to develop a comprehensive negotiation position for the Department. Team members are expected and encouraged to share their expertise and perspective on technical, factual, and policy matters with the team as it works toward developing a negotiation position. Team members may also be asked, and will be expected to, identify resources to assist the team in its deliberations and analyses. Team members are to serve as the principle resource for development of data, services, or other expertise from their respective agencies. The team duties and workload commitments of team members should be discussed with and developed in consultation with the Team Chair, and coordinated with the team member's agency.

Team members are responsible for identifying issues that are of interest to the agencies they represent, communicating those issues to their agencies and bringing agency interests or concerns to the attention of the team. However, team members do not merely function as advocates for their agencies, but as representatives of the Secretary charged with achieving a settlement that inures to the benefit of the Department as a whole. In the event that a conflict among agency interests poses an obstacle to negotiation, the Team Chair will refer the matter to SIWRO. SIWRO will report the conflict to Chairman of the Working Group who will work directly with appropriate Departmental policy officials to resolve the matter. If these efforts fail to resolve the conflict, the issue may be presented to the Working Group for review and resolution.

Communication

Team members are to report and communicate matters relating to settlement negotiations through the Team Chair. Team members are not to meet or communicate with settlement parties without the consent of the Team Chair.

In addition to identifying issues that are of interest to their agencies and communicating those issues to their agencies, team members are also responsible for informing their agencies about the activities of the team in general, with appropriate caveats about any confidentiality orders or agreements. Communications should follow appropriate agency protocol.

Reports

Team members are responsible, under the direction of the Team Chair, for preparing the fact finding report, the assessment report, and all other reports requested by SIWRO or the Chairman of the Working Group. Reports will be submitted within the time frames provided in the Criteria and Procedures or as agreed to by SIWRO. Team members will assist the Team Chair in preparing other reports and briefings for SIWRO, the Chairman of the Working Group, OMB, or other entities as requested by SIWRO.