

U.S. Department of the Interior
Self-Governance Advisory Committee Guidelines

1. BACKGROUND

In 1994, Self-Governance received permanent authorization under P.L. 104-413, Title IV of the Indian Self Determination and Education Assistance Act (P.L. 93-638, as amended). Self-Governance continues to foster new partnerships and cooperative arrangements as the government-to-government relationship between the Federal government and Indian tribes continues to be refined. A Self-Governance Advisory Committee (SGAC) comprised of tribal representatives was formally sanctioned by the Assistant Secretary – Indian Affairs (ASIA) in 1998, and continues to provide an opportunity for Self-Governance tribal governments to provide early input into decisions that affect Self-Governance tribes.

Since Self-Governance has been operating under permanent legislative authority, regulations have been negotiated with a team of representatives from Self-Governance and non Self-Governance tribes, and there remains a need to have tribal input on decisions that affect Self-Governance tribes collectively.

2. SCOPE

The SGAC will provide information and advice to the ASIA and the Director of the Office of Self-Governance (OSG) regarding all Self-Governance programs, federal laws, regulations, policies and budget issues within Indian Affairs. The SGAC will: (1) seek to clarify issues affecting some or all Self-Governance tribes; (2) make recommendations that the SGAC believes are in the best interest of Self-Governance tribes without harming non-Self-Governance tribes; and (3) provide verbal and written advice about Self-Governance issues as needed or requested.

3. ACTIVITIES OF THE COMMITTEE

The Tribal Self-Governance Advisory Committee will:

- supplement government-to-government consultation by coordinating with and obtaining input from area Self-Governance tribes;
- provide advice to the Director, OSG and the ASIA on issues, prior to final decisions, that impact Self-Governance tribes;
- as requested by the Director, OSG, attend meetings when Self-Governance issues are discussed to the extent possible;
- review, evaluate and recommend refinements for directives that define the relationship between Self-Governance tribes and the U.S. Government;
- provide input to all workgroups addressing Self-Governance issues and recommend candidates from tribal programs to participate on ad hoc workgroups appointed to address specific Self-Governance issues;

- appoint subcommittees and/or workgroups as necessary to meet the goals of the SGAC;
- as requested by the Director, OSG, assist with meetings with Self-Governance tribes, Congressional committees and other government agencies to the extent possible; and,
- review Self-Governance issues and make recommendations as appropriate and participate in evaluating progress in meeting the goals of tribal Self-Governance.

4. MEMBERSHIP

The SGAC shall consist of one member and one alternate from each of the Bureau of Indian Affairs (BIA) regions that have a Self-Governance tribe. Self-Governance Tribes within each region may submit letters of nomination to the Office of Self-Governance Communication and Education, and final nominees for the primary and alternate SGAC members shall be named by consensus of all Self-Governance tribes within said region. The primary and alternate will be confirmed at the next scheduled SGAC quarterly meeting. The selected committee member and alternate should not be from the same tribe, if possible.

In the event that neither the primary nor alternate member is available to attend a regular SGAC meeting, a written proxy may be issued to a temporary designee to represent that region for that particular meeting.

5. TERM

All confirmed SGAC members shall serve a term of three years each. SGAC members must make a good faith effort to attend all full SGAC meetings. If a confirmed SGAC member cannot fulfill his or her full term for any reason, a new member shall be nominated from the Self-Governance tribes within the affected region, and confirmed at the next scheduled SGAC meeting. If a confirmed SGAC member misses three consecutive meetings of the SGAC, said member shall be removed from the SGAC, and a new member shall be nominated from the Self-Governance tribes within the affected region, and confirmed at the next SGAC meeting.

6. COMMITTEE OFFICERS

A Chairperson, Vice Chairperson, and Secretary will be elected by a quorum of the SGAC on an annual basis. The SGAC will also select tribal staff persons to serve as Technical Representatives in support of the SGAC. Officer elections and selection of Technical Representatives will occur during the last quarter of each calendar year. The Officers and Technical Representatives will be responsible for preparing for and conducting SGAC meetings and summarizing meeting results that will be distributed to Self-Governance tribes. In addition, Officers shall have such duties as may be prescribed by the SGAC.

7. MEETINGS

Frequency: To the extent possible, quarterly meetings will be held.

Quorum: A quorum shall consist of members present from six (6) BIA regions.

Consensus: The SGAC will operate by consensus.

Agenda: Self-Governance tribes who want items included on the agenda should forward their suggestions either to their regional SGAC member or to the Office of Self-Governance Communication and Education. Two weeks prior to each meeting, the Office of Self-Governance Communication & Education will compile agenda items and forward the draft agenda to the SGAC Chairperson, SGAC members, ASIA and the Office of Self-Governance. When appropriate and approved by the SGAC Chairperson, agendas and related materials will be posted to the SGCE website.

Participation: Meetings are open. Non-committee attendance at meetings may be recognized by the SGAC Chair at various times throughout each meeting to make comments, raise questions or submit materials for the record.

Minutes: The Office of Self-Governance Communication and Education will maintain minutes, records and documents. Approved minutes will be distributed to the SGAC and Self-Governance tribes by the Office of Self-Governance or the Office of Self-Governance Communication and Education.

8. REIMBURSEMENT

Funds will be provided to the Office of Self-Governance Communication and Education in order to pay travel and per diem expenses of SGAC members, Technical Representatives and one tribal staff recorder.

9. CONFLICTS OF INTEREST

The members of the SGAC will speak on issues for the general benefit of Indian Country. SGAC members will not present proposals that will create an unfair advantage for one particular agency, tribe or region over another.


10. AMENDMENTS

The SGAC reserves the right to amend the charter to reflect the changing needs of Indian Country.

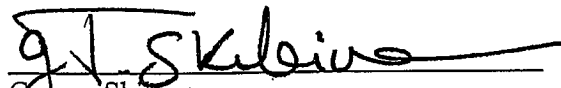
11. HOLD HARMLESS

Nothing in these guidelines establishes a right to legal action against the SGAC, the Department of Interior, or any tribe with representation on the SGAC.

APPROVED:


W. Ron Allen
SGAC Chairperson

5-18-2009
Date


George Skibine
Acting Assistant Secretary – Indian Affairs

5-18-09
Date