

DOI Office of Self Governance

Sharee Freeman,
Director



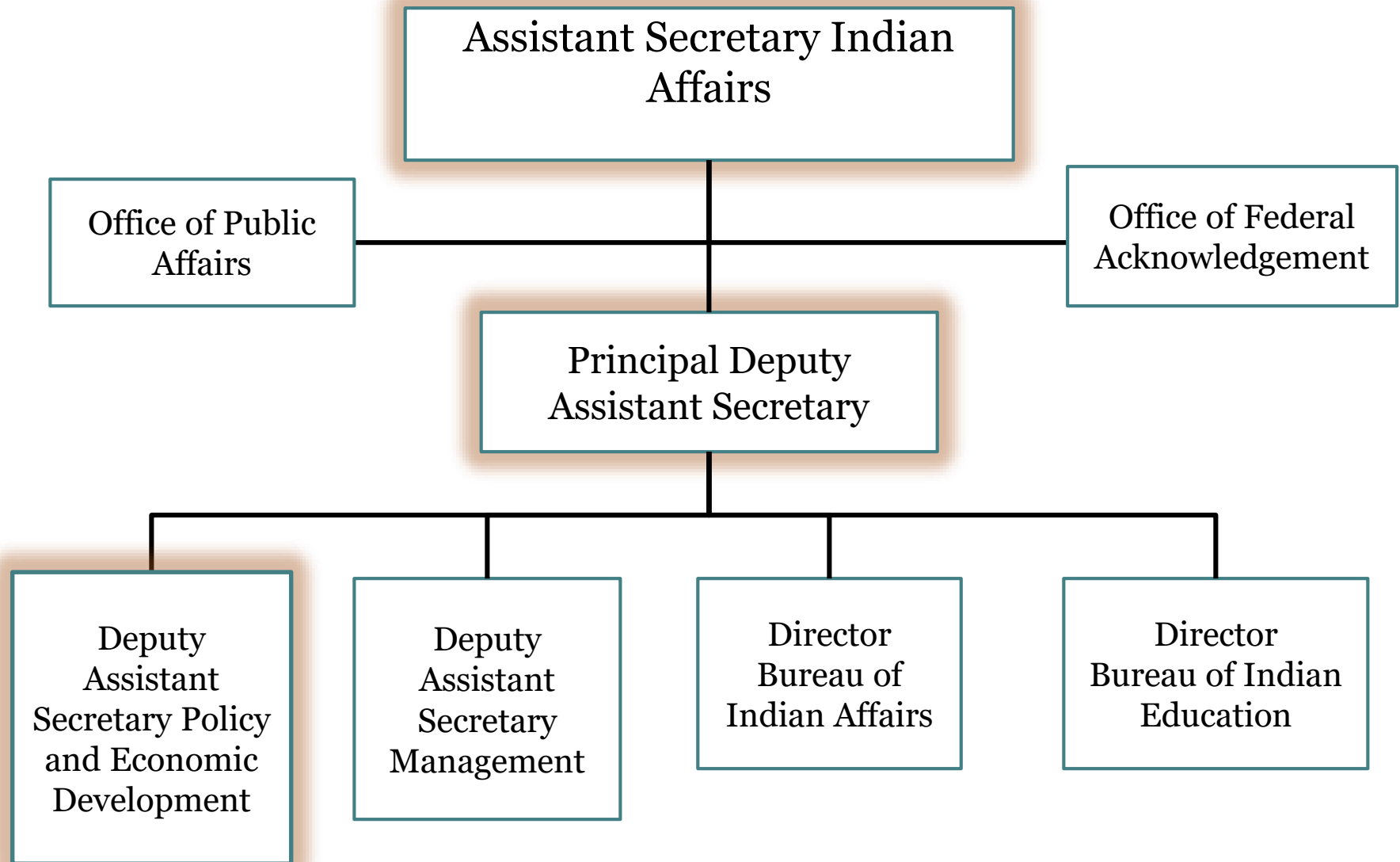
Housekeeping

- Session Format: PowerPoints
- Question & Answer opportunities
- Scheduled Breaks
- SG Trivia

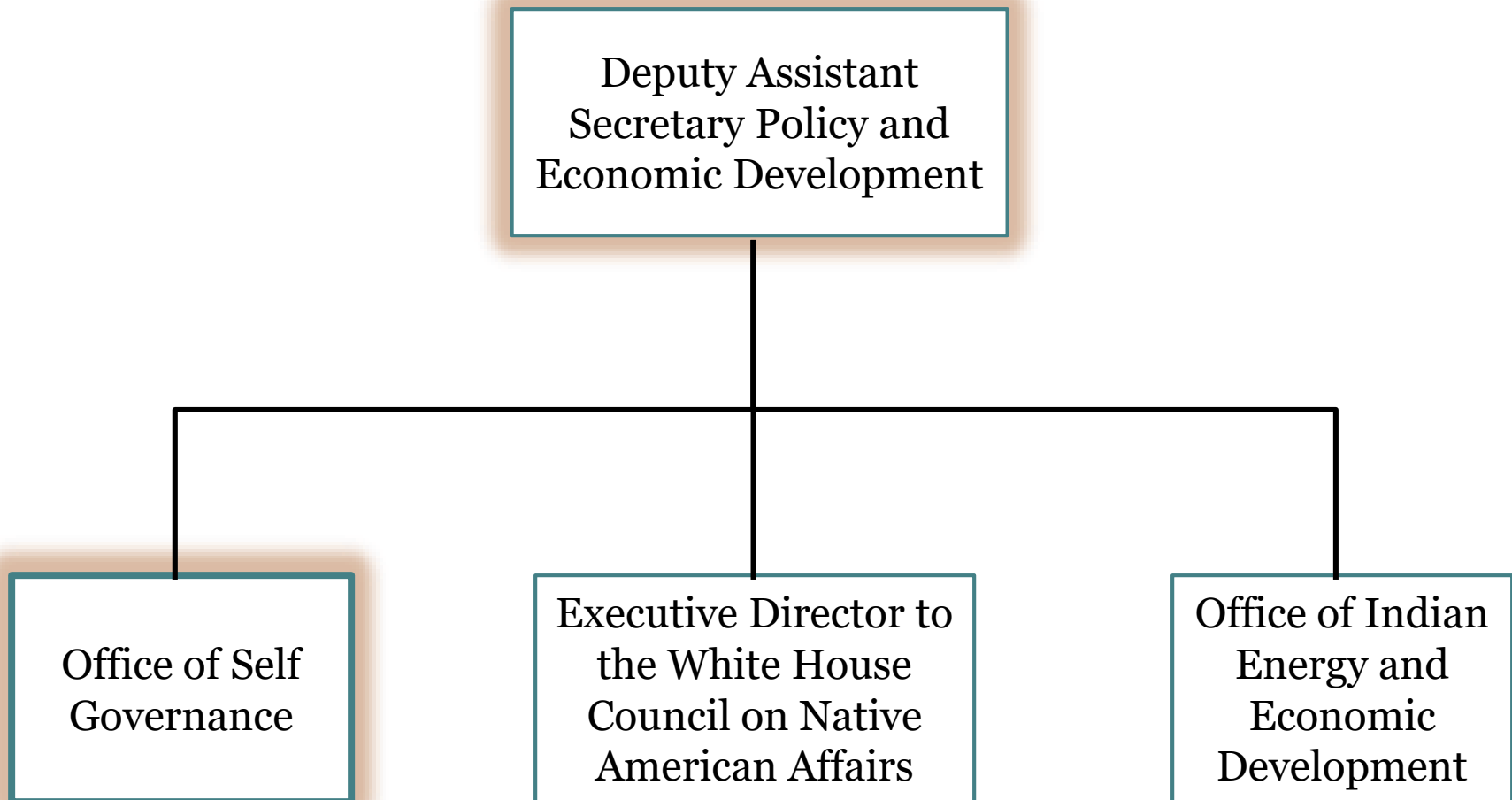
DOI Self Governance Overview



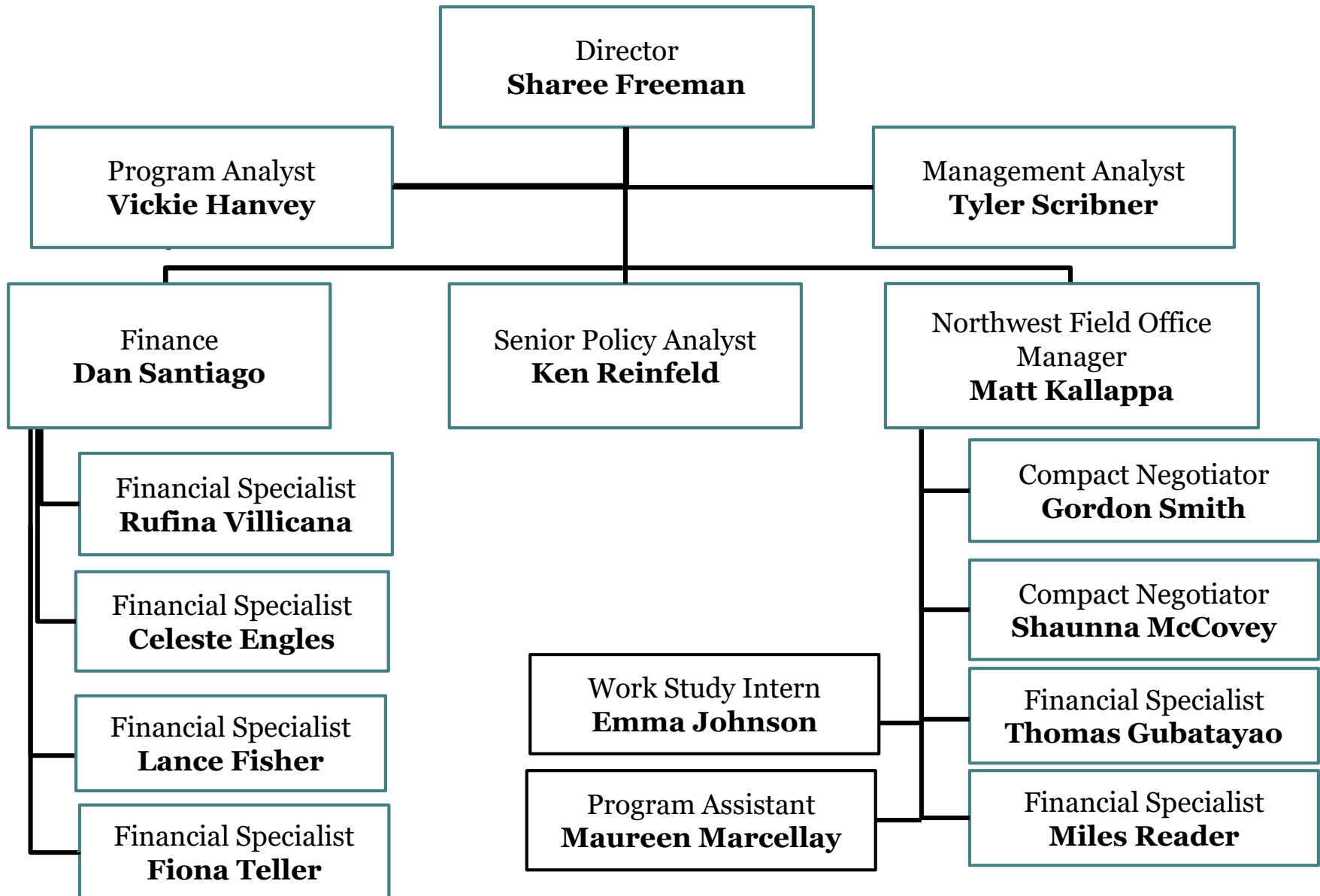
AS-IA Organizational Chart



AS-IA Organizational Chart



OSG Organizational Chart



I Used To Work With “_____” At The BIA, Now Who Do I Work With At OSG?

- SG Application – Ken
- Funding Agreement negotiations – Assigned negotiator (Matt, Gordon, Shaunna, or Ken)
- Fund awards/EFTs/drawdowns – OSG Finance (Dan, Fina, Celeste, Lance)
- Contract Support – Tom,
- Single Audit Act compliance – Tom
- Programmatic implementation – Assigned negotiator (possible participation from BIA region or agency)
- Trust programs/transactions – BIA residual locale with participation from assigned negotiator

OSG- Fiscal and Contracting Responsibilities

- Scheduling and reconciling fund transactions with program and account managers in the BIA and with partner Federal agencies.
- Satisfying the program accountability requirements of other Federal agencies by reviewing pass through funding for program funding consistency.
- Assisting in the growth of self-governance by marketing and developing educational products.

OSG- Fiscal and Contracting Responsibilities

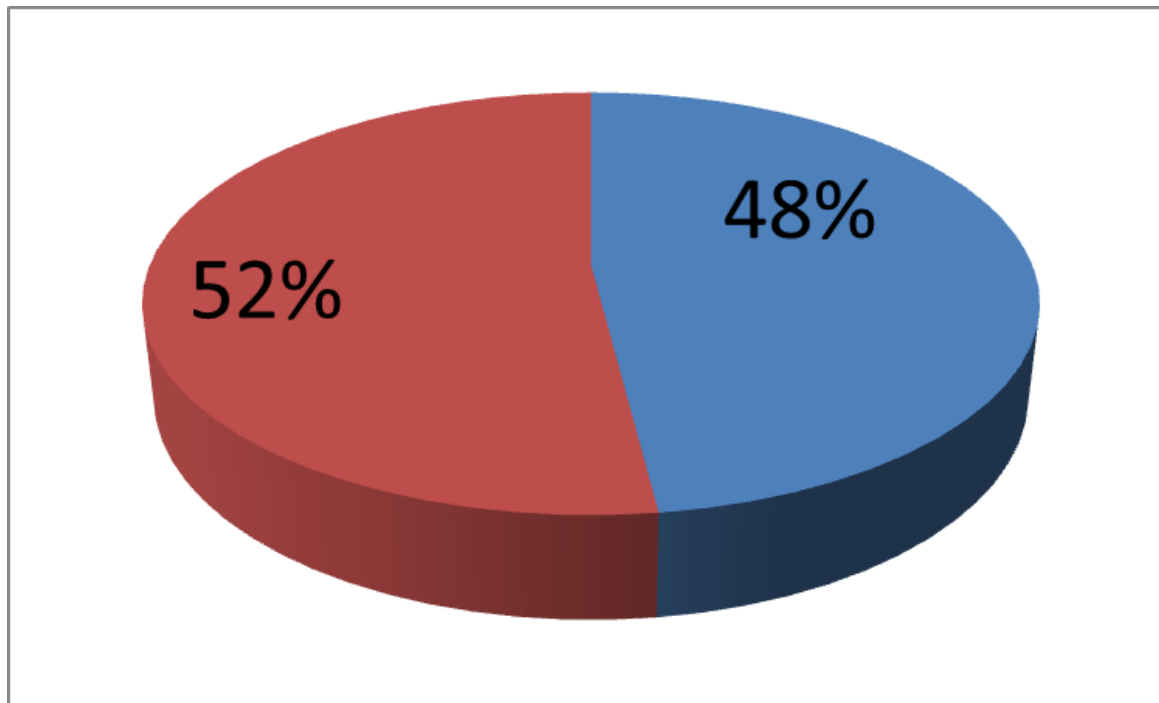
- Recruiting additional tribes to enter into self-governance compacts.
- Managing any appeals and conflicts in funding and contractual language.
- Reviewing and resolving annual audit and evaluation reviews.

OSG- Fiscal and Contracting Responsibilities

In 2017, it is estimated OSG

- will distribute approximately \$440 million
- to 270 tribes
- covered by 120 compact agreements.

OSG- Fiscal and Contracting Responsibilities



Self Governance tribes will represent 48 percent of all Federally recognized tribes nationwide.

Roles and Responsibilities

- BIA
- OSG
- OST

OSG Information and Assistance

- OSG Staff
- OSG website <http://:64.58.34.34/osg>
- SGCE website <http://www.tribalsefgov.org>
- SGAC

Please get in touch!

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Visit the OSG Website

<http://:64.58.34.34/osg>

- **Headline News**
- **Announcements**
- **File Library**
- **Reprogramming Request**
- **Other important financial information**

Self Governance Advisory Council (SGAC)

- comprised of SG Tribal representatives
- formally sanctioned by ASIA in 1998
- provides information and advice to the ASIA and the Director of the OSG regarding all SG programs, federal laws, regulations, policies and budget issues within Indian Affairs
- seeks to clarify issues affecting SG Tribes
- make recommendations believed to be in the best interest of SG Tribes without harm to non-SG tribes
- provide verbal and written advice as needed or requested to the ASIA.



Self Governance Communication and Education

A Tribally-based Communication & Education Consortium.

Strive to ensure that the tenets and purpose of Self-Governance are accurately communicated and clearly understood by Congress, the Administration, the Federal government, non-participating Self-Governance Tribes and all other interested parties.

Website: <http://www.tribalsefgov.org>

Self Governance Communication and Education

The screenshot shows the homepage of TribalSelfGov.org. At the top, there is a navigation bar with links for "About SGCE", "Home", and "Contact Us". Below this is a large banner image featuring a Native American dancer's foot in a colorful moccasin, a circular logo with an eagle, and a decorated staff. The website name "TribalSelfGov.org" is centered below the banner, with a search bar to the right. A horizontal menu below the banner lists "Priorities", "Resources", "Advisory Committees", "Self-Governance", "Events", and "Health Reform". The main content area features a large carousel slide for the "National Tribal Self-Governance 2015-2017 Strategic Plan & Priorities", which includes the subtitle "TRIBAL SELF-GOVERNANCE – A LEGACY FOR THE FUTURE" and the date "APPROVED: March 26, 2015". A button at the bottom of the slide says "Download the 2015-2017 Self-Governance Strategic Plan & Priorities." To the right of the carousel is a sidebar with three sections: "Health" with a plus icon, "Self Governance" with a clipboard icon, and "Resources" with a document icon. Each section has a "Click to learn more" link. A large eagle silhouette is visible on the right side of the page.

About SGCE Home Contact Us

TribalSelfGov.org

Search

Priorities Resources Advisory Committees Self-Governance Events Health Reform

**National Tribal Self-Governance 2015-2017
Strategic Plan & Priorities**
"TRIBAL SELF-GOVERNANCE – A LEGACY FOR THE FUTURE"
APPROVED: March 26, 2015

Download the 2015-2017 Self-Governance Strategic Plan & Priorities.

Health
Click to learn more

Self Governance
Click to learn more

Resources
Click to learn more



Self Governance Communication and Education

SGCE

- sponsored by Choctaw Nation
- facilitates Annual Self Governance Conference
- conducts Annual Strategy Session with Tribes
- coordinates SGAC meetings with Assistant Secretary of Indian Affairs
 - Qtrly meetings (January, April, July, and October)
 - Meetings are open for all to attend

Self Governance History

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Historical Background

- Treaties are Nation-to-Nation contracts
 - Tribal governments entered into treaties prior to the formation of the U.S.
- U.S. Constitution
 - recognizes Indian nations as governments
- U.S. Supreme Court
 - has affirmed that Indian tribes retain their governmental powers unless specifically limited by law.

Historical Background

- Case law from the 1830's forms the basis for the unique Federal/Tribal relationship today.
 - Cherokee Nation vs. Georgia
 - Worcester vs. Georgia
- Chief Justice John Marshall
 - Tribes are “distinct, independent political communities, retaining their original natural rights.”
 - “domestic dependent Nation”

Foundational SG Legislation

- **1921 – Snyder Act**
 - BIA...shall direct, supervise, and expend moneys...for the benefit, care, and assistance of the Indians throughout the United States for...purposes...(as stated)
- **1934 – Johnson O'Malley Act**
 - Authorized the DOI Secretary to enter into contracts with any State... for the education, medical attention, agricultural assistance, and social welfare, including relief of distress, of Indians in such State...

Foundational SG Legislation

Indian Self-Determination and Education Assistance Act

- P.L. 93-638, as amended (ISDEAA) Timeline
 - 1975 ISDEA
 - 1987 Arizona Republic “Fraud in Indian Country”
 - 1988 Tribal Self-Governance Demonstration Project DOI
 - 1992 Demonstration Project extended to IHS
 - 1994 Authorization of SG as permanent option for DOI
 - 2000 Authorization of SG as permanent option for IHS

Foundational SG Legislation

ISDEAA

- Title I Indian Self-Determination Act
- Title II Indian Education Programs
- Title III Tribal Self-Governance Demonstration Act
(repealed)
- Title IV Department of Interior
- Title V Indian Health Service

Foundational SG Legislation

ISDEAA

- Title I – Directs the respective Secretaries of DOI and HHS, upon request, to enter into self-determination contracts
- Title III – Tribal Self Governance Demonstration Project (1988) directed the DOI Secretary to conduct the Tribal Self Governance Project (superseded by Title IV in 1994)
- Title IV – Tribal Self Governance Act (1994) directs the DOI Secretary to establish and carry out the Tribal Self Governance program

Service options

Tribes have the option to:

- Receive services directly from the BIA,
- Operate services under a P.L. 93-638 Title I Contract,
- Operate services under a P.L. 93-638 Title IV Compact and Funding Agreement
- A combination of service provisions of the three options above.

25 CFR Part 1000

Tribal Self Governance – Final Rule

- Effected January 16, 2001
- A sample of what Self-Governance Regulations address
 - Application Process and Selection Criteria
 - AFAs for BIA Programs
 - Negotiation Process for AFAs
 - AFAs for Non-BIA Programs
 - Model Compact

