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

Assistant Secretary Indian Affairs

Principal Deputy Assistant Secretary

Office of Public Affairs

Deputy Assistant Secretary Policy and Economic Development

Deputy Assistant Secretary Management

Director Bureau of Indian Affairs

Office of Federal Acknowledgement

Director Bureau of Indian Education
AS-IA Organizational Chart

Deputy Assistant Secretary Policy and Economic Development

- Office of Self Governance
- Executive Director to the White House Council on Native American Affairs
- Office of Indian Energy and Economic Development
OSG Organizational Chart

Director
Sharee Freeman

Program Analyst
Vickie Hanvey

Management Analyst
Tyler Scribner

Senior Policy Analyst
Ken Reinfeld

Finance
Dan Santiago

Northwest Field Office Manager
Matt Kallappa

Financial Specialist
Rufina Villicana

Compact Negotiator
Gordon Smith

Financial Specialist
Celeste Engles

Compact Negotiator
Shaunna McCovey

Financial Specialist
Lance Fisher

Financial Specialist
Miles Reader

Financial Specialist
Fiona Teller

Work Study Intern
Emma Johnson

Financial Specialist
Thomas Gubatayao

Program Assistant
Maureen Marcellay

Financial Specialist
Miles Reader
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.
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](http://64.58.34.34/osg)
- SGCE website [http://www.tribalselfgov.org](http://www.tribalselfgov.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.tribalselfgov.org
Self Governance
Communication and Education
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

Sharee Freeman, Director
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
  ▫ Worchester 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