**TO: [BIA Region]**

**FROM: [Name of SGAC Member], Department of the Interior Self-Governance Advisory Committee (DOI-SGAC) and [Name of Technical Workgroup Member], SGAC Technical Workgroup Representative(s)**

**Subject: October DOI Self-Governance Advisory Committee Quarterly Meeting Summary**

The Department of the Interior’s Self-Governance Advisory Committee (DOI-SGAC) met October 25-26, 2017 in Washington, DC. The Committee received updates from the Office of Self-Governance, Legislative and Budget items, presentation from the U.S. Government Accountability Office, and Data for Indian Economic Development, Department of Transportation, Labor Population Data and Bureau of Indian Education update.

Below is a brief summary of the discussion and actions from the meeting. A detailed summary of the meeting is available on the SGCE website, [www.tribalselfgov.org](http://www.tribalselfgov.org).

**SGAC Business:**

A summary update from the 2017 Tribal Strategy Session, September 5-6, 2017 was provided, including an overview of the Strategy Session discussion points, next steps and the Self-Governance Communication and Education BluePrint which provides Self-Governance Tribes with the tools needed to launch a major “Tribal Self-Governance Communication and Education Campaign”. A copy of the BluePrint was included in the meeting package (see link below).

**Legislative Update:**

Mary Pavel, Sonosky Chambers, et al; and Caroline Mayhew, Hobbs, Strauss, et al provided an update on current legislative issues and bills being addressed in Congress, including:

1. VOCA, Missing and Murdered People and TLOA & S.1986 - Purpose is to expand Violence Against Women Act (VAWA) jurisdiction to include other crimes such as crimes of sexual violence.
2. Johnson O’Malley Bill – Bill will force an update of the student count because currently it is unknown how many students are eligible and how much money is allocated. Congress wants metrics to support funding request.
3. 477 – Program allows Tribes to coordinate/consolidate employment training funds from a number of different offices into one package. It is successful for Self-Governance but legislation is being pushed to get agencies to cooperate. 477 Tribal Workgroup is renewing efforts to get it passed.
4. Tribal Labor Sovereignty – Should pass the House this year. Tribes are trying to secure 60 in the Senate. It should pass the House. Democrats are listening but there are competing labor interests.
5. Tax Reform – Bill in the House that has a number of the issues that have been floating around since 1992 (5 priorities) – enhance Tribal access to new markets and low income tax credits.
6. Amendments to Title IV - At this time, amendments to Title IV have not been introduced and there are no major champions that have yet been identified. This may be an area which Self-Governance Tribes would like to concentrate on during the latter part of this first session of the 115th Congress..

**Office of Self-Governance (OSG) Update:**

Sharee Freeman, OSG Director, provided a PPT presentation (see link below). Her presentation included an overview of the new Indian Affairs and BIA staff. She noted that John \Tahsuda understands Self-Governance and they have formed a great team. Funding has been added to the OSG 2017 internal budget to cover payroll and travel for 2018 SG Funding Agreement negotiations. OSG’s total budget is $2.253M, supporting 14 staff. OSG will need to look at other internal administrative funding transfers within the Bureau to be commensurate with the internal shift in duties (movement of Tribes from Title I to Title IV). OSG is now located in the Main Interior Building. OSG could possibly be moved closer to ASIA offices. Summary of current distributions made to SG Tribes to date was also provided, including CSC amounts (*see link to meeting package below*).

**George Washington University (GWU) Center for Indigenous Politics and Policy:**

Wendy Helgemo, Director and Associate Professor, AT&T Center for Indigenous Politics and Policy, George Washington University provided an overview of the Native American Political Leadership Program (NAPLP). Ms. Helgemo noted this is a brand new group and they are getting their social media and website established. The group is looking for partners who may need help with research. Alumni from NAPLP are working in careers in Indian Affairs throughout the Washington, DC area. She expressed her desire to open up the lines of communication with SGAG and Tribes and to recruit Tribal youth. Programs are available for high school, college and graduate students. This is a valuable resource.

**Government Accountability Office (GAO):**

Jay Spaan, Senior Analyst, GAO,provided a PPT (see link below) and stated they would like to hear directly from Tribes on any thoughts and concerns regarding Tribal programs and funding. The focus of the GAO high-risk issue area is on management weaknesses within Federal agencies that administer programs that serve Tribes and their members. Tribes noted the importance of distinguishing between those programs implemented by Self-Governance Tribes versus those operated by the Federal government. SGAC requested a Self-Governance training session with GAO, Tribal representatives and OSG.

Currently, GAO is conducting a review to describe how Tribal nations are using various mechanisms, such as Self-Governance compacts, Self-Determination contracts, the HEARTH Act, and Section 17 Tribal Corporations to take over administration of Federal programs, functions, services and activities from BIA. The review will also identify factors that have facilitated or hindered Tribal nations from taking overall Federal programs and functions through the various mechanisms; and suggestions for improvement or areas to focus GAO’s attention. GAO is independent and nonpartisan.

**Department of Transportation – Update on Section 207 of the FAST Act, Tribal Transportation Self-Governance Program (TTSGP) Negotiated Rulemaking Committee:**

The Committee has gone through a long, grueling process and is anxious to resume and finish up the work. DOT sent a letter for a 180-day extension so that the Committee can move forward with the process to develop draft regulations for Section 207. Next meeting targeted in January 2018; with a goal of the final rule to OMB shortly thereafter and ready for comment. Final rule anticipated by June 2018.

**Budget Update:**

Jack Sullivan, Office of Management and Budget, Indian Affairs, reviewed a PPT presentation on Indian Affairs FY2018 Budget Request Update. Amber Ebarb, Budget/Policy Analyst, National Congress of American Indians also provided a PPT on the Overall Budget. (*see PPT presentations included in meeting packages, link below)*. FY2018 President’s budget includes many cuts. Many programs eliminated; BIA cut 13% from the FY2017 Omnibus level. House Action restores most BIA/HIS cuts. Key date is December 8th when the CR runs out. Congress and White House have less than one month to reach consensus on the FY2018 spending levels. Jeannine Brooks, Deputy Director, Budget and Performance Management, Office of Management and Budget, Indian Affairs, DOI provided a PPT update on FY2019 and FY2020. Several Tribal representatives expressed concerned with the directive that they must choose 10 preferred programs to ensure consistency in rolling up to a national level. It’s going to be important for Tribes to be involved in the budget process and for all to work towards solutions.

**Bureau of Indian Education (BIE) – Johnson O’Malley Program (JOM):**

Bill Nuttle, Program Specialist, DOI, Bureau of Indian Education stated that there is currently a Congressional requirement to talk about the update on the JOM count and BIE is looking for input from Tribes. He updated the group on the status of the Congressional response. Last two counts were conducted in 2012 and 2014. BIE has been meeting with the Tribes to come up with a system. They have also been working with the National Center for Education Statistics which shows about a 58% increase over the 1995 count. Based on the directive from Congress, BIE must provide a report to the House/Senate. The draft report will be released shortly to Tribes in a *Dear Tribal Leader Letter*. Tribes are encouraged to take this information back, review and identify a Tribal point of contact. In addition, Mr. Nuttle suggested that a representative from SGAC be a member of the workgroup. BIE anticipates conducting consultations and listening sessions in calendar year 2018 and to have things in place by fall of 2018.

**Update on HR 215 – The American Indian Empowerment Act: An Option to Restore Tribal Land Ownership and Free from Federal Land Regulations:**

Presentation by Henry Cagey, Chairman, Lummi Nation provided an overview (and hand-out) summarizing the main components of the bill. Chairman Cagey is seeking SGAC support and also to identify individuals from the Committee to sit on the Task Force. HR 215 would allow any Federally-recognized Indian nation or Tribe the choice to convert any or all of their Tribal trust lands into restricted fee land. It would recognize the full authority of the Tribal government to regulate its own land use, such as leasing and development. In other words, it would eliminate the authority of the Bureau of Indian Affairs to control Tribal land use. No action was taken by the SGAC on this issue.

**Indian Economic Development, Labor and Population Data:**

Hyon Shin, Chief of Racial Statistics Branch, Population Statistics, US Census Bureau, Department of Commerce provided a PPT (*see link below*) regarding the census data for 2010 for the American Indian/Alaska Native population. The American Community Survey (ACS) which is released on a yearly basis and provides socio-economic information. The most recent is 2015 ACS for detailed race, Hispanic origin ancestry and Tribal populations. They will be sending out an updated survey to review the code list and make any corrections to ensure that it’s coded properly. Tom Krolik, Department of Labor, Bureau of Labor Statistics provided a PPT presentation (*see link below)* which included an overview of the data collected by the Department. The four basic data measures include civilian labor force, employed persons, unemployed persons and unemployment rate. Advantages include: data can be generated on a current, monthly basis; reflect the official concepts of employment and unemployment that come from the current population survey; and consistent with the official county-level estimates published by the Local Area Unemployment Statistics (LAUS).

Benjamin Simon, Chief Economist, Office of Policy Analysis, Department of Interior provided a PPT presentation (*see link below*). DOI is primarily a data user for program management. Policy decisions generally rely on Census, BLS data and Labor Force Report. A workshop was held in September 2017 and the common themes/issues included: can core data needs be identified; can steps be taken to facilitate transparency in methodology for providing data; and priorities for data collected. Tribal representatives are encouraged to review the data that is posted and available. Data is used for various formulas for fund distribution, e.g. Labor Force Report. As sharing of information is developed with DOI, Tribal representatives need to be part of the process in providing input moving forward.

**Meeting Packages:** You can download all PPT presentations and materials from the October 24-25, 2017 meeting here: You can download materials from the October Quarterly meeting here: [SGAC/TSGAC 4th Quarter Advisory Committee Meeting - Tribal Self-Governance](https://www.tribalselfgov.org/events/event/sgactsgac-4th-quarter-advisory-committee-meeting/).

If you have questions or issues you would like SGAC to consider at the next Quarterly Meeting, please share those with Jennifer McLaughlin, SGAC Tribal Technical Co-Chair, at [jmclaughlin@jamestowntribe.org](mailto:jmclaughlin@jamestowntribe.org). Thank you!

Self-Governance 2018 Calendar of Events

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| **Date** | **Meeting** | **Location** |
| January 23-24 | DOI SGAC Quarterly Meeting | Embassy Suites – DC Convention Center |
| January 24-25 | IHS TSGAC Quarterly Meeting |
| March 27-28 | DOI SGAC Quarterly Meeting | Embassy Suites – DC Convention Center |
| March 28-29 | IHS TSGAC Quarterly Meeting |
| April 22-26 | Annual Tribal Self-Governance Consultation Conference | Albuquerque Convention Center  Albuquerque, NM |
| July 17-18 | DOI SGAC Quarterly Meeting | Embassy Suites – DC Convention Center |
| July 18-19 | IHS TSGAC Quarterly Meeting |
| September 5-6 | Tribal Self-Governance Strategy Session | TBD |
| October 2-3 | DOI SGAC Quarterly Meeting | Embassy Suites – DC Convention Center |
| October 3-4 | IHS TSGAC Quarterly Meeting |