

**DOI SELF-GOVERNANCE ADVISORY COMMITTEE**  
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**DISCUSSION WORKING DRAFT**

**U.S. Department of the Interior**  
**Self-Governance Advisory Committee (SGAC) Protocols**

**1. BACKGROUND**

In 1994, Self-Governance was permanently authorized in the Department of the Interior (DOI) under P.L. 104-413, Title IV of the Indian Self Determination and Education Assistance Act (P.L. 93-638, as amended). Self-Governance regulations have been promulgated under this permanent legislative authority with representatives from the United States Government, Self-Governance and non Self-Governance Tribes.

Self-Governance fosters new partnerships and cooperative arrangements under the most successful government-to-government relationship between the Federal government and Indian Tribes to ever exist. This partnership remains a work in progress to fulfill the trust and treaty obligations to Indian Nations.

A Self-Governance Advisory Committee (SGAC) comprised of Self-Governance Tribal representatives was formally sanctioned by the Assistant Secretary – Bureau of Indian Affairs (ASIA) in 1998, which provides the opportunity for Self-Governance Tribal governments to have input on the implementation of the Title IV amendments within the Department of the Interior. The SGAC also serves as the liaison for Self-Governance Tribes on into policy, legislative, budget and program discussions and decision-making actions that affect Self-Governance Tribes collectively.

**2. SCOPE**

The SGAC provide information and advice to the Department of the Interior (DOI) Assistant Secretary -Indian Affairs (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 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 to the ASIA.

**3. ACTIVITIES OF THE COMMITTEE**

The SGAC will:

- A. Maintain communication with Self-Governance Tribes in their respective region, with the assistance of the Self-Governance Communication and Education office (SGCE) to collect and advance priority issues to the SGAC to include on the Quarterly Meeting Agenda;
- B. Supplement the government-to-government consultation by coordinating with the Self-Governance Tribes in their respective regions, to include gathering input from on priority issues addressed at the SGAC Quarterly Meetings;
- C. Report back to Tribes in their respective regions following SGAC Quarterly Meetings on issues identified and follow-up discussions and strategies;
- D. Provide advice to the ASIA and OSG Director, on policy, legislative, budget and program issues prior to Departmental final decisions that impact Self-Governance Tribes;
- E. Represent Self-Governance in forums as requested by the SGAC Chairperson and/or the OSG Director when Self-Governance issues are discussed;
- F. Review, evaluate and recommend refinements for directives that define the relationship between Self-Governance Tribes and the U.S. Government;
- G. Review Self-Governance issues and make recommendations as appropriate and participate in evaluating progress in meeting the goals of Self-Governance;
- H. Provide representation, as feasible, on all Tribal/Federal committees and workgroups, including ad hoc workgroups to provide a Self-Governance perspective; address Self-Governance issues;
- I. Appoint subcommittees and/or workgroups as necessary to meet the goals of the SGAC;
- J. Assist in coordinating meetings with Congress and the Administration within the non-advocacy authority as an Advisory Committee to the ASIA. Otherwise lobbying and actions to influence Congress can only be performed as independent Tribal Nations not as SGAC members.

#### **4. MEMBERSHIP**

The SGAC shall consist of a Primary and an Alternate representative from each of the Bureau of Indian Affairs (BIA) regions that have Self-Governance Tribes.

- A. Membership Requirements  
The SGAC Primary or Alternate member can be an elected or an appointed Tribal representative that is formally designated to serve on the SGAC.
- B. Selection of Members

- 1) Self-Governance Tribes in each region will establish a process to nominate two Tribal representatives to serve on the SGAC (one Primary and one Alternate). At the Tribes' choice, the BIA Regional Director may help facilitate the nomination process.
- 2) The SGAC Primary and Alternate members should not be from the same Tribe unless there are no other Self-Governance Tribes or no other nominees from Self-Governance Tribes in the Region.
- 3) Nominations to the Committee shall be made in the form of written notification to the Chairperson of the SGAC and copied to the Director, Office of Self-Governance. The name(s) of the nominated individual(s) shall be advanced to the SGAC Chairperson c/o the Office of Self-Governance Communication and Education (SGCE), P.O. Box 1734, McAlester, OK 74501. A copy should also be provided to the Director, OSG should be mailed to: The Office of Self-Governance, U.S. Department of the Interior, 1951 Constitution Avenue, NW, SIB-355G, Washington, DC 20240 or faxed to (202) 219-1404.
- 4) The Primary and Alternate nominees will be confirmed at the next scheduled SGAC Quarterly Meeting following receipt of the correspondence.

C. Proxy

1) Temporary Proxy

In the event that neither the Primary nor Alternate member is available to attend a regular SGAC Quarterly Meeting, a written proxy is required on a meeting-by-meeting basis for a temporary designee to represent the region.

2) Formal Proxy:

a) Tribal officials may formally designate an individual to serve as their proxy by written notification to the SGAC Chairperson.

b) The proxy can continue to serve in this capacity, as long as, the proxy has not missed more than three consecutive meetings.

c) These designees must be renewed on an annual basis.

D. Term of Membership

1) SGAC Primary and Alternate Committee members shall serve three year terms.

2) SGAC Committee members may serve multiple and consecutive terms.

3) If a confirmed SGAC member or proxy misses three consecutive Quarterly Meetings of the SGAC, said member or proxy shall be removed from the SGAC and notified in writing of their removal by the SGAC Chairperson.

- 4) If a confirmed SGAC member cannot fulfill his or her term of service, for any reason, a new member shall be nominated to complete the current term and selected as identified under *Selection of Members*.
- 4) The nominee will be confirmed by the SGAC at the next scheduled SGAC Quarterly Meeting following receipt of the correspondence.

E. Committee Officers

- 1) The Chairperson and Vice- Chairperson will be selected on an annual basis by consensus of the SGAC Members during the last quarter of each calendar year.
- 2) The Chairperson and Vice-Chairperson may serve multiple and consecutive terms.
- 3) If the Chairperson or Vice-Chairperson is unable to continue to serve in that capacity, for any reason, a new Officer shall be selected by consensus at the next scheduled SGAC Quarterly Meeting.

## 5. TECHNICAL WORKGROUP

A. Membership

The Primary and Alternate SGAC members from each region will select two persons to serve as Official Members of the SGAC Technical Workgroup.

- 1) The two persons should not be from the same Tribe unless there are no other Self-Governance Tribes from in the Region.
- 2) If a confirmed Technical Workgroup Member misses three consecutive Quarterly Meetings of the SGAC, this will be cause for removal from the Technical Workgroup and will be notified in writing of their removal by the SGAC Chairperson.
- 3) If a confirmed Technical Workgroup Member cannot fulfill his or her responsibilities, SGAC Primary and Alternate Members from that region will be asked to identify a replacement.
- 4) If there are no other replacements from that area, the SGAC Primary and Alternate Members will:
  - a. Recommend someone to fill the Technical Workgroup Member vacancy;  
or
  - b. Approve someone from the expert resource pool until a replacement is identified.

- A. Activities of the Official Technical Workgroup Members shall include the following and **Appendix A, Acknowledgement and Acceptance of Responsibilities to Serve as a Department of the Interior – Self-Governance Advisory Committee – Technical Workgroup Member** to this document:

- 1) Attend the SGAC Quarterly Meetings and provide input as subject matter experts on issues addressed by the SGAC.
  - 2) Convene meetings immediately following the SGAC Quarterly Meetings to discuss issues and directives assigned to the Technical Workgroup from the SGAC.
  - 3) As directed by the SGAC, assume authority and responsibility for specific tasks, such as, drafting summaries, letters, emails or other correspondence, perform research, analyze issues, develop recommendations and draft workgroup reports that address issues raised at the SGAC Quarterly Meetings.
  - 4) Actively participate and contribute in Technical Workgroup activities and assignments necessary to assist in the planning of the agendas and developing work products in preparation for SGAC Quarterly Meetings, the Annual Self-Governance Consultation Conference and the Annual Tribal Strategy Session.
  - 5) Represent the SGAC in forums absent of Self-Governance representation as designated by the Chairperson or the SGAC and as recommended by the OSG Director.
- B. Technical Workgroup Co-Chairs
- 1) Tribal Technical Workgroup Co-Chair  
On an annual basis, the SGAC shall appoint a Technical Workgroup Member to serve as the Tribal Co-Chair of the Technical Workgroup during the last quarter of each calendar year.
  - 2) Federal Technical Workgroup Co-Chair  
On an annual basis, the Office of Self-Governance shall appoint a Federal Co-Chair to serve on the Technical Workgroup during the last quarter of the calendar year.
- C. Technical Workgroup Meetings
- Technical Workgroup meetings are open and other Tribal and technical resource representatives may participate in meetings.

## 6. COMMITTEE SUPPORT

The Office of Self-Governance Communication & Education (SGCE) shall provide administrative and professional support to the SGAC. Their duties shall include:

- A. Meeting Logistics and Documents
- 1) Collect, coordinate and distribute materials identified for each Quarterly SGAC Meeting.
  - 2) Solicit and collect information and topics for discussion at each Quarterly SGAC Meeting.

- 3) Coordinate the agenda development and invitations to the meetings at the direction of SGAC Members.
- 4) Provide administrative support to the SGAC Primary and Alternate Members as requested to fulfill the goals of the SGAC.
- 5) Provide administrative assistance to the Tribal Technical Workgroup Co-Chair and Members as requested to fulfill the directives of the SGAC.
- 6) Distribute the "List of SGAC and Technical Workgroup Members" with all Self-Governance Tribes.

**B. Minutes**

- 1) Take official minutes and provide a summary of the discussion and all follow-up actions during the SGAC meetings.
- 2) Maintain minutes, records and documents.
- 3) Distribute approved minutes to the SGAC, OSG and Technical Workgroup.

**7. QUARTERLY MEETINGS**

**A. Frequency**

To the extent possible, Quarterly Meetings will be held annually.

**B. Quorum**

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

**C. Consensus**

The SGAC will operate by consensus.

**D. Agenda**

Self-Governance Tribes who want items included on the agenda should forward their suggestions either to their regional SGAC Member or regional Technical Workgroup Member(s). SGCE will collect suggestions from these entities and include them in the working agenda in preparation for the meeting. Forty-five days prior to each Quarterly Meeting, SGAC, Technical Workgroup members, and SGCE will work with OSG to compile agenda items and develop an agenda.

When appropriate and approved by the SGAC Chairperson, agendas and related materials will be posted to the SGCE website.

**E. Participation**

Quarterly Meetings are open. Observers or other representatives attending the Quarterly Meetings may be recognized by the SGAC Chairperson at various times throughout each Quarterly Meeting to make comments, raise questions or submit materials for the record. Any printed materials submitted during Quarterly Meetings must be provided by the unofficial attendees.

## 8. REIMBURSEMENT

Funds will be provided to SGAC to reimburse Government Services Administration (GSA) approved travel and per diem expenses of the SGAC members and official Technical Workgroup Members.

At the designation and approval of the SGAC Chairperson, SGAC and Tribal Technical Members will be reimbursed for travel and per diem expenses to represent the SGAC at meetings other than the SGAC Quarterly meetings.

Other Tribal and Technical Representatives who are not official members or designees may attend meetings at their own expense.

## 9. CONFLICTS OF INTEREST

The members of the SGAC will speak on issues for the general benefit of Self-Governance Tribes. SGAC members will not present proposals that will create an unfair advantage for one particular agency, Tribe or region over another.

## 10. AMENDMENTS

SGAC reserves the right to amend the protocols as needed to reflect the changing representation of Self-Governance Tribes.

## 11. HOLD HARMLESS

Nothing in these protocols establishes a right to legal action against the SGAC or Technical Workgroup Members or, the Department of the Interior.

## APPROVED:

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W. Ron Allen  
SGAC Chairperson

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John Tahsuda, III, Principal Deputy -  
Indian Affairs, Exercising the Authority  
of the Assistant Secretary – Indian  
Affairs

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Date

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Date