**U.S. Department of the Interior**

**Office of Self-Governance - Indian Affairs**

**Self-Governance PROGRESS Act Negotiated Rulemaking Committee**

**Self-Governance Advisory Committee (SGAC) Update**

**November 10, 2022**

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Designated Federal Officer (DFO):

Vickie Hanvey, Office of Self-Governance, ASIA

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Alternate Designated Federal Officer (DFO):

Regina Gilbert, Office of Regulatory Affairs and Collaborative Action, ASIA

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Advisory Committee Management Officer (CMO): Margaret Triebsch

Facilitation: Federal Mediation and Conciliation Service (FMCS)

**Committee Website:** [**https://www.bia.gov/service/progress-act**](https://www.bia.gov/service/progress-act)

* Contains public access to Federal Register Notices, meeting dates, agenda, minutes, other material.

**GSA Annual Comprehensive Review (ACR):**

* The DFO submitted the FY2022 ACR to the GSA Federal Advisory Committee Act (FACA) Database for the CMO review and approval.

**CONSENSUS AGREEMENTS SUMMARY:**

The Self-Governance PROGRESS Act Negotiated Rulemaking Committee reached consensus on the following items to date:

1. Extension: Recommending that the Department submit a draft bill as soon as possible to extend the statutory deadlines for the promulgation of regulations implementing the PROGRESS Act. Specifically, Section 5373 of the title 25, United States Code, is amended—

(1) in subparagraph (a)(2) by striking “21 months” and inserting “35 months”; and

(2) in subparagraph (a)(3) by striking “30 months” and inserting “47 months”.

(1) July 21, 2022 to September 21, 2023

(2) April 21, 2023 to September 21, 2024

1. Audit Threshold Conflict: In regard to the conflicting audit threshold requirements set forth in the PROGRESS Act ($500,000) and Single Audit Act ($750,000),
2. defer consideration of the proposal to resolve the conflicting audit threshold requirements by technical amendment while the Department obtains a Solicitor’s opinion regarding how to deal with these conflicting provisions;
3. the Department confer with Indian Health Services regarding these conflicting audit threshold provisions; and
4. that the Committee continue to separately move forward with its request to extend the deadline for exercising authority to promulgate regulations implementing the PROGRESS Act.
5. Leadership Subcommittee

Task: Convene administrative meetings for the limited purposes of discussing administrative, operational, or logistical issues. Administrative meetings are not subject to FACA’s open meeting requirements.

Subcommittee: Sharee Freeman, Agency Lead; Scott Aiken Federal Committee member;

Chairman Ron Allen, Tribal Co-Lead; Melanie Fourkiller, Tribal Co-Lead. In addition, the DFO, Alternate DFO and FMCS.

1. Protocols Subcommittee

Task: Develop operating protocols to bring forward to the full Committee

Subcommittee: Consists of eight Tribal subcommittee members and six Federal subcommittee members from the Federal team:

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