**U.S. GAO Tribal Advisory Council**

**Charter and Protocols**

This charter[[1]](#footnote-1) sets forth the guiding principles and operating parameters of the Government Accountability Office’s (GAO) Tribal Advisory Council (TAC), established in 2022 by the Comptroller General of the United States.

**Background**

(INSERT)

**Purpose**

The purpose of the TAC is to provide external advice to the U.S. Government Accountability Office (GAO) in carrying out GAO’s mission to support Congress. Specifically, the TAC will advise GAO on vital and emerging issues affecting Tribal nations and their citizens and inform GAO’s strategic goals and priorities with respect to the agency’s work on federal Indian programs and related issues. The TAC will help strengthen and honor the government-to-government relationship between GAO and Tribal governments. It is also important in helping GAO shape its future work on federal Indian programs and other federal activities that affect Tribal governments.

Members will be expected to actively participate in TAC deliberations by providing perspectives based on their experience and expertise relevant to issues affecting Tribal nations and their citizens. TAC members may also be asked to:

* assist with the development of internal guidance that can enhance GAO’s approach and ability to conduct its work in a manner that respects and acknowledges the sovereignty of Tribal nations, the unique government-to-government relationship, and the federal government’s legal and moral trust and treaty obligations and responsibilities.
* alert GAO to emerging factors or circumstances of interest or concern to tribal nations;
* provide input and perspectives on new and ongoing GAO tribal work, as appropriate;
* identify persons with subject matter expertise in critical areas related to GAO’s tribal work and tribes impacted by federal policies and programs under GAO review;
* provide advice on GAO’s development of strategic goals and objectives regarding its tribal work;
* assist with development of GAO’s protocols for working with tribal nations and tribal organizations during the course of audit work;
* help GAO identify areas for staff development and appropriate training resources to address them; and
* inform GAO’s approach to recruiting, hiring, developing, and retaining a diverse, talented, and dedicated workforce.

**Membership**

To the extent possible, the council will consist of the following members:

1. Twelve elected or appointed officials from federally-recognized Tribal nations. Members will be chosen to achieve diversity in representation in terms of population size, geographic location, size of land base, economic factors, legal mechanism and/or authorities for delivery of federal services, and other factors, as appropriate.
2. An elected or appointed leader of a state-recognized tribe
3. A representative of a Native Hawaiian organization
4. A representative of an Alaska Native Corporation

Membership on the TAC will be at the invitation of the Managing Director, GAO’s Natural Resources and Environment team.

Members may bring additional technical advisors to meetings.

**Member Roles**

The GAO TAC includes members that represent diverse Indigenous populations with different political relationships with the federal government. As such, there may be times when only a subset of the TAC may be asked to provide insights into certain GAO reviews or initiatives. In most instances, GAO will likely provide the same information to the full TAC but when considering how to use guidance from TAC members, it may weigh the topic being presented with the populations being represented by various members.

**Meetings**

The TAC will meet in person or virtually at least annually, with additional meetings held at the discretion of the Managing Director, Natural Resources and Environment team. Meetings may alternate between a nonfederal location in Washington, D.C., and other locations across the country.

* Meetings are open. Non-committee attendees at the meetings may be recognized by

the TAC Chair at various times throughout each meeting to make comments, raise

questions, or submit materials for the record.

* Meeting agendas will be developed jointly by GAO and the TAC. GAO will also provide time for TAC members and advisors to meet without GAO staff present.
* Meeting minutes will be completed by the GAO TAC contractor and minutes will be formally adopted at the beginning of the subsequent meeting.
* In addition, GAO may on occasion ask members to provide information or perspectives on selected issues between council meetings.
* Official committee business requires a quorum (eight members). If a quorum is not present for a meeting, the committee may still meet to discuss issues and conduct committee work but official committee actions (such as meeting minute approvals and voting for TAC leadership) will be postponed until a quorum may be established.

**Terms**

In general, TAC members will serve three year terms. However, for the first TAC appointments, seven of the TAC members will serve two year terms and the remaining eight will serve three year terms to stagger the expiration of appointments.[[2]](#footnote-2) As the members’ terms expire, the Managing Director, Natural Resources and Environment team may invite the members to serve an additional three year term or invite new members.

If a member discontinues their tribal leadership position that led to their invitation to join the TAC—due to a resignation, election, retirement, or any other reason—the subsequent tribal leader serving in that role and/or nominated by the tribe may serve as their replacement on the TAC or tribe’s membership on the TAC may be terminated. The Managing Director, Natural Resources and Environment team will make this determination on a case-by-case basis.

Do we need a section on the selection of a TAC Chair and Vice-Chair?

**Nominations**

(INSERT DESCRIPTION OF NOMINATION PROCESS)

**Duration**

The TAC shall continue indefinitely; however, the Managing Director, Natural Resources and Environment team may, at their discretion, terminate the TAC at any time.

**GAO Support**

GAO expects to contract with a Native-serving organization (the “TAC contractor”) for logistic and administrative support of the TAC. Together, GAO and the TAC contractor will provide administrative support to the TAC as needed, such as assistance in developing and distributing meeting materials, arranging meeting logistics, and taking and maintaining meeting minutes.

**Reimbursement for Expenses**

Travel reimbursements will be made to TAC members in accordance with GAO policies and procedures. Other tribal and technical advisors who are not official members or designees may attend meetings at their own expense. Payments will generally be processed through the TAC contractor.

1. As a legislative branch agency, GAO is not covered by the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix 2, section 3(2), which governs the establishment, operation, and termination of advisory committees in the executive branch of the U.S. Government. [↑](#footnote-ref-1)
2. These numbers will depend on how many TAC members are ultimately appointed. Regardless of the TAC size, roughly half of the members should have two year terms initially. Following the expiration of the two year appointments, all TAC members shall serve three year terms. [↑](#footnote-ref-2)