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

**Date: September 28, 2022**

**Location: ASU DC Campus located at 1800 I St NW**

**Approved by TAC on: (INSERT DATE OF VOTE)**

**Attendance:**

Government Accountability Office

Zina Merritt, Chief Diversity Management Officer

Mark Gaffigan, Managing Director, Natural Resources & Environment (NRE)

Anna Maria Ortiz, Director, NRE Tribal & Native American Issues

Paige Gilbreath, Assistant Director, NRE Tribal & Native American Issues

Estelle Bowman, Tribal Specialist, NRE Tribal & Native American Issues

Lisa Van Arsdale, Assistant Director, NRE Tribal & Native American Issues

Tammy Conquest, Assistant Director, NRE Tribal & Native American Issues

Leslie Pollock, Assistant Director, NRE Tribal & Native American Issues

Quindi Franco, Assistant Director, NRE

Andrew Von Ah, Director, Physical Infrastructure

Mary “Morning” Washburn, Director of Domestic Relations, Strategic Planning & External Liaison

Gretta Goodwin, Director, Homeland Security & Justice

Beth Sirois, Assistant Director, Education, Workforce, & Income Security

Bill Shear, Director, Financial Markets & Community Investment

Michelle Rosenberg, Director, Health Care

Tribal Advisory Council Members

Cheryl Andrews-Maltais, Wampanoag Tribe of Gay Head Aquinnah

Kasie Nichols, Citizen Potawatomi Nation

Tehasi Hill, Oneida Nation

Adam Red, Southern Ute Indian Tribe

Virginia “Ginger” Fuata, Waianae Coast Comprehensive Health Center

Sarah Curtis, Choctaw Nation of Oklahoma

Shelia Carl, Akiak Native Community

Sarah Lukin, Cook Inlet Region, Inc

Myra Pickering, Otoe-Missouria Tribe

Diana Zirul, Kenaitze Indian Tribe

Lisa WhitePipe, Rosebud Sioux Tribe

LaShawna Tso, Navajo Nation

John Lowery, Lumbee Nation

Rhonda Harjo, Mississippi Band of Choctaw Indians/Mvskoke Nation

Self-Governance Communication and Education Tribal Consortium

Jay Spaan, Executive Director

Travis Jansen, Deputy Director

Mandi Johnson, Operations Manager

Other Attendees

Candice Skenandore, Mohegan Tribe of Connecticut

Delia Carlyle, Ak-Chin Indian Community

Karen Fierro, Ak-Chin Indian Community

OJ Simmons, Coalition of Large Tribes

Justin Ahasteen, Navajo Nation Washington Office Legislative Affairs Associate

**Summary of GAO Tribal Advisory Council (TAC) Meeting**

*NOTE: The agenda and all presentations from the meeting can be obtained at:*

[*https://www.tribalselfgov.org/advisory-committees/gaotac/*](https://www.tribalselfgov.org/advisory-committees/gaotac/)

**Opening Prayer**

Provided by Chairman Hill, Oneida Nation

**Opening Remarks**

Chairwoman Andrews-Maltais and Mark Gaffigan offered opening remarks for the TAC meeting. Specifically, Chairwoman Andrews-Maltais highlighted that the TAC looks forward to working with the GAO to (1) identify solutions that will make Federal Indian programs more efficient and effective and (2) strengthen the government-to-government relationship between Tribal Nations and the United States. Mr. Gaffigan stated that GAO is excited to have the TAC and it will provide many benefits to the agency.

**GAO Overview**

Anna Maria Ortiz provided an overview of GAO and responded to initial questions from the TAC.

Director Ortiz highlighted many important points in the overview, including:

* GAO serves Congress and helps ensure that the federal government fulfills its Trust responsibility and Treaty obligations in an efficient way.
* GAO is considered the Congressional watchdog – making the federal government more efficient, equitable, and responsible to taxpayers.
* GAO does not typically evaluate activities of Tribal governments.
* Understanding Treaty and Trust obligations is critical for GAO to perform its work.
* Many programs GAO is asked to review are designed specifically for Federally recognized Tribes and their citizens, but Congress has also extended eligibility for some programs to Native Hawaiians, Alaska Native Corporations, and state recognized Tribes.
* GAO and Inspector General (IG) offices differ in that GAO covers the entire federal government and IGs are tailored to the agency where they reside.

GAO officials responded to several questions from TAC members related to GAO’s role, purpose, and process and the group raised several topics for consideration and future discussion. For example, the discussion included:

* Opportunities for Tribal Nations to provide input into the GAO reviews requested or required by Congress,
* GAO’s process for seeking input from Tribal governments.
* GAO’s approach and processes related to Tribal data sovereignty, Indigenous knowledge, and Indigenous methodologies.
* Opportunities for the TAC to have input on long-term strategic planning for reviews relevant to Indian Country.
* The challenges with competitive grants – which are not an appropriate way for the federal government to fulfill its Trust responsibility and Treaty obligations.
* Challenges with data collection and use.
  + GAO stated the importance of data for its evaluations but also recognizes it can’t reduce Nations to numbers. TAC members stated that GAO needs to make it clear how it will use data it collects and be willing to share preliminary findings that use any portion of the data it collected from Tribal Nations with the Nations in advance of publication.
  + Some Tribal Nations have laws governing the sharing and use of data and it will be important for GAO to learn about the Nation’s laws before requesting data and information.
  + For Native Hawaiian Communities, the stories are more important than quantitative data. Some communities do not share this information, they have strict protocols on the sharing of stories.
* Challenges with Tribal consultation.
* GAO’s approach for soliciting information from Tribal governments.

**Presentation on How Congress Uses GAO Reports & Information**

Rhonda Harjo, retired Deputy Chief of Staff for Senate Committee on Indian Affairs and GAO TAC Member provided an overview (based on her experience) of how Congress uses GAO reports.

**GAO and the TAC members dedicated a significant portion of the meeting to discuss other topics of relevance and to get a better understanding of issues and topics of importance to the TAC. The following topics were raised during the discussion:**

* Has GAO considered creating a Tribal office or moving all Tribal work under one team? OMB recently created a Senior Tribal Advisor to advise the head of the agency and GAO may consider a similar position in its executive team.
* GAO holds the government accountable and so do Tribal Nations. GAO should consider Tribal governments as partners in its reviews.
* Not all criteria that GAO uses is consistent with federal Indian policy. For example, for more than 40 years, federal Indian policy has promoted Tribal Self-Determination and Self-Governance. A key tenant of Self-Determination and Self-Governance is less reporting to federal agencies and less oversight from federal officials. Yet, GAO often relies on criteria that calls for more reporting and oversight.
* GAO may be asked to evaluate a program or issue that only relates to Native Hawaiians or that only relates to state recognized Tribes or only ANCs. In these cases, the TAC and GAO should work together to identify the protocols for the TAC to provide input.
* Given that the United States has a government-to-government relationship with 574 unique Tribal governments, how can it ensure to get the proper level of input from Indian Country.
* The GAO TAC is FACA exempt.
* GAO is willing to convene more meetings based on input from the TAC.

**Welcome from GAO Executive Team**

The Comptroller General was unable to attend the meeting. Zina Merritt delivered remarks on behalf of GAO’s Executive Team. Ms. Merritt highlighted the following points in her remarks:

* The TAC is extremely important and GAO values it as a mechanism to help guide future work.
* GAO looks forward to learning about emerging topics of interest or concern.
* GAO agrees that reviews should focus on federal implementation of programs that serve Tribes and indigenous communities.
* GAO’s take-away of key principles discussed in the meeting include respecting tribal sovereignty, self-determination, and self-governance; fulfilling federal trust responsibility; meaningful and robust consultation; and awareness of Tribes’ unique political status.

**Actions Items:**

* Develop TAC Protocols
  + SGCETC is developing an outline and looking at other protocols and charters, putting an outline of key areas and asking for TAC members to help draft language for each of the areas and present to full document and then consider.
* Seek nominations for the TAC Tribal Chair & Vice Chair
  + SGCETC will solicit nominations in advance of the next meeting
* Identify options for future TAC meetings (2022-2023)
  + SGCETC will conduct a doodle poll to determine potential dates
* Start identifying priorities and areas for potential GAO work