

## **Department of the Interior – Self-Governance Advisory Committee (SGAC)**

### **Meeting Summary**

**Dates:** December 9–10, 2025

**Location:** Embassy Suites Convention Center, Washington, DC

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### **Day One – Tuesday, December 9, 2025**

#### **Full SGAC Meeting and Committee Business**

Following the convening of the full SGAC session, the Committee conducted routine business. A quorum was determined and the minutes from the July 22–23, 2025, SGAC meeting were reviewed and approved without objection. The Committee discussed ongoing recruitment for vacant SGAC positions and the need to ensure balanced regional representation, particularly in the Great Plains, Rocky Mountain, and Western regions.

#### **Opening Remarks and Dialogue with the Assistant Secretary for Indian Affairs**

The Assistant Secretary for Indian Affairs joined the Committee for an extended dialogue focused on the future direction of tribal self-governance. Committee leadership provided an overview of SGAC’s history and role, emphasizing self-governance as an expression of tribal sovereignty and a proven mechanism for improving program delivery, economic development, and administrative efficiency.

The Assistant Secretary outlined an administration-wide emphasis on innovation, efficiency, and reducing bureaucratic barriers that delay tribal projects. He highlighted that speed and flexibility are critical to economic development and stated that empowering tribes to manage programs directly aligns with broader federal goals of streamlining government operations. He acknowledged that more than 300 tribes currently participate in self-governance and identified them as models of the effectiveness of locally driven governance.

Committee members emphasized the chronic underfunding of Indian programs relative to need. They noted that while full funding of trust and treaty obligations remains unlikely, self-governance provides tribes with tools to leverage limited federal dollars, generate their own revenues, and meet community needs. Members stressed that federal agencies must act as effective partners by removing unnecessary administrative duplication and delays.

#### **Major Priorities for Indian Affairs**

Senior Indian Affairs officials discussed departmental priorities, including strengthening self-governance implementation, improving coordination among BIA offices, and addressing systemic backlogs affecting tribes. The discussion emphasized the need for consistent interpretation of policies across regions and for clearer guidance from headquarters to field offices.

#### **477 Program Coordination and BIA Updates**

BIA leadership provided updates on Tribal 477 program coordination, emphasizing its value in integrating employment, training, and related services. Tribal representatives raised concerns about uncertainty in program approvals, revisions to approved plans, and the need for clearer communication when policy interpretations change. Members stressed that tribes must be engaged early in discussions affecting the implementation of the 477 program and its policy direction. Of particular concern is that some programs, such as Head Start, that are currently included in 477 plans are being removed. SGAC members noted that DOI has a significant role in working with sister agencies on programs that are included in a 477 plan.

#### **Probate Modernization Efforts**

BIA staff discussed ongoing probate modernization initiatives to reduce delays and improve case processing. Committee members underscored the significant impacts probate delays have on land use, housing, and economic development. They encouraged DOI to prioritize reforms that would streamline probate processes and better integrate tribal capacity.

#### **ASAP Justification Exemption Update**

The Deputy Chief Financial Officer for Indian Affairs presented an update on the ASAP payment justification exemption. She reported that, effective October 1, 2025, tribal recipients are no longer required to provide payment justifications when drawing funds through ASAP. This change followed sustained advocacy by tribes and coordination between Indian Affairs and the U.S. Department of the Treasury. Members welcomed the change as a meaningful reduction in administrative burden.

#### **Johnson-O'Malley (JOM) Program**

Bureau of Indian Education staff discussed changes to JOM student count data and the resulting impacts on funding. Tribal representatives expressed concern that revised formulas could significantly reduce funding for some tribes, including those with existing agreements. Members emphasized the importance of honoring negotiated funding levels and accounting for inflation.

#### **Section 105(l) Leasing and Backlogs**

Indian Affairs staff addressed recent changes to Section 105(l) lease guidance and acknowledged ongoing processing backlogs. Tribes emphasized the importance of 105(l) leasing revenue to support governmental functions and urged DOI to resolve backlogs and ensure consistent application of guidance across regions. Mr. Seeton confirmed that the recent changes calling for comps in the handbook is being reversed and the handbook should be updated soon to reflect the reversal of the changes.

### **Budget and Funding Outlook for FY 2026–2027**

The Division of Budget and Formulation provided an overview of the current budget environment, including continuing resolutions and uncertainty surrounding appropriations. Tribes reiterated concerns about flat funding in the face of rising costs and urged DOI to advocate for budget stability and flexibility for tribal programs.

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## **Day Two – Wednesday, December 10, 2025**

### **Continued Dialogue with Indian Affairs Leadership – Inherent Federal Functions**

The second day centered on an in-depth discussion of inherent federal functions (IFFs) and their impact on self-governance. Committee members described longstanding challenges arising from inconsistent interpretations of IFFs across BIA regions and DOI bureaus. Tribes reported that functions deemed compactable in one region are often denied in another, creating uncertainty and delays.

Members referenced the Progress Act negotiated rulemaking, noting that it established a statutory definition of inherent federal functions and new procedural requirements intended to improve transparency and consistency. Tribal representatives emphasized that IFFs should be narrowly construed and that tribes should receive clear, written explanations when requests to assume functions are denied.

Discussion highlighted practical examples, including land into trust processing, appraisals, environmental reviews, title plants, and natural resource management. Tribes argued that many of these functions can be performed by tribes without diminishing federal trust responsibilities, provided the federal government retains final decision-making authority where required by law.

Indian Affairs leadership acknowledged the need for greater consistency and indicated that clearer guidance from headquarters to regional offices is necessary. The Assistant Secretary emphasized the administration's interest in reducing duplication and improving efficiency, noting that unresolved questions about IFFs can stall projects and undermine economic development.

### **Office of Justice Services Update**

Justice Services leadership provided updates on law enforcement and public safety programs. Tribes discussed staffing challenges, coordination issues, and the importance of ensuring that self-governance principles extend to justice-related functions where appropriate. BIA emphasized its continued coordination with the Department of Homeland Security and encouraged any Tribes having issues with DHS to reach out to BIA for assistance.

### **Office of Self-Governance Update**

The Director of the Office of Self-Governance reported on program participation, noting continued interest from tribes seeking to enter self-governance. Staff discussed implementation of new regulations, upcoming Federal Register notices, and efforts to improve internal processes. Members emphasized the importance of timely processing of participation requests and adequate staffing to support growing program demand.

### **Tribal Self-Governance Consortium Update**

The Executive Director of the Tribal Self-Governance (TSG) Consortium provided an update on TSG's education efforts, coordination with tribes, and engagement with federal partners. TSG reiterated the need for continued collaboration to advance self-governance policies across federal agencies and encouraged attendance at the annual conference that will convene in April 2026.

### **Technical Advisory Committee Discussion**

The Federal Co-Chair of the Technical Advisory Committee outlined ongoing and planned work related to the Self-Governance Database (SGDB), system access issues, and data transparency. Members discussed the need for improved access to information entered into federal systems and emphasized the value of technical workgroups in resolving persistent administrative challenges.

### **Closing Discussion and Adjournment**

Before adjournment, Committee members summarized key themes from the meeting, including the need for consistent policy implementation, reduced administrative burden, timely land-into-trust processing, and continued expansion of tribal self-governance authorities. Members expressed appreciation for the engagement of Indian Affairs leadership and emphasized the importance of continued dialogue and follow-through on identified action items.

The meeting was adjourned with agreement to continue work through technical committees and upcoming SGAC sessions.