

## DIVISION OF TRIBAL GOVERNMENT SERVICES

### Division of Tribal Government Services Mission

To promote awareness of tribal governmental responsibilities and processes, and to provide tribes with the resources they need to foster strong and stable tribal governments in exercising their rights as sovereign nations.

In accordance with the long-standing Federal policy of supporting Indian self-determination as expressed in the Indian Self-Determination and Education Assistance Act, as amended Public Law 93-638; Tribal Government Services promotes the sovereignty of federally recognized Tribes. Tribal Government Services carries out this policy by supporting and assisting Indian Tribes in the development and maintenance of strong and stable tribal governments capable of administering quality programs and developing economies of their respective communities.

Tribal Government funds are used to provide staff at the Bureau of Indian Affairs (BIA) agency office, or hire staff under a tribal Indian self-determination contract to perform tribal government services at the tribal/agency level. Support provided includes research and preparation of Certificate of Degree of Indian Blood (CDIB) forms, review of tribal resolutions, liquor ordinances, proposed governing documents requiring action by the BIA line officials, preparation of membership rolls for special (Secretarial) elections or for per capita distributions, and administration of special elections per 25 C.F.R. 81. The staff also meets with tribal enrollment offices or committees on enrollment/disenrollment matters and appeals. In some cases, the Aid to Tribal Government (ATG) funds directly support the activities of the tribal contractor/tribal officials in carrying out contracted activities on behalf of the Bureau and the tribe.

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#### Tribal Enrollment

Tribal Enrollment processes enrollment appeals for members of tribes that have adverse enrollment actions by Bureau officials. An adverse enrollment action results from the preparation of a tribal roll subject to Secretarial approval or an appeal to the Secretary is provided for in the tribal governing document.

The program develops or updates policies, regulations and guidelines concerning tribal enrollment systems.

Tribal Enrollment reviews and approves applications to share in judgment fund per capita distribution to tribal lineal descendants as part of the roll used for distribution of funds appropriated in satisfaction of a Court judgment.

Tribal Government personnel, usually an Enrollment Clerk, located at a regional or agency office processes applications for Certificates of Degree of Indian Blood (CDIB) and Indian Preference in Employment, BIA Form 4432, to anyone who can provide documentation that he or she descends from an American Indian tribe.

The Tribal Enrollment Specialist reviews requests for Indian blood degree changes, certifies enrollment for eagle feather permits, issues Identification cards to individuals eligible to exercise off-reservation treaty rights, and evaluates and approves commercial fishing licenses.

As more tribes develop Indian Gaming activities, the Tribal Enrollment was compelled to serve as a clearinghouse for enrollment information for those individuals seeking to become members of Federally recognized tribes. Tribal Government staff receives numerous inquiries daily; therefore, the division developed tribal profiles, which includes membership criteria for the tribes receiving the most requests such as the Cherokee Nation.

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#### Tribal Relations

The functions of Tribal Relations include the review and approval of tribal organic documents as required by Federal (25 U.S.C. 476) or Tribal law. The organic documents may include new constitutions primarily for the newly recognized tribes, amendments to existing constitutions or total revisions of existing constitutions. Tribal Relations staff provides technical assistance to tribes with the initial drafting of a new constitution, an amendment or revision. Following procedures set forth in 25 C.F.R. Parts 81 and 82, the Bureau authorizes and conducts Secretarial elections where the tribal electorate votes to accept or reject the proposed changes. In addition, Tribal Government staff receives, reviews, and approves petitions for special Secretarial elections in accordance with regulatory requirements.

Tribal Relations reviews Tribal and/or Federal law to determine the tribal officials with whom the BIA maintains a government-to-government relationship and associated with this, maintains a Tribal Leader's Directory. The division publishes an annual Federal Tribal Entities list; the list is widely used by other Federal agencies usually to verify that a tribe is eligible to receive Federal funding provided by that agency.

When required, Tribal Relations staff reviews and comments on new or proposed legislation affecting tribes and Bureau programs. Staff disseminates information for implementation of new enacted legislation and regulations. The program develops or updates policies, regulations and guidelines concerning tribal governing documents. Staff reviews and approves tribal ordinances, tribal resolutions, attorney contracts, attorney fees and expense vouchers when the tribal constitution requires Secretarial approval. Program staff reviews, approves and publishes tribal liquor ordinances as required by Federal law and issue Federal Charters of Incorporation after review and approval.

Regional and agency staff monitors Consolidated Tribal Government Programs and Aid-To-Tribal Government contracts in association with the Division of Self-Determination. Division staff conducts annual program reviews of the field offices in compliance with the audit requirements of A-123. Staff responds to numerous inquiries from Congress, the general public and tribal members concerning a wide range of subjects.

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## Tribal Claims

Pursuant to the Indian Tribal Judgment Funds Use or Distribution Act, 87 Stat. 466, as amended, the BIA prepares a plan for the use or distribution of funds awarded in satisfaction of a judgment of the Indian Claims Commission of the United States Court of Federal Claims in favor of an Indian tribe. The Bureau submits the plan to Congress. Where two or more tribal governments are beneficiaries, the Secretary of the Interior must submit proposed legislation to Congress dividing the judgment funds. As part of the preparation for the plan or proposed legislation, the Tribal Claims staff serves as negotiators in gaining the consent of the tribal governments concerning the division of the funds. As part of the development of a use and distribution plan, Tribal Claims staff holds hearings of record prior to the preparation of a final plan.

Other administrative duties associated with carrying out the distribution of funds derived from a tribal claim are the preparation of a roll or list inclusive of those individuals determined to be beneficiaries.

## Additional Tribal Government Information

[Liquor Control Ordinance Check List](#)

[Liquor Ordinance List 1953 – March 2016](#)

[October 14, 2014 Dear Tribal Leader Letter regarding Notification of Tribal Consultation on 25 CFR Parts 81 and 82 \(Secretarial Election Procedures\) \(.pdf\)](#)

[October 9, 2014 Proposed Rules on 25 CFR Parts 81 and 82 \(Secretarial Election Procedures\) \(.pdf\)](#)

[Example of a Federal Charter \(.pdf\) – 84 KB](#)

[Form BIA 4432 – Verification of Indian Preference for Employment in the BIA and IHS – Form & Instructions \(.pdf\) – 4.15 MB](#)

[Sample Constitution \(.pdf\) – 81 KB](#)

[Tribal Leaders Directory](#)

[Certificate of Degree of Indian or Alaska Native Blood Application and Instructions](#)