

**P01 / GUIDES**

Working With Tribal Governments

An introductory guide for businesses, agencies and project sponsors

This guide helps businesses, agencies and project sponsors prepare for a first conversation with a Tribal government or a tribally owned organization. Start by identifying the government, the proposed contracting entity and the decision you want that entity to make. A well-prepared introduction should make those three things clear.

Understand the governmental relationship

Tribal Nations possess inherent powers of self-government. Federal recognition describes a government's relationship with the United States; it is not the source of a people's history or identity. The applicable legal framework includes Tribal law and relevant federal law, with jurisdiction depending on the activity and facts. Avoid assuming that the rules of an ordinary private corporation describe a Tribal government.

Each Nation has its own institutions and priorities. Learn the correct Nation and community names, consult official sources and ask which office should receive your proposal. A commercial meeting with an enterprise should not be described as consultation with the Tribal government unless the relevant government has designated it that way.

Identify the organization and its authority

An enterprise may be owned by a government while operating under separate governing documents. A municipal body, authority, corporation and outside contractor can each have a distinct role. Record the legal name of the party expected to sign, the source of its authority and the approvals needed for the proposed activity. A person's job title or email address alone does not establish power to bind every related entity.

For Wakaga, describe the relationship precisely: Wakaga Economic Development Group is wholly owned by the Wakpamni Lake Community (WLC). The Wakpamni Lake Community (WLC) government is a local subsidiary municipal tribal government of the Oglala Sioux Tribe. Wakaga does not stand in for the Oglala Sioux Tribe as a whole. Use the current Ownership Disclosure when preparing a public description or diligence file.

Prepare a useful introduction

- Identify your organization, principal decision-maker and relevant experience.
- Explain the proposed activity, its location and the role requested from the specific Tribal entity.
- State the commercial or public purpose, who would benefit and how the benefit would be measured.



WAKAGA

ECONOMIC DEVELOPMENT GROUP

RESOURCE LIBRARY / GUIDES

- Identify the funding position honestly: committed, conditional, proposed or still being sought.
- Disclose brokers, referral interests, existing commitments and any deadline imposed by a third party.
- Ask what information is appropriate for the first review and which channel should carry sensitive material.

Discuss the full project

A project needs an operating plan as well as a proposed purchase or capital budget. Explain who will own the assets, employ or train people, maintain facilities, protect information, cover recurring costs and respond if a supplier fails. For land or facilities, identify site control and the approvals to be investigated. Location within reservation boundaries does not, by itself, establish ownership or a complete jurisdictional answer.

Do not promise community jobs, tax outcomes, preferential procurement treatment or regulatory exemptions merely because Tribal participation is proposed. Identify the specific program and legal basis that must be reviewed. Describe anticipated benefits as projections until there is adequate evidence to support them.

Respect the decision process

Ask for the next review step and a realistic information deadline. Allow time for technical, financial, legal and governmental review where needed. Keep meeting notes and distinguish a request for more information from an approval. When an issue changes the proposal, explain the change rather than relying on the earlier discussion.

Confidentiality, project authority and compensation serve different purposes. An NDA can protect information without approving a project. A project decision can define approved work without settling a referral fee. Obtain the relevant written instruments before relying on authority, exclusivity, payment or reimbursement.

Address legal questions directly

Entity status, sovereign immunity, land status, taxes, licensing, dispute resolution and jurisdiction require analysis of the actual transaction. Raise those issues early with the authorized legal and business contacts. Nothing in this guide offers a waiver or grants anyone authority to waive a government's or enterprise's protections.

First meeting checklist

- Correct entity and official contact identified.
- One-page project summary prepared.
- Requested decision and requested Wakaga role stated.
- Funding status, counterparties and intermediary interests disclosed.



WAKAGA

ECONOMIC DEVELOPMENT GROUP

RESOURCE LIBRARY / GUIDES

- Proposed benefit, operating responsibilities and major risks explained.
- Confidential materials withheld until an appropriate channel is agreed.
- Next steps recorded with responsible people and dates.

Useful terms

Sovereignty: inherent governmental authority. Tribal enterprise: a government-owned business activity or entity whose structure must be verified. Signatory authority: the specific power to execute an instrument. Due diligence: review of material facts before reliance. Project authorization: the written decision permitting defined work. These descriptions support discussion; governing documents determine legal effect.

PRACTICAL APPLICATION

Plan a productive first meeting

Use a short agenda that moves from identity to the decision requested. Begin with introductions and each participant's role. Confirm the entity receiving the proposal, explain the need and proposed result, and then discuss the proposed responsibilities. Close by recording the questions that must be answered before the next review. This sequence makes it easier to distinguish an exploratory conversation from a request to commit resources.

Provide the same core facts to all authorized reviewers. If a cost, counterparty, site or funding assumption changes, identify the change in the next version. Avoid presenting an earlier conversation as approval of a revised proposal. A dated decision log is more reliable than an informal recollection of what was agreed.

Meeting topic	Preparation	Useful meeting output
Identity and purpose	Legal names, roles and one-page concept	Agreed description of the proposed relationship
Community and customer need	Evidence, affected groups and limitations	Questions for further validation
Delivery and economics	Scope, operator, funding status and schedule	Work needed to test feasibility
Authority and next step	Decision requested and approvals to investigate	Named follow-up owners and a review date



WAKAGA

ECONOMIC DEVELOPMENT GROUP

RESOURCE LIBRARY / GUIDES

Illustrative situation: a proposed facility

A sponsor proposes a food-storage facility and asks Wakaga to support development. The sponsor has a preliminary equipment quote but no confirmed site or operator. A useful initial submission identifies those gaps, explains who would use the facility and asks for a feasibility discussion. It does not describe the facility as approved, government funded or ready to build.

The next review could examine demand, site options, utility requirements, capital costs and recurring operations. A separate authority review would establish which entity could own the facility, which approvals apply and who may execute agreements. These are proposed review activities, not a representation that Wakaga has accepted the project.

Record the relationship accurately

Record	What to capture
Parties	Legal names, owner where relevant and proposed contracting roles
Proposed benefit	Who benefits, the baseline, intended result and evidence source
Decision	What is being requested, who will review it and conditions still open
Commitments	Only documented commitments, with instrument and date
Follow-up	Action, responsible person, due date and completion evidence

Questions to take away

- Can everyone describe the same proposed project and the same intended contracting entity?
- Are community benefits supported by a realistic delivery and operating plan?
- Have confidentiality, project authority and compensation been treated as separate decisions?
- Is there a clear next step that can be completed without assuming an unapproved commitment?

Use P02 for entity distinctions, P03 for partnership readiness and A01 for the proposal itself. Keep the first package focused; provide detailed or restricted evidence through the channel agreed with the receiving team.

Sources and related resources

[U.S. Department of the Interior, Indian Affairs: Frequently Asked Questions](#) | [Wakaga: Working With Tribes](#) | [Wakaga: Ownership Disclosure](#)