

Department of the Interior Departmental Manual

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Part 109: Secretarial Officers

Chapter 11: Special Trustee for American Indians

Originating Office: Office of the Special Trustee for American Indians

109 DM 11

11.1 General. The Special Trustee for American Indians exercises certain authorities and responsibilities of the Secretary for administering laws, regulations, and functions vested in the Secretary by the President and Congress relating to Indian trust asset management. The Special Trustee is also responsible for carrying out statutory mandates enumerated in Public Law 103-412, the American Indian Trust Fund Management Reform Act of 1994, to provide for more effective management of, and accountability for, the proper discharge of the Secretary's trust responsibilities to Indian tribes, individual Indians, and Alaska Natives. The position of the Special Trustee is established pursuant to the authority contained in 25 U.S.C 4001.

11.2 Responsibilities. The Special Trustee is responsible for:

- A. Overseeing and coordinating Departmental reforms of practices relating to the management and discharge of the Secretary's trust responsibilities to Indian tribes and individual Indians.
- B. Ensuring that Departmental reforms of practices related to trust responsibilities are carried out in a unified manner; and that reforms of the policies, practices, procedures, and systems of the Bureau of Indian Affairs (BIA), Minerals Management Service (MMS), Office of Hearing and Appeals (OHA), and Bureau of Land Management (BLM) are effective, consistent, and integrated.
- C. Ensuring the implementation of all Departmental reforms necessary for the proper discharge of the Secretary's trust responsibilities to Indian tribes and individual Indians and Alaska Natives.
- D. Overseeing daily financial trust operations including providing fiduciary guidance and beneficiary services, performing financial trust fund management activities (investment, receipt and disbursement), performing real estate appraisals on Indian trust lands and planning, organizing, directing and executing the historical accounting of tribal trust accounts and Individual Indian Money accounts.

11.3 Supervisory Authority. The Special Trustee exercises Secretarial direction and supervision, pursuant to the 1994 Reform Act, over the Office of the Special Trustee for American Indians and the Office of Historical Trust Accounting.

11.4 Scope of Activities. In carrying out the responsibilities described in 109 DM 11.2, the Special Trustee:

A. Oversees all trust reform efforts within OST, BIA, BLM, and MMS that are responsible for carrying out the Secretary's trust responsibility, as provided in the 1994 Reform Act. Ensures the establishment of policies, procedures, systems, and practices to allow the Secretary to discharge his/her trust responsibilities in compliance with the Reform Act.

B. Reconciles, adjusts, and integrates individual policy proposals and program plans submitted by subordinate staff.

C. Exercises oversight of policies, operation, and effectiveness of interagency and interdisciplinary programs involving issues related to assigned program functions.

D. Sets program priorities based on Secretarial policies, demonstrated effectiveness of existing programs, and current and impending program problems and needs; and determinations regarding allocations for personnel, resources, and functions.

E. Undertakes or provides leadership for special projects designed to explore and develop policies and programs resulting from proposals by Indian tribal governments, State and local governments, and the private sector which affect Indian trust funds management.

F. Represents the Secretary in interpreting and communicating assigned program activities to various groups and to the general public; maintains liaison with Members of Congress and Congressional staff, and testifies before Congressional committees; represents the Department in contacts with other governmental agencies and with various private and public interest groups; and solicits and utilizes from each of these external Departmental sources, as appropriate, information related to assigned program activity.

G. Assigns responsibilities for the execution, within available resources, of all laws and Executive orders imposing obligations on the Secretary with respect to the management of Indian trust assets within the scope of authority provided by statute or delegated by the Secretary.

H. Oversees daily financial trust management operations (investment, receipt and disbursement activities).

I. Oversees providing fiduciary guidance and beneficiary services.

J. Oversees performing real estate appraisals for Indian trust lands.

K. Oversees the historical accountings of Individual Indian Money (IIM) Trust Fund and Tribal Trust Fund accounts and the distribution of residual balances in the IIM Trust Fund Special Deposit Accounts.