



## Trust Reform in 2013: Next Steps

February 13, 2013

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“self-determination was the first trust reform”

Joe Delacruz, Shepardstown, West Virginia  
2002

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### Trust Reform Priorities from 2008 Presidential Transition Plan

- 1) Resolution of Trust Litigation
- 2) Increase Tribal Land Management Authority and Capacity
- 3) Land Consolidation
- 4) Consolidate Office of Special Trustee
- 5) Accounting and Audit Functions Separate
- 6) Trust Systems, Policies and Procedures
- 7) Staffing and Training

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## Cobell and Trust Settlements Set Stage

- Litigation focus restricted development of a better trust system
- Now that Cobell is largely settled, what should Interior do next?
- Indian trust is a system, and needs continued reforms in order to keep making progress
- President Obama's call for a "smarter government"

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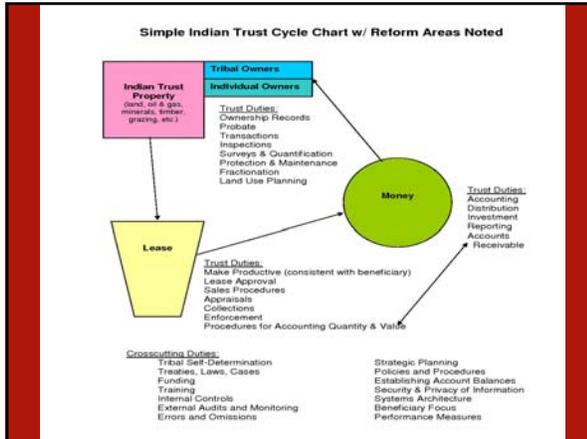
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## Some Steps Already Decided

- Administration is already:
- Spending \$1.9 billion on land consolidation
  - Implementing HEARTH Act
  - Litigating and negotiating on tribal trust lawsuits
  - Supporting land acquisition to make trust estate more productive
  - Looking for ways to increase economic development

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## Land Consolidation

- Historic opportunity to address an intractable, century old problem
- Use tribal capacity
- Share more data
- Estate Planning! – there's a lot of fractionation waiting to happen

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## Reform to Expedite Transactions and Support Economic Development

- Suggested short term steps:
  1. Create process for waiver of appraisals
  2. Tribal access to title system
  3. Check in on Probate
  4. Training and handbooks

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## Sunset Office of Special Trustee

- Keep all the improved systems and functions of OST
- Reintegrate the management structure
- Deputy Secretary for Indian Affairs would oversee trust functions in BLM, BSEE, etc.

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## Build Tribal Capacity and Authority

- Planning for trust resources and economic development
- Access to title records
- Focus funding at reservation level
- Expand Self-Governance
- Expand self-governance
- Implement HEARTH and support Tribal Energy Legislation

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## Legislation

- Energy bill
- Permitting waiver of appraisals
- Streamlining land consolidation
- Sunsetting Special Trustee
- Self-determination legislation – tribal resource management planning

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## Draft Trust Reform Plan

- The draft plan will improve with an opportunity for tribal participation in drafting the document

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