

Commission on Indian Trust Administration and Reform

DRAFT Work Plan Approach for 2012 V5

Guiding Principle (from Secretary): Consider what is in best interest of tribes and Indian people

Goals: Provide good service to tribes, how can, or should, Interior best perform its services?

Recommendations that support self-determination and the government-to-government relationship

The Commission duties as outlined in its charter are to:

- Conduct a comprehensive evaluation of DOI's management and administration of the trust administration system including a review of the report of a management consultant hired in accordance with Secretarial Order 3292 (*paragraph 4A*);
  - Review the DOI provision of services to trust beneficiaries (*paragraph 4B*);
  - Review input from the public, interested parties and trust beneficiaries, which should involve conducting a number of regional listening sessions (*paragraph 4C*);
- Consider the nature and scope of necessary audits of the Department's trust administration systems (*paragraph 4D*);
- Consider the provisions of the American Indian Trust Fund Management Reform Act of 1994 providing for the termination of the Office of Special Trustee for American Indians (*paragraph 4G*)

Recommend options to the Secretary:

- To improve the DOI management and administration of the trust administration systems based on the information obtained from the above activities. Recommendations should include whether any legislative or regulatory changes are necessary to permanently implement such improvements. (*paragraph 4E links to 4A-C*)
- On the need for and scope of audits on the effectiveness of all management reforms implemented as a result of Secretarial Order 3292. The Department shall consider these recommendations in performing an audit of the effectiveness of such reforms. (*paragraph 4F links to 4D*)
- Consider the provisions of the American Indian Trust Fund Management Reform Act of 1994 providing for the termination of the Office of Special Trustee for American Indians, and making recommendations to the Secretary regarding any such termination (*paragraph 4G*).

**Possible Commission product(s): [To be Decided by Commission]**

- A. A series of recommendations on: trust management and administration organized by asset class; provisions for termination of OST; recommendations for broader improvement of the relationship; need and scope for audits

OR

- B. A single report consisting of three chapters responsive to the above bulleted requested recommendations.

OR

- C. Single reports responsive to each of the above bulleted requested recommendations.

**Proposed Timeline, Tasks, Products**

The following table outlines an approach to the work of the Commission through December 2012. The document is draft and is contingent on review of the Commissioners and DOI. The format is based on preliminary ideas from Commissioners discussed on March 1. The draft approach is intended to illustrate a way for the Commission to organize its work, while being inclusive and transparent.

Date	Tasks/Product
April 10	<p><b>Commission Call with DOI (administrative call) to:</b></p> <p><u>Receive updates on Action Items from March 1-2 Commission meeting</u></p> <ul style="list-style-type: none"> <li>• Password protected SharePoint site for Commissioners and DOI to work on deliberative drafts</li> <li>• Update on BIA consultation schedule regarding FY13 budget</li> <li>• Information requested from Office of Special Trustee</li> <li>• Information requested from Bureau of Indian Affairs</li> <li>• Approach to DOI evaluators                             <ul style="list-style-type: none"> <li>○ Does the approach make sense, what is missing, what should be considered?</li> <li>○ Possible contractor task: Literature review of work already completed, e.g., management reports, as-is/to-be, ILIP (identify key studies to include in review). Goals: identify where there additional information is needed and proposed a range of possible solutions</li> </ul> </li> </ul> <p><u>Commissioner updates and discussion subcommittees membership, proposed tasks, products, and timelines</u></p> <ul style="list-style-type: none"> <li>• Research – Commissioners Anderson and Leeds</li> <li>• Trust models – Commissioners Zah and Leeds</li> <li>• Trust relationship – Chair Sharp and Commissioner Anderson</li> </ul> <p><u>Review progress of Commission work plan</u></p> <p><u>Discuss Commissioner outreach budget and guidelines</u></p> <p><u>Update on draft communications plan</u> including:</p> <ul style="list-style-type: none"> <li>• review talking points for Commissioners to use</li> <li>• proposed approach to outreach</li> <li>• generic presentation- would this be of use?</li> <li>• media orientation</li> <li>• preliminary identification of audiences for outreach</li> <li>• <u>discuss points to include in an outreach letter to tribes, individual Indian, and tribal organizations about their feedback regarding Trust management, administration and reforms</u></li> <li>• Next steps regarding letter:                             <ul style="list-style-type: none"> <li>○ Finalize and approve content on May 16 webinar</li> <li>○ Identify who, in this initial round of outreach, should receive the letter</li> </ul> </li> </ul>

	<p><u>Review proposed topics for May 16 Commission webinar</u></p> <p>June 11-12 Commission meeting, Albuquerque, NM, agenda topics</p>
<p>May 16</p>	<p><b>Commission call and webinar (open session)</b></p> <ol style="list-style-type: none"> <li>1. Approve March 1-2 Meeting Minutes</li> <li>2. DOI: report out on action items from March 1-2 meeting.</li> <li>3. Report from Commission subcommittees, discuss additional subcommittees e.g., Audit Subcommittee (if applicable)</li> <li>4. Review, discuss, approve approach, priority reviews, tasks, and products for evaluators and/or management consultant(s)</li> <li>5. Review, discuss draft Commissioner communication and outreach plan approach, and recommend revisions and agree on next steps.</li> <li>6. Review, discuss, approve agenda topics and speakers for June meeting</li> </ol>
<p>June 11, 12 Albuquerque, NM</p>	<p><b>Commission in-person meeting</b></p> <ol style="list-style-type: none"> <li>1. Individual Commissioner Outreach: briefings, reports to constituents</li> <li>2. Report from Commission subcommittees (as applicable)</li> <li>3. Status update on settlement</li> <li>4. Possible panel session(s) from IIM/tribal gov't/ tribal orgs/ subject matter experts involved in trust reform. Possible panel focuses:             <ol style="list-style-type: none"> <li>a. Trust relationship: Panel addresses the following possible questions: "In what concrete ways can the trust relationship between tribes and DOI be improved? What are the barriers to these improvements? What might it take to implement improvements?"</li> <li>b. Trust administration and management: What suggestions do they have for the Commission to prioritize their work? What solutions do they think would improve trust management and administration?</li> <li>c. Other trust models: Invitees from other agencies, organizations. Presenters share other models where money is accepted on behalf of an individual and how it is tracked. How do these entities structure their processes? OMB may be a resource to identify agency experts outside of tribal trust management.</li> </ol> </li> <li>5. Review key themes/ draft summary of information gathered from April and May DOI consultations regarding BIA FY13 budget.</li> <li>6. Discuss and determine what the Commission reports to the Secretary look like. Discuss and agree on outline and format for recommendations/ report(s) outline</li> </ol>

	<p>7. Identify information needs and possible subject matter &amp; technical experts for tasks (ongoing)</p>
July TBD	<p><b>Commission call (administrative)</b></p> <ol style="list-style-type: none"> <li>1. Subcommittee progress initiate audit subcommittee work</li> <li>2. Update on Action Items from June meeting</li> <li>3. Recent and upcoming Commission outreach</li> <li>4. Other items?</li> </ol>
August TBD	<p><b>Commission call and webinar (open session)</b></p> <ol style="list-style-type: none"> <li>1. Operational items (e.g. approve June minutes)</li> <li>2. Progress reports from Subcommittees: Initial proposals from trust relationships subcommittee and possibly trust models subcommittee</li> <li>3. Next steps from information analysis, tasks for consultants</li> <li>4. Input and refinement to draft recommendations regarding needs/expectations for and of the trust relationship</li> <li>5. Subject matter and technical expert panel if needed.</li> </ol>
September 13, 14 Bismarck, ND	<p><b>Commission in-person meeting</b></p> <ol style="list-style-type: none"> <li>1. Individual Commissioner Outreach: briefings, reports to constituents regarding initial proposals in concept</li> <li>2. Report from Commission subcommittees (as applicable)             <ol style="list-style-type: none"> <li>a. Formulation of draft/provisional recommendations re trust relationship</li> <li>b. Findings and proposals from trust models subcommittee</li> <li>c. Findings and proposals from research subcommittee</li> <li>d. Decide what subcommittees are completed and sunset</li> </ol> </li> <li>3. Discuss and approve process for selecting management consultant(s)</li> <li>4. Possible panel session(s) from IIM/tribal gov't/ tribal orgs/ subject matter experts involved in trust reform. Possible focus on one or more of the following topics:             <ol style="list-style-type: none"> <li>a. asset management/reform</li> <li>b. provisions in American Indian Trust Fund Management Reform Act of 1994 providing for the termination of the Office of Special Trustee – form OST subcommittee?</li> </ol> </li> <li>5. Briefing(s) on scope and nature of necessary audits             <ol style="list-style-type: none"> <li>a. Discuss additional information needs</li> </ol> </li> </ol>

	<p>b. Audit Subcommittee work</p> <ol style="list-style-type: none"> <li>6. Regional consultation/listening session/engagement</li> <li>7. Schedule 2013 meetings and work schedule</li> </ol>
October <i>TBD</i>	<p><b>Commission call (administrative)</b></p> <ol style="list-style-type: none"> <li>1. Subcommittee progress</li> <li>2. Update on Action Items from September meeting</li> <li>3. Upcoming Commission outreach</li> </ol>
November <i>TBD</i>	<p><b>Commission call and webinar (open session)</b></p> <ol style="list-style-type: none"> <li>1. Operational items (e.g. approve June minutes)</li> <li>2. Discussion of inputs on provisional recommendation, refinements of recommendation(s); transmit to Secretary as final</li> <li>3. Briefing and report on scope and nature of necessary audits</li> <li>4. Briefing and information sharing on evaluation of additional asset class(es)</li> </ol>
December 6-7 Seattle, WA	<p><b>Commission in-person meeting</b></p> <ol style="list-style-type: none"> <li>1. Secretary's response to first set of final recommendations</li> <li>2. Management consultant Selection process update (TBD)</li> <li>3. Audit subcommittee: progress</li> <li>4. Commissioner reports on outreach</li> </ol>