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August 15, 2012  
Honorable Fawn Sharp  
Chair, Secretarial Commission on Indian Trust Administration and Reform  
1001 Indian School Road NW, Suite 312  
Albuquerque, NM 87104  
trustcommission@ios.doi.gov

Dear Honorable Fawn Sharp;

It appears the commission is comprised of extremely knowledgeable and capable representatives from Indian country, however, I fail to see where IIM account holders fit into this process in a **meaningful way**.

Many of our tribes (not all) have funds and adequate legal representation to push issues specific to tribal rights and the BIA role. IIM account holders are made up of people who generally do not have access to resources that allow them to address their land and/or mineral rights issues. The BIA has no infrastructure addressing accountability to IIM account holders. Each tribe is able to cultivate a relationship with their local and regional BIA offices based on geographic location, but for account holders, the BIA has no significant outreach or published standards available to account holders that would allow them to access appropriate staff, complete an appropriate form, and actually get general information or a timely response on specific issues. As you know, account holders reside nationwide and not necessarily within the reservation boundaries or within BIA geographic service areas. In this age of technology the BIA is basically the "caboose" of federal agencies in terms of transparency to consumers.

I spent 30 years working with the State of Washington to improve service delivery to Indian families and tribes. Positions I served in included Indian Child Welfare Specialist, Program Manager with Indian Policy and Support Services, and Indian Quality Assurance Program Manager to name a few. I share this so that you will know I understand the complex issues associated with land rights, mineral rights, Indian Child Welfare Rights, etc. and the jurisdictional issues that accompany all of the work done in Indian Country.

My personal journey with the BIA started in 1981 with the death of my mother. The BIA held a probate hearing without informing my family of their right to keep all the land in trust. It has been an ongoing nightmare ever since. My goal is not to lament about my personal problems (yet unresolved) but to share what I learned from that journey and bring forth recommendations that could prevent others from falling into the nightmare me and my family have experienced.

I was actually hopeful when the OST was established. OST representatives contacted me and were working with me and my family to get some resolution to the longstanding issues. In the process of working with me OST was made to renege on many of their findings. I was then informed that OST's role would not be one of BIA oversight, but BIA support. This is critical because if you plan to sunset OST you need to consider their role carefully. If they are just another arm of the BIA with no ability to improve the system then it is not a productive role but a waste of money. Duplicate roles in the BIA do not help the public or the tax payers that support the agency.

In light of the aforementioned issues, I would make the following recommendations for improving the BIA service delivery system:

1. Publish clear probate regulations to every IIM account holder with appropriate forms accessible on the web or by mail from a specific contact.
2. Provide a written list of rights and/or issues that the Indian family will encounter with the probate process. Once again, my family was never informed of our right to maintain our land in trust status.
3. Provide consistent training to all probate judges involved in deciding Indian probate cases.
4. Ensure IIM account holders have access to all forms, current contact information, etc. to conduct transactions regrading their land or sharing of information in a timely manner. Defined and published time frames indicating when a response can be expected needs to be standardized. **Currently, there is absolutely no standardized written expectations for responding to account holder concerns. You can write and certify letters to the Secretary, Assistant Secretary, local BIA, regional BIA, numerous staff and chances are no one will return a phone call or respond to your letter.**
5. Establish a **troubleshooting position** (could be OST staff, but only with actual authority to resolve issues).
6. Publish protocol for problem resolution with standardized forms to initiate the process, time frames for action steps, and clear protocol for appeals where issues cannot be resolved at local/ regional levels. I recently tried to file an appeal and cannot get any information regarding how to go about doing it...no forms on line, no contact, etc.
7. Publish specific timeframes that BIA staff have to either get back to IIM inquiries or at least update the IIM account holder that issues are being reviewed. At the present time your inquiries go into a **"Black Hole"**.
8. Develop local agreements between the BIA/BLM and the counties which can assist IIM account holders in the trust to non-trust transactions or vice versa. In our case the county had no information from the BIA to show the land ownership chain of the land in question. As you know when individual land allotments were made from the federal government to individual Indian land owners, no information was necessarily shared with the county. When land is removed from trust in error like our land was the trust non trust issues can lead to Indian people losing their land because the county is not in the loop and back taxes can add up on land without the Indian land owner understanding all these complexities. It should be the BIA's responsibility to ensure this does not happen by working with the counties and landowners to resolve possible tax issues.
9. Publish a summary of guidelines based on USC 25 relating to Indian land owner issues, develop forms to facilitate actions necessary to implement USC 25 and make the forms and all necessary information including freedom of information act requests accessible to all IIM account holders.
10. Ensure a BIA website is current and accessible to IIM account holders, tribes and others.

These are just a quick and dirty summary of my thoughts. As I read recommendations to the commissions or attend meetings I may reserve the right to add more information.

### **TRUST MODELS**

I am not an attorney but whatever is recommended, I would strongly urge everyone to view the models in light of the constitution. It should be everyone's goal to ensure citizens rights are preserved and not curbed or limited. One issue that comes to mind is the probate issue. Inheritance issues in the Loving case was the lynch pin for the attorney's in winning the case. I don't see our rights as much less than what was presented in this case.

In closing, I just want to express my thanks to everyone working on these important issues. I would particularly like to offer my thanks to all the commissioners for the work you do on behalf of Indian people and tribes.

Sincerely yours,

Charlene Ramirez, IIM account holder/Member of the Mandan Hidatsa Arikara Nations [charcy45@gmail.com](mailto:charcy45@gmail.com)