

TRUST MATTERS

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OST Employee Survey Results

Employees with the Office of the Special Trustee for American Indians (OST) who took part in the 2013 *Federal Employee Viewpoint Survey* provided responses that showed dramatic improvements. Two key responses were significantly higher than responses from other Department of the Interior offices and government-wide employee averages:

OST employees' overall job satisfaction was 12 points higher and overall satisfaction with the organization was 11 points higher!

Excellence.gov Awards 2014 Finalist: *Excellence in Intergovernmental Collaboration*

The Department of the Interior's initiative to implement an enterprise solution that manages the entire lifecycle of records in the cloud, the eMail Enterprise Records and Document Management System (eERDMS), was a finalist in the Excellence in Intergovernmental Collaboration category of the 14th Annual Excellence.gov Awards. eERDMS was one of five finalists in the intergovernmental collaboration category, which is one of six Excellence.gov award categories.

Mary Beth Roberts, a Records Management Specialist from the Office of the Special Trustee for American Indians' (OST) Office of Trust Records (OTR), is a member of the Department's eERDMS team. Karen Foster, Director of OTR, is OST's point of contact with eERDMS.

A panel of over 40 judges representing government and industry participated in a three-stage process for the selection of finalists and winners recognized at the 2014 award ceremony. A total of 31 finalists from 17 federal, state, and local government agencies, including Interior, were honored at the awards reception in Washington, D.C., on March 24, 2014.

eERDMS is the Department's new digital platform that captures and auto-classifies records and documents. It has the capability of managing email, desktop and shared drive files, mobile electronic files, and other business applications. It can also migrate existing document management systems into the new platform. OST is participating in the testing and installation of key components of the system. For additional information about eERDMS, contact Karen Foster at 505-816-1065 or karen_foster@ost.doi.gov.

The Excellence.gov Awards honor the best government information technology programs that demonstrate proven strategies and solutions. The awards recognize government programs for real world experiences that enhance mission effectiveness through the efficient application of information technology.



Land Buy-Back Program Launches Public Service Announcements with Tribal Leaders

The Land Buy-Back Program for Tribal Nations (Program) has announced the launch of several new Public Service Announcements (PSAs) as part of the continuing effort to inform Indian landowners about the opportunity to consolidate fractionated interests into tribal trust ownership.



Broadcast PSAs feature Assistant Secretary – Indian Affairs and member of the Chickasaw Nation of Oklahoma Kevin Washburn; Oglala Sioux Tribe President Bryan V. Brewer; and Confederated Salish and Kootenai Tribes Councilman Lloyd Irvine. The PSAs are available for download at www.doi.gov/buybackprogram/tribes/outreach-materials.cfm.

The Program implements the land consolidation component of the *Cobell* Settlement, which provided \$1.9 billion to purchase fractionated interests in trust or restricted land from willing sellers at fair market value. Individuals who choose to sell their interests will receive payments directly into their Individual Indian Money accounts. Consolidated interests are then restored to tribal trust ownership for uses benefiting the reservation community and tribal members.

Across Indian Country, more than 245,000 individual Indian landowners have nearly three million fraction-

ated interests on 150 reservations. They are eligible to participate in the Program under the *Cobell* Settlement. Not all landowners currently live on reservations. For example, the Program recently announced that *purchase offers have been sent to over 16,000 individual landowners — located in 50 states as well as overseas — with fractionated interests in parcels on the Pine Ridge Reservation in South Dakota.* These purchase offers are time sensitive (valid for 45 calendar days).

The Program has undertaken a vigorous national public education and outreach effort. The Program believes it is critical to exhaust all efforts to reach individual landowners and communicate the importance of reducing fractionation and the advantages of selling their land.

Program personnel have been working in concert with tribes and tribal organizations to conduct outreach at pow-wows, community meetings, and large Indian organizational gatherings to make sure that landowners know the facts about the unique opportunity before them. In addition, as the Program is implemented for particular reservations, personnel are working cooperatively with tribal governments to answer landowner questions, locate individuals whose whereabouts are currently unknown, notarize documents, and hold outreach events to ensure that landowners have the resources and support needed to understand their options and make timely decisions about their fractionated land interests.

As this outreach continues, PSAs launched nationwide will help raise awareness among landowners, some of whom may have already received purchase offers.

Landowners can contact their local Fiduciary Trust Officer or call the Trust Beneficiary Call Center, toll free, at 888-678-6836 with questions and to register as interested sellers. More information is available at www.doi.gov/buybackprogram/landowners.

Trust Wills Project: Landowners' Wishes Prevail

John Roach, Fiduciary Trust Officer (FTO) for the Office of the Special Trustee for American Indians' Southern Ute Agency, knew that the desires of many tribal members were contrary to the truncated heir designations in the American Indian Probate Reform Act (Act). The Act stipulates that if a landowner dies intestate (without a valid will), land interests of less than five percent are inherited first by the oldest child, then the oldest grandchild, then the oldest great-grandchild, and then the tribe. Roach also knew that a will would overrule this line of succession contained in the Act.

Tribal members were encouraged to make wills. However, there are few law firms in the area to write wills.

Bottom line — help was needed to make sure landowners had wills that made their wishes prevail. FTO Roach wrote letters to schools throughout the region. Lucy Marsh, a professor with the University of Denver, Sturm College of Law, responded and developed the **Trust Wills Project** to offer students an opportunity to perform a public service during their spring break. Students at the University of Denver must complete 50 hours of public service before they graduate.

First offered in 2013, the Project had 12 student participants who prepared wills for members of the Southern Ute and Ute Mountain tribes in Colorado. They wrote 70 wills under the supervision of Professor Marsh. The students had a great sense of accomplishments by being able to complete the wills from start to finish.

The Project was expanded in 2014 when 22 students volunteered. The students spent three days preparing wills for members of the Southern Ute Tribe and three more days doing the same at the Ute Mountain Reservation.

There was one additional effort in 2014. Five students traveled to a portion of the Ute Mountain Reservation that is in Utah. In order to serve this population, Professor Marsh sought and was granted admission to the Utah Bar Association so she could supervise the wills prepared in that state.

The success of this project, for everyone involved, is summed up by this quote from one of the students, Laurinda Frederick, "The Tribal Wills Project was a rare and rewarding opportunity to help tribe members create incredibly important documents for them and their families. I am glad I had the opportunity to participate."

"This was my first time on the trip and it truly affirmed why I came to law school; to serve and to make a difference in the life of just one person."

Aubrey Bertram

"It felt good to feel like you were actually making a difference in helping others obtain the freedom to have their last wishes both heard and be upheld."

Angela Hopkins

"Even though we provided wills for members of the Southern Ute and Ute Mountain Ute tribes, the members helped us more by taking time out of their day so we could get invaluable experience such as client interaction and wills drafting."

Amber Marchlowska

"Each client that I met enjoyed detailing their life story through his or her family connections and property rights. In doing so we were able to build a relationship, [and] discuss the best interest of each individual in the allocation of their property."

Heidi Ruckriegle

"The Tribal Wills Project was a meaningful opportunity. Not only did it give me the opportunity to learn about federal Indian and probate law, but more importantly, I was able to learn about and experience a unique culture in our country."

Tammy Tallant

Exceptional Accountability

Trust Services (TS), part of the Office of the Special Trustee for American Indians (OST), collaborates with internal and external stakeholders to effectively and efficiently process receipts, disbursements, and probate packages, and reconcile and report on financial data of the Indian trust. TS' Office of Trust Funds Management was reported on in the 2014 winter issue. In this issue, TS' Office of Trust Reporting and Reconciliation is highlighted.

Trust Services' Office of Trust Reporting and Reconciliation verifies on a daily basis the transactions being processed through the Trust Funds Accounting System (TFAS). The Office also does a daily cash reconciliation

Trust Services achieves an exceptional level of accountability, down to the penny!

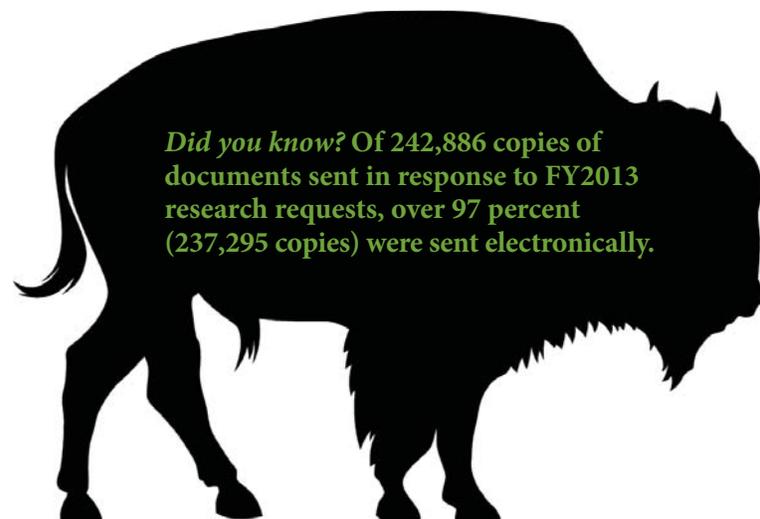
with the U.S. Department of Treasury to ensure that all deposits and withdrawals through Treasury are reported properly in TFAS. The Office reconciles over nine million financial transactions annually. While other government organizations reconcile weekly or even monthly, it is this daily scrutiny that makes the Office of Trust Reporting and Reconciliation highly effective at safeguarding Indian trust funds.

OST started producing annual financial statements through a private firm in 1996 but TS soon realized that the procedure lacked the rigor required for the accounting of *all* trust funds. In 1999, TS developed the first process that would be accurate to the penny. This continues to be the standard of excellence for the team of ten TS accountants, according to Director of Trust Operations Robert Winter.

In addition to the daily reconciliation of all trust transactions, the Office reconciles all financial assets being held by OST's trust custodian, SEI Private Trust Company. The custodian safeguards today's bonds and securities that are issued electronically, rather than on paper. Each month the Office ensures accountability of those assets being held by the custodian and the income received from them. Think of it as a safe for Indian trust financial assets.

Besides these and other reconciliation functions, the Office also handles reporting requirements. There is regulatory reporting to other federal entities such as Treasury, the Office of Management and Budget, and within the Department of the Interior. Reporting frequency varies — monthly, quarterly, semi-annual, and annual. Financial statement reporting is a monthly process that rolls into the annual independent trust audit, currently conducted by KPMG LLP. The results of the annual audit are a public testament of OST's accountability. As a part of the annual audit, internal controls are also reviewed to be sure they are functioning properly. Managerial reporting, like suspense accounts and overdraft reports, is done monthly to help OST managers maintain a standard of excellence. There is also annual tax reporting. The Office sends 1099 forms to individuals and the Internal Revenue Service. Some tribes request special reporting services, and there is other ad hoc reporting completed on an as needed basis.

The 11 people who work for the Office of Trust Reporting and Reconciliation are all trained accountants, with the exception of the secretary. The goal of the Office is to accurately and timely reconcile all trust funds to ensure accuracy of the information in the trust system, and to accurately and timely report trust funds' financial data to meet accountability requirements. The people who work in the Office have helped OST achieve an exceptional level of accountability. Their operation is continually evolving to implement new processes to improve accountability. As noted by Deputy Special Trustee – Trust Services Doug Lords, they do an “outstanding job because they are deeply committed to the importance of the work they perform.”



Did you know? Of 242,886 copies of documents sent in response to FY2013 research requests, over 97 percent (237,295 copies) were sent electronically.