TRIBAL AND OTHER TRUST FUNDS AND INDIVIDUAL INDIAN MONIES TRUST FUNDS MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

ANNUAL REPORT 2013

TRIBAL AND OTHER TRUST FUNDS AND
INDIVIDUAL INDIAN MONIES TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

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United States Department of the Interior
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS
Washington, DC 20240

November 18, 2013

The Fiscal Year (FY) 2013 independent audit of the financial statements for *Tribal and Other Trust Funds and Individual Indian Monies Trust Funds Managed by the U.S. Department of the Interior, Office of the Special Trustee for American Indians (OST)* has been completed. I am very pleased to report that for the first time in the 19 year history of these audits, the financial statements for the Individual Indian Monies Trust Funds have received an unmodified opinion from the auditors. Arriving at this milestone took the combined efforts of all those carrying out the Department's fiduciary trust responsibilities, Members of Congress who passed needed legislation and the teams at Treasury and Justice who have settled key litigation over past financial management issues. Going forward, it will be our goal to sustain this accomplishment and to earn the same unmodified opinion on the Tribal and Other Trust Funds financial statements.

OST takes great pride in how it manages the significant financial assets of tribal and Individual Indian Money (IIM) accounts. In FY 2013:

- $1.4 billion was received into and $1.2 billion was disbursed from tribal and individual Indian beneficiaries' accounts (73 percent of these funds were disbursed electronically).
- 880,000 periodic performance statements (showing sources of funds, encumbrance information, and listings of trust property owned) were provided to beneficiaries.
- Approximately $4.6 billion of trust fund assets were invested to help meet the needs and objectives of tribal and individual Indian beneficiaries.

Also in FY 2013, OST had the following major accomplishments related to financial processing and beneficiary services:

- Received $54.6 million from Garden City Group representing *Cobell* Stage 1 payments for deposit to the IIM accounts of 54,612 Historical Accounting Class Members who were Whereabouts Unknown, minors or under a legal disability.
- Established a new Valuations Division within the Office of Appraisal Services that will support the Land Buy-Back Program for Tribal Nations.
- Presented 364 financial empowerment courses that helped beneficiaries achieve a level of understanding of financial management that supports and promotes financial self-sufficiency.

- Initiated a pilot project to test the feasibility of providing Strataweb access to IIM account holders. Strataweb is an Internet-based product that enables users to securely access their trust account information online.
- Verified and updated the mailing address for 32,885 Whereabouts Unknown IIM accountholders with balances totaling $37.9 million.
- Received 230,479 calls at the Trust Beneficiary Call Center and achieved an overall first-line resolution rate of 95 percent, outperforming the industry average of 49 percent.

Every day, OST employees skillfully execute their duties in support of tribal and individual Indian trust beneficiaries. Their work is guided by the OST mission statement — "to honor our trust responsibilities by incorporating a beneficiary focus and participation while providing superior stewardship of trust assets."

As OST moves forward in FY 2014, the focus will be to continue to provide efficient and cost effective beneficiary services; to receipt, invest, disburse and accurately account for Indian trust funds; to collaborate with other federal agencies to achieve operational efficiencies; to support and promote self-governance; and to partner with other bureaus and offices within the Department of the Interior to fulfill the Department's trust responsibility. OST is ready for the challenges ahead and looks forward to improving the lives of beneficiaries by delivering on the government's promise to manage the financial assets of the Indian trust.

I hope you find this year's audited financial statements informative and useful. We welcome your help, comments, or suggestions for continued improvement.

Please do not hesitate to contact me about the audit and OST's work. I can be reached at (202) 208-4866 or at the address listed below:

Office of the Special Trustee for American Indians
Department of the Interior
1849 C Street NW
Mail Stop 3256
Washington, DC 20240

Regards,

Michele F. Singer
Principal Deputy Special Trustee

OFFICE OF
INSPECTOR GENERAL
U.S.DEPARTMENT OF THE INTERIOR

Memorandum

To: Michele F. Singer
Principal Deputy Special Trustee for American Indians

From: Mary L. Kendall
Deputy Inspector General

Subject: Independent Auditors' Reports on the Tribal and Other Trust Funds and Individual Indian Monies Trust Funds Financial Statements for FY2013 and FY2012
(Report No. X-IN-OST-0007-2013)

This memorandum transmits the KPMG LLP's (KPMG) auditors' reports of the Office of the Special Trustee for American Indians (OST) financial statements for fiscal years (FYs) 2013 and 2012. The OST financial reports contain financial statements and notes for Tribal and Other Trust Funds (Tribal) and Individual Indian Monies Trust Funds (IIM).

The American Indian Trust Fund Management Reform Act of 1994 requires audits of the Tribal and IIM financial statements. Under a contract issued by OST and monitored by the Office of the Inspector General (OIG), KPMG, an independent public accounting firm, performed audits of the OST FY2013 and FY2012 financial statements. The contract required that the audits be performed in accordance with the "Government Auditing Standards" issued by the Comptroller General of the United States.

A qualified opinion was issued on the Tribal financial statements because KPMG was unable to satisfy themselves as to the fairness of trust fund balances.

To fulfill our monitoring responsibilities, the OIG:

- reviewed KPMG's approach and planning of the audits;
- evaluated the qualifications and independence of the auditors;
- monitored the progress of the audits at key points;
- attended periodic meetings with OST management and KPMG to discuss audit progress, findings, and recommendations;
- reviewed KPMG's audit reports; and
- performed other procedures we deemed necessary.

KPMG is responsible for the attached auditors' reports and the conclusions expressed therein. We do not express an opinion on OST financial statements, internal controls, or compliance with laws and regulations.

The legislation, as amended, creating the OIG requires semiannual reporting to the Congress on all audit reports issued, actions taken to implement audit recommendations, and recommendations that have not been implemented. Therefore, we will include the information in the attachment in our next semiannual report. The distribution of the report is not restricted, and copies are available for public inspection.

The OIG appreciates the courtesies and cooperation extended to KPMG and our staff during this audit. If you have any questions regarding the report, please contact me at 202–208–5745.

Attachment

TRIBAL AND OTHER TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Financial Statements

September 30, 2013 and 2012

(With Independent Auditors' Report Thereon)

KPMG LLP
Two Park Square, Suite 700
6565 Americas Parkway, N.E.
Albuquerque, NM 87110-8179

Independent Auditors' Report

U.S. Department of the Interior Office of the Special Trustee
for American Indians; and
U.S. Department of the Interior Office of Inspector General:

Report on the Financial Statements

We have audited the accompanying financial statements of the Tribal and Other Trust Funds managed by the U.S. Department of the Interior Office of the Special Trustee for American Indians (OST), which comprise the statements of assets and trust fund balances – cash basis as of September 30, 2013 and 2012, and the related statements of changes in trust fund balances – cash basis for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the cash basis of accounting described in note 2 to the financial statements; this includes determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 14-02, *Audit Requirements for Federal Financial Statements*. Those standards and OMB Bulletin No. 14-02 require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to OST's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal control over the financial statements. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified audit opinion.

KPMG LLP is a Delaware limited liability partnership, the U.S. member firm of KPMG International Cooperative ("KPMG International"), a Swiss entity.

Basis for Qualified Opinion

It was not practicable to extend our auditing procedures sufficiently to satisfy ourselves as to the fairness of trust fund balances in the accompanying financial statements as of September 30, 2013 and 2012 due to the effects of certain parties for whom OST holds assets in trust disagreeing with balances recorded by OST and/or having requested an accounting of their trust funds, and of which certain of these parties have filed claims against the United States Government. Trust fund balances enter into the determination of financial position and changes in trust fund balances.

Qualified Opinion

In our opinion, except for the effects on the financial statements of such adjustments, if any, as might have been determined to be necessary had we been able to apply adequate procedures to determine the fairness of trust fund balances and related changes in trust fund balances, as discussed in the preceding paragraph, the financial statements referred to above present fairly, in all material respects, the financial position of the Tribal and Other Trust Funds managed by OST as of September 30, 2013 and 2012, and the changes in trust fund balances for the years then ended in accordance with the basis of accounting described in note 2.

Basis of Accounting

We draw attention to note 2 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than U.S. generally accepted accounting principles. Our opinion is not modified with respect to this matter.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated November 18, 2013 on our consideration of internal control over financial reporting and on our tests of compliance with certain provisions of laws, regulations, and other matters for the Tribal and Other Trust Funds managed by OST. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance for the Tribal and Other Trust Funds managed by OST.

KPMG LLP

Albuquerque, New Mexico
November 18, 2013

TRIBAL AND OTHER TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Statements of Assets and Trust Fund Balances – Cash Basis

September 30, 2013 and 2012

(In thousands)

Assets		**2013**	**2012**
Cash and cash equivalents (note 3)	$	747,180	870,541
Investments (note 4)		3,072,028	2,889,208
Total assets	$	3,819,208	3,759,749
Trust Fund Balances			
Held for Indian tribes (notes 7 and 9)	$	3,534,522	3,457,423
Held by the Department of the Interior and considered to be U.S. Government funds (note 7)		284,686	302,326
Total trust fund balances	$	3,819,208	3,759,749

See accompanying notes to financial statements.

TRIBAL AND OTHER TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Statements of Changes in Trust Fund Balances – Cash Basis

Years ended September 30, 2013 and 2012

(In thousands)

		2013	2012
Increases:			
Receipts	$	539,283	1,330,807
Interest received on invested funds		90,992	95,545
Gain on disposition of investments, net		11,921	6,636
		642,196	1,432,988
Decreases:			
Disbursements to and on behalf of Indian tribes and other trust funds and withdrawal of trust funds by Indian tribes (note 9)		(582,737)	(896,616)
Increase in trust fund balances, net		59,459	536,372
Trust fund balances, beginning of year		3,759,749	3,223,377
Trust fund balances, end of year (notes 7 and 9)	$	3,819,208	3,759,749

See accompanying notes to financial statements.

(1) Background and Description of the Trust Funds

(a) Overview of the Trust Funds

Establishment and Management of the Trust Funds – The legislation that authorizes the Secretary of the United States Department of the Interior (Secretary) to manage the Tribal and Other Trust Funds recognizes the unique trust relationship that exists between the Indian tribes, individual Indians, and the United States Government (U.S. Government). Agreements between the U.S. Government and the various Indian tribes, many of these in the form of treaties, recognize the sovereignty of tribes. During the course of the United States' history and the U.S. Government's evolving policies toward Indian tribes, the trust relationship has retained characteristics based upon tribal sovereignty. The United States Congress has designated the Secretary as the trustee delegate with responsibility for the financial and nonfinancial resources held in trust on behalf of American Indian tribes, individual Indians, and other trust funds. In carrying out the management and oversight of the Indian trust assets, the Secretary has a fiduciary responsibility to ensure monies are received for the use of Indian lands and the extraction of natural resources from Indian lands, distribute such monies collected to the appropriate beneficiaries, ensure that trust accounts are properly maintained and invested, and ensure that accurate and complete reports are provided to the trust beneficiaries in accordance with applicable law.

The balances that have accumulated in the Tribal and Other Trust Funds have resulted generally from judgment awards, settlement of claims, land use agreements, royalties on natural resource depletion, other proceeds derived directly from trust resources, and investment income.

The accompanying financial statements include only the financial assets held in trust by the Office of the Special Trustee for American Indians (OST) for trust beneficiaries and do not include: (i) the operating account balances of OST (e.g., Fund Balance with Treasury; Property, Plant, and Equipment; etc.,) or (ii) other Indian trust assets, including but not limited to, Indian lands, buildings, or other nonfinancial assets managed by the United States Department of the Interior (the Department).

The Reform Act – The American Indian Trust Fund Management Reform Act of 1994 (Public Law 103-412) (the Reform Act) authorized the establishment of OST, which is headed by the Special Trustee for American Indians (Special Trustee) who reports to the Secretary. Under this legislation, the Special Trustee is responsible for oversight, reform, and coordination of the policies, procedures, systems, and practices used by various bureaus and offices of the Department, including but not limited to OST, the Bureau of Indian Affairs (BIA) (a component of Indian Affairs (IA)), the Office of Natural Resources Revenue (ONRR), and the Bureau of Land Management (BLM), in managing Indian trust assets.

Office of the Special Trustee for American Indians – Indian trust assets, including the Tribal and Other Trust Funds, are primarily managed under the delegated authority of OST and BIA. Management of Indian trust assets on behalf of the trust beneficiaries is dependent upon the processing of trust-related transactions within certain information systems of the Department, including but not limited to OST, BIA, ONRR, and other Departmental bureaus and offices. BIA and

other Departmental bureaus and offices are responsible for managing the natural resources located within the boundaries of Indian reservations and trust lands, as well as the processing of data regarding the ownership and leasing of Indian lands. The allocation of receipts and disbursements by OST to trust beneficiaries are significantly dependent and reliant upon the receipt of timely and accurate information derived from records maintained by BIA, ONRR, and other Departmental bureaus and offices (see note 8).

Regional Offices – OST and BIA maintain staff at regional offices located throughout the United States.

Agency and Field Offices – OST and BIA also maintain staff at agency and field offices located throughout the United States, which are generally located near the tribes and individual Indians served. OST and BIA personnel located at most of the agency and field offices perform various functions related to trust fund activities.

(b) Description of the Trust Funds

Certain of the Tribal and Other Trust Funds are subject to legal, regulatory, budgetary, court-ordered, or other restrictions (see note 7). A brief description of the Tribal and Other Trust Funds follows:

- **Tribal Trust Funds** – As of September 30, 2013 and 2012, the Tribal Trust Funds were comprised of approximately 3,000 accounts which totaled approximately $3,534,522,000 and $3,457,423,000, respectively.

  Tribal Trust Funds realize receipts from a variety of sources, including judgment awards, settlement of claims, land use agreements, royalties on natural resource depletion, other proceeds derived directly from trust resources, and investment income.

- **Other Trust Funds** – Other Trust Funds are comprised of those funds classified as *Held by the Department of the Interior and considered to be U.S. Government funds* (see note 7). Other Trust Funds totaled approximately $284,686,000 and $302,326,000 as of September 30, 2013 and 2012, respectively.

  Other Trust Funds realize receipts from a variety of sources including leases, rights-of-way, judgment awards, settlement of Indian claims, donations and bequests, and investment income.

(c) Investment of Trust Funds

Authorizing legislation and a substantial body of case law specify how Indian trust funds should be managed and which financial instruments constitute appropriate investments for Indian trust funds. The Tribal and Other Trust Funds are invested in U.S. Government securities, including U.S. Department of the Treasury (U.S. Treasury) issues, U.S. Government agency issues, and U.S. Government-sponsored entity issues.

(2) Summary of Significant Accounting Policies

(a) Basis of Accounting

OST uses the cash basis of accounting for the Tribal and Other Trust Funds, which is a comprehensive basis of accounting other than generally accepted accounting principles. The cash basis of accounting differs from generally accepted accounting principles in that receivables and payables are not accrued and premiums and discounts on investments are not amortized or accreted. Receipts are recorded when received and disbursements are recorded when issued. Investments are stated at historical cost. Interest received on invested funds reported in the statements of changes in trust fund balances reflects interest received during the fiscal year.

(b) Cash and Cash Equivalents

Management considers all highly liquid financial instruments with maturities of three months or less when purchased to be cash equivalents.

(c) Investments

Investment securities at September 30, 2013 and 2012 consist of U.S. Treasury issues, U.S. Government agency issues, and U.S. Government-sponsored entity issues. Investment securities are recorded at historical cost. Investment income is recognized when received.

The Tribal and Other Trust Funds are invested in U.S. Government securities, as mandated by 25 USC 162a.

(d) Fair Value Measurements

Financial Accounting Standards Board's Accounting Standards Codification (ASC) Topic 820, *Fair Value Measurement* (ASC Topic 820), establishes an authoritative definition of fair value, sets out a framework for measuring fair value, and requires additional disclosures about fair value measurements. ASC Topic 820 applies only to fair value measurements already required or permitted by other accounting standards and does not impose requirements for additional fair value measures. Since the Tribal and Other Trust Funds use the cash basis of accounting (see note 2(a)), ASC Topic 820 only affects note disclosures related to fair value.

(e) Receipts

Receipts from various leasing activities, mineral royalties and sales of extracted minerals, timber and other forest products, fees and fines, and the granting of easements are generated from a variety of nonfinancial assets that are held in trust by the U.S. Government and managed by BIA and other Departmental bureaus and offices on behalf of tribes. Receipts on hand at the regional and agency offices, and/or in transit at September 30, 2013 and 2012, if any, awaiting deposit to the U.S. Treasury, are not included in the accompanying financial statements.

Receipts also include payments from the U.S. Government for judgment awards and the settlement of claims.

(f) Disbursements

Payments disbursed from the Tribal and Other Trust Funds consist of accumulations of funds from various income-producing activities such as leasing, royalty receipts, minerals extraction, timber and other forest product sales, judgment awards, settlement of claims, and investment income. Under certain conditions, tribes disburse or authorize disbursement of per capita payments to their enrolled members.

Public Law 103-412 specifically allows for the voluntary withdrawal of judgment awards and settlement of claims funds from the Tribal and Other Trust Funds. Except where prohibited by statute, an Indian tribe may submit a plan to withdraw some or all funds held in trust for the tribe in accordance with 25 CFR 1200.

(g) Use of Estimates

The preparation of the financial statements and notes requires management to make estimates and assumptions that affect the reported amounts of assets at the date of the financial statements and the reported amounts of increases and decreases in trust fund balances during the reporting period. Actual results could differ from those estimates.

(h) Subsequent Events

Subsequent events are evaluated by management through the date that the financial statements are available to be issued, which is November 18, 2013.

(3) Cash and Cash Equivalents

Cash equivalents of approximately $730 million and $802 million at September 30, 2013 and 2012, respectively, consist primarily of overnight investments with the U.S. Treasury.

(4) Investments

The historical cost, gross unrealized holding gains, gross unrealized holding losses, and fair value of investment securities by major class of security at September 30 were as follows (amounts exclude investments discussed in note 3):

	Historical cost	Gross unrealized holding gains	Gross unrealized holding losses	Fair value
	(In thousands)			
At September 30, 2013:				
U.S. Treasury and agency securities	$ 2,651,107	37,530	(151,988)	2,536,649
U.S. Government entity issued mortgage-backed securities	420,921	8,673	(13,909)	415,685
	$ 3,072,028	46,203	(165,897)	2,952,334
At September 30, 2012:				
U.S. Treasury and agency securities	$ 2,397,347	100,033	(216)	2,497,164
U.S. Government entity issued mortgage-backed securities	491,861	24,666	—	516,527
	$ 2,889,208	124,699	(216)	3,013,691

The investments above held by the Tribal and Other Trust Funds at September 30, 2013 and 2012 consist of fixed income securities, some of which are mortgaged-backed debt securities, issued by the U.S. Treasury, U.S. Government agencies, or U.S. Government-sponsored entities. All of these securities are either explicitly or implicitly backed by the U.S. Government. Given the backing by the U.S. Government, there have not been significant adverse impacts on the fair value of these securities.

Maturities of investment securities were as follows at September 30, 2013:

	Historical cost	Fair value
	(In thousands)	
Due in one year or less	$ 28,704	31,050
Due after one year through five years	185,840	201,107
Due after five years through ten years	162,468	167,890
Due after ten years	2,695,016	2,552,287
	$ 3,072,028	2,952,334

(5) Fair Value Disclosure Measurements

ASC Topic 820 defines fair value as the price that would be received from the sale of an asset or paid to transfer a liability (an exit price) in an orderly transaction between market participants on the measurement date in the principal or most advantageous market for the asset or liability. For measuring fair value, ASC Topic 820 establishes a hierarchy that places the highest priority on unadjusted quoted market prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority on unobservable inputs (Level 3 measurements). The three levels of inputs within the fair value hierarchy are defined as follows:

> Level 1: Quoted prices (unadjusted) for identical assets or liabilities in active markets that the Tribal and Other Trust Funds have the ability to access as of the measurement date.
>
> Level 2: Significant other observable inputs other than Level 1 prices such as quoted prices for similar assets or liabilities; quoted prices in markets that are not active; or other inputs that are observable or can be corroborated by observable market data.
>
> Level 3: Significant unobservable inputs that reflect the Tribal and Other Trust Funds' own assumptions about the assumptions that market participants would use in pricing an asset or liability.

In many cases, a valuation technique used to measure fair value includes inputs from multiple levels of the fair value hierarchy. The lowest level of significant input determines the placement of the entire fair value measurement in the hierarchy.

The carrying value of cash and cash equivalents reflected in the statements of assets and trust fund balances approximates fair value, which is valued using Level 1 inputs.

All of the investment securities held by the Tribal and Other Trust Funds at September 30, 2013 and 2012 are valued using Level 2 inputs. The fair value of investment securities disclosed in note 4 represents the best estimate of prices that the securities could be sold for in the open market as of September 30, 2013 and 2012. Those fair values are measured using pricing services, pricing models, or broker quotes. Inputs into the pricing models include the securities' par values, interest rates, and maturity dates. If broker quotes are used to value investment securities, the fair value is estimated as the average of three broker quotes.

The fair value methods described above may produce fair value disclosures that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while management believes that the valuation methods used on the Tribal and Other Trust Funds are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the disclosed fair value of investment securities could result in a different fair value measurement at the reporting date.

(6) Contingencies

Certain Indian tribes for whom OST holds assets in trust do not agree with balances recorded by OST and/or have requested an accounting of their trust funds, and certain of these Indian tribes have filed claims against the U.S. Government for failure to fulfill its fiduciary responsibilities. The cases involve claims for breaches of trust concerning the Government's management of funds and natural resources asset mismanagement. The relief sought in these cases range from declaratory and injunctive relief to perform an accounting, money damages, and other unspecified declaratory injunctive, or equitable, relief. At September 30, 2013, twenty-eight tribal trust cases were pending in various federal district courts and the U.S. Court of Federal Claims. Overall, the Government contests liability on the claims asserted and disputes that the Plaintiffs are entitled to the relief sought. Although the Government believes it has valid legal defenses to the claims, the Government continues to engage in various forms of formal and informal dispute resolution in an effort to resolve the claims without the need for costly and protracted litigation. Any settlement resulting from an adverse outcome of the claims described above will not be satisfied with trust fund balances. Certain of these settlements resulted in increases to receipts during the year ended September 30, 2012. No amounts have been recorded in the accompanying Tribal and Other Trust Funds' financial statements for potential claims from the U.S. Government.

(7) Trust Fund Balances

Trust fund balances are the aggregation of financial assets held in trust and represent the amounts owed to beneficiaries as of September 30, 2013 and 2012 for which OST has a fiduciary responsibility.

The Tribal and Other Trust Funds contain the following trust fund balance categories for U.S. Government budget purposes, which are reflected as separate components in the accompanying financial statements:

- *Held for Indian tribes* – These represent funds held on behalf of Indian tribes. These funds are considered non-U.S. Government monies.
- *Held by the Department of the Interior and considered to be U.S. Government funds* – These represent funds, some of which will be transferred to the Held for Indian tribes category provided certain conditions are satisfied, and for others, the corpus of the fund may be nonexpendable. These funds are considered U.S. Government monies.

A portion of trust fund balances represents estimated payments on production-type leases for which certain tribes and individual Indians hold an interest. When certain adjustments to production are identified, estimated payments received in excess of production are returned to the depositor or adjusted for in future payments.

(8) Related-Party Transactions with Other Government Organizations

(a) U.S. Department of the Interior Bureau of Indian Affairs

BIA is responsible for the collection of certain monies resulting from the management and use of Indian trust lands and other trust resources. Upon receipt, OST records the deposit of trust funds to trust accounts based on the information received from BIA.

(b) U.S. Department of the Interior Office of Natural Resources Revenue

For certain trust leases, ONRR is responsible for the collection of royalty payments on behalf of Indian tribes and individual Indians holding mineral rights. ONRR deposits the royalty payments with the U.S. Treasury and electronically transfers to OST the related accounting information, generally the next business day. The accounting information received from ONRR provides OST an allocation of 100% tribally owned lease royalties, enabling OST to record trust deposits directly into tribal accounts. For tribally/individually co-owned leases, allocation and accounting data is forwarded, generally twice a month, to OST via electronic interface through the Mineral Royalty Accounting Distribution module that is maintained by BIA. Pursuant to established procedure and appropriate authorization, the data is recorded by OST. ONRR and BLM both perform verification and other monitoring procedures of mineral assets. Oil and gas companies sometimes forward payments to ONRR based on estimated mineral production in order to comply with the Federal Oil and Gas Royalty Management Act of 1982 that requires timely distribution of royalties. These estimated payments may be disbursed by OST to the beneficiaries. Typically, the oil and gas companies adjust future payments for excess or shortfall amounts, if any, based on actual production.

(c) U.S. Department of the Treasury

The U.S. Treasury is responsible for the investment of certain tribal trust funds as a result of applicable governing settlement agreements or judgments, or legislation. The U.S. Treasury recognizes OST's expertise in investing in a variety of U.S. Government agency and U.S. Government-sponsored entity issues in addition to U.S. Treasury issues. For certain of these funds, the U.S. Treasury has implemented an interagency agreement for OST to perform the investment management functions of the funds. Performance statements for funds managed by OST under an interagency agreement are provided to Treasury representatives on a periodic basis.

The U.S. Treasury also holds cash and certain investments and in certain instances disburses for OST.

(d) Other

The Department's Office of the Solicitor serves as legal counsel for OST.

(9) Transfers of Trust Funds

Certain per capita disbursements authorized by tribes result in transfers from the Tribal and Other Trust Funds to the Individual Indian Monies (IIM) Trust Funds while certain oil and gas distributions may result in transfers to/from the IIM Trust Funds from/to the Tribal and Other Trust Funds. Net transfers of trust funds from the Tribal and Other Trust Funds to the IIM Trust Funds totaled approximately $153.5 million and $447.5 million during the years ended September 30, 2013 and 2012, respectively. Amounts transferred to the IIM Trust Funds decreased during the year ended September 30, 2013 due in part to one-time settlements with certain Indian tribes during the year ended September 30, 2012. These transfers are reflected as disbursements in the accompanying statements of changes in trust fund balances. In addition, pursuant to information provided by BIA, OST historically utilized special deposit accounts maintained within the IIM Trust Funds for both tribal and IIM beneficiaries as suspense accounts, whereby funds are temporarily posted when allocation information is not provided when the funds are received. Following receipt of allocation information from BIA, the funds are transferred from the special deposit accounts to the designated tribal and/or IIM account(s). Special deposit accounts totaled approximately $23 million as of September 30, 2013 and 2012. Substantially all of the special deposit account monies held in the IIM Trust Funds relate to historical balances and has not been distributed because the ultimate disposition of the funds has not been determined. Since the ultimate disposition is unknown at September 30, 2013, the portion attributable to the Tribal and Other Trust Funds is unknown.

INDIVIDUAL INDIAN MONIES TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Financial Statements

September 30, 2013 and 2012

(With Independent Auditors' Report Thereon)

KPMG LLP
Two Park Square, Suite 700
6565 Americas Parkway, N.E.
Albuquerque, NM 87110-8179

Independent Auditors' Report

U.S. Department of the Interior Office of the Special Trustee
for American Indians; and

U.S. Department of the Interior Office of Inspector General:

Report on the Financial Statements

We have audited the accompanying financial statements of the Individual Indian Monies Trust Funds managed by the U.S. Department of the Interior Office of the Special Trustee for American Indians (OST), which comprise the statements of assets and trust fund balances – modified cash basis as of September 30, 2013 and 2012, and the related statements of changes in trust fund balances – modified cash basis for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the modified cash basis of accounting described in note 2 of the financial statements; this includes determining that the modified cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audits. We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 14-02, *Audit Requirements for Federal Financial Statements*. Those standards and OMB Bulletin No. 14-02 require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to OST's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal control over the financial statements. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

KPMG LLP is a Delaware limited liability partnership, the U.S. member firm of KPMG International Cooperative ("KPMG International"), a Swiss entity.

Opinion on the Financial Statements

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Individual Indian Monies Trust Funds managed by OST as of September 30, 2013 and 2012, and the changes in trust fund balances for the years then ended in accordance with the modified cash basis of accounting described in note 2.

Basis of Accounting

We draw attention to note 2 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the modified cash basis of accounting, which is a basis of accounting other than U.S. generally accepted accounting principles. Our opinion is not modified with respect to this matter.

Other Matter

In our report dated November 9, 2012, we expressed an opinion on the 2012 financial statements that was qualified because it was not practical to extend our auditing procedures sufficiently to satisfy ourselves as to the fairness of trust fund balances in the financial statements as of September 30, 2012 due to the effects of certain parties for whom OST holds assets in trust having filed a class action lawsuit for an accounting of the individuals' trust funds. Trust fund balances enter into the determination of financial position and changes in trust fund balances. Since that date, final approval of a settlement of the class action lawsuit was received allowing us to extend our auditing procedures sufficiently to satisfy ourselves as to the fairness of trust fund balances in the financial statements as of September 30, 2012. Accordingly, our present opinion on the 2012 financial statements, as presented herein, is different from that expressed in our previous report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated November 18, 2013 on our consideration of internal control over financial reporting and on our tests of compliance with certain provisions of laws, regulations, and other matters for the Individual Indian Monies Trust Funds managed by OST. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance for the Individual Indian Monies Trust Funds managed by OST.

KPMG LLP

Albuquerque, New Mexico
November 18, 2013

INDIVIDUAL INDIAN MONIES TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Statements of Assets and Trust Fund Balances – Modified Cash Basis

September 30, 2013 and 2012

(In thousands)

Assets		**2013**	**2012**
Cash and cash equivalents (note 3)	$	84,582	40,599
Investments (note 4)		662,830	552,403
Accrued interest receivable		3,875	3,616
Total assets	$	751,287	596,618
Trust Fund Balances			
Held for individual Indians (notes 7 and 9)	$	751,287	596,618

See accompanying notes to financial statements.

INDIVIDUAL INDIAN MONIES TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Statements of Changes in Trust Fund Balances – Modified Cash Basis

Years ended September 30, 2013 and 2012

(In thousands)

		2013	2012
Increases:			
Receipts (note 9)	$	924,340	915,702
Interest earned on invested funds		20,189	18,724
Gain on disposition of investments, net		467	368
		944,996	934,794
Decreases:			
Disbursements to and on behalf of account holders		(790,327)	(827,174)
Increase in trust fund balances, net		154,669	107,620
Trust fund balances, beginning of year		596,618	488,998
Trust fund balances, end of year (notes 7 and 9)	$	751,287	596,618

See accompanying notes to financial statements.

(1) Background and Description of the Trust Funds

(a) Overview of the Trust Funds

Establishment and Management of the Trust Funds – The legislation that authorizes the Secretary of the United States Department of the Interior (Secretary) to manage the Individual Indian Monies Trust Funds (IIM Trust Funds) recognizes the unique trust relationship that exists between the Indian tribes, individual Indians, and the United States Government (U.S. Government). Agreements between the U.S. Government and the various Indian tribes, many of these in the form of treaties, recognize the sovereignty of tribes. During the course of the United States' history and the U.S. Government's evolving policies toward individual Indians and Indian tribes, the trust relationship has retained characteristics based upon tribal sovereignty. The United States Congress has designated the Secretary as the trustee delegate with responsibility for the financial and nonfinancial resources held in trust on behalf of American Indian tribes, individual Indians, and other trust funds. In carrying out the management and oversight of the Indian trust assets, the Secretary has a fiduciary responsibility to ensure monies are received for the use of Indian lands and the extraction of natural resources from Indian lands, distribute such monies collected to the appropriate beneficiaries, ensure that trust accounts are properly maintained and invested, and ensure that accurate and complete reports are provided to the trust beneficiaries in accordance with applicable law.

The balances that have accumulated in the IIM Trust Funds have resulted generally from land use agreements, royalties on natural resource depletion, other proceeds derived directly from trust resources, receipt of judgment and tribal per capita distributions, settlement of claims, and investment income.

The accompanying financial statements include only the financial assets held in trust by the Office of the Special Trustee for American Indians (OST) for trust beneficiaries and do not include: (i) the operating account balances of OST (e.g., Fund Balance with Treasury; Property, Plant, and Equipment; etc.) or (ii) other Indian trust assets, including but not limited to, Indian lands, buildings, or other nonfinancial assets managed by the United States Department of the Interior (the Department).

The Reform Act – The American Indian Trust Fund Management Reform Act of 1994 (Public Law 103-412) (the Reform Act) authorized the establishment of OST, which is headed by the Special Trustee for American Indians (Special Trustee) who reports to the Secretary. Under this legislation, the Special Trustee is responsible for oversight, reform, and coordination of the policies, procedures, systems, and practices used by various bureaus and offices of the Department, including but not limited to OST, the Bureau of Indian Affairs (BIA) (a component of Indian Affairs (IA)), the Office of Natural Resources Revenue (ONRR), and the Bureau of Land Management (BLM), in managing Indian trust assets.

Office of the Special Trustee for American Indians – Indian trust assets, including the IIM Trust Funds, are primarily managed under the delegated authority of OST and BIA. Management of Indian trust assets on behalf of the trust beneficiaries is dependent upon the processing of trust-related

transactions within certain information systems of the Department, including but not limited to OST, BIA, ONRR, and other Departmental bureaus and offices. BIA and other Departmental bureaus and offices are responsible for managing the natural resources located within the boundaries of Indian reservations and trust lands as well as the processing of data regarding the ownership and leasing of Indian lands. The allocation of receipts and disbursements by OST to trust beneficiaries are significantly dependent and reliant upon the receipt of timely and accurate information derived from records maintained by BIA, ONRR, and other Departmental bureaus and offices (see note 8).

Regional Offices – OST and BIA maintain staff at regional offices located throughout the United States.

Agency and Field Offices – OST and BIA also maintain staff at agency and field offices located throughout the United States, which are generally located near the tribes and individual Indians served. OST and BIA personnel located at most of the agency and field offices perform various functions related to trust fund activities.

(b) Description of the Trust Funds

The IIM Trust Funds are comprised of approximately 393,000 and 387,000 accounts, held primarily for the benefit of individual Indian account holder beneficiaries and tribal entities, as of September 30, 2013 and 2012, respectively. Included within the IIM Trust Funds are certain special deposit accounts that are subject to legal, regulatory, budgetary, court-ordered, or other restrictions that may ultimately result in funds being distributed to tribal and/or other entities.

The IIM Trust Funds are primarily funds on deposit for individual Indians with a beneficial interest in those funds. IIM account holders realize receipts primarily from land use agreements, royalties on natural resource depletion, other proceeds derived directly from trust resources, judgment and tribal per capita distributions, settlement of claims, and investment income.

(c) Investment of Trust Funds

Authorizing legislation and a substantial body of case law specify how Indian trust funds should be managed and which financial instruments constitute appropriate investments for Indian trust funds. The IIM Trust Funds are pooled and invested in U.S. Government securities, including U.S. Department of the Treasury (U.S. Treasury) issues, U.S. Government agency issues, and U.S. Government-sponsored entity issues.

(2) Summary of Significant Accounting Policies

(a) Basis of Accounting

OST uses the cash basis of accounting with certain modifications for the IIM Trust Funds, which is a comprehensive basis of accounting other than generally accepted accounting principles. Receipts are recorded when received with the exception of interest earned on invested funds (including discount accretion and premium amortization), and disbursements are recorded when issued. Investments are stated at amortized cost. Accrual adjustments to reflect interest earned but not received, and to record

any applicable accretion of discounts and amortization of premiums over the terms of the investments, have been recorded in the accompanying financial statements. Interest income reported in the statements of changes in trust fund balances reflects interest earned, net of any premium amortization or discount accretion recognized during the fiscal year.

(b) Cash and Cash Equivalents

Management considers all highly liquid financial instruments with maturities of three months or less when purchased to be cash equivalents.

(c) Investments

Investment securities at September 30, 2013 and 2012 consist of U.S. Treasury issues, U.S. Government agency issues, and U.S. Government-sponsored entity issues. IIM Trust Funds are pooled and invested. Investment securities are recorded at amortized cost, adjusted for the amortization or accretion of premiums or discounts. Premiums and discounts are amortized or accreted over the expected life of the related investment security as an adjustment to yield using the effective-interest method. Investment income is recognized when earned.

The IIM Trust Funds are invested in U.S. Government securities, as mandated by 25 USC 162a.

(d) Fair Value Measurements

Financial Accounting Standards Board's Accounting Standards Codification (ASC) Topic 820, *Fair Value Measurement* (ASC Topic 820), establishes an authoritative definition of fair value, sets out a framework for measuring fair value, and requires additional disclosures about fair value measurements. ASC Topic 820 applies only to fair value measurements already required or permitted by other accounting standards and does not impose requirements for additional fair value measures. Since the IIM Trust Funds use the cash basis of accounting with certain modifications (see note 2(a)), ASC Topic 820 only affects note disclosures related to fair value.

(e) Receipts

Receipts from various leasing activities, mineral royalties and sales of extracted minerals, timber and other forest products, fees and fines, and the granting of easements are generated from a variety of nonfinancial assets that are held in trust by the U.S. Government and managed by BIA and other Departmental bureaus and offices on behalf of individual Indians. Receipts on hand at the regional and agency offices, and/or in transit at September 30, 2013 and 2012, if any, awaiting deposit to the U.S. Treasury, are not included in the accompanying financial statements.

Receipts also include payments from the U.S. Government for judgment awards and the settlement of claims.

(f) Disbursements

Payments disbursed from the IIM Trust Funds consist of accumulations of funds from various income-producing activities such as leasing, royalty receipts, mineral extraction, timber and other

forest product sales, judgment awards, tribal per capita distributions, settlement of claims, and investment income.

(g) Use of Estimates

The preparation of the financial statements and notes requires management to make estimates and assumptions that affect the reported amounts of assets at the date of the financial statements and the reported amounts of increases and decreases in trust fund balances during the reporting period. Actual results could differ from those estimates.

(h) Subsequent Events

Subsequent events are evaluated by management through the date that the financial statements are available to be issued, which is November 18, 2013.

(3) Cash and Cash Equivalents

Cash equivalents of approximately $34 million and $31 million at September 30, 2013 and 2012, respectively, consist of overnight investments with the U.S. Treasury.

(4) Investments

The amortized cost, gross unrealized holding gains, gross unrealized holding losses, and fair value of investment securities by major class of security at September 30 were as follows (amounts exclude investments in U.S. Treasury overnight securities discussed in note 3):

	Amortized cost	Gross unrealized holding gains	Gross unrealized holding losses	Fair value
		(In thousands)		
September 30, 2013:				
U.S. Treasury and agency securities	$ 488,889	10,354	(24,420)	474,823
U.S. Government entity issued mortgage-backed securities	173,941	2,921	(5,704)	171,158
	$ 662,830	13,275	(30,124)	645,981
September 30, 2012:				
U.S. Treasury and agency securities	$ 381,604	22,520	(29)	404,095
U.S. Government entity issued mortgage-backed securities	170,799	6,927	(5)	177,721
	$ 552,403	29,447	(34)	581,816

The investments above held by the IIM Trust Funds at September 30, 2013 and 2012 consist of fixed income securities, some of which are mortgaged-backed debt securities, issued by the U.S. Treasury, U.S. Government agencies, or U.S. Government-sponsored entities. All of these securities are either explicitly or implicitly backed by the U.S. Government. Given the backing by the U.S. Government, there have not been significant adverse impacts on the fair value of these securities.

Maturities of investment securities were as follows at September 30, 2013:

	Amortized cost	Fair value
	(In thousands)	
Due in one year or less	$ 9,998	10,112
Due after one year through five years	46,017	46,397
Due after five years through ten years	125,433	130,821
Due after ten years	481,382	458,651
	$ 662,830	645,981

(5) Fair Value Disclosure Measurements

ASC Topic 820 defines fair value as the price that would be received from the sale of an asset or paid to transfer a liability (an exit price) in an orderly transaction between market participants on the measurement date in the principal or most advantageous market for the asset or liability. For measuring fair value, ASC Topic 820 establishes a hierarchy that places the highest priority on unadjusted quoted market prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority on unobservable inputs (Level 3 measurements). The three levels of inputs within the fair value hierarchy are defined as follows:

Level 1: Quoted prices (unadjusted) for identical assets or liabilities in active markets that the IIM Trust Funds have the ability to access as of the measurement date.

Level 2: Significant other observable inputs other than Level 1 prices such as quoted prices for similar assets or liabilities; quoted prices in markets that are not active; or other inputs that are observable or can be corroborated by observable market data.

Level 3: Significant unobservable inputs that reflect the IIM Trust Funds' own assumptions about the assumptions that market participants would use in pricing an asset or liability.

In many cases, a valuation technique used to measure fair value includes inputs from multiple levels of the fair value hierarchy. The lowest level of significant input determines the placement of the entire fair value measurement in the hierarchy.

The carrying value of cash and cash equivalents and accrued interest receivable reflected in the statements of assets and trust fund balances approximates fair value, which is valued using Level 1 inputs.

All of the investment securities held by the IIM Trust Funds at September 30, 2013 and 2012 are valued using Level 2 inputs. The fair value of investment securities disclosed in note 4 represents the best estimate of prices that the securities could be sold for in the open market as of September 30, 2013 and 2012. Those fair values are measured using pricing services, pricing models, or broker quotes. Inputs into the pricing models include the securities' par values, interest rates, and maturity dates. If broker quotes are used to value investment securities, the fair value is estimated as the average of three broker quotes.

The fair value methods described above may produce fair value disclosures that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while management believes that the valuation methods used on the IIM Trust Funds are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the disclosed fair value of investment securities could result in a different fair value measurement at the reporting date.

(6) Contingencies

Certain parties for whom OST holds funds in trust filed a class action lawsuit in 1996, seeking an accounting of their individual trust funds. Although plaintiffs sought $58 billion from the District Court in lieu of the accounting, the District Court awarded $456 million. In July 2009, the Court of Appeals reversed and vacated that judgment. On December 7, 2009, an announcement was made that the parties had reached a $3.4 billion settlement subject to Congressional approval. On December 8, 2010, the President signed H.R. 4783, the Claims Resolution Act of 2010, which approved the settlement. A Final Judgment was entered by the Court on August 4, 2011, and affirmed by the Court of Appeals on May 22, 2012. Two petitions for certiorari were pending before the U.S. Supreme Court as of September 30, 2012. One petition was denied on October 29, 2012 and the other petition was dismissed on November 6, 2012. The period for additional petitions to be filed expired on November 23, 2012. Initial payments were made to class members of the historical trust accounting class by the claims administrator beginning in late December 2012. Pursuant to the terms of the settlement, certain funds were accepted into trust for individuals who were minors, non-compos mentis, adults in need of assistance, and whereabouts unknown. It is anticipated that the second round of payments will be made in late December 2013 for those individuals who are members of the trust administrative class. Neither the settlement nor any future judgment award has been or will be satisfied with individual trust funds. No amounts have been recorded in the accompanying IIM Trust Funds' financial statements for potential claims from the U.S. Government.

(7) Trust Fund Balances

Trust fund balances are the aggregation of financial assets held in trust and primarily represent the amounts owed to beneficiaries as of September 30, 2013 and 2012 for which OST has a fiduciary responsibility.

The subsidiary detail of IIM account balances contains approximately 11,500 special deposit accounts with balances totaling approximately $23 million as of September 30, 2013 and 2012. Substantially all of the special deposit account monies held in the IIM Trust Funds relates to historical balances and has not been allocated because the allocation information for the funds has not been provided by BIA. Since the ultimate allocation is unknown at September 30, 2013, the portion attributable to the IIM Trust Funds is unknown.

The subsidiary detail of IIM account balances contains certain oil and gas holding accounts with balances totaling approximately $51.5 million and $15.9 million as of September 30, 2013 and 2012, respectively, which have not been distributed to beneficiaries. Upon receipt of the allocation and accounting data, to be provided by ONRR and BIA, the monies will be distributed to the proper beneficiaries' accounts (see note 8).

A portion of trust fund balances represents estimated payments on production-type leases for which certain individual Indians and tribes hold an interest. When certain adjustments to production are identified, estimated payments received in excess of production are returned to the depositor or adjusted for in future payments.

(8) Related-Party Transactions with Other Government Organizations

(a) U.S. Department of the Interior Bureau of Indian Affairs

BIA is responsible for the collection of certain monies resulting from the management and use of Indian trust lands and other trust resources. Upon receipt, OST records the deposit of trust funds to trust accounts based on the information received from BIA.

(b) U.S. Department of the Interior Office of Natural Resources Revenue

For certain trust leases, ONRR is responsible for the collection of royalty payments on behalf of Indian tribes and individual Indians holding mineral rights. ONRR deposits the royalty payments with the U.S. Treasury and electronically transfers to OST the related accounting information, generally the next business day. For tribally/individually co-owned leases and individually owned leases, the allocation and accounting data to distribute the monies to the proper IIM account is forwarded, generally twice a month, to OST via electronic interface through the Mineral Royalty Accounting Distribution module that is maintained by BIA. Pursuant to established procedure and appropriate authorization, the data is recorded by OST. ONRR and BLM both perform verification and other monitoring procedures of mineral assets. Oil and gas companies sometimes forward payments to ONRR based on estimated mineral production in order to comply with the Federal Oil and Gas Royalty Management Act of 1982 that requires timely distribution of royalties. These estimated payments may be disbursed by OST to the beneficiaries. Typically, the oil and gas companies adjust future payments for excess or shortfall amounts, if any, based on actual production.

(c) Other

The U.S. Treasury holds cash and certain investments and in certain instances disburses for OST.

The Department's Office of the Solicitor serves as legal counsel for OST.

(9) Transfers of Trust Funds

Certain per capita disbursements authorized by tribes result in transfers from the Tribal and Other Trust Funds to the IIM Trust Funds while certain oil and gas distributions may result in transfers to/from the IIM Trust Funds from/to the Tribal and Other Trust Funds. Net transfers of trust funds to the IIM Trust Funds from the Tribal and Other Trust Funds totaled approximately $153.5 million and $447.5 million during the years ended September 30, 2013 and 2012, respectively. Amounts transferred from the Tribal and Other Trust Funds decreased during the year ended September 30, 2013 due in part to one-time settlements with certain Indian tribes during the year ended September 30, 2012. These transfers are reflected as receipts in the accompanying statements of changes in trust fund balances. In addition, pursuant to information provided by BIA, OST historically utilized special deposit accounts (see note 7) maintained within the IIM Trust Funds for both tribal and IIM beneficiaries as suspense accounts, whereby funds are temporarily posted when allocation information is not provided when the funds are received. Following receipt of allocation information from BIA, the funds are transferred from the special deposit accounts to the designated tribal and/or IIM account(s).

TRIBAL AND OTHER TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Independent Auditors' Report on Internal Control over
Financial Reporting and on Compliance and Other Matters

September 30, 2013

KPMG LLP
Two Park Square, Suite 700
6565 Americas Parkway, N.E.
Albuquerque, NM 87110-8179

Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

U.S. Department of the Interior Office of the Special Trustee
for American Indians; and
U.S. Department of the Interior Office of Inspector General:

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 14-02, *Audit Requirements for Federal Financial Statements*, the financial statements of the Tribal and Other Trust Funds managed by the U.S. Department of the Interior Office of the Special Trustee for American Indians (OST), which comprise the statements of assets and trust fund balances – cash basis as of September 30, 2013 and 2012, and the related statements of changes in trust fund balances – cash basis for the years then ended, and the related notes to the financial statements, and have issued our report thereon dated November 18, 2013.

Our audit report states that the Tribal and Other Trust Funds Financial Statements are prepared in accordance with a basis of accounting that is a comprehensive basis of accounting other than generally accepted accounting principles, as described in note 2 to the Tribal and Other Trust Funds Financial Statements.

Our audit report on the Tribal and Other Trust Funds Financial Statements was qualified because it was not practicable to extend our auditing procedures sufficiently to satisfy ourselves as to the fairness of trust fund balances in the Tribal and Other Trust Funds Financial Statements as of September 30, 2013 and 2012 due to the effects of certain tribal parties for whom OST holds assets in trust disagreeing with the balances recorded by OST, and/or having requested an accounting of their trust funds, and of which certain of these parties have filed, or are expected to file, claims against the United States Government. Trust fund balances enter into the determination of financial position and changes in trust fund balances.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements as of and for the year ended September 30, 2013, we considered the internal control over financial reporting (internal control) for the Tribal and Other Trust Funds managed by OST to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the internal control for the Tribal and Other Trust Funds managed by OST. Accordingly, we do not express an opinion on the effectiveness of the internal control for the Tribal and Other Trust Funds managed by OST. We did not test all internal controls relevant to operating objectives as broadly defined by the *Federal Managers' Financial Integrity Act of 1982*.

KPMG LLP is a Delaware limited liability partnership, the U.S. member firm of KPMG International Cooperative ("KPMG International"), a Swiss entity.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the financial statements of the Tribal and Other Trust Funds managed by OST are free from material misstatement, we performed tests of compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests of compliance disclosed no instances of noncompliance or other matters that are required to be reported herein under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control or compliance for the Tribal and Other Trust Funds managed by OST. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

KPMG LLP

Albuquerque, New Mexico
November 18, 2013

INDIVIDUAL INDIAN MONIES TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Independent Auditors' Report on Internal Control over
Financial Reporting and on Compliance and Other Matters

September 30, 2013

KPMG LLP
Two Park Square, Suite 700
6565 Americas Parkway, N.E.
Albuquerque, NM 87110-8179

Independent Auditors' Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with *Government Auditing Standards*

U.S. Department of the Interior Office of the Special Trustee
for American Indians; and
U.S. Department of the Interior Office of Inspector General:

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 14-02, Audit Requirements for Federal Financial Statements, the financial statements of the Individual Indian Monies Trust Funds (IIM Trust Funds) managed by the U.S. Department of the Interior Office of the Special Trustee for American Indians (OST), which comprise the statements of assets and trust fund balances – modified cash basis as of September 30, 2013 and 2012, and the related statements of changes in trust fund balances – modified cash basis for the years then ended, and the related notes to the financial statements, and have issued our report thereon dated November 18, 2013.

Our audit report states that the IIM Trust Funds Financial Statements are prepared in accordance with a basis of accounting that is a comprehensive basis of accounting other than generally accepted accounting principles, as described in note 2 to the IIM Trust Funds Financial Statements.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements as of and for the year ended September 30, 2013, we considered the internal control over financial reporting (internal control) for the IIM Trust Funds managed by OST to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the internal control for the IIM Trust Funds managed by OST. Accordingly, we do not express an opinion on the effectiveness of the internal control for the IIM Trust Funds managed by OST. We did not test all internal controls relevant to operating objectives as broadly defined by the Federal Managers' Financial Integrity Act of 1982.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

KPMG LLP is a Delaware limited liability partnership, the U.S. member firm of KPMG International Cooperative ("KPMG International"), a Swiss entity.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies, and therefore, material weaknesses or significant deficiencies may exist that were not identified. Given these limitations, during our audit, we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, we did identify the following deficiency in internal control that we considered to be a significant deficiency:

Lack of Segregation of Duties over Certain IT Applications

Although a formal process is in place requiring the authorization, testing, documentation, and approval of changes made to a certain IT application and requires procedurally enforced segregation of duties with respect to development and implementation functions, two of two changes logged within the manually maintained ticketing system were not authorized by the OST Deputy Special Trustee prior to development and evidence of testing and user acceptance approval was not retained. Additionally, procedural segregation of duties was not followed, as the individual responsible for development activities deployed the enhancements to the production environment. Both changes were low risk in nature and were authorized and approved by the Trust Beneficiary Call Center Manager.

Additionally, while a logging mechanism was developed to systematically record changes deployed to the production environment, these capabilities were only partially enabled during the year. Specifically, changes implemented manually were logged; however, changes implemented via automated unload scripts were not subject to logging. Additionally, the ability to disable logging capabilities and alter logged records retained within the system was not appropriately restricted to individuals independent of development and implementation functions.

Recommendation

We recommend that management enforce appropriate policies and procedures to ensure segregation of duties within this application, including segregating development and production implementation responsibilities and reviewing development and production access rights on a periodic basis to ensure that mission critical applications are appropriately segregated and restricted. Additionally, comprehensive logging should be enabled to systematically capture all changes deployed to the production environment, and access to logging configuration settings and audit records should be restricted to individuals independent of those tasked with development and implementation functions.

OST Management's Response

Management agrees with the above finding.

Exhibit I of this report presents the status of prior year significant deficiencies.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the financial statements of the IIM Trust Funds managed by OST are free from material misstatement, we performed tests of compliance with certain provisions of laws and regulations, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests of compliance disclosed no instances of noncompliance or other matters that are required to be reported herein under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control or compliance for the IIM Trust Funds managed by OST. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

KPMG LLP

Albuquerque, New Mexico
November 18, 2013

INDIVIDUAL INDIAN MONIES TRUST FUNDS
MANAGED BY THE U.S. DEPARTMENT OF THE INTERIOR
OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

Status of Prior Year Findings, Reported as of September 30, 2012

September 30, 2013

Reference	Condition	Current year status
DOI-2012-1003	Lack of segregation of duties over certain IT applications	Repeated, with certain modifications in current year report