

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

_____ ELOUISE PEPION COBELL, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:96CV01285
	)	(Judge Robertson)
DIRK KEMPTHORNE, Secretary of the	)	
Interior, et al.,	)	
	)	
Defendants.	)	
_____	)	

**NOTICE OF FILING OF INTERIOR DEFENDANTS'  
THIRTY-FIRST STATUS REPORT**

Interior Defendants hereby give notice of the filing of their thirty-first report due in accordance with the Order of December 21, 1999.

A copy of the report is attached hereto.

Dated: February 1, 2008

Respectfully submitted,  
JEFFREY S. BUCHOLTZ  
Acting Assistant Attorney General  
MICHAEL F. HERTZ  
Deputy Assistant Attorney General  
J. CHRISTOPHER KOHN  
Director

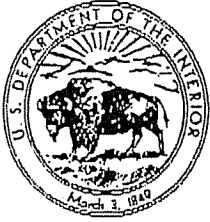
/s/ John J. Siemietkowski  
ROBERT E. KIRSCHMAN, Jr.  
(D.C. Bar No. 406635)  
Deputy Director  
JOHN J. SIEMIETKOWSKI  
Trial Attorney  
Commercial Litigation Branch  
Civil Division  
P.O. Box 875  
Ben Franklin Station  
Washington, D.C. 20044-0875  
Phone (202) 514-3368  
Fax (202) 514-9163

CERTIFICATE OF SERVICE

I hereby certify that, on February 1, 2008 the foregoing *Notice of Filing of Interior Defendants' Thirty-First Status Report* was served by Electronic Case Filing, and on the following who is not registered for Electronic Case Filing, by facsimile:

Earl Old Person (*Pro se*)  
Blackfeet Tribe  
P.O. Box 850  
Browning, MT 59417  
Fax (406) 338-7530

/s/ Kevin P. Kingston  
Kevin P. Kingston



THE SECRETARY OF THE INTERIOR  
WASHINGTON

FEB 01 2008

J. Christopher Kohn  
U.S. Department of Justice  
Civil Division  
Commercial Litigation Branch  
P.O. Box 875  
Ben Franklin Station  
Washington, D.C. 20044-0875

Re: Cobell v. Kempthorne – Status Report to the Court Number Thirty-One

Dear Mr. Kohn:

Enclosed is the Department of the Interior's *Status Report to the Court Number Thirty-One (For the Period July 1, 2007 through December 31, 2007)*. Please forward a copy to the Court.

My signature on this report reflects my reliance on the assurances of those who have compiled the report that the information contained herein is accurate.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Kempthorne", written over a light blue horizontal line.

DIRK KEMPTHORNE

Enclosure

# **Status Report to the Court Number Thirty-One**

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**For the Period  
July 1, 2007 through December 31, 2007**



**February 1, 2008**

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**TABLE OF CONTENTS**

**INTRODUCTION..... 1**

**I. OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS..... 3**

**A. OFFICE OF HISTORICAL TRUST ACCOUNTING ..... 5**

**B. TRUST SERVICES – CURRENT ACCOUNTING..... 11**

**C. OFFICE OF TRUST RECORDS ..... 15**

**D. TRUST ACCOUNTABILITY ..... 17**

**1. TRUST BUSINESS PROCESS MODELING..... 17**

**2. TRUST DATA QUALITY AND INTEGRITY ..... 19**

**3. INDIAN FIDUCIARY TRUST TRAINING PROGRAM ..... 23**

**4. RISK MANAGEMENT..... 25**

**5. TRUST REGULATIONS, POLICIES AND PROCEDURES ..... 27**

**E. TRUST REVIEW AND AUDIT ..... 29**

**F. OFFICE OF APPRAISAL SERVICES ..... 31**

**II. INDIAN AFFAIRS..... 35**

**A. TRUST REGULATIONS, POLICIES AND PROCEDURES ..... 35**

**III. BUREAU OF INDIAN AFFAIRS ..... 37**

**A. FRACTIONATION ..... 37**

**B. PROBATE ..... 39**

**IV. OTHER TOPICS ..... 41**

**A. INFORMATION TECHNOLOGY..... 41**

**B. CADASTRAL SURVEY ..... 47**

**C. MINERALS MANAGEMENT SERVICE..... 51**

**ACRONYMS AND ABBREVIATIONS..... 53**

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**INTRODUCTION**

This *Status Report to the Court Number Thirty-One* (Report) represents the period from July 1, 2007 through December 31, 2007. The Report is presented for the purpose of informing the Court of actions taken since the issuance of the court report of June 30, 2007. The Report includes delays in and obstacles to trust reform activities. A report on the progress of the historical accounting of individual Indian beneficiary funds managed by Interior is a primary part of the Report.<sup>1</sup>

This Report is prepared in a manner consistent with previous reports to the Court. Managers from the Office of Historical Trust Accounting, Office of the Special Trustee for American Indians, Office of the Chief Information Officer, Bureau of Indian Affairs, Bureau of Land Management, and Minerals Management Service submit reports on the status of their respective Indian trust activities.

A glossary of acronyms and abbreviations is included in this Report. The glossary is located at the end of the Report.

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<sup>1</sup> This Report contains information on the broad trust reform efforts underway at Interior. Accordingly, it may include information on reform efforts that are not within the scope of the *Cobell* litigation.

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**I. OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS**

**Introduction**

The Office of the Special Trustee for American Indians was created by the American Indian Trust Fund Management Reform Act of 1994. The 1994 Act provides direction to the Department of the Interior on accounting for Indian trust funds and reforming the operation of the Indian fiduciary trust. The Special Trustee's responsibilities under the Act include creating a comprehensive strategic plan for the operation of the trust and providing oversight of the accounting for Indian trust funds and the reform of the trust.

The reporting period for *Status Report to the Court Number Thirty-One* is six months. The Court granted Interior's request to delay the Report due on November 1, 2007, due to the trial held in October 2007 to consider Interior's IIM historical accounting plan.

**Special Trustee's Observations**

**Congressional Action**

An appropriation act was passed just before the end of CY2007, and Interior received funding to continue its activities for the remainder of FY2008. Notably, ILCP funding was reduced from approximately \$34 million in FY2007 to \$10 million for FY2008, which severely limits the program's ability to purchase fractionated interests. ILCP is not expected to be continued beyond FY2008.

The FY2008 appropriation for historical accounting left OHTA at the same level of funding as in FY2007. Interior's request for an additional \$10 million to support OHTA's anticipated work necessary for addressing the multitude of tribal claims was not approved by Congress.

**Beneficiary Services**

During this reporting period, OST in conjunction with Treasury implemented a debit card pilot program for IIM account holders. The debit card provides significant advantages to individuals, who often have to pay for check cashing services, may have checks delayed in the mail, or lose their checks. Typically, an IIM account balance must reach \$15.00 before the funds are distributed to the account holders. For debit card holders, any money collected on their behalf is immediately available using their debit card. OST also continues to work with beneficiaries to accept direct deposits to their bank account.

**Appraisal Services**

The methodology for counting backlogged appraisals has varied among regions and has changed over time. During this reporting period, a group of appraisers criticized Interior's reporting in the *Status Report to the Court Number Thirty* of the number of backlogged appraisals in the Rocky Mountain Region. In early January 2008, some of the appraisers forwarded their

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Office of the Special Trustee for American Indians**

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complaint to OIG. OIG redirected the complaint to OST. I have instructed OAS management to review the situation and report back to me. To improve consistency in backlog reporting, I expect further changes in the process for tracking and reporting appraisal backlogs.

**Assurance Statement**

The comments and observations are provided by the Special Trustee for American Indians and reflect the opinion of the Special Trustee only.

Date: January 24, 2008

Name: *Signature on File*  
Ross O. Swimmer  
Special Trustee for American Indians

**A. OFFICE OF HISTORICAL TRUST ACCOUNTING**

**Introduction**

OHTA was established by Secretarial Order No. 3231 on July 10, 2001, and is charged with planning, organizing, directing and executing the historical accounting of IIM and Tribal Trust Fund accounts. Effective June 25, 2007, the Secretary transferred OHTA from the Office of the Secretary to OST and added OHTA to the *Departmental Manual* at 110 DM 26.

OHTA's historical accounting includes all transactions in IIM accounts open on or after October 25, 1994 (the enactment date of the American Indian Trust Fund Management Reform Act), through the earlier of the date of account closure or December 31, 2000. OST has regularly issued account statements to all IIM account holders since the end of 2000.

**Accomplishments**

Interior filed its *Administrative Record* with the Court for the *May 31, 2007, Historical Accounting Plan for Individual Indian Money Accounts* (2007 Plan).

As of December 31, 2007, data completeness validation tests and interest recalculation work was completed for over 50,000 Land-Based IIM accounts.

**Current Status**

**System Tests – Confirming Completeness of Land-Based Accounts**

***Data Completeness Validation - Electronic Ledger Era***

Data completeness validation is a process consisting of multiple tests (Transaction Mapping, Balance Comparison, Account Number, and System Conversion Tests), which are designed to detect accounts and transactions missing from the Electronic Ledger Era data set, as well as potential posting errors. OHTA performed these tests on the IIM Trust Fund at the aggregate level in addition to those tests performed at the individual transaction or account level. These aggregate, high-level tests enable OHTA to assess the completeness of the historical data recorded in the IIM Trust Fund systems.

The tests' goals are to (1) identify and resolve gaps in the electronic data, (2) verify the transfer of accounts and balances through system conversions (from paper ledgers to IRMS and from IRMS to TFAS), and (3) assess the completeness of the underlying electronic data. Additionally, in order to support the issuance of HSAs, the tests analyze the use and reuse of account numbers, and the association of account numbers to individuals. The completion percentage of the tests described below may increase or decrease over time based on the number of regions being reviewed, which are currently Alaska, Pacific, Western, Northwest, Great Plains and Rocky Mountain. During this reporting period, work began on the transactions in the Great Plains Region.

## **STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Office of Historical Trust Accounting**

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Transaction Mapping: Confirms whether transfer and reversal transactions posted are in balance within the IIM accounting system (*i.e.*, that no funds are missing from the electronic record or leaked out of the system). This test is 97% complete.

Disbursement Mapping: Confirms the status of disbursements issued during the timeframes of the Treasury CP&R System for check payments, and the Treasury PACER System for electronic payments. Additionally, this test is used to identify cancelled disbursements which should be re-credited to an IIM account belonging to the same account holder. The mapping of the CP&R data is 98% complete and no discrepancies were noted. The PACER mapping began during this reporting period.

Balance Comparison: Confirms whether transactions included in an HSA correspond to the final December 31, 2000, balance shown. This test is 100% complete for TFAS and 83% complete for the Electronic Ledger Era IRMS data. No discrepancies were noted.

Account Number Review: Ensures that OHTA provides the appropriate transactions to each IIM account holder receiving an HSA regardless of whether the account number was reused or changed historically. This test is 99% complete. To date, 1,439 reused account numbers have been identified and separated to associate transactions with the correct IIM account holder.

System Conversion Test: Confirms that all open accounts with a non-zero balance at the end of IRMS were converted to TFAS with the same balance. This test is 100% complete and no discrepancies were noted.

A preliminary listing of IIM accounts open during the pre-1985 Paper Ledger Era was prepared for testing the conversion from paper ledgers to IRMS.

The foregoing status includes the results of seven additional reports received by OHTA during the reporting period, including a summary report and individual reports on the results for each region tested.

### ***Land-to-Dollars Test***

A Land-to-Dollars test determines whether expected revenues documented by surface or subsurface leases are recorded as credits in the IIM Trust Fund systems for the Electronic Ledger Era. For this test, an allotment sample is randomly selected, revenue history constructed for the sample, and the necessary documents obtained to verify that collections were made and posted to the systems. The documents collected for the samples at the Colville Agency, the Uintah and Ouray Agency, and the Crow Agency (which commenced during this reporting period) were provided to the accounting firm contractors to review in order to identify the type, amount and number of revenue payments that would be expected. In some cases, further subsampling of revenue payments within a selected contract or lease may be required.

***Paper Ledger Era***

OHTA continues to research and examine Indian trust fund records from the Paper Ledger Era to determine the accuracy and reliability of transactions that may be included in HSAs for *Cobell* class members. During the previous reporting period, an initial pilot test sample of four accounts was selected from the list of IIM accounts that are known to originate in the Paper Ledger Era. The purpose of this exercise was to determine if complete ledgers could be recovered. The paper ledgers were located and digitized for the four accounts. Sampling of Paper Ledger Era transactions in the four accounts from the digitized ledgers was completed during this reporting period.

Also during this reporting period, a sample was drawn from the subpopulation of accounts either known or likely to have transactions beginning in the Paper Ledger Era and continuing into the Electronic Ledger Era. A search to locate the paper ledgers for these accounts began. When found, the Paper Era ledgers will be digitized to generate a list of transactions that will be sampled for reconciliation.

**Interest Recalculation for Land-Based IIM Accounts**

Before issuing HSAs to account holders, semi-annual and monthly interest accrual postings during the Electronic Ledger Era are being recalculated and compared to actual interest postings in the IIM Trust Fund for each Land-Based IIM account. Historically, interest factors were determined for each time period by BIA and later OST based upon the actual IIM Trust Fund common investment pool earnings.

During this reporting period, OHTA continued interest recalculation work for Pacific, Rocky Mountain, Northwest, and Western Region accounts, as well as for all accounts originating after the installation of TFAS. As of December 31, 2007, interest recalculations for 70,000 accounts had been substantially completed. The accuracy of interest postings are quality-control checked.

**Judgment and Per Capita IIM Accounts**

Results to date are summarized in *Status Report to the Court Number Twenty-Nine*. No further work was conducted on these accounts during this reporting period.

**Mailings to IIM Account Holders**

OHTA still awaits approval from the Court to mail 66,130 HSAs to Judgment and Per Capita IIM account holders. This total reflects the submission of three requests from the years 2005 to the present.

During the next reporting period, OHTA expects to seek approval to mail approximately 50,000 HSAs to Land-Based IIM account holders.

**OHTA SDA Distribution Project – Undistributed SDA Balances**

During the reporting period, OHTA’s work resulted in the distribution of more than \$2.1 million of SDA balances. As of December 31, 2007, more than \$49.6 million of SDA balances have been distributed. A total of 10,907 SDA, involving \$16.6 million, remain to be resolved and funds distributed. Of those SDAs, more than 7,700 have balances of less than \$500 each.

**Imaging/Coding - Individual Indian Trust Documents**

OHTA and its contractors continue to collect and image IIM transaction documents, and encode the data to be used to perform the historical accounting. The imaging process converts the original paper records into electronic images. The coding process captures specific identifying information (*e.g.*, IIM account number, date, type of transaction and amount) from an imaged document so that it is electronically retrievable in ART. A document may consist of several related records (images) that can be grouped together for further analysis.

All coded documents are quality-control checked for accuracy before being loaded into ART for analysis. OHTA and its contractors have never stored IIM transaction data used to perform historical accounting on a system connected to the Internet.

During this reporting period, OHTA completed scanning 1,436,604 IIM pages, coding 182,657 IIM documents and loading 166,346 IIM documents into ART. As of December 31, 2007, ART contained 10.8 million coded IIM images and 9.3 million coded tribal images, totaling 20.1 million coded images. The images coded to date total approximately 3.3 million IIM and tribal documents.

**OHTA’s Federal Records Management**

OHTA continues to work on the transfer of ART data and documentation to NARA’s Electronic and Special Media Records Services Division in College Park, MD. Specific hard drives that can accommodate the size/volume of system data to be copied and transferred have been special ordered; electronic copying of the system will take several weeks. Transfer of the system data and system documentation is now expected to occur during the next reporting period.

**Delays and Obstacles**

Lack of email connectivity has slowed OHTA’s ability to assist with SOL litigation efforts. OHTA also supports 100 tribal trust cases pending in multiple federal courts involving twenty-nine different judges. The continued lack of connectivity has adversely impacted OHTA’s productivity in supporting these tribal cases.

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Office of Historical Trust Accounting**

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**Assurance Statement**

I concur with the contents of the information contained in the Office of Historical Trust Accounting section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 31, 2008

Name: *Signature on File*  
Bert T. Edwards, Executive Director  
Office of Historical Trust Accounting

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**B. TRUST SERVICES – CURRENT ACCOUNTING**

**Introduction**

Current accounting activities focus on: (a) the trust funds accounting system; (b) special deposit accounts; (c) whereabouts unknown accounts; and (d) small balance accounts.

One of the mandates implicit in the 1994 Act is to provide adequate systems for tracking and managing trust assets. Interior converted to a new trust funds accounting system, TFAS, in April 2000. The system is used by seven of the ten largest commercial trust departments in the United States. TFAS allows Interior to reconcile with Treasury and value financial assets on a daily basis, invest with Treasury and meet the statement of performance requirements outlined in the 1994 Act.

Interior next converted its title records to an updated, automated title system, TAAMS Title, which was completed in CY2005. In FY2007, Interior completed the conversion of multiple legacy leasing systems to the TAAMS lease management application. As a result of this conversion, encumbrance and ownership information is reflected in TFAS. Statements of performance for beneficiaries are now enhanced by the information received from TAAMS. Funds received at the lockbox<sup>2</sup> now are automatically distributed. If a payment is received without an invoice, it requires research to determine how to distribute the funds. When the research extends beyond two business days, the funds are held in an interest bearing account. The funds in the interest bearing account are tracked, aged and reported by deposit in TFR.

SDA were formerly used as temporary accounts for the deposit of monies that could not immediately be credited to the proper owners. The SDA distribution project has two phases: the retrospective (pre-January 1, 2003, receipts) and the prospective (post-December 31, 2002, receipts). OHTA has responsibility for “resolution” (e.g., research and distribution of funds) of the retrospective phase, while BIA has comparable responsibility for the prospective phase.

Currently, agencies only use SDA for deposit of trust monies when distribution is delayed pending a reconciliatory action involving: 1) litigation or appeals; 2) legal opinions or policy changes; or 3) when a survey is required.

The previous *Report to the Court Number Thirty* referred to “T” SDA accounts. These remain only as flow-through tribal accounts for distribution of ILCP or proceeds of labor funds. These accounts are no longer categorized as SDA and therefore they will not be reported on in the future.

Accounts are classified as WAU for many reasons. New accounts (for financial and non-financial assets) are sometimes established without an address, often as a result of probate. Sometimes account holder statements are returned, due to an invalid address, or an account

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<sup>2</sup> “Lockbox” represents the process of using a post office box that the contractor or bank maintains to receive proceed for the sale or use of trust lands, which are then deposited for distribution to the beneficiaries.

holder refuses, or does not claim mail. A variety of methods and means are used to locate WAU account holders.

Small balance accounts are defined as those with balances of \$.01 - \$1.00 and no activity in the preceding eighteen months. Management expenses for these accounts are considerable, in part because (as directed by Congress) annual statements must be sent to these account holders.

**a. Trust Funds Accounting System**

**Current Status**

During this reporting period, all remaining agencies and regions were converted to TAAMS leasing. At all agencies, the interface between TAAMS and TFAS allows statements of performance to include ownership and encumbrance information of trust assets.

**b. Special Deposit Account Activity**

**Current Status**

BIA has the responsibility for distribution of SDA funds received since January 1, 2003 (prospective receipts). During this reporting period, there were 215 receipt transactions posted to SDA.

During this reporting period, aged funds (those held in SDA longer than 30 days) were held in 40 fewer SDA than in the previous reporting period. Undistributed aged receipts decreased by 130 and the combined dollar amount decreased by \$90,503.59. As of December 31, 2007, aged SDA totaled \$16,483.11 which represented 10 undistributed receipts, of which 9 receipts in 3 SDA totaling \$5,326.00 are aged more than one year. In addition, aged SDA totaling \$334,567.45, which represents 1,939 undistributed receipts, must remain in SDA due to ongoing activities which prevent distribution, including adjudication of range rates, need for cadastral surveys, need for SOL opinions and other litigation related matters.

OST staff and contractors assisted BIA staff in performing work necessary to distribute aged and current receipts at the Colville, Fort Belknap, Blackfeet, Crow, Pine Ridge, Western Nevada, Eastern Navajo Agencies, as well as the Navajo Region.

**Delays and Obstacles**

Inability to use the Internet continues to delay access to information useful to resolving SDA.

## STATUS REPORT TO THE COURT NUMBER THIRTY-ONE

February 1, 2008

Trust Services – Current Accounting

### c. Whereabouts Unknown Accounts

#### Current Status

Priority continues to be placed on securing current addresses for account holders of the rolling top 100 highest dollar balance WAU accounts. During this reporting period, 25 of the top 100 WAU accounts, with combined account balances in excess of \$2,012,155 were updated with current addresses.

During this reporting period, 19,115 accounts with a combined balance of \$4.8 million were added to the WAU list, and 11,866 account holders with a combined balance of \$11.7 million were located.

As of December 31, 2007, there were 77,953 WAU accounts with a combined balance of \$70.7 million. The following table illustrates the number of accounts stratified by account balance and WAU category.

Account Balance	Correspondence/ Check Returned	Account Setup/No Address	Awaiting Address Confirmation	Refused/ Unclaimed Mail	Total
Equal to or over \$100,000	14	12	0	0	26
Under \$100,000 and equal to or over \$50,000	28	12	0	0	40
Under \$50,000 and equal to or over \$5,000	2,401	754	1	1	3,157
Under \$5,000 and equal to or over \$1,000	5,868	1,571	0	5	7,444
Under \$1,000 and equal to or over \$100	9,608	3,587	7	3	13,205
Under \$100 and equal to or over \$1	17,079	6,219	14	5	23,317
Under \$1	11,567	19,163	32	2	30,764
<b>Total</b>	<b>46,565</b>	<b>31,318</b>	<b>54</b>	<b>16</b>	<b>77,953</b>

#### Delays and Obstacles

Due to implementation of the FTM, accounts continue to be created in TFAS for non-financial asset owners in order to generate asset statements. Many of these owners do not have current addresses. As a result, the total number of WAU has increased. After the FTM implementation is completed, however, the number of WAU is expected to stabilize. The accounts categorized

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Trust Services – Current Accounting**

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as WAU will then mainly consist of account holders that cannot be located, account holders that have moved without a forwarding address, and accounts that are established without an address for heirs of a probate or recipients of per capita distributions.

The lack of Internet access limits communication effectiveness and hinders locating WAU account holders. OST and its contractors must rely primarily on mail and telephone to maintain communication with IIM account holders.

**d. Small Balance Accounts**

**Current Status**

As of December 31, 2007, there were 18,058 accounts that have a \$.01 - \$1.00 balance with no activity for the previous 18 months. The total in those accounts is \$5,184.18. Statements are sent to account holders for these accounts on an annual basis pursuant to direction from Congress.

**Assurance Statements**

I concur with the content of the information contained in the Whereabouts Unknown Accounts subsection of the Current Accounting Activities section of the *Status Report to the Court Number Thirty-One*. The information provided in this subsection is accurate to the best of my knowledge.

Date: January 10, 2008

Name: *Signature on File*  
Bryan Marozas  
Program Manager, Trust Beneficiary Call Center  
Office of the Special Trustee for American Indians

I express no opinion on the content of the Whereabouts Unknown Accounts subsection, above. I concur with the content of the information contained in the balance of the Current Accounting Activities section of the *Status Report to the Court Number Thirty-One*, and this information is accurate to the best of my knowledge.

Date: January 25, 2008

Name: *Signature on File*  
Margaret Williams  
Deputy Special Trustee, Trust Accountability  
Office of the Special Trustee for American Indians

## **C. OFFICE OF TRUST RECORDS**

### **Introduction**

The Office of Trust Records was established in 1999 to develop and implement a program for the economical and efficient management of trust records, consistent with the 1994 Act, the Federal Records Act and other statutes and implementing regulations. The OTR records management program has been developed and implemented, and continues to evolve, to ensure that necessary Indian records are maintained, records retention schedules are consistent with retention needs, and records are safeguarded throughout their life-cycles.

### **Accomplishments**

#### **American Indian Records Repository**

The American Indian Records Repository was built by Interior in collaboration with NARA for the purpose of consolidating and preserving Indian records at one NARA regional records center. The facility, located in Lenexa, Kansas, opened in May 2004. Prior to the opening of AIRR, Indian records were stored in various NARA regional records centers, BIA, and other government facilities across the United States. All Indian records from the NARA regional centers have been shipped to AIRR, while records continue to be collected from the other locations for shipment to AIRR. Indian records are indexed at the AIRR Annex before being transferred to AIRR for storage. A file level index of the contents of each box is created and stored in an electronic data base called the Box Index Search System. Certain trust records are also indexed by type at the document level.

Approximately 10,670 boxes of inactive records were moved from BIA/OST field locations to the Lenexa Annex for indexing during this reporting period. Indexing of approximately 165,825 boxes has been completed as of the end of this reporting period. Approximately 163,296 indexed boxes have been sent to AIRR for permanent storage.

#### **Training**

OTR provided records management training for 265 BIA and OST records contacts and 173 tribal employees during this reporting period. OTR provides records management training to Tribes as they request training.

### **Current Status**

#### **Records Retention Schedules**

The Archivist of the United States approved records schedules for the following BIA electronic records systems on July 30, 2007: Social Services Automated System (SSAS), Colorado River Electrical Utility Management System (CREUMS), San Carlos Irrigation Project Continental

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Office of Trust Records**

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Billing System (CBS), and the Integrated Transportation Information Management Systems (ITIMS).

Records retention schedules for six BIA and one OST electronic records systems remain under NARA review.

**Delays and Obstacles**

Lack of Internet access continues to hinder OTR's ability to provide remote access to the record index database for authorized users of the records. If Internet access were available, authorized researchers could conduct their searches from their respective work sites and only visit AIRR when necessary to inspect specific boxes or request documents from specific boxes.

Court orders in tribal litigation continue to restrict movement of records to AIRR, which limits Interior's ability to consolidate Indian records in a central location, thus hindering its ability to provide records to parties in litigation.

**Assurance Statement**

I concur with the content of the information contained in the Office of Trust Records section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 17, 2008

Name: *Signature on File*

Ethel J. Abeita

Director, Office of Trust Records

Office of the Special Trustee for American Indians

**D. TRUST ACCOUNTABILITY**

**1. TRUST BUSINESS PROCESS MODELING**

**Introduction**

Interior is working to build a highly effective fiduciary trust services organization by implementing the business objectives contained in the Comprehensive Trust Management Plan. The CTM laid the groundwork for the development of the Fiduciary Trust Model. The FTM is being implemented to transform the current trust business processes into more efficient, consistent, integrated and fiscally responsible business processes that meet the needs and priorities of the beneficiaries. Implementation of the FTM is a collaborative effort of BIA, OST, BLM, MMS and OHA, and is integrated with Interior's other trust reform initiatives.

**Accomplishments**

Two reengineering staff members provided support for the Fort Berthold Agency oil and gas sale and developed a project plan for the effort. A tracking tool was developed to identify: pending and approved leases, the number of leases, the type of data that goes into the system and how to update it. Training was provided to agency staff on how to use the tracking tool. Technical assistance was also provided to the Ft. Berthold Agency on how to perform Trust Fund Receivable (TFR) monitoring and TAAMS inquiry reporting. Copies of the latest BIA minerals handbooks were provided and technical support was given on lease approvals, NEPA compliance, Indian Mineral Development Act (IMDA) lease reviews and what to do when drilling begins; e.g. rights-of-ways, field surveys; conducting individual well inspections and monitoring field development activities.

**Current Status**

Reengineering staff drafted BIA handbook updates for: Rights-of-Way for Minerals; Irrigation and Roads; Rights-of-Way Distributions; and Life Estates, and provided comments to BIA on the Real Estate Services for the Acquisition of Title to Land Held in Fee Simple or Restricted Fee-to-Trust Status handbook. These handbooks are expected to be issued by BIA during FY2008.

Reengineering staff drafted several policies for BIA to assist in eliminating probable issues including: standard late payment penalties; tribal land assignments; over/underpayments; early payments; subsidy program payments; unknown quantities (non-oil and gas); and payments received on expired leases. These drafts, along with a proposed agricultural standard lease form, were provided to BIA for review and approval during this reporting period. These handbooks are expected to be issued by BIA during FY2008.

Reengineering staff provided technical support for conversion of RDRS to the oil and gas royalty management module within TAAMS, including identification of additional system requirements.

## **STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Trust Business Process Modeling**

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Reengineering staff met with subject matter experts to discuss and respond to public comments about the proposed Phase I regulations and to make appropriate recommendations for revisions. Reengineering staff provided technical assistance in drafting or updating regulations this period, which included 25 CFR: part 150 (Land Records and Title Documents); part 162 (Leases and Permits); part 166 (Grazing Permits); part 169 (Rights-of-Way Over Indian Lands); and parts 200-207 (Energy and Minerals). In addition, reengineering staff participated in the initial drafting of trespass regulations and will continue into the next reporting period.

Reengineering staff continued to identify OST probate business processes for integration of ProTrac data with TAAMS and TFAS.

Reengineering staff continued to provide support for conversion of RDRS to the oil and gas royalty management module within TAAMS, which is expected to be completed by the end of FY2008.

### **Delays and Obstacles**

Lack of Internet access impedes communication with other trust bureaus and offices, and hinders the expansion of reengineered processes that utilize the Internet. This exacerbates the complexity of reengineering the existing trust business processes.

### **Assurance Statement**

I concur with the content of the information contained in the Trust Business Process Modeling section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 25, 2008

Name: *Signature on File*  
Margaret Williams  
Deputy Special Trustee, Trust Accountability  
Office of the Special Trustee for American Indians



## **2. TRUST DATA QUALITY AND INTEGRITY**

### **Introduction**

The success of trust reform depends, in part, on the accuracy of data generated from the maintenance of trust assets, ownership of trust assets, distribution of trust income, and management of trust accounts. The DQ&I project focuses on three primary initiatives.

The first initiative is assisting BIA with document encoding into TAAMS. On September 30, 2007, the BIA completed conversion to TAAMS Leasing, which is used to manage trust land activity. The BIA previously completed its conversion to TAAMS Title, which is used to record Indian title activity.

The second initiative involves the validation and correction of CDE to their respective source documents. CDE are defined as those trust data elements that are needed to provide: (1) timely and accurate payments to beneficiaries; (2) timely and accurate transaction listings and asset inventories to beneficiaries; and (3) effective management of the assets. Examples of CDE are beneficiary name, account number, tract identification number, and land ownership interests.

The third initiative is implementation of a Post-QA review process. The Post-QA review process helps to ensure the ongoing accuracy of CDE by comparing TAAMS document encoding to the respective source input document.

### **Accomplishments**

During this reporting period, TPMC's contractors completed:

#### **Encoding**

Encoding of surface leases for MWRO (298) and the Yakama (1,189), Spokane (320), Central California (16) and Papago (72) Agencies.

Encoding of right-of-ways for Spokane (233) and Siletz (34) Agencies.

Encoding of 1,475 mineral leases for Osage Agency.

#### **Research**

Researching land ownership interest variances for the Coeur d'Alene (2,554), Western Nevada (11,702), Uintah and Ouray (3,035) and Warm Springs (1,521) Agencies.

Researching 1,191 landowner ID numbers for the Western Nevada Agency.

Researching 218 contractor ID numbers for the Flathead Agency.

## **STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Trust Data Quality and Integrity**

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Returning remaining 8 FIMO mineral leases to BIA for further research.

### **Current Status**

The DQ&I Project staff continued to assist BIA with TAAMS Leasing post-conversion and TAAMS Title cleanup efforts by:

- Encoding surface leases for the Colville (181), Northern Idaho (444), Eastern Nevada (333), Flathead (954), Western Nevada (139), Puget Sound (206), Colorado River (23), Ft. Apache (25), Hopi (63) and Salt River (25) Agencies. Completion is expected during FY2008.
- Encoding 593 Global ID numbers and 462 trust deeds for NWRO LTRO. Completion is expected during FY2008.
- Encoding 270 ID numbers and 11 trust deeds for PRO LTRO. Completion is expected during in FY2008.
- Encoding 289 Global ID numbers for Colville Agency. Completion is expected during FY2008.
- Encoding 7 Global ID numbers for SPRO LTRO. Completion is expected during FY2008.
- Encoding 61 legal documents for Flathead Agency. Completion is expected during FY2008.
- Encoding land tracts in TAAMS Title for EORO LTRO (2,933) and ARO LTRO (2,770). Completion is expected during FY2009.
- Researching landowner ID numbers for the Ft. Yuma (200), Colville (671), Eastern Nevada (100), Siletz (10,213) and Spokane (295) Agencies; also at PRO LTRO (665) and SWRO LTRO (832). Completion is expected during FY2008.
- Researching land ownership interest variances for the Taholah (10,311), Northern Idaho (8,788), Umatilla (13,924), Puget Sound (4,889), Colorado River (399) and Central California (1,695) Agencies. OST estimates that Taholah Agency will be completed in FY2009 and the other locations in FY2008.
- Preparing probate modifications for the SWRO LTRO (52) and Western Nevada Agency (366). Completion is expected during FY2008.
- Chaining title history for 195 Colville Agency tracts. This task is expected to be completed later than FY2009, due to the large 5,600 tract universe.
- Conducting Post-QA review of 41,638 transactions encoded into the trust systems during the reporting period for a cumulative total of 184,768. This task will be on-going.

CDE validation/correction on non-income producing land tracts was not a TAAMS Leasing pre-conversion activity. The DQ&I Project staff is developing a strategy, based on risk, to determine the accuracy of these CDE. CDE validation/correction for non-income producing tracts is expected to be completed in FY2009.

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Trust Data Quality and Integrity**

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**Delays and Obstacles**

Lack of access to the Internet has resulted in: (1) communication delays; (2) adverse project coordination issues; (3) increased administrative program costs; and (4) the overall DQ&I project being unable to take full advantage of available information technology.

**Assurance Statement**

I concur with the content of the information contained in the Trust Data Quality and Integrity section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 29, 2008

Name: *Signature on File*

John E. White

Trust Reform Officer, Trust Accountability

Office of the Special Trustee for American Indians

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### 3. INDIAN FIDUCIARY TRUST TRAINING PROGRAM

#### Introduction

Interior has a continuing responsibility to provide adequate staffing, supervision and training for trust fund management and accounting activities. Fiduciary trust training is essential to the success of Interior's trust reform efforts and forms an integral part of all training for Interior employees who are involved in the management of Indian trust assets.

#### Accomplishments

The Cannon Financial Institute presented one Review & Exam course for the *Certified Indian Fiduciary Trust Specialist* certification program to eight OST, one BIA and one tribal employees. Nine passed the exam and were awarded their certifications.

The Cannon Financial Institute presented the new *Certified Indian Trust Examiners (CITE)* Course and Exam to 21 OTRA employees. All passed the exam and were awarded their certifications.

#### Current Status

During this reporting period, Cannon Financial Institute presented:

- An *Indian Fiduciary Trust Principles* course to 22 employees of OST, BIA and Tribes. Completion of this course, passing an exam and reviewing a DVD entitled *Fiduciary Concepts* are requirements of the *Certified Indian Fiduciary Trust Analyst* certification.
- Six specialty courses to 84 employees of OST, BIA and Tribes. The specialty courses, *Risk Management, Asset Management, Probate, Fiduciary Behaviors, Guardianships* and *Trust Accounting* are part of the *Certified Indian Fiduciary Trust Specialist* certification program.
- The *Trust Investments* course to five OST employees and one BIA employee.

During this reporting period, OST training staff conducted 12 training sessions for 109 employees from OST, BIA and contractors on the use of TFAS and related systems and reporting programs that include:

- CSS – used to enter, approve and post cash transactions;
- Stratavision – contains daily, weekly and monthly reports from OST systems for viewing by OST and BIA staff;
- Historical Query Database – contains account transaction history going back to 1985; and
- TFR – Trust Funds Receivable – used for tracking lockbox receipts.

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Indian Fiduciary Trust Training Program**

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OST and BIA staff presented five *Trust Fundamentals* courses to 154 employees of OST, BIA, USDA, OHA and Tribes. This course includes such topics as the history and policy of Indian trust, current trust reform activities, job roles and responsibilities, and organization and working relationships.

**Delays and Obstacles**

The lack of Internet access inhibits electronic communication with other government agencies and contractors, hinders the research of training tools and potential contractors, and restricts OST's ability to access on-line training programs.

**Assurance Statement**

I concur with the content of the information contained in the Indian Fiduciary Trust Training Program section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 10, 2008

Name: *Signature on File*

Dianne M. Moran

Director, Office of Trust Training

Office of the Special Trustee for American Indians

**4. RISK MANAGEMENT**

**Introduction**

The Deputy Special Trustee, Trust Accountability is responsible for overseeing OST's risk management program, which is implemented by the Trust Program Management Center.

TPMC risk management staff identify and document OST programs, policies, procedures and processes, both trust and administrative activities. TPMC staff also develop, operate and maintain risk-based management tools to support and monitor the risk levels and implementation of corrective actions. In addition, TPMC staff facilitate program reviews, which include testing of program operations, financial reports, and compliance with the law. These reviews provide the basis for OST's interim and annual statements of assurance.

**Accomplishment**

OST has expanded RM-PLUS to address risks and associated internal controls at the senior management level.

**Current Status**

OST is developing its FY2008 methodology and plan for the testing of program operations' efficiency and effectiveness, financial reporting reliability, and compliance with laws and regulations. These tests and reviews will provide the basis for OST's interim and annual statements of assurance.

As previously reported, OST submitted, draft guidance to PMB for trust bureaus and offices to meet the A-123 requirements. Until such time as PMB issues formal guidance, TPMC will continue to monitor OST's compliance with A-123.

OST completed the FMFIA and A-123 self-assessment testing for FY2007. As a result, 55 corrective action plans were opened. Of these 55, eight were closed. One from FY2006 remains open, resulting in a total of 48 open corrective action plans as of December 31, 2007.

OST has completed the interim and annual statements of assurance for FY2007. Both assurance statements issued were unqualified.

**Delays and Obstacles**

The lack of Internet access complicates coordination among bureaus and offices, and hampers implementation and use of RM-PLUS, since it is designed as a web-based application.

**Assurance Statement**

I concur with the content of the information contained in the Risk Management section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 10, 2008

Name: *Signature on File*

John Constable

Program Analyst

Office of the Special Trustee for American Indians



**5. TRUST REGULATIONS, POLICIES AND PROCEDURES**

**Introduction**

The Office of Trust Regulations, Policies and Procedures was established on April 21, 2003, to assist Interior in establishing “consistent, written policies and procedures for trust fund management and accounting,” as stated in the 1994 Act. OTP oversees and facilitates the development, promulgation and coordination of trust-related regulations, policies, procedures and other materials to guide the proper discharge of Interior’s fiduciary responsibilities. OTP is separate from the Office of Information Policy, which is responsible for policies, procedures and regulations, affecting Indian Affairs. OIP activities are reported in the Indian Affairs section of the report to the Court.

**Accomplishments**

During this reporting period, OTP published twenty-three, new or revised policies, procedures, and handbooks.

**Current Status**

In October 2007, OTP conducted a meeting with members of the Department-wide liaison group for trust policies and procedures to review trust-related directives.

OTP has initiated revisions to the Investing Desk Operating Procedures.

OTP has begun a review of all existing OST Delegations of Authority.

**Delays and Obstacles**

Lack of access to the Internet for research of statutes, the Federal Register and other resources continues to present challenges to this office.

**Assurance Statement**

I concur with the content of the information contained in the Office of Trust Regulations, Policies and Procedures section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 10, 2008

Name: *Signature on File*

Frank Morris, Acting Director  
Office of Trust Regulations, Policies and Procedures  
Office of the Special Trustee for American Indians

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**E. TRUST REVIEW AND AUDIT**

**Introduction**

OTRA reports directly to the Special Trustee for American Indians. OTRA was created by OST as a response to trust initiatives developed during the tribal consultation process of 2002. OTRA conducts performance audits, examinations and reviews of Interior entities as well as Tribes that perform fiduciary trust activities. Examinations are routinely conducted at locations that perform trust operations, resulting in a performance rating. Also, compliance reviews are undertaken in response to information and complaints received from beneficiaries, employees and the public.

**Current Status**

**Indian Trust Examinations**

During this reporting period, OTRA performed Indian trust examinations at 20 sites and issued 19 draft reports for comment, 24 final reports, and one follow-up verification report. Of the 24 final Indian trust examination reports issued, one office was rated “superior,” 18 offices were “satisfactory,” two offices were “in need of improvement,” and one office was “unsatisfactory.” Two Tribes were reviewed but not rated and instead OTRA issued letters of memoranda due to the very limited trust activity at those sites.

For those offices rated “in need of improvement” or “unsatisfactory,” OTRA reported 42 findings in the four component areas:

- Compliance – 21 findings, primarily involving forestry, non-agricultural leasing, acquisitions and disposals, and grazing.
- Operations – 11 findings involving cash management, probate, real estate services, and supervised accounts.
- Asset Management – 9 findings involving grazing, real estate services, wildland fire, and oil and gas.
- Management/Executive Direction – one finding involving real estate services.

**Records Assessments**

The record assessment is a focused evaluation of records maintenance and security. OTRA completed 15 trust record assessments and issued 17 final reports.<sup>3</sup>

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<sup>3</sup>For the second quarter of FY2007, the correct number of record assessments performed was 16, rather than the 17 reported.

**Compliance/Investigative Reviews**

During this reporting period, four new allegations and/or inquiries relating to trust operations were received. OTRA performed two investigative reviews. OTRA issued one draft investigative report for comment and three memoranda with results of OTRA's review.

OTRA issued 31 inquiries, seeking the status of corrective actions recommended from examinations performed in prior reporting periods.

**Delays and Obstacles**

Lack of Internet access impedes OTRA's work processes and its ability to communicate effectively, both internally and externally. OTRA is hindered in researching prior audits due to its inability to access the DOI, OIG, GAO and Single Audit Clearinghouse websites for audit information. In addition, OTRA cannot communicate via the Internet or email with the Tribes.

**Assurance Statement**

I concur with the content of the information contained in the Trust Review and Audit section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 18, 2008

Name: *Signature on File*

Julene Theis

Deputy Director, Office of Trust Review and Audit

Office of the Special Trustee for American Indians

**F. OFFICE OF APPRAISAL SERVICES**

**Introduction**

The Office of Appraisal Services, under a management agreement with the NBC-ASD, is responsible for Indian land valuations. The agreement was established to provide impartial estimates of market value for a variety of real property interests on land owned in trust or restricted status by individual Indians, Alaska Natives and Indian Tribes. Various regulations governing Indian trust lands require valuations. To meet this requirement, an appraisal or other valuation method is used to determine fair market value of Indian lands.

**Accomplishments**

During this reporting period, the FY2008 MOU with NBC was signed. Management and oversight of OAS continues to be provided by the NBC-ASD Chief Appraiser. The MOU stipulates that a new Deputy Chief Appraiser-OST/OAS position will be created and located in Albuquerque, NM. The new Deputy Chief Appraiser-OST/OAS will report to the NBC-ASD Chief Appraiser. In addition, the business management and administrative functions for OAS will now be performed by OST. NBC-ASD, also this reporting period, hired a new Chief Appraiser.

During this reporting period, OAS completed 2,071 real estate appraisals. An additional 575 reports were completed using the mass-appraisal system (ATLAS) by the Great Plains Region. ATLAS is a system which provides for reliable and efficient appraisal services in a region with a high volume of appraisal requests generated from sales and agricultural leases.

In FY2007, in support of ILCP, OME completed mineral assessments and market analyses for 31,491 parcels. During this reporting period, OME evaluated 6,719 parcels.

Compliance reviews led by NBC-ASD staff are conducted to ensure compliance with applicable professional standards and to enhance appraisal policies and procedures in OAS and ASD. During this reporting period, compliance reviews were completed in the Eastern and Southern Plains Regions.

**Current Status**

OAS continues to work with a contractor to update and enhance ITARS. In addition, due to the success experienced using ATLAS in the Great Plains Region, OAS is pursuing the acquisition of ATLAS, or a similar mass appraisal system, to be deployed throughout OAS.

OAS is working with the NBC acquisition group in Denver to expand indefinite-delivery, indefinite-quantity appraiser contracts at additional appraisal offices throughout Indian Country. These contracts are expected to result in a more effective and efficient contracting process.

**Appraisal Backlog**

For this reporting period, the “backlog” includes appraisal requests that contain all required supporting documentation and are more than 90 days old. The backlog also includes requests for review of appraisals performed by compacted and contracted Tribes that are more than 30 days old. Counting methodology varies from region to region. For example, some regions might count a right-of-way appraisal for a pipeline easement that crosses 20 allotments as a single appraisal, whereas other regions might count that same request as 20 appraisals. For this reporting period, the appraisal backlogs as reported by the regions are as follows:

<b>Region</b>	<b>Appraisal Backlog As of 06/30/07</b>	<b>Appraisal Backlog As of 12/31/07</b>
Northwest	18	223
Rocky Mountain	36	328*
Midwest	101	111**
Western	7	6
Southwest	10	38
Eastern Oklahoma	113	113
Navajo	12	5
Pacific	8	35
Alaska	330	122***
Eastern	0	0
Southern Plains	17	65
Great Plains	91	1,372****
<b>TOTAL</b>	<b>743</b>	<b>2,418</b>

\*This number includes 249 ILCP contracted appraisals to be reviewed.

\*\*This number includes 63 ILCP contracted appraisals to be reviewed.

\*\*\*This number reflects the cancellation in August 2007 of 161 requests or completed reports for advertised sales.

\*\*\*\*This number includes 1,309 requests (majority are ILCP related) that have been initiated, approved, accepted, and submitted for completion using ATLAS.

**Delays and Obstacles**

The inability to utilize the Internet as a tool to research comparable sales and market activities is a continuing hardship. Without the Internet, OAS has limited access to realtor, commercial services or county sale transaction data. OAS has to rely on data from contracted appraisals to obtain Internet-available information. OAS review appraisers are greatly disadvantaged without the Internet as a tool for testing the quality and quantity of comparable sales. Additionally, OAS staff analysis is restricted by not having access to mapping, utility and other descriptive land data that is available on the Internet.

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Office of Appraisal Services**

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**Assurance Statement**

I concur with the content of the information contained in the Appraisal section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 29, 2008

Name: *Signature on File*  
Debra J. Meisner  
Director, Administrative Operations  
Office of Appraisal Services

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## II. INDIAN AFFAIRS

### A. TRUST REGULATIONS, POLICIES AND PROCEDURES

#### Introduction

The Office of Regulatory Management in the Office of the Assistant Secretary – Indian Affairs assumed responsibility for this section of the status reports to the Court on November 30, 2007. ORM is responsible for review and revision of all regulations governing the Department’s management of the Indian trust. ORM is separate from OST’s Office of Trust Regulations, Policies and Procedures, whose activities are reported in the OST section of the *Status Reports to the Court*.

#### Current Status

**Regulatory Initiative** – Phase I of the Regulatory Initiative involves the promulgation of regulations related to probate, probate hearings and appeals, tribal probate codes, life estates and future interests in Indian land, and conveyances of trust or restricted land. The work groups continued to consider and incorporate comments in anticipation of the final rule. The final rule is expected to be published in the Federal Register in the first quarter of CY2008.

Phase II includes the Tribal Trust Fund Accounting and Appeals regulation. This phase includes tribal consultation and publication of the draft rule. Although Interior continues to update departmental guidance and handbooks relating to 25 CFR 151, the land acquisitions regulation, revising that regulation is no longer a part of Phase II.

During CY2007, Interior began work on Phase III of the Regulatory Initiative. This phase includes tribal consultation and promulgation of regulations affecting leasing, grazing, and rights-of-way. This phase now also includes 25 CFR 150 (Indian Land Title of Record), which was originally proposed as part of Phase I of the Regulatory Initiative. Interior expects to begin consultation with Tribes on preliminary drafts of these regulations in the first quarter of CY2008.

**25 CFR 200 to 207 – Minerals Leasing, Development, Exploration and Reclamation** – These new CFR parts will reorganize and update current provisions related to leasing, development and exploration of minerals to increase user friendliness. Subject matter experts within Interior are drafting these changes and expect to have a draft complete by the second quarter of CY2008. These parts are expected to incorporate revisions to the existing regulation, 25 CFR 216.

**25 CFR 224 – Tribal Energy Resource Agreements** – The Office of Indian Energy and Economic Development submitted the draft final rule to OMB for review in October 2007. The Office expects to receive OMB’s comments in January 2008 and to publish the final rule during the first quarter of CY2008.

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Trust Regulations, Policies and Procedures**

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**Delays and Obstacles**

Lack of access to the Internet has hindered ORM's ability to research statutes and departmental manuals, and makes distribution of documents for review by Tribes more difficult and costly. In addition, ORM staff must routinely communicate with, but does not have email connectivity to, the Office of the Executive Secretariat, SOL, Departmental staff, OMB and NARA.

**Assurance Statement**

I concur with the content of the information contained in the Trust Regulations, Policies and Procedures – Indian Affairs section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 14, 2008

Name: *Signature on File*  
Michele F. Singer  
Director, Office of Regulatory Management

**III. BUREAU OF INDIAN AFFAIRS**

**A. FRACTIONATION**

**Introduction**

Fractionation of Indian trust and restricted land stems from the federal Indian policy of the 19<sup>th</sup> century. Fractionation occurs as land passes from one generation to the next, and more and more heirs or devisees acquire an undivided interest in the land. This is a complex and potentially emotion-charged issue, due primarily to cultural differences, historical legacy and family associations of the present owners with the original Indian owners of those lands. Efforts to address this complex issue are coordinated primarily through the BIA Indian Land Consolidation Office, which seeks to help Tribes make use of the opportunities offered by the Indian Land Consolidation Act, as amended in 2004. ILCO is operating several acquisition projects that purchase undivided interests in highly fractionated tracts and transfer title to the Tribes.

**Accomplishments**

Tribes acquired 100% of 109 tracts during this reporting period. As a result of ILCP purchases, Tribes now have 100% ownership of 399 tracts.

During FY2007 ILCP acquired:

- 99,840 total interests.
- 168,683.33 acre-equivalents.

During this reporting period ILCP acquired:

- 25,212 fractional interests.
- 33,014.74 acre-equivalents.

Of the total interests acquired during this reporting period, 88% were interests of less than 2% ownership in the respective tracts of land.

**Current Status**

- ILCP efforts to support the Great Plains Region LTRO by assisting with recording deeds, re-vesting *Youpee* interests, researching ownership files and recording to ownership records have been reduced to provide additional funding for acquisitions.
- A total of 15 reservations located in four BIA Regions are participating in ILCP. Due to exhaustion of funds specifically appropriated for acquisition of fractionated interests on behalf of the Quapaw Tribe of Oklahoma, ILCP active sales efforts there have ended.

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Fractionation**

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**Delays and Obstacles**

- Probate and LTRO backlogs and *Youpee* issues continue to impede acquisitions.
- Lack of Internet access results in slower processing of applications from potential sellers and hinders searches for WAU account holders.

**Assurance Statement**

I concur with the content of the information contained in the Fractionation section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 7, 2008

Name: *Signature on File*

Robert R. Jaeger  
Director, Indian Land Consolidation Office  
Bureau of Indian Affairs

**B. PROBATE**

**Introduction**

Federal law permits Indian land owners to pass title to their trust assets by testamentary devise or by intestate succession, and imposes upon Interior the duty of determining the legal heirs. BIA, OHA and OST must coordinate their work to complete the probates of Indian estates. Information on the status of probates is contained within the ProTrac system. Each BIA regional office and corresponding agency is responsible for encoding new cases, examining “initial load” cases and making corrections. The majority of the data-cleanup for ProTrac has been completed, which should make ProTrac a more complete source of probate data.

**Accomplishment**

As of the end of FY2007, BIA had completed case preparation for approximately 98% of the backlog estates.<sup>4</sup> BIA expects that the remaining backlog estates will be closed and distributed by the end of FY2008.

**Current Status**

**Case Preparation**

Case preparation is the initial stage of the probate process. During this stage information is researched and gathered regarding the identity and whereabouts of potential heirs, and an inventory of the trust assets of an estate is prepared. According to ProTrac, 7,712 probate cases are in the case preparation stage.

**Case Adjudication**

Depending on the complexity of the case, probates are adjudicated by OHA Administrative Law Judges, Indian Probate Judges, or Attorney Decision Makers. According to ProTrac, 5,233 probate cases are in the case adjudication stage. As reported by OHA, deciding officials received 3,452 cases and issued decisions in 3,507 cases. OHA reported 3,927 cases pending.

**Case Closure**

Cases in the closing stage are ones that have been adjudicated but not updated in TFAS, LTRO or the Lease Distribution System. According to ProTrac, there are 3,069 cases in the closing stage, and 1,164 cases were closed during this reporting period.

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<sup>4</sup> The “backlog” is defined as all cases that were known to the Department on or before September 30, 2005, for which the date of death was either unknown or prior to January 1, 2000.

**Financial Case Closure**

Financial case closure is the posting and recording of ownership and distribution of assets after the case has been adjudicated. OST reported that it distributed funds and closed 3,793 accounts in TFAS, representing 3,675 estates. As of the end of December 2007, TFAS contained 33,396 open estate accounts, which is an increase of 1,662 from the 31,734 estate accounts at the end of the prior reporting period.

**Delays and Obstacles**

The following obstacles have been identified as having an impact on the progress of the probate program:

- Lack of Internet access, which impedes BIA's ability to identify and locate heirs, and its ability to communicate with state, federal and tribal agencies;
- Continued fractionation of ownership of Indian lands; and
- Cultural differences regarding the subject of death and funerals.

**Assurance Statement**

I concur with the content of the information contained in the Probate section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 14, 2008

Name: *Signature on File*  
William Titchywy  
Director, Probate Division  
Office of Trust Services  
Bureau of Indian Affairs

**IV. OTHER TOPICS**

**A. INFORMATION TECHNOLOGY**

**Introduction**

This section describes the status of Interior IT systems, particularly the systems that house or provide access to IITD or provide various computing capabilities, including functions critical to the proper administration of the individual Indian trust responsibilities within Interior. In addition, this section describes various efforts being made to improve IITD security within Interior, pursuant to OMB Circular A-130 Appendix III, and challenges due to the lack of Internet connectivity at four bureaus and offices.

**Accomplishments**

**Staffing:**

- The BIA CIO was selected, effective August 20, 2007.
- The following positions were also filled during the reporting period:
  - MMS IT Security Manager
  - BLM IT Security Manager
  - NBC IT Security Manager

**IT Systems Architecture:**

As reported previously, efforts are being made to offer connectivity to compacting and contracting tribes for access to Interior trust systems. Progress continued through this reporting period and the Morongo Tribe was connected into BIA's TrustNet on September 4, 2007.

**Computer Security:**

Interior continues to make progress in enhancing IT security through improvements to security monitoring processes and the re-Certification & Accreditation of systems. The most noteworthy accomplishments during the reporting period are described below.

***Prevention and Monitoring:***

- ESN completed an upgrade to 28 network intrusion detection systems in the TrustNet environment.
- ESN perimeter security controls, which are the first line of defense, successfully blocked over six million network attacks during the reporting period. The increase in the reported successfully blocked attacks is a result of new signatures added to the perimeter security controls by ESN.
- BIA hired 10 additional CSIRT personnel.

***Policies and Guidance:***

- On July 26, 2007, the Interior CIO issued “Bureau and Office Use of Draft Departmental IT Security Policy Handbook.” This memorandum encouraged bureaus and offices to be early adopters of the draft IT Security Policy Handbook to benefit their IT Security Program.
- On November 21, 2007, the Interior CIO issued “Security Technical Implementation Guide (STIG) for Windows XP.” This directive established the Interior baseline STIG for Windows XP operating systems.

**Current Status**

**Reconnection Planning:**

As reported in the *Status Report to the Court Number Thirty*, Interior is preparing to reconnect BIA, OST, SOL and OHA to the Internet. As part of the reconnection process, Interior continues to assess, prioritize, and mitigate vulnerabilities through internal processes and independent verification. The last step of connecting to the Internet will not be performed until Interior has filed documents with the Court regarding the contemplated reconnection of a bureau or office and the Court has considered vacating the Consent Order with respect to the relevant bureau or office. On November 9, 2007, Interior filed its first submission with the Court, on behalf of SOL.

- ESN completed a re-engineering of network architecture in order to prepare for such reconnection of SOL to the Internet.
- In preparation for the TrustNet bureau and offices’ (BIA, OST, and OHA) reconnection to the Internet, BIA deployed and integrated 12 additional security and network management tools for TrustNet. The additional tools provide enhancements to or new capabilities to their: anti-virus, web content filtering, SPAM filtering, network access control, and application firewall services.

**Plan of Action and Milestones:**

Interior continues to identify, prioritize, track and correct security weaknesses using the POA&M process. This process includes the proactive identification of weaknesses through self-assessments, independent financial audits and findings based on OIG reports. In order to prioritize resources and remediation efforts, the risk level of each weakness is rated as high, medium or low.

- During the reporting period, Interior reported to OMB that 268 weaknesses were eliminated and 98 new weaknesses were identified and added. These weaknesses reflect only trust systems at each of the trust bureaus and offices.
- At the end of this reporting period, there are 392 weaknesses associated with Trust systems. Of the 392 open weaknesses, 31 (8%) are rated high, 235 (60%) are rated medium and 127 (32%) are rated low. None of the 31 open high risk weaknesses are associated with the TrustNet-to-ESN connection.



**A-130 Certification and Accreditation:**

All trust systems that are currently tracked in DEAR continue to have full ATO status. ATO status has to be renewed every three years or if a system undergoes a significant change. During this reporting period:

- Full ATO was granted for each of the four BIA GSS zones.
- Full ATO was renewed after the re-C&A of ITIMS and ZANTAZ.
- Full ATO was renewed after the re-C&A of the following OHTA systems:
  - ART
  - OHTA Local Area Network
- Full ATO was granted for the following OHTA systems:
  - OHTA Local Area Network Infrastructure Environment
  - OHTA Domain Controller.
- Full ATO was granted for the following contractor operated OHTA systems:
  - OHTA Clifton Gunderson Indian Trust Information System
  - OHTA Ecompex Imaging, Coding and Digitization System
  - OHTA FTI Indian Trust Information System

**ZANTAZ:**

Interior accepted the final report deliverables from the contractor that completed forensic analysis of the 268 blank BIA tapes documented in the *Status Report to the Court Number Twenty-Five*. Recommendations have been reviewed and incorporated into processes.

**Training and Awareness:**

As reported in the *Status Report to the Court Number Twenty-Nine*, the Interior CIO issued a memorandum requiring all users of Interior IT systems to complete annual security awareness training no later than July 31, 2007. The annual security awareness training was completed by 100% of the users by the required date of July 31, 2007.

**Incidents:**

- As reported in the *Status Report to the Court Number Thirty*, OHA reported the potential misuse of a laptop computer in December 2006. During this reporting period, OHA's investigation determined that Indian trust data from probate hearings had been erased from the laptop. However, the investigation also revealed that the Indian trust data from the hearings had been properly backed up to the network server and, therefore, no Indian trust data was lost as a result of the employee's actions.
- As previously reported, in January 2007 a BIA contractor shipped four BIA computers without following the required "wipe and backup" procedures. BIA completed an investigation and determined that the data on the systems had not been accessed. Based on the BIA investigation, OIG plans no additional action.
- As reported in the *Status Report to the Court Number Thirty*, on May 18, 2007, MMS removed two desktop systems from their network due to suspicious communications. OIG received the hard drives provided by MMS in order to maintain the images from the hard drives for a period of time in order to compare it to any potentially suspicious activities that may occur in the future.

- As reported in the *Status Report to the Court Number Thirty*, on June 11, 2007, MMS anti-virus protection system detected and deleted malicious keystroke logging software. The OIG received the hard drive from MMS and will maintain the image from the hard drive for a period of time in order to compare it to any potentially suspicious activities that may occur in the future.
- On July 20, 2007, BIA identified an unauthorized network connection at the Fort Hall Agency, Idaho. A BIA IT specialist was dispatched to the site and discovered that the Shoshone-Bannock Tribe had established an unauthorized connection to one of BIA's switches, but that the tribal computers had not accessed any BIA resources. The connection was removed and additional security controls have been implemented to prevent such an incident from occurring in the future.
- On July 27, 2007, a computer containing PII, TAAMS logs, homesite leases and surveys, lease payment letters and probate modifications data was stolen from the BIA main administration building in San Carlos, Arizona. The incident was reported to Interior CIRC, BIA law enforcement and OIG. BIA law enforcement is pursuing the incident and OIG does not expect to take any action on this incident.
- On September 5, 2007, BIA's CSIRT discovered a router installed by Verizon at the Morongo tribal site that was not properly configured and could have potentially enabled an unauthorized user to log onto the router without a user ID or password. The incident was reported to Interior CIRC team, Verizon corrected the problem, and the router was scanned by the BIA CSIRT to ensure the mis-configuration was resolved.
- On September 29, 2007, a laptop was stolen in Phoenix, Arizona from an OHA employee's residence. The incident was reported to Interior and NBC CIRC's, OIG, United States Computer Emergency Readiness Team<sup>5</sup>(US-CERT), and the Phoenix police department. OIG does not plan to take action regarding the incident. The employee used the laptop to draft Indian probate decisions and then save the decisions onto a USB thumb drive. The laptop hard drive was not used to save the Indian probate decisions. Interior CIRC noted that there may be a potential for data remnants on the laptop even if the information was saved directly to the USB thumb drive. This matter is still under investigation by the NBC CSIRT and the Interior Privacy Act officer.

**Reports:**

These reports were among those issued during this reporting period.

- GAO issued the following report that relates to information security across all federal agencies: "Information Security: Despite Reported Progress, Federal Agencies Need to Address Persistent Weaknesses."
- OIG issued the "FY2007 FISMA Report." This report presents the results of the OIG's annual evaluation of Interior's IT security program, as required by FISMA. It noted Interior made "good progress" in a number of key FISMA areas, including improvements in system categorizations, annual self-assessments, and the POA&M process. However, the OIG found that the Interior information security program has not been consistently

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<sup>5</sup> US-CERT is the federal incident response center within the Department of Homeland Security. FISMA requires all federal agencies to report suspected and confirmed PII data breaches to the federal incident response center.

implemented throughout Interior, and challenges still remain in the C&A program and system configuration management.

- As reported in the *Status Report to the Court Number Thirty*, on March 13, 2007, OIG issued a Notice of Findings and Recommendations. Interior took the necessary steps to respond to the findings in that report, and the OIG investigation that was initiated as a result of this NFR is completed. On July 18, 2007, Interior released version 1.0 of the Defense-in-Depth Strategic Plan. Interior considers the matter closed.

### **Delays and Obstacles**

Like other federal agencies, Interior must address many challenges regarding the integration, performance, funding, security, and data integrity of IT systems. Interior initiated or completed steps to address some of the challenges reported in this and previous reporting periods. However, delays and obstacles listed below impede progress in achieving Interior's IT management goals.

### **Staffing**

Interior continues to experience high staff and management turnover in critical IT positions, particularly IT security.

### **Funding and Resources**

- Limited congressional appropriations have impacted the ability of Interior to fill personnel vacancies, complete projects and meet deadlines.
- Court orders requiring bureaus and offices to maintain email backup tapes for indefinite periods require the acquisition and maintenance of an extremely large volume of expensive backup tape media. This cost burden on Interior bureaus and offices has diverted funding from other Interior programs.

### **Denied Internet Access**

Four Interior bureaus and offices (BIA, OHA, OST and SOL) have not been permitted by the Court to have Internet access since December 5, 2001. As previously reported and detailed in the *Status Report to the Court Number Twenty-Eight*, lack of Internet access impedes work processes and the ability to communicate effectively, both internally and externally.

Lack of access to the Internet continues to cause daily inefficiencies for the off-line bureaus. Specific examples include:

- Litigation in federal court and administrative tribunals with multiple parties located all over the country is commonplace in Interior. In many cases, the judge and all of the parties except Interior conduct all of their legal matters over the Internet. Some tribunals require electronic filing. Interior attorneys use slow and perennially-busy fax machines to send and receive lengthy documents, causing delay and inconvenience not only for themselves but for the other parties. Alternatively, they must leave their offices and travel to their homes or their client agencies' offices (if those locations have computers authorized for such use) in order to send and receive documents. This time-wasting scenario is multiplied when drafts must be exchanged between field offices and

headquarters, between client agencies and the Solicitor's Office, and between the Department of Justice and the Solicitor's Office.

- Much information critical to Interior is accessible only on-line. Examples are some tribal statutes and regulations, the U.S. Patent and Trademark Office registry of logos and trademarks, GAO opinions, and licenses for commercial products being used by Interior.
- Participation in certain federal initiatives such as Continuity of Operations Plans, Influenza Pandemic Planning, and Homeland Security projects, is difficult if not impossible without Internet access, since some of these projects require review of sensitive documents available only through limited-access, secure Internet portals.
- Investigation of criminal use of Interior-owned seals and logos on the Internet (a problem especially for the National Park Service) cannot be accomplished on off-line computers.
- Ordinary office procedures that occur hundreds of times per day, which, if done on-line would take only seconds or minutes, instead require multiple telephoning and/or faxing. Support, program, and professional staff must have basic information for a wide variety of purposes: phone numbers of specific staff in government agencies; date of death for probates; vehicle values for tort claims; airline schedule and mileage for travel planning; price comparison for procurement activities; tracking information to locate FedEx packages, etc.

**Assurance Statement**

I concur with the content of the information contained in the Information Technology section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 24, 2008

Name: *Signature on File*

Michael J. Howell, Jr.

Department of the Interior Chief Information Officer

## **B. CADASTRAL SURVEY**

### **Introduction**

Cadastral surveys provide assurance that land boundaries for individual Indian and tribal trust and restricted lands are identified appropriately. By federal law, surveys of Indian lands are to be performed under BLM's direction and control and in conformity with the rules and regulations under which other public lands are surveyed. Official surveys, whether preexisting or new, identify the location of land boundaries of Indian trust assets and determine official acreage. The official surveys are integral to realty transactions, resource management activities, litigation support and the federal system of patent, allotment and land tenure records maintained by BLM, BIA and local governments. Ownership information, distribution of land-based trust assets, and management of land-based trust accounts may be related to or based upon information recorded in official surveys.

### **Accomplishments**

#### **Interior Standards for Indian Trust Lands Boundary Evidence**

A new departmental manual, 303 DM 7, The Standards for Indian Trust Lands Boundary Evidence, became effective October 9, 2007. The Standards were developed jointly by the BIA, OST, BLM, and Tribal and Alaska Native Corporation Representatives for the guidance of Departmental employees, CFedS, and pre-approved agency or tribal officials or agents when gathering boundary evidence. The Standards provide a standardized system of identifying and documenting boundary evidence for trust and restricted lands. They are designed to assist the BIA, BLM and trust asset managers in determining that real estate activities, trust beneficiary rights, and parcel boundaries are located correctly on trust and restricted lands. These standards are expected to increase efficiencies in land transactions and boundary issues by establishing standard processes and formal procedures for consultation activities between title and realty specialists, resource managers and cadastral surveyors on land tenure and boundary issues. The standards should also save money, improve record systems and standardize existing processes. Other Interior bureaus and offices will be able to use these standards. BLM is monitoring use of the standards through a performance tracking system.

#### **Survey Production and Backlog**

BLM approved a total of 55 completed survey projects during this reporting period. These surveys produced 75 plats, 1,247 miles of survey line and an additional 2,448 survey monuments in Indian Country.

Only five backlogged surveys (pre-FY2006), remain after this reporting period. Surveys are considered works-in-progress using a two-year cycle and are not considered backlogged during that time. Backlogs may occur as a result of litigation, water boundary issues, weather, budget, project scope, etc.

**Certified Federal Surveyor Program**

The BLM Cadastral Program has deployed the CFedS program, a voluntary certification for state licensed land surveyors. This certification is enhancing cadastral services under the direction and control of BLM on Indian lands. It is anticipated that the CFedS program will assure boundary integrity, and should increase the production of marked and documented trust lands and their boundaries. During this reporting period:

- The second certification exam was offered in this reporting period with 69 passing the exam. There are now 138 CFedS holding license in 39 different states.
- An open registration period for the CFedS program began this reporting period. Four hundred sixty-nine professional land surveyors enrolled and are currently participating in the CFedS program.
- At the FY2007 BIA Northwest Region Realty Conference, BLM gave a presentation on the “Implementation of the Standards for Indian Trust Land Boundary Evidence.” All CFedS licensed to practice in the four states within the Northwest Region were invited to attend and participate. Of those invited, 46% attended the conference and participated in a half day work session. At the session CFedS and the bureaus worked together to plan future survey activities.
- Tribes are beginning to contract with CFedS to provide a wide range of survey services in Indian Country. The first CFedS federal authority survey was completed at Agua Caliente Indian Reservation. This project consisted of resurveying and subdividing approximately  $\frac{3}{4}$  of a mile of line and setting five monuments to identify the parcel.
- BLM began developing six advanced continuing education courses.

**Current Status**

**Implementation of the FTM**

During this reporting period, BLM continued to implement FTM goals. These goals as they relate to cadastral services are: (1) funding and support for the 12 BLM Indian Lands Surveyors located in the BIA Regions; (2) deployment and continued development of the CFedS program; (3) improving and extending the PLSS within Indian Country; and (4) creation of a CGIS to be used as a foundation layer of BIA and tribal GIS, which should include legal land descriptions, ownership status, uses and encumbrances, as well as surveys. BLM and BIA started collecting data for the pilot project areas, which will be used to determine the feasibility of spatially mapping and displaying CGIS data residing in TAAMS. This pilot is scheduled to be completed by the end of the second quarter of FY2008.

**Delays and Obstacles**

**Disconnection from the Internet**

The Court-ordered disconnection from the Internet continues to hamper communications and service delivery between BLM, BIA, OST and SOL. For example, BLM's lack of ability to exchange electronic drafts and comments with SOL and BIA has slowed progress on the BLM and BIA manuals and handbooks for the Interior Standards for Indian Trust Lands Boundary Evidence.

Additionally, Internet disconnection adversely impacts the way CARS is being implemented. BLM's productivity has decreased, and the cost associated with dual networks has caused the cost of survey services to increase. This issue continues to impact BLM's ability to provide cadastral services in an effective and cost efficient manner to its trust clients.

**Funding of the FTM**

Proper planning, scheduling and implementation of future FTM work are dependent on funding. The reduced level of funding and delay in enacting Interior's FY2008 appropriation continued to impact negatively the implementation of the FTM initiatives. Planning survey projects involves long-term commitment of professional services. Uncertainty of funding impacts the planning for resources, which increases overall costs.

**Assurance Statement**

I concur with the content of the information contained in the Cadastral Survey section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 22, 2008

Name: *Signature on File*  
Donald A. Buhler  
Chief Cadastral Surveyor  
Bureau of Land Management

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**C. MINERALS MANAGEMENT SERVICE**

**Introduction**

Minerals Revenue Management, an MMS program, is responsible for collecting, accounting for, and distributing mineral revenues from both federal and Indian mineral leases, and for evaluating industry compliance with laws, regulations and lease terms. MRM maintains reported information and distributes revenues at the lease level. BIA maintains individual Indian ownership records that are used to provide information to OST for disbursement of the lease revenues to individual Indian beneficiaries.

**Accomplishment**

**Indian Oil Valuation Rule**

MMS published a final Indian Oil Valuation Rule in the Federal Register on December 17, 2007. The final rule becomes effective on February 1, 2008, and contains technical corrections to the 1988 Indian Oil Valuation Rule. MMS expects to address issues regarding the “major portion” calculation for oil produced from Indian leases in a negotiated rulemaking committee. The negotiated rulemaking committee plans to convene after membership nominations have been solicited, accepted, and selections made.

**Assurance Statement**

I concur with the content of the information contained in the Minerals Management Service section of the *Status Report to the Court Number Thirty-One*. The information provided in this section is accurate to the best of my knowledge.

Date: January 24, 2008

Name: *Signature on File*

Richard J. Adamski  
Chief of Staff  
Minerals Revenue Management  
Minerals Management Service

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**ACRONYMS AND ABBREVIATIONS**

1994 Act (or Act) 2007 Plan	American Indian Trust Fund Management Reform Act of 1994 Plan for Completing the Historical Accounting of Individual Indian Money Accounts
A-123	Office of Management and Budget Circular A-123, Management's Responsibility for Internal Control
A-130	Office of Management and Budget Circular A-130 Appendix III
ACSM	American Congress on Surveying and Mapping
ADM	Attorney Decision Makers
AFMSS	Automated Fluid Mineral Support System
AIMS	ActivCard Identity Management System
AIPRA	American Indian Probate Reform Act
AIRR	American Indian Records Repository
ALIS	Alaska Land Information System
ALJ	Administrative Law Judges
ARO	Alaska Region office
ARRTS	Appraisal Request and Review Tracking System
ART	Accounting Reconciliation Tool
AS-IA	Assistant Secretary-Indian Affairs
ASD	Appraisal Services Directorate
ASM	Accounting Standards Manual
ATLAS	AgWare Trust Land Appraisal System
ATO	Authority to Operate
BIA	Bureau of Indian Affairs
BIAM	Bureau of Indian Affairs Manual
BILS	BLM Indian Lands Surveyors
BISS	Box Index Search System
BITSM	Bureau Information Technology Security Manager
BLM	Bureau of Land Management
BOR	Bureau of Reclamation
BPA	Blanket Purchase Agreement
BRM	Business Reference Model
C&A	Certification and Accreditation
CARS	Cadastral Automated Request System
CBS	San Carlos Irrigation Continental Billing System
CDE	Critical Data Elements
CFedS	Certified Federal Surveyor
CFI	Continuous Forest Inventory
CGI	Software vendor successor to TAAMS vendor
CGIS	Cadastral Geographic Information Systems
CI Manual	Coding and Imaging Manual
CIFTA	Certified Indian Fiduciary Trust Analyst
CIFTS	Certified Indian Fiduciary Trust Specialist
CIO	Chief Information Officer

## **STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

### **Acronyms and Abbreviations**

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CIRC	Computer Incidents Response Center
CISO	Chief Information Security Officer
CISSP	Certified Information System Security Professional
CITE	Certified Indian Trust Examiners
CMS	Credential Management System
COTS	Commercial off-the-shelf
CP&R	Check Payment and Reconciliation
CPIC	Capital Planning and Investment Control
CREUMS	Colorado River Electrical Utility Management System
CSIRC	Computer Security Incident Response Capability
CSIRT	Computer Security Incident Response Team
CSS	Customer StrataStation
CTM	Comprehensive Trust Management Plan
DAA	Designated Approving Authority
DEAR	DOI Enterprise Architecture Repository
DDoS	Distributed Denial of Service
DLRM	DOI Land and Resource Management
DM	Departmental Manual
DMZ	De-Militarized Zone
DNS	Domain Name Server
DOI	Department of the Interior
DOP	Desk Operating Procedure
DoS	Denial of Service
DQ&I	Data Quality and Integrity
DRM	Data Reference Model
EA	Enterprise Architecture
ENA	Eastern Navajo Agency
EORO	Eastern Oklahoma Region office
ERA	Electronic Records Era
ERO	Eastern Region office
ESN	Enterprise Services Network
ETP	Enterprise Transition Plan
FAMS	Facilities Asset Management System
FAR	Federal Acquisition Regulation
FBMS	Financial Business Management System
FFMIA	Federal Financial Management Improvement Act
FIMO	Farmington Indian Minerals Office
FIPS	Federal Information Processing Standards
FISMA	Federal Information Security Management Act
FMFIA	Federal Managers' Financial Integrity Act
FOIA	Freedom of Information Act
FRC	Federal Records Center
FRD	Functional Requirements Document
FTM	Fiduciary Trust Model
FTO	Fiduciary Trust Officer

## **STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

## **Acronyms and Abbreviations**

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FWS	U.S. Fish and Wildlife Service
GAO	Government Accountability Office
GCDB	Geographic Coordinate Data Base
GIS	Geographic Information System
GLO	General Land Office
GLADS	Great Lakes Agency Database System
GPRO	Great Plains Region office
GPS	Global Positioning System
GSA	General Services Administration
GSS	General Support Systems
HSA	Historical Statement of Account
HSPD-12	Homeland Security Presidential Directive 12
IAM	Indian Affairs Manual
IATO	Interim Approval to Operate
ICR	Internal Control Review
ICRs	Information Collection Requests
IEA	Interior Enterprise Architecture
IFTR	Indian Fiduciary Trust Records
IG	Inspector General
IIM	Individual Indian Money
IITD	Individual Indian Trust Data
ILCA	Indian Land Consolidation Act
ILCO	Indian Land Consolidation Office
ILCP	Indian Land Consolidation Project
IM	Instruction Memorandum
IMDA	Indian Mineral Development Act
InfoDat	Indian Forestry Database
Interior	Department of the Interior
IP	Internet Protocol
IPJ	Indian Probate Judges
IPS	Intrusion Protection System
IPv6	Internet Protocol Version 6
IQCS	Incidence Qualification and Certification System
IRM	Information Resources Management
IRMS	Integrated Records Management System
IRN	Isolated Realty Network
IRS	Internal Revenue Service
ISSDA	Indian Service Special Disbursing Agents
ISA	Information Security Assessment
ISIT	Internal Security Improvements Team
IT	Information Technology
ITARS	Indian Trust Appraisal Request Tracking System
ITIMS	Integrated Transportation Information Management System
ITRS	Indian Trust Rating System
IV&V	independent verification and validation

## **STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

## **Acronyms and Abbreviations**

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LAN	Local area network
LCTS	Land Consolidation Tracking System
LMS	Learning Management System
LR2000	Legacy Rehost 2000 System
LRIS	Land Records Information System
LTIC	Land Tenure in Indian Country
LTRO	Land Titles and Records Office
MA	Major Application
MAD/LCP	Management Accounting Distribution/Land Consolidation Program
MADS	Management Accounting Distribution System
MMD	Missing Mandatory Documents for Unrestricted Accounts
MMS	Minerals Management Service
MOU	Memorandum or Memoranda of Understanding
MRM	Minerals Revenue Management
MRMSS	Minerals Revenue Management Support System
MWRO	Midwest Region office
NARA	National Archives and Records Administration
NBC	National Business Center
NFR	Notice of Findings and Recommendations
NILS	National Integrated Lands System
NIPTC	National Indian Programs Training Center
NIRMC	National Information Resource Management Center
NIST	National Institute of Standards and Technology
NORC	National Opinion Research Center
NPS	National Park Service
NRO	Navajo Region office
NWRO	Northwest Region office
O&G	Oil and Gas
OAS	Office of Appraisal Services
OCIO	Office of the Chief Information Officer
OHA	Office of Hearings and Appeals
OHTA	Office of Historical Trust Accounting
OIG	Office of the Inspector General
OIP	Office of Information Policy
OISP	Office of IT Security and Privacy
OME	Office of Minerals Evaluation
OMB	Office of Management and Budget
ORM	Office of Regulatory Management
OSM	Office of Surface Mining
OST	Office of the Special Trustee for American Indians
OTFM	Office of Trust Funds Management
OTP	Office of Trust Regulations, Policies and Procedures
OTR	Office of Trust Records
OTRA	Office of Trust Review and Audit
PACER	Payments, Accounting, Claims and Enhanced Reconciliation System

## **STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

## **Acronyms and Abbreviations**

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PAR	Performance and Accountability Report
PII	Personally Identifiable Information
PIV	Personal Identity Verification
PLSS	Public Land Survey System
PMB	Policy, Management and Budget
PMSO	Project Management Support Office
POA&M	Plans of Actions and Milestones
Post-QA	Post Quality Assurance
PPA	Office of Planning and Policy Analysis
PRIS	Production and Response Information System
PRO	Pacific Region office
ProTrac	Probate Case Management and Tracking System
QA	Quality Assurance
QC	Quality Control
RAF	Recommended Action Forms
RAS	Rangeland Administration System
RDRS	Royalty Distribution and Reporting System
REM	Real Estate Module
RFP	Request for Proposal
RM-PLUS	Risk Management Assessment/Evaluation tool
RMRO	Rocky Mountain Region office
ROCIS	Regulatory Information Service Center/Office of Information Regulatory Affairs Consolidated Information
ROW	Rights-of-Way
SANS	SysAdmin, Audit, Network, Security
SCADA	Supervisory Control and Data Acquisition
SDA	Special Deposit Accounts
SDLC	System Development Life Cycle
SMEs	Subject Matter Experts
SMS	System Management Servers
SOL	Office of the Solicitor
SPRO	Southern Plains Region office
SSA	Social Security Administration
SSAS	Social Services Automated System
SSM	System Security Manager
SSP	System Security Plan
ST&E	Security Test and Evaluation
Statements	Historical Statements of Account
STIGs	Security Technical Implementation Guides
SUS	System Update Servers
SWRO	Southwest Region office
TAAMS	Trust Asset and Accounting Management System
TAP	Technical Architecture Profile
TBCC	Trust Beneficiary Call Center
TESC	Trust Executive Steering Committee

**STATUS REPORT TO THE COURT NUMBER THIRTY-ONE**

**February 1, 2008**

**Acronyms and Abbreviations**

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TFAS	Trust Fund Accounting System
TFR	Trust Fund Receivable
TPMC	Trust Program Management Center
TRAC	Trust Tracking and Coordination
Treasury	Department of the Treasury
TRM	Technical Reference Model
TRO	Temporary Restraining Order
UAT	User Acceptance Testing
US-CERT	United States Computer Emergency Readiness Team
USGS	United States Geological Survey
USPAP	Uniform Standards of Professional Appraisal Practice
VBNS	Very High Performance Backbone Network Service
VPN	Virtual Private Network
WAN	Wide area network
WAU	Whereabouts Unknown
WRO	Western Region office