

Status Report to the Court Number Thirty

For the Period
April 1, 2007 through June 30, 2007



August 1, 2007

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INTRODUCTION

This *Status Report to the Court Number Thirty* (Report) represents the period from April 1, 2007, through June 30, 2007. The Report is presented for the purpose of informing the Court of actions taken since the issuance of the preceding quarterly report. 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.¹

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.

¹ 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.

August 1, 2007

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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.

Special Trustee's Observations

Plan for Completing the Historical Accounting of IIM Accounts

OHTA completed and filed with the Court its revised historical accounting plan. This 2007 version incorporates lessons learned from the past five years of historical accounting work. The accounting work done in accordance with the 2007 plan is expected to provide account holders with complete and accurate Historical Statements of Account. The plan was developed to permit completion of the historical accounting within the budgetary limitations imposed by Congress.

Organizational Change

The Deputy Secretary of the Interior requested that the Special Trustee for American Indians assume oversight responsibility for the Office of Historical Trust Accounting. This change was accomplished through a change in the Departmental Manual and was effective as of June 25, 2007. Due to the already-existing close working relationship between OHTA and OST, the change in the DM is expected to have minimal impact on these organizations.

Congressional Action

Both houses of Congress have passed appropriation bills for Interior. Due to differences in the two bills, the bills have been referred to a conference committee. It is expected that Congress will enact Interior's FY2008 appropriation in September 2007. OST expects to receive approximately the same amount as last year except for the Indian Land Consolidation Program. Both bills contain a reduction from \$34 million to \$10 million for ILCP.

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Office of the Special Trustee for American Indians

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: July 25, 2007

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 December 31, 2000. OST has regularly issued IIM account statements since the end of 2000.

Accomplishments

Historical Accounting Plan for Individual Indian Money Accounts

On May 31, 2007, Interior issued its *Plan for Completing the Historical Accounting of Individual Indian Money Accounts (2007 Plan)*, and filed it with the Court.

Current Status

System Tests - Confirming Completeness of Electronic Records Era Accounting

Data Completeness Validation

Data completeness validation is a process consisting of multiple tests (Transaction Mapping, Balance Comparison and Account Number 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 various 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 test's 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. Each of the tests described below is iterative in nature. As a result, the percentage completion may increase or decrease over time.

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.

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Office of Historical Trust Accounting

Disbursement Mapping: Confirms the status of disbursements issued during the Check Payment and Reconciliation System and Payments, Accounting, Claims and Enhanced Reconciliation System timeframes. CP&R and PACER are Treasury systems. OHTA has electronic CP&R data from March 1987 through December 2002 and PACER data from October 1997 through December 2002. Additionally, this test is used to identify cancelled disbursements which should be re-credited to an account belonging to the same account holder. The mapping of the CP&R data in OHTA's possession is 92% complete; the PACER mapping will begin during the next reporting period.

Balance Comparison: Confirms whether transactions included in an HSA correspond to the final balance shown. This test is complete for TFAS and 80% complete for the Electronic Ledger Era IRMS data.

Account Number Review: Ensures that OHTA provides the appropriate transactions to each account holder receiving an HSA regardless of whether the account number was reused or changed historically. This test is 99% complete. To date, 847 reused account numbers have been identified.

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 complete; no discrepancies were noted. Planning for the Paper Ledger Era conversion tests will begin during the next reporting period.

Land-Based IIM Transactions

The second Land-to-Dollars pilot test continued at the Colville Agency for the Electronic Ledger Era. The Land-to-Dollars test determines whether expected revenues documented by surface or subsurface leases are recorded as credits in the IIM trust fund systems. An accounting firm verifies that all sampled revenue units with the associated contracts and the revenue documents correspond to collections made and posted to the systems. A new Land-to-Dollars test commenced at the Uintah and Ouray Agency during this reporting period. An allotment sample was randomly selected, revenue history constructed for the sample, and the necessary revenue documents identified and collected at the agency.

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 this 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 paper ledgers were located and digitized for the four accounts. Paper Ledger Era transactions in the four accounts are currently being sampled from the digitized ledgers to refine OHTA's reconciliation process for these transactions.

Interest Recalculation for Land-Based IIM Accounts

Before issuing HSAs to account holders, semi-annual and monthly interest accruals 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. An interest factor was determined for each time period by OST based upon the actual IIM Trust Fund investment pool earnings. During this reporting period, OHTA commenced interest recalculation work for Pacific, Rocky Mountain and Western Region accounts, as well as for all accounts originating after the installation of TFAS. As of June 30, 2007, interest recalculations for 22,300 accounts had been substantially completed.

Judgment and Per Capita IIM Accounts

In order to devote greater priority to Land-Based IIM accounts, and because reconciliation of over 85% of the Judgment and Per Capita IIM accounts has been completed, OHTA has deferred further historical accounting procedures on the remaining 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 Judgment and Per Capita IIM Account Holders

As previously reported, OHTA has filed three requests for permission to mail a total of 66,130 HSAs that still await approval from the Court.

OHTA SDA Distribution Project - Undistributed SDA Balances at December 31, 2002

SDA are temporary accounts for the deposit of monies that could not immediately be credited to the proper owners. Historically, monies came from various sources, and owners were tribal or IIM account holders or other parties. For administrative efficiency, the SDA project has two phases: the retrospective (pre-January 1, 2003, receipts) and the prospective (post-December 31, 2002, receipts). OHTA has responsibility for “resolution” (*i.e.*, research and distribution of funds) of the retrospective phase, while BIA has comparable responsibility for the prospective phase. This section of the report to the Court addresses only the retrospective phase. Information on the prospective phase is in the Trust Services – Current Accounting Activities section of the report.

Initially, Interior separated its historical accounting activities into three distinct types of IIM accounts: Judgment and Per Capita, Land-Based and SDA. In preparing the *2007 Plan*, Interior concluded that SDA are qualitatively different from Judgment and Per Capita and Land-Based IIM accounts. Accounting for these SDA is not a historical endeavor, because any distribution from an SDA to an IIM account will be a current period transaction after December 31, 2000, the end of the historical accounting period. As a result, the *2007 Plan* excludes SDA.

During this reporting period, OHTA resolved and distributed 250 SDA involving \$621,289 in principal and interest, including interest posted from January 1, 2003, through the date of

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distribution. To date, OHTA's work has resulted in the distribution of SDA balances totaling \$43,747,611. There remain 11,094 SDA involving \$15,636,163 to resolve and distribute. Of those, 8,052 accounts (73% of SDA) have balances less than \$500, for a total of \$691,338 (4% of SDA dollar balances).

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 distribution of the March 30, 2007, *Coding and Imaging Manual (CI Manual)* to selected OHTA staff and contractor-firm personnel. The *CI Manual* is now available in hard copy and electronic versions. The March 30, 2007, *CI Manual* standardizes the imaging and coding process, reflects necessary updates for coding IIM records and incorporates new coding requirements for tribal records.

During this reporting period, OHTA completed scanning 725,450 IIM pages, coding 45,583 IIM documents and loading 32,635 IIM documents into ART. As of June 30, 2007, ART contained 9.7 million coded IIM images and 8.7 million coded tribal images (18.4 million total coded IIM and tribal images). The images coded to date total approximately 2.8 million IIM and tribal documents.

OHTA's Federal Records Management

OHTA continues to work with NARA staff on the transfer of ART data and documentation to NARA's Electronic and Special Media Records Services Division in College Park, MD. Transfer of the system data and system documentation now is 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, particularly in the 102 tribal trust cases pending in multiple federal courts involving twenty-nine different judges.

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Office of Historical Trust Accounting

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 31, 2007

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

August 1, 2007

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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. Currently, Interior is in the process of converting the legacy leasing systems to the TAAMS lease management module. Once locations are converted to the TAAMS lease management module, encumbrance and ownership information is reflected in TFAS. Then, using the information reflected in TFAS, funds received at the lockbox² can be distributed and statements of performance can be generated.

SDA are temporary accounts for the deposit of monies that could not immediately be credited to the proper owners. The SDA 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, for non-converted agencies (and RDRS), SDA are used as temporary accounts for deposits of trust monies that cannot immediately be credited to the proper IIM or tribal trust accounts. For converted agencies, however, SDA use is restricted to deposits 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. Converted agencies also utilize “T” SDA (tribal accounts), which receive TAAMS distributions designated for Tribes or ILCP lien repayments. The “T” SDA are designed to be flow-through accounts, with automated distributions to the Tribe’s proceeds of labor accounts or ILCP lien repayment accounts.

Accounts are classified as WAU for many reasons. New accounts (for financial and nonfinancial 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 holder refuses, or does not claim mail. A variety of methods and means are used to locate WAU account holders.

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

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Trust Services – Current Accounting

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

At converted agencies, the interface between TAAMS and TFAS allows statements of performance to include ownership and encumbrance information of trust assets. During this reporting period, the Midwest Region was converted to TAAMS leasing. All regions and agencies are scheduled for conversion by September 30, 2007.

b. Special Deposit Account Activity

Current Status

BIA has the responsibility for distribution of SDA funds received since January 1, 2003 (prospective receipts). BIA's policy is to distribute funds within 30 days of receipt into SDA. During this reporting period, there were 1,677 receipt transactions posted to SDA.

During this reporting period, aged funds (those held in SDA longer than 30 days) were held in 57 fewer SDA than in the previous reporting period. Undistributed aged receipts decreased by 347 and the combined dollar amount decreased by \$246,397.51. As of June 30, 2007, aged SDA totaled \$441,554.15 which represented 2,079 undistributed receipts. As of June 30, 2007, there were 2,017 receipts in 212 SDA aged more than one year, totaling \$407,937.36.

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

Delays and Obstacles

Resolution of SDA totaling over \$250,058.38 is delayed by ongoing activities, including adjudication of range rates, need for cadastral surveys, need for SOL opinions, and other litigation-related matters.

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

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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, 11 of the top 100 WAU accounts, with combined account balances in excess of \$662,961.75 were updated with current addresses.

During this reporting period, 14,234 accounts with a combined balance of \$6.6 million were added to the WAU list, and 6,170 account holders with a combined balance of \$6.4 million were located.

As of June 30, 2007, there were 70,704 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	11	10	0	0	21
Under \$100,000 and equal to or over \$50,000	33	15	0	0	48
Under \$50,000 and equal to or over \$5,000	2,473	805	1	1	3,280
Under \$5,000 and equal to or over \$1,000	6,035	1,404	0	6	7,445
Under \$1,000 and equal to or over \$100	9,135	3,092	7	4	12,238
Under \$100 and equal to or over \$1	17,008	5,449	15	6	22,478
Under \$1	11,088	14,079	25	2	25,194
Total	45,783	24,854	48	19	70,704

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 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 June 30, 2007, there were 19,415 accounts that have a \$.01 - \$1.00 balance with no activity for the previous 18 months. The total in those accounts is \$5,629.54. Statements are sent to account holders for these accounts on an annual basis pursuant to direction from Congress.

THIS SECTION CONTINUES ON THE NEXT PAGE.

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Trust Services – Current Accounting

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*. The information provided in this subsection is accurate to the best of my knowledge.

Date: July 24, 2007

Name: *Signature on File*
Bryan Marozas
Program Manager, 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*, and this information is accurate to the best of my knowledge.

Date: July 23, 2007

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

August 1, 2007

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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 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 offices, 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 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 6,741 boxes of inactive records were moved from BIA/OST field locations to the Lenexa Annex for indexing during this reporting period. Indexing of approximately 157,880 boxes has been completed as of the end of this reporting period. Approximately 157,555 indexed boxes have been sent to AIRR for permanent storage.

Records Retention Schedules

The Archivist of the United States approved records schedules for the following BIA electronic records systems on June 12, 2007: Timber Sales Accounting and Report Program/Operations Inventory, PC Lease, and Fee-to-Trust; and for the following OST electronic records systems: Lockbox/Trust Funds Receivable and the Trust Beneficiary Call Center.

Paper records retention schedules for all OST offices were approved by the Archivist on May 17, 2007.

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Office of Trust Records

Training

OTR provided records management training for 265 BIA and OST records contacts and 134 tribal employees during this reporting period. OTR has provided records management training to Tribes as they requested training.

Current Status

Records Retention Schedules

Records retention schedules for ten 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. Additionally, lack of email communications among SOL, OST and DOJ hinders responses to litigation discovery requests, especially in the 100-plus tribal trust cases.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 19, 2007

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

During this reporting period, OST reengineering staff for Trust Business Process Modeling completed and delivered to BIA drafts of regulations related to minerals, 25 CFR Parts 200-207.

Reengineering staff drafted a direct payment arrangement policy for standardization and simplification of direct pay arrangements for land use agreements on trust lands. The IIM Land Use Agreement Direct Payment Arrangement policy was issued by the Director, Bureau of Indian Affairs on May 16, 2007.

Current Status

During this reporting period, reengineering staff assisted BIA with drafting updates to handbooks for: Rights-of-Way for Minerals; Irrigation and Roads; Rights-of-Way Distributions; and Life Estates.

Reengineering staff began identifying OST probate business processes for possible 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 included ongoing identification of additional system requirements.

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 anticipates continued support of the Interior Regulatory Initiative. During the next reporting period, reengineering staff expects to work with subject matter experts to begin Phase III of the Regulatory Initiative.

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Trust Business Process Modeling

Several BIA policies requiring development or revision were identified as a result of the FTM. Reengineering staff has drafted several policies for BIA to assist in reducing issues that may arise in the field 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. During the next reporting period, these drafts – along with a proposed agricultural standard form – are expected to be provided to BIA for approval.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 23, 2007

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 Title and TAAMS Leasing. BIA is continuing its conversion to TAAMS Leasing, which tracks the use of Indian trust land. BIA completed its conversion to TAAMS Title, used to record Indian trust land title activity.

The second initiative involves the validation and correction of critical data elements (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 process. The Post-QA process compares the encoded CDE in TAAMS to the CDE in the respective source document(s). The purpose of performing Post-QA is to help ensure the ongoing accuracy of CDE encoded into TAAMS.

Accomplishments

During this reporting period, TPMC's contractors completed:

Encoding

Encoding of surface leases for MWRO (171) and the Minnesota (439), Great Lakes (185), Michigan (498), Eastern Nevada (16), Fort Apache (35), Hopi (28), Salt River (4), Southern Paiute (67), Truxton Canon (27) and Western Nevada (21) Agencies.

Encoding of ROW documents for GPRO LTRO (311) and the Minnesota Agency (13).

Encoding of 772 mineral leases for the Anadarko Agency.

Encoding of forestry permits for the Minnesota (47) and Red Lake (15) Agencies.

Research

Researching land ownership interest variances for the Great Lakes (1,013) and Minnesota (9,045) Agencies.

Reviewing and preparing encoding sheets for 1,281 Great Lakes Agency surface leases.

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Trust Data Quality and Integrity

Current Status

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

- Encoding 124 surface leases for the Puget Sound Agency.
- Encoding 15 mineral leases for FIMO.
- Encoding 3,140 land tracts in TAAMS Title for EORO LTRO.
- Modifying 3,443 tract legal descriptions in TAAMS Title for NWRO LTRO.
- Researching 326 landowner ID numbers for the Western Nevada Agency.
- Researching land ownership interest variances for the Coeur d'Alene (2,208), Northern Idaho (3,831), Umatilla (1,411) and Western Nevada (14,891) Agencies.
- Conducting Post-QA review of 24,482 transactions encoded into the trust systems during the reporting period for a cumulative total of 143,130.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 27, 2007

Name: *Signature on File*

John E. White

Trust Reform Officer, Trust Accountability

Office of the Special Trustee for American Indians

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 two Review & Exam courses for the *Certified Indian Fiduciary Trust Specialist* certification program to 16 OST and three BIA employees. Eighteen 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 18 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.
- Five specialty courses to 89 employees of OST and BIA. The specialty courses, *Risk Management, Probate, Asset Management, Fiduciary Behaviors and Guardianships* are part of the *Certified Indian Fiduciary Trust Specialist* certification program.
- A pilot *Trust Investments* course to 16 OST employees. This class is being developed to show Fiduciary Trust Officers how to facilitate portfolio review meetings with tribal leadership.

During this reporting period, OST training staff conducted eight training sessions for 78 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.

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Indian Fiduciary Trust Training Program

OST and BIA staff presented four *Trust Fundamentals* courses to 82 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. ProTrac training was recently canceled because of travel expenses. If the employees had had access to the Internet, the course could have been developed for on-line training, thus eliminating travel expenses. Additionally, OST management is challenged in meeting its diversity training requirements because of lack of access to on-line training modules.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 18, 2007

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.

Current Status

OST is expanding RM-PLUS to include a section that addresses risks and associated internal controls at the senior management level.

OST is also finalizing its FY2007 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 provide the basis for OST's interim and annual statements of assurance. Testing is complete for transactions generated through the second quarter of FY2007. OST expanded testing to include transactions generated in the third quarter of FY2007 and that testing is expected to be completed during July 2007.

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.

As of April 1, 2007, OST had 35 open corrective action plans. During this reporting period, nine corrective action plans were closed.

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.

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Risk Management

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 20, 2007

Name: *Signature on File*

Charlene Toledo

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 completed 97 new or revised policies and procedures for publication as of July 1, 2007. These policies and procedures include:

- Policy for use of OST worktickets;
- Revisions to 49 of the 52 worktickets that OST uses for account set-up and maintenance, disbursement, receipting, interest and investment;
- Interim Desk Operating Procedures for the Osage Quarterly Payment Distribution and Osage Quarterly Lake Funds;
- Policy for Faxing Privacy Act Materials;
- Information Technology-related procedures addressing:
 - IT Security Office Operations;
 - Information System Categorization;
 - Personnel Security;
 - Workstation Management Requirements;
 - Security Requirements for Outsourced Data Manipulation Services;
 - TFAS Macro Code Committee;
 - Voice Over Internet Protocol for Telecommunications; and
 - IT Risk Management;
- OST Administrative Handbook; and
- Interim Liabilities Procedures.

In addition, OTP re-established the Trust Liaison Group and developed a charter for consideration.

Current Status

OTP will begin a review of all OST Policies, Procedures, Directives, Desk Operating Procedures and Joint Directives with other trust bureaus and offices and Delegations of Authority during the fourth quarter of FY2007. OTP also expects to develop a project plan by the end of the next

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Trust Regulations, Policies and Procedures

reporting period and to complete revisions in FY2008.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 18, 2007

Name: *Signature on File*

Nina C. Alexander

Director, Office of Trust Regulations, Policies and Procedures

Office of the Special Trustee for American Indians

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

The Indian trust examination process includes conducting on-site visits to evaluate operations and compliance, performing sufficient testing to verify the integrity of trust operations, and analyzing the effectiveness of management and management controls. Based upon the results of an examination, OTRA issues a report that assigns an overall rating reflecting the quality of the administration of fiduciary trust functions. OTRA follows up on findings in its reports with Interior entities and Tribes.

During this reporting period, OTRA performed Indian trust examinations at 14 sites and issued eight draft reports for comment, 10 final reports and three follow-up verification reports. Of the 10 final Indian trust examination reports issued, three offices were rated superior, five offices were satisfactory and two offices were in need of improvement. For those offices in need of improvement, OTRA reported 26 findings. For compliance, 14 findings were made in the areas of real estate services and leasing, National Environment Policy Act and supervised IIM accounts. For operations, 12 findings were made in the areas of cash management, information technology security and probate.

OTRA issued 14 follow-up inquiries for the status of corrective action implementation from examinations performed in prior reporting periods.

Records Assessments

The record assessment is a focused evaluation of records maintenance and security. OTRA completed 14 trust record assessments and issued 17 final reports.

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Trust Review and Audit

Compliance/Investigative Reviews

During this reporting period, three new allegations and/or inquiries relating to trust operations were received. OTRA performed investigative reviews at two sites and followed up on a prior investigative review at one site. Five reviews are now pending with fieldwork and/or report drafting continuing on these cases.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 23, 2007

Name: *Signature on File*

D. Jeff Lords

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 contract with NBC-ASD, is responsible for Indian land valuations. The contract 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 Office of Appraisal Services completed 906 real estate appraisals.

The Office of Minerals Evaluation delivered approximately 3,000 evaluations of mineral interests for ILCP.

The nationwide roll-out of ITARS was completed.

The Deputy Chief Appraiser for Policy and Compliance conducted compliance reviews in the Pacific and Great Plains Regions.

Current Status

OAS has continued to work closely with BIA realty staff to clarify policies involving gift deeds and advertised sales.

OAS continues to work with the OST Office of External Affairs to obtain appraisal backlog information from compacted and contracted Tribes.

THIS SECTION CONTINUES ON THE NEXT PAGE.

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Office of Appraisal Services

Appraisal Backlog

As of this reporting period, the appraisal backlogs are as follows:

Region	Appraisal Backlog As of 03/31/07	Appraisal Backlog * As of 06/30/07
Northwest	27	18
Rocky Mountain	261	36
Midwest	71	101
Western	0	7
Southwest	8	10
Eastern Oklahoma	64	113
Navajo	20	12
Pacific	7	8
Alaska	442	330
Eastern	0	0
Southern Plains	8	17
Great Plains	8	91
TOTAL	916	743

* The backlog includes all requests from BIA, even when the property to be appraised has yet to be defined and whether an appraisal is required for a proposed transaction. The requests are addressed in priority order based on factors such as court-ordered transactions, economic transactions, and rights-of-way transactions.

This table does not include appraisal backlog information from the compacted and contracted Tribes. Such information is expected to be incorporated into future reports to the Court.

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.

Difficulties continue in recruiting qualified appraisers for contract positions, particularly in remote locations. The Chief Appraiser position remains vacant.

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Office of Appraisal Services

Assurance Statement

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

Date: July 26, 2007

Name: *Signature on File*

Kathryn J. Gearheard, MAI
Appraisal Services Directorate
National Business Center

August 1, 2007

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II. INDIAN AFFAIRS

A. TRUST REGULATIONS, POLICIES AND PROCEDURES

Introduction

The Office of Information Policy in the Office of the Assistant Secretary – Indian Affairs assumed responsibility for this section of the status reports to the Court on May 1, 2007. OIP is responsible for oversight of non-trust records management, Privacy Act, Paperwork Reduction Act, and Federal Register liaison/regulatory contact for Indian Affairs. OIP 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, Indian land titles of record, and conveyances of trust or restricted land. The work groups continued to consider and incorporate comments in anticipation of the final rule.

Phase II, in addition to the Tribal Trust Fund Accounting and Appeals regulation, now includes Land Acquisitions (25 CFR 151). This phase includes tribal consultation and publication of the draft rules.

As previously reported, during CY2007 Interior expects to begin Phase III of the Regulatory Initiative. This phase includes tribal consultation and proposal of the regulations affecting leasing, grazing, and rights-of-way.

25 CFR 216 – Surface Exploration, Mining, and Reclamation of Lands – This regulation is undergoing additional SOL review, which may result in revisions by the Indian Affairs Division of Energy and Minerals. The division's regulatory team still expects the rule to be published during the fourth quarter of CY2007.

25 CFR 224 – Tribal Energy Resource Agreements – The Office of Indian Energy and Economic Development completed reviewing comments on the draft final rule during this reporting period. The final rule will be submitted to SOL for review in July 2007. The final rule still is expected to be published during the third quarter of CY2007.

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Trust Regulations, Policies and Procedures

Delays and Obstacles

Lack of access to the Internet has hindered OIP's ability to research statutes and departmental manuals, and makes distribution of documents for review by Tribes more difficult and costly. For example, OMB requires regulatory actions to be submitted through ROCIS³ – an Internet application to which OIP staff does not have access. In addition, OIP staff must routinely communicate with, but does not have email connectivity to, 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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 31, 2007

Name: *Signature on File*

Debbie L. Clark

Deputy Assistant Secretary – Indian Affairs (Management)

³ Regulatory Information Service Center/Office of Information and Regulatory Affairs Consolidated Information System.

III. BUREAU OF INDIAN AFFAIRS

A. FRACTIONATION

Introduction

Fractionation of Indian trust and restricted land stems from the federal Indian policy of the 19th 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 emotionally-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. A nationwide plan is being implemented to promote consolidation of the ownership of Indian land.

Accomplishments

- The Indian Land Consolidation Program acquired 35,281 fractional interests during this reporting period.
- Of the total interests acquired during this reporting period, 88% were interests of less than 2% ownership in the respective tracts of land.
- ILCP acquired the equivalent of 54,014.74 acres during this reporting period.
- As a result of ILCP purchases, Tribes now have 100% ownership of 290 tracts.

Current Status

- ILCP continued to support the Great Plains Region LTRO by assisting with recording ILCP deeds, re-vesting *Youpee* interests, researching ownership files, and recording to ownership records.
- A total of 16 reservations located in five BIA Regions are participating in ILCP.

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.

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Fractionation

Assurance Statement

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

Date: July 26, 2007

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.

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, 8,169 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, 5,485 probate cases are in the case adjudication stage. As reported by OHA, deciding officials received 1,458 cases and issued decisions in 1,747 cases. OHA reported 4,012 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 3,232 cases in the closing stage, and 1,147 cases were closed during this reporting period.

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 2,056 accounts in TFAS, representing 1,998 estates. As of the end of June 2007, TFAS contained 31,734 open estate accounts, which is an increase of 424 from the 31,310 estate accounts at the end of the last 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, including communication between OHA and BIA/OST, and with state, federal and tribal agencies;
- Continued fractionation of ownership of Indian lands; and
- Cultural differences regarding the subject of death.

Assurance Statement

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

Date: July 19, 2007

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:

- Michael Howell was selected as the Interior CIO effective May 14, 2007. Prior to his selection, Mr. Howell served as the CIO for Interior's Fish and Wildlife Service and also served as the acting Interior CIO from January 3 to March 11, 2007. Karen Siderelis, CIO for the USGS, served as acting Interior CIO March 12 to May 13, 2007.
- The following positions were also filled during the reporting period:
 - Interior Deputy Chief Information Security Officer
 - Interior Trust Security Officer
 - Interior Security Policy Lead
 - Interior FISMA Compliance Lead
 - Interior C&A Lead
 - ESN Security Manager

IT Systems Architecture:

- The DOI Enterprise Architecture program received a "green" rating from OMB on the FY2007 Annual Enterprise Architecture Assessment. OMB rated Interior as one of the top five EA programs in the federal government.
- 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 is expected to be connected during the next reporting period.

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 perimeter security controls, which are the first line of defense, successfully blocked over one million network attacks. This number is consistent with previous ESN experience.

Policies and Guidance

- On April 6, 2007, the Acting Interior CIO issued “Immediate Actions Required to Address the Notice of Findings and Recommendations (NFR) Identified in OIG Evaluation Report No. ISD-EV-NBC-0012-2007.” The memorandum described specific requirements for bureaus to address recommendations in that report, as reported in the previous report to the court.
- On June 11, 2007, the Interior CIO issued “Testing of Interior’s Enterprise Security configuration Standard for Windows XP Operating System.” This memorandum directed bureaus to provide testing of standardized Windows XP security configurations, consistent with OMB Memorandum M-07-11, which requires Federal agencies to establish standard security configurations.

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 the trust bureaus and offices eliminated 209 weaknesses during this reporting period. However, 173 new weaknesses were identified and added. These weaknesses reflect both trust and non-trust systems at each of the trust bureaus and offices.
- Of the 1,154 open trust bureaus and offices weaknesses, 157 (14%) are rated high, 535 (46%) are rated medium and 462 (40%) are rated low.

Current Status

Reconnection Planning:

Interior is preparing to reconnect BIA, OST, SOL and OHA to the Internet. The last step of connecting to the Internet will not be performed until Interior has filed with the Court documents 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. Interior expects the first submission to be filed with the Court during CY2007.

- ESN completed a re-engineering of network architecture in order to prepare for reconnection of BIA, OST and OHA to the Internet.
- In preparation for SOL’s application for reconnection to the Internet, SOL deployed network Intrusion Prevention System (IPS) appliances on each of its local area network segments. The IPS devices are capable of identifying viruses, unauthorized equipment

and user access, network traffic anomalies, generating and forwarding notifications detailing the errant behavior to appropriate technical staff, and automatically disconnecting the offending device from the network.

A-130 Certification and Accreditation:

All trust systems that are currently tracked in DEAR continue to have full ATO status.

- All BIA LANs have been associated with one of four geographic zones. Each of these zones will be a separate C&A boundary. C&A activities for each of these four zones have been completed.

ZANTAZ:

- The contractor completed forensic analysis of the 268 blank BIA tapes documented in the 25th Court report. Two draft report deliverables have been completed for which comments and clarifications are being incorporated into the reports.
- As reported in the 28th Court report, ZANTAZ processed 25 BLM tapes for delivery of messages to the digital safe. During this reporting period, the processed tapes were returned to BLM.
- During this reporting period, the backup tapes, containing the February 2007 emails that had not been sent from the BLM Alaska State Office to the digital safe, were delivered to ZANTAZ and processed into the digital safe.
- In a test environment, NBC and BLM continued to evaluate newer versions of anti-virus software and ZANTAZ software to resolve incompatibilities.

Incidents:

- OHA reported potential misuse of a laptop computer in December 2006. The investigation of this incident by OIG has been completed and a report was provided to OHA on July 13, 2007. OIG concluded that the employee connected his government laptop computer to the Internet. OIG also concluded that the employee inappropriately erased all data from his laptop. The United States Attorney's Office reviewed this matter and declined to prosecute the employee for violating the *Cobell* Consent Order. OHA is continuing to investigate and to determine the appropriate follow-up action.
- In January 2007, a BIA contractor who was conducting probate remediation efforts for the Eastern Region shipped four BIA computers to the contractor's facility in Albuquerque. The contractor did not follow the required "wipe and backup" procedures before shipping the computers. It is not known if the computers were encrypted or contained any sensitive information or data (e.g., privacy or trust). This matter has been referred to OIG for further review.
- On May 18, 2007, MMS security monitoring tools identified suspicious communications between two MMS desktop systems and systems external to Interior. As a preventative measure, both systems were taken offline. The DOI CIRC and OIG were notified. The hard drives from both systems have been shipped to OIG for forensic analysis.
- On June 11, 2007, MMS anti-virus protection system detected malicious software intended to secretly log user keystrokes with the intention of capturing passwords or other sensitive information. The anti-virus system detected and automatically deleted the

malicious software within two hours of its installation. MMS security analysts are investigating the source of this software, and the hard drive from the system in question has been sent to OIG for forensic analysis.

Reports:

These reports were among those issued during this reporting period.

- GAO issued the following reports that relate to information security across all Federal agencies:
 - “Information Security – Persistent Weaknesses Highlight Need for Further Improvement.”
 - “Personal Information – Data Breaches are Frequent, but Evidence of Resulting Identity Theft is Limited; However, the Full Extent is Unknown.”
 - “Cybercrime – Public and Private Entities Face Challenges in Addressing Cyber Threats.”
 - “Information Security – Agencies Report Progress, but Sensitive Data Remain at Risk.”

- OIG issued the following reports related to information security at NBC:
 - “Trusted Insider Threat Evaluation Report for the National Business Center.”
 - “An Evaluation of Management, Operational and Technical Information Security Controls.”
 - “NBC Oracle Security Evaluation.”

- OIG issued the following reports related to information security at BLM:
 - “ISS External Penetration Test Results.”
 - “BLM Trusted Insider Threat Evaluation.”
 - “BLM IT Security Evaluation.”

- OIG issued the following report related to information security at MMS:
 - “Trusted Insider Threat Evaluation Report for the Minerals Management Service.”

- As reported in the previous report to the court, on March 13, 2007, OIG issued a Notice of Findings and Recommendations (NFR) and Interior took initial steps to respond to the findings in that report. The IG investigation that was initiated as a result of this NFR is ongoing. In this reporting period, Interior took the following additional steps to respond to this NFR and the recommendations that it contains:
 - Evaluated all Active Directory accounts with elevated privileges.
 - Scanned for files that contain passwords.
 - Scanned for accessible network file folders.
 - Implemented more stringent password complexity requirements for system administrators.
 - Continued the efforts of the Internal Security Improvement Team to develop long-term strategic recommendations for mitigating the risks associated with trusted

insiders. Initial recommendations from this team are expected to be completed in the next reporting period.

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 is experiencing high staff and management turnover in critical IT positions, particularly IT security.
- The following positions remained vacant at the end of this reporting period:
 - NBC IT Security Manager,
 - MMS MRM IT Security Manager,
 - BLM IT Security Manager, and
 - BIA CIO.

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.

The following are examples of how the Solicitor's Office⁴ is impacted by lack of Internet access:

- SOL attorneys are prevented from accessing standard professional and industry resources that are available via the Internet. The result is a loss of productivity and timeliness in accessing critical information, which negatively impacts the timing and quality of advice that can be provided on behalf of their clients.
- SOL's inability to communicate electronically with clients is especially limiting because SOL is frequently excluded from the early stages of internal discussions, which primarily

⁴ Examples of impacts on the other off-line bureaus and offices are discussed elsewhere in this *Status Report to the Court*.

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August 1, 2007

Information Technology

occur via email. As a result, the Office's ability to provide more effective legal services to its clients is hindered.

- Lack of Internet email prevents SOL from easily sharing electronic documents with DOJ and attorneys at other federal agencies, such as the Department of Agriculture, the Department of Commerce, and the Environmental Protection Agency.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 27, 2007

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

Inventory of Cadastral Needs

During this reporting period, BLM and BIA focused on developing an FY2008, FY2009 and FY2010 nationwide inventory of requests for cadastral survey services in Indian Country. BIA requested approximately 1268 survey services with an estimated cost of \$130.6 million for FY2008, FY2009 and FY2010. The breakout for survey services requested for each year is as follows: FY2008, 556 requests at an estimated cost of \$43.4 million; FY2009, 414 requests at an estimated cost of \$60.65 million; and FY2010, 298 requests at an estimated cost of \$26.55 million. BLM and BIA used CARS to determine the highest priority of the requested surveys, and to support distribution of the proposed appropriation of \$14.4 million for survey services to be performed during FY2008.

Survey Production and Backlog

BLM approved a total of 40 completed survey projects during this reporting period. These surveys produced 49 plats, 560 miles of survey line and an additional 1167 survey monuments in Indian Country.

Of the 40 backlogged surveys (pre-FY2006), 19 were completed during this reporting period. The majority of the remaining backlogged surveys are anticipated to be completed by the end of the next 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 expected to enhance 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 American Congress on Surveying and Mapping (ACSM) sponsored a ceremony in Phoenix, Arizona where 46 of the 69 CFedS attended and received their certificates. The 69 CFedS are licensed in 39 different states.
- The registration period for the second session of the CFedS program closed. There were 229 professional land surveyors who enrolled and are currently participating in the CFedS training.

Current Status

Interior Standards for Indian Trust Lands Boundary Evidence

The Standards for Indian Trust Lands Boundary Evidence are expected to increase efficiencies in land transactions and boundary issues by establishing standard processes and formal procedures for consulting 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.

BLM received comments on the final draft standards, which were incorporated and forwarded to the SOL Division of Indian Affairs. These standards are expected to be incorporated in the Departmental Directives system by the end of FY2007, at which time other Interior bureaus and offices will be able to use these standards. In the meantime, BLM is monitoring its own use of the standards through a performance tracking system.

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. TESC approved a pilot to study 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 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 on the Interior Standards for Indian Trust Lands Boundary Evidence has slowed progress by at least two quarters.

Additionally, Internet disconnection adversely impacts the way CARS is being implemented and the review of the Standards. 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 levels and erratic distribution of funding provided by the continuing resolution for Interior's FY2007 budget are negatively impacting the designed implementation of the FTM initiatives. If the program had been funded at 100% of the BIA's 2007 budget justification, then 165 surveys would have started in FY2007. With the reduction of funds associated with working under the FY2007 Continuing Resolution, 79 surveys will not be started. 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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 19, 2007

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

August 1, 2007

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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.

Current Status

Indian Oil Valuation Rule

As previously reported, MMS continued with the rulemaking process for the valuation of oil produced from tribal and allotted Indian lands. MMS still anticipates publishing the final rule in September 2007. Following publication of the final rule, MMS expects to convene a negotiated rulemaking committee to address issues regarding the “major portion” calculation for oil produced from Indian leases.

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*. The information provided in this section is accurate to the best of my knowledge.

Date: July 20, 2007

Name: *Signature on File*
Richard J. Adamski
Chief of Staff
Minerals Revenue Management
Minerals Management Service

August 1, 2007

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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
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
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
CIRC	Computer Incidents Response Center
CISO	Chief Information Security Officer

STATUS REPORT TO THE COURT NUMBER THIRTY

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Acronyms and Abbreviations

CISSP	Certified Information System Security Professional
CMS	Credential Management System
COTS	Commercial off-the-shelf
CP&R	Check Payment and Reconciliation
CPIC	Capital Planning and Investment Control
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
FWS	U.S. Fish and Wildlife Service
GAO	Government Accountability Office
GCDB	Geographic Coordinate Data Base
GIS	Geographic Information System

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Acronyms and Abbreviations

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
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
LAN	Local area network
LCTS	Land Consolidation Tracking System
LMS	Learning Management System
LR2000	Legacy Rehost 2000 System
LRIS	Land Records Information System

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Acronyms and Abbreviations

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
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
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

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Acronyms and Abbreviations

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
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
TFAS	Trust Fund Accounting System
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

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Acronyms and Abbreviations

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