

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

\_\_\_\_\_  
ELOUISE PEPION COBELL, et al., )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
KEN SALAZAR, Secretary of the )  
Interior, et al., )  
 )  
Defendants. )  
\_\_\_\_\_)

Case No. 1:96cv01285-JR

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

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

A copy of the report is attached hereto.

Dated: May 1, 2009

Respectfully submitted,

TONY WEST  
Assistant Attorney General  
MICHAEL F. HERTZ  
Deputy Assistant Attorney General  
J. CHRISTOPHER KOHN  
Director

/s/ Robert E. Kirschman, Jr.  
ROBERT E. KIRSCHMAN, Jr.  
Deputy Director  
(D.C. Bar No. 406635)  
JOHN R. KRESSE  
Trial Attorney  
Commercial Litigation Branch  
Civil Division  
P.O. Box 875  
Ben Franklin Station  
Washington, D.C. 20044-0875  
Phone (202) 616-2238  
Fax (202) 307-0494

CERTIFICATE OF SERVICE

I hereby certify that, on May 1, 2009 the foregoing *Notice of Filing of Interior Defendants' Thirty-Sixth 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

APR 28 2009

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. Salazar – *Status Report to the Court Number Thirty-Six*

Dear Mr. Kohn:

Enclosed is the Department of the Interior's *Status Report to the Court Number Thirty-Six (for the Period January 1, 2009 through March 31, 2009)*. 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,

  
Ken Salazar

Enclosure

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

---

**For the Period  
January 1, 2009 through March 31, 2009**



**May 1, 2009**

---

**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 ..... 21**

**4. RISK MANAGEMENT..... 23**

**5. TRUST REGULATIONS, POLICIES AND PROCEDURES ..... 25**

**E. TRUST REVIEW AND AUDIT ..... 27**

**F. OFFICE OF APPRAISAL SERVICES ..... 29**

**II. INDIAN AFFAIRS..... 31**

**A. TRUST REGULATIONS, POLICIES AND PROCEDURES ..... 31**

**III. BUREAU OF INDIAN AFFAIRS ..... 33**

**A. FRACTIONATION ..... 33**

**B. PROBATE ..... 35**

**IV. OTHER TOPICS ..... 37**

**A. INFORMATION TECHNOLOGY..... 37**

**B. CADASTRAL SURVEY ..... 41**

**C. MINERALS MANAGEMENT SERVICE..... 43**

**ACRONYMS AND ABBREVIATIONS..... 45**

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

***May 1, 2009***

---

***THIS PAGE INTENTIONALLY BLANK***

**INTRODUCTION**

This *Status Report to the Court Number Thirty-Six* (Report) represents the period from January 1, 2009, through March 31, 2009. 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.<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.

---

<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.

**May 1, 2009**

---

***THIS PAGE INTENTIONALLY BLANK***



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

This Report contains general information on the implementation of the many trust reform projects. Of particular interest to the Court may be the report from OHTA. In this report, the Court will find the work being done to resolve many special deposit accounts, the continued research into past paper records to support the ongoing accounting and the testing of systems to determine their accuracy.

**Assurance Statement**

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

Date: April 22, 2009

Name: *Signature on File*  
Donna Erwin  
Acting Special Trustee for American Indians

*May 1, 2009*

---

***THIS PAGE INTENTIONALLY BLANK***

**A. OFFICE OF HISTORICAL TRUST ACCOUNTING**

**Introduction**

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 IIM account holders since the end of 2000.

**Current Status**

*Electronic Ledger Era*

DCV tests and interest recalculation work, as described below, were completed on an additional 5,464 Land-Based IIM accounts, for a cumulative total of 169,259 Land-Based IIM accounts.

Thus, in accordance with OHTA's 2007 Plan, HSAs reflecting Electronic Ledger Era activity can now be prepared for 169,259 Land-Based IIM accounts from the Electronic Ledger Era (in addition to the 66,130 Judgment and Per Capita IIM accounts awaiting court approval)

**Data Completeness Validation:**

**Confirming Completeness of Land-Based IIM Accounts Through System Tests**

DCV is a process consisting of multiple tests: Transaction and Disbursement Mapping, Balance Comparison, Account Number Review, and System Conversion Tests.

Transaction Mapping: Confirms whether transfer and reversal transactions are correctly posted within the IIM accounting systems (*i.e.*, that no transactions are missing from the electronic dataset). This test is 98.4% complete. During this reporting period, transaction mapping for approximately 1,798,000 transactions was completed. Of these, 122,240 were pre-December 31, 2000, transactions. The number of transactions that require mapping increases as IRMS transactions are restored to the dataset and current-period TFAS transactions are added to the dataset.

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. The mapping of the CP&R data through April 30, 2006, is 99.4% complete. The mapping of the PACER data through March 31, 2008, is 100% complete. Disbursement Mapping is updated as data are received from Treasury on current check and electronic disbursements. OHTA did not receive data from Treasury during this reporting period.

Balance Comparison: Confirms whether transactions that would be included in an HSA correspond to the December 31, 2000, TFAS balance. This test is 100% complete for TFAS data

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

**May 1, 2009**

**Office of Historical Trust Accounting**

---

and 94.6% complete for the IRMS data. During this reporting period, 5,007 out-of-balance accounts were resolved so that the December 31, 2000, balance and the transactional data now agree.

Account Number Review: Ensures that OHTA provides the appropriate transactions to each IIM account holder who would receive an HSA regardless of whether the account number was reused or changed historically. This test is 99.9% complete. During this reporting period, work continued on identifying new accounts and identifying when an account number has been reused historically and/or an account has multiple names but was owned by a single individual. The number of transactions reviewed increases as IRMS transactions are restored to the dataset and current period TFAS transactions are added to the dataset.

System Conversion Test: During this reporting period, the preliminary listing of IIM accounts open during the pre-1985 Paper Ledger Era continued to be updated for testing the conversion from paper ledgers to IRMS. The OHTA copy of the Electronic Ledger Era IRMS database contains 56,769,636 transactions to date, including 340,286 restored transactions, of which approximately 14,950 were restored during this reporting period. OHTA also has identified 3,423,368 IRMS account balance records, including 334,468 restored balances, of which approximately 2,300 IRMS balances were restored during this reporting period.

The foregoing tests were designed to and have identified transactions and balances which were in the original IRMS electronic dataset but were not available in the electronic database provided by OST to OHTA.

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

The objective of interest recalculation is to provide a detailed estimate of the interest that should have been posted to an account, applying the same interest distribution policies that BIA and OST used historically. The interest recalculation also serves as an additional data completeness test since missing transactions in the dataset would cause an exception in the interest recalculation. The recalculated interest is then compared to the actual posted interest to identify variances.

OHTA continued interest recalculation work for IIM accounts in all BIA regions. Interest recalculation was completed during this reporting period for 5,343 IIM Land-Based accounts, increasing the total of such tested accounts to 173,161 within all 12 BIA Regions. The accuracy of interest postings is quality-control checked by a professional accounting firm contractor not involved in the interest recalculation effort.

***Paper Ledger Era***

**Reconstruction of Paper Ledger Era IIM Accounts**

OHTA continues to research and examine IIM records from the Paper Ledger Era to determine the accuracy and reliability of transactions that should be included in HSAs for *Cobell* class members.

During a previous reporting period, a sample was drawn from the subpopulation of accounts either known or believed likely to have transactions beginning in the Paper Ledger Era and continuing into the Electronic Ledger Era. The search to locate the paper ledgers for these accounts continued during the current reporting period. Additionally, OHTA continued to review account jacket files and paper ledgers to assess when each sampled IIM account opened.

OHTA reviewed 28 reconstructed accounts from the BIA Southern Plains Region containing approximately 9,500 non-excluded transactions in preparation for reconciliation testing.

OHTA completed its review of draft procedures for the reconstruction of Paper Ledger Era accounts, which OHTA expects to add to the ASM during the next reporting period.

**Reconciliation of Paper Ledger Era Transactions**

As previously reported, to conduct a “Proof-of-Concept,” a pilot sample of 35 non-interest transactions was drawn from reconstructed Land-Based IIM accounts in the BIA Southern Plains Region. OHTA continued to reconcile these sampled transactions in accordance with the ASM throughout this reporting period. As a result of the reconciliation activities, seven selected transactions were determined to be out-of-scope.

Reconciliation and quality assurance procedures were completed for two sampled non-interest transactions from the BIA Alaska Region and 11 sampled non-interest transactions from the BIA Southern Plains Region.

As previously reported, a sample was drawn from the subpopulation of accounts either known or believed likely to have transactions beginning in the Paper Ledger Era and continuing into the Electronic Ledger Era. The search to locate the paper ledgers for these accounts continued. Additionally, OHTA continued to review account jacket files and paper ledgers to assess when the reconstruction of Paper Ledger Era account activity has been completed.

***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. OHTA still awaits approval from the Court to mail 66,130 HSAs to Judgment and Per Capita IIM account holders.

# STATUS REPORT TO THE COURT NUMBER THIRTY-SIX

May 1, 2009

Office of Historical Trust Accounting

## OHTA SDA Distribution Project – Undistributed SDA Balances

OHTA's work resulted in the distribution of \$373,254 from SDA, raising the total distributed as of March 31, 2009, to \$52.3 million. As of March 31, 2009, 10,639 SDA totaling \$14,660,568 (plus \$5 million in interest) remain to be resolved and distributed. Of those remaining SDA, 71.5% have balances of less than \$500 each, involving 4.2% of the residual dollars.

As reflected in the table below, OHTA's distribution of residual SDA balances continues to show that only about one-third of undistributed SDA funds belonged to IIM account holders. OHTA's work has also confirmed that, historically, Interior credited monies into the IIM accounting systems that were never intended for individual Indians.

### OHTA SDA DISTRIBUTION PROJECT (1)

SDA Resolved Dollars	Transfer to Tribal Accounts	Transfer to IIM Accounts	Paid to Non-Indian, Third Party and Other (2)	Total
Dollars resolved as of December 31, 2008	\$16,773,583	\$17,314,268	\$17,705,265	\$51,793,116
Dollars resolved from January 1, 2009 through March 31, 2009	\$309,384	\$125,087	\$ 79,004	\$513,475
Total Dollars Distributed as of March 31, 2009	\$17,082,967	\$17,439,355	\$17,784,269	\$52,306,591
Percent of Dollars Distributed	32.66%	33.34%	34.00%	100%

Note (1) Includes historic SDA principal and interest postings through the date of distribution (*i.e.*, total distribution amounts).

Note (2) Includes transfers to Treasury, account reclassifications, transfers to non-Indian parties and transfers to Interior's Federal Finance System.

## Imaging, Coding and Digitizing Individual Indian Trust Documents

OHTA completed imaging 977,588 IIM document pages, coding 214,122 IIM documents and loading 212,012 IIM documents into ART. As of April 1, 2009, ART contained 13.1 million coded IIM images and 10.6 million coded tribal images. The coded images to date total approximately 23.7 million, constituting 4.9 million IIM and tribal documents.

Digitizing follows imaging and coding and involves adding the transaction data to the electronic dataset. OHTA digitized 4,487 Paper Ledger Era transactions that will be sampled for reconciliation.

OHTA also digitized 14,966 Electronic Ledger Era transactions and 2,372 Electronic Ledger Era balance files that were found only in paper records.

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

**May 1, 2009**

**Office of Historical Trust Accounting**

---

**Delays and Obstacles**

OHTA responds to information needs of SOL and the Department of Justice in the *Cobell v. Salazar* litigation and 94 tribal trust cases pending in multiple federal district courts and the Court of Federal Claims. As a result, other OHTA work has received lower priority and fewer resources. Specifically, OHTA now expects to complete the final 45,000 HSAs for Electronic Ledger Era transactions in land-based accounts during FY2010, rather than by the end of FY2009 as initially estimated in the *2007 Plan*.

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

Date: April 22, 2009

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

**May 1, 2009**

---

***THIS PAGE INTENTIONALLY BLANK***



**B. TRUST SERVICES – CURRENT ACCOUNTING**

**Introduction**

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

**a. Special Deposit Account Activity**

**Current Status**

BIA has the responsibility for distribution of SDA funds received since January 1, 2003 (prospective receipts). Current SDA are those which cannot be distributed due to pending appeals of range rates and mineral leases, SOL opinions and cadastral surveys. During this reporting period, there were 28 receipt transactions posted to SDA that qualified in one of the exception categories.

Decisions on appeals of range rates permitted the distribution of \$156,260.51 (principal)<sup>2</sup> and are expected to permit the distribution of \$77,919.43 during the next reporting period. Remaining in current SDA are: \$95,208.26 pending mineral lease appeals; \$94,721.56 pending SOL opinions; and \$7,044.45 pending cadastral surveys. In addition, the SDA non-trust receipt (\$176.00) that had been erroneously deposited was resolved.

OST staff has assisted BIA staff in performing work necessary to distribute aged range receipts at the Blackfeet Agency.

**b. Whereabouts Unknown Accounts**

**Current Status**

OST continues to secure current addresses for account holders of the rolling top 100 highest dollar balance WAU accounts. During this reporting period, 15 of the top 100 WAU accounts, with combined account balances of approximately \$1.6 million were updated with current addresses.

During this reporting period, 6,652 accounts with a combined balance of \$3.3 million were added to the WAU list, while 4,674 accounts with a combined balance of \$7.2 million were updated with current addresses.

As of March 31, 2009, there were 87,619 WAU accounts with a combined balance of \$74.2 million. Currently there are 29 WAU accounts with balances greater than \$100,000. The combined balance of these 29 WAU accounts makes up 6.6% of the current \$74.2 million combined WAU account balance. IIM accounts coded as WAU earn interest in the same manner

---

<sup>2</sup> All amounts reflect the amount of the original SDA deposit. Any interest earned is paid at the time of distribution.

**STATUS REPORT TO THE COURT NUMBER THIRTY-SIX****May 1, 2009****Trust Services – Current Accounting**

as all other IIM accounts. The following table illustrates the number of accounts stratified by account balance and WAU category.

<b>Account Balance</b>	<b>Correspondence/ Check Returned</b>	<b>Account Setup/No Address</b>	<b>Awaiting Address Confirmation</b>	<b>Refused/ Unclaimed Mail</b>	<b>Total</b>
Equal to or over \$100,000	18	11	0	0	29
Under \$100,000 and equal to or over \$50,000	44	20	1	1	66
Under \$50,000 and equal to or over \$5,000	2,292	808	3	2	3,105
Under \$5,000 and equal to or over \$1,000	5,629	1,604	0	8	7,241
Under \$1,000 and equal to or over \$100	9,461	3,989	10	6	13,466
Under \$100 and equal to or over \$1	16,631	7,343	23	30	24,027
Under \$1	13,274	26,317	71	23	39,685
<b>Total</b>	<b>47,349</b>	<b>40,092</b>	<b>108</b>	<b>70</b>	<b>87,619</b>

**c. Small Balance Accounts****Current Status**

As of March 31, 2009, there were 19,907 accounts with a \$.01 - \$1.00 balance and no activity for the previous 18 months. The total in those accounts was \$5,660.01. Statements are sent to account holders for these accounts on an annual basis pursuant to direction from Congress.

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

**May 1, 2009**

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

Date: April 15, 2009

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-Six*, and this information is accurate to the best of my knowledge.

Date: April 23, 2009

Name: *Signature on File*

Margaret Williams  
Deputy Special Trustee, Trust Accountability  
Office of the Special Trustee for American Indians

**May 1, 2009**

---

***THIS PAGE INTENTIONALLY BLANK***

**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.

The American Indian Records Repository, located in Lenexa, Kansas, was built by Interior in collaboration with NARA for the purpose of consolidating and preserving Indian records at one NARA regional records center.

**Accomplishments**

**American Indian Records Repository**

Approximately 2,126 boxes of inactive records were moved from BIA and OST field locations to the Lenexa Annex for indexing during this reporting period. Indexing of approximately 188,770 boxes has been completed as of the end of this reporting period. 178,749 indexed boxes have been sent to AIRR for permanent storage.

**Training**

OTR provided records management training for 190 BIA and OST records contacts and 82 tribal employees during this reporting period. OTR provides records management training to Tribes as they request training.

**Current Status**

**Records Retention Schedules**

As previously reported, several records retention schedules for BIA electronic records systems remain at NARA for review.

**AIRR**

OTR anticipates that it will terminate its indexing contract on June 30, 2009. OTR will use federal employees to continue indexing records.

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

**May 1, 2009**

**Office of Trust Records**

---

**Delays and Obstacles**

Court orders in tribal litigation cases 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-Six*. The information provided in this section is accurate to the best of my knowledge.

Date: April 21 2009

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.

**Current Status**

Reengineering staff:

- Continued to provide technical support for identifying system requirements for various TAAMS modules.
- Continued to perform UAT of TAAMS, which included the financial module during this reporting period.
- Continued to provide technical support for conversion of RDRS to an oil and gas royalty management module within TAAMS.
- Continued to provide support to the BIA Ft. Berthold Agency by researching oil and gas development activities.
- Continued to provide the Ft. Berthold Agency with updated maps identifying new well site locations.
- Received comments from BIA on the draft LTRO handbook. BIA requested that reengineering staff assume the project lead to finalize the handbook. The handbook will establish a core set of standardized policies, procedures and business rules for BIA LTRO operations.

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

Date: April 23, 2009

Name: *Signature on File*

Margaret Williams

Deputy Special Trustee, Trust Accountability

Office of the Special Trustee for American Indians

*May 1, 2009*

---

***THIS PAGE INTENTIONALLY BLANK***



## **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 leasing and title modules.

The second initiative involves the validation and correction of CDE to their respective source documents. CDE are those trust data elements that are needed to provide: (1) timely and accurate payments to beneficiaries; (2) timely and accurate periodic statements of performance to beneficiaries; and (3) effective management of the assets. CDE include, but are not limited to, beneficiary name, account number, tract identification number, and land ownership interests.

The third initiative is implementation of a Post-QA review process, which helps ensure 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 Ahtna Regional Corporation land tracts (193) for ARO LTRO.
- Encoding Cook Inlet Regional Corporation land tracts (155) for ARO LTRO.
- Encoding Bering Straits Regional Corporation land tracts (891) for ARO LTRO.
- Encoding legal land descriptions (56) for the NWRO LTRO.
- Encoding lease documents (270) and legal document expiration dates (790) for Palm Springs Agency.
- Researching and updating contractor addresses (669) for Palm Springs Agency.

### **Current Status**

TPMC's contractors continued to assist BIA and Tribes with TAAMS Leasing post-conversion and TAAMS Title cleanup efforts by:

- Conducting Post-QA review of 14,122 (cumulative total 269,265) transactions encoded into TAAMS at the BIA LTROs and the contractor's Albuquerque office.
- Encoding 53 (cumulative total 667) ID numbers and 61 (cumulative total 457) probate orders for PRO LTRO.
- Encoding 856 (cumulative total 1,688) variance sheets and 7,253 (cumulative total 18,295) landowner ID numbers for SWRO LTRO.

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

**May 1, 2009**

**Trust Data Quality and Integrity**

---

- Encoding 36 Aleut Regional Corporation land tracts for ARO LTRO.
- Researching 830 (cumulative total 4,603) landowner ID numbers for PRO LTRO and 133 (cumulative total 4,866) for SWRO LTRO.
- Researching and validating 17 land tracts and encoding 49 forestry contracts/permits for the Consolidated Salish-Kootenai tribes (Flathead Agency).

TPMC's contractor also assisted FIMO with distributing an additional \$16,785.94 (cumulative total of \$73,064.66) to IIM account holders affected by FIMO's oil and gas lease re-numbering issue, as previously reported.

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

Date: April 22, 2009

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.

#### Accomplishment

Canon Financial Institute presented the updated Trust Investment course for the first time to 21 employees of OST. OST expects to incorporate the course on an on-going basis as part of the *Certified Indian Fiduciary Trust Specialist* program.

#### Current Status

During this reporting period, Cannon Financial Institute presented seven specialty courses to 124 employees of OST, BIA and Tribes. The specialty courses, Asset Management, Fiduciary Behaviors, Guardianship, Trust Principles, Probate, Risk Management, and Trust Accounting are part of the *Certified Indian Fiduciary Trust Specialist* program.

During this reporting period, OST training staff conducted four training sessions for 27 employees and contractors from OST and BIA 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
- TAAMS invoicing and distribution module – used for tracking lockbox receipts.

OST and BIA staff presented one *Trust Fundamentals* course to 26 employees and contractors of OST, BIA, and OSM. 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.

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

**May 1, 2009**

**Indian Fiduciary Trust Training Program**

---

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

Date: April 17, 2009

Name: *Signature on File*

Ratana Butler

Acting 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 develops, operate and maintain risk-based management tools to support and monitor the risk levels and implementation of corrective actions. In addition, TPMC staff facilitates program reviews, which include testing of program operations, financial reports, and compliance with the law. These tests and reviews provide the basis for OST's interim and annual statements of assurance.

**Accomplishments**

OST evaluated changes to risk management content for various programs and updated all program content. This content will be utilized for FY2009 self-assessments and testing that provide the basis for OST's interim and annual statements of assurance.

**Current Status**

Risk management staff participated in the Interior Office of Financial Management-led intra-bureau testing of key internal controls for OST, BIA, MMS and BLM for FY2009.

As a result of the FY2008 self-assessments, 29 RM-PLUS corrective action plans remain open.

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

Date: April 17, 2009

Name: *Signature on File*  
John Constable  
Program Analyst, Trust Accountability  
Office of the Special Trustee for American Indians

**May 1, 2009**

---

***THIS PAGE INTENTIONALLY BLANK***

## **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 Regulatory Management, AS-IA. ORM activities are reported in the Indian Affairs section of the report to the Court.

### **Accomplishments**

Seventeen new or revised policies, procedures, and handbooks were completed and published during the reporting period.

Nine new accounting forms for use by Trust Services and Field Operations were edited, converted into electronically fillable documents and published to the trust portal.

### **Current Status**

A meeting of the OTP Liaison Group was held on March 12, 2009. Group participants include representatives from each Interior agency with trust responsibilities. Each agency reported on inter-agency initiatives related to trust regulations, policies and procedures and also described respective agency fiduciary trust priorities. The group’s goal is to establish consistency and to eliminate conflicting regulations, policies, and procedures.

OTP and senior OST management developed a revised directives surnaming process to help reduce the time required for document review and revisions. This new process is expected to be implemented during the next reporting period.

An OTP team developed a new electronic database to track the status of directives throughout their lifecycle. After the database is tested for functionality, staff will begin creating individual records for work-in-progress directives, standing directives and historical directives. The data load is expected to be completed by the end of FY2009.

OTP staff flowcharted each OTP process and authored a new set of internal procedures for each process. During the next reporting period, OTP expects to complete the chapters addressing the revised surnaming process, user instructions for the new tracking database and quality control.

OTP initiated an update of the *Interagency Handbook*, which covers more than 30 trust accounting processes that require input by both BIA and OST staff to complete. The handbook describes each agency’s responsibilities for completing the various steps in each process. Input from subject matter experts in both agencies will be required.

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

**May 1, 2009**

**Trust Regulations, Policies and Procedures**

---

The draft TBCC directives were further refined by the originating program office. The directives advanced to the surnaming process, which is expected to be completed during the next reporting period.

Three programmatic delegations of authority for OAS were drafted and advanced to the surnaming process.

**Assurance Statement**

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

Date: April 15, 2009

Name: *Signature on File*

John Marshall, 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**

OTRA conducted 24 Indian trust examinations. OTRA issued seven draft reports, 12 final Indian trust examination reports, and three final follow-up corrective action reports. Of the 12 Indian trust examination reports issued, all offices were rated “satisfactory.”

**Records Assessments**

The records assessment is a focused evaluation of records maintenance and security. OTRA completed 11 records assessment follow-up reviews on the status of corrective action implementation. OTRA issued seven final records management assessment follow-up reports.

**Compliance/Investigative Reviews**

OTRA conducted two investigative reviews relating to trust operations by contracting and compacting Tribes. OTRA issued three final investigative reports and one special review draft report. One of the final investigative reports requires a corrective action plan and OTRA follow-up.

**Follow-up Inquiries**

OTRA completed eight inquiries seeking the status of corrective actions recommended in previous reporting periods.

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

Date: April 22, 2009

Name: *Signature on File*

Larry Morrin

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 is responsible for Indian land valuations required by various regulations governing Indian trust lands. To meet these requirements, an appraisal or other valuation method is used to determine fair market value of Indian lands.

**Accomplishments**

OAS transmitted 2,903 real estate appraisals to clients; of these, 1,445 were completed using the U/FAS in the Great Plains Region. OME evaluated 95 parcels in support of ILCP and 38 parcels in support of probate.

**Current Status**

OAS continues to work with NBC to establish training and implementation schedules for OAS use of the ARRTS program.

As in previous reporting periods, the “appraisal 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. The appraisal backlogs as reported by the regions are as follows:

<b>Region</b>	<b>Appraisal Backlog As of 12/31/08</b>	<b>Appraisal Backlog As of 03/31/09</b>
Northwest	434	341
Rocky Mountain	278	144
Midwest	39	54
Western	17	22
Southwest	31	27
Eastern Oklahoma	58	39
Navajo	1	1
Pacific	1	3
Alaska	186	280
Eastern	0	0
Southern Plains	3	4
Great Plains	58	5
<b>TOTAL</b>	<b>1,106</b>	<b>920</b>

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

**May 1, 2009**

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

Date: April 16, 2009

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

I. INDIAN AFFAIRS

A. TRUST REGULATIONS, POLICIES AND PROCEDURES

**Introduction**

The Office of Regulatory Management in the Office of the Assistant Secretary – Indian Affairs is responsible for review and revision of all regulations governing Interior’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 Report to the Court*.

**Current Status**

**Regulatory Initiative** – In November 2008, Interior published final regulations related to probate, probate hearings and appeals, tribal probate codes, and life estates and future interests in Indian land. However, updates to these regulations are now necessary because, shortly after publication, Congress amended the authorizing statute, the American Indian Probate Reform Act. ORM anticipates publishing updated regulations in the next reporting period.

ORM also continues to work with SOL and subject matter experts to revise the CFR part regarding conveyances of trust and restricted interests.

Interior is planning to begin consultation with Tribes on preliminary drafts of regulations affecting leasing, grazing, rights-of-way, trespass and land title and records in August 2009.

**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. A complete draft of these regulations is not expected until mid to late CY2009.

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

Date: April 15, 2009

Name: *Signature on File*  
Michele F. Singer  
Director, Office of Regulatory Management  
Office of the Assistant Secretary – Indian Affairs

*May 1, 2009*

---

***THIS PAGE INTENTIONALLY BLANK***

**II. BUREAU OF INDIAN AFFAIRS**

**A. FRACTIONATION**

**Introduction**

Fractionation of Indian trust and restricted land results from the federal Indian policy of the 19<sup>th</sup> century. Fractionation occurs as land passes from one generation to the next, an increasing number of 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 have been coordinated primarily through the BIA Indian Land Consolidation Office, which has sought to help Tribes make use of the opportunities offered by the Indian Land Consolidation Act, as amended in 2004. Although ILCO operated several acquisition projects that purchased undivided interests in highly fractionated tracts and transferred title to the Tribes, ILCP is expected to end during FY2009. ILCP was not funded in the current Interior budget and is using FY2008 carry-over funds to close-out its operations.

**Accomplishments**

A total of 20 reservations located in seven BIA Regions have participated in ILCP.

During this reporting period, ILCP acquired 2,781 fractional interests and 5,213.74 acre-equivalents. Of the total interests acquired, 85% were interests of less than 2% ownership in the respective tracts of land.

Tribes acquired majority ownership in 53 tracts during this reporting period (7,824 total tracts). As a result of ILCP purchases, Tribes now have 100% ownership of 434 total tracts since the beginning of the program.<sup>3</sup>

**Current Status**

ILCO continued to audit all acquired fractionated interests. The audit is verifying landowner intent and sales information, and confirming that ownership changes have been made in TAAMS Title. The audit is now expected to be completed by the end of the third quarter of FY2009.

---

<sup>3</sup> Through auditing, ILCO found that it had over-counted by two the number of 100% tribal ownership tracts.

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

**May 1, 2009**

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

Date: April 15, 2009

Name: *Signature on File*

Brenda Walhovd

Acting Director, Indian Land Consolidation Office

Bureau of Indian Affairs



**B. PROBATE**

**Introduction**

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.

**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, 7,584 probate cases are in the case preparation stage.

**Case Adjudication**

Depending on the complexity of the case or the tribal affiliation of decedents and location of trust lands, probates are adjudicated by ALJs, IPJs or ADMs, or by the District Courts in the State of Oklahoma for estates of the Five Civilized Tribes of Oklahoma and Osage Indians.

According to ProTrac, 5,387 probate cases are pending in the case adjudication stage, which includes cases decided by OHA that are within the 45 day appeal period and cases pending in the Eastern Oklahoma state district court. As reported by OHA, 4,122 cases are pending decision. OHA also reported that deciding officials received 1,546 cases and decided 1,261 cases.

**Case Closure – BIA**

Cases in the closing stage have been adjudicated. During this stage, if land is part of the estate, BIA updates land ownership information in TAAMS. According to ProTrac, 2,944 cases were pending in the case closure stage. BIA closed 2,689 cases.

**Financial Case Closure – OST**

Financial case closure is the distribution of assets after the case been adjudicated and land ownership information updated by BIA if necessary. OST reported that it distributed funds and closed 2,196 accounts in TFAS during this reporting period representing 2,155 estates. As of the end of March 31, 2009, TFAS contained 32,307 open estate accounts, which is a decrease of 295 from the 32,602 open 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:

- Continued fractionation of ownership of Indian lands;
- Cultural differences regarding the subject of death and funerals; and
- Loss of case preparation personnel/contractors.

**Assurance Statement**

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

Date: April 20, 2009

Name: *Signature on File*  
Adelita Guerue, Director Special Projects  
Chief, Probate Division  
Office of Trust Services  
Bureau of Indian Affairs

### III. OTHER TOPICS

#### A. INFORMATION TECHNOLOGY

##### Introduction

This section describes the status of Interior IT systems, particularly trust systems. In addition, this section describes various efforts being made to improve IT security within Interior, pursuant to OMB Circular A-130 Appendix III.

##### Accomplishments

###### **Policies and Guidance:**

- On January 27, 2009, the Interior CIO issued “Fiscal Year 2009 (FY09) Annual End-User Federal Information Systems Security Awareness Training” to assistant secretaries, heads of bureaus and offices, and bureau and office CIOs. This memo requires all users of Interior IT systems to complete annual security awareness training no later than July 31, 2009.
- On February 3, 2009, the Interior CIO issued “Fiscal Year 2009 (FY09) Information Technology (IT) Security Role-Based training” to assistant secretaries, heads of bureaus and offices, and bureau and office CIO. This memo requires all users with significant IT Security related responsibilities for Interior IT systems to complete the training no later than July 31, 2009.
- On February 5, 2009, the Interior CIO issued “Internal Control Review (ICR) Guidance for Fiscal Year (FY) 2009” to the heads of bureaus and offices and to bureau and office CIO. This directive provides specific guidance for IT system owners and BCISOs for conducting annual assessments of system security controls in accordance with OMB Circular A-123 and FISMA.
- On February 6, 2009, the Interior CIO issued “Population and Maintenance of the Departmental Enterprise Architecture Repository (DEAR)” to the heads of bureaus and offices and to bureau and office CIOs. This directive establishes DEAR as the official inventory of all Interior IT assets.
- On February 17, 2009, the Interior CIO issued “Information Technology Capital Planning and Investment Control Schedule for Fiscal Year 2009” to the heads of bureaus and offices and to bureau and office CIOs. This directive details “the governance roles, timeframes and high-level tasks necessary to develop an IT portfolio recommendation in time for 2011 budget formulation to begin in the Spring of 2009,” and includes all DOI information technology acquisitions.
- On September 23, 2008 the Interior CIO (acting) issued “Mandatory Use of the Cyber Security Assessment and Management (CSAM) Solution” to the heads of bureaus and offices and to bureau and office CIOs. This directive states that CSAM superseded DEAR for the purpose of acting as Interior’s official C&A repository.

### Current Status

#### **Prevention and Monitoring:**

ESN perimeter security controls, which are the first line of defense, typically block over one million network attacks during any given reporting period. As previously reported, DOI-CIRC continues to adhere to US-CERT incident reporting requirements and procedures.

#### **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 20 weaknesses were eliminated and 230 new weaknesses were identified and added for trust systems.
- At the end of this reporting period, there were 753 weaknesses associated with trust systems. Of the 753 open weaknesses, 95 (13%) are rated high, 387 (51%) are rated medium and 271 (36%) are rated low.

#### **A-130 Certification and Accreditation:**

All trust systems that are currently tracked in CSAM have full ATO status.

#### **Training and Awareness:**

Interior began the 2009 Role-Based Security Training and Security Awareness training as required by FISMA.

#### **Reports:**

The following report was among those government reports related to IT security issued during this reporting period.

- GAO issued the following report that relates to information security across all federal agencies: “National Cybersecurity Strategy: Key Improvements Are Needed to Strengthen the Nation's Posture.”

On April 1, 2009, the plaintiffs in *Cobell v. Salazar* filed Interior OIG report number ISD-EV-OSS-0017-2008, “Compilation of Information Technology Challenges at DOI - A Blueprint for Change.” This report addresses Interior’s management of information technology. It does not specifically address trust systems or IIM. The report made the following recommendations:

- Realign Bureau-specific IT personnel under the purview of the Department CIO.
- Realign all IT funding under the purview of the Department CIO.
- Organize the IT program along technology and security boundaries rather than along organization boundaries. For example, create a Deputy CIO for infrastructure rather than a Deputy CIO for Bureau A.
- Manage all IT projects under the purview of the Department CIO.

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

**May 1, 2009**

**Information Technology**

---

The Secretary is working with the bureau and office CIOs to review the report and recommend any opportunities for improvement.

**Delays and Obstacles**

**Staffing:**

During this reporting period, the Interior CIO no longer served simultaneously as the acting BIA CIO. Until a replacement BIA CIO is hired, the AS-IA Deputy CIO is acting in that capacity.

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

Date: April 24, 2009

Name: *Signature on File*

Sanjeev (Sonny) Bhagowalia

Department of the Interior Chief Information Officer

**May 1, 2009**

---

***THIS PAGE INTENTIONALLY BLANK***

## **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 the information recorded in official surveys.

### **Accomplishments**

#### **Survey Production**

BLM approved a total of 18 completed survey projects in Indian Country during this reporting period. These surveys produced 38 plats, 476 miles of survey line and an additional 1,134 survey monuments in Indian Country.

#### **Certified Federal Surveyor Program**

The BLM Cadastral Program deployed the CFedS program in FY2007. During this reporting period:

- There were 741 professional land surveyors enrolled in the CFedS training program, and 233 CFedS certified. There were 48 states represented with licensed surveyors either enrolled or certified in the program.
- The CFedS web site had approximately 20,862 visits and the "Finding a CFedS" page received 15,352 inquiries.
- Seventy-five new professional land surveyors started the program.

#### **Implementation of the FTM**

OIG initiated field visits and interviews with BLM and BIA personnel related to Interior "Boundary Management" business processes, including cadastral FTM. The TAAMS Spatial Pilot Project, a key element of the FTM, remains under consideration by the OCIO as previously reported. This OIG survey may result in an audit.

**Delays and Obstacles**

**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 FY2009 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-Six*. The information provided in this section is accurate to the best of my knowledge.

Date: April 20, 2009

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



**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**

After review by the new administration of the Negotiated Rulemaking Committee Charter and membership nominations, MMS expects to address issues regarding the “major portion” calculation for oil produced from Indian leases.

**Overpayments to Allottees**

As previously reported, Interior overpaid certain Navajo individual Indian mineral owners. OST, MMS, FIMO and BIA have established procedures and controls to mitigate the risk of this type of error occurring again. BIA, working with FIMO, has recouped most of the overpayments from the owners.

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

Date: April 22, 2009

Name: *Signature on File*  
Jennifer Goldblatt  
Chief of Staff  
Minerals Revenue Management  
Minerals Management Service

**May 1, 2009**

---

***THIS PAGE INTENTIONALLY BLANK***

**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
BCISO	Bureau Chief Information Security Officer (formerly BITSM)
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

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

**May 1, 2009**

## **Acronyms and Abbreviations**

---

CIO	Chief Information Officer
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
CSAM	Cyber Security Assessment and Management
CSIRC	Computer Security Incident Response Capability
CSIRT	Computer Security Incident Response Team
CSS	Customer StrataStation
CTM	Comprehensive Trust Management Plan
DAA	Designated Approving Authority
DCV	Data Completeness Validation
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

## STATUS REPORT TO THE COURT NUMBER THIRTY-SIX

May 1, 2009

## Acronyms and Abbreviations

---

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
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

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

**May 1, 2009**

## **Acronyms and Abbreviations**

---

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
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

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

**May 1, 2009**

## **Acronyms and Abbreviations**

---

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
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

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

**May 1, 2009**

**Acronyms and Abbreviations**

---

TAP	Technical Architecture Profile
TBCC	Trust Beneficiary Call Center
TESC	Trust Executive Steering Committee
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
TSPP	TAAMS Spatial Pilot Project
U/FAS	Undivided/Fractionated Appraisal System
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