

CERTIFICATION INFORMATION TECHNOLOGY SYSTEMS

On December 5, 2001, United States District Court Judge Royce C. Lamberth entered a Temporary Restraining Order, amended on December 6, 2001, requiring Interior to “immediately disconnect from the Internet all information technology systems that house or provide access to individual Indian trust data” and to “immediately disconnect from the Internet all computers within the custody and control of the Department of Interior, its employees and contractors that have access to individual Indian trust data.” Subsequently, on December 17, 2001, Judge Lamberth signed a “Consent Order Regarding Information Technology Security.” The Consent Order provided the terms and conditions upon which the Department could seek the concurrence of the Special Master to restore connections to the Internet. A key component of the process involved providing documentation to the Special Master that identified which information technology systems house or provide access to individual Indian trust data. Your certification will become an important part of our ongoing documentation.

The Certification Process

Step 1: To facilitate the review of your information technology system, please consider the following definitions that are contained in the Consent Order.

Information technology system - Any equipment or interconnected system or subsystem of equipment, that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information, including computers, ancillary equipment, software, firmware and similar procedures, services (including support services), and related sources.

“Individual Indian trust data” - All data stored in an information technology system upon which the Government must rely to fulfill its trust duties to Native Americans pursuant to the Trust Fund Management Reform Act of 1994 (P.L. No. 103-412), other applicable statutes and orders of this Court reflecting, for example,

- the existence of individual Indian trust assets (e.g., as derived from ownership data, trust patents, plot descriptions, surveys, jacket files, statement of accounts),
- the collection of income from individual Indian trust assets (e.g., as derived from deposit tickets, journal vouchers, schedule of collections),
- use or management of individual Indian trust assets (e.g., as derived from leases, sales, rights-of-way, investment reports, production reports, sales contracts), or
- the disbursement of individual Indian trust assets (e.g., as derived from transaction ledgers, check registers, transaction registers, or lists of canceled or undelivered checks).”

Individual Indian trust assets - Lands, natural resources, monies, or other assets held in trust at a particular time by the United States, or that are or were at a particular time restricted against alienation, for individual monies.

House - the storage by electronic means of individual Indian trust data.

Access - The ability to gain electronic entry into systems, networks, personal computers, or application providers.

Step 2: Please provide the following data to uniquely identify your information technology system. (Please check only one)

- Desktop/Laptop computer (local drives such as C:)
- Network drives (H:, O:, etc)
- E-Mail (Lotus Notes)
- All of the above (use only to certify that no system houses or provides access to Individual Indian trust data)

Step 3: Please thoughtfully and carefully evaluate your entire information technology system. The objective of your review is to determine whether any individual Indian trust data is housed on your system and whether your system provides access to individual Indian trust data (and, if so, how).

Step 4: Certification - Please indicate the results of your system evaluation, sign the certification and forward it to the appropriate agency official for review and tabulation.

I certify, to the best of my knowledge and belief, that the aforementioned information technology system ...

does not house or provide access to "Individual Indian trust data."

may house or provide access to "Individual Indian trust data." Note: Please attach an explanation regarding why you are unable to determine whether the system does or does not house or provide access to "Individual Indian trust data."

does house or provide access to "Individual Indian trust data." Note: In addition to the systems information provided above, please attach supplementary information including "system name/acronym", "system function", "hardware identification & location", "operating system software", and "relative database size".

I understand that at some point in the future I may be asked to provide an explanation of the methods/process used to arrive at the conclusion noted above. As a reminder, I have prepared and will retain documentation in my files regarding my review process.

Signature

Date