

Secretarial Commission on Indian Trust Administration and Reform Meeting #3

Monday, June 11, 2012 – 8:00 am – 5:00 pm Mountain Daylight Time

Tuesday, June 12, 2012 – 8:30 am – 4:00 pm Mountain Daylight Time

Meeting Location:

Office of the Special Trustee for American Indians¹
4400 Masthead Street NE
Albuquerque, NM 87109
505-816-1000

Objectives

- Gain insights and knowledge from speakers and attendees about trust reform including other trust models and the definition of the trust relationship.
- Update one another and discuss next steps in Commission outreach to tribes, individual Indian, and tribal organizations about Trust management, administration and reforms.
- Attend to operational activities of the Commission.
- Chart a plan of action for each subcommittee.

Monday, June 11, 2012

8:00 – 8:05 Invocation

8:05 – 8:15 Welcome, Introductions, Agenda Review –Chair Sharp

8:15 – 8:30 Status Updates on Settlement - Vanessa Ray-Hodge, Office of the Solicitor, DOI

- Commissioner Q&A
- Audience Q&A

8:30 – 9:30 Commission Operations Reports and Decision Making on:

1. Approval of May 16, 2012 Meeting Minutes as revised
Action: Does the Commission support the minutes as revised?
2. Commission Outreach and Communications Plan
Action: Does the Commission support the plan as written?
3. Report from Commissioners regarding Outreach Activities since April 2012 – Commissioners

- Commissioner Q&A
- Audience Q&A

9:30 – 9:45 BREAK

¹ Please see the final page of this agenda for important protocols and rules about the OST Facility.

- 9:45 – 10:55 Trust Relationship Subcommittee Report and Panel Session- Chair Sharp and Commissioner Anderson
GOAL: Hear subcommittee report and gather preliminary ideas and insights about a workable definition of the trust relationship.
1. Subcommittee report - Chair Sharp and Commissioner Anderson (10 minutes)
 2. Panel session: Each panelist will spend 20-25 minutes responding to the questions below. The remaining time will be for Commission and attendee Q&A.
 - A. The subcommittee's draft statement regarding the trust relationship and the following questions.
 - B. In what concrete ways can the trust relationship between tribes and DOI be improved?
 - C. What are the barriers to these improvements? What might it take to implement improvements?
 - D. Do you have any recommendations and/or suggestions that would improve the nation-to-nation relationship between DOI and Tribes with respect to trust administration?
- Panelists:**
Sam Deloria, Director, American Indian Graduate Center
Chandler Sanchez, Chair All Indian Pueblo Council (*invited*)
- Commissioner Q&A
 - Audience Q&A
- 10:55 –12:00 Trust Models Subcommittee Report and Panel Session- Commissioners Leeds, Zah
GOAL: Hear subcommittee report and learn about other public and private sector trust models that may contain elements that are relevant to Trust asset administration and management.
1. Subcommittee report - Commissioners Leeds and Zah (10 minutes)
 2. Panel session: Description of their trust model structure, services, etc (15 minutes/panelist with remaining time for Q&A)
- Panelists:**
Bank of NY Mellon – Joanna G. Shapiro, Managing Director Global Client Management and John Stroud, Vice President, Director Wealth Management
The Northern Trust Company – R. Hugh Magill, Executive Vice President and Chief Fiduciary Officer
Representative from Pension Benefit Guarantee Corporation –*invited*
- Commissioner Q&A
 - Audience Q&A
- 12:00 – 1:30 Lunch, on your own
- 1:30 – 2:00 Commission Outreach Letter: Responses to the Questions

GOAL: Learn about responses to-date as a result of the Commission outreach letter. Decide what additional outreach activities are needed and on what topics.

1. Summary of responses as of June 4, 2012 Regina Gilbert DOI
2. Is there additional outreach Commissioners would like to take using the outreach letter?
3. Should there be another outreach from the Commission? If yes when should it go out?
4. Summary and acknowledgment of comments received via the Commission website

2:00 – 2:15 BREAK

2:15 – 4:15 Public round robin session for public to share perspectives regarding any of the previous panel discussion questions and:

GOAL: Commissioners want to hear from tribal leaders, tribal organizations, and individual Indians at the meeting about the following:

1. Do you have any recommendations and/or suggestions that would improve the nation-to-nation relationship between DOI and Tribes with respect to trust administration?
2. Are there any other trust administration models the Commission should examine as it looks towards improving the Department of the Interior's trust administration and management?

4:15 – 4:45 Commissioner reflections about the round robin discussion - Commissioners

4:45 – 4:55 Review action items from today's discussion –Bridget Radcliff, USIECR

4:55 – 5:00 Adjourn – Chair Sharp

7:00-9:00 Optional Evening Session: Opportunity for American Indian youth to meet with available Commissioners. **Location:** Indian Pueblo Cultural Center, 2401 12th St. NW Albuquerque, NM 87104 **phone:** 505-843-7270

Tuesday, June 12, 2012

8:30 – 8:35 Invocation

8:35 – 8:45 Welcome, Introductions, Agenda Review –Chair Sharp

8:45 – 9:05 Status update on BIA consultations, preliminary overview of comments - Mike Black and Bryan Rice, DOI (by phone)

GOAL: Learn about the key themes that are being heard from the BIA consultations.

- Commissioner Q&A
- Audience Q&A

- 9:05 – 9:30 Research Subcommittee Report and Next Steps – Commissioners Anderson and Leeds
GOAL: Hear subcommittee report and discuss methodology and additional research needs.
- Commissioner Q&A
 - Audience / Public Q&A
- 9:30 – 9:45 BREAK
- 9:45 – 11:30 Trust Management and Administration Panel Session Presentation and Discussion
GOAL: Hear from several perspectives about the following:
1. Recommendations to improve or streamline delivery of services to trust beneficiaries. This includes matters related to financial management and accounting functions, as well as natural resource management functions.
 2. Recommendations to improve or strengthen trust management and/or administration based on lessons learned in the course of litigation and settlement of the recent tribal breach of trust cases.
 3. What solutions do they think would improve trust management and administration?
- Panelists will have 20 minutes to respond to the items above, then 45 minutes for discussion on the differing points of view between one another and respond to questions from the Commissioners and then the audience.
- Panelists:**
Michael Finley, Chair Inter-Tribal Monitoring Association
Melody McCoy, Native American Rights Fund
Ross Swimmer, Swimmer Group, LLC
- Commissioner Q&A
 - Audience / Public Q&A
- 11:30 – 12:30 Lunch (on your own)
- 12:30 -1:00 ITC Work Plan: update subcommittee charges and confirm activities on Audit Subcommittee – Commissioners and DOI Points of Contact for Subcommittees
- Commissioner Q&A
 - Audience/Public Q&A
- 1:00 -3:00 Public round robin session for public to share perspectives regarding any of the previous panel discussion questions and responses to the questions below. Break during the session.
GOAL: Commissioners want to hear from tribal leaders, tribal organizations, and individual Indians present about the following:
1. Do you have any recommendations to improve or streamline delivery of services to trust beneficiaries? This includes matters related to financial management and accounting functions, as well as natural resource management functions.
 2. Do you have any recommendations to improve or strengthen trust management and/or administration based on information gathered in the course of litigation and settlement of the recent tribal breach of trust cases announced in early April of this

year.

3. Given that the sunset provision in the American Indian Trust Fund Management Reform Act of 1994 was predicated on OST's oversight and reform responsibilities, and that OST now has additional operational duties, should the Commission recommend sunsetting the OST?

3:00 – 3:15 Commission reflections about the round robin discussion – Commissioners

3:15 – 3:35 Suggested topics for next meetings –Commissioners and DFO Marsters

- Summer webinar
- September meeting

3:35 – 3:50 Review action items, meeting accomplishments–Bridget Radcliff, USIECR

3:50 – 3:55 Closing blessing

3:55 – 4:00 Adjourn –Chair Sharp

Reminders about Upcoming Commission Meetings – all are open to the public and information will be posted to: <http://www.doi.gov/cobell/commission/index.cfm>

- Sept 13 and 14 in Bismarck, ND
- December 6 and 7 in Seattle, WA

Read ahead materials for Commissioners in addition to this agenda: *(to be provided to Commissioners by June 4 and made available as handouts to the audience at the meeting)*

- Draft ITC May 16, 2012 Meeting Minutes
- Draft Commission Communications/Outreach Plan
- Materials provided in advance by speakers and panelists – *as available*
- Subcommittee Reports –*as available*
- Subcommittee Tasks, Products, Timelines and Membership
- Draft Updated Commission Work Plan
- Other items as identified

IMPORTANT PROTOCOLS FOR THE OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN INDIANS

4400 Masthead NE, Albuquerque, NM

- Park in designated areas (parking lot will be marked off for visitors).
- A federal or state issued photo identification card must be presented upon entering the building.
- Visitors will be issued a temporary visitor's badge, which must be visibly worn while in the facility.
- Laptops must be accompanied with a property pass (DI-1934) or a DI-105 before entering the building.
- Possession of a firearm or weapon in this Federal facility is a federal crime regardless if a license to carry a concealed handgun is authorized (Title 18 USC, Section 930). The list of weapons include but are not limited to: firearms, knives (including small pocket knives and box cutters), stun-guns, mace, and pepper sprays.