

## Secretarial Commission on Indian Trust Administration and Reform

[www.doi.gov/cobell/commission/index.cfm](http://www.doi.gov/cobell/commission/index.cfm)

May 3, 2012

Dear Tribal Leader:

We are pleased to begin the exciting work of the Secretarial Commission on Indian Trust Administration and Reform (also known as Indian Trust Commission or ITC). The ITC is a five-member commission appointed by the Secretary of the Interior, and chartered on November 28, 2011. I have enclosed a biography of each Commissioner, by way of introduction.

The ITC's overall mission is to provide advice and recommendations to the Secretary of the Interior regarding trust management. The Commission is available at <http://www.doi.gov/cobell/commission/index.cfm>.

Having gathered valuable background information during our first meeting held in Washington, DC, March 1-2, 2012, the ITC is beginning a comprehensive evaluation of how the Department of the Interior manages and administers trust responsibilities to American Indians. The Commission is committed to early engagement to gather your valuable perspectives because the process of engaging is a forethought rather than an afterthought.

I invite you to attend one of the upcoming Commission meetings or calls that are open to the public. Enclosed is a Federal Register notice announcing our next public meeting. Also, listed below are tentatively scheduled public meetings for 2012:

- May 16, 2012 - Webinar
- June 11/12, 2012 – Albuquerque, NM
- September 13/14, 2012 – Bismarck, ND
- December 6/7, 2012 – Seattle, WA

The ITC is soliciting your ideas regarding the Department's administration and management of trust assets and carrying out its fiduciary trust responsibility for individual Indian and tribes. I invite you to provide recommendations and possible solutions for trust management and administration to improve the delivery of services to Indian Country.

Your answers to the following questions would be invaluable to the ITC:

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. Are there any other trust administration models the ITC should examine as it looks towards improving the Department of the Interior's trust administration and management?
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?
4. 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?
5. 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.

The Commission is undertaking extensive data gathering as it moves forward and your input is essential to the success of this effort. If you would like your comments considered at the June meeting please submit them no later than **June 4, 2012**.

Please send your comments and/or recommendations by e-mail to [trustcommission@ios.doi.gov](mailto:trustcommission@ios.doi.gov) or by U.S. mail to the Department of the Interior, Office of Regulatory Affairs and Collaborative Action, 1001 Indian School, NW, Suite 312, Albuquerque, New Mexico 87104. The Department will compile the responses and for Commission review, deliberation and discussion.

The Commission appreciates your work and consideration in the search for meaningful improvements to present to the Secretary of the Interior.

Sincerely,



Fawn Sharp  
Commission Chair

Enclosures

## Bios

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### Commission on Indian Trust Administration and Reform

#### Fawn Sharp

Fawn R. Sharp is the current President of the Quinault Indian Nation in Taholah, Washington. Ms. Sharp is also President of the Affiliated Tribes of Northwest Indians (ATNI). Her past positions included managing attorney and lead counsel; and staff attorney for the Quinault Indian Nation, administrative law judge for the Washington state Department of Revenue – Tax Appeals Division, Quinault Tribal Court Associate Judge, and Counsel for Phillips, Krause & Brown.



Ms. Sharp has held numerous leadership positions, including an appointment by Governor Gary Locke to serve as Trustee for Grays Harbor College, Governor of the Washington State Bar Association, Trustee of Washington State Bar Association – Indian Law Section, Vice President and Founding Member for the National Intertribal Tax Alliance, and Director/Secretary of the Quinault Nation Enterprises Board. Fawn has conducted lectures and publications all over the United States.

Ms. Sharp graduated with a Bachelor of Arts from Gonzaga University in Spokane Washington at the age of 19. She received her Juris Doctorate from the University of Washington in 1995 and has subsequently received certificates from the National Judicial College at the University of Nevada, and from the International Human Rights Law at Oxford University.

Ms. Sharp resides with her husband, Dan Malvini, and their son, Daniel Malvini II.

#### Tex G. Hall

Tex G. Hall is a Chairman of the Great Plains Tribal Chairmen's Association. Mr. Hall is the current tribal chairman of Three Affiliated Tribes, a position he also held from 1998 to 2006. Mr. Hall is also a former President of the National Congress of American Indians (NCAI).

Mr. Hall grew up on his family's ranch in Mandaree, North Dakota where he still ranches cattle.

Mr. Hall earned his Master's Degree in Education from the University of Mary in North Dakota. In 1995, He was named North Dakota Indian Educator of the Year.



Mr. Hall has also been inducted into the North Dakota Amateur Basketball Hall of Fame, the National Indian Athletic Association Hall of Fame, and the Minot State University Bottineau Athletic Hall of Fame.

## Stacy Leeds

Ms. Stacy Leeds serves as Dean and Professor of Law at the University of Arkansas School of Law in Fayetteville, Arkansas. Professor Leeds holds law degrees from the University of Wisconsin (LL.M) and the University of Tulsa (J.D.). She completed an undergraduate degree (B.A.) at Washington University in St. Louis and a master's degree (M.B.A.) at the University of Tennessee.



Her law teaching career began at the University of Wisconsin where she was a William H. Hastie Fellow. She has also served as professor, associated dean for academic affairs, and director of the Tribal Law and Government Center at the University of Kansas School of Law. She teaches and writes in the areas of American Indian law, property, energy and natural resources, tribal governance and economic development.

Dean Leeds has served as a judge for many tribes including current appointments as the Chief District Court Judge for Prairie Band Potawatomi, Chief Justice for the Kickapoo Tribe of Oklahoma and Chief Justice for the Kaw Nation Supreme Court. She served as a Supreme Court Justice for the Cherokee Nation from 2002-2006.

A citizen of the Cherokee Nation and a native of Muskogee, she spends her down time at home near the Illinois River in rural NE Oklahoma.

## Dr. Peterson Zah

Dr. Peterson Zah is a Diné from the Navajo Nation; the largest tribe in the U.S. Zah has worked for over 40 years to defend the interests of all Native American people and is widely respected among U.S. tribes.



Dr. Zah previously served as the Special Adviser to ASU President on American Indian Affairs. During his tenure the university's Native American student population doubled from 672 to over 1,400. He is recognized for his efforts to increase retention rates from 43 percent to 78 percent, among the highest of any major college or university in the country. His guidance and support has also allowed for creating one of the largest and most profound groups of American Indian faculty members in the country; totaling 30. Throughout his career he has made education his first priority. In the fall of 2004 he received a lifetime achievement award from the National Indian Education Association.

Zah's respect for the value of education is rooted in his own story. Born in 1937 and raised in the middle of the Navajo Reservation at remote Low Mountain, AZ. He left his home and family in 1953 to attend the Phoenix Indian School, later enrolling at Phoenix Community College and finally ASU, where he earned a bachelor's degree in education in 1963. He returned to his homeland as a vocational educator, teaching Navajo adults the essentials of the carpentry trade, and then as a field coordinator for VISTA Indian Training Center at Arizona State University.

Quickly proving his leadership abilities, he is co-founder and later became executive director of DNA-People's Legal Services, a nonprofit legal services program for the Navajo, Hopi and Apache people. He assisted tribes in legal matters, set up widespread community education programs, and championed native rights.

In 1982, Zah was elected Chairman of the Navajo Tribal Council. In 1990, under a new tribal government, Peterson Zah was elected the first president of the Navajo Nation, leading the movement to restructure and modernize their governmental system from a council to a nation. This makes Dr. Zah the last Chairman of the Navajo Tribal Council and the first elected President of the Navajo Nation.

Zah, who is considered one of the 100 most important Native Americans in the last century and a key leader in Native American government and education, received an Honorary Doctoral Degree of Humane Letters from Arizona State University in 2005. He is also the 2008 recipient of the Martin Luther King, Jr. Servant Leadership Award.

During the 2007-2008 academic year ASU had 409 seniors and graduated over 300 Native American students; of this number 21 graduated with their Doctoral Degrees and 56 graduated with their Master's Degree. It is believed that this represents the highest in the nation at one major university.

### **Robert Anderson**

Mr. Bob Anderson is a Professor of Law and Director of the Native American Law Center at the University of Washington. He also has a long-term appointment as the Oneida Indian Nation Visiting Professor of Law at Harvard Law School.

He is a co-author and member of the Board of Editors of Cohen's Handbook of Federal Indian Law (2005) and is co-author of Anderson, Berger, Frickey and Krakoff, American Indian Law: Cases and Commentary (Thomson/West 2008). He teaches and writes in the areas of Indian Law, Public Land Law and Water Law. Students have selected Professor Anderson as a Professor of the Year three times at the UW.



In 2008, he was co-lead of the Obama Transition team for the Department of the Interior. He spent twelve years as a Staff Attorney for the Boulder based Native American Rights Fund where he litigated major cases involving Native American sovereignty and natural resources.

From 1995-2001, he served in the Clinton Administration under Interior Secretary Bruce Babbitt, providing legal and policy advice on a wide variety of Indian law and natural resource issues.

He is an enrolled member of the Minnesota Chippewa Tribe (Bois Forte Band).

The meeting will be open to the public as indicated below, with the attendance limited to space available. Individuals who plan to attend and need special assistance, such as sign language interpretation or other reasonable accommodations, should notify the Contact Person listed below in advance of the meeting.

The meeting will be closed to the public as indicated below in accordance with the provisions set forth in section 552b(c)(6), Title 5 U.S.C., as amended for the review, discussion, and evaluation of individual intramural programs and projects conducted by the Eunice Kennedy Shriver National Institute of Child Health & Human Development, including consideration of personnel qualifications and performance, and the competence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

*Name of Committee:* Board of Scientific Counselors, NICHD.

*Date:* June 1, 2012.

*Open:* 8 a.m. to 11:30 a.m.

*Agenda:* A report by the Scientific Director, NICHD, on the status of the NICHD Division of Intramural Research.

*Place:* National Institutes of Health, Building 31, 9000 Rockville Pike, Room 2A48, Bethesda, MD 20892.

*Closed:* 11:30 a.m. to 4 p.m.

*Agenda:* To review and evaluate personal qualifications and performance, and, competence of individual investigators.

*Place:* National Institutes of Health, Building 31, 31 Center Drive, Room 2A48, Bethesda, MD 20892.

*Contact Person:* Constantine A. Stratakis, MD, D(med)Sci, Scientific Director, Eunice Kennedy Shriver National Institute of Child Health and Human Development, NIH, 9000 Rockville Pike, Building 31, Room 2A46, Bethesda, MD 20892, 301-594-5984, [stratak@mail.nih.gov](mailto:stratak@mail.nih.gov).

Information is also available on the Institute's/Center's home page: [www.nichd.nih.gov/about/bsd/htm](http://www.nichd.nih.gov/about/bsd/htm), where an agenda and any additional information for the meeting will be posted when available.

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: April 19, 2012.

**Jennifer S. Spaeth,**

*Director, Office of Federal Advisory Committee Policy.*

[FR Doc. 2012-10144 Filed 4-25-12; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of the Secretary

#### Secretarial Commission on Indian Trust Administration and Reform

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Notice of meeting.

**SUMMARY:** The Office of the Secretary is announcing that the Secretarial Commission on Indian Trust Administration and Reform (the Commission) will hold a public webinar meeting on May 16, 2012. Having gathered valuable background information during the first meeting held in Washington, DC, March 1-2, 2012, the Commission is beginning to develop a comprehensive evaluation of how the Department of the Interior manages and administers trust responsibilities to American Indians. The Secretarial Commission's charter requires the Commission to provide well-reasoned and factually-based recommendations for potential improvements to the existing management and administration of the trust administration system. The Commission is committed to early public engagement and welcomes your participation in these important meetings.

**DATES:** The Commission's webinar meeting will begin at 3:30 p.m. and end at 6 p.m. Eastern Time on May 16, 2012. Attendance is open to the public, but limited space is available. Members of the public who wish to attend must RSVP by May 11, 2012, by registering at <https://www1.gotomeeting.com/register/115154409>. Instructions for joining the webinar will be emailed after registration occurs.

**FOR FURTHER INFORMATION CONTACT:** The Designated Federal Official, Jodi Gillette, Deputy Assistant Secretary—Indian Affairs, 1849 C Street NW., MS-4141, Washington, DC 20240; or email to [Jodi.Gillette@bia.gov](mailto:Jodi.Gillette@bia.gov).

**SUPPLEMENTARY INFORMATION:** As part of President Obama's commitment to fulfilling this nation's trust responsibilities to Native Americans, the Secretary of the Interior appointed five members to serve on the Secretarial Commission on Indian Trust Administration and Reform, established under Secretarial Order No. 3292, dated December 8, 2009. The Commission will play a key role in the Department's ongoing efforts to empower Indian nations and strengthen nation-to-nation relationships.

The Commission will complete a comprehensive evaluation of the Department's management and

administration of the trust assets within a two-year period and offer recommendations to the Secretary of the Interior of how to improve in the future. The Commission will:

- (1) Conduct a comprehensive evaluation of the Department's management and administration of the trust administration system;
- (2) Review the Department's provision of services to trust beneficiaries;
- (3) Review input from the public, interested parties, and trust beneficiaries which should involve conducting a number of regional listening sessions;
- (4) Consider the nature and scope of necessary audits of the Department's trust administration system;
- (5) Recommend options to the Secretary to improve the Department's management and administration of the trust administration system based on information obtained from the Commission's activities, including whether any legislative or regulatory changes are necessary to permanently implement such improvements; and
- (6) Consider the provisions of the American Indian Trust Fund Management Reform Act of 1994 providing for the termination of the Office of the Special Trustee for American Indians, and make recommendations to the Secretary regarding any such termination.

The following items will be on the agenda:

- Update on action items from March 2012 meeting;
- Report and discuss progress of subcommittees;
- Review and update work plan;
- Discuss draft communications and outreach plan;
- Report on Commission meeting dates and locations, anticipated agenda for June; and
- Public comments.

Written comments may be sent to the Designated Federal Official listed in the **FOR FURTHER INFORMATION CONTACT** section above. To review all related material on the Commission's work, please refer to <http://www.doi.gov/cobell/commission/index.cfm>. All meetings are open to the public.

Dated: April 20, 2012.

**David J. Hayes,**

*Deputy Secretary.*

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