

**POSSIBLE TOPICS AND PRESENTERS FOR SEPTEMBER 2012  
AND/OR FUTURE TRUST COMMISSION MEETINGS/WEBINARS**

Below is a compilation of suggested panel topics for the September Trust Commission meeting. The compilation draws from: 1) the speakers list used in preparation for the June Commission meeting, 2) June Commission meeting discussions, 3) the June 21 and July 9 administrative calls, and 4) discussions on the Research and Trust Models subcommittee calls.

Assuming the September Commission meeting is two full eight-hour days (16 hours) minus time reserved for Commission discussion of draft recommendations, operations, outreach and public comment, roughly 2.0 - 2.5 hours each day could be used for panel sessions (assuming up to 3 speakers per panel and 30 minutes per speaker plus time for Commission and audience Q&A). There are more topics and speakers than time and topics not covered in September can be addressed via webinar and/or at the December Commission meeting.

*In order to prepare and extend invitations to possible speakers at the September meeting, the facilitation team needs Commission assistance identifying the priority topics and speakers for September. Please send feedback to Sarah Palmer ([palmer@ecr.gov](mailto:palmer@ecr.gov)) by Tuesday July 31, 2012.*

**Questions for Commission:**

1. *From the list below, what topics are priority for the Commission to hear about in September?*
2. *Of the priority topics, please indicate if there is a preference for who should be invited to speak in September? and*
3. *Which topics can be scheduled for the December Commission meeting?*

**I. Trust Models Panel or guest speakers**

POSSIBLE FOCUS OF REMARKS (based on June meeting):

- **International models:** Discuss how other trust models work, how are they organized from international, public and private sectors.
- Do panelists have any suggestion of other trust administration models the ITC should examine as it looks towards improving the DOI trust administration and management? (Adapted Question 2 in May 2012 Commission outreach letter)
- **Experiences and Insights of Tribes Who Currently Manage Own Funds:** What considerations resulted in these tribes deciding to manage their own funds? What advice and lessons learned can they share with the Commission and other tribes about managing own funds? What things would they do again, what approaches would they do differently? Any cautions?

WHO (POSSIBLE SPEAKERS):

- International models: speaker from Peace Hills Trust Company (Canada)
- Tribes who currently manage own funds: Navajo, Jicarilla Apache, Southern Ute, Agua Caliente, Mescalero Apache, Three Affiliated Tribes (in process to manage own funds?)

**Question: Does the Commission have sufficient information about public and private sector models?**

**II. DOI hard asset programs in ONRR, BIA, BLM, and other agencies USDA**

FOCUS of REMARKS:

- ??????

WHO:

- ONRR, BIA, BLM and USDA (Janie Hipp)

### III. Hard Asset Panel or guest speakers: Tribal Organizations/ Litigation Perspective/:

FOCUS OF REMARKS: *(adapted from May outreach letter and June meeting)*

- Do you have any recommendations to improve or strengthen trust management and/or administration based on experiences of the tribes and/or individual Indians that your organization represents?
- What solutions do they think would improve trust management and administration?

WHO (POSSIBLE SPEAKERS) **NOTE: *If this is a priority panel for the Commission, please identify priority speakers to invite to the September meeting.***

- Anita Matt, Board member Intertribal Agricultural Council (Suggested in April/May to speak in Bismarck)
- Gary Morishima – Inter-Tribal Timber Association (suggested on June admin call)
- Cris Stainbrook – Indian Land Tenure Foundation (suggested before June meeting)
- Roger Birdbear- Fort Berthold Land Owners Assoc.? (from SP)
- Marcella Giles - Oklahoma Indian Land/Mineral Owners of Associated Nations? (from SP)
- Tom Fredericks (suggested on June admin call)
- Henry Buffalo (suggested on June admin call)
- Reid Chambers (suggested for June meeting)
- Paul Fry – Albuquerque experience in coal litigation –could speak to trust asset systems (suggested for June meeting)
- Alan Taradash, Nordhaus Law, Albuquerque(suggested for June meeting)

### IV. Probate Panel

**NOTE: *DOI suggests that the Commission considered this panel for the December ITC meeting because there are more tribes in the northwest with compacts and/or contracts.***

FOCUS of REMARKS:

- Speak to appraisal and realty processes, best practices from 638 programs.

WHO:

- Tribal realty officers from each different region. Commission interested in identifying tribes that have contracted, compacted for at least three years from Southwest, Great Plains, Northwest, Oklahoma for a panel at Sept meeting.

### V. Alternative Dispute Resolution Resources in Federal Agencies

FOCUS of REMARKS:

- Learn about federal resources available to tribes and/or individual Indians to address issues before going to litigation.

WHO:

- Office of Collaborative Action and Dispute Resolution (CADR) – DOI Elena Gonzalez or Shayla Simmons
- Regulatory Affairs and Collaborative Action (RACA) – AS-IA Liz Appel
- DOJ
- Other federal entities

## CARRY FORWARD FROM JUNE MEETING

**Do Commissioners want to hear additional perspectives on the topics identified in June?**

**VI. Trust relationship with DOI panel or guest speakers:**

FOCUS OF REMARKS:

- Responses to subcommittee draft statement regarding the trust responsibility.
- 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? (Question 4 in Commission outreach letter)
- In what concrete ways can the trust relationship between tribes and DOI be improved?
- What are the barriers to these improvements? What might it take to implement improvements?

WHO (POSSIBLE SPEAKERS):

- Rebecca Tsoie, Phoenix, AZ Arizona State University (currently at UNM?)
- Matthew Fletcher, Michigan State University
- Robert N. Clinton, Phoenix, AZ Arizona State University

**VII. Trust administration and reform panel or guest speakers:**

FOCUS OF REMARKS:

- 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. (Question 1 in Commission outreach letter)
- 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. (Question 5 in Commission outreach letter )
- What solutions do they think would improve trust management and administration?

WHO (POSSIBLE SPEAKERS):

- Eric Eberhard, Seattle University School of Law
- John Echohawk, NARF