

FY 06
FIRST QUARTERLY REPORT
(October, November, December 2005)

OCTOBER, 2005

ITMA's 15th Annual Conference, held in Las Vegas, Nevada on October 11 – 13, 2005 at the Palace Station & Casino.

On October 11, **OST Principal Special Trustee** Donna Erwin and Tribal Outreach Deputy Director Patricia Gerard attended the ITMA Annual Board of Directors meeting. Discussion items included the FY'06 ITMA grant and objectives for the coming year.

Items discussed during the 15th Annual Conference:

- National BIA Budget Advisory Council Report: An update was given regarding the Tribal Budget Committees activities and the status of current FY'06 budget and its implications on tribal governments. Discussion involved the funding implications of trust restructuring and FY'06 funding of the Bureau of Indian Affairs (BIA) and the **Office of Special Trustee (OST)**, which included the transfer of funds from the BIA to OST.
- Chairman Tex Hall gave an overview of the activities of National Congress of American Indians (NCAI) activities, which was followed by a Question and Answer session. He focused on the OST budget and its implications on the tribal BIA budget cuts.
- **Special Trustee Ross Swimmer and his staff** which included Chuck Evans (Investments), Brandon Fryar (Director OTFM) and Jerry Chavez (Management Analyst); reported on the status of the OST Reorganizations, updates on the Agency and Regional Pilot Projects, the status of Trust Officers and their activities, the OST Advisory Committee and an overview of the OST budget.
- ~~There was panel discussion regarding the four listening conferences held through out Indian Country.~~ The recurring issues raised at these listening conferences will be used as possible policy initiative for ITMA and Tribes.
- Indian Trust Reform Act of 2005 – S.1439 – the 2005 **National Trust Reform & Cobell Settlement Workgroup** which is co-chaired by ITMA and NCAI developed proposed legislative amendment language for consideration and introduction of S.1439. **ITMA was asked by the Senate Indian Affairs Committee Chairman to lead the national effort**

with NCAI to obtain input from Indian Country. Regional meetings will be held throughout Indian Country co-sponsored by ITMA.

- **Tribal Trust Fund Settlements** – ITMA tribal membership takes strong position that the DOJ Judgment Fund be utilized for any settlements of mismanaged funds. An overview of the judgment fund, to include its basis, purpose and what government agency would oversee this fund.
- **Tribal Trust resources** such as Tribal Energy, fish and wildlife and timber resources and their direct impact on mismanaged funds was discussed.
- An overview and update regarding the **Tribal Trust Funds Settlement Project** was provided. It was emphasized to ITMA by the Tribal membership that while ITMA is engaged with an entity other than OST on this project, it is directly related to the funds that OST is now responsible for and ITMA's mission of monitoring the trust-related reform of historical accounts.
- **1994 Indian Trust Fund Management Reform Act**, a detailed review of the provisions within the Act was presented. Title II Section 202 "Voluntary Withdrawal from Trust Funds Program" drew much discussion.

ITMA Executive Director and ITMA Executive Committee members – October 19, 2005
– Washington, DC –

- ITMA representatives met with **OST Special Trustee Ross Swimmer** on the OST grant and specifically Mr. Swimmer's initiative for informing tribes of investment options and alternatives under existing law and possible required legislative authorization. Other issues discussed; ongoing Trust Reform issues, Tax Issue and Statute of Limitations Extension.
- ITMA representatives met with representatives of the Senate Indian Affairs Committee, the House Resources Committee and Office of Native Affairs to update them on ITMA activities. **ITMA's working relationship with OST** was discussed, as relating to S.1439's provision on the proposed elimination (sun-setting) of OST.

NOVEMBER 2005

On October 29, the Director attended the National Native American Women's Conference held in conjunction with NCAI and reported on her role as Executive Director of ITMA.

October 31 – November 4 The Intertribal Monitoring Association participated in the agenda of the Annual Conference of the National Congress of American Indians (NCAI). In addition, ITMA participated in all trust reform related committee meetings. ITMA conducted a meeting with Board members present at NCAI to strategize on the Trust Reform portion of S.1439 and its presentation to the NCA Committee.

November 10 – Council of Energy Resource Tribes, Denver CO

ITMA conducted a Board of Directors meeting with Board members present at CERT's Annual Sustainable Energy Solutions Conference. The major focus of the meeting was to strategize on a response to congress on suggested changes to S.1439 as it pertained to trust reform. Congress to focused on Cobell, ITMA input emphasis on the trust reform section of the bill.

November 16 – National Congress of American Indians Meeting, Tulsa OK
ITMA met with newly elected NCAI President Governor Joe Garcia on ITMA's purpose and role on the national scene as it related to trust reform issues. NCAI President Garcia committed to work with ITMA as the lead on trust reform matters as it pertains to tribal governments.

November 17 – American Indian Chamber of Commerce, Albuquerque NM
ITMA was invited to present a brief introduction to our activities and tribal/individual outreach efforts. ITMA discussed the Listening Conferences and invited individuals to present statements in writing as they may pertain to their individual issues.

DECEMBER 2005

December 13 – Affiliated Tribes of Northwest Indians, United South Eastern Tribes, Intertribal Monitoring Association, National Congress of American Indians
Joint meeting with congressional staff to strategize on the Trust Reform
Overview of various legislative proposals affecting trust reform. Discussed the November 15 version of H.R.4322; the November 16 court ruling in Cobell and its effects on tribes via budgets, etc.

December 15, 2005 – NCAI President Honoring, Santa Ana NM
The Executive Director accompanied several tribal representatives in town for the honoring of the newly elected NCAI President.

ITMA prepared correspondence for tribal governments on statute of limitations issue addressing new statute of limitations as signed by President 12/29/05.

Meeting with David Harrison re: Review of Treasury's November status report to court; court's opinion and order Eddie Jacob's objections. Plaintiff's response in attorney fee award; documents provided at ATNI Meeting.

- Review conference with OST & ITMA
- Review ITMA meeting issues, agenda, notice and assignments for board meeting prep.
- Review