

## AGENDA

### ITMA 15<sup>th</sup> ANNUAL MEMBERSHIP CONFERENCE

“Trust Reform by Preserving, Protecting and Enhancing  
Federal Fiduciary Trust Responsibilities”

~  
October 11-13, 2005  
Palace Station Hotel & Casino  
Las Vegas, NV

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#### TUESDAY – October 11, 2005

*Palace Grand Ballroom (Salon F)*

*8:30 a.m.*

*CONTINENTAL BREAKFAST*

9:00 a.m. CALL TO ORDER .....ITMA Chairman Chief Jim Gray  
Chief Osage Nation & ITMA Chairman

Invocation.....ITMA Board Member Michael Marchand  
Colville Tribes ITMA Board Member

WELCOMING.....ITMA Vice Chairman Mervin Packineau  
Vice Chairman Three Affiliated Tribes

ROLL CALL / INTRODUCTIONS.....ITMA Secretary Scott Russell  
Tribal Council, Crow Tribe

9:30 a.m. ITMA CHAIRMAN’S REPORT ON TRUST REFORM 2005  
.....The Honorable Chief Jim Gray  
Osage Tribe & ITMA Chairman

9:50 a.m. REVIEW OF FY’05 ANNUAL CONFERENCE AGENDA.....Mary Zuni-Chalan  
& OVERVIEW OF ITMA ACTIVITIES ITMA Executive Director  
*A brief overview of ITMA and an explanation of the process for ensuring tribal participation in Association trust-related goals as established by the membership. An outline of projects ITMA has been involved throughout FY05.*

*Q & A Session*

10:00 a.m. NATIONAL BIA BUDGET ADVISORY COUNCIL REPORT  
*An update of the Tribal Budget Committees activities and an update on the status of the*

current FY06 budget and its implications on tribal governments. This session will discuss the funding implications of trust restructuring and will focus on the FY '06 funding of the Bureau of Indian Affairs (BIA) and the Office of Special Trustee (OST), including the transfers of funds from the BIA to the OST

**NATIONAL CONGRESS OF AMERICAN INDIANS ACTIVITY REPORT**

Overview of NCAI activities

.....The Honorable Chairman Tex Hall  
Co-Chair National BIA Budget Advisory Council

“Q & A Session”

**11:15 a.m. OFFICE OF THE SPECIAL TRUSTEE – ACTIVITIES UPDATE**

*Discussion Issues: Report on the status of the OST Reorganization, Update on the Agency and Regional Pilot Projects, Status of Trust Officers and Activities, OST Advisory Committee, OST Budget Overview*

.....Special Trustee Ross Swimmer  
Chuck Evans, Investments  
Brandon Fryar, Director, OTFM  
Jerry Chavez, Management Analyst

“Q & A Session”

**12:00 p.m. Lunch (on your own)**

**1:00 p.m. PANEL - “EMERGING TRIBAL TRUST ISSUES”**

**ITMA LISTENING CONFERENCES REPORTS & STRATEGY**

*ITMA has hosted four tribal-specific Listening Conferences throughout Indian Country this fiscal year. The Conferences held on Indian reservations, enabled OST and BIA officials to learn, firsthand, from tribal representatives and Indian individuals about trust-related problems at the local levels. Recurring issues raised at the Listening Conferences will be described as potential policy initiatives for ITMA and Tribes.*

.....Marcella Giles, Esq.  
ITMA Liaison to OST

**ITMA LISTENING CONFERENCE PRESENTATIONS (Board Representatives)**

Blackfoot Tribe of Montana.....Councilwoman Betty Cooper  
Shoshone Bannock of Idaho.....Councilwoman Nancy Murillo  
Standing Rock Sioux Tribe.....Councilman Archie Fool Bear  
Navajo Nation.....Executive Director Sharon Clahchischillige

**2:15 p.m. NATIONAL TRUST REFORM WORKGROUP INITIATIVE**

.....The Honorable Chairman Tex Hall  
NCAI President  
.....The Honorable Chief Jim Gray  
ITMA Chairman

**INDIAN TRUST REFORM ACT OF 2005 – S.1439**

.....Allison Binney, Esq.  
Senate Committee on Indian Affairs

*Description of the work of the 2005 National Trust Reform & Cobell Settlement Workgroup, Co-chaired by ITMA and the National Congress of American Indians. Discussion on the work produced by the Technical Team of tribal attorneys and staff toward the development of 50 legislative Principles developed for submission to the U.S. Congress, Senate Committee on Indian Affairs for consideration in the introduction of S.1439. A presentation of the new proposed legislative amendment language developed by the Technical Team following the introduction of S. 1439.*

**3:30 p.m. BREAK**

**3:45 p.m. DOJ JUDGEMENT FUND.....Angela Luhan, Esq.  
ITMA Legal Counsel**

*An overview of what the Judgment Fund is. The Judgment Fund has been mentioned as a method of payment of potential settlements and lawsuits for the Plaintiff individuals and tribes. This session will focus on informing participants on what is the Judgment Fund? What government department oversees the Judgment Fund? What is the statutory basis for the Judgment Fund? And how will any settlement or lawsuit award be distributed through the Judgment Fund.*

**4:15 p.m. TRIBAL TRUST RESOURCES: CURRENT ISSUES AND DEVELOPMENTS**

*This session will provide an examination and discussion of emerging trends and initiatives with respect to Tribal energy resources, fish and wildlife resources and timber resources from the perspective of national and regional intertribal organizations. Of particular interest will be the implementation of the Indian Energy Title, which was recently signed into law as part of the national Energy Bill, and its potential economic development, environmental impacts and other effects of Tribal trust resources and Tribal sovereignty. The panel will also include a discussion of an innovative and successful approach designed by the Southwest Tribes to combine Tribal, State, Federal and private sector resources to help revitalize Tribal fisheries management and programs while creating additional economic development opportunities harmonized with conservation objectives. Finally, the panel will provide an overview of Tribal efforts to implement the Tribal Forest Protection Act signed into law last year, and will address the impact of other pending legislation and policy at the national level on other Tribal trust resources.*

*(ITMA is working with the following national Intertribal organizations to conduct a national Trust Policy Symposium.)*

**Moderator.....Shenan Atcitty, Esq., Partner  
Holland & Knight, LLP**

**Indian Energy Title, National Energy Bill.....David Conrad, Executive Director  
National Tribal Environmental Council**

**Tribal Fish and Wildlife Resources.....Arthur "Butch" Blazer, Chairman  
Southwest Tribal Fisheries Commission**

**Tribal Timber Resources..... Intertribal Timber Council (*invited*)**

**5:15 p.m. CONFERENCE RECESS**

**5:30 p.m. – 6:30 p.m. - ITMA GENERAL MEMBERSHIP BUSINESS MEETING  
Palace Grand Ballroom (Same Meeting Room)**

TUESDAY, October 11, 2005  
5:30 p.m. – 6:30 p.m.

## **ITMA GENERAL MEMBERSHIP BUSINESS MEETING**

*Palace Grand Ballroom (Same Meeting Room)*

### **AGENDA**

CALL TO ORDER.....Chairman Jim Gray

TRIBAL MEMBER ROLL CALL.....Secretary Scott Russell

#### **AGENDA ITEMS**

- Election of FY 2006 ITMA Board of Directors
  - Six Board Positions
- Only ITMA Tribal members in good standing are allowed to participate in the voting process.
- Only official Tribal leaders or Delegates on file with ITMA are eligible to nominate and vote
  - The Board seat belongs to the Tribe who designates its representative
  - Six seats expire at the October 2005 Conference (other current seated Tribes serve thru 2006)
  - Tribe nominated **MUST BE PRESENT** to accept nomination
  - Newly elected Board Member serves 2-year term; beginning Oct '05 ending Oct '07

**Six Board Member terms ENDING AT OCTOBER 2005 Annual Conference. Elections to be conducted for the following seats.**

- |                            |                               |
|----------------------------|-------------------------------|
| 1. Osage Tribe             | 5. Cheyenne River Sioux Tribe |
| 2. Three Affiliated Tribes | 6. Blackfeet Tribe            |
| 3. Colville Tribes         | 7. Association Representative |
| 4. Chippewa Cree Tribe     |                               |

**Current ITMA Board of Directors Members to SEE THROUGH 2006 Annual Conference:**

- |                                    |                        |
|------------------------------------|------------------------|
| 1. Standing Rock Sioux Tribe       | 5. Warm Springs Tribes |
| 2. Tohono O'odham Nation           | 6. Crow Tribe          |
| 3. Central Council Tlingit & Haida |                        |
| 4. Shoshone Bannock Tribes         |                        |

**Immediately Following 4:00 p.m. Elections:**

#### **ITMA FY '05 Board of Directors Meeting**

- Election of FY '05 Board Officers
  - *Chairman*
  - *Vice Chairman*
  - *Secretary*
  - *Treasurer*

# **WEDNESDAY– October 12, 2005**

**Palace Grand Ballroom (Salon F)**

**8:30 a.m.**

**CONTINENTAL BREAKFAST**

**9:00 a.m. RECONVENE MEETING.....ITMA Chairman**

Invocation.....Councilwoman Betty Cooper  
Announcements.....ITMA Executive Director

**9:05 a.m. LEGISLATIVE REPORT**

*Overview of the SCIA legislative agenda*

.....Allison Binney, Esq.  
SCIA Minority Staff

*General overview on the Hill from the Tribal Perspective*

.....Shenan Atcitty, Esq.  
Partner, Holland & Knight, LLP

*“Q & A Session”*

**9:45 a.m. DISCUSSION ON TRIBAL PENDING LITIGATION**

*Brief overview of selected tribal trust funds and resources related litigation. Discussions from the floor by tribal attorneys encouraged.*

.....Angela Luhan, Esq.  
ITMA Legal Counsel

**10:15 a.m. REPORT ON COBELL LAWSUIT**

*Status report on the Cobell Lawsuit and the settlement discussions.*

.....John Echohawk, Esq.  
Executive Director, Native American Rights Fund

**10:45 a.m. BREAK**

**11:00 a.m. STATUS REPORT OF THE FIDUCIARY TRUST MODEL (FTM)**

*It was the task of the “As-Is” team to go out in Indian country and identify how the current business processes were managed throughout the BIA regions. The team looked at appraisals, accounting, beneficiary services, probate, leasing, land titles, etc. From this came the development of the “To-Be” plan, which suggested a plan of changes to the current way of conducting business.. The final phase being the implementation of the “Fiduciary Trust Model”, an integrated trust business model to improve performance.*

.....Honorable Chairman John Berrey  
.....Karole Overberg  
.....Geri Small

*“Q & A Session”*

**12:00 p.m. - ITMA 15<sup>th</sup> ANNUAL LUNCHEON**

*Room: Salon G*

○ **Annual Silent Auction**

**2:00 p.m. TRUST REFORM AND ITS IMPLICATIONS ON TRIBAL GOVERNMENT**

.....The Honorable Joe Shirely, Jr.  
President, Navajo Nation

**2:30 p.m. ITMA-DOI TRIBAL SETTLEMENT PROJECT**

*At the directive of tribal leaders, ITMA has continued working with the Department of Interior on a voluntary tribal settlement proposal. Staff will report on the efforts over the past year and describe the concepts of the near agreed upon two-phased initiative. It is acknowledged*

that ITMA does not represent the interests of any particular Tribe and is not authorized to actually settle any claims.

.....ITMA Staff  
.....Sandra Johnigan, CPA, Lead Consultant  
.....Larry Jensen, Counselor to the Solicitor, DOI  
.....John McClanahan, Tribal Trust Fund Accounting, OHTA

**3:30 p.m. STATUTE OF LIMITATIONS EXTENSION**

*A discussion of the Senate Committee on Indian Affairs (SCIA) draft bill to extend the Statute of Limitations. The bill will be introduced by SCIA Committee Chairman John McCain and Vice Chairman Byron Dorgan immediately following recess. The proposed legislation will take the existing bill language extending the 2005 deadline to 2011.*

“Q & A Session”

**4:00 p.m. 1994 INDIAN TRUST FUND MANAGEMENT REFORM ACT**

**TITLE II, SECTION 202 “Voluntary Withdrawal from Trust Funds Program”**

*The 1994 Indian Trust Fund Management Reform Act provides authority for tribes to take their unrestricted tribal trust funds out of government management and control, and to manage their funds directly under a management plan approved by the Secretary. In approving a tribal trust fund management plan, the Secretary is required to make a determination that the plan affords protection against significant loss of principal. Many tribes have taken advantage of this provision in the law. This session will provide participants with an opportunity to hear about this part of the 1994 Reform Act, and to ask questions about its applicability to their funds.*

.....David Harrison  
ITMA Consultant

“Q & A Session”

**5:00 p.m. Recess**

**THURSDAY - October 13, 2005**

Palace Grand Ballroom – Salon F 8:30 a.m. CONTINENTAL BREAKFAST

**9:00 a.m. RECONVENE GENERAL ASSEMBLY**

Invocation.....Charles Jody Calica, ITMA Board Member  
Warm Springs Tribes

Announcements.....Executive Director

**9:05 a.m. AMERICAN INDIAN PROBATE REFORM ACT OF 2004**

*A discussion on the Act and its impact on tribal governments and Indian Individuals.*

.....Moderator, Angela Luhan, Esq.  
ITMA Legal Counsel  
..... Steve Emery, Esq.

**10:00 a.m. REPORT OF DOI REGULATORY INITIATIVE PROJECT & WORKGROUPS**

*A report on the various trust related regulations being proposed and implemented within the Department of Interior.*

.....David Harrison  
ITMA Consultant

**11:00 a.m. TRIBAL LEADERS AND REPRESENTATIVES**

*Discussion and strategy development of FY'06 directives to the Intertribal Monitoring Association on Indian Trust Funds staff on trust-related issues.*

**12:00 noon ADJOURNMENT of 15<sup>TH</sup> Annual Conference**