

**U. S. Department of the Interior
Office of the Secretary**

**Commission on Indian Trust Administration and Reform
Charter**

1. **Committee's Official Designation.** Commission on Indian Trust Administration and Reform (Commission).
2. **Authority.** The Commission is in the public interest in connection with the responsibilities of the Department of the Interior under Section 2 of the Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended, the American Indian Trust Fund Management Reform Act of 1994, 25 U.S.C. §§ 4001-4061, and the Claims Resolution Act of 2010, P.L. 111-291. The Commission is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. Appendix 2.
3. **Objectives and Scope of Activities.** The Commission will provide advice and recommendations to the Secretary of the Interior (Secretary) regarding trust management. This includes a thorough evaluation of the existing management and administration of the trust activity administration system to support a reasoned and factually based set of options for potential management improvements. This activity further includes a review of the manner in which the Department audits the management of the trust administration system, including the possible need for audits of management of trust assets.
4. **Description of Duties.** The duties of the Commission shall include:
 - A. Conducting a comprehensive evaluation of the Department's management and administration of the trust administration system, including a review of the report of a management consultant hired in accordance with Secretarial Order 3292;
 - B. Reviewing the Department's provision of services to trust beneficiaries;
 - C. Reviewing input from the public, interested parties, and trust beneficiaries, which should involve conducting a number of regional listening sessions;
 - D. Considering the nature and scope of necessary audits of the Department's trust administration system;
 - E. Recommending options to the Secretary to improve the Department's management and administration of the trust administration system based on information obtained from these activities, including whether any legislative or regulatory changes are necessary to permanently implement such improvements;
 - F. Recommending options to the Secretary on the need for and scope of audits on the effectiveness of all management reforms implemented as a result of Secretarial Order 3292 and the Department shall consider these recommendations in performing an audit of the effectiveness of such reforms; and

- G. Considering 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 making recommendations to the Secretary regarding any such termination.
5. **Official to Whom the Committee Reports.** The Commission reports to the Secretary through the Designated Federal Officer (DFO).
 6. **Support.** The Office of the Secretary will provide administrative and logistical support to the Commission.
 7. **Estimated Annual Operating Costs and Staff Years.** The annual operating costs associated with supporting the Commission's functions are estimated to be \$87,980, including all direct and indirect expenses and 1 FTE staff year.
 8. **Designated Federal Officer.** The DFO is a full-time Federal employee appointed in accordance with Department procedures. The DFO will approve or call all Commission and subcommittee meetings, prepare and approve all meeting agendas, attend all Commission and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary.
 9. **Estimated Number and Frequency of Meetings.** The Commission will meet approximately 2-4 times annually, and at such other times as designated by the DFO.
 10. **Duration.** The Commission shall complete its work within 24 months from the date of establishment.
 11. **Termination.** The Commission will terminate 2 years from the date the Charter is filed, unless, prior to that date it is renewed in accordance with the provisions of Section 14 of the FACA. The Commission will not meet or take any action without a valid current charter.
 12. **Membership and Designation.** Following the solicitation of nominations and in consultation with trust beneficiaries, the Secretary shall appoint the Commission Chair and four members who, collectively, shall have experience and/or expertise in trust management, financial management, asset management, natural resource management, Federal agency operations and budgets, as well as experience as account holders and in Indian Country.

Members of the Commission will serve without compensation. However, while away from their homes or regular places of business, Commission and subcommittee members engaged in Commission, or subcommittee business, approved by the DFO, may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under Section 5703 of Title 5 of the United States Code.

Members will be appointed as special Government employees and are required to file on an annual basis a Confidential Financial Disclosure Report.

A vacancy on the Commission will be filled in the same manner in which the original appointment was made. Members serve at the discretion of the Secretary.

- 13. Ethics Responsibilities of Members.** All members will comply with applicable ethics rules and regulations. In addition, the Department of the Interior will provide materials to those members serving as special Government employees, explaining their ethical obligations with which members should be familiar. Consistent with the ethics requirements, members will endeavor to avoid any actions that would cause the public to question the integrity of the Commission’s operations, activities, or advice. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.
- 14. Subcommittees.** Subject to the DFO’s approval, subcommittees may be formed for the purposes of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Commission for consideration. Subcommittees must not provide advice or work products directly to the Department. The Commission Chair, with the approval of the DFO, will appoint subcommittee members. Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.
- 15. Recordkeeping.** The records of the Commission, and formally or informally established subcommittees of the Commission, shall be handled in accordance with General Records Schedule 26, Item 2 or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

Secretary of the Interior

Date

Date Filed