

**DRAFT TRIBAL SELF-
GOVERNANCE**

2005 ANNUAL REPORT TO CONGRESS

(01/19/07)

**TO BE SUBMITTED BY THE SECRETARY OF THE
INTERIOR**

PURSUANT TO SECTION 405(a) OF PUBLIC LAW 103-413

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A. BACKGROUND

On October 25, 1994, the Tribal Self-Governance Act of 1994 (Public Law 103-413) permanently established Tribal Self-Governance. The Act is intended to:

- (1) enable the United States to maintain and improve its unique and continuing relationship with, and responsibility to, Indian Tribes;
- (2) permit each Indian Tribe to choose the extent of its participation in Self-Governance;
- (3) coexist with the provisions of the Indian Self-Determination Act relating to the provision of Indian services by designated Federal Agencies;
- (4) ensure the continuation of the trust responsibility of the United States to Indian Tribes and Indian individuals;
- (5) permit an orderly transition from Federal domination of programs and services to provide Indian Tribes with meaningful authority to plan, conduct, redesign, and administer programs, services, functions, and activities that meet the needs of the individual Tribal communities; and
- (6) provide for an orderly transition through a planned and measurable parallel reduction in the Federal bureaucracy.

This 2005 annual report on Tribal Self-Governance is submitted by the Secretary of the Interior to the Congress pursuant to section 405(a) of the Act which states:

"The Secretary shall submit to Congress a written report on January 1 of each year following the date of enactment of this title regarding the administration of this title. The report shall identify the relative costs and benefits of Self-Governance; identify with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to Self-Governance Tribes and their members; identify the funds transferred to each Self-Governance Tribe and the corresponding reduction in the Federal bureaucracy; include the separate views of the Tribes; and include the funding formula for individual Tribal shares of Central Office funds, together with the comments of affected Tribes."

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In addition, 25 CFR § 1000.380 requires the Secretary to annually compile a report on Self-Governance for submission to Congress based on:

- "(a) Audit reports routinely submitted by Tribes/Consortia;
- (b) The number of retrocessions requested by Tribes/Consortia in the reporting year;
- (c) The number of reassumptions that occurred in the reporting year;
- (d) Federal reductions-in-force and reorganizations resulting from Self-Governance activity;
- (e) The type of residual functions and amount of residual funding retained by the BIA; and
- (f) An annual report submitted to the Secretary by each Tribe/Consortium."

B. EXTENT AND INTEREST OF TRIBAL PARTICIPATION

The Indian Self-Determination and Education Assistance Act of 1974 (Public Law 93-638, as amended) authorizes Tribes and Tribal Organizations to operate Federal programs under Self-Determination contracts, grants, cooperative agreements, and Self-Governance funding agreements (FAs). Under these annual and multi-year FAs, Tribes and Tribal Organizations assume responsibility for the delivery of program services to Tribal members and have flexibility to redesign the programs to meet local needs and priorities.

Tribal Self-Governance was initiated as a demonstration project in fiscal year (FY) 1991 to provide Tribes and Tribal Organizations with mature Self-Determination agreements (i.e., contracts which have been operated by Tribes and Tribal Organizations for at least three years with no material exceptions) the option of entering into a broader and more flexible Self-Governance compact and funding agreement. Tribes participating in Self-Governance may combine all component programs within a single compact agreement with the Department of the Interior (DOI) and a single funding agreement with each DOI Bureau. The Office of Self-Governance (OSG) is responsible for administering Tribal Self-Governance for Bureau of Indian Affairs (BIA) programs.

The Indian Self-Determination Act Amendments of 1994 (Public Law 103-413) established Tribal Self-Governance as a permanent program and authorized up to 20 Tribes to negotiate new compacts and funding agreements each year. It should be noted that the FY 1997 Omnibus Appropriations Bill (Public Law 104-208) authorized up to 50 Tribes to be selected each year. With the agreement of the individual Tribes, two or more otherwise eligible Tribes may be treated as a single consortium for the purpose of participating in Tribal Self-Governance.

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In FY 2005, an increased percentage of the 562 Federally-recognized Tribes received the benefits of a wide-range of Bureau of Indian Affairs (BIA) programs, now operated under Self-Governance FAs. Table 1 shows the expansion of Tribal Self-Governance since the initiation of the Tribal Self-Governance Demonstration Project in 1991.

TABLE 1: Bureau of Indian Affairs Operation of Indian Programs and Construction Accounts (Dollars in Thousands)

Year	No. of Federally Recognized Tribes	Total Obligations	No. Of Self-Governance Funding Agreements	No. of Federally Recognized Tribes under Self-Governance	Obligations Awarded by OSG under Self-Governance Funding Agreements
FY 1991	539	\$1,505,369	7	7	\$27,000
FY 1992	541	\$1,476,724	17	51	\$49,008
FY 1993	542	\$1,758,802	19	53	\$69,698
FY 1994	550	\$1,632,858	28	95	\$133,620
FY 1995	554	\$1,783,640	29	96	\$142,517
FY 1996	554	\$1,607,186	53	180	\$149,395
FY 1997	554	\$1,658,983	60	202	\$160,717
FY 1998	554	\$1,915,058	64	208	\$186,725
FY 1999	556	\$1,668,546	67	210	\$196,104
FY 2000	556	\$1,698,791	75	216	\$239,475
FY 2001	561	\$2,071,000	77	219	\$252,179
FY 2002	562	\$2,398,106	80	218	\$238,724
FY 2003	562	\$2,483,466	81	221	\$243,862
FY 2004	562	\$2,825,807	83	223	\$255,688
FY 2005	562	\$2,828,907	88	223	\$245,861

During fiscal and calendar years 2005, a total of 223 Federally recognized Tribes and 10 Tribal organizations participated in Tribal Self-Governance under 88 compacts and funding agreements with the BIA, accounting for nearly \$245.9 million in BIA direct appropriations and an additional \$70.5 million in other Federal assistance programs administered by the BIA. There were no retrocessions requested by Tribes/Consortia. The BIA reassumed the real estate services and probate programs of the Native Village of Tanana after there was a finding of imminent jeopardy resulting from the Tribe's trust evaluation conducted in 2005. In addition, the BIA reassumed the trust

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programs of the Ponca Tribe of Oklahoma after there was a finding of imminent jeopardy resulting from its trust evaluation conducted in 2002. The reassumption of the Ponca Tribe's programs by the BIA continued in 2005. See Section F for a discussion of trust evaluations. Tribes and Tribal Organizations participating in Tribal Self-Governance in 2005 are listed in Table 1 of Appendix A.

FAs with the Cheesh-na Tribe, Fort Sill Apache Tribe of Oklahoma, Nome Eskimo Community, Orutsararmiut Native Council, and Quapaw Tribe of Oklahoma were negotiated allowing the Tribes to begin participating in Tribal Self-Governance for BIA programs in FY 2005. As of the end of FY 2005, there were three Tribes (Taos Pueblo, Washoe Tribe of California and Nevada, and White Earth Band of Chippewa Indians) that had been selected from the qualified applicant pool to begin participation in Tribal Self-Governance in FY 2006.

In 2005, a total of five Tribes operated under annual funding agreements (AFAs) with the Bureau of Reclamation; four Tribes operated under an AFA with the National Park Service; one Tribe and one Tribal organization operated under AFAs with the Fish and Wildlife Service, and three Tribes operated under AFAs with the Office of the Special Trustee for American Indians.

In addition, a total of 22 Tribes/Tribal organizations operated an approved Pub. L. 102-477 plan under Tribal Self-Governance in 2005. A list of these Tribes is provided in Table 2 of Appendix A. Under this Tribal initiative, Tribes/Tribal organizations were able to consolidate employment related funding from the BIA, United States Department of Health and Human Services (HHS), and the Department of Labor (DOL) to provide programs, services, functions, and activities in accordance with Pub. L. 102-477 plans which were developed by the Tribes/Tribal organizations and approved by each funding Agency.

Chart 1 depicts the number of Tribes participating in Tribal Self-Governance by year. Earlier increases in participation have been followed by years where increases in participation were relatively small. Chart 2 shows that since the Tribal Self-Governance demonstration project was initiated in 1991, the percentage of Tribes participating in Tribal Self-Governance has grown to approximately 39.7 percent of all Federally recognized Tribes.

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CHART 1: NUMBER OF SELF-GOVERNANCE TRIBES BY YEAR

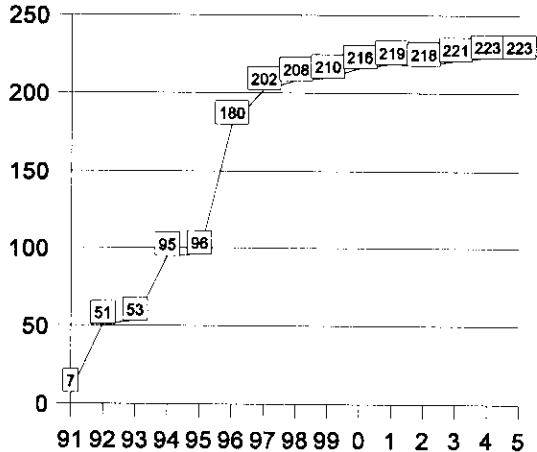


CHART 2: PERCENTAGE OF TRIBES PARTICIPATING IN TRIBAL SELF-GOVERNANCE

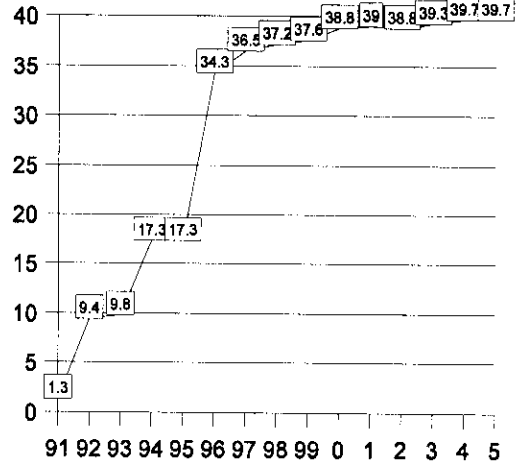


Chart 3 depicts the steady rise in Self-Governance obligations (BIA Operation of Indian Programs and Construction accounts only) since the initiation of the Tribal Self-Governance demonstration project in 1991 to a high of \$255.7 million in 2004 and then a decrease to \$245.9 million in 2005. With regard to BIA total obligations, large increases occurred in 2001 (\$402.5 million) and 2002 (\$327.1 million) with a relatively smaller decrease in 2003 (\$69.5 million). Chart 4 shows that Self-Governance obligations grew in importance from 1991 to 2000 to a level of 14.1 percent of total obligations (BIA Operation of Indian Programs and Construction accounts only) and then has declined to 10.8 percent in 2005.

CHART 3: SELF-GOVERNANCE OBLIGATIONS BY YEAR (\$ MILLIONS)

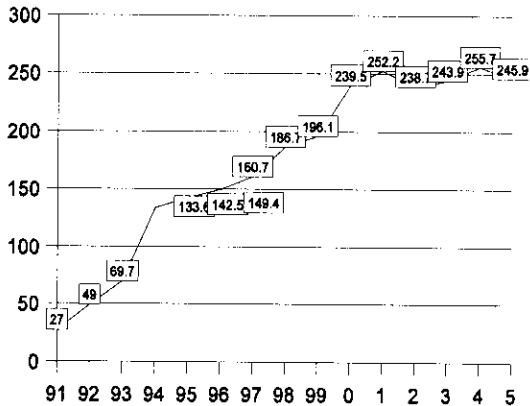
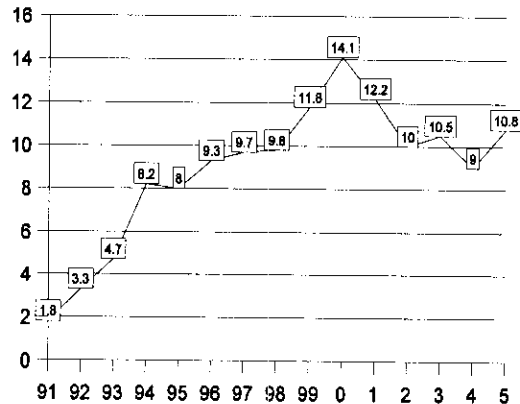


CHART 4: SELF-GOVERNANCE OBLIGATIONS AS A PERCENTAGE OF TOTAL BIA OBLIGATIONS



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C. RELATIVE COSTS AND BENEFITS OF TRIBAL SELF-GOVERNANCE

(1) For purposes of this report, the relative costs of Tribal Self-Governance are measured by the value of the opportunities foregone as a result of Tribal Self-Governance (i.e., the amount of funds which would have been available to be spent on alternative uses if Tribal Self-Governance did not exist). This incremental cost for 2005 includes \$1.2 million obligated by the OSG to operate the office and \$0.3 million to fund the Tribal Self-Governance Advisory Committee and the Self-Governance Communication and Education Project. This cost would be less to the degree that any or all of the \$1.5 million would have been used by the BIA to bolster its ability to support additional contracting activities which would occur without the existence of Tribal Self-Governance. If more than \$1.5 million were expended by the BIA, then Tribal Self-Governance would have generated savings and increased benefits. Table 2 shows how OSG obligations and permanent staff levels have grown since the initiation of the Tribal Self-Governance demonstration project in 1991.

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TABLE 2: Annual Growth of OSG Obligations and Permanent Staff Levels
(Dollars in Thousands)

Year	Total Obligations Awarded to Self-Governance Tribes under Funding Agreements	OSG Permanent Staff Level	OSG Obligations
FY 1991	27,000	5	555
FY 1992	49,008	6	596
FY 1993	70,994	6	695
FY 1994	137,923	6	789
FY 1995	145,032	8	933
FY 1996	156,599	8	1,092
FY 1997	168,755	9	1,051
FY 1998	199,614	9	981
FY 1999	214,388	10	1,118
FY 2000	271,572	9	1,096
FY 2001	290,541	9	1,144
FY 2002	283,359	9	1,167
FY 2003	304,857	9	1,201
FY 2004	296,854	9	1,168
FY 2005	316,563	9	1,263

(2) For purposes of this report, the relative benefits of Tribal Self-Governance are related to the degree to which the efficiency and effectiveness of programs, services, functions and activities were affected by Tribal Self-Governance in 2005. As indicated in Table 2, the amount of funds obligated by OSG and transferred to Self-Governance Tribes and Tribal Organizations in the FY 2005 FAs was \$316.6 million. These funds were used by Self-Governance Tribes to provide programs, services, functions and activities to Tribal citizens.

In FY 2005, the Bureau of Reclamation (BOR) entered into Self-Governance AFAs with five Tribes for a total of \$14,602,000. These agreements are described below.

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The Gila River Indian Community received \$13,602,000 to continue to plan, conduct, consolidate, and administer BOR's Gila River Indian Community, Indian Distribution System and to perform all functions and activities associated with the curation of the Phoenix Area Office Archaeological Collection

The Duckwater Shoshone Tribe received \$50,000 to continue the data collection and analysis needed to assess the water resources of the Duckwater Shoshone Tribe on its 3,800 acre Reservation, located in central Nevada.

The Karuk Tribe of California received \$76,000 to conduct data collection and analysis needed to assist in the restoration of fish and wildlife populations within the Klamath River Basin.

The Yurok Tribe received \$576,946 to conduct data collection and analysis needed to assist in the achievement of long-term fish and wildlife restoration goals in the Trinity and Klamath River Basins, including activities to implement an Adaptive Environmental Management Program (AEMP) as identified in the Secretary of the Interior's Record of Decision regarding the Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/ Environmental Report (ROD) dated December 19, 2000.

The Hoopa Valley Tribe received \$500,000 for fishery restoration activities on the Klamath River pursuant to the "Agreement Between the United States and the Hoopa Valley Tribe for Settlement of the Tribe's Claim of Breach of Trust (Fourth Claim of Relief)."

In FY 2005, four agreements were negotiated by the National Park Service (NPS) for a total of \$5,934,172. These agreements are described below.

An AFA was negotiated and entered into with the Grand Portage Band of Chippewa Indians (Band). The NPS provided \$214,500 for the Band to perform the entire maintenance program at Grand Portage National Monument. The agreement also included \$259,055 for additional projects, including replacement of cedar shakes, Facilities Management Software System recordation, replacement of four furnaces, excavation of the basement for the new building, dock repair, and work on Ojibwe place names.

An AFA was negotiated and entered into with the Yurok Tribe. NPS provided \$43,000 for the South Fork and Middle Fork Lost Man Creek Cultural Resources Inventory and Assessment; \$3,000 for Cultural Resources Monitoring and Post-Burn Survey; \$20,000 for Repair Rehab Cultural Resources Inventory and Assessment; \$132,000 for Geneva Road Culvert Replacement; and \$4,000 to relocate the entrance sign at Freshwater Spit in Redwood National and State Parks.

An AFA was negotiated and entered into with the Lower Elwha Tribal Community. NPS provided \$216,617 for the Lower Elwha Tribal Community to perform activities in relation to the restoration of the Elwha River ecosystem and native anadromous fisheries, consistent with the Elwha River Ecosystem and

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Fisheries Restoration Act of 1992 (P.L. 102-495).

An AFA was negotiated and entered into with the Tanana Chiefs Conference, Inc. (TCC). NPS provided \$5,042,000 to the TCC to for the construction of the Morris Thompson Cultural Center.

In FY 2005, the Fish and Wildlife Service (FWS) entered into Self-Governance AFAs with one Tribe and one Tribal Organization. The Confederated Salish and Kootenai Tribes of the Flathead Nation received \$531,550 to perform activities in the biological, fire, maintenance and visitor services programs. These activities ranged from refuge operational activities, such as herding bison and greeting the public in the Visitor Center, to activities formally performed by a private contract, such as Headquarters custodial services and horse farrier services.

The Council of Athabascan Tribal Governments (CATG) received \$87,366 to perform work on the Yukon Flats National Wildlife Refuge. CATG assisted Refuge staff to locate Alaska Native Claims Settlement Act 17(b) public access easements on Doyon and village corporation lands, environmental education and outreach in Yukon Flats villages, collecting subsistence harvest information in Yukon Flats villages, assisting the Alaska Department of Fish and Game with a moose survey in the eastern half of the Refuge, and maintaining Service equipment and facilities in Fort Yukon.

In FY 2005, the Office of the Special Trustee for American Indians (OST) continued to operate under Memoranda of Understanding (MOU) and AFAs with three tribes for the delivery of Financial Trust Services to Individual Indian Monies (IIM) beneficiaries who were members of the Tribes or served by the Tribes. These Tribes include the Confederated Salish and Kootenai Tribes of the Flathead Nation, the Wyandotte Nation and the Cherokee Nation of Oklahoma. OST provided funding in the amount of \$68,377, plus associated indirect costs, to the Confederated Salish and Kootenai Tribes of the Flathead Nation, and \$4,303, plus associated indirect costs, to the Wyandotte Nation. Funding in the amount of \$42,875, plus associated indirect costs, was provided to the Cherokee Nation of Oklahoma by the OSG, since this program remains included in the Nation's Self-Governance base funding.

Without the existence of program performance indicators and unit costs for services, it is not possible to make any quantitative assessment of program benefits to determine the degree to which the efficiency and effectiveness of programs, services, functions and activities were changed by tribal self-governance. Recognizing this need, Self-Governance Tribes worked with the OSG to develop a reporting format which would provide information about how Self-Governance Tribes spend the funds which are transferred to them and the incremental benefits which are generated by their expenditure.

A copy of the format for reporting Tribal information for the 2005 Self-Governance Annual Report to Congress on BIA programs is provided in Appendix D. Also included in Appendix D are copies of the 33 reports from Self-Governance Tribes/Consortia (Absentee Shawnee Tribe of Oklahoma, Association of Village Council Presidents, Chickasaw Nation, Chugachmiut, Citizen

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Potawatomi Nation, Duckwater Shoshone Tribe, Ely Shoshone Tribe, Ewiiapaayp (Cuyapaipe), Shoshone-Paiute Tribes of the Duck Valley Reservation, Fort Sill Apache Tribe of Oklahoma, Confederated Tribes of Grand Ronde Community of Oregon, Jamestown S'Klallam Tribe, Karuk Tribe of California, Kaw Nation, Kawerak, Inc., Kootenai Tribe of Idaho, Native Village of Kwinhagak, Miami Tribe of Oklahoma, Modoc Tribe of Oklahoma, Nome Eskimo Community, Native Village of Nulato, Ponca Tribe of Oklahoma, Port Gamble S'Klallam Tribe, Quapaw Tribe of Oklahoma, Confederated Salish and Kootenai Tribes of the Flathead Nation, Salt River Pima-Maricopa Indian Community, Santa Clara Pueblo, Confederated Tribes of Siletz Indians, Sitka Tribe of Alaska, Squaxin Island Tribe, Central Council of Tlingit & Haida Indian Tribes of Alaska, Tulalip Tribes, and Wyandotte Nation) for 2005 which were received by the OSG.

These reports represent the separate views of the Tribes/Consortia and were submitted for inclusion in the 2005 Annual Report to Congress. They identify the progress these Self-Governance Tribes/Consortia made in meeting established Tribal goals in 2005. In addition, the Tribal reports detail benefits from the Tribal perspective, even though the benefits may not be entirely objective or quantitative. Under Tribal Self-Governance, increased Tribal Government empowerment has significant benefits in a broad range of ways that are directly attributable to advancing Federal Indian policy objectives.

D. FUNDS RELATED TO THE PROVISION OF SERVICES AND BENEFITS BY THE SECRETARY AND FUNDS TRANSFERRED TO SELF-GOVERNANCE TRIBES

The Act requires the Secretary to identify, with particularity, all funds that are specifically or functionally related to the provision by the Secretary of services and benefits to Self-Governance Tribes and their members, and to identify all funds transferred to Self-Governance Tribes. The BOR obligated \$14.8 million to five Tribes, the NPS obligated \$6.5 million to four Tribes, the FWS obligated \$0.3 million to one Tribal Organization and one Tribe, and the OST obligated \$0.1 million to three Tribes.

In addition, a total of \$316.6 million of FY 2005 funds were obligated by the OSG and transferred to Self-Governance Tribes. This includes \$246.1 million from all BIA accounts and \$70.5 million from non-BIA accounts, which includes the Bureau of Land Management, Department of Health and Human Services, Department of Labor, Department of Agriculture, and Department of Transportation. Appendix B shows the amounts of FY 2005 funds obligated by OSG to each of the Tribes and Tribal Organizations participating in Tribal Self-Governance.

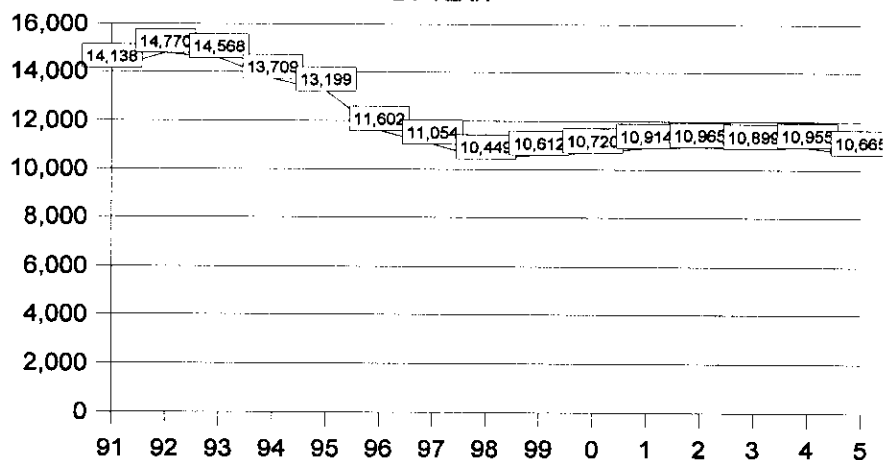
It should be noted that Tribal Self-Governance regulations found at 25 CFR Part 1000.95 require the BIA to implement a process to annually identify residual amounts for BIA programs. The residual process is designed to determine which programs, functions, services, and activities and associated funding must be retained by the Secretary and which programs, functions,

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services, and activities and associated tribal shares can be transferred to tribes. Self-Governance FAs are negotiated to reach agreement and document the respective programs, functions, services, and activities and associated funding to be either retained by the BIA or transferred to the negotiating Tribe.

In addition, the Act requires the Secretary to identify the corresponding reduction in the BIA bureaucracy. Chart 5 indicates total BIA employment since the Tribal Self-Governance Demonstration Project was initiated in FY 1991. After rising in 1992 to a peak level of 14,770, total BIA employment declined for the most part from 1993 to 1998, and has remained below 11,000 from 1999 to 2005. Given initiatives to reform the Federal bureaucracy and address Federal deficit problems, information is not available to determine the degree to which each of these factors contributed to reductions in the Federal bureaucracy and the corresponding reductions associated with increased participation in Tribal Self-Governance between 1993 and 1998.

CHART 5: TOTAL BIA EMPLOYMENT
BY YEAR



In 2005, BIA total employment decreased to a total of approximately 10,665 employees. This figure represents an increase of 216 above the FY 1998 level. This increase is, in part, due to special initiatives such as the initiative on law enforcement and trust reform. In 2005, the Cheesh-na Tribe, Fort Sill Apache Tribe of Oklahoma, Nome Eskimo Community, Orutsararmiut Native Council, and Quapaw Tribe of Oklahoma began participating in Tribal Self-Governance on their own. In 2005, BIA did not experience any substantive decrease in employment which resulted from new Tribes entering into Tribal Self-Governance.

The number of BIA employees at the end of FY 2005 is 4,105 below the peak level in FY 1992. The reduction from the 1992 peak level is largely attributable to the transfer of additional school and program operations from the BIA to Tribes/Tribal Organizations under Title I contracts and grants and

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Title IV Self-Governance agreements, as well as significant reductions in BIA appropriations which reduced funding available to support BIA staff. Since 1991, Title IV obligations to Tribes increased by \$255.7 million. It should be noted that most of the increase in funding transferred to Tribes under Title IV had already been transferred under Title I in previous years.

The FY 2005 level of total BIA employment (10,665) translates into a 2005 BIA full-time equivalent (FTE) employment level of 10,061. Table 3 shows how FY 2005 enacted FTEs are distributed by the BIA Appropriations Accounts.

TABLE 3: Distribution of 2005 Enacted FTE Level by BIA Appropriations Accounts

BIA Appropriations Account	Number	%
Operation of Indian Programs	6,837	68.0%
Construction	346	3.4%
Indian Guaranteed Loan Program Account	7	0.0%
Miscellaneous Permanent Appropriations	398	4.0%
Quarters Operation and Maintenance	58	0.6%
Other FTEs (Reimbursable & Allocations)	2,415	24.0%
TOTAL ADJUSTED FTEs	10,061	100.0%

Table 4 shows the percentage change in OIP and Construction appropriations from 2004 to 2005.

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TABLE 4: BIA OIP and Construction Appropriations for 2004 and 2005
(Dollars in Thousands)

ACTIVITY	FY 2004*	%	FY 2005**	%
Tribal Priority Allocations	\$770,634	34.4%	\$769,543	34.3%
Other Recurring Programs	\$597,724	27.4%	\$612,919	27.3%
Non-Recurring Programs	\$72,486	3.4%	\$75,985	3.4%
Central Office Programs	\$69,579	4.0%	\$140,021	6.2%
Regional Office Programs	\$63,806	2.9%	\$41,362	1.8%
Special Programs & Pooled Overhead	\$269,171	12.5%	\$286,261	12.8 %
Construction	\$345,988	15.4%	\$319,129	14.2%
TOTAL	\$2,239,532	100.0%	\$2,245,220	100.0%

*Includes 2004 Across-the-Board Reduction of 1.24%

**Includes two 2005 Across-the-Board Reductions totalling 2.194%

E. CENTRAL OFFICE FUNDING FORMULA

Within 90 days after the date of enactment of Pub. L. 103-413, the Secretary was required to consult with Indian Tribes and develop a funding formula to determine the individual Tribal share of funds controlled by the BIA Central Office for inclusion in Self-Governance compacts. A copy of the report that was sent to Congress on June 2, 1995, was included in the 1995 Tribal Self-Governance Annual Report to Congress, together with comments of affected Indian Tribes. It should be noted that the Tribal shares process, in addition to Agency and Regional Offices, also includes an analysis of the inherent Federal functions, associated costs, and any Tribal shares which may be available at the Central Office.

F. TRUST EVALUATIONS

The Office of the Special Trustee for American Indians is responsible for conducting trust evaluations. In keeping with the mandates of the Trust Reform Act and the Court, OST has revised the evaluation process to be more thorough and more useful to the Department and the participating Tribes as part of the trust reform initiative. These modified examinations have

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provided oversight and improved trust programs at the Tribal and Federal levels. Due to the comprehensive nature of these examinations, and the much larger universe of trust programs that must be evaluated, examinations are based on a determination of where there is the highest risk. This process is fully operational and is subject to continuing refinement. It provides an excellent means to determine where OST's resources need to be utilized.

Pursuant to the Department of the Interior Manual, Part 110, Chapter 11.2D, the Office of Trust Review and Audit (OTRA) within OST conducted annual trust evaluations as prescribed in the Self-Governance compacts in effect for FY 2005. The trust evaluations were initiated in November 2004. A total of 26 separate Tribes, Consortia, and signatories to Self-Governance compacts were visited and approximately 87 evaluations of Tribal programs and major areas were completed.

In addition, trust evaluations were conducted in conjunction with assessments of the abilities of six Tribes to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held. OTRA reviewed the trust operations of the following seven Tribes: (1) Chippewa Cree Tribe; (2) Hoopa Valley Tribe; (3) Karuk Tribe of California; (4) Redding Rancheria; (5) Confederated Salish and Kootenai Tribes of the Flathead Nation; (6) Salt River Pima-Maricopa Indian Community; and (7) the Yurok Tribe. There were no findings of imminent jeopardy and the Tribes all demonstrated that they are capable of performing trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.

After conducting trust evaluations of other Tribes/Consortia, OTRA reports the following: (1) The Native Village of Barrow's performance of trust functions for the real estate services and probate programs was unsatisfactory and trust assets were found to be in imminent jeopardy. The Tribe accepted the recommendations in the review and the reassumption process was suspended; (2) The Native Village of Kwinhagak's performance of trust functions for the real estate services, probate, forestry, and wildland fire programs were unsatisfactory and trust assets were found to be in imminent jeopardy. The Tribe accepted the recommendations in the review and the reassumption process was suspended; (3) The Native Village of Nulato's performance of trust functions for the real estate services and probate programs were unsatisfactory and trust assets were found to be in imminent jeopardy. The Tribe made no attempts to rectify the situation and reassumption of the trust programs has begun; and (4) The Native Village of Tanana's performance of trust functions for the probate program is unsatisfactory and trust assets were found to be in imminent jeopardy. The Tribe accepted the recommendations in the review and the reassumption process was suspended.

In 2002, OTRA conducted an evaluation of the Ponca Tribe of Oklahoma (Ponca Tribe) appraisals, real estate services, probates, minerals, and environmental

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compliance programs. The evaluation indicated that the Ponca Tribe failed to seek BIA approval for numerous farming and grazing leases as required by statute and regulation. In addition, annual rental was collected and submitted without evidence of an approved contract to the OTFM for deposit into IIM accounts. There was a finding of imminent jeopardy to trust resources. The trust programs were reassumed by the BIA on January 1, 2003. The reassumption of these trust programs has continued through 2005.

Table 1 of Appendix C contains a summary of the results of the trust evaluations which were conducted by OTRA for 2005.

G. SINGLE AUDIT ACTIVITY

Self-Governance Tribes are required to submit annual single organization-wide audit reports as prescribed by the Single Audit Act Amendments of 1996 (P.L. 104-156) and to adhere to generally accepted accounting principles and Circular A-133 of the Office of Management and Budget (OMB). Allowable direct and indirect costs are determined in accordance with the cost principles set forth in OMB Circular A-87. Table 5 summarizes single audit activity for Self-Governance Tribes as of December 31, 2005.

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TABLE 5: Single Audit Activity
Calendar Year 2005

	AUDIT PERIOD ENDING					
	2000	2001	2002	2003	2004	2005
STATUS OF SUBMITTALS						
Total Compacts	75	77	80	81	83	88
Submitted Prior to 2005	75	77	78	75	1	0
Submitted During 2005	0	0	2	3	78	1
Not Received by 12/31/05	0	0	0	3	4	87
Delinquent on 01/01/06	0	0	0	3	4	0
Sanctioned on 01/01/06	0	0	0	3	4	0
AUDIT REVIEW WORKLOAD						
Open Reviews on 01/01/05	1	1	9	78	5	0
Received During 2005	0	0	2	3	78	1
Reviewed During 2005	0	0	11	48	17	0
Closed During 2005	1	1	11	9	8	0
Open Reviews on 12/31/05	0	0	0	72	66	1
STATUS OF OPEN REVIEWS						
Awaiting Review (w/OAE)	0	0	0	22	53	1
Awaiting Review (w/OSG)	0	0	0	6	8	0
Awaiting Response from Tribe	0	0	0	2	1	0
Pending OAE/OIG/PFM Mgmt Dec.	0	0	0	39	0	0
Not Filed w/Clearinghouse*	0	0	0	3	4	0
Total	0	0	0	72	66	1

*Includes those held because previous year's report not yet filed with Clearinghouse

H. WAIVER REQUESTS

The following summarizes the status of written requests received by OSG from Self-Governance Tribes in FY and CY 2005 to waive application of a Federal regulation pursuant to an agreement entered into under Tribal Self-Governance:

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(1) Indian Reservation Roads

(a) A waiver request was received from the Cherokee Nation on October 28, 2004. The Cherokee Nation requested a waiver of Indian Reservation Roads (IRR) program regulations found at 25 CFR Part 170.202(a) [IRR Payments]; 25 CFR Parts 170.607 & 170.608 [Contract Support]; 25 CFR Parts 170.601, 170.612 and Part 1000.256 [Funding Supportive and Administrative Functions]; 25 CFR Part 170.618 [Use of Savings]; and 25 CFR Part 170.623 [Contents of a Self-Governance Agreement]. The waiver request was denied by the Associate Deputy Secretary on July 18, 2005, because it was found to be prohibited by law.

(b) A waiver request was received from the Red Lake Band of Chippewa Indians on February 25, 2005. The Red Lake Band requested a waiver of 25 CFR Parts 170.601 [Unused Program Management and Oversight Funds], 170.610 [Assumed Program Functions], 170.612 [Funding of Non-Contractible Functions], Part 1000.256 [Funding for Supportive and Administrative Functions], and 25 CFR Part 170.623 [Inclusion of Projects and Activities in Self-Governance Agreements]. The waiver request was denied by the Associate Deputy Secretary on July 18, 2005 because it was found to be prohibited by law.

(c) A waiver request was received from the Citizen Potawatomi Nation on July 20, 2005. The Citizen Potawatomi Nation requested a waiver of Indian Reservation Roads (IRR) program regulations found at 25 CFR Part 170.202(a) [IRR Payments], 25 CFR Parts 170.607 and 170.608 [Contract Support], 25 CFR Part 170.618 [Use of Savings], and 25 CFR Part 170.623 [Contents of a Self-Governance Agreement]. The waiver request was denied by the Acting Principal Deputy Assistant Secretary because it was prohibited by law.

(3) Welfare Assistance

(a) A waiver request was received from the Native Village of Eyak on October 4, 2004. The Native Village of Eyak requested that the requirement to submit a burial assistance application within 30 days following death under 25 CFR Part 20.325 be waived on a one-time basis. A letter dated November 1, 2004, informing the Tribe that further documentation was needed to determine whether the waiver request could be approved. The request was not pursued any further by the Tribe.

(b) A waiver request was received from the Chickasaw Nation on November 19, 2004. The Chickasaw Nation requested to waive burial assistance requirements in 25 CFR Part 20.325(b) regarding resources available to the deceased so that the Nation could provide the full amount of the payment standard and not be required to deduct any resources. The waiver request was denied by the Acting Principal Deputy Assistant Secretary - Indian Affairs on August 19, 2005, because it was prohibited by law.

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(c) A waiver request from the Cherokee Nation of Oklahoma was received on December 6, 2004. The Cherokee Nation requested to waive 25 CFR Parts 20.210 and 20.235(b) regarding eligibility requirements for burial assistance. After receiving additional information from the Cherokee Nation, the waiver request was approved by the Acting Principal Deputy Assistant Secretary--Indian Affairs on December 27, 2005.

(d) A waiver request was received from the Karuk Tribe of California on June 30, 2005. The Karuk Tribe requested to waive burial assistance requirements in 25 CFR Part 20.300(c) which requires applicants for burial assistance to reside in the service area as defined in 25 CFR Part 20.200. The waiver was requested on a one-time basis to assist a tribal member that lived outside the Tribe's service territory for a short time before he passed away. Clarification of the request was requested on August 10, 2005. The request was not pursued any further by the Tribe.

APPENDIX A

(TRIBAL SELF-GOVERNANCE PARTICIPATION
TABLES)

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TABLE 1: TRIBES/TRIBAL ORGANIZATIONS PARTICIPATING IN TRIBAL SELF-GOVERNANCE IN 2005

-
- (1) Absentee Shawnee Tribe of Oklahoma;
(2) Ak-Chin Indian Community
-
- (3) [The signatory tribal organization was the Aleutian/Pribilof Islands Association, Inc. and the signatory tribe was the Pribilof Aleut Community of St. George] [Non-signatory tribes included the Native Village of Akutan, Native Village of Atka (IRA), Native Village of Belkofski, Native Village of False Pass, Native Village of Nelson Lagoon, Native Village of Nikolski (IRA), Pribilof Aleut Community of St. Paul, Pribilof Aleut Community of St. Paul & St. George, Qagan Tayagungin Tribe (Sand Point), Qawalangin Tribe of Unalaska, and the Native Village of Unga];
-
- (4) Asa' Carsarmiut Tribal Council;
-
- (5) [The signatory tribal organization was the Association of Village Council Presidents] [Non-signatory tribes included the Akiak Native Community (IRA), Village of Alakanuk, Native Village of Algaaciq (St. Mary's), Andreafsky Tribal Council, Native Village of Bill Moore's Slough, Village of Chefornak, Chevak Native Village, Native Village of Eek, Native Village of Goodnews Bay, Native Village of Hamilton, Native Village of Hooper Bay, Igurmiut Traditional Council (Russian Mission), Native Village of Kipnuk, Native Village of Kongiganak, Village of Kotlik, Native Village of Kwigillingok (IRA), Village of Lower Kalskag, Native Village of Napaimute, Native Village of Napakiak (IRA), Native Village of Napaskiak, Native Village of Nunapitchuk (IRA), Nunkaurarmiut Tribe (Toksook Bay), Village of Ohagamiut, Oscarville Traditional Council, Pilot Station Traditional Council, Native Village of Pitka's Point, Village of Red Devil, Native Village of Scammon Bay, Native Village of Sheldon's Point, Village of Sleetmute, Village of Stony River, Native Village of Tuntutuliak, Native Village of Tununak (IRA)], Umkumiut Native Village, and the Village of Upper Kalskag;
-
- (6) Native Village of Barrow;
(7) Bois Forte Band of Chippewa Tribe;
-
- (8) [The signatory tribal organization was the Bristol Bay Native Association, Inc.] [Non-signatory tribes included the Native Village of Aleknagik, Native Village of Chignik, Native Village of Chignik Lagoon, Chignik Lake Village, Village of Clarks Point, Native Village of Dillingham, Egegik Village, Native Village of Ekuk, Ekwok Village, Igiugig Village, Ivanof Bay Village, Village of Kanatak (IRA), King Salmon Tribe, Kokhanok Village, Koliganek Village, Levelock Village, Manokotak Village, Naknek Native Village, Newhalen Village, New Stuyahok Village, Native Village of Perryville (IRA), Native Village of Pilot Point, Portage Creek Village (Ohgsenakale), Native Village of Port Heiden, South Naknek Village, Traditional Village of Togiak, Twin Hills Village, and the Ugashik Village];
-
- (9) Cabazon Band of Mission Indians;
(10) Cheesh-na Tribe;
(11) Cherokee Nation;
(12) Chickasaw Nation;
(13) Chippewa Cree Tribe;
(14) Choctaw Nation of Oklahoma

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TABLE 1: TRIBES/TRIBAL ORGANIZATIONS PARTICIPATING IN TRIBAL SELF-GOVERNANCE IN 2005 (CONTINUED)

-
- (15) [The signatory tribal organization was Chugachmiut, Inc.] [Non-signatory tribes included the Native Village of Chenega Bay (IRA), Native Village of Nanwalek, Port Graham Village, and the Native Village of Tatitlek (IRA)] [A non-signatory tribal organization included the Chugach Regional Resource Commission];
-
- (16) Citizen Potawatomi Nation;
-
- (17) [The signatory tribal organization was Copper River Native Association, Inc.] [The non-signatory tribes included the Native Village of Cantwell, Native Village of Copper Center (Kluti-Kaah), Native Village of Gakona, Gulkana Village, and the Native Village of Tazlina];
-
- (18) [The signatory tribal organization was the Council of Athabascan Tribal Governments] [The non-signatory tribe was the Birch Creek Village (also served by Tanana Chiefs Conference)];
-
- (19) Cuyapaibe Band of Mission Indians;
(20) Delaware Nation;
(21) Duck Valley Shoshone-Paiute Tribes;
(22) Duckwater Shoshone Tribe;
(23) Eastern Shawnee Tribe of Oklahoma;
(24) Ely Shoshone Tribe;
(25) Native Village of Eyak;
(26) Fond du Lac Band of Lake Superior Chippewas;
(27) Fort Sill Apache Tribe of Oklahoma;
(28) Native Village of Gambell;
(29) Gila River Indian Community;
(30) Grand Portage Band of Chippewa Indians;
(31) Confederated Tribes of the Grand Ronde Community of Oregon;
(32) Grand Traverse Band of Ottawa and Chippewa Indians;
(33) Hoopa Valley Tribe;
(34) Jamestown S'Klallam Tribe;
(35) Organized Village of Kake;
(36) Karuk Tribe of California;
-
- (37) [The signatory tribal organization was Kawerak, Inc.] [Non-signatory tribes included the Native Village of Brevig Mission, Chinik Eskimo Community (Golovin), Native Village of Council, Native Village of Diomed (Inalik) (IRA), Native Village of Elim (IRA), King Island Native Community (IRA), Native Village of Koyuk (IRA), Native Village of Mary's Igloo, Nome Eskimo Community (IRA), Native Village of Saint Michael (IRA), Native Village of Savoonga (IRA), Native Village of Shaktoolik (IRA), Native Village of Shishmaref (IRA), Native Village of Solomon, Stebbins Community Association (IRA), Native Village of Teller, Native Village of Unalakleet (IRA), Native Village of Wales (IRA), and the Native Village of White Mountain (IRA).];
-
- (38) Kaw Nation;
(39) Ketchikan Indian Corporation (also served by Central Council of Tlingit and Haida Indian Tribes of Alaska);
(40) Kickapoo Tribe of Oklahoma;
(41) Kootenai Tribe of Idaho;
(42) Native Village of Kotzebue (IRA);

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TABLE 1: TRIBES/TRIBAL ORGANIZATIONS PARTICIPATING IN TRIBAL SELF-GOVERNANCE IN 2005 (CONTINUED)

-
- (43) Native Village of Kwinhagak (IRA);
(44) Leech Lake Band;
(45) Lower Elwha S'Klallam Tribe;
(46) Lummi Nation;
(47) Makah Tribe;
-
- (48) [The signatory tribal organization was Maniilaq Association] [Non-signatory tribes included the Native Village of Ambler, Native Village of Buckland (IRA), Native Village of Deering (IRA), Native Village of Kiana, Native Village of Kivalina, Native Village of Kobuk, Native Village of Noatak (IRA), Noorvik Native Community (IRA), and the Native Village of Shungnak (IRA)];
-
- (49) Manzanita Band of Mission Indians;
(50) Metlakatla Indian Community;
(51) Miami Tribe of Oklahoma;
(52) Mille Lacs Band of Ojibwe Indians;
(53) Modoc Tribe of Oklahoma;
(54) Muckleshoot Indian Tribe;
(55) Muscogee (Creek) Nation of Oklahoma;
(56) Nisqually Indian Tribe;
(57) Nome Eskimo Community (also served by Kawerak);
(58) Native Village of Nulato (also served by Tanana Chiefs Conference);
(59) Oneida Tribe of Wisconsin;
(60) Orutsararmiut Native Council;
(61) Ponca Tribe of Oklahoma;
(62) Port Gamble S'Klallam Tribe;
(63) Quapaw Tribe of Oklahoma;
(64) Quinault Indian Nation;
(65) Redding Rancheria;
(66) Red Lake Band of Chippewa Indians;
(67) Sac and Fox Nation of Oklahoma;
(68) Confederated Salish and Kootenai Tribes of the Flathead Nation;
(69) Salt River Pima-Maricopa Indian Community;
(70) Santa Clara Pueblo;
(71) Sault Ste. Marie Chippewa Tribe;
(72) Seldovia Village Tribe;
(73) Seneca-Cayuga Tribe of Oklahoma;
(74) Shoalwater Bay Indian Tribe;
(75) Confederated Tribes of Siletz Indians of Oregon;
(76) Sitka Tribe of Alaska (IRA);
(77) Skokomish Tribe of Washington;
(78) Squaxin Island Tribe;
(79) Suquamish Tribe;
(80) Swinomish Indian Tribe;
(81) Native Village of Tanana;

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TABLE 1: TRIBES/TRIBAL ORGANIZATIONS PARTICIPATING IN TRIBAL SELF-GOVERNANCE IN 2005 (CONTINUED)

(82) [The signatory tribal organization was the Tanana Chiefs Conference, Inc.] [Signatory tribe was the Native Village of Ft. Yukon] [Non-signatory tribes included Alatna Village, Allakaket Village, Anvik Village, Arctic Village Council, Beaver Village, Birch Creek Village (also served by Council of Athabascan Tribal Governments), Chalkyitsik Village, Circle Native Community, Village of Dot Lake, Village of Eagle (IRA), Evansville Village (Bettles Field), Galena Village (Louden), Organized Village of Grayling (Holikachuk) (IRA), Healy Lake Village, Holy Cross Village, Hughes Village, Huslia Village, Village of Kaltag, Koyukuk Native Village, Manley Hot Springs Village, McGrath Native Village, Native Village of Minto (IRA), Nenana Native Association, Nikolai Edzeno Village, Rampart Village, Native Village of Ruby, Shageluk Native Village (IRA), Native Village of Stevens (IRA), Takotna Village, Native Village of Tanacross (IRA), Telida Village, Native Village of Tetlin (IRA), and the Native Village of Venetie Tribal Government (IRA)];

(83) [The signatory tribe was the Central Council of Tlingit and Haida Indian Tribes of Alaska (Juneau)] [Non-signatory tribes included Angoon Community Association (IRA), Chilkoot Indian Association (Haines) (IRA), Craig Community Association, Organized Village of Kasaan (IRA), Klawock Cooperative Association (IRA), Petersburg Indian Association (IRA), Organized Village of Saxman (IRA), Skagway Traditional Council, and the Wrangell Cooperative Association];

(84) Tulalip Tribes of Washington;

(85) Wampanoag Tribe of Gay Head (Aquinnah);

(86) Wyandotte Tribe of Oklahoma;

(87) Yakutat Tligit Tribe; and the

(88) Yurok Tribe.

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TABLE 2: TRIBES/TRIBAL ORGANIZATIONS OPERATING AN APPROVED PUB. L. 102-477
PLAN UNDER TRIBAL SELF-GOVERNANCE IN 2005

- (1) Aleutian/Pribilof Islands Association;
 - (2) Association of Village Council Presidents;
 - (3) Bristol Bay Native Association;
 - (4) Cherokee Nation of Oklahoma;
 - (5) Chickasaw Nation;
 - (6) Chugachmiut;
 - (7) Citizen Potawatomi Nation;
 - (8) Copper River Native Association;
 - (9) Duck Valley Shoshone-Paiute Tribes;
 - (10) Confederated Tribes of the Grand Ronde Community of Oregon;
 - (11) Kawerak;
 - (12) Metlakatla Indian Community;
 - (13) Miami Tribe of Oklahoma;
 - (14) Mille Lacs Band of Ojibwe;
 - (15) Orutsrarmiut Native Council;
 - (16) Port Gamble S'Klallam Tribe;
 - (17) Red Lake Band of Chippewa Indians;
 - (18) Confederated Salish and Kootenai Tribes of the Flathead Nation;
 - (19) Confederated Tribes of Siletz Indians of Oregon;
 - (20) Tanana Chiefs Conference;
 - (21) Central Council of Tlingit and Haida Indian Tribes of Alaska; and the
 - (22) Yakutat Tlingit Tribe.
-
-

APPENDIX B

(OSG TRANSFER OF FUNDS)

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TABLE 1: AMOUNT OF FY 2005 FUNDS OBLIGATED BY THE OSG AND TRANSFERRED TO SELF-GOVERNANCE TRIBES (\$ THOUSANDS)

Tribe/Tribal Organization	OIP*	Other BIA**	Total BIA***	Other Agencies****	All Funds
Absentee Shawnee Tribe of Oklahoma	1,341.8	0	1,341.8	0	1,341.8
Ak-Chin Indian Community	673.2	0	673.2	0	673.2
Aleutian Pribilof Islands Association	3,180.1	0	3,180.1	262.1	3,442.2
Asa' Carsarmiut Tribal Council	483.2	0	483.2	0	483.2
Council of Athabascan Tribal Governments	9.6	0	9.6	0	9.6
Association of Village Council Presidents, Inc.	9,365.2	0	9,365.2	3,735.1	13,100.3
Native Village of Barrow	1,500.0	0	1,500.0	2.6	1,502.6
Bois Forte Band of Chippewa Indians	1,675.8	15.6	1,691.4	140.0	1,831.4
Bristol Bay Native Association	7,789.5	0	7,789.5	1,018.7	8,808.2
Cabazon Band of Mission Indians	336.2	0	336.2	0	336.2
Cheesh-na Tribe	318.8	0	318.0	0	318.0
Cherokee Nation	11,724.4	0	11,724.4	16,534.6	28,259.0
Chickasaw Nation	4,519.4	0	4,519.5	3,166.6	7,686.1
Chippewa Cree Tribe	6,017.2	0	6,017.2	783.7	6,800.9
Choctaw Nation of Oklahoma	5,201.5	0	5,201.5	229.0	5,430.5
Chugachmiut, Inc.	1,378.3	0	1,378.3	267.9	1,961.2
Citizen Potawatomi Nation	1,378.3	0	1,378.3	3,365.8	4,744.1
Copper River Native Association	1,136.5	0	1,136.5	113.7	1,250.2
Cuyapaipe Band of Mission Indians	337.7	0.2	337.9	0	337.9
Delaware Nation	287.4	0	287.4	0	287.4
Duckwater Shoshone Tribe	1,048.3	29.6	1,077.9	0	1,077.9
Eastern Shawnee Tribe of Oklahoma	470.9	0	470.9	6.0	476.9

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Tribe/Tribal Organization	OIP*	Other BIA**	Total BIA***	Other Agencies****	All Funds
Ely Shoshone Tribe	632.9	0	632.9	0	632.9
Native Village of Eyak	202.1	0	202.1	0	202.1
Fond du Lac Band of Lake Superior Chippewa	1,668.5	0	1,668.5	116.2	1,784.7
Fort Sill Apache Tribe of Oklahoma	437.8	0	437.8	0	437.8
Native Village of Gambell	737.4	0	737.4	0	737.4
Gila River Indian Community	10,430.9	48.3	10,479.2	0	10,479.2
Grand Portage Band of Chippewa Indians	959.0	0	959.0	128.0	1,087.0
Confederated Tribes of Grand Ronde of Oregon	2,808.9	0	2,808.9	123.6	2,932.4
Grand Traverse Band of Ottawa and Chippewa Indians	2,719.4	0	2,719.4	3.2	2,722.6
Hoopa Valley Tribe	4,534.7	0	4,534.7	1,598.4	6,133.1
Jamestown S'Klallam Tribe	1,987.0	0	1,987.0	0	1,987.0
Organized Village of Kake	653.8	0	653.8	0.1	653.9
Karuk Tribe of California	1,413.6	0	1,413.6	0	1,413.6
Kaw Nation	1,002.0	0	1,002.0	0	1,002.0
Kawerak, Inc.	7,865.4	0	7,865.4	1,359.0	9,224.4
Ketchikan Indian Corporation	3,058.6	0	3,058.6	0	3,058.6
Kickapoo Tribe of Oklahoma	631.3	0	631.3	0	631.3
Kootenai Tribe of Idaho	578.9	0	578.9	0	578.9
Native Village of Kotzebue	1,571.7	0	1,571.7	0	1,571.7
Native Village of Kwinhagak	499.1	0	499.1	1.7	500.8
Leech Lake Band	2,653.9	0	2,653.9	0	2,653.9
Lower Elwha S'Klallam Tribe	1,876.3	0	1,876.3	0	1,876.3

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Tribe/Tribal Organization	OIP*	Other BIA**	Total BIA***	Other Agencies****	All Funds
Lummi Nation	5,970.5	8.6	5,979.1	5.7	5,984.8
Makah Tribe	4,795.1	0	4,795.1	0	4,795.1
Maniilaq Association	1,910.0	0	1910.0	24.2	1,934.2
Manzanita Band of Mission Indians	357.5	0.3	357.8	1.1	358.9
Metlakatla Indian Community	3,506.5	0	3,506.5	227.6	3,734.1
Miami Tribe of Oklahoma	393.6	0	393.6	1,420.6	1814.2
Mille Lacs Band of Ojibwe Indians	1,737.3	0	1,737.3	7,533.2	9,270.5
Modoc Tribe of Oklahoma	415.6	0	415.6	0	415.6
Muckleshoot Indian Tribe	1,228.0	0	1,228.0	0	1,228.0
Muscogee (Creek) Nation of Oklahoma	4,316.3	0	4,316.3	0	4,316.3
Nisqually Indian Tribe	2,897.8	0	2,897.8	0	2,897.8
Nome Eskimo Community	903.8	0	903.8	0	903.8
Native Village of Nulato	399.9	0	399.9	0	399.9
Onedia Tribe of Wisconsin	1,394.9	0	1,394.9	13.0	1,407.9
Orutsararmiut Native Council	873.1		873.1	158.3	1,031.4
Ponca Tribe of Oklahoma	859.7	0	859.7	0	859.7
Port Gamble S'Klallam Tribe	2,468.6	0	2,468.6	1,129.7	3,598.3
Quapaw Tribe of Oklahoma	346.6	0	346.6	0	346.6
Quinault Indian Nation	11,898.5	0	11,898.5	123.6	12,022.1
Redding Rancheria	703.5	0	703.5	0	703.5
Red Lake Band of Chippewa Indians	11,271.6	5.2	11,276.8	2,151.5	13,428.3
Sac & Fox Nation of Oklahoma	2,209.3	22.2	2,231.5	0	2,231.5
Confederated Salish & Kootenai Tribes of the Flathead Nation	10,349.3	2,674.0	13,023.3	7,205.4	20,228.7

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Tribe/Tribal Organization	OIP*	Other BIA**	Total BIA***	Other Agencies****	All Funds
Salt River Pima-Maricopa Indian Community	8,291.0	115.6	8,406.6	24.6	8,2431.2
Santa Clara Pueblo	1,771.3	58.0	1,829.3	9.1	1,838.4
Sault Ste. Marie Tribe of Chippewa	4,685.1	0	4,685.1	0	4,685.1
Seldovia Village Tribe	296.6	0	296.6	0	296.6
Seneca-Cayuga Tribe of Oklahoma	421.1	0	421.1	6.0	427.1
Shoalwater Bay Tribe	977.8	0	977.8	0	977.8
Shoshone-Paiute Tribes of Duck Valley	2,397.3	0	2,397.3	800.6	3,197.9
Confederated Tribes of Siletz Indians of Oregon	2,427.4	0	2,427.4	1,816.7	4,244.1
Sitka Tribe of Alaska	1,587.5	0	1,587.5	0.5	1,588.0
Skokomish Tribe of Washington	2,064.8	0	2,064.8	0	2,064.8
Squaxin Island Tribe	2,264.7	0	2,264.7	0	2,264.7
Suquamish Tribe	2,856.8	0	2,856.8	0	2,856.8
Swinomish Indian Tribe	1,364.2	0	1,364.2	3.6	1,367.8
Native Village of Tanana	591.1	0	591.1	1.7	592.8
Tanana Chiefs Conference, Inc.	9,942.3	0	9,942.3	7,042.9	16,985.2
Central Council of Tlingit & Haida Indian Tribes	8,725.6	0	8,725.6	7,534.3	16,260.0
Tulalip Tribes of Washington	2,894.8	0	2,894.8	512.3	3,407.1
Wampanoag Tribe of Gay Head (Aquinnah)	1,782.5	0	1,782.5	0	1,782.5
Wyandotte Tribe of Oklahoma	624.3	0	624.3	7.0	631.3
Yakutat Tlingit Tribe	514.0	0	514.0	24.4	538.4
Yurok Tribe	5,554.2	199.2	5,753.4	0	5,753.4
TOTAL	242,651.9	3,147.4	245,799.2	70,763.5	316,562.8

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- * Includes funding from the BIA Operation of Indian Programs account.
- ** Includes funding from the BIA Miscellaneous Payments and Construction accounts.
- *** Includes funding from the BIA Operation of Indian Programs, Miscellaneous Payments, and Construction accounts
- **** Includes funding from other accounts, including BLM, HHS, Labor, Agriculture, and Transportation.

APPENDIX C

(SUMMARY OF RESULTS OF TRUST EVALUATIONS)

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**Table 1: Summary of Results of Trust Evaluations
Conducted for Operating Year 2005**

Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Absentee Shawnee Tribe of Oklahoma		CY 2005	No trust evaluation was conducted.
Alaska Realty Consortium (NEED NAME OF THE CONSORTIUM)	09/23/05	FY 2005	The evaluation focused on the real estate services and probate programs administered by the Consortium. Though there was no finding of imminent jeopardy, both the performance of trust functions for the real estate services and probate programs need improvement.
Aleutian Pribilof Islands Association, Inc.		FY 2005	No trust evaluation was conducted.
Asa' Carsarmiut Tribe	07/22/05	CY 2005	The evaluation focused on the real estate services and probate programs administered by the Tribe. Though there was no finding of imminent jeopardy, both the performance of trust functions for the real estate services and probate programs need improvement.
Association of Village Council Presidents, Inc.		CY 2005	No trust evaluation was conducted.
Native Village of Barrow	10/26/05	CY 2005	The Native Village of Barrow's performance of trust functions for the real estate services and probate programs was unsatisfactory and trust assets were found to be in imminent jeopardy. The performance of trust functions for the wildland fire preparedness program was also unsatisfactory. However, no trust assets were found to be in imminent jeopardy. The Tribe accepted the recommendations in the review and the reassumption process was suspended.
Bois Forte Band of Chippewa Tribe		FY 2005	No trust evaluation was conducted.
Bristol Bay Native Association		FY 2005	No trust evaluation was conducted.
Central Council of Tlingit and Haida Indian Tribes of Alaska		CY 2005	No trust evaluation was conducted.
Cheesh-na Tribe		FY 2005	No trust evaluation was conducted.
Cherokee Nation	NEED DATES OF REVIEWS	FY 2003 FY 2004 FY 2005	The evaluation reviewed the Individual Indian Money collection programs of the Nation. There was no finding of imminent jeopardy.

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Chippewa Cree Tribe	09/27/05	FY 2005	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held. OTRA reviewed the following tribal compact operations related to trust asset management under 25 CFR 1000.353 which included the following trust programs:</p> <ul style="list-style-type: none"> Real Estate Services · Probate · Forestry · Minerals · Range Management · Wildlife and Parks · Wildland Fire Management Programs <p>The Section 131 assessment team organized its work around the tribal trust programs set forth above, reviewing the programs with emphasis on the tribe's trust accounting practices, information technology systems and the internal controls associated with these areas.</p> <p>There was no finding of imminent jeopardy and the Tribe demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>
Choctaw Nation of Oklahoma		FY 2005	No trust evaluation was conducted.
Chugachmiut, Inc.		FY 2005	No trust evaluation was conducted
Citizen Potawatomi Nation		FY 2005	No trust evaluation was conducted.
Copper River Native Association		FY 2005	No trust evaluation was conducted
Cuyapaipe Band of Mission Indians		FY 2005	No trust evaluation was conducted.
Shoshone-Paiute Tribes of the Duck Valley Reservation		FY 2005	No trust evaluation was conducted
Duckwater Shoshone Tribe		CY 2005	No trust evaluation was conducted.
Eastern Shawnee Tribe of Oklahoma	11/18/04	FY 2005	The evaluation reviewed the executive direction, real estate services, and records management programs of the Tribe. There was no finding of imminent jeopardy.
Ely Shoshone Tribe		FY 2005	No trust evaluation was conducted.

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Fond du Lac Band of Lake Superior Chippewa		FY 2005	No trust evaluation was conducted.
Fort Sill Apache Tribe of Oklahoma		CY 2005	No trust evaluation was conducted.
Native Village of Fort Yukon (Gwichyaa Gwich'in Tribal Government)		FY 2005	No trust evaluation was conducted.
Grand Portage Band of Chippewa Indians		FY 2005	No trust evaluation was conducted.
Confederated Tribes of the Grande Ronde Community of Oregon		CY 2005	The evaluation reviewed the forestry and wildland fire programs of the Tribe. There was no finding of imminent jeopardy.
Grand Traverse Band of Ottawa and Chippewa Indians		FY 2005	No trust evaluation was conducted.
Hoopa Valley Tribe	09/07/05	FY 2005	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held.</p> <p>OTRA performed follow-up reviews on the following tribal compacted operations related to trust asset management:</p> <ul style="list-style-type: none"> · Forestry · Wildland Fire Management · Road Maintenance/Construction · Irrigation · Fisheries · Realty <p>OTRA also focused on the following major areas:</p> <ul style="list-style-type: none"> · Internal Controls · Information Technology · Records Management <p>There was no finding of imminent jeopardy and the Hoopa Valley Tribe demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>
Jamestown S'Klallam Tribe		FY 2005	No trust evaluation was conducted
Organized Village of Kake		CY 2005	No trust evaluation was conducted

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Karuk Tribe of California	09/07/05	FY 2005	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held.</p> <p>OTRA reviewed the following tribal compacted operations related to trust asset management:</p> <ul style="list-style-type: none"> · Natural Resources · Real Estate Services · Environmental Quality Services <p>OTRA also focused on the following major areas:</p> <ul style="list-style-type: none"> · Internal Controls · Information Technology · Records Management <p>There was no finding of imminent jeopardy and the Tribe demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>
Kaw Nation of Oklahoma	09/24/05	CY 2005	The evaluation reviewed the appraisals, real estate services, and environmental compliance programs of the Nation. There was no finding of imminent jeopardy.
Kawerak, Inc.		CY 2005	No trust evaluation was conducted.
Kootenai Tribe of Idaho		FY 2005	No trust evaluation was conducted.
Native Village of Kotzebue		CY 2005	No trust evaluation was conducted.
Native Village of Kwinhagak	07/19/05	CY 2005	The evaluation focused on the real estate services, probate, forestry, and wildland fire programs administered by the Tribe. The Native Village of Kwinihagak's performance of trust functions were unsatisfactory and trust assets were found to be in imminent jeopardy. The Tribe accepted the recommendations in the review and the reassumption process was suspended.
Leech Lake Band		FY 2005	No trust evaluation was conducted.
Lower Elwha S'Klallam Tribe		FY 2005	No trust evaluation was conducted.
Lummi Nation	08/08/05	FY 2005	The evaluation reviewed the real estate services, forestry, and wildland fire programs of the Tribe. There was no finding of imminent jeopardy.
Makah Tribe		FY 2005	The evaluation reviewed the real estate services, forestry, and probate programs of the Tribe. There was no finding of imminent jeopardy.
Maniilaq Association		FY 2005	No trust evaluation was conducted.

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Manzantia Band of Mission Indians		CY 2005	No trust evaluation was conducted.
Metlakatla Indian Community		FY 2005	No trust evaluation was conducted.
Miami Tribe of Oklahoma		FY 2005	No trust evaluation was conducted.
Mille Lacs Band of Ojibwe Indians		FY 2005	No trust evaluation was conducted.
Muckleshoot Indian Tribe		CY 2005	No trust evaluation was conducted.
Muscogee (Creek) Nation of Oklahoma	11/5/04	FY 2005	The evaluation reviewed the Tribe's real estate services records, IT security, appraisals, and probate programs. There was no finding of imminent jeopardy.
Nisqually Indian Tribe		CY 2005	No trust evaluation was conducted.
Nome Eskimo Community		CY 2005	No trust evaluation was conducted.
Native Village of Nulato	08/26/05	FY 2005	The Native Village of Nulato's performance of trust functions for the real estate services and probate programs were unsatisfactory and trust assets were found to be in imminent jeopardy. The Tribe made no attempts to rectify the situation and reassumption of the trust programs has begun.
Oneida Tribe of Wisconsin		CY 2005	No trust evaluation was conducted.
Orutsararmiut Native Council	07/25/05	CY 2005	The evaluation reviewed the trust functions principally of the probate, real estate services, forestry, and wildland fire programs. The Tribe's performance of the trust functions involving probate and real estate services needs improvement. However, there was no finding of imminent jeopardy.
Port Gamble S'Klallam Trib	06/20/06	CY 2005 CY 2006	The evaluation reviewed the real estate services, forestry, and appraisals programs of the Tribe. There was no finding of imminent jeopardy.
Quapaw Tribe of Oklahoma		FY 2005	No trust evaluation was conducted.
Quinault Indian Nation		FY 2005	No trust evaluation was conducted.

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Redding Rancheria	02/05/04	CY 2004	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held.</p> <p>OTRA reviewed the following tribal compact operations related to trust asset management:</p> <ul style="list-style-type: none"> · Realty · Records Management · Internal Controls · Information Technology <p>There was no finding of imminent jeopardy and the Tribe demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>
Red Lake Band of Chippewa Indians		FY 2005	No trust evaluation was conducted.
Sac & Fox Nation of Oklahoma		FY 2005	No trust evaluation was conducted
Confederated Salish and Kootenai Tribes of the Flathead Nation	NEED DATES OF REVIEWS	FY 2005	The evaluations reviewed the Individual Indian Money collection program of the Tribe. There was no finding of imminent jeopardy.
Salt River Pima-Maricopa Indian Community	10/28/05	FY 2005	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held.</p> <p>OTRA staff reviewed the Community's appraisals, real estate services, and probate programs. In addition, the team reviewed the Community's trust accounting practices, information technology systems, and records management systems, including the internal controls associated with these areas.</p> <p>There was no finding of imminent jeopardy and the Salt River Pima-Maricopa Indian Community demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>
Santa Clara Pueblo		CY 2005	No trust evaluation was conducted.
Sault Ste. Marie Chippewa Tribe		CY 2005	No trust evaluation was conducted.
Seldovia Village Tribe		FY 2005	No trust evaluation was conducted.

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Redding Rancheria	02/05/04	CY 2004	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held.</p> <p>OTRA reviewed the following tribal compact operations related to trust asset management:</p> <ul style="list-style-type: none"> · Realty · Records Management · Internal Controls · Information Technology <p>There was no finding of imminent jeopardy and the Tribe demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>
Red Lake Band of Chippewa Indians		FY 2005	No trust evaluation was conducted.
Sac & Fox Nation of Oklahoma		FY 2005	No trust evaluation was conducted
Confederated Salish and Kootenai Tribes of the Flathead Nation	NEED DATES OF REVIEWS	FY 2005	The evaluations reviewed the Individual Indian Money collection program of the Tribe. There was no finding of imminent jeopardy.
Salt River Pima-Maricopa Indian Community	10/28/05	FY 2005	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held.</p> <p>OTRA staff reviewed the Community's appraisals, real estate services, and probate programs. In addition, the team reviewed the Community's trust accounting practices, information technology systems, and records management systems, including the internal controls associated with these areas.</p> <p>There was no finding of imminent jeopardy and the Salt River Pima-Maricopa Indian Community demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>
Santa Clara Pueblo		CY 2005	No trust evaluation was conducted.
Sault Ste. Marie Chippewa Tribe		CY 2005	No trust evaluation was conducted.
Seldovia Village Tribe		FY 2005	No trust evaluation was conducted.

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Shoalwater Bay Indian Tribe		FY 2005	No trust evaluation was conducted.
Confederated Tribes of Siletz Indians of Oregon	12/12/05	CY 2005	The evaluation reviewed the real estate services, forestry, and wildland fire programs of the Tribe. There was no finding of imminent jeopardy.
Sitka Tribe of Alaska	07/24/05	CY 2005	The evaluation examined the trust functions principally for the probate, real estate services, and forestry programs. The Tribe's performance of trust functions is satisfactory and trust assets are not in imminent jeopardy.
Skokomish Tribe of Washington		FY 2005	No trust evaluation was conducted
Squaxin Island Tribe		FY 2005	No trust evaluation was conducted.
Suquamish Tribe	02/07/06	CY 2005	The evaluation reviewed the real estate services and forestry programs of the Tribe. There was no finding of imminent jeopardy.
Swinomish Indian Tribal Community		CY 2005	No trust evaluation was conducted.
Native Village of Tanana	09/24/05	FY 2005	The evaluation examined the trust functions administered by the Native Village of Tanana principally for the probate, real estate services, forestry, and wildland fire programs. The Tribe's performance of trust functions for the probate program is unsatisfactory and trust assets were found to be in imminent jeopardy. The performance of trust functions for the real estate services, forestry, and (fire) preparedness programs is satisfactory. The Tribe accepted the recommendations in the review and the reassumption process has been suspended.
Tanana Chiefs Conference, Inc.		FY 2005	No trust evaluation was conducted.
Tulalip Tribes	02/09/06	CY 2005	The evaluation reviewed the forestry program of the Tribe. There was no finding of imminent jeopardy.
Wampanoag Tribe of Gay Head		FY 2005	No trust evaluation was conducted.
Wyandotte Tribe of Oklahoma	11/22/04	FY 2005	The evaluation reviewed the appraisals, real estate services, probate, environmental compliance, and wildland fire management programs of the Tribe. There was no finding of imminent jeopardy.
Wyandotte Tribe of Oklahoma	NEED DATES OF REVIEWS	FY 2003 FY 2004 FY 2005	The evaluations reviewed the Individual Indian Money collection program of the Nation. There was no finding of imminent jeopardy.
Yakutat Tlingit Tribe	07/20/05	CY 2005	The evaluation reviewed the trust functions administered by the Tribe principally for the probate, real estate services, and forestry programs. The Tribe's performance of trust functions is in need of improvement. However, there was no finding of imminent jeopardy.

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Tribe/Consortium	Date of Evaluation	Period Covered	Findings
Yurok Tribe	09/07/05	FY 2004	<p>The trust evaluation was done in conjunction with an assessment of the Tribe's ability to perform as required in the annual 2005 funding bill (Public Law 108-447; December 8, 2004; 118 Stat. 3067, Sec. 131), herein referred to as Section 131. Section 131 requires that those named Tribes demonstrate to the satisfaction of the Secretary of the Interior that they have the capability to perform their responsibilities under the same fiduciary standards as those to which the Secretary is held.</p> <p>OTRA reviewed the following tribal compacted operations related to trust asset management:</p> <ul style="list-style-type: none"> · Forestry · Fisheries <p>OTRA also focused on the following major areas:</p> <ul style="list-style-type: none"> · Internal Controls · Information Technology · Records Management <p>There was no finding of imminent jeopardy and the Tribe demonstrated it was capable of performing the trust functions compacted for under the same fiduciary standards as those to which the Secretary is held.</p>

APPENDIX D

**(SUGGESTED REPORTING FORMAT
AND TRIBAL REPORTS)**

NOTE TO REVIEWERS:

GIVEN THE BULKY NATURE OF THE TRIBAL REPORTS CONTAINED IN THIS APPENDIX, THEY HAVE BEEN OMITTED FROM THE PACKAGE TO BE REVIEWED