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Secretary Jewell Issues Secretarial Order Affirming American Indian Trust Responsibilities

Underscores Administration's Commitment to Trust Reform in meetings with leaders of Confederated Salish & Kootenai Tribes

PABLO, Montana – As part of President Obama's commitment to strengthen the government-to-government relationship with tribal nations and fulfill federal trust obligations, Secretary of the Interior Sally Jewell today issued a [Secretarial Order](#) reaffirming the Department of the Interior's trust responsibilities to federally-recognized Indian tribes and individual Indian beneficiaries and providing guidance for Interior agencies in carrying out their obligations to them.

“This Order reaffirms the Department's obligations and demonstrates our continuing commitment to upholding the important federal trust responsibility for Indian Country,” said Secretary Jewell, who chairs the [White House Council on Native American Affairs](#). “The landmark Cobell Settlement and resolution of nearly 80 other tribal trust management lawsuits under President Obama launched a new chapter in federal trust relations with tribes and individual Indian beneficiaries and reflects our dedication to strengthen the government-to-government relationship with tribal leaders.”

The Secretarial Order provides seven principles that apply to all Interior agencies, not just the Bureau of Indian Affairs, including supporting tribal sovereignty and self-determination; protecting tribal lands and resources; building partnerships; practicing responsiveness and timeliness; and seeking legal advice to ensure compliance with the trust responsibility. As federal agencies that make policy affecting Indian tribes and individual Indian beneficiaries, all of the Department's bureaus and offices share the same general federal trust responsibility.

"This Order speaks not only to American Indian tribes, but also to federal employees across the Department, reminding each of them of their important role in fulfilling the trust responsibility," said Assistant Secretary Kevin Washburn. "It acknowledges that each of us working in the federal government has an important responsibility to Indian country and it ultimately takes all of us, working together, to meet our important obligations as a trustee."

The federal trust responsibility, which originates from the unique, historical relationship between the United States and Indian tribes, consists of the highest moral and legal obligations that the federal government must meet to ensure the protection of tribal and individual Indian lands, assets and resources as well as treaty and similarly recognized rights. Among their responsibilities, Interior agencies oversee \$4.7 billion in trust funds derived from managing 55 million surface acres and 57 million acres of subsurface mineral estate held in trust for individual Indians, Indian tribes and Alaska Natives. Eleven million acres belong to individual Indians and 44 million acres to tribes. Interior administers more than 119,000 leases for the use of these lands, including oil, gas and mineral extraction, water and energy development, timber harvesting and grazing.

Today's Secretarial Order responds to recommendations of the Secretarial Commission on Indian Trust Administration and Reform, which was established in 2009 as part of the \$3.4 billion Cobell Settlement, one of the largest class-action lawsuits in U.S. history. The Commission evaluated the Department's trust administration system and identified potential improvements, urging a renewed emphasis on U. S. obligations so that all federal agencies understand their obligations to abide by and enforce trust duties. The Interior Department has taken a number of steps to address issues raised in the Commission's report, as well as identified actions that the Department will take to improve the trust administration. A new document outlining those reforms is [available here](#).

The Secretary made her announcement during a visit with leaders of the Confederated Salish & Kootenai Tribes of the Flathead Indian Reservation in northwest Montana, where she was joined by U.S. Senator Jon Tester; Vincent G. Logan, Special Trustee for American Indians; and Mike Black, Director of the Bureau of Indian Affairs.

"The achievements of the Confederated Salish & Kootenai Tribes demonstrate that the federal trust responsibility often can be best achieved by empowering the tribes – by contracting with them so that they can provide the federal services owed under the trust responsibility," Jewell noted. "The Salish & Kootenai Tribes were among the first to receive full self-governance rights in 1993, assuming key functions of the Bureau of Indian Affairs and Office of the Special Trustee for American Indians and strengthening the economy of their community and the State of Montana."

Interior's [Office of the Special Trustee](#), led by Vincent G. Logan, oversees reforms that have improved the accountability and management of Indian funds held in trust by the federal government. OST provides oversight and coordination of the policies, procedures, systems and practices used by various agencies to manage Indian trust assets. The Obama Administration also has helped to rebuild the federal trust relationship by resolving nearly 80 separate tribal trust management cases, providing \$2.6 billion in settlements; and issuing a new federal policy in 2009 on consulting with Indian tribes, setting standards for engaging on a government-to-government basis to ensure agency decisions consider the impacts on affected tribes and their members.

With an enrolled membership of about 8,000, the Confederated Salish & Kootenai Tribal Government is the largest employer in Lake County, Montana, with 1,200 employees; infuses \$80 million a year into the area economy through a \$35 million payroll and \$45 million in purchases; and contributes about \$317 million annually to Montana's economy. The Secretary's discussions with tribal leaders dealt with several current initiatives, including a cooperative agreement on a Land Buy Back Program to purchase and consolidate fractionated land ownership interests from willing sellers, as well as climate change impacts on tribal natural resources.

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