

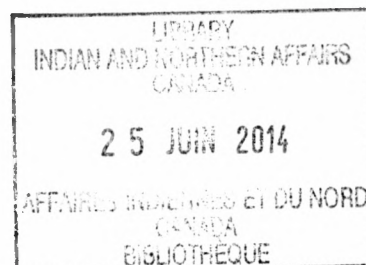
RESERVES AND TRUSTS PROGRAM EVALUATION
PHASE III REPORT OUTLINE
PRELIMINARY FINDINGS

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RESERVES AND TRUSTS PROGRAM EVALUATION
PHASE III REPORT OUTLINE
PRELIMINARY FINDINGS



DPA CONSULTING LTD.

JULY 13, 1982

RESERVES AND TRUSTS
PROGRAM EVALUATION STUDY
PHASE III REPORT OUTLINE
PRELIMINARY FINDINGS

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RESERVES AND TRUSTS PROGRAM EVALUATION

PHASE III REPORT OUTLINE

PRELIMINARY FINDINGS

1.0 INTRODUCTION

The DPA proposal of 12 March 1982 contained five phases. Phase III consisted of extensive data gathering, analysis and the development of preliminary findings for presentation to the Evaluation Advisory Committee. The following report represents our preliminary findings under Phase III.

By using a preliminary findings approach, it is anticipated that we may have the benefit of the collective wisdom of the members of the Committee before preparing the final program evaluation report.

1.1 General Background

In May 1982, following presentation of the DPA Phase I report, it was agreed that the study team would adopt a Program Design approach to the evaluation work. This decision was based on the arguments that:

- a. a number of audits and management improvement studies had documented backlogs, costs, processs and recommendations; and
- b. that the management needs were for evaluation findings that would be of assistance in charting how, when and where to implement change.

It was further agreed that the major study areas would include the evaluation framework outlined by the OCG on Program Rationale, Impacts and Effects, Objectives Achievement and Alternatives.

The study team had been provided, through a departmental Evaluation Assessment, a list of evaluation issues and these were

included within the general umbrella of the Program Design approach.

It was agreed further that all Regional Offices would be visited and a sampling of District Offices and Indian Bands would be developed in consultation with Reserves and Trusts officials.

On 1 June 1982, a Phase II report was submitted containing details on the area to be sampled and a copy of the proposed outline interview guide.

1.2 Structure of this Report

The Phase III report contains the following Sections:

- a. Section 2.0 provides an outline of the conduct of the data gathering and analysis phase;
- b. Section 3.0 discusses the presentation approach re the major management areas studied and the products produced;
- c. Section 4.0 details the Logic and Context Models developed for the program;
- d. Section 5.0, contains a presentation of the preliminary findings by management areas and by broad issue areas;
and
- e. Section 6.0, contains a summary of the major findings and recommendations.

2.0 DATA COLLECTION

2.1 The Sample

The study sample, including NHQ staff, Regional and District Offices, Indian Bands and other outside sources, was developed in conjunction with officials of Reserves and Trusts.

The sample included all Regional Offices and representative District Offices and Indian Bands, groups and some individuals. The coverage extended to all provinces of the country.

Following the first major coverage, second calls were made to clarify or elicit further information and other areas not previously covered were included.

As agreed, following the Phase I report, no attempt was made to develop a sampling of individual Indians, and findings regarding their interests are drawn from the broad sampling detailed above.

Annex A contains a listing of all offices, persons or groups interviewed, by geographical area and by function or interest.

2.2 Survey Instruments

Two formal instruments were used during the study. A process flow description was developed for each of the major areas of land administration, estates and membership. The process outlines were used to to verify the processes and to note changes or variations that existed.

The formal interview guides, presented in the DPA Phase II report, were pre-tested by visits to the London District and the Walpole Island Band. In addition, as the study progressed, minor modifications and changes in emphasis were discussed by study team members.

It should be noted that the standardized interview guide was used within DPA as a check list to ensure all areas of interest were covered. Our approach to the survey work included a free style of probing, which permitted a maximum exchange of information and discussion. The interview guides were not shared with interviewees and were used mainly to ensure that relevant areas were thoroughly explored.

A secondary, but important use, was to provide uniform and more effective assembly of the considerable mass of information collected, as all team members developed their notes against the interview guide headings.

The study team members also ensured that written material was obtained, wherever possible, to provide substantiation and more detailed information on policies and processes.

A bibliography of all literature and other documentation analyzed by the study team is included in Annex B.

2.3 Analysis of Data

Each member of the study team assumed responsibility for a specific area in lands administration, estates and membership.

During the data collection phase, all members collected data from all areas. Their findings were then developed against the three major Reserves and Trusts areas and provided to the responsible study team member. Each member was responsible for specific initial analysis and the development of a presentation to the study team.

In this way, not only was general exposure to the whole study obtained during data collection, but information provided was challenged initially by the team member responsible for a specific area and also by the team collectively.

During analysis, follow-up calls and other verification actions

were taken to ensure the reliability and applicability of the data and findings.

The results of the study team's data collection were assembled on the basis of:

- a. geographical areas covered, including identification of the persons and the groups represented;
- b. broad subject matter relating to the three major areas of land administration, estates and membership;
- c. product areas, with particular emphasis on program design and delivery;
- d. individual Indian interests, to try and determine impacts and effects; and
- e. evaluation issues, as detailed in the Phase II report.

3.0 REPORTING STRUCTURES

Section 4.0 discusses the two major models and the underlying causal hypotheses upon which DPA conducted the study. In addition, Section 5.0 has been developed in two ways:

- a. our preliminary findings on a broad basis of the Reserves and Trusts program, emphasizing program rationale, impacts and effects, objectives achievement and program alternatives; and
- b. a presentation of preliminary findings by major management areas.

3.1 Major Management Areas

The Reserves and Trusts sub-programs, while logically grouped as a collection of direct, statutory services to Bands and individual Indian interests, are not inter-dependent or inter-related to any appreciable degree.

3.2 Supporting Data

A matrix chart has been developed and is included in Section 5.0 immediately following the general program findings, which relates the findings to evaluation issues, management areas and the products specified in the Phase II report.

Tables relating to volumes, broad program costs and general process outlines are included in:

- Annex C - Program Resources
- Annex D - Program Processes
- Annex E - Program Output Volumes

Where applicable, references have been made to source documents

or information availability throughout the text on the preliminary findings.

CONTEXT
Background

EXHIBIT 4.2: PROGRAM LOGIC MODEL - RESERVES AND TRUSTS PROGRAM

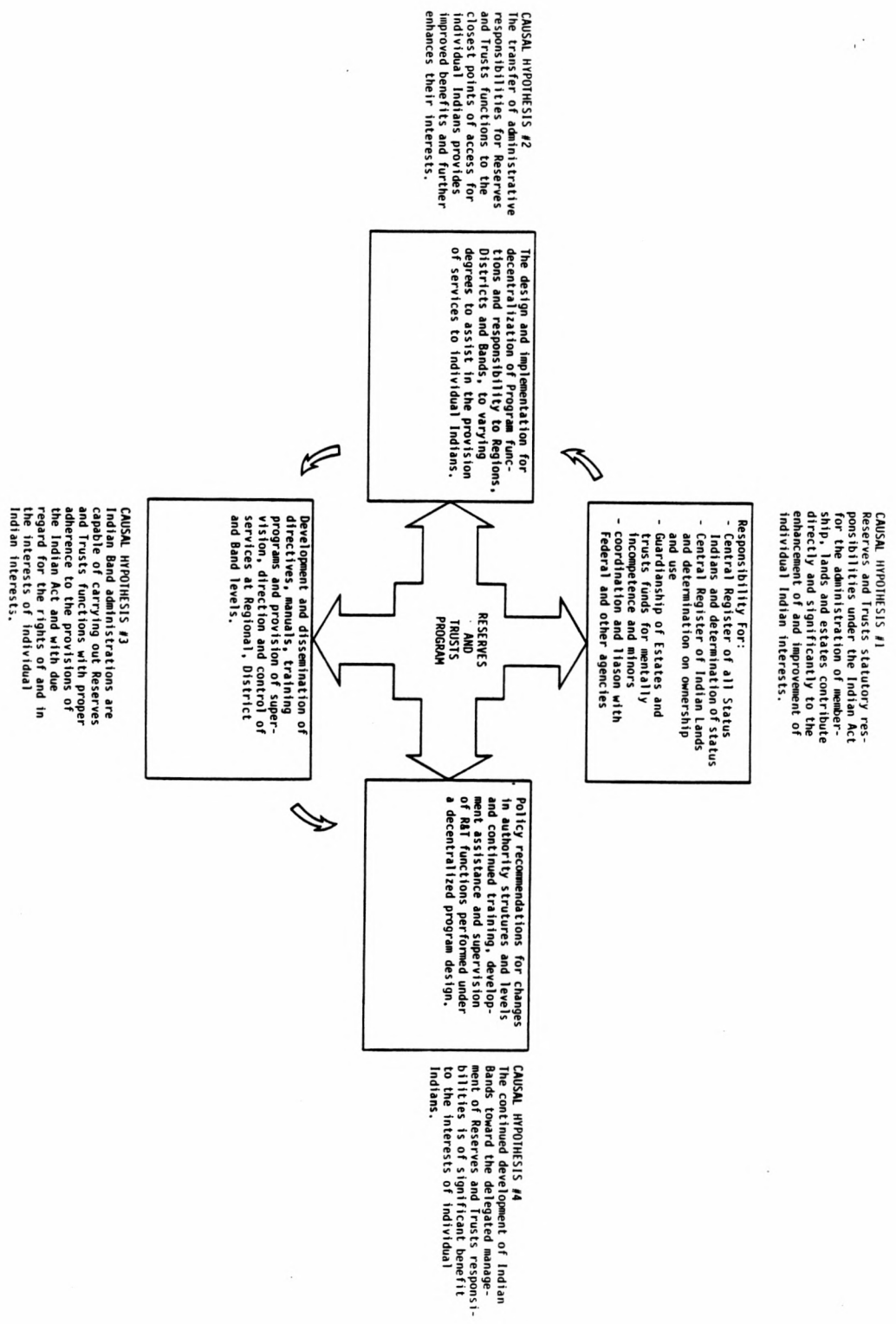
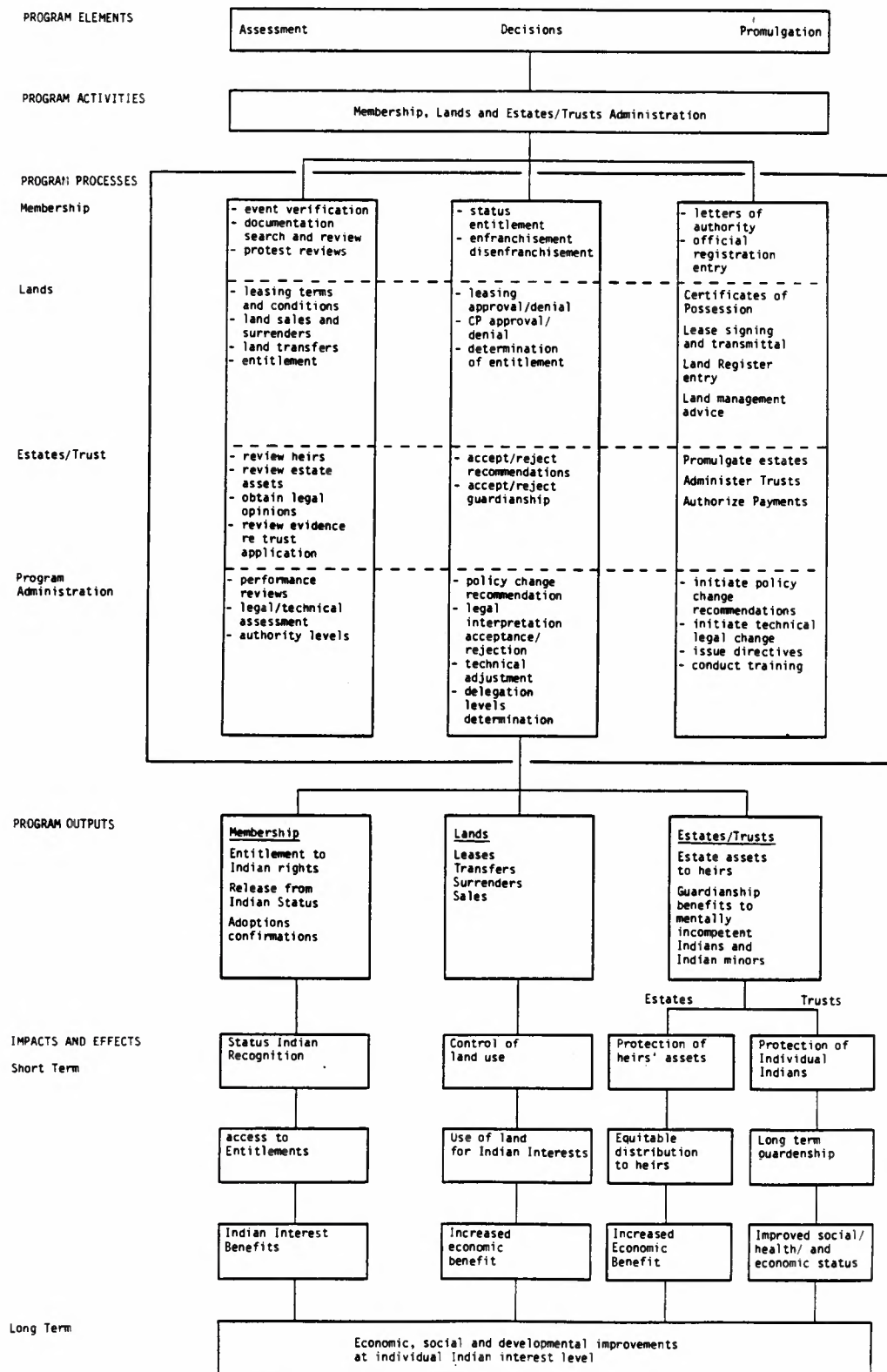


EXHIBIT 4.1: LOGIC MODEL - RESERVES AND TRUSTS



4.0 PROGRAM MODELS

In an effort to portray visually a better understanding of the Program for program evaluation ourposes, two models were developed. The Logic Model, portrayed in Exhibit 4.1 under subsection 4.1 describes the program in terms of activities, products and impacts and effects.

The Context Model attempts to reflect the Reserves and Trusts Program in relation to the environment within which it is influenced and exerts influence. From the Context Model flow the causal hypotheses upon and which the program operates which form the basic rationale for the program.

4.1 Logic Model

The logic model of the program is in final development stages. It will be discussed with program staff and included in the final draft report.

4.2 Context Model

The context model of the program is in final development stages. It will be discussed with program staff and included in the final draft report.

5.0 Preliminary Findings

As indicated earlier, the preliminary findings are presented on a program basis where findings relate to broad issues. Those findings, specific to individual management areas, are reflected under appropriate areas.

5.1 Reserves and Trusts

In terms of Program Rationale, the Reserves and Trusts program, was found to be an essential and important program based on legal, ^{permanent and} statutory authorities necessitating its existence and the activities being performed. The various authorities relevant to the management areas within Reserves and Trusts are detailed in Annex F.

While some of the task areas within the program could be challenged as to a strict legal interpretation, we believe they contribute to the welfare of the individual Indian interests and are not contrary to the spirit of the program. Individual instances of such cases are referred to later in this report.

From a broad program perspective the study team was unable to find program outputs that were not consistent with program objectives and mandate. We believe, however, that greater efforts towards clarity of roles and responsibilities, and urgent consideration on the degree of and financing of further administrative decentralization of some R & T functions needs to be undertaken. Details on specific areas and in specific terms will be dealt with under the appropriate headings.

The Impacts and Effects of the program were found to be generally as intended by the program objectives and plans. No serious adverse impacts were discovered as they affected individual Indian interests. However, as is indicated later in the report, several instances were found where either:

- a. the benefits accruing to Indians generally under

decentralization were so noticeable that greater efforts toward decentralization are indicated; or

- b. conversely, the consideration of any or further decentralization needs to be examined before any continuing efforts are made; and
- c. a third situation where unauthorized actions were encountered, indicating the need to examine formal rulings and processes to determine the causes for such actions and any benefits that may accrue from recognizing such activities legally.

Again, in overall basic program terms, the study team found an acceptable level of program achievements and well developed plans under implementation to further enhance the achievement areas. In more detailed examples later, the achievement in certain areas has been accelerated on the one hand by specific management attitudes and practices and impeded or frustrated in other areas. In general, however, we were impressed with the general awareness of objectives and the degree of satisfaction with program progress, expressed by Indian groups at various levels.

Program Alternatives were examined at two levels. On one hand we explored alternatives outside the program, and our findings led us to believe that these alternatives would not provide an improved level of service to individual Indians. At the second level we examined alternatives within the program. Here we found strong arguments for some specific changes, detailed later in this report.

In summary, we found the Reserves and Trusts Program:

- a. to be a relevant, needed program, serving individual Indian interests, operating within a defined mandate, legally based, but with a perceived need to clarify some

aspects of roles and responsibilities at all levels, including Indian Band levels;

- b. had significant impacts and effects on individual Indian interests, largely as intended, but some areas exist where changes are necessary for greater, beneficial effects;
- c. operated under specified objectives and had a substantial measure of acceptable achievement, but was suffering from a lack of senior management/policy clarity leading to uneven results across the country; and
- d. represented the best available alternative in many respects, but is capable of producing better results, given specific changes in planning and resourcing.

It is recognized that these general comments pose many questions and provide few answers. However these general statements are necessary to set the tone of the report.

In general terms we found the program to be responsive to individual Indian interests as they may be currently defined. Our concerns relate more particularly to six major areas at the broad program level:

- a. the changes in Departmental initiatives toward decentralization (and devolution) which appear to have emerged within the past few years;
- b. the apparent lack of central criteria and guidelines to direct the progress toward program change.
- c. the proliferation of studies, reviews and

recommendations as reviewed against the capacity of the program staff;

- d. the resourcing of the program in relation to corporate objectives impacting on the program;
- e. the legal requirements inherent in significant program changes; and
- f. future developments identified during the study.

Each of these six major areas are commented on in the following discussion.

5.1.1 Departmental Initiatives

The department, through its policies and practices enunciated in the late 1960's and the 1970's, made strong efforts towards the decentralization of programs to departmental field levels and to Indian Bands. These thrusts were aimed at devolution of authority and were publicly stated as leading toward greater self-determination for the Indian people.

By the late 1970's and early 1980's the perceptions of the Indians and those persons knowledgeable in Indian matters, was that, for a variety of reasons, the thrust and possibly the intent of the Department was changing. Opinions as to the realities and the causes of the perceived change covered the complete spectrum of conjecture. To many it was perceived as a necessary slowing down to enable Indian administrations to absorb change more consistently and with greater expertise. To others the costs of change, coupled with government austerity, had caused a slackening of effort. The other end of the spectrum related the less rapid change to constitutional issues, provincial rights and a host of other larger unresolved issues.

However it was perceived, or how real the change was, it has in our view, created uncertainty in the minds of program staff. Our discussions indicate that most staff members with responsibility for managing program change would desire a fresh statement of departmental intent and clarification of the level of effort to be exercised.

Our preliminary findings show dramatic differences in the levels of effort toward decentralization from region to region. It is acknowledged that some of these differences relate to the Indian communities and their relative capacities to assume greater control. But even discounting these factors of Band development, there is a significant, and we believe serious problem emerging from the uneven application of program delivery change across the country.

At least a significant portion of this variance in thrust and initiative emanates from the lack of clear senior policy and direction and is evidenced by the different Regional interpretations being applied to existing policies.

5.1.2 Lack of Central Criteria and Guidelines

Within the headquarters component we found a significant number of initiatives toward management improvement systems and preparation of or amendment of manuals and technical guidelines. Possibly in relation to the situation described in 5.1.1 above, however, we were unable to find evidence of the existence of or development of broad program criteria or directions to the field on how and when to proceed with transfers of responsibilities to District or Band levels. This was reinforced at the Regional levels where both attitudinal and operative differences were evident, often at the apparent expense of the Indian interests. No overall guidance or plans for change were evident, even though some regions were proceeding on the basis of locally developed initiatives.

5.1.3 Proliferation of Studies, Reviews, Audits

From the commencement of the program evaluation study it was evident that the program officers were concerned over the number of studies, and the changes inherent in each study. In our judgement the capacities of the staff of Reserves and Trusts are being badly strained by the amount of internal, largely process oriented change occurring. While backlogs in Membership and Estates are evident, and of concern, it would seem that of even greater concern to NHQ staff are the levels of effort needed to meet management improvement changes. Few expressed negative comments over the ultimate benefits but virtually all were concerned over the present effects on program delivery and outputs.

5.1.4 Program Resourcing

One of the major concerns expressed at the Indian Band and regional levels was the question of resourcing change. The transfer of administrative responsibilities implies greater costs to achieve the objectives. We found evidence of resourcing problems carrying equal weight in the lack of progress to those concerns over lack of direction or policy.

At the Band levels concern was expressed over the level of funding and the present, planned cut-off of funding after specified periods. While it is acknowledged that program delivery and change are always inherently geared to resource levels, our preliminary findings indicate a lack of clear analysis of resource needs at the Band level and the lack of uniform resourcing criteria from region to region.

5.1.5. Legal Requirements

It was agreed at the Phase I stage of the study that an in-depth examination of the legal implications within the Program would not be the focus of the evaluation. Notwithstanding this fact, a

major area of concern emanating from our study, revolves around the legal issues. The variety of opinions over the role the legal base plays in proceeding with decentralization, and its impact on individual Indian rights is, in our judgement, an issue of concern, but not in the sense that it appears to be viewed by the department. We believe, and will be detailing examples later, that flexibility exists but sufficient Program effort has not been exerted to analyze and innovate in this area. The field staff have demonstrated in a variety of differing ways, partial solutions to the apparent restrictions under the Indian Act.

5.1.6 Future Developments

At all program levels, within Indian communities, and in other source areas, one common thread emerged. All persons interviewed were concerned, not so much with current levels of service, degree of current authority or current policies, but rather with the longer term future of the Program services. There are perceived significant changes occurring now that will have impacts and effects for the future. The constitutional issues, the native shifts to urban centres, the land settlement claims, the tendency to seek judicial answers to problems and the growing sophistication of Indian administrations were all viewed as posing significant problems for the future design and delivery of the program and its future impact on individual Indian interests.

Emerging from all of these concerns are a number of preliminary findings at the broad program level, which are reflected at management area levels as well.

The basic program findings, therefore, are presented on the basis of the major evaluation issues.

Program Rationale

1. To what extent does the decentralization and devolution of the program contribute to and enhance increased individual Indian

self-reliance and economic development?

At the program level we found that the decision to move toward decentralization was viewed favourably by all of the Indian administrations surveyed. While there were expected comments on resourcing problems and a desire for even greater transfer of responsibility, virtually all Indian Bands and administrators supported the changes occurring to date. We found evidence of greater levels of responsiveness to individual Indian interests, particularly in Land Administration, in those areas where maximum administrative authority had been transferred. Awareness of the controls and limitations, and the reason behind the rulings, had increased and a better understanding had resulted. In several instances, detailed later, direct economic benefits to Indians had resulted.

2. To what extent is the decentralization and devolution of the program consistent with the Department's trust responsibilities as specified under the Act and how will this process impact on the rights and interests of individual Indians?

Our preliminary findings indicate that a genuine problem exists in the need for legislative amendment to the Indian Act before larger scale, more extensive decentralization could occur beyond areas presently in process. However two significant findings should be assessed and program initiatives taken to capitalize on them.

The first finding relates to the fact that the majority of Indian representatives interviewed respect the Minister's autonomy and while they welcome greater administrative autonomy, they perceived leaving the ultimate approval authority in Department hands.

The second finding is, in reality, a series of findings whereby a number of unofficial initiatives have been taken by Bands or field staff which give evidence of ways and means of achieving

results. We believe both these findings should be subjected to detailed examination, and utilized where possible. In terms of individual Indian interests, our findings indicate a certain level of over-protectiveness of Indian interests, that may in fact be counter-productive.

3. Is the program sufficiently robust and flexible to accommodate proposed new Indian local government and how will such change impact on individual rights and interest within the program?

While this area was not subject to detailed examination, in the light of the decision to concentrate on Program design, several findings did emerge. The uncertainty in the minds of Reserves and Trusts and Regional and District staffs as to whether the premise (for the creation of new Indian local government) in the issue exists, or to what extent is the major finding. The need for a clear re-affirmation of policy direction is apparent, notwithstanding the Indian and Inuit Affairs Strategic Goals for the period to 1982-87. In specific terms virtually all areas expressed a need for clear direction. In terms of program flexibility and robustness, they are directly proportional to the perceived limitation in the current legislation, though as mentioned above, some evidence of field innovation should be explored. In terms of individual rights and interests we found an exceptionally high level of desire to enhance such interests through improved delivery, clarification and dissemination of information at virtually all levels of the Department.

Impacts and Effects

1. To what extent has the program design contributed to improved service levels and reduced backlogs, thereby enhancing individual Indians' well-being?

The majority of the evaluation findings in the program design area relate to individual R & T management functions and are

dealt with later. Program-level findings in this area tend to be attitudinal rather than design oriented. The design findings in two areas, that of planning and that of control are pertinent, however, at the program level. The unevenness with which decentralization has been applied, and the lack of published national criteria against which judgement can be applied, represents a fundamental weakness of past, present and future developments and plans. In the control area, the evaluation team found little evidence of periodic, regular inspection of delegated functions. The regional and district stance, in the majority of cases was reactionary, responding to calls for assistance with little or no monitoring of delegated activities. If one assumes that a significant part of such monitoring would be related to ensuring individual Indian interests were protected, there is at least an implied threat to such interests if controls are not exercised. On the other hand, at the headquarters level there was evidence of a pattern of regular field visits and initiatives toward improved training and directives development.

2. Has the program developed adequate and timely information systems for use in the Regions, Districts and Bands thereby satisfying the information needs of individual Indians?

As in the case of Program design many of the study team findings on information systems relate to specific management areas. At the program level the preliminary findings touch on three areas:

- a. the dissemination of information down to the level of individual Indian interests: evidence exists that, with decentralization there has not yet been a corresponding level of expertise developed at the band level, and therefore users of R & T services at the band levels are not being as well informed as they were under a more centralized mode;
- b. the data input immediately following a transfer of

responsibility, suffers a significant drop in quality and reliability indicating a need for improved training in the form of on-site assistance to shorten the period of lesser performance; and

- c. the current MIP computer initiatives should be assessed, in management as well as technical terms. Final decisions as to scheduling and the degree of change should be carefully weighed against their effects on the provision of services. Our initial findings indicate that while the technical improvements needed to create a data base are desirable there is a serious question as to whether the significant disruption or overload on the program in implementing the new systems is in fact having temporary adverse effects.

3. To what extent has the program design affected the ability to train, recruit and retain high quality technical and professional staff and has this change, if any reflected on the services provided to the individual Indian?

We were unable to find any adverse effects, either in recruiting or retaining staff directly related to program. Rather, the general lack of clear priorities, coupled with the government restraint program, have created an aura of uncertainty and, to some extent, an inability to use resources freely. However, the program design structure for the future, which will ultimately mean reductions in District and Regional levels of active administrative staff; needs to be coupled with the findings that planning, controlling and assisting functions are currently below acceptable delivery levels.

Objectives Achievement

1. Has the program design contributed significantly to a reduction or increase in backlogs of transactions processing and has the individual Indian been affected as a result?

Study findings indicate that the wider spread of administrative responsibility, particularly in membership has increased NHQ backlogs, due to the necessity to return to the Band level administrations wherever additional information is needed. Part of this added workload is temporary in nature until Band staff reach higher levels of competence. The benefits of

transferring responsibilities, in our judgement, outweighs the problems of delay. Also, we found that the entry of data at Band and District levels provided, in virtually all cases, sufficient authority in lands and membership areas, that little or no adverse effects were felt by individual Indians. Our findings indicate however, that the program design functions related to control and assistance must be addressed before further transfers of responsibilities occur, or backlog problems could become significant.

2. To what extent has the program enhanced/accommodated recent and anticipated land entitlements and settlements and how is the individual Indian interest protected within the program given these changes?

On a program basis, the study team determined that, until specifics are known on the extent or nature of the settlements, no useful information could be obtained. It appeared to us that individual ownership or possession could be affected, but only if Band management, with Band consent, saw fit to challenge existing individual ownership.

3.4 Alternatives

At the broad program level only one major finding related to program alternatives and than only marginally. Our finding indicates that within Departmental priorities, the significance of the Reserves and Trusts program may not be fully appreciated for the future. This statement could be challenged, as we have not discussed our findings at the top management levels of the department. However the finding is based on the serious, but potentially beneficial changes possible to individual Indian interests.

In brief, studies beyond this evaluation indicate:

- . an accelerating shift of Indians off reserve has been noted and will likely increase;
- . several provincial governments in Canada have drifted into commitments for Natives, often including Status Indian (e.g. Ontario);
- . Indians are using the courts more extensively and judgements are likely to favour their rights;
- . the land settlements and Constitutional issues will bring to the fore matters relating to land, estates and membership;
- . the native population is apparently increasing, magnifying the need for sound processes of membership, lands and estates administration; and

. whether accelerated or gradual the trend for the future is for more and more Bands to assume administrative and ultimately management responsibilities in most of the Reserve and Trusts areas.

The program alternative being teased out of all of these factors is whether the profile level of Reserves and Trusts and its future reporting and responsibility level should undergo careful management consideration. We believe future delivery of the program at a level that will protect adequately individual Indian interests, depends on the awareness of Departmental senior management of the potential need for these administrative functions.

5.2 Membership Administration

In general terms the study team had three main, but relatively soft, findings:

- a. No major problems, either at the Band or the individual Indian interests level, appeared to relate to the current backlogs in processing of official membership transactions. On balance, the individual Indian, was better served in our view, where administrative responsibility was at the Band level, but this was largely a matter of improved access rather than quality of assistance. The absence of a certified official acceptance from the Registrar, though necessary in a legal sense, had little effect on normal needs of individual Indians.
- b. The vast majority of Bands, or groupings of Bands, wanted to assume responsibility for membership (and other R & T functions), though some Band Chiefs and administrators tied continuing funding to the transfer of responsibilities although in the final analysis, even this condition was not inflexible.
- c. The findings revealed a serious divergence of progress toward decentralization or transfer of administrative responsibilities between regions. Despite efforts to fully account for the differences on the basis on individual Band development, the fact remained that regions such as B.C. and Quebec had advanced significantly, the least obvious change toward transfer of responsibilities being in the Prairie Provinces. The lack of a central plan or direction and the lack of any national criteria for assessing the readiness or adequacy of Band capabilities does throw into question the basis upon which a Band in any region is judged to be ready to assume responsibility, or is rejected.

- d. There appears to be a learning curve for Band administrators assuming membership responsibilities and at least in one case, the learning curve extended to the District Office level. The provision of direct on-site assistance during the early take-over period would, in our opinion, materially reduce early workload buildup at NHQ.

On balance the membership administration was assessed to be adequate to serve Indian individual interests. We believe that continued efforts to bring membership administration to Band levels will have the effect of increasing the level of service to Indians, with little adverse effects on the overall Program Management.

On an individual evaluation issues basis the following findings pertain.

5.2.1 Program Rationale

1. To what extent does the decentralization and devolution of the program contribute to and enhance increased individual Indian self-reliance and economic development?

Our findings are that decentralization of administrative responsibilities have contributed to and enhanced the self-reliance of Indians. However the gradual increase in backlogs and the current unavailability of sufficient training is emerging as a problem that may impact unfavourably in the near future.

2. To what extent is the decentralization and devolution of the program consistent with the Department's trust responsibilities as specified under the Act and how will this process impact on the rights and interests of individual Indians?

The body of evidence the study team was able to collect indicates that while public pressure may appear evident to amend the Indian Act to provide even greater responsibilities for membership, the Band administrators privately, and individual Indians prefer that the final authority rest with the Minister at NHQ under the Registrar. In the light of these reactions we believe that program and departmental management should assess the level of transfer of administrative responsibilities and proceed to push the possible limits for Bands willing to assume responsibility.

3. Is the program sufficiently robust and flexible to accommodate proposed new Indian legislation providing for increased Indian local government and how will such changes impact on individual rights and interest within the program?

The question of flexibility and being robust enough to accommodate new legislation hinged primarily on two points:

- . the level to which Parliament and the Indian people would be willing to accept; and
- . the resource implications inherent in devolving more quickly and more significantly than currently planned.

Our findings indicate that at NHQ the Registrar and his staff are willing to be guided by any legislative base established. In some areas of the country, we believe Regional and District staffs would need to be oriented to any extension of transfer of responsibilities. Indeed, under the current uncertainty of the departmental policies, these areas are moving slower than is considered desirable.

Resourcing for transfer change at Regional levels was not clearly identified. Our findings indicate however that not only are there additional costs that need to be assessed, but that even the costing formulae seem to be developed regionally and vary

dramatically from region to region. We believe local variances could be considered but the degree of fluctuation is a matter of concern that should be addressed by Program and departmental management.

5.2.2. Impacts and Effects

1. To what extent has the program design contributed to improved service levels and reduced backlogs, thereby enhancing individual Indians' well-being?

Our findings indicate that the move toward decentralization to the Band level has affected the level of backlog somewhat. However we could find little evidence that this had any real adverse effect on individual Indian interests. Conversely however, the decision to transfer responsibilities was viewed positively at Band and individual levels. The use of unofficial records at the Band level has provided access to information and benefitted the Indians involved.

2. Has the program developed adequate and timely information systems for use in the Regions, Districts and Bands thereby satisfying the information needs of individual Indians?

The most serious criticism encountered within membership administration centered on the computer records. Use of and reaction to the printouts ranged from completely ignoring them to the criticism of the time needed to adjust records, particularly as the lists were 18 months to two years old. In evaluation terms, the introduction of mechanized data output is too recent to be assessed fully. However we were heartened to find that there was an awareness of the problems and efforts were underway to rectify and improve the system.

3. To what extent has the program design affected the ability to train, recruit and retain high quality technical and professional staff and has this change, if any, reflected on the

services provided to the individual Indian?

No specific findings were obtained on this issue but at least one Regional Manager stressed the difficulty of equating a diffusion of administrative centres with the tight central, small, highly qualified staff formerly retained at Regional level. The inference was that attention of such people was disappearing with the smaller areas of administration. We believe that this trend could be offset easily if training at Band levels is accelerated and at early stages of the transfer of responsibilities.

5.2.3 Objectives Achievement

1. Has the program design contributed significantly to a reduction or increase in backlogs of transactions processing and has the individual Indian been affected as a result?

In objectives achievement terms our findings have two divergent results. On the one hand, if the achievement result desired by management is to have up-to-date responsive records, the program design toward increased decentralization has not been achieved, but in fact has worsened. If however achievement is measured (as we believe it should be) by service to individual Indian interests then a measure of improvement and success can be claimed. It should be noted however that the study team findings indicate that, for membership administration program design is only one avenue to backlog reduction. Better training at Band levels (and in some instances at District levels) and an operational linking of the computer capacity would equally reduce the backlogs and enhance the service aspects to Indians.

2. To what extent has the program enhanced/accommodated recent and anticipated resolution of land entitlements and settlements and how is the individual Indian interest protected within the program given these changes?

No comment on membership issues as these, while important, would

not in our judgement be affected significantly.

5.2.4 Alternatives

1. Are there alternative options available for program delivery which may be more cost-effective or efficient in meeting the Reserves and Trusts service needs of individual Indians. Particularly in the area of land, registry are there other jurisdictions which would provide a comparision and improvement of the present system under the program?

The study team examined the vital statistics function at the provincial government levels. It was our finding that the difficulties likely to be encountered by transferring under a "fee for service" arrangement even if the Act were changed, would make such a program alternative unattainable.

In program design terms however, preliminary findings indicate that considerations should be to provincial (Regional) Deputy Registrars, coupled with the move to have an on-line operational computer capacity. If such a computer development were for membership only it would be obviously uneconomic, but when tied to Land administration and other regional needs, the costs for membership would be minimal. As a program alternative we believe the Deputy Registrar function should be explored for any legislative change required.

Land Admin

PASS TO
DESTINATAIRE(S)

29

Land Administration, in large measure
main broad program findings are

Administrators are anxious to assume
land administration, particularly
leasing of land and where Indian
are involved;

Land Administration, in large measure
main broad program findings are
funding formulae and arbitrary funding
time limits are prevalent, but our evaluation findings
indicate they are not a serious impediment, particularly
where substantial revenues accrue;

- c. at least some instances of dramatic revenue increased
have occurred following the transfer of administrative
responsibilities, raising questions of whether regionally
controlled administration is serving Indian interests to
the best advantage;
- d. despite the desire to control the administration of land
transactions, our findings indicate that the majority of
the Indian Bands and groups interviewed favour retention
of final authority by the Minister and the departments;
and
- e. the general turn-around time for approvals is
satisfactory, based on the informal advice system used
by the Registry, but some exceptions exist that affect
individual Indian interests and are dealt with under the
issues.

5.3.1 Program Rationale

1. To what extent does the decentralization and devolution of

the program contribute to and enhance increased individual Indian self-reliance and economic development?

The majority of the study team findings related to Band benefits, but in most cases the individual Indian self-reliance and economic development were either directly or indirectly involved. The significant findings were that land transactions at the Band level were conducted with greater awareness of local needs, but conversely were not always completed properly due to lack of training. The self reliance aspect therefore varied, but on balance was judged to be beneficial.

2. To what extent is the decentralization and devolution of the program consistent with the Department's trust responsibilities as specified under the Act and how will this process impact on the rights and interests of individual Indians?

In Land Management trust responsibility terms and the conditions of the Act allow for transfer of administrative authority under Sections 53 (1) and 60, but in reality few delegations have occurred. Our findings show however that a fairly extensive transfer of responsibilities under administrative preparation and assistance have taken place. In at least two cases, the transfer of the full trust responsibilities have resulted in dramatic revenue increases, raising the question of whether the Indian communities are paying too high a price for the Government's "trust responsibilities." The contemplated depth of the evaluation did not permit detailed case by case examination but a question was raised in the minds of the study team of the need for a review of Regional and District practices in negotiating leasing arrangements under trust. ←

3. Is the program sufficiently robust and flexible to accomodate proposed new Indian legislation providing for increased Indian local government and how will such changes impact on individual rights and interests within the program? ?

management responsibilities

/?

/?

The program, with planned improvements on data/information handling, has the competency and flexibility to respond to a variety of change. Our findings indicate however that any significant acceleration of decentralization or changes in legislation would require a more intensive and longer training time frame or serious errors could occur. The study team also believes, based on our findings, that the individual land ownership or occupancy issues are likely to become more serious and any further movement toward private Indian ownership should not be considered based on current protection of Indian rights under the Act. In program design terms our findings indicate that adequate formal agreements are concluded but the subject matter is complex and Districts and Regions must provide a high level of assistance and guidance in land administration matters.

5.3.2 Impacts and Effects

1. To what extent has the program design contributed to improved service levels and reduced backlogs, thereby enhancing individual Indians' well-being?

Decentralizaion, to Districts and Bands, has, in our view, improved the service levels. The backlog issue, based on our findings, does not present a program design problem and administrative, early responses by the Registry negate most of the bad impacts normally associated with backlogs. Our findings indicate that Bands with Sections 53 (1) and 60 authority appear to benefit significantly and are affected even less adversely by backlogs than others.

2. Has the program developed adequate and timely information systems for use in the Regions, Districts and Bands thereby satisfying the information needs of individual Indians?

The most significant findings in the area of information systems related to the need to proceed quickly with computerized records and the difficulty in getting information at the individual


Indian level.

In the case for computerization our findings were expressed under membership and we recommended early movement to on-line data terminals at Regional and District levels. In the case of lands administration we would even recommend a limited number of terminals for such bands as the Blood Reserves, tied to their present capacity.

In the area of personal Indian interests the program design findings indicated that land transaction decisions were being transmitted to the local Band administration levels but the background to the decisions was not available. In terms of individual Indian well being this frustration was having adverse effects. Apparently at District, Region or NHQ levels the information was available if visits were made. It is recommended that Band administrators be included in the full information chain of communication. ?

3. To what extent has the program design affected the ability to train, recruit and retain high quality technical and professional staff and has this change, if any, reflected on the services provided to the individual Indian?

Three significant findings relate to the training and retaining of high quality staff:

- a. the training programs, while generally viewed as of good quality, are too short and more refresher courses are needed, as land administration is viewed as a complex subject;
 - b. the lack of an up-to-date, comprehensive manual was universally regarded as an impediment; and
 - c. insufficient District or Regional assistance visits were cited, even though most areas admitted help was provided
- 

if actually requested.

As these findings reflect directly on the service levels provided to individual Indian interests and contribute to backlogs and delays, it is recommended that significantly more attention be paid to training, development and early production of a comprehensive land management manual. We could find no direct evidence of serious career impediments or impact on service levels resulting therefrom.

5.3.3 Objective Achievements

1. Has the program design contributed significantly to a reduction or increase in backlog of transactions processing and has the individual Indian been affected as a result?

Earlier references to findings on the supply of information and the lack of development and manuals have to some extent contributed to backlog increases. Our general findings however are that the movement toward decentralization has been beneficial and that land administrative practices of early notification have virtually negated the adverse effects of the backlog.

Our findings indicate that the responsibility transfer agreements with Indian Bands delineate responsibilities. Efforts for training, development and assistance, while still below an optimum level are, in good measure, reflecting objectives achievement.

2. To what extent has the program enhanced/accommodated recent and anticipated resolution of land entitlements and settlements and how is the individual Indian interest protected within the program given these changes?

The study team were unable to obtain any firm information on the final direction of land entitlement and settlements initiatives.

Our findings related to the general administration of lands indicates that, subject to a careful training program being developed, the program is sufficiently flexible to accommodate even major changes in administrative policy.

In terms of compensation payments, the Reserves and Trusts program, through membership records and land registry records would, in our opinion, be able to safeguard individual Indian interests. Large scale operations, such as major land settlements, do indicate the need to proceed with completion of the computer data bases as early as possible.

5.3.4 Program Alternatives

1. Are there alternative options available for program delivery which may be more cost-effective or efficient in meeting the Reserves and Trusts Service needs of individual Indians. Particularly in the area of land, registry are there other jurisdictions which would provide a comparison and improvements of the present system under the program

Evaluation findings, based on discussions with selected provincial land registry staff, indicate that the Reserves and Trusts land registry and administration is roughly comparable. The nature of the program responsibilities, particularly in training, development and active management of Indian lands, makes the program responsibilities uniquely different to any other comparable operations.) *

As in the case of membership, our findings indicate that a computer developed on-line information system, available to the District level, and some major Band levels, would result in a more responsive, more comprehensive provision of program service products. The costs, if such a system served a variety of departmental and other program needs would not, in our opinion, be out of line with costs in comparable programs.

It should be repeated at this time that the study findings indicate that land administration will play an increasingly important role over the next decade. Managmenet support for development and training resources will play a key role in ensuring that individual Indian interests continue to be served in a responsive, responsible way.

*) - nothing new
we have been
advising this for a long
time.

eral findings on Estates
main areas:

s there is a considerable body of
decentralizing Estates
icularly guardianship
mentally incompetents and juveniles;

number of estates actively being
e complexity possible in the
states would indicate that individual
e being served best under the present
ministrative responsibilities; and

- c. in view of a number of forecasted impending changes that will affect Indian rights and entitlements, our findings indicate that special efforts should be made to resolve all estate cases on a priority basis, even if special measures are required.

In general evaluation terms, the study team found that estates administration at all levels was being handled in a manner that protected and was largely responsive to the individual Indian interest. The legal requirements under the Indian Act do not permit a large measure of flexibility and indeed contributed to the administrative difficulties in large measure.

5.4.1 Program Rationale

1. To what extent does the decentralization and devolution of the program contribute to and enhance increased individual Indian self-reliance and economic development?

Despite fairly widespread findings of Band administrations desiring to acquire the responsibilities for estates

administration, we believe the present levels of delegation are adequate to safeguard Indian interests and provide a suitable level of services.

As this function is primarily one of guardianship and trust, there was not significant evidence that the activity contributed to or detracted from individual Indian self-reliance or economic development. The unresolved estates could be construed as acting negatively against Indian interests, but our findings point more to the Indian responsibility at the estate level than at the program capacity.

2. To what extent is the decentralization and devolution of the program consistent with the Department's trust responsibilities as specified under the Act and how will this process impact on the rights and interests of individual Indians?

The responsibilities currently exercised by the program appear completely in line with the legal requirements for Estates administration. Based on our findings we would not recommend any significant change to current practices or levels of decentralization.

In terms of service levels, our findings did indicate that obtaining direct information at the Reserve levels on estates matters was time-consuming and the reliability of the information was sometimes questionable. Given the limited field resources, some thought should be given to whether Band administrators might be appointed as agents to obtain and transmit local information pertaining to the individual estates.

3. Is the program sufficiently robust and flexible to accomodate proposed new Indian legislation providing for increased Indian local government and how will such changes impact on individual rights and interests within the program?

The major conclusion from evaluation findings is that, due almost

entirely to the legal structures, the Estates administration does not have the desired flexibility to cope with changing conditions.

While our terms of reference did not provide for individual case work three findings indicate the difficulties of providing a flexible, robust response to individual Indian needs:

- a. the Indian Act and Regulations are specific in the cases of minor children and the provision for widows and attempts to modify the administration would require legislative change;
- b. the role of the Justice Department appears to lack flexibility and their opinions carry the effect of law in many instances where management decisions might be equally valid; and
- c. there is a program hesitancy, which we support, to extend the decentralization of estates administration too far too quickly.

5.4.2. Impacts and Effects

1. To what extent has the program design contributed to improved service levels and reduced backlogs, thereby enhancing individual Indians' well-being?

An earlier recommendation dealt with the issue of unresolved estates. The study team is cognizant of the legal and other difficulties inherent in many of the outstanding cases. As the number is relatively small and the current level of estates values are modest, we did not find evidence of significant impacts or effects on Indian heirs.

Our concerns, based on evaluation findings, relate more to the

future where the size of the estates will be larger and where unresolved issues could cause significant hardship. We believe concerted efforts should be made to obtain legislative amendments to the Act and to assess carefully the role played by the Justice Department.

2. Has the program developed adequate and timely information systems for use in the Regions, Districts and Bands thereby satisfying the information needs of individual Indians?

Given the current case loads and the complexity of estates management the study team findings indicated that the current systems for information were adequate to satisfy individual Indian interests.

3. To what extent has the program design affected the ability to train, recruit and retain high quality technical and professional staff and has this change, if any, reflected on the services provided to the individual Indian?

This issue did not appear to have any impact or effect on the ability of the program to provide service.

5.4.3. Objectives Achievement

1. Has the program design contributed significantly to a reduction or increase in backlogs of transactions processing and has the individual Indian been effected as a result?

Our findings indicated that in overall objectives achievement terms the program design factors played little part in reduction of or creation of backlogs or delays. Two findings were of significance:

- a. local information often is difficult to obtain and does result in delay; and

- b. the restrictions of the Indian Act and the effect of Justice Department rulings do affect the achievement of objectives.

The Band-level agent recommendation and the legislative changes should be developed as a means of achieving greater objectives achievement attainment relative to Individual Indian interests.

2. To what extent has the program enhanced/accommodated recent and anticipated resolution of land entitlements and settlements and how is the individual Indian interest protected within the program given these changes?

Apart from the fact that our evaluation analysis of impending changes will, in our view, necessitate legislative changes relative to estates policies, we were unable to find any conclusive evidence of how such impending changes would affect the achievement of objectives.

5.4.4 Program Alternatives

The study team enquired with Provincial and private-industry groups involved in administration of estates.

As in the case of membership administration, we believe that any attempts to have provincial administration assume Indian estates management would be virtually impossible to achieve.

Private industry sources indicated that their normal administrative charges on the current size of Indian estates would be prohibitive, particularly as Reserves and Trusts would still be responsible and would require at least a nucleus of staff to ensure Indian interest were protected.

The over-riding finding in the area of program alternatives was the reaction of the Indian communities, where the role and

responsibilities of the Minister and the provisions of the Indian Act were viewed as essential in the administration of estates.

On balance, the study team findings indicated that in administration terms, Reserves and Trusts were safeguarding individual Indian interests and providing a reasonable level of service, given the current legislation and the effects of Justice Department rulings.

We believe there is an urgent need to:

- a. press for legislative change more in line with current and possible future developments affecting Indian property and rights;
- b. examine the use of Band level agents for the collection and verification of information vital to settlement of estates; and
- c. re-assess the current use of and application of Justice Department opinions in the administration of estates.

6.0. Summary and Recommendations

6.1. Summary of Findings

The over-riding general summary conclusions on the Reserves and Trusts Program are:

- a. the program is providing a required, statutory group of services that meet the minimum, basic individual Indian interests needs;
- b. the workload, volume pressures in membership and lands administration, while not adversely affecting individual Indian interests, do create a high levels of pressure on current staff resources and there is a question as to whether the current program staff could cope with any significant changes that impacted on the program;
- c. in decentralization terms, the study team found the planning and control elements within the program to be weak and no evidence was found of the existence or development of national criteria for judging or assessing the capacity and readiness of Indian Bands to assume increased administrative responsibilities
- d. the situation above was further complicated by a lack of clear senior policy statements on the future direction of decentralization and an accompanying confusion over the funds available and the ultimate costs of transfers of responsibilities to District and Band levels;
- e. these shortcomings were reflected in the uneven rate of decentralization from region to region and within regions;
- f. the MIP computerization efforts are viewed as necessary and beneficial, but in the shorter terms are creating pressures on the program that appear to be increasing, rather than resolving, backlog, workload problems;

- g. the reaction of Indian Chiefs and administrators favour the present authority role of the Minister and Department but they feel a greater effort should be made to transfer administration detail responsibilities at a continuing, properly funded level;
- h. the Indian Act, Regulations and the role of the Justice department in providing legal guidance appear to be major factors in the current and future capacity of the program to respond adequately to individual Indian interests; and
- i. delivery of the program, in a decentralized mode is highly dependent on the emphasis placed on training, development, assistance and supervision.

6.2. Recommendations

Recommendations have been included within the body of the evaluation study report. The major recommendations are summarized as follows:

- a. Planning and control functions, directly related to the thrust and timing of decentralization of Reserves and Trusts administrative responsibilities should be strengthened, particularly in the development of criteria for transfer of responsibilities and in the assessment of the true costs of decentralization;
- b. Senior departmental management should develop and provide clear policies and management direction on the future rate of and extent of the transfer of responsibilities down to the Indian Band levels;
- c. Legal limitations and restrictions on the program should be examined and acted upon as an urgent requirement in order that the program will have the flexibility and

authority to meet the challenge of the 1980's and beyond;

- d. Program management should take a more immediate and active role in the assessment of and implementation of the MIP computer initiatives to ensure that the technical improvements create minimum disruption and provide maximum program benefits;
- e. Training, development, assistance and supervision of Band administrators and District staffs, while active, should be accorded a high program priority, particularly in the periods immediately following the transfer of responsibilities;
- f. Coupled with training, the Program staff should allocate a priority to the updating and/or completion of administration manuals and directives;
- g. Information networks should be assessed to ensure that complete coverage of information necessary to provide service to individual Indians extends to District and Band levels.

In conclusion the study team found an extremely high level of dedication and concern throughout the program and at the Band levels.

We found no evidence of Band interests in conflict with individual Indian interests and program procedures appeared to offer a maximum level of protection to individual Indian interests.

The future, emerging role of native peoples in Canada will, in our opinion, create new and challenging pressures on Reserves and Trusts. The program, in altitude and dedication, we feel can cope with these pressures, provided the legislative changes

necessary and the senior management policy direction are forthcoming.

Annex A

Persons Interviewed During Evaluation

PERSONS INTERVIEWED DURING EVALUATION

N.H.Q.

J.D. Leask

Director General

L.G. Smith

Registrar, Membership

F.J. Singleton

Director, Lands

H.J. Ryan

Chief, Indian Lands Registry and Research

W. Zayachkowski

Head, Reserve and Membership Statistics

W. Lowery, Program Advisor

Management Improvement Plan

R.B. Simison

Senior Lands Advisory Officer

N. Radia

Head, Entitlement & Registration

J. Ritchie

Director, Estates

V. King

Registration

S. Ginnish

Head, Special Services

S. Larose

Estates Officer

G. DelRiley
Estates Officer

S. McDougall
Estates Officer

M. Jones
Assistant Deputy Registrar

ATLANTIC REGION:

R. Kelly, Acting Director, Reserves & Trusts
Atlantic Regional Office, Amherst

Membership Clerk, Millbrook Reserve

Membership Clerk, Big Cove Reserve

QUEBEC REGION:

V. Caissie, Director of Operations
Regional Office, Quebec

Y. Gosselin, Director of Reserves & Trusts
Regional Office, Quebec

G. Pilon, Officer
Regional Office, Quebec

M. Horn, Estates Officer
Kahnawake Reserve, Montreal

Band Manager, Lands and Membership Officer
Loretteville Reserve

ONTARIO REGION:

E. Morton, Director, Reserves & Trusts
Ontario Regional Office, Toronto

D. Stead, Supervisor, Reserves & Trusts
District Office, London

H. Fanjoy, Supervisor, Reserves & Trusts
District Office, Sudbury

Band Manager, Lands Clerk, Membership Clerk
Walpole Island Reserve

Chief, Lands Clerk
Six Nations Reserve

MANITOBA REGION:

J. Leduc, Acting Director, Reserves & Trusts
Manitoba Regional Office, Winnipeg

J. Prince, Officer
Peguis Reserve

Chief, Lands Officer
Long Plains #9 Reserve

Chiefs, Dakota - Ojibway Tribal Council

SASKATCHEWAN REGION:

A. Markuson, Director Reserves & Trusts
B. MacDonald, Estates & Lands Officer
Saskatchewan Regional Office, Regina

J. Belfry, District Supervisor Reserves & Trusts
Fort Qu'Apelle District Office

Band Councillor
Peepeckeesis Reserve

C. Stan, District Supervisor, and Staff
Saskatoon District Office

Land Officer
Beardy's Reserve

ALBERTA REGION:

W. Thrall, Lands, Manager
Alberta Regional Office, Edmonton

D. Killips, Estates, Manager
Alberta Regional Office, Edmonton

W. Belts, Membership, Manager
Alberta Regional Office, Edmonton

G. Gartner, Supervisor Lands & Estates
Edmonton/Hobbema District

administrator, controller
Blood Reserve

membership clerk, lands clerk, manager
Enoch Reserve

BRITISH COLUMBIA REGION:

P.J. Clark, Director, Reserves & Trusts
B.C. Region, Vancouver

H. Erwin, Manager, Estates, Membership & Trusts
B.C. Region and Central District

S. McCulloch, Manager, Lands
B.C. Region and Central District

W. Faryna, Superintendant, Lands

P. Humphrys, Head, Land Management
Vancouver District Office

P. Arcari, Estates & Membership Clerk

Vancouver District Office

Band Manager - Hope Band

chief, Band Manager - Seabird Band

Band Manager - Okanagan Band

ANNEX B

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BIBLIOGRAPHY

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Strategic Goals.

ANNEX C

PROGRAM RESOURCES

Annex C: Program Resources

1982-83

Membership

Task	Planned Budget (non-salary) ('000)
Produce Band Lists	82.0
Reduce Work Backlog	1.5
Transfer Membership	18.0
Reporting to Bands	
Proposed Registration in Newfoundland	10.0
Determine Positions of Band	4.0
Councils on Sect. 12 (11a)(iv) & 12 (1)(b) of Indian Act	
Support Development of New Membership System	2.5
Training	52.0

Total	170

Lands

Management & Administration	410
Land Transactions Operational Assessment	20
Land Transactions Policies & Procedures Manual	20
Government re. 3 Communities	175
Conversion to WANG	23
Computerization of Indian Land Registry	3
Manuals	27
Surveys	2,000
Land Return-Ontario	50
Land Selection to fulfill	500

Treaty Entitlement

Total

3,228

Estates

Audit of Estate Administration

4

Estate Administrators Handbook

5

Redraft pamphlet

5

Indian Estate Administration Manual

8

Indian Estate Regulations

5

Personnel Assistance to Regions

1

28

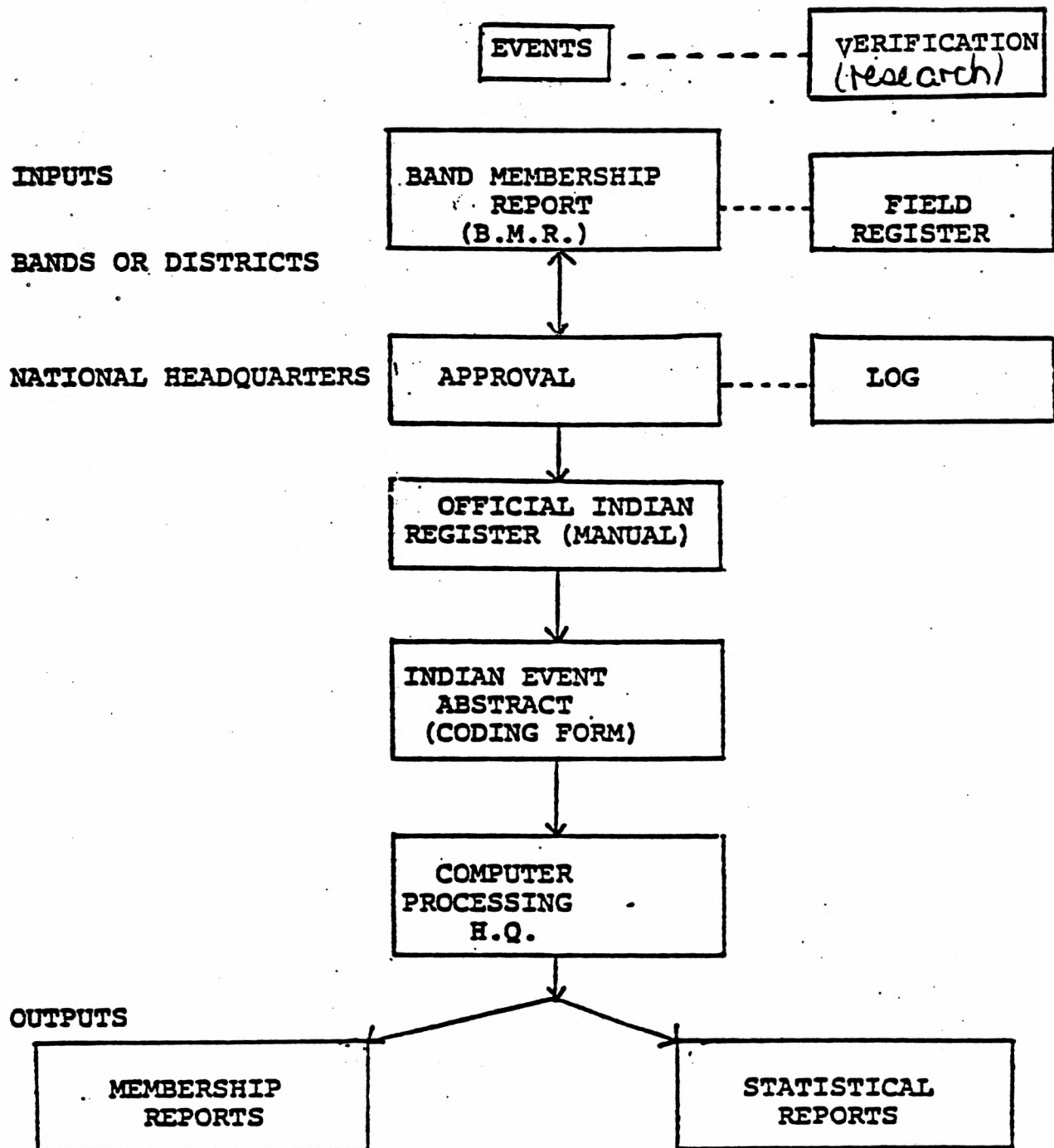
TOTAL PROGRAM BUDGET

3,426,000

Annex D

Program Processes

MEMBERSHIP SYSTEM



Region - issues status cards (Ontario)
- deals with local enquiries
- monitors, supports band applications

LANDS: LEASE PROCESSING

1. Lessee requests lot to individual Indian or Band
2. Negotiate and sign application to lease with individual Indian
3. Approve Draw up lease
4. Band approval by BCR or minute (if necessary)
5. District to:

check:	record in control	set up accounts card
- abstract	book	index
- make amendments		
6. Letter to Region (with first payment;) for approval and for signing
7. Region forwards to NHQ for registration (money held in suspense)
8. NHQ registers and returns lease to Region
9. Region informs District and returns lease
10. District informs lessee and locatee and sends the lease and money is sent from NHQ 2-5 weeks later

nb. Where D.M.s have delegated authority, executed documents sent directly to Indian lands registry Region monitors and deals with complex transactions.

LANDS: LAND TRANSACTIONS (Individual Holdings)

1. Form is completed and signed and witnessed
2. District checks documents and sends to Region
3. Region reviews and gets RSO (survey) if needed; sends to NHQ
4. NHQ registers and returns the document to Region
5. Region returns document to District
6. District revises land cards and abstract; sends to Band

nb. Where D.M.s have delegated authority, documents sent directly to Land Registry.

ESTATES PROCESSING

- ## 1. Proof of death

2. will → no → vote on administrator election of jurisdiction

yes

appoint executor

approve will

3. Post notice for heirs and creditors (60 days)

- inventory
- apply for benefits

- #### 4. Balance estate

5. All heirs located \longrightarrow no \longrightarrow hold up
negotiate quit claims
(Dis.)

yes

sell \leftarrow no \leftarrow assets greater than debts

yes

sell ← no ← agree on land split

yes

(close tender
60 days)

write up details of land transfers (Dis.)

6. Estate report to Administrator
(recommendations for disbursement made)
7. Region sends transfers to NHQ and requests cash
disbursement after reccs. are reviewed
8. NHQ does CPs and registers return to Region
9. Region sends cheques and transfers to District
10. District send cheques to creditors; full report to
each heir (cheque, balance, who land went to etc.)

ANNEX E

OUTPUT VOLUMES

Output Volumes to be contained in the Final Report.

