The first year of the CFedS Program has seen the implementation of the training, testing and certification portion of the program with over 400 surveyors, licensed in 39 States now enrolled. Support throughout the key government agencies involved in this program has been exceptionally strong and other federal agencies, as well as State and local governments are beginning to support the program. The major challenge for the coming year is demonstrating to the Tribes and BIA the benefits of using CFedS for all their cadastral services not performed by BLM.

Training Accomplishments:

- The course study guides were created from the video lecture transcripts. The study guide is just over 1500 pages in length and is designed to provide the student with an easy to follow reference to the training material. In addition to the transcripts, the guides contain copies of all visual aids, exercises, reading assignments and handouts. The study guide is available on the website for $100.00 and about 65% of the registrants are choosing to purchase it.
- We have redesigned course 4, Restoration of Lost Corners, and developed some additional exercises to reinforce key points. The old distance learning course was corrected and is now an optional module.
- Work has started on the following continuing education courses:
  - Monumentation and Creating the Corner Record
  - Hiatus/Overlap and Jr./Sr. Corners
  - Introduction to the Geographic Coordinate Data Base (GCDB)
  - Non-Rectangular Surveys (this will count as 3 CFedS courses).
  The continuing education courses have all been designed to function as BLM in-house training and CFedS training.

Program Accomplishments:

- The CFedS section of the BLM Administrative Manual and Handbook were approved.
- The CFedS website was redesigned and expanded. The site now has three sections:
  - The section for the general public, surveyors interested in the program or those searching for a qualified surveyor. This portion of the site
contains FAQ for Tribes and BIA, FAQ for surveyors and the Locate a Surveyor functions.
  ○ The section for trainees contains Training News, Course Feedback, Exam Information, Proctor Form, Trouble Shooting FAQs and Quizzes.
  ○ The CFedS portion contains information for those who have completed the training program, passed the exam and are now certified. It contains the CFedS News, continuing education requirements, certification renewal information, and each month a new judicial or administrative decision concerning boundary law.

- The Certification exam was offered twice with 138 surveyors receiving their certification.
- Tribes and several Federal, State and local governments are beginning to utilize the CFedS for their cadastral needs:
  ○ The U.S.F.S. in Texas used the Locate a Surveyor function on the CFedS website to find a CFedS for a boundary survey.
  ○ The first federal authority survey executed by a CFedS was approved by the California State Office of the BLM.
  ○ In various parts of the country the BIA is beginning to use CFedS to complete the Boundary Standards Certificates.
  ○ The U.S.F.S. has provided funding for 15 land surveyors within their agency to enter the program.
- The program was successfully launched, with 411 surveyors enrolled in the program as of October 1, 2007.
- The first annual CFedS banquet was held in May with 43 of the first 69 CFedS in attendance.
- Articles about the program were published in two national survey magazines in addition the Office of Special Trustee’s monthly newsletter published two articles about the program.
- The program now has the hardware and software necessary to grade the exams utilizing personnel at the National Training Center. This will result in a savings of approximately $200.00 per exam.
- BLM continues to support the program by providing substantial financial support.
- The program has representation from the following governmental organizations:
  ○ Alaska Department of Transportation
  ○ Bureau of Land Management (3)
  ○ California Department of Transportation
  ○ City of Las Vegas
  ○ City of San Diego
  ○ City of Surprise
  ○ City of Yuma
  ○ Corp of Engineers (3)
  ○ Ferris State University
  ○ Idaho Department of Lands
  ○ Iowa Department of Transportation
  ○ Maricopa County Department of Transportation (2)
Training Goals for 2008:

- The four continuing education courses started in FY 07 will be completed by late Spring or early Summer of 2008.
- Develop approximately 500 new exam and quiz questions to add to the test bank.
- Begin work on two new continuing education courses.
- Continue to develop and improve the CFedS Study Guide:
  - Add a Table of Contents
  - Add an Index
  - Begin to have the material professionally edited
  - Add definitions to selected words and phrases.

Program Goals for 2008:

- Continue to provide information to Tribes and BIA about the program with each tribe being contacted at least 3 times. Contacts may include:
  - Letter from the Secretary of the Interior
  - CFedS marketing video
  - OST’s newsletter, Trust Matters.
  - Contact with the regional BILS
  - National and regional conferences
  - Contact with CFedS
- Support OSTs effort to require BIA to use CFedS for their cadastral services.
- Offer the Certification Exam 3 times in 2008.
- Complete the Marketing Video in time for release at the ACSM Spring Conference in March.
- Increase the visibility of the Panel and work to enhance each member’s opportunity to communicate with and speak for the group they represent.
- Finalize the program management agreement with ACSM.
- Expedite finalization of the letter from the Secretary of the Interior to the tribes, encouraging them to use CFedS for their surveying needs.
- CFedS tuition and fees will provide all the necessary funding for the program.
- Organize the annual CFedS dinner at the ACSM Spring Conference in March.
Financial Statement:

Revenue:
- Beta Group Tuition and Fees: $98,800.00
- Group #1 2007 Tuition and Fees: $176,800.00
  Total $275,600.00

Expenditures:
- ACSM portion (10%): $17,680.00
- Beta Group Certificates: $11,489.81
- 300 Sets Training Material plus shipping: $55,000.00
- CFedS Banquet: $4,687.00
- Hosting CFedS website: $2,000.00
- Travel for CFedS Panel and Manager: $2,790.97
- Purchase scantron*: $4,727.76
- Purchase notebooks: $6,236.20
- FedEx: $12.95
- Training Solutions Plus**: $41,000.00
  Total $145,624.69

Balance Carried forward to FY2008
- BLM account: $122,835.31
- ACSM reserve: $7,140.00
  Total $129,975.31

* The scantron was purchased to grade the exam answer sheet instead of contracting for the grading.

**The Training Solutions Plus contract was for updating training content and changing delivery method to external hard drive.
CFedS Annual Report 2007

Approved by the CFedS Certification Panel
November 6, 2007

Steve Ackerman
CFedS
Representative

Roger Green
BLM Indian Lands Surveyor (BILS)
Representative

John Farnsworth
BLM
Representative

Helen Roberts-Latall
Office of Special Trustee for American Indians Representative

John Lee
BLM Chief Cadastral Surveyor
Representative

Brenda Schlif
Bureau of Indian Affairs
Representative

Frank Starky
Tribal
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Gregg Tuttle
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Submitted by:

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Certified Federal Surveyor Program
Bureau of Land Management
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Room 4258

Certified Federal Surveyor Program
Annual Report for 2011

In just over five years since the Certified Federal Surveyor (CFedS) Program began, 533 Registered Professional Land Surveyors have been certified, nearly 200 trainees are presently working on their certification and the Program continues to draw a significant number of new applicants. Newly hired Bureau of Land Management (BLM) cadastral surveyors are now taking the training courses developed for the Program. The major challenge for the Program remains demonstrating to Tribes, the Bureau of Indian Affairs (BIA), and the Office of Special Trustee for American Indians (OST) the benefits of using CFedS for all their cadastral services not performed by the BLM. In regions where the BIA has endorsed the Program we find Tribes soon recognize the value of relying on CFedS for their management of land boundary needs. But that necessary endorsement is not the case in most of the regions.

Training Accomplishments In 2011:
- 103 Professional Land Surveyors registered for the program.
- 113 Professional Land Surveyor were certified
- Continuing education training completed:
  - Introduction to the Geographic Coordinate Data Base (GCDB) (3 credits, completed by 79 CFedS)
  - Non-Rectangular Surveys (6 credits, completed by 63 CFedS)
  - Special Boundary Problems I (3 credits, completed by 79 CFedS)
  - Swamp Land Grants, Omited Area and Island Surveys (1 credit, completed by 68 CFedS)
  - The 2009 Manual of Surveying Instructions (2 credits, completed by 108 CFedS)
  - 2011 CFedS Workshop (1 credit, completed by 16 CFedS)
  - The Public Land Survey System (PLSS) Datum and the Local Surveyor (1 credit, completed by 16 CFedS)
- CFedS training courses provided to 11 BLM cadastral surveyors
- The Monumentation and Creating the Record course is nearly complete and is scheduled for release in mid-2012.
Program Accomplishments:

- CFedS Program Manager, Roger Green retired at the end of July. Janet Wilkins from the Oregon State Office was appointed Acting Program Manager through November 21st, at which time Bob Dahl was appointed Acting Program Manager.
- Information on the CFedS website was updated and new functionality was added.
- The cfeds.org website was visited over 100,000 times, with approximately 30,000 visits to the CFedS Roster.
- The certification exam was offered three times this year with 186 surveyors taking the examination and 113 receiving certification.
- BLM cadastral surveyors now participate on the CFedS training, bi-weekly conference calls.
- The Northwest Regional Office of the BIA requires a Land Description Review (LDR) Certificate for all fee to trust conveyances; most are completed by a CFedS.
- Some Tribes in the Northwest Region require the use of CFedS for their surveying needs, other routinely utilize CFedS.
- 10 presentations explaining the advantages of the Program were given to over 500 participants.

Training Goals for 2012:

- Review and update the quiz questions for all seven original courses.
- Complete the Monumentation and Completing the Corner Record course (scheduled for July-August).
- Create courses worth a total of 6 credits based on IBLA cases and/or cases found in the BLM Cadastral Survey publication Public Land Surveys - A Case Book.
- Work with the BLM Chief Cadastral Surveyor’s Training Committee to identify and prioritize training need with the BLM Cadastral Survey and CFedS Programs.
- Develop a 5 year plan for creation of new CFedS continuing education training.
- Update Standards for Boundary Evidence training module.
Program Goals for 2012:

- Offer the certification examination 3 times in 2012.
- Provide program information to Tribes, BIA, and OST with each Tribe being contacted at least 3 times.
- Appoint a new Tribal representative to the CFedS Panel.
- Appoint a permanent CFedS Program Manager.
- Submit a Grant Application to the Public Land Survey System Foundation (PLSSF) requesting funds to create new CFedS continuing education courses.
- Approve the CFedS Program Standards of Practice Handbook.

Financial Statement:

Balance Forward From CY2010: $240,810.88

Revenue:
- Program Tuition and Fees: $236,880.00
- Banquet Receipts*: $1,470.00
Total: $238,350.00

Expenditures:
- American Congress of Surveying and Mapping (ACSM) (Administration Fee; 10% of Revenue) $26,756.00
- ACSM (Hosting CFedS Website) $6,000.00
- ACSM (Credit Card Fee) $7,935.22
- CFedS Workshop and Banquet $7,793.23
- Training Material $43,479.35
- Training Solutions Plus, Inc. (TSP) (Technical Support) $24,365.64
- TSP (Website Maintenance) $17,711.59
- TSP (ID Cards and Certificates) $3,295.34
- TSP (Website Modification) $14,586.00
- TSP (Ron Scherler, Training Support) $17,064.20
- BLM Cadastral Survey Program Funds** $100,000.00
Total: $268,986.57
2011 CFedS Annual Report

Balance Forward to CY2012

$210,174.31

*All costs associated with the banquet were not paid in this calendar year.
**BLM provides funds in support of the program.

Approved by the CFedS Certification Panel
February 15, 2012

Steve Ackerman
CFedS
Representative

Brenda Schilf
Bureau of Indian Affairs
Representative

James M. (Mike) Hart
CFedS
Representative

Tom Tauchus
BLM Indian Lands Surveyor (BILS)
Representative

Helen Roberts Latall
Office of Special Trustee for
American Indians Representative

Ron Whitehead
American Congress on Surveying and
Mapping
Representative

John Lee
BLM Chief Cadastral Surveyor
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Submitted By:

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CALENDAR YEAR 2012
ANNUAL REPORT

Certified Federal Surveyor Program
Bureau of Land Management
Cadastral Survey
1849 C St. NW, 2134LM
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Washington, D.C. 20240
The Certified Federal Surveyor (CFedS) Program protects and develops Trust lands and assets under the Fiduciary Trust Model (FTM). The program trains registered professional land surveyors on the unique aspects of land boundary surveys in Indian Country. CFedS have the knowledge needed to provide quality standards for boundary evidence certificates and boundary surveys to ensure the protection of Trust lands and resources.

There are currently 530 active CFedS and an additional 169 trainees. The program saw a 25 percent reduction in new registrations over last year but enrollment in continuing education (CE) courses was strong and provided nearly half of the year’s revenue.

The Program Review, initiated in Calendar Year (CY) 2011 and completed in 2012, provides a good overview of the program’s strengths (attached) and the key issues that stakeholders must address to keep the program moving forward. The review found a major challenge for the program concerns the benefits of using CFedS for cadastral services not performed by the Bureau of Land Management (BLM). The program remains committed to demonstrating this benefit to Tribes, the Bureau of Indian Affairs (BIA), and the Office of Special Trustee for American Indians (OST) and sees some progress. For example, the BIA Rocky Mountain Region now requires CFedS to perform all surveys that will be filed in the Land Titles and Records Office (LTRO).

The BLM conducted the CY 2012 Compliance Assessment of the program (attached) to confirm whether the rules and regulations are applicable to an activity or practice. The Compliance Assessment concluded that with proper financial statements, the BLM can begin financial forecasting, strategic planning, and accurate monitoring of financial activities.

The BLM Cadastral Survey Program manages the CFedS Program through the Acting Program Manager (Bob Dahl), who approves expenditures and provides general
program oversight, and the Acting Certification Panel Chairperson (Ron Scherler), who manages the day-to-day operations.

**CY 2012 Training Accomplishments:**

- 76 Professional Land Surveyors registered for the program.
- 50 Professional Land Surveyors certified.
- New CE courses:
  - Monumentation and the Corner Record, 3 credits, completed August 2012; and
  - Three Interior Board of Land Appeals (IBLA) decisions:
    - Tussio, 37 IBLA 135, 1 credit, completed, August 2012;
    - Stoddard Jacobsen and Robert C. Downer, 85 IBLA 335, 97 IBLA 182 and 103 IBLA 83, 2 credits, completed October 2012; and
    - Longview Fibre, 135 IBLA 170, 1 credit, completed December 2012.
- IBLA CE Web site visited over 700 times.
- Awarded a $15,000 grant by the Public Land Survey System Foundation (PLSSF) to partially fund CE course development.
- CE registration:
  - Introduction to the Geographic Coordinate Data Base (GCDB), 3 credits (66 paid registrations);
  - Non-Rectangular Surveys, 9 credits (72 paid registrations);
  - Special Boundary Problems I, 3 credits (61 paid registrations);
  - Swamp Land Grants, Omitted Area and Island Surveys, 1 credit (42 paid registrations);
  - The 2009 Manual of Surveying Instructions, 2 credits (54 paid registrations);
  - Monumentation and the Corner Record, 3 credits (43 paid registrations);
o Tussio, 37 IBLA 135, 1 credit (34 paid registrations);

o Stoddard Jacobsen and Robert C. Downer 85 IBLA 335, 97 IBLA 182 and 103 IBLA 83, 2 credits (21 paid registrations); and

o Longview Fibre 135 IBLA 170, 1 credit (8 paid registrations).

CY 2012 Program Accomplishments:

- The cfeds.org Web site visited approximately 90,000 times, with approximately 40,000 visits to the CFedS Roster.

- 162 certifications renewed.

- 14 surveyors, who were withdrawn from the program, re-registered at the reduced rate of $800.

- Certification exam offered three times with 99 surveyors taking the examination, resulting in 50 new CFedS and 49 not receiving a passing grade.

- Don Buhler, Chief Cadastral Surveyor, appointed four new members to the CFedS Certification Panel:

  o Glenda Miller, an Alaska Native, Fiduciary Trust Officer for the Alaska Region, is the new representative from OST;

  o Jan Michael ‘Looking Wolf’ Reibach, a Kalapuya Native, Tribal Lands Manager for the Confederated Tribes of the Grand Ronde, is a new Tribal representative;

  o Anthony J. O’Rourke, a Yurok Native, surveyor with Trinity Valley Consulting Engineers Inc., is a new Tribal representative; and

  o Boyd Peterson, BLM Indian Lands Surveyor (BILS) for the BIA Eastern Region, is the new BILS representative.

- Three presentations explaining the advantages of the program given to approximately 100 participants.

- The CFedS Standards of Practice Handbook accepted by the CFedS Certification Panel and signed by Don Buhler, Chief Cadastral Surveyor, on April 26, 2012.

- Program qualifications modified to allow non-registered/non-licensed surveyors who have passed the National Council of Examiners for Engineering and
Surveying’s (NCEES) Fundamentals of Surveying (FS) examination to enroll in the program. The BLM will certify these surveyors when they are registered or licensed in at least one state, territory, or the District of Columbia (BLM Instruction Memorandum No. 2012-162).

- New 3-year Memorandum of Agreement (MOA) with the National Society of Professional Surveyors (NSPS) became effective November 1, 2012. The most significant change is the new fee structure. The new agreement established the fee paid to NSPS for administrative services at 12 percent of revenue; the previous agreement provided for 10 percent of revenue, plus credit card fees (generally about 3.5 percent) and a website/server fee of $500.00 per month.

- New Policy, BIA, Rocky Mountain Region:

  “The Rocky Mountain Regional Director, Superintendents, and Field Representative shall only accept non-Federal boundary surveys from only private licensed surveyors who are CFedS certified.”

**CY 2012 CFedS Program Review:**

The Program Review focused on program effectiveness, training effectiveness, implementation, utilization, financial stability, transparency, and sustainability.

The review found that the development, recruitment, and delivery of the training portion of the program are highly effective. The review found the BLM developed the major training components of the program in a timely manner with processes put in place to meet Trust reform timetables. The review also found that the overall program has had limited success in meeting the goal of reforming and repairing management of land boundary practices in Indian Country to protect the Trust fund and assets. Further, the review found that the BLM, BIA, and OST have not developed a comprehensive national plan to endorse the program in all areas. As a result, the BIA and the tribal leadership do not use all capabilities of the program, including the use of CFedS to survey or assess risks to the Trust resulting from errors and misrepresentations in title, survey, and use records. Finally, the review found that the program cannot remain financially stable unless the BIA and Tribes fully utilize the program.

**CY 2012 Compliance Assessment of the CFedS Program:**

The Compliance Assessment reviewed program financial transactions to ensure compliance with the Governmental Accounting and Financial Reporting Standards under the Governmental Accounting Standards Board (GASB) for fiscal years 2007 – 2011. The assessment found the program partners are managing two sets of business accounting records; the Financial and Business Management System (FBMS) tracks appropriated funds and NSPS tracks program revenue. The BLM has never merged the two accounting records to provide a comprehensive financial outlook of program activities.
The assessment recommended that the BLM consider (1) preparing a monthly compilation of the accounting records in accordance with GASB and (2) creating consolidated financial statements of the program. Consolidation will allow the BLM to begin financial forecasting, strategic planning, and accurate monitoring of financial activities.

As a result of the assessment, the program has prepared a budget for CY 2013 (attached).

**Program Shortcomings:**

The CFedS Program Manager position remained vacant through the year; as a result, the program did not accomplish the following annual goals:

- Contact Tribes multiple times with information about the program (contacted only once).
- Develop a 5-year plan for CE.

**Program Statistics:**

- CFedS: 582 (530 Active, 52 Expired)
- Trainees: 169
- Trainee-Candidate: 3 (Non-licensed trainees)
- CFedS licensed in 45 states

**Financial Statement:**

CFedS Program Bank Account Balance Forward From CY2012: $210,174.31

Revenue:

- Program Tuition and Fees: $195,700.00
- Grant from PLSSF: $15,000.00

Total $210,700.00

Expenditures:

- ACSM/NSPS, Admin. Fee (10% of Revenue): $17,545.00
- ACSM/NSPS, Hosting CFedS Website: $5,500.00
- ACSM/NSPS, Credit Card Fee: $6,272.90
- *2011 CFedS Program Banquet: $3,783.09
- CFedS Brass Medallions (100): $2,378.22
2012 CFedS Annual Report

- Training Material $33,295.35
- TSP Website Maintenance $33,547.80
- TSP ID Cards/Certificates/Letters $2,900.00
- TSP Website Modification $12,932.92
- TSP CE Course Development $36,643.06
- TSP Program Administration $65,445.00
- TSP Training Support $37,140.00

Total $292,490.51

CFedS Program Bank Account Balance Forward to CY2013 $128,383.80

*All costs associated with the 2011 banquet were not paid in calendar year 2011.

The CFedS Program account was converted from ACSM to NSPS in November; no differentiation between the two accounts is shown in this report.

The U.S. Forest Service provided $15,000.00 in contributed funds to BLM for CFedS training development during this calendar year.

The BLM continues to provide funds and services in support of the program.

**CY 2013 Training Goals:**

- Review and update the quiz questions for all seven original courses.
- Convert three cases from the BLM Cadastral Survey publication *Public Land Surveys - A Case Book* to CE courses. The PLSSF has partially funded these courses through a grant from the PLSSF and the BLM anticipates development by early summer 2013.
- Work with the BLM Chief Cadastral Surveyor’s Training Committee to identify and prioritize training needs for both the BLM Cadastral Survey and CFedS Programs.
- In cooperation with BLM’s Cadastral Training Coordinator, develop a 5-year plan for creation and coordination of new Cadastral Survey Program and CFedS Program training.
- Update Standards for Boundary Evidence (SBE) training module.
CY 2013 Program Goals:

- Offer the certification examination three times.
- Provide program information to Tribes, BIA, and OST with each Tribe contacted at least three times.
- Develop CY 2014 Budget.
- Create CY 2013 Annual Report.
- Have the permanent CFedS Program Manager in place by October 2013.

Attachments:
1. Certified Federal Surveyor Program Review
2. Compliance Assessment of the Certified Federal Surveyor Program
3. CY2013 Budget
4. Bureau of Indian Affairs Rocky Mountain Region Regional Policy Memorandum Cadastral Survey Policy – Certified Federal Surveyor Policy
Approved by the CFedS Certification Panel
March 27, 2013

Steve Ackerman
CFedS
Representative

James M. (Mike) Hart
CFedS
Representative

Glenda Miller
Office of Special Trustee for
American Indians Representative

John Lee
BLM Chief Cadastral Surveyor
Representative

Jan Reibach
Tribal
Representative

Anthony O’Rourke
Tribal
Representative

Boyd Peterson
BLM Indian Lands Surveyor
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Brenda Schiff
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Ron Whitehead
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Submitted By:

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March 29, 2013
Certified Federal Surveyor

Program Review

October 23, 2012

Department of the Interior
BUREAU OF LAND MANAGEMENT
Cadastral Survey
Executive Summary

Issue:

A review of the Certified Federal Surveyor (CFedS) Program was conducted during the winter of 2011-2012. The review focused on program effectiveness, training effectiveness, implementation, utilization, financial stability, transparency, and sustainability.

The review found that the development, recruitment, and delivery of the training portion of the Program are highly effective. The review found the major components of the CFedS Program were developed in a timely manner and processes put in place to meet trust reform timetables. The review also found that the overall Program has had limited success in meeting the goal of reforming and repairing management of land boundary practices in Indian Country to protect the trust fund and assets. Further, the review found that the Bureau of Land Management (BLM), Bureau of Indian Affairs (BIA), and the Office of Special Trustee for American Indians (OST) have not developed a comprehensive national plan to endorse the CFedS Program in all areas. As a result, BIA and the tribal leadership do not use all of the capabilities of the CFedS Program in Indian Country, including the use of CFedS-trained surveyors to survey or assess risks to the trust from errors and misrepresentations in the title, survey, and use records. The review found that it is reasonably expected Program revenue will provide approximately 60% of the funds necessary to operate the Program. Therefore, some funding support from benefitting agencies will be required for the foreseeable future. The review found that the percentage of revenue to operation expenses will vary dependent on the utilization of CFedS by the BIA and tribes.

CFedS, Bureau of Land Management Indian Lands Surveyors (BILS), and BLM State Office Chief Cadastral Surveyors all seem satisfied that the training is effective and of high caliber. BILS and Cadastral Chiefs in the two BIA Regions that use CFedS by policy believe that the work of CFedS has reduced the problems with title transfers and land descriptions.

A draft copy of the review was provided to the BIA for comment. BIA Regional and Agency Offices responded from Great Plains, Midwest, Northwest, Pacific, Rocky Mountain, Southern Plains and Southwest. The Office of Special Trustee for American Indians (OST) was also provided a copy and provided comment. A summary of the key points of the issues and comments submitted by BIA and OST are attached (Appendix 2). Based upon these comments, the widespread and comprehensive utilization of the CFedS Program throughout Indian country is a core issue in managing the Department of the Interior’s management of land boundaries trust responsibilities.

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1 For convenience all management of land boundary monetary and non-monetary trust asset management activities will be referred to as trust funds or trust funds and assets, as appropriate.
Ramification:

The CFedS Program has trained and certified over 550 professional land surveyors throughout the United States. There is currently an abundance of trained professionals available to conduct management of land boundary services in every geographic portion of Indian Country. If these trained professionals are not used in the near future, the interest in the Program will wane, enrollment will decline rapidly, trust reform will suffer, and Indian trust assets will be threatened.

Recommendations:

It is recommended that there be a national commitment by BIA, OST, and BLM for (1) a renewed emphasis on outreach to the tribes and (2) a national policy on the mandatory use of the CFedS Program for all surveying and boundary risk assessment services in Indian Country, that are not provided by BLM.
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Appendix 1 - CFedS Program Financial Projection 2012
Appendix 2 – BIA and OST Issues and Comments Summary
Appendix 3 – Certified Federal Surveyor Certification Panel
A. Purpose and Scope:

On October 13, 2011, this office (WO-300), selected an interdisciplinary team of BLM staff chaired by James D. Claflin, Chief Cadastral Surveyor of Montana and Dakotas, to conduct a Program and management review into the Certified Federal Surveyor (CFedS) Program. Since the initial development of the CFedS Program in October 2007, there has been no formal evaluation of the training effectiveness or Program viability. The purpose of this review is to measure the Program’s efficacy as it relates to:

1. Repair and reforming the survey practices in Indian Country which are key to protection of valuable Indian trust assets by renewing;
   a. the initial goals that all cadastral services executed in Indian Country are performed in accordance with BLM standards; and
   b. all boundary surveys executed in Indian Country be accomplished under the direction and control of the appropriate BLM State Office Chief Cadastral Surveyor (Cadastral Chief).

2. The effectiveness, quality, and value of the training and certification provided;

3. The Program’s financial stability, transparency, and sustainability; and

4. The implementation and utilization of the Program.

This management review investigated the extent to which the Program accomplished its goals as stated in the Fiduciary Trust Model (FTM) using a 360-degree evaluation process, including a compilation of comments from Program management, CFedS Certification Panel members, students, contractors, BLM leadership, BIA, OST, and tribal leaders. Business practices were evaluated by analyzing Program income and expenses to determine if they were effective and advantageous to the Government and the trust management system. Based on the review of financial data along with current and predicted enrollment trends, current tuition levels, and obstacles to Program success identified in the evaluation process, the Program review team developed recommendations to BLM leadership for the future direction of the CFedS Program training and outreach. This report is a summary of the review team’s findings with recommendations.

B. Background:

In response to the FTM approved in 2004, the BLM, in collaboration with the BIA and OST, developed the CFedS Program with the primary purpose of providing American Indian and Alaska Native landowners, tribes, BIA, and Federal agencies administrating lands adjoining Indian lands with a roster of qualified surveyors, specifically trained to provide management of land boundary services in Indian Country.
The immediate goal of the CFedS Program is to ensure all cadastral services executed in Indian Country are accomplished in accordance with BLM standards. The long-term goal is for all boundary surveys to be completed under the direction and control of the appropriate BLM State Office Cadastral Chief. Eventually, the CFedS Program is intended to supplement cadastral services involving Indian trust assets that are not accomplished by BLM Cadastral Survey.

A CFedS is a state-licensed land surveyor who has successfully completed a continuing education program focusing on boundary surveying and other management of land boundary functions of Federal interest lands. The certification program consists of seven training modules and a comprehensive examination. To date, the CFedS Program has certified over 550 surveyors across the United States with the vast majority coming from the private sector.

To implement and oversee the CFedS Program, a Program Manager was hired and Certification Panel was formed with roles and responsibilities as described in the CFedS Handbook (http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_handbook.Par.95347.File.dat/H-9687-1.pdf). The first CFedS Program Manager was hired in 2005 and located at the BLM National Training Center (NTC) in Phoenix, Arizona. The CFedS Certification Panel was formed in 2006 and held its first official meeting on August 14, 2006. Together, the CFedS Program Manager and the CFedS Certification Panel (Appendix 3) administer the training and certification components of the program. The BLM Washington Office Chief Cadastral Surveyor provides oversight of the Program.

To raise awareness of public land survey system issues, facilitate the CFedS Program marketing, and develop and distribute distance learning training materials, partnerships were formed between the BLM and the American Congress of Surveying and Mapping\(^2\) (ACSM) on September 2, 2008 and the Public Lands Survey System Foundation (PLSSF) on August 21, 2009. Memoranda of Agreement (MOA) were signed between the BLM and both organizations.

The first year of the CFedS Program, 2007, was a resounding success. The training, testing, and certification portion of the Program was implemented with over 400 surveyors licensed in 39 states enrolling. Support throughout the key government agencies involved in this Program was exceptionally strong and other Federal agencies, as well as state and local governments, started to support the Program. The major challenge stated in the 2007 Program year-end report was to demonstrate to the tribes and BIA the benefits of using CFedS for all their cadastral services not performed by the BLM. This remains a major challenge today.

Since 2007, the Program has continued to produce a qualified workforce ready and able to support cadastral needs of American Indian and Alaska Native landowners, tribes, the BIA, and Federal agencies administering lands adjoining Indian lands. According to the 2011 CFedS Annual Report, 533 registered professional land surveyors have been certified and nearly 200 private industry trainees are presently in training. The major challenge of the Program remains in demonstrating to tribes, BIA, and OST the benefits of using a CFedS. In BIA Regions where BLM and BIA have worked together to endorse the program, tribes soon recognize the value of

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\(^2\) The American Congress of Surveying and Mapping has recently reorganized and is now the National Society of Professional Surveyors (NSPS). The reorganization will have no significant impact on the CFedS Program. The name ACSM will be used in this report.
relying on a CFedS for their management of land boundaries by directly hiring a CFedS for tribal transactions and projects. However, the BIA, BLM, and OST need to continue to reach out with information about the Program, specifically as to the positive impact of the Program to the trust in the Northwest Region.

C. Methodology:

A broad approach was taken to determine if the CFedS Program has met its goals. The review team traced the progress of the CFedS Program to date through reviewing documents, conducting oral interviews, and performing web-based surveys. The review assessed the quality and value of the training through student survey comments. The determination of whether or not the Program is self-sustaining and will remain self-sustaining was made by comparing the Program’s start-up cost and ongoing expenses with Program revenue, and supplemental OST and BLM Cadastral Survey Program funds. A detailed financial audit or quantitative analysis of business practices and procedures was not undertaken by the review team. Information on whether the current business practices are effective and advantageous to the Government and the trust management system was based solely on the interview process with contractors and past program managers.

This review made recommendations for the future of the Program in the following areas:

1. Training development.
2. Proper implementation and future development and increased utilization in Indian Country.
4. CFedS Program Manager and Certification Panel effectiveness.
5. Future financial projections.
6. Program transition from start-up to self-sustaining training.
7. Ownership, administration, oversight.

To fulfill its charter, the CFedS review team:

1. Gathered the documents listed below and placed them on a team SharePoint site:
   - CFedS Handbook
   - CFedS Program Manager Position Description
   - MOA with ACSM
   - PLSSF Charter
   - CFedS Certification Panel meeting minutes
   - CFedS Program financial reports
   - Current contracts
   - Temporary appointment letters for the acting program manager and acting certification panel chairperson

2. Conducted personal interviews with the following individuals:
   - Curt Sumner, American Congress on Surveying and Mapping, Executive Director
   - John Bennett, OST and BLM New Mexico State Office Chief Cadastral Surveyor (retired)
Don Buhler, BLM Chief Cadastral Surveyor, Washington D.C.
Ron Scherler, former BLM CFedS Program Manager, BLM Cadastral Surveyor (retired), and currently serving as Acting CFedS Certification Panel Chairperson through contract with Training Solutions Plus (TSP)
Denise Spencer, TSP President, Contractor
Janet Wilkins, BLM, former Acting CFedS Program Manager
Chris McDonald, BLM, former NTC CFedS Training Coordinator
Don Charpio, BLM, NTC Director
Brenda Schilf, CFedS Certification Panel Member and BIA Rights Protection Officer

*Roger Green CFedS Program Manager (retired) declined to be interviewed

3. Conducted web-based surveys over a 30-day period targeted to the following groups:
   BLM Indian Lands Surveyors (BILS) - 9 out of 12 (75 percent) responded
   BIA Regional Realty Officers - 1 out of 12 (8 percent) responded
   CFedS and trainees - 186 out of 484 (38 percent) responded
   BLM State Office Chief Cadastral Surveyors (Cadastral Chiefs) - 10 out of 12 (83 percent) responded

4. Individual and Team Review of all documents.

5. Follow-up interview with Ron Scherler to get year-end information for 2011.

D. Findings:

1. The following questions about the Program goals were answered through this review:
   a. Are the cadastral services in Indian Country performed in accordance with BLM standards? It is extremely difficult to determine whether or not services performed from sources outside of BLM Cadastral are consistently performed to BLM standards or not. Many private surveyors conducting the work in Indian Country have not been specifically trained to understand the standards and requirements. The majority of Cadastral Chiefs believe that cadastral services provided by private companies are not meeting standards. The BILS report that on average 1 percent or less of the management of land boundary work in their BIA Regions is performed by a CFedS (the Northwest Region is the exception).

   b. Are all boundary surveys executed in Indian Country accomplished under the direction and control of the appropriate BLM State Office Cadastral Chief? By a large majority (80 percent), the Cadastral Chiefs report that boundary surveys in Indian Country have not been accomplished under their direction and control. There is much survey work being accomplished. It may

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3  Whenever it becomes necessary to survey any Indian or other reservation, or any lands, the same shall be surveyed under the direction and control of the BLM. 25 U.S.C. § 176.
not be feasible that all of the surveys are executed under the direction and control of the Cadastral Chiefs, yet all of the surveys must meet BLM standards.

c. Was the CFedS Program implemented in Indian Country according to the Fiduciary Trust Model? The training program has been fully implemented according to the business model established by OST, but there is a great deal more work that needs to be done to demonstrate the worth of the Program to the tribes before the Department can expect to significantly improve the quality of the title, survey, and use records in Indian Country. In the Pacific Region some tribes have established policies to use CFedS for all their surveying needs.

2. The CFedS Program training is effective, of high quality, and a good value to the students. CFedS, BILS, and Cadastral Chiefs all seem satisfied that the training is effective and of a high caliber. BILS and Cadastral Chiefs, in the two BIA Regions that use CFedS, believe that the work of CFedS has reduced problems with title transfers and legal descriptions. Seventy-seven percent of the CFedS who responded to the survey say that their student expectations of the Program were met. When asked why they took the CFedS Program courses, an overwhelming majority of students who responded to the survey (87 percent) completed CFedS certification because they wanted to broaden their knowledge of the PLSS. Only about half of those responding to the survey (48 percent) said they pursued the CFedS certification because they wanted additional work in Indian Country. Eighty-six percent of CFedS who responded to the survey agree or strongly agree that the training is a good value. It is obvious the CFedS Program meets the need for high-quality training in the private survey community.

The review team tried to determine what the perception of the Program is in the differing communities. Ninety-two percent of CFedS and the majority of BILS who responded to the survey say that the perception of the training program is good to excellent. That being said, some students commented that Federal agencies outside of the BLM and the state agencies in their area have never heard of the CFedS Program. That statement is supported by one BILS who reports that his BIA Region is completely unaware of the CFedS Program. The single BIA staffer that responded to the survey feels strongly that CFedS has not been promoted in her BIA Region.

The use of CFedS has not been to the level that was anticipated. Eighty-eight percent of CFedS who responded to the survey agree or strongly agree that the BIA and tribes fail to use CFedS in their regions. Ninety-three percent of CFedS who responded to the survey report that less than a quarter of their work is performed in Indian Country. Most of that group said that work on Indian lands makes up only 1 percent or less of their workload. This is reinforced by BILS. They report that very little of the cadastral survey works in their BIA Regions is performed by a CFedS. When asked how many state authority surveys were conducted by a CFedS in FY 2010, BILS responded that there were less than ten surveys, with the exception of one region (Northwest Region) where the range was between 26 and 50. There were no Standards for Boundary Evidence (SBE) documents produced by CFedS in some BIR
Region. This is in contrast with the Northwest Region, where the Region’s BILS stated that more than 200 were produced. The total number of SBE documents produced by BILS ranged from 0 to 80 in five of the BIA Regions. The other four reporting BIA Regions had a total number of documents ranging from 145 to as high as 283. It seems that this is work that a CFedS is qualified to perform.

The review team attempted to understand why the use of CFedS was so limited. The review team tried to determine if there is a perception that CFedS cadastral services cost more than non-CFedS services and if there is a lack of availability of CFedS in certain areas of the country. The BILS who responded do not have enough information to determine the average cost of a state authority survey conducted by a CFedS versus that by a non-CFedS, but they agree that there is a perception in the tribal communities that a CFedS survey would cost significantly more. Four out of nine BILS report that cost is the primary hindrance to using CFedS. Nearly half of the BILS that responded feel that availability is also a problem. CFedS have a number of reasons why they think they are not used to their full potential, including (1) the BIA and tribes may not understand what a CFedS can do compared to a non-CFedS; (2) the Federal Government does not require the use of a CFedS on Indian lands; and (3) there is no funding set aside for CFedS work on those trust assets.

The findings clearly indicated that improved outreach to tribes on the benefits of the CFedS Program is one vital component. Eighty-six percent of CFedS who responded to the survey believe that the outreach program to promote the use of a CFedS in their BIA Regions has been ineffective. Another reason why the use of CFedS may be limited is that there are very few enrolled tribal members who are also a CFedS.

3. Are the current business practices of the CFedS Program advantageous to the Government?

a. Staffing and administration of the CFedS Program

It appears from interviews and surveys that the staffing of the Program has been adequate to meet most goals and objectives. The initial start-up and development of the training materials was accomplished in a very short time using the CFedS Program Manager, the BLM Cadastral Training Coordinator, and contractors. Later, a CFedS Training Coordinator position was added as well as technical training support, and instructional design and audio/video studio recording assistance from NTC. The CFedS Program course material and full access to the training program was just recently offered to BLM Cadastral employees as a primer to more advanced Cadastral training. Up to this point the CFedS Program was concentrated towards the private sector as outlined in the FTM. However, the CFedS Program is very advantageous to Indian Country, the BLM Cadastral Program, and the Government as a whole, at this point. Opinions differ as to the amount of staffing required to sustain the Program.

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4 It is a maxim in the surveying community the costs of surveys are roughly the same, the difference in costs of surveys comes in the quality and extent of the survey, i.e., a substandard survey of a parcel costs less than a survey to standards.
Administration using the CFedS Program Manager, the CFedS Certification Panel, and the CFedS Certification Panel Chairperson has been moderately effective. The review makes recommendations regarding the staffing of the CFedS Program Manager and the makeup of the CFedS Certification Panel.

b. **Funding of the CFedS Program**

If registration continues near 100 new students per year (Figure 1), tuition and fees will provide approximately 60% of the funds necessary to effectively operate the Program. With support from BLM and OST funding to date has been adequate with the Program operating at a small surplus; however, the 2011 Annual Report shows a deficit of $30,000. Program revenues have been declining (Figure 2), if this trend continues; the Program will be able to operate in the foreseeable future by drawing from the CFedS Reserve Fund. It appears that the Program will require funding to support one GS-13 Cadastral Surveyor when the current expenses are used to predict future trends (Figures 2 and 3). It has been suggested all costs associated with the Program including all NTC labor and operating costs should be borne from revenues generated by the CFedS Program, but the program was created to meet the Secretary’s trust responsibility and the BLM, BIA, and OST do benefit from the Program and should support it.

c. **Administration of the CFedS Program**

Responsibility for the administration of the Program rests with the CFedS Program Manager and the Certification Panel (CFedS Handbook). The Certification Panel needs to become more engaged in the overall oversight and direction of the Program. Interviews with one panel member revealed the need to develop a communication plan to improve communications between the Panel and all Program partners and participants, including contractors, industry partners, CFedS, BLM, BIA, and OST. Although the Certification Panel has approved all of the financial reports to date, it is recommended that an independent audit of the Program's finances from 2007 to 2011 be conducted to resolve perceptions of financial integrity.

d. **Program partnerships**

The Program maintains partnerships with ACSM, BIA, and PLSSF. Interviews reveal a moderately positive outlook of the experience with partners and the need for partnerships in the Program. Partnerships with ACSM and the PLSSF make for a “productive and smooth way to do business”; however, there is a sentiment that the roles of the partnerships need greater clarity. The review team considered the costs and benefits of the partnerships. For the most part, all of the Program partners realize that partnerships help move the Program forward and allow completion of some tasks and administrative functions much more expeditiously than the BLM could have.

e. **Program review and evaluation**
To date, there has been no Program training review conducted. Students were never asked to evaluate the Program courses using the “Metrics that Matters” evaluation tools that all other NTC courses use.

f. Outreach, promotion, and recruitment

i. To the professional survey community
Outreach to the professional survey community has been conducted in all BIA Regions by the Cadastral Chiefs and the BILS. Examples of outreach include presentations and panel discussions at professional conferences and seminars and articles in professional publications. BLM Cadastral has emphasized “getting the word out” to the surveying community since the inception of the Program.

ii. To BIA and tribes
In the first two years of the Program each tribe was contacted at least 3 times with information about the Program. The following year’s outreach to BIA has been conducted primarily by the BILS in each BIA Region. For the most part, the BILS and Cadastral Survey have taken advantage of opportunities presented of getting the word out to the BIA. Outreach to the tribes seems to be harder to quantify. One CFedS panel member, who represents BIA, expressed that Program promotion is not BIA’s responsibility.

iii. To BLM and other Federal and state agencies
Outreach has been conducted primarily by the Cadastral Chiefs. The U.S. Forest Service Surveyors have embraced the Program and used it for the surveying staff on a voluntary basis. The U.S. Fish and Wildlife Service have also enrolled several of their surveyors in the program. The BLM Cadastral Survey Program supplements its training of new surveyors with CFedS training courses.

iv. Outreach, promotion, and recruitment include:
2007
• Two articles in The American Surveyor magazine
• Article in Point of Beginning (POB) magazine
• Two articles in OST Trust Matters
• Article in American Congress on Surveying and Mapping Journal
2008
• Video: Boundary Surveys Part of Time, History, Land, was sent to all tribes
• Letter From Secretary Kempthorne was sent to all tribes
2009-2011
• Brochure: “Management of Land Boundaries”
2012
• Article in OST Trust Matters
The CFedS Program website has numerous articles and news items, at: http://www.cfeds.org/

4. Is the CFedS Program financially stable?

   a. Past enrollment and Program costs

   Cumulatively, over the past 5 years there have been 1,026 registrants for the CFedS Program. Of that, more than 550 have completed certification. Average enrollment, after the initial startup with 444 students, is 153 students per year (Figure 1). In 2011 there were 103 enrollments (Figure 1).

   ![CFedS Program Enrollments](image1)
   
   **Figure 1 – Program Enrollment (Data source is CFedS Annual Reports)**

   ![CFedS Program Cost Analysis](image2)
   
   **Figure 2 – Program Cost Analysis (Data source is CFedS Annual Reports)**
   
   (BLM and OST support is not shown)

   Program expenses for 2011 were $230,000 in CFedS Program revenue expenditures (Figure 2) and $70,000 in BLM funds. Program expenses included such items as administrative fees, certificates, training materials, website hosting, website maintenance and technical support, advertising materials, shipping materials, continuing education course development, banquet fees, credit card
fees, certification panel member and program manager travel, and program manager’s salary and benefits.

Over the years, revenues appear to have kept pace with expenditures, and there was a buffer of approximately $30,000 to $45,000 each year. In 2011 the Program ran a deficit of approximately $30,000. Although the Program had a Program Manager continuously until July 2011, program management expenses covered by CFedS Program revenues have fluctuated over the past 4 years according to the annual reports (Figure 3). There was no salary transfer designated in the 2007 report at all. There was BLM and OST funding support for the Program over the years, and these costs were not included in annual reports or in Figure 2. The NTC Director reported that in addition to the CFedS Program Manager, a GS-11 CFedS Training Coordinator, a GS-13 BLM Cadastral Survey Training Coordinator, support staff, and instructional media experts worked on the CFedS Program training development.

![Figure 3 – Program Management Costs (Data source is CFedS Annual Reports)](image)

**b. Future enrollment and Program costs**

In a training and certification program that relies heavily on revenue from new enrollees, renewal fees, and continuing education, it is very important to be able to make conservative decisions about Program growth based on facts. The present Acting CFedS Certification Panel Chairperson provided a financial projection for 2012 for consideration (Appendix 1).

The approximate annual income projected for 2012 is based on 100 new trainees with a net contribution to the Program of $840 per new trainee (tuition minus Program expenses). This will generate $84,000. An even larger source of projected revenue is from CFedS taking continuing education courses, currently charged at an average rate of $67 per credit. The 2012 financial projection is based on tuition for 1,500 continuing education credits to generate $100,500. Renewal income was estimated at 250 CFedS per year at a rate of $40 biannually. This provides another $10,000 of Program income for a total estimated Program income...
income of $194,000. Yearly fixed expenses are $77,100 and discretionary expenses are $21,500. The difference between income and fixed expenses is about $117,000. From that amount, net income program management, discretionary expenses, and continuing education course development must be paid. As of October 1, 2012, there was a $171,182.42 balance in the CFedS Reserve Fund.

In 2011 CFedS registered for continuing education courses worth 980 credits. The 2012 financial projection (Appendix 1) predicts that CFedS will enroll in continuing education courses worth a total of 1,500 credits\(^5\). The review team believed that using 1,500 credits per year was an optimistic projection for future continuing education enrollment. A more conservative estimate to use is 1,200 credits, which will generate $80,400. A conservative estimate of Program revenue based on 100 new trainees, 250 CFedS renewals, and 1,200 continuing education credits is about $174,000 per year. With average Program expenses running close to $290,000 per year and using this conservative estimate of revenues, approximately $120,000 per year of funding from benefiting agencies is necessary to achieve the Program’s long term goals.

The review team had some concerns with this financial projection for 2012. It is difficult to project enrollment trends in today’s economy. People are cutting back on spending and travel. Training is another area that oftentimes is cut during an economic downturn. Based on the survey of the CFedS who responded, 48 percent took the Program training to gain work in Indian Country. They have seen very little return on their investment in the form of new contracts to date. It is reasonable to assume that some CFedS will not renew their certification and continuing education revenues will decline as well as new enrollments, at least in the near term.

\[\text{Figure 4 - Continuing Education Enrollments (Data source TSP contractor)}\]

(On average 3 credits per year per enrollee)

\[^5\] CFedS are required to complete 3 credits of continuing education per year. Not every CFedS takes 3 credits in one year, surplus credits can be carried over to the next year.
E. Recommendations:

The review team makes recommendations for the future of the Program in the following areas:

1. **Training development**
   The FTM has outlined three major components of trust reform as it relates to the BLM Cadastral Survey Program.

   *Step No. 1: Develop and implement a program to certify private land surveyors as licensed Federal surveyors and provide a list of them to the BIA and tribes.*

   This portion of the model was fully implemented and has been a great success with over 500 CFedS certified and available to conduct surveys in Indian Country. The names and address of the CFedS is publicly available on the CFedS websites, www.cfeds.org. Communications to the professional land surveyors throughout the United States has been primarily conducted by the Cadastral Survey offices, BILS, and ACSM. It is important to remember that under this first step, the outreach to trainees was targeted toward recruiting the private surveying community into this new Program.

   In the first two years of the Program each tribe was contacted at least 3 times with information about the Program. The following year’s outreach to the tribes about the training program and the availability of certified Federal surveyors was conducted primarily by BILS and BLM Cadastral Survey personnel. The review revealed that the overall outreach to the tribes appears to have been lacking and for the most part was not effective. The BLM initially made a concerted effort to “get the word out” to all tribes through brochures and a DVD but over the past 3 years that effort has waned. The CFedS Program website does provide a comprehensive list of available CFedS for all BIA Regions.

   **Recommendation:**

   *If the Program is to be successful in Indian Country, continued outreach by BLM and CFedS program administrators to BIA and the tribal leaders is necessary in order for them to understand the benefits of established land boundaries for land transfer, probate, revenue collection and other land tenure issues. The CFedS can assist in providing good land boundaries for Indian Country. Additionally, it is imperative that the BLM, BIA, and OST work together for promoting the use of CFedS to the tribes by instituting national or regional instructional memorandum or policy endorsing the Program.*

2. **Proper implementation and future development. Increased utilization in Indian Country**
   The FTM second step focused on recruiting and training the tribal members through the CFedS Program.
Step No. 2: Tribal and agency surveyors are encouraged to become CFedS.

According to the survey, there are only two CFedS in the U.S. that are also enrolled tribal members. This is probably commensurate with the general demographics of American Indians who are professional land surveyors throughout the U.S.

Recommendation:

To fully implement the goal set out in Step 2; more tribal members must become state-licensed surveyors, so they can be qualified to take CFedS Program training. Since the percentage of American Indians in the survey profession is low, a national effort among colleges, universities, professional organizations, and BIA to recruit, train, and license American Indians in these positions is needed. The Bureau of Indian Education (BIE) has an extensive higher education financial aid program in place that could be used to grow the enrollment of tribal members in land surveying college degree programs across the country. BIA/BIE could target scholarships to high-quality land surveying degree programs in order to increase the ranks of enrolled tribal surveyors. As graduates become state-licensed, they should be encouraged to enroll in the CFedS Program training.

3. Current and future policy

The FTM third step focused on guidance for contracting with CFedS.

Step No. 3: Provide commercial activity standards and guidelines.

This portion of the model was envisioned for implementation if the Program became widely used and the work in Indian Country became overwhelming for the BLM Cadastral Survey Program. This component would place Cadastral in a contracting oversight role with CFedS performing Federal authority surveys. The standards and guidelines have not been developed because the hiring of CFedS has not been widely adopted. Only in the Northwest region have the CFedS been used as they were intended.

The goals of the CFedS Program continue to have merit. They focus on protecting trust assets and are multi-faceted. The implementation of the goals included; putting tools in place for the successful management of boundaries and title in Indian Country and making these tools a standard part of an agency’s day-to-day business. The tools, including the CFedS Program training & certification and the Boundary Evidence Standards, have been developed and are in place. The agencies must now implement the direction of the Department Manual (303 DM 7) which states that these tools will be used in day-to-day business.

The negative effects from non-standard business requirements are far reaching. Long standing processes failed to protect trust assets and brought this nation to trust reform. Without implementing reformed standard business processes, perceptions will not change, easy (albeit inaccurate) solutions will continue, and Tribal acknowledgement of the specialized skills and educational opportunities for members in the dedicated fields of land surveying and title management will not be realized.
**Recommendations:**

The agencies must implement the direction of the Department Manual (303 DM 7), i.e., standards for boundary evidence training. The CFedS Program training and certification can be self-sustaining if the agencies implement the direction of the Department manual to meet the goals for trust reform in Indian Country.

The CFedS Program must focus on standardized business practices that implement the direction of 303 DM 7. Changing business processes coupled with a concentrated outreach program to educate people on the benefits of moving away from past practices will be necessary for success. Funding solutions will be necessary to assist the mandated change in process.

A national interagency implementation plan should be devised, including a BIA requirement to use a CFedS for all boundary surveys in Indian Country. Clear cost comparisons from CFedS and non-CFedS of the work that is required under BLM standards can be used to allay these concerns about cost.

The review team recommends that BIA adopt the Northwest Region’s policy for fee to trust standards nationwide. Having a national policy will simplify and standardize the use of CFedS in Indian Country.

4. **CFedS Program Manager and Certification Panel effectiveness**

   The Program currently has a functioning Certification Panel with an acting Certification Panel chairperson and an acting Program Manager. Due to continued BLM budget constraints and lack of OST and BIA funding the CFedS Program Manager would have to be fully funded by Program revenue.

   The responsibilities of the CFedS Program Manager and CFedS Certification Panel Chairperson can be combined under one position according to the CFedS Handbook, provided that the candidate is a BLM Cadastral Survey employee. This is how the position has functioned over the past 5 years. This position or positions should be separate and apart from the NTC Cadastral Survey Training Coordinator position. Both jobs require full-time staffing in order to meet the training needs of the CFedS and the BLM. There should be a close collaborative relationship between the NTC Cadastral Survey Training Coordinator and the CFedS Program Manager/Panel Chairperson. The primary focus of each will be different.

   The CFedS Certification Panel is effective as structured. Some Panel members have been on the Panel from the beginning, but there has been some recent turnover, with four new panel members appointed in 2012. In addition, the Panel would like to have more time to consider options before a decision is made. Currently, they meet once per year and to conduct panel business, approve financials reports, and approve students for certification at that meeting.

**Recommendations:**
Acting CFedS administration position vacancies need to be filled immediately. If the positions continue to reside at NTC, it should be supervised by the BLM Chief Cadastral Surveyor.

A staggered, rotational schedule should be set for panel members so that new members are routinely brought on board and after a 3-year term rotate off. Biannual meetings instead of a single annual meeting should be held to keep members engaged and informed. Biannual meetings, with biannual reports and a budget plan presentation for the upcoming year, will provide more transparency and timeliness in financial reporting to the panel.

5. Future financial projections
The current financial state of the Program is at a pivotal juncture. The 2011’s deficit may be an isolated event or may be an indicator of a decline of the Program. The BLM Cadastral Survey Program has provided support to the Program over the past 5 years. The BLM’s budget has been declining steadily over the last several years and supplementing the CFedS Program will be increasingly more difficult. The CFedS financial projection 2012 (Appendix 1) forecast $194,000 in revenue and there does not appear to be enough Program revenue to cover all Program expenses. Solid financial data is needed to support decision makers. Thresholds for enrollments and Program expenses need to be established as decision points for taking action.

Recommendations:

The numbers used in the 2012 CFedS financial projection should be replaced with more conservative estimates for the variables of new registrants, renewals, and continuing education enrollments. In order to create realistic future financial projections, the review team calculated Program revenue of $174,000, which produces a deficit of $120,000 since program expenses average $290,000 per year.

An independent financial audit is recommended and should provide a thorough analysis of enrollment and a better basis for projecting year financial status. It is important to substantiate whether the past business practices have been advantageous to the Government and if needed to put new processes in place. This review did not provide enough information for decision makers to determine the true financial status of the Program or project the likelihood of future financial sustainability. There are a number of issues that can be resolved by a more in-depth analysis of the procurement processes, contracts, balance sheets, business processes, fees, and other charges.

A more rigorous oversight of the financial status should be maintained. Clear and explicit explanations for charges to the CFedS Program budget should be required by the BLM leadership and presented to the CFedS Certification Panel. A detailed list of expectations of what is covered by the 10 percent gross revenue transfer to ACSM should be provided in any new MOA with that organization.

6. Program transition from start-up to self-sustaining
The future financial sustainability of the Program hinges on the use of CFedS by BIA and tribes. To be financially sustainable all partners must support the Program. This should include the implementation of more supportive policies as well as funding. There is some work in Indian Country for the CFedS; however, it is not of the magnitude that was predicted 5 years ago. If the use of the CFedS remains voluntary by BIA and the tribes, there is little incentive to change current survey practices resulting substandard land boundaries which put Indian resources at risk. The implementation of the “Standards for Indian Trust Lands Boundary Evidence” (303 DM 7) Department Manual will have to be enforced in order for true trust reform to come to Indian Country. Trust reform of these functions has been mandated by DOI.

**Recommendations:**

*A national policy to use CFedS, modeled after the Northwest Region implementation, is critical to the success of the CFedS Program and trust reform in general.*

*Cuts to discretionary spending should be identified by the CFedS Program Manager as well as opportunities to increase enrollments, renewals, and continuing education fees. The Program Manager should provide ideas for low-cost continuing education activities that can be used to renew certification. Implementing these changes could further reduce expenses by cutting continuing education course development costs.*

7. **Operation, administration, oversight.**

Responsibility for the administration and oversight of the Program rests with the Program Manager, CFedS Certification Panel, the Certification Panel chairperson and the BLM Chief Cadastral Surveyor. The CFedS Certification Panel needs to become more engaged in the overall oversight and direction of the Program. According to the CFedS Handbook, the Chief Cadastral Surveyor provides oversight of the CFedS Program and appoints the Certification Panel members. The Program handbook outlines two positions, the Certification Panel Chairperson and the Program Manager, to administer the program. The majority of the operational duties rest with the Certification Panel Chairperson. These duties include the following:

- Manage day-to-day Program operations;
- Administer the certification exams;
- Prepare the annual reports;
- Plan Panel meetings and CFedS Program functions; and
- Maintain the training material.

The Program Manager performs inherently governmental and critical functions associated with the program:

- Act as liaison between the CFedS Certification Panel Chairperson and the Washington Office;
- Provide oversight for all CFedS contracts;
- Provide oversight for the ACSM agreement;
- Authorize expenditures as recommended by the Certification Panel Chairperson;
- Authorize contract modification recommended by the Certification Panel Chairperson; and
- Submit Program Annual Report to the Chief Cadastral Surveyor.

In the past, the two positions have been combined and filled by a BLM Cadastral Survey employee stationed at the NTC, reporting to the Minerals and Land Management Branch Chief. Upon Roger Green’s retirement in July 2011, a 120-day BLM Cadastral Surveyor detailer provided those functions until November 20, 2011. A contractor (former BLM Cadastral Surveyor Ronald Scherler) was also hired to facilitate the 20-week conference calls supporting the training modules during that time. Currently, this same contractor is operating the program as the acting Certification Panel Chairperson and a Washington Office BLM Cadastral Surveyor, Robert W. Dahl, is filling the role as the acting Program Manager.

There is a partnership agreement with ACSM to collect student fees and provide other administrative support services. The ACSM is reforming under a new name so the current MOA is outdated. Further, the current partnership provides for 10 percent of the gross revenue in exchange for marketing, collecting student tuition, distributing training materials, and hosting and maintaining the CFedS Program website among other tasks. Some fees such as webhosting charges and credit card fees appear as separate line item expenses on annual reports. It is not clear as to whether those fees should be included and paid from the ASCM percentage of revenue or be separate expenses as shown.

**Recommendations:**
Administration and oversight of the CFedS Program should continue to rest with the CFedS Certification Panel Chairperson, the CFedS Certification Panel, and the BLM Chief Cadastral Surveyor. The location of the CFedS Program administration is not restricted to the NTC since development of the training Program is complete and most of the development of continuing education products is contracted. If the positions of Certification Panel Chairperson and Program Manager are to be combined in the future into a single position, a BLM Cadastral Survey employee that reports to the Washington Office should fill it. Grade of the position should be determined based on duties assigned. Based on projections, the Program will continue to need at least some funding support for the foreseeable future.

The ACSM partnership agreement should be updated. The Program leadership should take this opportunity to review the agreement in its entirety. Any new agreement should base the percentage of gross revenue transferred to ACSM on the BLM’s current capabilities and the needs of the Program.
Appendix 1

CFedS Program Financial Projection 2012
CFedS Program Financial Projection 2012

Fixed expenses:

- Technical Support (TSP): $36,400.00
- cfeds.org maintenance (TSP): $16,800.00
- Generating Exam data and letters (TSP): $17,000.00
- Certificates and ID cards (TSP): $900.00
- Website (ACSM) $6,000.00

Total: $77,100.00

Discretionary Expenses:

- Banquet: $2,500.00
- Travel (Panel, Manger and TSP President): $15,000.00
- CFedS workshop: $4,000.00

Total $21,500.00

Approximate Annual Income:

- Certification training fee (per student): $1,200.00
- ACSM fee (ACSM): $-120.00
- Credit card fee: $-20.00
- Hard drive: $-220.00

$840.00

- Continuing education fee (per CFedS per year): $225.00
- Training material: $-25.00

Total $200.00

Estimating 100 new trainees ($840.00 income per student): $84,000.00
Estimating 1,500 CE credits ($67.00 per credit): $100,000.00
Renewal Fee, 250 CFedS per year ($40.00 bi-annual fee): $10,000.00

Total: $194,000.00

If the fixed expenses are subtracted from the annual income it leaves approximately $120,000.00 for program management, discretionary expenses and continuing education development. As of 10/01/2012 there is $171,182.42 in the CFedS Reserve Fund.
Appendix 2

BIA and OST Issues and Comments Summary
The Certified Federal Surveyor (CFedS) Program provides management of land boundaries services. The CFedS Program is part of the Department of the Interior’s (DOI) Fiduciary Trust Responsibilities to protect trust assets. The Cadastral Survey Certified Federal Surveyor Program Review (Draft 03/30/12) and subsequent comments received from the Associate Deputy Bureau Director – Trust Services, Bureau of Indian Affairs (BIA) offers insight into the Program.

Below are the substantive issues raised in the comments received from BIA and OST.

6. **Training Development**

**Recommendations:**

*If the program is to be successful in Indian Country, continued outreach by ACSM and CFedS program administrators to BIA and the tribal leaders is necessary in order for them to understand the capabilities of CFedS. Additionally, it is imperative that the BIA take greater responsibility for promoting the use of CFedS to the tribes by instituting national or regional instructional memorandum or policy endorsing the program.*

7. The focus of the recommendation and comments is improvement of the quality and quantity of information so that interested parties can make informed decisions on engagement of the CFedS Program, i.e., Outreach.

Next Steps:

1. **Training development (Outreach)**
   a. Clarify responsibilities to conduct outreach/consultation of DOI, BIA, OST, BLM, and individual CFedS.
   b. While the CFedS Program Manager is assigned a significant leadership role in organizing and implementing any outreach, others within the Department, Regions, and Agencies must be part of the message
   c. Identify what drives the need for cadastral services
   d. Address the funds/lack of funds issue to meet all request for services
   e. Consultation with tribes or tribal organizations
   f. Meet with Department’s trust responsibility leadership
   g. Meet with Regional Directors, his or her staff, and agency leadership
   h. Meet with, including training sessions, various tribes/tribal leaders council
   i. Periodic reminder to tribes as tribal governments change leaders/councils/staff often
   j. Provide education about the CFedS Program and cadastral services
   k. Implement training resources at NIPTC to agencies/tribes
   l. Explain the Program and the benefits
   m. Share success stories
   n. Prepare and handouts with summary of Management of Land Boundaries tools
   o. Realty staff promote the usage of CFedS when speaking with tribes

---

6 Each of the Program Review 7 Recommendations have been copied in for convenient reference (draft 03/30/12).

7 Comments were received from 7 BIA Regions. Within these comments, many are from agencies. Two comments were received from OST.
p. Agency advise residential lease applicants about CFedS Program in correspondence, training sessions, and other, including information sheet on CFedS in Indian country
q. Clarify who is responsible for paying for services on trust lands, restricted lands, tribal fee lands, and fee lands, common perception is that the government has a trust responsibility to conduct and maintain all surveys on trust lands
r. Prepare cost comparisons between CFedS charges on private land and on trust or Indian land
s. Prepare cost comparison between CFedS and non-CFedS surveyors
t. Address perception that cost of CFedS survey is above normal market cost
u. Address perception that with the funds delegated to BLM a BIA agency could fund all its survey needs using local surveyors, in one or two years
v. Address perception/reality of BLM administrative fee
w. Be prepared to answer whether CFedS surveyors are billing all customers the same
x. Provide list of reasons why tribes/BIA would want to use a CFedS over a non-CFedS
y. Clarify that using CFedS would not place undue financial burdens on tribe
z. Clarify that CFedS can/should be used on trust lands, restricted lands, tribal fee lands, fee lands

2. Proper Implementation and Future Development.
   Increased Utilization in Indian Country.

Recommendations:
To fully implement the goal set out in Step 2, more tribal members must become state-licensed surveyors, so they can be qualified to take CFedS training. Since the percentage of American Indians in the survey profession is low, a national effort among colleges, universities, professional organizations, and BIA to recruit, train, and license American Indians in these positions is needed. The BIA through the Bureau of Indian Education (BIE) has an extensive higher education financial aid program in place that could be used to grow the enrollment of tribal members in land surveying college degree programs across the country. BIA could target scholarships to high-quality land surveying degree programs in order to increase the ranks of enrolled tribal surveyors. As graduates become state-licensed, BIA could encourage them to enroll in the CFedS training.

The focus of the recommendation and the comments is recruitment of tribal members to be educated so as to become licensed land surveyors qualified to become CFedS. The comments received from BIA on this subject were very supportive of tribal members enrolling in land surveying classes.

Next Steps:
2. Recruitment (CFedS Tribal Members CFedS)
   a. All parties involved, including the tribes, BIA, OST, BLM, surveying colleges and universities, and the surveying community, want to make this work
b. BIA, tribes, and BLM enclosed job announcement for survey aid and technician, to be supervised by BLM or CFedS

c. Send BLM surveyors or CFedS with BIA and tribal officials to Indian colleges to recruit for summer jobs surveying in Indian country

d. BIA, BIE, and OST direct scholarship funding toward surveying degrees

e. BLM continue to offer tuition assistance for interns in surveying colleges

f. CFedS and surveying colleges and universities target and recruit students

g. Meet with tribal leaders council about surveying colleges

h. Young people are unaware of what a surveyor does, i.e., working outdoors, high tech equipment, using math, writing, and critical thinking skills

i. Do students know there are extensive financial aid programs available

j. Do students know which college offer surveying

k. Do students know surveying colleges include an internship with BLM

l. Are students encouraged to enroll in surveying college

3. Current and Future Policy Recommendations:

The agencies must implement the direction of the Department Manual (303 DM 7). The CFedS training and certification program can be self-sustaining if the agencies implement the direction of the Department manual to meet the goals for Trust reform in Indian Country.

The CFedS Program must focus on standardized business practices that implement the direction of 303 DM 7 (Department Manual). Changing business processes coupled with a concentrated outreach program to educate people on the benefits of moving away from past practices will be necessary for success. Funding solutions will be necessary to assist the mandated change in process.

This review recommends a national interagency implementation plan be devised, including a BIA requirement to use a CFedS for all boundary surveys in Indian Country. Clear cost comparisons from CFedS and non-CFedS of the work that is required under BLM standards can be used to allay these concerns about cost.

The review team recommends adoption of the Northwest Region’s policy for fee to trust standards nationwide. Having a national policy will simplify and standardize the use of CFedS in Indian Country.

The focus of the recommendation is standardization and formalization of CFedS services. The focus of the comments is requiring CFedS for all services.

Next Steps:

3. Future Policy (Standardize use of CFedS)

a. Address that it is not DOI/BIA/BLM’s policy to try to require a CFedS for services paid for with tribe/corporation/individual money
b. Address what is DOI/BIA/BLM’s policy on evaluation of non-CFedS work provided by a tribe/corporation/individual, e.g., all boundary surveys be conducted by a CFedS to be accepted/relied upon by BIA or recorded in LTRO

c. Address what is DOI/BIA/BLM’s policy requiring a CFedS providing services when paid for by a third party, e.g., ROW company

d. Address what is DOI/BIA/BLM’s policy on evaluation of non-CFedS work provided by a third party

e. Address above in context of tribe with 638 contract and compacted tribe

f. Address what is DOI/BIA/BLM’s policy requiring a CFedS providing services when paid for from appropriated funds

g. Define functions and activities, e.g., services, surveys, transactions, projects, in context of CFedS/non-CFedS provided work

h. Determine impacts if BIA made 303 DM 7 mandatory and that all surveys recorded at LTROs must be performed by CFedS

i. Cost is biggest issue

j. Real issue is agencies do not have funds to hire a CFedS

k. Agencies have endorsed the CFedS Program, the issue is lack of funding for surveys

l. Address if requiring CFedS for fee to trust would delay and/or add costs

m. DOI/BIA/BLM could provide support funding/grants to encourage tribes/corporations/individuals to use CFedS

n. With one successful experience with a CFedS, tribe continues to use same CFedS

o. Would making CFedS mandatory for services paid for from appropriated funds be well-received by the tribes/corporations/individuals

p. Will BIA funds for BLM cadastral services be transferred for CFedS surveys

q. Contract with a CFedS to reduce survey costs, i.e., tribal members could be employed on crews

r. Tribes can adopt resolutions requiring sufficient bonding to cover poor surveys

s. Tribes can subsidize some costs

t. CFedS work would streamline BILS review

u. Does BLM and BIA requirements on cadastral services contracts conflict

v. Requirement issues involves BIA branches of transportation/roads and facilities management and programs other than Realty

w. Would requiring CFedS require direction from BIA Central Office

x. If required, should all DOI/BLM be required to use and encourage use of CFedS

y. Address how third parties, e.g., ROW companies, would react to CFedS requirement

z. Difficult to require CFedS in some cases, e.g., parcel acquired in fee based on correct local survey

aa. Recognize that tribes and individuals often need CFedS for simple reasons, e.g., residential leases on small plots of trust land

bb. If CFedS is required, consider potential exceptions, e.g., nearest CFedS is 2 hour drive, no CFedS is considered local and knows the area or history, added cost, CFedS not timely available, proven competent local surveyor

c. All surveys and services by CFedS is worthy goal
Northwest Region’s policy requiring CFedS for fee to trust transactions
dd. Need to carefully review Northwest’s policy before recommendation
ee. In Northwest where BIA has endorsed CFedS, tribes soon recognized the value of
relying on CFedS for management of land boundaries; for trust lands, restricted
lands, and fee lands
ff. If BIA made 303 DM 7 mandatory and that all surveys recorded at LTROs must
be performed by CFedS, the program would succeed
gg. Panel provide a model of Northwest’s implementation

4. CFedS Manager and Certification Panel Effectiveness

Recommendations:

Acting CFedS administration position vacancies need to be filled immediately. If the
position continue to reside at NTC, it should be supervised by the Chief Cadastral
Surveyor or his/her designate. A reimbursable agreement should be in place for goods
and services not performed for the BLM. In the event that BIA fails to support the
program, other options to be explored include rebranding the program, under BLM
Cadastral and ACSM, as continuing education and a PLSS education enhancement
opportunity.

The review team recommends that a replacement to fill the tribal member slot on the
panel be found immediately. A staggered, rotational schedule should be set for panel
members so that new members are routinely brought on board and after a 3-year term
rotate off. Biannual meetings instead of a single annual meeting should be held to keep
members engaged and informed. Biannual meetings, with biannual reports and a budget
plan presentation for the upcoming year, will provide more transparency and timeliness
in financial reporting to the panel.

The focus is Program administration

Next Steps:

4. CFedS Program Manager, CFedS Certification Panel Chairperson, and CFedS
Certification Panel
   a. Program should be under direction and administration of a full-time manager who
is a BLM cadastral surveyor
   b. Program manager and panel chairperson combined into one position
   c. Panel tribal representative positions have been filled
   d. An at large representative, a tribal member, is now on the panel
   e. By June 2012 there will be a new BILS representative on the panel
   f. Move to further engaged the panel in overall management and direction
   g. Panel members should be expected to explain true benefits of program to tribes et
al.

5. Future Financial Projections

Recommendations:

This review recommends that the numbers used in the 2012 CFedS Financial Projection
be replaced with more conservative estimates for the variables of new registrants,
renewals, and continuing education enrollments. In order to create realistic future financial projections, the review team calculated program revenue of $130,000, which produces a deficit of $100,000 since program expenses average $230,000 per year.\footnote{The review team's projections have been modified to more accurately represent the latest revenue information. The numbers shown here are from the review team's draft report that was sent out for comment.}

An independent financial audit is recommended and should provide a thorough analysis of enrollment and a better basis for projecting year financial status. It is important to substantiate whether the past business practices have been advantageous to the Government and if needed to put new processes in place. This cursory review did not provide enough information for decision makers to determine the true financial status of the program or project the likelihood of future sustainability. There are a number of issues that can be resolved by a more in-depth analysis of the procurement processes, contracts, balance sheets, business processes, fees, and other charges.

The review team recommends a more rigorous oversight of the financial status be maintained. Clear and explicit explanations for charges to the CFedS budget should be required by the BLM leadership and presented to the CFedS Panel. A detailed list of expectations of what is covered by the 10 percent gross revenue transfer to ACSM should be provided in any new MOA with that organization.

The focus is financial health of the CFedS Program

Next Steps:

5. Financial Projection and Audit
   a. 2012 to date new registration and continuing education tuition projects year end income of $230,000, i.e., no income drop off
   b. Determine appropriate funding by BIA, OST, and BLM for CFedS Program operations and staffing
   c. Track whether unfulfilled expectation to gain work in Indian country by becoming a CFedS impacts renewals
   d. DOI/BIA/BLM policy requiring CFedS for all/some functions and activities would increase net income
   e. Track impacts on CFedS Program from budget cuts
   f. Determine who pays for audits
   g. Determine the cost/extent of any audit
   h. Determine schedule of audits

6. Program Transition from Start-up to Self-sustaining Training

Recommendations:

As stated in Recommendation 3 above, a national policy to use CFedS, modeled after the Pacific Northwest Region implementation, is critical to the success of the CFedS program and trust reform in general. An independent audit, as recommended above, should provide a better idea of the financial stability of the program.
This review recommends cuts to discretionary spending should be identified by the CFedS Program Manager as well as opportunities to increase enrollments. The Program Manager should provide ideas for low-cost continuing education activities that can be used to renew certification. Implementing these changes could further reduce expenses by cutting continuing education course development costs.

The focus here is natural and logical Program change and transition.

Next Steps:

6. Program transition from start-up to self-sustaining training
   a. It has been a good program to get state surveyors on board with BLM techniques, i.e., benefits beyond Indian country

7. **Ownership, Administration, Oversight**

   **Recommendations:**
   Oversight of the CFedS program should continue to rest with the CFedS Chairman, the CFedS Panel, and the Chief Cadastral Surveyor. The location of the CFedS program administration is not restricted to the NTC since development of the program is complete and most of the development of continuing education products is contracted. If the positions of Chairman and Program Manager are to be combined in the future into a single position, a BLM employee that reports to the Washington Office should fill it. Grade of the position should be determined based on duties assigned.

   The ACSM is reforming under a new name and an updated MOA must be signed. The review team recommends that the BLM leadership take this opportunity to review the agreement in its entirety. Any new agreement should base the percentage of gross revenue transferred to ACSM on the BLM’s current capabilities and the needs of the program.

The focus here is future positioning of the CFedS Program.

Next Steps:

7. Ownership, administration, oversight
   a. Is the CFedS Program helping the Secretary meet his trust reform responsibilities
   b. Clarify what CFedS Program receives from ACSM collecting 10% fee
Appendix 3

Certified Federal Surveyor Certification Panel
Office of Special Trustee for American Indians Representative:

Glenda Miller, an Alaska Native, is the Fiduciary Trust Officer for the Alaska Region.

Bureau of Indian Affairs Representative:

Brenda Schilf, a member of the Hidatsa Tribe, is the Cadastral Coordinator for the Rocky Mountain Region.

Tribal Representative:

Jan Michael ‘Looking Wolf’ Reibach, a member of the Kalapuya Tribe, is the Tribal Lands Manager for the Confederated Tribes of the Grand Ronde.

Anthony J. O’Rourke, a member of the Yurok Tribe, is a surveyor with Trinity Valley Consulting Engineers Inc., Willow Creek, California.

CFedS Representatives:

Steve Ackerman, a CFedS and Registered Professional Land Surveyor from Wahpeton, North Dakota.

James M. (Mike) Hart, a CFedS and Registered Professional Land Surveyor from San Diego, California.

National Society of Professional Surveyors Representative:

Ron Whitehead, Washington County Utah, Public Works Director.

Bureau of Land Management Representative:

John Lee, Chief Cadastral Surveyor, Wyoming State Office.

BLM Indian Lands Surveyor (BILS):

Boyd Peterson, the BILS for the Eastern Region.
Compliance Assessment of the Certified Federal Surveyor Program

2007 - 2011
Compliance Assessment of the Certified Federal Surveyor Program

Prepared By:
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EXECUTIVE SUMMARY

A compliance assessment is a review undertaken to confirm whether the rules and regulations prescribed by its internal authority or control system are applicable to an activity or practice. This differs from an audit, which entails checks of financial accounts, a formal examination, corrections, and an official endorsement of financial accounts.

Beyond The Bottom Line, Inc. (BBL, Inc.) was contracted by the Department of the Interior (DOI), Bureau of Land Management (BLM) to provide a compliance assessment of the Certified Federal Surveyor (CFedS) Program in regards to the financial operation of the program. BBL, Inc. conducted a systematic check and provides in this document an assessment of the efficiency and effectiveness of CFedS' Program's processes.

This report is designed to provide BLM with the information necessary to determine and analyze three major aspects of the CFedS Program namely:
1. Whether the past business practices had been advantageous to BLM?
2. Does the business practices need new processes in place?
3. What is the projected likelihood of future financial sustainability?

The CFedS Program began in 2004 as part of the Fiduciary Trust Model (FTM), which was approved by the Secretary of the Interior. The FTM was designed to respond to deficiencies in the DOI’s trust responsibilities, and to outline a plan for Indian Trust reform. The CFedS Program’s initial startup funds were provided by the Federal government. Training classes and curriculums were formulated, and in 2006 the CFedS Program began collecting revenue from tuition for the Program. Tuition was paid directly to BLM in 2006. In 2008, BLM established a Memorandum of Agreement (MOA) with the American Congress on Surveying and Mapping/National Society of Professional Surveyors (ACSM/NSPS) to form a cooperative effort to manage the CFedS Program. These two organizations have jointly managed the efforts of the Program to date.

The purpose and scope of this BBL, Inc. contract was to review all financial transactions of the CFedS Program to ensure compliance to the Governmental Accounting and Financial Reporting Standards under the Governmental Accounting Standards Board (GASB) for fiscal years 2007 – 2011. BBL, Inc. discovered in its review that the CFedS Program partners are managing two sets of business accounting records and the two accounting records have never been merged together to provide a comprehensive financial outlook of the CFedS Program activities.

BBL, Inc. recommends that BLM consider preparing a monthly compilation of the accounting records in accordance with GASB and creating consolidated financial statements of the CFedS Program. With the proper financial statements, BLM can begin financial forecasting, strategic planning and accurate monitoring of financial activities.
ACKNOWLEDGEMENTS

BBL, Inc. greatly appreciates and acknowledges the individuals who have aided with their technical consultation, collection of critical data, review assistance, and completion of this compliance assessment report:

Donald A. Buhler, Chief Cadastral Surveyor, BLM

Robert W. Dahl, Acting Certified Federal Surveyor Program Manager, BLM

Ron Scherler, CFedS Program Training Support, Training Solutions Plus, Inc.

Bob Jupin, Accounting Manager, ACSM/NSPS

Diane L Morrison, Budget Analyst, National Training Center, BLM

This report could not have been completed without the assistance of these individuals.
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BACKGROUND

The Certified Federal Surveyor Program (CFedS) was initially developed from the Fiduciary Trust Model (FTM). The FTM was approved by the Secretary of the Interior in 2004 and was designed to respond to deficiencies in the Department of the Interior’s (DOI) trust responsibilities, and to outline a plan for Indian Trust reform. At the time of the FTM, no direct control was asserted on the selection of surveyors working in Indian Country. The CFedS Program is one of four specific action items approved in the cadastral component of the FTM. Subsequently with the development of the CFedS Program, tribes, Bureau of Indian Affairs (BIA), and other Federal agencies with land management responsibilities adjoining Indian Trust lands are strongly encouraged to select surveyors from the CFedS Program roster.

A Certified Federal Surveyor (CFedS) is a state-licensed land surveyor who has successfully completed an education program plus yearly continuing education courses focusing on boundary surveying of Federal interest lands. The CFedS Program is primarily an education program for private professional land surveyors and consists of seven training modules and a comprehensive examination. Through CFedS Program training, surveyors learn the methods and procedures of surveying Federal and Indian lands with a primary emphasis on Indian Trust lands. To date, the CFedS Program has certified over 550 surveyors across the United States.

To raise awareness of Public Land Survey System issues, facilitate CFedS Program marketing, and develop and distribute distance learning training materials, partnerships via MOAs were formed and signed between the Bureau of Land Management (BLM) and the American Congress of Surveying and Mapping/National Society of Professional Surveyors (ACSM/NSPS) on September 2, 2008 and the Public Lands Survey System Foundation (PLSSF) on August 21, 2009.

The immediate goal of the CFedS Program is to ensure all cadastral services executed in Indian Country are accomplished in accordance with BLM standards. The long-term goal is for all boundary surveys to be completed under the direction and control of the appropriate BLM State Office Chief Cadastral Surveyor. Eventually, the CFedS Program is to be able to supplement cadastral services involving Indian Trust Assets that could not be accomplished by BLM Cadastral Survey.

A review of the CFedS Program was conducted during the winter of 2011-2012. The review focused on program effectiveness, training effectiveness, implementation, utilization, financial stability, transparency, and sustainability. An independent financial assessment was recommended to provide a thorough analysis of enrollment and a better basis for projecting annual financial status. The Program review panel recommended more rigorous oversight of the financial status of the CFedS Program be maintained, clear and explicit explanations for charges to the CFedS Program budget should be required by the BLM leadership, and presented to the CFedS Certification Panel. BLM subsequently engaged
BBL, Inc. to conduct this compliance assessment. The remainder of this document describes the Methodology used; our assessment; and recommendation based on this analysis.

**METHODOLOGY**

BBL, Inc. reviewed all expenditures at ACSM/NSPS in relationship to the CFeds Program. This included charges made by subcontractors, charges for BLM’s National Training Center and charges for ACSM/NSPS overhead. In addition, financial transactions from BLM’s accounting system were reviewed and an overall assessment of the financial data was conducted. BBL, Inc.’s methodology, summarized in the tables below, was to collect data that would test and/or verify financial compliance.

Data Collection Plan:

A. **Process of Data Collection**

BBL, Inc. constructed a list of financial items for review, to be obtained from BLM (Detail Listing of Data Request). During the transaction review, BBL, Inc. performed random sampling and/or interviews with BLM personnel. This data was collected and analyzed such that BBL, Inc. is able to provide BLM with a comprehensive compliance assessment report.

B. **Methodology of Data Collection**

- Period of Review: Fiscal Years 2007 – 2011
- Detail Listing of Data Request:

  1. A Trial Balance and General Ledger detail for the years stated above period ending. Please have this file downloaded into an electronic media. Please include a grouped trial balance report to reflect how the accounts of the trial balance should be grouped for the financial statement presentation.

  2. A Balance Sheet and Income Statement (Statement of Revenue, Expenditures, and changes in Fund Balance) for the years stated above period ending.

  3. Bank reconciliations accompanied by the corresponding bank statements for all cash accounts as of the years stated above period ending, including support for all reconciling items. Please provide a subsequent check register.

  4. An Annual Income Report for the years stated above period ending by the following categories: a) Certification Trainees; b) Continuous Education Course; c) Renewal. Please provide evidence of cash collections/receipts. The contact name and address for trainees that have receivable balances at year-end.

  5. An accounts receivable and accounts payable aging report for the years stated above period ending.

  6. A schedule of accrued expenses and supporting documentation for the years stated above period ending.

  7. Please make available enrollment documents and deposits to support annual income
recorded during the years stated above period ending.

8. Invoices and agreements to support expenses recorded in the Program’s general ledger.

C. **Methodology of Data Analysis**

1. BBL, Inc. analyzed the opening (beginning) balances for each year.
2. Verified revenue and reviewed the policy for collecting revenue in comparison with the actual performance.
3. Tested the subcontractor/consultant payments to assess their degree of accordance with signed contracts or other agreements.
4. Reviewed every transaction as it appeared in the ledger maintained by ACSM/NSPS.
5. Reviewed/reconciled month-end statements and bank statements submitted to BLM from ACSM/NSPS.
6. Interviewed personnel from BLM, ACSM/NSPS, and TSP, Inc. as necessary.

• **Limitations which exist in any part of the data collection plan:**

1. All data not located in a single, centralized location.
2. Scheduling conflicts that may likely arise with personnel.
ASSESSMENT

BBL, Inc. provided all necessary personnel, management, administrative and technical services to review the accounting transactions of the CFedS Program following the methodology described above. This section presents our assessment that resulted from this review.

BBL, Inc. discovered that the CFedS Program started reporting on a Federal government fiscal year (Oct – Sept) in October 2006 – Sept 2009 and subsequently changed to a calendar fiscal year (Jan – Dec) in January 2010 – December 2011 for financial reporting purpose. This change in fiscal method was not properly notated. The ACSM/NSPS consistently records financial transactions on a calendar year basis, whereas BLM records financial transactions on a Federal government fiscal year, resulting in disjoined fund balance reporting each year.

BBL, Inc. also learned that the CFedS Program has no budgetary information and pays expenses as incurred. Although BLM has approved agreements for all costs, the financial impact of not having an approved budget does not allow costs to be controlled for each fiscal year.

The Acting CFedS Program Manager has established a process to transfer funds on an as needed basis. ACSM/NSPS has been tasked with day-to-day control of the Program’s funds and expenditures. ACSM/NSPS and BLM are joint owners of the bank account used to collect tuition. This joint management engenders a requirement for budgetary information to bring both organizations together, and to better project utilization of resources. Without a formal budgetary process, the CFedS Program partnership (BLM and ACSM/NSPS) is missing the key element needed to present an overall financial picture and oversight. One partner member, BLM, manages the labor costs, travel expenses, and miscellaneous expenses of the Program. The other member, ACSM/NSPS, collects monies and distributes funds. At the present, there is no one with the overarching financial knowledge needed to track the efforts of the CFedS Program.

The repository of financial data lies within two organizations and therefore no one entity that can exhibit the financial aspect of the CFedS Program. As a result, the financials created thus far are not in accordance with GASB. BBL, Inc. has created comprehensive annual financial reports - Statement of Revenue, Expenditures and Changes in Fund Balance for each fiscal year 2007 - 2011. It is important to note that these statements were created based on the information provided by BLM and ACSM/NSPS which do not include supplemental funding from government accounts. Furthermore these statements have not been audited to provide formal examination, corrections, and official endorsement of the financial accounts.

The financial statements, provided below, aided BBL, Inc.’s compliance assessment of the CFedS Program and our recommendations to the BLM.
## Bureau of Land Management
Certified Federal Surveyor Program
for the period ended September 30, 2007
Accounting Method: Cash Basis

<table>
<thead>
<tr>
<th>Statement of Revenue, Expenditures and Changes in Fund Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/30/2007</td>
</tr>
</tbody>
</table>

### Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>$247,390.00</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>247,390.00</strong></td>
</tr>
</tbody>
</table>

### Expenditures

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor</td>
<td>-</td>
</tr>
<tr>
<td>Travel</td>
<td>2,790.97</td>
</tr>
<tr>
<td>Technical Services-TSP</td>
<td>49,000.00</td>
</tr>
<tr>
<td>Supplies</td>
<td>10,963.96</td>
</tr>
<tr>
<td>Credit Card Fees</td>
<td>4,832.60</td>
</tr>
<tr>
<td>Other Contract Services</td>
<td>-</td>
</tr>
<tr>
<td>Other</td>
<td>140.19</td>
</tr>
<tr>
<td>Administrative - ACSM/NSPS</td>
<td>23,780.00</td>
</tr>
<tr>
<td>Website Host</td>
<td>4,000.00</td>
</tr>
<tr>
<td>Banquet</td>
<td>5,737.00</td>
</tr>
<tr>
<td>Certificates</td>
<td>11,489.81</td>
</tr>
<tr>
<td>Training Material</td>
<td>55,000.00</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>167,734.53</strong></td>
</tr>
</tbody>
</table>

### Excess (deficiency) of revenue over expenditures

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Excess (deficiency) of revenue over expenditures</strong></td>
<td><strong>79,655.47</strong></td>
</tr>
</tbody>
</table>

### Other Financing Sources (Uses)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating transfers in</td>
<td>-</td>
</tr>
<tr>
<td>Operating transfers out</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total other financing sources (uses)</strong></td>
<td>-</td>
</tr>
</tbody>
</table>

### Excess (deficiency) of revenue and other sources over expenditures and other uses

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Excess (deficiency) of revenue and other sources over expenditures and other uses</strong></td>
<td><strong>79,655.47</strong></td>
</tr>
</tbody>
</table>

### FUND BALANCE, beginning of year

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FUND BALANCE, beginning of year</strong></td>
<td><strong>76,200.00</strong></td>
</tr>
</tbody>
</table>

### FUND BALANCE, end of year

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FUND BALANCE, end of year</strong></td>
<td><strong>$ 155,855.47</strong></td>
</tr>
<tr>
<td>Bureau of Land Management</td>
<td></td>
</tr>
<tr>
<td>----------------------------</td>
<td></td>
</tr>
<tr>
<td>Certified Federal Surveyor Program</td>
<td></td>
</tr>
<tr>
<td>for the period ended September 30, 2008</td>
<td></td>
</tr>
</tbody>
</table>

**Accounting Method: Cash Basis**

### Statement of Revenue, Expenditures and Changes in Fund Balance

**9/30/2008**

#### Revenue

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>$204,600.00</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>204,600.00</strong></td>
</tr>
</tbody>
</table>

#### Expenditures

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor</td>
<td>50,343.08</td>
</tr>
<tr>
<td>Travel</td>
<td>20,907.67</td>
</tr>
<tr>
<td>Technical Services-TSP</td>
<td>99,519.01</td>
</tr>
<tr>
<td>Supplies</td>
<td>2,755.00</td>
</tr>
<tr>
<td>Credit Card Fees</td>
<td>6,529.59</td>
</tr>
<tr>
<td>Other Contract Services</td>
<td>4,900.43</td>
</tr>
<tr>
<td>Other</td>
<td>1,168.29</td>
</tr>
<tr>
<td>Administrative - ACSM/NSPS</td>
<td>20,980.00</td>
</tr>
<tr>
<td>Website Host</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Banquet</td>
<td>5,383.08</td>
</tr>
<tr>
<td>Certificates</td>
<td>-</td>
</tr>
<tr>
<td>Training Material</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>218,486.15</strong></td>
</tr>
</tbody>
</table>

**Excess (deficiency) of revenue over expenditures**  
(13,886.15)

#### Other Financing Sources (Uses)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating transfers in</td>
<td>-</td>
</tr>
<tr>
<td>Operating transfers out</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total other financing sources (uses)</strong></td>
<td><strong>-</strong></td>
</tr>
</tbody>
</table>

**Excess (deficiency) of revenue and other sources over expenditures and other uses**  
(13,886.15)

**FUND BALANCE, beginning of year**  
155,855.47

**FUND BALANCE, end of year**  
$141,969.32
<table>
<thead>
<tr>
<th>Bureau of Land Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certified Federal Surveyor Program</td>
</tr>
<tr>
<td>for the period ended September 30, 2009</td>
</tr>
<tr>
<td>Accounting Method: Cash Basis</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Statement of Revenue, Expenditures and Changes in Fund Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/30/2009</td>
</tr>
</tbody>
</table>

**Revenue**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>$281,000.00</td>
</tr>
</tbody>
</table>

Total Revenue $281,000.00

**Expenditures**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor</td>
<td>20,509.95</td>
</tr>
<tr>
<td>Travel</td>
<td>4,721.50</td>
</tr>
<tr>
<td>Technical Services-TSP</td>
<td>93,694.68</td>
</tr>
<tr>
<td>Supplies</td>
<td>2.41</td>
</tr>
<tr>
<td>Credit Card Fees</td>
<td>8,512.53</td>
</tr>
<tr>
<td>Other Contract Services</td>
<td>3,600.08</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
</tr>
<tr>
<td>Administrative - ACSM/NSPS</td>
<td>28,125.00</td>
</tr>
<tr>
<td>Website Host</td>
<td>6,000.00</td>
</tr>
<tr>
<td>Banquet</td>
<td>2,106.97</td>
</tr>
<tr>
<td>Certificates</td>
<td>-</td>
</tr>
<tr>
<td>Training Material</td>
<td>-</td>
</tr>
</tbody>
</table>

Total Expenditures $167,273.12

**Excess (deficiency) of revenue over expenditures** $113,726.88

**Other Financing Sources (Uses)**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating transfers in</td>
<td>-</td>
</tr>
<tr>
<td>Operating transfers out</td>
<td>-</td>
</tr>
</tbody>
</table>

Total other financing sources (uses) -

**Excess (deficiency) of revenue and other sources over expenditures and other uses** $113,726.88

**FUND BALANCE, beginning of year** $141,969.32

**FUND BALANCE, end of year** $255,696.20
**Bureau of Land Management**  
**Certified Federal Surveyor Program**  
**for the period ended September 30, 2010**  
**Accounting Method: Cash Basis**

<table>
<thead>
<tr>
<th>Statement of Revenue, Expenditures and Changes in Fund Balance</th>
<th>9/30/2010</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
</tr>
<tr>
<td>Tuition</td>
<td>$267,190.00</td>
</tr>
<tr>
<td>Refunds</td>
<td>(2,600)</td>
</tr>
<tr>
<td>Total Revenue</td>
<td>264,590.00</td>
</tr>
</tbody>
</table>

| **Expenditures**                                             |           |
| Labor                                                        | 121,148.68|
| Travel                                                       | 6,842.96  |
| Technical Services-TSP                                       | 137,971.61|
| Supplies                                                     | 6.70      |
| Credit Card Fees                                             | 6,610.41  |
| Other Contract Services                                      | 7,533.35  |
| Other                                                        | 120.61    |
| Administrative - ACSM/NSPS                                   | 26,358.00 |
| Website Host                                                 | 6,000.00  |
| Banquet                                                      | 3,935.41  |
| Certificates                                                 | -         |
| Training Material                                            | -         |
| Total Expenditures                                           | 316,527.73|

Excess (deficiency) of revenue over expenditures: (51,937.73)

| **Other Financing Sources (Uses)**                           |           |
| Operating transfers in                                       | -         |
| Operating transfers out                                      | -         |
| Total other financing sources (uses)                         | -         |

Excess (deficiency) of revenue and other sources over expenditures and other uses: (51,937.73)

| FUND BALANCE, beginning of year                              | 255,696.20|
| FUND BALANCE, end of year                                    | $203,758.47|
**Bureau of Land Management**  
**Certified Federal Surveyor Program**  
for the period ended September 30, 2011  
Accounting Method: Cash Basis

<table>
<thead>
<tr>
<th>Statement of Revenue, Expenditures and Changes in Fund Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>9/30/2011</td>
</tr>
</tbody>
</table>

**Revenue**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition</td>
<td>$261,590.00</td>
</tr>
<tr>
<td>Refunds</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td><strong>261,590.00</strong></td>
</tr>
</tbody>
</table>

**Expenditures**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor</td>
<td>$126,864.89</td>
</tr>
<tr>
<td>Travel</td>
<td>$7,499.11</td>
</tr>
<tr>
<td>Technical Services-TSP</td>
<td>$100,003.86</td>
</tr>
<tr>
<td>Supplies</td>
<td>$13.69</td>
</tr>
<tr>
<td>Credit Card Fees</td>
<td>$7,697.61</td>
</tr>
<tr>
<td>Other Contract Services</td>
<td>$10,386.41</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
</tr>
<tr>
<td>Administrative - ACSM/NSPS</td>
<td>$26,012.00</td>
</tr>
<tr>
<td>Website Host</td>
<td>$6,000.00</td>
</tr>
<tr>
<td>Banquet</td>
<td>-</td>
</tr>
<tr>
<td>Certificates</td>
<td>-</td>
</tr>
<tr>
<td>Training Material</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total Expenditures</strong></td>
<td><strong>284,477.57</strong></td>
</tr>
</tbody>
</table>

**Excess (deficiency) of revenue over expenditures**  
(22,887.57)

**Other Financing Sources (Uses)**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operating transfers in</td>
<td>-</td>
</tr>
<tr>
<td>Operating transfers out</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total other financing sources (uses)</strong></td>
<td><strong>-</strong></td>
</tr>
</tbody>
</table>

**Excess (deficiency) of revenue and other sources over expenditures and other uses**  
(22,887.57)

**FUND BALANCE, beginning of year**  
$203,758.47

**FUND BALANCE, end of year**  
$180,870.90
ASSESSMENT RESPONSE

BBL, Inc. has analyzed the data collected and provides here our assessment response to the three major concerns expressed by BLM.

1. Have past business practices been advantageous to the Bureau of Land Management?

No.

Based on our analysis, past business’s practices have not provided a clear financial insight to BLM regarding the CFedS Program.

2. Do the BLM CFedS Program’s business practices require that new processes be put in place?

Yes.

In order to receive proper reporting there need to be proper processing practices implemented in accordance with GASB requirement. Specific recommendations are provided in the next section.

3. What is the projected likelihood of future financial sustainability?

Not determinable

Future financial sustainability can only be determined with forecasted budgetary information. Forecasting must consist of a cooperative effort of the CFedS Program partners in which information regarding the Program’s objectives and goals are transferred into financial components. These financial components will create the CFedS Program budget plan resources, control expenditures and evaluate Program financial sustainability.
RECOMMENDATIONS

BBL, Inc. concludes this compliance assessment report with recommendations for BLM to consider for enhancing the CFedS Program financial management efforts:

1. **Reporting on a Federal government fiscal year and in a format in accordance with GASB**
   BBL, Inc. recommends that in accordance with GASB the CFedS Program prepare all financial transactions using the Federal government fiscal year, Oct 1\textsuperscript{st} – Sept 30\textsuperscript{th} period. BBL, Inc. further suggests that reports utilize the GASB financial reporting statement entitled “Statement of Revenues, Expenditures and Changes in Fund Balance.”

2. **Adding an additional financial knowledge element to the CFedS Program**
   BBL, Inc. recommends that BLM engage an accounting firm to review financial transactions on a routine basis to ensure accurate tracking, monitoring, and reporting. This firm would also act as an independent financial partner for the CFedS Program providing budgetary development, consolidating financial transactions to prepare monthly interim financial statements, analyze the financial statements for reasonableness, and ensure complete financial reporting to BLM management personnel.

3. **Adding additional processes**
   Based on our analysis, the financial transactions need to resonate in the BLM accounting system. A new process to compile the financial data in one repository should be added to the accounting procedures. The independent financial partner will be responsible for entering the NSPS’ financial transactions into BLM’s accounting system to ensure consolidation of all financial transactions, which will also facilitate budgeting and oversight of expenditures.

   BBL, Inc. also recommends that BLM implement a new process to compile the financial transactions monthly. This would include a procedure to view budget verses actuals on a monthly basis for recommendations, and future viability analyses.

   Finally, BBL, Inc. encourages BLM to consider a new process to incorporate contracts with major vendors verses Memorandums of Agreement. This would provide BLM with greater financial control and also would increase financial and financial reporting accountability.

**Conclusion**

BBL, Inc. has reviewed all available financial transactions of the CFedS Program to ensure compliance to the Governmental Accounting and Financial Reporting Standards under the
Governmental Accounting Standards Board (GASB) for fiscal years 2007 – 2011. As a result of our analysis, we believe that past business practices have not been advantageous to BLM and that BLM business practices would be improved by putting additional processes in place. In addition to providing better financial control, these processes will allow BLM to project the likelihood of future financial sustainability of the CFedS Program, which currently cannot be determined because of a lack of a budget and consolidated financial reports. BBL, Inc. appreciates the opportunity to have conducted this compliance assessment of the CFedS Program.
Certified Federal Surveyor (CFedS)  
Program Budget 2013

Section A – Budget Summary

Revenue 2013:
- BLM Contributed Funds: $65,000.00
- New Registrations (70): $84,000.00
- Study Guides (65): $8,800.00
- Continuing Education (CE) Credits (1300): $88,400.00
- Renewals (250): $10,000.00
Total: $256,200.00

Available Funds as of January 1, 2013:
- CFedS Bank Account Balance: $75,000.00
- PLSS Foundation Matching Funds Grant: $15,000.00
- USFS Contributed Funds: $15,000.00
Total: $105,000.00

Expenses:
- BLM Program Manager: $65,000.00
- Inventory: $35,700.00
- Technical Support (TSP): $35,000.00
- Maintenance Support (TSP): $30,000.00
- NSPS Fee: $22,900.00
- Program Administration (TSP): $17,300.00
- Training Support (TSP): $28,700.00
- CE Course Development (TSP): $30,000.00
- Miscellaneous: $6,600.00
Total: $271,200.00
Section B – Revenue 2013

Contributed Funds: ($65,000.00) We anticipate the CFedS Program Manager position will be filled, at the GS-13 level, by July 2013. This represents BLM funding for that position for six months (July 1 through December 31, 2013).

New Registrations: ($84,000.00) Registrations have been declining over the last three years; if the economy and especially the housing market, continues to improve we expect to see renewed interest in the Program. The projected revenue from registration is based on 70 new registrations in 2013 with the fee remaining $1,200.00. Registrations for 2012 are on pace for approximately 82 for the year. We anticipate some decrease in enrollment for 2013, but expect the decrease to be partially offset by the new Program qualifications which allows pre-registered surveyors to enroll.

Study Guides: ($8,800.00) Not everyone purchases a Study Guide but most do. The price for a Study Guide has remained at $100.00 since 2007, however our cost for printing has gone up significantly. Our last order for 100 Study Guides cost $132.00 each, so we will raise the price for study guides from $100.00 to $135.00 effective January 1, 2013.

Continuing Education (CE) Courses: ($88,400.00) CFedS are required to complete three credits of CE each year. Unused credits can be carried over to subsequent years. CE course orders are on pace for nearly 1400 CE credits for 2012. We have had nearly 70 orders in 2012 for the Non-Rectangular course worth 9 CE credits. As a result, we anticipate a significant number of CFedS will have some carry-over CE credits, so are projecting fewer orders for 2013. We are projecting orders for 1300 CE credits in 2013. The cost per CE credit varies from a high of $100.00 to a low of $25.00. The projected revenue for CE is based on the average cost per CE credit of $68.00. Four new CE courses worth seven CE credits were created in 2012, so there are enough to meet everyone’s requirements and three new courses worth three CE credits are scheduled to be completed in 2013.

Renewals: ($10,000.00) CFedS are required to complete the CE requirement and renew their Certification every two years, with the renewal fee remaining $40.00. About 10% do not renew on time, but most eventually renew. The projected revenue for Certification renewal is based on 250 which are approximately 90% of those scheduled for renewal in 2013.
Section C – Available Funds as of January 1, 2013

CFedS Bank Account Balance: ($75,000.00) As of January 1, 2013 the CFedS bank account balance is $75,000.00 a reduction of over $100,000.00 since January 1, 2012. This can be attributed to three main reasons:

- Very limited financial support by Bureau of Land Management (BLM). Prior to 2011, BLM transferred $50,000.00 per year from the CFedS bank account to the National Training Center to partially cover Program expenses including salaries for the CFedS Program Manager and the CFedS Training Coordinator. In 2011 $100,000.00 was transferred and in 2012 the CFedS Certification Panel Chairperson and training support were contracted to Training Solutions Plus, Inc. (TSP) and funded entirely from CFedS revenue;

- Creation of four CE courses worth seven CE credits. No new CE courses had been created since May of 2010. The revenue from CE course provides approximately 50% of the Program revenues, so it’s important to develop new CE course(s) worth at least three CE credits each year; and

- A 20% drop in registrations from 2011. This may be the result of a poor economy, but a more important factor could be the lack of outreach by BLM, Bureau of Indian Affairs (BIA), Office of Special Trustee for American Indians (OST), and Tribal Leadership. Where BIA has actively supported the Program there is a significant amount of work going to CFedS but where that support is lacking CFedS are almost never utilized. An important factor in turning this around is a full time CFedS Program Manager, funded by BLM, responsible for outreach and education on the benefits of the Program for Indian Country.

Public Land Survey System Foundation (PLSSF) Matching Funds Grant: ($15,000.00) The Program has secured a $15,000.00 grant from the PLSSF for the development of three riparian courses from the BLM Case Book.

U.S. Forest Service (USFS) Contributed Funds: ($15,000.00) The USFS has provided $15,000.00 for development of CE courses for the Program.
Section D – Expenses 2013

Program Manager: ($65,000.00) We anticipate a fulltime BLM CFedS Program Manager will be in place by July 2013. This expense is based on a GS-13, fully funded, BLM position. This represents BLM contributed funding for that position for six months (July 1 through December 31, 2013).

Inventory: ($35,700.00) There are three items that TSP keeps in stock for the Program and one item that National Society of Professional Surveyors (NSPS) keeps in stock:

- **Program Hard drives:** ($21,000.00) The certification training is provided to the students on an external hard drive which costs about $210.00 each. We purchased 100 hard drives in March 2012 so we will need to order another 100 sometime around the middle of the year.

- **Program Study Guides:** ($13,500.00) The study guides are provided digitally on the program hard drive and hard copies are available for $100.00 each. Most students choose to buy the hard copy. Our cost to order the hard copy has risen to $132.00 each and we have been selling them for $100.00 each. The Certification Panel has approved an increase to $135.00 to cover the cost of printing. We purchased 100 Study Guides in August 2011 so we will need to order another 100 copies near the beginning of the year.

- **Continuing Education CDs:** ($1,200.00) We have four courses that are delivered on compact disc (CDs): Special Boundary Problems; Introduction to the Geographic Coordinate Data Base; Swamp Land Grants, Omitted Area and Island Surveys; and Monumentation and the Corner Record. We will need to order additional copies of all four this year.

- **CFedS brass caps medallions with felt back:** ($0.00) These are sent to all new CFedS along with a letter of congratulations from Mr. Sumner. NSPS has enough in stock for this year.

We have previously provided a printed study guide for the Non-Rectangular course (expense, $115.00) and paper copies of several plats for the Special Surveys I course (expense, $55.00), but due to rising costs we will no longer provide those items. Both items will continue to be provided digitally. Using a conservative estimate of 50 registrations for each course this year, elimination of the printed material will result in a savings of $8,500.00.

Technical Support: ($35,000.00) TSP provides CFedS technical support which consists of 24/7 – 365 days phone and web/email support for all trainees, CFedS, BLM, NSPS, and the CFedS Program Manager. Tasks include
username/login issues, certificate and id card shipping, special order shipping, processing payments and order fulfillment. It also includes emailing students forms, answering new perspective student questions regarding the website/payment, and daily liaison with NSPS counterpart. The main emphasis is technical support for the students on all matters regarding the website.

Maintenance Support: ($30,000.00) TSP provided maintenance includes site modifications, enhancements, additions, and deletions to content and functionality. In addition, maintenance includes all BLM Indian Lands Surveyor (BILS), BLM State Offices, and Certification Panel updates on the CFedS website as they occur often. Also, exam reports, exam certification and monitoring of the database so that the interface with authorize.net is under no risk or exposure from harmful threats/attacks; including daily and weekly backups, offsite storage to ensure that all user data is not compromised. In addition, backend programming is provided to enhance speed and efficiency ensuring that the system is compatible with the latest technology.

NSPS Fee: ($22,900.00) In accordance with the Memorandum of Agreement between BLM and NSPS, signed November 1, 2012, NSPS retains 12% of the proceeds from all CFedS payments. In exchange, NSPS:

- Hosts the official CFedS Program website;
- Maintains a financial process, designed to receive, process and distribute tuition and fees from the Program;
- Maintains a separate monetary account reserved for the CFedS Program;
- Provides monthly program funds summary;
- Provides monthly bank statements;
- Provides copies of all invoices associated with the Program; and
- Provides a representative on the CFedS Certification Panel.

Program Administration: ($17,300.00) The day to day management of the CFedS Program is provided by TSP through the Acting CFedS Certification Panel Chairperson and includes:

- Communication/coordination with the Certification Panel, the BLM Chief Cadastral Surveyor, CFedS Program Manager, BILS, State Office Chief Cadastral Surveyors, CFedS, BIA representatives, Tribal representatives, the surveying community, and the public;
- Planning and conducing Panel meetings;
- Proctor approval;
- Administration of the website which will include posting the monthly Interior Board of Land Appeals (IBLA) case, posting news articles, etc;
- Processing 2009 Manual, Tussio, Stoddard Jacobsen, and Longview Fibre course certificates;
- Responding to phone calls and e-mails (cfedspm @cfeds.org) concerning the program; and
- Providing support for the BLM CFedS Program Manager.

**Training Support:** ($28,700.00) TSP will provide training support with a technical expert approved by BLM. The main tasks are:
- Respond to CFedS technical questions;
- Develop monthly IBLA cases;
- Review and edit quiz questions for courses 1-7; and
- Add quiz questions for each competency.

**CE Course Development:** ($30,000.00) The PLSSF provided $15,000.00 in matching funds for the development of three BLM Case Book courses. The courses will be developed by TSP with technical content approved by BLM. The courses will be worth a total of three CE credits which meets our goal for the year. $15,000.00 will come from CFedS revenue. These courses are scheduled for completion by April 2013. The number one training priority for the CFedS Program and BLM Cadastral Survey is training on the Standards for Boundary Evidence, so $15,000.00 provided by the U.S. Forest Service will probably be used to fund that training development, however that is undecided and is not included as an expense in this budget.

**Miscellaneous:** ($6,600.00) Expenses may include: unanticipated minor website modification, certificates and identification cards, advertising, presentations, etc. Recently received information indicates the BLM National Training Center cannot provide support to the examination administration. This will result in additional expenses, but the amount has not been determined.
Section E – Budget Considerations

The budget for 2013 is based on the following assumptions:

- The full time BLM CFedS Program Manager will be in place by July 1, 2013 and will be funded entirely from appropriated funds. TSP will provide and the Program will pay for the Acting CFedS Certification Panel Chairperson for 20 hours per week, at a rate of $60.00 per hour, until the permanent Program Manager is in place.
- TSP will provide four hours of training support each week, at a rate of $60.00 per week, until July 1, 2013 and 20 hours of training support from July 1, 2013 through December 31, 2013, paid from the Program revenues.
- The National Training Center will continue to provide staff using appropriated dollars to: maintain the exam question database; print and distribute the exams and process the exam information to provide the statistical data necessary to grade the exam.
- BLM will continue to provide an Acting Program Manager, paid for with appropriated dollars, until the permanent full time Program Manager is in place.
- There are no changes in the Program’s relationship with NSPS and TSP.

If the CFedS Program Manager position is filled by July, 2013 as we anticipate; the CFedS Program revenues will provide approximately 65% of program funds, BLM contributed funds will provide approximately 24%, USFS contributed funds and the PLSSF grant 5.5% each:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tr>
<td>Total Program Expenses</td>
<td>$271,200.00</td>
</tr>
<tr>
<td>CFedS Program Revenue</td>
<td>$176,200.00 (65%)</td>
</tr>
<tr>
<td>Contributed BLM Funds</td>
<td>$65,000.00 (24%)</td>
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<tr>
<td>Contributed USFS Funds</td>
<td>$15,000.00 (5.5%)</td>
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<tr>
<td>PLSSF Grant</td>
<td>$15,000.00 (5.5%)</td>
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This budget results in a projected December 31, 2013 CFedS bank account balance of $90,000.00; an increase of $15,000 over the December 31, 2012 balance.

It must be recognized that without a full time CFedS Program Manager there is very little outreach to Tribes, BIA, OST or other agencies within the Department of the Interior which is a major concern to the long-term stability of the Program.
Approved by the CFedS Certification Panel
December 19, 2012

Steve Ackerman
CFedS
Representative

Boyd Peterson
BLM Indian Lands Surveyor
Representative

James M. (Mike) Hart
CFedS
Representative

Jan Michael 'Looking Wolf' Reibach
Tribal
Representative

John Lee
BLM Chief Cadastral Surveyor
Representative

Brenda Schilf
Bureau of Indian Affairs
Representative

Glenda Miller
Office of Special Trustee for
American Indians Representative

Ron Whitehead
National Society of Professional
Surveyors
Representative

Anthony J. O'Rourke
Tribal
Representative

Submitted By:

Robert W. Dahl
Acting CFedS Program Manager
(202) 912-7344
robert_w_dahl@blm.gov

January 7, 2013
Regional Policy Memorandum

Bureau of Indian Affairs
Rocky Mountain Region
Office of the Regional Director

Number: RES-RM-TRUS-1                             Effective: 10/1/12

Title: Cadastral Survey Policy - Certified Federal Surveyor Policy

1. Purpose

In accordance with 303 DM 7, 52 IAM 2 – 11

The purpose is to implement a uniform policy to provide beneficial trust land owners with a roster of qualified surveyors, specifically trained to provide boundary services in the Rocky Mountain Region. These are state licensed surveyors who have successfully completed the certification process established by the Bureau of Land Management (BLM) Cadastral Survey Program. These surveyors may perform survey services under the direction and control of BLM; provide more avenues for accomplishing cadastral services for trust boundary surveys in compliance with Federal standards.

2. Scope

To assure that all cadastral surveys executed in the Rocky Mountain Region are performed in accordance with BLM standards. This certification program is to satisfy the Secretary’s trust responsibilities involving trust lands.

3. Policy

The Rocky Mountain Regional Director, Superintendents, and Field Representative shall only accept non-Federal boundary surveys from only private licensed surveyors who are CFedS certified.

4. Roles and Responsibilities

The Rocky Mountain Regional Director, Superintendents and Field Representative agree to:
• Provide a list of CFedS surveyors to all entities needing a boundary survey affecting trust lands;
• Accept non-Federal boundary surveys from only private licensed surveyors who are CFedS certified.

5. Approval

[Signature]
Rocky Mountain Regional Director
Date: 8-29-12
In Reply Refer To:

9687 (350) P

EMS TRANSMISSION 08/02/2012
Instruction Memorandum No. 2012-162
Expires: 09/30/2013

To:                   All State Directors
Attn: Chief Cadastral Surveyors

From:               Assistant Director, Minerals and Realty Management

Subject:           Certified Federal Surveyor Program Admission Standards Revision

Program Area: Cadastral Survey.

Purpose: This Instruction Memorandum (IM) establishes new qualification standards for applicants in the Certified Federal Surveyor (CFedS) Program.

Policy/Action: The Bureau of Land Management (BLM) has modified qualifications for acceptance into the CFedS Program to include pre-registered/pre-licensed applicants that have passed the National Council of Examiners for Engineering and Surveying (NCEES) Fundamentals of Surveying examination. Pre-registered/pre-licensed applicants who pass the CFedS examination will earn certification when they become registered/licensed in at least one state, territory, or the District of Columbia. In the interim, between passing the CFedS examination and becoming registered, the surveyors-in-training will have the same continuing education and renewal requirements as CFedS.

Timeframe: Effective immediately.

Budget Impact: Minimal. The CFedS Certification Panel projects a 10-percent increase in net program revenue per year with this revision. The long-term savings due to an increased percentage of local surveys of Federal-interest boundaries to Federal standards is difficult to quantify.

Background: The BLM limits admission to the CFedS Program to Registered Professional Land Surveyors. There are now two paths to Certification: one for registered/licensed applicants and one for pre-registered/pre-licensed applicants that have passed the NCEES Fundamentals of Surveying examination.
Providing CFedS Program training to pre-registered/pre-licensed surveyors benefits the BLM, trust beneficiaries, other Federal land management agencies, and the public by providing future local surveyors with specialized training developed by Cadastral Survey. This is unique training, to Federal standards, that is not available elsewhere. The CFedS Program training enhances the quality of surveying services offered in Indian Country as well as the Public Land Survey System (PLSS) in general.

**Manual/Handbook Sections Affected:** The Division of Lands, Realty and Cadastral Survey (WO-350) will incorporate this interim policy into BLM Manual 9687, Certified Federal Surveyor Program, and Handbook H-9687-1 during the next revision.

**Coordination:** WO-350 coordinated preparation with the CFedS Certification Panel.

**Contact:** If you have questions or need additional information, please contact me at 202-208-4201, or your staff may contact Don Buhler, Branch Chief, Cadastral Survey (WO-350) at 202-912-7353.

Signed by:                                   Authenticated by:
Michael Nedd                                 Robert M. Williams
Assistant Director                           Division of IRM Governance, WO-560
Minerals and Realty Management
Certified Federal Surveyor Program Standards of Practice Handbook

“Trained to Make a Difference”
Certified Federal Surveyor Program
Standards of Practice Handbook
"Trained to Make a Difference"

Introduction
This handbook is designed to document the Certified Federal Surveyor (CFedS) Program requirements, standards and performance expectations. Information contained in this document can be found in the training material, Department of the Interior Administrative Manual 303 DM 7, Bureau of Land Management (BLM) Administrative Manual 9687 and Handbook H-9687-1, and records of the CFedS Certification Panel (Panel). This handbook is issued for the guidance of all Certified Federal Surveyors and will not supersede 303 DM 7, Manual 9687, Handbook H-9687-1, and Panel instructions, directives, or decisions on the technical subjects contained therein.

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Chapter I  Program Administration

A. Program Oversight.

1. The CFedS Certification Panel Chairperson (Chairperson) is appointed by the BLM Washington Office Chief Cadastral Surveyor (Chief) and may be the CFedS Program Manager (Manager). The Chairperson is responsible for the day to day management of the CFedS Program. \(\text{(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter II, C)}\)

2. The CFedS Certification Panel (Panel), headed by the Chairperson, is the representative body authorized by the Chief for the purpose of training, testing, administration, hearing, considering, and determining matters of the CFedS Program under the jurisdiction of the Cadastral Survey Program. The Panel's authority has been delegated from the Chief. \(\text{(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter II, A)}\)

3. Panel decisions may be appealed to the Chief. \(\text{(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter III, D-3(a))}\)

B. CFedS Certification Panel

1. The Panel shall consist of a minimum of seven members appointed by the Chief. At least one member from each of the following organizations: Bureau of Land Management, Bureau of Indian Affairs (BIA), Office of the Special Trustee for American Indians (OST), Tribal or Alaska Native representative, and Private Survey Sector shall be represented on the Panel. \(\text{(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter II, B)}\)

2. There shall be no set term for Panel membership. The Panel members serve at the pleasure of the Chief. The Chief may appoint additional representatives to serve other interested parties. \(\text{(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter II, B)}\)

3. Contact information for Panel members can be found on the CFedS website: http://www.cfeds.org/panel.asp

C. Annual Financial Report

The Chairperson will submit a financial report for the CFedS Trust Fund to the Panel at the end of each calendar year. \(\text{(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter II, F)}\)

Chapter II  Administration of the CFedS Roster

A. CFedS Roster
1. The CFedS Roster is comprised of those surveyors who have passed the Certification Examination. It will list state registrations, contact information, continuing education courses completed and status. *(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter 3, D-1)*

2. The CFedS Roster will be maintained by the Chairperson. *(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter 2, C)*

3. It is the responsibility of the individual CFedS to ensure that all information on their Profile is current. The CFedS roster will show information exactly as shown on the Profile.

**B. CFedS Renewal Requirements**

1. An e-mail renewal notification will be sent 90 days, 60 days, and 30 days prior to the renewal date.

2. Six credits of CFedS continuing education must be completed per two year renewal cycle. *(CFedS Certification Panel decision 07-17-2008)*

3. Only CFedS approved material will be accepted for the CFedS continuing education requirement. *(CFedS Certification Panel decision 07-17-2008)*
   a. Non-CFedS courses may be approved for CFedS credit on a very limited basis where:
      i. The course has been pre-approved by the Chairperson;
      ii. The course covers advanced material related to boundary surveys or land title;
      iii. The course covers material not covered by CFedS initial training courses or CFedS continuing education courses;
      iv. The course is available to the majority of CFedS throughout the country; and
      v. An examination is offered at the completion of the course.
   b. Training presented by a Cadastral State Offices, which is designed specifically for CFedS practicing within the state will be given credit.
   c. Credits will be assigned based on the length of the course: 4-8 hours = 1 credit; 8-16 hours = 2 credits and 16-24 hours = 3 credits.

4. Continuing education credits in excess of the minimum may be carried over to subsequent years. *(CFedS Certification Panel decision 08-21-2007 and 07-17-2008)*

5. Certification must be renewed biannually. *(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter III, D-4)*

6. A current signed declaration of state registration(s) must be submitted by the individual CFedS. *(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter III, D-4)*

7. Renewal fees must be paid in full. *(Certified Federal Surveyor Program Handbook, H-9687-1, Chapter III, D-4)*

3
8. Failure to renew will result in temporary suspension for non-renewal.
   a) There is a two week grace period, after which the CFedS name will be removed from the active roster and access to the website will be blocked.  (CFedS Certification Panel decision Feb. 20, 2009)
   b) Where the renewal has not been completed within an additional 45 days a $40.00 late fee will be assessed.  (CFedS Certification Panel decision Feb. 20, 2009)

Chapter III  Performance Standards

A. Standard of Conduct

1. As a CFedS you must recognize your responsibility toward the protection of tribal, individual Indian, Alaska Native Corporations, and Alaska natives interests, the protection of the public trust, and the advancement of the integrity, honor, and dignity of the CFedS program. The success of this program depends on your commitment to:
   a. Hold paramount the safety, health and welfare of Indian, Alaska Native and the public in the performance of your professional duties;
   b. Act in professional matters for each employer or client as faithful agents or trustees, and avoid conflicts of interest;
   c. Refrain from improper solicitation of professional employment;
   d. Be honest and impartial, and serve with fidelity, the public, your employer, and your clients; and
   e. Increase the competence and prestige of the CFedS program.

2. The Panel is authorized to address allegations of incompetency or poor work.  (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter III, Sec. D-2)

B. Authority

1. The delivery of cadastral services to Indians and Alaska Natives is under the direction and control of the BLM. CFedS may perform many of these services and will be utilized whenever possible to accomplish the Secretary of the Interior’s trust responsibilities in the most timely, cost effective, and efficient manner. In addition, CFedS may be utilized to deliver cadastral services under the direction and control of BLM on any Federal interest land.  (Certified Federal Surveyor Program Manual 9687.06)

2. The primary purpose of the CFedS Program is to provide American Indian and Alaska Native landowners, tribes and corporations, BIA, and Federal agencies administering lands adjoining Indian or Alaska Native lands with a roster of qualified surveyors, specifically trained to provide boundary services in Indian country. The initial goal of the CFedS Program is to assure that all cadastral services executed in Indian country are performed in accordance with BLM standards. The long term goal
is for all boundary surveys to be accomplished under the direction and control of the appropriate BLM State Office Chief Cadastral Surveyor (Cadastral Chief). The CFedS Program will provide an additional method for accomplishing cadastral services involving Indian trust assets. The object of the certification program is to satisfy the Secretary's trust responsibilities involving Indian trust assets as identified in the Fiduciary Trust Model, dated December 30, 2004. (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter I, A)

3. A CFedS may only provide surveying services within the state(s) he/she is registered/licensed to practice land surveying. (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter IV)

4. A CFedS can perform a wide range of cadastral services. These services may include the execution of Federal Authority Surveys, State Authority Surveys and Administrative Surveys; Land Description Reviews (LDR), Chain of Surveys (COS), Certificate of Inspection and Possessions (CIP), and Boundary Assurance Certificates (BAC); and Development/Maintenance of the Cadastral Geographic Information System. (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter IV)

C. Responsible Charge with Frequently Asked Questions

In order to ensure services performed by a CFedS will protect the rights and interests of Indians, Alaska Natives, Federal agencies and adjacent land owners the following standards of conduct have been adopted by the Panel: (CFedS Certification Panel Decision, 11-06-2007)

The degree of control a CFedS is required to maintain over all professional survey products and services.

(i) Judges the validity and applicability of recommendations prior to their incorporation into the work including the qualifications of those making the recommendations. This includes: consideration as to field observations; field evidence and record data evaluation; results of survey documentation; and all professional surveying decisions relating to the survey.

(ii) Direct personal supervision over the collection and analysis of all record documents.

(iii) Personal, physical presence, at the location of the field survey prior to all corner evidence decisions. There may be exceptions to this general rule where the monument, accessories and acceptance in previous surveys make the corner position indisputable.

Frequently Asked Questions (FAQ's)

1. Is it necessary for the CFedS to visit every corner of the survey?
   No, but remember there are very few situations in the land surveying profession that do not have the possibility for complicating factors which would require the CFedS presence, including unwritten rights, unrecorded monuments, improvements, multiple monuments, etc.
2. I supervise 7 field crews in various parts of the state; my practice is to thoroughly review the records, all decisions and the calculation prior to stamping the survey. Does this meet the CFedS standard?
   No. A review of the survey is not sufficient. The CFedS must be involved in the review and decision making as the survey progresses.

3. Is the CFedS required to be present when testimony is taken relative to a corner point?
   Yes. The party chief may perform the initial interviews with those having knowledge of the position of corners or lines but the CFedS must be present when the official testimony is taken.

4. In (C)(i) above, does “field observations” mean I am required to be present when all measurements are made?
   No. The CFedS must approve the methods and review data.

5. Does the CFedS have to be physically present at the court house or other records source?
   No. The CFedS does have to review records prior to their incorporation into the work. To ensure that all pertinent records have been located, it will generally be necessary to conduct a thorough review prior to initiating the field survey.

6. Must the CFedS be present during the setting of monuments and/or accessories?
   Not necessarily. Where all corner evidence has previously been evaluated by the CFedS it will not be necessary for the CFedS to be present when the monument is set.

7. If my crew has found the original monument and accessories which verify the location, do I need to visit this location?
   Probably not, but remember there may be circumstances where some type of unwritten rights have attached to some other point, land descriptions are written to another monumented point, or there are multiple monuments near the corner point, etc. The CFedS should always be alert to situations that require his/her direct involvement.

8. In (C)(i) above, what do you mean by the “qualifications of those making the recommendations”?
   It is the responsibility of the CFedS that all persons working under his/her direct charge on a CFedS project is well trained and able to perform the work to a professional level.

9. I have a rebar cited as a section corner monument in three previous records of survey; do I need to visit this site?
   Yes. This is not original evidence, and the fact that it has been used by others previously is not conclusive as to its veracity.

10. I have a technician who I have trained to do records search; do I need to review his/her work?
    Yes. You must review the thoroughness of his/her work to ensure subsequent boundary determinations are made with all pertinent information at your hands.
11. The corner point is obviously lost as my crew cannot find anything. Do I need to visit this location?
   Yes. The declaration of a corner as lost is a professional decision and requires CFedS presence during the search that resulted in no evidence.

12. In (C)(ii) above, what do you mean by “analysis of all record documents”?
   The CFedS is responsible for the analysis and conclusions drawn based on the record data, including possible multiple corner points, trespass, junior/senior rights, and poorly written land descriptions.

13. I am not physically able to visit most corner locations, but have trained my crew to do this work. Is this acceptable to the CFedS standard?
   No. The CFedS is required to be present as discussed above. We strongly suggest you have your other crew chiefs certified as CFedS.

14. Can I perform a CFedS survey in those states where I'm not licensed?
   No. You must be licensed as a surveyor in any state where you perform CFedS work.

15. Our company has surveyors licensed in several states including some states where I am not licensed. If the survey is stamped by a surveyor licensed in a state that I am not licensed in, can I provide the CFedS authority?
   No. Again, the CFedS must be licensed as a surveyor in any state where work is performed.

16. Does the degree of control (as listed in (C) i, ii, and iii above) apply to all Standards for Boundary Evidence Certificates?
   Yes. The CFedS is required to have direct supervision of the formulation of all recommendations and over the collection and analysis of all record documents.

17. Does the CFedS responsible charge standard apply to all my survey work?
   No.

18. When does it apply?
   Any time you are surveying as a CFedS you must adhere to the responsible charge standard. This will include:

   All surveys of Federal interest lands.
   All surveys for Indians and Alaska Natives.
   All surveys for Federal agencies.
   All surveys of trust land, restricted land or land within a reservation executed for an individual Indian.
   Any survey where you have agreed to provide a survey to CFedS standards.

   When preparing Standards for Boundary Evidence Certificates.
D. Standards for State Authority Surveys

Land boundary surveys executed by a CFedS under state authority must meet state standards for boundary surveys as well as the basic BLM standards defined below. The Cadastral Chief will provide instructions on suitable survey procedures when unusual circumstances are encountered. This is also applicable prior to reestablishing a lost corner, accepting a corner established in a local survey, subdivision of a section or survey of land described by metes-and-bounds. The basic BLM standards for land boundary surveys are as follows:

a. The Manual of Surveying Instructions, its amendments and supplements will be followed for all surveys of Federal interest lands (Certified Federal Surveyor Program Manual 9687.05);

b. Bearings are determined with reference to the true meridian as defined by the axis of the earth’s rotation and bearings are stated in terms of angular measure referred to the true north (Grid Bearings are acceptable), (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter V, B);

c. A full description of recovered evidence is contained in the record, (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter V, B);

d. Corners are monumented with magnetically detectable metal monuments with metal cap marked to uniquely identify the corner, (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter V, B);

e. Procedures for accepting, rejecting and reestablishing corners, subdivision of sections, establishing corners, etc. are clearly documented in the record, (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter V, B);

f. Where Indian or Alaska Native land is involved, surveys will be filed/recorded, as appropriate, in the BIA Land Title Record Office (LTRO) as well as state, county, township, parish, borough or Tribal office, (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter V, B);

g. The record contains a complete description of new monuments and accessories, (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter V, B); and

h. The record will contain the geodetic position of at least one corner of the survey, (Page 57, Course 7 Study Guide).

E. Proper use of the CFedS Seal

1. The use of this seal is a means to identify that the document it is affixed to; has been prepared by someone that has completed the CFedS training and passed the examination and is current with their continuing education and renewal fee. The CFedS seal should be used in accordance with the following guidelines: (CFedS website, CFedS News Archives, December 18, 2008)

a. The CFedS seal may be used when signing standards for boundary evidence worksheets, drawings or other CFedS documents, if allowed by state law;

b. If the state you are practicing in requires the use of a state license seal (or similar words), then the CFedS seal may be used in addition to the state stamp or seal, if allowed by state law;

c. Use of the seal does not imply any Federal endorsement to the product it is applied to;
d. The seal is only to be applied to documents which have been produced in accordance with standards found in the CFedS training, CFedS Program materials, and this Handbook;

e. The seal shall be reproduced so that it is 1½ to 2 inches in diameter; and

f. Each CFedS shall modify the DWG/DXF file so that their name and CFedS number are shown within their seal.

2. The seal should not be used:

   a. By anyone who is not on the current CFedS roster;
   
   b. In any advertising which implies Federal Authority or Federal endorsement; and
   
   c. If prohibited by state law.

3. The CFedS program has no blanket survey authority attached to it. Survey projects, conducted by a CFedS, will either be done under state survey authority or Federal survey authority, i.e., assigned special instructions by the BLM.

F. Financial Responsibility

The CFedS is responsible for the collection of fees for all Cadastral Services rendered. The Requestor of any Cadastral Service performed by a CFedS is required, in all cases, to make satisfactory arrangements with the CFedS for the payment of his/her services and those of his/her assistants in providing such services; as the BLM will not be held responsible for the same. The Cadastral Chief has no jurisdiction to settle differences relative to the payment of charges for the work between CFedS and Requestors. These are matters between the parties and must be enforced in the ordinary manner. (Certified Federal Surveyor Program Handbook, H-9687-1, Chapter IV, C-1(b))

Chapter IV Standards for Boundary Evidence

A. Authority

Standards for Boundary Evidence Certificates may be prepared under the authority of a Cadastral Chief by a CFedS. (Department of the Interior Manual, 303 DM 7 and Appendix 2, Chapter 1-I)

B. General Guidelines

General guidelines for preparation of Standards for Boundary Evidence Certificates can be found in Department of the Interior Manual, 303 DM 7, Appendix 2, Chapters 1-E through Chapter 4-D.

Appendix:

Department of the Interior Manual, 303 DM 7:

http://www.cfeds.org/docs/boundary_standards.pdf