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Getting started

The first task is to establish your Office. The NIAA will work with your designated Office Manager (someone who will be responsible for the overall administration and coordination of your Office) to get you up and running, while the NIAA is ready to provide you with:

- two Departmental Liaison Officers (DLOs) to facilitate communications and workflow between your Office and the NIAA;
- experienced policy officers that can act as interim advisers while your permanent staffing allocation is settled – with costs to be met from within the NIAA; and
- an early briefing to help you settle the processes we will put in place to support the handling of your Ministerial correspondence, Live Issue Briefs (also known as Question Time Briefs) and Parliamentary Questions on Notice – as well as the role of your Office ahead of NIAA’s attendance at Senate Estimates.

We also stand ready to support you and your office wherever they are, including at a Ministerial suite in the Commonwealth Parliamentary Office in Sydney, your existing electorate office, or here in Canberra.

Should you require it, our Chief Operating Officer can also help you identify potential candidates to support you as Chief of Staff on an interim basis.

The Minister for Indigenous Australians has typically been supported by two DLOs (and we have a list of skilled candidates ready for your consideration).

Please note: your total DLO resources (and any rules requiring they remain in Parliament House and not travel with you interstate or overseas) will be settled by the Prime Minister and their Chief of Staff. As NIAA staff, their costs are met entirely by NIAA and do not count towards your Ministerial staffing allocation.

How you structure your Office is a matter for you, but given the significance of your campaign commitments, you may want to consider appointing a designated staff member to be the NIAA’s contact on matters relating to Constitutional Recognition and an Indigenous Voice to Parliament, and having another lead on progressing matters relating to the Closing the Gap Agreement.

Key Contacts

Ms Jody Broun – [Redacted]

Ms Letitia Hope – [Redacted] – for questions about policy and programs.

Mr Blair Exell – [Redacted] – for questions about community, remote and the regions.

Ms Rachael Jackson – [Redacted] – for questions about office set up and agency management.

Mr Ben Burdon – [Redacted] – for questions about this briefing pack.

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Office Locations

In addition to your standard Electorate Office (which the Department of Finance may upgrade with equipment capable of connecting you securely to meetings of the Cabinet or its committees), the Prime Minister's Office will assign you and your team a location inside the Ministerial Wing of Parliament House (your Ministerial Office).

Once the location of your Ministerial Office has been confirmed, PM&C's VIP Operations team will support you and your Office Manager to ensure your remaining IT and general operational support needs (e.g. paper and office supplies) are settled. Both your Ministerial and Electorate Offices will typically be equipped with:

- wireless access to PM&C's Protected Network, which hosts your email, office applications, and secure videoconferencing software on your laptop, mobile device, and iPad;
- printers and scanners;
- a Ministerial Communications Network terminal (operated by the Department of Finance) that facilitates SECRET audio calls and document transmission (via secure fax rated to SECRET);
- B-class safes (which provide for the storage of PROTECTED, including Cabinet, documents); and
- secure satchels for transporting PROTECTED documents between official locations.

Things to note: your Ministerial Office is furnished by Australian Parliament House (supported by the Department of Finance) while your Electorate Office will continue to be supported by the Department of Finance.

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IT and communications support

Support will be in place on your first day to set up your IT. This can be accessed through the DLO or Office Manager. Communications support, including assistance with managing portfolio-related media enquiries, social media and drafting speeches and messages, will also be in place. We can also assist with designing your website. Detailed information on communications support will be provided to your Office's media/communications team.

Travel

Whenever you travel on Ministerial business, we will be ready to support you and your agenda. Once the basics of your Ministerial diary schedule are settled, you may wish to consider a plan for visiting a number of regional and remote areas to cement support for your commitments, such as the \$200 million pledged for remote housing. The NIAA can work with you and your Office to support a suitable travel program – while our Regional Offices can often provide you with information and advice on key stakeholders in their respective regions ahead of any visit you make to a regional or remote location.

International Travel

As a Minister, any international travel must be approved by the Prime Minister, though in practice this approval can be delegated to their Chief of Staff. In the coming weeks, the Prime Minister or his Chief of Staff is expected to write to Ministers outlining the process for providing approvals to travel overseas, which typically starts with Ministers submitting an outline of an international travel program. We will brief you in the coming weeks with a plan regarding Australia's engagement on Indigenous issues in international forums – as well as with advice on how you can leverage NIAA's close relationships with key bilateral partners, New Zealand and Canada, to benefit the Government's international engagement.

Arranging Travel

Resources are available from within NIAA to assist you in conducting Ministerial business. Meanwhile, the Independent Parliamentarians Expenses Authority regulates the use of Commonwealth transport for parliamentary business purposes, including COMCAR and Special Purpose Aircraft. For further information please ask your staff to refer to the Independent Parliamentarians Expense Authority website or ask your Office Manager to contact your liaison at the Independent Parliamentarians Expenses Authority.

Cabinet Responsibilities

The Prime Minister has absolute discretion in deciding the number, structure and membership of the Cabinet and its sub-committees. The Cabinet itself is not a legislated body and there is no reference to it in the Constitution, but the confidentiality of documents prepared for its consideration is recognised in legislation. In practice, your responsibilities as a Minister and the processes of Cabinet itself are the result of a rich history of convention, and while every Cabinet is different, some things are constant:

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- As much as the Prime Minister and his Cabinet Secretary will make every effort to keep a predictable schedule of regular Cabinet and committee meetings, the Cabinet and committee agenda can be driven by emerging events or priorities that can also cause meetings to be scheduled (or re-scheduled) at short notice.
- Unless it is especially urgent or concerns a matter of National Security, any proposal with a financial impact is scheduled for consideration by the Expenditure Review Committee of Cabinet before it is endorsed by the Cabinet. There are typically two points in a year where proposals with a financial impact are considered:
 - The Federal Budget process typically starts in late January and runs through to the end of April when proposals are agreed in aggregate.
 - The Mid-Year Economic Fiscal Outlook (MYEFO) is typically released by the end of January, or six months after the last Budget, whichever is later. As well as updating the economic and fiscal outlook, MYEFO takes account of all decisions made since the release of the Budget which affect payments and receipts.

At an early Cabinet meeting, you and your colleagues will be asked to endorse the Prime Minister’s Ministerial Standards (which, among other things, will oblige you to make disclosures regarding any personal interests you might have that could give rise to a conflict of interest) as well as the rules and expectations governing the operation of the Cabinet and its committees. These rules usually specify the timeframes for documents to be provided for consideration – and the expectation that you have consulted with your colleagues (and their portfolio departments) on any proposals you are bringing forward *before* they are considered. The Treasurer and the Minister for Finance might also make clear the plan to deliver a mini-Budget in the next hundred days. Depending on the process they put in train, you might well be in a position to bring forward a number of proposals – including a bid to fund Local and Regional Voices on an ongoing basis – that would help signal the urgency with which the Government intends to act.

But even before the mini-Budget process kicks off, we expect you will also be asked to bring forward the Commonwealth’s Closing the Gap Annual Report and an approach to the Implementation Plan – potentially alongside a Submission that will step through the Government’s approach to progressing the Referendum. Further detail (and a proposed strategy for both items) is provided in Part 2 of this briefing pack.

The Cabinet Secretary

With delegation from the Prime Minister, the Cabinet Secretary is responsible for finalising Cabinet and committee agendas and controlling the flow and release of Cabinet documents (once you have approved a Cabinet document for consideration, the Cabinet Secretary, supported by PM&C, can play a role in vetting documents before they go into the room). The Cabinet Secretary is also responsible for finalising and releasing Cabinet and committee minutes, and for agreeing the presence of officials and co-opted Ministers (and their staff) in Cabinet and committee meetings.

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Your Charter Letter

In coming weeks, we expect the Prime Minister to issue you with your Charter Letter, alongside a set of Ministerial priorities and objectives that will be monitored throughout the coming term of Government. We will work with you to ensure every one of these priorities and objectives is met or exceeded. Your Charter Letter may provide you with authority to bring matters forward for consideration in the coming MYEFO or in next year's Budget. Once received, we will work with your Office to agree a strategy for the preparation and delivery of these submissions. As a general rule, and where scheduling allows, you should opt to meet early in the drafting process to ensure the product and approach taken with any proposal fully reflects your intentions. We believe that your Cabinet submissions and your Budget proposals are *yours*, not *ours*, and we want them to be successful. Similarly, we can work with your Office to establish a flow of regular reporting and advice against your Charter Letter commitments, priorities and objectives.

NIAA Support for your attendance at Cabinet and Committee meetings

Should you want one, NIAA can provide you with a handling brief for each and every Cabinet and committee meeting you attend. However, NIAA may not receive a copy of every document that is prepared for consideration by the Cabinet or its committees. We will always work to give you the best advice we can, but it is unlikely that all documents bound for Cabinet will be shared with NIAA – and some documents are limited in their distribution to Ministers only (NIAA would not usually, for example, see a copy of the list of appointments scheduled for endorsement ahead of the meeting – nor would we ordinarily see any documents circulated as part of a Strategic & Political discussion).

Inside your Office, your DLOs can print and prepare documents ahead of any Cabinet and committee meetings you attend, but the distribution arrangements for documents are also governed by the need-to-know principle. It would be unusual for you to receive a copy of documents bound for consideration by a Committee of which you are not a member.

While Cabinet confidentiality is fundamental to the operation of the Cabinet, it also gives rise to situations that might require your intervention at the table. In NIAA's experience, in the rush to ensure proposals come forward on time and in compliance with the Budget rules, mainstream agencies can easily overlook the potential to make their proposals sensitive to the needs of First Nations people, despite best engagement efforts by the staff here at NIAA. To mitigate this risk, this briefing pack provides you with a plan to enlist your colleagues' support early to deliver on your agenda – and to make sure that the Government is leveraging every opportunity (in every portfolio) to improve the lives of First Nations people.

One of the issues you will need to consider as Minister is how to best operationalise and your Government's shared commitment to improving the lives of First Nations people. While you are the Minister responsible for Indigenous Australians, you do not hold all the levers. Delivering on the objectives of the Closing the Gap Agreement and the Government's own policy platform requires all portfolios to do their part. The NIAA is keen to hear how you'd like to work across Government and support your plan to entrench First Nations outcomes as a shared, whole-of-Government responsibility.

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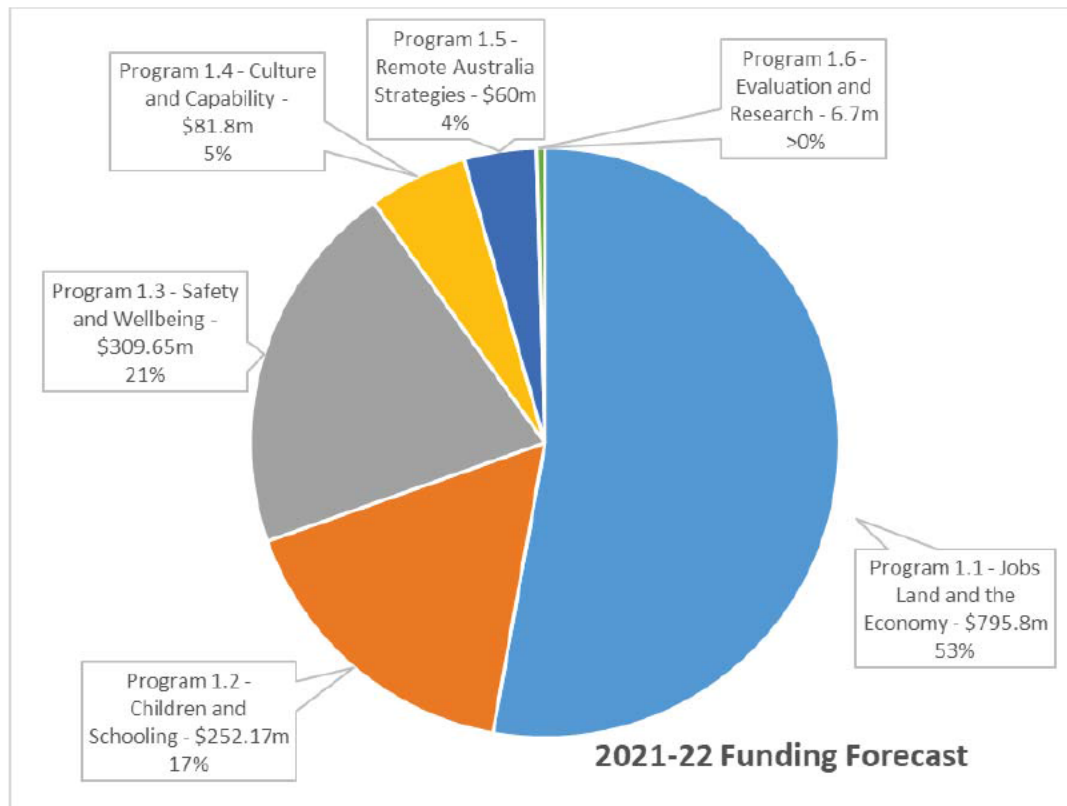
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The Indigenous Advancement Strategy

As the Minister for Indigenous Australians, you have responsibility and accountability for the annual appropriation of \$1.7 billion in administered funds (currently) known as the Indigenous Advancement Strategy (IAS).

The NIAA administers the funding via delegation from you and funds a range of programs that include essential services, collaboration, research as well as innovative and pilot programs that support First Nations people and their communities.

Key programs administered include: the Community Development Program (~\$310 million per annum), Indigenous Rangers Program (~\$156 million in 2022-23, increasing to \$268m by 2025-26); schooling projects including boarding, scholarships, remote school attendance and school nutrition (~\$171 million per annum), social and emotional wellbeing (~\$32 million per annum), community night patrols (~\$26 million per annum), alcohol and other drugs (~\$70 million per annum), redress for Stolen Generations (~\$315 million over five years), NAIDOC (~\$2 million per annum), broadcasting (~\$21 million per annum) and evaluation and research (~\$7 million per annum).



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While the annual appropriation is substantial, in real terms it represents only a small proportion of direct Commonwealth expenditure on First Nations peoples. Your DLOs will be able to access an interactive NIAA dashboard that your office can use to draw real-time information about the IAS, including where it is goes, which organisations it flows to, and what activities it funds.

Further on in this briefing pack, we propose to work with you to recalibrate the IAS towards delivery of the Voice and Closing the Gap. This would involve a sharper NIAA focus on programs and service delivery in place, but also where we our position at the national level means we can make a real difference – such as with respect to redress, healing, native title, and building community capability. On the flipside, we would like to explore options with you to divest some IAS functions to mainstream departments and agencies.

IAS delegations

The *Commonwealth Grants Rules and Guidelines 2017* (CGRGs) establish the overarching Commonwealth grants policy framework. The CGRGs require officials to develop grant opportunity guidelines for all grant opportunities.

In the 2022-23 Budget, the Australian Government allocated \$6.7 billion to the IAS, over the forward estimates, for grant funding processes and administered procurement activities that address the objectives of the IAS.

The NIAA administers the funding consistent with tailored and *IAS Agency Collaborates Grant Opportunity Guidelines* (Guidelines). These Guidelines identify you or your delegate as the decision-maker for IAS grant funding (except in relation to certain funding for native title representative bodies and services providers under the *Native Title Act 1993*, which requires the funding to be determined by the CEO of the NIAA).

At any point in time, the NIAA administers approximately 2100 grants. The former Minister for Indigenous Australians delegated decision-making for grants to specific SES Officers in the NIAA in accordance with certain funding limits – but retained the right to sign off on high value and higher risk funding agreements. We recommend continuing this approach to manage the pressure on your workload.

Once executed, all grants are reported on GrantConnect—the Australian Government’s grant reporting platform.

We have prepared a decision brief for your consideration to formalise these arrangements and will put it forward for your signature soon.

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Your legislation

Legislation that is your responsibility is set out in the *Administrative Arrangements Order* (AAO). While we expect that your Government will make changes to the AAOS, as at 21 May 2022 these include:

Legislation	Brief summary
<i>Aboriginal and Torres Strait Islander Act 2005</i>	Establishes the Torres Strait Regional Authority, Indigenous Business Australia and the Indigenous Land and Sea Corporation. Sets out each body’s purpose, functions and powers.
<i>Aboriginal and Torres Strait Islander Commission Amendment Act 2005</i>	<p>Amends the:</p> <ul style="list-style-type: none"> • <i>Aboriginal and Torres Strait Islander Commission Act 1989</i> to: <ul style="list-style-type: none"> ○ abolish the Aboriginal and Torres Strait Islander Commission (ATSIC); ○ rename the Act as the <i>Aboriginal and Torres Strait Islander Act 2005</i>; and ○ make consequential amendments arising from its abolition, including: <ul style="list-style-type: none"> ▪ the transfer of ATSIC’s assets and liabilities to other agencies; ▪ the establishment of a new housing fund to be administered by Indigenous Business Australia; and ▪ modification of the role of the Office of Evaluation and Audit; • <i>Aboriginal and Torres Strait Islander Act 2004</i> to: <ul style="list-style-type: none"> ○ abolish regional councils from 1 July 2005; ○ and make consequential amendments. <p>Also makes consequential amendments to 11 other Acts.</p>

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<p><i>Aboriginal Land Grant (Jervis Bay Territory) Act 1986</i></p>	<p>Establishes and sets out the purpose, functions and powers of the Wreck Bay Aboriginal Community Council (WBACC). Provides for an initial grant of Aboriginal Land within the Jervis Bay Territory in WBACC. Also provides for the Minister to declare further land in the Jervis Bay Territory as Aboriginal Land and subsequently be granted to WBACC.</p>
<p><i>Aboriginal Land (Lake Condah and Framlingham Forest) Act 1987</i></p>	<p>The Act was passed by the Commonwealth at the request of the Victorian Government under paragraph 51(xxvi) of the Constitution (the races power). Lake Condah and Framlingham Forest are in the west of the state. The Act sets up procedures for management of the land by a corporation of Aboriginal elders, compensation for land compulsorily acquired and specifies rights of access to the land.</p>
<p><i>Aboriginal Land Rights and Other Legislation Amendment Act 2013</i></p>	<p>You have ongoing responsibility for Part 2 of Schedule 1 to the Act, which amends the <i>Aboriginal Land Rights (Northern Territory) Act 1976</i> (ALRA) to make provision for compensation to be payable to a person whose property is acquired as a consequence of the proposed amendments (relating to Jabiru) on the same terms as in section 51(xxxi) of the Constitution.</p>
<p><i>Aboriginal Land Rights (Northern Territory) Act 1976</i></p>	<p>Provides a mechanism for the grant of traditional Aboriginal land in the Northern Territory (NT) to Land Trusts who hold title for the benefit of the traditional Aboriginal owners. Land is granted by the Governor-General on the recommendation of the Minister and title is held by an Aboriginal Land Trust in fee simple. The Act prescribes ways in which a Land Trust can deal with or dispose of any estate or interest in Aboriginal land. Also establishes the Aboriginal Land Commissioner, Executive Director of Township Leasing and the Aboriginals Benefit Account. You have responsibility for the legislation except to the extent administered by the Attorney-General. The Attorney is responsible for financial assistance in respect of legal representation.</p>
<p><i>Aboriginal Land Rights (Northern Territory) Amendment Act 2006</i></p>	<p>Amends the ALRA to provide for township leases (i.e. individual property rights in Aboriginal townships), streamline processes for development of Aboriginal land and improve the efficiency and accountability of organisations under the Act.</p>

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<i>Australian Institute of Aboriginal and Torres Strait Islander Studies Act 1989</i>	Establishes the Australian Institute of Aboriginal and Torres Strait Islander Studies and sets out its purpose, functions and powers.
<i>Classification (Publications, Films and Computer Games) Act 1995</i>	Prohibits possession and control of prohibited materials (including publications, films, games and advertisements) in areas that are prescribed under the Act as ‘prohibited material areas’ (i.e. in the NT) and the powers in relation to seizure and forfeiture of prohibited material. You are responsible for Part 10, which was introduced as part of the NT National Emergency Response package, except to the extent administered by the Minister for Communications. Note: Part 10 is self-ceasing at the end of 15 July 2022.
<i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i>	Establishes the role of the Registrar of Indigenous Corporations and provides for a special form of incorporation for First Nations organisations. The Act is a special measure for the benefit of First Nations peoples.
<i>Corporations (Aboriginal and Torres Strait Islander) Consequential, Transitional and Other Measures Act 2006</i>	Amends the <i>Native Title Act 1993</i> to correct a technical error in the definition of ‘registered native title body corporate’, amends ten Acts to make consequential changes to certain references and terminology, contains transitional arrangements for the conversion of First Nations corporations incorporated under the <i>Aboriginal Councils and Associations Act 1976</i> to corporations registered under the <i>Corporations (Aboriginal and Torres Strait Islander) Act 2006</i> and repeals the <i>Aboriginal Councils and Associations Act 1976</i> .
<i>Higher Education Support Act 2003</i>	The Act is the main piece of legislation governing higher education in Australia. You are responsible for the Act insofar as it relates to grants to higher education providers for Indigenous persons. In particular, you are responsible for Part 2-2A of Chapter 2, which stipulates eligibility requirements and grant guidelines for the provision of student assistance grants for First Nations students.
<i>Hindmarsh Island Bridge Act 1997</i>	Facilitates the construction of the bridge from Goolwa to Hindmarsh Island, South Australia by removing protections granted by the <i>Aboriginal and Torres Strait Islander Heritage Protection Act 1984</i> to the area around Hindmarsh Island Bridge.

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<p><i>Indigenous Education (Targeted Assistance) Act 2000</i></p>	<p>Provides funding for a range of targeted programs, collectively known as non-ABSTUDY payments, to support the education objectives for First Nations students. Aims to improve literacy, numeracy and attendance outcomes for First Nations students. The Act’s objectives are to increase the involvement of First Nations people in educational decisions, equal access to education and equity of participation by Indigenous people in education.</p>
<p><i>Low Aromatic Fuel Act 2013</i></p>	<p>Promotes the supply of low aromatic fuel and controls the supply of fuels in specified areas to discourage petrol inhalation.</p>
<p><i>Native Title Act 1993</i></p>	<p>You are responsible for Divisions 6 and 7 of Part 2 and Part 11 of the Act. Division 6 relates to native title functions of prescribed bodies corporate and holding of native title in trust. Division 7 relates to financial matters for registered native title bodies corporate in performing certain functions. Part 11 establishes native title representative bodies and service providers and their regulatory framework.</p>
<p><i>Petermann Aboriginal Land Trust (Boundaries) Act 1985</i></p>	<p>Corrects inconsistencies in the description of the boundary between the Petermann land and the Uluru National Park (i.e. Uluru-Kata Tjuta National Park) to clarify the land held by the Petermann Aboriginal Land Trust.</p>
<p><i>Stronger Futures in the Northern Territory Act 2012</i></p>	<p>Forms part of the Stronger Futures in the NT package. Implements measures relating to First Nations people in the NT by:</p> <ul style="list-style-type: none"> • providing for alcohol management plans to be approved by the Minister and providing for a review; • enabling the Commonwealth to amend NT legislation by regulation relating to community living areas and town camps to enable private ownership in town camps and flexible long-term leasing arrangements for business in community living areas; and • providing for a community store licensing scheme to operate for a ten year period to provide food security for First Nations communities. <p>Also requires the Minister to facilitate an independent review of the operation of the Act after seven years. Note: self-ceasing on 17 July 2022.</p>

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<p><i>Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Act 2012</i></p>	<p>Forms part of the Stronger Futures in the NT package. Repeals the <i>Northern Territory National Emergency Response Act 2007</i> and makes certain consequential savings and transitional provisions. Note: self-ceasing on 17 July 2022.</p>
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The NIAA understands that PM&C will update the Administrative Arrangements Orders (AAO) to include the *Social Security Legislation Amendment (Remote Engagement Program) Act 2021*. That Act amends the *Social Security Act 1991* and the *Social Security (Administration) Act 1999* to provide for a supplementary payment to be made to eligible job seekers in remote engagement pilot communities so that they can engage in activities or placements that are like having a job, among other things.

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Ministerial and CEO delegations under your legislation

There are a range of functions and powers that can be delegated under the above legislation. A Ministerial submission will be provided shortly with the instruments of delegation for you to sign. Previous Ministers have decided to follow their predecessors in what delegations and authorisations are made but you could reduce the burden on your office by considering additional options put forward by the NIAA.

Some examples of previous delegations are:

- *Aboriginal Land Rights (Northern Territory) Act 1976* – delegations relating to the constitution of a Land Trust, membership and governance of Land Trusts, the determination of amounts to be paid in certain circumstances and the recovery of amounts in certain circumstances;
- *Aboriginal and Torres Strait Islander Act 2005* – a delegation for granting leave (other than recreation leave) to the Chairperson and CEO of the Torres Strait Regional Authority and to appoint an acting CEO;
- *Aboriginal and Torres Strait Islander Commission Amendment Act 2005* – a delegation for giving notice requiring repayment of certain Aboriginal and Torres Strait Islander Commission legacy grants and loans for breach of condition, among others;
- *Higher Education Support Act 2003* – delegations relating to quality assurance, accountability and compliance of higher education providers who receive grants for First Nations persons, approval and determination of the conditions of Indigenous Student Assistance Grants and special purpose advances and to reduce or require repayment of such grants; and
- *Indigenous Education (Targeted Assistance) Act 2000* – delegations relating to making agreements with education providers and others for payments, directing payment recipients to take action to address underperformance and to repay amounts or reduce future payments where an agreement is breached.

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NIAA: A Quick Overview

In this section:

- Our Purpose (noting our corporate plan and associated KPIs are due for review this year)
- Our Staff
- Organisation Chart (provided separately)
- Key People

Note: a more detailed overview of your portfolio has been prepared and is included at the end of this briefing pack.

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Our Environment

We are committed to providing a safe, modern and connected environment for all our staff.

Our Culture

We are committed to building a unified, supportive and creative culture.

Our People

We are committed to investing in our people to build capability and provide opportunities.

Our Purpose

The purpose of NIAA is to assist the Australian Government achieve its objectives in improving the lives of Indigenous Australians by leading the development of the Commonwealth's approach, focusing on place, working in partnership, and effectively delivering programs through the Indigenous Advancement Strategy

We achieve this by...

Building our Influence

Identifying economic and human capital development opportunities

Being a capable, engaged and unified workforce

Building genuine partnerships

Investing to deliver the greatest benefit

Using data and evidence to inform our approach

Which is underpinned by Our Values

We respect multiple perspectives

We deliver with purpose

We are authentic

We invest in each other's success

We are professional and act with integrity

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NIAA | At a Glance

1,275

Total Staff (FTE)

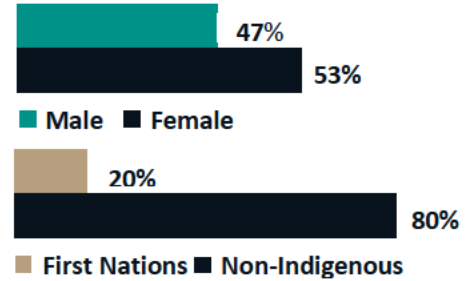
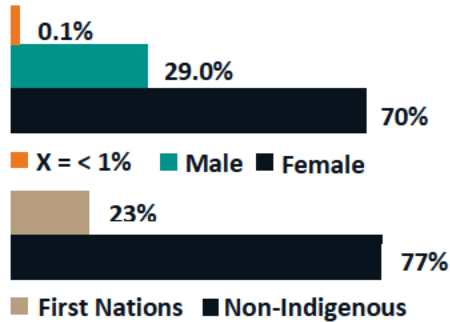
1,337

Total Staff
Headcount

52*

Total SES (FTE)

*Does not include those on short-term A/g arrangements. NIAA SES cap is 50.



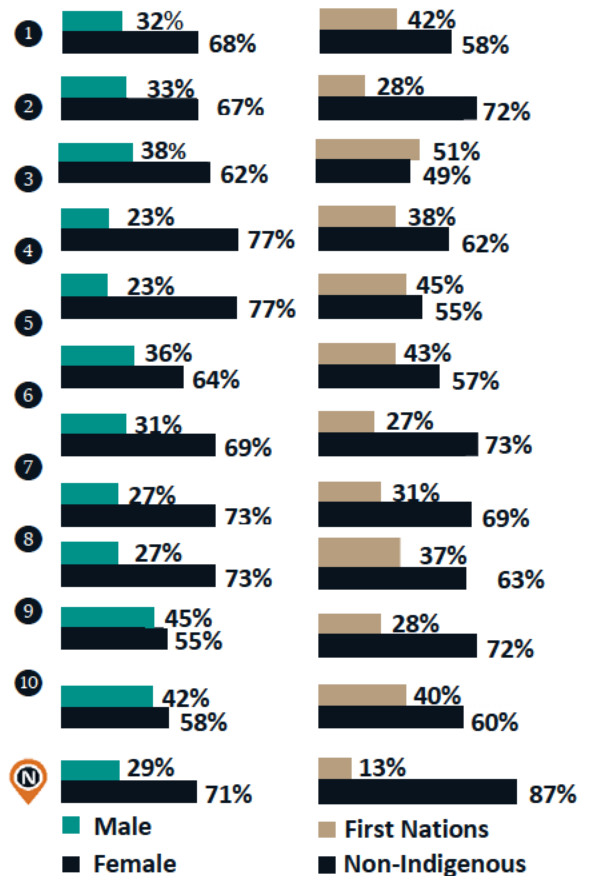
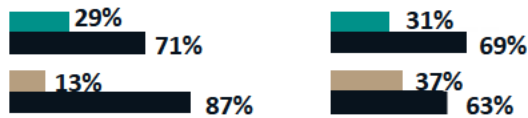
National Office and Regions

746

National Office
Total Staff (FTE)

529

Regions
Total Staff (FTE)



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Org Chart

Provided separately.

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