

# 2015 STATUS REPORT



U.S. DEPARTMENT OF THE INTERIOR

November 4, 2015

## PROGRAM MILESTONES

<b>2009</b>	Dec 7	<i>Cobell v. Salazar</i> Settlement Agreement signed
<b>2010</b>	Dec 8	Claims Resolution Act of 2010 signed into law by President Barack Obama
<b>2011</b>	July – Oct	Tribal consultations conducted (various locations)
<b>2012</b>	Jan	Draft Plan published
	Nov 24	Final Approval of the Settlement after appeals exhausted to U.S. Supreme Court; 10-year period begins
	Dec 17	Land Buy-Back Program for Tribal Nations established through Secretarial Order No. 3325
	18	Initial Implementation Plan released
<b>2013</b>	Jan – Feb	Tribal consultations conducted (various locations)
	Oct 29	Valuation Plan released following review by The Appraisal Foundation
	Nov 8	Updated Implementation Plan released
	15	Open solicitation period initiated for submissions of cooperative agreement applications or expressions of interest from locations representing 90 percent of all fractionated land
	Dec 11	Principal Deputy Assistant Secretary – Indian Affairs Larry Roberts testifies before the United States Senate Committee on Indian Affairs
	18	First offers mailed to landowners with interests at the Pine Ridge Reservation
<b>2014</b>	March 30	First quarterly scholarship transfer of nearly \$580,000 to the Cobell Education Scholarship Fund
	April 3	Principal Deputy Assistant Secretary – Indian Affairs Larry Roberts testifies before the United States House Committee on Natural Resources
	May 15	Implementation schedule announced through the end of calendar year 2015
	29	Deputy Secretary Mike Connor and Assistant Secretary – Indian Affairs Kevin Washburn hold Listening Session for tribal leaders and landowners in Portland, Oregon
	July 16	Deputy Secretary Mike Connor testifies before the United States Senate Committee on Indian Affairs
	29	Principal Deputy Assistant Secretary – Indian Affairs Larry Roberts testifies before the United States House Committee on Natural Resources
	Sept 8	\$100 million in payments made to American Indian landowners with fractional interests
	Nov 20	2014 Status Report released; implementation schedule expanded to 42 locations through the middle of the 2017 calendar year
<b>2015</b>	March 19	Deputy Secretary Mike Connor and Assistant Secretary – Indian Affairs Kevin Washburn hold Listening Session for tribal leaders and landowners in Laveen, Arizona
	May 28	The Osage Nation becomes the 20th tribe to partner with the Department to implement the Buy-Back Program
	June 25	\$500 million in payments made to American Indian landowners with fractional interests
	July 8	Equivalent of more than 1 million acres of land restored in trust to tribal nations
	Sept 30	Sixth quarterly transfer of more than \$10 million to the Cobell Education Scholarship Fund, bringing the total amount contributed to nearly \$30 million
	Nov 4	In order to determine an expanded implementation schedule for 2017-2022, the Department announces a new Planning Initiative, encouraging tribes and landowners to express interest in the Program

## LETTER FROM SECRETARY JEWELL

I am proud to report that the Land Buy-Back Program (Program) for Tribal Nations has produced major results in such a short period of time. Results have included placing significant resources into tribal communities and consolidating a sizable amount of land, which tribes are already using to achieve important goals and priorities. This success stems directly from our partnerships with tribal leaders across Indian Country.

In less than 2 years, the Program has paid nearly \$715 million to landowners who decided to consolidate fractional interests. This represents nearly half of the monies made available for this purpose. The funds received from consolidation are making big differences. One individual from the Pine Ridge Reservation plans to use her land consolidation proceeds to buy her very first home. Native youth are also benefiting from the Program's resources, as we have transferred nearly \$30 million in sales proceeds to the Cobell Education Scholarship Fund. Initial scholarship recipients represent more than 80 tribal nations who will attend more than 175 different academic institutions. The Buy-Back Program is an example of President Obama's commitment to provide more sustainability for Indian landowners, their families, and tribal communities for the benefit of generations to come.



*Photo credit: U.S. Department of the Interior*

The amount of land consolidated is equally impressive. The Program has restored – in trust – the equivalent of approximately 1.5 million acres of land to tribal nations. Tribal communities are already benefitting from the land consolidated. This year's Status Report spotlights several examples where tribes are realizing critical goals and priorities, including:

- Community water supply plant by the Crow Tribe;
- Housing and economic development by the Oglala Sioux Tribe of the Pine Ridge Reservation; and
- Cultural renewal and burial ground expansion by the Confederated Tribes of the Umatilla Indian Reservation.

By tailoring the Program to tribal goals and priorities at each location, we are upholding and respecting tribal sovereignty and self-determination in a meaningful way. The Program continues to solidify the priorities set forth by the President's national policy initiative to build effective partnerships with American Indian communities. The Program shows how trust and partnership with tribal nations are effective forces for positive change. Leaders and staff from across the Department have come together and worked hard, with the shared purpose of collaborating with tribes to inform landowners and align the Program's resources in ways that consolidate lands needed to achieve tribal goals and priorities like those noted above.

It is in that spirit of strong engagement with Indian Country that we are launching a Planning Initiative to gather input from tribes and landowners in order to determine what additional land-consolation locations to schedule in 2017-2022. So far, the Department has identified 42 locations where land consolidation activities have either already occurred or are expected to take place through mid-2017. For those locations not yet scheduled, your opportunity to provide input is now. Through the Planning Initiative, we invite tribes with jurisdiction over the remaining eligible locations to express their interest in participating by March 11, 2016. We are actively engaging landowners to increase their awareness of the Program.

I thank you for your interest in the Program and for your dedication to its success. Please consider attending our third Listening Session in March 2016, where we will seek to learn how we can further improve the Program and craft additional solutions for ensuring that land stays in trust. Together, Nation-to-Nation, we have a historic opportunity to make enduring impacts with tribal communities.

## TABLE OF CONTENTS

SUMMARY .....	1
INTRODUCTION – FRACTIONATION.....	6
KEY PARAMETERS.....	13
OPERATIONAL APPROACH AND RESULTS .....	16
PRIMARY PROCESSES.....	24
Outreach.....	24
Land Research.....	34
Valuation.....	36
Acquisition.....	37
PROGRAM SUCCESSES AND LESSONS LEARNED.....	42
MEASURING PERFORMANCE AND PROGRESS .....	50
ECONOMIC IMPACT AND OTHER BENEFITS.....	54
NEXT STEPS.....	57
APPENDIX A.    FREQUENTLY ASKED QUESTIONS .....	A-1
I.    Background and Overview Information .....	A-1
II.   Cobell Education Scholarship Fund .....	A-6
III.  Engagement with Tribal Nations .....	A-7
IV.  Landowner Participation & Eligibility .....	A-11
V.   Land Appraisals.....	A-16
VI.  Mineral Rights & Tracts with Improvements.....	A-19
VII. Selling Your Land.....	A-23
APPENDIX B.    FRACTIONATION STATISTICS.....	B-1
APPENDIX C.    RESOURCE CODE STATISTICS.....	C-1

## SUMMARY

The *Cobell v. Salazar* Settlement Agreement (Settlement) provides for a \$1.9 billion Trust Land Consolidation Fund (Consolidation Fund or Fund) to be expended within a 10-year period ending in November 2022.<sup>1</sup> The Settlement makes the Consolidation Fund available to the U.S. Department of the Interior (Department or Interior) to acquire fractional interests in trust or restricted land from individuals who are willing to sell their interests for fair market value. In 2012, the Secretary of the Interior established the Land Buy-Back Program for Tribal Nations (Buy-Back Program or Program) to implement the land consolidation aspects of the Settlement.

The principal goal of the Buy-Back Program is to reduce the number of fractional land interests through voluntary

sales that place purchased interests into trust for tribes. These transfers consolidate trust land bases for conservation, stewardship, economic development, or other uses deemed beneficial by sovereign tribal nations.

The Buy-Back Program is currently completing its third calendar year. The first year was largely focused on planning, consultations, research, analysis, and one-on-one engagement with tribal leaders and individuals. The Program began land consolidation purchases in December 2013 and thus far has made offers to nearly 66,500 unique individuals totaling more than \$1.7 billion for interests at 19 locations. In Fiscal Year 2015 (FY 2015) alone, the Program paid nearly \$550 million to landowners who accepted offers. The Program has paid landowners nearly \$715 million since its inception, and it has created or increased tribal ownership in more than 26,400 tracts of land – with more than 1,060 of those tracts reaching 100 percent tribal trust ownership. The Program has transferred the equivalent of nearly 1,500,000 acres of land to tribal trust

### *The late Elouise Cobell meets President Barack Obama at the White House on December 8, 2010*



*Photo credit: Official White House photo by Pete Souza*

1. The Settlement was confirmed by the Claims Resolution Act of 2010 and approved with finality on November 24, 2012, after appeals were exhausted through the U.S. Supreme Court (see Settlement). The 10-year period occurs from November 24, 2012 (the date of Final Approval of the Settlement) to November 24, 2022.

ownership.<sup>2</sup> The Program is working to efficiently use the limited amount of money identified in the Settlement for implementation costs, expending approximately \$5 for every \$100 paid to landowners.

This Status Report builds on the 2014 Status Report and serves as a comprehensive description of the Program at this time. The Report summarizes the key parameters of the Settlement and the corresponding implementation approach and processes of the Program. It also provides an overview of progress and expenditures to date, identifies a number of lessons learned, highlights how key tribal goals and priorities are being realized as a result of consolidating land, presents the findings of the Program's economic impact study, and responds to feedback from tribes and individuals through answers to frequently asked questions (FAQs) (See Appendix A). Moreover, this Report includes additional and updated fractionation data in an effort to supply extensive and transparent information about fractionation to tribes and landowners (See Appendix B). Finally, this Report sets forth a number of key next steps, including an overview of the Program's plans for developing an expanded implementation schedule (the Planning Initiative), the results of which will be announced in the Spring of 2016. The sections of the Report are summarized below.

Priorities and Goals. The Department has established two central priorities for the Buy-Back Program:

- **Individuals** — Promoting awareness and education to facilitate informed landowner decisionmaking, and maximizing opportunities to participate; and
- **Tribes** — Strengthening partnerships, respecting and upholding tribal sovereignty, and to the greatest extent possible, tailoring efforts to each location based on tribal involvement and priorities.

In line with these priorities, the Program works towards the following goals:

- Reduce fractionation by consolidating interests for tribes, ensuring that land stays in trust;
- Maximize tribal and landowner participation;
- Establish and maintain clear communications with tribes, landowners, and the public; and

#### Landowner Spotlight – Pine Ridge Reservation

##### *Landowner learns about her land at a local OST office*



*Photo credit: U.S. Department of the Interior*

The Oglala Sioux landowner pictured here visited the Office of the Special Trustee for American Indians (OST) Rapid City Urban Office for information about her land and assistance with her offer package. The landowner chose to sell her fractional interests, thereby consolidating land on the Pine Ridge Reservation. The landowner plans to use the income from her sale to purchase a house.

2. Equivalent acres purchased represents only the undivided ownership interest acquired in a tract. See the Equivalent Acres text box on page 11.

- Effectively manage implementation costs.

Primary Processes. There are four phases of the Program's land consolidation process – outreach, land research, valuation, and acquisition – which are described briefly below:

- **Outreach** refers to the continuous process of communicating with landowners regarding the potential opportunity to sell their fractional interests. This phase involves addressing questions and concerns landowners may have regarding the sale or regarding issues that might arise as a consequence of the sale. Outreach also includes planning, sharing information, and consulting with tribal leaders;
- **Land Research** includes the development of data related to mapping and land use, as well as any other data necessary to establish fair market value for fractionated tracts;
- **Valuation** is the process of appraising fractionated tracts to determine their fair market value; and
- **Acquisition** is the process of making offers to landowners in an effort to acquire interests from those interested in selling.

Program Successes and Lessons Learned. Tribal input, participation, and active landowner engagement are critical to the Program's success. For example, the Program solicited and received valuable tribal and

landowner feedback during its

March 2015 Listening Session in

Laveen, Arizona, which was

attended by more than 150 tribal

leaders, landowners, and other

individuals. In FY 2016, the

Program will issue a survey to

landowners who received offers.

The Program will work with the

U.S. Census Bureau to analyze the

results of the survey and implement changes in response to landowner feedback. The Program has also

enhanced the information it shares with tribes and individuals including maps and landowner outreach

materials. The Program Successes and Lessons Learned section identifies current best practices in the areas of outreach, land research, valuation, acquisition, and tribal involvement.

Measuring Performance and Progress. The Program developed performance metrics related to the priorities and goals outlined earlier in this Report. The Program continues to use these metrics to measure its progress towards its goals and presents the FY 2015 metrics in this section. The Program made significant progress in FY 2015, its first full fiscal year of land consolidation purchases. This progress was made possible through

### *March 2015 Listening Session*



*Photo credit: U.S. Department of the Interior*

active tribal involvement, and this section now adds quantitative information about the many areas where tribes have contributed to the Program.

Economic Impact and Other Benefits. Land consolidation is helping tribes achieve important economic benefits and community goals. The Buy-Back Program worked with the Department's Office of Policy Analysis to analyze its economic impact by reviewing Program payments to landowners from December 2013 through September 2015. The result of the analysis shows that income received as a result of Buy-Back Program payments has a significant impact on state and local economies. As of September 2015, cumulative Program payments to landowners contributed an estimated \$752 million to gross domestic product (GDP), \$1.4 billion in output of goods and services, and supported about 9,000 jobs nationwide as a result of the influx of funds into specific areas and associated spending. Tribes are already seeing the difference this Program is making, and this Report highlights several examples, including at the Crow Reservation, Coeur d'Alene Reservation, Gila River Indian Reservation, Pine Ridge Reservation, Squaxin Island Reservation, and the Umatilla Indian Reservation.

Next Steps. The Buy-Back Program continues to work with tribes to implement the Program through cooperative agreements and memorandums of agreements (Agreements). In FY 2016-2017, Program implementation is planned at 23 additional locations.

In its 2014 Status Report, the Department identified 42 locations where land consolidation activities – such as planning, outreach, mapping, mineral evaluations, appraisals, or acquisitions – are expected to take place through the middle of 2017. These communities represented approximately 83 percent of all outstanding fractional interests across Indian Country. The Program has launched a Planning Initiative to help determine an expanded implementation schedule that will identify additional locations, beyond the 42 locations currently scheduled. The two-pronged initiative will seek input from tribes and landowners who are interested in participating in the Program. Eligible tribes not already scheduled for implementation are invited to formally indicate their interest no later than March 11, 2016, and are encouraged to review the Program's website to learn more about this initiative. Additionally, the Program has expanded its efforts to encourage landowners interested in receiving and considering a purchase offer to identify themselves. For example, postcards are being delivered to landowners. Interested landowners should call the Trust Beneficiary Call Center (Call Center) at (888) 678-6836 to learn more, express their interest in receiving an offer, and confirm their contact information. Registration in no way commits a landowner to sell his/her land, nor does it guarantee that an offer will be extended; it merely identifies the landowner's desire to receive an offer and provides an opportunity for advance outreach and information to be shared with the landowner at the earliest possible time.



The Buy-Back Program continues to welcome and pursue active engagement with Indian Country. Tribes and individuals may provide feedback during the upcoming Listening Session, tribe-specific meetings, and outreach events. Tribes, landowners, and others may also provide written feedback by email to [buybackprogram@ios.doi.gov](mailto:buybackprogram@ios.doi.gov) or by mail (U.S. Department of the Interior Land Buy-Back Program for Tribal Nations, 1849 C Street NW, MS-5552-MIB, Washington, DC 20240). The next Listening Session will be held on March 3, 2016, in Albuquerque, New Mexico. Feedback received from tribes and individuals has led directly to many of the measures incorporated into this Report. In addition, many of the questions raised are addressed in the FAQs in Appendix A.

### *Land Consolidation at the Coeur d'Alene Reservation*



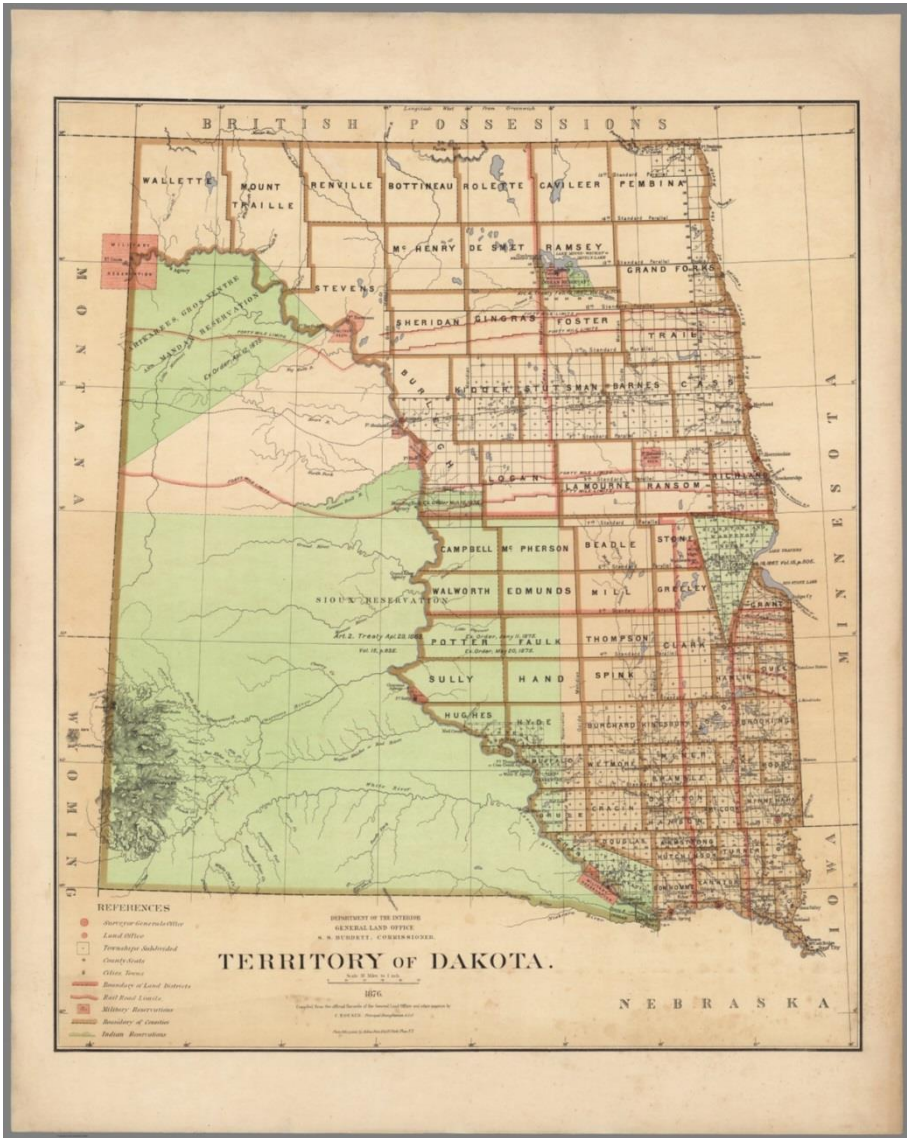
*Photo credit: Coeur d'Alene Tribe*

***“The Coeur d’Alene Tribe has long supported voluntary land consolidation and has purchased interests from willing sellers for years as funds allow. Overall, we were pleased with the Buy-Back Program’s response to our tribe’s needs, and although there is much more work to be done, we see this as a positive step in the right direction.”***

Chairman Chief J. Allan, Coeur d’Alene Tribe

# INTRODUCTION – FRACTIONATION

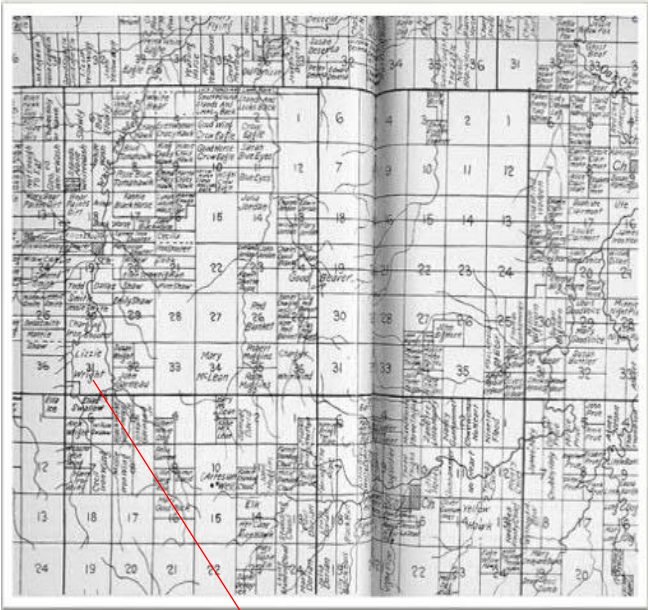
Fractionation results from the repudiated policy of breaking up tribal land into individual allotments or tracts and then the division of ownership among more and more owners after the death of the original owner or allottee. The map below, created by the U.S. General Land Office in 1876, shows the Sioux Reservation (pursuant to the 1868 Treaty of Fort Laramie) before allotment.



Source: U.S. Department of the Interior

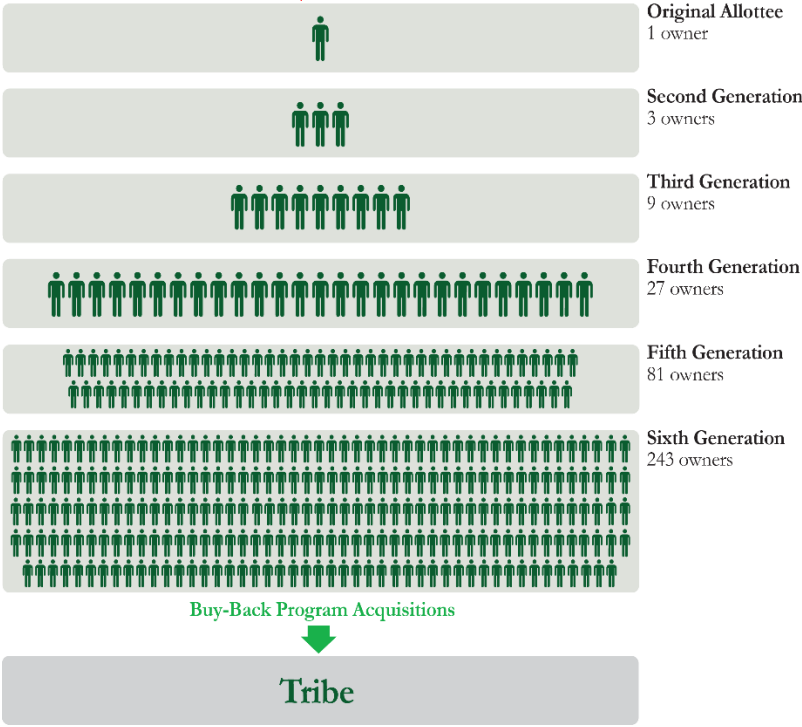
The following map of the Rosebud Sioux Reservation illustrates how part of the above tribal land base was carved into many individual allotted tracts by 1903.

Although the allotted land itself is not divided physically, the children, spouses, and other relatives of the original and successive landowners inherit undivided common ownership interests in the land. As a result, fractionation has grown exponentially over generations. Many allotted tracts now have hundreds or even thousands of individual owners. For example, there are more than 1,200 owners on a single tract of land on the Crow Creek Reservation in South Dakota.



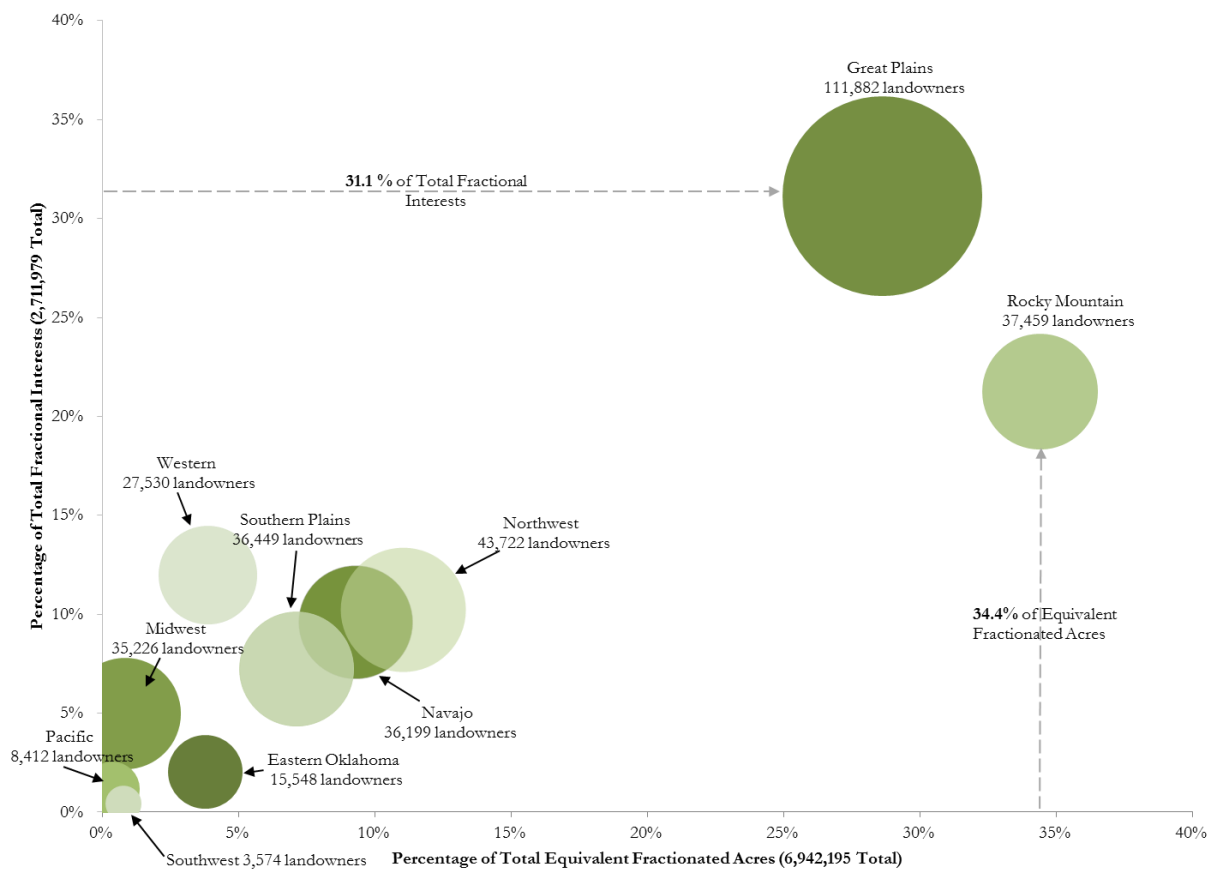
Source: U.S. Department of the Interior

Leasing and other income received for use of the land is divided among the owners, such that each owner often receives only a nominal amount based on his or her undivided ownership interest. During FY 2015, more than 60 percent of individual owners received \$25 or less in land-related income to their Individual Indian Money (IIM) account.



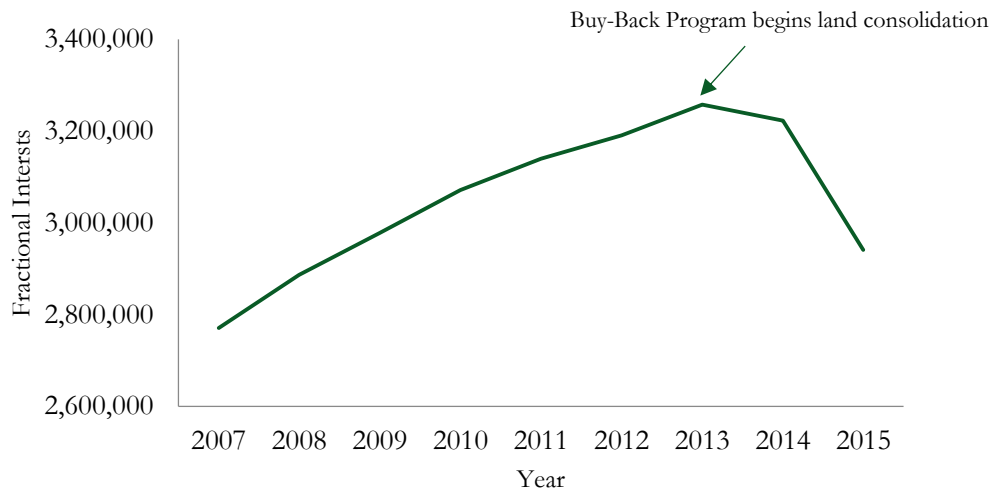
The figure below depicts current fractionation by region, using the percentage of purchasable fractional interests and equivalent acres in each region. The size of each circle represents the number of landowners in one region relative to other regions. For example, the figure shows that the Great Plains Region has the highest percentage of fractional interests (844,043 interests, 31.1 percent) and the largest number of landowners (111,882 landowners), while the Rocky Mountain Region has the highest percentage of equivalent fractionated acres (2,389,073 acres, 34.4 percent).

**Fractionation by BIA Region as of September 30, 2015**  
*(Some landowners have interests in multiple locations and regions. Circle colors are to depict depth only.)*



As of September 2015, there were fewer than 3 million fractional interests across Program-eligible locations, a decrease of 9.7 percent from 2013. For locations with Buy-Back Program sales, the total fractional interests decreased approximately 20 percent from 2013 to 2015, with several locations in the Great Plains and Rocky Mountain Regions decreasing by approximately 35 percent.<sup>3</sup>

3. For information on the reduction of *purchasable* fractional interests, see page 51.

*Total fractional interests 2007-2015 for Program-eligible locations*

The reduction in fractional interests is encouraging, but **fractionation remains a significant problem in Indian Country**. Unless an individual or a tribe owns a controlling interest in a fractionated tract, each individual must obtain approval from co-owners for land transactions, including leasing or economic development projects.<sup>4</sup> When tracts have hundreds or thousands of co-owners, it is difficult to obtain the required approvals for leases or other uses of such lands. As a result, many highly-fractionated tracts are unoccupied and unavailable for any purpose.

**Approximately 60 percent of the 95,494 fractionated tracts generated no income (to IIM accounts) during FY 2015.**

As a result of the fractionated ownership of the allotted lands and the checker-boarded nature of land ownership patterns on many reservations, tribes are experiencing major challenges that impact tribal sovereignty and self-determination. For example:

- Fractionated ownership can make it hard to protect or obtain access to sacred and/or cultural sites.

#### Fractionation Statistics

As of September 2015, some overall statistics include the following:

- Of the 207,086 tracts held in trust, 95,494 have multiple owners with fractional interests subject to potential purchase and consolidation through the Program.
- 33,727 tracts have 20 or more owners.
- On average, each landowner owns an interest in 10 different tracts.
- On average, each tract has 31 different owners (a lease for such a tract would require the consensus of the owner(s) representing at least 50 percent in the tract).
- One location has an average of 147 owners per tract.

4. For applicable approval requirements, see 25 U.S.C. § 2218(b).

- The checkerboard ownership pattern creates jurisdictional challenges and ties up land within the reservation boundaries, making it difficult to pursue much needed economic development, such as activities that require a right-of-way.
- Income received from the land, such as lease income, can be so divided that individual owners may receive just a few cents based on their fractional share. Also, because many landowners live outside the reservation, the income is received and spent outside of the reservation, instead of within the tribal communities where it is needed most.

The following table identifies tracts and acres in categories of fractionation identified by the Indian Land Consolidation Act Amendments of 2000 (see 25 U.S.C. § 2218). As indicated, the number of owners on a tract determines the required percentage of ownership that must consent to a lease. A reduction in the number of owners, even if the tribe does not gain controlling ownership, allows current landowners to more efficiently use and manage the land. For example, if an individual wants to obtain a lease from co-owners, a fewer number of owners may simplify the process.

*Fractionation statistics per statutory approval categories*

Sliding Scale – Statutory Approval Categories		Current Land Status		
Number of Owners per Tract	Percentage of Ownership that must Consent in Writing	Total Fractionated Tracts <sup>a</sup>	Acres <sup>b</sup>	Tracts in Tribal Control <sup>c</sup>
5 or fewer	90 percent	29,718	3,060,620	2,561
6–10	80 percent	16,096	1,752,319	1,766
11–19	60 percent	15,953	1,825,821	3,285
20 or more	50 percent	33,727	4,059,073	7,736

Notes: <sup>a</sup> Includes only Level 1 fractionated tracts as defined in Appendix B.

<sup>b</sup> Includes total acres associated with the fractionated tracts (not equivalent acres).

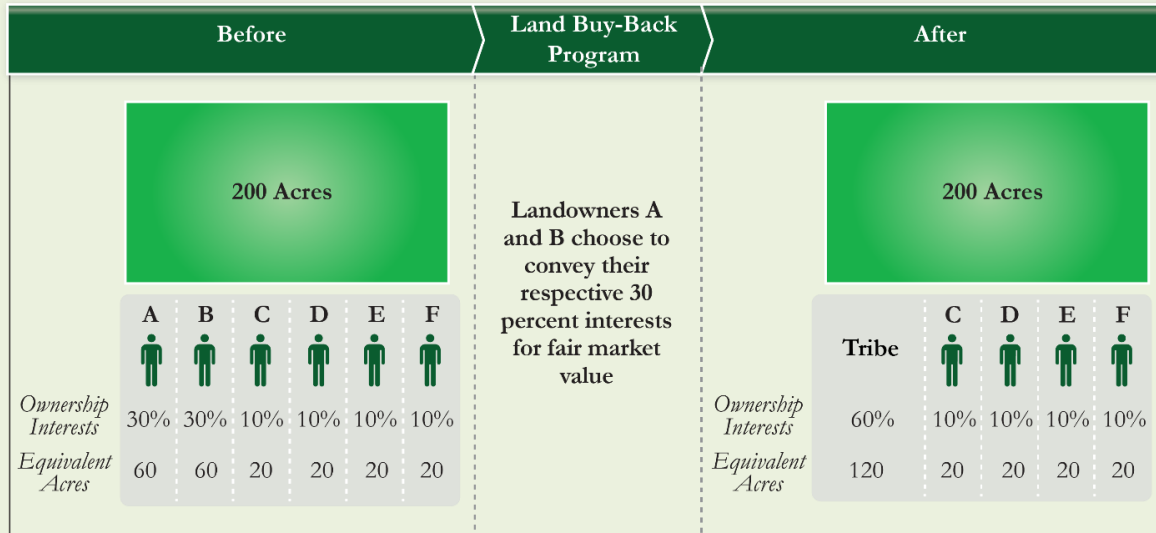
<sup>c</sup> Excludes tracts that are 100 percent owned by a single owner (e.g., a tribe or individual) because such tracts are not fractionated and thus not purchasable by the Program.

The following graphic illustrates how the Program measures progress in terms of “equivalent acres,” which is the amount of land associated with the interests consolidated. Moreover, it points out how the effective use of the consolidated land by a tribe depends on the number of owners on a tract.

### Equivalent Acres – Tribal Control

Equivalent acres purchased represents the undivided ownership interest acquired in a tract multiplied by the total tract acreage. To illustrate, assume that the Program purchases two 30 percent ownership interests in a 200-acre tract from two different individual owners (A and B) and that the remaining four individual owners (C, D, E, and F) choose not to sell.

The resulting equivalent acres of the ownership interests purchased would be 120. The tribe now has an undivided ownership interest in the entire 200-acre tract (a 60 percent undivided ownership interest), not a separate 120-acre tract wholly owned by the tribe. The four remaining individual owners have a combined 40 percent undivided ownership interest in the entire 200-acre tract or 80 equivalent acres.



No one landowner (including the tribe) owns a separate tract or subpart of the tract. Rather, each landowner owns an *undivided* common interest in the tract, expressed as a percentage.

It is important to recognize, however, that while the tribe in this example now has a 60 percent undivided ownership interest, at least three of the four remaining owners must also consent to a lease to achieve the ownership approval requirements established by 25 U.S.C. § 2218, which is 90 percent in this hypothetical.

The Settlement provides a unique opportunity to have a substantial impact on fractionation in Indian Country. The Buy-Back Program is much more expansive than any previous land consolidation effort, focusing on a large number of tracts and owners at once without requiring an application from owners. It also allows for efficient and effective purchases that will reduce fractionation in the locations where it is most prevalent.

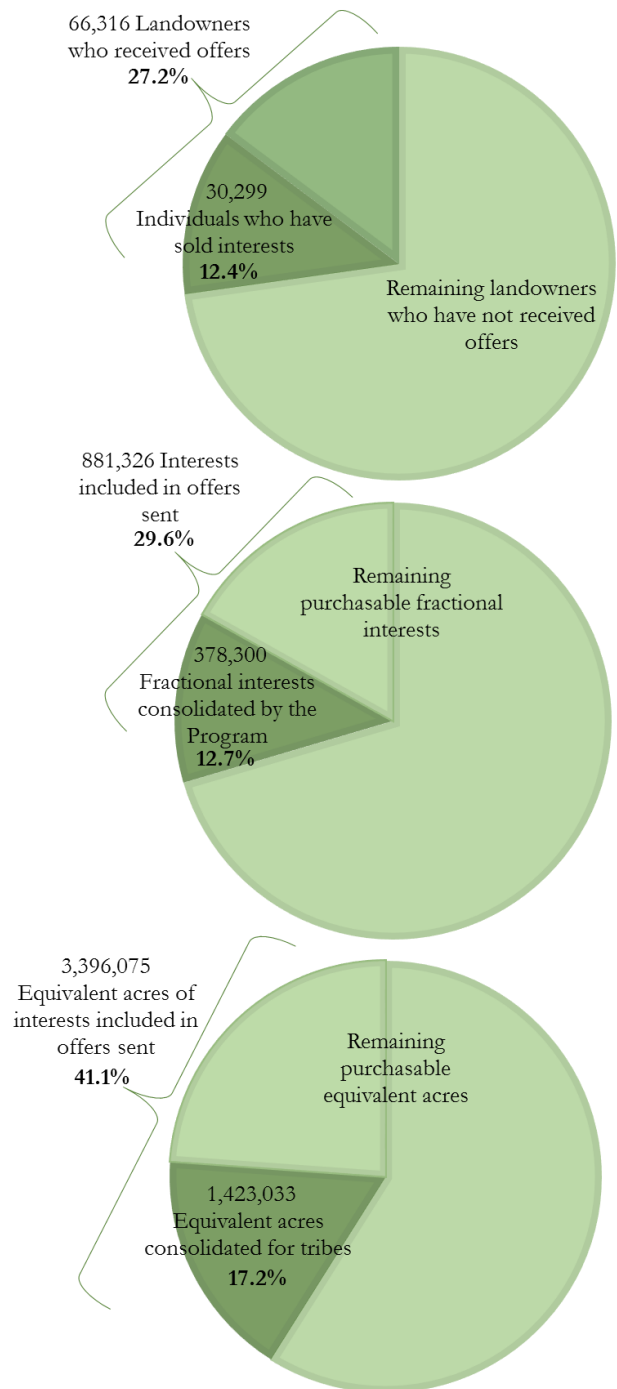
The Program has provided significant opportunities to landowners to participate. However, given the magnitude of fractionation involved, the Program anticipates that the Fund is not sufficient to consolidate all eligible fractional interests across Indian Country. It is therefore important to utilize other land consolidation alternatives, and/or consider additional resources for land consolidation – beyond that provided by the Buy-Back Program – while pursuing long-term strategies for strengthening the trust land base for the benefit of future generations.

### How Landowners Can Minimize Further Fractionation

Even as the Buy-Back Program is implemented, allotted land is still passed down from generation to generation, leading to more owners and greater fractionation. Landowners can avoid further fractionation in several ways:

- Participate in the Buy-Back Program and sell their interests to consolidate land for tribal use;
- Write a will to leave all of their interests to an heir or the tribe;
- Gift their interests to an heir or tribe;
- Sell or buy interests to or from co-owners;
- Exchange their interests with the tribe (provide fractional interests to the tribe in exchange for the right to occupy or use land under tribal control or management); and
- Create a joint tenancy for their interests by will or deed.

Landowners who do not receive an offer or choose not to sell their land may wish to speak with OST or the Bureau of Indian Affairs (BIA) about planning to pass on their land in ways that minimize future fractionation. The OST has partnered with a number of tribal organizations, legal aid services, and law schools to help provide Indian trust beneficiaries with resources to assist with estate planning. For more information, go to: <http://www.doi.gov/buybackprogram/landowners/financial-awareness.cfm>.



The charts above depict the Buy-Back Program’s impact on fractionation in Indian Country through September 2015, based on percentage of the total purchasable interests, purchasable equivalent acres, and landowners that existed on September 30, 2013.

Some of the 30,299 individuals that sold interests still own one or more fractional interests.



**KEY PARAMETERS**

The Settlement guides the design and implementation of the Buy-Back Program. It established a \$1.9 billion Consolidation Fund that is available to the Secretary for the purchase of fractional interests in trust or restricted lands during a period of no more than 10 years, starting on November 24, 2012. The Settlement limits the use of the Consolidation Fund to acquiring fractional interests, implementing land consolidation activities, and paying the costs related to the work of the Secretarial Commission on Trust Reform.

*Secretary Jewell delivers commencement address at Haskell Indian Nations University, demonstrating the Administration’s commitment to youth and education in Indian Country*

Additionally, in accordance with the Settlement, the Buy-Back Program will contribute up to \$60 million of the \$1.9 billion Fund to the Cobell Education Scholarship Fund (Scholarship Fund). The Scholarship Fund provides financial assistance to American Indian and Alaska Native students attending post-secondary vocational schools or institutions of higher education. The Scholarship Fund is managed by a Board of Trustees and administered by the American Indian Graduate Center (AIGC) in Albuquerque, New Mexico. As of September 30, 2015, the Program contributed nearly \$30 million to the Scholarship Fund. The AIGC will begin disbursing the first awards from the Scholarship Fund over the next several months to recipients from more than 80 tribal nations who will be attending more than 175 different academic institutions.



*Photo credit: U.S. Department of the Interior*

The Consolidation Fund has various components, summarized as follows:

Acquiring Fractional Interests (minimum available for purchase payments)	\$1,555,000,000
Implementation Costs (not to exceed 15 percent)	\$285,000,000
Scholarship Fund (maximum available, depending on interests sold)	<u>\$60,000,000</u>
<b>Total</b>	<b>\$1,900,000,000</b>

All interests purchased by the Buy-Back Program are held in trust for the recognized tribes that exercise jurisdiction over the lands, increasing the tribes’ ability to use or protect the land for purposes they deem appropriate for the community as a whole.

The four overarching parameters that guide the design and implementation of the Buy-Back Program are highlighted below.

First, in 2012, the Department identified approximately 2.9 million fractional interests across approximately 150 locations that may be purchasable by the Buy-Back Program. These fractional interests are owned by nearly 246,000 owners<sup>5</sup> and concentrated within a few locations in Indian Country. Nearly 90 percent of these fractional interests are located within about 40 of the approximately 150 locations. The Program's current implementation schedule is thus focused on highly-fractionated locations. Even so, a consistent theme expressed through tribal consultation and public comment is a desire for land consolidation purchases to benefit many communities. To ensure that the Program is implemented at as many locations as reasonably possible, flexible purchase estimates are being used.

Second, the Settlement limits the amount of money that the Department may use for costs associated with the various phases of implementing the Program. By law, no more than 15 percent (\$285 million) of the Consolidation Fund may be used for implementation costs in order to maximize the amount available for purchasing fractional interests. Furthermore, the Settlement requires that the Consolidation Fund be expended by November 24, 2022. Accordingly, the Program must be cost efficient and act expeditiously when administering the Consolidation Fund.

Third, despite the large size of the Consolidation Fund, it will not be sufficient to purchase all fractional interests across Indian Country. The value of the land corresponding to the 8.3 million equivalent purchasable acres exceeds \$1.555 billion.<sup>6</sup> The Program has primarily focused on those acquisitions that best reduce fractionation, address the effect of allotment, promote tribal sovereignty, and facilitate economic development. It also is imperative that the Consolidation Fund be used thoughtfully and fairly, on cost-effective acquisitions, to have maximum impact. The Program works in conjunction with tribes to understand the tribes' acquisition priorities, and then works to value and issue purchase offers on these priority tracts to the greatest extent possible.

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5. The whereabouts of 33,306 (13.5 percent) of these individuals are currently unknown. In addition to these individuals, there are two groups of owners that have one or more fractional interests at the approximately 150 reservations but that are not a current focus of the Program: 1) nearly 26,400 deceased individuals with estates and 2) more than 5,990 individuals under a legal disability (non-compos mentis or minors). Moreover, there are additional owners with interests that will not be acquired by the Program, such as owners of fee interests or owners of full (1/1) ownership interests.

6. This figure (8.3 million equivalent purchasable acres) is as of September 30, 2013, before the Program began to consolidate fractionated land.

Fourth, the Program must remain a *willing* seller program, meaning that each individual landowner who receives an offer can choose to sell or not sell his or her interests. Full use of the Consolidation Fund depends on the amount of fractional interests that individuals choose to sell. Results to date show that not all owners decide to sell. Overall response rates are summarized in the charts below (response rates vary from location to location; additional details are provided in the Offer and Sales Data table on page 19).

### A Personal Decision

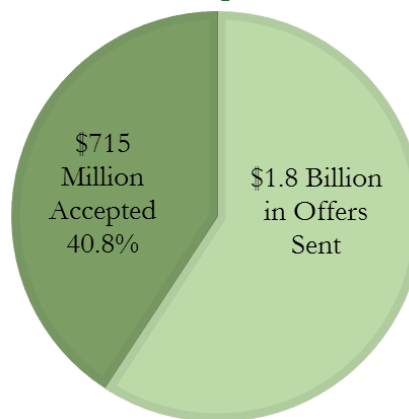
At the March 2015 Listening Session, a landowner shared his decision not to sell and his support for his children's decisions to sell. One of his daughters needed money to purchase a home. The landowner recounted,

*"I'm an [allottee], but I chose not to sell, but two of my children did...I told [my daughter], you're getting this money back, but I said, more importantly, 'that land that's coming to the Tribe is going to return to you anyway. It belongs to you, and your children, and your children's children... [you] are going to receive benefits from that land.'"*

*Individual acceptance rate*



*Dollar capture rate*



The active participation of tribal leaders in explaining the Program and what land consolidation means on their reservations is key to landowners becoming involved in the Program. Over the past three years, the Program has worked with tribes to build relationships and expand outreach efforts to increase landowner awareness. Success is dependent on effective outreach and landowner understanding of the Program.

In October 2015, the Program intensified engagement to identify landowners interested in participating. Interested landowners can reach the Call Center at (888) 678-6836 to identify themselves as willing sellers and confirm their contact information. The Program uses willing seller registration as one of multiple criteria to develop the Program's implementation schedule. Again, individuals may choose to sell some, all, or none of the interests in a purchase offer. Registration in no way commits a landowner to sell his/her land, nor does it guarantee an offer will be extended; it merely identifies the landowner's desire to receive an offer and provides an opportunity for advance outreach and information to be shared with the landowner at the earliest possible time.

## OPERATIONAL APPROACH AND RESULTS

This section summarizes the Program’s operational methodology, results to date, implementation strategy, and tribal involvement. The subsequent section (Primary Processes) describes the four phases of Program implementation: outreach, land research, valuation, and acquisition.

Offer Methodology. The Program employs purchase estimates to help achieve broad use of the Consolidation Fund and also to assist with the planning and development of offer sets. The underlying concept is to approximate the potential portion of the Consolidation Fund available to pay owners who choose to sell fractional interests at a given location, using a formula that considers a location’s proportional share of fractionation across Indian Country. Key principles associated with purchase estimates include:

- Seek to maximize the number of reservations that could participate in the Buy-Back Program and prevent expenditure of the available purchase funds in just a few locations.
- Reflect the need for a flexible approach, given that the effort involves hundreds of thousands of individual beneficiaries across the country and that the total amount that could be paid for interests at a given location depends on various circumstances that a formula cannot easily capture. Each sovereign nation has unique lands, history, laws, culture, traditions, and government. For example:
  - Per acre fair market value amounts will vary, as will the number of purchasable fractional interests and the number of individuals that are interested in selling;
  - Land consolidation programs have been operational for decades at some locations, where many individuals could have already decided to sell, while those with interests at other locations are considering land consolidation for the first time; and
  - Acceptance rates may differ from location to location for various reasons.
- Purchase estimates are by nature approximate calculations, which are subject to change and refinement, and do not set a final, minimum, or maximum total dollar amount for purchasing interests at any particular location.

### How were the Purchase Estimates Determined?

For each of the three data points (i.e., tracts, interests, and acres), the Program calculated the proportion of the total for each reservation. The three proportions were then averaged. That proportion was then multiplied by the land purchase amount of the Consolidation Fund (\$1.555 billion) to produce a purchase estimate amount for a location. These calculations were performed using data as of September 30, 2013, for Program-eligible Land Area Codes (LACs).

To illustrate, consider the Blackfeet Indian Reservation. The 898,086 acres associated with its fractionated tracts were 8.4 percent of all such acres across Indian Country. Its 4,831 fractionated tracts with purchasable interests were 5.1 percent of all such tracts in Indian Country, and its 191,278 purchasable fractional interests were 6.4 percent of all such interests. These proportions average out to 6.6 percent, which, when multiplied by \$1.555 billion, provided an initial purchase estimate of \$103.4 million.

For relevant definitions, see Appendix B.

A location may not reach the purchase estimate due to a variety of factors, including limited appraisals, land values, or a lack of sufficient willing sellers. If an entire purchase estimate cannot be captured during

implementation, the Program makes unused funds available to support offers at other locations. Moreover, it is possible that the actual sale amounts for interests at a particular location may exceed the location’s purchase estimate. Again, flexibility in the total amount used at each location is fundamental.

To make sure the Consolidation Fund is used before November 2022, the Program is implementing various measures, including the following:

1. *Leverage Efficient Use of Mass Appraisal Efforts.* The Program leverages mass appraisals to help ensure that the greatest number of landowners with interests may have the opportunity to sell their land. Moreover, by using mass appraisals, the Program stays within the implementation cost limits of the Settlement. This increases the number of locations where the Program can be implemented.
2. *Create Opportunities for Willing Sellers.* Willing sellers may continue to express their interest to the Call Center, even after Program implementation has moved to other locations. As mass appraisal values are updated and/or available, the Program may look to make offers to these landowners with funds from previous locations. The Program encourages landowners who wish to sell their land to contact the Call Center during the Planning Initiative.
3. *Site-Specific Appraisals.* Some locations are not amenable to mass appraisal. Site-specific or project report appraisals may be necessary, but these appraisals are not as efficient as mass appraisal. The Program will remain open to focused site-specific appraisal work for targeted tribal acquisition priorities at locations where mass appraisal is not applicable, and the purchase estimate will inform the number of appraisals to be completed. Moreover, focused site-specific appraisals may be used to appraise additional land at a given location, even those that have used mass appraisal, in order to address key tribal acquisition priorities.
4. *Make a Single Wave of Offers.* The Program aims to send a single offer set (wave) to landowners at a location. A single wave will ideally enable sales to reach a location’s purchase estimate. A single wave has several advantages. It allows a tribe and the Program to conduct focused outreach and clearly communicate offer due dates. From an operational perspective, a single wave is more efficient as it allows for a simpler offer process and minimizes the period of time when regular realty transactions are paused for Buy-Back

**How do Purchase Estimates Work?**

Purchase estimates seek to maximize the number of reservations that could participate in the Buy-Back Program and are designed to be flexible. The following example illustrates some implications of how the approach may work at a hypothetical location.

Purchase estimate	\$50 million
Mass appraisal results	\$250 million in total tract values, five times the purchase estimate
Potential offers	\$225 million (reflects application of policy criteria, such as exclusion of interests held by tribes or minors)
Actual offers	\$125 million
Actual sales	\$59 million

Explanation. Since mailing \$250 million in offers would likely cause the location to far exceed the \$50 million purchase estimate, the Program will use existing response rates to help determine the size of the offer mailing. Assume the expected response rate is approximately 40 percent. Therefore, the Program would seek to construct a single offer set totaling approximately \$125 million. The Program and the tribe will work together to determine which individuals will receive offers considering several factors, such as: selection of tribal priority tracts; tracts without existing tribal ownership; and tracts that are contiguous to those already owned by the tribe.

Program activities. Clear tribal acquisition priorities and carefully timed appraisal work is necessary to achieve success using a single wave. The particular offers to be included in each wave will be determined by tribal acquisition priorities, level of fractionation, and percentage of tribal ownership, among other criteria.

5. *Continually Learn from Experience and Data.* The Program uses experience and data to estimate the scope of site-specific appraisal work and to determine the size of offer amounts. Total offer amounts can be based on an estimated rate of owner and offer amount acceptance that is consistent with past results. The total amount offered for landowner interests in the wave will comprise a certain multiplier (based on an anticipated response rate and available funds) of the reservation's total purchase estimate. In some cases, the total offer set amount may be higher to realize a single wave or to leverage mass appraisal work. As the Program enters its fourth year and the remaining time and available funds are diminished, there are more constraints on developing and managing offer sets. For example, the Program has less flexibility with regard to using high multipliers or extending landowner due dates in order to free up available funds for other locations.
6. *Apply Guiding Factors.* The determination of how to best expend funds will continue to be guided by the standards set forth – as a result of tribal consultations – in previous implementation plans and status reports. That includes consideration of factors such as the following: level of interested or documented willing sellers; availability of valuation-related information; tribal readiness or interest; severity of fractionation; cost and time efficiency; promotion of tribal sovereignty and self-determination; economic, spiritual, and/or cultural value for the community, as evidenced by well-articulated tribal priorities; and loss of historical reservation land as a result of allotment. The Program will be applying these factors when reviewing Planning Initiative submissions to schedule implementation post 2017.

These important measures allow the Program to allocate unused dollars to subsequent tribal communities or to afford additional opportunities for reservations that have already participated. Also, by documenting consideration of the guiding factors summarized above, the Program will continue to determine how to best expend unused purchase estimates in a manner that is transparent, fair, flexible, and consistent with the mandates of the Settlement and the authorizing legislation.

Results. In FY 2015, the Program paid nearly \$550 million to landowners. Overall, the Program has paid landowners nearly \$715 million since inception, and created or increased tribal ownership in more than 26,400 tracts of land – with more than 1,060 of those tracts reaching 100 percent tribal ownership. In more than 80 percent of the accepted offers, landowners opted to sell all of the interests included in their offer. The table on the following page summarizes the Program's progress to date.

*Offer and Sales Data through October 22, 2015*

Location	Individuals Receiving Offers <sup>a</sup>	Amount Offered	Individuals Accepting Offers	Individuals Accepting Offers	Amount of Offers Accepted	Percent of Total \$ Offered Purchased	Equivalent Acres Purchased
Crow Reservation	4,103	\$304,054,607	2,520	61.4%	\$130,477,270	42.9%	244,475
Pine Ridge Reservation (of the Oglala Sioux Tribe)	20,622	\$367,223,703	9,318	45.2%	\$110,058,688	30.0%	292,327
<i>Standing Rock Sioux Reservation</i>	18,130	\$236,303,708	7,153	39.5%	\$105,383,723	44.6%	185,118
Cheyenne River Reservation	7,245	\$156,397,820	3,274	45.2%	\$78,136,104	50.0%	246,671
<i>Fort Peck Indian Reservation</i>	9,291	\$201,449,299	3,518	37.9%	\$64,827,564	32.2%	202,154
Fort Belknap Reservation of Montana	3,490	\$104,430,105	1,849	53.0%	\$60,538,288	58.0%	200,208
Gila River Indian Reservation	1,958	\$80,455,534	968	49.4%	\$51,456,006	64.0%	1,064
Lake Traverse Reservation (of the Sisseton Wahpeton Oyate)	2,998	\$65,575,508	1,357	45.3%	\$31,622,761	48.2%	8,861
Rosebud Indian Reservation	13,649	\$101,819,150	4,449	32.6%	\$23,597,101	23.2%	46,175
<i>Salt River Reservation</i>	1,342	\$26,974,621	557	41.5%	\$16,316,021	60.5%	159
<i>Flathead Reservation (of the Confederated Salish and Kootenai Tribes)</i>	2,270	\$15,330,520	739	32.6%	\$10,299,578	67.2%	6,490
Northern Cheyenne Indian Reservation	2,563	\$34,412,770	1,216	47.4%	\$9,866,839	28.7%	20,166
Umatilla Indian Reservation	2,181	\$25,162,879	970	44.5%	\$9,803,564	39.0%	7,739
Coeur d'Alene Reservation	506	\$13,334,445	220	43.5%	\$5,207,475	39.1%	2,586
Prairie Band Potawatomi Reservation	1,656	\$10,651,031	680	41.1%	\$5,155,138	48.4%	3,295
Makah Indian Reservation	711	\$2,342,958	263	37.0%	\$975,150	41.6%	67
Squaxin Island Reservation	655	\$1,593,155	208	31.8%	\$725,972	45.6%	156
Quapaw Reservation	20	\$69,486	9	45.0%	\$27,799	40.0%	2
<i>Swinomish Indian Reservation</i>	191	\$3,867,481	0	0.0%	\$0	0.0%	0
<b>Total</b>	<b>66,479</b>	<b>\$1,751,448,781</b>	<b>31,006</b>	<b>46.6%</b>	<b>\$714,475,040</b>	<b>40.8%</b>	<b>1,467,712</b>

Notes: <sup>a</sup> Includes landowners who are Whereabouts Unknown (W/AU) for whom offers were generated but not sent.

Program is currently processing outstanding offers for locations in italics.

**Implementation Strategy.** Through FY 2017, the Program will continue to focus most of its implementation efforts on highly-fractionated locations. Given limited implementation funding and timing, practical considerations such as a limited appraisal validity period, efficiency, and/or Departmental capacity, the Buy-Back Program is unable to be actively operating at all locations immediately. Although the Program is active at multiple reservations simultaneously, it is only active at each location for a limited period. As the Buy-Back Program completes land consolidation activities at current locations, it continuously starts operations at

successive locations. The Program will continue to analyze its ability to conduct operations at additional reservations throughout implementation.

Based on tribal feedback, the Program has used and will continue to use various criteria to add locations and determine the best sequence of implementation, including the following:

- Severity of fractionation (e.g., as reflected by the three factors used to determine the initial purchase estimates described earlier);
- Degree of ownership overlap between locations or geographic proximity;
- Diversity of geographic locations to maximize efficiency, resources, and learning opportunities, especially for initial efforts in order to facilitate learning;
- Appraisal complexity;
- Overall interest of the tribe as demonstrated through the open solicitation and Planning Initiative periods;
- Number of owners who have demonstrated an interest in selling fractional interests; and
- Cost and time efficiency.

To develop its current schedule, the Department held an open solicitation period at the beginning of FY 2014. Tribes with jurisdiction over the more fractionated reservations were encouraged to submit expressions of interest, thereby signaling readiness to participate in the Program – one of the seven criteria noted above. This open solicitation was for highly-fractionated locations, although the Program also received submissions from several less-fractionated locations. Although the Program has focused on the highly-fractionated locations, the Program has also implemented at and scheduled implementation at several less-fractionated locations. In the FY 2014 Status Report, the Program announced a schedule for implementation at 42 locations, including 10 less-fractionated locations. The Program anticipates that implementation at these locations will occur through the middle of 2017. By including some less-fractionated locations in early implementation efforts, the Program has gained experience and input that helps inform implementation at future locations.

As of October 22, 2015, the Program has sent offers to landowners with fractional interests at 19 locations. The table below shows the status of work at the remaining 23 locations where implementation activities have begun but sales have not yet occurred:



*Status as of October 22, 2015*

Location	Agreement	Base Mapping	Minerals	Appraisals
Agua Caliente Indian Reservation	In Progress	Complete	Complete	In Progress
Bad River Reservation	In Progress	Complete	In Progress	In Progress
Blackfeet Indian Reservation of Montana	In Progress	Complete	In Progress	In Progress
Cabazon Indian Reservation	Y	Complete	Complete	In Progress
Colville Reservation	In Progress	Complete	Complete	In Progress
Crow Creek Reservation	In Progress	Complete	In Progress	In Progress
Fond du Lac Reservation	Y	Complete	Complete	In Progress
Fort Berthold Reservation	In Progress	Complete	In Progress	In Progress
Fort Hall Reservation (of the Shoshone-Bannock Tribes)	Y	Complete	In Progress	In Progress
Fort Yuma Indian Reservation (of the Quechan Tribe)	In Progress	Complete	In Progress	In Progress
Lower Brule Reservation	In Progress	Complete	Complete	In Progress
Lummi Reservation	Y	Complete	Complete	Complete
Navajo Reservation	Y	Complete	In Progress	In Progress
Nez Perce Reservation	In Progress	Complete	In Progress	In Progress
Ponca Tribe of Indians of Oklahoma	Y	Complete	In Progress	In Progress
Quinault Indian Reservation	Y	Complete	Complete	In Progress
Round Valley Reservation	In Progress	Complete	In Progress	In Progress
The Osage Nation	Y	Complete	In Progress	In Progress
Turtle Mountain Indian Reservation	In Progress	Complete	In Progress	In Progress
Wind River Reservation (of the Arapaho Tribe and the Shoshone Tribe)	In Progress	Complete	In Progress	In Progress
Winnebago Indian Reservation	In Progress	Complete	In Progress	In Progress
Yakama Nation Reservation	In Progress	Complete	In Progress	In Progress
Yankton Reservation	In Progress	Complete	In Progress	In Progress

The 42 currently implemented / scheduled locations entail:

- 83 percent of outstanding fractional interests as of 2014;
- 67 percent of eligible landowners as of 2014;
- 10 of the 10 BIA regions with fractionated tracts; and
- 15 of the 19 states with fractional interests.

Tribal Involvement. The Program is committed to partnering with tribes to complete implementation on their reservations and works to enter into Agreements for certain implementation processes. The Program is working with tribes to tailor a strategy to the needs and culture of each tribe, including working to value and acquire tribal priority land. The Program has entered into two types of agreements with tribes. First, it has used cooperative agreements, which are legal instruments similar to grants, representing the relationship between the Federal government (i.e., Buy-Back Program) and a recipient of funds. Its principle purpose is to transfer a thing of value (e.g., funding) to a recipient to carry out a public purpose of support or stimulation, as authorized by the Federal government. Second, the Program has entered into memoranda of agreement (also known as memoranda of understanding) with several tribes. These are used when there is an agreement to exchange information or coordinate programs but no funding is provided.

Agreements include activities associated with outreach, land research, and valuation. The continued use of Agreements allows tribes to carry out various aspects of the Buy-Back Program. In particular, tribes are able to perform some of the most important functions of the Program based on their interests and capacities, including identifying landowners and conducting outreach efforts. For example, the Northern Cheyenne Tribe held 44 outreach events attended by more than 2,000 individuals. The Tribe also identified more than 100 whereabouts unknown (WAO) landowners, registered more than 300 willing sellers, and updated more than 200 landowner names and addresses.

Agreements do not include all phases of the Buy-Back Program. For example, Agreements do not include base mapping activities because those are being performed efficiently by BIA and the Bureau of Land Management (BLM) for immediate sharing with tribes. The Program may, however, fund other geospatial information system (GIS) or mapping-related work by tribes in support of land research and valuation. A second example is activities in the acquisition phase. This phase is being implemented by the Buy-Back Program due to the centralized processes in Departmental systems of record, such as the Trust Asset and Accounting Management System (TAAMS).

**Outreach Best Practices**

The Sisseton Wahpeton Oyate entered into a cooperative agreement with the Program, which included tribal participation in outreach activities.

The Tribe utilized the following practices in conducting successful outreach efforts:

- Engaged tribal leadership to actively discuss the Program within the community;
- Hired outreach staff early to prepare for the Program sending offers;
- Trained staff to read maps and explain lease policies and rental agreements;
- Educated staff about tribal history and the Settlement;
- Used Call Center scripts provided by the Program;
- Used one logo to keep outreach imaging consistent;
- Informed elders about the Program and visited elders' homes to assist with offer packages and questions;
- Held several kinds of outreach events, including public forums and regional meetings and served food at events; and
- Advertised outreach events in advance via flyers, newspapers, and the tribal radio station.

Cooperative agreements present an opportunity for tribes and the Program to move forward together by providing funding for tribes to perform certain tasks, such as outreach to landowners. While much can be accomplished through these agreements, cooperative agreement funding should be viewed as a short-term resource to achieve the much larger and more valuable goal of land consolidation.

Upon written request, the Program provides tribes with mapping information, ownership information, and landowner information. These products include:

- Landowner Information – files containing landowner contact information and ownership detail by tract;
- Outreach Planning Reports – summary reports containing information on landowner locations and demographics (described in greater detail below);
- Landowner Offer Reports – files containing landowner information for landowners receiving offers;
- ArcGIS geodatabases – geodatabases containing BLM Public Land Survey System (PLSS) data and a geodatabase containing the lands' TAAMS legal descriptions;
- Mapping products – ArcGIS geodatabases of mappable tracts at a location;
- Individual parcel maps – parcel-level maps for purchasable tracts;
- Wall maps – location-wide maps indicating mappable tracts, and current tribal ownership percentage; and
- Land Reports – summary files containing tract information including tract resource categories (i.e., surface, mineral, or both), purchasable or non-purchasable status, and tribal ownership percentage.

Tribes can use these products to plan outreach events, conduct outreach activities, and identify tribal acquisition priorities. Tribes may also use this information to plan for other land consolidation activities.

## PRIMARY PROCESSES

The Program's land consolidation processes are categorized into four phases: outreach, land research, valuation, and acquisition. The outreach phase involves consultation with the tribe about various planning matters, such as tribal priorities and involvement, and working with communities so that individuals are aware of the opportunity to sell fractional interests. As this initial outreach is occurring, research concerning reservation lands happens simultaneously. Once the research is complete, the Program values fractionated tracts using various appraisal valuation techniques (mass appraisals, project reports, or site-specific appraisals). Finally, once fair market value determinations of the land have been made, the Program develops an offer set and mails offer packages to eligible individuals for their consideration. Additional outreach occurs after offer packages are sent to answer landowner questions. The Program began sending offers in December 2013 and as of October 22, 2015, had sent offers to landowners with interests at 19 locations.

Outreach. During this phase, the Program disseminates information to increase overall awareness of the land consolidation aspects of the Settlement. The outreach phase has two primary functions – outreach to tribal leadership and outreach to tribal individuals.

*Outreach to tribes.* Communication with tribal leadership is a fundamental part of the outreach phase. Through Agreements, tribes work closely with staff from various Departmental offices. Buy-Back Program Senior Advisors for Tribal Relations (Senior Advisors) serve as the first point of contact for tribes. The Senior Advisors meet with tribes to discuss priorities for acquisition, decide how best to conduct tailored outreach for the locations' landowners, and determine the tribes' interest and capacity to conduct Buy-Back Program operations through Agreements. The Senior Advisors remain involved throughout implementation, providing tribes with a central point of contact and coordinator for Program-related matters.

One of the most important activities regarding outreach to tribes is the selection of tribal priorities. The Program works with tribes to identify mappable, purchasable acquisition priorities as early in the implementation process as possible, about nine months before it plans to issue offers for interests at that location. Tribes applying for an Agreement must submit a preliminary priority tract list with their application. A tribe's early submission of priority tracts is crucial to Program implementation as appraisals may be determined by the tracts selected. Tribal identification of priority tracts is *particularly* important when the total

### Outreach by the Numbers

More than 220,000 postcards mailed to owners

Nearly 74,000 incoming calls to the Call Center

Approximately 17,000 willing sellers documented at OST agency offices and Call Center

More than 250 million media impressions

value of the purchasable fractionated land under the tribe's jurisdiction is likely to exceed the purchase estimate.

The Program provides multiple tools that tribes can use when ranking their priority tracts. The Senior Advisors and other Program representatives also provide direct support to tribes during this process assisting tribes with identifying purchasable mappable tracts using ArcGIS geodatabases. Tribes can also reference the Priority Ranking Worksheet to rank different factors that may impact the tribe's selection of priority tracts. A sample of this worksheet can be found on the Program's website.

#### Assistance with Priority Tract Selection

A Program staff member assisted The Osage Nation with identifying 237 purchasable tracts, consisting of approximately 29,000 purchasable equivalent acres, within certain townships and ranges that are tribal acquisition priorities using ArcGIS geodatabases. The Osage Nation was able to submit a list of townships in which they would identify priority tracts with their cooperative agreement application. The Program continues to work with The Osage Nation to identify specific priority tracts and appraise these tracts.

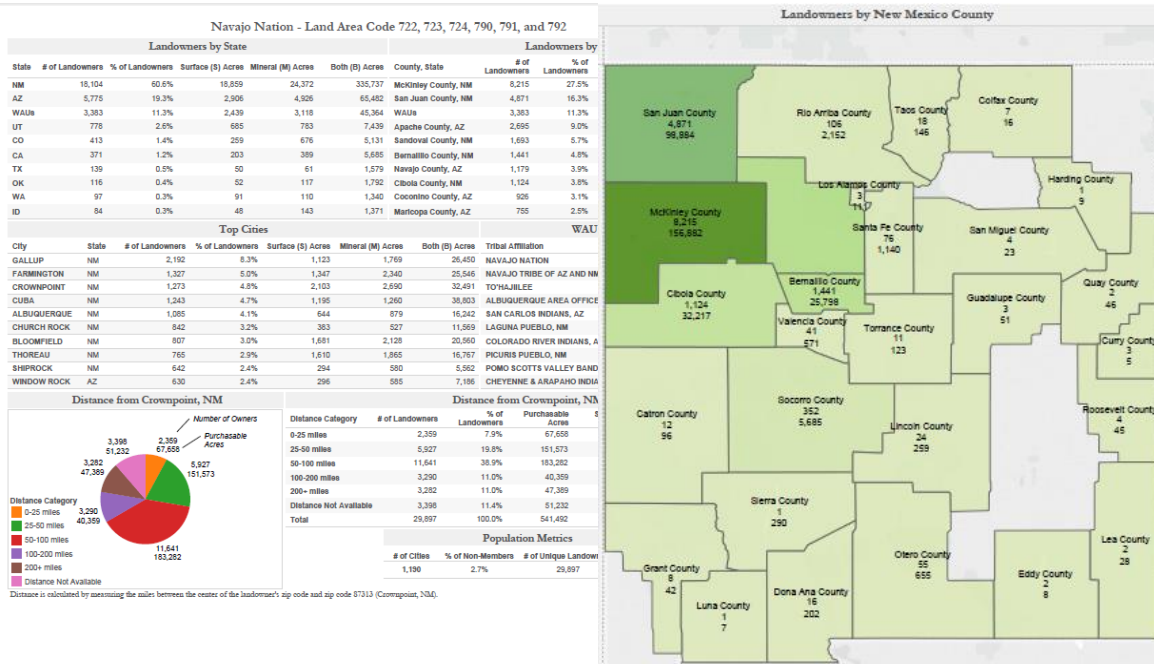
Tribes often already have efficient methods to conduct outreach with their members, many of whom own fractional interests. In addition, Senior Advisors, other Program representatives, and tribes use the landowner and ownership information to strategically plan outreach events. For example, the Program and tribes can plan outreach events in areas where landowners are highly concentrated. Such information is contained in Outreach Planning Reports. The reports present analyses of data based on landowners who own purchasable fractional interests at specific LACs; and contain tables and maps detailing the geographic distribution of landowners as well as demographics. The Program creates Outreach Planning Reports for entire locations as well as for specific tracts. It provides them to tribes in advance of offers being sent so that they can be used to design effective outreach activities. In FY 2015, the Program provided 26 tribes with Outreach Planning Reports.

#### *Sheela Farmer, Fiduciary Trust Officer, explains wall maps at an outreach workshop*



*Photo credit: U.S. Department of the Interior*

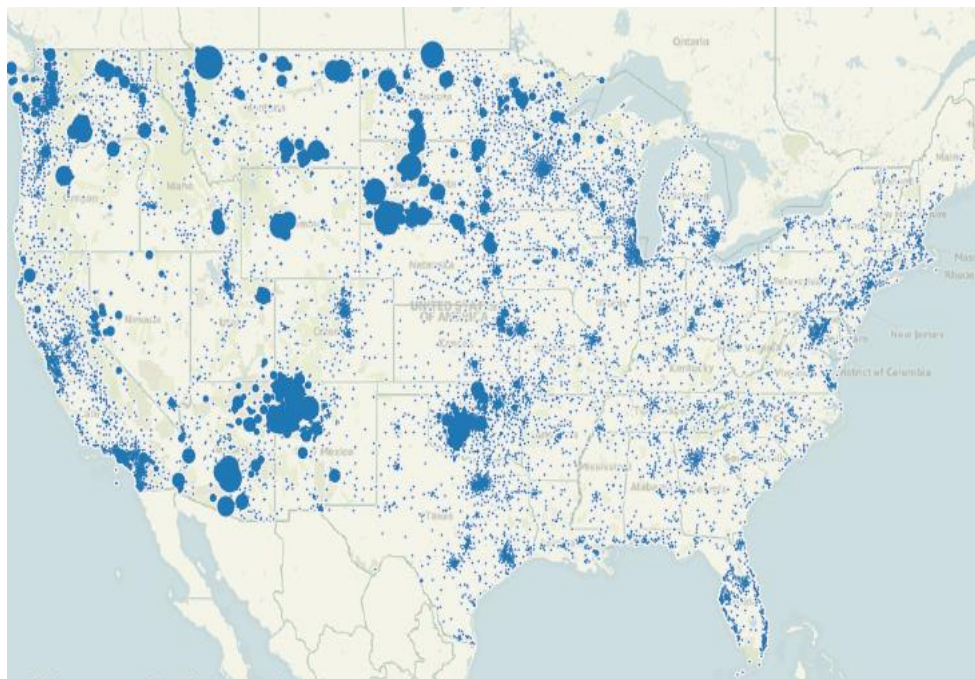
Sample sections from Navajo Nation Outreach Planning Report



Some successful outreach practices have included identifying a primary point of contact at the tribe, working closely with tribes to identify WAU individuals, providing landowner assistance and notaries for the completion of offer packages, and interpreting materials into Native languages.

*Outreach to Individuals.* The fundamental goal of outreach to individuals is to share information and to answer questions to facilitate informed decisionmaking by landowners. The Call Center within OST serves as the first point of contact for landowners. The OST – Regional Trust Administrators and field operations staff, especially Fiduciary Trust Officers (FTOs), take the lead in performing pre-offer and post-offer outreach to individual landowners, in coordination with the tribe with jurisdiction. The OST coordinates closely with the Program, BIA, and tribes to perform outreach at tribal and local events, such as powwows, urban Indian center events, and off-reservation events. The BIA Acquisitions Center also supports outreach to individual landowners, in coordination with Program staff, OST, and the tribe with jurisdiction. In addition, the Program conducts national outreach efforts to reach landowners who do not live on or near reservations.

Early implementation efforts found that owners are often geographically dispersed, which necessitates multiple outreach methods and resources. For example, landowners with interests at the Pine Ridge Reservation were located in all 50 states, 3 territories, and 11 countries. The map below illustrates the geographic distribution of landowners across the approximately 150 locations within the continental United States.

*Location of landowners with fractional interests*

Once the Program schedules implementation at a location, the tribe and Program staff work together to gather and assess landowner information, in order to develop an effective outreach plan tailored to the landowners, the location, and its particular circumstances. Individuals owning fractional interests within a reservation must be informed that they may be able to sell their fractional interests.

It is critical that landowner questions and concerns are answered promptly so that owners are equipped to make informed decisions. Landowner outreach also addresses the timeframes in which the Buy-Back Program expects to complete its work for the reservation and how individuals may take advantage of the opportunity to sell their fractional interests.

## Informed Decisionmaking

Landowner outreach is focused on helping landowners understand the Program and make informed decisions about whether to sell their fractional interests. Making informed decisions occurs through various means, including by:

### Helping Individuals Understand their Land

- Reviewing quarterly account statements to help owners understand how much land they own and whether it produces income.
- Studying the Individual Trust Interest (ITI) Report that includes a description of the land location, ownership type (e.g., surface, mineral, or both), and tract ID information.
- Researching land on BLM site (<http://www.glorerecords.blm.gov/search/>) to locate original allotment documents using ITI tract legal description.
- Providing maps and showing owners how to view their land on public mapping websites.

### Reviewing all the Options

- There are various other options for dealing with fractionated land beyond the Buy-Back Program. Landowners who do not receive an offer or choose not to sell their land may wish to speak with OST or BIA about planning to pass on their land in ways that minimize future fractionation. The OST has partnered with a number of tribal organizations, legal aid services, and law schools to help provide Indian trust beneficiaries with resources to assist with estate planning. For more information, go to:  
<http://www.doi.gov/buybackprogram/landowners/financial-awareness.cfm>.
- Owners may want to consider: writing a will to leave all of their interests to an heir or the tribe; gifting interests to an heir or tribe; selling or buying interests to or from co-owners; exchanging their interests with the tribe (provide fractional interests to the tribe in exchange for the right to occupy or use land under tribal control or management; and creating a joint tenancy for their interests by will or deed.

### Considering Financial Implications

- Since Buy-Back payments can be sizeable (e.g., there have been more than 3,000 individual payments exceeding \$50,000, with some more than \$1 million), outreach staff also promote financial education and awareness to help owners think about what they will do with the money they receive if they choose to sell.
- Landowners interested in learning more about financial awareness may contact the Call Center, their local FTO, work with one of OST's many partner organizations that provide financial education, or may visit the OST website supporting financial empowerment:  
[http://www.doi.gov/ost/individual\\_beneficiaries/financial\\_empowerment/index.cfm](http://www.doi.gov/ost/individual_beneficiaries/financial_empowerment/index.cfm)

### Encouraging Review of Certain Rules Governing Fractional Interests <sup>a</sup>

- The BIA and OST assist landowners with understanding the American Indian Probate Reform Act of 2004 (AIPRA) which created a nationwide Federal code for the probate of Indian trust estates by the Department's Office of Hearings and Appeals. The act changed the way trust estates may be devised or distributed to heirs when there is no will. The act affects inheritance of all Indian trust or restricted land, except for lands located in Alaska and lands held in restricted fee status for members of the Five Civilized Tribes of Oklahoma and The Osage Nation. ([https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/aipra-brochure\\_PL108-374.pdf](https://www.doi.gov/sites/doi.opengov.ibmcloud.com/files/uploads/aipra-brochure_PL108-374.pdf))
- The following three tribes have tribal probate codes that were approved by the Assistant Secretary Indian Affairs pursuant to AIPRA: Confederated Tribes of the Umatilla Indian Reservation, Northern Cheyenne Tribe, and Fond du Lac Band of the Lake Superior Chippewa.
- In addition, tribes have specific Federal statutes that govern the disposition of trust or restricted lands, including at these locations:
  - The Creek Nation of Oklahoma <sup>a</sup> Act of August 29, 1967 (Pub. L. 90-76 § 3, 81 Stat. 177, 25 U.S.C.



§ 788)

- Yakima Reservation (or within the area ceded by the Treaty of June 9, 1855 (12 Stat. 1951)), The Act of December 31, 1970 (Pub. L. 91-627, 84 Stat. 1874, 25 U.S.C. § 607), amending section 7 of the Act of August 9, 1946 (60 Stat. 968).
- Warm Springs Reservation (or within the area ceded by the Treaty of June 25, 1855 (12 Stat. 37)), Act of August 10, 1972 (Pub. L. 92-377, 86 Stat. 530).
- Nez Perce Indian Reservation (or within the area ceded by the Treaty of June 11, 1855 (12 Stat. 957)) Act of September 29, 1972 (Pub. L. 92-443, 86 Stat. 744).
- The Umatilla Indian Reservation, Act of April 18, 1978 (Pub. L. 95-264, 92 Stat. 202, 25 U.S.C. § 463d).
- Osage Nation, of Oklahoma<sup>b</sup> Act of October 21, 1978 (Pub. L. 95-496 § 5, 92 Stat 1660, 25 U.S.C. § 331 note, see also 25 C.F.R. part 17).
- Standing Rock Reservation of North Dakota and South Dakota, Act of June 17, 1980 (Pub. L. 96-274, 94 Stat. 537).
- Devils Lake Sioux Tribe of North Dakota (Spirit Lake Sioux Tribe) Act of January 12, 1983 (Pub. L. 97-459, 96 Stat. 2515).
- Lake Traverse Indian Reservation (Sisseton Wahpeton Oyate) Act of October 19, 1984 (Pub. L. 98-513, 98 Stat. 2411).

<sup>a</sup> Future changes in laws cannot be predicted. The information provided is based only on rules and laws in force of the date of this Report.

<sup>b</sup> Probates of deceased members of the Five Civilized Tribes of Oklahoma and The Osage Nation are conducted by the State Courts of Oklahoma rather than the Office of Hearings and Appeals. *See generally* Act of August 4, 1947 (Pub. L. 80-336, 61 Stat. 73); 25 U.S.C. §§ 375d, 331 note; 25 C.F.R. parts 16-17.

As described below, the Program uses various resources and activities to support outreach efforts, including a Call Center, website, marketing materials, events, postcards, locating individuals who are WAU, proactive calls, and media relations.

*Call Center.* The OST Call Center is the primary contact responsible for receiving inquiries from landowners regarding the Program. The Call Center, located in Albuquerque, New Mexico, is a nationwide call center that provides a convenient one-stop service for beneficiary inquiries.<sup>7</sup> Using a toll free telephone number, beneficiaries can easily access information regarding their trust assets as well as request updates to, or disbursements from, their IIM accounts. Landowners wishing to identify themselves as willing sellers can do so through the Call Center. The Call Center also serves as the primary point of contact for the Buy-Back Program where beneficiaries can update their name and address and may request various items, including: a) information on purchase offers; b) assistance with completing a purchase offer package; c) information on whether a tract is income producing; d) information about the impact, if any, a sale would have on the

7. During FY 2015, the Call Center responded to a total of 229,469 beneficiary inquiries. The FY 2015 responsiveness metrics for the Call Center were: an average answering speed of 1:44 (mm:ss), an abandoned rate of 12.4 percent, an average handle time of 4:15 (mm:ss), and a rate of first line resolution of 98.1 percent.

beneficiaries' use of fractionated land; and e) a conveyed interests report. If the Call Center is unable to answer questions, it will refer issues to the BIA acquisition center or the appropriate FTO.

During FY 2015, the Call Center responded to a total of 54,979 Buy-Back Program inquiries. This call volume is a 67 percent increase over FY 2014. Inquiries and related account update requests increased following offer mailings, press releases, postcard mailings, and before offer due dates. During FY 2015, the Call Center also documented 9,758 willing sellers and an additional 3,027 willing sellers were documented by OST Agencies. As part of its Planning Initiative, the Program is intensifying its efforts to identify and engage individual landowners who are interested in participating and encouraging interested sellers to identify themselves as such. In early October 2015, the Program began mailing postcards to owners with interests at locations that had not yet been scheduled in order to stimulate early awareness of the Program and consideration of their land and options available to them.<sup>8</sup>

*Website (www.doi.gov/buybackprogram).* The Program has a comprehensive website designed to provide landowners, tribes, and the public with information. The site includes a detailed list of FAQs, outreach materials, instructions for completing the deed and purchase offer documents, cooperative agreement guidance and instructional documents, and Program presentations, among other items. The website also provides guidance to tribes on Planning Initiative submissions.

*Outreach Materials.* The Program developed a variety of materials for use at outreach events and these are available in regional and local offices. Outreach materials (available at [www.doi.gov/buybackprogram/tribes/outreach-materials.cfm](http://www.doi.gov/buybackprogram/tribes/outreach-materials.cfm)) include a Program brochure, pocket card, poster, fact sheets, sample deed, and event announcements. In addition, the Program provides Indian Land Tenure Foundation (ILTF) pamphlets, *Informing Indian Landowners on the Land Buy-Back Program*, to landowners receiving offers. This pamphlet serves as a resource for landowners completing their purchase offers. The Program will continue to work with partner organizations and tribes to develop new material or tailor existing material for specific locations.

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8. Registration in no way commits a landowner to sell his/her land, nor does it guarantee an offer will be extended; it merely identifies the landowner's desire to receive an offer and provides an opportunity for advance outreach and information to be shared with the landowner at the earliest possible time.

*Events.* In-person interactions at conferences and other events allow landowners to learn about the Program, meet staff, ask questions, and even complete their offer packages on site. The number and locations of pre-offer and post-offer events is determined by offer set size, location of landowners, available resources, tribal outreach efforts, and other pertinent factors. In addition to location-specific outreach events, the Program hosts and attends regional and national events. Since 2013, Program representatives have hosted or participated in more than 150 outreach events throughout the country. In March 2015, the Program hosted a Listening Session for tribes and landowners, featuring Deputy Secretary Mike Connor and Assistant Secretary – Indian Affairs Kevin Washburn. More than 150 people attended the event, and the Program was able to gather feedback from tribes on implementation. Program staff also attended several events in FY 2015 that provided opportunities to further interact with tribes and landowners.

### *Deputy Special Trustee Jim James answers landowner's questions at the March 2015 Listening Session*



*Photo credit: U.S. Department of the Interior*

*Postcards.* The Program generally sends two postcards to landowners receiving offers, one before landowners receive offers and one after. These postcards alert landowners to expect offer packages in the mail and may provide information about upcoming outreach events. The post-offer postcard also reminds landowners of offer return deadlines. The Program works with tribes to customize postcards to locations which may contain tribal seals or flags. The Program has mailed more than 220,000 postcards to landowners as of September 2015.

### *Sample Postcard*



*Individuals that are Whereabouts Unknown (WAU).* Another aspect of outreach to individuals is locating WAU owners. The OST, as part of its ongoing non-Buy-Back Program operations, seeks to maintain or update current addresses for IIM account holders. Through these efforts, OST is able to locate on average approximately 25,000 WAU accountholders annually (including non-land and land-based accounts). The number of WAUs significantly decreased following the *Cobell* Stage 1 settlement payments but has slowly increased since 2013. The Program has benefited from these efforts. At the same time, however, anywhere from 16,000 to 30,000 accounts may be reclassified as WAU on an annual basis as accountholders move and

do not provide a forwarding address.<sup>9</sup> The below figure depicts overall WAU reduction and growth, by BIA region, from 2012 through 2015 for land-based accounts. In 2012, the whereabouts of approximately 40,000 landowners were unknown; there are now 33,306 landowners whose whereabouts are unknown and who own more than 382,000 equivalent acres (5.5 percent of total purchasable equivalent acres across Program-eligible locations) in approximately 50,000 fractionated tracts.

In addition to OST's ongoing efforts, the Program, OST, and tribes work together in several different ways to identify and locate WAUs in relation to land consolidation through the Program. If WAUs who own fractional interests are identified, and the identified WAU owns an interest(s) on a tract with an outstanding offer, the Program then sends the identified individual an offer for their interests. In FY 2015, the Program generated nearly 9,000 WAU offers, representing about 10 percent of total offers generated and about 3 percent of the dollars offered during the year. The Program identified WAU owners during the course of open offer sets and mailed 1,148 (12.9 percent) of these approximately 9,000 offers. More than 40 percent of WAU landowners who were located and received offers accepted their offers, resulting in more than \$6 million in sales (1.1 percent of FY 2015 sales) and more than 16,000 equivalent acres consolidated (1.4 percent of total equivalent acres consolidated in FY 2015). By working together to reduce the number of WAUs, tribes, OST, and the Program can maximize the number of individuals able to receive offers. The Program encourages tribes to locate WAUs as part of their outreach activities.

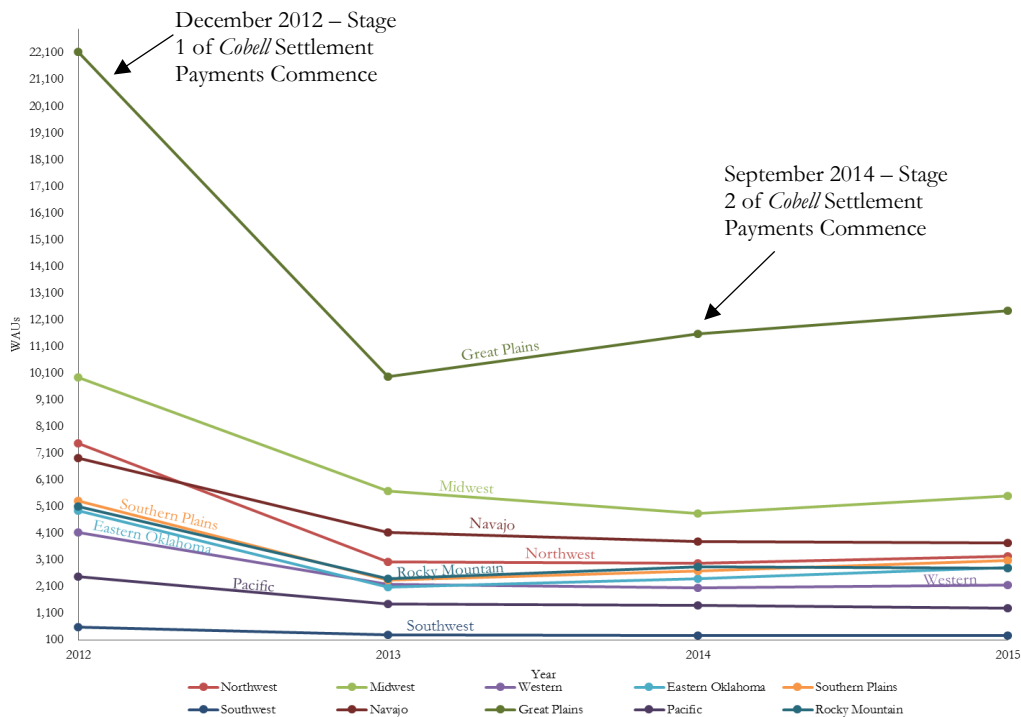
The Settlement and the Claims Resolution Act of 2010 explain the process the Program must take should it exercise its authority to purchase fractional land interests from WAU landowners who do not come forward. If those owners are not located after the Department undertakes the outreach effort and the passage of five years, the landowners shall be deemed to have consented to the conveyance of fractional interests that are located on a parcel of highly fractionated Indian land.<sup>10</sup> In previous status reports and implementation plans, the Program requested feedback related to this aspect of the Settlement. The Program responded that it has not exercised this process for WAU purchases thus far and, based on current response rates, does not anticipate making such WAU purchases in the future. Since the Program's inception, the focus has been on locating WAU through outreach efforts so individuals can receive and consider offers.

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9. Pursuant to 25 U.S.C. § 2221, individuals are required to provide updated address information.

10. *Cobell* Settlement Agreement at ¶ F(6); Claims Resolution Act of 2010 § 101(e)(5).

*WAU reduction and growth trends 2012-2015<sup>11</sup>*



*Proactive Calls.* The Program also seeks to prioritize outreach efforts. Roughly 33 percent of total unique owners held about 95 percent of the fractionated acres associated with the most fractionated locations as of September 2015. As a result, the Program and its partners call landowners who own a significant amount of land. The purpose of these calls is to confirm that offers were received, answer landowner questions, discuss financial aspects of selling their interests, and share other options available.

*Media Coverage.* Buy-Back Program media coverage has included articles, opinion editorials (op-eds), press releases, public service announcements (PSAs), and national and local advertising. PSAs from Departmental and tribal leaders have been disseminated to tribal and local radio stations, and aired in partnership with the Indian Health Service. The Program regularly issues press releases on milestones and offer opportunities, and publishes op-eds throughout Indian Country. Each announcement is distributed to the media, tribes eligible to participate in the Program, and tribal and allottee organizations. The Program has also purchased advertisements in brochures and in local newspapers. Senior Advisors and outreach staff work closely with tribes to identify the most effective media outlets to reach their respective landowners and tailor communications accordingly.

11. WAU counts included in this graph may double count landowners who are WAU and own land at multiple locations.

Land Research. The Settlement requires the Department to offer to purchase land at fair market value. During this phase, the Program collects the data necessary to establish the fair market value for the tracts containing fractional interests that may be acquired. Implementing the Buy-Back Program on the scale established by the Settlement requires information for thousands of tracts to be generated from TAAMS and other sources to provide the necessary data for determining fair market value. Fair market value is determined by the Department's Office of Appraisal Services (OAS) and is a licensed appraiser's estimate of what a property would sell for in an open and competitive market.<sup>12</sup> The OAS completes an appraisal of a fractionated tract by appraising the tract as if it were a single-owner fee status tract, and compares it to similar tracts that have recently sold in the area. Adjustments, based upon market conditions, are made to account for differences between the tract being appraised and recent sales (e.g., the presence of water on grazing land for cattle would make a tract of land more desirable and therefore the tract may have a greater value). To determine fair market value, OAS compiles necessary information about the tracts that will be valued during the land research phase.

The land research effort includes identification of the fractionated tracts under tribal jurisdiction that contain purchasable interests. In particular, using data from TAAMS and PLSS, BLM creates GIS layers to depict the tracts on lands under tribal jurisdiction. Mapping tracts facilitates the valuation process by enabling tract land use categorization (e.g., range, dry crop, and irrigated crop), geographical analysis, and comparison to surrounding uses and values.<sup>13</sup> While tribes can participate in some mapping activities, base mapping efforts are completed by BLM for efficiency and consistency purposes.

### Land Research by the Numbers

80 initial maps completed and made available to tribes

40 minerals evaluations, reviews, and updated reviews

### Tracts and Parcels

A tract of land, as referenced throughout this Report, is the real property trust asset in which an individual or tribe has an ownership interest. It is a defined area, often the boundary of an original allotment, and can include the surface estate, mineral estate, or both. A tract can be owned by one or more individuals and tribes. A tract with multiple owners is considered a fractionated tract.

A tract of land can be composed of one or more parcels. Parcels also have defined areas, but are not necessarily adjoining plots of land. In other words, a tract may be composed of just one single parcel of land, multiple adjacent parcels, and in some instances multiple non-adjacent parcels that are separated by other tracts or parcels of land. A landowner owns an interest in a tract, not in a particular parcel.

Offers for the Buy-Back Program are made at the tract level. If a tract contains a parcel that cannot be appraised, then offers for interests in the whole tract cannot be made.

12. The Indian Land Consolidation Act provides that the Secretary may develop a system for establishing fair market value, including a system based on geographic units. See 25 U.S.C. § 2214.

13. In addition, mapping data may be utilized to create visual layers that will depict the status and progress of the Buy-Back Program and help identify acquisition priorities.

The Department's Office of Valuation Service's Division of Minerals Evaluation (DME) conducts minerals assessments in three stages. Stage 1 parcels are located in areas with no viable economic mineralization or within viable economic mineralization zones where an estimated commodity value can be readily established. Stage 2 parcels require more research, data, and time to estimate; and Stage 3 parcels are associated with demonstrable commodity reserves, requiring intensive analysis. The DME examines parcels associated with the Program implementation for a given location. Currently, the Program does not value tracts that contain Stage 2 or Stage 3 minerals. However, parcels requiring more detailed analysis may occur at the later stages of the Program as resources and time allow. As of September 2015, the Program has completed 80 initial maps<sup>14</sup> and minerals evaluations for 26 locations.

Some tracts may require additional information outside of TAAMS before values can be determined. For example, additional information may be required to clarify legal descriptions. Most information will be gathered during the land research phase.

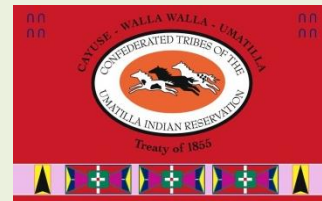
However, some tracts may require additional research that cannot be conducted with the rest of the reservation because it would diminish the efficiency and cost-effectiveness of the Program. The Program works with tribes to include tribal priorities in the valuation request to the greatest extent possible.

During the mapping process, the Program creates several products and shares them with tribes including ArcGIS geodatabases, initial base mapping, subsequent re-mappings, wall maps, and individual tract maps as described in the Tribal Involvement section above. The PLSS and base mapping products require GIS capabilities; tribes can work with the BIA Branch of Geospatial Support to acquire this software. The Program also assists tribes by providing geodatabase training and support.

The Program provides wall maps to tribes so that they can easily visualize the current state of fractionation on their lands. These maps indicate levels of tribal ownership on tracts over which the tribe has jurisdiction. Individual tract maps are provided to tribes and help tribes to identify resources on various tracts. Individual tract maps are also provided to landowners in the offer packages. These maps can help landowners make informed decisions to sell or not sell their land.

### Mapping Benefits of Program Implementation

The geodatabases provided by the Program contributed to the Confederated Tribes of the Umatilla Indian Reservation's development of a GIS-based data management system of information of allotments. The Tribes worked with BLM and BIA Land, Titles, and Records Office (LTRO) to correct and update the Tribes' information systems and mapping.



14. This figure counts initial maps completed for individual LACs. Several tribes have jurisdiction over multiple LACs.

**Valuation.** The Program determines the fair market value of fractionated tracts at each location, which provides the primary foundation for individual offer amounts as required by the Settlement. The Program uses several types of appraisal methodologies. A mass appraisal approach is used to value properties that are similar in use and have active and consistent markets or have comparable available sales data. Mass appraisals allow for greater efficiency and consistency in valuations. Mass appraisals provide reduced administrative costs, expedite the appraisal process, and facilitate the greatest number of offers. Individual or site-specific appraisals may be used on tracts that are difficult to value simultaneously with tracts amenable to mass appraisal. The Program relies most heavily on mass appraisal valuation techniques, such as automated valuation models using statistical analysis, market studies, and project appraisal reports. Site-specific valuations are used as warranted and as costs permit. Appraisal methods conform to the Uniform Standards of Professional Appraisal Practice (USPAP). To ensure that the valuation methods and techniques meet industry standards, the Department obtained a third-party review of its valuation techniques from The Appraisal Foundation (TAF) in FY 2014. TAF is a non-profit, non-partisan organization, authorized by Congress. TAF is dedicated to the development of appraisal standards in the United States and to establishing qualifications criteria for appraisers. In FY 2015, the Department worked with TAF again to evaluate and update the independent review and analysis of the Department's Valuations Methodologies Plan for the Buy-Back Program and the Department's implementation of the plan. In its report, TAF noted that the Department "has done an outstanding job of managing the mass / site-specific appraisal processes and hired an exceptional consultant that is known internationally."

### Valuation by the Numbers

18,213 tracts appraised (does not include mineral-only tracts or re-evaluation)

3,324,330 acres appraised

19 locations

10 mass appraisals (plus 2 updates)

9 site-specific appraisal locations (726 appraisals completed)

### Tribal Spotlight – Coeur d'Alene Reservation



*Photo credit: Coeur d'Alene Tribe*

The Coeur d'Alene Tribe prioritized acquiring ownership in agricultural tracts during Program implementation because these tracts were some of the most highly fractionated on the Coeur d'Alene Reservation. The Program was able to utilize mass appraisal methods due to the homogenous, non-complex, and similar land uses of the tracts. Using the mass appraisal methodology significantly streamlined the Buy-Back Program implementation. Agricultural parcels now produce consistent annual revenue as a result of consolidation.

Implementation of the Program enabled the Coeur d'Alene Tribe to consolidate more than 2,500 equivalent acres of productive agricultural land. Several tracts are now owned solely by the Tribe, which streamlines administrative processes, strengthens tribal sovereignty, and provides opportunities for tribal self-determination. The Buy-Back Program has had a substantially positive impact on the Coeur d'Alene Tribe by returning land that provides a foundation for tribal identity, income, development opportunities, and a home for the Coeur d'Alene people.



The Program has found that the majority of tracts within many of the most highly-fractionated reservations are amenable to mass appraisal valuation techniques. More complicated tracts may be difficult to value simultaneously with the rest of the reservation without diminishing the efficiency and cost effectiveness of the Buy-Back Program. An inability to value certain tracts may preclude individuals from selling all of their interests or the acquisition of some tribal priorities. Tribal acquisition priorities are vitally important to strengthening tribal sovereignty and promoting consolidated trust land bases for conservation, stewardship, and beneficial use by sovereign tribal nations. Although the Program cannot guarantee that it will be able to purchase all tribal priorities, given its financial and operational constraints, it continues to encourage tribes to identify their priorities. The Program actively works with tribes to accommodate those priorities to the fullest extent possible.

Tribes seeking Agreements to determine fair market values must demonstrate the ability to perform reservation-wide valuations in a manner that is efficient and cost-effective. Tribes that currently perform valuation or appraisal work for the Department may be better positioned to provide fair market values for the Program through an Agreement. The Program reviews and approves valuations performed by a tribe.

Acquisition. Once fair market value determinations are made, the Program seeks to consolidate fractional interests by mailing purchase offer information to the eligible individual owners of the tract, including postcards, an offer package, and an informational pamphlet.

To make the acquisitions process efficient, dedicated BIA personnel use TAAMS to automatically generate offer packages, which include the following documents (available on the Program's website): cover letter, instructions for completing inventory and deed, the deed itself, Purchasable Interests Inventory, maps, and a self-addressed return envelope. Individuals have 45 calendar days from the date of the cover letter to sell some or all of their fractional interests for which an offer has been made. Individuals voluntarily decide whether to sell their fractional interests.

The sale price may have up to three components: (1) appraised fair market value; (2) minimum amount for subsurface ownership; and (3) a base payment. The hypothetical in the table below illustrates these components. It assumes that the owner has a 1/100 (1 percent) undivided fractional ownership interest in 3 distinct 160-acre tracts, each with a different bundle of ownership rights. It is further assumed the subsurface ownership rights associated with 2 of the tracts have been determined to have no economic value. The offer to the owner for his or her interest in the 3 tracts would be \$1,239 as follows:

#### Acquisition by the Numbers

More than 137,000 offers generated  
 Nearly \$715 million paid to individuals  
 Approximately 400,000 interests purchased  
 Nearly 1.5 million equivalent acres consolidated

*Figures as of October 22, 2015*

*Sample Illustration of Offer Amount*

1. Appraised Values		
Tract 1 (Surface and Subsurface)	\$640	(1 percent owner of \$64,000 surface tract value; see also 2a. below)
Tract 2 (Surface only)	\$500	(1 percent owner of \$50,000 tract value)
Tract 3 (Subsurface only)	\$0	(see 2b. below)
2. Addition for Tract 1 Subsurface	\$12	(1 percent of 160 acres x \$7.50/acre minimum)
Addition for Tract 3 Subsurface	\$12	(1 percent of 160 acres x \$7.50/acre minimum)
3. Base Payment	\$75	(per offer, not interest)
<b>Total Offer Amount</b>	<b>\$1,239</b>	

Offer packages provided to individual landowners include a base payment of \$75 per accepted offer (not per interest), regardless of the value of the land. The base payment helps to offset the time and costs that owners may incur in responding to purchase offers.

Offers also include information about contributions for the Cobell Education Scholarship Fund. For an interest purchased for less than \$200, a contribution of \$10 is made; for an interest between \$200 and \$500, a contribution of \$25 is made; and for an interest of more than \$500, a contribution of 5 percent of the purchase price is made. The scholarship contribution does not come out of the landowner's payment amount.

Landowners who receive offer packages and decide to sell their land have several options for getting the packages notarized and returning the packages to BIA. Notary services are often offered at outreach events and at local OST and BIA agency offices. Once a packaged is notarized, landowners may return completed offer packages at outreach events or via the pre-paid return mail envelope.

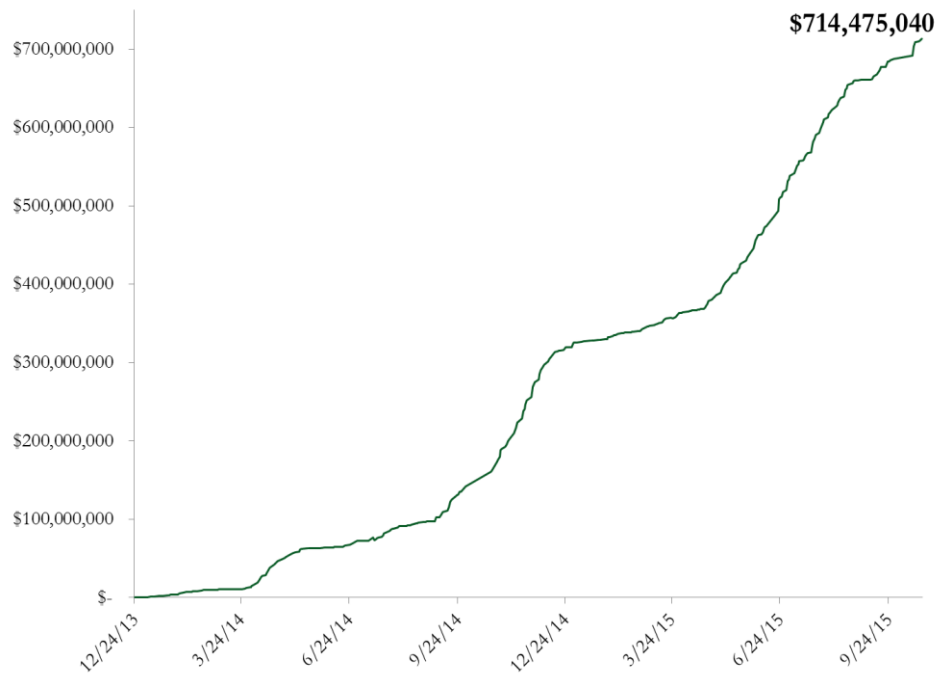
Once an offer is returned and approved, OST deposits the sale amount into the individual's IIM account for the interests sold. The Program also contributes an amount to the Scholarship Fund on the seller's behalf.<sup>15</sup> The following graph depicts the amount paid by the Program to landowners since inception.

*Landowner completes purchase offer for interests at Squaxin Island Reservation*

*Photo credit: U.S. Department of the Interior*

15. The Department makes transfers quarterly to the Scholarship Fund based upon sales completed during that quarter.

*Cumulative daily Program payments to landowners as of October 22, 2015*



Offers can only be issued on mappable, purchasable tracts that have been appraised. Mappable tracts are those without discrepancies or tracts for which mapping discrepancies have been resolved. Unmappable tracts cannot be valued, and therefore, offers cannot be issued on these tracts. Interests on tracts must also be purchasable. It may be the case that all of the interests on a tract may be owned by minors or held in life estate or joint tenancy. In such a case, offers would not be issued for that tract.

*Federal and tribal partners participate in an outreach workshop*



*Photo Credit: U.S. Department of the Interior*

### Buy-Back Program Eligibility and Purchasable Criteria

What makes a **tract** eligible for the Buy-Back Program?

- Tract has more than one owner
- Tract has at least one trust or restricted interest
- Recognized tribe exercises jurisdiction over the tract
- Tract must have appraised values
- Tract must be mappable (i.e., legal description of a tract does not require further research)
- Tract must not be 100 percent comprised of ineligible interests

What makes an **interest** eligible for the Buy-Back Program?

- Interest must be located within an eligible tract
- Interest must be individually owned in trust or restricted status

What makes an **interest** not eligible for purchase?

- Interest is owned in fee status or by the tribe
- Interest is subject to life estate or joint tenancy
- Interest ownership is pending legal transaction such as probate
- Interest is owned by a minor
- Interest is owned by an individual unable to make decisions on their own behalf (under a legal disability based on restricted status of landowner's IIM account)

### *Swinomish Indian Reservation*



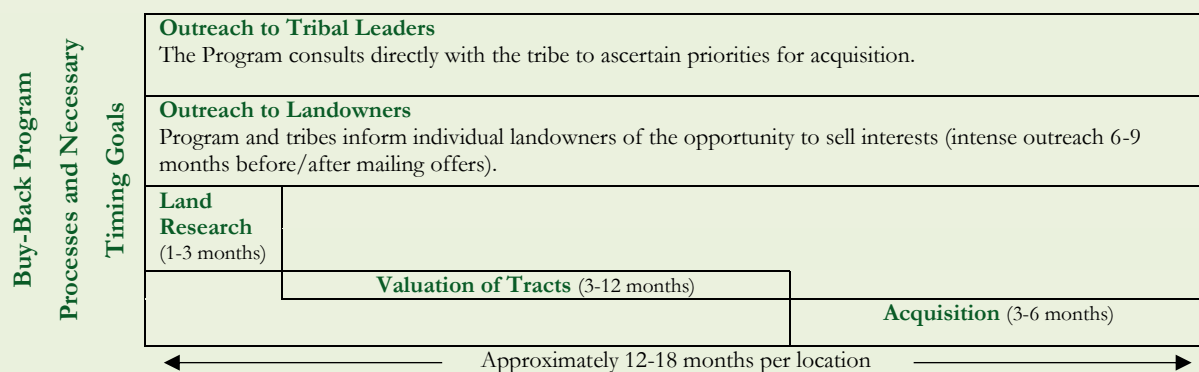
*Photo credit: Swinomish Indian Tribal Community*

### EXAMPLE OF PROGRAM PROCESSES

To illustrate the four Buy-Back Program phases, consider an example reservation with 3,000 tracts that contain 90,000 fractional interests owned by 10,000 individuals.

- 1. Outreach.** In cooperation with the tribe, outreach must occur to inform the 10,000 individuals that the Buy-Back Program will be valuing tracts and purchasing fractional interests from those who desire to voluntarily sell their interest(s). During this time, the Program consults directly with the tribe to ascertain acquisition priorities it may have.
- 2. Land Research.** While the Buy-Back Program and tribe are conducting outreach in the communities, BIA and other Department agencies gather data necessary to determine the fair market values of the 3,000 fractionated tracts within the reservation. For a number of reasons, a tract may require extensive research (e.g., based on mineral economic potential) to determine its fair market value. For this example, assume 10 percent of the tracts require extensive research that would require excessive time or cost to complete. To remain efficient and cost-effective, the Buy-Back Program would initiate a valuation request for 2,700 tracts, omitting those 300 tracts that require further data or extensive analysis before values can be determined (it is recognized that such an omission will necessarily preclude the Program from acquiring all the interests owned by certain individuals). The Program works with the tribe to ensure that as many tribal priorities as possible are included in the valuation request.
- 3. Valuation.** At this point, OAS receives a request to value 2,700 tracts within the reservation. To achieve efficiency and cost-effectiveness, OAS utilizes mass-valuation techniques. The number of tracts these techniques may capture varies between reservations, but for this example, only 80 percent of those tracts are amenable to some mass appraisal valuation technique. Thus, the Buy-Back Program can expect fair market values for 2,160 of the 3,000 tracts.
- 4. Acquisition.** Now that the Program has received the fair market value for 2,160 tracts, it can send offer packages to individuals who own interests eligible for purchase. At most, offer packages would go to all 10,000 individuals who own fractional interests within the reservation (or a subset because some of those 10,000 individuals may own interests only in the 840 tracts that were not valued). Offer packages have a return by date that is 45 calendar days after the cover letter date. The Program provides landowners with clear and concise instructions to complete and return the package, as well as information on using the ownership inventory to determine other options to consolidate their lands. The acquisition phase is highly automated and centralized to reduce implementation costs and increase efficiency. This phase is carried out by the Program.

The Program, through BIA utilization of TAAMS and other existing operations and systems, mails offer packages to owners, receives and processes completed offers, and, through OST, posts payments to IIM accounts. If landowner participation for a location is low, the Program will seek to use the remaining purchase estimate amount at other locations. See the following diagram for an illustration of these processes.



The Program is only active at a location for as long as it takes to complete the phases of the process. Once the four phases have been completed at the reservation, the Program focuses its efforts on the next location.

## PROGRAM SUCCESSES AND LESSONS LEARNED

The Buy-Back Program remains committed to continuous improvement. The Program encourages employees and partners to share their ideas on how to improve operations. In addition, the Program is learning a great deal through Agreements with tribes. Tribal leaders understand the unique qualities associated with allotted and other lands, as well as landowner sentiments. In March 2015, the Program gathered tribal feedback at its Listening Session. The event allowed Federal officials to share programmatic updates and hear from participants about improving Program implementation across Indian Country. Departmental leaders heard from individuals that outreach needed to occur far in advance of offers being made – particularly with respect to how land values are calculated, how improvements should be treated, and what resources may be available to landowners who may receive large payments. The feedback helped inform outreach events as well as the development of materials in partnership with ILTF. Through experience and collaboration with tribes to date, the Program has identified opportunities for improvement.

Outreach to Landowners. Program and tribal leaders work together to ensure that landowners are aware of this voluntary opportunity to sell their fractional interests and that they have the information and assistance they need to make informed decisions and to complete the conveyance documents if they choose to sell. It is also important to reach landowners with information about the Program as early as possible so landowners have ample time to understand and consider selling their land, ask questions, seek more information, and contact the Call Center.

### *OST Program Specialist Zan Spurlock and Navajo Nation Buy-Back Program Community Involvement Specialist assist landowners at the Central Navajo Fairgrounds*



*Photo credit: Navajo Nation*

The Program is partnering with the White House's Social and Behavioral Sciences Team (SBST) to analyze offer, sales, and Call Center data. The Program hopes to gain insight from SBST's analyses and update its outreach efforts accordingly. The Program began working with SBST in FY 2015, and will continue to work with SBST during FY 2016.

In response to tribal feedback, the Program has worked to improve access to landowner information so that tribes can effectively conduct outreach activities. Privacy of beneficiaries is also a vital concern. In order to release names and addresses of landowners, as well as other data pertinent to an owner, the Program must follow Federal information and privacy laws that restrict the disclosure of certain information. The Program may share (upon written request under 25 U.S.C. § 2216) owner name and mailing address information with tribes. The Program also may share information on the location of the land and the percentage interest owned under this authority. To share additional information, the Department published a System of Records Notice (SORN) pursuant to the Privacy Act. The Department published two updated SORNs in the *Federal Register* that are associated with key systems related to Buy-Back Program efforts. Moreover, the Department also developed a Privacy Act training and non-disclosure agreement (NDA) in compliance with Federal regulations and began distributing this training and the NDA to tribes in FY 2015. In order to receive landowner information from the Department beyond what may be disclosed in accordance with 25 U.S.C. § 2216, tribal staff must make a written request, complete the Privacy Act training issued by the Department, and sign the Program's NDA.

Both tribes and individuals have expressed a need to make participants aware of the financial implications of receiving funds for the sale of fractional interests. Towards that end, the Program, through OST and its partners, has provided financial education opportunities at locations scheduled to receive offers.

Land Research. One of the key lessons learned with respect to land research is the importance of sharing mapping information with tribes as early as possible. This is essential for tribes that wish to participate in land research or valuation activities, but also important for tribes to identify their priorities. Mapping also helps to identify tracts that have non-contiguous parcels. In the valuation process, it is important that all parcels associated with a tract – especially non-contiguous parcels – are considered in developing the fair market value. The early identification of the non-contiguous parcels helps to ensure that the parcels within a tract are valued, enabling as many tracts as possible to be part of an offer.

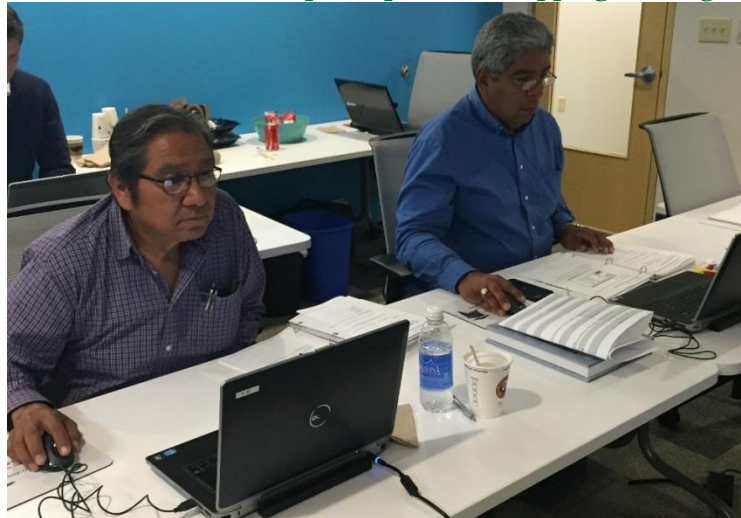
The Program has responded to tribal feedback about the need for GIS support and the need to understand the mapping process. In FY 2015, the Program hosted 6 mapping trainings, and representatives from 14 tribes attended. In FY 2016, BIA's Branch of Geospatial Services will host additional mapping trainings for tribes. Training topics may include parcel mapping and parcel mapping processing codes, and tribes will learn how to use the geodatabases provided by the Program, which may facilitate the identification of tribal priorities as well as tribal community and land-use planning.

Valuation. The Program identified valuation lessons learned through its completion of appraisals and work with tribes interested in completing appraisals themselves. Mass appraisal is the preferred approach whenever possible

because it is the most cost-effective way to appraise large amounts of land. The breadth, scale, limited funding, and limited life span of the Program necessitates the use of mass appraisal methods where appropriate. If a reservation has been identified by the Program as one that can be appraised using the mass appraisal methodology, the reservation should be *mas* appraised either by OAS or the tribe. Appraisal work to date has shown that the use of mass appraisals results in greater efficiency and consistency in valuations, enabling the Program to value many acres simultaneously. Mass appraisals are more easily updated.

Efforts thus far have demonstrated the importance of technology. In order to deliver a large number of appraisals in a constricted time frame, OAS developed and is using a state-of-the-art Mass Appraisal Valuation System (MAVS). The system was developed in-house through a collaborative process between OAS and OST's information technology department. The system capitalizes on GIS technologies, using aerial photography, oblique pictometry, and robust data management capabilities to gather hundreds of data points at each individual property (allotment / tract) level. Through the sharing of existing GIS data layers, OAS can acquire soil, hydrographical, topographical, utilities, and road data from various Federal, state, and local agencies to use in its analysis. As of September 2015, a total of 10 locations have been appraised through MAVS (including mass appraisal re-evaluation on 2 reservations) representing more than 22,534 tracts and more than 4 million acres of land.

*Representatives from the Shoshone-Bannock Tribes of the Fort Hall Reservation participate in a mapping training*



*Photo credit: U.S. Department of the Interior*



Tribal identification of priority tracts is crucial for locations that require site-specific appraisals. Experience has shown the importance of tribes identifying their priorities as early as possible so the tracts can be appraised and included in the offer set. The Program has worked to provide tribes lists of purchasable tracts earlier in the implementation process. The Program also provides tribes with a Priority Ranking Worksheet to assist with the process. Program partners work together to provide tribes with GIS support, and assist with identification of tribal priority tracts.

In an effort to increase transparency related to land valuation products, the Program clarified the process for promptly sharing appraisal reports with landowners and tribes. Landowners may request appraisal reports for tracts on which they own interests from the Call Center or an OST field office. The Program also shares appraisal information with tribes as it may assist with offer construction.

Acquisition. The Program is dedicated to making the acquisition process as easy and transparent as possible. In response to tribal and landowner feedback, the Program issued a revised policy regarding tracts with improvements. The Program is now making offers on fractionated tracts of land that have improvements – buildings or structures, including residential homes. While the improvements themselves will not be acquired through Program offers, their existence will be considered in determining the fair market value of the underlying tract of land. Offers on tracts with improvements will only be made if a lease is recorded in TAAMS or, in the case of tracts without a recorded lease, if the tribe approves a resolution requesting that the Program make offers on those tracts and indicating that the tribe will provide lease opportunities to individuals living on the land. All Program transfers into tribal trust ownership are subject to the terms of existing leases and encumbrances on the land. This policy change is also addressed in the FAQs in Appendix A.

### Confederated Tribes of the Umatilla Indian Reservation – Acquisition Priorities

#### *The Umatilla Homily cemetery expansion*



*Photo credit: Confederated Tribes of the Umatilla Indian Reservation*

The Tribes considered the following criteria when developing their priorities: cemeteries; cultural sensitivity; areas for essential services (water and sewer); highly-fractionated tracts; non-tribal member landowners; willing sellers; and Program-identified priorities.

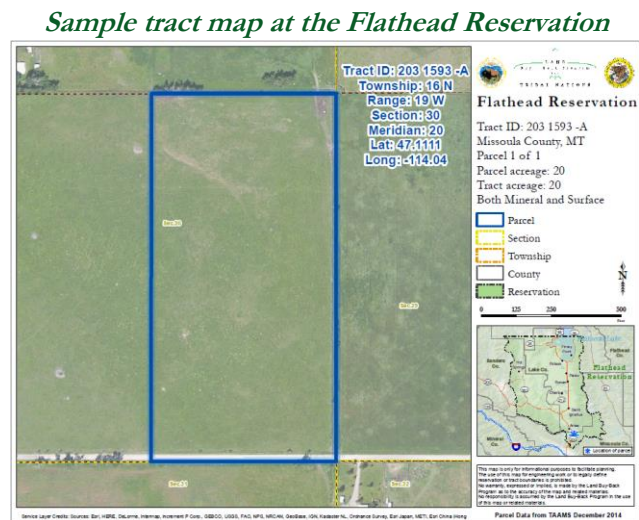
For example, one of the Tribes' high priorities was to consolidate land for the Homily Cemetery expansion. The original Homily Cemetery had reached capacity. With the oversight of the cemetery management committee and the cultural resource and protection program, the Tribes defined which cemeteries needed to be expanded or where they needed to address access issues. The Tribes were able to continue expansion efforts with land consolidated through the Program.

Currently, fractional interests held in joint tenancy or subject to a life estate are excluded from purchase offers. If a tract is 100 percent joint tenancy or life estate, the entire tract is excluded from purchase offers. Landowners with interests that are in joint tenancy or subject to life estate have come forward expressing strong interest in participating in the Program. To reiterate, the Program is for willing sellers with the goal of allowing as many landowners to participate as possible. The BIA Acquisition Center continues to coordinate with agency leadership that may see an increase in requests from landowners to dissolve joint tenancy or life estates before the Program implements at a given location, which may allow these landowners to receive offers.

This year, based on tribal feedback, the Program made improvements to language in the offer package documents to make them clearer for landowners.

The Program plans to include improved tract maps in future offer packages. These maps include the tracts' geographic coordinates so landowners can locate their land by using an online mapping system.

Tribal Involvement. The Program continues to identify lessons learned and best practices related to tribal involvement during implementation. The Program now seeks to enter into Agreements with tribes earlier in the implementation process.



Currently, the Program aims to enter into Agreements at least eight months before offers are scheduled to be mailed to allow for sufficient time for landowner outreach. This schedule allows the tribes more time to identify and train their local outreach staff and plan outreach events. The Program understands tribes' need for support from the Department during the Agreement application process, and Senior Advisors for Tribal Relations work closely with tribes during Agreement application development. The Program will continue to work closely with tribal leaders to ensure that the Agreement process is as streamlined as possible, while still meeting programmatic and regulatory requirements. The Program has improved guidance and informational materials related to cooperative agreements on the Program's website. The Program also understands that a cooperative agreement may not be appropriate in all instances (e.g., when a tribe does not request funding) and therefore has entered into memoranda of agreement with some tribes.

As described in the outreach section above, the Program has taken steps this year to allow for greater information sharing with tribes. The tribal teams and Program personnel can use this information to better

plan outreach events and activities. The Program continues to welcome feedback from tribes on these efforts, while working to develop and share useful products.

Tribal involvement in outreach activities is important to successful Program implementation. The Program hosted a tribal outreach workshop in March 2015 for participants to learn and share challenges and best practices related to outreach.

Representatives from tribes that had already completed Program implementation shared their experiences with attendees. Assistant Secretary Washburn spoke with tribal representatives participating in the event.

Representatives from the Sisseton Wahpeton

Oyate, Crow Tribe of Montana, Standing Rock Sioux Tribe, Navajo Nation, Cheyenne River Sioux Tribe, Confederated Salish and Kootenai Tribes, Assiniboine and Sioux Tribes, Fort Belknap Indian Community, Lummi Tribe, Prairie Band Potawatomi Nation, Fond du Lac Band of the Minnesota Chippewa Tribe, and Swinomish Indian Tribal Community attended the workshop.

*Councilman Thomas Wabnum participating in an outreach event at the Prairie Band Potawatomi Casino*



*Photo credit: Prairie Band Potawatomi Nation*

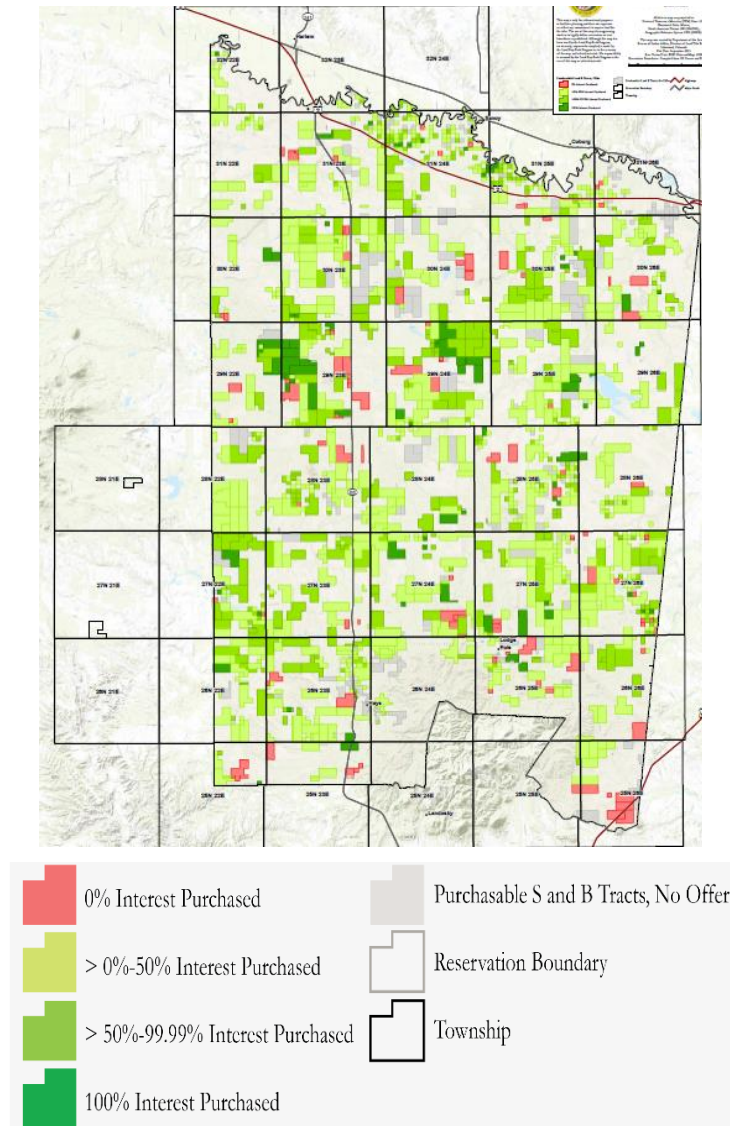
*Proposed site for water supply plant on the Crow Reservation*



*Photo credit: Crow Tribe*

Tribes have expressed the desire for updates on sales progress and information on the tracts in which the Program has acquired interests. The Program provides tribes with various maps depicting land status after implementation. The sales map to the right depicts increases in tribal ownership at the Fort Belknap Reservation. This map depicts all purchasable surface (S) and both (B) (i.e., tracts with both mineral and surface resources) resource code tracts on the Reservation. The green shaded tracts indicate different magnitudes of ownership interests purchased by the Program and placed into trust for the Fort Belknap Indian Community. The Program sent offers on 1,017 S and B tracts and increased tribal ownership in 938 of these tracts. Tribes can use this type of map to understand where the Program has increased tribal ownership and how much of an ownership interest has been transferred to the tribe as a result of Program purchases. This map does not depict the pre-Program tribal ownership or the post-Program tribal ownership; that information is provided in a separate map.

*Sales map for the Fort Belknap Reservation as of September 2015*

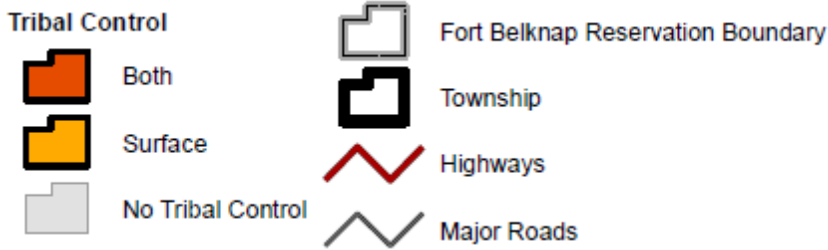
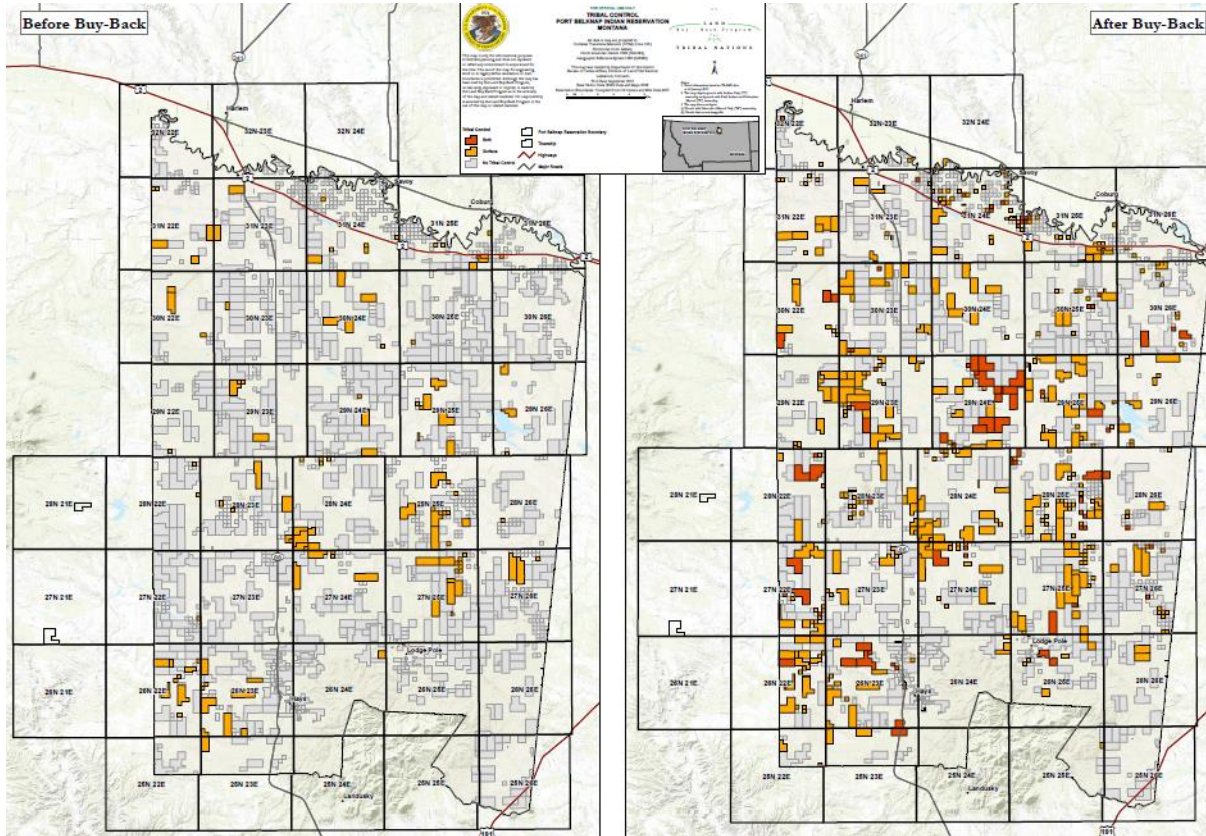


The Program also developed a tribal control map to share with tribes to identify tracts under tribal control both before and after implementation. The ownership percentage required in a tract for a tribe to maintain leasing control varies by number of owners with interests in the tract (see 25 U.S.C. § 2218 and page 10). Prior to Program implementation, the Fort Belknap Indian Community had tribal control of 92 S tracts, consisting of 22,132 acres.<sup>16</sup> After implementation, the Fort Belknap Indian Community has control of 358 S

16. Before Program implementation, the Tribe did not have control over any B tracts.

and B tracts consisting of 73,787 acres. Tribes can use this information to plan for future use of tracts now under tribal control.

*Tribal control map for the Fort Belknap Reservation*



## MEASURING PERFORMANCE AND PROGRESS

The Buy-Back Program actively tracks and monitors its performance to achieve the goals set by the Department. Partner offices and tribes regularly report results and metrics, which the Program evaluates in order to make improvements. Similarly, the Program monitors funding by comparing and reconciling budgeted estimates with actuals in order to make adjustments based on outcomes achieved. This helps ensure that there is a clear correlation between funding and results.

In FY 2015, performance results were shared regularly through various forums including:

October 2014	National Congress of American Indians (NCAI) 71st Annual Convention and Marketplace in Atlanta, GA
January 2015	3rd Annual Tribal Lands Conference on Indian Trust Lands: AIPRA, Probate, and <i>Cobell</i> in Tucson, AZ
February 2015	Affiliated Tribes of Northwest Indians Convention in Lincoln City, OR
March 2015	Buy-Back Program Listening Session in Laveen, AZ
March 2015	5th Tribal Land Staff National Conference in Pala, CA
May 2015	South Dakota Indian Business Council Conference in Deadwood, SD
June 2015	BIA Midwest Region Partners in Action Conference in Baraboo, WI
June 2015	NCAI 2015 Mid-Year Conference and Marketplace in St. Paul, MN

*Secretary Jewell visits the Shinnecock Nation to kick off the Tribal Solarthon as part of the Administration's commitment to strong economies in Indian Country*



*Photo credit: U.S. Department of the Interior*

The following table summarizes progress towards the Program’s goals as of September 30, 2015 (the Program has purchased additional interests since then as reflected elsewhere in this report).

**Program Performance Metrics**

Goal	Tracking	Value
Reduce fractionation and increase amount of land held in trust for tribes	The Program tracks this goal by dividing the number of fractional interests the Buy-Back Program purchases by the total Level 1 interests (see Appendix B for various definitions of interests, tracts, and acres). This metric reflects the reduction of fractional interests. (Formula: fractional interests purchased/Level 1 interests in September 2013 = percent reduction in fractional interests.)	12.7 percent reduction in fractional interests
	The Program also tracks: <ul style="list-style-type: none"> <li>· Total number of equivalent acres consolidated for tribes, and</li> <li>· Total number of tracts that experienced an increase in tribal ownership.</li> </ul>	1,423,033 equivalent acres consolidated  Interests in 26,196 tracts purchased (9,442 of these tracts increased to 50 plus percent tribal ownership; 1,067 of these tracts increased to 100 percent tribal ownership)
	The Program has a limited time frame of 10 years in which to expend the Fund to purchase fractional interests. The Program tracks its progress expending the Fund by calculating a Schedule Performance Index (SPI).  (Formula: SPI = Earned Value (EV) / Planned Value (PV) EV = Program purchases (\$) / \$1,555,000,000; PV = Years progressed / 10 years)	Schedule Performance Index of 1.56
Maximize tribal participation in the Program	The Buy-Back Program is structured in a manner that provides the flexibility to allow as much opportunity for tribal participation and assistance as practical at scheduled locations. This goal is tracked by the number of Agreements with tribes.	25 Agreements signed
	Tribes perform various activities under Agreements, and report on these activities on a quarterly basis. Tribal participation in outreach activities is important to the success of Program outreach to landowners.	More than 370 outreach events hosted by tribes, with more than 12,000 attendees  More than 900 media activities conducted by tribes  More than 4,000 notary actions completed by tribes  More than 9,500 mailings by tribes

<p>Establish and maintain clear communications with tribes, landowners, and the public</p>	<p>The Program actively consults with tribes to identify and accommodate acquisition priorities as much as possible. The Program reports progress and communicates with Indian Country by providing clear, concise information, options, and guidance to landowners about their fractional interests and the opportunity to participate in the Buy-Back Program.</p>	<p>More than 220,000 postcards mailed</p> <p>254 million media impressions across TV, radio, print, and digital platforms<sup>17</sup></p> <p>More than 73,300 incoming calls to the Call Center</p> <p>Initiated 1,200 proactive contact activities with landowners</p> <p>At least 3 Program touchpoints for each landowner receiving an offer (i.e., approximately 200,000 touchpoints)</p> <p>More than 40 national and regional conferences and events attended</p> <p>More than 40 in-person consultations with tribal leaders and staff on reservations (in addition, the Program maintains frequent contact with tribes during implementation through various means such as phone and email)</p>
<p>Effectively manage implementation costs</p>	<p>The Buy-Back Program tracks this by using a modified Cost Performance Index (CPI). The CPI uses the percentage of the land purchase portion of the Trust Land Consolidation Fund (\$1.555 billion) expended, divided by the percentage of implementation costs (\$285 million) expended. The resulting figure indicates how efficient the Program is in purchasing land in proportion to implementation costs:</p> <ul style="list-style-type: none"> <li>· CPI &gt; 1 indicates efficient performance</li> <li>· CPI = 1 indicates Program is on track</li> <li>· CPI &lt; 1 indicates inefficient expenditure</li> </ul> <p>(Formula: <math>CPI = \frac{\text{percent of land purchase fund expended}}{\text{percent of implementation fund expended}}</math>)</p>	<p>Cost Performance Index of 3.60</p> <p>Currently, the Program's CPI is above 1, indicating efficient performance, but is expected to trend toward 1 over the long term as sales from the larger locations are exhausted.</p>
	<p>This goal is also measured by the percent of implementation costs expended. (Formula: <math>\frac{\text{expended}}{\\$285 \text{ million}}</math>.)</p>	<p>12.4 percent implementation costs expended</p>

17. Media impressions references the number of individuals who might have had the opportunity to be exposed to a story that has appeared in the media.



One of the Program's goals is to effectively manage implementation costs. As of September 2015, the Program spent approximately \$35 million of the \$285 million authorized for implementation costs through November 2022. These costs are described below in the context of the other uses of the Consolidation Fund. Some of these expenditures include one-time, up-front costs, such as mapping, equipment, and system updates. The acquisition implementation amount below also includes offer processing capacity for future years.

*Expenditures as of September 30, 2015*

Category	Expended
<i>Land Sales (payments to individuals)</i>	\$691,555,866
<i>Scholarship Fund Contributions</i>	\$29,710,598
<i>Implementation Costs</i>	
Outreach	\$8,181,641
Land Research	\$4,990,074
Valuation	\$7,213,308
Acquisition	\$9,804,276
Cooperative Agreements	\$4,133,089
Other <sup>18</sup>	<u>\$933,584</u>
Total	\$35,255,971

Due to various complexities at smaller locations, Program implementation may cost more relative to the amount of land consolidated at less-fractionated locations. As of September 30, 2015, the Program spent an average of approximately \$256 in implementation costs per offer extended.

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18. Other expenditures authorized by the Settlement but not captured in the four phases such as Trust Commission expenditures.

## ECONOMIC IMPACT AND OTHER BENEFITS

Money received by landowners through the Buy-Back Program generates spending in local areas and supports economic activity. According to an analysis completed by the Department's Office of Policy Analysis, Buy-Back Program payments to landowners had various impacts on the national and local economies, including the following:<sup>19</sup>

- *Nationwide.* Payments made to individual landowners nationwide contributed an estimated \$752 million in value added to the economy and \$1.4 billion in economic output, and supported about 9,000 jobs nationwide.
- *Montana.* Payments made to individual landowners in Montana contributed an estimated \$107 million in value added to the economy and \$202 million in economic output, and supported about 2,000 jobs statewide.
- *South Dakota.* Payments made to individual landowners in South Dakota contributed an estimated \$100 million in value added to the economy and \$177 million in economic output, and supported about 1,500 jobs statewide.

### Economic Impact Terms

**Value added** – Measures the contribution to the GDP of a region, state, or national economy from the Program through household spending.

**Economic output** – The total estimated value of production of goods and services supported by the Program through household spending. Output is the sum of intermediate sales (business to business) and final demand (sales to final consumers and exports).

**Employment (jobs)** – The total number of jobs supported by household spending resulting from Program payments to landowners.

Landowners residing in every U.S. state and the District of Columbia have accepted offers extended by the Program.<sup>20</sup> Landowners residing in South Dakota accepted nearly 19,000 offers, nearly half of all accepted offers, amounting to more than \$172 million. Landowners residing in Arizona, Montana, Washington, and North Dakota accepted nearly 33 percent of all accepted offers, amounting to more than \$333 million.

The Program's impact is significant on the state and local economic level. Landowners living in three Montana counties (Big Horn, Yellowstone, and Rosebud) accepted offers accounting for approximately 60 percent of the total \$194 million of offers accepted in the state. Landowners living in six South Dakota counties (Bennet, Jackson, Mellette, Pennington, Shannon, and Todd) accepted offers amounting to \$79 million, accounting for nearly half of the total value of offers accepted in the state.

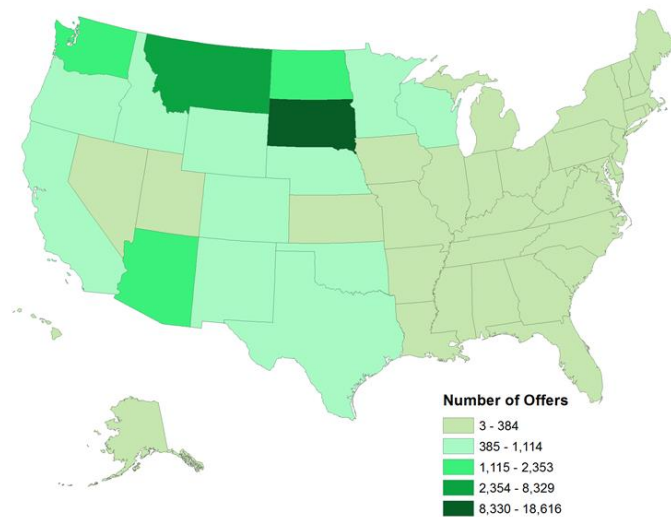
The median payment issued to landowners residing in Montana was \$6,402, which represents approximately 14 percent of the median household income in the state (about \$46,000). The median Buy-Back Program payment issued to landowners residing in South Dakota was \$1,519, which represents about 3 percent of the

19. This analysis employs the widely-used input-output methodology and software / data system known as IMPLAN for estimating the economic contribution of Interior activities in terms of output (sales), value added, and employment (jobs). This analysis used IMPLAN data released in 2013.

20. The Program has also sent offers to international locations. However, this analysis covers only the 50 U.S. states and the District of Columbia.

median household income in the state (about \$49,500). Landowners often spend income earned from land sales in their local economies or have used this income to reinvest in reservations. For example, one Oglala Sioux landowner plans to use the funds from the sale of his land to build a convenience store on lands leased from the Tribe, and to hire local tribal members to operate the store, thus re-circulating these funds creating additional economic benefit within the local community.

*Number of accepted offers through September 30, 2015*



There are additional ways in which the Program is having a positive impact on tribal communities. For example, tribes earn income off newly-consolidated land. As a result of increased ownership, tribes have earned more than \$1 million from land consolidated through the Buy-Back Program during calendar year 2015. Some tribes have used the new income to finance the purchase of land held in fee status.

Many tribes have plans for further development or protection of newly-consolidated lands. Some examples of tribal initiatives include the following:

- The Oglala Sioux Tribe of the Pine Ridge Reservation is planning to construct several new buildings in the Wakpamni Lake Community on land consolidated through the Buy-Back Program. These buildings will include space for local food distribution storage, office space, a conference room, community board room, multipurpose space, a civic center, and a day care. The Tribe is also embarking on a major housing program, aided by the recent acquisition of land through the Program.
- Consolidation has enabled the Gila River Indian Community to pursue an electrical transmission utility corridor on the Community's reservation. The proposed corridor includes the development of a 230kV transmission line that would supply power for an ambulatory care facility and various tribal development projects.
- As a result of Program purchases, the Squaxin Island Tribe is now better able to protect its world-class oyster beds. Without control of upland, there was always a threat to development or logging that would impact shellfish, especially if lands reverted back to fee due to fractionation.
- Land secured in trust for the Crow Tribe will be used for a new community water plant on land that is now 100-percent tribally owned as a result of the Program. The current water plant is not able to provide drinkable water to the growing community of approximately

5,000 individuals. This effort demonstrates how the Administration and Tribe work together to enhance Indian water rights, building on the 2012 Crow Tribe-Montana Water Rights Compact which authorized funding to plan, design and construct a Municipal, Rural and Industrial (MR&I) water system and to rehabilitate and improve the Crow Irrigation Project.

**Tribal Spotlight: Confederated Tribes of the Umatilla Indian Reservation**



*Photo credit: Confederated Tribes of the Umatilla Indian Reservation*

More than 7,700 equivalent acres have thus far been consolidated for the Confederated Tribes of the Umatilla Indian Reservation.

Adding lands back to the Tribal land base is fostering important cultural values, which transcends economic value. The Program and Tribes have stimulated active dialogue and discussions about trust land. For example, through active communication and coordination with landowners, other tribes, and Department partners, there was increased landowner awareness about allotments on the Reservation, and about 46 percent of landowners receiving offers chose to sell some or all of their interests. This increased awareness has led to more landowners engaging in estate planning.

The Tribes are also gaining long-term experience and benefits as a result of land consolidation. The Tribes used the mapping data provided by the Program in other tribal departments. For example, the Tribal Farming Enterprise is using the mapping and land acquisition information to determine if they should farm tracts in which the Tribes have controlling percentage ownership.

The Program will continue to identify and analyze the long-term impact of land consolidation in future status reports. It also will continue to align the Program’s resources toward achieving tribal goals and priorities.

## NEXT STEPS

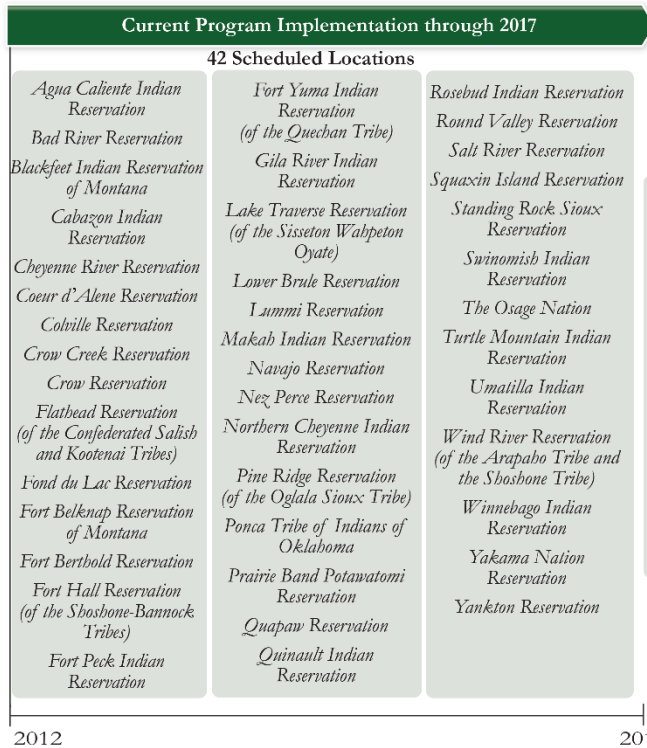
The Program's immediate next steps include a landowner survey, the Planning Initiative, and a third Listening Session.

*Landowner Survey.* In FY 2016, the Program plans to issue a survey to landowners who have received offers. The goal of this survey is to gather landowner feedback regarding the Program's current outreach methods and about landowner's reasons for participating. The Program will analyze the responses and implement changes as appropriate.

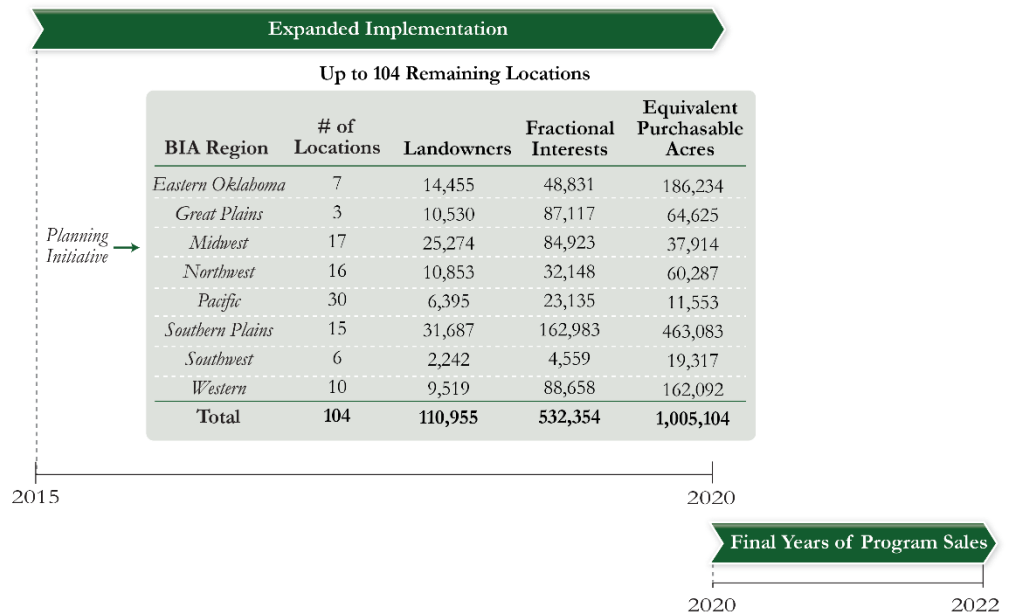
*Planning Initiative.* The Program has consolidated land in 19 locations and is working closely with many additional tribes to plan, share information, finalize Agreements, appraise land, and conduct outreach. In FY 2016, the Program expects to make offers at approximately 20 additional locations. To schedule additional locations beyond the 42 previously announced, the Program launched a two-part Planning Initiative, which entails: (a) an opportunity for tribes to express interest in participating in the Program; and (b) an active effort to further engage and identify landowners who may be interested in selling fractional interests.

Based on lessons learned, the Program has established two requirements for expressions of interest through the Planning Initiative: 1) an official tribal authorization, and 2) a narrative description of readiness. For specific instructions for submitting a tribal expression of interest, tribes should visit the Program's website. **Responses from tribes are due no later than March 11, 2016.** In addition to assessing tribal interest, the Program is intensifying its efforts to identify and engage individual landowners who may be interested in participating. When the Program evaluates locations for implementation, one factor it considers is the number of landowners at the location who have identified themselves as willing sellers. The Program encourages landowners to contact the Call Center at (888) 678-6836, especially during this period to update their information and express their desire to participate.

The following timeline depicts the Program's current scheduling strategy through 2022, the results of which will be announced in Spring of 2016.



BIA Region	# of Locations	Landowners	Fractional Interests	Equivalent Purchasable Acres
<i>Eastern Oklahoma</i>	2	1,093	6,409	74,994
<i>Great Plains</i>	11	101,352	756,926	1,922,105
<i>Midwest</i>	2	9,952	50,062	18,966
<i>Navajo</i>	1	36,199	260,158	644,079
<i>Northwest</i>	12	32,869	245,079	706,119
<i>Pacific</i>	3	2,017	8,470	12,998
<i>Rocky Mountain</i>	6	37,459	576,489	2,389,073
<i>Southern Plains</i>	2	4,762	32,972	30,198
<i>Southwest</i>		1,332	6,943	32,563
<i>Western</i>	3	18,011	236,117	105,996
<b>Total</b>	<b>42</b>	<b>245,046</b>	<b>2,179,625</b>	<b>5,937,090</b>



Notes: Data as of September 2015.

Navajo Reservation is located within two BIA regions, Navajo and Southwest; statistics for one Navajo Reservation LAC are listed under Southwest.

Statistics may double count landowners who own land in more than one location.

*Listening Session.* In the coming months and years, the Program will continue to meet with tribes and actively seek their feedback and continued partnership in a joint effort to reduce fractionation in Indian Country and strengthen the trust land base. In particular, the Program will continue to welcome tribal feedback in FY 2016, and it will hold a third Listening Session on March 3, 2016, in Albuquerque, New Mexico. Through the Program, the Department and Indian Country are gaining a deeper understanding of fractionation and the beneficial impact of land consolidation. Although the Program anticipates that it will not be able to consolidate all fractional interests across Indian Country, the experiences of the Program will inform strategies for future land consolidation or other efforts that will address the issues caused by allotment.

***Landowner Participates in March 2015  
Listening Session***



*Photo credit: U.S. Department of the Interior*

***Flathead Reservation (of the Confederated Salish and Kootenai Tribes)***



*Photo credit: U.S. Department of the Interior*

## **APPENDIX A. FREQUENTLY ASKED QUESTIONS**

The frequently asked questions listed below are updated as of November 2015. The Program updates these questions as necessary, and the most recent version of the frequently asked questions can be found on the Program's website.

### ***I. Background and Overview Information***

#### **1. What is fractionation? Why is it an issue?**

Fractionation refers to divided ownership of Indian lands and is the result of land parcels (allotments) passing to numerous heirs over generations. The land itself is not physically divided; rather, the heirs of an original allottee own undivided interests in the allotment. Many allotments now have hundreds and even thousands of individual owners.

Divided ownership makes it difficult, if not impossible, to use the land for any beneficial purpose because consent from 50-90 percent of the owners must first be obtained (level of consent depends on the number of owners on a tract). As a result, fractionated allotments often lie idle rather than being utilized for agricultural, recreational, cultural, commercial or even residential purposes. Even when consent can be obtained to lease an allotment, highly divided ownership often results in individual owners receiving only nominal lease returns. A significant portion of landowners earn \$25 or less in annual income from their fractional interests in allotments.

At the start of the Program, there were approximately 150 reservations with 2.9 million purchasable fractional interests owned by approximately 245,000 individuals outlined in Appendix B (as of August 2015, the whereabouts of approximately 23 percent of these individuals were unknown).

#### **2. What is the Land Buy-Back Program for Tribal Nations?**

The Secretary of the Interior established the Land Buy-Back Program for Tribal Nations (Buy-Back Program) to give individual landowners an opportunity to help address the problem of fractionation, as part of the *Cobell* Settlement. The Program has \$1.9 billion available to purchase fractional interests in trust or restricted land from willing sellers at fair market value within a 10-year period, which ends in November 2022. Individuals who choose to sell their interests receive payments directly into their Individual Indian Money (IIM) accounts. Consolidated interests are then immediately restored to tribal trust ownership for uses benefiting the reservation community and tribal members.

#### **3. Who is involved in the Buy-Back Program?**

The Buy-Back Program is an office within the Office of the Secretary, U.S. Department of the Interior. The Program works closely with the Office of the Special Trustee for American Indians (OST), the Bureau of Land Management (BLM), and the Bureau of Indian Affairs (BIA) to implement the Program across Indian Country.

An Oversight Board, chaired by the Deputy Secretary, also works to ensure the Program is carried out effectively and efficiently. The Board is comprised of key Departmental leadership, including



the Solicitor, the Assistant Secretary - Indian Affairs, and the Director for the Bureau of Indian Affairs.

In addition, the Program is working with tribes to ensure the best information is available to landowners. Tribes participating in the Buy-Back Program have an opportunity to enter into cooperative agreements, when feasible and practical, or other arrangements with the Program to access potential resources to assist in Program implementation. For more information, see the Tribal Government section of these FAQs.

#### **4. What reservations may be involved?**

There are approximately 150 reservations with fractionated tracts of land as outlined in Appendix B.

Following government-to-government consultations, the Department refined the key criteria that guide its implementation of the Program and the locations where offers will be made. The Buy-Back Program considers a number of factors as it moves forward, including severity of fractionation, degree of ownership overlap between locations, geographic location to maximize efficiency and resources, appraisal complexity, and readiness or availability of tribal staff. In particular, the Program has involved various types of tribal communities with different levels of involvement at the outset of the Program – including locations with relatively fewer fractionated lands. A list of reservations where implementation has already occurred is available on the Program’s website: <http://www.doi.gov/buybackprogram>.

Once a reservation is scheduled for implementation, the Program conducts outreach (events, community meetings, Public Service Announcements, and other media engagement) on the reservation and releases further information to individuals owning interests within that reservation to ensure that individuals are aware of the opportunity to participate in the Buy-Back Program.

#### **5. How is the implementation schedule being determined?**

The Buy-Back Program held an open solicitation from November 8, 2013, through March 14, 2014, during which tribes with jurisdiction over the most fractionated locations were invited to submit letters of interest or cooperative agreement applications to express their interest in participating in the Program. The more than 50 submissions that were received assisted in the development of an initial implementation schedule.

In November 2014, the Department announced 42 locations where land consolidation activities such as planning, outreach, mapping, mineral evaluations, appraisals, or acquisitions are expected to take place through the middle of 2017. These communities represented 83 percent of all outstanding fractional interests across Indian Country. Details are available in the Program’s 2014 Status Report.

The Department is accepting submissions through March 11, 2016, from interested tribes not already scheduled for Program implementation. More information on the Program’s current Planning Initiative can be found on the Program’s website.

## **6. How does the Program determine what interests it will seek to acquire?**

The Buy-Back Program will send offers to as many individuals as possible considering the following purchase factors to identify tracts:

- Completed appraisal;
- Tribal priority tracts;
- Level of fractionated ownership;
- Tract values; and/or
- Interested/willing sellers.

There is no fixed formula. The purchase factors and associated values/rates will be different for each reservation. The Buy-Back Program continuously analyzes and adjusts the purchase factors during the time it spends at each reservation to obtain the most benefit for both the willing seller and the tribe.

## **7. How much money is available to purchase fractional interests in land?**

The Claims Resolution Act of 2010 provides for a \$1.9 billion Trust Land Consolidation Fund. After implementation costs and the establishment of the Cobell Education Scholarship Fund, a minimum of \$1.555 billion will be available to pay individual owners fair market value for the fractional interests they voluntarily decide to sell.

## **8. What happens to land after it is purchased?**

When landowners choose to sell their trust or restricted fee interests through the Program, those interests will remain in trust, but ownership will be transferred to the tribe with jurisdiction over the land. Landowners should review their offer packets, including the deed, which will indicate the tribe with jurisdiction over the land. This effort strengthens tribal sovereignty by unifying lands for tribal benefit and use, such as economic development, housing, and cultural preservation.

## **9. What steps is Interior taking to ensure the Program will be completed in 10 years?**

The Department is committed to implementing the Buy-Back Program in the most efficient and cost-effective manner possible, consistent with the goals set by the *Cobell* Settlement Agreement. The Department intends to implement the Program fairly and equitably, moving quickly to reach as much of Indian Country as possible during the 10-year implementation period.

One approach that the Department is using to expend the Consolidation Fund in a timely manner is the use of mass appraisal techniques. The breadth, scale, limited funding, and bounded life span of the Program necessitate the use of mass appraisal methods where appropriate. Mass appraisal is an efficient way to quickly determine fair market value for a significant number of fractionated tracts. By using the mass appraisal method where applicable, the Program can maximize the number of owners who receive offers and the number of interests consolidated under tribal ownership. For more information, see the Land Appraisals portion of the FAQs.

**10. How is the Program ensuring efficient use of the Consolidation Fund within the 10-year implementation period?**

The Program is using flexible purchase estimates to help make sure that the Program will be implemented at as many locations as possible and that all available funds are not expended at just a few locations. These purchase estimates fairly and flexibly target available dollars for paying owners at each reservation based on the proportional degree of fractionation. These estimates are only guidelines, which are subject to change and do not set a final or minimum total dollar amount for offers at any particular location.

We know that a location may not reach their purchase estimate due to a variety of factors, including lack of sufficient willing sellers. If that occurs, the Program will make unused funds available to support offers at other locations. At other locations, it is possible that the actual sale amounts for interests will exceed a purchase estimate.

**11. How are reservation purchase estimates determined?**

To maximize the number of reservations participating in the Buy-Back Program, the Department uses initial purchase estimates at each reservation where the Program is active. In particular, the Program will apply a formula that considers three factors relevant to fractionation, including: the total number of purchasable fractional interests within a reservation, the number of fractionated tracts within a reservation, and the number of acres related to those fractional interests. This formula establishes an estimated amount of the Consolidation Fund that could be used to purchase fractional interests within any one reservation.

**12. How long does the Program plan to be at each location?**

Due to limitations on implementation costs as set forth by the *Cobell* Settlement Agreement, the Program cannot support a long-term presence at each location. The Program plans to spend 12 to 18 months at each location; however, this timeframe may be adjusted. Tribes may work with the Department to determine an appropriate timeframe based on their individual needs.

**13. Is the Indian Land Consolidation Program still reaching out to landowners?**

The Buy-Back Program is a separate program from the Indian Land Consolidation Program (ILCP). As of October 2013, the ILCP is no longer acquiring fractional interests.

**14. How much will landowners be offered for selling their fractional interests?**

Willing sellers will receive fair market value for the interests they choose to sell. Fair market value is a type of value, stated as an opinion, of what a property would sell for in an open and competitive market and what a ready, willing, and able buyer might pay for a property in the current market. The Office of the Special Trustee for American Indians (OST) - Office of Appraisal Services (OAS) will conduct an appraisal to determine the fair market value for each tract of land that meets the criteria for purchase by the Program. The value of timber and mineral estates will be incorporated. Tribal nations may also perform valuations upon agreement with the Program and satisfactory review of appraisal reports by OAS. The value of specific fractional

interests will be based on the interest's proportion to the whole tract. More information is available in the Land Appraisals section of these FAQs.

### **15. What is the Program doing to protect landowners – particularly elderly landowners – who may receive large amounts of money from sales?**

It is important that landowners think strategically about how to use the funds they receive from selling their fractional interests as these are one-time large payments and lease income generated from these lands will no longer be received by the seller. The Program encourages landowners to understand their options and provides resources to assist with decisionmaking.

The Office of the Special Trustee for American Indians (OST), in collaboration with First Nations Development Institute (FNDI), provides financial training that includes but is not limited to budgeting, investing, planning for the future, fraud scams, power of attorney risks, and what landowners can do on day one with a large payment, which empowers individuals to grow and sustain personal wealth. In addition, this financial training encourages landowners to confirm the status of their Individual Indian Money (IIM) account (e.g., voluntary hold or unrestricted/auto-disburse, check or debit card or direct deposit, names and addresses are proper and current) before Buy-Back Program funds are posted to the account and held on deposit or disbursed.

For more information on financial awareness, landowners can visit their nearest OST office, call the Trust Beneficiary Call Center at (888) 678-6836, find more information at <http://www.doi.gov/buybackprogram/landowners/financial-awareness.cfm> or go to the OST's financial empowerment website at: [http://www.doi.gov/ost/individual\\_beneficiaries/financial\\_empowerment/index.cfm](http://www.doi.gov/ost/individual_beneficiaries/financial_empowerment/index.cfm).

### **16. What happens to fractionated interests owned by individuals who are Whereabouts Unknown (WAU) landowners?**

Whereabouts Unknown (WAU) is the term used to describe Individual Indian Money (IIM) account holders without current address information on file. The *Cobell* Settlement authorizes the purchase of interests from WAU landowners. However, the Department hopes to implement the Program only through the active participation of willing sellers whose addresses are current. The following applies to purchases of WAU interests:

- The *Cobell* Settlement Agreement and enacting legislation require the Department to make stringent notifications and undertake efforts to locate WAU landowners of trust or restricted property.
- If after five years these owners cannot be located, they shall automatically be deemed to have consented to the conveyance of fractionated interests that are located on a parcel of highly-fractionated land.
- Interests purchased from WAU individuals will be paid at fair market value and the funds will be deposited in the individual's IIM account.

See the *Cobell* Settlement Agreement at ¶ F(6) and Claims Resolution Act of 2010 § 101(e)(5) for more information.

The Program has not exercised WAU purchases thus far, and based on current offer acceptance rates it does not anticipate making WAU purchases in the future. Rather, the Department works in

several different ways to identify and locate WAUs. If WAUs who own fractional interests are identified during an offer set, and the identified WAU owns interests on a tract that received offers, the Program will send the identified individual an offer for those interests.

### **17. What does *equivalent acres purchased* mean?**

The Program uses *equivalent acres purchased* as an important metric for our progress. *Equivalent acres purchased* represents the undivided ownership interest acquired in a tract. To illustrate, assume that the Program purchases two 25 percent ownership interests in a 200-acre tract from two different individual owners and that the remaining three individual owners choose not to sell. The equivalent acres purchased would be 100 acres, and the tribe has a portion of the undivided ownership in the entire 200-acre tract (a 50 percent undivided ownership interest), not a separate 100-acre tract wholly owned by the tribe. The three remaining individual owners have a 50 percent undivided ownership interest in the entire 200-acre tract as well. As the Program works to transfer ownership of sold interests to the tribe of jurisdiction, it is transferring the equivalent acres purchased. Refer to page 11 in the Status Report for more information.

## **II. Cobell Education Scholarship Fund**

### **18. How does the Cobell Education Scholarship Fund relate to the Buy-Back Program?**

The *Cobell* Settlement provides for a Scholarship Fund that will make financial assistance available to American Indian and Alaska Native students wishing to pursue post-secondary and graduate education and training. Transfers to this fund are made according to the following formula:

- For every purchase of a fractional tract interest costing less than \$200, \$10 will be added to the Scholarship Fund.
- For every purchase of a fractional tract interest costing between \$200 and \$500, \$25 will be added to the Scholarship Fund.
- For purchases of a fractional tract interest more than \$500, five percent of the purchase price will be added to the Scholarship Fund.

Funds placed into the Scholarship Fund do not come from the purchase amount paid to landowners and will not reduce the amount that an owner will receive on a purchase.

The Scholarship Fund is administered by the American Indian Graduate Center (AIGC). A Board of Trustees is responsible for the oversight and supervision of the activities of the fund's administering organization. AIGC has begun dispersing awards to undergraduate and graduate applicants. Interested applicants should consult the AIGC website at [www.AIGCS.org](http://www.AIGCS.org).

### **19. Why are scholarship funds not being returned specifically to the location where the land was purchased?**

The Settlement envisioned the Scholarship Fund as an opportunity for tribal youth across Indian Country. It does not direct funds back specifically to locations, but instead gives the Board of Trustees and AIGC the power to manage the solicitation for and distribution of funds for American Indian and Alaska Native students in need nationwide.

### ***III. Engagement with Tribal Nations***

#### **20. What role can tribal nations have in the implementation of the Buy-Back Program?**

The success of the Program hinges on tribal leadership, tribal participation, and tribal facilitation. The Buy-Back Program is interested in partnering with tribes to gain their direct participation in land consolidation efforts. Tribes have the opportunity to actively participate in the process, including identifying acquisition priorities, conducting appraisals, and leading owner outreach and education. Tribes are encouraged to become involved in the Program and funds are available to support tribal involvement through cooperative agreements.

Tribes are not required to enter into cooperative agreements to participate in the Program. In certain cases, such as when a tribe is not seeking funding to partner with the Department on land consolidation efforts, it may be unnecessary and other vehicles, such as memorandums of agreements (MOA), may be used. More information is available on the Program's website at: <http://www.doi.gov/buybackprogram/tribes/agreements.cfm>.

#### **21. Why isn't a formal consultation occurring before the implementation process on each reservation?**

The Department held seven tribal consultations in the summer and fall of 2011 that were open to tribal leaders, landowners, and the general public to provide an overview of the *Cobell* Settlement, introduce concepts for land consolidation, and solicit feedback from Indian Country on strategies that could be used to drive program performance. The criteria used to develop the Program's schedule were discussed at these consultations and is a product of those discussions. The criteria were further outlined in the Program's Initial Implementation Plan in December 2012. In an effort to seek feedback on this Plan from Indian Country, the Program held three additional tribal consultations in early 2013, which were open to tribal leaders, landowners and the general public. The Program also held a Listening Session in May 2014 and another in March 2015. The Program will hold an additional Listening Session in March 2016.

The Buy-Back Program has engaged on a one-on-one basis with more than 80 tribes regarding the Program to discuss mapping information, answer questions, collaborate on implementation and tribal priorities, receive feedback on progress, and detail how the Department will further engage landowners. These discussions often covered scheduling, tribal acquisition priorities, strategies for utilizing purchase estimate amounts, and appraisal processes, among other topics.

#### **22. How much funding is available to a tribal nation through a cooperative agreement?**

The Department recognizes the uniqueness of each location and tribe. The Program will continue to consult with tribes individually, and will continue to evaluate each proposal before initiating activities on the respective reservations. The Program's Tribal Relations Advisors are responsible for working closely with each tribe to understand its concerns and goals.

Each cooperative agreement between the Program and individual tribes is unique in time, scope, and responsibilities based on the expressed interests of the tribe. Amounts provided to tribes under a cooperative agreement will be based on approved budgets that estimate the costs associated with the specific services, products, and deliverables to be provided by the tribe. The Program will partially advance or fully reimburse cooperative agreement funds to the tribe for costs incurred in accordance with the tribe's submitted application and the applicable award terms and conditions.

Cooperative agreements present an opportunity for tribes and the Program to move forward together by providing funding for tribes to perform certain tasks, such as outreach to the landowners. While much can be accomplished through these agreements, cooperative agreement funding should be viewed as a short-term resource to achieve the much larger and more valuable goal of land consolidation. These awards should not be viewed as programmatic or long-term initiatives.

### **23. Will tribes be reimbursed for pre-cooperative agreement activities?**

The Buy-Back Program is limited by regulation as to what pre-award costs, or costs that are incurred by tribes prior to the award of the cooperative agreement, it can pay for. Regulations limit allowable pre-award costs to the following:

1. Those directly pursuant to the negotiation of the award;
2. Those necessary to comply with performance timeframe;
3. Those that would be allowable if they were incurred after the award; and
4. Those approved by the awarding agency.

Because of the regulatory limitations on the payment of pre-award costs, and because the Buy-Back Program would prefer that tribes engage with it before beginning any land consolidation activities, the Program will only consider pre-award costs on a very limited, case-by-case basis. Tribes seeking to incur pre-award costs must obtain prior written approval from the Buy-Back Program Manager. Tribal requests to incur pre-award costs must establish that the requested costs are in full compliance with the applicable regulatory language governing pre-award costs.

### **24. Can tribal nations conduct appraisals?**

All appraisals conducted under the Buy-Back Program must comply with the Uniform Standards of Professional Appraisal Practice (USPAP). The Office of Appraisal Services (OAS), with the support of the Division of Minerals Evaluation (DME), will be the primary responsible party for completing valuation work necessary to determine the fair market values of trust tracts. Tribal nations may seek to perform one or more of the tasks related to the valuations. Project requirements must be carefully planned and coordinated with the Buy-Back Program and OAS. Tribes that currently perform valuation work for the Department may be better positioned to provide fair market values for the Program through an Agreement.

**25. Why are indirect costs capped at 15 percent despite the fact that some tribal indirect cost rates have been negotiated to much higher rates?**

The Department considered extensive tribal input on this issue and explored various options to determine which indirect costs rates might be charged to implement the Buy-Back Program. The *Cobell* Settlement limits the amount of funding that may be used for implementation and other expenses (up to 15 percent) in order to maximize the amount of funds available for purchase of fractional interests. While some tribes may have previously negotiated higher indirect cost rates for other financial assistance awards, existing policy circulars recognize that agencies may establish different rates to address specific program needs or circumstances. Thus, to help ensure that the Program limits implementation expenditures consistent with Settlement requirements, it has capped the amount of indirect costs that will be paid by both external as well as internal partners.

**26. How does the Program evaluate cooperative agreement applications submitted by tribal nations?**

The Program has developed comprehensive cooperative guidance documents, including a list of frequently asked questions, which is posted on the website at: <http://www.doi.gov/buybackprogram/tribes/agreements.cfm>. These documents will assist tribes with the cooperative agreement application process. These documents also describe the land consolidation phases and tasks that tribes may elect to participate in through cooperative agreements.

The Program will use several criteria to evaluate cooperative agreement applications including:

- Completeness of the application package;
- The tribe's capacity to perform the tasks and meet the task-specific requirements outlined in the Scope of Work;
- The tribe's proposed budget; and
- Other considerations as appropriate.

**27. What is the typical duration for Agreements?**

Agreement lengths will vary and depend on the unique needs of each location. In general, Agreements will be made for a period of approximately twelve months; however, some may be for a longer period. Program implementation and Agreement awards should not be viewed as programmatic or long-term awards. The limited resources and timeframe of the Program requires it to operate temporarily at each location.

**28. Will liens be imposed on interests acquired and transferred to tribes?**

No, unlike fractional interests previously acquired under the Indian Land Consolidation Program, no liens are placed on interests that are acquired and transferred to tribal ownership under the Buy-Back Program.

**29. What data does the Program have to aid in decisions about tribal acquisition?**

Tribal representatives have pointed out that they need greater and simpler access to landowner information to effectively conduct outreach and other land consolidation activities. However, in



order to release names and addresses of landowners, as well as other data pertinent to an owner, the Program must follow Federal information and privacy laws that restrict the disclosure of certain information. For example, the Privacy Act requires that the Department publish a System of Record Notice (SORN) in the Federal Register. In early FY 2015, the Department published two updated SORNs associated with key systems related to Buy-Back Program efforts. The Department also developed a Privacy Act training and non-disclosure agreement (NDA) in compliance with Federal regulations and began distributing this training and the NDA to tribes in July 2015. In order to receive landowner information from the Department beyond what may be disclosed in accordance with 25 U.S.C. § 2216, tribal staff must make a written request under 25 U.S.C. § 2216, complete the Privacy Act training issued by the Department, and sign the Program's NDA. As a result of these measures, the Department may now share more detailed landowner information to assist the tribe with Program outreach.

The Program also works with tribes to provide them with two ArcGIS geodatabases. There are tables within these databases that include tract characteristics such as acreage, tribal ownership percentage, individual ownership percentage, fee ownership percentages, number of owners, resource code, and legal description for tribal and allotted trust tracts.

### **30. What mapping content may tribes receive to help determine tribal priorities?**

Two ArcGIS geodatabases are available to tribal staff. One of the geodatabases contains a digital representation of the Public Land Survey System (PLSS) derived from the Bureau of Land Management's official survey records. The other geodatabase contains polygons of all mappable tribal and allotted trust tracts derived from legal descriptions in the Bureau of Indian Affairs' Trust Asset and Accounting Management System (TAAMS). These two geodatabases, along with the tracts' associated data, allow a tribe to develop unique maps to help determine tribal priorities for land acquisition.

Also available are large wall maps depicting tribal and allotted trust surface tracts and their associated tribal ownership percentage to further assist in determining tribal priorities for land acquisition.

### **31. After Program implementation and consolidation, why are tribal governments not getting the land deeds?**

In order to effectively implement the Program within the allotted time period and in a large scale manner, the Department made an administrative decision to automate the conveyance process to include the review and approval of conveyances. The approved deeds are stored electronically in the Bureau of Indian Affairs' Trust Asset and Accounting Management System (TAAMS) and information contained within the deeds may be provided to the tribe as requested.

### **32. What can our Tribal Nation and/or staff do now until the Buy-Back Program is implemented on our reservation?**

There are several things that tribal leaders may do to prepare for participation in the Buy-Back Program. One important activity is to become familiar with the four land consolidation phases. In particular, tribal staff can be identifying tribal participation activities they would like included in a

cooperative agreement, determining tribal acquisition priorities, and encouraging interested and willing sellers to update their contact information with the Trust Beneficiary Call Center. More information and resources are available at:

<http://www.doi.gov/buybackprogram/tribes/preparation.cfm>. Additional information related to cooperative agreements can be found at:

<http://www.doi.gov/buybackprogram/tribes/agreements.cfm>.

#### ***IV. Landowner Participation & Eligibility***

##### **33. What is Interior doing to ensure that landowners get timely information about the Buy-Back Program?**

While the Program welcomes the active participation by tribes, we recognize our commitment to ensure that individual landowners have the information they need to make informed decisions about their land.

The Program is holding outreach events, running advertisements in national and regional media outlets, developing and airing Public Service Announcements on tribal radio stations, and working to achieve story placement in prominent Indian and regional publications. In addition to the purchase offer package, each landowner typically receives two postcards — one prior to receiving the package and one after — to alert them to the upcoming opportunity. The Program has also partnered with tribal and allottee organizations on events, publications and speaking opportunities to reach as many landowners as possible.

##### **34. Do I have to sell my land to the Buy-Back Program?**

No. Participation in the Buy-Back Program is completely voluntary.

##### **35. Why should I sell my fractional land interests?**

It is your choice whether to sell some, all, or none of your fractional land interests. If you choose to sell any portion of your interests, you will be paid fair market value for your interests – interests which may be of little or no economic benefit to you now. Selling your interests results in land consolidation, which enables tribes to manage and use reservation lands for the benefit of the tribal community and generations to come. Tribes are able to utilize consolidated lands for purposes consistent with the values and needs of their members, whether for housing, community centers or businesses, or for recreational or cultural purposes. Reducing fractionation reinforces the cultural and economic future of tribes, and every interest you choose to sell reduces fractionation.

Many individuals have a strong personal and cultural connection to land which transcends economic value. By selling your interests through the Buy-Back Program, you help to preserve the Indian land base because interests purchased and restored to tribes will remain in trust forever.

##### **36. What is the process for individuals to be able to sell their fractional interests in land?**

Once a reservation is scheduled for Buy-Back Program implementation and fair market values have been determined, individuals owning fractional interests in purchasable tracts on the reservation

may receive a purchase offer package with the required documents and instructions for selling their interests.

Information on selling fractional interests is distributed through outreach events and local media outlets prior to and during the actual Buy-Back Program implementation at each reservation. Each landowner will also receive at least two postcards alerting them to the purchase offer and pending deadline.

A step-by-step video is available at <http://www.doi.gov/buybackprogram/tribes/the-purchase-offer-process.cfm> to help assist individuals with identifying critical information included in their offer package and completing the necessary forms. Additional information is also available in the Selling Your Land portion of this document.

### **37. Do I have to sell everything?**

No. You may decide to sell some, none, or all of your interests. If you decide not to sell any of the tracts listed on the Purchasable Interests Inventory included with your offer package, you don't need to do anything (neither the deed nor the Inventory need to be returned).

If you choose not to sell your land, it is important to consider how to best utilize the property during your lifetime and how to most efficiently pass it to your intended beneficiaries upon your death. There are certain Federal rules and tribal codes that govern the estate planning options that may be available to you and some of these options cannot be rescinded or changed after a decision is made. Thus, it is critically important to get as much information as possible to make careful and informed decisions about your land interests and estate planning options.

The Office of the Special Trustee for American Indians (OST) has partnered with a number of tribal organizations, legal aid services, and law schools to help provide Indian trust beneficiaries with resources to assist with estate planning. For more information, go to: <http://www.doi.gov/buybackprogram/landowners/financial-awareness.cfm>.

### **38. What if I change my mind about selling?**

Be sure to carefully consider your decision before returning your documents for processing. Selling your owner interests in tracts of land that produce lease income means that you will no longer receive that income. Once your documents are processed, the conveyance is approved, and funds are transferred into your Individual Indian Money (IIM) account, the sale is final.

### **39. If I sell some of my interests, can I later decide to sell more of them?**

Be sure to carefully consider your decision before returning your documents for processing. If you choose to sell only some of your interests, you may not be able to sell the rest at a later date. Once you submit your offer package to the Program for processing, you cannot submit a duplicate set of documents for additional interests that may have been included in the Purchasable Interest Inventory that is part of your package. The Program cannot process multiple sales for a landowner under the same offer set.

However, if you have already sold some of your interests by returning your offer package and later wish to sell more, you can identify yourself as a willing seller with the Trust Beneficiary Call Center at (888) 678-6836. If you do this, you may receive an additional offer package for your remaining interests if and when a subsequent wave of offers is made at your location. Registration in no way commits you to sell your land, nor does it guarantee another offer will be extended; it merely identifies your desire to receive an additional offer.

#### **40. I am interested in selling my fractional interests. What is required?**

Landowners do not need to wait until the Buy-Back Program begins implementation on their reservation to get more information. If you are interested in identifying yourself as a willing seller, learning more about how the Program works, understanding the appraisal process, or receiving financial training and resources to think strategically about how to use funds you may receive, please visit <http://www.doi.gov/buybackprogram> or call the Trust Beneficiary Call Center at (888) 678-6836.

When you call the Call Center, you should make sure your Individual Indian Money (IIM) account information is current and let the operator know that you are interested in selling your interests. The Call Center will need your name, Social Security Number, IIM account number, and current address. The Call Center can then identify you as an interested seller and will make sure your current name and contact information (address, phone number(s), and email address) are on file. Registering as a willing seller does not commit you to selling your land, nor does it guarantee an offer will be extended; it merely identifies your desire to receive an offer and provides an opportunity for advance outreach and information to be shared with you at the earliest possible time.

Owners will not receive a purchase offer until:

- The reservation containing their fractional owner interests is scheduled for implementation;
- Appraisal work has been completed; and
- The analysis of the purchase criteria for the Buy-Back Program on the reservation is completed.

#### **41. When and how will I receive a purchase offer?**

You will only receive a purchase offer if: (1) the reservation on which you own fractional interests is scheduled for implementation; (2) you have been identified as owning an interest in a fractionated tract of land (defined as a tract in trust or restricted status with two or more owners); (3) the tract has been appraised; and (4) your interests meet the purchase criteria for the reservation (for more detail, see Question 6). If these conditions are met, you will receive a purchase offer package in the mail.

#### **42. Are funds from the sale taxable?**

No. Under the Internal Revenue Service Ruling 57-407, income derived by an Indian from the sale of trust property is not subject to Federal Income Tax.

**43. Will funds from the sale be considered a source of income that affects my ability to participate in assistance and social service benefit programs?**

Individuals participating in any type of government assistance program should find out how funds received from the sale of their trust or restricted land interest may be counted by the assistance program. Each state and Federal program sets forth its own eligibility requirements. Please refer your case worker to the relevant part of the Claims Resolution Act of 2010, P.L. 111-291 (Section 101(f)) (<http://www.gpo.gov/fdsys/pkg/PLAW-111publ291/pdf/PLAW-111publ291.pdf>) that discusses impacts on assistance programs.

**44. What happens to my Individual Indian Money (IIM) account after I sell?**

If you sell all interests that you hold, then your Individual Indian Money (IIM) account may be closed because selling your owner interests in tracts of land that produce revenue means that you will no longer receive revenue from those tracts. Please note that the account may only be closed after you receive payment for the sale of all of your interests and there are no other reasons that your IIM account should remain active. You will receive one final Statement of Performance showing the transaction of sale to the tribe. If you inherit new interests and your account was closed, your IIM account will be re-opened with the same account number. If you retain some of your interests, your IIM account will remain open and you will continue to receive your Statement of Performance showing the land interests you retain and any income generated as a result of those interests.

**45. If I choose not to sell my interests, how do I make sure my heirs get this land?**

The Office of the Special Trustee for American Indians (OST) can provide more information on estate planning options under the American Indian Probate Reform Act. Information is also available on their website: <http://www.doi.gov/ost/index.cfm>.

Information is also available from the Division of Probate at <http://www.bia.gov/WhoWeAre/BIA/OTS/Probate/index.htm>.

OST has partnered with a number of tribal organizations, legal aid services, and law schools to help provide Indian trust beneficiaries with resources to assist with estate planning. For more information, go to: <http://www.doi.gov/buybackprogram/landowners/financial-awareness.cfm>.

**46. What happens if I own land at several different locations?**

Offers are generated by location. If you own land on more than one reservation, you may receive multiple offer packages over the course of the 10-year Buy-Back Program.

**47. Does selling my land impact my ability to receive individual settlement payments from the *Cobell* Settlement?**

No, selling your interests under the Buy-Back Program does not impact your eligibility to receive individual settlement payments from the *Cobell* Settlement, which are being handled by the Garden City Group. Inquiries regarding Settlement payments should be directed to (800) 961-6109, and more information is available at <http://www.indiantrust.com>.

**48. Why do interested sellers receive a base payment?**

The Buy-Back Program provides landowners with a base payment of \$75 per offer, regardless of the value of the land, to reflect the estimated time and effort required for individual landowners to complete their conveyance documents.

**49. Can you tell me if my relative is going through with the sale or how much they received? Can my husband or other relative call in for me?**

No. The Privacy Act of 1974 prevents us from sharing personal information without written permission from the individual landowner.

**50. Will the Buy-Back Program purchase land interests that I own in fee status?**

No, the Buy-Back Program may only purchase interests held in trust or restricted status.

**51. Will the Buy-Back Program purchase life estate or joint tenancy interests?**

No. Life estate and joint tenancy interests are not purchasable interests under the Buy-Back Program. Joint tenancy is a form of ownership by two or more persons of the same property who share equal ownership of the property and have the equal, undivided right to keep or dispose of the property. Land is not purchasable under the Program if joint tenancy applies to 100 percent of the tract.

**52. Can the Program make offers to landowners whose Individual Indian Money (IIM) accounts are restricted due to an encumbrance?**

Yes. If your Individual Indian Money (IIM) account is restricted due to an encumbrance and you choose to sell any or all interests included in the purchase offer, the outstanding amount on the encumbrance may be deducted from the purchase price per the encumbrance plan before funds are disbursed from your IIM account. To determine how an encumbrance could impact an accepted offer, you should confirm whether your IIM account is restricted due to an encumbrance. If your account is unrestricted, there will be no deductions from the purchase offer.

**53. How will I receive my funds if I sell my land?**

Landowners who choose to sell their fractional land receive payments directly into their IIM accounts. Once an unrestricted IIM account's balance reaches \$15 (or \$5 for oil and gas payments), OST automatically sends the funds to the landowner using one of the following means:

- Electronically transfers the funds to the landowner's account at a financial institution;
- Electronically transfers the funds to the landowner's personal debit card account at J.P. Morgan/Chase Bank; or
- Mails a check to the landowner's address on file.

Alternatively, a landowner may also place a voluntary hold on his/her IIM account, and funds in the IIM account will continue to earn interest. A landowner may then provide instructions for disbursement of funds or electronic fund transfer to an account at a financial institution, set up a debit card account, or remove the voluntary hold on his/her account.

The Program encourages landowners to utilize electronic fund transfers from their IIM account to an account at a financial institution. This approach is a fast, efficient, and safe payment option that avoids the risk of lost or stolen checks, or delays through the postal service. If a check is lost or stolen, it may take up to 15 months to receive a replacement check. The simplest way to utilize electronic fund transfers is to set up a deposit directly from a landowner's IIM account to their account at a bank, credit union, or other financial institution. Landowners may also receive their funds electronically through automatic transfers to a personal debit card account at J.P. Morgan/Chase Bank, even if they do not have an account at another financial institution. Landowners with a debit card may use the card to make purchases at locations that accept the debit card and withdraw cash at ATMs (certain fees may apply). More information on the debit card program is available at: [https://www.doi.gov/ost/individual\\_beneficiaries/debit](https://www.doi.gov/ost/individual_beneficiaries/debit).

Landowners may provide instructions for electronic fund transfers to their account at a financial institution or enroll in the debit card program by calling the Call Center at (888) 678-6836, or by contacting their local OST Agency office. More information is available at: [https://www.doi.gov/ost/individual\\_beneficiaries/signup](https://www.doi.gov/ost/individual_beneficiaries/signup).

## ***V. Land Appraisals***

### **54. How is the value of the land determined?**

An appraisal is the act or process of developing an opinion of value. Fair market value determinations for the Buy-Back Program are performed by a licensed appraiser. A determination of value is developed and reported by a licensed appraiser who researches many factors, including location, local market values and sales patterns, condition of the property, and zoning. One of the methods to calculate an accurate value is to use sales of comparable properties located near the subject property, which have recently sold. The subject property is compared to the sales to see how it aligns or differs with the comparable sales in many factors which may include size, location, access, utilities, etc. The appraiser then analyzes and makes adjustments to compensate for differences between the comparable sales and the subject property, and reconciles for a final opinion of value.

The appraiser values land as if it is not fractionated (i.e., held by a single owner), vacant, and in fee status. The amount offered for purchase of individual interests in trust or restricted lands is based on the fair market value of the tract.

### **55. What is fair market value?**

Fair market value is the amount in cash, or on terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal.

**56. Is the fair market value the same for each tract in which I have an owner interest?**

The fair market value may vary for each tract depending on a variety of factors, including land use, location, acreage, access and local market conditions. For example, you may own an interest in a 50-acre agriculture tract that is planted in dry crop (wheat). You might also own an interest in another tract that is a 50-acre agricultural tract, but this tract is an irrigated apple orchard. Upon researching the market, the appraiser may find comparable sales of irrigated orchards in the area running at \$3,000 per acre and dry crop running at \$500 per acre.

**57. Why is the Buy-Back Program using mass appraisal techniques?**

The breadth, scale, limited funding, and limited life-span of the Program necessitates the use of mass appraisal methods where appropriate. Such use will result in greater efficiency and consistency in valuations, enabling the Program to value many acres simultaneously. It will also assist in ensuring effective, efficient, and expeditious use of the Consolidation Fund.

The mass appraisal technique used by the Program entails detailed consideration of each tract of land.

The Program uses market studies or mass appraisal techniques to appraise homogeneous, non-complex, vacant lands that have comparable land sales available. In many highly-fractionated Indian ownership areas, it is common to have agricultural properties that are similar in use and have active/consistent markets or comparable sales data that the Program can use in its appraisals. The Program will use the mass appraisal approach in these situations as appropriate.

The Program will not use mass appraisals for commercial or other lands within urbanized zones where greater variation may exist.

**58. What reviews has the Program undertaken to evaluate its appraisal methods?**

Appraisal methods used by the Buy-Back Program conform to the Uniform Standards of Professional Appraisal Practice. This ensures that there is no subjective analysis or conflicts of interest in the Program's appraisal process.

To ensure that the valuation methods and techniques meet industry standards, the Department also obtained a third-party review of its valuation techniques from The Appraisal Foundation (TAF). TAF is a non-profit, non-partisan organization, authorized by Congress, dedicated to the development of appraisal standards in the United States and to establishing qualifications criteria for appraisers. TAF's analysis, the Department's response to specific recommendations, and the plan outlining the Program's appraisal methodologies, are available on the Program's website at: <http://www.doi.gov/buybackprogram/appraisals.cfm>.

In FY 2015, the Department worked with TAF again to evaluate and update the independent review and analysis of the Department's Valuations Methodologies Plan for the Buy-Back Program. This second review focused on the implementation of the methods reviewed in FY 2014. TAF found that the Department had done an outstanding job managing the mass and site specific appraisal processes.



**59. What is the shelf life of the fair market value for my tracts?**

Because continual reassessment of market values is not feasible given the limited time frame and limited implementation funds, the Program has established an administrative appraisal validity period of up to nine months from the date of valuation. Each offer will explicitly identify the appraisal date, and the owner can obtain information about how the fair market value was assessed at that time.

**60. When are the appraisals for the Buy-Back Program completed?**

Appraisals are completed as close to the offer date as can be reasonably managed for each location. The appraisal completion dates will vary for each reservation depending on the schedule.

**61. Where can I find out what the fair market value is for each tract in which I hold an owner interest?**

This information can be found within the Purchasable Interests Inventory, which is included with the purchase offer package.

**62. Will individuals be able to negotiate the value of the land?**

No. Due to implementation time and cost constraints as set forth by the *Cobell* Settlement Agreement, the Program does not have the time or resources to negotiate each sale price. If an owner is not satisfied with the amount offered for the sale of their interests, they may decline to sell. Additionally, individuals can sell some of their interests but keep others.

**63. How does the Buy-Back Program define improvements?**

Improvements are buildings or structures located on or attached to the land. Improvements may include, but are not limited to, buildings (including residential homes), structures, sidewalks, sewers, and utilities. Please see the Tracts with Improvements section of these FAQs for further details.

**64. Will improvements be included in the valuation?**

All tracts of land, regardless of whether there may be an improvement located on it, are appraised as vacant. Improvements are not valued or included for purchase in Program offers, but are considered in determining the fair market value of the underlying tract of land. Improvements are taken into consideration in determining the highest and best use of the land. For example, it is possible that the existence of the improvements (like the availability of utilities or roads) might alter its categorization (residential v. agriculture).

**65. What does “highest and best use” mean?**

“Highest and best use” refers to the most probable and legal use of vacant land or an improved property that is physically possible, financially feasible, and appropriately supportable from the market to yield the highest possible value.

**66. Will my offer amount be increased if I own an improvement?**

Not necessarily. Improvements are not valued or included for purchase in Program offers, but are considered in determining the fair market value of the underlying tract of land. Offers for fractional interests will not include any separate amount for the improvement because the improvement is non-trust property, and the Buy-Back Program is not acquiring such property.

**VI. *Mineral Rights & Tracts with Improvements***

**67. Can an individual who only owns mineral rights sell?**

Yes, a landowner who owns only mineral rights may sell those rights through the Buy-Back Program to the tribe with jurisdiction.

**68. Can a seller retain fractional interests in mineral rights while selling the surface interest?**

No. The Buy-Back Program will only purchase the whole ownership interest (mineral and surface), which supports the Program's goal of consolidating fractional interests. The Program is not severing mineral rights from the surface rights.

**69. Will my mineral and timber rights be included in the valuation?**

Yes, if there are mineral or timber rights associated with a property, they will be included in the valuation process. Please note, these rights may have very small or no contributory value if there are no minerals or timber present or if there is no market for the minerals or timber. For those situations where the mineral rights have a very small or no contributory value, an administrative payment of \$7.50 per acre will be included with the total value of the land to account for the conveyance of the mineral rights.

In particular, the Department's Office of Valuation Service's Division of Minerals Evaluation (DME) conducts minerals assessments in three stages. Stage 1 parcels are located in areas with no viable economic mineralization or within viable economic mineralization zones where an estimated commodity value can be readily established. Stage 2 parcels require more research, data, and time to estimate; and Stage 3 parcels are associated with demonstrable commodity reserves, requiring intensive analysis. Currently, the Program only makes offers on Stage 1 tracts (it typically does not value tracts that contain Stage 2 or Stage 3 minerals or make offers on these tracts).

**70. Why is the administrative payment for Stage 1 mineral tracts set at \$7.50 per acre? Why not as a percentage of surface value, or increased over time?**

The \$7.50 per acre amount continues the past practice of the Indian Land Consolidation Program (ILCP), in which an administrative payment of \$7.50 per acre was provided for mineral rights determined to not have a current economic value contribution to the overall value of the property. The payment is not based on the value of the commodity (because the tract is determined not to have minerals of current economic value), but instead is intended as a payment to compensate for conveying mineral rights. While the minerals, if any exist, may have no current economic value, it

is still important that the right be transferred so that the Program has clear title to all rights associated with the property.

The market for surface land rights and subsurface minerals are unique. Each one is driven by different factors and the relationship between surface and minerals markets may vary widely. Mineral markets depend on many factors, such as the type of mineral (sand and gravel, oil & gas, etc.), the infrastructure to support mineral development, closeness to markets, etc. It would be inequitable to compensate for minerals based on surface values. For example, grazing land with access to water may be valued much higher than adjacent grazing land without water. If minerals existed, the value of the surface would have no bearing on the value of the minerals. Consequently, there is no basis to support a percentage of surface value.

### **71. Why might a tract be determined to have minerals with no economic contribution to overall value?**

A tract with mineral rights (including either both surface and mineral rights, or mineral rights already separate from the surface) may not have minerals of economic value, or may have minerals of such low value that the contribution to overall tract value is negligible. In order for a mineral deposit to add contributory value to the property, there needs to be a market for the mineral(s) (i.e., demand), and the market price for the mineral(s) needs to be higher than the cost of extracting and delivering the mineral to the market. The drivers for determination of value include: (a) existence of the mineral(s); (b) market for the mineral(s); (c) the market price of the mineral(s); (d) cost of extracting the mineral(s), and (e) costs associated with delivery of the minerals(s) to the market.

For example, a tract may have sand and gravel but may not be close enough to markets (e.g., major highway construction, or large metropolitan areas) to make it economic to transport the material. In some cases, there may be other existing sand and gravel operations which are closer to those markets.

As an additional example, there may be a tract that has a one foot thick coal seam that is 200 feet below the surface. In order to market that coal, the owner would need to remove the overburden, and transport the coal to market. In this case the cost of extracting the coal (e.g. the additive costs of purchasing and/or maintaining equipment to remove the overburden, the cost of building new rail line or trucking the coal to an existing rail line), is much greater than the market value for that coal.

In summary, if a mineral exists, but no market exists, or the cost of extraction is high, or the location is so distant from the markets that delivery costs are prohibitive, then the mineral may have no contributory value to the property. However, to ensure conveyance of mineral rights as a part of full title to the tract, the Program is offering \$7.50 per acre for those rights.

### **72. Who makes the determination of whether minerals of current economic value exist?**

The Division of Minerals Evaluation (DME), part of the Office of Valuation Services in the Department, is responsible for evaluating the existence of economically viable minerals. The

professional geologists, minerals economists, and engineers in DME extensively review the known geology of a location to determine if minerals are known to exist, evaluate mining activity in the area of that tract, identify markets for any known minerals and whether extraction of any minerals can be completed cost effectively. Most tracts will not have minerals of current economic value; where tracts are identified that may have current economic mineral value, those tracts are set aside because further analysis would be required to begin to estimate the economic value of the minerals.

In addition, the valuation approach employed by the Office of Appraisal Services (OAS) also considers how mineral rights are traded in the local market. As part of its approach, OAS searches for current and historical land sale data to see what similar land has actually sold for in the pertinent locale (commonly known as “comparable sales” data). The comparable sales gathered include properties where surface and subsurface rights are sold together. Using these comparable sales is another way in which the Program’s offer amount is able to properly reflect the fair market value associated with the transfer of the surface as well as any subsurface minerals.

**73. If a person believes there is something valuable beneath the surface of their land, are they responsible for obtaining a separate valuation?**

No, the landowner is not responsible for obtaining a separate valuation. The Federal Government conducts a detailed analysis to ensure that the offer amount reflects fair market value the tract (surface and subsurface rights). Mineral values are considered in the highest and best use scenario for tracts with a combined estate (mineral and surface) and through the analysis of past and current land sales of similar properties. The owner of any mineral rights may also perform whatever analysis they would like to determine whether they agree with the offer amount.

Owners must make a decision over whether they think the mineral rights will eventually have value. The Buy-Back Program relies upon the best data available to evaluate mineral economics, and a determination that no current economic value exists for minerals interests is based on solid research and analysis. It is up to interest owners to determine whether to accept their purchase offer, or take a chance on future discoveries or changes to the market.

**74. Will the Buy-Back Program make offers on fractionated tracts that contain improvements?**

Yes. Offers on tracts with improvements may be made if a lease (including a residential lease, sometimes referred to as a homesite lease) is recorded by BIA or, in the case of tracts without a recorded lease, if the tribe provides a resolution requesting offers on tracts with improvements and indicating that the tribe will provide lease opportunities to individuals living on the land. The Program will be acquiring fractional interests only in the land, not in the improvements themselves. Improvements are not valued or included for purchase in Program offers, but are considered in determining the fair market value of the underlying tract of land.

**75. Will the Buy-Back Program purchase interests located outside reservation boundaries, including Public Domain allotments?**

Under the Settlement, fractional interests acquired by the Program will be held in trust for the tribe with jurisdiction over the land. Tribal jurisdiction over off-reservation or Public Domain

allotments may be unclear or even disputed. In the 2014 Status Report, the Program requested feedback on whether and if so how the Program should incorporate Public Domain or off-reservation land areas into the Program, including any suggested standards or processes that could be applied. As of October 2015, the Program is still researching the issue and is open to additional feedback from tribes and landowners on this topic.

**76. Will the Buy-Back Program make offers on fractionated tracts of land held in restricted fee status that contain improvements?**

The Program is considering whether to make offers on fractionated tracts held in restricted fee status that contain improvements and may update landowners in the event that a decision is made to make such offers.

**77. Are improvements located on trust land considered trust property?**

No, the Department considers improvements to be non-trust property. Improvements are not included for purchase in Program offers, but are considered in determining the fair market value of the underlying tract of land.

**78. May I sell my improvements to the Buy-Back Program?**

No, the Program will be acquiring fractional interests only in land, not in the improvements themselves. Improvements are not valued or included for purchase in Program offers, but are considered in determining the fair market value of the underlying tract of land.

**79. How will the Buy-Back Program affect me if I have a lease on any of the tracts in which I have an owner interest?**

Any purchases or transfers of fractional interests are subject to the terms of existing leases and encumbrances on the land. Existing leases on fractionated tracts will run their term. If you are currently living on or utilizing the land in which you own a fractional interest and you do not have a lease or permit, you should contact the local BIA Realty Office before selling your ownership interest.

**80. Is a lease required for a Buy-Back Program sale to occur?**

No, although tribes must have approved a tribal resolution that provides a leasing opportunity to those individuals living in un-leased residences on allotted tracts. Landowners who do not have a lease should contact their local BIA Realty Office to inquire about the process before accepting their purchase offer.

**81. If I live in or own an improvement on trust or restricted land, should I have a lease?**

Yes, a lease provides clarity on the use of the land and any improvements. You may obtain a lease from the co-owners of the trust and restricted interests in the land, unless all of the owners have given you permission to take or continue in possession without a lease. The Code of Federal Regulations provides detailed leasing requirements. See Title 25, Part 162, of the Code of Federal

Regulations, especially the general lease provisions (at Subpart A) and those regarding residential leases (at Subpart C).

**82. If I want to obtain a residential lease, how many of the landowners on the tract(s) must consent?**

As indicated in the below table, the answer depends on the number of individual owners who have an undivided ownership interest in the allotted tract of land. For additional details, see 25 U.S.C. § 2218.

Number of undivided interest owners	Required percentage of ownership that must consent in writing
5 or fewer	90 percent
6–10	80 percent
11–19	60 percent
20 or more	50 percent

**83. How do I contact the co-owners of the land in which I have an interest?**

By submitting a written request to the local BIA office, you may obtain the names and mailing addresses of the owners of any interest in trust or restricted lands on a particular reservation, including the percentage of undivided interest owned by each individual.

**84. Will I receive an offer if I have outstanding debt on improvements that are located on the land that I want to sell?**

The Department does not maintain nor conduct any inventory on improvements, as they are non-trust property. Therefore, any debt or any other existing agreements regarding improvements will not be considered when making any offers. Any outstanding debt or contractual agreements for improvements will remain the responsibility of the improvement's individual owner.

**85. What if an improvement is not inhabited?**

The Program's policy for improvements is the same regardless of whether or not they are inhabited. Improvements are not valued or included for purchase in Program offers, but are considered in determining the fair market value of the underlying tract of land.

***VII. Selling Your Land***

**86. What is included in the purchase offer package?**

A purchase offer package includes the following:

**1. Cover Letter**

2. **Instructions:** The instructions explain how to fill out the documents necessary for the sale of your fractional ownership interests.
3. **Deed:** The deed is the legal document for the conveyance of any fractional ownership interests you choose to sell, as reflected on the Purchasable Interests Inventory included in the offer package. Completing and returning the deed and Purchasable Interests Inventory signifies your acceptance of the Purchase Offer in whole or in part. If you decide to sell some or all of your interests, you must sign your name exactly as it is typed on the deed in front of a Notary Public, and the Notary must completely fill out and place their seal on the lower portion of the deed.
4. **Purchasable Interests Inventory (Inventory):** The Inventory lists your ownership interests in each tract of trust or restricted land that is eligible for purchase under the Buy-Back Program, and the value of your interests in each tract. There are two parts to the Inventory: a SUMMARY and a DETAIL section. Additional information, including a legal description of each tract and the Scholarship Fund contribution for each of your interests, is included in the DETAIL section. Use the “Item” number for cross reference between the SUMMARY and the DETAIL section. If you decide to sell some or all of your interests, all pages of both sections of the Inventory must be returned.
5. **Map(s):** Maps show the general location of the tracts of land in which you own fractional interests.
6. **Self-Addressed Return Envelope:** The Package includes an envelope to allow you to return the completed Purchase Offer free of charge for processing by the Bureau of Indian Affairs (BIA).

The Buy-Back Program’s website has a section to help landowners become familiar with offer package materials at <http://www.doi.gov/buybackprogram/landowners/offer-docs.cfm>. A step-by-step video is available at <http://www.doi.gov/buybackprogram/tribes/the-purchase-offer-process.cfm> to help assist individuals with identifying critical information included in their offer package and completing the necessary forms.

The Trust Beneficiary Call Center is also available to assist you if you have any questions at (888) 678-6836.

The Indian Land Tenure Foundation has produced a useful brochure to help landowners walk through offer package documents, which is available at:  
[http://www.doi.gov/buybackprogram/landowners/upload/ILTF\\_Pamphlet\\_Final.pdf](http://www.doi.gov/buybackprogram/landowners/upload/ILTF_Pamphlet_Final.pdf).

## 87. What do I do when I receive a purchase offer package?

There are four key steps to take when considering your purchase offer:

1. First, review the deed and Purchasable Interests Inventory (Inventory) to assure your name and personal information are correct, and then determine whether to sell any or all of your ownership interests listed on the Inventory.

If your name or other personal information is not correct, do not complete and return the deed and Inventory. Instead, contact the Trust Beneficiary Call Center at (888) 678-6836 or visit your local Office of the Special Trustee for American Indians (OST) office

to get any necessary corrections made, after which you will be provided with a new purchase offer package. **Do not make handwritten corrections, use white-out, or place any other marks on the deed or Inventory, as this will delay or prevent processing of your sale.**

2. If opting to sell, use the Inventory to fill in the bubble adjacent to each ownership interest you wish to sell, or select the “Sell All Tracts” bubble if you wish to sell all interests.
3. In front of a Notary Public, sign the deed exactly as your name is typed. A Notary Public is required in order to validate the signature and to serve as the official witness. Make sure the Notary completely fills out and places a visible seal on the lower portion of the deed. You can contact your local BIA or OST office for information about how to find a notary.
4. Return the original signed and notarized deed, along with all pages of the Inventory (both the SUMMARY and the DETAIL sections), in the self-addressed, postage paid envelope provided. You must return the original documents in order for the sale to be processed.

**88. Does my deed need to be notarized in the state in which my ownership interests are being sold?**

No, the deed may be notarized in any state. You can contact your local BIA or OST office for information about how to find a notary.

**89. Can I make changes to the deed?**

No. The deed is a legal document. It must be filled out neatly and completely. White out, cross outs, or stray markings will void the document. If necessary, a new deed may be requested. The Trust Beneficiary Call Center can assist with fulfilling this request at (888) 678-6836.

**90. Will I get a copy of the deed that I returned?**

A seller may make a copy of the signed, notarized deed and Purchasable Interests Inventory before returning them. You must return the original documents in order for the sale to be processed. A copy of the deed can be requested from any BIA Realty Office but will not be provided once the conveyance is completed.

**91. Will I be contacted when the sale/conveyance is complete?**

An Acknowledgement Notice will be mailed to each seller upon approval of a sale. The Notice specifies the amount deposited to the seller’s Individual Indian Money (IIM) account for the interests sold, and the amount contributed by the Program to the Cobell Education Scholarship Fund on the seller’s behalf. The Scholarship Fund contribution is not deducted from the seller’s payment. For more details about the Scholarship Fund, see the above section in these FAQs.



**92. Will the tracts listed on my Purchasable Interest Inventory be the same as those listed on my Statement of Performance?**

Not all of the tracts on your Statement of Performance may be listed on your Purchasable Interests Inventory. The Inventory will only list those tracts that the Program is offering to purchase.

**93. I need more specific information about my land ownership interests. Where can I obtain additional assistance?**

Individuals may contact the Trust Beneficiary Call Center at (888) 678-6836 for more information about their interests, or visit the local BIA or OST office for further assistance.

**94. Who did I inherit interests from?**

Individuals may contact the Trust Beneficiary Call Center at (888) 678-6836 for assistance in determining who their interests were inherited from.

**95. How long do I have to decide whether to sell all or some of my interests?**

Purchase offers are valid for 45 calendar days from the date of the Cover Letter in the offer package. Signed and notarized deeds and the corresponding Purchasable Interests Inventory must be post-marked by the deadline indicated in the Cover Letter. Landowners are strongly encouraged to review their land interests and consider if they are interested in participating in the Buy-Back Program prior to receiving their purchase offer.

**96. What happens if I return my package and it is incomplete?**

In order for your package to be processed, the required documents must be filled out correctly and returned to the Program within 45 days. Required documents include the Purchasable Interests Inventory (both the SUMMARY and DETAIL sections) and the signed and notarized deed. If any of the required documents are missing, or if the documents are filled out incorrectly, the Program may provide you with new documents to complete if time and resources allow. If time and resources don't allow, your sale will be declined, but you may receive a new offer if an additional wave of offers is made for the location.

**97. I returned my purchase offer package and have received an Acknowledgement of Conveyance Letter. What does it mean?**

An Acknowledgement Notice is mailed to each seller upon closing of the Sale/Conveyance. The Notice will list the amount deposited into the seller's Individual Indian Money (IIM) account for the purchase of the owner interests that the seller selected on the Purchasable Interests Inventory. The letter lists:

- Base Payment of \$75;
- Total Payment Amount; and
- Amount disbursed to Cobell Education Scholarship Fund

### **98. When and how will I be paid?**

When your completed purchase package is received by the Program within the established timeframe, the Buy-Back Program has 60 days to process your payment. When the purchase is approved, payment will be made to your Individual Indian Money (IIM) account.

### **99. I received a “reminder” postcard from the Department of the Interior. What does it mean?**

Approximately halfway through each 45-day window, the Program will send “reminder” postcards to landowners who received a purchase offer package. If you have already returned your purchase offer package, you do not need to do anything further. If you received a postcard, but did not receive a purchase offer package, please contact the Trust Beneficiary Call Center at (888) 678-6836 immediately so they can help you receive a replacement package.

### **100. Why did I receive a postcard before my location is scheduled for offers?**

You received a postcard because the Program has launched a nationwide recruitment drive to identify and engage landowners who are interested in participating. This is in addition to the events, advertising and news stories that have appeared throughout Indian Country over the past three years. The level of interest – or willing sellers – registered with the Department has always been one of the determining factors as the Program develops its implementation schedules. In fact, the Program is currently compiling its next implementation schedule, and interest from individuals will be a factor in the locations chosen. Registration in no way commits you to sell your land and is no guarantee that you will receive an offer; it merely identifies your desire to receive an offer.

### **101. What if I miss the 45-day deadline to accept my offer?**

If you own fractional land interests on a reservation and missed the 45-day deadline to accept your offer, you may:

- Return your offer (including a signed, notarized deed) even though it is past the deadline. This late submission will be reviewed based on capacity, appraisal expiration, and the availability of funds. We cannot guarantee acceptance of late submissions.
- Call the Trust Beneficiary Call Center at (888) 678-6836 and indicate you are a Willing Seller. As resources allow, the Buy-Back Program may send offers to landowners who are interested in selling their interests after the Program’s offer response deadline for a particular location provided there is a current appraisal and funds are available.

## **APPENDIX B. FRACTIONATION STATISTICS**

### **Overview**

The fractionation related data and statistics used throughout this document were generated primarily from the Trust Asset and Accounting Management System (TAAMS) as of September 30, 2015. The land areas, data, and approximations in this document are subject to change. The Department will continue to refine its analysis of fractional interests and the owners thereof. Feedback is encouraged. In particular, if tribes or others have reason to believe that any of the information is inaccurate or that a reservation is excluded in error, they should provide written feedback to [buybackprogram@ios.doi.gov](mailto:buybackprogram@ios.doi.gov) or by mail (U.S. Department of Interior Land Buy-Back Program for Tribal Nations, 1849 C St. NW, MS-5552-MIB, Washington, DC 20240). Please refer to the Program's website to find direct contact information for the Program's Senior Advisors for Tribal Relations.

### **Definitions and Explanations**

Aggregated and Segregated – It is important to distinguish “aggregated” and “segregated” fractional interest counts. There are many instances where a single individual owns multiple fractional interests in the same tract of land. Such multiple ownership occurs when an individual inherits interests on the same tract of land at different times. For example, an individual may receive an interest on a tract of land when their father passes, and the individual may receive an additional interest in that same tract upon their mother's passing. This document combines/adds these multiple “segregated” interests and represents them as a single “aggregated” interest. Aggregated interest counts will continue to be used going forward.

Appendix B Field Descriptions – The table below provides definitions for each field within the Appendix B report. “Levels” are used to categorize types of data. Level 1 includes data extracted before the application of policy decisions regarding which tracts and owners may receive offers. The data in Appendix B is at Level 1. Level 2 data is extracted before operating on a reservation and excludes interests that would not receive on offer based on prior policy exclusions. Level 2 data excludes interests held by non-compos mentis; interests held by minors; interests in probate proceedings; interests held by individuals whose whereabouts are unknown; interests held in joint tenancy; and interests held in life estates. The data in Appendix C is at Level 2.

### *Appendix B Field Descriptions*

Column			Definition
	Land Area Name	A	<p>Federally Recognized Tribe with Jurisdiction.</p> <p>Each tribe typically has a unique tribal code within TAAMS that corresponds to a single LAC. Due to state borders and other factors, however, some tribes may have multiple land area codes. Moreover, in a few instances, the report currently lists multiple tribes for one land area code. The report of locations seeks to group related land areas under a single tribe and additional work is necessary to identify lands to a particular recognized tribe.</p> <p>LACs with “public domain” or “off reservation” in the land area name are excluded from the report. Locations that are not fractionated are also excluded.</p>
	Land Area Code(s)	B	Land area code(s) for the tribe.
Tract, Interest, and Acre Data	100% Tribally Owned	C	<p>Number of tracts 100 percent tribally owned.</p> <p>If a tract has a surface interest (S) and separate mineral interest (M), the tract is counted as two separated tracts here.</p>
	100% IIM Owned	D	<p>Number of tracts 100 percent individually owned (single Individual Indian Money account holder).</p> <p>If a tract has a surface interest (S) and separate mineral interest (M), the tract is counted as two separated tracts here.</p>
	Fractionated Tracts	E	<p>Number of tracts held in trust or restricted status that has two or more unique owners (one of which may be the tribe). A “fractionated tract” is a tract with two or more fractional interests, each being less than a 100 percent interest (the sum of the fractional interests equals 100 percent).</p> <p>Columns C, D, and E sum to the total number of tracts held in trust or restricted status.</p>

Column		Definition
Level 1 Fractionated Tracts	F	<p>A subset of Column E above, this column <u>excludes</u> the following tracts:</p> <ul style="list-style-type: none"> <li>· tracts owned 100 percent by fee interests</li> <li>· tracts with 100 percent joint tenancy</li> <li>· tracts with 100 percent life estates</li> </ul> <p>The term “interest” is an aggregated fractional interest in a fractionated tract that is held in trust or restricted status (i.e., not a fee interest) where a recognized tribal government exercises jurisdiction, excluding interests owned by a tribe or the government. The criteria for this column are based on title records.</p> <p>This column <u>includes</u> the following fractionated tracts with:</p> <ul style="list-style-type: none"> <li>· interests held by non-compos mentis;</li> <li>· interests held by minors;</li> <li>· interests held by individuals in probate proceedings; and/or</li> <li>· interests held by individuals whose whereabouts are unknown.</li> </ul> <p>For example, if a tract is owned by minors (e.g., two individuals, age 16 and 15, each own 50 percent), the tract would be included in this preliminary count even though by policy, the Program will not purchase such interests. However, if the Program is implemented on the reservation in this example in four years, then these minors will have become adults and may receive offers for their interests at that time</p> <p><i>This column is one of the three data points used to calculate purchase estimates.</i></p>
Acres Associated w/ Level 1 Fractionated Tracts	G	<p>Associated acres for Column F above.</p> <p>The acreage number is the sum of the acres of surface-only, mineral-only, and combined (both surface and sub-surface estate) acreages. For example, if the surface and mineral estates encompassing the same 80-acre tract of land have been severed or split, the acreage count would include them as 160 total acres.</p> <p>Not all of the acres may be purchasable because a portion may be owned by the tribe or by owners that are not eligible to participate in the Program.</p> <p><i>This column is one of the three data points used to calculate purchase estimates.</i></p>
Level 1 Fractional Interests	H	<p>Number of aggregated interests within a tract. Excludes:</p> <ul style="list-style-type: none"> <li>· Interests that are owned by tribe</li> <li>· Interests owned in fee</li> </ul> <p>Includes:</p> <ul style="list-style-type: none"> <li>· Interests in joint tenancy that are less than 100 percent of the tract</li> <li>· Interests in life estates that are less than 100 percent of the tract</li> <li>· Interests held by WAU, minors, and non-compos mentis</li> </ul> <p><i>This column is one of the three data points used to calculate purchase estimates.</i></p>

Column		Definition
	<5% Level 1 Interests	I Number of interests with less than 5 percent individual ownership. The American Indian Probate Reform Act (AIPRA) creates a “single heir rule” that applies to interests which are less than five percent of the entire undivided ownership of the parcel of land which such interest is a part. See 25 U.S.C. § 2206.
	Equivalent Acres Associated Only with Level 1 Interests	J A subset of Column G. This column includes only the acreage associated with Level 1 fractional interests, not the acreage associated with the tract as a whole. This column excludes acreage associated with fee and tribal interests.
	Tracts with Tribal Ownership	< 50 % K Includes the number of Level 1 tracts with less than 50 percent tribal ownership in fractionated tracts.
		> = 50 % and < 100 % L Includes the number of Level 1 tracts with equal to or more than 50 percent and less than 100 percent tribal ownership in fractionated tracts.
Individuals	Unique Individuals owning Level 1 Fractional Interests	M Number of distinct owners that own fractional interests for the LAC. This figure includes all types of owners (WAU, minors, etc.) for any land that is not 100 percent owned within the location. This column includes individual owners that are deceased.  This column cannot be summed across land area codes since many individuals own land on more than one land area code.  For example, a tract is owned by minors (e.g., two individuals, age 16 and 15, each own 50 percent), the tract would be included in this preliminary count even though it is not technically purchasable once the Program develops offers at a particular reservation.
	Whereabouts Unknown	WAU Level 1 Fractional Interest Owners N Number of owners who are whereabouts unknown (WAU).
		% of Landowners that are WAU O Number of owners who are WAU (Column N) divided by Unique Individuals owning Fractional Interests (Column M).
	Level 1 Fractional Interest Owners Under Legal Disability	P Number of individuals holding fractional interests under legal disability (e.g., non-compos mentis or minors).

*Appendix B Data (as of September 30, 2015)*

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
<b>Eastern Oklahoma Region</b>																
1	Cherokee Nation, Oklahoma (905)	905	106	778	1,083	870	29,089	4,073	769	18,112	865	5	1,882	433	23%	1
2	Chickasaw Nation, Oklahoma (906)	906	189	348	1,985	1,923	113,474	15,691	2,678	57,718	1,923	0	3,937	720	18%	8
3	Choctaw Nation of Oklahoma (907)	907	52	350	1,051	884	59,879	5,174	1,146	32,919	883	1	2,341	556	24%	5
4	Muscogee (Creek) Nation, Oklahoma (908)	908	98	498	2,027	1,618	86,363	12,349	2,041	53,913	1,618	0	3,335	564	17%	5
5	Seminole Nation of Oklahoma (909)	909	7	207	1,037	1,010	38,747	9,771	1,513	21,242	1,010	0	2,023	417	21%	3
6	Quapaw Tribe of Indians, Oklahoma (920)	920	11	53	228	220	16,076	3,346	341	8,972	214	6	384	19	5%	2
7	Eastern Shawnee Tribe of Oklahoma (921)	921	14	7	29	28	411	278	134	301	28	0	159	5	3%	1
8	Seneca-Cayuga Tribe of Oklahoma (923)	923	25	57	85	72	2,808	1,495	643	2,028	71	1	778	81	10%	14
9	Osage Nation, Oklahoma (formerly the Osage Tribe) (930)	930	9,466	462	684	636	76,759	3,063	317	66,022	625	11	709	36	5%	30
<b>Great Plains Region</b>																
10	Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota (301)	301	4,677	1,523	3,391	3,310	474,552	93,655	4,576	421,554	3,104	206	5,150	276	5%	121
11	Standing Rock Sioux Tribe of North & South Dakota (302)	302	2,993	858	6,242	6,165	751,778	163,172	18,207	259,832	1,997	4,168	18,895	2,178	12%	785
12	Spirit Lake Tribe, North Dakota (303)	303	282	108	987	949	57,030	61,170	5,667	41,982	785	164	5,886	482	8%	124

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
13	Turtle Mountain Band of Chippewa Indians of North Dakota (304)	304	116	651	632	612	33,492	28,184	8,273	30,002	605	7	8,884	1,023	12%	76
14	Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota (340)	340 & 360	6,523	1,808	4,080	3,952	713,667	43,269	6,535	408,381	2,285	1,667	7,143	704	10%	183
15	Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota (342)	342	588	254	932	925	100,298	44,638	8,574	77,095	763	162	8,907	766	9%	178
16	Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota (343)	343	1,062	72	664	595	76,477	30,492	4,794	38,357	301	294	4,988	539	11%	90
17	Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota (344)	344	3,886	2,223	5,993	5,862	1,177,234	118,172	16,629	455,674	2,261	3,601	18,122	2,565	14%	493
18	Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota (345)	345	3,454	396	3,238	3,143	577,637	72,706	12,127	135,430	597	2,546	12,749	1,971	15%	307
19	Yankton Sioux Tribe of South Dakota (346)	346	184	59	788	779	45,250	39,113	6,545	27,137	545	234	6,726	524	8%	100
20	Sisseton - Wahpeton Oyate of the Lake Traverse Reservation, South Dakota (347)	347	420	263	1,318	1,307	92,347	49,147	4,688	46,691	717	590	4,924	378	8%	93
21	Omaha Tribe of Nebraska (380)	380	141	38	424	421	22,020	22,058	2,694	20,085	394	27	2,799	314	11%	46
22	Santee Sioux Nation, Nebraska (382)	382	59	12	73	67	3,494	3,889	1,771	2,559	55	12	1,845	168	9%	22
23	Winnebago Tribe of Nebraska (383)	383	72	26	647	643	35,850	74,378	4,196	21,953	479	164	4,284	485	11%	64
Midwest Region																
24	Minnesota Chippewa - Bois Forte Band	404	221	5	203	200	15,505	15,658	1,894	8,384	157	43	1,953	205	10%	21



Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
25	Minnesota Chippewa - Fond du Lac Band	405	221	12	377	353	21,584	28,624	4,759	9,170	195	158	4,851	751	15%	49
26	Minnesota Chippewa - Grand Portage Band	406	361	0	125	116	8,380	5,536	606	4,143	72	44	618	73	12%	5
27	Minnesota Chippewa - Leech Lake Band	407	326	66	262	253	12,484	20,426	6,605	10,646	237	16	6,806	912	13%	67
28	Minnesota Chippewa - Mille Lacs Band	410	298	4	32	30	154	819	216	139	28	2	257	20	8%	3
29	Minnesota Chippewa - White Earth Band	408	706	4	52	41	2,511	4,489	3,300	2,386	41	0	3,390	435	13%	22
30	Upper Sioux Community, Minnesota (401)	401	11	1	2	2	52	44	36	52	2	0	44	5	11%	0
31	Red Lake Band of Chippewa Indians, Minnesota (409)	409	1,557	0	1	1	102	2	1	15	0	1	2	0	0%	0
32	Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin (430)	430	482	201	641	625	29,531	21,438	4,964	9,796	250	375	5,101	952	19%	47
33	Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin (431)	431	364	113	329	315	20,522	18,431	3,820	4,405	77	238	3,926	948	24%	51
34	Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin (432)	432	277	31	202	198	12,348	5,078	1,221	1,593	21	177	1,287	179	14%	17
35	Oneida Tribe of Indians of Wisconsin (433)	433	317	115	37	25	229	365	270	135	23	2	340	73	21%	0
36	Forest County Potawatomi Community, Wisconsin (434)	434	61	0	10	8	400	327	168	321	8	0	187	18	10%	3

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
37	Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin (435)	435	73	3	38	36	1,804	3,554	1,525	503	11	25	1,538	233	15%	15
38	Stockbridge Munsee Community, Wisconsin (438)	438	145	8	4	3	19	33	16	19	3	0	26	3	12%	0
39	Ho-Chunk Nation of Wisconsin (439)	439	69	45	106	105	3,135	3,227	1,488	2,371	99	6	1,623	196	12%	31
40	Menominee Indian Tribe of Wisconsin (440)	440	1,286	3	12	1	1	2	0	1	1	0	2	2	100%	0
41	Saginaw Chippewa Indian Tribe of Michigan (472)	472	93	7	25	25	723	1,062	717	674	25	0	760	77	10%	4
42	Keweenaw Bay Indian Community, Michigan (475)	475 & 476	119	25	129	119	7,135	5,870	2,455	2,129	50	69	2,434	405	17%	30
<b>Navajo Region</b>																
43	Navajo Nation, Arizona, New Mexico & Utah (780) (excludes LAC 722 statistics)	723, 724 & 790-792	1,079	600	4,289	4,180	661,956	260,158	34,469	644,079	4,167	13	35,268	3,671	10%	324
<b>Northwest Region</b>																
44	Confederated Tribes of the Colville Reservation, Washington (101)	101	3,016	973	2,481	2,196	171,297	39,064	5,338	116,109	1,506	690	6,186	579	9%	131
45	Spokane Tribe of the Spokane Reservation, Washington (102)	102	635	277	436	392	24,447	9,081	1,962	21,673	375	17	2,225	169	8%	43
46	Kalispel Indian Community of the Kalispel Reservation, Washington (103)	103	54	38	76	76	2,400	1,039	214	2,045	55	21	247	20	8%	3
47	Confederated Tribes of the Chehalis Reservation, Washington (105)	105	30	43	64	64	1,395	2,199	756	1,255	61	3	824	53	6%	11

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
48	Lummi Tribe of the Lummi Reservation, Washington (107)	107	69	726	366	351	5,458	7,100	1,770	4,309	347	4	2,045	201	10%	30
49	Makah Indian Tribe of the Makah Indian Reservation, Washington (108)	108	348	98	267	258	1,968	5,390	1,079	1,501	218	40	1,253	112	9%	12
50	Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington (109)	109	69	197	81	80	1,425	2,048	709	1,234	75	5	863	93	11%	9
51	Nisqually Indian Tribe of the Nisqually Reservation, Washington (110)	110	45	5	19	17	899	1,080	672	765	15	2	706	41	6%	10
52	Nooksack Indian Tribe of Washington (111)	111	14	84	57	50	2,214	1,223	564	2,058	50	0	619	57	9%	2
53	Suquamish Indian Tribe of the Port Madison Reservation, Washington (114)	114	56	109	71	66	2,275	1,690	1,021	1,851	62	4	1,137	119	10%	27
54	Puyallup Tribe of the Puyallup Reservation, Washington (115)	115	58	78	18	15	19	90	26	18	14	1	69	3	4%	2
55	Quileute Tribe of the Quileute Reservation, Washington (116)	116	27	9	30	30	5	574	231	4	30	0	310	14	5%	6
56	Quinault Tribe of the Quinault Reservation, Washington (117)	117	301	333	1,484	1,440	105,052	37,520	4,062	90,875	1,365	75	4,617	361	8%	52
57	Sauk-Suiattle Indian Tribe of Washington (119)	119	7	21	38	33	1,177	1,644	487	958	30	3	529	48	9%	6
58	Skokomish Indian Tribe of the Skokomish Reservation, Washington (120)	120	35	19	82	81	2,537	3,495	1,021	2,285	79	2	1,064	79	7%	3

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
59	Squaxin Island Tribe of the Squaxin Island Reservation, Washington (121)	121	26	1	21	20	1,014	954	530	411	11	9	545	40	7%	5
60	Swinomish Indians of the Swinomish Reservation, Washington (122)	122	35	47	84	80	3,825	3,245	1,148	3,529	77	3	1,199	79	7%	18
61	Tulalip Tribes of the Tulalip Reservation, Washington (123)	123	122	348	180	152	3,326	1,973	713	2,782	149	3	968	102	11%	23
62	Confederated Tribes and Bands of the Yakama Nation, Washington (124)	124	3,158	930	2,422	2,306	181,896	61,097	4,630	141,381	1,920	386	5,106	294	6%	81
63	Confederated Tribes of the Siletz Indians of Oregon (previously listed as the Confederated Tribes of the Siletz Reservation) (142)	142	54	6	3	1	47	3	0	47	1	0	3	0	0%	0
64	Confederated Tribes of the Umatilla Reservation, Oregon (143)	143	223	310	1,030	997	65,686	15,296	2,379	49,045	865	132	2,814	126	4%	51
65	Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon (144)	144	4	6	76	75	11,938	1,791	205	10,265	75	0	233	15	6%	4
66	Confederated Tribes of the Warm Springs Reservation, Oregon (145)	145	1,793	97	420	385	43,228	4,010	855	12,422	131	254	994	56	6%	32
67	Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho (180)	180	1,446	1,184	2,700	2,644	270,041	52,051	2,861	219,616	2,097	547	3,264	178	5%	101
68	Coeur d'Alene Tribe of the Coeur d'Alene Reservation, Idaho (181)	181	801	67	311	297	38,033	2,876	832	26,477	227	70	1,018	67	7%	12

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
69	Nez Perce Tribe, Idaho (previously listed as Nez Perce Tribe of Idaho) (182)	182	196	143	652	629	44,747	12,611	1,894	31,507	500	129	2,136	105	5%	20
70	Kootenai Tribe of Idaho (183)	183	12	0	24	23	1,821	208	61	624	20	3	62	3	5%	5
71	Confederated Salish & Kootenai Tribes of the Flathead Reservation, Montana (203)	203	2,153	877	888	698	38,809	7,875	2,119	21,360	477	221	2,686	233	9%	45
<b>Pacific Region</b>																
72	Big Sandy Rancheria of Mono Indians of California (506)	506	4	4	4	3	31	15	9	15	3	0	15	6	40%	0
73	Big Valley Band of Pomo Indians of the Big Valley Rancheria, California (507)	507	5	8	14	13	7	62	6	7	13	0	54	21	39%	0
74	Cloverdale Rancheria of Pomo Indians of California (510)	510	0	0	2	2	13	8	0	13	2	0	4	4	100%	0
75	Robinson Rancheria of Pomo Indians of California (516)	516	3	7	6	4	53	20	5	23	4	0	10	5	50%	0
76	Guidiville Rancheria of California (505)	520	1	0	1	1	2	3	0	2	1	0	3	3	100%	0
77	Hopland Band of Pomo Indians of the Hopland Rancheria, California (521)	521	7	5	13	11	44	104	47	33	11	0	73	20	27%	0
78	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California (525)	525	4	14	30	28	88	262	74	78	28	0	108	45	42%	1

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
79	Northfork Rancheria of Mono Indians of California (532)	532	1	0	1	1	80	7	0	80	1	0	7	3	43%	0
80	Picayune Rancheria of Chukchansi Indians of California (534)	534	5	0	3	1	26	6	0	17	1	0	6	1	17%	0
81	Pinoleville Pomo Nation, California (formerly the Pinoleville Rancheria of Pomo Indians of California) (535)	535	1	4	6	5	25	15	0	25	5	0	15	5	33%	0
82	Redwood Valley Rancheria of Pomo Indians of California (539)	539	2	2	2	2	5	38	19	3	2	0	19	2	11%	2
83	Round Valley Indian Tribes of the Round Valley Reservation, California (540)	540	114	49	199	186	5,023	7,122	1,576	4,558	184	2	1,709	427	25%	13
84	Greenville Rancheria of Maidu Indians of California (545)	545	0	1	1	1	1	8	7	0	1	0	8	0	0%	0
85	Table Mountain Rancheria of California (551)	551	10	0	6	1	6	4	0	6	1	0	4	0	0%	0
86	Karuk Tribe (formerly the Karuk Tribe of California) (555)	555	26	0	2	1	14	7	0	14	1	0	7	1	14%	0
87	Blue Lake Rancheria, California (558)	558	12	2	6	4	7	10	0	4	4	0	10	5	50%	0
88	Elk Valley Rancheria, California (559)	559	8	4	2	2	10	7	0	10	2	0	7	3	43%	0
89	Hoopa Valley Tribe, California (561)	561	188	150	109	105	670	1,236	313	602	104	1	489	74	15%	4
90	Yurok Tribe of the Yurok Reservation, California (562)	562	35	20	167	165	4,097	4,733	1,234	3,624	165	0	1,374	427	31%	11

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
91	Quartz Valley Indian Community of the Quartz Valley Reservation of California (563)	563	3	0	3	2	23	5	0	23	2	0	5	2	40%	0
92	Smith River Rancheria, California (564)	564	14	16	15	9	24	28	0	22	9	0	28	5	18%	0
93	Augustine Band of Cahuilla Indians, California (formerly the Augustine Band of Cahuilla Mission Indians of the Augustine Reservation) (567)	567	2	0	4	3	120	18	4	58	1	2	18	0	0%	0
94	Cabazon Band of Mission Indians, California (568)	568	3	10	9	9	211	136	53	208	9	0	67	2	3%	3
95	La Jolla Band of Luiseno Mission Indians, California (formerly the La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation) (576)	576	10	24	46	43	423	582	245	371	43	0	300	7	2%	2
96	Morongongo Band of Mission Indians, California (formerly the Morongongo Band of Cahuilla Mission Indians of the Morongongo Reservation) (582)	582	54	448	223	198	704	3,097	793	629	197	1	1,024	50	5%	28
97	Pala Band of Luiseno Mission Indians of the Pala Reservation, California (583)	583	47	175	255	234	863	5,688	791	807	234	0	908	47	5%	13
98	Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California (584)	584	79	219	188	186	8,348	1,212	135	8,232	186	0	241	6	2%	12
99	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California (586)	586	15	36	108	105	1,355	3,786	811	1,055	103	2	923	61	7%	11

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
100	Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California (587)	587	4	50	52	43	171	552	194	152	43	0	249	5	2%	2
101	Sycuan Band of the Kumeyaay Nation (formerly the Sycuan Band of Diegueno Mission Indians of California) (594)	594	11	0	20	19	321	532	149	199	14	5	166	7	4%	1
102	Torres Martínez Desert Cahuilla Indians, California (formerly the Torres-Martinez Band of Cahuilla Mission Indians of California) (595)	595	19	81	131	126	3,902	2,284	455	3,667	126	0	545	32	6%	14
103	California Valley Miwok Tribe, California (formerly the Sheep Ranch Rancheria of Me-Wuk Indians of California) (628)	628	0	0	1	1	1	2	0	1	1	0	2	0	0%	0
104	Habematolel Pomo of Upper Lake, California (formerly the Upper Lake Band of Pomo Indians of Upper Lake Rancheria of California) (636)	636	1	3	6	5	11	16	0	11	5	0	14	5	36%	0
<b>Rocky Mountain Region</b>																
105	Blackfeet Tribe of the Blackfeet Indian Reservation of Montana (201)	201	5,348	1,375	5,150	4,895	901,466	197,602	7,485	807,923	4,737	158	8,078	646	8%	127
106	Crow Tribe of Montana (202)	202 & 208	3,841	1,821	4,863	4,771	894,630	109,014	4,557	599,990	3,571	1,200	4,678	208	4%	155
107	Fort Belknap Indian Community of the Fort Belknap Reservation of Montana (204)	204	926	1,404	3,049	2,941	550,922	34,317	2,921	316,070	1,772	1,169	3,594	237	7%	110
108	Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation,	206	1,582	1,298	4,609	4,476	710,164	86,231	9,403	473,213	3,587	889	10,320	858	8%	282



Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
	Montana (206)															
109	Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana (207)	207	1,070	515	880	864	100,689	10,390	2,354	49,028	445	419	2,777	276	10%	113
110	Arapahoe Tribe of the Wind River Reservation, Wyoming (281) & Shoshone Tribe of the Wind River Reservation, Wyoming (282)	280	1,771	885	2,685	2,581	175,896	138,935	7,056	142,848	2,310	271	7,456	536	7%	248
<b>Southern Plains Region</b>																
111	Cheyenne & Arapaho Tribes, Oklahoma (801)	801	14	172	1,147	1,139	97,518	40,445	6,207	84,607	1,137	2	6,595	531	8%	182
112	Kiowa Indian Tribe of Oklahoma (802), Comanche Nation, Oklahoma (808) & Apache Tribe of Oklahoma (809)	802	89	1,417	3,064	3,033	253,632	57,341	8,091	223,310	3,015	18	9,690	808	8%	204
113	Fort Sill Apache Tribe of Oklahoma (803)	803	5	22	50	49	3,017	643	218	2,428	49	0	275	15	5%	5
114	Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma (804), Caddo Nation of Oklahoma (806) & Delaware Nation formerly Delaware Tribe of Western OK (807)	804	17	232	855	847	74,174	16,844	2,364	64,204	846	1	2,823	167	6%	51
115	Otoe-Missouria Tribe of Indians, Oklahoma(811)	811	21	83	362	362	25,970	12,706	1,906	21,725	360	2	2,092	187	9%	46
116	Pawnee Nation of Oklahoma (812)	812	2	83	370	366	26,670	10,085	1,848	22,916	365	1	2,030	160	8%	23
117	Ponca Tribe of Indians of Oklahoma (813)	813	12	79	410	406	20,905	25,438	2,723	18,226	405	1	2,834	285	10%	67

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
118	Tonkawa Tribe of Indians of Oklahoma (814)	814	4	0	8	7	321	274	102	251	7	0	116	12	10%	2
119	Absentee Shawnee Tribe of Indians of Oklahoma (820)	820	20	160	270	266	15,809	8,759	2,124	14,380	266	0	2,262	192	8%	23
120	Citizen Potawatomi Nation, Oklahoma (821)	821	54	9	65	64	5,139	2,372	1,357	3,186	62	2	1,458	153	10%	4
121	Iowa Tribe of Oklahoma (822)	822	7	8	50	50	2,077	2,609	800	1,775	47	3	848	74	9%	18
122	Kickapoo Tribe of Oklahoma (823)	823	12	74	133	131	5,733	3,409	940	5,246	130	1	1,113	155	14%	23
123	Sac & Fox Nation, Oklahoma (824)	824	14	127	253	253	18,205	5,730	1,326	16,451	253	0	1,542	157	10%	18
124	Iowa Tribe of Kansas and Nebraska (860)	860	39	11	5	5	180	134	96	51	4	1	99	10	10%	0
125	Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas (861)	861	50	72	79	78	2,843	1,520	527	2,511	72	6	632	46	7%	13
126	Prairie Band of Potawatomi Nation, Kansas (862)	862	145	133	325	323	17,942	7,534	1,686	11,972	259	64	1,928	128	7%	34
127	Sac & Fox Nation of Missouri in Kansas and Nebraska (863)	863	7	0	2	2	62	112	106	41	2	0	112	8	7%	1
<b>Southwest Region</b>																
128	Pueblo of Acoma (703)	703	40	0	3	1	320	3	0	320	1	0	3	0	0%	0
129	Laguna (707)	707	36	3	30	29	3,384	726	371	3,224	28	1	440	53	12%	3
130	Pueblo of San Felipe (712)	712	34	0	2	1	71	46	39	71	1	0	46	1	2%	0
131	Zuni Tribe of the Zuni Reservation, New Mexico (721)	721	28	3	13	12	1,861	591	467	1,791	12	0	507	42	8%	7

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
132	Navajo Nation, Arizona, New Mexico & Utah (780) (only includes LAC 722 statistics)	722	31	162	237	234	32,647	6,943	1,216	32,563	234	0	See row 43	See row 43	See row 43	See row 43
133	Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado (750)	750	478	92	118	109	9,507	2,177	778	6,864	93	16	878	29	3%	27
134	Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah (751)	754	33	8	63	58	7,818	1,016	325	7,047	54	4	368	32	9%	13
<b>Western Region</b>																
135	Colorado River Indian Tribe of the Colorado River Indian Reservation, Arizona and California (603)	603	212	143	541	529	5,202	8,654	1,253	4,094	442	87	1,536	154	10%	25
136	Fort Mojave Indian Tribe of Arizona California & Nevada (604)	604	22	0	6	2	160	22	7	160	2	0	11	0	0%	0
137	Hopi Tribe of Arizona (608)	608	15	0	11	11	220	976	517	215	11	0	539	73	14%	5
138	Tohono O'odham Nation of Arizona (610)	611	14	15	283	283	39,182	13,942	1,700	36,017	283	0	1,766	102	6%	49
139	Gila River Indian Community of the Gila River Indian Reservation, Arizona (614)	614	142	726	4,796	4,738	84,299	174,205	9,919	78,306	4,649	89	10,604	824	8%	211
140	Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona (615)	615	66	364	1,432	1,430	21,833	48,652	5,249	21,032	1,416	14	5,746	379	7%	97
141	Ely Shoshone Tribe of Nevada (644)	644	2	0	2	1	160	24	13	160	1	0	24	3	13%	0
142	Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon (646)	646	12	0	4	4	145	575	472	142	4	0	481	64	13%	4

Row	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P
	Land Area Name	Land Area Code(s)	Tract, Interest, and Acre Data										Individuals			
			Tracts Held in Trust or Restricted Status			Level 1 Fractionated Tracts	Acres Associated w/ Level 1 Fractionated Tracts	Level 1 Fractional Interests	<5% Level 1 Interests	Equivalent Acres Associated Only w/ Level 1 Interests	Tracts with Tribal Ownership		Unique Individuals owning Level 1 Fractional Interests	WAU		Level 1 Fractional Interest Owners Under Legal Disability
			100% Tribally Owned	100% IIM Owned	Fractionated Tracts						<50%	>=50%		WAU Level 1 Fractional Interest Owners	% of landowners that are WAU	
143	Walker River Paiute Tribe of the Walker River Reservation, Nevada (656)	656	18	133	354	348	6,634	6,627	1,208	6,264	342	6	1,440	172	12%	12
144	Yomba Shoshone Tribe of the Yomba Reservation, Nevada (661)	661	4	0	5	5	352	120	99	320	5	0	114	13	11%	2
145	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodsford Community, Stewart Community, & Washoe Ranches) (672)	672	9	69	411	409	59,310	14,095	1,206	53,986	397	12	1,284	138	11%	7
146	Ute Indian Tribe of the Uintah & Ouray Reservation, Utah (687)	687	967	49	1,096	1,061	76,870	43,623	2,257	60,731	919	142	2,324	142	6%	88
147	Quechan Tribe of the Fort Yuma Indian Reservation, California (696)	696	39	145	723	718	6,939	13,260	1,366	6,658	704	14	1,661	94	6%	41
	<b>Total</b>		<b>75,218</b>	<b>32,544</b>	<b>99,324</b>	<b>95,494</b>	<b>10,697,834</b>	<b>2,711,979</b>	<b>323,106</b>	<b>6,942,195</b>	<b>73,229</b>	<b>22,265</b>				

## APPENDIX C. RESOURCE CODE STATISTICS

Appendix C Field Descriptions – The table below provides definitions for each field within Appendix C. “Levels” are used to categorize types of data. Level 1 includes data extracted before the application of policy exclusions (e.g., minors) regarding which tracts and owners may receive offers. The data in Appendix B is at Level 1. Level 2 data is extracted before operating on a reservation and excludes interests that would not receive on offer based on such policy exclusions. Level 2 data excludes interests held by non-compos mentis; interests held by minors; interests in probate proceedings; interests held by individuals whose whereabouts are unknown; interests held in joint tenancy; and interests held in life estates. Appendix C data is at Level 2.

### *Appendix C Field Descriptions*

Column		Definition
	Land Area Name	Q Federally Recognized Tribe with Jurisdiction. Each tribe typically has a unique tribal code within TAAMS that corresponds to a single LAC. Due to state borders and other factors, however, some tribes may have jurisdiction over multiple land area codes. Moreover, in a few instances, the report currently lists multiple tribes for one land area code. The report of locations seeks to group related land areas under a single tribe and additional work is necessary to identify lands to a particular recognized tribe. LACs with “public domain” or “off reservation” in the land area name are excluded from the report. Locations that are not fractionated are also excluded.
	Land Area Code(s)	R Land area code(s) for the tribe.
Tract Resource	Level 2 Tracts – Surface (S)	S Number of surface (S) only resource code tracts. This is a subset of Column F in Appendix B.
	Level 2 Equivalent Acres – Surface (S)	T Number of equivalent acres associated with Level 2 interests in the tracts in Column S. This is a subset of Column G in Appendix B. Column T includes only the acreage associated with Level 2 interests, not the acreage associated with the tract as a whole. This column excludes acreage associated with fee and tribal interests.
	Level 2 Tracts – Minerals (M)	U Number of mineral (M) only resource code tracts. This is a subset of Column F in Appendix B.
	Level 2 Equivalent Acres – Minerals (M)	V Number of equivalent acres associated with Level 2 interests in the tracts in Column U. This is a subset of Column G in Appendix B. Column V includes only the acreage associated with Level 2 interests, not the acreage associated with the tract as a whole. This column excludes acreage associated with fee and tribal interests.
	Level 2 Tracts – Both	W Number of Both (S & M) resource code tracts. This is a subset of Column F in Appendix B.
	Level 2 Equivalent Acres – Both	X Number of equivalent acres associated with Level 2 interests in the tracts in Column W. This is a subset of Column G in Appendix B. Column X includes only the acreage associated with Level 2 interests, not the acreage associated with the tract as a whole. This column excludes acreage associated with fee and tribal interests.
	Level 2 Tracts – Other	Y Number of Other resource code tracts. This is a subset of Column F in Appendix B.
	Level 2 Equivalent Acres – Other	Z Number of equivalent acres associated with Level 2 interests in the tracts in Column Y. This is a subset of Column G in Appendix B. Column Z includes only the acreage associated with Level 2 interests, not the acreage associated with the tract as a whole. This column excludes acreage associated with fee and tribal interests.

Column			Definition
	Level 2 Tracts – Total	AA	The sum of Columns S, U, W, and Y.
	Level 2 Equivalent Acres - Total	AB	The sum of Columns T, V, X, and Z.

*Appendix C Data (as of September 30, 2015)*

Row	Q	R	S	T	U	V	W	X	Y	Z	AA	AB
	Land Area Name	Land Area Code(s)	Tract Resource – Level 2									
			Surface (S)		Minerals (M)		Both (S & M)		Other Resources		Total	
			Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres
<b>Eastern Oklahoma Region</b>												
1	Cherokee Nation, Oklahoma (905)	905	21	496	122	1,113	178	1,850	1	5	322	3,465
2	Chickasaw Nation, Oklahoma (906)	906	159	3,289	1,055	16,779	248	9,953	1	0	1,463	30,022
3	Choctaw Nation of Oklahoma (907)	907	58	1,412	310	7,312	143	3,798	0	0	511	12,521
4	Muscogee (Creek) Nation, Oklahoma (908)	908	242	5,076	787	16,365	244	7,555	1	30	1,274	29,026
5	Seminole Nation of Oklahoma (909)	909	215	2,878	496	5,381	86	1,791	0	0	797	10,050
6	Quapaw Tribe of Indians, Oklahoma (920)	920	54	1,688	106	3,252	59	3,559	1	17	220	8,516
7	Eastern Shawnee Tribe of Oklahoma (921)	921	6	24	12	144	7	83	0	0	25	252
8	Seneca-Cayuga Tribe of Oklahoma (923)	923	6	14	12	181	51	1,472	0	0	69	1,667
9	Osage Nation, Oklahoma (formerly the Osage Tribe) (930)	930	620	60,297	0	0	2	191	0	0	622	60,487
<b>Great Plains Region</b>												
10	Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota (301) (Mandan, Hidatsa & Arikara)	301	1,104	112,574	1,180	137,059	250	25,724	768	115,285	3,302	390,642
11	Standing Rock Sioux Tribe of North & South Dakota (302)	302	919	42,843	3,368	98,650	1,736	76,619	0	0	6,023	218,113
12	Spirit Lake Tribe, North Dakota (303)	303	223	7,628	342	14,441	380	15,154	0	0	945	37,223
13	Turtle Mountain Band of Chippewa Indians of North Dakota (304)	304	208	9,692	269	11,926	132	4,591	0	0	609	26,209
14	Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota (340)	340 & 360	923	88,606	2,613	221,683	295	29,512	0	0	3,831	339,801
15	Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota (342)	342	102	7,160	523	42,797	294	17,518	0	0	919	67,475
16	Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota (343)	343	96	3,942	437	24,994	37	3,006	13	312	583	32,255
17	Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota (344)	344	1,047	77,315	1,941	132,884	2,735	163,063	0	0	5,723	373,262

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18	Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota (345)	345	607	16,057	1,382	53,427	1,029	34,565	0	0	3,018	104,049
19	Yankton Sioux Tribe of South Dakota (346)	346	253	4,132	387	15,934	138	3,803	0	0	778	23,868
20	Sisseton - Wahpeton Oyate of the Lake Traverse Reservation, South Dakota (347)	347	127	4,152	180	6,494	991	31,723	0	0	1,298	42,369
21	Omaha Tribe of Nebraska (380)	380	44	1,187	98	3,777	276	11,984	0	0	418	16,948
22	Santee Sioux Nation, Nebraska (382)	382	14	309	22	806	31	922	0	0	67	2,038
23	Winnebago Tribe of Nebraska (383)	383	173	4,961	205	6,885	261	7,343	1	21	640	19,211
<b>Midwest Region</b>												
24	Minnesota Chippewa - Bois Forte Band	404	41	970	50	1,286	107	3,541	0	0	198	5,797
25	Minnesota Chippewa - Fond du Lac Band	405	102	1,624	104	1,929	145	2,597	0	0	351	6,150
26	Minnesota Chippewa - Grand Portage Band	406	26	694	34	1,319	55	1,389	0	0	115	3,402
27	Minnesota Chippewa - Leech Lake Band	407	14	387	23	932	208	5,450	0	0	245	6,768
28	Minnesota Chippewa - Mille Lacs Band	410	6	20	6	20	18	65	0	0	30	104
29	Minnesota Chippewa - White Earth Band	408	0	0	0	0	40	1,309	0	0	40	1,309
30	Upper Sioux Community, Minnesota (401)	401	0	0	0	0	2	50	0	0	2	50
31	Red Lake Band of Chippewa Indians, Minnesota (409)	409	0	0	0	0	1	11	0	0	1	11
32	Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin (430)	430	11	85	23	187	555	6,155	0	0	589	6,426
33	Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin (431)	431	4	49	5	120	291	3,001	0	0	300	3,170
34	Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin (432)	432	0	0	8	88	176	1,211	0	0	184	1,300
35	Oneida Tribe of Indians of Wisconsin (433)	433	1	4	1	4	23	95	0	0	25	103
36	Forest County Potawatomi Community, Wisconsin (434)	434	0	0	0	0	8	262	0	0	8	262
37	Red Cliff Band of Lake Superior Chippewa	435	0	0	0	0	36	357	0	0	36	357



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	Indians of Wisconsin (435)											
38	Stockbridge Munsee Community, Wisconsin (438)	438	0	0	0	0	3	8	0	0	3	8
39	Ho-Chunk Nation of Wisconsin (439)	439	2	46	7	107	94	1,812	0	0	103	1,964
40	Menominee Indian Tribe of Wisconsin (440)	440	0	0	0	0	0	0	0	0	0	0
41	Saginaw Chippewa Indian Tribe of Michigan (472)	472	0	0	1	8	24	539	0	0	25	547
42	Keweenaw Bay Indian Community, Michigan (475)	475 & 476	0	0	5	51	112	1,498	0	0	117	1,550
<b>Navajo Region</b>												
43	Navajo Nation, Arizona, New Mexico & Utah (780) (excludes LAC 722 statistics)	723, 724 & 790-792	204	23,380	291	31,800	3,652	407,613	0	0	4,147	462,793
<b>Northwest Region</b>												
44	Confederated Tribes of the Colville Reservation, Washington (101)	101	366	13,368	1,318	59,570	436	23,316	1	3	2,121	96,257
45	Spokane Tribe of the Spokane Reservation, Washington (102)	102	23	1,048	81	3,681	269	13,480	0	0	373	18,209
46	Kalispel Indian Community of the Kalispel Reservation, Washington (103)	103	0	0	0	0	75	1,861	0	0	75	1,861
47	Confederated Tribes of the Chehalis Reservation, Washington (105)	105	1	10	7	129	55	920	0	0	63	1,060
48	Lummi Tribe of the Lummi Reservation, Washington (107)	107	1	6	19	465	320	3,167	0	0	340	3,638
49	Makah Indian Tribe of the Makah Indian Reservation, Washington (108)	108	0	0	3	12	245	1,297	0	0	248	1,309
50	Muckleshoot Indian Tribe of the Muckleshoot Reservation, Washington (109)	109	0	0	16	350	63	692	0	0	79	1,042
51	Nisqually Indian Tribe of the Nisqually Reservation, Washington (110)	110	0	0	6	133	11	491	0	0	17	624
52	Nooksack Indian Tribe of Washington (111)	111	0	0	4	105	46	1,707	0	0	50	1,812
53	Suquamish Indian Tribe of the Port Madison Reservation, Washington (114)	114	0	0	1	112	65	1,316	0	0	66	1,427

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54	Puyallup Tribe of the Puyallup Reservation, Washington (115)	115	0	0	0	0	15	16	0	0	15	16
55	Quileute Tribe of the Quileute Reservation, Washington (116)	116	0	0	0	0	30	4	0	0	30	4
56	Quinault Tribe of the Quinault Reservation, Washington (117)	117	10	422	163	8,268	1,238	67,749	0	0	1,411	76,439
57	Sauk-Suiattle Indian Tribe of Washington (119)	119	0	0	5	55	27	728	0	0	32	783
58	Skokomish Indian Tribe of the Skokomish Reservation, Washington (120)	120	0	0	2	16	79	1,926	0	0	81	1,942
59	Squaxin Island Tribe of the Squaxin Island Reservation, Washington (121)	121	0	0	3	32	17	269	0	0	20	301
60	Swinomish Indians of the Swinomish Reservation, Washington (122)	122	1	5	17	977	62	2,072	0	0	80	3,054
61	Tulalip Tribes of the Tulalip Reservation, Washington (123)	123	3	6	43	1,117	101	614	0	0	147	1,737
62	Confederated Tribes and Bands of the Yakama Nation, Washington (124)	124	133	6,306	314	9,639	1,808	91,614	0	0	2,255	107,559
63	Confederated Tribes of the Siletz Indians of Oregon (previously listed as the Confederated Tribes of the Siletz Reservation) (142)	142	0	0	0	0	1	47	0	0	1	47
64	Confederated Tribes of the Umatilla Reservation, Oregon (143)	143	57	2,280	199	4,268	715	33,995	0	0	971	40,544
65	Burns Paiute Tribe of the Burns Paiute Indian Colony of Oregon (144)	144	0	0	11	915	64	8,006	0	0	75	8,921
66	Confederated Tribes of the Warm Springs Reservation, Oregon (145)	145	0	0	1	68	372	10,053	0	0	373	10,121
67	Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho (180)	180	315	15,568	794	38,735	1,511	144,456	0	0	2,620	198,758
68	Coeur d'Alene Tribe of the Coeur d'Alene Reservation, Idaho (181)	181	2	126	0	0	42	3,108	252	19,097	296	22,331
69	Nez Perce Tribe, Idaho (previously listed as Nez Perce Tribe of Idaho) (182)	182	17	545	53	1,983	550	24,515	0	0	620	27,042
70	Kootenai Tribe of Idaho (183)	183	0	0	0	0	23	540	0	0	23	540

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71	Confederated Salish & Kootenai Tribes of the Flathead Reservation, Montana (203)	203	68	1,073	376	10,205	227	5,129	0	0	671	16,406
<b>Pacific Region</b>												
72	Big Sandy Rancheria of Mono Indians of California (506)	506	0	0	0	0	2	4	0	0	2	4
73	Big Valley Band of Pomo Indians of the Big Valley Rancheria, California (507)	507	0	0	0	0	13	5	0	0	13	5
74	Cloverdale Rancheria of Pomo Indians of California (510)	510	0	0	0	0	0	0	0	0	0	0
75	Robinson Rancheria of Pomo Indians of California (516)	516	0	0	0	0	4	8	0	0	4	8
76	Guidville Rancheria of California (505)	520	0	0	0	0	0	0	0	0	0	0
77	Hopland Band of Pomo Indians of the Hopland Rancheria, California (521)	521	0	0	0	0	10	19	0	0	10	19
78	Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California (525)	525	0	0	0	0	26	35	0	0	26	35
79	Northfork Rancheria of Mono Indians of California (532)	532	0	0	0	0	1	55	0	0	1	55
80	Picayune Rancheria of Chukchansi Indians of California (534)	534	0	0	0	0	1	15	0	0	1	15
81	Pinoleville Pomo Nation, California (formerly the Pinoleville Rancheria of Pomo Indians of California) (535)	535	0	0	0	0	4	16	0	0	4	16
82	Redwood Valley Rancheria of Pomo Indians of California (539)	539	0	0	0	0	2	3	0	0	2	3
83	Round Valley Indian Tribes of the Round Valley Reservation, California (540)	540	3	105	14	225	168	2,777	0	0	185	3,107
84	Greenville Rancheria of Maidu Indians of California (545)	545	0	0	0	0	1	0	0	0	1	0
85	Table Mountain Rancheria of California (551)	551	0	0	0	0	1	5	0	0	1	5
86	Karuk Tribe (formerly the Karuk Tribe of California) (555)	555	0	0	0	0	1	12	0	0	1	12

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87	Blue Lake Rancheria, California (558)	558	0	0	0	0	2	2	0	0	2	2
88	Elk Valley Rancheria, California (559)	559	0	0	0	0	1	7	0	0	1	7
89	Hoopa Valley Tribe, California (561)	561	4	3	12	46	84	389	1	0	101	439
90	Yurok Tribe of the Yurok Reservation, California (562)	562	10	69	66	891	79	647	1	21	156	1,628
91	Quartz Valley Indian Community of the Quartz Valley Reservation of California (563)	563	0	0	0	0	2	21	0	0	2	21
92	Smith River Rancheria, California (564)	564	0	0	0	0	9	18	0	0	9	18
93	Augustine Band of Cahuilla Indians, California (formerly the Augustine Band of Cahuilla Mission Indians of the Augustine Reservation (567)	567	0	0	0	0	3	58	0	0	3	58
94	Cabazon Band of Mission Indians, California (568)	568	0	0	0	0	9	206	0	0	9	206
95	La Jolla Band of Luiseno Mission Indians, California (formerly the La Jolla Band of Luiseno Mission Indians of the La Jolla Reservation) (576)	576	0	0	0	0	43	333	0	0	43	333
96	Morongo Band of Mission Indians, California (formerly the Morongo Band of Cahuilla Mission Indians of the Morongo Reservation) (582)	582	16	30	28	79	151	457	0	0	195	566
97	Pala Band of Luiseno Mission Indians of the Pala Reservation, California (583)	583	20	74	27	96	185	536	1	2	233	708
98	Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California (584)	584	1	1	18	579	166	7,185	1	30	186	7,795
99	Pechanga Band of Luiseno Mission Indians of the Pechanga Reservation, California (586)	586	28	221	30	240	45	348	1	10	104	819
100	Rincon Band of Luiseno Mission Indians of the Rincon Reservation, California (587)	587	3	8	3	7	37	106	0	0	43	121
101	Sycuan Band of the Kumeyaay Nation (formerly the Sycuan Band of Diegueno Mission Indians of California) (594)	594	3	13	3	24	13	115	0	0	19	152

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102	Torres Martinez Desert Cahuilla Indians, California (formerly the Torres-Martinez Band of Cahuilla Mission Indians of California) (595)	595	2	35	20	416	103	2,571	0	0	125	3,022
103	California Valley Miwok Tribe, California (formerly the Sheep Ranch Rancheria of Me-Wuk Indians of California) (628)	628	0	0	0	0	1	1	0	0	1	1
104	Habematolel Pomo of Upper Lake, California (formerly the Upper Lake Band of Pomo Indians of Upper Lake Rancheria of California) (636)	636	0	0	0	0	2	6	0	0	2	6
<b>Rocky Mountain Region</b>												
105	Blackfeet Tribe of the Blackfeet Indian Reservation of Montana (201)	201	2,803	312,286	1,852	266,368	189	22,859	0	0	4,844	601,512
106	Crow Tribe of Montana (202)	202 & 208	2,373	382,658	1,688	105,535	675	43,483	0	0	4,736	531,676
107	Fort Belknap Indian Community of the Fort Belknap Reservation of Montana (204)	204	855	58,659	1,726	167,246	269	29,995	0	0	2,850	255,900
108	Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana (206)	206	771	52,691	2,191	206,348	1,411	139,515	15	1,769	4,388	400,323
109	Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana (207)	207	839	40,343	0	0	0	0	0	0	839	40,343
110	Arapahoe Tribe of the Wind River Reservation, Wyoming (281) & Shoshone Tribe of the Wind River Reservation, Wyoming (282)	280	875	34,230	1,352	73,375	343	18,297	0	0	2,570	125,903
<b>Southern Plains Region</b>												
111	Cheyenne & Arapaho Tribes, Oklahoma (801)	801	202	15,301	427	24,980	510	36,724	0	0	1,139	77,006
112	Kiowa Indian Tribe of Oklahoma (802), Comanche Nation, Oklahoma (808) & Apache Tribe of Oklahoma (809)	802	540	36,570	1,093	66,039	1,383	100,111	0	0	3,016	202,721
113	Fort Sill Apache Tribe of Oklahoma (803)	803	7	200	25	966	17	1,092	0	0	49	2,258

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114	Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma (804), Caddo Nation of Oklahoma (806) & Delaware Nation formerly Delaware Tribe of Western OK (807)	804	119	9,603	288	18,255	438	31,997	0	0	845	59,855
115	Otoe-Missouria Tribe of Indians, Oklahoma (811)	811	41	2,508	153	7,253	166	10,003	0	0	360	19,764
116	Pawnee Nation of Oklahoma (812)	812	45	2,510	122	6,198	198	11,955	0	0	365	20,663
117	Ponca Tribe of Indians of Oklahoma (813)	813	68	3,390	152	5,870	184	6,820	0	0	404	16,080
118	Tonkawa Tribe of Indians of Oklahoma (814)	814	0	0	1	40	6	193	0	0	7	233
119	Absentee Shawnee Tribe of Indians of Oklahoma (820)	820	41	1,760	92	4,941	133	6,026	0	0	266	12,727
120	Citizen Potawatomi Nation, Oklahoma (821)	821	11	452	24	863	29	1,216	0	0	64	2,531
121	Iowa Tribe of Oklahoma (822)	822	10	322	15	522	25	724	0	0	50	1,567
122	Kickapoo Tribe of Oklahoma (823)	823	14	293	31	881	86	3,145	0	0	131	4,319
123	Sac & Fox Nation, Oklahoma (824)	824	36	1,860	72	3,784	141	8,264	0	0	249	13,909
124	Iowa Tribe of Kansas and Nebraska (860)	860	0	0	0	0	5	37	0	0	5	37
125	Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas (861)	861	10	389	11	397	57	1,534	0	0	78	2,320
126	Prairie Band of Potawatomi Nation, Kansas (862)	862	24	782	43	1,206	251	8,354	1	33	319	10,375
127	Sac & Fox Nation of Missouri in Kansas and Nebraska (863)	863	0	0	2	39	0	0	0	0	2	39
<b>Southwest Region</b>												
128	Pueblo of Acoma (703)	703	1	320	0	0	0	0	0	0	1	320
129	Laguna (707)	707	1	403	0	0	28	2,469	0	0	29	2,872
130	Pueblo of San Felipe (712)	712	0	0	0	0	1	62	0	0	1	62

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131	Zuni Tribe of the Zuni Reservation, New Mexico (721)	721	0	0	1	145	11	1,298	0	0	12	1,443
132	Navajo Nation, Arizona, New Mexico & Utah (780) (only includes LAC 722 statistics)	722	6	651	4	528	224	26,296	0	0	234	27,475
133	Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado (750)	750	35	1,132	63	4,387	8	377	0	0	106	5,896
134	Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah (751)	754	3	331	3	334	52	5,684	0	0	58	6,348
<b>Western Region</b>												
135	Colorado River Indian Tribe of the Colorado River Indian Reservation, Arizona and California (603)	603	4	20	6	21	506	3,177	0	0	516	3,218
136	Fort Mojave Indian Tribe of Arizona California & Nevada (604)	604	0	0	1	110	1	1	0	0	2	110
137	Hopi Tribe of Arizona (608)	608	0	0	0	0	11	156	0	0	11	156
138	Tohono O'odham Nation of Arizona (610)	611	0	0	0	0	283	31,319	0	0	283	31,319
139	Gila River Indian Community of the Gila River Indian Reservation, Arizona (614)	614	2	15	1	1	4,724	65,718	0	0	4,727	65,733
140	Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona (615)	615	0	0	0	0	1,428	17,697	0	0	1,428	17,697
141	Ely Shoshone Tribe of Nevada (644)	644	0	0	0	0	1	135	0	0	1	135
142	Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon (646)	646	0	0	0	0	4	73	0	0	4	73
143	Walker River Paiute Tribe of the Walker River Reservation, Nevada (656)	656	5	89	9	132	332	4,895	0	0	346	5,115
144	Yomba Shoshone Tribe of the Yomba Reservation, Nevada (661)	661	0	0	1	14	4	139	0	0	5	152

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145	Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodsford Community, Stewart Community, & Washoe Ranches) (672)	672	11	733	25	1,449	371	42,112	0	0	407	44,294
146	Ute Indian Tribe of the Uintah & Ouray Reservation, Utah (687)	687	210	4,373	730	45,984	112	4,196	0	0	1,052	54,553
147	Quechan Tribe of the Fort Yuma Indian Reservation, California (696)	696	21	174	19	153	677	5,755	0	0	717	6,082
<b>TOTAL</b>			<b>18,702</b>	<b>1,489,363</b>	<b>32,285</b>	<b>2,017,937</b>	<b>40,083</b>	<b>2,045,690</b>	<b>1,060</b>	<b>136,635</b>	<b>92,130</b>	<b>5,689,625</b>