

INDIAN AFFAIRS DIRECTIVES TRANSMITTAL SHEET

(modified DI-416)

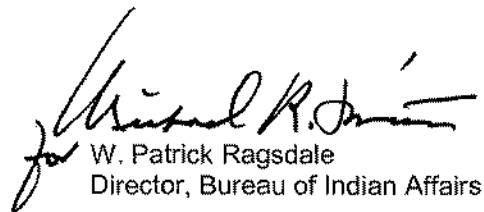
DOCUMENT IDENTIFICATION NUMBER NPM-TRUS-10	3. SUBJECT/TITLE Timber Sale Revenue Policy Involving Indian Land Consolidation Program Acquisitions	RELEASE NUMBER 89
FOR FURTHER INFORMATION Indian Land Consolidation Center, BIA		DATE NOV 17 2006

EXPLANATION OF MATERIAL TRANSMITTED:

Pursuant to the 130 DM 3.4, the Indian Land Consolidation Center is responsible for establishing land consolidation polices, providing technical advice and assistance to Regions with regard to the implementation of the land acquisition program. The Center is also responsible to provide oversight, direction, monitoring and program evaluation for the Indian Land Consolidation Program.

Attached is a policy concerning the land consolidation program that is effective as stated in the memorandum. The attached policy applies only to land sale transactions involving the Indian Land Consolidation Program pursuant to the 1983 authority of The Indian Land Consolidation Act, as amended in 2000 and 2004. Please assure that the appropriate Agency Superintendent, BIA and contract staff receive a copy of the policy (policies) and implement them immediately.

Please direct any questions to the Indian Land Consolidation Center at (715) 682-0310.



W. Patrick Ragsdale
Director, Bureau of Indian Affairs

FILING INSTRUCTIONS:

Remove: None

Insert: NPM-TRUS-10 (New)



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS
Washington, D.C. 20240



IN REPLY REFER TO:

National Policy Memorandum

Bureau of Indian Affairs
Director

Number: NPM-TRUS-10
Title: ILCP Tracts and Timber Sale Revenue

Effective: NOV 17 2006
Expires: NOV 17 2007

1. Purpose

The purpose of this policy is to establish criteria for the Indian Land Consolidation Program (ILCP) when a timber sale is proposed and during the sale itself, when the ILCP has acquired or will be acquiring fractionated interests in tracts affected by the timber sale.

In April 2003, the Bureau of Indian Affairs (BIA) established the Indian Land Consolidation Center (ILCC) to provide policy guidance, establish procedures and manage ILCP as it was expanded nationally. Section 213 of P.L. 108-374, the American Indian Probate Reform Act of October 27, 2004 (118 Stat. 1773), amended by P.L. 106-462, the Indian Land Consolidation Act of November 2000 (114 Stat. 1991), made the Indian Land Consolidation Program (ILCP) permanent. ILCC is to lead the efforts to purchase undivided fractional interests (both surface and subsurface) in trust or restricted lands from willing sellers at the discretion of the Secretary of the Interior (hereafter Secretary).

The Secretary has the authority to acquire fractionated ownership interests in trust or restricted lands from individual landowners.

In the 1800's and early 1900's the Federal Government, either through treaties or various statutes, the most important being the General Allotment Act, granted to individual Indians parcels of land for their sole use.

When a timber sale is conducted on a tract of land in which the ILCP is purchasing interest(s) or has purchased interest(s), the date a timber sale contract is accepted by the awarding official (Superintendent or Regional Director) is the date that defines the beginning of that contract and therefore determines who (seller, ILCP, tribe) will receive the funds produced by that sale/contract.

When the signed contract is received by the Consolidated Acquisition Center (CAC), the appraised value of each tract affected by the sale shall be immediately tagged for re-appraisal in GLADS/MAD/TAAMS and a request sent to the Forestry Department and Office of Appraisal Services (OAS) for an updated appraised value. No further sales should be considered for the interest(s) on that tract(s) except as indicated below.

- 1) If a seller signs the deed of conveyance prior to the accepted abstract date, the value of the timber has been included in the sale price and all proceeds from the sale will go to the ILCP to repay the purchase lien.
- 2) If the seller signs the conveyance document after the accepted abstract date, the seller will receive any and all payments associated with that contract as the selling price or appraised value of the interest(s) does not contain the value of the timber. (exception: It has been accepted

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New

practice by the Consolidated Acquisition Centers (CAC's) to consider purchasing any timbered tract interest(s) that was "flagged" if the purchase of that interest met both of the following criteria: A). the appraised value of the interest just before the bid was accepted by the Superintendent was less than \$100, and B). the purchase of that interest would eliminate the trust inventory of the seller. The seller would still receive any payments normally made from that contract).

One of the ILCP's goals is closure of IIM accounts. The ILCP requests the closure of an IIM account, when the acquisition of all of a person's trust inventory has been completed. If the CAC has purchased a timbered interest for the pre-abstract appraised value after the date the abstract is approved, the CAC will not close that IIM account until the forestry department has provided the final Journal Voucher (JV) to the CAC, that distributes all remaining proceeds expected and retires that timber sale. Upon receipt of the final JV, the CAC will review the individuals listed on the JV, identify those individuals that no longer have a trust inventory, and provide the identity of those owners to Office of the Special Trustee (OST), by Document Library, for IIM account closure. The number of accounts which are eligible for closure shall be reported by the CAC to the ILCC in their monthly report.

2. Scope

This policy applies to the following seven BIA Regional Office: Navajo, Midwest, Great Plains, Western, Eastern Oklahoma, Northwest and Rocky Mountain.

3. Policy

Effective immediately, if a tract listed on an individual landowner's inventory has been identified for a timber sale, the recording system(s) shall be tagged; updated values requested; IIM accounts processed and reported; and distribution of the proceeds of the timber sale are to be executed as described herein.

4. Roles and Responsibilities


Director, Bureau of Indian Affairs (BIA). The Director is responsible for the development of National Policy affecting Indian Lands.

Director, Indian Land Consolidation Center. The ILCC Director is responsible for coordinating the Bureau's nationwide program to consolidate fractional interests in Indian lands pursuant to statutory requirements.

Deputy Director, Field Operations, BIA. The BIA Deputy Director of Field Operations is responsible for overseeing the Regional Directors and disseminating policy to them.

Deputy Director, Trust Services, BIA. The BIA Deputy Director of Trust Services is responsible for assisting in the dissemination of trust resource policy and information to the Regional Directors.

5. Approvals

for 
W. Patrick Ragsdale
Director, Bureau of Indian Affairs

11-17-06

Date