



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

**MAR 29 2024**

Dear Tribal Leader:

The Bureau of Indian Affairs (BIA) invites you to participate in formal Government-to-Government consultation regarding Tribal land acquisition funded through the Consolidated Appropriations Act, 2022 (Public Law 117-103). The Division of Trust Land Consolidation (DTLC) was created in the BIA Office of Trust Services (OTS) to build upon the success of the Department of the Interior's Land Buy-Back Program for Tribal Nations (Buy-Back Program), which ended on November 24, 2022, under the terms of the Cobell Settlement.

The Consolidated Appropriations Act, 2022 (Public Law 117-103) provided the BIA with \$7 million to acquire fractional land interests as authorized under the Indian Land Consolidation Act (ILCA) Amendments of 2000 (Public Law 106-462) and the American Indian Probate Reform Act of 2004 (Public Law 108-374). In Fiscal Year 2023, the Consolidated Appropriations Act, 2023 (Public Law 117-328) provided an additional \$8 million to be available until expended. The Buy-Back Program demonstrated that voluntary acquisition is an effective approach for addressing the fractionation problem. We believe that there are more individuals who are interested in selling their interests through this program and hope to engage those individuals.

We are seeking your input as the Plan sets out the DTLC's proposed implementation strategy through Fiscal Year 2026, with consideration of the constraints under which the DTLC currently operates, and the goals and priorities that will guide DTLC in carrying out its mission. The OTS, DTLC will conduct three Tribal consultation sessions and will accept oral and written comments. Please register in advance for each consultation session you plan on attending. After registering, you will receive a confirmation email containing information about joining the meeting. These Tribal consultations will be closed to the press and the public to protect confidential information that may be discussed during the sessions.

| Date          | Time                            | Location | Registration Link   |
|---------------|---------------------------------|----------|---|
| July 16, 2024 | 1:00 p.m. –<br>3:00 p.m.<br>EST | Virtual  | <a href="https://www.zoomgov.com/meeting/register/vJlItf--orT8oE53ArBQGIhIXoWcuEeOYvtg">https://www.zoomgov.com/meeting/register/vJlItf--orT8oE53ArBQGIhIXoWcuEeOYvtg</a> |
| July 17, 2024 | 1:00 p.m. –<br>3:00 p.m.<br>EST | Virtual  | <a href="https://www.zoomgov.com/meeting/register/vJltduyrrD8uGDFButDJCOdASHOPcmXGjTA">https://www.zoomgov.com/meeting/register/vJltduyrrD8uGDFButDJCOdASHOPcmXGjTA</a>   |
| July 18, 2024 | 1:00 p.m. –<br>3:00 p.m.<br>EST | Virtual  | <a href="https://www.zoomgov.com/meeting/register/vJlItc--hrT4aHLO0FveFlowKW-ITilvJWAE">https://www.zoomgov.com/meeting/register/vJlItc--hrT4aHLO0FveFlowKW-ITilvJWAE</a> |

Please find enclosed a summary of the strategy for your consideration. We welcome your written comments, which should be submitted by email to [consultation@bia.gov](mailto:consultation@bia.gov) by 11:59 p.m. Eastern Time on September 18, 2024. If you have any questions, please contact Johnna Blackhair, Deputy Bureau Director, Trust Services, at [johnna.blackhair@bia.gov](mailto:johnna.blackhair@bia.gov), or Lorna Babby, Division Chief, Trust Land Consolidation, at [lorna.babby@bia.gov](mailto:lorna.babby@bia.gov).

Sincerely,



Wikipan Garriott  
Principal Deputy Assistant Secretary - Indian Affairs  
Exercising by delegation the authority of the  
Assistant Secretary - Indian Affairs

Enclosure

## **Summary of the DTLC Strategic Plan FY2022-2026**

The DTLC proposes a strategy designed and aimed at slowing future fractionation. To complement existing Federal Indian probate provisions, the proposed strategy targets fractional land interests that are not subject to those considerations. The strategy also prioritizes locations where the fractionation problem is most prevalent, as well as providing for incorporation of Tribal acquisition priorities. These include but not limited to priorities relating to economic development and climate adaptation. The DTLC expects to update its strategy as needed based on lessons learned, best practices, and Tribal feedback and involvement.

It is incumbent upon the DTLC to minimize administrative costs associated with the land acquisition program, as required under the ILCA, which will inform the implementation strategy. Prioritizing locations where the fractionation problem is most prevalent enables the DTLC to reduce the overall level of fractionation in Indian Country in an efficient and cost-effective manner.

The DTLC proposes the following purchase strategy with maximum flexibility to accommodate the land acquisition priorities of Tribes while minimizing administrative costs:

The DTLC intends to target tracts with fractional interests equal to or greater than 5 percent of total tract ownership, as these are the interests that will continue to fractionate. Focusing on interests that are equal to or greater than 5 percent also provides a basis for the DTLC to consider smaller locations for implementation that were excluded from participation in the Buy-Back Program. At present there are approximately 300,000 fractional ownership interests nationwide that are not subject to the Single Heir Rule which could be considered for acquisition by DTLC.