

# INDIAN AFFAIRS DIRECTIVES TRANSMITTAL SHEET

(modified DI-416)

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FOR FURTHER INFORMATION Land Buy Back Program (BBP) for Tribal Nations		DATE NOV 26 2013

**EXPLANATION OF MATERIAL TRANSMITTED:**

This chapter establishes the policy, authorities, and responsibilities of the Land Buy Back Program (BBP) for Tribal Nations, Bureau of Indian Affairs (BIA) Acquisition Centers, which operate in a collaborative effort with the Department of Interior (DOI).



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**FILING INSTRUCTIONS:**

Remove: None

Insert: 77 IAM 1 (New)

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- 1.1 Purpose.** This chapter establishes the policy and responsibilities of the Land Buy Back Program (BBP) for Tribal Nations Bureau of Indian Affairs (BIA) Acquisition Centers, that operate in a collaborative effort with the Department of Interior (DOI). This chapter provides information on BBP operations within Indian Affairs, specifically dealing with the BBP BIA Acquisition Centers and the authorities of the Acquisition Director.
- 1.2 Scope.** This policy applies to the BBP BIA Acquisition Centers and to all BIA offices in the Regions where the BBP is acquiring or has acquired fractional interests in trust or restricted lands.
- 1.3 Policy.** The Land Buy-Back Program for Tribal Nations was established by Secretarial Order 3325 to ensure implementation of all land consolidation aspects of the Settlement Agreement in *Cobell v. Salazar*, No. 96-CV-1285-JR. The Buy-Back Program is a collaborative endeavor to:
- A. Reduce the number of fractional interests in trust or restricted lands, giving priority to the most highly fractionated tracts of land in accordance with the Settlement;
  - B. Increase the number of trust or restricted acres in tribal land bases by focusing on cost-effective acquisitions, which will promote tribal sovereignty and self-determination;
  - C. Increase the number of trust or restricted tracts in which the tribe has majority ownership in order to facilitate economic development or other uses;
  - D. Target fractionated tracts that are amenable to cost-efficient valuation techniques;
  - E. Provide clear, concise information and guidance to individual Indian land owners concerning their fractional interests and the opportunity to voluntarily participate in the Buy-Back Program

The main Acquisition Center (planned for location at Billings, MT) will provide oversight of the Acquisition Center Field Operations planned for Aberdeen, SD; Minneapolis, MN; Billings, MT; and Albuquerque, NM.

- 1.4 Authority.** In accordance with:
- A. **Claims Resolution Act** of December 8, 2010, P.L. III-291 (124 Stat. 3064)
  - B. **The American Indian Probate Reform Act** of October 27, 2004, P.L. 108-374 (118 Stat. 1773)
  - C. **The Indian Land Consolidation Act** of November 7, 2000, as amended P.L. 106-462, (114 Stat. 1991)

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## 1.5 Responsibilities.

**A. Director, Bureau of Indian Affairs (BIA)** is responsible for the development of National policy affecting Indian lands.

**B. Deputy Director, Field Operations, BIA** is responsible for oversight of Regional Directors and disseminating policy to them.

**C. Deputy Director, Trust Services, BIA** is responsible for is responsible for providing support to BBP, and for oversight and assisting in the dissemination of Trust policy and information to the Regional Directors.

**D. Acquisitions Director, BIA** is the designated authority to accept/approve title deeds transferring fractionated land interests from an individual to the appropriate Tribe with jurisdiction. The Acquisition Director is responsible for sending out offers pursuant to Buy Back Program policies and processing completed deeds returned by willing sellers.

**E. Regional Directors** are responsible for carrying out policy as directed, and for overseeing the implementation of policy either directly or via Agency Superintendents.