

INDIAN AFFAIRS DIRECTIVES TRANSMITTAL SHEET

(modified DI-416)

DOCUMENT IDENTIFICATION NUMBER NPM-TRUS-14	SUBJECT Acquisition Policy using Revenue from the Indian Land Consolidation Program Acquisition Fund	RELEASE NUMBER # 07-02
FOR FURTHER INFORMATION Indian Land Consolidation Center, BIA		DATE JUN 18 2007

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-14 (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-14

Effective: June 18, 2007

Expires: June 18, 2008

Title: Acquisition Policy using Revenue from the Indian Land Consolidation Program Acquisition Fund

1. Purpose

The purpose of this Policy is to establish procedures for the purchase of fractionated land interest(s) by the Indian Land Consolidation Program (ILCP) using revenue from a Reservation/Land Area Code (LAC) Acquisition Fund.

The American Indian Probate Reform Act of October 27, 2004 (118 Stat. 1773), referred to as "ACT", amended P.L. 106-462, the Indian Land Consolidation Act of November 7, 2000 (114 Stat. 1991), and made ILCP a permanent program. Under the "Act", the Secretary of the Interior (the Secretary) may acquire fractionated land interests in trust or restricted land from individual owners under Section 213. The Secretary also has the authority under Section 214 to place a lien on any revenue accruing to an interest purchased under Section 213 until the price paid for the interest has been recovered. The revenue collected shall be deposited into an Acquisition Fund (Section 216). In April 2003, the Bureau of Indian Affairs (BIA) established the Indian Land Consolidation Center (ILCC) (DM 130.3) to provide policy guidance, establish procedures and manage ILCP as it expanded nationally. ILCC is leading the efforts to purchase fractional interests (both surface and subsurface) in trust or restricted lands from willing sellers.

The revenue generated from the fractionated interests purchased by ILCP is deposited into an individual Tribal Acquisition Fund established in TFAS (Trust Funds Account System) for each Reservation/LAC. The revenue in each Tribal Acquisition Fund is transferred on a periodic basis to FFS (Federal Finance System) and the ILCP Acquisition Account. Pursuant to Section 216, all revenue earned from the interests purchased shall be used to acquire additional fractional interests including some or all of the undivided interests available to the Secretary under Section 205 (Tribal Purchase, Partition of Highly Fractionated Lands) on that Reservation/LAC. Should a Reservation/LAC no longer remain an active ILCP participant, thus becoming "inactive", the revenue generated from purchased fractionated land interests will be used according to the ILCP policies and procedures in place at the time a request is received by the Central Acquisition Center (CAC) or ILCC.

2. Scope

This policy applies to all regions where the ILCP is acquiring or has acquired fractional land interests and for all Reservations/LAC that have established Acquisition Funds.

3. Policy

Effective immediately, the following policy will be implemented with regard to the purchase of fractional interests on all ILCP sites using Acquisition Funds.

- a. Semi-annual pronouncements of revenue activity within an Acquisition Fund will be made to each active or inactive tribe.
- b. ILCC will designate specific CACs as points of contact for all requests to purchase additional fractionated land interests with revenue from the Acquisition Fund. CACs are authorized to process land sale requests from within or from outside their geographic locations as directed by the ILCC.
- c. A formal request to purchase fractionated land interests with revenue from an Acquisition Fund will include, at a minimum, information sufficient for ILCC to identify the tract of land containing the fractionated land interests, the extent of tribal ownership, as well as the tribes anticipated use/need for the land interest(s).
- d. All acquisition processing will conform to all ILCP policies and procedures in place at the time the request is received. Approval of the request is subject to the Secretary's discretion and the availability of sufficient revenue in the appropriate Acquisition Fund to complete the requested purchase.
- e. To help facilitate this policy, the Director ILCC is authorized to approve land sale transactions that utilize revenue from an Acquisition Fund to transfer title from an individual land owner to the appropriate tribe regardless of the geographic location of the fractionated land interest. The ILCC Director will notify the appropriate Regional Directors when a tribe or agency requests ILCC to purchase fractionated land interests in order to allow sufficient time for any comment.

4. Roles and Responsibilities

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

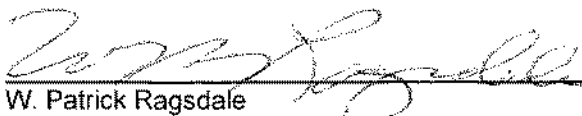
Director, Indian Land Consolidation Center, The ILCC Director is responsible for coordinating the Bureau's nationwide program to consolidate fractionated interests in Indian lands pursuant to statutory requirements.

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.

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

5. Approvals



W. Patrick Ragsdale
Director, Bureau of Indian Affairs

JUN 18 2007

Date