

Ten Years of Restoring Land and Building Trust 2012-2022



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T R I B A L N A T I O N S

UNITED STATES DEPARTMENT OF THE INTERIOR
DECEMBER 2023

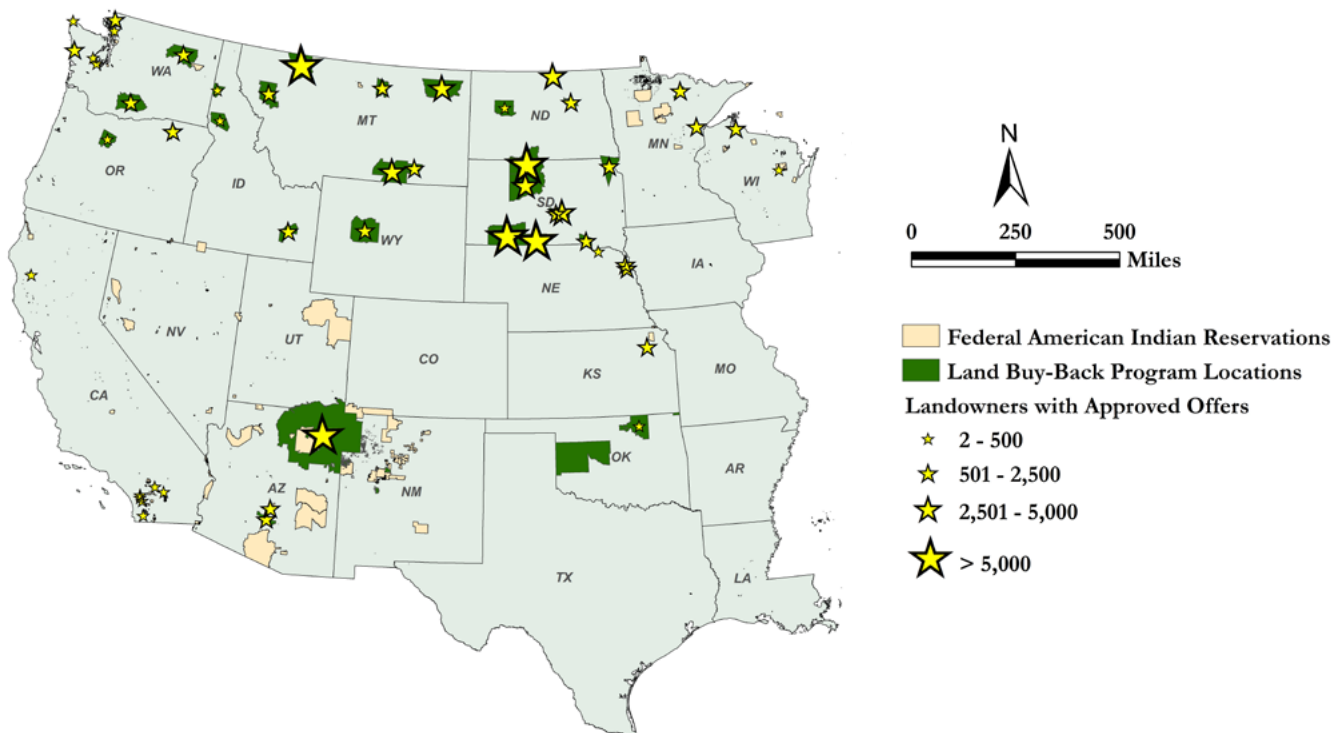
In Appreciation to Our Partners

In order to implement the land consolidation requirements of the 2009 *Cobell v. Salazar* Settlement Agreement, the Department of the Interior's Land Buy-Back Program for Tribal Nations depended on insights and input from Tribal Nations and Leaders representing approximately 150 locations. Tribes played a critical role in the Program, such as identifying priority lands for consolidation and conducting outreach to landowners regarding the 53 locations the Program visited during its ten-year history.

The Program's ability to consolidate Indian lands on an unprecedented scale was largely the result of the Tribes' active participation and support. The Program also benefitted greatly from the efforts of the more than 200 local Tribal staff hired to assist with implementation activities. The Tribes with jurisdiction at the 53 locations where land was consolidated are listed on the next page. A list of all Tribes involved in the Program can be found in the Acknowledgements section of this report. We offer our sincere appreciation for this partnership.

In addition to the relationships built with Tribal communities, this historic effort benefitted from close coordination and collaboration among numerous Federal Government staff and contractors. When designing the Program, senior leadership placed a high priority on building a culture of respect and collaboration. A list of Federal employees, including members of the Land Buy-Back Program Oversight Board and other leaders who helped shape and oversee the Program in the formative years, can also be found in the Acknowledgements section of this report.

Program Implementation Locations



Participating Tribes

Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California

Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana

Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin

Blackfeet Tribe of the Blackfeet Indian Reservation of Montana

Cabazon Band of Mission Indians, California

Cheyenne and Arapaho Tribes, Oklahoma

Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota

Coeur D'Alene Tribe

Confederated Salish & Kootenai Tribes of the Flathead Reservation

Confederated Tribes and Bands of the Yakama Nation

Confederated Tribes of the Colville Reservation

Confederated Tribes of the Umatilla Indian Reservation

Confederated Tribes of the Warm Springs Reservation of Oregon

Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota

Crow Tribe of Montana

Eastern Shoshone Tribe of the Wind River Reservation, Wyoming

Fort Belknap Indian Community of the Fort Belknap Reservation of Montana

Gila River Indian Community of the Gila River Indian Reservation, Arizona

Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota

Lummi Tribe of the Lummi Reservation

Makah Indian Tribe of the Makah Indian Reservation

Minnesota Chippewa Tribe, Minnesota - Bois Forte Band (Nett Lake)

Minnesota Chippewa Tribe, Minnesota - Fond du Lac Band

Navajo Nation, Arizona, New Mexico & Utah

Nez Perce Tribe

Northern Arapaho Tribe of the Wind River Reservation, Wyoming

Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana

Oglala Sioux Tribe

Omaha Tribe of Nebraska

Pala Band of Mission Indians

Pechanga Band of Indians

Ponca Tribe of Indians of Oklahoma

Prairie Band Potawatomi Nation

Quapaw Nation

Quinault Indian Nation

Rincon Band of Luiseno Mission Indians of Rincon Reservation, California

Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota

Round Valley Indian Tribes, Round Valley Reservation, California

Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona

Santee Sioux Nation, Nebraska

Shoshone-Bannock Tribes of the Fort Hall Reservation

Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota

Skokomish Indian Tribe

Spirit Lake Tribe, North Dakota

Squaxin Island Tribe of the Squaxin Island Reservation

Standing Rock Sioux Tribe of North & South Dakota

Stockbridge Munsee Community, Wisconsin

Swinomish Indian Tribal Community

Sycuan Band of the Kumeyaay Nation

The Osage Nation

Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota

Turtle Mountain Band of Chippewa Indians of North Dakota

Winnebago Tribe of Nebraska

Yankton Sioux Tribe of South Dakota

Message from the Secretary of the Interior



Photo credit: U.S. Department of the Interior. Secretary of the Interior Deb Haaland

When Indigenous people are separated from our homelands, from our traditions and from our people, the impacts are more than physical – they are spiritual. They manifest deep in our bodies and in our hearts, and they have lasting and inter-generational consequences.

That’s what European colonizers did: they came to the United States and systematically launched numerous efforts to force American Indians to assimilate by separating families, depriving them of their language, religion, culture, and lifeways, and appropriating their property. A central feature of the effort was the Government conceived allotment policy: subdivision of Native American Tribal holdings for the mandatory acceptance of individually-owned tracts or allotments.

Although Congress ended the allotment policy in 1934, the devastating consequences of removing 90 million acres from Tribal communities were already set in motion. Their lasting impact is still felt today.

In December 2012, the Secretary of the Interior established the Land Buy-Back Program for Tribal Nations (Program) to carry out the land consolidation aspects of the *Cobell v. Salazar* Settlement Agreement (Settlement). Through Program implementation, \$1.69 billion in fair market value has been paid to more than 123,000 individuals to consolidate approximately 3 million equivalent acres held in trust or restricted fee in 15 states. Our endeavor has increased Tribal sovereignty and self-determination. Now, ten years later, the funding authority for the Program has ended.

An effort of such magnitude, operating under time and budget limitations, could not have succeeded without close collaboration with Tribal leaders and coordination among numerous Federal entities. The Department thanks every individual who supported the shared mission to restore land to Tribal communities. We are especially grateful for the Indigenous Knowledge and insight in conducting community outreach and in prioritizing land for consolidation.

I am proud of the accomplishments of this Program, and am determined to continue building on our Nation-to-Nation relations. We are in a new era for Indigenous people that is undeniable in its power. We will continue to leverage the investments made across Indian Country and pursue additional ways to support the vision of Tribes for the future.



Photo Credit: U.S. Department of the Interior. Departmental leaders and attendees at 2022 White House Tribal Nations Summit.

Message from the Assistant Secretary – Indian Affairs

I am proud to report on the incredible work of the Land Buy-Back Program for Tribal Nations in restoring millions of acres of land to Tribal Nations during the last ten years. I hope this report will inform you about the lasting accomplishments realized in partnership with Indian Country while conveying the important challenges and opportunities that remain in fulfilling our trust responsibilities and upholding treaty obligations.

This report highlights the policies that created the ongoing fractionation of Indian lands and the ongoing consequences of those policies. While the report celebrates the accomplishments of the Program, we document that history so it is remembered. To help inform ongoing and future efforts, the report also details the Program's implementation strategy and lessons learned.

While the Program made a meaningful impact in addressing the fractionation, it was unable to visit two thirds of the locations with fractionated lands. Without sustained efforts to address fractionation, such as through voluntary sales, fractionation will continue to plague Indian Country and the enormous accomplishments of the Program will be diminished.

A comprehensive approach to addressing allotment policies and fractionation is appropriate given the breadth and complexity of their ongoing impact to Tribal homelands. Accordingly, the Administration has requested \$30.5 million in the FY 2024 Budget to fund the reestablished modified Indian Land Consolidation Program within the Bureau of Indian Affairs, a \$22.5 million increase over the amount enacted for FY 2023, and we recommend the exploration of other ideas for addressing fractionation and decreasing its impact. The Department will continue to engage individual Indians, Tribes, and organizations in conversations and consultations that may lead to possible proposals and eventual solutions for fractionation.

As outlined in the Department's 2022-2026 Strategic Plan, we are committed to expanding economic opportunities for Tribal communities. We are making historic investments in infrastructure and improving Tribal access to capital, which will help accelerate the use or protection of newly-consolidated lands. Additional initiatives being implemented across the Administration will complement the success of the Land Buy-Back Program. This includes new fee-to-trust regulations, community development support, increased broadband access, streamlined rights-of-way processes and environmental reviews, and multiple food and agriculture related actions to expand rural prosperity. By improved interagency coordination, we will also help to ensure Tribes and individuals have the information needed to make informed decisions about their trust assets.

The Department looks forward to continuing its work with Tribal Leaders to support and champion Indigenous communities by spurring economic growth, building resiliency, relying on local knowledge, and protecting and restoring sacred lands.



Photo credit: U.S. Department of the Interior. Assistant Secretary – Indian Affairs Bryan Newland

Land Buy-Back Program At-a-Glance

Land Consolidation

Number of locations implemented:	53
Fractional interests returned to Tribes:	1,071,187
Equivalent Acres Consolidated:	2.97 million
Number of allotted tracts reaching Tribal majority ownership:	20,020
<i>Percent increase in allotted tracts with Tribal majority ownership:</i>	112.5%
<i>Total acres associated with those tracts:</i>	2.97 million

Economic and Educational Benefits

Increase in Tribal funds since 2012:	\$96.8 million
Jobs created:	20,400
Contributed to gross domestic product:	\$2.1 billion
Program contribution to the Cobell Scholarship Fund:	\$60 million

Implementation Costs

Maximum amount allowed for Program Implementation:	\$285 million
Actual amount expended:	\$149.8 million
Savings transferred to land purchase:	\$135.2 million

Program Phases

Outreach

Number of Tribal Cooperative Agreements:	50
Incoming Call Center Program related calls:	221,499
Willing sellers identified:	78,024
Whereabouts Unknowns identified:	52,965

Land Research and Valuation

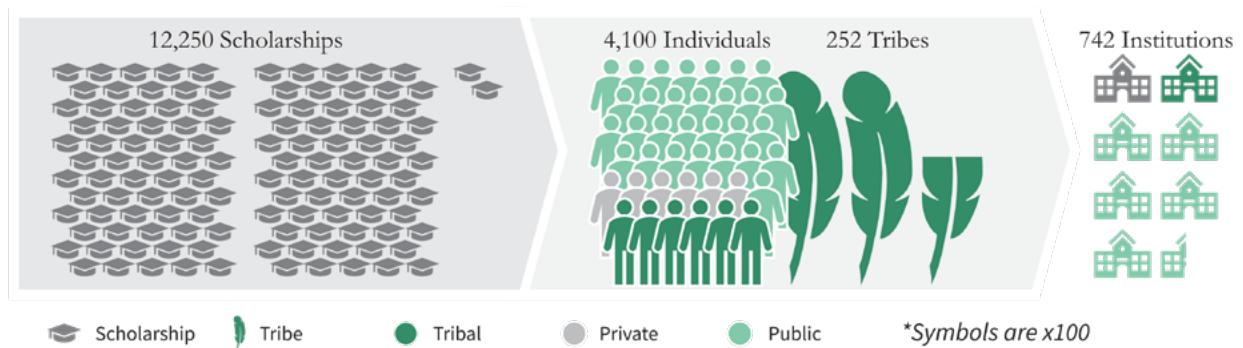
Locations where land was appraised:	53
Tracts appraised:	Nearly 85,000
Acres appraised:	> 13.2 million

Acquisition

Number of landowners receiving offers:	163,763
Percent of landowners receiving an offer at locations implemented:	63.37%
Dollar value of offers made:	\$4.3 billion
Payments to landowners:	\$1.69 billion
Percent of offers accepted:	30.75%
Percent of those who sold all interests in an offer:	23.81%

Cobell Education Scholarship Fund Impact

In accordance with the Settlement, the Program contributed \$60 million of the Consolidation Fund to the [Cobell Education Scholarship Fund](#) (Scholarship Fund), which is overseen by the Cobell Board of Trustees and administered by the nonprofit Indigenous Education, Inc. From inception through August 2022, the Cobell Scholarship Program has issued more than **12,250 scholarships** to over **4,100 individuals** affiliated with **252 Tribes**, attending **742 institutions** worldwide while studying at the vocational/trade, undergraduate, graduate, and professional levels. Of the 4,100 individuals, approximately **600** attend **private** institutions, **600** attend 31 **Tribal** colleges and universities, with the **remaining** attending **public** institutions. Indigenous Education, Inc., is noticing several graduate school applicants returning from the undergraduate level.



Key Statistics: Program v. Non-Program Locations (2012 - 2022)

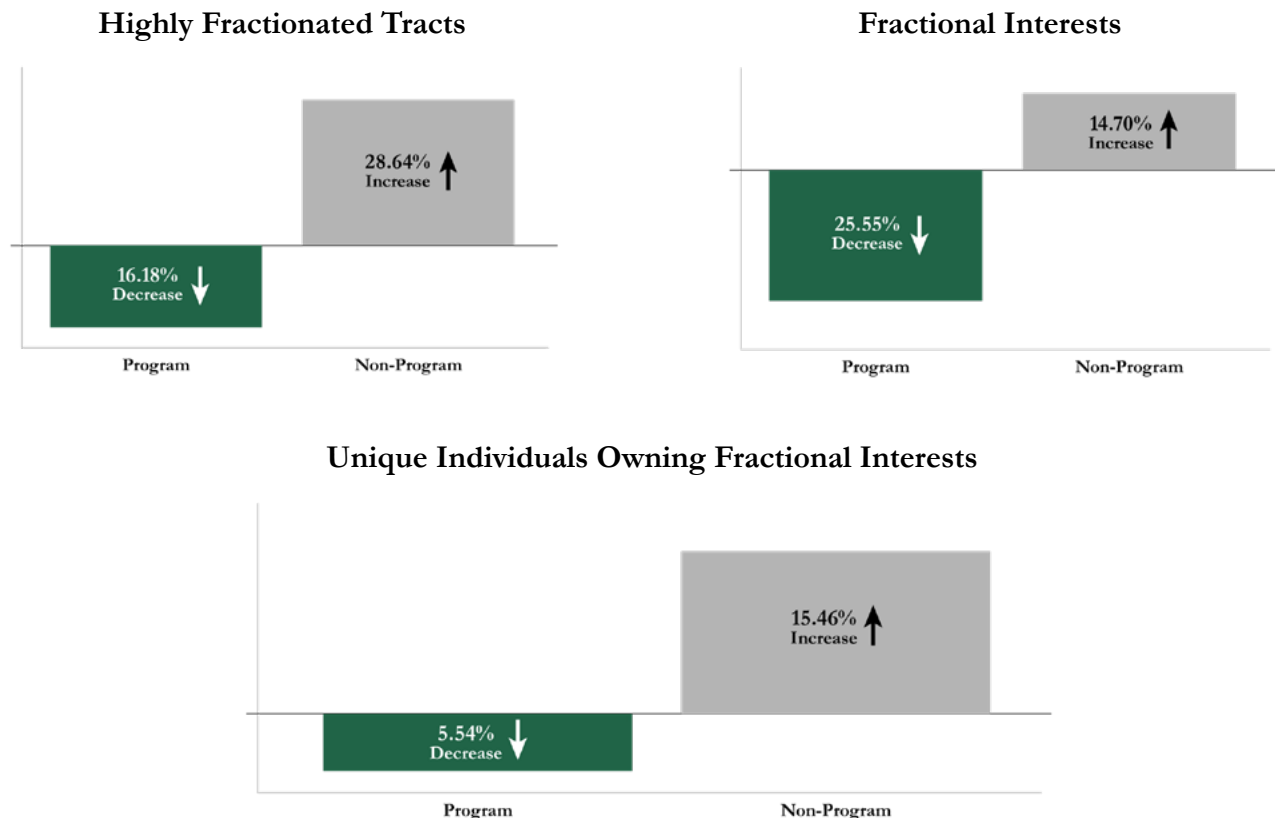


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I. Executive Summary

The Land Buy-Back Program for Tribal Nations (Program) was established in 2012 by the Secretary of the Interior (Secretary) to implement the land consolidation aspects of the *Cobell v. Salazar* Settlement Agreement (Settlement). The Settlement provided a \$1.9 billion Trust Land Consolidation Fund (Consolidation Fund) to be expended within a 10-year period that ended in November 2022. The principal goal of the Program was to consolidate the maximum number of fractional trust or restricted fee land interests through voluntary sales with individual landowners and place purchased interests into trust for Tribes. These land transfers create opportunities for economic development, conservation, cultural stewardship, or other uses deemed beneficial by Tribal nations.

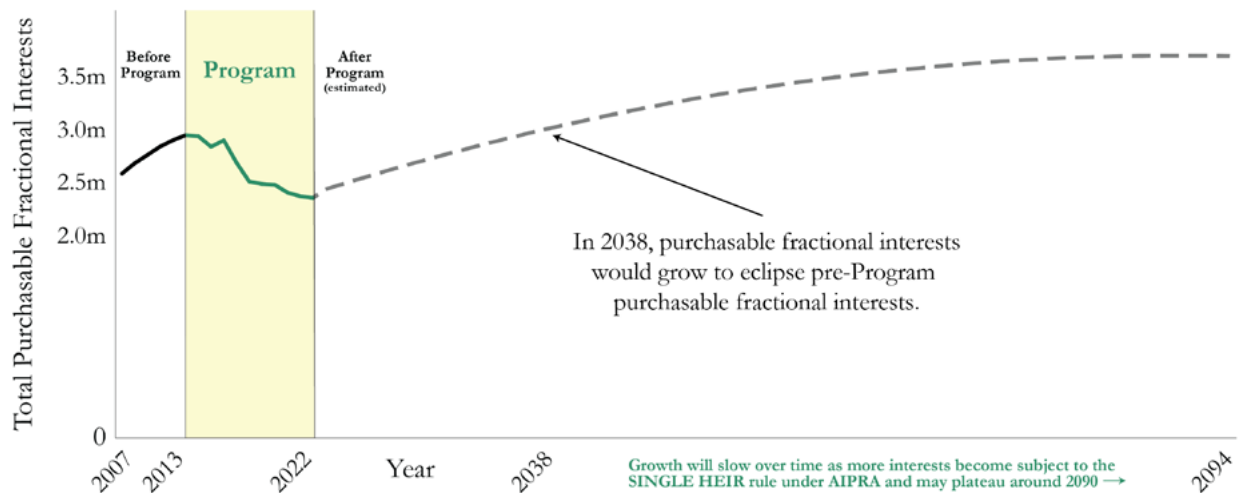
The first year was largely focused on planning, consultations, research, analysis, reviewing the lessons of the previous Indian Land Consolidation Program (ILCP), and active engagement with Tribal leaders and landowners. The Program began land consolidation purchases in December 2013 and by its conclusion had made \$4.3 billion in offers to 163,763 individuals for interests at 53 locations.¹

Throughout the 10-year duration of the Program, \$1.69 billion was paid out to landowners, and Tribal ownership was created or increased in more than 51,000 tracts of allotted land with 1,916 of those tracts reaching 100 percent Tribal trust ownership. These efforts have led to more than one million interests being consolidated – restoring approximately 3 million equivalent acres of land to Tribal trust ownership and paying, on average, approximately \$570 per equivalent acre.²

In seeking to allocate as much of the funds as possible directly to land purchases, the Program limited the implementation costs to just 47 percent of what was allowed by the Settlement. Minimizing implementation costs allowed the Program to transfer \$135.2 million from the implementation portion of the Consolidation Fund to the land purchase portion.

“The settlement isn’t perfect. I do not think it compensates all for all the losses sustained, but I do think it is fair and it is reasonable. That is what matters: A fair resolution has been achieved.”

– Elouise Cobell



1. For a list and explanation of land area names, land area codes, and locations specific statistics, see Appendix C. Fractionation Statistics
 2. For an explanation of how equivalent acres are determined, see Appendix A. Glossary

The Program significantly reduced and helped slow the growth of fractionation as shown above. However, as this graph illustrates, by using regression analysis, fractionation is predicted to exceed pre-Program levels in just **15 years** without sustained efforts.

In a [December 2009 Senate Hearing](#), former Deputy Secretary David J. Hayes testified that while the \$1.9 billion established for land consolidation as a result of the Settlement would make a significant impact in addressing fractionation, resolution of the problem would likely require \$6-8 billion.³ In a [2016 Program Status Update](#), former Secretary of the Interior Sally Jewell reiterated concern that the Consolidation Fund would not be sufficient to purchase all fractional interests, and that the value of remaining fractionated land would still likely be several billion dollars at the Program's conclusion in 2022.

At the November 2022 conclusion of the Program, significant progress was made in addressing fractionation. At the outset of the Program, more than 2.9 million purchasable fractional interests were identified and now there are 2.4 million remaining. The Program consolidated land at 53 unique locations having a combined total of 85,068 fractionated tracts. Due to time and resource limits, the Program was unable to implement land purchases at 63 percent of the approximately 150 unique locations with fractionated land, involving nearly 100 Tribes and their communities.

This report details the strategy and approaches employed in implementing the Program. It serves as a comprehensive description of the Program's results and impact. This report also addresses the ongoing consequences of fractionation and offers support for continued voluntary acquisitions to address the challenge. The report was informed by interviews with and input from Program staff, partners, and Tribal representatives.

II. Allotment and Fractionation: Background

Wars, treaties, and allotment. An understanding of the causes and consequences of fractionation requires a brief look back to the earliest days of United States history. After independence from Great Britain, the new American government set sights on claiming greater swaths of land beyond the boundaries of the original colonies, often moving with violence and force into areas previously inhabited by Native populations. Tribes accustomed to using large areas of land were uprooted from their communities and ways of life.

At the turn of the 19th Century, the Federal Government set in motion a framework for relations with Native communities with the ultimate intent of dispossessing Indian Tribes of their territories. President Thomas Jefferson pursued an approach to Indian affairs focused on acquiring Tribal land, facilitating trade, and keeping Tribes allied with the United States for national security purposes.⁴ In an 1803 Confidential Message to Congress, Jefferson argued that the least costly way to separate Indians from their land would be to pursue a policy of assimilation, forcing them to adopt sedentary ways of life and thus relinquishing their hunting grounds to white settlement.⁵

The Indian Removal Act of 1830 led to forced relocations of nearly 60,000 American Indians from the Cherokee, Muscogee (Creek), Seminole, Chickasaw, and Choctaw Nations and by 1840, Indians

3. Committee on Indian Affairs, U.S. Senate, 2009, U.S. Government Printing Office, p. 3.

4. President Jefferson and the Indian Nations at <https://www.monticello.org/thomas-jefferson/louisiana-lewis-clark/origins-of-the-expedition/jefferson-and-american-indians/president-jefferson-and-the-indian-nations/>.

5. President Thomas Jefferson, Confidential Message to Congress Concerning Relations with the Indians (Jan. 18, 1803), National Archives and Records Administration, Record Group 233, Records of the U.S. House of Representatives, Presidential Messages, 1791-1861, President's Messages from the 7th Congress [hereinafter Confidential Message].

had been dispossessed of practically all their homelands east of the Mississippi River. As the new country continued to grow in population, newly formed state governments sought to dissolve the boundaries of the Indian nations within their borders and to appropriate the land, forcing Native Tribes to move again and again.

With friction increasing, the Federal Government called a conference in 1850 to negotiate a peaceful resolution to the constant tensions and escalating violence. Father Pierre-Jean De Smet, a Jesuit Catholic missionary well known among government officials and Tribes west and south of the Missouri River, offered the map below in relation to treaty negotiations regarding areas where Tribes would be permitted to travel and hunt.



Source: Library of Congress, available at: <https://www.loc.gov/resource/g4050.ct000883/>

The map was used in reaching the Fort Laramie Treaty of 1851 (Horse Creek Treaty) that described the respective territories for the Sioux or Dahcotah Nation; the Gros Ventre, Mandans and Arickara Nations; the Assinaboine Nation; the Blackfoot Nation; the Crow Nation; and the Cheyenne and Arapaho Nations. The Federal Government promised to protect Indian resources and Tribal hunting grounds from depredations by white settlers moving west along the Oregon Trail. This was one of the many promises made in this treaty by the Federal Government that was never kept.⁶

The practice of forcing Indian communities from one geography to another intensified after the Civil War as railroads, prospectors, settlers, and accompanying commercial trades penetrated more deeply into the heart of the country, further disrupting the livelihoods of Native communities that depended on the land and natural resources to maintain their culture and way of life.

6. Fort Laramie Treaty of 1851 (Horse Creek Treaty) available at <https://www.nps.gov/articles/000/horse-creek-treaty.htm>. See also Rebecca Hein, *Father De Smet in Wyoming* (2014), available at <https://www.wyohistory.org/encyclopedia/father-de-smet-wyoming>.

Allotment Policy - Roots of fractionation. The policy of assimilation continued into the late 1880s. The General Allotment Act, commonly known as the Dawes Act of 1887, sought among other purposes to subdivide Native American Tribal communal landholdings into separate allotments for Native American heads of families and individuals.

Original allottees were granted ownership of tracts of land, varying by size from 80 to 320 acres, depending upon family size and land use. Legal title was held in trust by the Federal Government with the Indian landowners holding the beneficial title. Originally, this trust period was to last only 25 years, at which time both the legal and beneficial title to the land would pass to the Indian allottee. However, enactment of the Burke Act, formally known as the General Allotment Act Amendment of 1906, required the Federal Government to assess whether individual Indians were “competent and capable” before issuing them fee patents to their lands. The stated purpose of these restrictions was to allow new Indian landowners to become accustomed to the concept of private property ownership.⁷

Land not allotted on many Reservations was deemed “surplus” land and was opened to sale or other acquisition by non-Indians. Moreover, the land allotted to Indians was generally poor. As noted in the 1928 Meriam Report, “In justice to the Indians it should be noted that many of them



Source: Sample advertisement from 1879 offering Indian lands for sale. Archival document courtesy of the Indian Land Tenure Foundation.

are living on lands from which a trained and experienced white man could scarcely wrest a reasonable living.” In some instances, the land originally set apart for the Indians was of little value for agricultural operations other than grazing. “Frequently, better sections of the land originally set apart for the Indians have fallen into the hands of the whites, and the Indians have retreated to the poorer lands remote from the markets.”⁸

In his 1998 testimony before Congress, then Deputy Solicitor Edward Cohen reported that as a direct result of the Dawes Act, over 100 million acres of formerly Indian land had left trust or restricted status.⁹

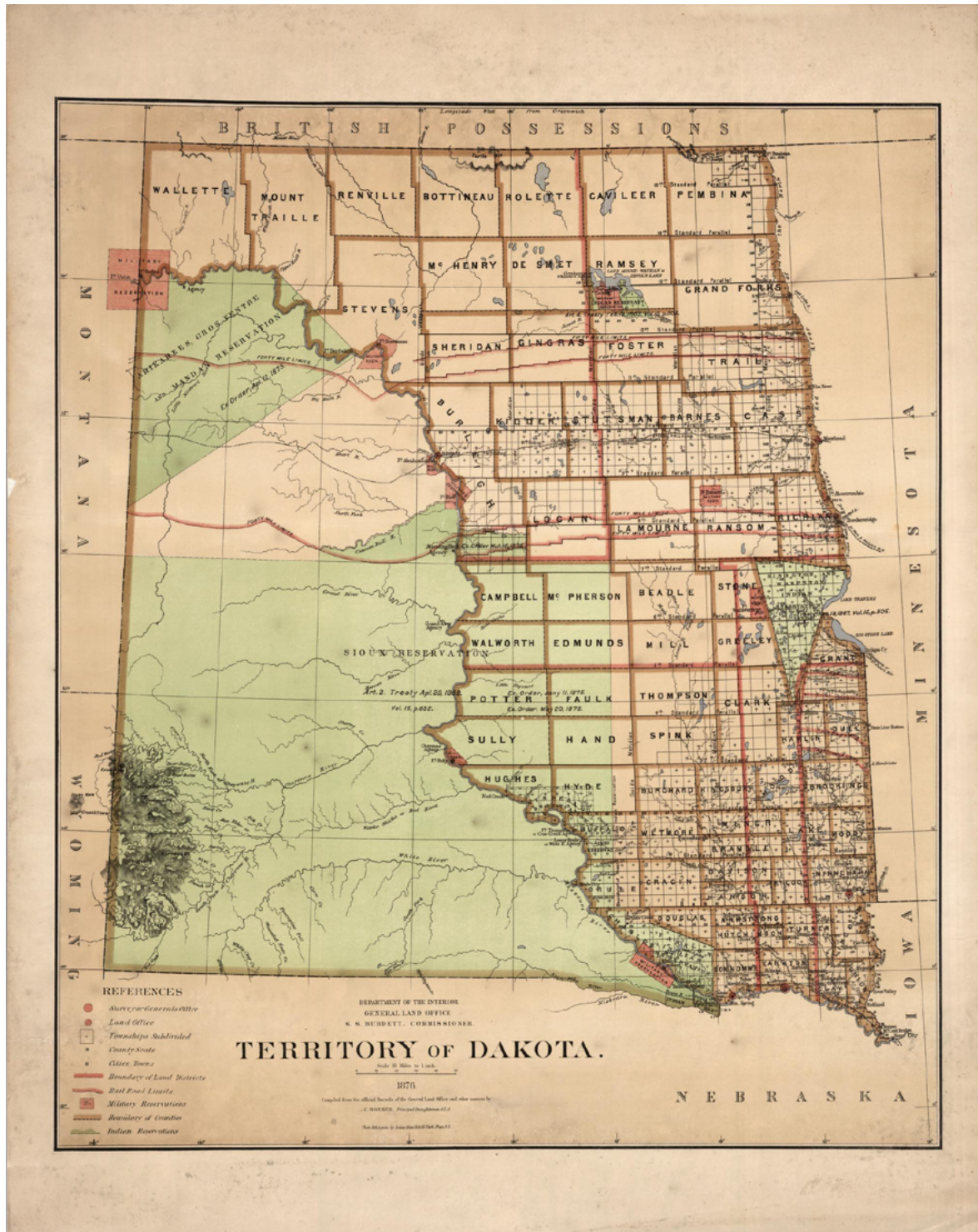
Allotment, combined with the passing of these many acres of land out of Indian ownership, has led to massive “checkerboarding” of many Indian Reservations, resulting in negative economic consequences.

7. Institute for Government Research, “Meriam Report: The Problem of Indian Administration” The Johns Hopkins Press, 1928, p. 780.

8. Meriam Report, p. 5.

9. Russ, Jacob and Stratmann, Thomas, Creeping Normalcy: Fractionation of Indian Land Ownership (January 31, 2014). CESifo Working Paper Series No. 4607, available at <https://ssrn.com/abstract=2398273> citing testimony before the House committee on Resources concerning H.R. 2743, July 29, 1998.

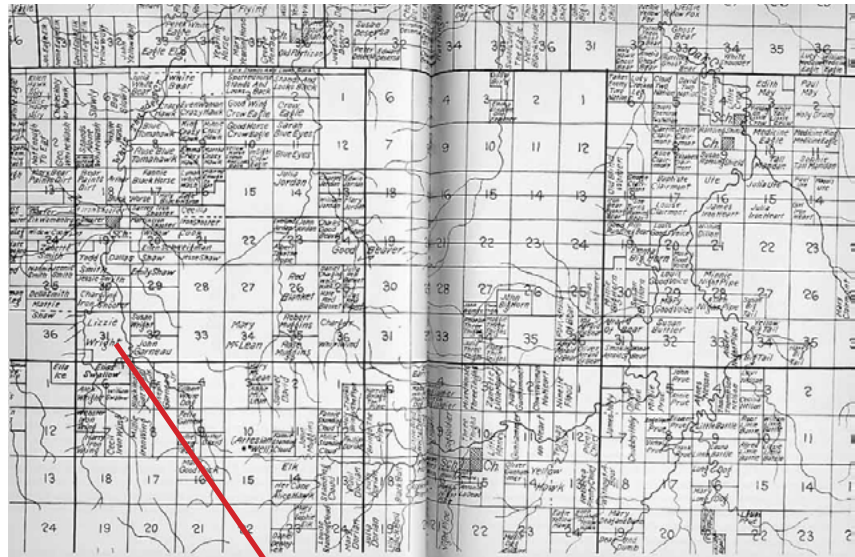
The map below, created by the United States General Land Office (GLO) in 1876, shows part of the Sioux Reservation in green, pursuant to the 1868 Treaty of Fort Laramie, before allotment.



Source: David Rumsey map collection. Full title: [Department of the Interior, General Land Office. S.S. Burdett, Commissioner. Territory of Dakota. 1876. Compiled from the official records of the General Land Office and other sources by C. Roeser, Principal Draughtsman G.L.O. Photolith. & Print by Julius Bien 16 & 18 Park Place, N.Y.](#)

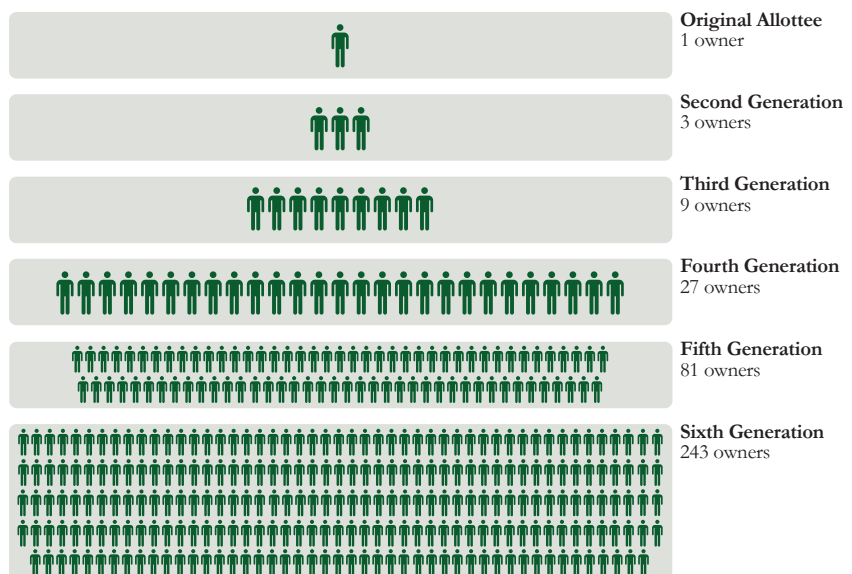
The following black and white map of the Rosebud Sioux Reservation illustrates how part of the Tribal treaty land base shown in the 1876 GLO map was carved into thousands of individual allotted tracts by 1903. Although the allotted land itself is not divided physically, the children, spouses, and other 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.

The illustration to the right shows how quickly ownership interests can multiply across successive generations when original allottees and their heirs die without a will. For many Tribes, wills have not been a part of their traditional culture. As a result, when original allottees died without a will, their estates would be probated under state probate laws, generally resulting in their heirs receiving equal, undivided interests in the allotted lands. In successive generations, smaller undivided interests were distributed to the next generation. This has resulted in fractionation growing exponentially. For example, there are nearly 1,150 owners on a single tract of land on the Crow Creek Reservation in South Dakota.



Source: Indian allotments on the Rosebud Reservation, 1903 (from the Records of the Bureau of Indian Affairs National Archives)

Consequences of allotment. While Congress ended the allotment policy with the Indian Reorganization Act of 1934, the devastating consequences of removing 90 million acres of land from Tribal ownership and control were already set in motion. The new law also left some policies in place, allowing fractionation to continue upward trends and creating situations where large percentages of Reservation land were held by non-Indians.



Note: For illustrative purposes only; not an actual ownership representation

Fractionated ownership and the checkerboard nature of land ownership patterns continues to cause major challenges for Tribes that impact their ability to exercise Tribal sovereignty and self-determination. The following highlight some of the major challenges created by fractionated ownership.

- Approximately 64 percent of the 100,978 fractionated tracts generated no trust funds for deposit into Individual Indian Money (IIM) accounts during FY 2022.
- The checkerboard ownership pattern creates jurisdictional challenges and ties up land within the Reservation boundaries, making it difficult to pursue economic development and infrastructure projects.
- Fractionated ownership can create challenges to protect or obtain access to sacred and/or cultural sites.
- Due to fractionation and the large number of owners of a tract, when the lease funds are collected and then divided amongst the ownership it may result in individual owners receiving just a few cents.

In addition, fractionation is associated with hundreds of millions in annual costs to the Department. The continuing scope of this problem and its impact are explained later in this report in the section, Consequences of Ongoing Fractionation.

Early land consolidation efforts. Throughout the mid to late 20th Century, legislative attempts to address fractionation were largely unsuccessful.¹⁰ A 1961 Department of the Interior Task Force on Indian Affairs recommended the Secretary of the Interior have authority to transfer fractional interests from Tribal members to the Tribe, in exchange for just compensation, but no immediate action was taken by Congress.¹¹ In 1983, Congress passed the Indian Land Consolidation Act (ILCA) which included provisions intended to address fractionation. Specifically, Section 207 sought to escheat the interests in trust or restricted lands of a deceased landowner to the appropriate Tribe in instances when the decedent owned two percent or less of such land. In 1987, the United States Supreme Court ruled in *Hodel v. Irving* that such “taking of property without just compensation” was unconstitutional. Similarly, in *Babbitt v. Youpee*, the Supreme Court once again ruled that the amended provisions of ILCA violated the takings clause of the Fifth Amendment.

In 2000, Congress authorized and made \$5 million available for a Pilot Program for the Acquisition of Fractional Interests.¹² After a rigorous analysis using a variety of criteria, the Bureau of Indian Affairs’ (BIA) Deputy Commissioner of Indian Affairs selected three Reservations for implementation: Bad River, Lac Courte Oreilles, and Lac du Flambeau. Cooperative Agreements between the three Tribes and BIA established a working arrangement and served as a blueprint for the pilot program. Results from the pilot program suggested that, if land consolidation through a buy-back effort could be implemented more broadly, there was potential to significantly decrease the rate of fractionation.

The Indian Land Consolidation Act Amendments of 2004 made the Indian Land Consolidation Program (ILCP) permanent. These amendments gave the Secretary of the Interior broader and more permanent authority to acquire from willing sellers, and at fair market value, any fractional interest in trust or restricted land for the purpose of preventing further fractionation and consolidating fractional interests and ownership into usable parcels in the name of the Tribe.

10. Russ and Stratman, p. 6.

11. Russ and Stratman, p. 48.

12. Public Law 106–462, 106th Congress available at <https://www.congress.gov/106/plaws/publ462/PLAW-106publ462.pdf>.

***Cobell v. Salazar* litigation.** In 1996, five litigants, including Elouise Cobell, filed a class action lawsuit seeking to hold the government to account for the alleged mismanagement of billions of dollars belonging to approximately 500,000 American Indians and their heirs. The *Cobell v. Salazar* suit contended that the government failed to fulfill its trust responsibility to collect and disburse to landowners revenues generated by mining, oil and gas extraction, timber operating, grazing, or similar activities.

After numerous appeals, the case settled in 2009 for \$3.4 billion, with \$1.5 billion allocated for direct payments to the plaintiffs and \$1.9 billion allocated to establish the Consolidation Fund. Under the Settlement, the Program could contribute up to \$60 million from the Consolidation Fund to support the creation of a scholarship fund for Native American and Alaska Native students. The Settlement thus put in place the building blocks for what became the Land Buy-Back Program for Tribal Nations.

“There has been too much discussion about what we would like to achieve for individual Indian beneficiaries. It is now important that we implement this historical settlement. I now ask Congress to swiftly enact the necessary implementing legislation so we can begin to distribute our trust funds without further delay. Hundreds of thousands of individual Indians have waited patiently for far too long.”

– Elouise Cobell



Photo credit: Official White House photo by Pete Souza. The late Elouise Cobell meets President Barack Obama at the White House on December 8, 2010.

III. The Land Buy-Back Program

The Land Buy-Back Program for Tribal Nations was established by Secretarial Order in December 2012. The Settlement Agreement guided the key tenets of the Program. The Consolidation Fund was to be used to acquire fractional interests, implement land consolidation activities, pay the costs related to the work of the Secretarial Commission on Trust Reform, and contributed to a scholarship program for Native American students. All acquired interests purchased by the Program were to be held in trust for the recognized Tribe or Tribes that exercised jurisdiction over the lands, increasing each Tribe's ability to use or protect the land for purposes benefitting the Reservation community as a whole.

In 2012, The Department released an [Initial Implementation Plan](#) identifying more than 2.9 million fractional interests across 150 reservations that were purchasable by the Program. Nearly 90 percent of these purchasable interests were located at 40 of the 150 reservations. Workgroups of Federal employees were quickly activated to conduct Tribal consultations for the purpose of soliciting feedback. The Department held consultation sessions in early 2013 in Minneapolis, Minnesota; Rapid City, South Dakota; and Seattle, Washington. Many Tribal leaders, Tribal organizations, individuals, and members of the public reviewed the Initial Implementation Plan and submitted comments, questions, and recommendations. An [Updated Implementation Plan](#) was then released in November 2013, detailing the principles that would be adopted to carry-out the Program's mission.

It is important to note that in December 2009, [former Deputy Secretary David Hayes testified before Congress](#) that while the \$1.9 billion established for land consolidation as a result of the Settlement Agreement would make a significant impact in addressing fractionation, resolution of the problem would likely require \$6-8 billion. In a [2016 Program Status Update](#), former Secretary Sally Jewell reiterated concerns that the Consolidation Fund would not be sufficient to purchase all fractional interests, and that the value of remaining fractionated land would still likely be several billion dollars at the Program's conclusion in 2022.

Organizing Principles and Priorities

The following principles and priorities guided the implementation of the Program.

Maximize expenditures for land consolidation while minimizing administrative expenses.

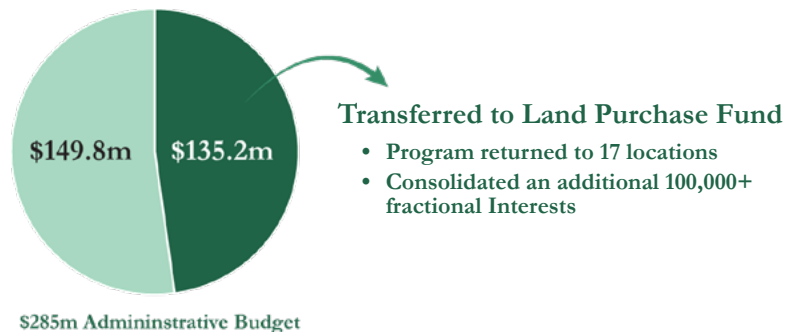
In funding the Settlement Agreement, the Claims Resolution Act of 2010 (Claims Resolution Act) established a \$1.9 billion Consolidation Fund available to the Department for the purchase of fractional interests in trust or restricted land. The Claims Resolution Act limited the amount of money the Department could use for implementation costs associated with the various phases of implementing the Program to no more than 15 percent (\$285 million) of the Consolidation Fund in order to maximize the amount available for purchasing fractional interests. Accordingly, Program management put a high priority on working efficiently and expeditiously when administering the Consolidation Fund. Costs were minimized by using policies and procedures designed to accommodate the voluntary sale of interests and eliminating duplicative conveyance documents, administrative proceedings, and transactions.

Land Consolidation Fund

Consolidation Fund Component	Original Amount	Amount after \$135.2 Million in Transfers
Acquiring Fractional Interests (Land Purchases)	\$1,555,000,000 (minimum available for land purchases)	\$1,690,237,000
Implementation Costs	\$285,000,000 (maximum, not to exceed 15 percent of the \$1.9 billion)	\$149,763,000
Scholarship Fund	\$60,000,000 (maximum available)	\$60,000,000
Total	\$1,900,000,000	\$1,900,000,000

By October of 2020, the Program fully expended the \$1.55 billion minimum provided by the Settlement Agreement for land purchases. The Program began transferring funds from the implementation portion of the Consolidation Fund to the land purchases portion of the Consolidation Fund as it proceeded in winding down operations. The Program only expended \$149.8 million (51.7 percent) of the \$285 million originally authorized for implementation costs.

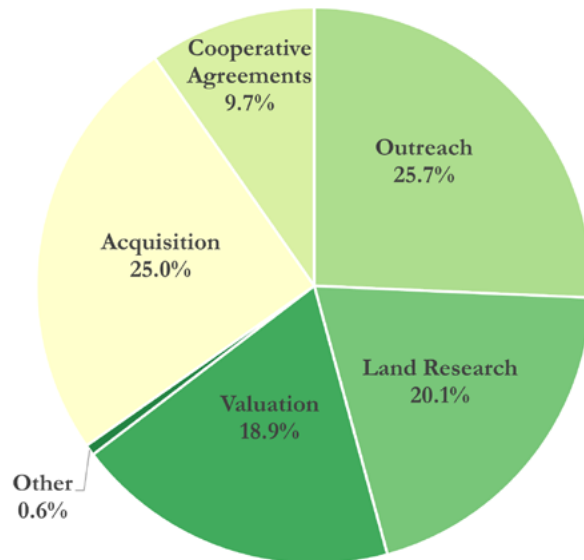
Due to the successful effort to minimize implementation costs, the Program was able to transfer a total of \$135.2 million from the implementation portion of the Consolidation Fund to the portion allocated for land purchases as illustrated on the following page. These transfers enabled the Program to return to 17 locations and



purchase more than 100,000 additional interests. The Program averaged \$15 million annually in administrative expenditures and, owing to its efficient management, 89 cents of every dollar spent from the Consolidation Fund was used for land purchases.

The pie chart below illustrates how the \$149.8 million spent on administrative funding was segmented into six categories: Outreach, Land Research, Valuation, Acquisition, Cooperative Agreements, and Other. The first four categories mirror the four phases of the Program’s implementation process and are further defined in the Program’s implementation section.

Cooperative Agreements enabled Tribes to participate in local education and outreach and ensured the Program’s efforts respected local customs and cultures. Leveraging Tribal knowledge and resources assisted the Program in meeting the challenge of reaching dispersed landowner populations. The use of Cooperative Agreements was an effective tool for assisting the Program with its primary objective of expending the land purchases portion of the Consolidation Fund to maximize the consolidation of fractional interests. Tribal support was also integral to accomplishing the primary objective two years ahead of the Program’s funding expiration date of November 2022.



Maximize consolidation while aligning with Tribal leaders on local acquisition priorities.

A considerable amount of the comments received during the Program’s consultations in 2011 addressed how the Program would solicit and honor Tribal priorities for those lands that would be considered for voluntary sales. The Updated Implementation Plan affirmed that Tribal acquisition priorities were vitally important to strengthening partnerships, respecting and upholding Tribal sovereignty. The Department directed the Program, to the greatest extent possible, to tailor efforts to each location based on Tribal involvement and priorities. The Program worked with Tribes to identify priorities early in the implementation process to help guide the different phases of the Program from mapping to acquisitions and outreach.

While the Department was not able to purchase all Tribal priorities, every effort was made throughout implementation to actively engage with Tribes to identify and honor Tribal acquisition priorities while also focusing on cost-effective acquisitions that best addressed fractionation.

Further, by the terms of the Settlement, the Program was specifically required to use reasonable efforts to prioritize the consolidation of the most highly fractionated tracts of land. During the consultations on the Draft Plan and consultations on the Initial Implementation Plan, Tribal leaders overwhelmingly expressed the desire that the Department expend the Consolidation Fund on as many Reservations as possible. The Program determined that allocation by Reservation and the use of flexible purchase ceilings best enabled the Program to prioritize the most highly fractionated tracts, while also meeting the mandates of the legislation governing use of the Consolidation Fund and the desires expressed by Tribal leaders.

In 2017, the Program undertook a Strategy Review to evaluate lessons learned to date and consider adjustments to the prioritization of lands for purchase. The Strategy Review resulted in a revised implementation schedule, as well as several policy changes to better leverage Program resources, facilitate greater efficiencies, and increase opportunities to consolidate fractional interests. As a result of the Strategy Review, the Program focused on acquiring interests of less than 25 percent on Surface (S) and Both Surface and Mineral (B) tracts and reduced the number of planned locations for implementation.

Partner with Tribes in all aspects of implementation. Throughout the Program's history, high priority was placed on frequent engagement with Tribes and Tribal organizations and advocacy groups to obtain critical input on the strategy. This involved a number of listening sessions and consultations including:

- April 2017: [Listening Session in Tulalip, Washington](#), led by Acting Assistant Secretary – Indian Affairs Mike Black, Acting Special Trustee Debra DuMontier, and Director of the BIA Bruce Loudermilk
- March 2016: [Listening Session in Albuquerque, New Mexico](#), led by Deputy Secretary Michael Connor, Special Trustee Vince Logan, and Acting Assistant Secretary – Indian Affairs Larry Roberts
- March 2015: [Listening Session in Laveen, Arizona](#), led by Deputy Secretary Michael Connor, Assistant Secretary – Indian Affairs Kevin Washburn, and Deputy Special Trustee for American Indians Jim James
- May 2014: [Listening Session in Portland, Oregon](#), led by Deputy Secretary Michael Connor and Assistant Secretary – Indian Affairs Kevin Washburn
- January-February 2013: Tribal consultations conducted at various locations ([Minneapolis, MN](#), [Rapid City, SD](#), and [Seattle, WA](#)) to discuss the Initial Implementation Plan
- July-October 2011: Tribal consultations conducted in [Billings, MT](#), [Minneapolis, MN](#), [Seattle, WA](#), [Albuquerque, NM](#), [Phoenix, AZ](#), [Oklahoma City, OK](#), and Rapid City, SD to discuss the implementation of the Indian Land Consolidation Program

Organizations the Program regularly met with for input and insights included:

- » Affiliated Tribes of Northwest Indians
- » Coalition of Large Tribes
- » Great Plains Tribal Chairmen's Association
- » Indian Land Tenure Foundation
- » Indian Land Working Group
- » Inter-Tribal Meeting of the Five Civilized Tribes
- » National Congress of American Indians
- » National Tribal Land Association
- » Rocky Mountain Tribal Leaders Council

The Program also met with the following Federal Advisory Committees:

- » Tribal/Interior Budget Council
- » Tribal Self-Governance Advisory Committee

Additionally, while ILCA precludes utilization of the Indian Self-Determination and Education Assistance Act, the Program placed a high priority on the active participation of Tribes in actual implementation activities. For example, as specific regions were identified and scheduled for Program implementation, Tribes provided pertinent geographic information, such as general and specific characteristics of neighborhoods and individual trust properties, ultimately assisting the Program's mapping and appraisal efforts.

The Program worked with Tribes to expand outreach efforts to increase landowner awareness, particularly with respect to explaining land consolidation activities and how it would benefit their Reservations. Originally, the Program encouraged entering into Cooperative Agreements with Tribes, which would provide modest funding to enlist their involvement in landowner outreach activities. In total, the Program entered into cooperative agreements with 50 Tribes, expending \$14,485,633. As the Program continued, it received feedback from Tribal and Federal staff that there was a reduced demand for outreach as many landowners at return locations were aware of the Program. In FY 2020, after a thorough analysis, the Program discontinued the practice, re-channeling those funds towards land consolidation purchases.

Employ authorized alternative valuation methods. The Settlement required the Department to offer fair market value to owners of fractional interests. After receiving input from stakeholders, the Department determined that the breadth, scale, limited funding, and limited life span of the Program necessitated the use of mass appraisal methods to establish the fair market value. To ensure the valuation process was as robust and credible as possible, the Department worked with the Appraisal Foundation, a non-profit organization, to obtain an independent review of the Department's proposed methodology. The Appraisal Foundation specifically analyzed and concurred with the Program's assertion that alternative valuation methods would be the most efficient and cost-effective approach to determining land values.

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 Department can use in its appraisals. The Program used market studies and mass appraisal techniques to appraise homogeneous, non-complex, vacant lands that have comparable land sales available.

Enable landowners to make informed decisions. The Program was established as a voluntary program, meaning each individual landowner who received an offer had the option to sell or not sell their interests. Great attention was given to making offer packages user-friendly. The BIA sought feedback on the offer documents and instructions and made refinements to simplify the materials as much as possible.

Additionally, multiple resources were established for landowners to use when completing the offer package documents. Landowners were encouraged to contact their local Fiduciary Trust Officers (FTOs) for assistance or attend Program outreach events in their areas to ask questions about the package. Representatives at the Bureau of Trust Funds Administration (BTFA) Trust Beneficiary Call Center (TBCC) were available to assist landowners with completing the package. Tribes also supported landowner education activities through cooperative agreements.

“It’s always overwhelming when landowners who participate in the Program tell you how relieved they are to know the land is going back to the Tribe and they don’t have to stress about how to pick an heir or draft a will for it. On a few occasions, we experienced landowners feeling relieved to know the land will stay in trust forever, and it is a good feeling for them to know they are contributing to land consolidation in the benefit of the Tribe.”

- Tribal staff from the Pala Band of Mission Indians

Contribute to a scholarship fund for American Indian and Alaska Native students. In accordance with the Settlement, the Program contributed \$60 million of the Consolidation Fund to the [Cobell Education Scholarship Fund](#) (Scholarship Fund). Under the governance of the Cobell Board of Trustees, the Scholarship Fund was created to carry out Elouise Cobell’s vision of supporting Native students who are leaders and engaged in their communities. It provides financial assistance to American Indian and Alaska Native students pursuing vocational, post-secondary, and graduate education and training and is administered by Indigenous Education, Inc.

Cobell Fellowship Recipient Dr. John Little



Photo credit: Solis Photography

Dr. John Little, a member of the Standing Rock Sioux Tribe, received his PhD in American History from the University of Minnesota in 2020. Dr. Little serves as Director of Native Recruitment and Alumni Engagement at the University of South Dakota. Formerly, he was the Post-Doctoral Fellow in the Institute of American Indian Studies at the University of South Dakota. He was also the Director for the Indian University of North America designed to work with students who begin or continue their college careers in the summer and fall learning how to dream big and set goals worthy of their highest potential. Students learn how to navigate college while completing a semester of college in a worldly setting unlike any other. Also, a filmmaker, John is the co-director, alongside his brother Kenn, of the 2017 award-winning film, “More Than A Word.” – The documentary goes inside the movement to change the name of the Washington R*dskins football team as well as what’s at stake in contemporary debates about cultural appropriation and Native American themed mascots.

Cobell Fellowship Recipient Dr. Blythe George

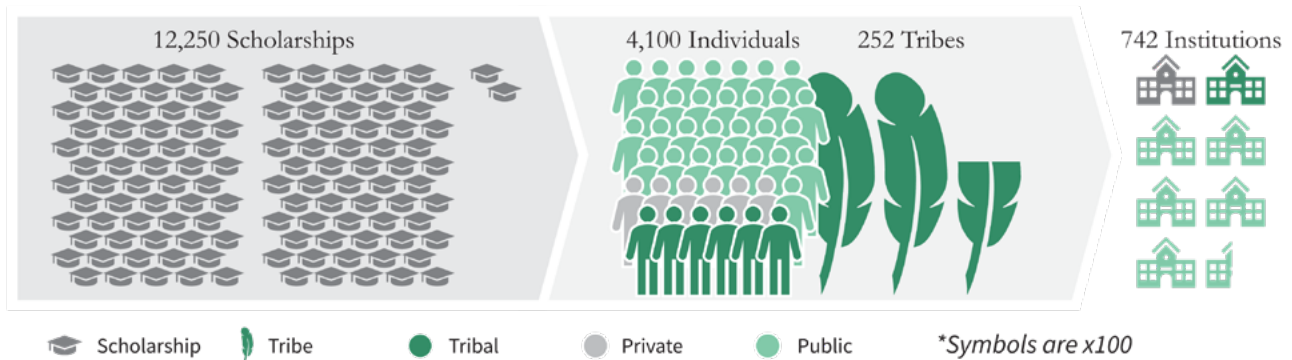


Photo credit: Ashley Leanna Photography

Dr. Blythe George, a member of the Yurok Tribe of the Yurok Reservation, received her PhD in Sociology from Harvard University in 2020. Dr. George is an assistant professor at University of California Merced where most notably, Prof. George has been the recipient of multiple fellowships for her work on trauma and resilience on Tribal reservations, including the National Science Foundation, the Washington Center for Equitable Growth, Indigenous Education, Inc., and the Gates Millennium Scholars Program. In 2021, she was awarded a Circle 3 Intergenerational Indigenous Women's Fellowship from the Spirit Aligned Leadership Program. Through this opportunity, she is facilitating an intergenerational knowledge transfer project between herself and Judge Abby Abinanti, who is the Chief Justice of the Yurok Tribal Court and the first Tribal woman to be a member of the California State Bar. Together, Prof. George and the Yurok Tribal Court have founded the Yurok Data Repository and Modeling Center. Under Prof. George's leadership, this center centralizes the Court's ongoing research efforts on criminal justice and policing reform and is the first Tribally housed justice policy research center in the nation.

The Cobell Scholarship Fund includes funding for vocational and trade students and a specific set-aside for summer studies. In 2017, the organization created a first-of-its-kind Summer Graduate Research Fellowship that assists five graduate researchers with direct funding for research efforts not typically funded in the summer months. To date, 31 Fellows affiliated with 17 Tribes and 22 institutions have been supported, 12 of which have been conferred with degrees since provided the Fellowship support.

From inception through August 2022, more than 12,250 scholarships to over 4,100 individuals affiliated with 252 Tribes, attending 742 institutions worldwide while studying at the vocational/trade, undergraduate, graduate, and professional levels have been issued from the Cobell Scholarship Fund. Of the 4,100 individuals, approximately 600 attend private institutions, 600 attend 31 Tribal colleges and universities, with the remaining attending public institutions. Indigenous Education, Inc. reports noticing several graduate school applicants returning from the undergraduate level.



Program Implementation

Once a location was scheduled for offers, the Program’s land consolidation activities occurred in four phases as illustrated below: outreach, land research, valuation, and acquisition. Outreach occurred throughout Program implementation at each location and included Tribal involvement on various planning matters, information sharing, and working with communities to help individuals make informed decisions about their land.



Outreach

Outreach to Tribes. Frequent and open communication with Tribal leadership was fundamental to an effective outreach effort. Early in the implementation of the Program, some Tribes elected to enter into Cooperative Agreements that, among other topics, guided the sharing of information for outreach purposes. In the latter period of implementation, Memorandums of Agreement (MOAs) were put in place to provide structure to the collaborative relationship.

A Program Senior Advisor – Tribal Relations (TRA) was appointed to serve as the primary point of contact for a Tribe after it was added to the offer schedule and implementation activities were to begin. The TRAs met with the Tribe to discuss priorities for acquisition, tailoring outreach for the landowners, and determining the Tribe’s interest and capacity to conduct some of the Program operations. These TRAs remained involved throughout implementation, providing the Tribe with a central point of contact and coordinator for Program-related matters.

Typically, the Program worked with Tribes for a year in advance of the mailing of offers to identify mappable, purchasable land acquisition priorities. Tribes were invited to submit a preliminary priority tract list. Early Tribal identification of priority tracts was particularly important when the total value of the purchasable fractionated land under the Tribe’s jurisdiction was likely to exceed the purchase estimate.

Example: At the Lummi Nation, the value of fractionated tracts far exceeded the location’s purchase estimate. The Tribe’s priority was to purchase lands for the Lummi Reservation Wetland and Habitat Mitigation Bank. Acquiring these lands was a priority because the development and operation of the mitigation bank was dependent on complete ownership of these lands by the Tribe, and a functioning mitigation bank would support housing, economic, and municipal development of Reservation lands and nearby areas.

The Program provided multiple tools for ranking priority tracts, including a Priority Tract Designation Guide. TRAs and other Program representatives also provided direct support to Tribes during this process, such as assisting Tribes with identifying purchasable and mappable tracts using ArcGIS geodatabases.

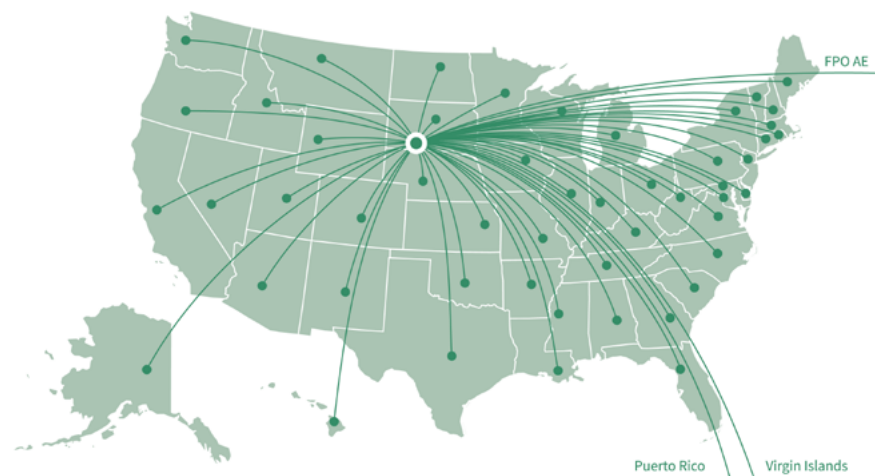
Once the priority lands for acquisition were determined, the TRAs and Tribes began planning how to best contact landowners. While Tribes often have their own efficient methods to conduct outreach with their members, the Program assisted by providing Outreach Planning Reports with tables and maps detailing the geographic distribution of the landowners and key demographics to augment outreach activities.

Outreach to Landowners. For a landowner to receive an offer, the following eligibility requirements had to be met:

- The landowner was an adult and their Individual Indian Money (IIM) account reflected their adult status;
- The landowner was able to make decisions on their own behalf, i.e., not under a legal disability based on restricted status of landowner's IIM account; and,
- The landowner had current contact information, including name, address, and date of birth in the Department of the Interior's Trust Fund Accounting System (TFAS) and Trust Asset and Accounting Management System (TAAMS).

The Program used various resources and activities to support outreach efforts to landowners, including a call center, website, outreach materials, events, postcards, locating individuals who are Whereabouts Unknown (WAO), proactive calls, and media coverage. Early implementation efforts found that owners were often geographically dispersed, necessitating multiple outreach methods and resources. For example, as illustrated above, landowners with interests at the Pine Ridge Reservation were located in all 50 states, 3 territories, and 11 countries. In instances where landowners were more closely located in proximity to one another, additional strategies were employed such as events and presentations.

Owners of Land Interests at Pine Ridge Live in all 50 States and Elsewhere



Trust Beneficiary Call Center. The TBCC was the primary point of contact responsible for receiving inquiries from landowners regarding the Program. Located in Albuquerque, New Mexico, the nationwide call center provides a convenient one-stop service for beneficiary inquiries. Using a toll-free telephone number, beneficiaries may easily access information regarding their trust assets as well as request updates to, or disbursements from, their IIM accounts or update their contact information. To provide support for the Program, the TBCC was equipped to provide information on purchase offers; assistance with completing a purchase offer package; assist beneficiaries wishing to register as willing sellers; share information on whether a tract was income producing; provide guidance about the impact a sale may have on the beneficiaries' use of fractionated land; and provide a conveyed interests report. Throughout the history of the Program, the TBCC responded to more than 220,000 Program inquiries.



Informational Materials. The Program developed a variety of materials to facilitate outreach. These materials were then available on-line and were provided directly to Tribes and local BIA and BTFA offices. Outreach materials included a Program brochure, pocket card, poster, fact sheets, sample offer package materials, and event announcements. In addition, the Program provided the Indian Land Tenure Foundation (ILTF) with a pamphlet, “Informing Indian Landowners on the Land Buy-Back Program and Understanding Appraisals and the Valuation Process in the Land Buy-Back Program” for sharing with landowners receiving offers. These pamphlets, which included a sample offer letter similar to the example at left, served as resources for landowners completing their purchase offers.

The Program also sent three separate postcards, one example shown below, directly to landowners receiving offers – one

90 days before offers were mailed, one three weeks before offers were mailed, and one postcard after offers were mailed. Both postcards mailed prior to offer generation alerted landowners that the Program would be implementing at a location where they owned fractional interests of land and provided information about the Program and items to consider. The post-offer postcards reminded landowners of offer return deadlines. The Program worked with Tribes to customize postcards with Tribal seals, flags, or other information or images recognizable to landowners.

In addition, the Program maintained a comprehensive website designed to provide landowners, Tribes, and the public with information. The site included a detailed list of Frequently Asked Questions (FAQs), outreach materials, sample purchase offer documents, instructions for completing the deed and purchase offer documents, agreement information and guidance, and Program presentations.



In FY 2016, the Program developed a video, “What is the Land Buy-Back Program?” to explain fractionation, summarize the Program, and highlight successes. Throughout implementation, the Program worked with partner organizations and Tribes to develop new material or tailor existing material for specific locations.

Events. The number and location of pre-offer and post-offer landowner outreach events was determined by landowner numbers, landowner location, available resources, Tribal outreach efforts, and other pertinent factors. Tribes played a critical role in planning and hosting events. For example, the Fond du Lac Band of the Minnesota Chippewa Tribe, Minnesota reported engagement with more than 1,500 attendees at approximately 40 events at community centers, gas stations, and other local establishments. In addition to location-specific outreach events, the Program hosted and attended dozens of regional and national events. Additionally, BTFA staff conducted outreach at conferences and other events which there was estimated to be a high attendance of landowners. This permitted additional face-to-face interactions with landowners and Tribal leaders where they could learn about the Program, ask questions, and even complete their offer packages onsite.

During the COVID-19 pandemic, when many Reservations were closed to outside visitors and face-to-face meetings were prohibited or discouraged, the BTFA hosted several virtual outreach events.

The Program hosted listening sessions in Albuquerque, NM in 2016 and Tulalip, WA in 2017, where each also had a landowner outreach component held in an adjoining room. Attendees had the ability to visit different tables sponsored by Program Federal partners to ask questions and learn more about key aspects of the Program, including the appraisal and acquisition processes. Similar to location specific outreach events, Landowners were also able to meet with BIA and BTFA staff to obtain land reports and other tools to help them make informed decisions about their land.

Whereabouts Unknown. An important aspect of the extensive outreach effort was to find up-to-date contact information for landowners deemed WAU. As part of its regular ongoing operations, BTFA seeks to maintain or update current addresses for IIM account holders. Through these efforts, which were intensified during Tribal participation in the Program, BTFA located 52,965 WAU account holders. At the close of the Program, there were 28,975 WAU landowners who own nearly 240,750 equivalent acres (8.2 percent of total purchasable equivalent acres across Program-identified locations) in approximately 43,000 fractionated tracts.

Throughout implementation, the Program and Tribes worked together to identify and locate WAU landowners. For example, the Navajo Nation identified more than 600 WAU landowners

in a 3-month period alone. For those with accounts updated prior to offer generation, their offers were then mailed directly to them. For those located during the offer period, Federal staff coordinated efforts to ensure their account was updated and a replacement offer package sent to the landowner. The Settlement outlined the required process to exercise the authority to purchase fractional land interests from WAU landowners who did not come forward. However, the Program did not exercise this process for WAU landowners and instead concentrated on locating WAU landowners through outreach.

Landowner Impact Example

Several landowners, who were previously deemed Whereabouts Unknown (WAU), were located. These landowners were made aware of the land that they owned, which they previously were unaware of, and were informed about the Program and the standing offers that they had out for their land.

Proactive calls. In addition to postcards, Tribal outreach staff, and later BTFA staff, proactively called landowners that had offers generated and a phone number in their TFAS account. The purpose of proactive calls was to confirm offers were received, answer landowner questions, and refer landowners to appropriate staff if account updates were needed.



Photo Credit: U.S. Department of the Interior. Assistant Secretary – Indian Affairs Bryan Newland speaking at Sinte Gleska University, at the Rosebud Reservation.



Landowners that are Whereabouts Unknown (WAU) at the Northern Cheyenne Reservation

Below is a list of landowners who own land at the Northern Cheyenne Reservation and whose whereabouts are unknown as of December 31st, 2021. If your name appears on this list, please call the Trust Beneficiary Call Center (TBCC) at 1-888-678-6836 or email TBCCmail@btfa.gov to update your Individual Indian Monies (IIM) account information. If you see someone you know on this list, please tell them to contact the TBCC.

Media outreach. The Program also issued press releases and conducted media outreach to raise awareness about the Program and the mailing of Program offers. The Program developed template radio announcements for Tribal outreach staff to use for Tribal and local radio stations. A Program Public Service Announcement (PSA) also aired in Indian Health Service clinics in more than 15 states. The Program paid for advertisements, as shown above, in local newspapers, and websites. TRAs and outreach staff worked closely with Tribes to identify the most effective media outlets to reach their respective landowners and tailor communications accordingly.

Land Research

Land research was performed for the Program primarily by BIA and the Appraisal and Valuation Services Office (AVSO). BIA collected data from TAAMS necessary to establish the fair market value for the thousands of tracts containing fractional interests that were potentially eligible for Program acquisition. The AVSO also conducted significant research on the land through two of its offices, the Division of Minerals Evaluation (AVSO DME) and the former Land Buy-Back Valuation Division (AVSO LBBVD).

The land-research effort included identification of the fractionated tracts under Tribal jurisdiction that contained fractional interests and the review of the legal land description of the tract. The BIA Division of Land Titles and Records (DLTR) created geographic information system (GIS) layers to depict the tracts under Tribal jurisdiction using data from TAAMS, Public Land Survey Systems (PLSS) GIS, and other Bureau of Land Management (BLM) GIS land-based data. Mapping tracts facilitated the valuation process by enabling tract land use categorization (e.g., range, dry crop, irrigated crop), geographical analysis, and comparison to surrounding land and sales. Some tracts required additional research that could not be conducted alongside the rest of the location's tracts because doing so would have diminished the efficiency and cost-effectiveness of the Program.

Landowner Impact Example

The BTFA Puget Sound team assisted a beneficiary who experienced homelessness living in a tent under a bridge. He shared with BTFA that he planned to use the funds received from his Program offer to purchase a motorhome or trailer and move to a nearby motorhome park.

During the mapping process, several mapping products were created and shared with Tribes so they could visualize the current state of fractionation on their lands. Mapping products were specific to each Reservation and included a general location map, an up-to-date Tribal ownership map, and an up-to-date Tribal tract management map. Individual tract maps, provided to Tribes both digitally and in hard copy, helped Tribes identify Tribal priorities based on geographic location. Individual tract maps were also provided to landowners in offer packages to assist in informed decision making.

Acquisition of fractional interests held in restricted fee status, as opposed to trust status, presented challenges to Program implementation due to the change that occurred in status (i.e., from restricted fee status to trust status). Departmental policy, responsibilities, and requirements regarding determinations of the

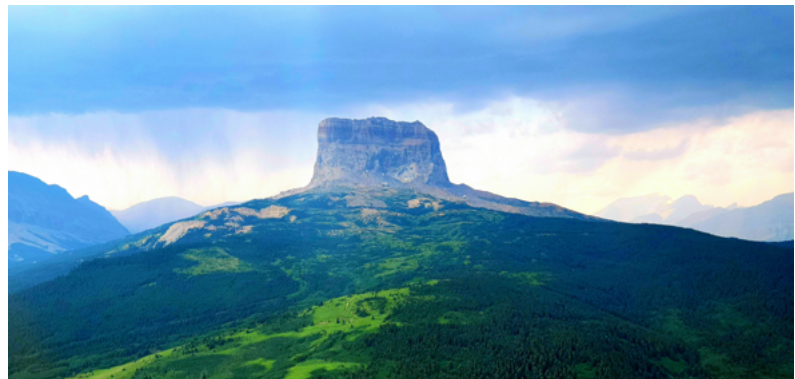
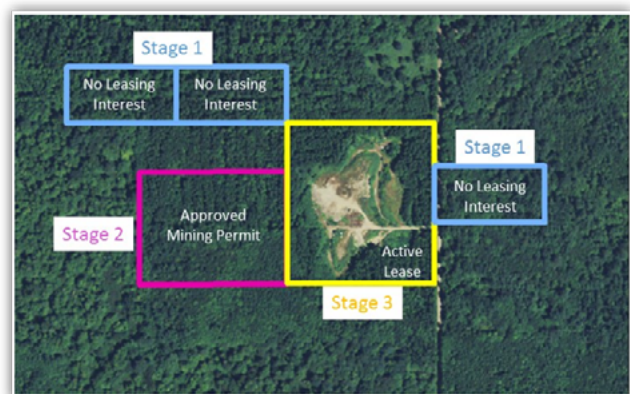


Photo Credit: Albert Ugas, AVSO. View of Ninaistako taken during AVSO aerial inspections of subject properties located at the Blackfeet Reservation.

potential to expose the Department to liability were applied in accord with the DOI Departmental Manual. With regards to the acquisition of restricted fee interests, this meant that a Limited Environmental Due Diligence: Transaction Screen Process (LEDD) was required prior to the acquisition of restricted fee interests. The process required significant coordination, time and resources, and included a review of Environmental Protection Agency data and input from local land managers. The Program's approach ensured that potential environmental liabilities were identified and considered before acquisition. Restricted fee interests in tracts identified as having potential environmental concerns were excluded from offers. The Program assessed restricted fee interests at each location to determine if time and resources permitted for LEDDs to be performed in advance of offer generation.

The AVSO DME used the land research in conjunction with their own mineral research to provide mineral assessments in three stages:

- Stage 1 tracts did not have minerals of current economic value or development potential within the foreseeable future.
- Stage 2 tracts showed potential for mineral development and required more research, data, and time to estimate.
- Stage 3 parcels were associated with demonstrable commodity reserves that require intensive analysis.
 - » Note: Only Stage 1 mineral interests were eligible for purchase under the Program.



Valuation

The Program, through AVSO, determined the fair market value of fractionated surface and both (combined estate) tracts at each location. Each tract was valued as if it were a single-owner fee status tract, and compared it to similar tracts that had recently sold in the area. Fair market value is a licensed appraiser's opinion of what a property would sell for in cash, or a reasonable equivalent, in an open and competitive market on the appraisal effective date.¹³ Adjustments, based upon market conditions, were made to account for differences between the tract being appraised and recent sales. For example, if the AVSO LBBVD found at a location that the presence of water on grazing land for cattle made a tract of land more desirable and increased the value of the comparable sales, subject tracts with similar traits would have seen an adjustment accounting for the tract's desired feature identified during the land research phase.

AVSO LBBVD, on behalf of the Program, used an appraisal method intended to conform to the guidelines for mass appraisal established by the International Association of Assessing Officers and comply with the appraisal standards contained in the Uniform Standards of Professional Appraisal Practice (USPAP). The mass appraisal method valued properties that are similar in use, had active and consistent markets, and had comparable available sales data, which allowed for greater efficiency and consistency in valuations.

In addition to utilizing mass appraisals, individual, or site-specific appraisals, were previously used by the Program as warranted and as resources permitted for tracts that are tracts not amenable to mass appraisal. Following the 2017 Strategy Review, all locations on the Program's implementation schedule allowed for the use of mass appraisals. An inability to value certain tracts precluded the acquisition of some Tribal priorities. Although the Program was unable to guarantee that it would be able to purchase all Tribal priorities, given its financial and operational constraints, it encouraged Tribes to identify their priorities.

Of the total tracts the Program appraised, 90 percent of the acres were agricultural acres. The remaining 10 percent of acres were used for a variety of purposes, including residential, rural residential, recreational, timber, commercial, wetland mitigation, and wildlife habitat. The charts on the next page display the land uses of acres appraised across 53 locations.

To ensure the valuation methods and techniques met industry standards, the Department obtained a third-party review of its valuation techniques from The Appraisal Foundation (TAF) in FY 2014 and continued to work with them in the years succeeding.¹⁴ In FY 2015, TAF reviewed the

Valuation by the Numbers

Nearly **85,000** tracts appraised

More than **13.2 million** acres appraised

Nearly **\$12.5 billion** total cumulative values

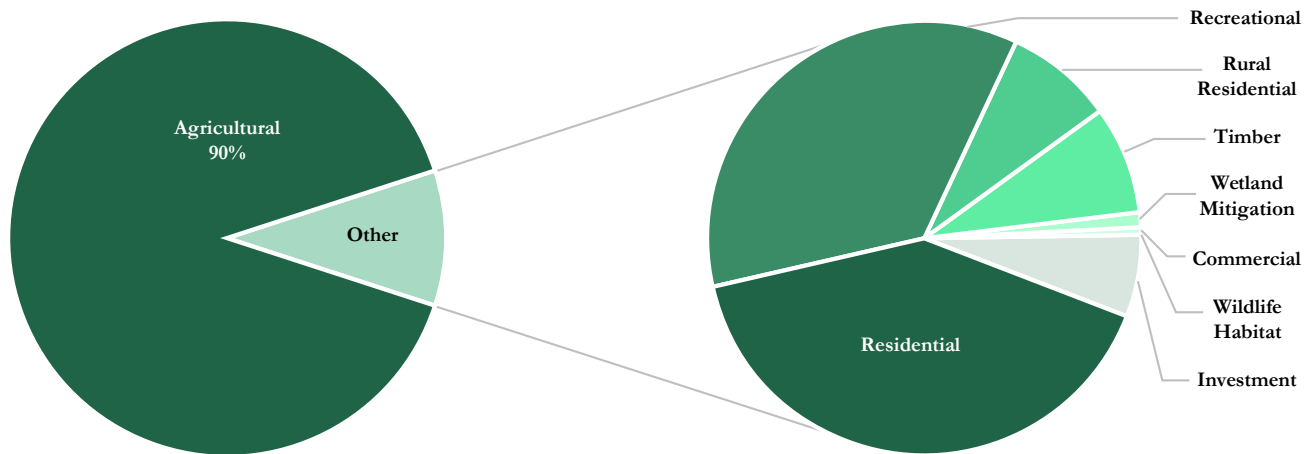
53 locations appraised

41 mass appraisals completed (includes multiple mass appraisals for 12 locations)

13. The Uniform Appraisal Standards for Federal Land Acquisitions defines 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 value, after a reasonable exposure time on the open competitive 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."

14. TAF is a non-profit, non-partisan organization, dedicated to the development of appraisal standards in the United States and to establishing qualifications criteria for appraisers.

Land Use Types of Appraised Land



implementation of the Program’s appraisal method. TAF’s final report contained the conclusions and recommendations regarding the appraisal services plan for providing USPAP-compliant appraisals relative to the Program. The Program also coordinated with TAF to evaluate 2016, 2017, and 2018 mass appraisal models.

The Program initially used appraisals for up to nine months. At the request of many Tribal leaders to consider a longer time, the Program transitioned to using mass and project appraisals for up to 12 months if AVSO LBBVD determined appropriate market conditions existed to permit an additional three months use.

The AVSO LBBVD coordinated with Tribes throughout the appraisal process to incorporate local knowledge. For example, the AVSO LBBVD performed site visits, attended Tribal leader meetings, and invited Tribal leaders and staff to participate in mass modeling sessions. After appraisals were complete, they were made available to Tribes and landowners. Tribes requested appraisal information via written request submitted to their TRA who relayed onto AVSO LBBVD to share; whereas landowners called the TBCC. Tribes were encouraged to use Program appraisals for their own land consolidation efforts.

Valuation Efficiencies

AVSO LBBVD developed highly efficient processes by creating and integrating systems, including:

- Developing standardized processes for locating and documenting real estate sales;
- Establishing a GIS with custom tools to import, store, and analyze data; and
- Integrating five previously separate computer systems to manage appraisal assignments and create appraisal reports.

Acquisition

Once fair market value determinations were made, the Program generated and mailed offer packages to eligible individual owners. To successfully consolidate fractional interests on an unprecedented scale and minimize administrative costs, the Program, through the BIA Acquisition Center (BIA AC), developed and utilized streamlined, automated, and standardized conveyance processes and procedures. Using Program funding and leveraging best available technology, the BIA AC developed a new module in TAAMS for Program implementation, making it possible to generate and process offers in TAAMS rather than manually. As a result, the BIA AC was able to accurately process far more sales in significantly less time than would otherwise have been feasible. The BIA AC’s efficient and effective automated process also made it possible to continue operations during the COVID-19 pandemic.

Acquisition by the Numbers

- More than **397,000** offers generated
- More than **1 million** interests consolidated
- More than **\$1.69 billion** paid to individuals
- More than **2.9 million** equivalent acres consolidated

The Program’s offer packages included a cover letter, instructions, a one-page deed and corresponding inventory of interests, maps, and a self-addressed pre-paid postage return envelope. Individuals had at least 45 days from the date of the cover letter to sell some or all the fractional interests listed in their offer package.

Landowner Impact Example

Several Winnebago landowners shared how accepting Program offers benefitted them, including one individual who paid off his outstanding debt, another purchased a vehicle to gain transportation for employment, and a third used the proceeds to purchase a modular home.

The offer amount included: (1) appraised fair market value; (2) administrative payment for transferring any Stage 1 mineral interests; and (3) a \$75 base payment to offset the time and costs owners may incur in responding to the offer package.

The table below illustrates these components using an example that assumes the owner had a one percent undivided fractional ownership interest in three distinct 160-acre tracts, each with a different bundle of ownership rights. Additionally, it illustrates these components using an example that assumes the subsurface ownership rights associated with two of the

tracts have been determined to have no minerals of current economic value. The offer amount for the interests in the three tracts would be \$1,239 as follows.

1. Appraised Values		
Tract 1 (Both [B]) resource code)	\$640	(1 percent of \$64,000 surface tract value)
Tract 2 (Surface [S]) resource code)	\$500	(1 percent of \$50,000 tract value)
Tract 3 (Mineral [M]) resource code)	\$0	(See below)
2. Administrative Payment for Transferring Mineral Interests		
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)
Total Offer Amount	\$1,239	

Land Buy-Back Program Eligibility

Landowner-related criteria

- Landowner is an adult and their Individual Indian Money (IIM) account reflects their adult status;
- Landowner is able to make decisions on their own behalf (not under a legal disability based on restricted status of landowner's IIM account); and,
- Landowner has current contact information, including name, address, and date of birth, in the Department of the Interior's Trust Fund Accounting System (TFAS) and Trust Asset and Account Management System (TAAMS).

Tract-related criteria

- Tract has two or more owners;
- Tract is in jurisdiction of a Federally-recognized Tribe;
- Tract is mappable, i.e., the legal description of a tract does not require further research;
- Tract is a Surface (S), Mineral (M), or Both (B) resource code tract;
- Tract is Stage 1 if it is a Mineral (M) or Both (B) tract;
- Tract has appraisal determining fair market value;
- Tract has a Tribal resolution regarding offers and lease opportunities if the tract has a structural improvement and no recorded lease; and,
- Tract is cost-effective, i.e., not significantly more expensive than other tracts at the location based on both the cost per acre and the average cost per interest.

Interest-related criteria

- Interest is individually owned in trust or restricted status;
- Interest is not subject to life estate or joint tenancy;
- Interest is not pending a legal transaction, e.g., probate;
- Interest is not owned in restricted fee status in a tract with a structural improvement;
- Interest is located within a tract with a completed environmental review, if owned in restricted fee status; and,
- Interest is owned by an eligible landowner and located in an eligible tract.

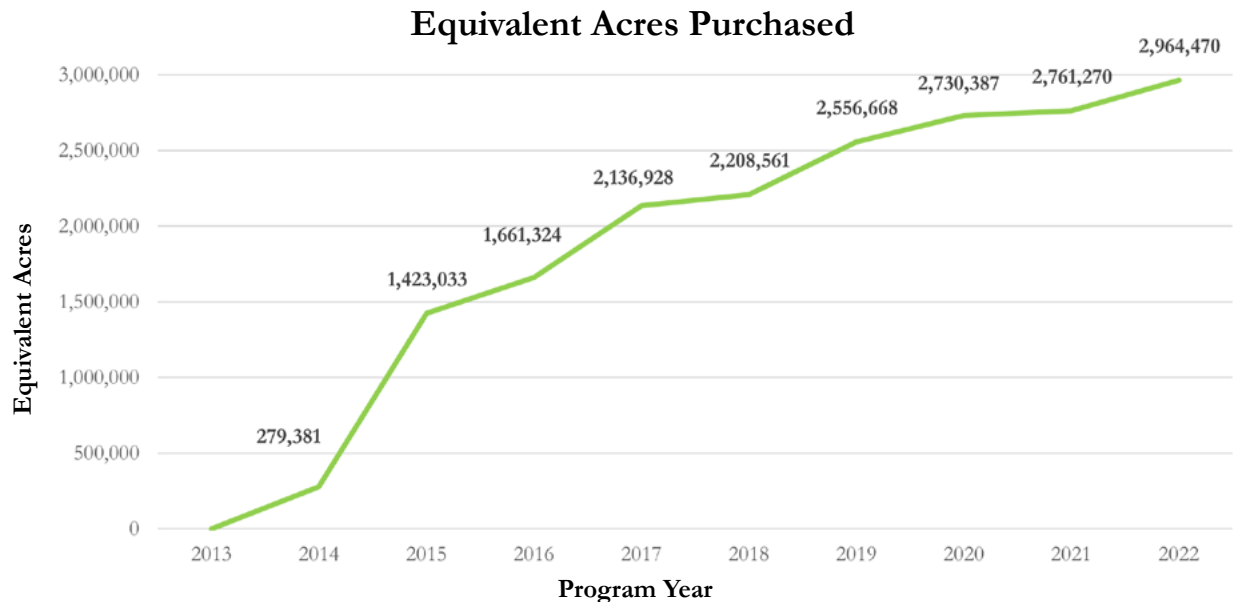
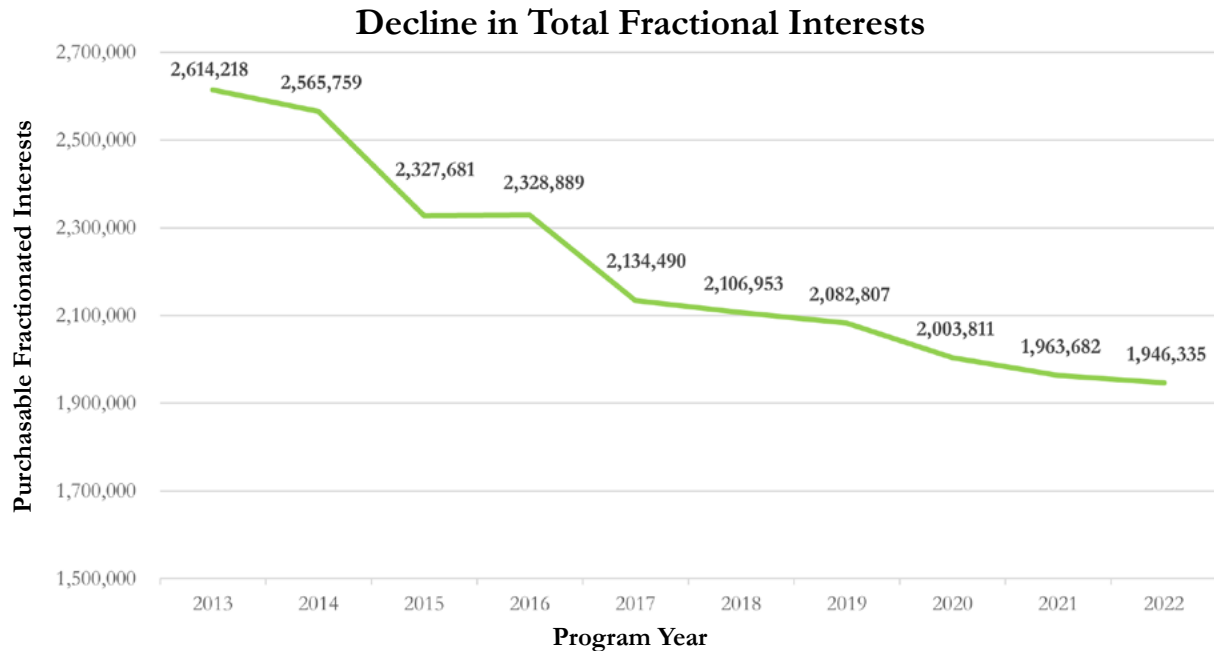
Landowners who decided to sell their land had several options for having sale documents notarized and returned for processing. Notary services were often offered at outreach events by Tribal outreach staff or Federal staff, and at local BTFA offices and BIA agencies. Once a package was completed and notarized, a landowner returned the offer package documents via the pre-paid return mail envelope. Following the return-by date listed in the offer package, the BIA AC reviewed offer documents and determined whether the documents were complete. Following approval, BTFA deposited the sale amount directly into the individual's IIM account.

IV. Program Results and Impacts

Throughout the duration of the Program more than 1 million interests, nearly 3 million equivalent acres in 15 states were consolidated and returned to Tribal ownership. As a result of consolidating these interests, the Program paid over 123,000 willing individual Indian sellers a total of \$1.69 billion for the fractional interests they elected to sell.

This land consolidation has enabled economic development and infrastructure improvements across the country, as exemplified on the following pages. Notably, at locations where the Program has sent offer packages, fractionated tracts with 50 percent or greater Tribal ownership in the tracts increased by 112.5 percent.

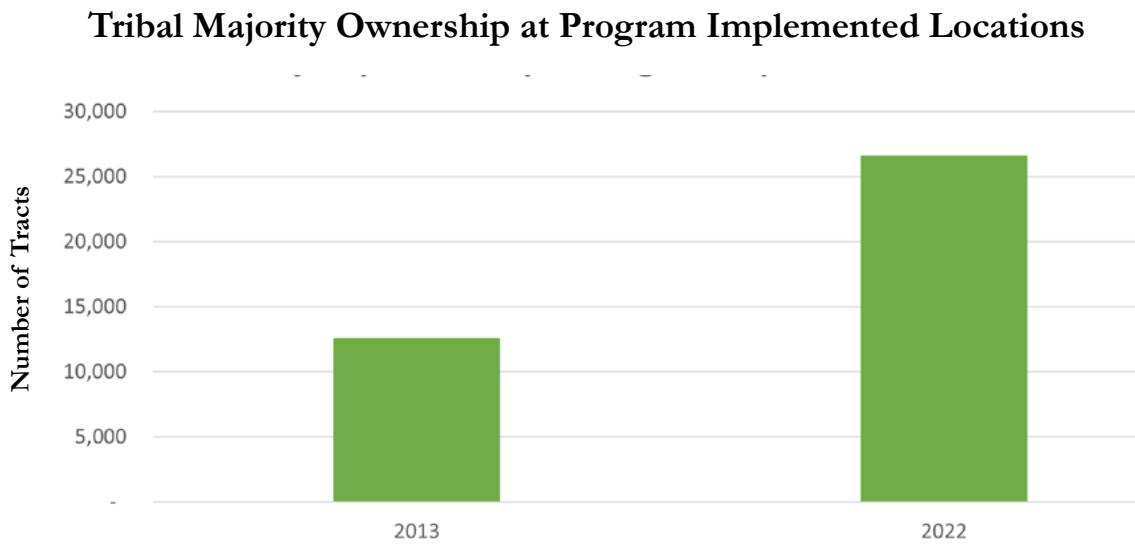
The first graph below shows how Program purchases affected the growth trend in fractionation. The second graph shows equivalent acres purchased.



The Program’s efforts to reduce fractionation across Indian Country produced multiple benefits:

- Increased Tribal land management opportunities
- Increased economic opportunities for landowners
- Contributed to national and local economic development
- Reduced reoccurring Departmental management costs

Increasing Tribal ownership and land management freedom. The Program restored the equivalent of nearly 3 million acres to Tribes at 53 locations, increasing Tribal ownership in nearly 52,000 different tracts. The graph below shows the Program’s progress in transferring acres to Tribal ownership.



As a result of this land consolidation, Tribes have an increased ability to exercise Tribal sovereignty and self-determination over their land – including fostering cultural preservation, spurring economic development, furthering housing programs, promoting environmental conservation, and more. In addition, Tribes generate trust funds from their now consolidated land, furthering their development capacity.

Sales and consolidation results by location through the history of the Program’s implementation are shown below. Locations are ordered by greatest to fewest interests consolidated.

Location ¹⁵	Offers Accepted	Land Consolidated	
	\$ Amount	Interests	Equivalent Acres
Blackfeet	246,303,289	196,519	490,808.399
Crow	229,804,672	124,027	417,953.645
Standing Rock	130,836,629	117,837	237,171.177
Pine Ridge	133,854,217	107,074	357,196.612
Navajo Nation	150,483,240	95,918	204,131.220
Fort Peck	86,166,542	57,758	277,772.736
Wind River	33,890,906	52,896	44,288.660
Fort Belknap	75,810,066	37,196	281,980.113
Rosebud	30,287,855	34,624	57,681.858
Cheyenne River	90,777,049	33,248	298,781.698
Spirit Lake	9,991,667	29,687	20,097.448
Yakama	65,992,910	25,630	36,932.608
Winnebago	17,137,189	17,230	5,802.296
Yankton	10,753,407	14,705	10,491.492
Colville	44,429,584	14,493	16,504.503
Fond du Lac Band	9,839,343	10,204	32,912.809
Lower Brule	5,779,153	9,911	15,133.342
Northern Cheyenne	3,405,947	9,677	4,247.938
Umatilla	23,482,162	9,045	17,124.658
Turtle Mountain	25,263,101	8,754	19,828.659
Crow Creek	19,883,950	8,691	29,075.613
Lake Traverse	9,774,677	8,685	11,355.622
Shoshone-Bannock	12,520,355	5,671	3,484.386
Bois Forte	33,291,726	5,327	21,921.672
Bad River	1,847,035	5,036	2,815.007
Omaha	3,286,845	4,950	3,816.964
Quinalt	39,728,998	4,051	9,197.423
Ponca	3,536,156	2,854	2,032.358
Prairie Band	5,157,029	2,411	3,298.895
Salish & Kootenai	10,303,797	2,328	6,533.386
Gila River	61,314,595	2,138	1,166.745
Nez Perce	3,633,064	1,647	2,261.402
Cheyenne and Arapaho	5,125,950	1,632	3,133.729
Fort Berthold	3,364,958	1,551	4,834.341
Makah	2,345,587	1,053	241.740

15. As indicated in the location column, some locations have landowner and offer data combined due to the small number of landowners receiving offers at those locations.

Location ¹⁵	Offers Accepted	Land Consolidated	
	\$ Amount	Interests	Equivalent Acres
Salt River	20,316,301	890	194.462
Santee	817,700	866	479.368
Lummi	3,787,983	817	683.997
Round Valley	2,424,794	814	345.834
Pala	1,441,750	808	67.922
Squaxin Island	826,654	627	1,350.359
Warm Springs	8,279,871	424	6,035.985
Coeur D'Alene	725,972	400	155.513
Osage	5,207,475	394	2,585.865
Skokomish	766,531	263	169.753
Swinomish	3,195,323	230	242.565
Pechanga	535,758	147	39.070
Agua Caliente, Cabazon, Rincon, Stockbridge Munsee, Sycuan, and Quapaw	2,068,809	40	38.253
All Locations to Date	1,689,883,361	1,071,191	2,964,467.449

“We lost this land because of the treaties... our land became fractionated, the land become useless to us individuals and to the Tribe. Our people have the opportunity to now turn this land back to the Tribe where we can best utilize it for their children, and their children... with this land we will be able to build upon our infrastructure for homes, industrial parks, everything.”

– Bryan Brewer, Oglala Sioux Tribe President (2012-2014)

Since 2013, Tribes overall have collected more than \$105 million in proceeds derived from the use of lands consolidated through the Program into their BTFA accounts (according to trust fund account reports that track such proceeds). Moreover, Tribes have used the Program’s mass appraisals to purchase and consolidate additional land with their own funds. The following stories describe ways Tribes are using their acquired Tribal trust land.

Examples of Program Impacts*



Navajo – Infrastructure Improvements. Navajo was able to improve a right-of-way within its Casamero Lake Chapter where residents were driving on dirt roads. Previously the Tribe was unable to move forward with plans to pave the roads because it was unable to find the approximately 400 landowners needed to approve the improvements. Thanks to the Program’s consolidation, the Tribe no longer needed to locate hundreds of individual landowners and was able to complete the construction of the paved road.



Pine Ridge – Agriculture Improvements. The Program’s success in transferring fractional interests to Tribal management at Pine Ridge supported agricultural improvements under development by the Tribe. For instance, individual landowners leased land now under Tribal management, making it possible for the Loneman StrikeForce project to solve one of the Reservation’s most serious problems – a lack of livestock water. The Tribe worked with the United States Department of Agriculture (USDA) Natural Resources Conservation Service program to assist landowners in making improvements to provide a more reliable water source for livestock. Additional improvements included fences for conservation purposes, and/or management plans.



Umatilla – Tribal Purchases. The Confederated Tribes of the Umatilla Indian Reservation (CTUIR) utilized the mass appraisals completed for the Program to further consolidate additional fractional interests of land with Tribal funds following Program implementation. As a result of Program and Tribal purchases, the CTUIR Land Management Office reports they have acquired a 97 percent ownership interest in the 40-acre tract adjacent to the Nixya’awii Community School in Pendleton, Oregon and is in the process of purchasing the remaining interests. CTUIR Land Management staff report that the planned land use for the tract will be to build sports and recreational facilities, as well as additional housing. In addition to consolidating land, the Program was notified that one of the greatest outcomes from Program implementation is the increase in landowner knowledge and engagement for those that continue to own fractional interests. This is the result of the considerable amount of outreach and education provided by cooperative agreement funded Tribal staff, which also strengthened lines of communication with the CTUIR Land Management Office.



Photo Credit: Walters Photographers Pendleton, Oregon. Nixya’awii Community School



Fort Peck – Jobs and Services. Increased trust income to the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation due to Program purchases is being used to create additional Tribal jobs, purchase non-trust land within the Reservation boundaries, and provide more services to Tribal members. The reduction in fractional interests reduced the workload of the local BIA Agency and regional Land Titles and Records Office.



Gila River – Utility Corridor. Consolidation enabled the Gila River Indian Community to pursue an electrical transmission utility corridor on the Community’s Reservation. This has increased the Community’s energy and economic sovereignty, as it has reduced the need to outsource the Reservation’s energy supply.



Squaxin Island – Oyster Bed Protection. As a result of Program purchases, the Squaxin Island Tribe is now better able to protect its world-class oyster beds. Without Program implementation and subsequent Tribal ownership of the upland regions, it would have been difficult for the Tribe to protect the shellfish population from logging or development.



Pala – Housing and Government Expansion. The Pala Band of Mission Indians is significantly closer to 50 percent or greater ownership in key tracts that will be used for housing and expansion of Tribal Government buildings. These were all tracts that the Tribe had no ownership in prior to the Program.



Makah – Recreation Area. As a result of Program purchases, the Makah Tribe was able to build the Cape Resort Cabins and Camping Recreational Vehicle facility which has generated further income for the Tribe.



Yakama Nation – Tribal Acquisitions. Following the successful implementation of the Program on the Yakama Reservation, the Confederated Tribes and Bands of the Yakama Nation (the Yakama Nation) adopted a resolution demonstrating the Nation’s commitment to use its own funds to purchase additional fractional interests. This resolution identifies funding associated with income earned on lands previously purchased by the Program. As a result of collaborative efforts with the Chairman of the Yakama Nation, in December 2020 the Acquisition Center extended Tribal purchase offers for lands that were the Yakama Nation’s top priority for consolidation, and the Yakama Nation gained majority ownership in priority lands.



Photo Credit: Connie Yallup, BTEA. View of Mount Adams, known as Pabto to the Yakama, from nearby the BTEA Yakama Agency Office. The Confederated Bands of the Yakama Nation’s westerly boundary runs to the summit.



Standing Rock – Tribal Ownership Majorities. Building on the innovation with the Yakama Nation, the Program and BIA also pursued Tribal purchases called for by Secretarial Order No. 3367 (2018). Under that Order, certain Tribes can use funds retained by Interior under the ILCA for the purchase of fractional interests within their Reservation boundaries. Specifically, the Program, BIA, and BTFA Trust Accounting worked to facilitate purchases with the Standing Rock Sioux Tribe. The BIA AC mailed Tribal purchase offers for lands that were a top priority for Standing Rock; \$700,000 in Standing Rock ILCA funds were used to consolidate ownership in the priority tracts, with Tribal ownership reaching 100 percent in eight tracts totaling 1,300 acres.

* All examples were derived from consultation with the respective Tribes, local Bureau of Indian Affairs staff, or other Federal agencies.

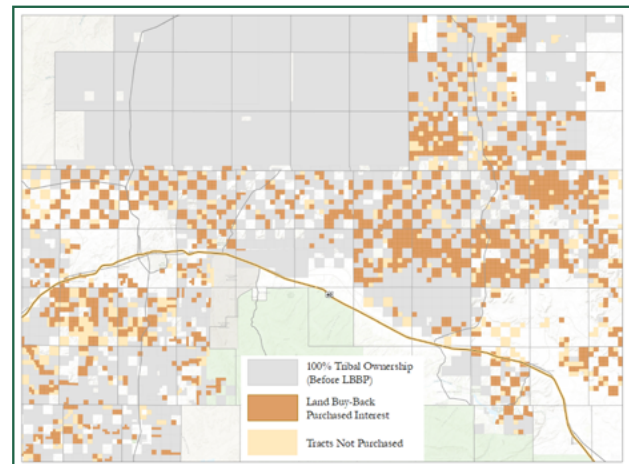
Land use consent requirements. To make decisions regarding the use of a given tract of fractionated land, owners representing a sufficient percentage of ownership interest must consent to the decision. Therefore, the Program measured progress by whether the resulting Tribal ownership level in a given tract improved Tribal management potential in addition to the number of interests consolidated.

In general, the percentage of owner interest required depends on the intended land utilization (e.g., residential, business, agricultural, grazing). Certain land uses require majority ownership interest consent, while others require consent thresholds that depended on the number of owners for that tract. Therefore, the Program measured increased Tribal management freedom in four primary ways:

1. Tracts where Tribes previously had no ownership for right-of-way consent;
2. Tracts where Tribes gained majority ownership for agricultural leases and grazing permits;
3. Tracts reaching ownership thresholds related to residential and commercial leases; and
4. Tracts reaching 100 percent Tribal ownership to qualify for the Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 ([HEARTH Act](#)).¹⁶

Rights-of-way. In cases of rights-of-way, the Indian Right-of-Way Act of 1948 and its implementing regulations provide a mechanism for obtaining easements by consent. In general, majority ownership consent is required, and if the Tribe holds any ownership in the tract, then Tribal consent is also required (*See* [25 C.F.R. § 169.107](#)).¹⁷ By consolidating interests and increasing Tribal ownership, Tribes have gained a greater say in the granting of rights-of-way. In turn, the work to determine whether consent exists has decreased. Due to Program purchases, Tribes now have an additional 51,981 tracts where Tribal ownership was either created or increased.

Program Purchases at the Navajo Nation as of 2020



Agricultural leases and grazing permits. For agricultural leases and grazing permits, majority ownership consent, defined as greater than 50 percent, is required (*See* [25 C.F.R. § 162.207](#)).¹⁸ The table on the following page shows that fractionated tracts with 50 percent or greater Tribal ownership increased by 112.5 percent since 2013 at the 53 locations. More than 20,000 tracts, comprising nearly 3 million total equivalent acres, have increased to 50 percent or more Tribal ownership as a result of Program purchases. This increase is notable because a substantial portion of fractionated land is currently classified as agricultural land, including farmland and rangeland.

16. The Helping Expedite and Advance Responsible Tribal Home Ownership Act of 2012 (HEARTH Act) offers a voluntary, more efficient land-leasing process for Tribes by amending the Indian Long-Term Leasing Act of 1955, 25 U.S.C. Sec. 415. Under the HEARTH Act, once a Tribes' governing Tribal leasing regulations are submitted to and approved by the Secretary of the Interior, they are authorized to negotiate and enter into surface leases under their approved HEARTH Act regulations without further approval from the Department of the Interior.

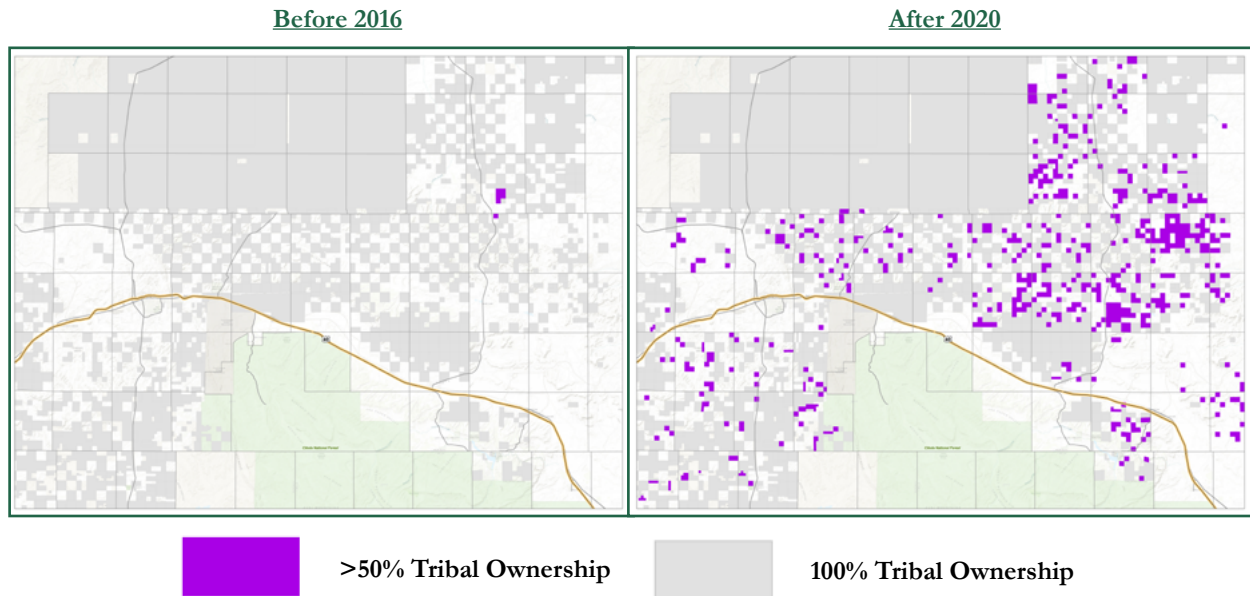
17. Section 357 of Title 25 U.S.C. allows condemnation of lands allotted in severalty for any purpose authorized under state law. The condemnation authority established through [25 U.S.C. § 357](#) does not extend to lands in which Tribes hold an interest, even if the land obtains that status after it was allotted. *Public Service Company of New Mexico v. Barboan, et al. and Approx. 15.49 Acres of Land*, 857 F.3d 1101 (10th Cir. 2017). On April 30, 2018, the U.S. Supreme Court decided not to review this ruling. *See* 138 S. Ct. 1695 (2018).

18. Under certain circumstances, the Secretary is also authorized to lease or permit agricultural lands to the highest responsible bidder after advertisement. *See* [25 U.S.C. § 3715\(a\)](#).

Level of Tribal Ownership	Sept. 2013	Nov. 2022	Difference
Tracts with ≥ 50 percent Tribal Ownership	12,525	26,541 (↑ 112.5)	14,092
Tracts with < 50 percent Tribal Ownership	64,084	26,408	(37,599)

The Program increased Tribal management in fractionated tracts dramatically at the Navajo and Blackfeet reservations. In the Navajo Nation maps below, purple shading indicates fractionated tracts with surface use rights that have greater than 50 percent Tribal ownership; gray shading indicates 100 percent Tribally owned. The area shown focuses on a particularly checkerboarded area in New Mexico with various roads and communities where there is the potential for increased economic development.

Increases in Tribal Ownership in Allotted Lands at the Navajo Nation



“Through the success of the Buy-Back Program, the Navajo Nation restored approximately 155,500 acres of land, which was a great victory for the sovereignty of the Navajo Nation. As a result of the restoration of our homelands, we urge those companies seeking an easement over our land to negotiate directly with us as a sovereign Nation.”

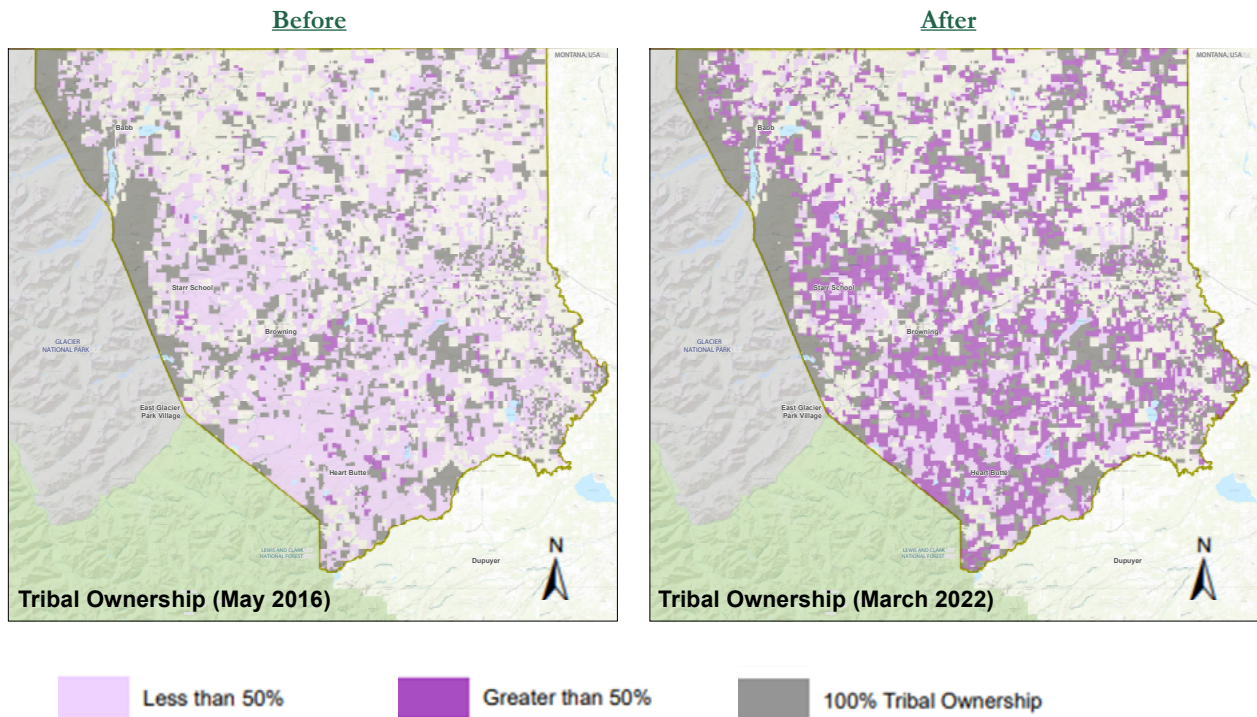


Photo Credit: Carolyn Drouin, Land Buy-Back Program

*– Russell Begaye,
Navajo Nation President
(2015-2019)*

Below are maps illustrating the impact of Program implementation at the Blackfeet Reservation. Light purple shading indicates Surface (S) or Both Surface and Mineral (B) tracts with less than 50 percent Tribal ownership, while dark purple shading indicates S or B tracts that have greater than 50 percent Tribal ownership. Dark gray shading indicates tracts where the Tribe already had 100 percent Tribal Ownership. Before the Program visited the Blackfeet Reservation, the Blackfeet Tribe held majority Tribal ownership in 157 S or B tracts comprising approximately 24,400 acres. As a result of Program implementation, S or B tracts with greater than 50 percent Tribal ownership increased by more than 1,800 percent (there are now more than 2,980 S and B tracts with majority tribal ownership comprising nearly 344,000 acres).

Blackfeet Tribe Achieves 1,800 Percent Increase in Tribal Ownership



Residential and commercial leases. The table on the next page summarizes the categories of ownership consent requirements identified by ILCA,¹⁹ which apply to residential and business leasing. Program purchases have increased the number of tracts where Tribes could make decisions regarding residential or business leasing. At locations where implementation occurred, Tribal management potential increased by 37.5 percent since 2015.

19. See 25 U.S.C. § 2218.

Tracts with Increased Tribal Management Potential for Leases

Consent Requirements for Residential and Business Leasing		Land Status			
		September 2015		November 2022	
# of Owners per Tract	Ownership that Must Consent in Writing	Total Fractionated Tracts ²⁰	Tracts with Tribal Management Potential ²¹	Total Fractionated Tracts	Tracts with Tribal Management Potential
2 – 5	90 percent	29,718	2,561	27,001	2,794
6 – 10	80 percent	16,096	1,766	14,591	2,778
11 – 19	60 percent	15,953	3,285	13,703	4,958
20 or more	50 percent	33,727	7,736	24,788	10,569
Total		95,494	15,348	80,083	21,099 (↑ 37.5%)

HEARTH Act. When a Tribe gains 100 percent ownership in a trust or restricted tract, an alternative land leasing process becomes available to the Tribe. Under the HEARTH Act, once a Tribe submits its governing Tribal leasing regulations to the Secretary and receives approval, it may negotiate and enter into certain types of leases without further approvals from the Secretary. Tribal regulations approved under the HEARTH Act must be consistent with the leasing requirements outlined in [25 C.F.R. § 162](#) and only apply to tracts fully owned in trust or restricted status by the Tribe. Through the efforts of the Program, 1,916 tracts are now 100 percent Tribally owned.

Advancing economic opportunities. Throughout the 10-year lifetime of the Program, a collective \$1.69 billion was paid-out to nearly 123,000 landowners who accepted offers, creating economic opportunities for Tribes and landowners. For example, the Program consolidated more than 418,000 equivalent acres at Crow, increasing the Tribally-owned fractionated equivalent acres by 350 percent. Following Program implementation, the Crow Tribe passed a bill to further secure its land base and support economic development. The Tribe directed that revenue derived from land consolidated through Program implementation would be utilized to purchase land located on or near the Crow Indian Reservation, including business properties for the purposes of Tribal economic development. This bill enabled the acquisition of the Crow Nation Express, a convenience store that includes a gas station, café, and other shops located in Crow Agency, Montana.

20. Includes only Level 1 fractionated tracts as defined in the Program’s Fractionation Statistics reference.

21. Excludes tracts 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.

Contributed more than \$2.09 billion in value added to the gross domestic product cumulatively from 2013 to 2022. Program payments have had significant impacts on regional economies. According to an analysis completed by the Department's Office of Policy Analysis, economic impacts include:²²

1. Nationwide. Payments made to individual landowners contributed an estimated \$2.09 billion in value added to the economy, \$3.75 billion in economic output, and supported about 20,417 jobs nationwide.
2. Montana. Payments made to individual landowners in Montana contributed an estimated \$295 million in value added to the state economy, \$555.3 million in economic output, and supported about 3,977 jobs statewide.
3. South Dakota. Payments made to individual landowners in South Dakota contributed an estimated \$145.1 million in value added to the state economy, \$260.2 million in economic output, and supported about 1,765 jobs statewide.

Economic Impact – Key Terms

- **Value added** - Measures the contribution to the gross domestic product (GDP) of a region, state, or national economy from the Program through household spending of Program payments to landowners.
- **Economic output** - The total estimated value of production of goods and services supported by the Program through household spending of Program payments to landowners. Output is the sum of intermediate sales (business to business) and final demand (sales to final consumers and exports).
- **Employment** - The total number of jobs supported by household spending resulting from Program payments to landowners.

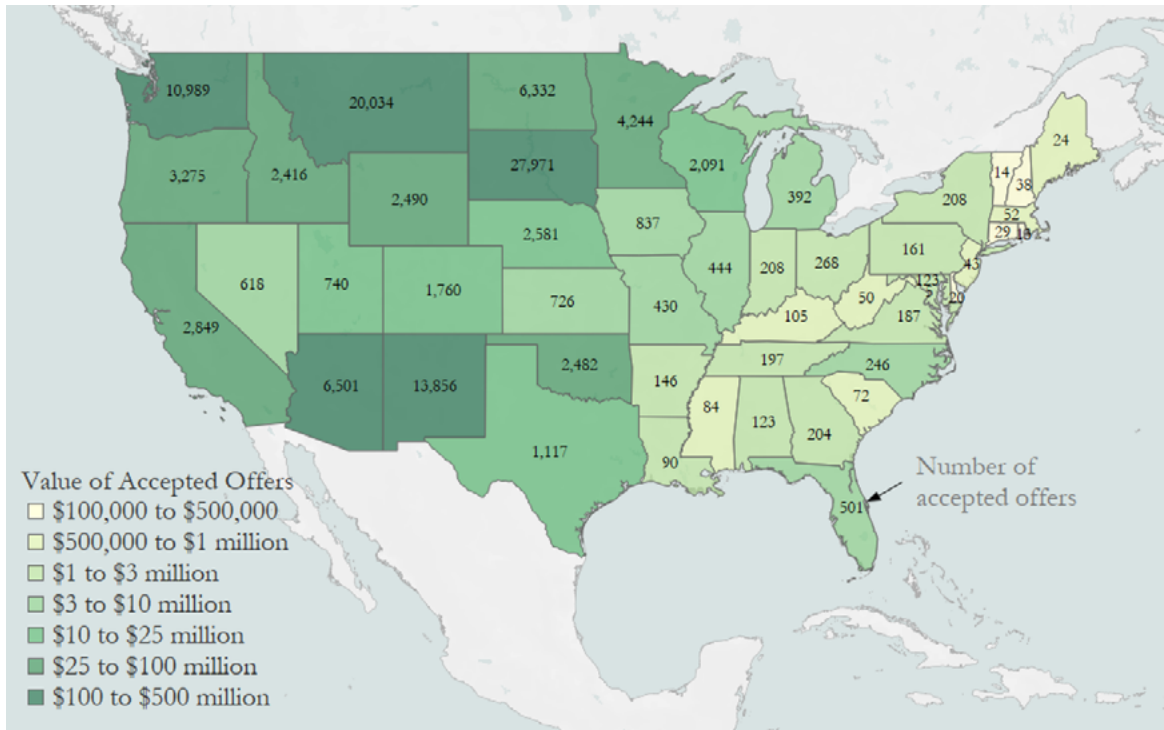
As illustrated in the map on the following page, landowners residing in every state and the District of Columbia accepted offers extended by the Program.²³ South Dakota landowners accepted 27,971 offers amounting to \$233 million. Landowners residing in Montana, New Mexico, Washington, and Arizona account for 42 percent of accepted offers, exceeding \$912 million.

In certain states, Program offers significantly increased the household income of individuals who accepted offers. The median offer in Montana represented 12 percent of median household income, and in Idaho, the median offer was 8 percent of median household income, indicating that Program payments made a noticeable contribution to individual financial wellbeing and to the local economy.

22. This analysis employs the widely used input-output methodology and software/data system known as IMPLAN for estimating the economic contribution of activities in terms of economic output, value added, and employment (jobs). This analysis used IMPLAN data released in 2021 and is based on Program sales through November 8, 2022.

23. The Program has also sent offers to international locations, but this analysis covers only the 50 states and the District of Columbia. Additionally, this analysis excludes landowners without addresses.

Economic Impacts Across the United States



County-level economic impacts are also noteworthy. For example, landowners living in three Montana counties (Big Horn, Yellowstone, and Rosebud) accepted offers totaling \$189 million, accounting for nearly 39 percent of the total value of offers accepted in the state. Landowners living in six South Dakota counties (Bennet, Jackson, Mellette, Pennington, Oglala Lakota, and Todd) accepted offers amounting to \$92 million, accounting for more than 45 percent of the total value of offers accepted in the state.

States with the Greatest Program Economic Impact

State	Value of accepted offers (millions)	Employment (jobs)	Labor Income (millions)	Value Added (millions)	Economic Output (millions)	Median Offer as a % of Median Household Income*
Montana	485.5	3,977	173.9	295.0	552.3	12%
South Dakota	232.8	1,765	82.0	145.1	260.2	2%
Washington	182.5	1,214	71.2	137.8	222.6	6%
New Mexico	130.4	971	41.6	80.8	143.1	8%
Arizona	113.8	1,055	51.6	96.3	165.0	6%
North Dakota	65.5	447	21.8	37.0	67.4	3%
California	46.5	342	21.0	39.9	63.8	5%
Idaho	46.2	363	15.6	28.6	52.2	8%
Oregon	45.5	353	18.0	32.2	54.8	5%
Wyoming	38.9	193	7.9	15.8	28.9	9%

*State median household income is from the Census Bureau's 2020 American Community Survey, 5-Year Data

Reduced Departmental management costs. While the Federal Government collectively carries out trust, treaty, and other fiduciary obligations to Tribes, the Secretary of the Interior has a trust responsibility for more than 55 million surface acres, 57 million acres of subsurface mineral interests, and more than \$8 billion held in trust by the Federal Government on behalf of American Indians and Indian Tribes. BIA and BTFA are responsible for numerous activities related to managing those interests, including fractional interests, and discharging trust responsibilities to Tribes and individual Indians. Specifically, BIA and BTFA support efforts to ensure:

- Continued trust management improvements;
- Sound management of natural resources;
- Fiduciary management, accounting, and reporting regarding trust funds; and
- Accurate and timely real estate transactions and leasing decisions.

Federal funds are directed to the fulfillment of these responsibilities. For example, in FY 2022, \$110 million was appropriated for BTFA and \$40 million was appropriated for BIA trust-real estate services.

As indicated in the table below, Program efforts successfully consolidated more than 1 million interests and transferred ownership of those interests to the Tribe(s) with jurisdiction over the land. However, consolidated interests remain in trust, and the Department retains managerial and fiduciary responsibilities for those interests as described above.

# of Locations	2013 Purchasable Fractional Interests*	Interests Purchased as of November 2022	Other changes**	Purchasable Fractional Interests as of November 2022	Change 2013 to 2022
Implemented Locations (53)	2,614,218	-1,071,193	403,188	1,946,213	-25.6%
Program Identified Locations (150)	2,981,597	-1,071,193	464,808	2,375,212	-20.3%

* Purchasable fractional interests comprised interests at the approximately 150 locations identified by the Program. This excluded certain “off Reservation” or public domain lands, as well as fractionated tracts in Alaska that were not eligible for Program purchases in accordance with ILCA. Additionally, purchasable interests exclude Tribal interests, fee interests, and interests with the ownership types including Curtsey, Dower, Homestead, Term Estate, Joint Tenancy (Title & Beneficial), Life Estate (Beneficial), Life Estate (Beneficial without regard to waste), Estate Claims, AIPRA Life Estate (Beneficial), Right of Use, and Special Interests; as of November 30, 2022, there are 285,467 non-purchasable fractional interests (excluding Tribal interests).

** Other Changes included interests added by Blackfeet partitioning, interests added by Five Tribes’ record updates, and further fractionation through probate.

While the Department continues to incur costs from land placed in trust for Tribes, the Program’s land consolidation efforts helped avoid potential future costs associated with managing a larger pool of interests as well as a reduction of probate costs.

The Program’s land consolidation efforts reduced potential future costs in the following areas:

- Improved land management tools and processes. The AVSO used mass appraisals for Program valuations. Mass appraisals reduced costs, expedited the appraisal process, and facilitated the greatest number of offers made to landowners. The AVSO is continuing work to enable Tribes and local staff to maintain and update mass appraisal models.
- Record keeping associated with each interest. The BIA maintains records for each interest,

documenting the history of how each interest was acquired. The BIA and BTFA maintain detailed records to ensure accurate accounting, and to provide needed information to other agencies. All of this is complicated by the existence of split estates (separate surface and sub-surface ownership), life estates, joint tenancies, tenancies in common, and remainders.

Future record keeping costs were minimized as the Program consolidated interests. The Program consolidated more than 1 million aggregated interests, equivalent to 1.3 million segregated interests.²⁴

- **Realty.** Every time a land lease, timber sale, mineral sale, right-of-way, or other transaction involving fractionated land is proposed, the BIA must notify fractional interest owners to explain the transaction and obtain the statutorily required percent of ownership consent. As a result of the Program's land consolidation, the BIA has experienced a reduction in the workload, volume, and expense related to these leasing and other land transactions (e.g., preparing and mailing leasing notices), allowing resources to be redirected to other emerging realty priorities.
- **Trust fund accounting and reporting.** The BTFA is charged with investing and distributing funds to thousands of fractional interest owners. Trust funds must be received and posted to thousands of accounts. The BTFA is responsible for fiduciary accounting activities and financial reporting, including providing quarterly statements of performance to account holders.

Purchasing all of a landowner's interests has the potential to close IIM accounts, and decrease costs associated with preparing and mailing account statements.

- **TBCC resources.** As the overall number of landowners decreases due to transferring landownership to Tribes, the volume of calls to the TBCC also decrease. Today, TBCC still averages 400 beneficiary interactions a day.
- **Probate administration.** When an owner of fractional interests in real property dies, current law provides that those trust assets (regardless of value) will be subject to a probate administration. The trust assets are then held by an estate account until finalization of the probate and distribution to the heirs. During the pendency of the probate, the fractional interests of land were not eligible for Program purchases.

As part of the probate process, the BIA prepares a family history and property inventory, and then the DOI Office of Hearings and Appeals (OHA) probate judges hold hearings, take testimony, and issue orders on the distribution of the decedent's estate. The BTFA and BIA then work to distribute property to heirs and update records in accordance with the probate order. In the event landowners do not write a will or seek alternatives to probate, such as retaining a life estate or establishing a joint tenancy, the process repeats itself with each successive decedent until the size of the interests fall below five percent and become subject to the single-heir rule in the American Indian Probate Reform Act of 2004 (AIPRA). Application of the AIPRA single-heir rule does not further increase fractionation.



Photo credit: Marcus Barnoskie, BTFA. Federal staff routinely assisted beneficiaries with land and mapping questions, as well as provided Program materials.

24. The scale of administrative activities is complicated by the requirement to track "segregated" interests. Segregated interests count multiple fractional interests owned by an individual in the same tract of land. This can occur when an individual inherits interests in the same tract of land at different times. For example, an individual may receive an interest in a tract of land when their father passes, and another interest in that same tract of land when their mother passes. The Program combines these multiple "segregated" interests and represents them as a single "aggregated" interest for acquisition and reporting purposes, thereby reducing the administrative burden to the Department when these interests are purchased.

Closing IIM accounts due to voluntary land consolidation has helped eliminate costs related to probate, assuming the landowner does not inherit additional land following account closure. In 2004 it was estimated that “the average cost for a probate process exceeded \$3,000, and a streamlined, expedited process (if one was available) cost as little as \$500.”²⁵ Probate processes have changed significantly in recent years, including the implementation of electronic processes, such as using digital files instead of paper files and conducting most hearings telephonically and/or by video since the beginning of the pandemic. The Department has worked to improve the process for potential Indian heirs by recently issuing probate regulations designed to improve efficiency and clarify the probate process, and by improving coordination and a collaboration among the agencies involved in the Department’s probate process, including BIA, BTFA, and OHA’s Probate Hearings Division. As of December 31, 2022, there were a total of 51,503 estate accounts containing trust or restricted land coded as estate accounts in the BTFA TFAS and reflecting ownership in the BIA TAAMS.

Land consolidation reduces management costs for the Department, however fiduciary responsibility and management costs remain the responsibility of the Department even for land that is fully owned by a Tribe. These activities include record keeping and processing land transactions. The BTFA continues to have operational duties and responsibility for financial trust fund management, including receipting, investing, and disbursing, reconciling and reporting of Indian trust funds totaling more than \$8.2 billion held in approximately 4,100 Tribal trust accounts and approximately 408,000 IIM accounts.²⁶ Trust fund balances result not only from funds generated from leasing trust or restricted land, but also from judgment awards and claims settlements. However, as notices and other paperwork requirements are reduced, and as processes become more efficient, Federal staff have more time to focus on areas that improve risk management and trust management.

V. Lessons Learned

Perhaps the most valuable lesson learned through implementation of the Program was that a land consolidation effort predicated on voluntary sales by willing sellers has significant benefits for both Tribes and landowners. While many factors impact participation at individual locations, high acceptance rates at a number of locations indicate that, with Tribal support and successful outreach, a well-funded willing seller approach can curb fractionation trends illustrated in the Executive Summary.

Over the course of the Program, offer acceptance rates varied from location to location, ranging from a high of 79.1 percent to a low of 2.4 percent. Although efforts were made to ensure maximum participation at every location, lower acceptance rates at return locations suggest additional strategies for increasing voluntary participation may be needed. At the same time, it is important to note that many landowners who previously sold some, but not all, of their interests, and many more landowners who either missed or never had an opportunity to participate, remain ready and willing to sell. At the conclusion of the Program 77,185 willing sellers accepted offers.

Recognizing the historic mistrust of the Federal Government, the Program constantly sought opportunities to improve processes and approaches. While the Program encountered some distrust and hesitation in the beginning, over time the Program built trust by being solicitous of input,

25. Testimony of Ross O. Swimmer, Hearing Before the Committee on Resources, U.S. House of Representatives, on S. 1721, American Indian Probate Reform Act of 2004 available at https://naturalresources.house.gov/uploadedfiles/swimer_6.23.04.pdf.

26. Data sourced from BTFA’s FY 2022 Tribal and Other Trust Funds and Individual Indians Monies Trust Funds Financial Statements.

open to criticism, and acknowledging when mistakes were made. Additionally, landowners came to understand and appreciate the simple and expeditious processes put in place to complete sales transactions.

Through the Tribal consultations, listening sessions, Tribal leadership meetings, and frequent meetings among government partners, feedback on how to improve was captured and efforts were made to evolve to increase the efficiency and effectiveness of the Program. The following highlight some key additional lessons for future land consolidation efforts based on a voluntary sales program.



Photo Credit: Carolyn Drouin, Land Buy-Back Program. Shawn Spruce from the First Nations Development Institute discussing financial literacy at an outreach event for Pine Ridge Reservation landowners in October 2022.

- 1. Tribal engagement is most effective when conducted in person.** Tribal leaders have numerous responsibilities and concerns vying for their attention. The leaders also have varying levels of background knowledge in the fractionation issue and with the concept of a willing seller program to achieve land consolidation. Just as with the Federal Government, turnover in Tribal leadership has an impact on Program implementation over time. Designating a primary point of contact and a supporting task force within a Tribe can help distribute the workload and build capacity for a successful engagement.
- 2. Tribes should have input on priority tracts within their geographies.** Tribal leaders shared their desires to be able to identify lands that were of higher value to consolidate. Additionally, Tribal leaders benefitted from having clarity about the criteria for where offers will be made and the rationale for the criteria. This helped Tribal leaders in communicating the importance of the consolidation effort to their members.
- 3. Tribes have deeper relationships with their members and are inherently more effective messengers.** The use of MOAs and Cooperative Agreements empowered the Tribes to guide local education and outreach about the land purchase opportunity. The agreements were helpful in establishing roles and responsibilities and, more importantly, ensuring that communications within a Tribal community reflected local customs and cultures.
- 4. Tribes need ample time to prepare themselves and their members to implement land purchase offers.** Identifying, informing, and educating landowners about the opportunity to participate in a land consolidation program is time consuming and can be resource intensive, particularly when many landowners no longer live on Reservations. Educational resources provided by the government are critical, but the time and ability for customization by the Tribes themselves adds additional value to the outreach effort. Landowners need plenty of time to digest and consider the robust amount of information and the required documentation to participate. In-person information sessions were particularly helpful.

5. **Internet access can cause significant limitations for Tribes attempting to access tools and resources.** Future Program leaders and staff must remember that internet access can be limited throughout Tribal reservations. This can have an impact on the Tribe's ability to make effective use of on-line maps and data tools as well as plans for outreach. In addition to letters and postcards being sent directly to eligible landowners with a known mailing address, other outreach methods such as advertisements in local media and notices on Tribal websites and social media sites also proved to be helpful. As was also very apparent during the COVID-19 pandemic, over-reliance on any one method of communication – virtual or in-person – is risky. Many communications channels are needed to reach and engage landowners.
6. **Landowners benefitted from education and support to make informed decisions about whether to participate in a voluntary land consolidation program.** Effective support includes educational sessions covering topics such as land use, estate planning, and general personal finance.
7. **Voluntary acquisitions should impose the least possible burden on landowners; the process should be easy and expeditious.** Support services, including assistance with paperwork, information about the process, and notary services, should be readily available. It should also be noted that establishing a minimum dollar amount per offer helps compensate for the paperwork burden on a landowner for low-valued land sales.
8. **Maintain and expand the use of alternative valuation methodologies.** When Congress authorized the Fractional Interest Acquisition Pilot Program in 2000, it was recognized that one of the most significant impediments to Indian land consolidation was the cost and time to obtain an appraisal. Congress noted that the cost of individual appraisals would very likely exceed the value of fractional land interests to be acquired. To address this concern, Congress specifically authorized the Secretary to employ a system based on appropriate geographical units for establishing fair market value. In other words, Congress authorized alternative appraisal methods for Indian land consolidation purposes, such as the mass appraisal methods used by and key to the success of the Program. When Congress made the pilot program permanent in 2004, it added an explicit requirement to minimize administrative costs associated with the acquisition of fractional interests through streamlined and improved acquisition policies and procedures. Continued use of alternative valuation methods will be key to cost-effective Indian land consolidation efforts going forward. While mass appraisals are not appropriate under all circumstances, a majority of tracts within many of the most highly fractionated Indian Reservations are amenable to mass appraisal. This approach is efficient and economical, expedites the appraisal process, and makes values for large numbers of tracts available within established time frames at a fraction of the cost of individual appraisals. Alternative valuation methodologies capability and use should be maintained and expanded where appropriate for future acquisitions of fractional interests from willing sellers.
9. **Build on commitment to good customer service for Tribes and landowners.** The President's Management Agenda (PMA) defines Government-wide management priorities for all Federal agencies to improve how Government operates and performs. The PMA is grounded in a vision of an equitable, effective, and accountable Government that delivers results for all Americans and informed by our shared values. A key focus of the PMA is to improve the service design, digital products, and customer-experience management of Federal High-Impact Service Providers, which include the BIA and BTFA. In the context of

addressing fractionation, this focus requires that the Federal Government continue and build on the work of the Program in developing processes and products that are user-friendly and customer centric.

An example of how the Program prioritized customer service was in the decision to create high quality maps to support landowners in making decisions about the sale of their land. These efforts began with funding the first-ever comprehensive mapping program of trust land that was used for mineral evaluation and appraisals. The Program supported the accessibility of map data in the form of paper maps for Tribes, landowners, and Departmental staff and digital map data with an interactive viewer for authorized persons. Ultimately, the Program coordinated with the BIA and other Bureaus to make interactive map data available outside of TAAMS, thus extending its accessibility across the Department and to all trust landowners.

The BLM mapping databases and assessments performed by the AVSO were considered one of the Program's greatest contributions to customer service. Looking forward, Tribal leaders would benefit from a Federal Government commitment to keeping these maps regularly updated and made easily available for multiple land use planning purposes. Frequent training sessions to promote awareness of the various resources that remain available for Tribal use would also be of great value.

Another example of customer service was the streamlining and automation of BIA AC's conveyance process. This efficient and effective process should be maintained and expanded going forward. Likewise, the TBCC has become an even more familiar and trusted source of information. These services can and should play a valuable role in the future by providing education and support to landowners considering their options.

- 10. Additional support may be needed for Tribes to fully realize the benefits of consolidated lands.** While enabling Tribes to retain greater ownership of lands has many demonstrated benefits, those benefits can sometimes be difficult to realize without additional support. This became clear to the Program and its Federal partners throughout the course of Program implementation, especially during discussions with Tribal leadership and land management staff at return implementation locations about the use of land consolidated through Program implementation. Often-times complimentary technical and financial supports may be available, especially given the significant recent Federal investments in transportation, environmental, and infrastructure projects. However, identifying and accessing those funds or technical assistance supports can be a labor and time-intensive effort. Land consolidation efforts could have additional impact by partnering with Tribes on a strategy for leveraging other resources and with improved coordination among Federal agencies working with Tribes on land management related programs.

VI. Allotment and Fractionation: Ongoing Impacts and Consequences

At the November 2022 conclusion of the Program, significant progress was made in addressing fractionation. At the outset of the Program, more than 2.9 million purchasable fractional interests were identified and now there are 2.4 million remaining. The Program consolidated land at 53 unique locations having a combined total of 85,068 fractionated tracts. Due to time and resource limits, the Program was unable to implement land purchases at 63 percent of the approximately 150 unique locations with fractionated land, involving nearly 100 Tribes and their communities.

For example, the Program did not make offers at reservations that have seen big increases in fractional interests since 2014:

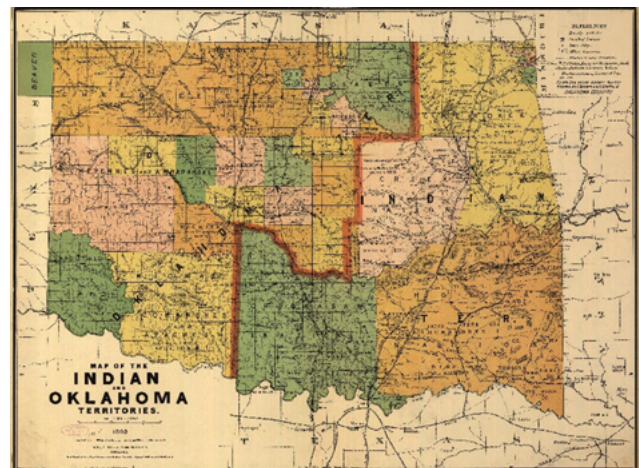
- Hoopa Valley (California) +68%
- Cherokee (Oklahoma) +283%
- Uintah and Ouray (Utah) +2.6%
- Fort Yuma (California/Arizona) +7%
- Muscogee (Creek) (Oklahoma) +63%
- Chippewa – Leech Lake Band (Minnesota) +21%

Another way to consider the drastic consequences of the allotment era can be understood by examining the following case studies.

Fractionation Case Study 1 - Cherokee.

The Cherokee, along with the other “five civilized tribes” were relocated to “Indian Territory” following their forced removal from their ancestral lands as part of the 1830 Removal Act.²⁷ As pressure increased to remove other Tribes to Indian Territory, the United States Government began persuading Tribes located in Indian Territory to sell, lease, or cede lands to the United States to be used as reservations for these relocated Tribes. In addition, pressure from the white settlers, anxious to acquire vast portions of the lands set aside for Tribes, pushed Congress to act.²⁸

In 1887 Congress passed the General Allotment Act, generally providing for the allotment of reservation lands to individual Tribal members. In Indian Territory, the allotment process took place in two stages. President Benjamin Harrison appointed the Cherokee Commission (also known as the Jerome Commission) in 1889, to negotiate with the Cherokee and other Tribes for their agreement to allotment and the sale of remaining “surplus” (i.e., unallotted) lands to the United States. The Commission succeeded in signing agreements with the Cherokee in 1891 and 1900. Each member received an equal share in the Tribal estate in the form of an 80-acre allotment and an equalization payment for the sale of the excess land.²⁹ The 1903 map on the following page depicts allotments on the Cherokee reservation.



Source: Map of the Indian and Oklahoma territories, prepared by Rand McNally based on records of the General Land Office (1892), [Library of Congress Geography and Map Division, No. 98687110](https://www.loc.gov/rr/geogmap/maps/geogmap.html)

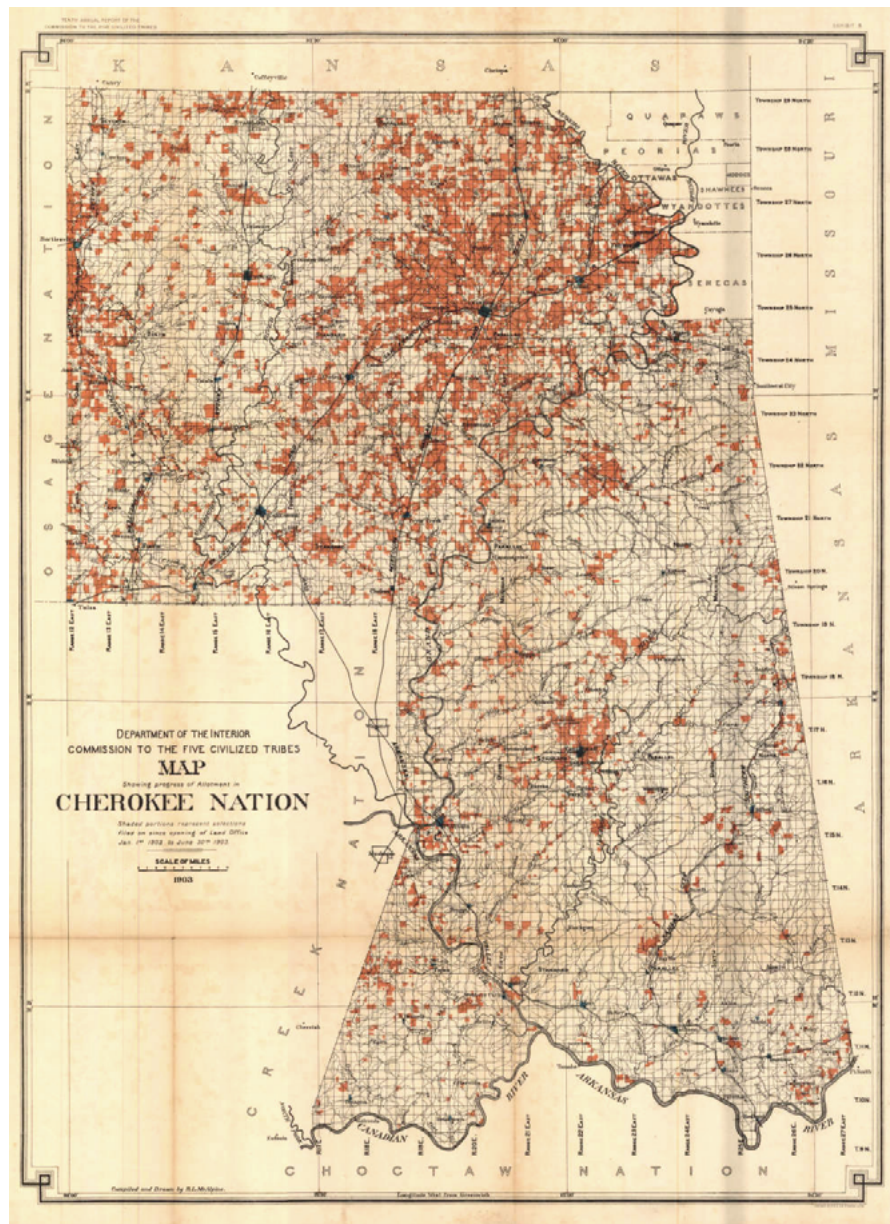
27. Hagan, William Thomas, “Taking Indian Lands, The Cherokee (Jerome) Commission 1889-1893, p. 5.

28. Hagan, p. 6.

29. Kidwell, Clara Sue, “Allotment” The Encyclopedia of Oklahoma History and Culture, <https://www.okhistory.org/publications/enc/entry.php?entry=AL011>.

Like is often the case for each location with fractionated land, the allotment policies for Cherokee are unique. The policies the Government applied to Cherokee, along with the other of the Five Tribes resulted in considerable loss of land due to the application of blood quantum requirements applied through processes administered by Oklahoma state courts.

While allotments on many reservations outside Oklahoma were conveyed “in trust” for the individual Indian receiving them, in Oklahoma, most allotted lands were conveyed in fee with restriction on alienation, commonly referred to “restricted fee” land. The legal title for land conveyed in trust was held in the United States, with the beneficial interest held for the allottee. The title to restricted fee land was conveyed to the allottee, with restrictions on its conveyance or alienation. These restrictions protected the Indian landowner from making improvident decisions to sell their lands on unfair terms to often unscrupulous purchasers.³⁰



Source: Map showing progress of allotment in Cherokee Nation, prepared by the U.S. Department of the Interior (1903). [Library of Congress Geography and Map Division, No. 2007627493](#)

30. Cleary, Conor, “The Stigler Act Amendments of 2018,” *Oklahoma Bar Journal* – OBJ 91 pg. 50 (January 2020).

The first restrictions on conveyance of “restricted fee” lands initially applied only to allottees and their allotted lands; however, they soon depended upon the Indian blood quantum of the allottee. These restrictions initially did not apply to the heirs of the allottee and, once the original allottee died, the heir could alienate the land free of any restrictions.³¹ However, Congress later began applying restrictions on conveyance or alienation to heirs of allottees as well, but with varying rules, depending upon the degree of Indian blood. For example, a 1908 law removed restrictions on allotted lands for those who were less than half-blood, but those allottees who were three-fourths or more retained restrictions on all of their allotted lands. Conversely, allottees possessing at least one-half but less than three-fourths Indian blood could freely alienate their supplemental lands, but their homestead lands remained restricted.³² Perhaps of equal importance was this 1908 law shifted the authority to approve conveyances by restricted heirs from the Secretary of the Interior to the Oklahoma state courts,³³ a policy that remains in effect today.³⁴

The Cherokee Tribe maintains its enrollment based upon the individual’s ability to directly connect their lineal ancestry to an enrolled lineal ancestor who is listed in the “Dawes Roll” Final Rolls of Citizens and Freedmen of the Five Civilized Tribes³⁵ and not on blood quantum. As a result, there is not necessarily a nexus between being an enrolled member of the Cherokee Nation and owning restricted fee property. If an enrolled member of the Tribe was unable to show sufficient blood quantum, restricted fee lands descending to him or her would pass out of restricted fee status, losing safeguards and protections accorded restricted fee land.

In 1947, Congress passed the Stigler Act, substantially revising the laws governing conveyances by heirs and allottees of restricted lands in Oklahoma.³⁶ It tightened restrictions on the conveyance of restricted lands and increased oversight by the Department of the Interior of any attempted conveyance by an heir of at least one-half blood to obtain approval of such conveyance in Oklahoma state court.³⁷

Even though the Stigler Act increased the application of restrictions to anyone of at least half-blood, the result was that any time land was inherited or acquired by an heir of less than one-half blood, it lost its restricted status.³⁸ While specific data on the Cherokee Nation is not currently available, as a consequence of the preceding laws, of the approximately 16 million acres of the lands of the Five Tribes allotted to individual Tribal members, today only a little more than 2.00% remains restricted.³⁹ The balance of lands has passed out of restricted status.

The policies applicable to the Five Tribes were recently modified by the Stigler Act Amendments of 2018. The single objective of these amendments was to eliminate the blood quantum requirement to own land in restricted status.⁴⁰ Prospectively, restricted land may be acquired by any “lineal descendant by blood of an original enrollee whose name appears on the Final Rolls of the Five Civilized Tribes in Indian Territory . . . of whatever degree of Indian blood.”⁴¹

Like other reservations, the fractionation of Cherokee allotments has continued. Since 2014,

31. Cleary, pg. 50.

32. Cleary citing the Act of May 27, 1908, pg. 50.

33. Cleary, pg. 50.

34. Cleary, citing Act of August 4, 1947 (hereafter, the Stigler Act), chap. 458, sec. 1(a), 61 Stat. 731.

35. Taken from the “Tribal Registration” portion of the Cherokee Nation website, December, 2022.

36. *Id.*

37. *Id.*

38. *Id.*

39. *Id.*

40. *Id.*

41. Cleary, citing Stigler Act Amendments of 2018, 132 Stat. 5331 (Dec. 31, 2018).

the number of fractional interests at Cherokee reservation has increased by 283 percent. Much of this increase is due in part to efforts to incorporate information regarding fractional interest ownership of restricted fee interests into the BIA title system, something that the BIA had not been incorporating into their automated land trust records systems prior to that time. As of 2022, there were 1,851 tracts on the Cherokee reservation with fractional ownership interests held in restricted fee status.

Fractionation Case Study 2 - Uintah-Ouray Indian Reservation. Before non-Indian contact, the Ute Indians occupied considerable territory in the Rocky Mountains and Great Basin. In September 1847, peace negotiations between the United States and Mexico began and an end was brought to the Mexican-American War with the signing of the Treaty of Guadalupe Hidalgo. Under the Treaty, Mexico transferred 525,000 squares miles to the United States territory, including land comprising all or part of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming. Residing within the newly acquired lands were the people of the seven Ute bands.⁴²

An influx of settlers into the areas of present-day Utah, as well as expansion of settlements throughout New Mexico and into Southern Colorado, generated extreme conflict between several Ute bands and the non-Indian settlers, resulting in the compulsory transfer of several bands to the Uintah Basin starting in 1847.

Two years later, the first treaty between Utes and the United States was entered into in Abiquiú, New Mexico with Chief Quiziachigiate, a Caputa, signing as principal chief and 28 other Utes signed as subordinate chiefs. The original Uintah Valley Reservation was created in 1861 by executive order issued by President Abraham Lincoln.⁴³ Over the next twenty years, the Superintendent of Indian Affairs was to bring “together and settle in the Uintah Valley as many of the Indians of Utah Territory as might be found practicable.”⁴⁴ In 1882, President Chester A. Arthur authorized the creation of the Uncompahgre Reservation, which bordered the southeastern portion of the Uintah Reservation, for the Uncompahgre band.⁴⁵ In 1886, from portions of both the Uncompahgre Reservation and the Uintah Valley Reservation, the Uintah and Ouray Reservation was formed for the Northern Utes, encompassing nearly four million acres.⁴⁶

Congress established a framework for dividing Ute lands into individual allotments in the Act of June 15, 1880, and the Dawes Act of 1887.⁴⁷ Under these provisions, heads of families were to receive 160 acres and an additional allotment of grazing land not to exceed 160 acres. Persons over 18 and children under 18 were to receive 80 acres and additional grazing lands of no more than 80 acres. The government did not act to begin allocating allotments until valuable minerals deposits were found on the Uintah and Ouray Reservation starting in 1886.

In 1894 and 1897, Congress opened the Uncompahgre Reservation to allotment, with or without consent, and subsequent entry by non-Indian settlers.⁴⁸ In August 1905, after allotments had been granted to individual Indians, the unallotted lands were opened to homesteading and mineral

42. Katherine M.B. Osburn, *Southern Ute Women: Autonomy and Assimilation on the Reservation, 1887-1934* (Albuquerque: University of New Mexico Press, 1998), 9-10.

43. Executive Order of October 3, 1861 reprinted in *Ute Indian Tribe v. State of Utah*, 521 F.Supp. 1072, 1157 app. A (D.Utah 1981), aff'd in part, rev'd in part, 773 F.2d 1087 (10th Cir.1985), cert. denied, 479 U.S. 994, 107 S.Ct. 596, 93 L.Ed.2d 596 (1986).

44. *Uintah and White River Band of Ute Indians*, 152 F. Supp. at 954.

45. I Kapp. 90I (1882). This area was located adjacent to the Uintah Valley Reservation, which was established by Executive Order in 1861, I Kapp. 900, confirmed by Congress in 1864, 13 Stat. 63 (May 5, 1864) and surveyed in 1876.

46. See *United States v. Van Murdoch*, 132 F.3d 534, 540 (10th Cir. 1997).

47. Act of June 15, 1880 (21 Stat. 199).

48. 28 Stat. 286, 337-338 (“1894 Act”).

claims.⁴⁹ Land continued to be acquired by non-natives until 1934, when the Indian Reorganization Act ended the allotment era.

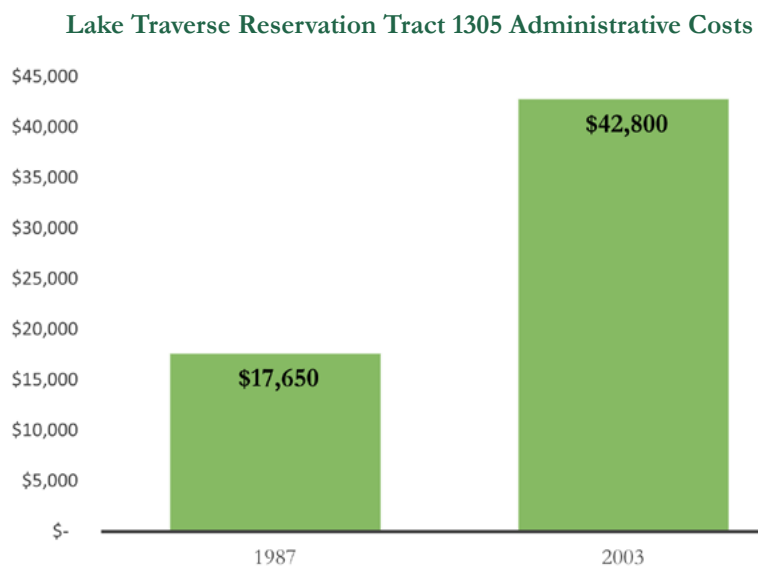
As a result of the allotment process, boundary adjustments, and removal of lands for forestry and reclamation projects, land in the combined Uintah and Ouray Reservation is owned or managed by a variety of public, private, Federal, and Tribal entities. The checkerboarded nature of the resulting parcels and tracts of land and the diverse and often fractionated ownership, makes law enforcement and land use highly difficult.

A series of cases have litigated not only jurisdictional issues among the stakeholders, but also the ownership of public lands within the original boundaries of the reservation. Litigation continues even today. Many of the past and current complications are largely a result of the allotment process.

Another way to understand the consequences of fractionation left unchecked is to look at a single tract. Consider Tract 1305 on the Sisseton-Wahpeton Oyate's Lake Traverse Reservation, which tract the U.S. Supreme Court highlighted in its decision in *Hodel v. Irving*:

The administrative headache this represents can be fathomed by examining Tract 1305, dubbed “one of the most fractionated parcels of land in the world.” Lawson, Heirship: The Indian Amoeba, reprinted in Hearing on S. 2480 and S. 2663 before the Senate Select Committee on Indian Affairs, 98th Cong, 2d Sess., 85 (1984). Tract 1305 is 40 acres and produces \$1,080 in income annually. It is valued at \$8,000. It has 439 owners, one-third of whom receive less than \$.05 in annual rent and two-thirds of whom receive less than \$1. The largest interest holder receives \$82.85 annually. The common denominator used to compute fractional interests in the property is 3,394,923,840,000. The smallest heir receives \$.01 every 177 years. If the tract were sold (assuming the 439 owners could agree) for its estimated \$8,000 value, he would be entitled to \$.000418. The administrative costs of handling this tract are estimated by the Bureau of Indian Affairs at \$17,560 annually.⁵⁰ [Accordingly, if the status quo remained, it would take 177 years for the owner of the smallest interest to earn \$.01 in revenue and cost BIA \$3,108,120 in administrative costs during that time period.]

In 2003, this tract produced \$2,000 in income and was valued at \$22,000. The number of owners had increased to 505 and the administrative cost had increased to \$42,800, representing a 143 percent increase.



49. Peters, Gerhard; Woolley, John T. “Theodore Roosevelt: Proclamation 581 – Opening of Uintah Indian Reservation Lands, Utah” July 14, 1905.

50. *Hodel v. Irving*, 481 U.S. 704 (1987).

Today, after two waves of Program offers at the Lake Traverse Reservation, the Sisseton-Wahpeton Oyate has regained nearly 22 percent ownership of this tract, bringing their total tract ownership to approximately 44 percent. Notwithstanding these gains, the level of fractionation noted by the United States Supreme Court in 1987 has increased exponentially. Today, according to the BIA, exclusive of the Tribe, there are 1,192 owners of this tract. The common denominator used to compute fractional interests in the property is now 3,336,531,149,952,000,000 as highlighted in the Land Status Report below. This common denominator has increased from 3 trillion in 1987 to 3 quintillion in 2022. Of the 1,192 landowners, 61 of these are currently in estate status, meaning that their interest may be further divided among their heirs upon the conclusion of their probate. While current data on the cost of administration of this tract is unavailable, the exponential increase in the number of owners demonstrates a likely dramatic increase in administrative expenses.

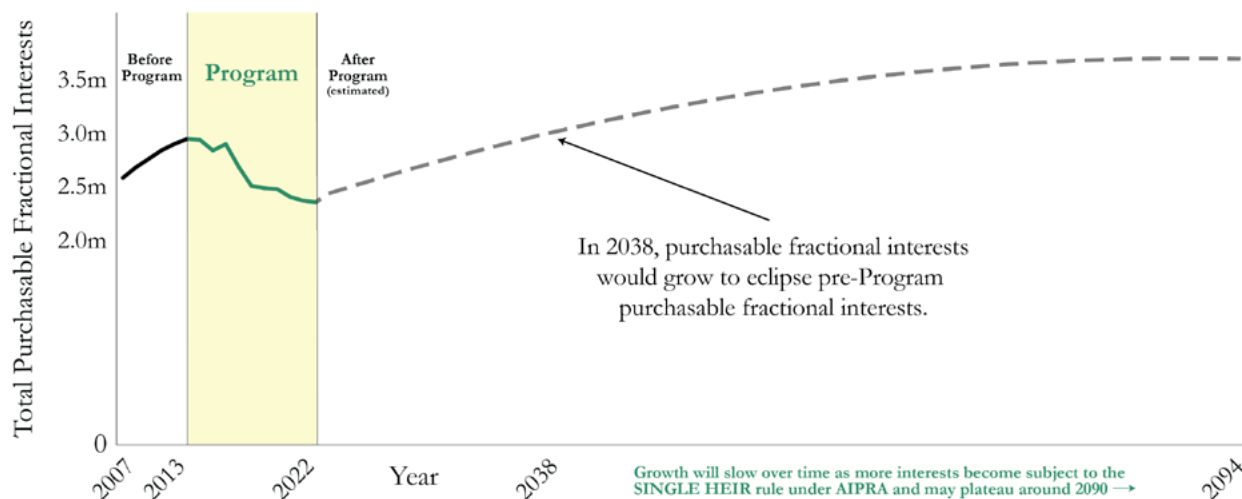
Appendix "B"

Land Area	Land Area Name	Tract Number	LTRC	Region	Agency	Resources			
347	SISSETON	91305	ABERDEEN, SD	GREAT PLAINS	SISSETON AGENCY	Surface			
Regional Office									
Effective Ownership as of 09/15/2022									
OWNER			DOCUMENT			NAME IN WHICH	FRACTION TRACT	AGGREGATE SHARE	AGGREGATE
Tribe	Indian / NonIndian	Title	Interest*	Class	Type	SURNAME/FIRST NAME	AS ACQUIRED	CONVERTED TO LCD	DECIMAL
		Trust	Title	Prob Mod	JUDGE ORD		29	106657190640000	
							27216	00	.0031966491
								333653114995200	
								0000	
SISSETON - WAHPETON SIOUX (L	Indian	Trust	All	Prob Mod	JUDGE ORD		29	106657190640000	
							13608	00	.0031966491
		Trust	Title	Prob Mod	JUDGE ORD		29	106657190640000	
							27216	00	.0031966491
								333653114995200	
								0000	
SISSETON - WAHPETON SIOUX (L	Indian	Trust	Title	Prob Ord	INTE		1	28085279040000	
							118800	333653114995200	.0000084175
								0000	
SISSETON - WAHPETON SIOUX (L	Indian	Trust	All	Prob Mod	JUDGE ORD		1	4843238400	
							688905000	333653114995200	.0000000014
								0000	
SISSETON - WAHPETON SIOUX (L	Indian	Trust	All	Prob Mod	JUDGE ORD		1	4843238400	
							688905000	333653114995200	.0000000015
								0000	
SISSETON - WAHPETON SIOUX (L	Indian	Trust	All	Prob Mod	JUDGE ORD		1	4843238400	
							688905000	333653114995200	.0000000014
								0000	
SISSETON -	Indian	Trust	All	Prob Mod	ADIM MOD		4	197720364441600	

Source: Land Status Report showing an account holder's 3 quintillionth interest in a single tract

Moreover, the annual trust funds from this tract currently is \$6,422. The owner of the smallest interest of this tract today would receive \$0.01 every 1,073 years $((4,843,238,400/3,336,531,149,952,000,000 * \$6,422) * 1073 \text{ years} = \$0.01)$.

At the conclusion of the Program, significant progress was made in addressing fractionation, however considerable work remains, requiring sustained efforts towards addressing fractionation. While this is just one example, the following chart indicates at a macro-level the anticipated growth of fractional interests without further action after the Program.



Economic consequences: The negative economic consequences of fractionation are significant and have been documented for well over a century. In fact, the Federal Government began studying the consequences of fractionation in the early 1930s. In a [1935 report to Congress](#), the Natural Resources Board lamented the checkerboard pattern of ownership caused by allotment policies and demonstrated how this undermined the economic value of the land. “The inheritance of allotments reduced Indian lands to uneconomic units by progressive subdivision.

It transformed Indians into petty landholders and the Office of Indian Affairs into a huge banking and realtor enterprise. Due to the trust character of Indian allotments, the owners could not pledge their lands for credit, without which it was impossible for them properly to develop their land.”⁵¹

In order to make decisions regarding the use of a given tract of fractionated land, a sufficient percentage of

ownership interest must consent to the decision. The required percentage of the interests depends on the intended land utilization. As the number of owners for a given allotment of land grows, it generally becomes more difficult to obtain the required percentage and the ability to use the land in a meaningful way increases in difficulty and decreases economic growth potential for both the landowner and the Tribe.

“When allotment happened, Indians had 150 million acres. When allotment ended, Indians had 55 million acres. It was a clear acceleration of the dispossession of Indian lands, no doubt about it.”

— Keith Harper, Former United States Ambassador to the United Nations Human Rights Council

51. Department of the Interior, “Indian Land Tenure, Economic Status, and Population Trends, Part X of the Supplementary Report of the Land Planning Committee to the National Resource Board”, (University of Minnesota, 1935) pg. 9.

Furthermore, the likelihood that landowners will own a small piece of more than one tract of land has increased with the growth of fractionation. Owning multiple tracts of land has additional negative consequences because having a small ownership interest in multiple tracts increases the collective knowledge required by the landowner to effectively utilize land. Coordination costs for the landowner and/or the Tribe increases with the number of tracts owned, especially if those tracts are geographically diverse.

Fractionation particularly impairs the ability of Indian nations or individual Indians to use land to their own advantage for farming, ranching, or other economic activities that require large, contiguous sections of land. As a result, there are often large areas on and around Reservations that are not particularly productive. Again, the Department highlighted, this predicament has been well established for over a century:

“When a potential Indian grazing range is fragmented into small allotments and minute parcels and further checkerboarded and shredded by numerous alienations, the tangle becomes almost hopeless as far as promoting use by Indians is concerned. Consolidation of checkerboarded areas is essential to bringing about Indian use of vast areas of grazing lands. ... In the case of forest land, checkerboarding by alienation and cutting up by allotment makes sustained yield forest management difficult, and in some cases impossible. Logging and silvicultural operations must be correlated with the topography and natural conditions rather than planned by artificial and complex lines of ownership.”⁵²

Environmental consequences: Indigenous communities face unique climate-related challenges that pose real threats to Tribal economies, infrastructure, lives and livelihoods. Coastal communities are facing flooding, erosion, permafrost subsidence, sea level rise, and storm surges. Inland communities face worsening drought, extreme heat, and heightened wildfire exposure. The impacts can be seen in shortages of water for drinking and agricultural purposes, threats to sacred lands, and threats to wildlife habitats and ecosystems. [A 2022 study published in Science](#) found that present day Tribal lands are, on average, more exposed to climate change risks and hazards than non-Tribal areas. For further information on the impact of climate change on Tribes, see [Status of Tribes and Climate Change Report, August 2021](#).

For a culture so closely tied to the health of the land and natural resources, these environmental consequences can be devastating. In late 2021, the Department held a series of Listening Sessions exploring climate change issues within Tribal communities. The sessions were part of implementing Executive Order 13985, [Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#). In 2022, the Department [invested \\$46 million](#) to address the unique impacts of climate change in Indigenous communities and the Administration requested \$48 million in the FY 2024 Budget for the Tribal Climate Resilience



Photo Credit: Neal Herbert, BTEA

52. Indian Land Tenure, Economic Status, and Population Trends, Part X of the Supplementary Report of the Land Planning Committee to the National Resource Board, pg. 9.

Program, which supports Tribes preparing for climate change that impacts Tribal treaty and trust resources, economics, infrastructure, and human health and safety.

While these are important steps for mitigating and managing climate change risks and impacts, continued fractionation undermines the ability of Tribes to comprehensively manage lands. This can be extremely challenging at all stages of planning, funding, and executing conservation programs. It also limits Tribal communities' ability to take advantage of opportunities to use land for purposes such as renewable energy generation which has the additional benefit of diversifying the economic base in Reservations.

Land management costs: Managing fractionated lands imposes a high administrative burden associated with properly discharging the Federal Government's trust responsibility. The Department currently maintains more than 2,768,247 aggregate fractional interests and more than 408,000 open IIM accounts for individual Indian beneficiaries as of December 31, 2022. When the owner of fractionated interests of land held in trust dies, current law provides that those trust assets will be subject to a probate administration regardless of the underlying value of the estate. The time and cost to complete probate is often substantial. It has been estimated that it takes on average over 2 years to complete a single probate administration.

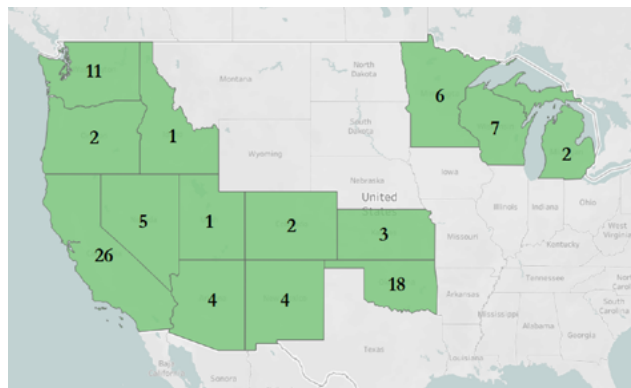
Furthermore, the Department has a duty to carry out numerous activities associated with managing land, and these activities cost millions of appropriated dollars each year. For example, a substantial portion of the BIA Trust Realty Services budget and the BTFA budget (together totaling more than \$250 million in appropriations for Fiscal Year 2022) was used to manage land and conduct related activities, such as probating trust assets and collecting, investing, and accounting for money generated from fractionated trust land. For some field offices, the portion has been as high as approximately 80 percent. With continued fractionation, the cost of discharging these trust duties will continue to increase.

VII. Conclusion

At its outset in 2012, the Program faced considerable skepticism and distrust in Indian Country, with many Native Americans expressing questions and concern about the underlying goals of the Program and the ability of the Federal Government to successfully complete the time and resource limited mission. Ten years later, the Program came to a successful conclusion by operating in an accountable, efficient, and transparent manner – respectful of both Tribal sovereignty and the decisions of individual Indian landowners. With streamlined and improved policies and procedures that cut down bureaucracy and unnecessary duplication, and with a strong commitment to information sharing and customer service, the Program has succeeded in consolidating Indian lands on an unprecedented scale.

The Program has demonstrated that voluntary acquisition is an effective approach for addressing the fractionation problem. It has also established that the work is not done. Fractional interests remain, both at locations where the Program made offers and locations where it did not, and the fractionation process persists. There are nearly 100 Tribes, and thousands of individuals, who did not have an opportunity to participate in the Program as shown in the map. The Department intends to build upon the Program's success with sustained efforts to acquire fractional land interests from willing sellers for restoration of Tribal ownership.

Non-Implementation Locations by State



There are multiple reasons for continued land consolidation and related efforts, including:

- Facilitates better land stewardship, such as for cultural values, Indigenous food and agriculture, infrastructure, homes, or other uses that could improve the lives of Indian people as Tribes deem best;
- Mitigates the complications associated with checkerboarded land patterns and increases rural prosperity;
- Improves efficiency in trust management through simplified leasing;
- Reduces costs; and
- Maintains the momentum of the Program and avoids the risk of losing progress made.

As Tribal leaders and Congress know, the 19th century allotment policy quickly revealed its many faults. The fractionated ownership that allotment started has grown for more than 130 years, and it continues to grow each day. The many negative effects of the policy persist.

VIII. Policy Considerations

Tribal homelands are at the heart of Tribal sovereignty, self-determination, and self-governance. By continuing to address the lingering effects of past allotment policies, including the resulting land loss, landlessness, and ongoing fractionation, Interior will support these cornerstone principles.

A comprehensive approach to addressing allotment policies and fractionation is appropriate given the breadth and complexity of their ongoing impact. The Department is committed to developing multiple strategies and tools and to seeking appropriate resources. Accordingly, the Department makes two recommendations - continue land consolidation efforts and consider additional approaches:

1. **Continue Voluntary Sales.** The Program has demonstrated that with adequate resources, efficient processes, and close coordination with Tribes, continued land consolidation through voluntary sales is and will remain an effective approach for addressing fractionation with broad support in Indian Country.

To build on the achievements of the Program, the Department is continuing a sustained effort to reduce fractionation through voluntary land acquisition in active consultations with Tribal leaders. In FY 2022, Congress appropriated \$7 million for continued acquisition of fractional land interests from willing sellers, to be administered by the BIA.

The BIA will use existing infrastructure at the BIA AC, which was established to carry out the land acquisition and title-related functions of the Program. Several listening sessions have been held, and the BIA is continuing to work with Tribal Nations to shape the strategy for a continued land consolidation Program based on voluntary sales.

To keep pace with the predicted growth in fractional interests, the Administration's FY 2023 budget request included \$80 million for voluntary land acquisitions. This funding was critical to take full advantage of consolidation opportunities where land appraisals had been completed, such as for the Pine Ridge Reservation where \$78 million in offers could have been extended were funds available. Ultimately, \$8 million was appropriated to BIA for in the FY 2023 budget for land consolidation efforts. For FY 2024, the President's budget request for land consolidation is \$30.5 million.

2. **Consider Additional Approaches.** In addition to land consolidation through voluntary sales, other ideas for addressing fractionation and decreasing its impact should be discussed and considered going forward. Several ideas were brought to the Department's attention in the last few years. Among them are facilitating co-owner purchases and continuing land consolidation opportunities beyond the 53 locations involved in the Program. The Department will continue to engage individual Indians, Tribes, and organizations in conversations and consultations that may lead to possible proposals and eventual solutions for fractionation.

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As previously noted, successful design and implementation of the Land Buy-Back Program for Tribal Nations depended on insights and input from Tribal Nations and Leaders representing approximately 150 locations. We offer our sincere appreciation to the following Tribes that helped inform the Program strategy and processes, and especially those Tribes in the 53 locations where the Program was implemented, indicated in the list below in green italics.

Eastern Oklahoma Region

Cherokee Nation
 The Chickasaw Nation
 The Choctaw Nation of Oklahoma
 Eastern Shawnee Tribe of Oklahoma
 The Muscogee (Creek) Nation
Quapaw Nation
 The Seminole Nation of Oklahoma
 Seneca-Cayuga Nation
The Osage Nation

Great Plains Region

Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota
Oglala Sioux Tribe
Omaha Tribe of Nebraska
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota
Santee Sioux Nation, Nebraska
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota
Spirit Lake Tribe, North Dakota
Standing Rock Sioux Tribe of North & South Dakota
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota
Turtle Mountain Band of Chippewa Indians of North Dakota
Winnebago Tribe of Nebraska
Yankton Sioux Tribe of South Dakota

Western Region

Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California
 Ely Shoshone Tribe of Nevada
 Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon
 Fort Mojave Indian Tribe of Arizona, California, and Nevada
Gila River Indian Community of the Gila River Indian Reservation, Arizona
 Hopi Tribe of Arizona
 Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona
Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona
 Tohono O'odham Nation of Arizona

Ute Indian Tribe of the Uintah & Ouray Reservation, Utah
 Walker River Paiute Tribe of the Walker River Reservation, Nevada
 Washoe Tribe of Nevada & California
 Yomba Shoshone Tribe of the Yomba Reservation, Nevada

Southwest Region

Pueblo of Acoma, New Mexico
 Pueblo of Laguna, New Mexico
 Pueblo of San Felipe, New Mexico
 Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado
 Ute Mountain Ute Tribe
 Zuni Tribe of the Zuni Reservation, New Mexico

Southern Plains Region

Absentee-Shawnee Tribe of Indians of Oklahoma
Cheyenne and Arapaho Tribes, Oklahoma
 Citizen Potawatomi Nation, Oklahoma
 Fort Sill Apache Tribe of Oklahoma
 Iowa Tribe of Kansas and Nebraska
 Iowa Tribe of Oklahoma
 Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas
 Kickapoo Tribe of Oklahoma
 Kiowa Indian Tribe of Oklahoma
 Otoe-Missouria Tribe of Indians, Oklahoma
 Pawnee Nation of Oklahoma
Ponca Tribe of Indians of Oklahoma
Prairie Band Potawatomi Nation
 Sac & Fox Nation, Oklahoma
 Sac & Fox Nation of Missouri in Kansas and Nebraska
 Tonkawa Tribe of Indians of Oklahoma
 Wichita and Affiliated Tribes (Wichita, Keechi, Waco, & Tawakonie), Oklahoma

Rocky Mountain Region

Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana
Crow Tribe of Montana
Eastern Shoshone Tribe of the Wind River Reservation, Wyoming
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana
Northern Arapaho Tribe of the Wind River Reservation, Wyoming
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana

Northwest Region

Burns Paiute Tribe
Coeur D'Alene Tribe
Confederated Tribes and Bands of the Yakama Nation
Confederated Salish and Kootenai Tribes of the Flathead Reservation
Confederated Tribes of the Chehalis Reservation
Confederated Tribes of the Colville Reservation
Confederated Tribes of the Umatilla Indian Reservation
Confederated Tribes of the Warm Springs Reservation of Oregon
Confederated Tribes of Siletz Indians of Oregon
Kalispel Indian Community of the Kalispel Reservation
Kootenai Tribe of Idaho
Lummi Tribe of the Lummi Reservation
Makab Indian Tribe of the Makab Indian Reservation
Muckleshoot Indian Tribe
Nez Perce Tribe
Nisqually Indian Tribe
Nooksack Indian Tribe
Puyallup Tribe of the Puyallup Reservation
Quileute Tribe of the Quileute Reservation
Quinault Indian Nation
Sauk-Suiattle Indian Tribe
Sboshone-Bannock Tribes of the Fort Hall Reservation
Skokomish Indian Tribe
Spokane Tribe of the Spokane Reservation
Squasquin Island Tribe of the Squasquin Island Reservation
Suquamish Indian Tribe of the Port Madison Reservation
Swinomish Indian Tribal Community
Tulalip Tribes of Washington

Pacific Region

Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California
Augustine Band of Cahuilla Indians, California
Big Sandy Rancheria of Western Mono Indians of California
Big Valley Band of Pomo Indians
Blue Lake Rancheria, California
Cabazon Band of Mission Indians, California
California Valley Miwok Tribe, California
Cloverdale Rancheria of Pomo Indians of California
Elk Valley Rancheria, California
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California
Greenville Rancheria
Habematolel Pomo of Upper Lake, California
Hoopa Valley Tribe, California
Hopland Band of Pomo Indians, California
Karuk Tribe
La Jolla Band of Luiseno Indians, California
Morongo Band of Mission Indians, California
Northfork Rancheria of Mono Indians of California

Pala Band of Mission Indians
Pechanga Band of Indians
Picayune Rancheria of Chukchansi Indians of California
Pinoleville Pomo Nation, California
Quartz Valley Indian Community of the Quartz Valley Reservation of California
Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California
Rincon Band of Luiseno Mission Indians of Rincon Reservation, California
Robinson Rancheria
Round Valley Indian Tribes, Round Valley Reservation, California
Sycuan Band of the Kumeyaay Nation
Table Mountain Rancheria
Tolowa Dee-ni' Nation
Torres Martinez Desert Cahuilla Indians, California
Yurok Tribe of the Yurok Reservation, California

Midwest Region

Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin
Minnesota Chippewa Tribe, Minnesota – Bois Forte Band (Nett Lake)
Minnesota Chippewa Tribe, Minnesota – Fond du Lac Band
Minnesota Chippewa Tribe, Minnesota – Grand Portage Band
Minnesota Chippewa Tribe, Minnesota – Leech Lake Band
Minnesota Chippewa Tribe, Minnesota – Mille Lacs Band
Minnesota Chippewa Tribe, Minnesota – White Earth Band
Forest County Potawatomi Community, Wisconsin
Ho-Chunk Nation of Wisconsin
Keweenaw Bay Indian Community, Michigan
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin
Menominee Indian Tribe of Wisconsin
Oneida Nation
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin
Red Lake Band of Chippewa Indians, Minnesota
Saginaw Chippewa Indian Tribe of Michigan
Stockbridge Munsee Community, Wisconsin
Upper Sioux Community, Minnesota

Navajo Region

Navajo Nation, Arizona, New Mexico & Utah

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X. Appendices

A. Glossary

Fractionation: Fractionation refers to divided ownership of Indian lands and is the result of tracts of land, sometimes referred to as 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 owners.

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 owners (individual and/or Tribe). A tract with multiple owners is considered a fractionated tract.

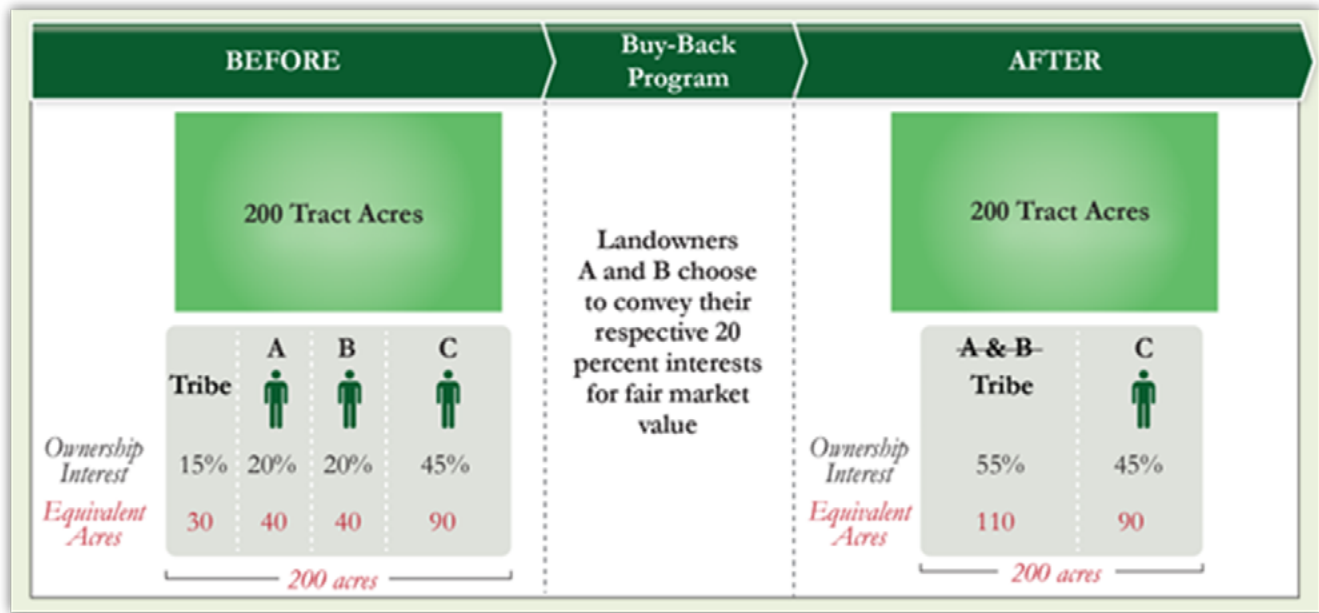
A tract of land is composed of at least one parcel, which also has a defined area. A tract may be composed of just one single parcel of land, multiple adjacent parcels, or in some instances, multiple non-adjacent parcels that are separated by other parcels of land associated with different tracts. A landowner owns an interest in a tract, not in a particular parcel.

Trust, Restricted Fee and Fee Simple Land: Trust land is a land ownership status in which title is held in trust by the Federal Government with restrictions on use and disposition of the land. Trust land was eligible for Program purchases. Restricted fee land, or restricted land, is a land ownership status in which an individual or Tribe holds title, but there are restrictions on use and/or disposition of the land. Additional analysis and reviews were required for Program offers on restricted fee land. Fee simple (fee land) is a land ownership status in which an individual or Tribe holds absolute title to the property. The Program did not purchase fee land.

Equivalent Acres: The Program used the concept of equivalent acres to operate and measure progress. The Program measured progress in terms of consolidating lands using the measurement of equivalent acres, defined as the proportional amount of undivided land associated with fractional interests. Equivalent acres may differ from the total acres associated with a tract, depending on the proportional amount of ownership interest purchased or held in a tract.

Equivalent acres purchased represents the undivided ownership interests acquired in a tract multiplied by the total tract acreage. In a fractionated tract, no one landowner (including the Tribe) owns a physical subpart of the tract. Rather, each landowner owns an undivided common interest in the tract, expressed as a percentage.

To illustrate, as depicted on the next page, assume the Program purchased two 20 percent undivided ownership interests in a 200-acre tract from two different individual owners (A and B), in which the Tribe already held a 15 percent interest.

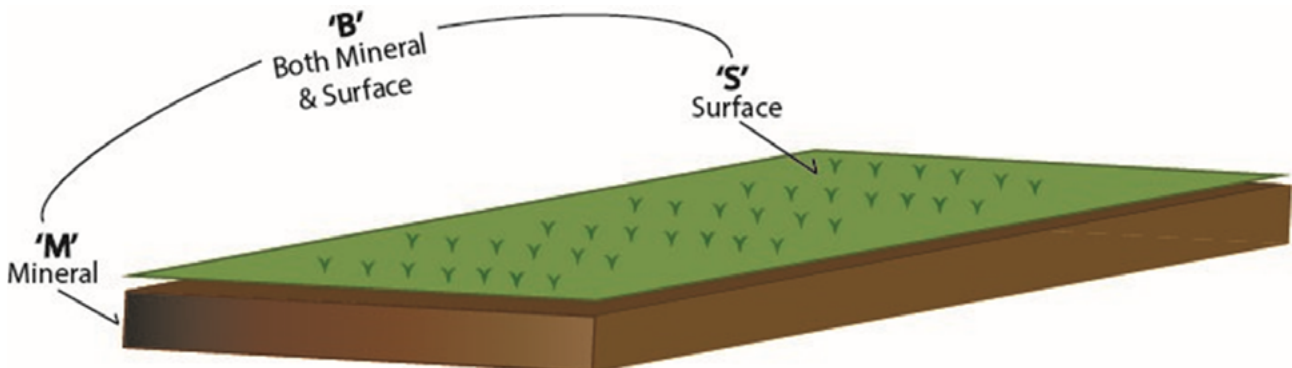


Source: Concept of Equivalent Acres illustrated to show consolidation of interests to achieve Tribal majority ownership

The resulting equivalent acres of the undivided ownership interests purchased would be 80. The Tribe now has a larger undivided ownership interest in the entire 200-acre tract (a 55 percent undivided ownership interest), not a separate 110-acre tract wholly owned by the Tribe. The remaining individual owner has a 45 percent undivided ownership interest in the entire 200-acre tract of 90 equivalent acres.

The Tribe in this example now has a 55 percent undivided ownership interest, but still may not have a controlling interest. The percentage of co-owner consent required depends on the intended use (e.g., a business lease versus an agriculture use).

Resource Codes: Resource codes indicate the type of ownership rights associated with a tract. Surface (S) tracts have ownership rights only to the land surface of the tract, generally not to any minerals or other resources, such as oil, below the ground (aggregate may at times be considered part of the surface depending on the state or the parcel history). Mineral (M) tracts have ownership rights only to minerals or other resources below the ground, but not to the land surface of the tract. Both (B) tracts have ownership rights to both the surface and minerals.



B. Program Milestones

2022	Nov 24	Program funding authority concludes per the Claims Resolution Act of 2010 which funded the Settlement – Total of \$1.69 billion in payments made to landowners with fractional interests
	Sept 9	Program mails final offers to landowners with fractional interests
	Sept 1	Interior completes final transfer of \$687,000 from the implementation cost portion of the Consolidation Fund to the land purchase portion
	Aug 31	Cobell Scholarship Program issues more than 12,250 scholarships to over 4100 individuals affiliated with 252 Tribes as of August 2022
	Mar 15	The Consolidated Appropriations Act of 2022 (Pub. L. 117-103) provides the Bureau of Indian Affairs with \$7 million to continue land consolidation activities by acquiring fractional land interests as authorized under the Indian Land Consolidation Act Amendments of 2022
2021	Dec 31	Program reaches over 51,000 tracts where Tribal ownership was created and/or increased
	Oct 15	Interior transfers an additional \$30 million from the implementation cost portion of the Consolidation Fund to the land purchase portion
	May 28	President’s budget for Fiscal Year 2022 including BIA’s request for an investment of \$150 million to reestablish a modified Indian Land Consolidation Program (ILCP) submitted to Congress
	Feb 17	DOP’s Office of the Inspector General releases report outlining findings from its investigation of the Program’s delegation of land title authority to BIA’s Acquisition Center
2020	Oct 27	More than one million total interests restored to Tribal trust ownership
	Oct 7	Program exceeds \$1.555B in land purchases, the amount originally budgeted by the Settlement
	Mar 11	Interior transfers an additional \$45 million from the implementation cost portion of the Consolidation Fund to the land purchase portion
2019	Mar 8	Interior transfers \$45 million from the implementation cost portion of the Trust Land Consolidation Fund to the land purchase portion of the Fund
2018	Dec 20	U.S. Commission on Civil Rights releases briefing report suggesting amongst other recommendations the need to increase the availability of the Program to more Tribes
	Oct 31	Program purchases achieve majority Tribal ownership in more than 16,000 tracts totaling more than 2.7 million acres
	Oct 11	Program and partner leadership provide guidance to all field staff regarding the use of Program appraisals for similar purposes to encourage wider use of these appraisals for land acquisition
2017	Jul 31	Interior announces revised strategy to maximize consolidation of fractional interests, including updated policies and schedule of locations
	May 23	Acting Deputy Secretary James E. Cason testifies on the status and future of the Program before the United States House Subcommittee on Indian, Insular, and Alaska Native Affairs
	Apr 25	Listening Session in Tulalip, Washington, led by Acting Assistant Secretary – Indian Affairs Mike Black, Acting Special Trustee for American Indians Debra DuMontier, and Director of the BIA Bruce Loudermilk
	Mar 24	Final quarterly transfer to the Cobell Education Scholarship Fund, bringing total to \$60 million
	Jan 5	Total of \$1 billion in payments made to landowners with fractional interests

2016	Dec 7	Acting DOI Deputy Secretary Michael L. Connor testifies before the United States Senate Committee on Indian Affairs hearing on the progress of the Program
	Nov 7	2016 Status Report published
	Mar 3	Listening Session in Albuquerque, New Mexico , led by Deputy Secretary Michael Connor, Special Trustee Vince Logan, and Acting Assistant Secretary – Indian Affairs Larry Roberts
2015	Nov 4	2015 Status Report published
	Oct 29	The Appraisal Foundation releases comprehensive review of the implementation of the Program’s appraisal method and concludes that appraisals are being conducted appropriately and effectively
	Jul 8	Equivalent of more than 1 million acres of land restored in trust to Tribal nations
	Mar 19	Listening Session in Laveen, Arizona , led by Deputy Secretary Michael Connor, Assistant Secretary – Indian Affairs Kevin Washburn, and Deputy Special Trustee for American Indians Jim James
2014	Nov 20	2014 Status Report published
	May 29	Listening Session in Portland, Oregon , led by Deputy Secretary Michael Connor and Assistant Secretary – Indian Affairs Kevin Washburn
	Mar 30	First quarterly transfer of nearly \$580,000 to the Cobell Education Scholarship Fund
2013	Dec 18	First offers mailed to landowners with fractional interests
	Dec 9	Oglala Sioux Tribe signs first cooperative agreement facilitating purchase of fractionated land
	Nov 8	Updated Implementation Plan released
	Oct 29	DOI releases Valuation Plan for Program ; reviewed and strengthened by The Appraisal Foundation finding the Program’s mass appraisal strategy efficient and cost-effective
	Jan – Feb	Tribal consultations conducted in Minneapolis, MN , Rapid City, SD , and Seattle, WA to discuss the Initial Implementation Plan
2012	Dec 18	Initial Implementation Plan released
	Dec 17	Land Buy-Back Program for Tribal Nations established through Secretarial Order No. 3325
	Nov 24	Final approval of the <i>Cobell v. Salazar</i> Settlement Agreement after appeals exhausted to U.S. Supreme Court; 10-year period begins
2011	Jul – Oct	Tribal consultations conducted in Billings, MT , Minneapolis, MN , Seattle, WA , Albuquerque, NM , Phoenix, AZ , Oklahoma City, OK , and Rapid City, SD to discuss the implementation of the Indian Land Consolidation Program
2010	Dec 8	Claims Resolution Act of 2010 signed into law
2009	Dec 7	Cobell v. Salazar Settlement Agreement signed

C. Fractionation Statistics

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, 2022. The land areas, data, and approximations in this document are subject to change.

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 in the same tract of land at different times. For example, an individual may receive an interest in 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 C field descriptions – The table below provides definitions for each field within the Appendix C 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 C is at Level 1. Level 1 data excludes tracts composed of 100 percent life estate interests, interests owned by a Tribe(s), interest owned in fee, and interests subject to joint tenancy. 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; and interests in probate proceedings. The data in Appendix D is at Level 2.

Column		Definition	
	Land Area Name	A	Federally Recognized Tribe with Jurisdiction. The Tribe names in this appendix are from a Federal Register Notice dated January 28, 2022. Each Tribe typically has a unique Tribal code within TAAMS. This number follows the Tribe name in parentheses. Due to state borders and other factors, some Tribes may have multiple land area codes (LACs). Moreover, in a few instances, the report currently lists multiple Tribes for one land area code. 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)	B	Land area code(s) for the Tribe.
Tract, Interest, and Acre Data	100% Tribally Owned	C	Number of tracts 100 percent Tribally owned. If a tract has a surface interest (S) and separate mineral interest (M), the tract is counted as two separated tracts here.
	100% IIM Owned	D	Number of tracts 100 percent individually owned (single Individual Indian Money account holder). If a tract has a surface interest (S) and separate mineral interest (M), the tract is counted as two separated tracts here.
	Fractionated Tracts	E	Number of tracts held in trust and/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). Columns C, D, and E sum to the total number of tracts held in trust or restricted status.

Column		Definition		
Tract, Interest, and Acre Data	Level 1 Fractionated Tracts	F	<p>A subset of Column E above, this column excludes the following tracts:</p> <ul style="list-style-type: none"> • tracts owned 100 percent by fee interests • tracts with 100 percent joint tenancy • tracts with 100 percent life estates <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 includes the following fractionated tracts with:</p> <ul style="list-style-type: none"> • interests held by non-compos mentis; • interests held by minors; • interests held by individuals in probate proceedings; and/or • interests held by individuals who are WAU. <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>	
	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 eligible for the Program because a portion may be owned by the Tribe or by owners that are not eligible to participate in the Program.</p>	
	Level 1 Fractional Interests	H	<p>Number of aggregated title ownership interests within a tract. Excludes:</p> <ul style="list-style-type: none"> • Interests that are owned by a Tribe(s) • Interests owned in fee • Interests subject to joint tenancy <p>Includes:</p> <ul style="list-style-type: none"> • Title interests subject to a life estate that are less than 100 percent of the tract • Interests held by WAU, minors, and non-compos mentis 	
	<5% Level 1 Interests	I	<p>Number of interests with less than 5 percent individual ownership.</p> <p>AIPRA establishes a “single heir rule” that applies to ownership interests which are less than 5 percent of the entire undivided ownership of the parcel of land which such interest is a part (<i>See 25 U.S.C. § 2206</i>).</p>	
	Equivalent Acres Associated Only with Level 1 Interests	J	<p>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.</p>	
	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 greater than or equal to 50 percent and less than 100 percent Tribal ownership in fractionated tracts.
Individuals	Unique Individuals owning Level 1 Fractional Interests		M	<p>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 may include some individual owners that are deceased.</p> <p>This column cannot be summed across land area codes since many individuals own land on more than one land area code.</p> <p>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 eligible once the Program develops offers at a particular reservation.</p>
	Whereabouts Unknown	WAU Level 1 Fractional Interest Owners	N	Number of owners who are 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).

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	
Land Area Name	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
	Land Area Code(s)	100% Tribally Owned	100% IIM Owned	Fractionated Tracts	<50%						>=50%	WAU Level 1 Fractional Interest Owners		% of landowners that are WAU		
Eastern Oklahoma Region																
Cherokee Nation (905)	905	417	1,366	1,851	1,681	54,138	9,824	4,645	33,464	1	15	4,188	537	13%	3	
The Chickasaw Nation (906)	906	207	328	2,046	1,990	115,666	18,495	12,589	57,512	1	0	4,573	665	15%	14	
The Choctaw Nation of Oklahoma (907)	907	87	453	1,539	1,323	78,556	9,188	5,032	43,865	1	2	3,563	698	20%	9	
The Muscogee (Creek) Nation (908)	908	132	581	2,513	2,065	107,677	18,201	11,040	66,616	5	4	4,212	583	14%	19	
The Seminole Nation of Oklahoma (909)	909	7	177	1,134	1,076	40,551	12,634	9,410	21,708	0	0	2,307	361	16%	9	
Quapaw Nation (920)	920	13	37	259	248	17,789	4,063	3,513	9,251	123	12	421	13	3%	7	
Eastern Shawnee Tribe of Oklahoma (921)	921	16	3	34	32	611	319	224	501	1	0	176	2	1%	4	
Seneca-Cayuga Nation (923)	923	24	51	93	74	2,958	1,616	1,352	2,112	17	1	805	96	12%	15	
The Osage Nation (930)	930	9,447	387	720	644	73,642	3,420	1,269	59,226	65	35	795	18	2%	28	
Great Plains Region																
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota (301)	301	5,367	1,351	3,614	3,512	497,609	99,889	84,860	433,965	1,226	221	5,760	186	3%	199	
Standing Rock Sioux Tribe of North & South Dakota (302)	302	2,880	761	6,533	6,092	741,810	174,459	165,856	206,021	1,002	4,692	20,159	2,186	11%	879	
Spirit Lake Tribe, North Dakota (303)	303	296	102	1,011	946	55,970	32,909	31,230	21,808	299	568	4,784	336	7%	103	
Turtle Mountain Band of Chippewa Indians of North Dakota (304)	304 & 324	286	815	870	823	46,965	29,555	26,918	30,011	380	117	TBD	TBD	TBD	TBD	
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota (340)	340 & 360	6,638	1,731	4,286	4,003	714,720	42,450	32,263	366,365	1,390	1,944	7,233	722	10%	180	
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota (342)	342	609	213	978	944	101,581	38,084	35,184	62,873	413	296	8,288	602	7%	122	
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota (343)	343	1,069	53	674	557	70,815	19,785	18,889	24,194	101	411	4,280	460	11%	77	
Oglala Sioux Tribe (344)	344	3,738	2,046	6,439	6,027	1,190,993	109,021	98,111	405,915	1,409	3,927	17,129	2,356	14%	470	

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Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota (345)	345	3,343	342	3,780	3,401	620,658	71,755	68,201	127,760	407	2,831	11,925	1,827	15%	267	
Yankton Sioux Tribe of South Dakota (346)	346	200	50	793	747	43,255	25,216	23,958	15,697	233	479	5,394	419	8%	87	
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota (347)	347	433	255	1,399	1,350	95,002	58,656	56,181	38,695	438	784	4,745	301	6%	147	
Omaha Tribe of Nebraska (380)	380	141	29	433	428	22,283	18,424	16,958	16,754	255	64	2,774	244	9%	51	
Santee Sioux Nation, Nebraska (382)	382	61	11	74	68	3,538	3,306	3,120	2,065	44	19	1,591	78	5%	5	
Winnebago Tribe of Nebraska (383)	383	76	40	651	643	35,696	59,755	58,649	15,144	208	418	4,072	432	11%	57	
Midwest Region																
Minnesota Chippewa Tribe, Minnesota - Bois Forte Band (Nett Lake) (404)	404	221	5	210	206	15,941	11,783	11,542	5,815	94	104	1,637	104	6%	19	
Minnesota Chippewa Tribe, Minnesota - Fond du Lac Band (405)	405	287	11	393	343	21,154	21,138	20,872	4,817	62	270	3,932	404	10%	40	
Minnesota Chippewa Tribe, Minnesota - Grand Portage Band (406)	406	373	0	124	117	8,460	5,663	5,494	3,951	59	48	650	43	7%	4	
Minnesota Chippewa Tribe, Minnesota - Leech Lake Band (407)	407	322	58	275	267	13,080	23,832	22,862	10,957	129	18	7,170	512	7%	54	
Minnesota Chippewa Tribe, Minnesota - Mille Lacs Band (410)	410	309	4	30	28	144	750	644	121	19	1	259	12	5%	3	
Minnesota Chippewa Tribe, Minnesota - White Earth Band (408)	408	711	2	56	44	2,684	5,044	4,882	2,457	17	0	3,628	235	6%	18	
Upper Sioux Community, Minnesota (401)	401	16	1	2	2	52	51	41	52	0	0	51	8	16%	0	
Red Lake Band of Chippewa Indians, Minnesota (409)	409	1,669	0	1	1	102	2	1	15	0	1	2	0	0%	0	
Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin (430)	430	496	186	642	581	27,679	17,807	17,151	6,205	99	429	4,718	532	11%	36	

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Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin (431)	431	369	105	338	324	20,560	19,051	18,625	4,425	51	236	4,095	740	18%	42	
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin (432)	432	283	25	208	200	12,321	5,160	5,021	1,598	10	178	1,307	176	13%	15	
Oneida Indian Nation (433)	433	400	109	42	33	270	408	292	175	2	2	377	30	8%	0	
Forest County Potawatomi Community, Wisconsin (434)	434	75	0	9	8	400	344	311	317	5	0	200	21	11%	3	
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin (435)	435	77	3	38	36	1,804	3,635	3,589	530	8	25	1,565	165	11%	13	
Stockbridge Munsee Community, Wisconsin (438)	438	159	8	5	3	19	37	20	17	3	0	30	1	3%	0	
Ho-Chunk Nation of Wisconsin (439)	439	85	44	108	106	3,143	3,418	3,018	2,371	67	6	1,652	188	11%	26	
Menominee Indian Tribe of Wisconsin (440)	440	2,639	3	16	1	1	2	0	1	0	0	2	2	100%	0	
Saginaw Chippewa Indian Tribe of Michigan (472)	472	103	6	26	26	731	1,127	1,025	679	9	0	799	69	9%	3	
Keweenaw Bay Indian Community, Michigan (475)	475 & 476	120	24	132	120	7,150	5,948	5,789	2,094	38	71	2,449	396	16%	28	
Navajo Region																
Navajo Nation, Arizona, New Mexico & Utah (780) (excludes LAC 722 statistics)	723, 724 & 790-792	1,171	510	4,333	4,217	667,685	193,200	179,886	465,179	2,292	989	31,025	2,882	9%	309	
Northwest Region																
Confederated Tribes of the Colville Reservation (101)	101	2,980	990	2,637	2,215	164,412	31,152	25,788	82,975	785	904	5,730	434	8%	103	
Spokane Tribe of the Spokane Reservation (102)	102	649	303	468	410	24,741	9,219	7,527	21,487	110	18	2,187	135	6%	36	
Kalispel Indian Community of the Kalispel Reservation (103)	103	58	40	75	74	2,261	1,020	759	1,863	21	19	257	13	5%	6	

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Confederated Tribes of the Chehalis Reservation (105)	105	67	38	67	65	1,413	2,161	1,949	1,206	25	5	724	38	5%	11	
Lummi Tribe of the Lummi Reservation (107)	107	88	686	425	394	5,681	7,021	5,582	3,703	45	27	2,186	142	6%	69	
Makah Indian Tribe of the Makah Indian Reservation (108)	108	353	102	266	257	1,946	4,787	4,002	1,296	86	61	1,238	104	8%	19	
Muckleshoot Indian Tribe (109)	109	82	199	93	87	1,423	2,250	1,900	1,169	25	8	905	49	5%	36	
Nisqually Indian Tribe (110)	110	45	3	20	19	901	1,057	1,005	569	5	6	688	28	4%	8	
Nooksack Indian Tribe (111)	111	14	81	63	53	2,226	1,276	1,046	2,064	3	0	637	49	8%	4	
Suquamish Indian Tribe of the Port Madison Reservation (114)	114	68	79	97	84	2,442	2,003	1,645	1,905	23	5	1,161	82	7%	37	
Puyallup Tribe of the Puyallup Reservation (115)	115	87	91	18	16	32	119	42	30	0	0	84	4	5%	2	
Quileute Tribe of the Quileute Reservation (116)	116	27	8	32	31	5	692	556	5	7	0	356	11	3%	12	
Quinault Indian Nation (117)	117	371	246	1,535	1,457	104,430	35,444	30,075	76,916	462	257	4,845	251	5%	72	
Sauk-Suiattle Indian Tribe (119)	119	6	19	41	35	1,166	1,745	1,648	938	10	3	561	30	5%	9	
Skokomish Indian Tribe (120)	120	51	23	86	84	2,544	3,325	3,029	2,024	37	10	1,112	60	5%	8	
Squaxin Island Tribe of the Squaxin Island Reservation (121)	121	28	0	22	21	1,024	1,053	1,018	417	9	9	579	37	6%	7	
Swinomish Indian Tribal Community (122)	122	44	37	91	86	3,862	3,262	2,903	3,138	32	5	1,168	67	6%	25	
Tulalip Tribes of Washington (123)	123	129	297	228	186	3,501	2,517	1,796	3,023	18	2	1,113	66	6%	38	
Confederated Tribes and Bands of the Yakama Nation (124)	124	3,155	876	2,534	2,378	183,789	42,187	35,451	105,069	924	904	4,995	136	3%	85	
Confederated Tribes of the Siletz Indians of Oregon (142)	142	56	5	3	1	47	3	0	47	0	0	3	0	0%	0	
Confederated Tribes of the Umatilla Indian Reservation (143)	143	385	247	1,099	1,023	67,611	13,706	10,811	35,941	468	374	2,393	68	3%	57	
Burns Paiute Tribe (144)	144	4	5	77	76	12,098	1,881	1,534	10,360	0	0	256	14	5%	6	

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Confederated Tribes of the Warm Springs Reservation of Oregon (145)	145	1,787	88	435	384	42,948	3,425	2,807	11,360	61	261	912	27	3%	18	
Shoshone-Bannock Tribes of the Fort Hall Reservation (180)	180	1,475	1,035	2,979	2,849	274,955	51,273	41,190	200,423	914	729	3,451	141	4%	111	
Coeur D'Alene Tribe (181)	181	805	59	319	300	37,948	3,133	2,109	26,198	116	72	1,064	54	5%	14	
Nez Perce Tribe (182)	182	193	121	679	646	45,844	11,739	9,649	29,240	274	160	2,199	70	3%	27	
Kootenai Tribe of Idaho (183)	183	13	0	24	23	1,818	218	167	589	17	5	62	5	8%	2	
Confederated Salish & Kootenai Tribes of the Flathead Reservation (203)	203	2,193	759	1,011	755	40,246	8,550	6,451	21,989	218	235	2,911	245	8%	56	
Pacific Region																
Big Sandy Rancheria of Western Mono Indians of California (506)	506	5	5	2	2	24	13	8	12	0	0	13	5	38%	0	
Big Valley Band of Pomo Indians of the Big Valley Rancheria, California (507)	507	20	6	16	15	8	79	6	8	0	0	68	17	25%	0	
Cloverdale Rancheria of Pomo Indians of California (510)	510	0	0	2	2	13	8	0	13	0	0	4	4	100%	0	
Robinson Rancheria (516)	516	3	7	6	4	53	20	5	23	0	0	10	2	20%	0	
Hopland Band of Pomo Indians, California (521)	521	7	5	13	11	44	128	69	32	2	0	93	14	15%	0	
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California (525)	525	4	12	32	29	89	293	191	80	0	0	118	35	30%	1	
Northfork Rancheria of Mono Indians of California (532)	532	2	0	1	1	80	7	0	80	0	0	7	3	43%	0	
Picayune Rancheria of Chukchansi Indians of California (534)	534	10	0	2	1	26	6	0	17	0	0	6	0	0%	0	
Pinoleville Pomo Nation, California (535)	535	2	3	6	5	25	22	0	25	0	0	22	3	14%	0	

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Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California (539)	539	2	1	3	3	7	43	32	5	0	0	24	2	8%	2	
Round Valley Indian Tribes, Round Valley Reservation, California (540)	540	114	55	200	184	5,009	6,819	6,186	4,194	73	16	1,784	272	15%	20	
Greenville Rancheria (545)	545	0	1	1	1	1	8	7	0	0	0	8	0	0%	0	
Table Mountain Rancheria (551)	551	14	0	9	1	6	3	0	6	0	0	3	0	0%	0	
Karuk Tribe (555)	555	47	0	1	1	14	7	0	14	0	0	7	1	14%	0	
Blue Lake Rancheria, California (558)	558	14	3	4	4	7	10	0	4	0	0	10	3	30%	0	
Elk Valley Rancheria, California (559)	559	13	5	2	2	8	5	0	8	0	0	5	0	0%	0	
Hoopa Valley Tribe, California (561)	561	193	132	129	117	787	1,725	1,220	723	5	1	683	50	7%	14	
Yurok Tribe of the Yurok Reservation, California (562)	562	39	18	170	167	4,169	5,267	4,591	3,665	50	0	1,506	286	19%	14	
Quartz Valley Indian Community of the Quartz Valley Reservation of California (563)	563	3	0	3	2	23	5	0	23	0	0	5	2	40%	0	
Tolowa Dee-ni' Nation (564)	564	18	13	17	12	30	36	0	29	0	0	32	3	9%	5	
Augustine Band of Cahuilla Indians, California (567)	567	3	0	4	1	40	13	4	40	0	0	13	0	0%	0	
Cabazon Band of Mission Indians, California (568)	568	3	10	9	9	211	166	129	180	2	1	66	4	6%	3	
La Jolla Band of Luiseno Indians, California (576)	576	10	20	50	46	438	649	476	383	6	0	336	9	3%	1	
Morongo Band of Mission Indians, California (582)	582	56	489	256	204	679	3,231	2,451	609	38	2	1,075	53	5%	37	
Pala Band of Mission Indians (583)	583	53	169	264	236	878	5,293	4,364	751	64	5	927	28	3%	13	

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Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California (584)	584	96	203	205	195	8,616	1,573	660	8,491	0	0	272	9	3%	21	
Pechanga Band of Indians (586)	586	18	36	112	107	1,367	3,915	3,534	1,024	52	3	1,002	33	3%	8	
Rincon Band of Luiseno Mission Indians of Rincon Reservation, California (587)	587	19	46	55	45	182	552	402	157	9	1	249	1	0%	2	
Sycuan Band of the Kumeyaay Nation (594)	594	14	0	19	19	321	521	462	174	9	5	173	3	2%	0	
Torres Martinez Desert Cahuilla Indians, California (595)	595	22	78	134	127	3,937	2,426	1,839	3,657	18	0	560	33	6%	11	
California Valley Miwok Tribe, California (628)	628	0	0	1	1	1	2	0	1	0	0	2	0	0%	0	
Habematolel Pomo of Upper Lake, California (636)	636	4	3	6	6	13	19	0	12	0	0	17	4	24%	0	
Rocky Mountain Region																
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana (201)	201	5,634	1,176	6,728	6,299	883,971	91,955	81,561	346,505	1,471	4,275	6,801	306	4%	183	
Crow Tribe of Montana (202)	202 & 208	3,888	1,670	5,083	4,900	894,783	70,497	58,495	442,602	1,551	2,514	4,812	276	6%	161	
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana (204)	204	1,099	1,211	3,141	2,957	541,278	28,153	21,802	244,435	885	1,665	3,450	142	4%	94	
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana (206)	206	1,793	1,147	4,666	4,447	702,550	67,467	56,342	372,718	1,732	1,792	10,035	749	7%	264	
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana (207)	207	1,069	503	940	880	98,508	8,652	6,774	40,997	229	463	2,428	168	7%	105	

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Northern Arapaho Tribe of the Wind River Reservation, Wyoming (281) & Eastern Shoshone Tribe of the Wind River Reservation, Wyoming (282)	280	1,741	848	2,827	2,639	176,327	89,114	81,614	99,359	1,343	796	7,168	368	5%	220	
Southern Plains Region																
Cheyenne and Arapaho Tribes, Oklahoma	801	17	156	1,183	1,175	100,159	43,074	38,046	83,317	541	9	6,805	276	4%	149	
Kiowa Indian Tribe of Oklahoma (802), Comanche Nation, Oklahoma (808) & Apache Tribe of Oklahoma (809)	802	109	1,293	3,229	3,176	259,407	61,935	47,564	226,394	666	22	10,229	557	5%	168	
Fort Sill Apache Tribe of Oklahoma (803)	803	5	22	50	49	3,017	673	461	2,423	8	0	285	14	5%	4	
Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma (804), Caddo Nation of Oklahoma (806) & Delaware Nation, Oklahoma (807)	804	20	217	876	870	75,705	17,842	14,064	64,823	220	3	2,957	123	4%	38	
Otoe-Missouria Tribe of Indians, Oklahoma (811)	811	28	67	387	386	27,255	13,265	11,757	22,182	142	6	2,189	166	8%	34	
Pawnee Nation of Oklahoma (812)	812	4	79	385	378	26,929	10,853	9,221	22,789	148	2	2,104	154	7%	35	
Ponca Tribe of Indians of Oklahoma (813)	813	14	74	418	413	20,944	22,945	21,327	16,044	220	27	2,883	248	9%	62	
Tonkawa Tribe of Indians of Oklahoma (814)	814	5	0	8	7	321	293	263	249	1	0	130	10	8%	0	
Absentee-Shawnee Tribe of Indians of Oklahoma (820)	820	20	160	279	271	15,946	9,173	8,060	14,337	93	0	2,306	161	7%	22	
Citizen Potawatomi Nation, Oklahoma (821)	821	77	7	73	72	5,897	2,705	2,508	3,040	37	10	1,448	150	10%	3	
Iowa Tribe of Oklahoma (822)	822	11	8	54	54	2,254	3,097	2,895	1,942	19	2	865	78	9%	8	
Kickapoo Tribe of Oklahoma (823)	823	12	65	143	140	5,911	3,551	2,869	5,339	37	1	1,155	158	14%	15	
Sac & Fox Nation, Oklahoma (824)	824	14	127	260	260	18,125	5,984	4,678	16,310	64	0	1,601	138	9%	13	
Iowa Tribe of Kansas and Nebraska (860)	860	41	9	6	5	180	122	118	40	4	1	85	7	8%	0	

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	
Land Area Name	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
	Land Area Code(s)	100% Tribally Owned	100% IIM Owned	Fractionated Tracts	<50%						>=50%	WAU Level 1 Fractional Interest Owners		% of landowners that are WAU		
Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas (861)	861	50	80	85	82	2,875	1,599	1,269	2,516	22	6	655	47	7%	7	
Prairie Band Potawatomi Nation (862)	862	184	127	343	331	18,042	7,929	6,894	11,158	140	78	1,985	179	9%	26	
Sac & Fox Nation of Missouri in Kansas and Nebraska (863)	863	10	0	2	2	62	113	107	41	1	0	108	5	5%	0	
Southwest Region																
Pueblo of Acoma, New Mexico (703)	703	41	0	3	1	320	3	0	320	0	0	3	0	0%	0	
Pueblo of Laguna, New Mexico (707)	707	37	3	30	29	3,384	728	596	3,158	9	1	436	35	8%	7	
Pueblo of San Felipe, New Mexico (712)	712	33	0	3	1	71	48	41	71	0	0	48	0	0%	0	
Zuni Tribe of the Zuni Reservation, New Mexico (721)	721	28	3	13	12	1,861	650	601	1,784	5	0	545	39	7%	9	
Navajo Nation, Arizona, New Mexico & Utah (780) (only includes LAC 722 statistics)	722	40	152	239	234	32,552	2,754	2,054	18,989	80	95	854	28	3%	18	
Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado (750)	750	477	86	132	121	9,798	2,451	2,020	6,876	22	16	898	15	2%	20	
Ute Mountain Ute Tribe (751)	754	33	6	65	60	8,138	1,105	804	7,345	11	4	380	22	6%	14	
Western Region																
Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California (603)	603	217	121	568	546	5,366	8,948	6,997	4,130	235	83	1,640	90	5%	29	
Fort Mojave Indian Tribe of Arizona, California & Nevada (604)	604	23	0	6	2	160	20	8	137	2	0	10	0	0%	3	
Hopi Tribe of Arizona (608)	608	16	0	11	11	220	1,024	986	213	9	0	577	65	11%	8	
Tohono O'odham Nation of Arizona (610)	611	15	9	290	282	39,122	13,997	12,900	34,540	199	0	1,793	83	5%	43	
Gila River Indian Community of the Gila River Indian Reservation, Arizona (614)	614	170	647	4,996	4,930	85,689	188,401	165,905	78,527	2,539	108	11,223	650	6%	185	

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	
Land Area Name	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
	Land Area Code(s)	100% Tribally Owned	100% IIM Owned	Fractionated Tracts	<50%						>=50%	% of landowners that are WAU				
Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona (615)	615	73	352	1,484	1,475	21,937	51,088	44,034	20,749	651	21	6,024	283	5%	96	
Ely Shoshone Tribe of Nevada (644)	644	2	0	2	1	160	36	27	160	0	0	36	2	6%	0	
Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon (646)	646	13	0	4	4	145	633	623	141	4	0	536	46	9%	4	
Walker River Paiute Tribe of the Walker River Reservation, Nevada (656)	656	20	132	355	346	6,614	6,717	5,159	6,218	66	7	1,463	114	8%	13	
Yomba Shoshone Tribe of the Yomba Reservation, Nevada (661)	661	4	0	5	5	352	119	102	319	2	0	113	8	7%	1	
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodsford Community, Stewart Community, & Washoe Ranches) (672)	672	10	69	412	409	59,453	14,354	12,526	53,735	160	12	1,334	103	8%	9	
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah (687)	687	1,025	43	1,100	1,067	77,213	44,720	40,747	59,878	564	143	2,407	45	2%	63	
Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona (696)	696	60	139	750	743	7,087	14,243	10,756	6,731	219	16	1,749	42	2%	36	
Total		79,575	30,851	107,504	100,978	10,834,372	2,371,536	2,085,167	5,587,263	30,357	35,509					

D. Resource Code Statistics

Appendix D field descriptions – The table below provides definitions for each field within Appendix D. “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. Level 1 data excludes tracts composed of 100 percent life estate interests, interests owned by a Tribe(s), interest owned in fee, and interests subject to joint tenancy. The data in Appendix C 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; and interests in probate proceedings. Appendix D data is at Level 2.

Column		Definition
	Land Area Name	Q Federally Recognized Tribe with Jurisdiction. The Tribe names in this appendix are from a Federal Register Notice dated February 1, 2019. Each Tribe typically has a unique Tribal code within TAAMS. This number follows the Tribe name in parentheses. Due to state borders and other factors, some Tribes may have multiple LACs. Moreover, in a few instances, the report currently lists multiple Tribes for one land area code. 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(s).
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 A.
	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 A. 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 A.
	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 A. 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 (B) resource code tracts. This is a subset of Column F in Appendix A.
	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 A. 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 A.
	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 A. 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.
	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.

Q Land Area Name	R Land Area Code(s)	S		T		U		V		W		X		Y		Z		AA		AB	
		Tract Resource – Level 2										Total									
		Surface (S)		Minerals (M)		Both (S & M)		Other Resources													
		Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres
Eastern Oklahoma Region																					
Cherokee Nation (905)	905	77	1,135	348	3,734	503	6,045	0	0	928	10,914										
The Chickasaw Nation (906)	906	195	3,538	1,287	22,331	246	8,494	1	0	1,729	34,364										
The Choctaw Nation of Oklahoma (907)	907	147	3,284	726	20,015	280	5,810	0	0	1,153	29,109										
The Muscogee (Creek) Nation (908)	908	374	8,625	1,132	24,392	318	8,478	1	30	1,825	41,526										
The Seminole Nation of Oklahoma (909)	909	287	4,197	607	8,290	100	2,191	0	0	994	14,679										
The Quapaw Nation (920)	920	74	1,955	122	3,666	48	2,667	1	17	245	8,304										
Eastern Shawnee Tribe of Oklahoma (921)	921	8	33	12	153	11	266	0	0	31	452										
Seneca-Cayuga Nation (923)	923	6	18	13	192	54	1,655	0	0	73	1,865										
The Osage Nation (930)	930	620	51,848	0	0	0	0	0	0	620	51,848										
Great Plains Region																					
Three Affiliated Tribes of the Fort Berthold Reservation, North Dakota (301)	301	1,200	112,780	1,140	118,976	220	19,605	935	125,873	3,495	377,234										
Standing Rock Sioux Tribe of North & South Dakota (302)	302	936	37,096	3,368	82,529	1,689	57,883	0	0	5,993	177,508										
Spirit Lake Tribe, North Dakota (303)	303	216	3,781	347	7,530	363	7,579	0	0	926	18,890										
Turtle Mountain Band of Chippewa Indians of North Dakota (304)	304 & 324	274	8,667	357	12,987	190	5,233	0	0	821	26,888										
Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota (340)	340 & 360	972	87,683	2,661	210,098	294	26,659	0	0	3,927	324,440										
Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota (342)	342	123	7,131	535	36,295	280	9,938	0	0	938	53,363										
Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota (343)	343	88	2,562	411	15,554	38	2,204	6	142	543	20,462										
Oglala Sioux Tribe (344)	344	1,180	79,013	2,028	127,237	2,717	138,825	0	0	5,925	345,075										
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota (345)	345	867	20,521	1,692	64,303	773	26,237	0	0	3,332	111,061										
Yankton Sioux Tribe of South Dakota (346)	346	229	2,171	380	8,928	122	2,270	0	0	731	13,369										

Q Land Area Name	R Land Area Code(s)	Tract Resource – Level 2																			
		S		T		U		V		W		X		Y		Z		AA		AB	
		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	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres
Sisseton-Wahpeton Oyate of the Lake Traverse Reservation, South Dakota (347)	347	160	4,000	210	5,769	967	22,956	0	0	1,337	32,725										
Omaha Tribe of Nebraska (380)	380	42	926	100	3,003	281	9,608	0	0	423	13,537										
Santee Sioux Nation, Nebraska (382)	382	15	284	23	693	30	627	0	0	68	1,604										
Winnebago Tribe of Nebraska (383)	383	178	3,309	211	4,366	252	4,581	1	31	642	12,287										
Midwest Region																					
Minnesota Chippewa Tribe, Minnesota - Bois Forte Band (Nett Lake) (404)	404	44	588	56	995	104	1,919	0	0	204	3,502										
Minnesota Chippewa Tribe, Minnesota - Fond du Lac Band (405)	405	97	786	103	903	137	1,063	0	0	337	2,752										
Minnesota Chippewa Tribe, Minnesota - Grand Portage Band (406)	406	28	717	35	1,159	54	1,385	0	0	117	3,261										
Minnesota Chippewa Tribe, Minnesota - Leech Lake Band (407)	407	23	618	32	1,076	208	5,893	0	0	263	7,588										
Minnesota Chippewa Tribe, Minnesota - Mille Lacs Band (410)	410	6	16	6	16	16	41	0	0	28	73										
Minnesota Chippewa Tribe, Minnesota - White Earth Band (408)	408	1	17	1	23	40	1,402	0	0	42	1,443										
Upper Sioux Community, Minnesota (401)	401	0	0	0	0	2	32	0	0	2	32										
Red Lake Band of Chippewa Indians, Minnesota (409)	409	0	0	0	0	1	15	0	0	1	15										
Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation, Wisconsin (430)	430	12	91	20	145	531	4,535	0	0	563	4,771										
Lac Courte Oreilles Band of Lake Superior Chippewa Indians of Wisconsin (431)	431	4	50	5	114	313	3,475	0	0	322	3,638										
Lac du Flambeau Band of Lake Superior Chippewa Indians of the Lac du Flambeau Reservation of Wisconsin (432)	432	1	1	8	92	187	1,285	0	0	196	1,377										
Oneida Nation (433)	433	1	2	1	2	31	150	0	0	33	155										
Forest County Potawatomi Community, Wisconsin (434)	434	0	0	0	0	8	242	0	0	8	242										

Q Land Area Name	R Land Area Code(s)	Tract Resource – Level 2																			
		S		T		U		V		W		X		Y		Z		AA		AB	
		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	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres		
Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin (435)	435	0	0	0	0	36	469	0	0	36	469										
Stockbridge Munsee Community, Wisconsin (438)	438	0	0	0	0	3	14	0	0	3	14										
Ho-Chunk Nation of Wisconsin (439)	439	2	45	7	120	97	1,867	0	0	106	2,032										
Menominee Indian Tribe of Wisconsin (440)	440	0	0	0	0	1	1	0	0	1	1										
Saginaw Chippewa Indian Tribe of Michigan (472)	472	0	0	1	17	25	564	0	0	26	581										
Keweenaw Bay Indian Community, Michigan (475)	475 & 476	0	0	5	63	113	1,604	0	0	118	1,667										
Navajo Region																					
Navajo Nation, Arizona, New Mexico & Utah (780) (excludes LAC 722 statistics)	723, 724 & 790-792	200	13,578	287	21,114	3,662	284,906	0	0	4,149	319,597										
Northwest Region																					
Confederated Tribes of the Colville Reservation (101)	101	381	9,992	1,330	42,207	441	16,372	0	0	2,152	68,570										
Spokane Tribe of the Spokane Reservation (102)	102	32	1,191	96	4,247	279	14,166	0	0	407	19,604										
Kalispel Indian Community of the Kalispel Reservation (103)	103	0	0	0	0	73	1,572	0	0	73	1,572										
Confederated Tribes of the Chehalis Reservation (105)	105	0	0	7	117	58	895	0	0	65	1,012										
Lummi Tribe of the Lummi Reservation (107)	107	1	9	19	385	363	2,811	0	0	383	3,206										
Makah Indian Tribe of the Makah Indian Reservation (108)	108	0	0	3	10	252	1,126	0	0	255	1,136										
Muckleshoot Indian Tribe (109)	109	0	0	16	400	70	608	0	0	86	1,008										
Nisqually Indian Tribe (110)	110	0	0	6	141	13	356	0	0	19	497										
Nooksack Indian Tribe (111)	111	0	0	3	67	49	1,795	0	0	52	1,862										
Suquamish Indian Tribe of the Port Madison Reservation (114)	114	0	0	1	121	79	1,472	0	0	80	1,593										
Puyallup Tribe of the Puyallup Reservation (115)	115	0	0	0	0	16	25	0	0	16	25										

Q Land Area Name	R Land Area Code(s)	Tract Resource – Level 2											
		S Surface (S)		T Minerals (M)		U Both (S & M)		V Other Resources		W Total			
		Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres
Quileute Tribe of the Quileute Reservation (116)	116	0	0	0	0	31	4	0	0	31	4		
Quinault Indian Nation (117)	117	12	392	169	8,790	1,261	58,747	0	0	1,442	67,929		
Sauk-Suiattle Indian Tribe (119)	119	0	0	5	81	30	657	0	0	35	739		
Skokomish Indian Tribe (120)	120	0	0	2	15	82	1,712	0	0	84	1,727		
Squaxin Island Tribe of the Squaxin Island Reservation (121)	121	0	0	4	45	17	295	0	0	21	339		
Swinomish Indian Tribal Community (122)	122	1	9	17	941	68	1,706	0	0	86	2,656		
Tulip Tribes of Washington (123)	123	3	6	39	1,382	133	848	1	10	176	2,246		
Confederated Tribes and Bands of the Yakama Nation (124)	124	159	6,020	321	6,292	1,822	62,340	0	0	2,302	74,652		
Confederated Tribes of the Siletz Indians of Oregon (142)	142	0	0	0	0	1	10	0	0	1	10		
Confederated Tribes of the Umatilla Indian Reservation (143)	143	89	2,143	231	3,915	665	21,463	0	0	985	27,522		
Burns Paiute Tribe (144)	144	0	0	10	740	65	8,109	0	0	75	8,849		
Confederated Tribes of the Warm Springs Reservation of Oregon (145)	145	1	123	1	130	372	9,915	0	0	374	10,168		
Shoshone-Bannock Tribes of the Fort Hall Reservation (180)	180	324	13,340	781	31,992	1,682	127,969	1	20	2,788	173,320		
Coeur D'Alene Tribe (181)	181	2	160	1	160	96	7,354	201	15,549	300	23,224		
Nez Perce Tribe (182)	182	19	602	56	1,699	564	22,386	0	0	639	24,687		
Kootenai Tribe of Idaho (183)	183	0	0	0	0	23	465	0	0	23	465		
Confederated Salish & Kootenai Tribes of the Flathead Reservation (203)	203	78	1,280	390	11,640	263	5,958	0	0	731	18,878		
Pacific Region													
Big Sandy Rancheria of Western Mono Indians of California (506)	506	0	0	0	0	2	7	0	0	2	7		
Big Valley Band of Pomo Indians of the Big Valley Rancheria, California (507)	507	0	0	0	0	15	7	0	0	15	7		
Cloverdale Rancheria of Pomo Indians of California (510)	510	0	0	0	0	2	13	0	0	2	13		

Q Land Area Name	R Land Area Code(s)	S	T	U	V	W	X	Y	Z	AA	AB
		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
Robinson Rancheria (516)	516	0	0	0	0	4	19	0	0	4	19
Hopland Band of Pomo Indians, California (521)	521	0	0	0	0	11	22	0	0	11	22
Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation, California (525)	525	0	0	0	0	29	68	0	0	29	68
Northfork Rancheria of Mono Indians of California (532)	532	0	0	0	0	1	80	0	0	1	80
Picayune Rancheria of Chukchansi Indians of California (534)	534	0	0	0	0	1	17	0	0	1	17
Pinoleville Pomo Nation, California (535)	535	0	0	0	0	5	19	0	0	5	19
Redwood Valley or Little River Band of Pomo Indians of the Redwood Valley Rancheria California (539)	539	0	0	0	0	3	5	0	0	3	5
Round Valley Indian Tribes, Round Valley Reservation, California (540)	540	3	92	14	198	164	2,942	0	0	181	3,232
Greenville Rancheria (545)	545	0	0	0	0	1	0	0	0	1	0
Table Mountain Rancheria (551)	551	0	0	0	0	1	6	0	0	1	6
Karuk Tribe (555)	555	0	0	0	0	1	14	0	0	1	14
Blue Lake Rancheria, California (558)	558	0	0	0	0	4	4	0	0	4	4
Elk Valley Rancheria, California (559)	559	0	0	0	0	1	5	0	0	1	5
Hoopa Valley Tribe, California (561)	561	4	3	12	52	97	499	1	0	114	555
Yurok Tribe of the Yurok Reservation, California (562)	562	10	133	69	1,393	87	1,073	1	22	167	2,620
Quartz Valley Indian Community of the Quartz Valley Reservation of California (563)	563	0	0	0	0	2	23	0	0	2	23
Tolowa Dee-ni' Nation (564)	564	0	0	0	0	12	26	0	0	12	26
Augustine Band of Cahuilla Indians, California (567)	567	0	0	0	0	1	24	0	0	1	24
Cabazon Band of Mission Indians, California (568)	568	0	0	0	0	9	168	0	0	9	168

Q Land Area Name	R Land Area Code(s)	Tract Resource – Level 2											
		S Surface (S)		T Minerals (M)		U Both (S & M)		V Other Resources		W Total			
		Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres
La Jolla Band of Luiseno Indians, California (576)	576	0	0	1	8	45	306	0	0	46	314		
Morongo Band of Mission Indians, California (582)	582	14	26	28	75	159	412	0	0	201	513		
Pala Band of Mission Indians (583)	583	19	59	29	64	187	467	1	2	236	592		
Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation, California (584)	584	1	1	21	624	173	7,000	0	0	195	7,625		
Pechanga Band of Indians (586)	586	30	245	30	233	46	363	0	0	106	842		
Rincon Band of Luiseno Mission Indians of Rincon Reservation, California (587)	587	2	8	3	7	35	106	0	0	40	121		
Sycuan Band of the Kumeyaay Nation (594)	594	3	13	3	22	13	96	0	0	19	132		
Torres Martinez Desert Cahuilla Indians, California (595)	595	2	12	20	401	101	2,172	0	0	123	2,585		
California Valley Miwok Tribe, California (628)	628	0	0	0	0	1	0	0	0	1	0		
Habematolel Pomo of Upper Lake, California (636)	636	0	0	0	0	5	11	0	0	5	11		
Rocky Mountain region													
Blackfeet Tribe of the Blackfeet Indian Reservation of Montana (201)	201	3,847	135,964	2,141	133,091	155	10,268	0	0	6,143	279,323		
Crow Tribe of Montana (202)	202 & 208	2,404	243,057	1,694	66,077	640	24,740	0	0	4,738	333,874		
Fort Belknap Indian Community of the Fort Belknap Reservation of Montana (204)	204	870	47,165	1,729	125,668	271	26,153	0	0	2,870	198,986		
Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana (206)	206	765	39,514	2,224	167,334	1,357	104,213	23	2,575	4,369	313,636		
Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana (207)	207	860	34,400	0	0	0	0	0	0	860	34,400		

Q Land Area Name	R Land Area Code(s)	S		T		U		V		W		X		Y		Z		AA	AB
		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
		Tracts		Equivalent Acres		Tracts		Equivalent Acres		Tracts		Equivalent Acres		Tracts		Equivalent Acres		Tracts	Equivalent Acres
Northern Arapaho Tribe of the Wind River Reservation, Wyoming (281) & Eastern Shoshone Tribe of the Wind River Reservation, Wyoming (282)	280	901	22,226	1,354	40,040	338	12,037	0	0	2,593	74,303								
Southern Plains Region																			
Cheyenne and Arapaho Tribes, Oklahoma	801	225	13,103	454	24,174	494	31,588	0	0	1,173	68,864								
Kiowa Indian Tribe of Oklahoma (802), Comanche Nation, Oklahoma (808) & Apache Tribe of Oklahoma (809)	802	590	37,361	1,120	65,379	1,409	91,287	0	0	3,119	194,027								
Fort Sill Apache Tribe of Oklahoma (803)	803	7	193	25	892	17	1,072	0	0	49	2,157								
Wichita and Affiliated Tribes (Wichita, Keechi, Waco & Tawakonie), Oklahoma (804), Caddo Nation of Oklahoma (806) & Delaware Nation, Oklahoma (807)	804	128	8,918	295	16,966	434	28,558	0	0	857	54,443								
Otoe-Missouria Tribe of Indians, Oklahoma(811)	811	56	2,959	162	7,334	163	8,353	0	0	381	18,647								
Pawnee Nation of Oklahoma (812)	812	49	2,667	126	5,966	202	11,489	0	0	377	20,122								
Ponca Tribe of Indians of Oklahoma (813)	813	73	1,970	157	5,484	181	5,999	0	0	411	13,453								
Tonkawa Tribe of indians of Oklahoma (814)	814	0	0	1	40	6	201	0	0	7	241								
Absentee-Shawnee Tribe of Indians of Oklahoma (820)	820	45	1,708	92	4,381	132	5,527	0	0	269	11,616								
Citizen Potawatomi Nation, Oklahoma (821)	821	19	701	32	1,173	20	676	0	0	71	2,550								
Iowa Tribe of Oklahoma (822)	822	14	431	20	654	20	497	0	0	54	1,582								
Kickapoo Tribe of Oklahoma (823)	823	18	422	33	1,048	88	3,075	0	0	139	4,545								
Sac & Fox Nation, Oklahoma (824)	824	38	1,613	71	3,036	146	7,105	0	0	255	11,754								
Iowa Tribe of Kansas and Nebraska (860)	860	0	0	0	0	5	38	0	0	5	38								
Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas (861)	861	10	358	11	365	61	1,393	0	0	82	2,116								
Prairie Band Potawatomi Nation (862)	862	23	629	47	1,274	260	7,429	0	0	330	9,331								

Q Land Area Name	R Land Area Code(s)	Tract Resource – Level 2									
		S Surface (S)		U Minerals (M)		W Both (S & M)		Y Other Resources		AA Total	
		Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres
Sac & Fox Nation of Missouri in Kansas and Nebraska (863)	863	0	0	2	21	0	0	0	0	2	21
Southwest Region											
Pueblo of Acoma, New Mexico (703)	703	1	320	0	0	0	0	0	0	1	320
Pueblo of Laguna, New Mexico (707)	707	2	973	0	0	27	2,026	0	0	29	2,999
Pueblo of San Felipe, New Mexico (712)	712	0	0	0	0	1	71	0	0	1	71
Zuni Tribe of the Zuni Reservation, New Mexico (721)	721	0	0	1	156	11	1,377	0	0	12	1,533
Navajo Nation, Arizona, New Mexico & Utah (780) (only includes LAC 722 statistics)	722	4	261	2	179	225	14,846	0	0	231	15,286
Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado (750)	750	43	1,249	64	4,292	9	477	0	0	116	6,018
Ute Mountain Ute Tribe (751)	754	3	309	3	309	54	5,263	0	0	60	5,881
Western Region											
Colorado River Indian Tribes of the Colorado River Indian Reservation, Arizona and California (603)	603	4	23	6	25	505	2,956	0	0	515	3,004
Fort Mojave Indian Tribe of Arizona, California & Nevada (604)	604	0	0	1	68	1	0	0	0	2	69
Hopi Tribe of Arizona (608)	608	0	0	0	0	11	166	0	0	11	166
Tohono O'odham Nation of Arizona (610)	611	0	0	0	0	280	28,080	0	0	280	28,080
Gila River Indian Community of the Gila River Indian Reservation, Arizona (614)	614	11	161	12	162	4,869	59,694	0	0	4,892	60,016
Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona (615)	615	0	0	0	0	1,472	15,906	0	0	1,472	15,906
Ely Shoshone Tribe of Nevada (644)	644	0	0	0	0	1	158	0	0	1	158
Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, Nevada and Oregon (646)	646	0	0	0	0	4	105	0	0	4	105

Q Land Area Name	R Land Area Code(s)	Tract Resource – Level 2									
		S Surface (S)		T Minerals (M)		U Both (S & M)		V Other Resources		W Total	
		Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres	Tracts	Equivalent Acres
Walker River Paiute Tribe of the Walker River Reservation, Nevada (656)	656	5	99	9	140	331	4,846	0	0	345	5,085
Yomba Shoshone Tribe of the Yomba Reservation, Nevada (661)	661	0	0	1	27	4	272	0	0	5	299
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodsford Community, Stewart Community, & Washoe Ranches) (672)	672	10	562	25	1,070	371	40,405	0	0	406	42,036
Ute Indian Tribe of the Uintah & Ouray Reservation, Utah (687)	687	214	4,007	728	39,396	113	3,554	0	0	1,055	46,956
Quechan Tribe of the Fort Yuma Indian Reservation, California & Arizona (696)	696	29	190	29	190	680	4,901	0	0	738	5,280
Total		21,145	1,100,437	34,686	1,641,888	40,799	1,634,588	1,174	144,272	97,804	4,521,185



Staff photo of sacred and culturally significant geological formation identified as “Bear Lodge” on the Map of a Reconnaissance of the Black Hills, prepared by the U.S. Army Corps of Engineers in 1874, or “Mato Tipila” in Lakota, and later proclaimed as Devils Tower National Monument in 1906.



L A N D



B u y - B a c k P r o g r a m

f o r



T R I B A L N A T I O N S

Ten Years of Restoring Land and Building Trust

2012-2022
