



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

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Julius Snell and Alberto Ugás
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Presentation Outline

- Program background and current results
- Implementation schedule
- Appraisal sharing
- Fractionation
- Tribal Input

What is the Buy-Back Program?

The Land Buy-Back Program for Tribal Nations implements the land consolidation component of the **Cobell Settlement Agreement**.

The \$1.9 billion Trust Land Consolidation Fund (Fund) purchases:

- fractional interests
- in trust or restricted land
- at fair market value
- from willing sellers
- within a 10-year period which began 2012

Purchased interests will be immediately held in trust for the tribe with jurisdiction over the land.

Approximately \$354 million remains in the Fund as of 3/1/2019.

Program Results

Land Consolidation

- Mailed offers to landowners with interests at 51 locations
- Land consolidation efforts thus far:
 - More than 838,000 interests on nearly 45,000 tracts
 - Nearly 2.4 million equivalent acres transferred to tribes
- Increased tribal ownership to $\geq 50\%$ in more than 15,800 tracts

Implementation Costs

- Expended 36% of the \$285 million for implementation costs
- Entered into agreements with 51 tribes

Locations Through Winter 2020

- Blackfeet
 - Bois Forte (Nett Lake)
 - Cheyenne River
 - Fond du Lac
 - Fort Belknap*
 - Fort Berthold*
 - Fort Peck
 - Navajo
 - Standing Rock
 - Wind River
-
- Locations will be added as capacity and resources allow
 - Tribes will be contacted individually

*Offers pending

Appraisal Sharing

- The Land Buy-Back Program for Tribal Nations is committed to maximizing the responsible use of its appraisals and has determined copies of appraisal reports will be shared with:
 - Landowners
 - Tribal Nations
 - Regional BIA agencies

Appraisal Request

- Landowner Request to Trust Beneficiary Call Center (TBCC)
 - Step 1 - Landowner calls TBCC to request appraisal
 - Step 2 - TBCC confirms ownership and forwards to Land Buy-Back Program Valuation Division (LBBPVD)
 - Step 3 - LBBPVD releases appraisal report to TBCC
 - Step 4 - TBCC sends appraisal report to landowner
- Landowner Request to BIA
 - Step 1 – BIA enters request in estate appraisal tracking system (OASIS) and notifies AVSO's Indian Trust
 - Step 2 – AVSO's Indian Trust pulls appraisal & sends to BIA
 - Step 3 – AVSO's Indian Trust notifies LBBPVD of BIA's request

Appraisal Purpose and Validity

- The Buy-Back Program will strive to use appraisal reports up to 12 months from their effective date
 - Purpose
 - Provide for Tribal Purchases
 - Provide for Co-owner Purchases
 - Appropriate Market Conditions
- BBP recognizes market value can change soon after an offer is made, or that it may remain static
- Continual re-assessment of market values is untenable given limited timeframes and funds
- Thus the administrative validity period:
 1. Allows for timely implementation at each location
 2. Sets a date for property appraisals to be re-evaluated if warranted

Current Fractionation

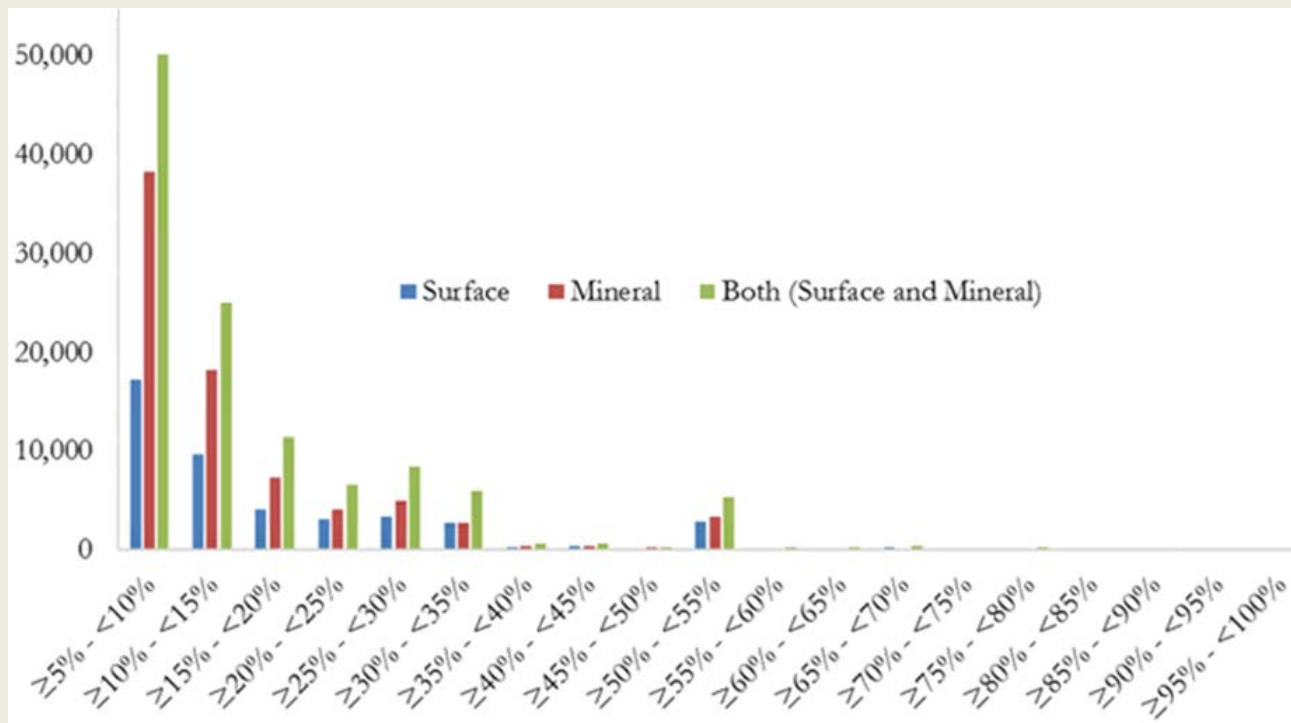
- Approximately 150 locations have nearly 100,000 fractionated tracts
- More than 243,000 landowners own approximately 2.5 million fractional interests
- Nearly 98% of these interests are less than 25% ownership

Estimating Future Fractionation

- 88% of the 2.5 million fractional interests are less than 5% in size and are subject to the Single Heir Rule established by the 2004 American Indian Probate Reform Act (AIPRA)
- When a person passes without a will, only a single eligible heir may receive the person's less than 5% fractional ownership interests
- The remaining 12% of the 2.5 million fractional interests are greater than 5% in size

Interests Continue to Fractionate

- The graph below depicts the remaining greater than 5% interests (approximately 241,000 interests) by ownership size category and interest type
- These interests are not subject to the Single Heir Rule



Tribal Input Needed

- How does fractionation impact your tribal lands?
- What strategies do your tribe use to manage or reduce fractionation?
- What are your suggestions to the Department or Congress to manage or reduce fractionation?

How can I learn more about my land?



1-888-678-6836

Trust Beneficiary Call Center