

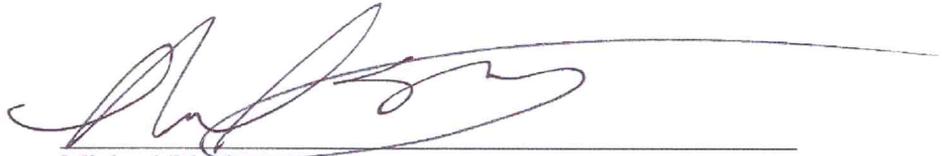
**INDIAN AFFAIRS  
DIRECTIVES TRANSMITTAL SHEET**

(modified DI -416)

DOCUMENT IDENTIFICATION NUMBER <b>54 IAM 2, 54 IAM 3, 54 IAM 4, 54 IAM 5, 54 IAM 6, and 54 IAM 7</b>	SUBJECT <b>Agricultural Resources - Multiple Indian Affairs Manual (IAM) policy chapters</b>	RELEASE NUMBER # 14-20, #14-23, #14-24, #14-25, #14-26, and #14-01
FOR FURTHER INFORMATION Office of Trust Services, Branch of Ag & Rangeland Management (Division of Natural Resources)		DATE <b>SEP 09 2014</b>

**EXPLANATION OF MATERIAL TRANSMITTED:**

These chapters establish the policies, authorities, and responsibilities for the protection, planning, administration, and monitoring of trust and restricted Indian land used for agricultural purposes under Bureau of Indian Affairs (BIA) jurisdiction.



Michael Black  
Director, Bureau of Indian Affairs

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**FILING INSTRUCTIONS:**

Remove: None

Insert: All 6 new IAM chapters

# INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** This chapter describes Indian Affairs (IA) policy regarding the issuance, administration and monitoring of grazing permits on Indian rangelands and grazed forestlands (together referred to as grazing lands).
- 1.2 Scope.** This policy applies to all tribal and individually held grazing lands under Bureau of Indian Affairs (BIA) jurisdiction, to all IA programs and staff charged with the management of these lands, and to tribal entities acting for the United States through contracts issued under Public Law (P.L.) 93-638.

Compact tribes may not be required to abide by the policies contained in this chapter (depending on individual compact language), but are encouraged to use IA policy as guidance.

- 1.3 Policy.** It is the policy of IA:
- A.** To protect, conserve, utilize, and maintain the highest productive potential on Indian grazing lands through the application of sound multiple-resource conservation planning and practices to the development, inventory, classification, management and administration of grazing resources.
  - B.** To assist trust and restricted Indian landowners in permitting their grazing lands for a reasonable annual return consistent with prudent management and conservation practices as well as community goals as expressed by landowners and in applicable tribal management plans and ordinances.
  - C.** To monitor permittee adherence to the provisions of their grazing permit including compliance with requirements described in conservation plans.
  - D.** To monitor the results of management and administrative decisions against projected outcomes in order to strengthen future decisions.

- 1.4 Authority.**
- A.** 25 U.S.C. § 466
  - B.** 25 U.S.C. § 3702(2) and § 3703(12)(D)
  - C.** 25 CFR Part 166

# INDIAN AFFAIRS MANUAL

## 1.5 Responsibilities.

- A. **Director, BIA** is responsible for overseeing IA programs to ensure compliance with all applicable statutes, regulations, and DOI policy.
- B. **Deputy Bureau Director, BIA Office of Trust Services (OTS)** maintains the Trust Asset Accounting Management System (TAAMS) support for grazing permitting, trust income collection and disbursement, reporting, and records management.
- C. **Regional Directors (RDs)** are responsible for:
1. Providing regional guidance for programs that support grazing permitting, and addressing appeals from decisions issued by Agency Superintendents.
  2. Concurring with or remanding an Agency Superintendent's determination of grazing capacity, season(s) of use, and grazing rental rates.
- D. **Agency Superintendents** are responsible for:
1. Organizing and assigning Agency staff and resources to issue grazing permits, and coordinating grazing permitting activities with other Agency responsibilities.
  2. Establishing grazing capacity by range unit and establishing the season(s) of use on Indian grazing lands.
  3. Establishing grazing rental rate(s) for individually owned Indian lands; providing information relating to the value of grazing on tribal lands to the tribe for their action under 25 CFR 166.400(a); and establishing grazing rental rate(s) for tribes that have not established a rate under 25 CFR 166.400(a).
  4. Contacting tribes 120 days prior to the expiration of grazing permits to request a tribal resolution establishing a general policy for permitting of Indian agricultural lands. The Superintendent's request shall seek the tribe's determination of the following where applicable:
    - language authorizing BIA waivers described under 166.100;
    - tribal definition of "highly fractionated undivided heirship lands";

# INDIAN AFFAIRS MANUAL

- tribe's alternative plan for notifying individual Indian landowners;
  - statement authorizing the BIA to permit tribal land for grazing;
  - a description of the tribal lands to be included in permits;
  - tribe's alternative notice period applicable under 166.205(a)(6)(i);
  - tribal determination of duration of permits;
  - tribe's procedure and eligibility requirements for allocation of grazing privileges to tribal members and tribally authorized entities without competitive bidding;
  - determination of class of livestock that may be grazed on tribal lands and livestock ownership requirements;
  - grazing rental rate to be charged for permitted use of tribal lands and government lands under the control of the tribe;
  - any tribal fees, taxes, or assessments that must be paid;
  - any waiver of bonding and insurance requirements under 25 CFR 166 Subpart G in connection with use of tribal lands;
  - any late payment lump-sum or interest penalties to be levied on tribal grazing receipts;
  - any other provisions the tribe determines to be needed.
5. Acting on behalf of the tribe under 25 CFR 166.205(a)(6)(i) when the tribe fails to act in response to the 120 day notice and such action is determined to be appropriate.
  6. Contacting individual Indian landowners seeking authority to grant grazing privileges on individually held Indian lands when an allotment is added to a designated range unit or when ownership of individually held land changes.
  7. Acting to remove individually held Indian lands from a range unit description when the land is removed from trust status or when an existing authority to grant grazing privileges is revoked.
  8. Acting on behalf of individual Indian landowners under 25 CFR 166.205 when such action is determined to be appropriate.

## INDIAN AFFAIRS MANUAL

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Part 54

Agricultural Resources

Chapter 4

Grazing Permit Issuance, Administration and Monitoring

Page 4

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9. Fully documenting decisions to act on behalf of Indian landowners under the regulations at 25 CFR 166.205.
10. Maintaining records in TAAMS to solicit authority to grant grazing privileges from individual Indian landowners, issue grazing permits, collect and disburse trust grazing income, and maintain Agency grazing permit record.
11. Organizing and assigning Agency staff and resources to monitor grazing permits for adherence to permit stipulations including user compliance with responsibilities included in conservation plans; and act to correct permit violations.