Indian Affairs - Office of Public Affairs

Policy also institutionalizes role of Hearth Act Coordinator to ensure accountability for meeting timelines

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WASHINGTON – Assistant Secretary – Indian Affairs Tara Sweeney announced today a new internal policy governing how the Bureau of Indian Affairs (BIA) processes tribal applications under the "Helping Expedite and Advance Responsible Tribal Homeownership Act of 2012" (HEARTH Act).

The new policy, which is codified in the Indian Affairs Manual, details the process for BIA review and approval of tribes' HEARTH regulations. The policy covers steps BIA will take from the moment of receipt in Central Office — when the 120-day statutory timeframe for review begins — to final approval and publication in the Federal Register. Under the policy, tribes will receive written acknowledgment of BIA's receipt of the application within three (3) calendar days. The written acknowledgment will also state the due date of the 120-day review period and next steps. Tribes can then expect to hear directly from the HEARTH Act Coordinator to discuss any issues or recommendations.

The policy makes the review process as transparent as possible while institutionalizing the roles of each reviewer. Of particular importance is the description of the HEARTH Act Coordinator, who is assigned responsibility for shepherding tribal applications through the review process and ensuring that timeframes are met. By centralizing the review of HEARTH applications, the policy also ensures that tribes will receive consistent, predictable review regardless of their BIA region or agency.

Once a tribe receives BIA approval for their HEARTH application, the tribe is authorized to negotiate and enter into leases without further approvals by the Secretary. Tribes may submit HEARTH applications for agricultural and business leases of tribal trust lands for a primary term of 25 years and up to two renewal terms of 25 years each. Leases of tribal trust lands for residential, recreational, religious or educational purposes may be executed for a primary term of up to 75 years. Interested tribes may submit their regulations by mail to:

U.S. Department of the Interior, Bureau of Indian Affairs
Office of Trust Services, Deputy Bureau Director–Trust Services
Attention: Division of Real Estate Services
1849 C Street, N.W., MS-4620-MIB
Washington, D.C. 20240

The Assistant Secretary – Indian Affairs advises the Secretary of the Interior on Indian Affairs policy issues, communicates policy to and oversees the programs of the BIA and the BIE, provides leadership in consultations with tribes, and serves as the DOI official for intra- and inter-departmental coordination and liaison within the Executive Branch on Indian matters.

The Bureau of Indian Affairs directly administers and funds tribally operated infrastructure, law

enforcement and justice, social services (including child welfare), tribal governance, and trust land and natural and energy resources management programs for the nation's federally recognized American Indian and Alaska Native tribes through four offices: Indian Services, Justice Services, Trust Services, and Field Operations. The Office of Trust Services' Division of Real Estate Services (DRES) administers the HEARTH Act review process for tribal leasing regulations applications.

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