

BIA & TRIBAL PLANNING FOR THE FUTURE

COLLABORATING TO BETTER SERVE THE GOOD OF THE INDIVIDUAL INDIANS

Partners in Action Conference
July 2016 - Sault Sainte Marie, Michigan





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LAND ISSUES

GRANTS

GET INVOLVED

RESOURCES

NEWS

home > resources > cutting through the red tape > sale of indian land > sample form - sale of indian land 2

t f t+ 9 Login

Sample Form - Application for Sale of Indian Land 2

[Back to main page](#)

[< Prev form page](#)

14. If receiving public assistance grants from the State or general assistance from the Bureau of Indian Affairs, or funds from the Veterans Administration, Social Security, or any regular public benefit, state kind and amount. (if none, state none.) _____

15. I do I do not live on or make personal use of the land or made improvements to the land covered by the application.

16. The land is leased and the annual rent received is _____

17. I intend to use the proceeds of the sale for the following Living Expense Personal:

18. Is there a Power of Attorney or Guardianship? Yes No

If yes, Name. _____

I (We) authorize the sale of the land hereto described and hereby accept the offered fair market value.

X _____ X _____
APPLICANT SIGN HERE If married, name of spouse

X _____
APPLICANT PRINT NAME

If married, do you wish to have spouse included in the conveyance (on the deed) Yes No

If spouse is included in conveyance, they may not sign as a witness.
If yes - is Spouse a Tribal member? Yes No

Witness _____

Date: _____

Witness Print Name _____

Please return the application, Land Inventory, Cobell Notice, and Waiver and Confirmation of Consultation for processing

The application is hereby accepted for administrative processing:

The application is approved: _____

Date: _____



METHODOLOGY FOR COLLECTING INFORMATION

- What information NEEDS to be collected on these forms?
- What purpose does the information serve?
- Keep in mind the trust responsibility.

CONFORMING FORMS

States all have their own recording documents; titles and formatting requirements vary.

Why can't the BIA have downloadable forms for most of these transactions that tribes can tailor and list formatting requirements for recording?

This could expedite the process so staff doesn't have to review each document for form and search to find all of the key information needed.

Need for Updated IA Manuals and Handbooks

In 1997, the Deputy Commissioner of Indian Affairs sent a memorandum to IA leadership and programs informing them that the BIAM would be replaced with the new Indian Affairs Manual (IAM). Programs are required by the Federal Records Act (44 U.S.C. 3101), the Administrative Procedures Act (5 U.S.C. 552), and 381 Department Manual (DM) 1 to properly document the functions, policies, and essential transactions of the organization.

From 1997 - 2008, multiple release and policy memos were issued stating that the BIAM was to be superseded by the IAM. In February 2016, the Acting AS-IA released a memorandum reminding IA programs that they should no longer be relying on BIAMs.

IAM

The IAM is intended to contain **all** of the policies and directives for Indian Affairs within DOI.

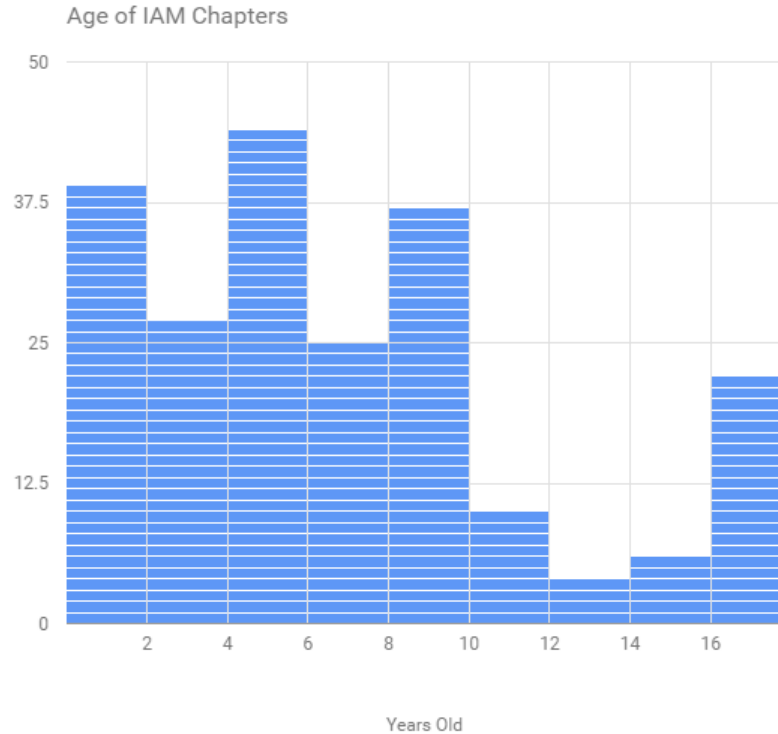
All IA bureaus and offices are meant to review and update their policies and directives every two years. Despite this, many chapters have not been updated in 5+ years, with some as old as 17 years.

Additionally, many of the guidance documents used by IA programs are not codified in the IAM:

- Construction in Progress Handbook
- Fee-to-Trust Handbook
- Indian Probate Handbook
- Leasing and Permitting Handbook
- Space Management Handbook

Analysis

The average age of an IAM chapter is 6.9 years, and some have not been updated in over 16 years.



BIAM to IAM - leftovers

Further, many chapters of the BIAM were never officially converted or superseded by a chapter in the IAM. Some of these relate to business processes that no longer occur frequently, but many employees may still have only the BIAM to refer to for some tasks.

NEEDS TO CONSIDER FOR IAMs

- Standardization/streamlining of forms
- Increased flexibility in communications
- Increased Tribal input throughout the process of rulemaking
- Data call consideration
- Role of LTRO/Title/TAAMS

WHO IS ON BOARD AND WHO IS WILLING TO HELP?

WORKGROUP VOLUNTEERS NEEDED!

THANK YOU!

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