

# INDIAN AFFAIRS MANUAL

- 1.1 Purpose.** This chapter provides an overview of the Bureau of Indian Affairs (BIA) Land Buy-Back Acquisition Center (AC). The Land Buy-Back Program (LBBP) for Tribal Nations was established by Secretary’s Order (SO) 3325 as part of the Settlement Agreement in *Cobell v. Salazar*, No. 96-CV-1285-JR, and the AC was established to accept, approve, and record LBBP transactions. The AC operates in collaboration with other bureaus and offices within the Department of the Interior (DOI) to ensure implementation of all land consolidation aspects of the Settlement Agreement.
- 1.2 Scope.** This policy applies to the Director, AC and to AC staff where the AC is performing functions related to the LBBP and to land title acquisitions that are Tribally funded and implemented in conjunction with a LBBP offer set (“LBBP transactions”).
- 1.3 Policy.** It is IA’s policy to ensure compliance with the SO, and to provide clear, concise guidance to individual Indian land owners concerning their fractional interests and the opportunity to sell their interests for consolidation under Tribal ownership.
- 1.4 Authority.**
- A. Statutes.**
- 1) P.L. 97-459, Indian Land Consolidation Act of 1983, as amended, including P.L. 106-462, Indian Land Consolidation Act Amendments of 2000 and P.L. 108-374, the American Indian Probate Reform Act of 2004 (P.L. 108-374)
  - 2) P.L. 111-291, Claims Resolution Act of 2010
- B. Guidance.**
- 1) SO No. 3325, Land Buy-Back Program for Tribal Nations, December 17, 2012
- 1.5 Responsibilities.**
- A. Director, BIA** is responsible for the development of national policy affecting Indian lands.
- B. Deputy Bureau Director (DBD), BIA Field Operations** is responsible for disseminating AC-related policy and guidance to the Regional Directors.
- C. DBD, Office of Trust Services (OTS)** is responsible for management and oversight of the Division of Land Buy-Back (also known as the AC), and for disseminating AC-related policy to the DBD, BIA Field Operations, and other offices as appropriate.

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- D. Regional Directors** are responsible for carrying out AC policy as directed and, when applicable, for overseeing the implementation of policy either directly or via BIA Agency Superintendents.
- E. Director, AC** is responsible for overseeing the acceptance, review, and approval of LBBP returned offer packages, with specifically identified staff operating as would the OTS Division of Realty to carry out this activity. The AC Director is limited to overseeing recordation of the title documents for LBBP transactions transferring fractionated land interests from an individual to the appropriate Tribe with jurisdiction, with specifically identified staff operating as would the Land Title and Records Office (LTRO) to carry out this activity.
- F. AC Approving Official** operates as would the LTRO staff and is responsible for the recordation of the title documents transferring fractionated land interests in trust or restricted land from an individual to the appropriate Tribe with jurisdiction, and for land title acquisitions that are Tribally funded and implemented in conjunction with LBBP transactions.
- G. AC Pre-Approval Quality Assurance staff** operates as would the OTS Division of Realty and is responsible for review and acceptance of LBBP returned offer set documents that transfer fractionated land interests from an individual to the appropriate Tribe with jurisdiction, and for land title acquisitions that are Tribally funded and implemented in conjunction with LBBP transactions.
- H. AC Post-Approval Quality Assurance staff** is responsible for reviewing AC transactions after they are recorded and ensuring title transfer and recordation quality and completeness including those land title acquisitions that are Tribally funded and implemented in conjunction with LBBP transactions.

## 1.6 Standards, Requirements, and Procedures.

- A.** The AC utilizes current certified Trust Asset & Accounting Management System (TAAMS) title ownership data to generate transaction documents in TAAMS.
- B.** AC Pre-Approval Quality Assurance staff ensures acceptance quality by reviewing received and scanned transaction documents in TAAMS. Documents that are complete and properly executed are transferred in TAAMS to the AC Approving Official.
- C.** The AC Approving Official conducts a final review and approves complete and properly executed transaction documents in TAAMS.

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- D. The AC Post-Approval Quality Assurance staff ensures title transfer and recordation quality and completeness by reviewing approved transactions in TAAMS.

## Approval

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Darryl LaCounte

Date

Director, Bureau of Indian Affairs