



# Understanding the RESERVATION PROCLAMATION Process

A reservation proclamation is defined as a formal declaration issued by the Secretary of the Interior “Secretary” or designee proclaiming that certain lands will be a new reservation or an addition to an existing reservation boundary. A reservation proclamation can encompass multiple trust parcels, or a portion of a parcel taken into trust on behalf of a federally recognized Tribe. This action clarifies jurisdictional boundaries and affirms tribal sovereignty.

The DOI Secretary is authorized by the Indian Reorganization Act (IRA) to proclaim reservations in accordance with 25 U.S.C. § 5110. Reservation proclamations can only be issued for a completed trust acquisition(s) made pursuant to an authority conferred by the IRA. However, Tribes may choose to submit a reservation proclamation request for lands previously accepted in trust or with their land acquisition or commonly known as fee-to-trust (FTT) acquisition, written request for a new acquisition.

When a Tribe submits a written request for a reservation proclamation, the first step is to determine the trust status of the underlying land. If the land is already in trust, the proclamation request will be processed as a post-FTT reservation proclamation request. If the Tribe submits a new FTT acquisition package and is seeking to acquire the land in trust and have it proclaimed as reservation, the proclamation request will be processed as a concurrent trust acquisition and reservation proclamation.

## How to Obtain a Proclamation

BIA’s review of a reservation proclamation starts with the receipt of a request from a Tribe. Tribal requests for reservation proclamations for land that was already acquired in trust should be submitted to the BIA office with jurisdiction.



## What You Need

1. A Tribal resolution requesting the reservation proclamation. The resolution should include:
  - A citation to Tribal authority for the action.
  - The legal land description for the land in question.
  - A brief justification for the reservation proclamation. For example, a Tribe may seek a reservation proclamation to clarify land status, or to support a request for funding from a state or federal agency.
  - A brief statement of the use for the land, such as housing or agricultural.
2. The request should include a map, plat, or survey that depicts the location of the subject land in relation to the present reservation, or other trust and restricted lands, where applicable.
3. A copy of the trust deed.



## Where to submit your Proclamation Request and Questions for BIA

A Tribe that is interested in submitting a proclamation request will need to submit a proclamation request package to the BIA office with jurisdiction over the land area. The BIA office will work with the Tribe to ensure a complete request is received.



## BIA Review of Your Proclamation Request

Within 10 days of receipt, Realty staff must complete a comprehensive review of the request for the items identified above. The authorized BIA official must formally acknowledge receipt of the request and notify DRES that a request has been received.



## Provide Notice Letter to State and Local Governments

A notice is required and must be prepared by Realty staff within 30 days of receipt of a complete request. The notice letter should be sent to state and local governments.



## BIA Submission of a Proclamation Request

The Regional Director is responsible for preparing a draft reservation proclamation memorandum and attachments to the BIA Director through DRES, Office of Trust Services, Central Office. The regional office will work with the BIA agency to ensure the proclamation memorandum is complete.

DRES will immediately submit the signed BIA Director memorandum to the AS-IA, who reviews the materials and determines whether to issue the reservation proclamation document. If the AS-IA decides to issue the reservation proclamation, notice of the decision is published in the Federal Register. DRES will provide a copy of the Federal Register notice and original signed proclamation to the BIA Regional Director.



## Reservation Proclamation for LTRO Recording

As soon as the Federal Register notice and original signed proclamation are received by the BIA Regional Director, Realty staff will submit the Federal Register notice and original signed proclamation to LTRO for recording.



## Final Notification and Case Completion

The Regional Director will provide notice to the Tribe that the reservation proclamation request has been completed and will provide a copy of the Federal Register notice and original signed proclamation within 10 days of LTRO recording.

## Additional Information

Notice for a Concurrent Acquisition Reservation Proclamation Requests is provided on the Notice of Decision. Regardless of whether the FTT decision is made by a BIA official or the AS-IA, the Regional Director is responsible for preparing a reservation proclamation memorandum to DRES. The BIA regional office will work with the BIA agency to ensure the application and proclamation memorandum are complete. For concurrent reservation proclamation request process please see the Fee-to-Trust Acquisitions and Proclamations Handbook.



BIA Regionals

### Reservation Proclamation

For more information, visit

[www.bia.gov/bia/ots/dres](http://www.bia.gov/bia/ots/dres)

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