



# REAL ESTATE SERVICES PROGRAM

## FOR MANAGING INDIAN TRUST LANDS

## INDIAN REAL ESTATE RESPONSIBILITIES

BUREAU OF INDIAN AFFAIRS  
DIVISION OF REAL ESTATE SERVICES OFFICE  
OF TRUST SERVICES

The mission of the Division of Real Estate Services (DRES) is to protect and maintain the integrity of trust lands and resources by providing policy direction, technical assistance, training, and administrative review and monitoring of real property operations.

DRES's responsibilities include the review of real property initiatives and the oversight of real estate services transactions and leases. Responsibilities of the program include ensuring that the trust and restricted

Federal Indian-owned lands are protected, managed, accounted for, developed, utilized, recorded, and probated in a timely manner. This program also covers the acquisition, transfer and disposal of federally owned excess and surplus land, acquisition of land and/or other real properties for use by the Bureau and Indian Tribes that are required pursuant to the Indian Self-Determination and Education Assistance Act (P.L. 93-638, P.L. 93-599 and Base Realignment and Closure Act (BRAC). The land is acquired from General Services Administration (GSA), the Department of Defense (DoD), Indian Health Service (IHS), Army Corps of Engineers, the private sector or through special legislation. The regulations do not cover the acquisition of land in trust status in the State of Alaska. With the approval of the Secretary of the Interior, a landowner of a restricted Native allotment or townsite lot can sell all or a portion of the land. They must have title to the restricted property in order to sell the land. Proof of title would be a Certificate of Native allotment, a Native Restricted Trustee Deed, or a finalized Probate Order naming the heir(s) before the land can be sold. The sale of any restricted Native lands must be approved by the Bureau to be valid and must be at or above the fair market value. If there are two or more landowners, an application for Advertised Sale must be completed by all the co-owners. The subactivity is comprised of two program elements: Real Estate Services Program (TPA) and Real Estate Services Projects.

### REAL ESTATE SERVICES PROGRAM (TPA)

The TPA real estate program element improves ownership information and administering and managing all land held in trust for the benefit of individual Indians and tribes. The field staff initiate all land ownership record-keeping, which is often complicated by highly fractionated ownership, both surface and subsurface. Program staff provide real property management counseling and land use planning services to individual Indian allottees, tribes and Alaska Natives who own an interest in approximately 56 million acres of trust and restricted land. Decision-making processes are developed through cooperative efforts with Indian landowners for the proper utilization, development, and enhancement of Indian trust lands. Trust land leasing activities are a major part of the Real Estate program and provide a major source of income to the owners. Major functions include the processing of rights-of-way, land acquisition requests, sales, surface and subsurface leases, and a variety of non-income producing actions (i.e., assignments, modifications, cancellations, and land use counseling) and land records execution.

### REAL ESTATE SERVICES PROJECTS

This program element investigates and resolves Unresolved Indian Rights issues; determines the legal boundaries of Indian trust lands to ensure that property and resources are accounted for and protected and provides individual Indian landowners and Tribes with lease compliance enforcement to protect the resources of trust land. The program provides technical assistance to Indian landowners on issues related to Unresolved Indian Rights, Cadastral Survey and Lease Compliance. The following activities are essential to the effective implementation of the Department's trust management improvement effort.

### CADASTRAL SURVEYS

This program improves ownership information. This program supports the BIA Real Estate Services Program in the management of 56 million acres of tribal and individually owned trust and restricted surface lands through the determination of the legal boundaries to ensure that property and resources are accounted for, managed, and protected. The Bureau provides technical advice and assistance, and processes transactions that reflect accurate ownership information for Tribes and individual Indians who are the beneficiaries.

### LEASE COMPLIANCE

This program provides individual Indian landowners and Tribes with lease compliance services due to trust responsibilities required of the United States as trustee for Indian-owned and restricted real property. This program supports the BIA Real Estate Services program in the management of 56 million acres of tribal and individually owned trust and restricted surface lands and resources that must be protected. The Bureau provides technical advice and assistance, as well as processes transactions that reflect accurate ownership information for tribes and individual Indians who are the beneficiaries. This facilitates the highest and best use of the land lease compliance caseload. Additionally, Tribe's contract or compact the program under Public Law 93-638. Priority is given to revenue producing activities involving agriculture, range, homesite and business leases. The program ensures that lease activities on trust and restricted Indian lands and their assignees are in compliance with terms and conditions of the lease. These activities may result in the recovery of funds for the Indian landowners through various forms of collection due to violations, late payments, penalties, interest, damages and/or bond forfeitures.

### UNRESOLVED INDIAN RIGHTS ISSUES

This program investigates and resolves unresolved Indian Rights Issues. This program allows agency and regional office staff to investigate and resolve trespass and misuse by investigative actions to determine the type and extent of potential damages on behalf of Indian landowners and seek resolution either through negotiation or litigation initiated by the Department of Justice. The staff initiates leases, permits, rights-of-way, and other curative actions to prevent further or future abuse.

## STRIKE TEAM

The BIA created a Strike Team within DRES that consists of staff who provide support processing of high priority workloads to BIA regional and agency offices as requested. Regional and Agency offices may require assistance due to high workload volume; highly complex processing needs or coordination, low staff numbers, or for other reasons. In any case, the Strike Team coordinates with field offices to provide additional support processing capacity as needed to develop work products for the delegated official's approval, thereby providing a cost-effective solution to meeting fluctuating workload and capacity exceedances.

## Regional Realty Offices and Indian Lands served by State

### BIA Alaska Region

West-Central Alaska Agency  
Division of Real Estate Services  
3601 C Street, Suite 1100  
Anchorage, AK 99503-5947  
Tel. (907) 271-1553  
Fax (907) 271-2998  
Serving Alaska except for a small area under the jurisdiction of the Northwest Region

### BIA Eastern Oklahoma Region

Division of Real Estate Services  
3100 W. Peak Blvd. Muskogee, OK 74402-8002  
Tel. (918) 781-4658  
Fax (918) 781-4837  
Serving part of Oklahoma; see Southern Plains Region for other offices in Oklahoma; parts of AZ, KS, MS, and NM

### BIA Eastern Region

Division of Real Estate Services  
545 Marriott Dr., Suite 700  
Nashville, TN 37214  
Tel. (615) 564-6770  
Fax (615) 564-6575  
Serving Alabama, Connecticut, Florida, Louisiana, Maine, Maryland, Mississippi, New York, North and South Carolina, and Rhode Island

### BIA Great Plains Region

Division of Real Estate Services  
115 Fourth Avenue, SE, Suite 400  
Aberdeen, SD 57401-4382  
Tel. (605) 226-7618  
Fax (605) 226-7625  
Serving part of Iowa; Nebraska, North Dakota, and South Dakota

### BIA Midwest Region

Division of Real Estate Services  
5600 W. American Blvd., Suite 500  
Bloomington, MN 55437  
Tel. 612-725-4586  
Fax 612-725-4453  
Serving Iowa, Michigan, Minnesota, and Wisconsin

### BIA Navajo Region

Division of Real Estate Services  
P.O. Box 1060  
Gallup, NM 87301  
Tel. 505-863-8334  
Fax 505-863-8232  
Serving parts of Arizona, New Mexico, and Utah; see Southwest Region for other offices in NM; see Western Region for other offices in AZ; and Southwest Region for other offices in NM

### BIA Northwest Region

Division of Real Estate Services  
The Federal Building  
911 NE 11th Avenue  
Portland, OR 97232-4169  
Tel. 503-872-2879  
Fax 503-231-6715  
Serving part of Alaska, part of Montana, Idaho, Oregon, and Washington; see Rocky Mountain Region for other offices in Montana

### BIA Pacific Region

Division of Real Estate Services  
2800 Cottage Way  
Sacramento, CA 95825  
Tel. 916-978-6062  
Fax 916-978-6099  
Serving California

### BIA Rocky Mountain Region

Division of Real Estate Services  
2021 4th Avenue North  
Billings, MT 59101  
Tel. 406-247-7935  
Fax 406-247-7991  
Serving Montana except for a small area under the jurisdiction of the NW Region; and Wyoming

### BIA Southern Plains Region Division of Real Estate Services W.C.D. Office Complex

P.O. Box 368  
Anadarko, OK 73005-0368  
Tel. 405-247-1586  
Fax 405-247-2905  
Serving Kansas, part of Texas, and Western Oklahoma; see Eastern Oklahoma for other offices in Oklahoma

### BIA Southwest Region

Division of Real Estate Services  
1001 Indian School Road, NW Albuquerque, NM 87104-2303  
Tel. 505-563-3330  
Fax 505-563-3048  
Serving Colorado and part of Arizona, New Mexico, Texas & Utah; see Navajo Region for other offices in Arizona, New Mexico, and Utah; and Western Region for other offices in Arizona

### BIA Western Region

Division of Real Estate Services  
2600 North Central Avenue, 4th Floor Mailroom  
Phoenix, AZ 85004  
Tel. 602-379-6781  
Fax 602-379-6754  
Serving part of AZ, NV, and UT, and small parts of CA, ID, & OR; see Navajo Region for other offices in AZ, NM, and UT; and Southwest Region for New Mexico

## Real Estate Services Program

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For more information, please visit

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

## Division of Real Estate Services

1001 Indian School Road, NW, Box #44  
Albuquerque, NM 87104