

Bureau of Indian Affairs, Office of Trust Services: Division of Real Estate Services



The Bureau of Indian Affairs Mission & Vision Statement

Mission

"... enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives."

Vision

The Bureau of Indian Affairs is a challenging and dynamic place to work. We provide high quality services in a timely and professional manner. We have the organizational flexibility to meet the changing needs of our customers. Our employees are committed, knowledgeable and empowered. Our policies are clear, consistent and supported throughout the organization. We manage for excellence, fostering cooperation and coordination in consultation with Indian Tribes, while supporting self-determination and tribal sovereignty.



Office of Trust Services

The Office of Trust Services executes Indian Affairs trust responsibilities to Indian tribes and individuals and oversees all headquarter activities associated with management and protection of trust and restricted lands, natural resources, and real estate services. The office provides land related functions to Indian trust owners including acquisition, disposal, rights-of-way, leasing and sales, and assists them in the management, development, and protection of trust land and natural resource assets. Programs administered include real estate services; land title and records; probate; natural resources; forestry and wildland fire management; irrigation, power and safety of dams.



Who we are & What we do

▶ Division of Real Estate Services (DRES)

The division provides assistance, advice, policy, oversight, monitoring, and coordination for the protection, management, planning, conservation, development, and utilization of trust and restricted Federal Indian-owned lands that include acquisition, disposal, tenure, rights-of-way, permits, leasing, and sales. The division manages the Bureau's program to accept real estate on behalf of tribes under the Base Realignment and Closure Act and similar programs. The division manages the Cadastral Survey program for the determination of legal boundaries on Indian land.

Services we Provide

- ▶ Surface Leasing (25 CFR Part 162)
- ▶ Rights-of-Way (25 CFR Part 169)
- ▶ Subsurface Leasing (Energy & Minerals) [25 CFR 211(Tribal), 212 (Allotted), & 225]
- ▶ Land Acquisition/Disposals (25 CFR 151, 152)
- ▶ Surface Reclamation & Protection (25 CFR 216)
- ▶ Rights Protection & Unresolved Rights (25 U.S.C. 2415)
- ▶ Coordination of Cadastral Survey project
- ▶ Real Estate Compliance
- ▶ Beneficiary Inquiries
- ▶ Technical Assistance



Stakeholders and Partners

To name a few...

▶ Beneficiaries

- Tribal Nations
 - Land Department
 - Minerals Office
 - Real Estate Department
 - Department of Justice
 - Transportation
- Individual Allotted Landowners

▶ Other BIA Programs

- Land Titles & Records Office (LTRO)
- Division of Natural Resources
- Transportation

▶ Other Government

- Office of Special Trustee for American Indians
 - Fiduciary Trust Officers
 - Individual Indian Monies
 - Office of Appraisal Services
 - Office of Historical Trust Accounting
 - Office of Trust Records
 - Indian Land Consolidation Office

- Indian Health Service
- Bureau of Land Management
- Bureau of Reclamation
- Minerals Management Service
- Office of Surface Mining
- Solicitor's Office
- Housing & Urban Development

▶ Other

- Tribal enterprises
 - Tribal Utility entities
 - TDHE
- Oil & Gas industry
- Financial Lenders (Mortgages)
- State & Local Governments
 - Municipalities
 - State & County Transportation
 - Many others

▶ Various ROW

- Roads
- Bridges
- Oil & gas lines
- Water canals
- Electric lines
- Utility lines
- Etc.



DRES Initiatives for 25 CFR 169

- ▶ Rights-of-way (ROW) Implementation of new Regulations
 - ROW Handbook (Indian Affairs Manual)
 - Guidance documents & checklist
 - Enhance the Trust Asset & Accounting Management System (TAAMS) to accommodate entering, tracking and monitoring ROWs, easements, and ancillary documents (assignments, amendments, mortgages, etc)
 - Templates for BIA realty staff to use
 - Develop training for the field to standardize the ROWs business process.



ROW Handbook– 25 CFR 169

▶ ROW Handbook

- Procedural ROW Steps
- Includes templates, checklist and guidance material
- ROW User Group
 - 8 Subject Matter Experts from six Regional Offices (Midwest, Western, Navajo, Southwest, Rocky Mountain & Southern Plains)
 - Communication: In-person, website, Google drives & folders, teleconference, WebEx, etc



Guidance & Checklists–25 CFR 169

- When do I need a ROW to authorize possession over or across Indian Land? (169.4)
- What bonds, insurance, or other security must accompany the application? (169.103)
- Is a new right-of-way required for a new use within or overlapping an existing right-of-way? (169.127)



Guidance & Checklists–25 CFR 169

- ▶ Standardized Checklists
 - Encompasses Procedures
 - Preliminary Documents review
 - ROW application package
 - Decision
 - Post Decision



TAAMS-25 CFR 169

- ▶ TAAMS – Trust Asset and Accounting Management System – BIA’s system of record
- ▶ Enhancements will be made to TAAMS to reflect Regulations (on-going)
- ▶ Tracking ROW Applications received
 - ROW Tracker: ROW application timelines
 - Google sheet



Templates–25 CFR 169

- ▶ Templates for Processes
 - Reply Letter
 - Application for Grant of Easement for ROW
 - Applicants Letter of Intent
 - BIA Revocable Access
 - Survey requirements
 - Consent of Owner to grant a ROW
 - Consent of Owner for renewal/ amendment/ assignment/mortgage
 - Permit- Permission to Encroach on ROW
 - Grant of Easement sample



Templates–25 CFR 169

▶ Templates for Processes

- Best Interest Form
- ROW Checklist
- Acknowledgement letter
- Report of Findings & recommendation for Decision Memo
- Incomplete ROW Application
- Request for an extension to issue a Grant for ROW & Posting Granting of Easement for ROW Activity
- Notice of Decision to landowners
- Approval or Denial with Appeal Rights to applicant
- Service Line Agreement sample



Standardized Training–25 CFR 169

- ▶ Internal Training
 - 25 CFR 169
 - Handbook and all contents
 - Discussion based
- ▶ External Trainings
 - BIA Partners
 - Industry



Questions????

