

ORDER NO. 3240

SIGNATURE DATE: March 12, 2002

Subject: Realignment of Indian Lands Valuation and Appraisal Functions

Sec. 1 **Purpose.** The purpose of this Order is to realign the Indian lands valuation and appraisal functions from the Bureau of Indian Affairs (BIA) to the Office of the Special Trustee (OST). The realignment will move the lands valuation and appraisal process from the BIA, which is responsible for other realty activity, and ensure the independence, accountability, and oversight of the Indian trust lands valuation and appraisal staff.

Sec. 2 **Authority.** This Order is issued in accordance with the authority provided by Section 2 of Reorganization Plan No. 3 of 1950 (64 Stat. 1262), as amended.

Sec. 3 **Organizational Changes.** The organizational changes include:

- a. Realigning Indian trust lands valuation and appraisal functions from the BIA to the OST.
- b. Establishing the Office of Appraisal Services (OAS) within the OST to carry out OST's Indian trust lands valuation and appraisal functions.

Sec. 4 **Implementation.**

- a. BIA will continue to administer, through the end of their current terms, existing agreements, or portions thereof, with Indian tribes pursuant to the Indian Self-Determination and Educational Assistance Act (ISDEAA), 25 U.S.C. ' 450 et seq., that pertain to Indian trust lands valuation and appraisal functions.
- b. Excluding those positions required to perform the work identified in Sec. 4a., all positions that currently perform Indian trust lands valuation and appraisal functions within the BIA are transferred to the OAS.
- c. The Assistant Secretary - Indian Affairs and the Special Trustee for American Indians will confer, and agree, as soon as possible, on which positions will remain in the BIA to carry out the functions under the existing agreements identified in Sec. 4a., and on other pertinent issues dealing with those agreements.
- d. At the end of the term of the existing agreement under Sec. 4a. with the latest termination date, the positions that remained in the BIA pursuant to Sec. 4c. will transfer to the OAS. All positions transferred from the BIA to the OAS, and their incumbents, will be transferred in accordance with the regulations governing transfer of function found in 5 C.F.R. Part 351, Subpart C, and in accordance with the provisions of the negotiated labor-management

agreement if applicable.

e. The Assistant Secretary - Policy, Management and Budget will be responsible for effecting the prompt transfer of personnel, funds, and property to implement the provisions of this Order.

Sec. 5 Delegations.

a. The Special Trustee for American Indians is hereby delegated the authority necessary to carry out the duties provided by this Order. This authority may be further delegated within the OST.

b. When the term of the final existing ISDEAA agreement described in Sec. 4d. has expired, the authority to engage in Indian trust lands valuation and appraisal activity delegated to the Assistant Secretary - Indian Affairs and to the BIA is revoked.

Sec. 6 Expiration Date. This Order is effective immediately. It will remain in effect until its provisions are converted to the Departmental Manual, or until it is amended, superseded or revoked, whichever comes first. In the absence of any of the foregoing actions, the provisions of the Order will terminate and be considered obsolete on March 31, 2004.

/s/ Gale A. Norton
Secretary of the Interior

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