



## SCOPE OF WORK CHECKLIST

**OVERVIEW.** The Scope of Work Checklist (Checklist) identifies the land consolidation activities that must be completed for the successful implementation of the Land Buy-Back Program for Tribal Nations<sup>1</sup> (Buy-Back Program or Program) at a given reservation. **The Checklist has two primary purposes: 1) to identify the desired level of tribal involvement in the land consolidation process, and 2) to identify the roles and responsibilities for the tribe and the Buy-Back Program.** The Checklist describes the three phases<sup>2</sup> of the land consolidation process that tribes may participate in (Outreach, Land Research, and Valuation), identifies eight phase-specific tasks tribes may elect to perform, and lists essential activities within each task that must be completed.

Tribes are encouraged to complete the Scope of Work Checklist only after discussions with the Buy-Back Program. Early collaboration will help guide the completion of this form, particularly the performance schedule for each task. The tribe will perform the tasks it selects in collaboration with the Buy-Back Program and in accordance with the terms and conditions of the cooperative agreement. Tribes should only select the tasks they feel they have the capacity to perform. If specific tasks are not checked, the Buy-Back Program will perform the work necessary in consultation with the tribe.

The Scope of Work Checklist is one of the required elements of the cooperative agreement application and is subject to review and approval by the Buy-Back Program as part of the cooperative agreement application process. Please see the [Cooperative Agreement Application Instructions](#) for additional information on preparing a cooperative agreement application.

**PHASE I - Outreach.** The success of the Buy-Back Program will depend largely on the number of the landowners who voluntarily decide to sell their fractional interests and return their completed purchase offer packets in a timely manner. Tribal involvement, leadership, and dedication in the Outreach Phase are especially critical to ensuring the success of the Program.

The overall goals of the Outreach Phase include: 1) educate owners about the Buy-Back Program to facilitate the Acquisition Phase; 2) obtain current mailing addresses for owners, including those whose whereabouts are unknown (WAU); 3) notify all eligible owners of the opportunity to sell their interests; 4) identify owners willing to sell; and 5) provide consistent information, answer questions, and support to owners completing offer packages. The Outreach Phase consists of one task; the Outreach Task, which tribes may elect to perform.

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<sup>1</sup> The Secretary of the Interior established the Land Buy-Back Program for Tribal Nations on December 17, 2012, to implement the land consolidation program called for by the Settlement Agreement in *Cobell v. Salazar*, as confirmed by the Claims Resolution Act of 2010, Public Law 111-291.

<sup>2</sup> A fourth land consolidation phase, the Acquisition Phase, will be completed by the Buy-Back Program. The Acquisition Phase consists of mailing offer packets to owners, receiving and processing completed offers and posting payments to Individual Indian Money accounts.

## Phase I – Outreach

### Task 1: Outreach



Check the above box if the tribe will perform this task. Note that by checking this box, the tribe agrees to perform all components of Task 1: Outreach as described herein.

**The Outreach Task** consists of five main components that tribes will be responsible for if the electing to perform this task:

1. Identify Addresses and Update Owner Contact Information
2. Notify Owners, including WAU owners
3. Identify Interested Sellers
4. Conduct Pre-Offer Outreach
5. Conduct Post-Offer Outreach

Each component and the associated responsibilities, for the tribe and the Buy-Back Program, are described in further detail below.

Identify Addresses and Update Owner Contact Information. Updated contact information is critical to the Buy-Back Program, as it needs to provide offers and other information to owners.

For this component of Task 1: Outreach, the tribe will:

- Identify the account holder and provide the last known address or current address through the appropriate tribal office,
- Facilitate contact with the owner and the appropriate federal entity to ensure that current mailing addresses are available to the Buy-Back Program to maximize the number of purchases,
- Conduct all activities involving Personal Identifiable Information in accordance with the Privacy Act, and
- Ensure non-disclosure agreements are submitted for each employee prior to conducting activities associated with the Buy-Back Program.

The Buy-Back Program will:

- Provide Privacy Act information and non-disclosure agreement templates,
- Provide tract owner contact information upon written request within the Tribal authorization required as part of the complete application package,
- Ensure the appropriate federal office assists in updating accounts,
- Ensure that the Trust Beneficiary Call Center is available to respond to owners requesting to update their accounts, and

- Attempt to locate those owners whose offer packets are returned as undeliverable.

Notify Owners, including WAU Owners. This component of the Outreach Task is intended to identify and share “Name and Address” data held or managed by the tribe to help identify owners with Individual Indian Money (IIM) accounts coded as WAU.

For this component of Task 1: Outreach, the tribe will:

- Identify the accountholder and provide the last known address or current address through the appropriate tribal office,
- Facilitate contact with the owner and the appropriate federal entity to ensure that current mailing addresses are available to the Buy-Back Program in order to maximize the number of purchases and reduce or eliminate the number of WAU owners,
- Conduct all activities involving Personal Identifiable Information in accordance with the Privacy Act;
- Ensure non-disclosure agreements are submitted for each employee prior to conducting activities associated with the Buy-Back Program, and
- Fulfill the WAU notification requirements identified in the Cobell Settlement as WAU owners are pursued during outreach efforts.

The Buy-Back Program will:

- Coordinate with the appropriate Office of the Special Trustee for American Indians (OST) Office to provide the tribe information on WAUs,
- Ensure the appropriate OST Office assists in updating WAU accounts,
- Ensure that the Trust Beneficiary Call Center is available to respond WAUs requesting to update their accounts, and
- Attempt to locate those owners whose offer packets are returned as undeliverable.

Identify Interested Sellers. This component of outreach supports the land acquisition process by assisting the Buy-Back Program in identifying willing sellers.

For this component of Task 1: Outreach, the tribe will:

- Facilitate contact with the owner and the appropriate federal office (e.g., the Trust Beneficiary Call Center and the local OST office) to ensure that they are designated as a willing seller in the system of record in order to maximize the number of purchases,
- Conduct all activities involving Personal Identifiable Information in accordance with the Privacy Act, and

- Ensure non-disclosure agreements are submitted for each employee prior to conducting activities associated with the Buy-Back Program.

The Buy-Back Program will:

- Ensure the appropriate federal office assists in documenting owner interest in their accounts,
- Ensure that the Trust Beneficiary Call Center is available to respond to owners expressing interest in their accounts,
- Provide willing seller information, when feasible, upon written request within the Tribal authorization required as part of the complete package of the Cooperative Agreement,
- Provide offer packages to willing sellers to achieve the highest number of purchases.

Conduct Pre-Offer Outreach. Conducting pre-offer outreach is one of the two most critical components of outreach; the other is conducting post-offer outreach, which is further described below.

For this component of Task 1: Outreach, the tribe will:

- Ensure that owners are aware of the opportunity to sell fractional interests before the Bureau of Indian Affairs (BIA) mails offer packets to owners through extensive outreach activities and media, such as
  - Hosting pre-offer informational events,
  - Attending community meetings,
  - Holding landowner workshops,
  - Placing print and electronic ads,
  - Placing local radio and/or TV public service announcements,
  - Distributing flyers,
  - Holding regular walk-in office hours,
  - Placing calls,
  - Mailing literature (such as postcards),
  - Door-to-door visits, and
  - Creating an internet presence, e.g., develop a website, or social media page like Facebook, etc.;
- Include owners residing on and off the reservation in pre-offer outreach activities;
- Describe how valuation and other work is performed to offer fair market value;
- Communicate the limited offer validity period (45 days); and
- Ensure that owners understand the benefits, options, and important considerations involved in the

decision to sell.

The Buy-Back Program will:

- Provide owner information database per tribal authorization for targeted activities;
- Inform tribal staff of estimated timeframes for Buy-Back Program activity at the reservation;
- Supply electronic or printed copies of pre-offer outreach materials, such as flyers, brochures and posters already developed to minimize unnecessary duplication of effort;
- Provide training materials (e.g., FAQs, scripts, fact sheets) for the tribe's outreach staff; and
- Attend pre-offer events to the extent practicable.

Conduct Post-Offer Outreach. Once BIA mails offer packets to landowners, the tribe will begin activities that support the landowners' understanding of the offer packet materials and deadlines.

For this component of Task 1: Outreach, the tribe will:

- Provide timely follow-up on any questions received from owners;
- Include owners residing on and off the reservation in post-offer activities through extensive outreach activities and media, such as
  - Hosting post-offer informational events with notaries,
  - Attending community meetings,
  - Holding landowner workshops,
  - Placing print and electronic ads,
  - Placing local radio and/or TV public service announcements,
  - Distributing flyers,
  - Holding regular walk-in office hours,
  - Placing calls,
  - Mailing literature (such as postcards),
  - Door-to-door visits, and
  - Maintaining an internet presence, e.g., develop a website, or social media page like Facebook, etc.;
- Provide notary services for owners to complete their offer packets; and
- Develop alerts to remind owners through various media and outreach efforts about approaching deadlines for returning the conveyance documents (i.e., Deed and Purchasable Interest Inventory).

The Buy-Back Program will:

	<ul style="list-style-type: none"> <li>· Inform tribal staff of estimated timeframes for Buy-Back Program activity at the reservation;</li> <li>· Supply electronic or printed copies of post-offer outreach materials, such as flyers, brochures and posters already developed to minimize unnecessary duplication of effort; and</li> <li>· Attend post-offer outreach events to print duplicate purchase offer packets and provide notary services.</li> </ul>
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**PHASE II - Land Research.** The goal of the Land Research Phase is to compile and prepare the necessary information about the fractionated tracts and surrounding lands in order to be ready to determine the fair market value of the lands in an efficient and timely manner. The Land Research Phase consists of several tasks (described below) that tribes may choose to perform through a cooperative agreement. For each of them, the project requirements, data standards and formatting must be carefully planned or coordinated with the Buy-Back Program, Office of Appraisal Services (OAS) or Division of Minerals Evaluation (DME) as applicable. If the tribe does not perform these tasks, the Buy-Back Program will perform the necessary functions at the reservation. The Land Research Phase-specific tasks that tribes may elect to perform are:

- Task 2: Mapping
- Task 3: Land Use Characterization
- Task 4: Comparable Sales Information
- Task 5: Minerals Evaluation

<b>Phase II – Land Research</b>	
<p><b>Task 2: Mapping</b></p> <div style="text-align: center; margin: 10px 0;">  </div> <p><b>Check if the tribe will perform this task as part of the Cooperative Agreement. Note that by checking this box, the tribe agrees to meet the standards and</b></p>	<p><b>The Mapping Task</b> will assist the Buy-Back Program map reservations as part of the land research work necessary to establishing fair market value for the tracts containing fractional interests. While tribes can propose mapping activities, base mapping efforts will be completed by Bureau of Land Management (BLM) for efficiency and consistency purposes.</p> <p>Tribes electing to perform this task will:</p> <ul style="list-style-type: none"> <li>· Propose Geographic Information Systems (GIS) or mapping activities, to assist with the process of establishing fair market value for the tracts containing fractional interests, in the tribe’s cooperative agreement application. Proposed activities should not duplicate the base mapping activities that will be performed by BLM and BIA.</li> </ul> <p>For this task, the Buy-Back Program will:</p> <ul style="list-style-type: none"> <li>· Identify the tracts and parcels that require mapping along with the legal description for each tract and</li> </ul>

<p><b>requirements described herein.</b></p>	<p>parcel as it currently exists within BIA's Trust Asset and Accounting Management System (TAAMS);</p> <ul style="list-style-type: none"> <li>· Provide documentation of existing geospatial tools, products and services currently meeting the Buy-Back Program's needs;</li> <li>· Share existing, Buy-Back Program generated digital data files or information, geospatial tools or other GIS products. This can include Cad NSDI or parcel geodatabases.</li> <li>· Map the necessary tracts and parcels, and generate a Geodatabase and Mapbook of the completed mapping, which it will share with the tribe.</li> <li>· Ensure that quality control measures, quality assurance techniques, data verification, and records validation are implemented throughout the mapping process.</li> <li>· Ensure that specific Federal government mapping, data standards, and formats are met to ensure compatibility, reliability, and defensibility.</li> <li>· Provide the tribe with technical assistance and instructional training on interpreting the various mapping products, tools and services generated in this mapping process, as necessary.</li> </ul>
<p><b>Task 3: Land Use Characterization</b></p> <div data-bbox="256 883 365 984" style="border: 1px solid blue; width: 50px; height: 50px; margin: 10px auto;"></div> <p><b>Check if the tribe will perform this task as part of the Cooperative Agreement.</b></p>	<p><b>The Land Use Characterization Task</b> will provide the Buy-Back Program with current land use status (e.g., dry crop, irrigated crop, pasture, etc.) and type (soil type, etc.) along with associated acreages and other physical characteristics (e.g., access, water, multi-parcel, etc.) for the fractional tracts.</p> <p>Tribes electing to perform the Land Use Characterization Task will:</p> <ul style="list-style-type: none"> <li>· Provide the Buy-Back Program, in an expedited and time-sensitive fashion, available information on current land use status or type along with associated acreages and other physical characteristics for fractional tracts. This may include information about other land use attributes such as building sites or land use restrictions such as might be established by an integrated resource management plan. Format requirements and the delivery method of any data and information will be coordinated with the Buy-Back Program and must be detailed in the tribe's Application Narrative.</li> </ul> <p>For this task, the Buy-Back Program will:</p> <ul style="list-style-type: none"> <li>· Provide a current listing of the fractionated tracts requiring land use characterization, the ArcGIS shapefile of these tracts or parcels, and the TAAMS tract acreage data.</li> <li>· Use the information, through OAS, to determine the highest and best use and value of Indian trust lands.</li> </ul>

**Task 4: Comparable Sales Information**

Check the above box if the tribe will perform Task 4: Comparable Sales Information as part of the Cooperative Agreement. Note that by checking this box, the tribe agrees to meet the standards and requirements described herein

**The Comparable Sales Information Task** results in a database of recent land sales for the reservation, and identifies and verifies the various characteristics of the sales. This information will be used in the valuation of the Fractionated Tracts. Project requirements, data standards, and formatting must be carefully planned and/or coordinated with OAS for this task. All work performed under this task will require the review and approval of the OAS.

Tribes electing to perform the Comparable Sales Information Task will:

- Coordinate the project, data standard and formatting requirements with OAS.
- Gather information on recent sales and develop a database to be submitted to the Buy-Back Program/OAS for review and approval.

The Buy-Back Program will:

- Coordinate with the tribe, via OAS, on the project, data standard, and formatting requirements.
- Review and approve, through OAS, all work completed under this task.

**Task 5: Minerals Evaluation**

Check if the tribe will perform this task as part of the Cooperative Agreement. Note that by checking this box, the tribe agrees to meet the standards and requirements described herein

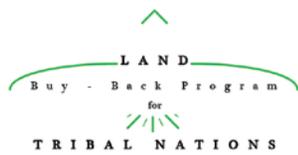
**The Minerals Evaluation Task** assesses the potential for viable mineral resources within the reservation. The activities associated with this task include researching the information available about the geologic resources that may or may not exist on or near the reservation and evaluating the potential for the economic development of the resource. During this task, the estimated minerals contribution to the value of the parcel in the case of combined estate parcels (i.e., combined surface and mineral estate) and the estimated minerals contribution to the value of the estate (i.e., minerals estate only parcels) will be determined. DME and OAS will use this information to value Indian trust lands.

Tribes electing to perform the Minerals Evaluation Task will:

- Provide the Buy-Back Program, in an expedited and time-sensitive fashion, with any available mineral studies regarding reservation lands.

For this task, the Buy-Back Program will:

- Research the information available about the geologic resources that may or may not exist on or near the reservation and evaluating the potential for the economic development of the resource,
- Provide the ArcGIS shapefile of these tracts/parcels, and the available public data concerning the



	<ul style="list-style-type: none"> <li>· mineral resources of the reservation available to DME, and</li> <li>· Provide an DME Executive Summary and the Final Report to the tribe.</li> </ul>
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**PHASE III - Valuation.** The success of the Buy-Back Program will depend on timely, credible, and defensible appraisal services that are well supported with market evidence. All the appraisals conducted under the Buy-Back Program must comply with the Uniform Standards of Professional Appraisal Practice (USPAP). OAS, with the support of DME, will be the primary responsible parties for completing all valuation work necessary to determine the fair market values for the Fractionated Tracts to be acquired through the Buy-Back Program.

The goal of the Valuation Phase is to value as many lands as possible to maximize the number of individuals receiving purchase offers for as many fractional interests as possible (up to the Purchase Ceiling) and to include as many of the tribal priority fractional interests for potential purchase as possible. Appraisals should be completed by a specific date to make sure that owners receive a single offer packet that includes as many of their fractional interests as possible.

For efficiency, the Valuation Phase will rely upon mass valuation methods to the fullest extent possible. Other appraisal work, such as conventional individual appraisals, may occur to the extent permitted by available resources and time constraints.

Appraisal information will be maintained in TAAMS and the OAS Information System (OASIS) for administrative efficiency and tracking. Due to limited access to DOI systems, the Buy-Back Program may perform this step more efficiently and cost-effectively than tribes (or other entities), especially for those without access to such systems.

The tribe may perform one or more of the tasks related to the Valuation Phase. Project requirements, data standards, and formatting must be carefully planned and/or coordinated with the Buy-Back Program and OAS for tasks within the Valuation Phase. In the absence of a tribe electing to perform these tasks, the Buy-Back Program will perform all of these functions at the reservations where acquisitions are occurring. These tasks include:

- Task 6: Mass Valuation
- Task 7: Project Appraisal Reports
- Task 8: Conventional Individual Appraisals

<b>Phase III – Valuation</b>	
<b>Task 6: Mass Valuation</b>	<b>The Mass Valuation Task</b> will provide the Buy-Back Program with accurate, up-to-date appraisals of the tracts/parcels on the reservation that are amenable to mass appraisal valuation. Mass appraisal will only be used in those situations where the real estate appraisers have determined there is a high level of homogeneous land use types (e.g., pasture, dry crop, recreational, rural residential, etc.), highest and best use, and same array of

<div data-bbox="260 224 369 326" style="border: 1px solid blue; width: 50px; height: 60px; margin: 0 auto;"></div> <p data-bbox="163 358 495 591"><b>Check if the tribe will perform this task as part of the Cooperative Agreement. Note that by checking this box, the tribe agrees to meet the standards and requirements described herein</b></p>	<p data-bbox="520 215 1911 391">market data. Before performing mass appraisal, the Fractionated Tracts to be appraised must be researched to determine if they are amenable to mass appraisal valuation methods and reporting. The mass appraisal model(s) developed must be reviewed and approved by OAS. In addition, all appraisals developed through mass appraisal will require OAS review and approval and must meet USPAP standards. Documented mass appraisal expertise and experience will be necessary to effectively perform this task.</p> <p data-bbox="520 431 1906 532">Project requirements, data standards, and formatting must be carefully planned and coordinated with OAS to help ensure that appraisals are prepared in accordance with USPAP. Appraisal timeframes must be coordinated with OAS to provide fair market value estimates that are consistent with the acquisition schedule.</p> <p data-bbox="520 573 1220 605">Tribes electing to perform the Mass Appraisal Task will:</p> <ul data-bbox="569 613 1881 873" style="list-style-type: none"> <li>· <b>Have documented mass appraisal expertise and experience;</b></li> <li>· Coordinate the project, data standard and formatting requirements with OAS to ensure that appraisals are prepared in accordance with USPAP with the requirement of valuing a large number of properties using standard methodology, employing common data, the final product demonstrating the use of statistical testing;</li> <li>· Coordinate appraisal work timeframes with the Buy-Back Program/OAS, and;</li> <li>· Submit completed appraisals to the Buy-Back Program/OAS for review and approval.</li> </ul> <p data-bbox="520 902 1045 935">For this Task, the Buy-Back Program will:</p> <ul data-bbox="569 943 1887 1084" style="list-style-type: none"> <li>· Provide a current listing of the tracts and parcels that require appraisal along with the legal description for each parcel as it currently exists within TAAMS, and</li> <li>· Review and approve, via OAS, all completed mass appraisals to ensure that they meet USPAP standards.</li> </ul>
<p data-bbox="163 1138 403 1206"><b>Task 7: Project Appraisal Report</b></p> <div data-bbox="260 1243 369 1346" style="border: 1px solid blue; width: 50px; height: 60px; margin: 0 auto;"></div> <p data-bbox="163 1386 478 1445"><b>Check if the tribe will perform this task as part of</b></p>	<p data-bbox="520 1138 1902 1279"><b>The Project Appraisal Report Task</b> will involve the appraisal of multiple parcels at the same time and will consist of three major parts: 1) the introduction, factual data, and analysis relating to all properties included in the report; 2) individual reports; and 3) addendum and exhibits for all properties. Project appraisals can be used in areas where there are a limited number of sales data and the mass appraisal report is not applicable.</p> <p data-bbox="520 1308 1902 1445">The use of the Project Appraisal Report will occur when it is logical to include the appraisal of more than one parcel in a single report, when there is the acquisition of a large number of parcels of real property, and individual appraisers are assigned to appraise a number of these parcels at the same time. Thus, Project Appraisal Reports may only be appropriate in certain circumstances. Project Appraisal Reports are not appraisal</p>

<p>the Cooperative Agreement. Note that by checking this box, the tribe agrees to meet the standards and requirements described herein.</p>	<p>shortcuts; they are clerical shortcuts</p> <p>Project Appraisal Reports are appropriate when: 1) all of the parcels appraised are total acquisitions or partial acquisitions of nominal and/or consistent nature; 2) all parcels are vacant or have similar improvements; 3) all parcels are located within a relatively homogeneous geographical area; 4) all parcels have the same, or similar, highest and best use; 5) the most relevant method of valuation is the same for all parcels; and 6) the same array of market data will be relied on in the valuation of each parcel.</p> <p>Tribes electing to perform this task will:</p> <ul style="list-style-type: none"> <li>· Prepare Project Appraisal Reports in accordance with USPAP and OAS project, data standards, and formatting requirements;</li> <li>· Coordinate appraisals timeframes with OAS to provide fair market value estimates that are consistent with the acquisition schedule; and</li> <li>· Submit all completed appraisals to OAS for review and approval in OASIS compatible form.</li> </ul> <p>For this task, the Buy-Back Program will:</p> <ul style="list-style-type: none"> <li>· Provide a current listing of the tracts and parcels that require appraisal along with the legal description for each parcel as it currently exists TAAMS.</li> <li>· Review and approve all completed Project Appraisal Reports via OAS.</li> </ul>
<p><b>Task 8: Conventional Individual Appraisals</b></p> <div style="text-align: center; border: 1px solid blue; width: 40px; height: 40px; margin: 10px auto;"></div> <p>Check if the tribe will perform this task as part of the Cooperative Agreement. Note that by checking this box, the tribe agrees to meet the standards and requirements described herein.</p>	<p><b>The Conventional Individual Appraisals Task</b> will provide the Buy-Back Program with an accurate, up-to-date appraisal of specific tracts/parcels on the reservation, as requested. All appraisals developed will require OAS review and approval.</p> <p>Tribes electing to perform this task will:</p> <ul style="list-style-type: none"> <li>· Prepare conventional individual appraisals in accordance with USPAP and OAS project, data standards, and formatting requirements;</li> <li>· Coordinate appraisals timeframes with OAS to provide fair market value estimates that are consistent with the acquisition schedule; and</li> <li>· Submit all completed appraisals to OAS for review and approval in OASIS compatible form.</li> </ul> <p>For this task, the Buy-Back Program will:</p> <ul style="list-style-type: none"> <li>· Provide a current listing of the tracts and parcels that require appraisal along with the legal description for each parcel as it currently exists TAAMS.</li> </ul>



	· Review and approve all completed appraisals via OAS.
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**Proposed Performance Timeline:**

<b>PHASE</b>	<b>Start Date<sup>3</sup></b>	<b>End Date</b>
Phase I: Outreach		
Phase II: Land Research		
Phase III: Valuation		

\_\_\_\_\_  
**Signature of Authorized Tribal Official**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Printed Name**

\_\_\_\_\_  
**Date**

<sup>3</sup> Tribes should contact the Buy-Back Program to discuss how to complete date fields if unsure.