

Tribal Authorization Guidance and Sample Language

Tribes seeking to participate in the Land Buy-Back Program for Tribal Nations (Buy-Back Program, Program) are required to submit tribal authorizations approving implementation of the Program at their reservations. The format of tribal authorizations generally varies across tribes, taking the form of tribal resolutions or letters, among other formats. The tribal authorization required for the Program should therefore take the form of whatever means by which tribal business is conducted.

This guidance document provides sample language for tribes to consider using as they prepare their tribal authorizations for submission to the Buy-Back Program. This sample language is provided for both tribes seeking to enter into cooperative agreements as well as those that are not.

It is important to note that a tribe is not required to enter into a cooperative agreement to participate in the Buy-Back Program. In certain cases, it may be unnecessary. If a tribe is unsure of whether to apply for a cooperative agreement, it should contact the Buy-Back Program to discuss the tribe's specific needs.

I. Content

The tribal authorization should:

- Approve implementation of the Buy-Back Program on the reservation.

In addition to approving the tribe's participation in the Program, it is recommended that the tribal authorization would:

- Describe the tribe's readiness to implement the Buy-Back Program at its reservation;
- State whether the tribe would like to apply for a cooperative agreement to perform land consolidation tasks (see complete list of tasks below) during implementation at its reservation or whether the tribe would prefer for the Buy-Back Program to perform the tasks in consultation with the tribe;
- List the land consolidation tasks the tribe would like to perform through a cooperative agreement with the Program, if applicable;
- Identify a tribal point of contact authorized to represent the tribe during involvement in the Buy-Back Program; and
- Include the tribe's request for a listing of names and mailing addresses of the owners, information on the location of the tracts, and the percentage of undivided interest(s) held by each owner, pursuant to 25 U.S.C. § 2216(e).

Note that if the above information has already been provided to the Buy-Back Program, such as through a letter of interest, the tribal authorization only needs to approve tribe's participation in the Program. Tribes should contact the [Buy-Back Program](#) if unsure of what information to include in the tribal authorization.

II. *Sample Authorization Language: Tribes Seeking a Cooperative Agreement*

The below sample tribal authorization language is intended for tribes seeking to participate in land consolidation tasks via a cooperative agreement with the Buy-Back Program:

[TRIBE] approves the implementation of the Land Buy-Back Program for Tribal Nations at the [RESERVATION NAME].

[TRIBE] intends to submit a cooperative agreement application to the Land Buy-Back Program for Tribal Nations requesting funding to perform the following land consolidation tasks at the [RESERVATION NAME]:

[LIST ONLY THE ACTIVITIES THE TRIBE PROPOSES TO PERFORM].

Phase I – Outreach

Task 1: Outreach

Phase II – Land Research

Task 2: Mapping

Task 3 Land Use Characterization

Task 4: Comparable Sales Information

Task 5: Minerals Evaluation

Phase III –Valuation

Task 6: Mass Valuation

Task 7: Project Appraisal Report

Task 8: Conventional Individual Appraisals

[TRIBE] is ready to implement the Land Buy-Back Program for Tribal Nations on its reservation and [IF APPLICABLE] has performed the following activities: [LIST ACTIVITIES] in preparation for Program implementation.

[TRIBE] designates [NAME, TITLE] as the tribal point of contact¹ for the Land Buy-Back Program for Tribal Nations with the authority to represent the tribe during the tribe's participation in the Land Buy-Back Program for Tribal Nations. [IF APPLICABLE] The tribal point of contact has the authority to execute the cooperative agreement and any subsequent modifications to the cooperative agreement on behalf of the Tribe.

Pursuant to 25 U.S.C. § 2216(e), [TRIBE] requests a list of names and mailing addresses of the owners, information on the location of the tracts, and the percentage of undivided interest(s) held by each owner.

¹ All cooperative agreement award documents will be sent to tribal leadership for review and signature unless the Tribal Authorization gives the identified tribal point of contact authority to execute the cooperative agreement documents on behalf of the tribe.



III. Sample Authorization Language: Tribes NOT Seeking a Cooperative Agreement²

The below sample tribal authorization language is intended for tribes not seeking to apply for a cooperative agreement with the Buy-Back Program:

[TRIBE] approves the implementation of the Land Buy-Back Program for Tribal Nations at the [RESERVATION NAME].

[TRIBE] is ready to implement the Land Buy-Back Program for Tribal Nations on its reservation and [IF APPLICABLE] has performed the following activities: [LIST ACTIVITIES] in preparation for Program implementation.

[TRIBE] has determined that it will not submit an application for a cooperative agreement with the Land Buy-Back Program for Tribal Nations (Program) and [IF APPLICABLE] hereby requests the Program perform all the land consolidation phases on the [RESERVATION] to implement the Program.

[IF APPLICABLE] [TRIBE] will perform the following activities in support of land consolidation efforts during implementation of the Land Buy-Back Program for Tribal Nations in coordination with the Land Buy-Back Program for Tribal Nations: [LIST ACTIVITIES].

[TRIBE] will work in close partnership with the Land Buy-Back Program for Tribal Nations throughout the land consolidation activities at [RESERVATION] and hereby designates [NAME, TITLE] as the tribal point of contact for the Land Buy-Back Program for Tribal Nations with the authority to represent the tribe during its participating in the Program.

Pursuant to 25 U.S.C. § 2216(e), [TRIBE] requests a list of names and mailing addresses of the owners, information on the location of the tracts, and the percentage of undivided interest(s) held by each owner.

² Tribes are encouraged to review the cooperative agreements section of the Buy-Back Program's website for information intended to assist them with determining if they would like to submit an application: <http://www.doi.gov/buybackprogram/tribes/agreements.cfm>.