



L A N D

B u y - B a c k P r o g r a m

f o r



T R I B A L N A T I O N S

Ponca Reservation

October 30, 2015

www.doi.gov/buybackprogram



Introductions

- **Katy Grounds, Senior Advisor – Tribal Relations**
 - Guide Program implementation at reservations
 - Support collaborative, government-to-government relationship between Tribal nations and Program
 - Serve as primary point-of-contact for the Tribe



Purpose of Presentation

Provide Background of Buy-Back Program

Explain Phases of Program Implementation

Share Ponca Reservation Specifics

Explain Offer Packet

Questions

What is the Buy-Back Program?

Created to implement the **land consolidation** component of the **Cobell Settlement Agreement**.

The Settlement provided a **\$1.9 billion fund** to purchase:

- fractionated interests
- in trust or restricted land
- at fair market value
- from willing sellers
- within a 10-year period

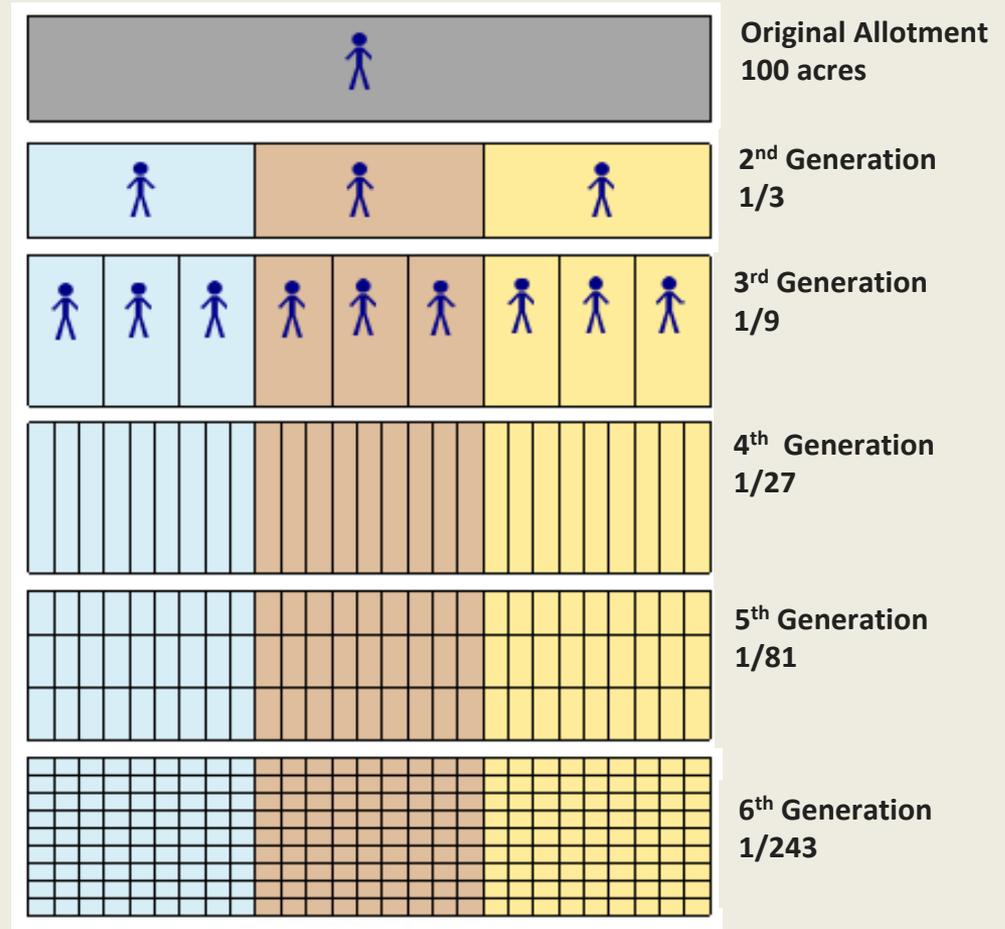
Keeps land in trust - purchased interests are immediately held in trust for the recognized tribe that exercises jurisdiction over the land.



President Barack Obama with the late American Indian Leader Elouise Cobell

Fractionation - a serious problem facing tribal communities

- Fractionation resulted from allotment policies (e.g., Dawes Act of 1887).
- As tracts (or allotments) of lands are passed down through generations, they gain more and more individual owners.
- Because the number of owners make it difficult to use the land, these allotments often lie idle and cannot be used for any beneficial purpose.



Fractionation of a possible allotment of land over six generations, assuming only three heirs per generation.

Why is land consolidation important?

Prevents loss of land

Every year, land goes out of trust simply because fractionated interests are passed on to non-Indian heirs. The Buy-Back Program will help stop this loss of Indian lands by transferring those interests to the tribe, forever preventing further fractionation.



Why is land consolidation important?

Strengthens tribal sovereignty

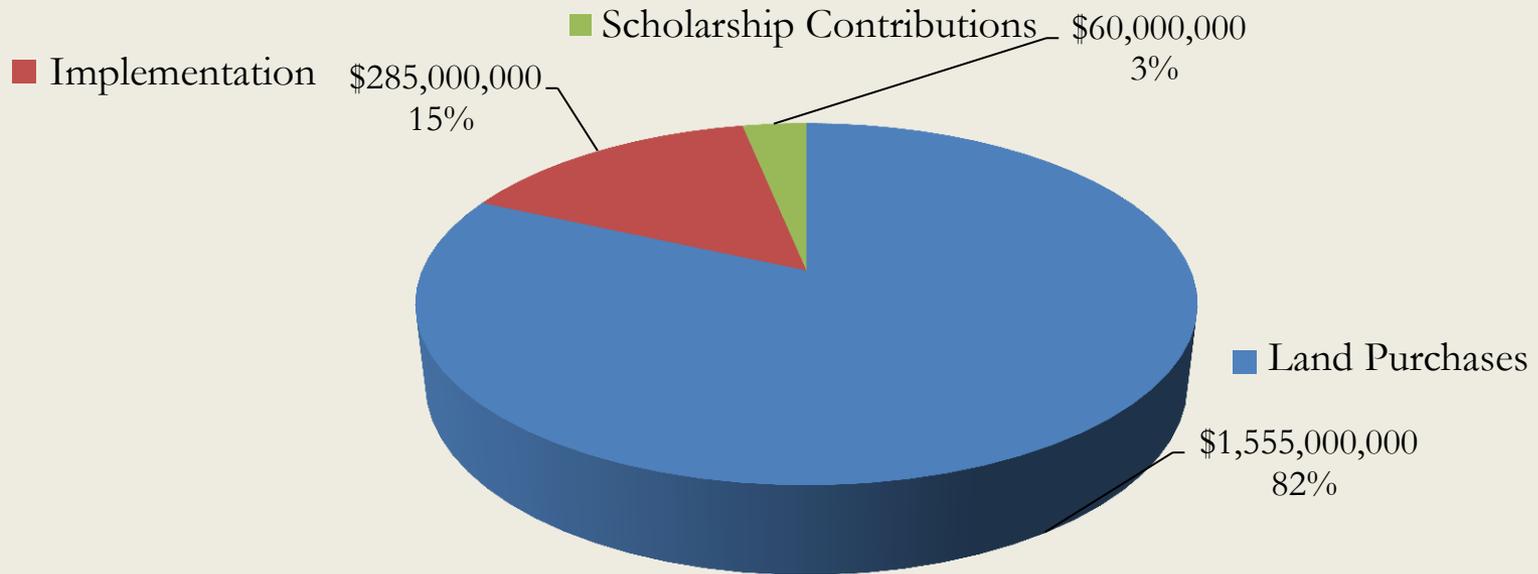
Land consolidation increases the ability of tribal governments to make decisions about the land and frees up resources that have been locked up as land interests have fractionated exponentially over time.



Tribal and Federal stakeholders break ground on the \$9 million Pine Ridge Reservation housing project

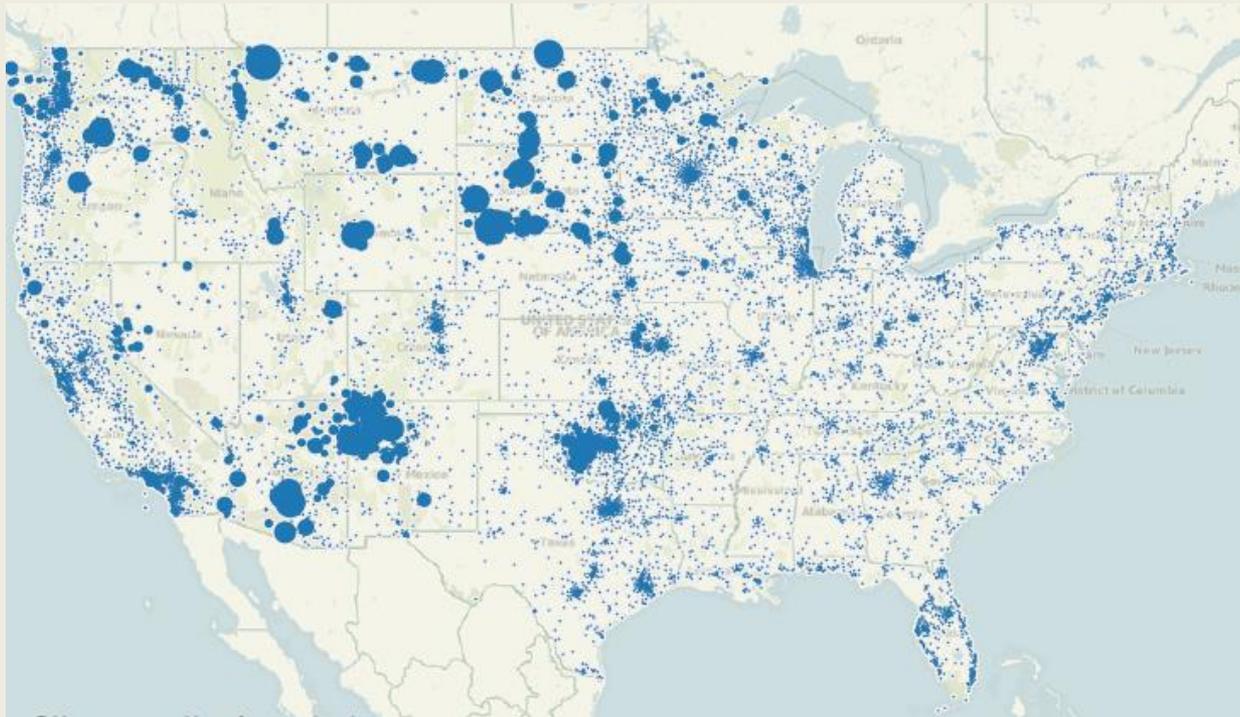
What are the components of Trust Land Consolidation Fund?

Acquiring Fractional Interests (min. available for payment to owners)	\$1,555,000,000
Implementation/Administrative Costs (capped at 15 percent)	285,000,000
Scholarship Fund (max. available, keyed to interests sold)	<u>60,000,000</u>
Total	\$1,900,000,000



What are the Program Priorities?

1. **Individuals.** Promoting landowner awareness and education to facilitate informed landowner decision making. Maximizing landowner opportunities to participate.
2. **Tribes.** Strengthening partnerships and respecting and upholding tribal sovereignty. Tailoring the effort to each location based on tribal involvement and priorities.



Location of Owners with Fractional Interests

What are the major phases of the Program?

1. **Outreach** to inform landowners about the Buy-Back Program; answer questions; find willing sellers; and collaborate with tribes via cooperative agreements to implement culturally-specific approaches.
2. **Land Research** to collect data necessary to establish fair market value for fractionated tracts that might be acquired.
3. **Land Valuation** to determine the fair market value of tracts where Interior will offer to buy fractional interests.
4. **Land Acquisition** to purchase interests in fractionated tracts valued in the land valuation phase that individuals would like to voluntarily sell.

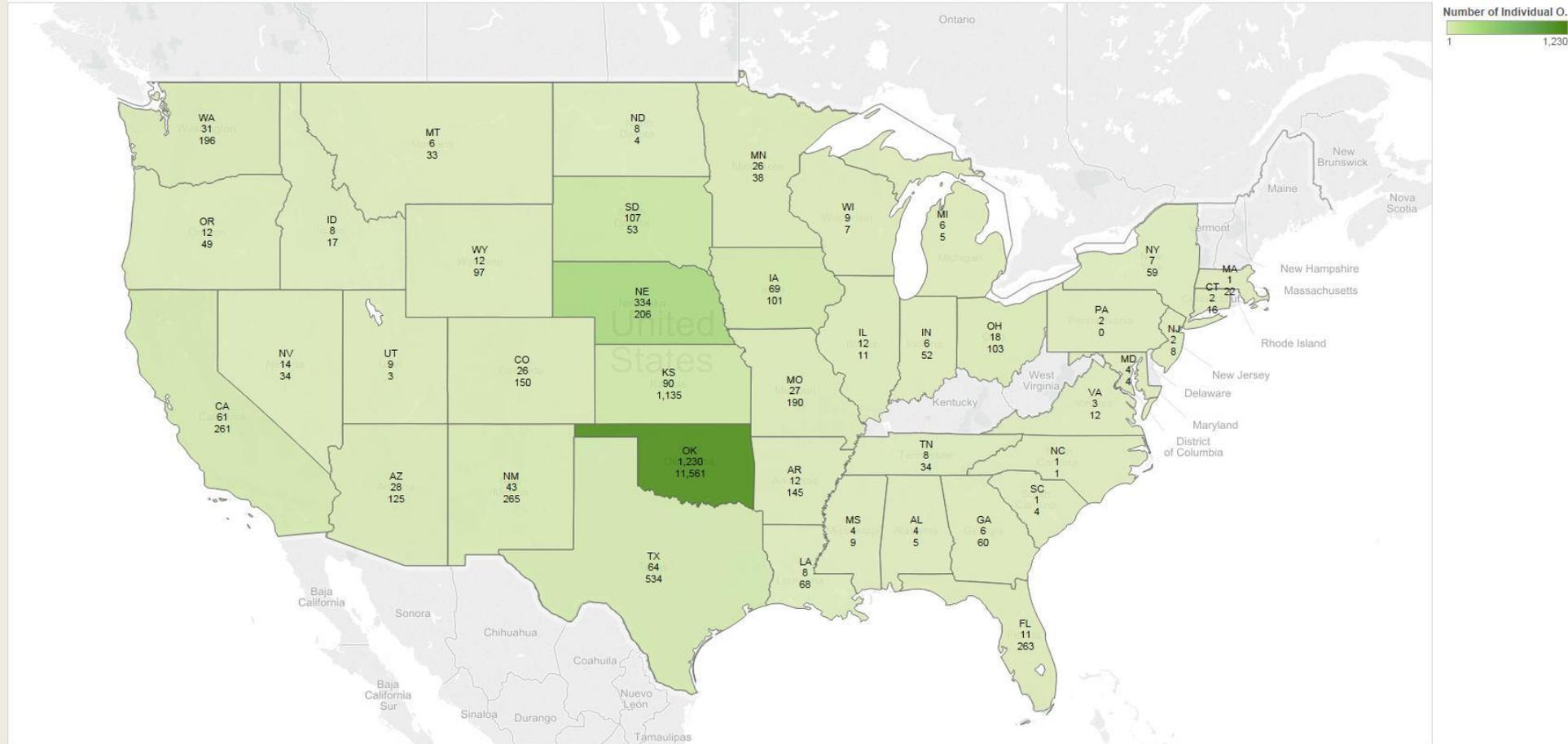
Ponca Reservation Specifics

- One of the most fractionated locations (35th)
- Most fractionated tract has almost 600 landowners
- \$7,627,685 Purchase Estimate
- 2,587 Unique Landowners*
- 244 Whereabouts Unknown (WAU) landowners
- Majority of landowners located in OK, KS, SD
- Offers tentatively scheduled spring 2016

*Excludes landowners held by non-comps mentis, held by minors, held in joint tenancy, held in life estates, and held by WAUs)

Ponca Tribe Landowners

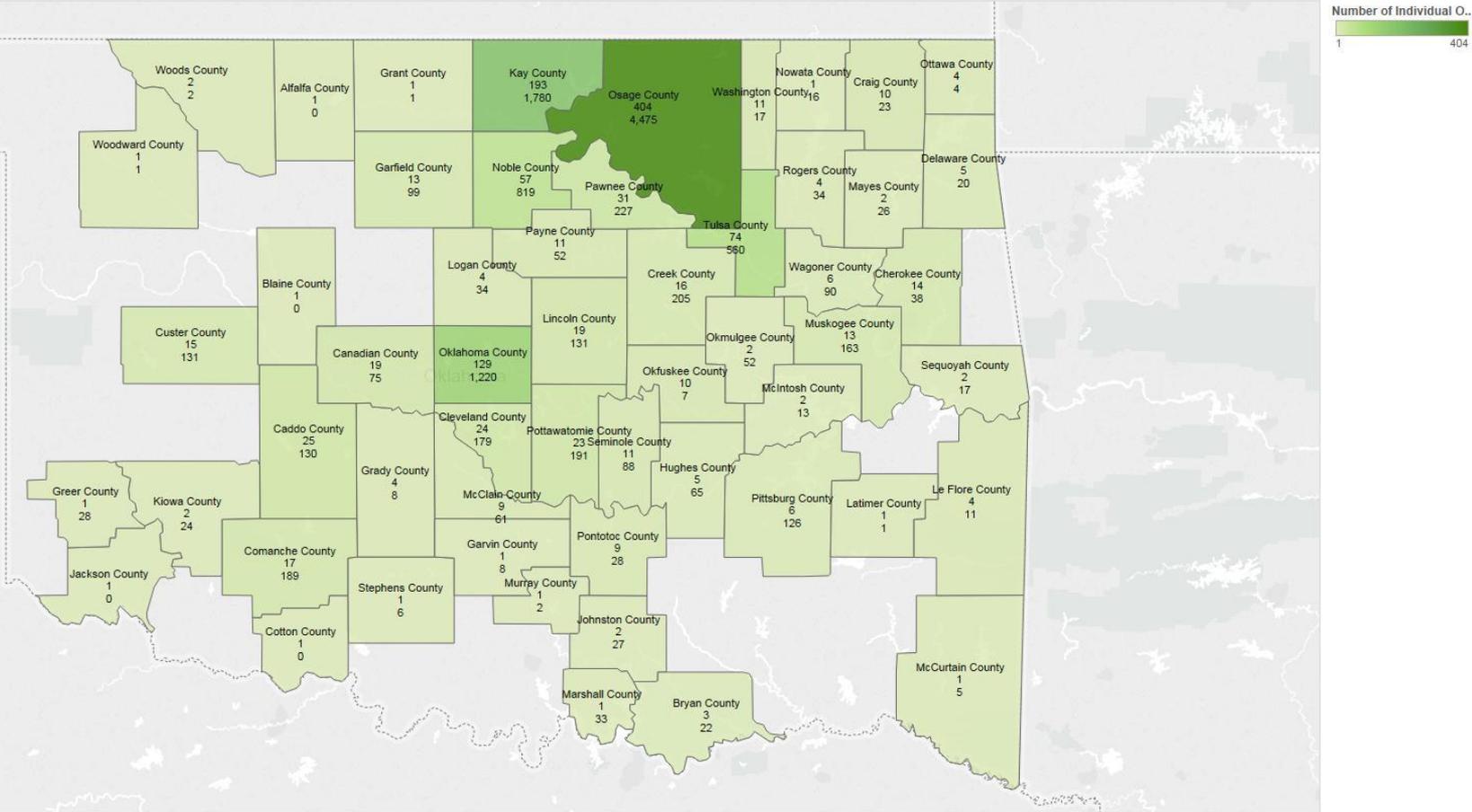
Ponca Individual Owner and Equivalent Acreage Summary by State



Map based on Longitude (generated) and Latitude (generated). Color shows sum of Number of Individual Owners. The marks are labeled by State, sum of Number of Individual Owners and sum of Equivalent Acres. Details are shown for State.

Ponca Tribe Landowners - OK

Ponca Individual Owner and Equivalent Acreage Summary by County for OK



Map based on Longitude (generated) and Latitude (generated). Color shows sum of Number of Individual Owners. The marks are labeled by County, sum of Number of Individual Owners and sum of Equivalent Acres. Details are shown for State and County. The view is filtered on State, which keeps OK.

Things to consider...

- If you live on or make use of trust or restricted land, visit your local BIA Real Estate Service Office to confirm that a valid lease or land use permit is in place.
- If you sell your land interest, you will no longer receive any revenue generated from that tract of land.
- The values of minerals are taken into account during the appraisal process.
- Minerals cannot be severed from the land (doing so would not meet the purpose of reducing fractionation).

What is included in the offer packet?

- **Eligible landowners will be mailed a Purchase Offer Package.**
 - Cover Letter
 - Instructions
 - Deed
 - Purchasable Interest Inventory (PII)
 - Map(s)
 - Self-Addressed Return Envelope.

Note: Not all owners will necessarily receive a purchase offer package. Tracts selected for purchase by the Program will be determined by several criteria, including Tribal priorities, appraisals, and the purchase estimate. Offers not made to interests owned by the tribe, in fee, in probate proceedings, held by non-comps mentis, held by minors, held in joint tenancy, held in life estates, and held by WAUs.

One-Page Deed

- The Deed must be signed in front of a Notary Public.
- The Notary must fill out the bottom section of the Deed, and place a seal in the space provided.
- Notary services will be made available at outreach events.

Land Buy Back Program for Tribal Nations

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Offer No: 100
Deed ID: 345 400000001

DEED TO RESTRICTED INDIAN LAND

THIS DEED is entered into by and between JOHN DOE, Identification No.: 344U000000, DOB: 00/00/0000, residing at PO BOX 000, WOUNDED KNEE, SD 57794, referred to herein as Grantor, and the United States of America in Trust for the ROSEBUD SIOUX TRIBE, referred to herein as Grantee.

The Grantor, for and in consideration for the dollar amount(s) shown on the attached Exhibit A, sells and conveys unto the Grantee the interests in real estate shown on the attached Exhibit A, under the jurisdiction of 345 - ROSEBUD, to have and to hold said interests unto the Grantee United States of America in Trust for the ROSEBUD SIOUX TRIBE forever.

This conveyance is made pursuant to the provisions of the Indian Land Consolidation Act Amendments of 2000, Public Law 106-462, as amended by the American Indian Probate Reform Act of 2004, Public Law 108-374, and the Claims Resolution Act of 2010, Public Law 111-291.

Grantor and his or her heirs, executors, and administrators, hereby agrees that he or she will forever warrant and defend the title of the Grantee in said premises against the claim of all persons, claiming or to claim by, through or under him or her only.

JOHN DOE (SEAL)

ACKNOWLEDGEMENT

STATE OF _____ COUNTY OF _____

BE IT REMEMBERED, That on this _____ day of _____, 20 _____

before the undersigned, a Notary Public in and for the County and State aforesaid,

personally appeared: JOHN DOE

to me personally known to be the identical person who executed the within instrument of writing, and such person duly acknowledges the execution of the same and acknowledges the execution of the same as his or her free and voluntary act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on day and year hereinabove written.

(Notary Seal Here)

Notary Public

My Commission Expires: _____

FOR OFFICIAL USE ONLY: Any person who, knowingly and willfully, uses any false writing, makes any materially false statement, fraudulent representation, covers up a material fact, or commits fraud, is subject to federal prosecution, fines and no more than five years imprisonment as provided in 18 USC § 1001 .



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Exhibit A – Purchasable Interest Inventory

SUMMARY Section

- Use the SUMMARY Section to select the interests you wish to sell.
- Note that the Inventory may not include all of your fractional interests.
- If you own additional interests you are interested in selling, notify the Trust Beneficiary Call Center at **1-888-678-6836**.

Land Buy Back Program for Tribal Nations UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS

Exhibit A - Purchasable Interests Inventory (PII) - SUMMARY

DATE: 02/22/2014 PAGE: 1 of 1
Grantor ID: 344000000 Offer ID: 100
Grantor Name: DOE, JOHN

Base Payment: You will be compensated for time spent completing this package in the amount of \$75.00 in addition to the price offered for any, all or some of the interests listed in this report and chosen by you to sell.

Example: Please use black or blue ink and fill in the circle(s) completely on the individual interests you wish to sell, or fill in the circle next to "Sell All Tracts Listed Below" to sell all interests.

Sell All Tracts Listed Below - Total of All Owner Interests Value: \$6,937.57

Sell Item	Tract ID	Interest	Interest Value
<input type="radio"/> 1	345 M 0000	.0003819444	\$95.49
<input type="radio"/> 2	345 0001	.0023437500	\$468.75
<input type="radio"/> 3	345 0002	.0333333334	\$6,373.33



100-344000000-1A-107-345-1001



Exhibit A – Purchasable Interest Inventory

DETAIL Section

- The DETAIL Section provides more information about each of your interests the Program is offering to purchase.
- Use the Item number for cross reference between the SUMMARY and DETAIL Sections of the Inventory.

Land Buy Back Program for Tribal Nations		UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF INDIAN AFFAIRS					Date: 02/22/2014 Page: 1 of 1		
Grantor ID: 344U000000 Grantor Name: DOE, JOHN		Exhibit A - Purchasable Interests Inventory (PII) DETAIL					Offer Number: 100 Deed ID 345 4000000001		
Item	Tract ID	Tract Name			Tract Acreage	Owner Interest	Interest Value	Scholarship ¹ Contribution	Tract Appraisal Date
1	345 M 0000	BEAR FOLLOWS			320.000	.0003819444	\$95.49	\$10.00	11/19/2013
State County		Sec	Twn	Rng	Meridian	Legal Description		Resource	
SD TODD		6	035.00N	031.00W	Sixth Principal	E		Minerals Only	
Item	Tract ID	Tract Name			Tract Acreage	Owner Interest	Interest Value	Scholarship Contribution	Tract Appraisal Date
2	345 0001	FAST RUNNER			320.000	.0023437500	\$468.75	\$10.00	11/19/2013
State County		Sec	Twn	Rng	Meridian	Legal Description		Resource	
SD TODD		9	036.00N	032.00W	Sixth Principal	W		Surface Only	
Item	Tract ID	Tract Name			Tract Acreage	Owner Interest	Interest Value	Scholarship Contribution	Tract Appraisal Date
3	345 0002	SALLY BLUE SHIELD			160.000	.0333333334	\$6,373.33	\$318.67	11/19/2013
State County		Sec	Twn	Rng	Meridian	Legal Description		Resource	
SD TRIPP		20	102.00N	078.00W	Fifth Principal	NE		Both (Mineral and Surface)	

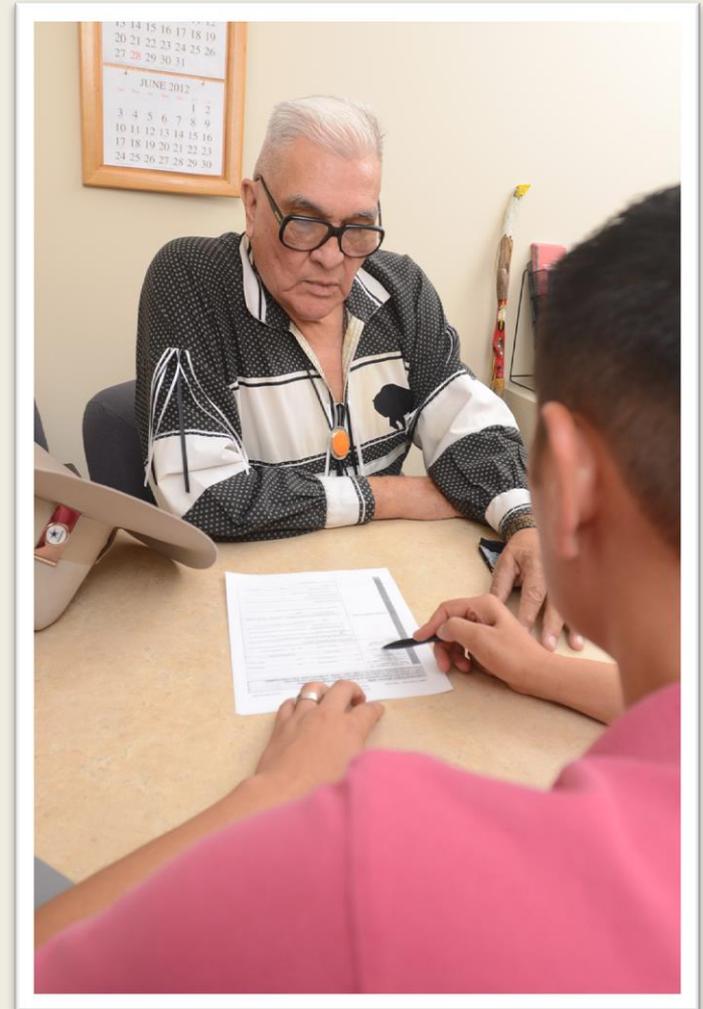
¹ The Claims Resolution Act of 2010 authorized matching contributions up to \$60 million, made to the Indian Education Scholarship Fund for each ownership interest purchased. A zero dollar amount in this column indicates that the Fund has reached \$60 million and no further contributions are being made.




1004000000001:344U000000:AA:07:345:R001

How do I complete the Purchase Offer Package?

- Verify your personal information is correct.
- Select the tract(s) you are interested in selling, sign the deed exactly as your name appears on the document in presence of a notary public (also available at outreach events).
- *Note:* Landowners have a set amount of time to decide whether to sell some or all of their fractional interests.
 - Packages must be completed and postmarked by the end of the **45 calendar days** to be processed.



Questions