

INDIAN AFFAIRS DIRECTIVES TRANSMITTAL SHEET

(Modified DI-416)

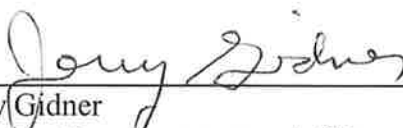
DOCUMENT IDENTIFICATION NUMBER 52 IAM 10	SUBJECT Tribal Land Assignments	RELEASE NUMBER 08-04
FOR FURTHER INFORMATION Trust Services		DATE FEB 11 2008

EXPLANATION OF MATERIAL TRANSMITTED:

The purpose of the chapter is to standardize and clarify how the Department of the Interior treats tribal land assignments. The Department will not recognize a tribal land assignment as an individual trust interest that may be conveyed or that operates as an encumbrance on tribal trust land although the tribe may treat the assignment as a temporary possessory interest or owner use privilege. The assignee only has whatever privileges the tribe allows or recognizes.

This policy is effective immediately and remains effective until revised, superseded or rescinded.

If you have any questions regarding this policy, contact BIA Trust Reform Liaisons, T. Parker Sando at (505) 816-1446 or Steve Graham at (505) 816-1209.



Jerry Gidner
Director, Bureau of Indian Affairs

FILING INSTRUCTIONS:

Remove: None

Insert: 52 IAM 10

INDIAN AFFAIRS MANUAL

1.1 Purpose. The purpose of the policy is to standardize and clarify how the Department of the Interior treats tribal land assignments. The Department will not recognize a tribal land assignment as an individual trust interest that may be conveyed or that operates as an encumbrance on tribal trust land although the tribe may treat the assignment as a temporary possessory interest or owner use privilege. The assignee only has whatever privileges the tribe allows or recognizes.

1.2 Scope. This policy applies to all tribal assignments of trust lands.

1.3 Policy. It is the policy of the Bureau of Indian Affairs (BIA) that the Secretary or his/her designee shall not approve land assignments on tribal trust land. Any document creating such an assignment is not a title document; and therefore, shall not be recorded by the BIA Land Titles and Records Office (LTRO).

Funds derived from land assignment contracts between the tribe and individual tribal members shall not be processed through trust accounts managed by the BIA and the Office of the Special Trustee for American Indians (OST). Funds received at the lockbox after the effective date of this policy will be refunded to the payor. Funds collected prior to the effective date of this policy and residing in a trust account managed by OST shall continue to be processed under existing policies and directives.

1.4 Authority. The Snyder Act of November 12, 1921 (42 Stat.208) 25 U.S.C. 13

1.5 Responsibilities.

- A. Director, Bureau of Indian Affairs (BIA).** The BIA Director is responsible for the development of National Policy affecting Indian lands.
- B. Deputy Bureau Director, Field Operations, BIA.** The BIA Deputy Bureau Director of Field Operations is responsible for overseeing the Regional Directors and the dissemination of policy to them.
- C. Deputy Bureau Director, Trust Services, BIA.** The BIA Deputy Bureau Director of Trust Services is responsible for assisting in the dissemination of Trust resource policy and information to the Regional Directors.
- D. Regional Directors, BIA.** The BIA Regional Directors are responsible for carrying out policy as directed, and for overseeing the implementation of policy either directly or via Agency Superintendents.