

Technical Team Recommendations on Land Consolidation – April 7, 2005:

- 1) Land consolidation should be given strong consideration as one element of a Cobell Settlement/Trust Reform legislative package.
- 2) Our understanding is that a majority of ownership interests are concentrated in a relatively small portion of the allotments. We have received data from the BIA land consolidation Office and from the TAAMS land system. There is significant need to get additional data to better define the land fractionation problem.
- 3) For highly fractionated lands (greater than 50 owners) legislation should focus on expanding the voluntary buy back program and allowing the Secretary to take into account other factors in determining land values such as avoided costs.
- 4) For less fractionated land, legislation should focus on providing mechanisms that encourage land consolidation, such as low interest loans for individuals to purchase fractionated land, and good ownership practices. Consider a low-interest loan program for individuals.
- 5) Should have a process for repurchasing undivided fee interests.
- 6) Land consolidation payments should not diminish eligibility for federal benefits such as TANF, Social Security, or Medicare/Medicaid.
- 7) Should have a process for dealing with whereabouts unknown.
- 8) The lien program on repurchased land should be reconsidered in light of its costs. Liens should be waived when the income from the land will not cover the purchase price.
- 9) Legislation should provide for an increased tribal government role in the land consolidation efforts.
- 10) Legislation should promote tribal land ownership systems while preserving the rights of allottees that are willing to trade their land to a Tribe or U.S. for an assignment or some form of an indefinite individual interest.
- 11) Adequate funding and staffing for efficient land consolidation.
- 12) Problems with appraisals restrict the efficient transfer of fractionated lands, including voluntary buy-backs.