



## Appendix F, List of Obligations

The following is a listing of all the obligations (laws, regulations, Acts, etc.) (as defined in IDEF) identified by the As-Is Modeling Team during the course of the 12 Regional work session interviews.

Citation	Description	Processes Where Noted
5 USC 554 - 557	Administrative procedures for hearings	Probate
10 CFR	Nuclear Regulatory Commission (NRC)	Subsurface
12 USC 92 (a)	Trust authority. Ensures timely and accurate reconciliation	Accounting
15 CFR 938	Regulations pertaining to the Coastal Zone Management Act	Subsurface Water
16 USC 594	Authorizes the Secretary to protect timber on Indian Lands from fire, disease, or insects.	Forestry
18 USC 1853	Provides penalties for unlawfully cutting or wantonly injuring trees on Indian lands.	Forestry
18 USC 1855	Provides penalties for willfully setting fires without authority on Indian lands.	Forestry
23 CFR 710	BIA Roads Regulations	Title
25 CFR	Specific to Indian Affairs	Cadastral Survey
25 CFR 1.4	State and local regulation of the use of Indian property. Exempts Indian Trust property from State and local regulations unless the Secretary deems them beneficial.	Subsurface
25 CFR 2	Appeals from Administrative Actions.	Beneficiary Services Subsurface Title
25 CFR 15	Outlines responsibilities to probate Trust estates. Provides Superintendent with authority to disburse emergency funds required to address funeral needs and to maintain the estate.	Accounting Probate Title
25 CFR 15.106	Authorizes Line Officials to use IIM funds to pay emergency	Probate



Citation	Description	Processes Where Noted
	funeral expenses.	
25 CFR 20	Social Services Assessment. Establish supervised accounts	Accounting
25 CFR 101	Loans to Indians from Revolving Loan Fund	Accounting
25 CFR 103	Assignment of income if someone defaults on a Federal Loan. Results in a restricted account being set up to repay the loan if Trust funds were pledged as security	Accounting
25 CFR 115	Trust Funds for Tribes and Individual Indians. This part sets forth guidelines for the Secretary of the Interior, including any tribe or tribal organization if that entity is administering specific programs, functions, services or activities, previously administered by the Secretary of the Interior, but now authorized under a Self-Determination Act contract (pursuant to 25 U.S.C. 450f) or a Self-Governance compact (pursuant to 25 U.S.C. 558cc), to carry out the trust duties owed to tribes and individual Indians to manage and administer trust assets for the exclusive benefit of tribal or individual Indian beneficiaries pursuant to federal law, including the American Indian Trust Fund Management Reform Act of 1994, Public Law 103-412, 108 Stat. 4239, 25 U.S.C. 4001 (Trust Reform Act).	Accounting Long-Term Leasing Subsurface
25 CFR 115.103	Receipts from other Government agencies; Allows money received from other agencies to be accepted for disabled Indians	Agricultural Leasing
25 CFR 115.701 & 702	Trust Accounts Subpart F – Types of trust accounts and sources of money	Long-Term Leasing
25 CFR 115.805	Direct payments received will not be received or maintained by the	Long-Term Leasing



Citation	Description	Processes Where Noted
	Department's funds management system.	
25 CFR 141.51	Authority to close unlicensed reservation businesses	Long-Term Leasing
25 CFR 141.52	Revocation of license and lease and recover on bond.	Long-Term Leasing
25 CFR 141.53	Cease and desist orders.	Long-Term Leasing
25 CFR 141.56	Show cause procedures	Long-Term Leasing
25 CFR 150	Land Records and Title Documents. These regulations set forth authorities, policy and procedures governing the recording, custody, maintenance, use and certification of title documents, and the issuance of title status reports for Indian land.	Subsurface Title
25 CFR 150.10	Federal Regulation identifying LTRO Manager as certifying officer for land titles.	Title
25 CFR 150.7	Regulations defining when modifications can be administratively corrected vs. returned to OHA for determination.	Probate
25 CFR 150.8	Federal regulation relative to Title Status Reports.	Long-Term Leasing Title
25 CFR 150.9	Land Status Maps. LTROs shall prepare and maintain maps of all reservations and similar entities within their jurisdictions to assist Bureau personnel in the execution of their title service responsibilities	Long-Term Leasing
25 CFR 151	Describes the authorities, policies and procedures that are used to decide whether to accept title to land in the name of the United States to be held in trust for the benefit of an individual Indian or a Tribe	Title
25 CFR 152	BIA Regulations governing	Appraisal



Citation	Description	Processes Where Noted
	conveying trust or restricted lands.	Subsurface Title
25 CFR 152.34	Approval of Mortgages and Deeds of Trust	Title
25 CFR 162	Leases and Permits regulations	Accounting Agricultural Leasing Appraisal Range
25 CFR 162 (a)	Leasing and Permitting	Long-Term Leasing
25 CFR 162.601	Leasing and Permitting Subpart F Grants of leases by Secretary	Long-Term Leasing
25 CFR 162.602	Leasing and Permitting Subpart F – Grants of leases by owners or their representatives.	Long-Term Leasing
25 CFR 162.604	Leasing and Permitting Subpart F Special requirements and provisions (b)(3) Leases may be granted or approved by the Secretary at less than fair annual rental when in his judgment such action would be in the best interest of the landowners. (g) (2) (3)	Long-Term Leasing
25 CFR 162.605	Leasing and Permitting Subpart F. Negotiation of Leases (a), (b) and (c)	Long-Term Leasing
25 CFR 162.606	Leasing and Permitting Sub Part F – Advertisement “Except as otherwise provided in this part, prior to granting a lease or permit as authorized under 162.601 the Secretary shall advertise the land for lease. Advertisements will call for sealed bids and will not offer preference rights.	Long-Term Leasing
25 CFR 162.607	Leasing and Permitting – Duration of Leases	Long-Term Leasing
25 CFR 162.608	Leasing and Permitting – Ownership of improvements	Long-Term Leasing



Citation	Description	Processes Where Noted
25 CFR 162.609	Leasing and Permitting – Unitization for leasing	Long-Term Leasing
25 CFR 162.610	Leasing and Permitting – Subleases and assignments	Long-Term Leasing
25 CFR 162.612	Leasing and Permitting Subpart F. (a) (b) (c)	Long-Term Leasing
25 CFR 162.613	Leasing and Permitting - Notify tenant rent payment is due	Long-Term Leasing
25 CFR 162.614	Leasing and Permitting – Lease payments subject to interest charges	Long-Term Leasing
25 CFR 162.615	Leasing and Permitting – Delinquent rental payments	Long-Term Leasing
25 CFR 162.616	Leasing and Permitting – Special fees assessed for delinquent payments	Long-Term Leasing
25 CFR 162.617	Leases and Permitting Subpart F – (a) (b)	Long-Term Leasing
25 CFR 162.618	Leases and Permitting Subpart F (a) (b) (1) (2)	Long-Term Leasing
25 CFR 162.619	Leasing and Permitting Subpart F (a) (1) (2) (3) (4)	Long-Term Leasing
25 CFR 162.620	Leasing and Permitting Subpart F (b)	Long-Term Leasing
25 CFR 162.621	Leasing and Permitting Subpart F (2) – While a cancellation decision is ineffective, the tenant must continue to pay rent and comply with the other terms of the lease.	Long-Term Leasing
25 CFR 163	Forest Management and Operations. Objectives of forest land management activities.	Beneficiary Services Forestry
25 CFR 166	Provides regulations for managing a approving, granting, and administering grazing permits. Regulates procedures for what needs to be done without including processes dictating how to complete tasks.	Accounting Appraisal Range
25 CFR 166 (i)	BIA’s Trespass Policy	Agricultural Leasing
25 CFR 169	Rights-of-Way Over Indian Lands	Accounting



Citation	Description	Processes Where Noted
	(off lease). The regulations in this part 169 prescribe the procedures, terms and conditions under which rights-of-way over and across tribal land, individually owned land and Government owned land may be granted.	Appraisal Long-Term Leasing Subsurface Title
25 CFR 170.5	BIA Roads ROW regulations	Title
25 CFR 179	Life Estate & Future Interest	Accounting Title
25 CFR 211	Leasing of Tribal Lands for Mineral Development. Regulation implementing the Tribal Lands Mineral Leasing Act of 1938 authorizing the leasing of tribal lands for mineral development.	Accounting Subsurface
25 CFR 212	Leasing of Allotted Lands for Mineral Development. Regulation implementing the Allotted Land Leasing Act of 1909 authorizing the leasing of allotted lands for mineral development.	Accounting Subsurface
25 CFR 216	Surface Exploration, Mining, and Reclamation of Lands.	Subsurface
25 CFR 225	Oil and Gas, Geothermal, and Solid Mineral Agreements. Subparts .4, .5, & .6 regulate implementing the Indian Mineral Development Act of 1982 related to oil and gas, geothermal, and solid mineral agreements.	Accounting Subsurface
25 CFR 226	Oil and Gas: payment of bonuses, rentals, and royalties, Solid Minerals- payment of bonuses, rentals, and royalties.	Accounting
25 CFR 262	Protection of Archaeological Resources.	Long-Term Leasing Subsurface
25 CFR 900	Contracts Under the Indian Self-Determination and Education Assistance Act, Public Law 98-638.	Subsurface



Citation	Description	Processes Where Noted
	These regulations codify uniform and consistent rules for contracts by the Department of Health and Human Services (DHHS) and the Department of the Interior (DOI) in implementing title I of the Indian Self-Determination and education Assistance Act, Public Law 98-638, 25 U.S.C. 450 et seq., as amended and sections 1 through 9 preceding that title.	
25 CFR 1000	Annual Funding Agreements Under the Tribal Self-Government Act Amendments to the Indian Self-Determination and Education and Education Act. This part codifies uniform and consistent rules for the Department of the Interior (DOI) in implementing Title IV of the Indian Self-Determination and Assistance Act (ISDEA) Public Law 98-638, 25 U.S.C. 450 et seq., as amended by Title II of Public Law 103-413, the Tribal Self-Governance Act of 1994 (108 Stat. 4250, October 25, 1994).	Subsurface
25 USC 2	Duties of Commissioner	Range
25 USC 14	Provides for grazing and administrative fees.	Range
25 USC 161	Deposit in Treasury of Trust funds.	Long-Term Leasing
25 USC 162 (a)	Deposit of Tribal funds in banks. Prescribes allowable Trust investments for Indian Trust funds held by the U.S. Government.	Accounting Beneficiary Services Long-Term Leasing
25 USC 176	Provides that surveys of Indian lands shall be under the control of the BLM and as nearly as may be in conformity to the rules and regulations under which other public lands are surveyed.	Cadastral Survey
25 USC 180	Settling On or Surveying Lands Belonging to Indians By Treaty,	Cadastral Survey



Citation	Description	Processes Where Noted
	Provides penalties for anyone other than the Federal government to settle on or to survey or attempt to survey lands belonging to any Indian tribe.	
25 USC 2218	Provides percentages from which consent can be considered granted based on number of ownership interests on undivided fractionated land.	Agricultural Leasing Range
25 USC 371	Empowers DOI to perform probate.	Probate
25 USC 372	Empowers DOI to perform probate.	Probate
25 USC 380	Provides superintendent authority to lease allotted lands where heirs have not been determined.	Agricultural Leasing Long-Term Leasing
25 USC 406	Authorizes sale timber from allotted Indian Lands with consent of the Secretary.	Forestry
25 USC 407	Authorizes sale timber from unallotted Indian Lands under regulations prescribed by the Secretary.	Forestry
25 USC 407 (d)	Added provision to allow charging purchasers of Indian timber for special services requested by purchasers.	Forestry
25 USC 413	Authorized the collection of fees to cover the cost of timber sales on Indian Lands (Admin Fees).	Forestry
25 USC 415	Lease of Restricted Lands.	Long-Term Leasing
25 USC 415 (b)	Lease of restricted lands; Seq. (b) Advance payment of rent or other consideration.	Long-Term Leasing
25 USC 416	Leases of trust or restricted lands on San Xavier and Salt River Pima Maricopa Indian Reservations.	Long-Term Leasing
25 USC 466	Requires that land be used to sustain yield.	Range
25 USC 477	Provides for tribal corporate enterprises & streamlines processes	Range





Citation	Description	Processes Where Noted
	involving them.	
30 CFR	Regulatory Limits	Subsurface
30 CFR	Validation Regulations	Subsurface
30 CFR	OSHA	Subsurface
30 CFR 1-199	Mine Safety and Health Administration (MSHA)	Subsurface
30 CFR 201-290	Mineral Management Services (MMS) specific regulations.	Subsurface
30 CFR 206 J	Product Valuation, Indian Coal. This subpart prescribes the procedures to establish the value, for royalty purposes, of all coal from Indian Tribal and allotted leases (except leases on the Osage Indian Reservation, Osage County, Oklahoma).	Subsurface
30 CFR 210 E	Forms and Reports, Solid Minerals, General. This subpart explains your reporting requirements if you produce coal or other solid minerals from Federal or Indian leases. Included are your requirements for reporting production, sales, and royalties.	Subsurface
30 CFR 216	Production Accounting. The purpose of this part is to ensure that the Federal Government receives proper information regarding energy and mineral resources removed from Federal and Indian leases and federally approved agreements.	Subsurface
30 CFR 218 E	Collection of Royalties, Rentals, Bonuses and Other Monies Due the Federal Government, Solid Minerals – General. As specified under the provisions of the lease, the lessee shall submit all rental and deferred bonus payments when due and shall pay in value all royalties in the amount determined by MMS to be due.	Subsurface
30 CFR 218.51	How to make payments. MMS	Subsurface



Citation	Description	Processes Where Noted
	regulations for oil and gas payments.	
30 CFR 750	Office of Surface Mining Reclamation and Enforcement – Requirements for surface coal mining and reclamation operations on Indian lands.	Subsurface
30 CFR 842	Office of Surface Mining Reclamation and Enforcement - Federal inspections and monitoring	Subsurface
31 USC 101	Defines how money and finance are handled by the US government.	Long-Term Leasing
31 USC 1535	Provides that the head of an agency or major organizational unit within an agency may place an order with a major organizational unit within the same agency or another agency for services.	Cadastral Survey
36 CFR 800 - NHPA (Park Services)	Advisory Council on Historic Preservation	Subsurface
40 CFR	Environmental Regulations	Agricultural Leasing Range
42 BIAM, Supplement 3		Long-Term Leasing
43 CFR	Management of Public Lands	Cadastral Survey Subsurface
43 CFR 4	OHA Probate and Appeals Regulations	Accounting Subsurface Title
43 CFR 4.204	OHA Probate Regulations defining the requirements for issuing a presumption of death.	Probate
43 CFR 4.270	OHA regulations. Provides Superintendent with the authority to disburse funds required for the maintenance of the estate.	Accounting Probate
43 CFR 4.273	Instructs Line Officials to close estates.	Probate
43 CFR 4.310	OHA non-probate appeals	Beneficiary



Citation	Description	Processes Where Noted
	regulations.	Services Title
43 CFR 4.400-4.478	Protest and Appeal process, contains instructions. Subpart E	Cadastral Survey
43 CFR 3100	Onshore Oil and Gas Leasing: General, 3200.0-3 Authority.	Subsurface
43 CFR 3160	Onshore Oil and Gas Operations. The regulations in this part govern operations associated with the exploration, development and production of oil and gas deposits from leases issued or approved by the United States, restricted Indian land leases and those under the jurisdiction of the Secretary of the Interior by law or administrative arrangement, including the National Petroleum Reserve – Alaska.	Subsurface
43 CFR 3180	Onshore Oil and Gas Unit Agreements. The regulations in this part prescribe the procedures to be followed and the requirements to be met by the owners of any right, title or interest in Federal oil and gas leases and their representatives who wish to unite with each other, or jointly or separately with others, in collectively adopting and operating under a unit plan for the development of any oil or gas pool, field or like area, or any part thereof.	Subsurface
43 CFR 3260 - Geothermal	Geothermal Drilling Operations – General. The regulations in 43 CFR 3260 through 3267 establish permitting and operating procedures for drilling wells and conducting related activities for the purpose of performing flow tests, producing geothermal fluids, or injecting fluids into a geothermal reservoir. These subparts also address redrilling, deepening, plugging back, and other	Subsurface



Citation	Description	Processes Where Noted
	subsequent well operations. These subparts do not address conducting exploration operations or geothermal resources utilization.	
43 CFR 3480	Coal Exploration and Mining Operations Rules: General. Except as otherwise provided in 25 CFR Chapter I or Indian lands leases, these rules do not apply to operations on Indian lands. The provisions in these rules relating to advanced royalty, diligent development, continued operation, maximum economic recovery (MER), and mining units (logical mining units) shall not apply to Indian lands, leases and permits.	Subsurface
43 CFR 3590	Solid Minerals (Other than Coal) Exploration and Mining Operations. These regulations govern operations for all minerals on Indian tribal lands and allotted Indian lands leased under 25 CFR parts 211 and 212. Further, when the regulations in this part related to matters included in 25 CFR part 215 or 216 the regulations in this part shall be considered as supplemental and the regulations in 25 CFR part 215 or 216 shall govern to the extent of any inconsistencies.	Subsurface
43 USC 2	Provides that the Secretary of the Interior or such officer as he may designate should perform all duties of surveying and patenting of the public lands and private claims, contains instructions.	Cadastral Survey
43 USC 14	Returns Relative to Lands, All returns relative to the public lands shall be made to the Secretary of the Interior or such officer as he may designate.	Cadastral Survey
43 USC 17	Plats of Land Surveyed, Provides that the Secretary shall make a plat	Cadastral Survey



Citation	Description	Processes Where Noted
	of any land surveyed under the authority of the US and provide it to the BLM, contains instructions.	
43 USC 52	Surveying Duties, Provides that the Secretary of the Interior or such officer as he may designate shall engage skillful surveyors, and frame regulations not inconsistent with law or the instructions of the BLM. Cause to be surveyed public lands to which the Indian title has been or may be extinguished, contains instructions.	Cadastral Survey
43 USC 751	Rules of Survey, contains instructions.	Cadastral Survey
43 USC 752	Boundaries and Contents of Public Lands; How Ascertained, contains instructions.	Cadastral Survey
43 USC 753	Lines of Division of Half Quarter Sections; How Run, contains instructions.	Cadastral Survey
43 USC 772	Provides authority for the Secretary of the Interior to conduct resurvey or retracement of the surveys of public lands, contains instructions.	Cadastral Survey
43 USC 1711 (b)	Continuing Inventory and Identification of Public Lands; Preparation and Maintenance, Provides that the Secretary of the Interior shall ascertain the boundaries of the public lands, including signs and maps, and provide data from the inventory for the purpose of planning and regulating the uses of non-Federal lands in proximity of such public lands, contains instructions.	Cadastral Survey
43 USC 1737	Provides that the Secretary may accept contributions for cadastral surveying performed on federally controlled or intermingled lands, contains instructions.	Cadastral Survey
54 BIAM	Real Property Management	Long-Term Leasing



Citation	Description	Processes Where Noted
59 IAM 9	Protection of Historical and Archeological Resources	Range
Acts of Congress	Changes business processes (i.e. private relief bills).	Cadastral Survey
Allotted Land Leasing Act of 1909 - 25 USC 396	Authority to lease allotted mineral assets.	Subsurface
American Indian Agriculture Resource Management Act of 1994 - 25 USC 3701	Requests plans to depict fencing requirements, areas to be excluded from permitting, trespass prevention/resolution procedures, livestock control responsibilities, resource development objectives and responsibilities, etc.	Agricultural Leasing Range
American Indian Religious Freedom Act of 1994, as amended - 42 USC 1996	States the policy of the U.S. to protect and preserve the inherent rights of freedom to believe, express and exercise traditional religions including but not limited to access to religious sites, use and possession of sacred objects and freedom to worship through ceremonial and traditional rites. Federal agencies are to evaluate policies and procedures to determine if changes are needed to ensure that such rights and freedoms are not disrupted by agency practices.	Forestry Subsurface Water
American Indian Trust Fund Management Reform Act of 1994 - 25 USC 162 (a) & 4011	Mandated requirements for Trust Assets Management.	Accounting Long-Term Leasing
Antiquities Act of 1906 - 16 USC 431-433	American Antiquities Act of 1906 (PL 59-209; 34 Stat 225:) Permits the examination of ruins, the excavation of archaeological sites, and the gathering of objects of antiquity upon the lands under their respective jurisdictions may be granted by the Secretaries of the Interior, Agriculture, and Army to institutions which they deem properly qualified to conduct such examination, excavation, and gathering, subject to such rules and	Forestry Long-Term Leasing Subsurface Water



Citation	Description	Processes Where Noted
	regulations as they may prescribe: Provided, That the examinations, excavations, and gatherings are undertaken for the benefit of reputable museums, universities, colleges, or other recognized scientific or educational institutions, with a view to increasing the knowledge of such objects, and that the gatherings shall be made for permanent preservation in public museums.	
Archaeological and Historic Preservation Act of 1974 - 16 USC 469a	Establishes constraints that may significantly increase cost and/or restrict or eliminate proposed activities.	Forestry Long-Term Leasing Water
Archaeological Resources Protection Act (ARPA) of 1979 - 16 USC 470	Provides for the protection of archaeological resources and sites which are on public and Indian lands, and fosters increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data which were obtained before October 31, 1979. Establishes civil and criminal penalties for the unauthorized excavation, destruction or trafficking in archeological resources.	Forestry Probate Long-Term Leasing Subsurface Title Water
Babbitt V. Youpee	The court decision finding ILCA unconstitutional because owners of estate property purchased by tribes were not properly compensated for the land.	Probate
Beneficiary Obligations	Provides tribal focus and needs. Affects priority setting.	Water
BIA Lease Stipulations	Specific and unique BIA lease stipulations.	Subsurface
BIA Policies & Trust Responsibilities	Varies in accordance with regional needs and state and local	Agricultural Leasing



Citation	Description	Processes Where Noted
	obligations.	Forestry Long-Term Leasing Water
BIA/BLM/MMS Tripartite MOU of 1997	Memorandum of Understanding between BIA, BLM and MMS Regarding Working Relationships Affecting Mineral Lease Activities, June 1997.	Subsurface
BIA Stripper Well Memorandum	To provide guidance for the stripper oil royalty rate reduction (RRR) program.	Subsurface
BIA Water Resources Policy	Provides requirements for process	Water
BLM Onshore Order No. 1	Approval of Operations	Subsurface
BLM Onshore Order No. 3	Site Security	Subsurface
BLM Onshore Order No. 4	Measurement of Oil	Subsurface
BLM Onshore Order No. 5	Measurement of Gas	Subsurface
BLM Onshore Order No. 2	Drilling	Subsurface
BLM Onshore Order No. 6	Hydrogen Sulfide Operations	Subsurface
BLM Onshore Order No. 7	Disposal of Produced Water	Subsurface
Case law (e.g. IBIA)	Precedential decisions	Agricultural Leasing Cadastral Survey
Chief Financial Officers Act of 1990 (CFO Act)	Chief Financial Officer's Act has provisions that apply to Indian Trust Audit.	Accounting
Claims against estate	To ensure the account balances necessary for claim payments.	Accounting
Clean Air Act - 42 USC 7401	Originally passed in 1963, the purpose of the Clean Air Act is to protect and enhance the quality of the Nation's air resources so as to protect public health and welfare. The Act provides technical and financial assistance to States and local governments to develop their own air pollution control programs, and encourages the development of regional programs. Similar to the Clean Water Act, the Clean Air Act establishes air quality standards and	Agricultural Leasing Forestry Range Subsurface Water





Citation	Description	Processes Where Noted
	recognizes the authority of States and local governments to establish stricter standards. The Act requires a permitting and enforcement program for certain construction and industrial activities in areas where standards are not attained.	
Coastal Zone Management Act of 1972 - 16 USC 1451 and 1456	To preserve, protect, develop, and where possible, to restore or enhance, the resources of the Nation's coastal zone.	Forestry Water
Cobell lawsuit	Lawsuit against the Federal government for mismanagement of IIM [Individual Indian Monies] trust accounts.	Agricultural Leasing Range
Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) - 42 USC 9601 to 9675	Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA). Provides for liability, compensation, clean-up and emergency response for hazardous substances released into the environment and the cleanup of inactive hazardous waste sites. Provides authority and process for responding to hazardous substance spills and for funding and remediation of high priority hazardous substance waste sites (Superfund sites).	Subsurface
Cooperative Forestry Assistance Act of 1978 - 16 USC 2101	To authorize the Secretary of Agriculture to provide cooperative forestry assistance to states and others, and for other purposes.	Forestry
Court Mandated Requirements	Litigation terms and conditions. Sets precedence & stipulations for projects	Water
Court Orders	Settlements & involuntary holds	Accounting
Dead and Down Timber Act - 25 USC 196	Permits sale of dead or down timber on Indian Lands	Forestry
Department of Transportation Act of 1966 (Section 4f) - 49 USC 303	Transportation legislation relative to environmental protection.	Forestry Water
Deputy Commissioner's Memo (April	Directed Agencies to solicit	Title



Citation	Description	Processes Where Noted
2, 1998)	comments on intended acquisitions from state and local governments.	
Deputy Commissioner's Memo (May 30, 1996)	Requires the BIA to wait 30-days prior to taking land into trust.	Title
Deputy Commissioner's Memo (May 26, 1994)	Withdraws the Assistant Secretary's directive of May 17, 1991 requiring that all applications for off-reservation fee-trust acquisitions be referred to the Central Office for review and approval (except for Gaming).	Title
Deputy Commissioner's Memo (Feb 26, 1999)	As of this date, BIA no longer performs appraisals for fee property with the exception of restricted fee lands.	Title
Deputy Commissioner's Memo (Aug 13, 1999)	BIA has the responsibility to fully inform interested parties of all analysis performed in reaching a decision regarding its intent to bring fee lands into trust status.	Title
Deputy Commissioner's Memo (Dec 20, 1999)	Policy statement requiring the Department to obtain a Preliminary Title Opinion regarding a proposed acquisition from the Field Solicitor's Office.	Title
Deputy Commissioner's Memo (Nov 9, 2001)	The authority to approve/disapprove requests for the acquisition of land into trust for gaming remains with the Assistant Secretary-Indian Affairs. This directive also adds gaming-related acquisitions essential to gaming facilities such as parking lots, or construction of wastewater treatment facilities servicing the gaming facility.	Title
Deputy Commissioner's Memo (February 5, 2002)	Directed the BIA to forward its decision analysis for off-reservation trust land acquisitions to the Central Office for review prior to signing the conveyance document.	Title
Deputy Commissioner's Memo (April	Policy statement indicating that the	Title



Citation	Description	Processes Where Noted
17, 2002)	notice and comments provisions, and NEPA provisions, do not apply to mandatory acquisitions. It was also noted, however, that 602 DM 2 is still applicable.	
Distribution Plans	For supervised accounts or accounts with restrictions or encumbrances.	Accounting
DoJ Title Standards 2001	Standards for the preparation of title evidence in land acquisitions by the United States.	Title
Endangered Species Act (ESA) of 1973 - 16 USC 1531	Provides for the conservation of ecosystems upon which threatened and endangered species depend, and provides a program for the conservation of such species. The ESA declares a policy that Federal agencies shall cooperate with State and local agencies to resolve water resource issues in concert with conservation of endangered species. The regulations implementing the Act provide a mechanism for Indian tribes and Indian religious practitioners to acquire live specimens, bodies and body parts of species listed as threatened or endangered.	Agricultural Leasing Beneficiary Services Forestry Long-Term Leasing Range Subsurface Title Water
Escheat law (for fractionated interest and judgment funds that can revert to tribes)	If funds are unclaimed for seven years, they revert to the Tribe.	Accounting
Estuary Protection Act - 16 USC 1221-1226	General study and inventory of estuaries and their natural resources.	Forestry Water
Executive Order 11593	Protection and Enhancement of Cultural Environment	Forestry Long-Term Leasing Subsurface Water
Executive Order 11988	Order related to Floodplain Management	Agricultural Leasing Forestry



Citation	Description	Processes Where Noted
		Long-Term Leasing Range Water
Executive Order 11990	Wetlands Protection of 1977	Agricultural Leasing Forestry Long-Term Leasing Range Subsurface Water
Executive Order 12898	Environmental Justice	Agricultural Leasing Range
Executive Order 13007	Indian Sacred Sites	Agricultural Leasing Range Subsurface
Executive Order 13112	Invasive Species	Agricultural Leasing Range
Executive Order 13175	Consultation and Coordination with Indian Tribal Governments. Mandates that federal agencies consult and collaborate with Indian Tribes.	Agricultural Leasing Beneficiary Services Range Subsurface
Executive Orders	May affect boundaries.	Cadastral Survey
Federal Acquisition Regulations (FAR)	Regulation pertaining to acquiring products and services on behalf of the Federal Government. Provides framework for acquisitions related to water management projects.	Forestry Water
Federal Aid Highway Act of 1958 - 23 USC 128 and 138	To improve mass transportation.	Forestry Water
Federal Cash Management Policies	OMB policies for cash management.	Long-Term Leasing
Federal Coal Mine Safety & Health	To provide for the protection of the health and safety of persons	Subsurface



Citation	Description	Processes Where Noted
Act of 1969 - 30 USC 801	working in the coal mining industry of the United States.	
Federal Court Order and Decisions	May affect boundaries. Conservator-ship; guardianship; account restrictions; restitution	Cadastral Survey Accounting
Federal Land Policy and Management Act of 1976, As Amended - 43 USC 1701 and 1761-1771	To establish public land policy; to establish guidelines for its administration; to provide for the management, protection, development, and enhancement of the public lands; and for other purposes.	Cadastral Survey Forestry Long-Term Leasing Water
Federal Law	Laws governing federal trust responsibility.	Probate
Federal Oil & Gas Royalty Management Act (FOGRMA) - 30 USC 1701	A comprehensive law dealing with royalty management on Federal and Indian leases. Includes among other things: revenue accountability requirements, provisions pertaining to onshore field operations, inspections, cooperation with States and Indian tribes, duties of lessees and other lease interest owners, purchasers, transporters and purchasers of oil and gas.	Beneficiary Services Subsurface
Federal Power Act - 16 USC 797	Federal regulation and development of power.	Forestry Long-Term Leasing Water
Federal Water Pollution Control Act of 1977 - 33 USC 1251	(Formerly the Clean Water Act) Originally passed in 1948 to enable Federal assistance and control of waste water treatment systems, the Federal Water Pollution Prevention and Control Act was amended in 1972 and re-designated as the Clean Water Act. The overreaching goal of the law is to restore and maintain the chemical, physical and biological integrity of the Nation's waters. The Act establishes water quality standards and standards and limits for waste water effluents. It provides a	Agricultural Leasing Forestry Long-Term Leasing Range Subsurface Water



Citation	Description	Processes Where Noted
	regulatory permitting or licensing system for discharges into the waters of the U.S. The Act recognizes the authority of the states to allocate quantities of water within their jurisdiction, establish different water quality standards, and to assume control of and manage certain Clean Water Act programs. Other amendments have added Section 1377 to the Act to provide that Indian Tribes will be treated as States for purposes of the Act, and to provide for programs on Indian lands.	
Fish and Wildlife Coordination Act - 16 USC 661 and 662	To provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs.	Forestry Long-Term Leasing Water
Fish and Wildlife Conservation at Small Watershed Projects - 16 USC 1001, 1005(4) and 1008	Grants awarded to projects benefiting conservation education, habitat protection and restoration, and natural resource management.	Forestry Water
Flood Disaster Protection Act of 1973 - 42 USC 4001	Establishes a federally sponsored flood insurance program.	Forestry Water
Forest and Rangeland Renewable Resources Act - 16 USC 1601	The public interest is served by the Forest Service, Department of Agriculture, in cooperation with other agencies, assessing the Nation's renewable resources, and developing and preparing a national renewable resource program, which is periodically reviewed and updated.	Forestry Water
Freedom of Information Act (FOIA) - 5 USC 552	Procedures and regulations related to the release of information.	Appraisal Beneficiary Services Title
GAO Guides	Regulations and guidance for Federal Financial Accounting and budgeting.	Accounting



Citation	Description	Processes Where Noted
General distribution plan and various acts of Congress (e.g. 47 and 73 Acts)	Mandatory orders for supervised accounts.	Accounting
GPRA	Government Performance and Results Act - to provide for the establishment of strategic planning and performance measurement in the Federal Government, and for other purposes.	Cadastral Survey
IA: AG20000 K039 Interagency Agreement (BLM/BIA)	National Interagency Agreement. Identifies responsibility and funding at a national level.	Cadastral Survey
Indian Claims Act - 28 USC 2415	Time for resolving Indian Treaty claims against the United States.	Agricultural Leasing Range
Indian Gaming Regulatory Act - IGRA (Section 20) - 25 USC 2701	Land Acquisitions for gaming.	Title
Indian Land Consolidation Act (ILCA) of 1984, Amended 2000 - 25 USC 2201	Prevent further fractionation of trust allotments and to consolidate fractional interests ... into usable parcels.	Agricultural Leasing Appraisal Beneficiary Services Cadastral Survey Long-Term Leasing Range Subsurface Title
Indian Mineral Development Act (IMDA) of 1982 - 25 USC 2101	Provides for Tribes to enter into joint ventures, operating, production sharing, service, managerial, lease or other agreement providing for exploration for, extraction, processing or other development of oil, gas, uranium, coal, geothermal or other energy or non-energy mineral resources in which the Tribe owns a beneficial or restricted interest or providing for the sale or other disposition or the production or products of such	Subsurface



Citation	Description	Processes Where Noted
	mineral resources.	
Indian Reorganization Act of 1934 - 25 USC 461	Directs the Secretary to make rules and regulations for management of Indian Forestry units based upon sustained yield management.	Forestry
Inspector General Act (IG Act) - 5A USC 6-11	Created office of IG and defined responsibilities, including oversight of audits of government agencies.	Accounting
Intergovernmental Coordination Act of 1968 - 42 USC 4201 - 4244	An organized intergovernmental approach to auditing.	Forestry Water
Internal Revenue Code, section 6049	Returns Regarding Payments of Interest: requirement to file a 1099 return for every account that earns \$10 or more in interest income per year.	Accounting
Interior Board of Indian Appeals (IBIA) & federal court decisions, Solicitors' opinions, Secretarial orders	Decisions, opinions and orders that affect the process by further defining applicable laws and regulations.	Beneficiary Services Probate
Interior Board of Land Appeals (IBLA) Decisions	May affect boundaries.	Cadastral Survey
Internal BLM Policy	Direction from BLM Eastern States for the Secretary's copy of Cadastral Survey records.	Cadastral Survey
IRS Regulation 31.6109-1	Requirement to supply a taxpayer identification number when filing a return (IRS considers 1099 to be a type of return).	Accounting
Kauley v. U.S.	Class action suit that, in accordance with the settlement, requires BLM and MMS to hold periodic beneficiary meetings regarding oil and gas royalties and mineral rights.	Beneficiary Services
Kennerly Process	Process by which the DOI notifies beneficiaries of the extent of a default.	Title
Land and Water Conservation Fund Act of 1965 (Section 6) - 16 USC 4601-4608(f)	Regulates admission and special recreation user fees at certain recreational areas and establishes a fund to subsidize state and federal	Forestry Long-Term Leasing Water





Citation	Description	Processes Where Noted
	acquisition of lands and waters for recreational and conservation purposes.	
Local BLM Policy	Could change the way surveys are completed.	Cadastral Survey
Local IA/MOU	Local Interagency Agreement and Memorandum of Understanding. Identifies responsibility and funding at a local level.	Cadastral Survey
Manual of Survey Instructions of the Public Lands of the United States, 1973	BLM Manual of Survey Instructions. Adopted into law in western states.	Cadastral Survey
Marine Protection, Research and Sanctuaries Act - 16 USC 1431-1434	To identify and designate as national marine sanctuaries areas of the marine environment which are of special national significance and to manage these areas as the National Marine Sanctuary System.	Forestry Water
Mineral Leasing Act Amendments of 1973 - 30 USC 185	Rights-of-way for pipelines through federal lands.	Forestry Water
National Environmental Policy Act (NEPA) of 1969 - 42 USC 4321	Specifically requires federal agencies to prepare detailed statements on the environmental impacts of proposed major Federal actions significantly affecting the quality of the human environment. The Act declares a policy of the Federal government to cooperate with State and local governments, and the concerned public, to protect and enhance environmental quality. The regulations implementing the Act require Federal agencies to consult with tribes and interested persons/organizations when Indian lands may be affected.	Beneficiary Services Forestry Range Subsurface Title
National Historic Preservation Act (NHPA) of 1966 - 16 USC 470	Authorizes the Secretary of the Interior to maintain a National Register of Historic sites, and to grant funds to the States for historic preservation projects. Specifically requires Federal agencies to take into account the effect of Federal undertakings on properties listed or	Agricultural Leasing Beneficiary Services Forestry Long-Term Leasing



Citation	Description	Processes Where Noted
	eligible to be included in the National Register.	Range Subsurface Title Water
National Indian Forest Resources Management Act - 25 USC 3101	To undertake management activities on Indian forestlands, in furtherance of the U.S. trust responsibility for these lands.	Forestry
National Mineral Policy, Research & Development Act of 1998	Extension to FOIA regarding confidentiality and withholding of information.	Subsurface
National MOU for Indian Coal	<u>Management of Coal Mining on Indian Lands</u> , an MOU between BIA, BLM, & OSM related to the management of Indian coal Trust resources.	Subsurface
National Trails System Act - 16 USC 1241	To provide for recreation, public access, enjoyment, and appreciation of the "open-air, outdoor areas and historic resources of the Nation".	Forestry Water
Native American Graves Protection & Repatriation Act (NAGPRA) of 1990 - 25 USC 3001	Provides for the protection of Native American graves, and provides that ownership of Native American human remains and cultural items discovered or excavated on Federal land shall be in the tribal organization having the closest cultural affiliation with such items.	Subsurface Title
Noise Control Act of 1972, as amended - 42 USC 4901	To establish a means for effective coordination of Federal research and activities in noise control.	Forestry Water
Notice to Lessees #3A (BLM)	Reporting of Undesirable Events.	Subsurface
Notice to Lessees #4A (BLM)	Royalty or Compensation for Oil and Gas lost.	Subsurface
Natural Resources Conservation Service	A service to help people conserve, maintain and improve natural resources and the environment.	Agricultural Leasing
Occupational Safety & Health Act (OSHA) - 29 USC 651	Occupational Safety and Health Administration Compliance Assistance Authorization Act	Subsurface



Citation	Description	Processes Where Noted
	(OSHA) of 1998) formerly the Occupational Health and Safety Act of 1970.	
OMB Circular A-16	Describes the responsibilities of the Federal agencies with respect to coordination of Federal surveying, mapping, and related spatial data. The Department of the Interior is responsible government-wide for the coordinated planning and execution of those functions related to the Public Land Survey System.	Cadastral Survey
OMB Guidelines	Regulations and guidance for Federal Financial Accounting and budgeting.	Accounting
Open Space Lands Act - 42 USC 1500a(d)	To provide and protect open space for the social, environmental, and economic well-being of the citizens of the US.	Forestry Water
Other Constituency Obligations	Dependant upon land use terms, modifications to lease may require review and approval by other parties as well as beneficiary/land owner consent prior to the modification being performed.	Long-Term Leasing
PL 87-283	Unclaimed per capita accounts.	Accounting
PL 93-638 (as amended) - 25 USC 450 (f)	Indian Self-Determination and Education Assistance Act, Public Law 93-638. Provides for maximum Indian participation in government, education, programs, services, and to encourage the development of the human resources of the Indian people.	All eight core processes
PL 97-255	Federal Manager's Financial Integrity Act of 1982.	Beneficiary Services
PL 100-86	Public Law competitive equality banking act of 1987 regarding time limits on government checks.	Accounting
PL 103-412	American Indian Trust Fund Management Reform Act of 1994. Establishes oversight on DOI trust reform efforts and allows the	Accounting Beneficiary Services Long-Term



Citation	Description	Processes Where Noted
	Secretary to discharge trust responsibilities.	Leasing
PL 280	Enables states to assume civil and criminal jurisdiction over Indians and their lands.	Beneficiary Services
Policy on Resolving ID Discrepancies	Deputy Commissioner's Memo (April 8, 2002) This memorandum describes the Department's approach to resolving discrepancies in Indian ID numbers.	Probate
Presidential Proclamation	May define Reservation boundaries.	Cadastral Survey
Privacy Act of 1974 - 5 USC 552 (a)	Protects information pertaining to individuals i.e., IIM account information.	Appraisal Beneficiary Services Title
Privacy Act - Allotted Lands Only - 5 USC 552	Allotted Lands Only. Applicable to all valuation report contents.	Subsurface
Probate Interim Order	Provide authority to disburse funds.	Accounting
Public Land Orders	May affect boundaries.	Cadastral Survey
Public Laws for Judgment Accounts	Affects the distribution of funds.	Beneficiary Services
Regulatory Requirements	Provides requirements for regulating water management activities	Water
Reservation specific court decision(s)	Specific Case law affecting applicable forest management.	Forestry
Resource Conservation & Recovery Act (RCRA) - 42 USC 6901	Resource Conservation & Recovery Act of 1976 (RCRA). Provides for Federal and State authority to regulate disposal of solid and hazardous wastes in order to promote the protection of health and the environment and to conserve valuable material and energy resources.	Forestry Long-Term Leasing Subsurface Water
Rivers and Harbors Act of 1899 (Sec 9 and 10) - 33 USC 401	Prohibits the construction of any bridge, dam, dike or causeway over or in navigable waterways of the U.S. without Congressional	Forestry Long-Term Leasing Water



Citation	Description	Processes Where Noted
	approval.	
Safe Drinking Water Act - 42 USC 300(h)	Establishes constraints that may significantly increase cost and/or restrict or eliminate proposed activities	Forestry Water
Secretarial Order 3127	Contaminate Survey	Subsurface
Secretarial Order 3150	Delegation of Authority through the Assistant Secretary to the Commissioner of Indian Affairs.	Beneficiary Services
Secretarial Order 3177	Extension of Secretarial Order 3150. Establishes the authorities of BIA line officials.	Beneficiary Services
Secretarial Order 3206	American Indian Tribal Rights, Federal-Tribal Trust Responsibilities, and ESA.	Agricultural Leasing Range
Secretarial Order 3215	Principles for the discharge of the Secretary's trust responsibilities.	Beneficiary Services
Secretarial Orders	May affect boundaries.	Cadastral Survey
Secretary's Trust Principles	13 principles guiding the management of trust assets, information and records.	Beneficiary Services
Self-Determination Act – Title IV	See PL 93-638	
Snyder Act of November 2, 1921 - 25 USC 13	Irrigation operation and maintenance and Indian irrigation projects.	Beneficiary Services
Solicitor's Opinions	Opinions offered to DOI officials.	Beneficiary Services
State Oil & Gas Commission MOU, where applicable	Roles & responsibilities for spacing, mineral resource conservation, etc.	Subsurface
State Probate Laws	Laws that prescribe how Trust estate will be divided for intestate succession.	Probate
Statute authorizing Tribal Land Enterprises	Statute/resolution derived to enable tribal enterprises on tribal lands. Types may include casinos, commercial, timber. Generates direct pay agreements outside of the OTFM.	Agricultural Leasing Long-Term Leasing



Citation	Description	Processes Where Noted
Surface Mine Control & Reclamation Act (SMCRA) of 1977 - 30 USC 1201	A bill to provide for the cooperation between the Secretary of the Interior and the States with respect to the regulation of surface coal mining operations, and the acquisition and reclamation of abandoned mines.	Forestry Subsurface Water
Taylor Grazing Act - 43 USC 315	Contains grazing regulations that apply to checkerboard lands including non-Trust federal lands.	Range
Terms of Lease or IMDA Agreement	Specific lease terms related to payment of rentals and bonus amounts.	Subsurface
Treasury Regulation	SF1081 schedule of collection and withdrawals between agencies. Control on funds disbursements.	Accounting
Treaties	Legal instrument providing Tribes with land and recognition of Indian Tribes as Nations.	Beneficiary Services Cadastral Survey
Tribal Budgets	Must be prepared for judgment funds; usually supporting documentation for Tribal draw-down schedule.	Accounting
Tribal Draw Down Schedule	Tribal resolutions/draw down schedule/disbursement.	Accounting
Tribal Employment Rights Office (TERO)	TERO manages the Tribal Employment Rights Ordinance which provides for Indian Preference in any employment, contract and subcontract conducted on Indian Reservations.	Subsurface
Tribal Grazing Resolution / Ordinance	Range or land use ordinance can dictate policy and decision-making.	Range
Tribal Land Use Policy	Land use ordinances that describe long-range goals and objectives for land use on reservations.	Cadastral Survey
Tribal Lands Mineral Leasing Act of 1938 - 25 USC 396	Authority to lease tribal mineral assets.	Subsurface
Tribal Ordinance	Specific ordinances that address specific questions.	Agricultural Leasing Cadastral Survey Forestry



Citation	Description	Processes Where Noted
		Long-Term Leasing Range Subsurface
Tribal Probate Codes	Five tribes have their own probate codes approved by the Secretary of the Interior. Overrides federal and state laws and regulations.	Probate
Tribal Resolutions	Directives, ordinances and codes from Tribal Governments to initiate, confirm and/or recognize actions/requests.	Beneficiary Services
Tribal Zoning	Zoning for commercial, industrial and residential development.	Long-Term Leasing
Urban Park and Recreation Recovery Act - 16 USC 2501	To provide Federal grants to local governments for the rehabilitation of recreation areas and facilities.	Forestry Water
USDA Farm Bill	To provide for the continuation of agricultural program through fiscal year 2011.	Agricultural Leasing
Use and Distribution Plans	Tribes develop for distribution of judgment awards; must be approved by Secretary of Interior.	Accounting
USFLA (Uniform Standards for Federal Land Acquisitions)	Federal control document. Referred to as the “Yellow Book”. A set of requirements for developing an opinion of value for the purpose of acquiring land for the Federal Government.	Appraisal
USPAP (Uniform Standards of Professional Appraisal Practices)	The standards and practices of the appraisal process according to the congressionally established Appraisal Foundation.	Appraisal
Water Resources Planning Act of 1965 - 42 USC 1962	This Act establishes a cabinet-level Water Resources Council to study, coordinate and review water and related land resources requirements, policies and plans, and authorizes funding for states to plan and implement related programs.	Forestry Water
Wetlands Protection Act	Corp of Engineers permits.	Subsurface



<b>Citation</b>	<b>Description</b>	<b>Processes Where Noted</b>
Wild and Scenic Rivers Act of 1868 (Sec 7) - 16 USC 1274	Created to protect wild, scenic and recreational stretches of river in the United States.	Forestry Water Long-Term Leasing