

DRAFT
Pre-Consultation Land Consolidation Fact Sheet

Number of Purchasable Interests: 3,976,744

Total Number of Purchasable Acres: 8,934,325

Total Number of “Highly Fractionated Tracts” (HFTs): 21,207

- defined in 25 USC § 2201(6) as a tract having 100+ owners, or 50-100 co-owners, with no owner holding an interest greater than 10%

Total Number of Individually-Owned Interests by Region		
Region	Number of Interests	Percentage
Northwest	376,489	9.5
Rocky Mountain	933,465	23.5
Great Plains	1,306,412	32.9
Midwest	174,669	4.4
Pacific	53,086	1.3
Western	448,382	11.3
Southwest	13,108	0.3
Navajo	326,623	8.2
Southern Plains	258,818	6.5
Eastern Oklahoma	36,749	0.9
Alaska [Non-purchasable]	48,943	1.2
Total	3,976,744	100.0

Cobell Settlement

- Approved by Congress on November 30, 2010 (“Claims Resolution Act of 2010” Public Law No. 111-291)
- Signed by President Obama on December 8, 2010
- Established 1.9 billion fund for the voluntary buy-back and consolidation of individually-owned fractionated land interests
 - Settlement requires tribal consultation and that the fund be used “to conduct the Land Consolidation Program.”

Cobell court documents can be found at <http://www.doi.gov/cobell>.

Indian Land Consolidation Act (ILCA)

- Codified at 25 U.S.C. §§ 2201-2221
- First enacted on January 12, 1983. (Public Law No. 97-459)
- Major amendments include:
 - Indian Land Consolidation Act Amendments of 2000. (Public Law No. 106-642)
 - American Indian Probate Reform Act of 2004. (Public Law No. 108-374)

The ILCA in 25 U.S.C. § 2212(a)(1) authorizes the Secretary of the Interior to “acquire, at the discretion of the Secretary and with the consent of the owner . . . any fractional interest in trust or restricted lands.” The policy underlying the Secretary’s authority to acquire fractional interests in trust or restricted lands is found in Section 102 of the Indian Land Consolidation Act Amendments of 2000:

“It is the policy of the United States--

- (1) to prevent the further fractionation of trust allotments made to Indians;
- (2) to consolidate fractional interests and ownership of those interests into usable parcels;
- (3) to consolidate fractional interests in a manner that enhances tribal sovereignty;
- (4) to promote tribal self-sufficiency and self-determination; and
- (5) to reverse the effects of the allotment policy on Indian tribes.”

The Indian Land Consolidation Program (ILCP) has been established under the Bureau of Indian Affairs (BIA) to carry out the directives of the ILCA. Information regarding the ILCP can be found at <http://www.bia.gov/WhoWeAre/BIA/ILCA/index.htm>.

ILCP Statistics (by end of Fiscal Year 2009)

- Interests Acquired: 416,622 including 351,716 interests of < 2% ownership of a tract
- Acreage Acquired: 628,180.24
- Acquired all known interests from 7,653 individuals
- Achieved 100% tribal ownership on 447 tracts