

LAND TERM DEFINITIONS

Power over land, who has them, and what they are:

Tribal Trust Land(Legal Title in U.S.A. Held in Trust for Tribe)

- These lands generally include treaty lands, lands added and made a part of existing Indian Reservation.
- Bureau of Indian Affairs has power to grant any interest in land, except to sell it, with the consent of the Tribe, (involves right-of-way, easements, INGRESS & EGRESS, leases of all kinds.)
- An Indian can about get almost anything in way of interest in land if enrolled member and lives on the reservation.
- Lands added to the reservation may have reservation for minerals, gas & oil rights (have to see individual paper).

Executive Order Land(Title in United States)

- These lands generally include presidential withdrawn public domain land for use of an Indian Tribe.
- Bureau of Indian Affairs has power to maintain and operate the land for the Indian Tribe. Its power to give interest in land is found in the Order. These lands are basically for grazing purposes.

Individual Indian Allotment(Legal Title in U.S.A. held in Trust for an individual Indian)

- These lands were created in an effort to destroy tribal trust land to eventually make an Indian land owner a taxpaying state citizen.
- Bureau of Indian Affairs has pervasive power over this kind of land; tribe has no consent privilege. It can be lease to non-Indian or sell to the Tribe with the consent of the Individual Indian.

State Land(Legal Title in the State Government)

- These lands were given to the states by Act of Congress when the State entered the Union.
- State government has exclusive power over these lands.

Private Land(Legal Title in a person or Legal Entity)

- These lands belong to individual and are taxable. The individual (can be an Indian) has complete power over this kind of lands.

Public Domain(Title in United States held not Trust)

- This kind of land belongs to the United States and is administered by the Bureau of Land Management, which has power to give various interests in land according to rules and regulations.

Administrative Reserve(Title In United States, Convey into Trust Status)

- These kinds of land belong to the United States for a specific and administrative use, like schools, etc. They are set aside by Executive Order or by Statute.

Railroad Relinquished & Reconveyed Lands(Title In United States)

- Santa Fe Railroad returned these kinds of land back to the United States so that eventually the Tribe will gain them in trust status. They are administered by Bureau of Indian Affairs for the use of the Tribe, like Executive Order lands. Bureau of Indian Affairs has power to give whatever interest it can give in the land.

Forest Land(Title in United States)

- These lands are owned by the United States and administered by the Nation Forest Service which has power to grant interest in the land pursuant to rules and regulations under the Department of Agriculture.

Tribal Fee Land(Legal Title in the Navajo Nation)

- These lands are owned by the Navajo Nation and administered by the Navajo Nation and are taxable. The Navajo Nation has power over this kind of lands.