



U.S. Department of the Interior
"To-Be" Trust Business Model
Process Template

Title: Derive Consent Requirements	Process Number UM.1.2.1
<i>Identify the process in the "Verb Noun" format. (Ex: Maintain Ownership)</i>	

1. Process Definition *Provide an overview of the process and define its starting and ending points*

1.1 Starts With	Select candidate Management Units for land use contracting, where consent will be required.
1.2 Process Overview	<p>Management Units are selected from the inventory of land that is available and appropriate for development of a land use contract. The ownership base is derived from ownership information. The ownership profile for each selected Management Unit is analyzed to determine whether consent is required, and if so, the specific requirements for consent based upon the intended type of use and the characteristics of the ownership base (e.g. highly fractionated). Consent requirements are documented in the land use contract system, and a consent notification list is produced.</p> <p>This process will be implemented en masse for all MU's available for land use contract, by type of use (e.g. for all residential tracts available, for all range units available, etc.). Special consent requirements exist for Alaska.</p>
1.3 Stops With	A determination of consent requirements and Management Units selected for requesting beneficiary consent.

2. Trust Business Objectives *Identify the Comprehensive Trust Model strategic goals and business objectives to which this process contributes.*

Goal/Objective
GOAL 4: LAND AND NATURAL RESOURCES MANAGEMENT THAT MAXIMIZES RETURN WHILE MEETING BENEFICIARY DESIRES
OBJECTIVE 4.1: LAND AND NATURAL RESOURCE ASSET PLANS AND STEWARDSHIP STRATEGIES Develop land and natural resource asset plans and stewardship strategies.
OBJECTIVE 4.2: PRESERVATION AND PROTECTION OF LAND AND NATURAL RESOURCE ASSETS Preserve and protect the long-term viability of land and natural resource assets consistent with fiduciary duties and with the beneficiaries' intended use of the as-sets.
OBJECTIVE 4.3: LAND AND NATURAL RESOURCE ASSET BUSINESS MANAGEMENT Manage land and natural resource assets effectively and proactively to obtain fair market value for beneficiaries and to incorporate beneficiary requirements.
OBJECTIVE 4.4: APPRAISALS Obtain appraisal information, as needed, on trust and restricted lands for tribal and individual Indian owners, using methods and techniques that meet professional standards.



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3. How should Beneficiaries be involved in this process?

Beneficiary Involvement
None

4. Organizations, Offices and Roles. *Identify the DOI organizations and related roles that should be involved in performing the process.*

4.1 DOI Organizations. *Identify the DOI organizations, offices and individual roles that contribute to this process.*

*DOI organizations include the Office of the Secretary, BIA, OST, BLM, MMS, OHA, OSM among others.
 Offices include Central Offices, Regional Offices, Agency(Field) Offices, etc.
 All individual roles that contribute, in a significant manner, should be identified.*

Organization	Office	Role	Contribution
BIA	Agency		Assess the proposed use and document the type of consent request necessary. Determine the appropriate method of consent tabulation and the percentage of ownership interest required for approval. Identify cases of granting of short term land use contracts for highly fractionated tracts.
Compacted or Contracted Tribe	Tribal Office		Perform all DOI functions except those considered inherently federal.

4.2 External Organizations. *Identify the non-DOI organizations that support the execution of or contribute to this process.*

External Organization	Contribution
None	



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5. Event(s) *Identify the events or conditions that start the process. Describe each event and indicate the frequency (daily, monthly, quarterly, etc.) in which each event is expected to occur. An event may be an external interaction (a beneficiary submits an application), the expiration of a period of time (a lease is due to expire in 90 days), or the realization of some pre-defined threshold (an IIM account reaches the automatic disbursement threshold).*

Event	Description	Estimated Frequency
Completion of an MU Baseline Report	MU Baseline Report will contain an inventory of MU's available for land use contracts, so this process will be done "en masse", or concurrently, for all MU's available during at this time.	Once per quarter

6. Inputs and Outputs. *Identify and describe all inputs and outputs related to this process. Inputs are information or materials used during the execution of the process; outputs are materials or information produced by the process.*

6.1 Inputs

Input	Description
Ownership	All ownership interests by tract, for the management unit, with a MU summation of the number of ownership interests in the MU. This needs to include fee interests in the land.
MU Baseline Report	Compilation of collected data, with a summary of impacts and requirements relevant to developing a land use agreement for the MU(s).

6.2 Outputs

Output	Description
Consent Notification List	Selection of the ownership interests for the Management Units where requesting beneficiary consent is required, along with any specific informative information to be supplied to the beneficiaries in requesting their consent, and documentation of the requirements for consent by each Management Unit.
Consent Requirements	Based on the type of use, the type of consent varies. For a new use proposal, or for a change in type of use, the consent is a positive request for response, whether the response is to affirm or deny the proposed use. For specific long-term impact types of use, such as logging, mining, or oil & gas extraction, the request is normally for formal owner consent or a Power of Attorney, serving as both consent and contractual approval.



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7. Fiduciary and Legal Obligations and Controls

7.1 Obligations

Identify and describe the legal and fiduciary obligations that impact this process. For each obligation, indicate the document or commitment that defines the obligation and the citation (paragraph or section) within the document that pertains to this process.

Obligation	Source	Business Impact
See attached Schedule 1		

7.2 Controls

Identify and describe any controls (enforcement mechanisms) that may be used to ensure that the process adheres to obligations and internal process requirements. Controls may be reviews, audits, segregated duties, etc. Indicate the reason that each control should be introduced (name the obligation that a control is intended to enforce; indicate any controls required to ensure consistency or reliability).

Control	Reason	Description
Bureau of Indian Affairs Manual (IAM)	Internal control	BIA policies and procedures

8. Mechanisms (Systems of Record) *Identify the mechanisms, or systems, that are needed to support the process (ex: Ownership, Leasing, Workflow Management, Office Filing System, etc.). Indicate the information and activities, relevant to this process, that each system supports.*

System Name	Support
Ownership/Title	Ownership interests by MU by tract
Land Management System	Supports tabulation of ownership interests & determination of which Management Units require consent & the consent requirement rules by MU, documentation of information to be included in the request for consent, and selection of the ownership interests for consent requests. Supports tabulation of consent for single tracts, or aggregation of multiple ownership tracts into a Management Unit, with consent calculation at the MU level optional.

9. Inter-Process Relationships *Identify other trust processes that are related to this process (either predecessors or successors). If applicable, indicate the condition under which the processes are related.*

9.1 Predecessors. *Predecessors are processes that either produce information required by this process or that result in the need to execute this process.*

Process No.	Name	Condition of Relationship
UM.1.1	Establish MU Baseline	Once the MU baseline is established, preparations can begin to contract use of tracts within the MU.



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9.2 Successors. *Successors are processes that either use information produced by this process or that must be executed as a result of performing this process.*

Process No.	Name	Condition of Relationship
UM.1.2.2	Request Beneficiary Consent	Beneficiaries with ownership interests within the MU will be contacted to secure their consent to proceed with land use contracting.

10. Comments *Summarize any discussion, problems, issues or recommendations that should be considered when reviewing process performance. Category Values (Note, Best Practice, Decision, Problem, Issue, Recommendation)*

Category	Comment
Issue	If fee undivided interests are to be included in the land use contracting, what will be the responsibilities for including such fee interests in consent determinations? Will they have equal standing as a trust interest holder? What other services will be provided to the fee interest holder by other DOI programs such as beneficiary services?