



THE ASSOCIATE DEPUTY SECRETARY OF THE INTERIOR
WASHINGTON, DC 20240

MAR 1 2007

Dear Tribal Leader:

The American Indian Probate Reform Act of 2004 (AIPRA) establishes a uniform Federal Probate Code and establishes certain requirements for tribe-specific probate codes that contain provisions concerning trust and restricted trust property. In the last several months the Department has received and reviewed several proposed tribe-specific probate codes. Unfortunately, due to individual problems with the tribal-specific probate codes, we were unable to approve the proposed probate codes. To assist in the preparation of proposed tribe-specific probate codes, the Department is drafting a *model tribal probate code* which will incorporate the provisions of AIPRA.

The Department welcomes your comments and suggestions for the *model tribal probate code*. If you wish to prepare written comments or suggestions, please forward them, within the next 60 days, to the Office of Trust Services, Bureau of Indian Affairs, Department of the Interior, 1849 C Street, NW, MS 4620 MIB, Washington, D.C. 20240. We will prepare a draft of the *model tribal probate code*, incorporate comments received, and publish that draft in the Federal Register to obtain formal comments and further discussion. In our efforts to ensure comprehensive and consistent approaches are used to govern the probate process, we do not plan to approve alternative tribe-specific probate codes until we have adopted a *model tribal probate code* as a baseline.

If you would like further information, please contact Arch Wells, Acting Deputy Director, Trust Services, at 202-208-5831.

Sincerely,

James E. Cason