

The final rule was published in the Federal Register on January 16, 2001, and its effective date was delayed to August 13 by Notice published in the Federal Register on April 16, 2001. During the period from April 16 to June 15, 2001, the Department received 192 submissions from Indian tribes, state and local governments, and other interested groups and individuals articulating a variety of opposing views.

The Department is considering expediting and simplifying individual trust applications for housing purposes. These expedited applications will consist of five acres of land or less to meet individual housing needs. The Department is also considering requiring applications for off-reservation acquisitions and requests for approval of Tribal Land Acquisition Areas (TLAAs) to include land use plans to be approved by the Secretary as part of her review.

In response to several comments that focused on the lack of standards contained in the final rule, the Department is considering clarifying the standards that will be used by the Secretary to determine whether to approve an application and defining the burden of proof for the applicant and for those opposing a trust application.

In response to comments concerning the availability of applications for review, the Department is considering lengthening the time by 30 days that states and local communities have to review and comment on on-reservation and off-reservation applications maintained at local and regional BIA offices. The Department is also seeking comments on using computer technology to make applications easier to review.

The Department is not soliciting comments on the proposal to extend the effective date of the January 16 final rule due to the imminent August 13 date, and because seeking prior public comment on the temporary delay would be impractical and contrary to the public interest in the orderly promulgation and implementation of regulations.

The BIA provides services to and carries out the federal government's trust responsibility for the 558 federally recognized Tribal governments and approximately 1.4 million American Indians and Alaska Natives nationwide.

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