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Final revisions to regulations dealing with the tribal purchase of certain property interests of decedents under special laws applicable to the Yakima Tribes of Washington, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe of Idaho are being published in the Federal Register, the Department of the Interior's Office of Hearings and Appeals announced today.

The purpose of the revisions, which incorporate suggestions offered by interested persons as well as by the tribes concerned, is to improve procedures for the administration of the statutes and to simplify and reduce language in the regulations.

Proposed revisions to the regulations were published in the Federal Register on October 9, 1979 (44 FR 57948) and the public was given until January 24, 1980, to comment on the proposals. In light of the comments received, several changes to the proposed revisions were made in drafting the final regulations. The major changes are:

1. Fair market valuation of property purchased by a tribe is to be determined as of the date of decedent's death rather than as of the date of taking by the tribe. As a result of this change, a second appraisal report is no longer necessary and its requirement has been removed.
2. There is now only one 60-day period after issuance of the probate decision in which: (a) a party aggrieved by the probate decision can file a petition for rehearing; (b) a tribe can purchase available interests; and (c) a party aggrieved by the exercise of the tribal option or the valuation of the interests purchased can file a demand for hearing; provided, however, that an aggrieved party will have at least 20 days from the date the tribe exercises its option to purchase available interests to file such a demand.
3. A tribe no longer has to deposit 10 percent of the value when it elects to purchase available interests, paying off balance plus interest within 1 year from the date of election. Instead a tribe now has 2 years from the date of decedents or 1 year from the date of election, whichever is later, to pay free the full fair market value of the property purchased. The procedure for payment, default and damages in the event of default, because they are substantive matters, are not to be determined by an Administrative Law Judge.