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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To improve Tribal self-governance by streamlining appraisals for on-reservation trust land acquisitions by Indian Tribes with self-governance realty programs.

IN THE HOUSE OF REPRESENTATIVES

Mr. LAMALFA introduced the following bill; which was referred to the
Committee on _____

A BILL

To improve Tribal self-governance by streamlining appraisals
for on-reservation trust land acquisitions by Indian
Tribes with self-governance realty programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Strengthening Tribal
5 Real Estate Authority and Modernizing Land for Indige-
6 nous Nation Expansion Act” or the “STREAMLINE
7 ACT”.

1 **SEC. 2. REGULATORY REVISION TO PART 151 OF TITLE 25,**
2 **CODE OF FEDERAL REGULATIONS.**

3 (a) DEFINITIONS.—In this section:

4 (1) ISDEAA.—The term “ISDEAA” means
5 the Indian Self-Determination and Education Assist-
6 ance Act (25 U.S.C. 5301 et seq.).

7 (2) SELF-GOVERNANCE REALTY PROGRAM.—
8 The term “self-governance realty program” means a
9 program operated by an Indian Tribe under a com-
10 pact or funding agreement pursuant to title I or title
11 IV of ISDEAA that includes real estate services and
12 valuation functions recognized by the Office of Trib-
13 al Sovereignty of the Department of the Interior.

14 (3) INDIAN TRIBE.—The term “Indian Tribe”
15 has the meaning of the term “Indian tribe” in sec-
16 tion 102 of the Federally Recognized Indian Tribe
17 List Act of 1994 (25 U.S.C. 5130).

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of the Interior.

20 (5) TRIBAL APPRAISAL.—The term “Tribal ap-
21 praisal” means a valuation prepared for an Indian
22 Tribe by personnel or contractors operating under
23 the Indian Tribe’s ISDEAA title I contract or
24 ISDEAA title IV compact or funding agreement in
25 conformance with the Uniform Standards of Profes-
26 sional Appraisal Practice.

1 (b) IN GENERAL.—Not later than 1 year after the
2 date of enactment of this Act, the Secretary shall revise
3 part 151 of title 25, Code of Federal Regulations (relating
4 to land acquisitions), to provide that the Secretary shall
5 accept a Tribal appraisal or valuation in lieu of a Federal
6 appraisal with respect to an Indian Tribe if—

7 (1) the Indian Tribe is party to an ISDEAA
8 title I of contract or ISDEAA title IV compact or
9 funding agreement;

10 (2) the Indian Tribe has assumed responsibility
11 for realty or land management functions under such
12 contract, compact, or funding agreement, including
13 the authority to conduct appraisals or valuations;
14 and

15 (3) the land to be acquired is located within the
16 exterior boundaries of the reservation of the Indian
17 Tribe, or contiguous to lands held in trust for the
18 Indian Tribe.

19 (c) APPRAISAL ACCEPTANCE.—Not later than 1 year
20 after the date of the enactment of this Act, the Secretary
21 shall revise part 151 of title 25, Code of Federal Regula-
22 tions, to provide that, for acquisitions within a reservation
23 or contiguous to trust lands of an Indian Tribe, the Sec-
24 retary shall accept a Tribal appraisal in lieu of an ap-

1 praisal procured or reviewed by the Appraisal and Valu-
2 ation Services Office, if—

3 (1) the Indian Tribe is party to an ISDEAA
4 title I of contract or ISDEAA title IV compact or
5 funding agreement;

6 (2) the contract, compact, or funding agree-
7 ment includes real estate services and valuation au-
8 thority; and

9 (3) the appraisal conforms to the Uniform
10 Standards of Professional Appraisal Practice.

11 (d) INDIAN TRUST ASSET REFORM.—Nothing in this
12 section limits Indian Tribes from using the authorities
13 available to Indian Tribes under section 305 of the Indian
14 Trust Asset Reform Act (25 U.S.C. 5635).

15 (e) FIDUCIARY AND TRUST DUTY SATISFIED.—Ac-
16 ceptance by the Secretary of a Tribal appraisal that meets
17 the requirements of subsection (b) shall be deemed in com-
18 pliance with the Secretary's fiduciary and trust responsi-
19 bility with respect to valuation for such acquisition.

20 (f) MINISTERIAL ROLE.—In the case of the accept-
21 ance of Tribal appraisal pursuant to subsection (b), the
22 role of the Department of the Interior shall be limited to
23 ministerial confirmation of receipt and recordation of the
24 Tribal certification.

1 (g) POLICY MANUALS.—The Secretary shall conform
2 relevant Department of the Interior manuals, including
3 the Appraisal and Valuation Services Office guidance and
4 the Fee-to-Trust Handbook (52 IAM 12–H), to the re-
5 quirements of subsection (b).

6 **SEC. 3. AMENDMENT TO INDIAN LAND CONSOLIDATION**
7 **ACT.**

8 Section 219 of the Indian Land Consolidation Act
9 (25 U.S.C. 2218) is amended by adding at the end the
10 following:

11 “(h) TRIBAL APPRAISALS UNDER SELF-GOVERN-
12 ANCE REALTY PROGRAMS.—Notwithstanding any other
13 provision of law, the Secretary—

14 “(1) shall not require an appraisal prepared by
15 or reviewed by the Department of the Interior for a
16 conveyance or acquisition of trust or restricted land
17 by an Indian tribe, if—

18 “(A) the tribe is a party to a self-govern-
19 ance compact or contract under title I or title
20 IV of the Indian Self-Determination and Edu-
21 cation Assistance Act;

22 “(B) the tribe has assumed responsibility
23 for realty or land management functions under
24 such compact or contract, including the author-
25 ity to conduct appraisals or valuations; and

1 “(C) the land is located within the exterior
2 boundaries of the tribe’s reservation, or contig-
3 uous to lands already held in trust for the tribe;
4 and

5 “(D) the appraisal conforms to Uniform
6 Standards of Professional Appraisal Practice;
7 and

8 “(2) if the criteria described in subparagraphs
9 (A) through (D) of paragraph (1) are met, shall ac-
10 cept appraisals or valuations conducted under the
11 tribe’s compacted program as sufficient to establish
12 fair market value.”.

13 **SEC. 4. TRANSPARENCY AND EVALUATION.**

14 (a) DATA.—The Secretary shall track and publish
15 processing times for fee-to-trust acquisitions using Tribal
16 appraisals versus Department of the Interior appraisals.

17 (b) REPORT.—Not later than 3 years after the date
18 of the enactment of this Act, the Comptroller General shall
19 evaluate the implementation of this Act and any effects
20 on processing time, quality, and litigation.

21 (c) NO EFFECT ON NEPA OR TITLE REVIEW.—
22 Nothing in this Act alters requirements for environmental
23 compliance, title evidence, or notice under part 151 of title
24 25, Code of Federal Regulations.