

119TH CONGRESS  
1ST SESSION

# H. R. 2130

To require the Bureau of Indian Affairs to process and complete all mortgage packages associated with residential and business mortgages on Indian land by certain deadlines, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2025

Mr. JOHNSON of South Dakota (for himself, Mr. ZINKE, Mr. COLE, and Mr. NEGUSE) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To require the Bureau of Indian Affairs to process and complete all mortgage packages associated with residential and business mortgages on Indian land by certain deadlines, and for other purposes.

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 “Tribal Trust Land  
5       Homeownership Act of 2025”.

6       **SEC. 2. DEFINITIONS.**

7       In this Act:

1 (1) APPLICABLE BUREAU OFFICE.—The term  
2 “applicable Bureau office” means—

3 (A) a Regional office of the Bureau;

4 (B) an Agency office of the Bureau; or

5 (C) a Land Titles and Records Office of  
6 the Bureau.

7 (2) BUREAU.—The term “Bureau” means the  
8 Bureau of Indian Affairs.

9 (3) DIRECTOR.—The term “Director” means  
10 the Director of the Bureau.

11 (4) FIRST CERTIFIED TITLE STATUS REPORT.—  
12 The term “first certified title status report” means  
13 the title status report needed to verify title status on  
14 Indian land.

15 (5) INDIAN LAND.—The term “Indian land”  
16 has the meaning given the term in section 162.003  
17 of title 25, Code of Federal Regulations (as in effect  
18 on the date of enactment of this Act).

19 (6) LAND MORTGAGE.—The term “land mort-  
20 gage” means a mortgage obtained by an individual  
21 Indian who owns a tract of trust land for the pur-  
22 pose of—

23 (A) home acquisition;

24 (B) home construction;

25 (C) home improvements; or

1 (D) economic development.

2 (7) LEASEHOLD MORTGAGE.—The term “lease-  
3 hold mortgage” means a mortgage, deed of trust, or  
4 other instrument that pledges the leasehold interest  
5 of a lessee as security for a debt or other obligation  
6 owed by the lessee to a lender or other mortgagee.

7 (8) MORTGAGE PACKAGE.—The term “mort-  
8 gage package” means a proposed residential lease-  
9 hold mortgage, business leasehold mortgage, land  
10 mortgage, or right-of-way document submitted to an  
11 applicable Bureau office under section 3(a)(1).

12 (9) RELEVANT FEDERAL AGENCY.—The term  
13 “relevant Federal agency” means any of the fol-  
14 lowing Federal agencies that guarantee or make di-  
15 rect mortgage loans on Indian land:

16 (A) The Department of Agriculture.

17 (B) The Department of Housing and  
18 Urban Development.

19 (C) The Department of Veterans Affairs.

20 (10) RIGHT-OF-WAY DOCUMENT.—The term  
21 “right-of-way document” has the meaning given the  
22 term in section 169.2 of title 25, Code of Federal  
23 Regulations (as in effect on the date of enactment  
24 of this Act).

1           (11) SUBSEQUENT CERTIFIED TITLE STATUS  
2       REPORT.—The term “subsequent certified title sta-  
3       tus report” means the title status report needed to  
4       identify any liens against a residential, business, or  
5       land lease on Indian land.

6   **SEC. 3. MORTGAGE REVIEW AND PROCESSING.**

7       (a) REVIEW AND PROCESSING DEADLINES.—

8           (1) IN GENERAL.—As soon as practicable after  
9       receiving a proposed residential leasehold mortgage,  
10      business leasehold mortgage, land mortgage, or  
11      right-of-way document, the applicable Bureau office  
12      shall notify the lender that the proposed residential  
13      leasehold mortgage, business leasehold mortgage, or  
14      right-of-way document has been received.

15       (2) PRELIMINARY REVIEW.—

16           (A) IN GENERAL.—Not later than 10 cal-  
17      endar days after receipt of a proposed residen-  
18      tial leasehold mortgage, business leasehold  
19      mortgage, land mortgage, or right-of-way docu-  
20      ment, the applicable Bureau office shall conduct  
21      and complete a preliminary review of the resi-  
22      dential leasehold mortgage, business leasehold  
23      mortgage, land mortgage, or right-of-way docu-  
24      ment to verify that all required documents are  
25      included.

1 (B) INCOMPLETE DOCUMENTS.—As soon  
2 as practicable, but not more than 2 calendar  
3 days, after finding that any required documents  
4 are missing under subparagraph (A), the appli-  
5 cable Bureau office shall notify the lender of  
6 the missing documents.

7 (3) APPROVAL OR DISAPPROVAL.—

8 (A) LEASEHOLD MORTGAGES.—Not later  
9 than 20 calendar days after receipt of a com-  
10 plete executed residential leasehold mortgage or  
11 business leasehold mortgage, proof of required  
12 consents, and other required documentation, the  
13 applicable Bureau office shall approve or dis-  
14 approve the residential leasehold mortgage or  
15 business leasehold mortgage.

16 (B) RIGHT-OF-WAY DOCUMENTS.—Not  
17 later than 30 calendar days after receipt of a  
18 complete executed right-of-way document, proof  
19 of required consents, and other required docu-  
20 mentation, the applicable Bureau office shall  
21 approve or disapprove the right-of-way docu-  
22 ment.

23 (C) LAND MORTGAGES.—Not later than 30  
24 calendar days after receipt of a complete exe-  
25 cuted land mortgage, proof of required con-

1           sents, and other required documentation, the  
2           applicable Bureau office shall approve or dis-  
3           approve the land mortgage.

4           (D) REQUIREMENTS.—The determination  
5           of whether to approve or disapprove a residen-  
6           tial leasehold mortgage or business leasehold  
7           mortgage under subparagraph (A), a right-of-  
8           way document under subparagraph (B), or a  
9           land mortgage under subparagraph (C)—

10                   (i) shall be in writing; and

11                   (ii) in the case of a determination to  
12           disapprove a residential leasehold mort-  
13           gage, business leasehold mortgage, right-  
14           of-way document, or land mortgage shall,  
15           state the basis for the determination.

16           (E) APPLICATION.—This paragraph shall  
17           not apply to a residential leasehold mortgage or  
18           business leasehold mortgage with respect to In-  
19           dian land in cases in which the applicant for  
20           the residential leasehold mortgage or business  
21           leasehold mortgage is an Indian tribe (as de-  
22           fined in subsection (d) of the first section of the  
23           Act of 1955 (69 Stat. 539, chapter 615; 126  
24           Stat. 1150; 25 U.S.C. 415(d))) that has been  
25           approved for leasing under subsection (h) of

that section (69 Stat. 539, chapter 615; 126 Stat. 1151; 25 U.S.C. 415(h)).

(4) CERTIFIED TITLE STATUS REPORTS.—

(A) COMPLETION OF REPORTS.—

(i) IN GENERAL.—Not later than 10 calendar days after the applicable Bureau office approves a residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document under paragraph (3), the applicable Bureau office shall complete the processing of, as applicable—

(I) a first certified title status report, if a first certified title status report was not completed prior to the approval of the residential leasehold mortgage, business leasehold mortgage, land mortgage, or right-of-way document; and

(II) a subsequent certified title status report.

(ii) REQUESTS FOR FIRST CERTIFIED TITLE STATUS REPORTS.—Notwithstanding clause (i), not later than 14 calendar days after the applicable Bureau of-

1           fice receives a request for a first certified  
2           title status report from an applicant for a  
3           residential leasehold mortgage, business  
4           leasehold mortgage, land mortgage, or  
5           right-of-way document under paragraph  
6           (1), the applicable Bureau office shall com-  
7           plete the processing of the first certified  
8           title status report.

9           (B) NOTICE.—

10           (i) IN GENERAL.—As soon as prac-  
11           ticable after completion of the processing  
12           of, as applicable, a first certified title sta-  
13           tus report or a subsequent certified title  
14           status report under subparagraph (A), but  
15           by not later than the applicable deadline  
16           described in that subparagraph, the appli-  
17           cable Bureau office shall give notice of the  
18           completion to the lender.

19           (ii) FORM OF NOTICE.—The applica-  
20           ble Bureau office shall give notice under  
21           clause (i)—

22                   (I) electronically through secure,  
23                   encryption software; and

24                   (II) through the United States  
25                   mail.



1 (iii) OPTION TO OPT OUT.—The lend-  
2 er may opt out of receiving notice elec-  
3 tronically under clause (ii)(I).

4 (b) NOTICES.—

5 (1) IN GENERAL.—If the applicable Bureau of-  
6 fice does not complete the review and processing of  
7 mortgage packages under subsection (a) (including  
8 any corresponding first certified title status report  
9 or subsequent certified title status report under  
10 paragraph (4) of that subsection) by the applicable  
11 deadline described in that subsection, immediately  
12 after missing the deadline, the applicable Bureau of-  
13 fice shall provide notice of the delay in review and  
14 processing to—

15 (A) the party that submitted the mortgage  
16 package or requested the first certified title sta-  
17 tus report; and

18 (B) the lender for which the mortgage  
19 package (including any corresponding first cer-  
20 tified title status report or subsequent certified  
21 title status report) is being requested.

22 (2) REQUESTS FOR UPDATES.—In addition to  
23 providing the notices required under paragraph (1),  
24 not later than 2 calendar days after receiving a rel-  
25 evant inquiry with respect to a submitted mortgage

1 package from the party that submitted the mortgage  
2 package or the lender for which the mortgage pack-  
3 age (including any corresponding first certified title  
4 status report or subsequent certified title status re-  
5 port) is being requested or an inquiry with respect  
6 to a requested first certified title status report from  
7 the party that requested the first certified title sta-  
8 tus report, the applicable Bureau office shall re-  
9 spond to the inquiry.

10 (c) DELIVERY OF FIRST AND SUBSEQUENT CER-  
11 TIFIED TITLE STATUS REPORTS.—Notwithstanding any  
12 other provision of law, any first certified title status report  
13 and any subsequent certified title status report, as appli-  
14 cable, shall be delivered directly to—

15 (1) the lender;

16 (2) any local or regional agency office of the  
17 Bureau that requests the first certified title status  
18 report or subsequent certified title status report;

19 (3) in the case of a proposed residential lease-  
20 hold mortgage or land mortgage, the relevant Fed-  
21 eral agency that insures or guarantees the loan; and

22 (4) if requested, any individual or entity de-  
23 scribed in section 150.303 of title 25, Code of Fed-  
24 eral Regulations (as in effect on the date of enact-  
25 ment of this Act).

1 (d) ACCESS TO TRUST ASSET AND ACCOUNTING  
2 MANAGEMENT SYSTEM (TAAMS).—Beginning on the  
3 date of enactment of this Act, the relevant Federal agen-  
4 cies and Indian Tribes shall have read-only access to por-  
5 tals containing the relevant land documents from the  
6 Trust Asset and Accounting Management System (com-  
7 monly known as “TAAMS”) maintained by the Bureau.

8 (e) ANNUAL REPORT.—

9 (1) IN GENERAL.—Not later than March 1 of  
10 each calendar year, the Director shall submit to the  
11 Committee on Indian Affairs of the Senate and the  
12 Committee on Natural Resources of the House of  
13 Representatives a report describing—

14 (A) for the most recent calendar year, the  
15 number of requests received to complete resi-  
16 dential leasehold mortgage packages, business  
17 leasehold mortgage packages, land mortgage  
18 packages, and right-of-way document packages  
19 (including any requests for corresponding first  
20 certified title status reports and subsequent cer-  
21 tified title status reports), including a detailed  
22 description of—

23 (i) requests that were and were not  
24 successfully completed by the applicable

1 deadline described in subsection (a) by  
2 each applicable Bureau office; and

3 (ii) the reasons for each applicable  
4 Bureau office not meeting any applicable  
5 deadlines; and

6 (B) the length of time needed by each ap-  
7 plicable Bureau office during the most recent  
8 calendar year to provide the notices required  
9 under subsection (b)(1).

10 (2) REQUIREMENT.—In submitting the report  
11 required under paragraph (1), the Director shall  
12 maintain the confidentiality of personally identifiable  
13 information of the parties involved in requesting the  
14 completion of residential leasehold mortgage pack-  
15 ages, business leasehold mortgage packages, land  
16 mortgage packages, and right-of-way document  
17 packages (including any corresponding first certified  
18 title status reports and subsequent certified title sta-  
19 tus reports).

20 (f) GAO STUDY.—Not later than 1 year after the  
21 date of enactment of this Act, the Comptroller General  
22 of the United States shall submit to the Committee on  
23 Indian Affairs of the Senate and the Committee on Nat-  
24 ural Resources of the House of Representatives a report  
25 that includes—

1           (1) an evaluation of the need for residential  
2       leasehold mortgage packages, business leasehold  
3       mortgage packages, land mortgage packages, and  
4       right-of-way document packages of each Indian  
5       Tribe to be digitized for the purpose of streamlining  
6       and expediting the completion of mortgage packages  
7       for residential mortgages on Indian land (including  
8       the corresponding first certified title status reports  
9       and subsequent certified title status reports); and

10          (2) an estimate of the time and total cost nec-  
11       essary for Indian Tribes to digitize the records de-  
12       scribed in paragraph (1), in conjunction with assist-  
13       ance in that digitization from the Bureau.

14 **SEC. 4. ESTABLISHMENT OF REALTY OMBUDSMAN POSI-**  
15 **TION.**

16       (a) IN GENERAL.—The Director shall establish with-  
17   in the Division of Real Estate Services of the Bureau the  
18   position of Realty Ombudsman, who shall report directly  
19   to the Secretary of the Interior.

20       (b) FUNCTIONS.—The Realty Ombudsman shall—

21           (1) ensure that the applicable Bureau offices  
22       are meeting the mortgage review and processing  
23       deadlines established by section 3(a);

1           (2) ensure that the applicable Bureau offices  
2       comply with the notices required under subsections  
3       (a) and (b) of section 3;

4           (3) serve as a liaison to other Federal agencies,  
5       including by—

6           (A) ensuring the Bureau is responsive to  
7       all of the inquiries from the relevant Federal  
8       agencies; and

9           (B) helping to facilitate communications  
10      between the relevant Federal agencies and the  
11      Bureau on matters relating to mortgages on In-  
12      dian land;

13          (4) receive inquiries, questions, and complaints  
14      directly from Indian Tribes, members of Indian  
15      Tribes, and lenders in regard to executed residential  
16      leasehold mortgages, business leasehold mortgages,  
17      land mortgages, or right-of-way documents; and

18          (5) serve as the intermediary between the In-  
19      dian Tribes, members of Indian Tribes, and lenders  
20      and the Bureau in responding to inquiries and ques-  
21      tions and resolving complaints.

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