

106TH CONGRESS
1ST SESSION

H. R. 447

To establish the Lands Title Report Commission to facilitate certain home loan mortgages.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 1999

Mr. BEREUTER introduced the following bill; which was referred to the Committee on Banking and Financial Services

A BILL

To establish the Lands Title Report Commission to facilitate certain home loan mortgages.

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. LANDS TITLE REPORT COMMISSION.**

4 (a) ESTABLISHMENT.—Subject to sums being pro-
5 vided in advance in appropriations Acts, there is estab-
6 lished a Commission to be known as the Lands Title Re-
7 port Commission (hereafter in this section referred to as
8 the “Commission”) to facilitate home loan mortgages on
9 Indian trust lands. The Commission will be subject to
10 oversight by the Committee on Banking and Financial

1 Services of the House of Representatives and the Commit-
2 tee on Banking, Housing, and Urban Affairs of the Sen-
3 ate.

4 (b) MEMBERSHIP.—

5 (1) APPOINTMENT.—The Commission shall be
6 composed of 12 members, appointed not later than
7 90 days after the date of the enactment of this Act
8 as follows:

9 (A) 4 members shall be appointed by the
10 President.

11 (B) 4 members shall be appointed by the
12 Chairperson of the Committee on Banking and
13 Financial Services of the House of Representa-
14 tives.

15 (C) 4 members shall be appointed by the
16 Chairperson of the Committee on Banking,
17 Housing, and Urban Affairs of the Senate.

18 (2) QUALIFICATIONS.—

19 (A) MEMBERS OF TRIBES.—At all times,
20 not less than 8 of the members of the Commis-
21 sion shall be members of federally recognized
22 Indian tribes.

23 (B) EXPERIENCE IN LAND TITLE MAT-
24 TERS.—All members of the Commission shall

1 have experience in and knowledge of land title
2 matters relating to Indian trust lands.

3 (3) CHAIRPERSON.—The Chairperson of the
4 Commission shall be one of the members of the
5 Commission appointed under paragraph (1)(C), as
6 elected by the members of the Commission.

7 (4) VACANCIES.—Any vacancy on the Commis-
8 sion shall not affect its powers, but shall be filled in
9 the manner in which the original appointment was
10 made.

11 (5) TRAVEL EXPENSES.—Members of the Com-
12 mission shall serve without pay, but each member
13 shall receive travel expenses, including per diem in
14 lieu of subsistence, in accordance with sections 5702
15 and 5703 of title 5, United States Code.

16 (c) INITIAL MEETING.—The Chairperson of the Com-
17 mission shall call the initial meeting of the Commission.
18 Such meeting shall be held within 30 days after the Chair-
19 person of the Commission determines that sums sufficient
20 for the Commission to carry out its duties under this Act
21 have been appropriated for such purpose.

22 (d) DUTIES.—The Commission shall analyze the sys-
23 tem of the Bureau of Indian Affairs of the Department
24 of the Interior for maintaining land ownership records and
25 title documents and issuing certified title status reports

1 relating to Indian trust lands and, pursuant to such analy-
2 sis, determine how best to improve or replace the system—

3 (1) to ensure prompt and accurate responses to
4 requests for title status reports;

5 (2) to eliminate any backlog of requests for title
6 status reports; and

7 (3) to ensure that the administration of the sys-
8 tem will not in any way impair or restrict the ability
9 of Native Americans to obtain conventional loans for
10 purchase of residences located on Indian trust lands,
11 including any actions necessary to ensure that the
12 system will promptly be able to meet future demands
13 for certified title status reports, taking into account
14 the anticipated complexity and volume of such re-
15 quests.

16 (e) REPORT.—Not later than the date of the termi-
17 nation of the Commission under subsection (h), the Com-
18 mission shall submit a report to the Committee on Bank-
19 ing and Financial Services of the House of Representa-
20 tives and the Committee on Banking, Housing, and Urban
21 Affairs of the Senate describing the analysis and deter-
22 minations made under subsection (d).

23 (f) POWERS.—

24 (1) HEARINGS AND SESSIONS.—The Commis-
25 sion may, for the purpose of carrying out this sec-

1 tion, hold hearings, sit and act at times and places,
2 take testimony, and receive evidence as the Commis-
3 sion considers appropriate.

4 (2) STAFF OF FEDERAL AGENCIES.—Upon re-
5 quest of the Commission, the head of any Federal
6 department or agency may detail, on a reimbursable
7 basis, any of the personnel of that department or
8 agency to the Commission to assist it in carrying out
9 its duties under this section.

10 (3) OBTAINING OFFICIAL DATA.—The Commis-
11 sion may secure directly from any department or
12 agency of the United States information necessary
13 to enable it to carry out this section. Upon request
14 of the Chairperson of the Commission, the head of
15 that department or agency shall furnish that infor-
16 mation to the Commission.

17 (4) MAILS.—The Commission may use the
18 United States mails in the same manner and under
19 the same conditions as other departments and agen-
20 cies of the United States.

21 (5) ADMINISTRATIVE SUPPORT SERVICES.—
22 Upon the request of the Commission, the Adminis-
23 trator of General Services shall provide to the Com-
24 mission, on a reimbursable basis, the administrative

1 support services necessary for the Commission to
2 carry out its duties under this section.

3 (6) STAFF.—The Commission may appoint per-
4 sonnel as it considers appropriate, subject to the
5 provisions of title 5, United States Code, governing
6 appointments in the competitive service, and shall
7 pay such personnel in accordance with the provisions
8 of chapter 51 and subchapter III of chapter 53 of
9 that title relating to classification and General
10 Schedule pay rates.

11 (g) AUTHORIZATION OF APPROPRIATIONS.—To carry
12 out this section, there is authorized to be appropriated
13 \$500,000. Such sums shall remain available until ex-
14 pended.

15 (h) TERMINATION.—The Commission shall terminate
16 1 year after the date of the initial meeting of the Commis-
17 sion.

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