

U.S DEPARTMENT OF INTERIOR- BUREAU OF INDIAN AFFAIRS

Memoranda timelines from 1999
to the present by the
Department of Interior-Bureau of
Indian Affairs for the purposes of
addressing issues related to
leases for private lending within
"Indian Country"

Memoranda.....

- February 23, 1999, Prioritized the processing of certified Title Status Reports (TSR's) and Leases for home ownership
- May 17, 2001, the Deputy Commissioner of Indian Affairs, issued a policy for Model Residential Lease for Tribal Land due to the initiative of "One Stop Mortgage Center Initiative." under the former President Clinton Administration

Memoranda.....

- ◆ September 29, 2004, The Memorandum Of Understanding (MOU) amongst The U.S. Department of Agriculture Rural Development, U.S. Department Of Housing and Urban Development & U.S. Department of Interior, Bureau of Indian Affairs.

Memoranda.....

- ◆ September 29, 2005, An “interim policy” was issued for certified-Title Status Reports (TSR’s) for the purpose of:
 1. Mortgage of Lands and Leaseholds
 2. Land sales where there are more than two landowners, and
 3. The establishment of an “Endorsement Document” to be provided by Realty Officers in lieu of a certified-TSR for mortgages, and
 4. The acceptance of Cat-Ex Checklist from another Federal Agency in lieu of an environmental assessment to fulfill the NEPA requirements under (516 DM 10.5 M.(3)).

Memoranda.....

- ◆ July 28, 2006- This clarification memorandum was issued to the Regions to clarify the previous "interim policy" and implement a revised Endorsement Document for mortgage purposes
- ◆ This memorandum was implemented due to several meetings amongst several groups because of the concerns & discrepancies about the "Endorsement Document."

Memoranda.....

- ◆ On September 28, 2006, the Deputy Bureau Director, Trust Services requested review of the Endorsement Document which was issued to the Regional Offices on July 28, 2006. This request was made to the Office of the Solicitor, Division of Indian Affairs in Washington, DC

Memoranda.....

- ◆ Basic feedback from the Solicitor Office regarding questions were:
 1. If no intervening liens or encumbrances, does that mean filed?
 2. Approved, etc., at the LTRO? Or, are employees actually verifying that w/the County Recorder's Office(s)?
 3. What if other documents have been approved, documents approved by another lender?

Other Initiatives Under Trust Reform To Assist with Housing

- ◆ Proposed regulations on 25 CFR Part 162-Leasing & Permitting-Published in February 2004.

These regulations created:

1. Subpart C-Residential
2. Subpart D-Business

- ◆ Draft Regulations from “Regs Team” assembled in 2005. Pending