

118TH CONGRESS
1ST SESSION

S. 3079

To establish a policy regarding appraisal and valuation services for real property for a transaction over which the Secretary of the Interior has jurisdiction, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 18, 2023

Ms. CORTEZ MASTO introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To establish a policy regarding appraisal and valuation services for real property for a transaction over which the Secretary of the Interior has jurisdiction, 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 “Accelerating Apprais-
5 als and Conservation Efforts Act” or the “AACE Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) COVERED APPRAISER.—The term “covered
2 appraiser” means a State-licensed or -certified real
3 property appraiser.

4 (2) DEPARTMENT.—The term “Department”
5 means the Department of the Interior.

6 (3) REPORTING PERIOD.—The term “reporting
7 period” means the 1-year period ending on the date
8 on which the applicable report is submitted under
9 section 3(c).

10 (4) SECRETARY.—The term “Secretary” means
11 the Secretary of the Interior.

12 (5) STATE.—The term “State” means each of
13 the several States, the District of Columbia, and
14 each territory and possession of the United States.

15 **SEC. 3. APPRAISAL AND VALUATION SERVICES FOR REAL**
16 **PROPERTY.**

17 (a) LICENSE, CERTIFICATION REQUIREMENT.—A
18 covered appraiser shall be required to be licensed or cer-
19 tified in only 1 State to perform appraisal or valuation
20 services for real property in any State for a transaction
21 over which the Secretary has jurisdiction.

22 (b) USE OF NON-FEDERAL COVERED APPRAISERS.—
23 If the Secretary uses a non-Federal covered appraiser to
24 perform appraisal or valuation services for real property

1 for a transaction described in subsection (a), the Sec-
 2 retary—

3 (1) shall, to the maximum extent practicable,
 4 use a non-Federal covered appraiser who is a cer-
 5 tified general real property appraiser licensed in a
 6 State in which the real property that is the subject
 7 of the transaction is located; and

8 (2) may only use a non-Federal covered ap-
 9 praiser who is a certified general real property ap-
 10 praiser licensed in a State other than the State in
 11 which the real property that is the subject of the
 12 transaction is located if a non-Federal covered ap-
 13 praiser described in paragraph (1), as determined by
 14 the Secretary—

15 (A) is unavailable;

16 (B) is not qualified for the assignment; or

17 (C) is not cost-competitive.

18 (c) REPORT.—Not later than 1 year after the date
 19 of enactment of this Act, and annually thereafter for a
 20 minimum of 4 years, the Secretary shall submit to Con-
 21 gress a report that includes the following:

22 (1) A comparison using quantitative data of—

23 (A) the number of requests for appraisal
 24 and valuation services received by the Depart-
 25 ment—

- 1 (i) during the reporting period; and
2 (ii) in each of the 5 years before the
3 reporting period; and
4 (B) the amount of time required for the
5 Department to complete a request for appraisal
6 or valuation services—
7 (i) before the date of enactment of
8 this Act; and
9 (ii) after the date of enactment of this
10 Act.

11 (2) A qualitative assessment of the impact of
12 subsection (a) in providing flexibility to the Sec-
13 retary in contracting with non-Federal covered ap-
14 praisers.

15 (3) Recommendations, if any, for congressional
16 action that could help the Department operate more
17 efficiently or overcome challenges with respect to
18 timely completion of requests for appraisal or valu-
19 ation services while ensuring the independence, im-
20 partiality, and objectivity of such services.

21 (4) An overview of the workforce of the Depart-
22 ment with respect to appraisal and valuation services
23 provided by the Department, including hiring and
24 staffing during the reporting period with respect to
25 employees and contractors of the Department.

1 (d) STATUTORY CLARIFICATIONS.—

2 (1) APPLICABILITY OF RELEVANT LAWS AND
3 REGULATIONS.—Except as provided in paragraph
4 (3), nothing in this section affects the application of
5 any Federal or State law (including a regulation) to
6 a non-Federal covered appraiser with respect to the
7 performance by the non-Federal covered appraiser of
8 appraisal and valuation services for real property.

9 (2) JURISDICTION REQUIREMENT.—Nothing in
10 this section authorizes a non-Federal covered ap-
11 praiser to perform appraisal and valuation services
12 for real property in a State in which the non-Federal
13 covered appraiser is not licensed or certified to per-
14 form such services, except to the extent that such
15 services are performed for a transaction over which
16 the Secretary has jurisdiction.

17 (3) NONAPPLICABILITY OF CERTAIN RELEVANT
18 LAWS AND REGULATIONS.—Any provision of a Fed-
19 eral or State law (including a regulation) enacted be-
20 fore the date of enactment of this Act that requires
21 a covered appraiser to be licensed or certified in a
22 specific State to perform appraisal or valuation serv-
23 ices for real property in the State shall not apply to

- 1 any transaction over which the Secretary has juris-
- 2 diction.

