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# Native American Energy Act

*US Senate*

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SEC. 2607. APPRAISAL REFORMS. (a) OPTIONS TO INDIAN TRIBES. With respect to a transaction involving Indian land or the trust assets of an Indian tribe that requires the approval of the Secretary, any appraisal relating to fair market value required to be conducted under applicable law, regulation, or policy may be completed by (1) the Secretary; (2) the affected Indian tribe; or (3) a certified, third-party appraiser pursuant to a contract with the Indian tribe. (b) TIME LIMIT ON SECRETARIAL REVIEW AND ACTION. Not later than 30 days after the date on which the Secretary receives an appraisal conducted by or for an Indian tribe pursuant to paragraphs (2) or (3) of subsection (a), the Secretary shall (1) review the appraisal; and (2) provide to the Indian tribe a written notice of approval or

disapproval of the appraisal. (c) FAILURE OF SECRETARY TO APPROVE OR DISAPPROVE. If, after 60 days, the Secretary has failed to approve or disapprove any appraisal received, the appraisal shall be deemed approved. (d) OPTION TO INDIAN TRIBES TO WAIVE APPRAISAL. (1) An Indian tribe wishing to waive the requirements of subsection (a), may do so after it has satisfied the requirements of subsections (2) and (3) below. (2) An Indian tribe wishing to forego the necessity of a waiver pursuant to this section must provide to the Secretary a written resolution, statement, or other unambiguous indication of tribal intent, duly approved by the governing body of the Indian tribe. (3) The unambiguous indication of intent provided by the Indian tribe to the Secretary under paragraph (2) must include an express waiver by the Indian tribe of any claims for damages it might have against the United States as a result of the lack of an appraisal undertaken. (e) DEFINITION. For purposes of this subsection, the term appraisal includes appraisals and other estimates of value.