

GAO Highlights

Highlights of [GAO-24-105875](#), a report to congressional addressees

Why GAO Did This Study

The Department of the Interior’s BIA plays a central role in delivering real estate services to Tribes and tribal citizens on certain lands. Specifically, the agency reviews and approves applications for several types of real estate transactions, including mortgages. BIA has regulatory and internal deadlines for approving real estate transactions.

This report examines (1) what BIA data indicate about processing times for delivering real estate services and the extent to which the agency met regulatory and internal deadlines for these services; (2) selected Tribes’ and others’ views on BIA’s timeliness and communication in delivering real estate services; and (3) steps BIA has taken to improve real estate services, and the extent to which BIA has assessed its processing times and communication.

GAO reviewed laws, regulations, policies, and guidance related to BIA’s real estate services; analyzed BIA data for fiscal years 2021 and 2022 (the most recent and complete); and interviewed agency officials and selected Tribes and tribal-serving organizations.

What GAO Recommends

GAO is making six recommendations, including that BIA (1) enhance the accuracy and completeness of data needed to measure processing times and deadlines and (2) assess its processing times and develop a plan for improvement. BIA agreed with these recommendations and stated it would develop a plan for overseeing the entry of real estate data, among other things.

View [GAO-24-105875](#). For more information, contact Anna Maria Ortiz at (202) 512-3841 or ortiza@gao.gov.

October 2023

TRIBAL ISSUES

Bureau of Indian Affairs Should Take Additional Steps to Improve Timely Delivery of Real Estate Services

What GAO Found

GAO’s analysis of the Bureau of Indian Affairs (BIA) mortgage data shows that the agency inconsistently met regulatory and internal deadlines for providing real estate services to Tribes and tribal citizens. For example, GAO found that BIA met the regulatory deadline to approve or disapprove mortgages of residential and business leases (called leasehold mortgages) within 20 days of receipt of a complete application about 72 percent of the time in fiscal years 2021 and 2022. BIA generally does not track the time an applicant spends completing an application, which can be time intensive.

Processed Leasehold Mortgages for Residential and Business Leases for Which BIA Met the Regulatory Deadline, Nationally, Fiscal Years 2021 and 2022

Regulatory deadline	Leasehold mortgages for residential and business leases that met deadline		Total number of processed leasehold mortgages for residential and business leases	Average (days)	Range (minimum – maximum (days))	Median (days)
	Percentage	Number				
Approve or disapprove within 20 days from receipt of complete application	72%	219	303	27	0–371	11

Source: GAO analysis of BIA (Bureau of Indian Affairs) Mortgage Tracker data, BIA documents, and regulations. | GAO-24-105875

GAO’s ability to analyze BIA’s data on other types of real estate transactions was hindered due to the agency’s having insufficient controls in place to ensure the accuracy and completeness of the data. For example, GAO found that a majority of approved applications for leases and rights-of-way (the legal right to go over or across land for a specific purpose, such as a road) did not contain the dates on which certain required steps in BIA’s review process occurred. Enhancing the accuracy and completeness of its data could increase BIA’s ability to determine whether it meets deadlines and how long it takes to deliver real estate services.

Selected Tribes and tribal-serving organizations cited concerns about BIA’s timeliness and communication in delivering real estate services. In particular, they told GAO that BIA’s lengthy processing times can adversely affect applicants and may disincentivize lending or investment on tribal lands. Tribes and others also indicated that BIA’s communication regarding the status of applications and other real estate matters can be untimely, unclear, or inconsistent—leading to frustration, delays, or other negative outcomes.

BIA has taken some steps to improve its delivery of real estate services, such as updating regulations and guidance. However, BIA has not comprehensively assessed its processing times, and it does not have a plan to identify or address areas for improvement. BIA also has insufficient performance measures to monitor and report on the processing times of its real estate services. Conducting an assessment of its processing times and developing a plan could help BIA monitor its progress in addressing challenges. In addition, BIA has not assessed the quality of its communication with Tribes and others regarding real estate services to determine whether the agency is meeting their needs.