

117TH CONGRESS
1ST SESSION

H. R. 5756

To amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to establish a Portal for Appraiser Credentialing and AMC Registration Information, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 27, 2021

Mr. PERLMUTTER (for himself and Mr. KUSTOFF) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 to establish a Portal for Appraiser Credentialing and AMC Registration Information, 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 “Portal for Appraisal
5 Licensing Act of 2021”.

1 **SEC. 2. PORTAL FOR APPRAISER CREDENTIALING AND**
 2 **AMC REGISTRATION INFORMATION.**

3 Section 1103 of the Financial Institutions Reform,
 4 Recovery, and Enforcement Act of 1989 (12 U.S.C. 3332)
 5 is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (3), by striking “and” at
 8 the end;

9 (B) in paragraph (4), by striking the pe-
 10 riod on the end and inserting a semicolon;

11 (C) in paragraph (5)—

12 (i) by striking “. The report” and in-
 13 serting “, and which”; and

14 (ii) by striking the period on the end
 15 and inserting a semicolon;

16 (D) in paragraph (6), by striking the pe-
 17 riod on the end and inserting “; and”; and

18 (E) by adding at the end the following:

19 “(7) establish and maintain the Portal for Ap-
 20 praiser Credentialing and AMC Registration Infor-
 21 mation described under subsection (c).”; and

22 (2) by adding at the end the following:

23 “(c) PORTAL FOR APPRAISER CREDENTIALING AND
 24 AMC REGISTRATION INFORMATION.—

25 “(1) IN GENERAL.—The Appraisal Sub-
 26 committee shall establish and maintain a cloud-

1 based system to be called the ‘Portal for Appraiser
2 Credentialing and AMC Registration Information’
3 (the ‘Portal’), which—

4 “(A) shall provide appraisers and appraisal
5 management companies a central depository for
6 license, certification, and registration applica-
7 tions and renewals;

8 “(B) shall provide connectivity with State
9 appraiser certifying and licensing agencies for
10 their access to all application and renewal infor-
11 mation, including completed qualifying and con-
12 tinuing education, experience logs, examination
13 results, background check information, where
14 applicable, and any other information the Ap-
15 praisal Subcommittee determines appropriate
16 (after consideration of any advice from the ad-
17 visory committee established under paragraph
18 (6));

19 “(C) shall make available payment of all li-
20 cense, certification, and registration fees and
21 delivery of letters of good standing to State ap-
22 praiser certifying and licensing agencies; and

23 “(D) may utilize an existing platform, if
24 available.

25 “(2) BACKGROUND CHECKS.—

1 “(A) ACCESS TO RECORDS.—Notwith-
2 standing any other provision of law, in pro-
3 viding appraisal functions, the Attorney General
4 shall provide access to all criminal history infor-
5 mation to the appropriate State officials respon-
6 sible for regulating State-licensed and State-
7 certified appraisers or appraisal management
8 companies to the extent criminal history back-
9 ground checks are required under the laws of
10 the State for the licensing or certification of
11 such appraisers and registering appraisal man-
12 agement companies.

13 “(B) AGENT.—For the purposes of this
14 paragraph and in order to reduce the points of
15 contact which the Federal Bureau of Investiga-
16 tion may have to maintain for purposes of sub-
17 paragraph (A), the Appraisal Subcommittee
18 may be used as a channeling agent of the
19 States for requesting and distributing informa-
20 tion between the Department of Justice and the
21 appropriate State agencies.

22 “(C) OTHER PERSONS REQUIRING A BACK-
23 GROUND CHECK.—To the extent FBI criminal
24 history background checks are required under
25 the laws of a State, appraisers and any other

1 person that may require such a background
2 check shall submit fingerprints to the Portal
3 and authorize the Appraisal Subcommittee to
4 process a criminal background check with the
5 Federal Bureau of Investigation.

6 “(D) TREATMENT OF BACKGROUND
7 CHECKS.—Background checks completed under
8 this paragraph shall satisfy any third-party
9 oversight requirements imposed by Federal fi-
10 nancial institutions regulatory agencies.

11 “(3) ADDITIONAL CONTENT INFORMATION.—

12 “(A) EDUCATION COURSES.—For purposes
13 of the education information maintained by the
14 Portal—

15 “(i) a State appraiser certifying and
16 licensing agency may notify the Portal of
17 which particular courses have been ap-
18 proved by the agency; and

19 “(ii) both education providers and
20 State appraiser certifying and licensing
21 agencies of States may submit to the Por-
22 tal lists of individuals who have completed
23 such courses.

24 “(B) UNIQUE IDENTIFIERS.—The Ap-
25 praisal Subcommittee shall use a unique identi-

1 fier to identify each individual who submits an
2 application through the Portal or otherwise
3 makes use of the Portal. The Appraisal Sub-
4 committee may also use a unique identifier to
5 identify each appraisal management company
6 that submits an application through the Portal
7 or otherwise makes use of the Portal.

8 “(4) NO EFFECT ON STATES’ RIGHTS.—States
9 shall retain the ability to act independently upon li-
10 cense, certification, and registration applications and
11 renewals for appraisers and appraisal management
12 companies.

13 “(5) TREATMENT OF FEES.—State credential-
14 ing fees and any State-specific information shall con-
15 tinue to be provided to States by appraisers and ap-
16 praisal management companies, but transmitted
17 through the Portal via a streamlined process and ap-
18 plication.

19 “(6) ADVISORY COMMITTEE.—

20 “(A) IN GENERAL.—The Appraisal Sub-
21 committee shall establish an advisory committee
22 to advise the Appraisal Subcommittee on the
23 establishment of the Portal.

24 “(B) MEMBERSHIP.—The advisory com-
25 mittee shall consist of representatives of indus-

try associations, appraisers, lenders, appraisal management companies, and State appraiser certifying and licensing agencies, to be determined by the Appraisal Subcommittee.

“(7) FUNDING.—

“(A) USER FEES.—For the sole purpose of paying for the cost of establishing and maintaining the Portal and carrying out the background checks required under paragraph (2)(A), the Appraisal Subcommittee may charge a reasonable fee to individuals and appraisal management companies making use of the Portal. The fee shall be revenue neutral to the costs of developing and maintaining the Portal.

“(B) STATE GRANTS.—The Appraisal Subcommittee shall make grants available to State appraiser certifying and licensing agencies, in accordance with policies to be developed by the Appraisal Subcommittee, to support the efforts of such agencies to connect State systems with the Portal.”.

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