



OFFICE OF PUBLIC AND INDIAN HOUSING

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-5000

November 21, 2022

SUBJECT: Tribal Consultation – Section 184 Indian Home Loan Guarantee Program Proposed Rule/Regulations

Dear Tribal Leader:

The U.S. Department of Housing and Urban Development (HUD) will soon publish a proposed rule on the Section 184 Indian Home Loan Guarantee (Section 184) program. This proposed rule is the culmination of many years of work and a series of 18 Tribal consultations held in 2018 and 2019. Since these proposed regulations have substantial direct effect on Federally recognized Tribal governments currently participating or seeking to participate in the program, HUD is conducting national and regional Tribal consultations in accordance with HUD's Tribal Consultation Policy during the proposed rule's public comment period.

At each consultation, HUD officials will provide a brief overview of the proposed rule, its impact on Tribes and Tribal borrowers, and then listen to comments on the proposed rule from attendees. Written comments may also be submitted during the public comment period as directed in the proposed rule.

What is the Section 184 program?

The Section 184 program is a home mortgage loan product specifically designed for American Indian and Alaska Native families, Alaska villages, Indian tribes, and Tribally Designated Housing Entities. The Congress established this program in 1992 to facilitate homeownership and increase access to capital in American Indian and Alaska Native communities.

Section 184 loans can be used for new construction, rehabilitation, purchase of an existing home, or refinance. For example, an American Indian or Alaska Native family could use the program to buy their first home, or a Tribe could use the program to finance the construction of new housing for its community.

Why New Regulations?

The Section 184 program has grown from guaranteeing fewer than 100 loans in 1994 to more than 3,600 loans worth over \$860 million in fiscal year 2022. Since its inception, the Section 184 program has guaranteed a total of 54,974 loans worth over \$9.8 billion. However, the regulatory framework that governs the program has remained largely unchanged. Given the growth and maturity of the program, HUD finds it necessary to expand and revise the regulations

to meet the program’s growing demands, increase transparency and accountability, and strengthen the program to ensure that it remains viable for many years to come.

The program’s current regulations are at 24 CFR Part 1005. While considering the program’s regulations, the program is also bound by its authorizing legislation, the U.S. Housing and Community Development Act of 1992, as amended. This means that HUD cannot make any changes to the regulations that conflict with the existing law.

Tribal Consultation Schedule

December 7, 2022	Las Vegas, Nevada, Bally’s Resort and Casino (In conjunction with the NAIHC Legal Symposium)
December 14, 2022	Prairie Island Indian Community, Welch, Minnesota, Treasure Island Resort and Casino (In conjunction with Midwest Alliance of Sovereign Tribes (MAST) Winter Meeting)
December 15, 2022	Rapid City, South Dakota, USDA Service Center
January 10, 2023	Chickasaw Nation Reservation, Norman, Oklahoma, Riverwind Hotel and Casino (In conjunction with Southern Plains Indian Housing Association (SPIHA) meeting)
January 20, 2023	Albuquerque, New Mexico, Dennis Chavez Federal Building
January 24, 2023	Stillaguamish Reservation, Arlington, Washington, Angel of the Winds Casino Resort (In conjunction with Northwest Indian Housing Association (NWIHA) meeting)
January 31, 2023	Alaska Region Webinar
February 2, 2023	National Webinar
February 6 or 7, 2023	<i>Tentative.</i> Arlington, Virginia (In conjunction with United Southern and Eastern Tribes (USET) Impact Week)

Please check the Section 184 Tribal Consultation [website](#) for up-to-date information on these Tribal Consultation sessions. Additionally, you may submit comments and questions via email to 184consultation@hud.gov.

Once the proposed rule is published in the *Federal Register*, HUD will issue a second Dear Tribal Leader Letter to announce the publication of the proposed rule along with a link to the rule.

Input from Tribal leaders is essential to developing the best possible regulations for the Section 184 Program. Thank you for your continued partnership and collaboration in the effective delivery of HUD's programs.

Sincerely,

A handwritten signature in blue ink that reads "Heidi J. Frechette". The signature is written in a cursive style with a large initial 'H' and 'F'.

Heidi J. Frechette
Deputy Assistant Secretary
for Native American Programs