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## 19. Certification for Paperwork Reduction Act Submissions

On behalf of the U.S. Department of Housing and Urban Development, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9.

**Note:** The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320/8(b)(3), appear at the end of the instructions. The certification is to be made with reference to those regulatory provisions as set forth in the instructions.

The following is a summary of the topics, regarding the proposed collections of information that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It uses plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention periods for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
  - (i) Why the information is being collected;
  - (ii) Use of the information;
  - (iii) Burden estimate;
  - (iv) Nature of response (voluntary, required for a benefit, or mandatory);
  - (v) Nature and extent of confidentiality; and
  - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to collected (see note in item 19 of the instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of these provisions, identify the item below and explain the reason in item 18 of the Supporting Statement.

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Signature of Program Official:

Date:

X Rodger J. Boyd, Deputy Assistant Secretary, Office of Native American Programs, PN

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Signature of Senior Officer or Designee:

Date:

X  
Colette Pollard, Departmental Paperwork Reduction Act Officer,  
Office of the Chief Information Officer

# Supporting Statement for Paperwork Reduction Act Submissions

2577-0200

## Loan Guarantees for Indian Housing

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### A. Justification.

1. This information is required by Section 184 of the Housing and Community Development Act of 1992 as amended by Section 701 of the Native American Housing Assistance and Self-Determination Act of 1996 and implementing regulations at 24 CFR Section 1005. These regulations authorize the Department of Housing and Urban Development to run a loan guarantee program to facilitate lending for Indian Housing. Under this Program, the Department will guarantee loans made by private lenders to Native American borrowers to Tribally Designated Housing Entities (THDEs), and Tribes that construct, acquire, or rehabilitate 1-4-family homes. These homes must be located on trust land or land located in an Indian or Alaska Native area.
2. The information collected from lenders is used to determine a borrower's credit worthiness and ability to pay for a home loan as well as to ensure that lenders comply with the program requirements. Mortgage lenders provide information to HUD through the "case number request form", and the "mortgage credit analysis worksheets." The Section 184 specific forms help to ensure the borrower is eligible for the program. The information being collected is needed to complete mortgage calculations, settlement requirements and obtain general lender and mortgage information. The information is required to obtain a benefit. All of this information is obtained by lenders from borrowers generally through a face to face meeting. The borrowers must fill out all of the documentation or their loans will not be able to be processed. However, at all times the privacy of the respondents and the associated information collected will be protected to the extent permitted by law.

To determine whether a particular borrower is eligible for the Section 184 loan guarantee, the lender must analyze the borrower's ability to repay the mortgage debt. Once a loan has been approved, the borrower will have to submit a guarantee fee of 1.5% of the loan amount to HUD before the loan will be endorsed. The fee may be financed into the mortgage amount.

The information provided by mortgagees is based on information collected during the standard process of initiating a mortgage, as standard business practice.

As this is an ongoing collection of information, the requirements have not changed over time.

3. The information collected on the forms below is used to ensure that the lenders have followed program requirements and that the Secretary of HUD is legally protected against possible fraud, waste, and abuse. That information is gathered on the following forms: Mortgage Credit Analysis Worksheet-Acquisition or Construction; Rider for Section 184-Tribal Trust; Firm Commitment Submission Checklist; and Checklist for Proposed Transactions Less Than 1 Year Old. Every form mentioned above is either an industry standard form or a form that mimics an industry standard form but is tailored to programmatic requirements. This information collection has not been adapted to an electronic process due to the relatively low volume of transactions and the requirement for signatures. The Department has a draft electronic signature policy in review. The collection of the information contained in these forms is authorized and governed under these laws and regulations: Title 12 Chapter 13 Section 1715z-13a of the U.S. C.; 24 CFR 1005; 5 U.S.C. § 552a, *Privacy Act of 1974*; Public Law 100-503, *Computer Matching and Privacy Act of 1988*; OMB Memo M-99-18, *Privacy Policies on Federal Web Sites*; and OMB Memo M-03-22, *OMB Guidance for Implementing the Privacy Provisions*.
4. A thorough review of all the required documentation was recently conducted with all of the program underwriters with the goal of ensuring that there was no unnecessary duplication in the collection of information. Additionally the program reached out to a cross section of lenders in order to seek ideas on how to streamline the collection of information.



