
2023 Indian Areas File

Synopsis: The Federal Housing Enterprises Financial Safety and Soundness Act of 1992 establishes a duty for Fannie Mae and Freddie Mac (the Enterprises) to serve the housing needs of very low-, low-, and moderate-income families in rural areas.¹ FHFA’s Duty to Serve regulation provides eligibility for Duty to Serve credit for Enterprise mortgage purchases and certain other activities in “rural areas,” as defined in the regulation.² Additionally, the regulation specifies support for certain Enterprise activities in high-needs rural populations, as defined in the regulation, that the Enterprises may consider including in their plans for their Duty to Serve programs. One of the high-needs rural populations identified in the regulation is “members of a Federally recognized Indian tribe located in an Indian area” provided the population is located in a rural area as defined in the regulation. FHFA’s 2023 Indian Areas File designates which areas qualify as “Indian areas” located in rural areas, for purposes of the Duty to Serve program.

This data file includes census tracts and portions of census tracts in the Metropolitan Statistical Areas (MSAs) and outside of MSAs of the 50 states, the District of Columbia, and Puerto Rico and shows whether they include American Indian and Alaska Native (AIAN) areas. The file also shows whether the tracts or portions of tracts are designated as both an Indian Housing Block Grant (IHBG) area designated by the U.S. Department of Housing and Urban Development (HUD)³ and a rural area designated by FHFA. *In 2023, FHFA amended the Duty to Serve regulation to add a definition of “colonia census tract,” meaning a census tract containing a colonia, to serve as a census tract-based proxy for a colonia. In addition, the amendment modified the definition of “high-needs rural region” by substituting “colonia census tract” for “colonia” and modified the definition of “rural area” to include all colonia census tracts regardless of their location. See 12 C.F.R. § 1282.1.*

1. Definition

Section 1282.1 of the Duty to Serve regulation defines “high-needs rural population” as any of the following populations provided the population is located in a “rural area”:

- (1) Members of a Federally recognized Indian tribe located in an Indian area; or
- (2) Agricultural workers.

Section 1282.1 defines “Federally recognized Indian tribe” as having the meaning in 25 C.F.R. § 83.1.

¹ 12 U.S.C. § 4565.

² 12 C.F.R. § 1282.1.

³ https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/grants/ihbg.

Section 1282.1 defines “Indian area” as having the meaning in 24 C.F.R. § 1000.10, which defines an Indian area as:

the area within which an Indian tribe operates affordable housing programs or the area in which a TDHE [tribally designated housing entity], as authorized by one or more Indian tribes, operates affordable housing programs.

To identify areas where an Indian tribe or a tribally designated housing entity operates affordable housing programs, FHFA is referencing HUD-designated IHBG Areas for the 2023 Indian Areas File as the best available proxy for identifying “Indian areas”. The HUD IHBG, a grant program that supports affordable housing on Indian reservations and in Indian areas,⁴ has a funding formula developed through a negotiation process with tribes.⁵

Section 1282.1 of the regulation, as amended, defines “rural area” as:

- (i) A census tract outside of an MSA as designated by the Office of Management and Budget (OMB); or
- (ii) A census tract in an MSA as designated by OMB that is:
 - (A) Outside of the MSA’s Urbanized Areas as designated by the U.S. Department of Agriculture’s (USDA) Rural-Urban Commuting Area (RUCA) Code #1, and outside of tracts with a housing density of over 64 housing units per square mile for USDA’s RUCA Code #2; or
 - (B) A colonia census tract that does not satisfy paragraphs (i) or (ii)(A) of this definition.

Thus, for purposes of the Duty to Serve program, a qualifying “Indian area” is a census tract or portion of a census tract that is designated as both a HUD-designated IHBG Area and a rural area under the Duty to Serve regulation.

2. FHFA’s 2023 Indian Areas File

FHFA’s 2023 Indian Areas File incorporates the census tract numbering system used in the 2020 Census. FHFA’s determination of “rural areas” for 2023 is based on 2020 census data for census tract boundaries, the USDA RUCA codes,⁶ and housing units per square mile as derived from the U.S. Census Bureau’s census tract relationship file.⁷ The classification of census tracts as metropolitan or nonmetropolitan is based on OMB’s specification of MSAs in September 2018.⁸

⁴ https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/ih/grants/ihbg.

⁵ See 24 C.F.R. Part 1000, Subpart D;

https://portal.hud.gov/hudportal/documents/huddoc?id=dtlneg_reg_finalrule.pdf.

⁶ <http://www.ers.usda.gov/data-products/rural-urban-commuting-area-codes.aspx>.

⁷ <https://www.census.gov/geographies/reference-files/time-series/geo/relationship-files.html>.

⁸ OMB Bulletin No. [18-04](#) (September 14, 2018) reaffirms MSA definitions made in earlier OMB Bulletins and creates new MSAs. Additionally, some counties and county equivalents are no longer in an MSA and are now classified as nonmetropolitan.

AIAN areas may encompass or subdivide census tracts based on geographic boundaries determined by Census.⁹ A HUD IHBG Area can include one or more AIAN areas in a county. A HUD IHBG Area can also include the tracts in the surrounding or an adjacent county that lie outside the AIAN area(s).

FHFA defines “rural areas” at the census tract level in both metropolitan and nonmetropolitan areas. The exception is in the St. Louis MSA, where parts of the city of Sullivan lie within Franklin County and Crawford County, Missouri but, by statute, the entirety of Sullivan is deemed to be within the St. Louis MSA.¹⁰ The portion of Crawford County outside of Sullivan is nonmetropolitan. In the 2023 Indian Areas File, the census tracts in Crawford County that contain a portion of Sullivan are treated as split tracts. The 2023 Indian Areas File contains two records for each of these census tracts – one record for the nonmetropolitan portion of the tract and one record for the metropolitan portion of the tract. The File further divides tracts by AIAN code if a tract is encompassed or subdivided by one or more AIAN areas; thus, there can be multiple records for a single census tract.

The 2023 Indian Areas File is column formatted and has six fields, values of which may have leading zeros. This File should be merged by state, county, tract, MSA2018, and AIAN code to correctly identify qualifying areas.

STATE:	2-digit numeric state FIPS code.
COUNTY:	3-digit numeric county FIPS code.
TRACT:	6-digit 2020 census tract code (2 decimals implied).
MSA2018:	5-digit OMB MSA designator representing the MSA as specified in OMB Bulletin No. 18-04 (September 14, 2018). ‘99999’ represents a nonmetropolitan area. ¹¹
AIAN:	4-digit American Indian and Alaska Native (AIAN) code assigned by Census. ¹² ‘9999’ represents a census tract, or portion thereof, with no AIAN areas. It can also represent the inability of geocoding software to accurately determine whether a property is located in an AIAN area.
DTS_IA:	1-digit code designating a qualifying “Indian area,” for Duty to Serve purposes. (See below.)

The DTS_IA field should be interpreted as:

DTS_IA=1	The census tract, or portion of the census tract, is designated as a rural area for purposes of Duty to Serve <u>and</u> is designated as a HUD IHBG Area, meaning it is a qualifying Indian area under the Duty to Serve program.
DTS_IA=0	The census tract, or portion of the census tract, is not designated as a rural area for purposes of Duty to Serve <u>or</u> is not designated as a HUD IHBG

⁹ <https://www.census.gov/geographies/reference-files/time-series/geo/relationship-files.html>.

¹⁰ Treasury, Postal Service and General Government Appropriations Act, 1988, Pub. L. No. 100-202, § 530, 101 Stat. 1329-419 (1987).

¹¹ “Nonmetropolitan” includes Micropolitan Statistical Areas.

¹² <https://www.census.gov/programs-surveys/bas/technical-documentation/code-lists.html>.

Area, meaning it is not a qualifying Indian area under the Duty to Serve program.

The 2023 Indian Areas File is a census tract level file covering all metropolitan and nonmetropolitan areas in the 50 states, the District of Columbia, and Puerto Rico. Except for Puerto Rico, tract records for U.S. territories are not included. U.S. territories, other than Puerto Rico, are considered rural in their entirety for purposes of the Duty to Serve but have no AIAN areas. This File also includes additional census tract records to accommodate the shift from counties to planning regions as county-equivalent geographic units for census purposes in Connecticut.¹³

For questions concerning the format of the 2023 Indian Areas File, please contact:

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¹³ <https://www.govinfo.gov/content/pkg/FR-2022-06-06/pdf/2022-12063.pdf>.