

June 16, 2006

Frank Reed
Project Representative
Mississippi Development Authority
P.O. Box 24628
Jackson, MS 39225-4628.

RE: Comments on Environmental Assessment for Mississippi's Katrina Recovery Homeowner Grant Assistance Program

Dear Mr. Reed:

The undersigned organizations would like to take this opportunity to comment on the Mississippi Development Authority's (the "MDA") Environmental Assessment (the "EA") and Notice to the Public regarding Mississippi's Katrina Recovery Homeowner Grant Assistance Program (the "Program").

Overview

Our combined membership originates and services virtually every mortgage in the State of Mississippi. Since Hurricane Katrina last August, lenders have, among other things:

- relaxed disbursement processes to accommodate borrower needs;
- suspended payment obligations; and
- offered loss mitigation and staffed up to accommodate customer needs.

The emotional and physical losses suffered by the citizens of Mississippi are unique, unprecedented, and difficult to fathom. The financial losses incurred by homeowners whose properties were damaged or destroyed by Katrina mirror the financial losses that our lenders have sustained to date, and will sustain in the future. For example, many homeowners are currently unable to pay their mortgage when they have also lost their jobs, or are reluctant to pay as they determine what their long-term plans are. None are eager to pay on property to which they may not return. While they work out their plans, our members have to continue to make principal and interest payments to our investors who actually hold many of the mortgages. This is because mortgage banks generally originate loans and then sell the mortgage to an investor, keeping a small fee from the investor for the servicing of the loan. Just because a borrower is not paying us does not mean we can stop paying our investors.

When one or a few borrowers default, lenders can absorb the loss and liquidity in the market will not be affected. When thousands of borrowers default, the impact on liquidity is felt, and funds are less available from the lenders who have suffered the default. In this case, that includes most of the major national lenders.

This is one major reason why we support homeowners receiving funds; but it is not the only reason. The sooner borrowers receive funds, the faster they can restore their properties and put their lives back on track. This will mean that communities are coming back, which is in everyone's interest. However, if grant funds are not used to repair, rebuild or to pay back the debt, grant recipients are enriched to the detriment of the communities, which have a reasonable expectation that the public funds will be used for this purpose. We therefore support and endorse Mississippi's efforts to help its citizens face the enormous expenses that this disaster has caused and to do so quickly, but continue to be concerned that a significant portion of the funds will not be used to repair, rebuild or relocate or to repay loans on properties that the homeowner cannot repair or replace.

As explained below, the Program as currently configured (a) is not likely to achieve the desired results; (b) is likely to result in the dispensing of money that is inconsistent with the congressional authorization and intent; and (c) violates the environmental review obligations that apply to a 'direct' grant program. There are effective ways to achieve the state's goals of assuring the expeditious delivery of benefits while still preserving appropriate controls to prevent fraud or misuse of funds, and assuring that Congress' intent that applicable environmental review obligations be met.

I. **The EA for the Direct and Unrestricted Compensation Program Violates Applicable Law and Regulation**

Throughout the EA, the MDA concludes that because grant funds will be provided as direct compensation to the homeowner who has complete discretion to determine what he will do with that money, all matters of compliance with the National Environmental Policy Act¹ ("NEPA") and "burdensome" monitoring obligations under the CDBG program are avoided. We believe these conclusions are inconsistent with statutory mandates and existing regulations. The industry's position and legal analysis that supports this concern has been made available to the MDA and United States Department of Housing and Urban Development (HUD) staff.² No changes were made to the Program as a result of that communication nor does the EA address the concerns that were raised by over 250 commenters. (Attachment B to EA).

Congress specifically required that the Program meet the environmental review requirements of the HUD's regulations:

That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment).³

¹ 42 U.S.C. § 4331 *et seq.*

² Copy attached.

³ P.L. 109-148 (Dec. 30, 2005) ("Appropriations Act").

HUD regulations "provide instructions and guidance to recipients of HUD assistance and other responsible entities for conducting an environmental review for a particular project or activity and for obtaining approval of a Request for Release of Funds."⁴ Among the programs governed by Part 58 are Community Development Block Grant programs.⁵ The HUD regulations discuss three types of environmental reviews that may be needed for this program: (a) reviews required for "major federal actions significantly affecting the environment" required under ("NEPA review")⁶; (b) reviews under other environmental laws and related laws that may be triggered by legislation, regulation or executive order ("58.5 review");⁷ and (c) reviews relating to additional federal laws ("58.6 review").⁸ The EA that has been presented for comment meets the requirements for 58.6 review, but fails to meet the requirements for 58.5 review or for NEPA review.

We respectfully submit that the EA contains conflicting, unsupported and unexplained assertions that purport to support its apparent conclusions that no NEPA review is required, and that it has fulfilled its obligations to conduct 58.5 review. As explained below, the EA:

- concludes that it cannot conduct the requisite environmental analysis required for NEPA review because the unlimited discretionary nature of the grants makes it impossible to foresee what recipients will do with the money and so the state cannot assess what the environmental impacts of that spending will be;⁹
- assumes that because of the discretionary nature of the grant program, it will not have negative impacts on the environment for purposes of NEPA review;¹⁰
- concludes that notwithstanding the discretionary nature of the grant program it will have positive impacts on the environment for purposes of NEPA review;¹¹
- concludes that even though it cannot conduct the requisite NEPA review because it does not know how the grant money will be spent, it does know enough about how the money will be spent to conduct the review required under other environmental laws ("58. 5 review").¹²

A. NEPA review

⁴ 24 C.F.R. § 58.1.

⁵ Id. § 58.1(b)(1).

⁶ 24 C.F.R. § 58.4.

⁷ Id. § 58.5. The laws and authorities cited in § 58.5 for which environmental review might be triggered include: The National Historic Preservation Act; Executive Order 11593 (Preservation and Enhancement of the Cultural Environment); Federal historic preservation found at 36 C.F.R. §§ 800 and 801; The Reservoir Salvage Act of 1960, as amended by the Archeological and Historic Preservation Act of 1974; Executive Order 11988 (Floodplain Management); Executive Order 11990 (Protection of Wetlands); The Coastal Zone Management Act of 1972; The Safe Drinking Water Act of 1974; The Endangered Species Act of 1973; The Wild and Scenic Rivers Act of 1968; The Clean Air Act; and the Farmland Protection Policy Act of 1981.

⁸ Id. § 58.6.

⁹ "It is important to recognize that the disbursement of funds through the proposed grant program does not have any identifiable direct environmental impact because grant recipients have full discretion as to how and where the grant money should be spent. EA at 21. At other times the Program says that the homeowners may only spend this money "as allowable by State and Federal law." See, EA §I, §II.A., K, §IV.B, C, E., J., §VI. B., C., D., E., F., G., H., I.

¹⁰ "Because this program is designed to provide payments directly to the grant recipients and is not tied or committed to use or expenditure at particular sites or locations, there is no discernable negative environmental impact associated with such disbursements." EA 5.

¹¹ "[B]ecause such disbursements will require certain restrictions and environmentally beneficial covenants to be Recorded on the homeowner's hurricane damaged land, an environmentally beneficial impact is projected and anticipated." Id.

¹² EA at § IV. P. 13.

NEPA requires that every federal agency evaluate the potential environmental impacts of “major federal actions significantly affecting the quality of the human environment.”¹³ As noted above, HUD regulations specifically require that the Program is subject to NEPA review as provided for in those regulations. The regulations contain a number of NEPA exclusions for some CBDG programs, 24 C.F.R. §58.35, including programs for the rebuilding of homes. But none of those exclusions apply to direct payment programs that Mississippi has proposed. Therefore NEPA must be followed.

Even though there are no NEPA exclusions for this program, and even though Congress specifically mandated that NEPA review occur, the EA does not follow the NEPA review process outlined in the HUD regulations. It justifies avoiding these obligations by stating:

As the foregoing analysis indicates and illustrates, it is important to recognize that the disbursement of funds through the proposed grant program does not have any identifiable direct environmental impact because grant recipients have full discretion as to how and where the grant money should be spent.¹⁴

It is unclear whether the EA is concluding that the direct grant program is completely exempt for NEPA review or that it is subject to and has fulfilled all NEPA review requirements. If the basis for the EA analysis is that the grant program provides so much discretion that Mississippi can’t possibly anticipate how the money might be used, such a conclusion is repeatedly contradicted by the assumption made throughout the EA that most recipients are likely to use the money to repair or replace their existing homes:

- “the Governor considers the replacement of housing as a number one priority in rebuilding the Mississippi Gulf Coast.”¹⁵
- In a telephone conversation with a large servicer, a senior official of MDA said “95% of homeowners will ‘do the right thing’ ” – referring to repairing their properties or paying off their mortgages (e.g. relocate or eliminating debt but leaving the property damaged).
- The EA assumes that certain recipients have already repaired their homes.¹⁶
- The EA identifies the precise number of homeowners affected by this program. If these numbers are accurate, then it must be known where these houses are¹⁷

¹³ 42 U.S.C. § 4332(2)(C).

¹⁴ EA at 21.

¹⁵ MDA Homeowner Assistance Program Partial Action Plan 3/31/2006 Page 3.
Available at <http://www.hud.gov/content/releases/pr06-036ms.pdf>

¹⁶ EA at 7.

¹⁷ EA at n.8.

- Appendix A to the EA, a February 7, 2006 letter from HUD expressly states that “Assistance under the CDBG Program is subject to the environmental review requirements of 24 CFR Part 58.”

The foregoing demonstrates that there is substantial certainty what most of this money is *supposed* to be used for, and where it is *supposed* to be used. The EA fails to explain why, notwithstanding this certainty, it cannot even begin to conduct a NEPA analysis as called for in the HUD regulations. Mississippi has the legal obligation to explain the basis for its decision in this regard.¹⁸

If, on the other hand the EA is concluding that it can and did conduct a NEPA analysis of this program,¹⁹ it is wrong. As noted above, its conclusions regarding the environmental impact of the proposed action are conclusory and contradictory. See notes 9 through 12 above and the accompanying text. It is incumbent on an agency to provide the reasoning and basis for its conclusions regarding potential environmental impact²⁰, not just conclusory self-serving statements, devoid of analysis.²¹

B. Section 58.5 Review (other environmental laws)

Under HUD regulations, Mississippi is obligated to evaluate the Program under a variety of environmental laws, independent of NEPA unless certain exemptions apply. See generally 24.C.F.R. §58.5. The EA lists these laws but provides little or no analysis of their application.²² Of the 11 laws, regulations or other policies considered:

- 6 are dismissed²³ from any substantive consideration because of the lack of limits on how the money can be spent;
- 2 are dismissed from any consideration because the homeowner is not required to build in areas subject to these laws or policies²⁴, but ignores the assumptions outlined above that most will rebuild; and

¹⁸ See, e.g., Found. on Econ. Trends v. Weinberger, 610 F. Supp. 829, 837 (D.D.C. 1985) (quoting Lower Alloways Creek Tp. v. Public Service Elec., 687 F.2d 732, 740 (3d Cir. 1982) (noting that “[a]lthough an environmental assessment need not be as elaborate and detailed a document as an EIS, the agency must still undertake a ‘comprehensive assessment of the expected effects of a proposed action’ in order to determine if that action is ‘significant’”).

¹⁹ The EA discussion in this regard is confusing. The discussion of proposed alternatives in the EA would seem to suggest that Mississippi is conducting a NEPA analysis because it refers to the “proposed action” and “alternatives,” both of which are NEPA concepts. EA at 21. However, the EA also implies that Mississippi believes that NEPA review is not triggered at all because the program is so discretionary that there are no sufficiently foreseeable actions to trigger any NEPA review. See notes 24, 26, below.

²⁰ See, e.g., Friends of the Astor, Inc. v. City of Reading, No. 98-CV-4429, 1998 U.S. Dist. LEXIS 14935, at *21 (E.D. Pa. Sept. 17, 1998) (noting that the purpose of an environmental assessment “is to briefly provide sufficient evidence and analysis for determining” whether to prepare an impact statement” and that “[d]emonstrating that the environmental assessment was obviously inadequate or prepared in bad faith, with a *pre-ordained analysis of the anticipated environmental impact*, warrants the grant of a preliminary injunction”) (emphasis added); Pub. Serv. Co. of Colo. v. Andrus, 825 F. Supp. 1483, 1500 (D. Idaho 1993) (stating that an environmental assessment must include a “hard look at environmental consequences of major federal actions be done before such actions are taken”).

²¹ Although not stated in the EA, we were advised by MDA that it believed this direct payment program was exempt from NEPA because the only federal action was writing the check, and whatever the recipient did with that money after getting it was purely ‘private action’ and not the action of a federal agency that would otherwise trigger NEPA. This discussion is not included in the EA, and, therefore, is not addressed in these comments.

²² See, EA §IV. p. 13

²³ Historic Preservation, Floodplain Management, Wetlands Protection, Coastal Zone Management Act, Endangered Species Act, Farmlands Protection.

²⁴ Wild and Scenic Rivers Act, Endangered Species Act.

- The entirety of subparts B, C and D of the HUD regulations are dismissed from consideration because the program is only intended to provide for past losses,”²⁵ a conclusion starkly at odds with the express Congressional directive that the money be spent on expenses for long term recovery.

In addition, all of the 7 other environmental factors that the EA described as “NEPA driven,”²⁶ are dismissed from consideration based on the unlimited, discretionary nature of the payments being made.

C. Monitoring Obligations

The EA assumes for purposes of the environmental analysis that there are so few restrictions on the use of these funds that it cannot evaluate the environmental impacts of those uses. This appears to be inconsistent with the Appropriations Act, and the position taken by HUD that the state has an obligation to monitor both the award and the use of the funds. Both obligations are premised on the existence of some limits on the use of these funds. The EA does not explain why it has no way of knowing how this money will be spent for purposes of an environmental review, but does have a way of auditing expenditures to make sure it is spent for permissible purposes.

Congress specifically authorized this money *only* for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure.²⁷ Notwithstanding these limits, the EA states:

The purpose and need for this proposal can be stated simply as follows: to provide financial relief to the approximately 30,000 homeowners in Mississippi whose residences were damaged or destroyed by flooding associated with Hurricane Katrina and who lack adequate insurance coverage to compensate for their massive financial losses. Such relief must be provided in a streamlined, flexible, and speedy manner that is both individually efficient yet systematically economical.²⁸

* * *

MDA's proposed program is purely a compensation program that is not tied to any specific site locations or properties and *is only intended to provide funding for past financial losses.*²⁹

Paying expenses relating to long term recovery is far different than compensating someone for financial losses.³⁰ The EA does not address this difference and instead assumes, without any explanation that providing expenses for long term recovery is the same as paying

²⁵ EA at 17.

²⁶ EA, §VI., p. 17

²⁷ Appropriations Act.

²⁸ EA at 4.

²⁹ EA at 17. (emphasis added).

³⁰ If the MDA is suggesting that this program is exempt from NEPA because the only federal action is the writing of a check to a grantee for compensation, such a premise is inconsistent with the statutory authorization for the program, which requires that funds be used for recovery-related expenses. The fact that the measure of entitlement to expenses may be determined by past losses does not change the use to which the money may be put- expenses for long term recovery and relief.

compensation for past losses, even where that compensation is not required to be used for long term recovery.

In order to ensure that the funds are used for these purposes, the Appropriations Act mandates that:

- states receiving the funds “report quarterly to the Committees on Appropriations on *all awards and uses* of the funds.”³¹ This requirement exists regardless of how each state’s Plan for using the funds is structured;
- HUD report to Congress “with regard to all steps taken to prevent fraud and abuse of funds”;³² and
- HUD also indicated in a Notice in the Federal Register that it will, among other things, “monitor compliance with [the Congressional requirement that funds be used solely for disaster relief] and may be compelled to disallow expenditures if it finds uses of funds are not disaster related, or funds allocated duplicate other benefits.”³³

The Notice goes into considerable detail on how it will monitor and audit grantee management of the grants and uses of the funds. The MDA explains in the EA that the direct compensation approach is more desirable because it eliminates the cost and burden of complying with reporting obligations under the CDBG program. More specifically, the MDA contends that if specific use restrictions or escrows were imposed, MDA or HUD would have to monitor whether homeowners were using the money for those specified purposes and the cost of such compliance would cut into the CDBG funds. By not putting any obligations on homeowners, the agencies believe they can avoid this monitoring requirement. While we are not offering comments on whether CDBG monitoring can be avoided in this manner, it is clear that statutory reporting obligations under the Department of Defense Appropriations Act (the “Appropriations Act”³⁴) that created the Program cannot be waived³⁵. As recently as June 14, 2006, the GAO testified before Congress³⁶ regarding the potential for and reality of fraud in these kinds of assistance programs. This underscores the importance of monitoring this program to ensure not only that persons receive money for actual losses, but that the moneys are spent for the purposes Congress authorized.

The EA fails to explain how it can conclude that the direct grant program is so vague and limitless that the state cannot begin to evaluate the environmental impact of those expenditures, while at the same time there are sufficient controls and limits in place to ensure that the money is spent as mandated by Congress. The EA does not explain how Mississippi will report to Congress on the “uses” of funds when it has no control over how the borrower uses the funds.

While the MDA may favor a direct-grant disbursement method because of a perceived low administrative burden and quicker pay out, such perception -- given Congress's express limitations on the use of the funds and HUD's compliance and reporting requirements -- is illusory at best. The Program must be capable of ensuring that the money is in fact used for the

³¹ Id. (emphasis added).

³² Id.

³³ 71 Fed. Reg. 7666, 7667 (Feb. 13, 2006).

³⁴ P.L. 109-148 (Dec. 30, 2005).

³⁵ Id.

³⁶ Copy attached.

purposes authorized by Congress. We share the MDA's concern that funds be made available to grantees as soon as possible, but also believe that it is equally important that the program be structured correctly.

II. The "Escrow Approach" is a Viable and Appropriate Alternative

The EA concludes that "under the escrow approach there would be a definite environmental impact if homeowners were required by the mortgage company to repair or rebuilding [sic] on a specific site."³⁷ The MDA further concludes: "the impacts to the specific site would require site specific assessments thereby increasing the delivery cost to the homeowner who are already facing difficult financial situations and would cause further delay in the reconstruction of the affected area."³⁸ These conclusions are inaccurate and inconsistent with applicable law.

The MDA overstates the compliance burden of the "escrow approach" and fails to fully describe available exclusions to NEPA and 58.5 laws that would eliminate or substantially reduce the compliance obligations. Finally, the MDA fails to describe or evaluate "the Miscellaneous Proceeds or Conditioned Subordination," alternatives that create use requirements through operation of "private action" under the mortgage/deed of trust. We would like to address each on of these issues in turn.

A. Environmental Review Obligations for an Escrow Program are Less Onerous than Those for a Direct Payment Program

First, CDBG funds used to rehabilitate or renovate property damaged by Hurricane Katrina, and funds used to relocate, are exempt or excluded from HUD's regulations governing environmental review of CDBG grants, and therefore would be exempt from review under NEPA and other laws.³⁹ This fact is not addressed at all in the EA, although it was explained in comments submitted before the EA was completed.

Second, the MDA states that a key reason for rejecting an escrow approach is because escrows would trigger site specific environmental review requirements. This is incorrect. Subsection 58.32 of Title 24 of the Code of Federal Regulations provides that responsible

³⁷ EA at 22.

³⁸ Id.

³⁹ Section 24 C.F.R.58.35(a)(3) creates a *category exclusion* from NEPA for rehabilitation of buildings and improvements when the following conditions are met: in the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland.

Section 58.34(a) creates an *exemption* from all other environmental reviews otherwise required by Section 58.5, for the following:

i. Any of the categorical exclusions listed in § 58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in § 58.5.

ii. Payment of principal and interest on loans made or obligations guaranteed by HUD

iii. *Assistance for temporary or permanent improvements* that do not alter environmental conditions and are limited to protection, repair, or restoration activities *necessary only to control or arrest the effects from disasters* or imminent threats to public safety including those resulting from physical deterioration

Section 58.35(a)(5) creates a *category exclusion* from NEPA for the acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.

Section 58.35(b)(5) creates a *category exclusion* for activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title.

entities receiving CDBG funds "must group together and evaluate as a single project all individual activities which are related either on a geographical or functional basis, or are logical parts of a composite of contemplated actions."⁴⁰ Among the listed purposes of project aggregation is to "group together related activities so that a responsible entity can ... address adequately and analyze, in a single environmental review, the separate and combined impacts of [similar or related] activities."⁴¹

HUD regulations require that any environmental review be based on project aggregation. Were Mississippi to use an escrow type program, it could easily conclude that all of the sites occurred in a common geographic area, all were caused by the same events, and the entire program focuses on one overall project: addressing the serious housing needs of those whose homes were damaged or destroyed by Hurricane Katrina. On that basis alone it could aggregate all properties for purpose of its review.

The MDA does not explain why such site assessments would be necessary given previous blanket approvals and broad exemption authority. The fact that other "site specific" concerns, such as elevation, flood insurance and rebuilding standards, are handled through a covenant running with the land, any other property specific issue (such as land use) could be handled in this same manner.

Lastly, the MDA states that the paramount reason for not adopting the "escrow approach" was to avoid "overly-paternalistic oversight to a program focused on providing funding to needy Mississippi homeowners as quickly and efficiently as possible."⁴² If speed and cost were truly a factor, the MDA would not have conditioned grant funds on the covenants, which add tens of thousands of dollars to the cost of repair and substantial delays in the building process. Moreover, if there was ever a time to "look out for the consumer," now is that time. With unrestricted funds fraud is inevitable. On June 14, 2006, the GAO submitted testimony to Congress illustrating how unrestricted payments of money have resulted in the loss of millions, if not billions of dollars.⁴³

In addition, even for consumers who want to use the money to rebuild, unrestricted payments allow them to become the targets of fraud by others. Given the shortage of building contractors, individual consumers will be powerless against the demands of building contractors. Again, GAO illustrated this in a recent report to Congress.⁴⁴ Lenders' standard insurance process applied to grant funds, however, would offer desired controls. Lenders have a long and reputable history of instituting flexible disbursement procedures to ensure sufficient funds are given up front to homeowners to make initial payments to contractors, purchase material, perform demolition and begin major repairs or reconstruction. The EA fails to address or

⁴⁰ *Id.* § 58.32(a).

⁴¹ *Id.* § 58.32(c).

⁴² EA at 22. The EA suggests that by not having such a program, more money would be available for beneficiaries. But it is hard to believe that such a monitoring program would cost more than the \$600 million to \$1.4 billion dollars that GAO said was lost from fraud. (see footnote immediately below).

⁴³ *Hurricanes Katrina and Rita Disaster Relief: Improper and Potentially Fraudulent Individual Assistance Payments Estimated to be Between \$600 and \$1.4 Billion*. Testimony Before the Subcommittee on Investigations, Committee on Homeland Security, U.S. House of Representatives, June 14, 2006 GAO-06-844T (Washington, D.C.: June 14, 2006). Copy Attached.

⁴⁴ *Hurricanes Katrina and Rita: Preliminary Observations on Contracting for Response and Recovery Efforts*, GAO-06-246T (November 8, 2005). Copy attached.

attempt to balance MDA's concerns about avoiding a paternalistic oversight program with the very real legal and financial interest in the real estate.

Conversely, the escrow approach would facilitate compliance with this obligation by making any information gathering system easier to administer on account of the involvement of lenders in the process. Inherent in the escrow system are processes by which lenders monitor and approve uses of funds. Indeed, an escrow approach (under which lenders administer repair and reconstruction escrows) would not add to the state's burden; rather, the state would benefit from lenders' experience in administering such funds, as they routinely perform similar functions in the administration of insurance proceeds, and in the recordkeeping systems that are inherent in the lenders' escrow procedures.

Conclusion

The State of Mississippi can adopt a program that is consistent with the statutory appropriation, results in substantial rebuilding of homes damaged by the hurricanes, ensures that homeowners are able to pay off their mortgages and have a home to live in, and that contains an effective and inexpensive means of rooting out fraud which is carried out by lenders, not paid for with taxpayers dollars. We urge the state to reconsider its current program.

Sincerely,

Mortgage Bankers Association
Consumer Mortgage Coalition
Housing Policy Council, The Financial Services Roundtable