NOMINATIONS OF MATTHEW AXELROD, ALANNA MCCARGO, JAMES ARTHUR JEMISON II, AND MARK COLÓN

HEARING

BEFORE THE

COMMITTEE ON

BANKING, HOUSING, AND URBAN AFFAIRS

UNITED STATES SENATE

ONE HUNDRED SEVENTEENTH CONGRESS

FIRST SESSION

ON

NOMINATIONS OF:

MATTHEW AXELROD, TO BE AN ASSISTANT SECRETARY OF COMMERCE

ALANNA MCCARGO, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

JAMES ARTHUR JEMISON II, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

MARK COLÓN, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

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OPENING STATEMENT OF CHAIRMAN SHERROD BROWN

Chairman Brown. The Senate Committee on Banking, Housing, and Urban Affairs will come to order. Thank you all for joining us.

Today’s hearing is in a hybrid format. Our witnesses are in person. Members have the option to appear both in person or virtually. For those joining remotely, the reminders we give every hearing, there will be a slight delay before you are displayed on the screen. To minimize background noise please click the mute button until it is your turn to speak. You know of the 30 seconds on the clock. Technology issue, we will move to the next Member if there is a problem.

Speaking order will be as usual, that is by seniority of the Members who have checked in before the gavel came down, either in person or virtually, and then by seniority of Members arriving later, and we alternate, as you know, from Democrat, Republican, Democrat, Republican.

First, before addressing the four of you—and again, thank you for your willingness to serve—I would like to say a word about our Committee and our tolerance for character assassinations.

Until yesterday, I thought we all recognized that McCarthyism has no place in our democratic society. Any American citizen who fled communist repression, whether FDIC Chair Jelena McWilliams or OCC nominee Saule Omarova, should be lauded for her courage and her conviction. Anyone who hears Professor Omarova’s story of life in the Soviet Union, her family’s banishment to Siberia, and other stories will understand how offensive the attacks on her character are.

I have faith that my colleagues, on both sides of the aisle, will reject these modern-day “red scare” tactics.

The Committee meets today to consider the nominations of Matthew Axelrod to be Assistant Secretary for Export Enforcement at the Department of Commerce; Alanna McCargo to be President for
the Government National Mortgage Association, Ginnie Mae; James Arthur Jemison II to be Assistant Secretary for Public and Indian Housing at HUD; and Mark Colón to be Assistant Secretary for Community Planning and Development at HUD. Thank you again, all four of you, for joining us and for your willingness to serve our country. We congratulate you and we welcome their families and friends.

If confirmed, the nominees before us today would play a significant role in protecting U.S. national security interests, expanding housing opportunities for millions of Americans, and supporting families searching for a safe and affordable place to live, all important functions of this Committee, the Senate, and this country’s Government.

As Assistant Secretary for Export Enforcement, Mr. Axelrod would be responsible for leading a division within the Commerce Department’s Bureau of Industry and Security that detects, investigates, and deters illegal behavior.

As President of the Government National Mortgage Association, or Ginnie Mae, Ms. McCargo would play a significant role in expanding funding for mortgages and making home ownership a reality for millions of Americans across the country, including in my State of Ohio, of course.

As the Assistant Secretary for Public and Indian Housing, Mr. Jemison would be responsible for leading an office dedicated to ensuring vulnerable families across the country have a decent place to call home.

And, finally, as Assistant Secretary for Community Planning and Development, Mr. Colón would be responsible for leading an office working to support communities in all our States.

All four nominees appearing here today are highly qualified. Mr. Axelrod has a distinguished record of service as a Government prosecutor, currently detailed to the Office of the White House Counsel from the Department of Justice. Before that, Mr. Axelrod served in several roles at DOJ, working to protect our national security and working on criminal prosecutions. Welcome, Mr. Axelrod, to the Committee.

Alanna McCargo currently serves as Senior Advisor for Housing Finance at HUD. Prior to joining the Biden administration, she served as Vice President for the Housing Finance Policy Center at the Urban Institute, where she focused on reducing the racial home ownership gap and making housing more affordable. She has 10 years’ experience at Fannie Mae, including during the last financial crisis. We are glad to have you here today, Ms. McCargo.

Mr. Jemison currently serves as the Principal Deputy Assistant Secretary for the Office of Community Planning and Development at HUD. Prior to joining the Biden administration, he held numerous positions for the city of Detroit, most recently leading the city’s development agenda.

He has also served the public in Massachusetts and the District of Columbia, all working on issues related to creating vibrant, growing, affordable communities. Welcome, Mr. Jemison. We are glad to have you here today.

Our fourth nominee today is Mark Colón. He serves as the President of the Office of Housing Preservation at New York State
Homes and Community Renewal. In various roles at that agency, Mr. Colón has served the people of New York, working to build and protect affordable housing, and helping families, especially families recover from Superstorm Sandy. Welcome, Mr. Colón.

We are grateful to the nominees for appearing here today, and for their willingness to serve the American people. I look forward to your testimonies.

Senator Toomey.

OPENING STATEMENT OF SENATOR PATRICK J. TOOMEY

Senator Toomey. Thank you, Mr. Chairman, thank you. Since you brought up the issue that you described as “red scare” tactics, let me respond.

What is shocking to me is the notion that a person nominated for a very high position in our Government should not be accountable for the things they have advocated for, in writing, themselves. Every one of my criticisms of Ms. Omarova are rooted directly in things that she has said and written, mostly quite recently, and which she has characterized herself as radical ideas. I agree that they are radical, and they are dangerous, and they would be enormously harmful to our economy, and that is exactly what I pointed out in my comments on the Senate floor.

I also pointed out that some of the most wonderful, loyal, and greatest Americans that I have ever met are Americans who happened to have been born and raised behind the Iron Curtain and came to this country. That fact of her background has no bearing whatsoever on my judgment about how profoundly misguided the policies she has advocated are, and it is perfectly appropriate for us to examine those policies.

As for this morning’s hearing, I want to welcome to our nominees.

Mr. Axelrod has been nominated to serve as Assistant Secretary for Export Enforcement in the Commerce Department’s Bureau of Industry and Security, or BIS. BIS, of course, determines which U.S. goods are too sensitive to be shipped abroad. In the face of China’s drive for dominance in key tech sectors, BIS’s mission today is as important as ever.

But export controls are only as good as their enforcement. Mr. Axelrod would have the important job of overseeing that enforcement. I expect him, and I look forward to him giving his own answers to questions from this Committee, including questions for the record, and I mention that because some BIS nominees have not done that in the recent past.

Today’s other nominees would, if confirmed, fill key leadership positions at HUD. In response to COVID, Congress appropriated billions of dollars for HUD programs, in addition to the billions we normally provide for them. In March, the Democrats’ partisan spending bill sent billions more to HUD. Now Democrats are trying to use their reckless tax-and-spend reconciliation bill to provide more than $300 billion, in addition, to HUD. And unfortunately, based on their records, I am not certain that all of today’s nominees are well-suited to be good stewards of these taxpayer dollars.

Ms. McCargo has been nominated to serve as the President of Ginnie Mae. After the 2008 financial crisis, she was responsible at
Fannie Mae for implementing the Home Affordable Modification Program, or HAMP, which was intended to help borrowers avoid foreclosure. HAMP was beset with challenges. A special inspector general found that a significant share of borrowers in HAMP, people who had already defaulted because they could not afford their initial mortgage, received loan modifications then defaulted again, and GAO found inconsistencies in how loan servicers interfaced with borrowers, which GAO claimed could lead to inequitable treatment.

Fast forward to today. Ginnie Mae recently rolled out a proposal to help borrowers by transitioning them from COVID-related mortgage forbearance into loan modifications for up to 40 years. Ms. McCargo has endorsed this idea. If confirmed, Ms. McCargo will need to be vigilant to ensure the challenges that HAMP faced do not reappear for borrowers, and taxpayers, with this latest taxpayer-backed plan to subsidize certain people’s mortgages.

Mr. Jemison has been nominated to serve as the Assistant Secretary responsible for public housing and Indian housing. For almost 7 years, he worked on housing issues for Detroit, a city so chronically mismanaged that it had to file for bankruptcy in 2013. Mr. Jemison contributed to the leadership of Detroit, and that leadership often failed to revitalize blighted homes and neighborhoods on time and as promised. Amazingly, city officials admitted that they set aggressive construction timelines without any data to support them.

Mr. Jemison’s track record in Detroit is concerning because Democrats and the White House want to spend $80 billion more on public housing in this reckless spending bill that they are contemplating. If confirmed, Mr. Jemison would lead HUD’s public housing office, which would be directly responsible for this enormous amount of money.

Our last nominee today, Mr. Colón, has a particularly concerning record. He has had senior management roles at New York housing agencies that have been rife with problems, from project delays to ignoring ever-increasing tenant complaints, according to independent auditors. These failures, which occurred under Mr. Colón’s watch, give me little confidence that he would be a good steward of taxpayer dollars at HUD.

But there is something even more troubling about Mr. Colón’s record is his history of using Twitter to engage in vitriolic and profane attacks on his political opponents. Over the years, he has repeatedly mocked and attacked, by name, our Senate colleagues. He has ridiculed Senator Manchin. He referred to Senator Collins and other Republicans as “clowns.” Senator Graham he referred to as “Senator Snagglepuss” and “Senator Shameless.” Senator Rubio as “Senator Jellyfish,” Senator Paul as spineless, Senator McConnell as “MassacreMitch” and “Moscow Mitch.”

He has endorsed the slanderous claim that Republican Senators, including Members of this Committee, were “Russian stooges” for having traveled to Russia there on a CODEL. And he has gone on profanity-laced tirades about President Trump. This is just a small selection.

Unfortunately, we do not know the full extent of Mr. Colón’s statements because he has deleted some of them, shortly before
being nominated. I asked him to try to recover his deleted tweets from Twitter, but he refused to comply with this very reasonable request. And, of course, it makes you wonder—what does he have to hide?
The statements we do have from Mr. Colón are more than sufficient to demonstrate that he lacks the judgment and temperament to serve in a senior leadership position at HUD. Frankly, I am shocked and disappointed that the Biden administration did not withdraw his nomination months ago after these statements were uncovered.

Thank you, Mr. Chairman.
Chairman Brown. Thank you, Senator Toomey. Will each of you rise and raise your right hand.
Do you swear or affirm that the testimony you are about to give is the truth, the whole truth, and nothing but the truth?
Ms. McCargo. I do.
Mr. Axelrod. I do.
Mr. Jemison. I do.
Mr. Colón. I do.
Chairman Brown. Do you agree to appear and testify before any duly constituted Committee of the U.S. Senate?
Ms. McCargo. I do.
Mr. Axelrod. I do.
Mr. Jemison. I do.
Mr. Colón. I do.
Chairman Brown. Thank you.
Mr. Axelrod, and all of you, if you feel free, certainly in your testimony to introduce family members or friends, whether they are sitting behind you or you want to call them out if they are watching at home. Presumably they are watching from home.
Mr. Axelrod, please begin.

TESTIMONY OF MATTHEW AXELROD, TO BE AN ASSISTANT SECRETARY OF COMMERCE

Mr. Axelrod. Thank you, Mr. Chairman. Chairman Brown, Ranking Member Toomey, and distinguished Members of the Committee, I am honored to be here today as President Biden’s nominee to become the Assistant Secretary for Export Enforcement at the Department of Commerce. I want to thank the President and Secretary Raimondo for my nomination to this important enforcement and national security position at this critical time.

I also want to thank my family, both those in the hearing room with me today—my wife, Jami, and daughter, Sophie, who is missing her high school American Government class but getting a firsthand look here today—as well as those watching intently on their computer screens at home in Massachusetts and Florida—Sophie’s older sister, Emily, my parents, Carl and Andrea Axelrod, and my in-laws, Jon and Margie Sussman. No one does these jobs alone. It is only through my family’s collective love, support, and belief in the importance of Government service that I am able to appear before you today as a Presidential nominee.

In recent years, the export enforcement work of the Department of Commerce has become an increasingly pivotal component of our country’s national security efforts. It is essential that our adver-
saries do not have access to dual-use goods and technologies that they can put to malign purposes like terrorism, WMD proliferation, and human rights abuses. If confirmed, I believe that my deep criminal and national security enforcement experience will allow me to effectively lead the dedicated agents and analysts of BIS in meeting this national security imperative.

As a career Federal prosecutor in Miami, I was part of one of the Nation’s busiest U.S. Attorney Offices. Given Miami’s role in international commerce, both licit and illicit, our work often had international dimensions. My cases included ones against the two founders and highest-ranking members of the Cali Cartel and against a husband-and-wife team who were spying for the Cuban Intelligence Service. In all my cases as a prosecutor, both those with international angles and those that were purely domestic, I worked alongside Federal law enforcement agents. I was, and remain, in awe of all they do to help keep the American people safe.

After 6 years in Miami, I became a career detaillee to DOJ headquarters here in Washington, where I worked as a Senior Counsel to the Assistant Attorney General for the Criminal Division and then as an Associate Deputy Attorney General, responsible for overseeing the criminal enforcement work of the Department. I also later served as the Principal Associate Deputy Attorney General, where I worked with the Department’s senior leaders on the most significant national security and criminal enforcement matters at the Department.

During my time at Main Justice, I also worked closely with the career prosecutors in the National Security Division, with Federal law enforcement agencies, and with interagency partners to protect the country’s national security. I am confident that the relationships I formed, and the knowledge I gained about the importance of bringing a whole-of-Government approach to combat national security threats will serve me well, if confirmed.

While I come from an enforcement background, that is not the entirety of my professional experience. I spent much of the past 4 years in an international law firm, where my work took me around the globe, from Europe to Asia to Africa. No matter where I was in the world, people wanted to hear about United States enforcement mechanisms; it was our enforcement regimes they wanted to make sure they did not run afoul of. That experience gave me an important perspective on how best to maximize the impact of our export enforcement work. We must impose significant penalties against those who break the law while at the same time incentivizing companies to play by the rules. That way, we not only punish export violators, but also deter those violations from occurring in the first place.

I mentioned that my daughter, Sophie, is missing her high school Government class to be here today. Back when I was in high school, my classmates and I were consistently told that “from those to whom much has been given, much will be expected.” I am filled with gratitude beyond measure for what I have been given over the years, by my family, my friends, and my professional colleagues. I know that means that much will continue to be expected of me in return. If confirmed, it would be my great honor to endeavor to ful-
fill those expectations as the Assistant Secretary for Export Enforcement.

Thank you again for considering my nomination, and I look forward to your questions.

Chairman Brown. Thank you, Mr. Axelrod.

Ms. McCargo, you are recognized for 5 minutes. Thank you.

TESTIMONY OF ALANNA MCCARGO, TO BE PRESIDENT, GOVERNMENT NATIONAL MORTGAGE ASSOCIATION, DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Ms. McCargo. Thank you, Chairman Brown, Ranking Member Toomey, and Members of the Committee. It is an honor to appear before you as you consider my nomination to serve as the next President of the Government National Mortgage Association, or Ginnie Mae.

I am grateful to President Biden for nominating me and thank Secretary Fudge for her leadership and vision for the Department of Housing and Urban Development and in trusting me to lead Ginnie Mae. The historic significance of being the first woman nominated to this role since Ginnie Mae was created in 1968 is a distinct honor.

My husband, Jay McCargo, and my daughter, Alexandra, are here with me today. I thank them for being a loving source of inspiration, encouragement, and support. I want to thank my family members and friends watching virtually, and acknowledge my mother, Veronica Malveaux Brown, who has been my wise and faithful guide through life. I would also like to especially thank my amazing sons, Gerrad and Jay-Jay.

Nearly 20 years ago, I came to Washington, DC, to work on affordable housing programs at Fannie Mae. I spent a decade there, including the years of the Global Financial Crisis in 2008, which led to a U.S. housing market meltdown that ultimately left tens of millions of people without homes and with lost wealth.

Those years became an inflection point for me. I learned how fragile the system is that supported housing and home ownership in America and how quickly things could change. I saw the devastating effects that rippled across neighborhoods and households. It was heart-wrenching to see so many people in financial distress and despair and disheartening to find that many who were losing their homes to foreclosure and eviction during that time looked like me and my children.

That experience changed my perspective and helped sharpen my purpose. Stable, affordable, and accessible housing has since been at the core of my professional work in the private sector, in the nonprofit policy research work I led at the Urban Institute, and now in my public sector work with the Biden–Harris administration at HUD.

My career in housing finance and passion for the field of affordable housing is driven by my own lived experience. I understand how powerful asset building and access to credit and financing are to personal financial security. Property and home ownership have been vital to my own family for generations, and I recognize that my personal story is often not typical for a Black family.
My mother grew up on a farm that my grandfather owned in a small town near Opelousas, Louisiana, where she picked cotton and canned and farmed vegetables. Our family roots of property ownership are deep and have created a value system through generations of Black farm and landowners in my lineage. My father was an immigrant from Jamaica who came to New York and became a U.S. citizen as a child and joined the Navy after high school.

In 1969, just 1 year after the Fair Housing Act was passed and racial discrimination in housing became illegal, my parents purchased a four-unit home in a highly segregated area of the Bronx for $30,000 with some savings and a small VA mortgage loan. We lived in one of the apartments and rented out the others. My parents later bought a home in New York State, in the suburbs, in search of better schools and a safer neighborhood, and kept the house in the Bronx as a source of extra rental income.

My parents built a strong foundation for our family through home ownership. They were able to pass those benefits on to me and my siblings in the form of college tuition payments, helping us avoid student loan debt. They helped me with a gift to purchase my first home, which I was able to finance with a low-down-payment FHA mortgage.

Far too many people do not get the opportunity to plant seeds of ownership because housing is grossly unaffordable, it is impossible to save, or they lack resources or do not have parents who can help them get started. Government mortgage programs help enable home ownership opportunity.

Ginnie Mae’s guaranty enables the work of key Government housing programs that play an essential role in housing America’s veterans, low- and moderate-income households, urban, rural, and tribal communities, and helps expand access to affordable home ownership and rental for the historically and systematically underserved. In 2020, more than 70 percent of all people served by Ginnie Mae securities were first-time homebuyers.

Ginnie Mae has remained stable and reliable while quietly supporting affordable rental and home ownership for millions of people. If confirmed, I will be a faithful steward of Ginnie Mae, ensuring the program stays focused on its critical mission, keeps pace with a rapidly changing market, attracts global capital into America’s housing finance system, and protects American taxpayers.

I look forward to leading an incredibly dedicated team of public servants at Ginnie Mae and to working with this Committee, Secretary Fudge, and housing stakeholders across the globe to ensure stability, liquidity, affordability, and equity in our housing finance system.

Thank you for the opportunity to testify today. I look forward to your questions.

Chairman Brown. Thank you, Ms. McCargo.

Mr. Jemison, you are recognized for 5 minutes. Welcome.

TESTIMONY OF JAMES ARTHUR JEMISON II, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Mr. Jemison. Good morning. Chairman Brown, Ranking Member Toomey, and distinguished Members of the Committee, thank you for the opportunity appear before you today as the nominee for As-
sistant Secretary for Public and Indian Housing in the Department of Housing and Urban Development. I want to thank President Biden for nominating me, and Secretary Fudge for her support of my candidacy.

I also want to thank my family and friends for their love, support, and guidance. I am grateful to my father, James, and particularly my mother, Beverly, and my sister, Jamileh, who is joining me here today, for their guidance and support. Finally, I want to thank my wife, Annie. She has been a partner to me, our three children, and the family for the last 20 years.

HUD’s Office of Public and Indian Housing funds the operation and capital that supports 3.2 million American families every night. Public housing is at the center of many American neighborhoods, and PIH rental assistance supports many American households and landlords. Indian Development Block Grant supports many thousands of families and elders in Tribal communities every day. I am excited to work with the professionals who have maintained and supported these capital assets and voucher resources since 1938.

I have spent the last 25 years working in city planning and development, first as part of a team and later leading the development and preservation of market-rate and affordable housing units as well as the parks, streets, transportation facilities, commercial districts, downtowns, and employment centers that bring those communities together.

I have done this by bringing together the feasibility, planning, design, permitting and financing concepts—private, public, and philanthropic—required to execute these strategies. Bringing expertise together with community engagement, I have performed this work in downtowns, neighborhoods, and small towns.

Specifically, I have experience in three great American cities—Boston, Washington, and Detroit, Michigan—as well as the smaller cities and towns of Massachusetts. As part of partnerships with developers, community leaders, funders, boards, and commissions, my work has resulted in the preservation of more than 4,000 affordable units and over 3,500 new market and affordable housing units, including hundreds of public housing units.

For the last 9 months, I have had the opportunity to lead HUD’s Community Planning & Development Office as Principal Deputy Assistant Secretary. I appreciate the partnership CPD staff members and leaders have extended to me.

However, today I am particularly honored to be nominated to be the steward of this institution because I grew up in public housing. From 1983 to 1988, I lived at 693 Main Street in Amherst Massachusetts. It was a newly built unit, operated by the Amherst Housing Authority.

Amherst is what would be described as an area of high opportunity. It is college town surrounded by five colleges and farming communities.

However, this housing opportunity stabilized my family at a critical time and made a difference in my life, the difference that affordable housing makes for so many Americans every night. Making it work for more Americans has been my mission ever since I left that unit for college; for a summer fellowship program that
caused me to be interested in planning and development; and later to become a graduate student in City Planning. It is also the place that my sister, who is here with me today, left to go to medical school.

I know that well-designed and well-maintained public housing and rental assistance can work as part of the American safety net. I know this personally because I have lived it. I know it professionally because I have had affordable housing at the center of every major effort I have been involved in since I began my career.

I have spent my entire career collaborating to create better places for every kind of American, where everyone can live together. Public housing is central to this mission.

If confirmed, I will use all of my energy and experience working transform public housing, ensure that vouchers stabilize households and end homelessness, and support the strength of Tribal communities across America.

Thank you for the opportunity to testify before you today. I look forward to your questions.

Chairman Brown. Thank you, Mr. Jemison.

Mr. Colón, you are recognized for 5 minutes. Welcome.

TESTIMONY OF MARK COLÓN, TO BE AN ASSISTANT SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Mr. Colón. Thank you Chairman Brown, Ranking Member Toomey, and distinguished Members of the Committee. I am deeply honored to appear before you today as the nominee for Assistant Secretary of Community Planning and Development at HUD. I would like to start by thanking President Biden for his trust and confidence in nominating me. I would also like to thank the Committee for allowing me this time and for considering my nomination.

I must also thank my family, friends, and colleagues for their unwavering support and to recognize my beautiful and talented wife, Gina Kim, and my brother-in-law, Reverend Ryan Kim, the Senior Pastor of the Korean Presbyterian Church of Baltimore, and my cousin, Anthony Salemi [phonetic] recently retired from serving 38 years with the U.S. Department of Defense, for being here to support me today.

HUD’s Assistant Secretary of CPD oversees many of the Department’s most critical grant programs. If confirmed, I will bring nearly 20 years of relevant public and private sector experience to help advance HUD’s mission and to support the constituents who rely on these programs in your States.

But I would like to start by explaining my motivation for seeking the role. I have experienced, first-hand, the debilitating effects that substandard housing and limited economic opportunity can have on a family. My own family lost our house when I was 12 years old, and we moved into one of the few unregulated rentals in our area.

I was one of four siblings raised by a single mother, in a small working-class town in upstate New York. Our family was easily among the poorest, and we wound up with five people living in an 800-square-foot, two-bedroom apartment.

After my mom passed away when I was 20, I worked full time to put myself through college, first at Westchester Community,
then at CUNY Hunter College. I later earned a law degree from Yale University and spent 6 years working for some of the most prestigious private law firms in the world. Ultimately, however, I decided that public service was my calling, and I have spent the past 13 years overseeing statewide programs for New York's combined Housing and Community Development Agencies.

My life's experience has given me a unique perspective on the issues faced by most Americans, whether they are working class, economically struggling, or solidly middle class. I understand intimately the difference that well-run Government programs can make, both as a participant and as a program administrator. This motivates me every single day to find ways to improve Government programs so that more Americans from modest circumstances can access greater opportunities and a safe, decent place to call home.

I also believe that my professional background is uniquely aligned with CPD's mission of developing viable communities through partnerships focused on expanding opportunity for those most in need.

For instance, I have overseen one of the largest, most diverse affordable housing portfolios in the country, with more than 450,000 units, stretching from the eastern tip of Long Island to the rural North Country, bordering on Canada. I have also served as my agency's acting “disaster recovery” counsel, helping to lead New York's post-Sandy and post-Irene recovery efforts by designing policies for the award of billions of dollars in Federal, State, and local funding.

I have also served with nonprofit organizations that spearheaded disaster recovery efforts. For instance, after Hurricane Maria devastated Puerto Rico in 2015, I helped lead a collaborative effort to purchase, import, and distribute, island-wide, more than 12,000 solar lanterns equipped with emergency radios and phone chargers, nearly all delivered within weeks of the hurricane's landfall.

In short, I have worked with a range of organizations and officials of all political persuasions, in every corner of the State and beyond. I have compiled a record of providing efficient and equitable resources to people in need, where and when they need them. And I believe that those Americans most in need of these programs would benefit greatly from someone who shares their experience, can empathize with their struggles, and has a proven track record of getting things done.

Finally, I recognize the important role that this Committee plays in overseeing the Department's work. If confirmed, I commit to work in a bipartisan manner and to be responsive to the needs every Senator and their constituents, working to ensure they have access to affordable housing and every opportunity to realize the American dream.

Thank you once again for your time and this opportunity, and I look forward to answering any questions that you may have.

Chairman Brown. Thank you, Mr. Colón. Thank you all.

As you know, we operate around here in 5-minute blocks of time, and I want to ask a question of each of the four of you, so be as brief—thorough, certainly, but be as brief as you can in answering the questions. And I will ask each of you one question.
Mr. Axelrod, we got a letter signed by former DOJ political appointees in Democratic and Republican administrations supporting your nomination, as you know. As an assistant U.S. attorney you prosecuted two of the founding members of the Cali Cartel, that you mentioned.

How has your previous experience in enforcement and national security prepared you for this role?

Mr. Axelrod. Thank you, Mr. Chairman. You know, export enforcement has not had a Senate-confirmed head in over 5 years, and it has been even longer than that that they have had a former Federal prosecutor like me. I believe my past work at the intersection of criminal enforcement and national security would enable me to lead the agents and analysts of BIS effectively and with credibility, and focused clearly on our most pressing threats. And I am confident that my established relationships within Federal law enforcement, if I were confirmed, they would allow me to help build partnership and raise the profile of export enforcement, which, in turn, could help to increase deterrence and incentivize compliance.

Chairman Brown. Thank you.

Ms. McCargo, you saw the effects of the last financial crisis firsthand at Ginnie Mae and talked about the personal—you know, the impact it had on you personally that way. What do we need to do, what will you do at Ginnie Mae to make sure we do not have any avoidable foreclosures in the future?

Ms. McCargo. Thank you for the question, Senator Brown. The last foreclosure crisis did devastate millions of families, and, you know, we are coming out of a pandemic that has millions of families still in housing insecure positions, currently many of those coming out of forbearance programs that were put in place.

This is something that I know that all of Government has been focused on in terms of the interagency housing work groups with FHA, VA, USDA, and Indian Housing, working together to put strategies in place to help homeowners that are coming out of forbearances keep their homes. And Ginnie Mae has been a part of that work, and I believe that if confirmed, I would continue to work with Ginnie Mae and the teams in the interagency working group to ensure that those families find security and have a healthy recovery from this crisis.

Chairman Brown. Thank you.

Mr. Jemison, you have had extensive experience in housing community development programs at the State and local level, how important that is in this job. Tell us why investing in preserving and improving public housing is so important to you.

Mr. Jemison. Thank you, Senator, for the chance to answer this question. It is essential because so many American lives could be stabilized in this way. Preserving and creating new affordable housing, as I have shared before, make a huge difference in people’s lives. We have a chance to revitalize it in a way that is going to help us fight the impacts of climate change and it can be designed in a way that allows American families to really reach their greatest potential.

So for that reason I think it is absolutely essential to invest now, and it has been a part of the practice I have used over the last 25 years.
Chairman Brown. Thank you, Mr. Jemison.

Mr. Colón, your personal story was moving, I think, to all of us. Thank you for that. You have had extensive experience in housing and community development, including development of affordable housing and helping your community recover from Superstorm Sandy.

You would oversee critical affordable housing community development, if confirmed, homelessness and disaster recovery programs. Talk about the importance of investing in sustainable, affordable housing in communities.

Mr. Colón. Thank you for the question, Senator. I can talk for quite a while on how important the investments are, but to get to the quickest answer, in my own personal professional experience, these investments work.

I can give two quick examples. One is rural rental assistance program that New York State runs and mimics the Federal Section 8 voucher program for USDA Section 515 projects in rural areas. We increased the number of those by about 100 a couple of years ago, out of 5,000 total, and I can tell you the number of messages, emails that we got thanking us for those, for doing that and telling us how it changed their lives, one woman talked about it allowing her to buy Christmas presents, that extra subsidy money.

So, as I mentioned, these programs work, and they change lives, and they are critically important to the constituents, I believe, in all of your States.

Chairman Brown. Thank you, Mr. Colón. Senator Toomey.

Senator Toomey. Thank you, Mr. Chairman. Mr. Colón, as part of the confirmation process, the Senate, of course, reviews nominees’ past public statements. As you know, they help provide a complete picture of nominees’ policy views, judgment, and temperament. A nominee should not be able to avoid scrutiny by merely clicking a button marked Delete, but unfortunately that appears to be what you have tried to do. You deleted multiple tweets, including some with profane attacks on Republicans.

Now we recovered some through an Internet archive website, but that website is not comprehensive. And so on June 9th, I sent you a letter asking you to request that Twitter try to recover your deleted tweets. My staff followed up with you, but you have refused to comply.

So, Mr. Colón, my question is, why do you think it is OK to ignore a reasonable request for information from the Ranking Member of the Committee with jurisdiction over HUD and your nomination?

Mr. Colón. Thank you for the question, Senator. I would like to start by stating I am deeply and genuinely sorry for my prior personal tweets. To be clear, I began to delete those tweets prior to the election and long before my nomination. It was an approach that was out of character with everything in my professional and personal life.

But just to be perfectly clear, that is my way of explanation. It is not an excuse, Senator. Posting these tweets was wrong. I take full responsibility for my actions. I have apologized on the record and publicly.
Senator TOOMEY. My question is, why did not respond to my letter and that request that you retrieve those that were deleted?

Mr. COLÓN. Thank you, Senator. It is my understanding that you may have received a letter last night in response to your letter.

Senator TOOMEY. Last night? I sent you the letter on June 9th. You send me a letter—this is the first time hearing of it—the night before the hearing. Did you include all the tweets that you had deleted?

Mr. COLÓN. Thank you for the question, Senator. As I mentioned before, I began to delete any personal tweets long before my nomination. I have apologized publicly——

Senator TOOMEY. Well, it was not terribly long before, because some of the tweets are fairly recent. I mean, January 21st of 2020, you were tweeting about the impeachment. You replied to a tweet about Senator Collins saying, “It really seems like we are reliving the eighth grade with these clowns, doesn’t it?” and you included a meme of Pee wee Herman. Do you think Senator Collins is a clown?

Mr. COLÓN. Thank you, Senator. No, I do not. I am deeply and genuinely sorry for those tweets. They were out of character with everything that I——

Senator TOOMEY. You say they are out of character but there were many that we discovered that were not deleted. Then we found some through this archive. You, in October of 2019, seemed to agree with the characterization of Americans who voted for Donald Trump as “deplorables”—I would point out that almost half of Americans did vote for President Trump, half of the voters—and some of them work at HUD.

Let me bring your attention to one in particular, because it suggests a disturbing disregard for the law. On September 12, 2019, you retweeted a tweet from another Twitter user who posed a video and tweeted, “This hero stopped two undocumented immigrants who were passengers in his car from being arrested by ICE.” In response you wrote, and I quote—I think we have the tweet here—“This Brian McCormick guy is so GD badass to stand his ground against two ICE officers on behalf of two others. I am in awe of his resolve, heroic resolve, BAMF.”

All right. This is not profane insults but it suggests that you are celebrating a person who is interfering with the Federal Government’s lawful apprehension of people who entered this country illegally. Is that your position?

Mr. COLÓN. Thank you, Senator. It is not my position. As I mentioned before, I have deleted the tweets, as many as I found, long before my nomination. Once this became an issue, rather than continue to delete the remainder of those tweets and have my motivations be questioned I decided to come here to the Committee and——

Senator TOOMEY. Let me ask—do you acknowledge that it is actually against the law to interfere with a law enforcement officer’s attempt to perform a lawful arrest?

Mr. COLÓN. Thank you, Senator. I would have—I guess I am—in the general sense I would have to agree.

Senator TOOMEY. Right. And it appears in your tweet that you were celebrating someone who did exactly that unlawful act. So it
goes beyond the profane insults. It suggests a disregard for the law, at least in this regard, and who knows what the content is of those that you have chosen not to provide for us.

So, Mr. Chairman, I am running out of time. I do want to point out I have some concerns about Mr. Jemison’s history in Detroit, Ms. McCargo’s tenure at Fannie Mae. I am going to send specific questions for the record to our nominees, and I expect that these nominees, not HUD staff, will actually answer the questions, unlike some other nominees that have come before this Committee.

Thank you, Mr. Chairman.

Chairman Brown. Senator Menendez from New Jersey is recognized for 5 minutes.

Senator Menendez. Thank you, Mr. Chairman. You know, Mr. Chairman, I am glad to see that our colleagues have found the Twitter app after years of being unable to find former President Trump’s inflammatory tweets. I do not know when tweets became disqualifying for nominees, because they were certainly not a disqualifier for my colleagues on the other side of the aisle when I was the Ranking Member of the Senate Foreign Relations Committee where I saw a number of nominees put forward by the last Administration that would clearly not meet my colleague's new and rigorous standard.

For example, one individual, nominated twice by President Trump, retweeted offensive and baseless claims about Republican Senators, that I will not repeat here, including promoting fringe conspiracy theories about their families. One actually disregarded the Committee’s request, but Republican Senators voted for that person.

Another one committed IRS fraud and was potentially under investigation. I brought that to everybody’s attention. Republican Senators voted for him. He subsequently was indicted.

So this goes far beyond anything that the nominees before us have said, and I do not recall our colleagues speaking up in righteous anger, let alone sending letters against the last Administration’s nominees. So I do not think we should be pretending to hold these nominees before us to a different standard than those that Republican Senators voted for in the last Administration.

But there is a fundamental difference between those nominees and these. These nominees are qualified for their job.

I have to say Mr. Colón brings years of experience and dedication to HUD, if he were to be confirmed. Not only did he work on Sandy recovery, which as a New Jerseyan this is very important to me, but he currently oversees 450,000 affordable housing units. Mr. Colón embodies the type of nominee we would like to see more of—highly qualified, experienced, and, by the way, representatives of the communities that they serve.

So I am happy to see he has been nominated to HUD, and I would hope the Biden administration follows through with more Latino nominations for this and every other agency.

With that let me turn to my questions. Mr. Colón, we are nearly 9 years since Hurricane Sandy, which devastated New Jersey and New York and Northeast. What followed after the deadly natural disaster was a manmade disaster caused by a maze of FEMA, SBA, and HUD programs. After fighting in Congress to secure billions in
CDBG–DR funding, my constituents used that aid to rebuild their homes and follow the rules in good faith.

Nine years later, HUD is attempting to claw back from New Jerseyans the money they used to repair their homes and get back on their feet. I think this is absolutely ridiculous.

So my question to you is, if you are confirmed, will you commit to working with my office to provide relief for Sandy survivors so that New Jerseyans who tried to follow the rules are not faced with unfair clawbacks?

Mr. Colón. Thank you for the question, Senator. I am always open to legitimate solutions that will help families to better recover from natural disasters. If confirmed, I would be open to further discussing this issue with your office.

Senator Menendez. OK. Well, I hope that that leads to a more conclusive answer. If people followed the rules, as they existed at the time, were not told that you were going to get a HUD loan and an SBA loan, and that therefore there was duplications, but you were not told that at the beginning, it is unfair to then subsequently tell them, “Sorry, you should not have done that.” But you did not tell they you should not do that. You don’t think that is the way the Government should act, do you?

Mr. Colón. I do not. I am unfamiliar with the specific circumstances, Senator.

Senator Menendez. Take my scenario for truth for the moment. Would you think that is an inappropriate scenario?

Mr. Colón. Inappropriate, I am sure whether it is legal or not. I am not sure whether the authority for that determination rests with my office or whether Congress would have to address it.

Senator Menendez. Mr. Axelrod, the President, as a candidate, promised that he would return the jurisdiction of the export licensing of semiautomatic weapons from the Commerce Department back to the Department of State, from which President Trump took it. And, of course, the President can do this by simple regulation without the need for legislative approval. Until that happens, the Department is providing no information to Congress as to what lethal weapons, including sniper rifles, assaults rifles, and others, are being sold to what countries or foreign persons, in what quantities, and under what conditions.

Do you support the President’s promise to return jurisdiction to the Department of State, and until that is ultimately implemented will you commit to provide to the Committee of jurisdiction over arms sales specific information about what weapon sales are being considered for export?

Mr. Jemison. Thank you, Senator. I do not know enough about the policy issue to have a view on—I know you feel very strongly about it. On the enforcement side I do not have a view on where those authorities should lie. But I will commit to you that until they are returned to the munitions that, if confirmed, I would make sure that we enforce aggressively. I also would commit to you, Senator——

Senator Menendez. OK. I do not want to hear about enforcement. I am asking a simple thing, and, you know, it is amazing. I am trying to help you guys, but you are not helping yourselves.
Information—that is all I want. I am not asking you to enforce. I want simple information. I chair the Senate Foreign Relations Committee. We have jurisdiction over arms sales. All I want to know is who the hell you are selling it to, and you cannot tell me that? How do you expect me to give you my vote? Explain to me.

Mr. JEMISON. Well, Senator, when it comes to information—and apologies for not getting to that part of my answer more quickly—when it comes to information I do believe it is important, of course, for committees of jurisdiction to get the information they need to fulfill their oversight responsibilities, and I will work with you, with the Department of Commerce, if confirmed, to make sure you have the information necessary to do your job.

Chairman BROWN. Thank you, Senator Menendez. I believe Senator Scott and Tillis are not remote. OK. Then Senator Tester is recognized for 5 minutes.

Senator TESTER. Thank you, Mr. Chairman. I want to thank you and the Ranking Member for holding this hearing.

I cannot speak for any other State, but have got a notion they are in the same boat Montana is. Housing is at a premium. There are businesses that cannot expand because of lack of workforce housing. There are startups that cannot startup because of lack of workforce housing. And the houses that are there are really expensive because demand has driven the price way up, over the last 18 months.

So, Ms. McCargo, how will you address barriers, or can you address barriers in your position to home ownership, across the country but particularly in rural America?

Ms. McCARGO. Thank you for the question, Senator Tester. The issues that you are raising in Montana are present all across the country. Home ownership—and I said this in my opening statements—is grossly unaffordable on a nationwide basis. Housing, not only for homeowners but also for renters, families are paying incredible amounts and are incredibly cost-burdened by the cost of their housing.

This is an issue that, if confirmed, you know, my role in sort of being able to effect home price appreciation and the things that are happening is limited. But we are going to be there. Ginnie Mae is there to support millions of families by providing capital, liquidity, and making sure that new rental housing projects that are financed and new home ownership opportunities that require mortgages have the capital that they need, and that is my commitment to being able to ensure that that continues.

Senator TESTER. Mr. Jemison, you are going to be head of Public and Indian Housing, in Indian country, at least the large land-based Tribes that do not have any gaming. I can speak for them because those are the ones in Montana, and there are other parts of the country too. Poverty is very high.

I have said this before, but I was wanting to get Booker out to Montana so we could compare what urban poverty and rural poverty looks like and the challenges that exist both places, what is the best way for solutions, and particularly for housing. Because as people have pointed out in this panel already there are multiple generations living in one house in Indian country.
How will you work to make sure that there is more housing availability in Indian country?

Mr. Jemison. Senator, thank you for the chance to answer this question. One of the things I am most excited about doing, as part of this job, if confirmed, is going to Indian country and engaging in the Nation-to-Nation consultation that our President has called for, and through that begin to work on a range of the housing issues in Indian country. You know, by way of example, there is Section 184 loan guarantee program about which there has been a lot of recent discussion, working to get title so that people can acquire homes that they want to acquire on Indian land.

Another example, I mean, I have had a chance to get focused on many of the best practices and great projects that have come out of that Nation-to-Nation Tribal consultation, if I am confirmed, one of my first actions is going to be to go and begin that discussion, because I think that is the way, in all of my work, I have been able to help people develop the housing that they need in their community, using the resources available through HUD to make it possible.

Senator Tester. OK. I want to talk a little bit about vouchers, and help me understand this, OK? I know some people that have some rental units in a town very close to me that were approached by a bigger company that says it will rent your house for you, and we will get your more money than you could ever get renting it, than you could ever get with somebody using vouchers. Can you explain to me why that would be, number one, and number two, what you would do about it? Because, you know, vouchers are there to help people pay their rent, but if the house is not available because people can make more money renting it to people who do not have vouchers it does not get us where we need to be. Could you talk about that?

Mr. Jemison. Thank you, Senator, for the chance to answer your question. To make sure I am understanding, a person, who you are speaking about, said that they could make more money by not renting to voucher holders?

Senator Tester. That is correct. That is correct, because a bigger rental outfit has come in and said, “Hey, look, you know, here is the deal. We can make you more money.”

Mr. Jemison. So the issue would probably be that fair market rents, or FMRs, in that area are lower than market rents——

Senator Tester. Yep.

Mr. Jemison. ——and that there has maybe been such a rapid appreciation based on my understanding of your conversation before, such a rapid appreciation——

Senator Tester. Yep.

Mr. Jemison. ——in price that the FMRs have not been adjusted yet.

Senator Tester. So I am out of time, but can you tell me how we fix it? Is it as simple as you fixing the FMRs, or do we have to fix them, or is it something else that we have to do?

Mr. Jemison. FMRs need to be adjusted so that they better reflect the market. There is an annual change system that goes through with that, but I think it is something—it sounds like we
need to move more quickly so that we are more responsive to every part of the country in this way.

Senator Tester. All right. Thank you. Thank you, Mr. Chairman and Ranking Member.

Chairman Brown. Thank you, Senator Tester. Senator Smith, I believe, is online from her office. She is recognized for 5 minutes.

Senator Smith. Well, good morning, Mr. Chair, Ranking Member, and welcome and congratulations to all of our nominees today. I am grateful for your willingness to serve our country.

I am going to direct my questions today to Mr. Jemison. Thank you so much, sir, for the great conversation we had recently, and I just want to follow up on those conversations.

So the first question is about life and safety and fire issues in public housing. As we discussed, on Wednesday morning at 3:56 a.m., in November of 2019, 1 day before Thanksgiving, Minneapolis firefighters were dispatched to the Cedar High high-rise, which is a 49-year-old high-rise public housing building. And when they arrived they found a fire on the 14th floor of that building.

The firefighters went to work. They attacked the fire and they called for backup, but tragically, five people were killed before firefighters were able to bring the fire under control. And according to the fire marshal, if the building had been equipped with fire sprinklers, which it was not, those deaths would not have occurred.

So I am committed to making sure that this kind of tragedy does not happen again in public housing. HUD estimates that there are 185,000 high-rise public housing units in this country that do not have fire sprinklers.

So, Mr. Jemison, if you are confirmed, what will you do to make sure that this kind of tragedy does not happen again, and where does this problem rank, the problem of sprinklers in buildings, or lack of sprinklers in high-rise buildings? Where does it rank on your list of priorities to work on in public and Indian housing?

Mr. Jemison. Senator, thank you for the chance to answer this question, and I enjoyed our conversation earlier this week.

As I mentioned, one of the things I am most focused and interested in is working on Indian housing matters, but first and foremost we are part of a system of ownership and property management all around the country. So in that respect, we are supposed to provide safe, clean, and decent housing. Safe is the first part of that phrase. So making sure that life safety improvements are part of the—the number one priority in the capital rehabilitation of public housing, we share that passion together. It has got to be number one. Our housing authority leaders are faced often with more than one crisis that they have to address, but life safety has got to be the first one.

So what I think you are going to see me focus on is highlighting the critical nature of these improvements and then ideally, if there are additional resources available to the public housing system it will be faster, and we can even accomplish more above and beyond life safety if we have additional resources.

So it is going to be my focus, like yours, on life safety improvements as part of the current capital allocations that our housing authorities receive.
Senator SMITH. Well, Senator Brown and I and many of us on this Committee are working hard to make sure that you do have additional resources so that people who are living in public housing have a decent place to life and a safe place to life, and putting fire sprinklers, in my mind, at the top of that list for life safety is urgently important so that the tragedy of what happened at the Cedar High Apartments in Minneapolis is not duplicated in the 185,000 units around the country that also do not have sprinkler systems. So it is crucially important to me.

We just have a minute left, and I wanted to just maybe follow up a little bit on Senator Tester's question about the significant challenges of housing in Native communities. You and I also had a chance to speak about this earlier this week. Could you just tell us a little bit more about how you would approach your leadership of the Office of Native American Programs at HUD and what you will do to familiarize yourselves with the unique housing challenges that Native communities face, especially on Tribal land?

Mr. JEMISON. Thank you, Senator, for this question. So as I mentioned when we talked about this, one of my first actions is going to be beginning to engage through the Nation-to-Nation consultation process to get an understanding of what—because again, each Tribe is different and has different challenges.

But one challenges I know that you and I have talked about, on which you are particularly focused, is the Section 184 loan guarantee program, and the hindrance, frankly, that is coming out of the Administration of that program historically. I am committed to helping you with that, moving our agency and BIA together to more quickly clear title.

Senator SMITH. Thank you very much. Thank you, Mr. Chair.

Chairman BROWN. Thank you, Senator Smith. Senator Van Hollen is recognized for 5 minutes.

Senator VAN HOLLEN. Thank you, Mr. Chairman. Congratulations to all of you on your nominations.

Mr. Colon, let me start with you, and the question is going to relate to using home grants to increase home ownership opportunities, because, as you know, we have a big housing shortage in the country. But when you look at the HOME Investments Partnership Program, since it began in 1992, $36 billion in home funding that has been spent, $21 billion of that has gone to rental housing activities while only $9 billion has gone to home buyer activities. And I have heard from lots of community groups in Maryland, including an organization called BUILD—I do not know if you are familiar with them—also from Metro IAF, and according to them there is just not enough funding from home directed to these home ownership purposes.

There was a program, and a successful one, launched a long time ago called the Nehemiah housing program in Brooklyn. It was successfully implemented in East Baltimore. Can you identify some of the barriers that exist in the current HOME program that is essentially preventing it from being used for those kinds of, I think, creative and successful housing programs?

Mr. COLON. Thank you, Senator, for the opportunity to address this important issue. I share your concern with the increasing cost
of home ownership and home construction. I know that home ownership is an important priority for Secretary Fudge.

In my own experience, HOME has been a critical and very effective program for States and communities. However, I understand the use of home ownership under HOME has declined over time, as well as the statistics that you mentioned.

If confirmed, I commit to working with Congress to identify and address any statutory, and working with my team, to identify regulatory issues. I do understand that there are some issues with, I believe, the pricing and some flexibility that I commit to sitting down with my team, if and when I am confirmed, and making those a priority to make sure that HOME is more flexible and that we can get those home ownership rates up.

Senator Van Hollen. I appreciate that. You know, we have to obviously focus on both sides of the equation. We have to increase the supply of homes overall. We also, in my view, need to ensure supply of choice vouchers, especially focused on families with kids, and give them mobility and wraparound services. But just looking at the HOME program, it does seem like a disproportionate amount of the funds were used to build the rental properties or help with that piece of the equation and not enough in terms of providing paths to home ownership for lower-income and middle-income families. My understanding is there are these impediments, and hopefully we can address them in a regulatory manner.

Ms. McCargo, congratulations on your nomination. I want to ask you about increasing access to consumer credit in a safe and sound way. In August, Fannie Mae announced that it would launch a new feature in its underwriting system that incorporates consumers’ rent payments in a mortgage credit evaluation process. Single family lenders with permission from mortgage applicants will be able to automatically identify recurring rent payments in the applicant’s bank statement data, to deliver a more inclusive credit assessment that would also comply with safety and soundness requirements.

I know you worked at the Urban Institute and your research focused on reducing racial home ownership gaps, increasing housing affordability and reducing barriers to accessing credit. I am asking you at Ginnie Mae, whether you would consider applying this same expanded, more inclusive credit rating approach that Fannie Mae has adopted.

Ms. McCargo, Senator, thank you for that important question. You raised one of the critical barriers to entry into home ownership which is access to credit and credit history and credit scoring, and that has been part of my past work has really focused on the over 25, 30 million Americans that do not have a credit score at all. Many of them are renters. Many of them have positive rental history. And that is a major barrier to being able to get your first home if you do not have a credit history.

So I have studied this issue. I have seen the recommendations at Fannie, that the GSEs are putting out around rental income as a way to become a homeowner. And if, if confirmed, at Ginnie Mae while we do not do direct underwriting work, would work with any program that the FHA, VA, Rural Housing Service, or Indian country home ownership programs would look at to expand access to
credit for more Americans, and Ginnie Mae would be there to support those programs.

Senator Van Hollen. I appreciate it. It just seems to me a way to move relatively quickly to expand home ownership opportunities by addressing the credit issue. Thank you.

Thank you, Mr. Chairman.

Chairman Brown. Thanks, Senator Van Hollen. Senator Tillis from North Carolina is recognized for 5 minutes.

Senator Tillis. Thank you, Mr. Chairman, and congratulations to the nominees before the Committee.

Mr. Colón, I think it is true, and I think some people have talked about it—I have been watching this from my office—that some people want to change the discussion back to maybe some of the inappropriate tweets of President Trump. I actually publicly criticized some of those tweets, but the American people elected him. And now it almost seems like these are not things that we should consider for any nominees coming before the Committee.

I was just in a Judiciary Committee hearing this week where one of the nominees, 31 years ago, made a statement, and was roundly criticized by some of my colleagues on my side of the aisle, and I saw that as a statement that this person has twice now before me regretted. That was maybe a lapse of judgment.

But the concern that I have with you, as a nominee, is a pattern of behavior, and quite honestly, it is unprecedented in my six-and-a-half years being in the Senate.

We frequently hear that retweets do not equal endorsements. What are your thoughts on this?

Mr. Colón. Senator, thank you for the question. I would like to start by saying, again, in connection with those tweets, they were wrong and a personal approach that I have never—I engaged in for the first and only time in my life.

Senator Tillis. How about some of your actual quotes, those that have to naturally—and if it was not just one but multiple, have to really express your thoughts and feelings.

Mr. Colón. I am sorry, Senator. I did not understand the question.

Senator Tillis. Well, Mr. Colón, how many people will work in the organization you are seeking confirmation for?

Mr. Colón. In HUD, Senator?

Senator Tillis. Yeah.

Mr. Colón. Thousands.

Senator Tillis. Mm-hmm. You know, you would be the administrator of many grant programs run by HUD, and they would be in blue States, they would be in purple States, they would be in red States. You would be in an organization that has thousands of people, who probably run across the political spectrum.

So with that in mind, many people who probably voted for Trump, probably supported him both times that he ran, can you explain to me what the acronym PAB, or PPAB means?

Mr. Colón. To be honest, Senator, I do not recall, but I can tell you that——

Senator Tillis. Well, we have got a graphic here, if it helps.

Mr. Colón. Thank you, and I just want to say, I appreciate your concerns and I understand completely.
Senator Tillis. But coming in as a manager of this organization, again, I have read your letter. I understand you are remorseful. But the fact of the matter is the information is out there, and what Senator Toomey said earlier, some of it is not out there and we have not been able to get it from you. We can probably have people go back on WayBack or other platforms and find it.

This is what we know, and this is what you were comfortable with saying in what is clearly a public setting. Nobody believes when they go on Twitter it is a private setting, people sitting around cutting up, like we all do.

You know, this is a pattern of behavior, and you are seeking a management role in an organization where I would have to believe people would say that it would be threatening to know that their boss has—even if you regret the words, the sentiment is the same. Even if the language was cleaner, the sentiment is the same. And it would just lead me to believe it could create a toxic—how could anybody who has this view, and maybe they were on Twitter and said, “I support Donald Trump,” how could they have any reasonable expectation that they would be treated fairly under your management?

Mr. Colón. I can tell you that, Senator, in 13 years of administering some of the largest housing programs in the country, working collaboratively across the aisle with both Republican and Democratic officials, in rural, suburban, and urban regions, I am unaware of a single complaint of partisanship or bias or inappropriate behavior against me or my office. I understand the concerns you are raising. I could only point out that record, and I could only offer my apology and commit to you that if confirmed, I can tell you that I am 100 percent committed to working collaboratively, and as I have my entire career, in a bipartisan fashion to address the important issues in every State.

Senator Tillis. Well, Mr. Colón, I just feel like statements that you have made about female anchors on television, this interaction that I will submit for the record, it just really makes me wonder why—you knew this going into it—why you even decided to come forward. I think it raises questions. There are going to be people in an organization you are seeking confirmation for that I believe would have grave concerns.

And to the other nominees, I am going to submit some questions for the record. I know that it does not completely swim into your lanes on manufactured housing and a couple of other issues, affordable housing, but we will get back with you all for questions for the record.

Thank you, Mr. Chair.

Chairman Brown. Thank you, Senator Tillis.

Senator Ossoff is recognized for 5 minutes from Georgia, from his office.

Senator Ossoff. Thank you, Mr. Chairman. Thank you to the panelists. Congratulations on your nominations, and thank you for your willingness to serve.

Mr. Jemison, I would like to engage with you on the question of affordable housing. We have an affordable housing crisis in Georgia. Just to illustrate that, there is a shortage of nearly 200,000 affordable housing units in our State. It is a crisis in all of our major
metro areas and in rural areas. It is a crisis in metro Atlanta. It is a crisis in Savannah. It is a crisis in Columbus, in Macon, and Athens.

What I want to ask you, Mr. Jemison, is, do you agree that it is vital that we respond to this crisis by making policy that increases the available stock of housing for prospective home buyers and renters, and what policies do you believe that Congress could implement or the Executive alone could implement that will increase housing supply, where a shortage of housing in metro Atlanta, across the State of Georgia, is driving this crisis?

Mr. JEMISON. Senator, thank you for the chance to answer this question. I agree that there needs to be significant investment to create additional affordable housing supply. The role that housing authorities can play in this is very great. There is current discussion, and I do know that the Build Back Better proposal includes what would be historic and once-in-a-generation investments in affordable housing.

In particular, they would address the shortage of affordable housing in all of our communities. The public housing section’s role in this is to create affordable housing that serves the very lowest-income Americans and also through vouchers serves a broad range of Americans. We can be part of the supply solution if we have the resources to do it.

The resources proposed in the Build Back Better plan have the chance to really help us bring public housing into the 21st century and make it the kind of asset that we all know that it can be, that it needs to be, to answer the supply questions that you are asking.

Senator OSSOFF. Well, thank you, Mr. Jemison.

Mr. Jemison, I would like to secure a commitment from you and Mr. Colón that you will come to the State of Georgia, that you will visit, at minimum, the city of Atlanta and the city of Savannah and the city of Columbus to meet with local elected officials and leaders and my team to help chart a course, a strategy, for increasing the availability of affordable housing in our State, working with Federal partners.

Mr. Jemison, can you give me that commitment?

Mr. JEMISON. Senator, I would make that commitment today, to come to Georgia and meet with you and elected officials hopefully, housing authority leadership as well. Creating a strategy with numbers and measurables has been part of my work for 25 years, along with community engagement, and I would love to bring that personally to visit with you in Georgia.

Senator OSSOFF. Thank you. Mr. Colón, will you head to Georgia, if confirmed, to help map out a strategy to make more affordable housing available to Georgians?

Mr. COLÓN. Thank you, Senator. If confirmed, I would be more than glad to come to Georgia and to collaborate with my colleague, Arthur, to do as much as possible as we could to address the issues in the State of Georgia.

Senator OSSOFF. Thank you.

Ms. McCargo, in 2007–2008, GSEs played a significant role in the development of crises in the housing market and in the market for mortgage-backed securities that precipitated the financial crisis. What are the most important lessons learned from that time that
you will apply, if confirmed to this position, to ensure that we avoid financial contagion that can emanate from the housing market or the MBS market and threaten financial stability and the broader economy?

Ms. McCargo. Thank you very much for that question, Senator. There are many lessons learned from the prior crisis, and, you know, the current pandemic and the current housing crisis that we are in is very different than the last crisis, and many safeguards have been put in place. Many new tools are now available that were not available during the last crisis. Congress has moved quickly to put forbearance in place through the CARES Act, which has had a tremendous effect on giving ample time for the industry, servicers, and otherwise to respond to this and to ensure that borrowers stay in their homes, who are able to do so and endure this recovery.

So I commit to working with you, Senator, if I am confirmed, to be the President of Ginnie Mae, to ensure that all the loss mitigation options that are in place are protective and that we are constantly stewarding and making sure that there is safety and soundness in the systems, and the underlying risks that exist with Ginnie Mae issuers, that are real and important and will be a priority for me.

Thank you, Senator.

Senator Ossoff. Thank you, Ms. McCargo. Thank you Mr. Chairman.

Chairman Brown. Thank you, Senator Ossoff. I believe that is all the Senators who are online or in person.

Oh, Senator Cortez Masto is still here. Senator Cortez Masto is recognized from her office.

Senator Cortez Masto. Thank you, Mr. Chairman. Thank you everyone. Congratulations to the nominees.

Let me say this, Mr. Jemison. You are going to be very busy, if nominated, because I am going to invite you to Nevada as well. We have 27 Tribes in the State of Nevada. And let me align myself with the questioning from Senators Tester and Smith. My goal has been working with our Tribal communities to really improve home ownership for Native Americans. And as you rightfully touched on, unfortunately, in Nevada, very few home loans were made with HUD Section 184 loan guarantee program.

So I am looking forward to you coming out for that Tribal consultation and working with our Tribes and so many others on home ownership.

But let me just put something on your radar as well, which is manufactured housing. Native Americans who buy homes on reservation land buy manufactured homes. About one-third of new homes on Tribal land are manufactured homes, and the Federal Reserve research finds that manufactured home loans are much more likely to be high-cost loans.

So, Mr. Jemison, if confirmed, I am hoping that your office would help us improve the manufactured home market to lower the cost of mortgages for home buyers, especially Native Americans purchasing manufactured homes. Can you commit to that?

Mr. Jemison. Thank you, Senator, for the chance to answer the question. Just to make sure that I am hearing you properly, the
question is, I am definitely interested in meeting the right group of people to address the home loan crisis that you are talking about. I am not certain that the specific loan program that you are talking about is under the control of my section.

But one of the things that I enjoy about my work, and I know is true about ONAP, the Office of Native American Programs, is that we often convene and bring together the people that are required to resolve an issue. So I would be very happy to bring together, if it is FHA, if it is my colleague, Ms. McCargo, whatever organizations are required to be brought together to address this issue, I am going to be there to make sure that it happens.

And I would just further say that I have had some experience with manufactured housing and know some of the underlying issues there, and as a part of my work at ONAP I am excited about being able to address some of them, because they are important. They are important to not just Tribes but every part of the country and every kind of American.

But I am particularly excited about working with you on this and convening that group of people.

Senator CORTEZ MASTO. Thank you. And thank you for your comments because I could not agree more. I am really kind of disappointed, at times, when individuals just work in their silos and they do not think outside the box in Federal Government and pull partners together. And so that is what I am looking for is that collaboration. When you see an issue it may not be within your specific jurisdiction, but you reach out to others within Federal Government to help find solutions to the problems and bring them into the conversation. So thank you for that. That is so important.

Ms. McCargo, let me ask you this. Why is it important that the Senate confirm a Ginnie Mae president? I know we have not had a Senate-confirmed leader at Ginnie Mae for years.

Ms. MCCARGO. Thank you for that question, Senator. Ginnie Mae has been without a Senate-confirmed leader since 2017. You know, there are a lot of reasons why this is—Ginnie Mae, over this period of time, over the last decade, has grown tremendously in terms of the assets under management and the risks that are present, and there have been great career staff that have been there. But without a confirmed leader that is—really, that the Senate has backed, the United States Government guarantee that Ginnie Mae offers is one of the most important elements of what Ginnie Mae is and what makes our securities, puts them in so much demand across the globe.

And so having a leader confirmed by the Senate, and backed by the Senate, to support the guarantee of the U.S. Government, full faith in credit, is absolutely crucial. And I look forward to, if confirmed, having the opportunity to demonstrate that and show the leadership that Ginnie Mae and the security, the stability of the security will have and what that will mean for the growth of the agency going forward.

Senator CORTEZ MASTO. Thank you. I appreciate, again, your answers. Let me put another thing on your radar.

I know in 2018, Ginnie Mae launched a modernization campaign called Ginnie Mae 2020. It was a 3-year strategic plan to have its data centers running on cutting-edge technology, to realign its
counterparty risk management framework, to help bring in additional financing for mortgage servicing rights, and expand its global investor base through outreach and education in dozens of countries across the globe.

If confirmed, would you continue with the Ginnie Mae 2020 initiative, or would you change it in some way?

Ms. McCargo. Thank you for that question. The Ginnie Mae 2020 initiative, you know, by all accounts has been very successful. The efforts to modernize the securitization platform are crucial. We need to have state-of-the-art technology that runs this business. And the counterparty risk management work that this team has put in place over the last 5 years, and even very recently, in the last two to 3 years, is critical and has to be second to none.

And so the stress testing, the work that they are doing to make sure that counterparties are safe, these are really important innovations, and a lot of the work from the 2020 plan is still underway. Much of it has been completed and there is a lot more to do.

So I do commit to you that if confirmed, I would continue to work with the team on modernization of the platform and ensuring that our risk management is sound.

Senator Cortez Masto. Thank you. Mr. Chairman, I know I am out of time. I will submit the rest of my questions for the record. Thank you.

Chairman Brown. Thank you, Senator Cortez Masto. Thank you to the nominees for being here today and providing testimony and a productive discussion of the issues. I hope we can work together as a Committee to move forward quickly on the nominations of these four very qualified nominees.

For Senators who wish to submit questions, those questions are due at the close of business on Wednesday, October 13th. We would ask each of the four of you to have your responses back to us by noon on Tuesday, October 19th.

Thank you again for your testimony. With that the hearing is adjourned.

[Whereupon, at 11:26 a.m., the hearing was adjourned.]

[Prepared statements, biographical sketches of nominees, and responses to written questions supplied for the record follow:]
PREPARED STATEMENT OF CHAIRMAN SHERROD BROWN

First, I would like to say a word about our Committee and our tolerance for character assassinations. Until yesterday, I thought we all recognized that McCarthyism has no place in our democratic society.

Any American citizen who fled communist repression—whether FDIC Chair Jelena McWilliams or OCC nominee Saule Omarova—should be lauded for her courage and her conviction.

Anyone who hears Professor Omarova’s story of life in the Soviet Union will understand how offensive the attacks on her character are.

I have faith that my colleagues, on BOTH sides of the aisle, will reject these modern-day “red scare” tactics.

The Committee meets today to consider the nominations of: Matthew Axelrod to be Assistant Secretary for Export Enforcement at the Department of Commerce; Alanna McCargo to be President for the Government National Mortgage Association; James Arthur Jemison II to be Assistant Secretary for Public and Indian Housing at HUD; and Mark Colón to be Assistant Secretary for Community Planning and Development at HUD.

We congratulate the nominees and thank them for appearing here today. We welcome their families and friends in attendance, and watching from home. If confirmed, the nominees before us today would play a significant role in protecting U.S. national security interests, expanding housing opportunities for millions of Americans, and supporting families searching for a safe and affordable place to live.

As Assistant Secretary for Export Enforcement, Mr. Axelrod would be responsible for leading a division within the Commerce Department’s Bureau of Industry and Security that detects, investigates, and deters illegal behavior.

As President of the Government National Mortgage Association, or Ginnie Mae, Ms. McCargo would play a significant role in expanding funding for mortgages and making home ownership a reality for millions of Americans across the country, including in Ohio.

As the Assistant Secretary for Public and Indian Housing, Mr. Jemison would be responsible for leading an office dedicated to ensuring vulnerable families across the country have a decent place to call home.

And, finally, as Assistant Secretary for Community Planning and Development, Mr. Colón would be responsible for leading an office working to support communities in all our States. All four nominees appearing here today are highly qualified.

Mr. Axelrod has a distinguished record of service as a Government prosecutor. He is currently detailed to the Office of the White House Counsel from the Department of Justice.

Welcome to the Committee, Mr. Axelrod.

Alanna McCargo currently serves as Senior Advisor for housing finance at HUD. Prior to joining the Biden administration, Ms. McCargo served as Vice President for the Housing Finance Policy Center at the Urban Institute, where she focused on reducing the racial home ownership gap and making housing more affordable.

Ms. McCargo also has 10 years of experience at Fannie Mae, including during the last financial crisis.

We are glad to have you here today, Ms. McCargo.

Mr. Jemison currently serves as the Principal Deputy Assistant Secretary for the Office of Community Planning and Development at HUD. Prior to joining the Biden administration, Mr. Jemison held numerous positions for the City of Detroit—most recently leading the city’s development agenda.

He has also served the public in Massachusetts and the District of Columbia, all working on issues related to creating vibrant, growing, affordable communities.

Welcome, Mr. Jemison. We are glad to have you here today.

Our final nominee today is Mark Colón.

Mr. Colón currently serves as the President of the Office of Housing Preservation at New York State Homes and Community Renewal.

In various roles at that agency, Mr. Colón has served the people of New York, working to build and protect affordable housing, and helping families recover from Superstorm Sandy. Welcome, Mr. Colón. We are grateful to the nominees for appearing here today, and for their willingness to serve the American people in these important roles. I look forward to your testimonies.
Mr. Chairman, thank you. And welcome to our nominees.

Mr. Axelrod has been nominated to serve as Assistant Secretary for Export Enforcement in the Commerce Department’s Bureau of Industry and Security, or BIS. BIS determines which U.S. goods are too sensitive to be shipped abroad.

In the face of China’s drive for dominance in key tech sectors, BIS’s mission today is as important as ever. But export controls are only as good as their enforcement. Mr. Axelrod would have the important job of overseeing that enforcement. I expect him to give his own answers to questions from this Committee, including questions for the record, in a timely and transparent manner, which is something BIS nominees have not always done.

Today’s other nominees would, if confirmed, fill key leadership positions at HUD.

In response to COVID, Congress appropriated billions of dollars for HUD programs, in addition to the billions we normally provide for them. In March, the Democrats’ partisan spending bill sent billions more to HUD.

Now Democrats are trying to use their reckless tax-and-spending reconciliation bill to provide more than $300 billion to HUD. Unfortunately, based on their records, I’m concerned that today’s nominees may be ill-suited to be good stewards of these taxpayer dollars.

Ms. McCargo has been nominated to serve as the President of Ginnie Mae. After the 2008 financial crisis, she was responsible at Fannie Mae for implementing the Home Affordable Modification Program, or HAMP, which was intended to help borrowers avoid foreclosure.

HAMP was beset with challenges. A special Inspector General found that a significant share of borrowers in HAMP—people who had already defaulted because they couldn’t afford their initial mortgage—received loan modifications then defaulted again. And GAO found inconsistencies in how loan servicers interfaced with borrowers, which GAO claimed could lead to inequitable treatment.

Fast forward to today. Ginnie Mae recently rolled out a proposal to help borrowers by transitioning them from COVID-related mortgage forbearance into loan modifications for up to 40 years. Ms. McCargo has endorsed this idea.

If confirmed, Ms. McCargo will need to be vigilant to ensure that the challenges that HAMP faced do not reappear for borrowers—and taxpayers—with this latest taxpayer-backed scheme to subsidize certain people’s mortgages.

Mr. Jemison has been nominated to serve as the Assistant Secretary responsible for public housing and Indian housing. For almost 7 years, he worked on housing issues for Detroit, a city so chronically mismanaged that it had to file for bankruptcy in 2013.

Under Mr. Jemison’s leadership, Detroit often failed to revitalize blighted homes and neighborhoods on time as promised. Amazingly, city officials admitted that they set aggressive construction timelines without any data to support them.

Mr. Jemison’s track record in Detroit is concerning because Democrats and the White House want to spend $80 billion more on public housing in their reckless tax-and-spend reconciliation bill. If confirmed, Mr. Jemison, would lead HUD’s public housing office, which would be responsible for this enormous amount of money.

Our last nominee today, Mr. Colón, has a particularly concerning record. He’s had senior management roles at New York housing agencies that have been rife with problems—from project delays to ignoring ever-increasing tenant complaints—according to independent auditors.

These failures, which occurred under Mr. Colón’s watch, give me no confidence that he would be a good steward of taxpayer dollars at HUD. However, what’s even more troubling about Mr. Colón’s record is his history of using Twitter to engage in vitriolic and profane attacks on his political opponents.

Over the years, he’s repeatedly mocked and attacked—by name—our Senate colleagues. He’s ridiculed Senator Manchin. He referred to Senators Collins and other Republicans as “clowns.” Senator Graham as “Senator Snagglepuss” and “Senator Shameless,” Senator Rubio as “Senator Jellyfish,” Senator Paul as spineless, Senator McConnell as “MassacreMitch” and “Moscow Mitch.”

He’s endorsed the slanderous claim that Republican Senators, including Members of this Committee, were “Russian stooges” for traveling there on a CODEL. And he’s gone on profanity-laced tirades about President Trump. This is just a small selection.

Unfortunately, we don’t know the full extent of Mr. Colón’s statements because he deleted some of them before being nominated. I asked him to try to recover his deleted tweets from Twitter. But he refused to comply with this reasonable request. It makes you wonder, what does he have to hide?
The statements we do have from Mr. Colón are more than sufficient to demonstrate that he lacks the judgment and temperament to serve in a senior leadership position at HUD. Frankly, I'm shocked and disappointed that the Biden administration did not withdraw his nomination months ago after his statements were uncovered.

Thank you, Mr. Chairman.

PREPARED STATEMENT OF MATTHEW AXELROD
TO BE AN ASSISTANT SECRETARY OF COMMERCE
OCTOBER 7, 2021

Chairman Brown, Ranking Member Toomey, and distinguished Members of the Committee, I am honored to be here today as President Biden’s nominee to become the Assistant Secretary for Export Enforcement at the Department of Commerce.

I want to thank President Biden and Secretary Raimondo for nominating me to this important enforcement and national security position at this critical time. I also want to thank my family, both those in the hearing room with me today—my wife, Jami, and daughter, Sophie, who is missing her high school American Government class but getting a firsthand look today—as well as those watching intently on their computer screens in Massachusetts and Florida—Sophie’s older sister, Emily, my parents Carl and Andrea Axelrod, and my in-laws Jon and Margie Sussman. No one does these jobs alone. It is only through my family’s collective love, support, and belief in the importance of Government service that I am able to appear before you today as a Presidential nominee.

In recent years, the export enforcement work of the Department of Commerce has become an increasingly pivotal component of our country’s national security efforts. It is an essential function that helps ensure our adversaries don’t have access to dual-use goods and technologies that they can put to malign purposes like terrorism, weapons-of-mass-destruction proliferation, and human rights abuses. If confirmed, I believe that my deep criminal and national security enforcement experience will allow me to effectively lead the dedicated agents and analysts of BIS in meeting this national security imperative.

As an Assistant United States Attorney in Miami, I was part of one of the Nation’s busiest U.S. Attorney’s Offices. Given Miami’s role in international commerce, both licit and illicit, our work often had international dimensions. My cases included ones against the two founders and highest-ranking members of the Cali Cartel and against a husband-and-wife team who were spying for the Cuban Intelligence Service. In all my cases as a prosecutor, both those with international angles and those that were purely domestic, I worked alongside Federal law enforcement agents. I was—and remain—in awe of all they do to help keep the American people safe.

After 6 years in Miami, I became a career detaillee to Department of Justice headquarters in Washington, DC, where I worked as a Senior Counsel to the Assistant Attorney General for the Criminal Division and then as an Associate Deputy Attorney General, responsible for overseeing the criminal enforcement work of the Department. I also later served as the Principal Associate Deputy Attorney General, where I worked with the Department’s senior leaders on the Department’s most significant national security and criminal enforcement matters. During my time at Main Justice, I worked closely with the career prosecutors in the National Security Division, with Federal law enforcement agencies, and with interagency partners to protect the country’s national security. I am confident that the relationships I formed, and the knowledge I gained about the importance of bringing a whole-of-Government approach to combat national security threats, will serve me well if confirmed.

While I come from an enforcement background, that’s not the entirety of my professional experience. I spent much of the past 4 years in an international law firm, where my work took me around the globe, from Europe to Asia to Africa. No matter where I was in the world, people wanted to hear about United States enforcement mechanisms; it was our enforcement regimes they wanted to make sure they did not run afoul of. That experience gave me an important perspective on how best to maximize the impact of our export enforcement work—we must impose significant penalties against those who break the law while at the same time incentivizing companies to play by the rules. That way, we not only punish export violators, but also deter those violations from occurring in the first place.

I mentioned that my daughter Sophie is missing her high school Government class to be here today. Back when I was in high school, my classmates and I were consistently told that “from those to whom much has been given, much will be ex-
pected.” I am filled with gratitude beyond measure for what I’ve been given over the years—by my family, my friends, and my professional colleagues. I know that means that much will continue to be expected. If confirmed, it would be my great honor to work to fulfill those expectations as the Assistant Secretary for Export Enforcement.

Thank you again for considering my nomination, and I look forward to your questions.
Name: Axdroyd
(First) Matthew
(Last) Scott
(Other)

Position to which nominated: Assistant Secretary for Export Enforcement

Date of nomination: September 13, 2021

City of Residence: Bethesda, MD

Education*:

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<th>Institution</th>
<th>Dates Attended</th>
<th>Degrees Received</th>
<th>Dates of Degree</th>
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<tr>
<td>Amherst College</td>
<td>9/81 to 5/92</td>
<td>B.A.</td>
<td>May 1992</td>
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<tr>
<td>Yale Law School</td>
<td>9/94 to 5/97</td>
<td>J.D.</td>
<td>May 1997</td>
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*Nominees should provide information for all institutions attended, whether or not the nominee was granted a degree by the institution.

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships and any other special recognitions for outstanding service or achievement.

- City Year Comcast NBCUniversal Leadership Award, 2019
- Assistant Attorney General’s Award for Distinguished Service, 2011
- Executive Office of United States Attorneys (USOUSA) Director’s Award for Superior Performance by a Litigative Team, 2007
- Organized Crime Drug Enforcement Task Force (OCDETF) Silver Anniversary Award, 2007

Membership:

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<th>Organization</th>
<th>Office Held (if any)</th>
<th>Dates of Membership</th>
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<tr>
<td>Washington Hebrew Congregation, Member (2009 to present)</td>
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<td>Edward Bennett Williams Inn of Court, Barrister (2015 to present)</td>
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<td>Palisades Swim &amp; Tennis Club, Member (2015 to present)</td>
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<tr>
<td>American Bar Association, Member (1999 to 2017), Ex Officio Member of Criminal Justice Section Council (2010-2011)</td>
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<td>Merrimack Pool, Member (2009 to 2015)</td>
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<td>Montgomery County Recreation, Youth Basketball Coach (2009 to 2014)</td>
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<td>City Year Miami, Advisory Board Member (2006-2009)</td>
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<td>City Year Boston, Advisory Board Member (2006-2003)</td>
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</table>
Delta Kappa Epsilon, Member (1989 - 1992)
Amherst College Varsity Lacrosse, Team Member (1989-1991)
WAMH, Disc Jockey (1989-1992)

Employment record: List below all positions held since graduation from college including the title or description of job, name of employer, location of work, and inclusive dates of employment.

OFFICE OF THE WHITE HOUSE COUNSEL, Washington, D.C. July 2004-Present
Special Counsel

Senior Counselor, Office of the Deputy Attorney General

BIDEN-HARRIS TRANSITION TEAM (PTF, INC.), Washington, D.C. November 2020-January 2021
Volunteer, Department of Justice Agency Review Team

LINKLATERS, Washington, D.C. 2017-2021
Partner, Dispute Resolution

Principal Associate Deputy Attorney General, Office of the Deputy Attorney General

Partner

Senior Counsel to the Assistant Attorney General, Criminal Division, Washington, D.C. (2009-2011)

DONNELLY, CONROY & GELHAAR, Boston, MA 2005
Associate

HILL & BARLOW, Boston, MA 1999-2002
Associate

CHAMBERS OF JUDGE JANET C. HALL,
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF CONNECTICUT, Bridgeport, CT 1998-1999
Law Clerk
CHAMBERS OF CHIEF JUDGE RALPH N. WINTER, JR.
UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT, New Haven, CT
Law Clerk

HILL, BARLOW, Boston, MA
Summer Associate

HALL & DODGE, Boston, MA
Summer Associate

CITY YEAR, Boston, MA
Team Leader

1997–1998
1996, 1998
Summer 1995
1992–1994

Government Experience: List any experience in or direct association with Federal, State, or local governments including any advisory, consultative, honorary or other (including part-time) service or positions.

Name of Government Entity | Position | Dates of Service
--- | --- | ---

My government experience is described above in the “Employment Record” section of the questionnaire.

Published writings: List the titles, publishers and dates of books, articles, reports and other published materials you have written. The list should include any publicly accessible publications on the internet in the past ten years, including appropriate URLs for any posts or blogs you maintained or contributed to, and URLs for any other significant internet-based postings during that same period. If available, provide the Committee with one digital copy of each of the writings you list.


Alumni and Student Profile, Yale Law School Website, 2019 (https://law.yale.edu/yclaw/alumni-student-profiles/matthias-aaxloffd-97)

Remarks by Ture Illinjel Fear and Foster Drawnness, The Amherst Student, February 20, 1991 (paper copy of this article is attached to the questionnaire).

Speeches and Presentations: List all of the formal speeches and presentations (e.g., PowerPoint) you have delivered during the past ten years which are on topics relevant to the position for which you have been nominated, including dates. If available, provide the Committee with one digital copy of each formal speech and presentation. If text is no longer available, list the date, place, and organization or group to whom you made the speech or presentation.

- Panelist, “Driving Corporate Sustainability Through Inside Counsel,” Berkeley Sustainable Business & Investment Forum (BSBF), San Francisco, California, October 11, 2019
- Panelist, “How to Apply the Right Training Methods that Resonate with a Global Workforce,” 9th Global Forum on Anti-Corruption Compliance in High Risk Markets, Washington, D.C., July 26, 2018


• Keynote Speaker, “An Armchair Conversation about the Deputy Attorney General’s Memorandum on Individual Accountability for Corporate Wrongdoing,” American Bar Association 26th Annual National Institute on Health Care Fraud, Indian Wells, California, May 12, 2016


• Co-Keynote Speaker, “Perspective from the U.S. Department of Justice,” Ethisphere Global Ethics Summit, New York, New York, March 5, 2013


Public statements: List all public statements you have made during the past ten years which are on topics relevant to the position for which you have been nominated, including dates. Whenever possible, provide the Committee with finding aids (such as citations, internet URLs, etc.) for each statement.


• https://www.youtube.com/watch?v=5lJ6Kp2180&time=&t=266s

• https://www.wlitraxx.com/2017/03/05/business-dealbook/matthew-axelrod-justice-dept-intimators-law-firm.html


• https://bcg.com/cr/di/letters/3092-one-and-the-same
- https://www.msnbc.com/rachel-maddow/watch/courtoos-storge-to-trump-s-faience-on-loyalty-to-
  americana-1284727262803?flashlink=associated
- https://www.youtube.com/watch?v=sK7iPMK8kU
  %action=click&module=Top%20Stories&pltype=homepage
- https://www.msnbc.com/rachel-maddow/watch/trump-likely-to-face-indictment-as-long-as-
  sits-in-office-1366781158556-r=
- https://www.ft.com/content/1d1e6bf7-6d-f077-5f91-821-c06e96f7186a
- https://www.washingtonpost.com/world/national-security/trumps-acting-attorney-general-
  willaker-has-no-intention-of-receding-from-mueller-probe-associates-say-2018/11/11/55b1d800-
  e37c-11e1-ba0c-b31d933ca0-story.html?utm_term=e5c1d3461d6
- https://www.msnbc.com/rachel-maddow/watch/leadership-of-de-osaurin-act-trump-in-challenged-
  on-middle1369920433857-r=aidbk
- https://video.umnstream.net/Play/5pSGIPmI0TN7a669/TV/a63e7929-4b3a-4138-8bf4d
- https://globalexaminationnotes.com/article/3c1178858-breaks-to-vote-memo-will-make-
  investigation-more-efficient-tweavers-ty
- https://www.msnbc.com/transcripts/hardball/2019/01/09-mueller-2c2491
- https://www.politico.com/story/2019/02/25/mueller-2c2491
- https://www.politico.com/story/2019/03/06/mueller-report-special-counsel-1206147
- https://www.theration/article/financial-crisis-justice-department-corporate-prosecutions-yates-
  memo/
- http://transcripts.com/TRANSCRIPTS/1901/23/01/01.html
- http://transcripts.com/TRANSCRIPTS/1904/03/01.html
- https://www.wsj.com/articles/jusice-department-outsider-would-face-tough-task-as-agency-no-2-
  115475965890
39

- http://transcripts.cnn.com/TRANSCRIPTS/2019/05/01/cnnt.01.html
- https://www.politico.com/story/2019/05/10/trump-biden-debate-against-china-131760
- https://www.youtube.com/watch?v=qZv1Q941B8
- http://www.cn.com/TRANSCRIPTS/2019/03/12/cnnt.01.html
- https://www.ft.com/content/43b77e57-4d51-11ea-95a0-43d18ec71515
- https://www.ft.com/content/8f95196b-8d9a-48ff-b7a8-35ebe8b7ea64

Social media usernames: Please provide a list of all of your currently active social media usernames (e.g., Facebook, Instagram, Twitter, etc.), and any usernames for any inactive accounts you have used within the previous ten years.

Twitter: @matt_acevedo (active, although I have not posted)
LinkedIn: https://www.linkedin.com/in/matt-acevedo-705792/ (active)

Political affiliations: List memberships and offices held in and services rendered to all political parties or election committees during the last ten years.
Florida Democratic Party, Voter Protection Team, Volunteer, 2020
Biden for President, Voting Team, Volunteer, 2020
Khazei for Congress, Fundraiser Co-Host, 2020
Chris Hunter for Congress, Fundraiser Co-Host, 2018

List all public offices, if any, for which you have been a candidate in the past ten years.

<table>
<thead>
<tr>
<th>Name of Office</th>
<th>Elected/Appointed Candidate Only</th>
<th>Year(s) Election Held or Appointment Made</th>
<th>Terms of Service (if applicable)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Political contributions: Itemize all political contributions which exceed $200 or which aggregate to over $200 in a calendar year to any individual, campaign organization, political party, political action committee or similar entity during the last ten years and identify specific amounts, dates, and names of recipients.

Joe Biden, 10/16/20, $250
Joe Biden, 9/8/20, $1,000
Alan Khazei, 6/28/20, $500
Alan Khazei, 6/23/20, $500
Joe Biden, 6/5/20, $500
Alan Khazei, 5/3/20, $500
Joe Biden, 3/2/20, $300
Joe Biden, 11/3/19, $1,000
Joe Biden, 8/8/19, $1,000
Barry Crissman, 7/23/19, $1,000
John Walsh, 4/17/19, $1,000
Gina Raimondo, 2/13/19, $300
Dottie Bach for Ohio, 9/21/18, $500
Gina Raimondo, 2/23/18, $500
Chris Hunter, 2/20/18, $2,700
Paul Pelletier, 12/15/17, $230
Peter Neroth, 12/11/17, $500
Dottie Bach for Ohio, 4/4/17, $500
Gina Raimondo, 2/24/17, $500
Gina Raimondo, 10/27/16, $500
Gina Raimondo, 3/30/16, $500

Qualifications: State fully your qualifications to serve in the position to which you have been named.

(attach sheet)

I am honored to have been nominated to be the Assistant Secretary for Export Enforcement at the Department of Commerce. I believe my past criminal and national security enforcement experience, including over a
decade as a career prosecutor with the United States Department of Justice, combined with my work at an international law firm representing clients across the globe provide strong preparation for the role.

As an Assistant United States Attorney in Miami, I was part of one of the nation’s busiest United States Attorney’s Offices. Given Miami’s role in international commerce, both licit and illicit, our cases often had international dimensions. My cases included ones against the two founders and highest-ranking members of the Cali Cartel, a husband-and-wife team spying for the Cuban Intelligence Service, and an international racecar driver charged with tax evasion. In all my cases, both those with international angles and those that were purely domestic, I worked in partnership with federal law enforcement agents. I was – and am – in awe of all they do to help keep the American people safe.

After six years in Miami, I was fortunate to become a career detailee to Department of Justice headquarters in Washington, D.C., where I worked as a Senior Counsel to the Assistant Attorney General for the Criminal Division and then as an Associate Deputy Attorney General, responsible for overseeing the criminal enforcement work of the Department. I also later served as the Principal Associate Deputy Attorney General, where I worked alongside the Department’s senior leadership on, among other things, the Department’s most significant national security and criminal enforcement matters. I directly supervised a staff of twenty-five lawyers and helped to supervise the Department’s workforce of 113,000 employees, including all of its prosecutors and law enforcement agents. During my time at Main Justice, I worked closely with the career prosecutors in the National Security Division, federal law enforcement agencies, and interagency partners to protect the nation’s national security. I am confident that the relationships I formed, the reputation I developed, and the knowledge I gained about the best ways to bring a whole-of-government approach to combat national security threats will serve me well if confirmed.

While I come from an enforcement background, that’s not the entirety of my professional experience. I spent much of the past four years as a partner in a London-headquartered international law firm, where I did internal investigations and white-collar defense work on behalf of companies and individuals. My work brought me around the globe, from Europe to Asia to Africa. No matter where I was in the world, business entities wanted to hear about United States enforcement. It was our enforcement regime they wanted to make sure they did not run afoul of. I believe that my work counseling clients on how to comply with United States laws has provided me an important perspective on how best to maximize the impact of our enforcement – we must bring significant enforcement actions against those that break the law while at the same time incentivizing companies to play by the rules in order to reduce violations from occurring in the first place.

Future Employment: 1. Indicate whether you will sever all connections with your present employer, business relationships:

   Yes.

   2. As far as can be foreseen, state whether you have any plans after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization

   I do not know where I will work after completing government service and have no plans in that regard.

   3. Has anyone made a commitment to employ you after you leave government service?

   No.
4. Do you expect to serve the full terms for which you have been appointed?

   Yes.

Potential conflicts of interest:

1. Describe any financial arrangements or deferred compensation agreements or other continuing dealings with business associates, clients or customers who will be affected by policies which you will influence in the position to which you have been nominated.

   None.

2. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

   Any potential conflict of interest will be resolved in accordance with the terms of my ethics agreement, which was developed in consultation with ethics officials at the Department of Commerce and the Office of Government Ethics. I understand that my ethics agreement has been provided to the Committee. I am not aware of any potential conflict other than those addressed by my ethics agreement.

3. Describe any business relationship, dealing or financial transaction (other than tax paying) which you have had during the last ten years with the Federal Government, whether for yourself, on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

   None.

4. List any lobbying activity during the past ten years in which you have engaged in for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation at the national level of government or affecting the administration and execution of national law or public policy.

   None.

5. Explain how you will resolve any conflict of interest that may be disclosed by your responses to the items above.

   Any potential conflict of interest will be resolved in accordance with the terms of my ethics agreement, which was developed in consultation with ethics officials at the Department of Commerce and the Office of Government Ethics. I understand that my ethics agreement has been provided to the Committee. I am not aware of any potential conflict other than those addressed by my ethics agreement.

Tax compliance and bankruptcy:

1. In the past ten years, have you and your spouse (if applicable) filed and paid all taxes (federal, state, and local) as of the date of your nomination? Indicate if you filed as 'married filing separately.'

   Yes.
2. In the past ten years, have you been required to make any back tax payments? If so, indicate if you have made any back tax payments and provide full details.

No.

3. Has a tax lien or other collection procedure(s) been instituted against you or your spouse (if applicable) by federal, state, or local authorities? If so, provide full details.

No.

4. In the past ten years, have you or your spouse (if applicable) ever been the subject of any audit, investigation, or inquiry for federal, state, or local taxes? If so, provide full details.

No.

5. Were all your Federal, State, Local, and other tax returns and tax liabilities of any kind current (filed and paid when due) as of the date of your nomination? If not, provide details.

Yes.

6. Have you ever filed for bankruptcy? If so, provide details.

No.

Civil, criminal, and investigatory actions:

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court, administrative agency (e.g., an Inspector General’s office), professional association, disciplinary committee, or other ethics enforcement entity at any time? If so, provide details, regardless of outcome.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county, or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.

In June of 1987, when I was sixteen years old, I was cited for being a minor in possession of alcohol. The matter was continued without a finding for six months and then dismissed by the Dedham District Court in Massachusetts.

3. Have you ever been involved as a party in interest in any administrative agency proceeding, or civil litigation other than a divorce proceeding? If so, provide details.

No.

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense? If so, provide details.
No.

Other information: Please advise the Committee of any additional information, favorable or unfavorable, which you believe should be considered in connection with your nomination.

None.

Public records search: Do you consent to allow Committee staff to conduct a public records search on you using appropriate search tools? (including Westlaw, Lexis, etc.)

Yes.

The undersigned certifies that the information contained in the public statement to the Committee is true and correct.

Signed: [Signature]  Date: 4/19/31
Chairman Brown, Ranking Member Toomey, and Members of the Committee, it is an honor to appear before you as you consider my nomination to serve as the next President of the Government National Mortgage Association, or Ginnie Mae.

I am grateful to President Biden for nominating me and thank Secretary Fudge for her leadership and vision for the Department of Housing and Urban Development (HUD) and in trusting me to lead Ginnie Mae. The historic significance of being the first woman nominated to this role since Ginnie Mae was created in 1968 is a distinct honor.

My husband Jay McCargo and my daughter Alexandra are here with me today and I thank them for being a loving source of inspiration, encouragement, and support. I want to thank my family members and friends watching virtually, and acknowledge my mother, Veronica Malveaux Brown, who has been my wise and faithful guide through life. I would also like to especially thank my amazing sons, Gerrad and Jay-Jay.

Nearly 20 years ago, I came to Washington, DC, to work on affordable housing programs at Fannie Mae. I spent a decade there including the years of the Global Financial Crisis in 2008 which led to a U.S. housing market meltdown that ultimately left tens of millions of people without homes and with lost wealth.

Those years became an inflection point for me. I learned how fragile the system that supported housing and home ownership in America is and how quickly things could change. I saw the devastating effects that rippled across neighborhoods and households. It was heart wrenching to see so many people in financial distress and despair and disheartening to find that many who were losing their homes to foreclosure and eviction during that time looked like me and my children.

That experience changed my perspective and helped sharpen my purpose. Stable, affordable, and accessible housing has since been at the core of my professional work in the private sector, in the nonprofit policy research work I led at the Urban Institute, and now in my public sector work with the Biden–Harris administration at HUD.

My career in housing finance and passion for the field of affordable housing is driven by my own lived experience. I understand how powerful asset building, and access to credit and financing are to personal financial security. Property and home ownership have been vital to my own family for generations. And I recognize that my personal story is often not typical for a Black family.

My mother grew up on a farm that my grandfather owned in a small town near Opelousas, Louisiana, where she picked cotton and canned and farmed vegetables. Our family roots of property ownership are deep and have created a value system through generations of Black farm and landowners in my lineage. My father was an immigrant from Jamaica who came to New York and became a U.S. citizen as a child and joined the Navy after high school.

In 1969, just 1 year after the Fair Housing Act was passed and racial discrimination in housing became illegal, my parents purchased a 4-unit home in a highly segregated area of the Bronx for $30,000 with some savings and a small VA mortgage loan. We lived in one of the apartments and rented out the others. My parents later bought a home in the New York suburbs in search of better schools and a safer neighborhood and kept the house in the Bronx as a source of extra rental income.

My parents built a strong foundation for our family through home ownership. They were able to pass those benefits on to me and my siblings in the form of college tuition payments helping us avoid student loan debt. They helped me with a gift to purchase my first home, which I was able to finance with a low downpayment FHA mortgage.

Far too many people do not get the opportunity to plant seeds of ownership because housing is grossly unaffordable, it’s impossible to save, or they lack resources or don’t have parents who can help them get started. Government mortgage programs help enable home ownership opportunity.

Ginnie Mae’s guaranty enables the work of key Government housing programs that play an essential role in housing America’s veterans, low- and moderate-income households, urban, rural, and tribal communities and helps expand access to affordable home ownership and rental for the historically and systematically underserved. In 2020, more than 70 percent of all people served by Ginnie Mae securities were first time homebuyers.
Ginnie Mae has remained stable and reliable while quietly supporting affordable rental and home ownership for millions of people. If confirmed, I will be a faithful steward of Ginnie Mae, ensuring the program stays focused on its critical mission, keeps pace with a rapidly changing market, attracts global capital into America’s housing finance system, and protects American taxpayers.

I look forward to leading an incredibly dedicated team of public servants at Ginnie Mae and to working with this Committee, Secretary Fudge, and housing stakeholders across the globe to ensure stability, liquidity, affordability, and equity in our housing finance system.

Thank you for the opportunity to testify today. I look forward to your questions.
STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: McCargo, Alama, Brown

Position to which nominated: President of Ginnie Mae

Date of nomination: September 20, 2021

City of Residence: Lotburg, Virginia

Education:

<table>
<thead>
<tr>
<th>Institution</th>
<th>Dates Attended</th>
<th>Degrees Received</th>
<th>Dates of Degree</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Houston</td>
<td>1992-1996</td>
<td>BA, Communications</td>
<td>1996</td>
</tr>
<tr>
<td>University of Maryland</td>
<td>2003-2005</td>
<td>MBA</td>
<td>2005</td>
</tr>
<tr>
<td>University of California Los Angeles</td>
<td>2016</td>
<td>Professional Certificate</td>
<td>N/A</td>
</tr>
<tr>
<td>Georgetown University</td>
<td>2016</td>
<td>Professional Certificate</td>
<td>N/A</td>
</tr>
</tbody>
</table>

*Nominees should provide information for all institutions attended, whether or not the nominee was granted a degree by the institution.

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships and any other special recognitions for outstanding service or achievement.

Urban Institute President Award for Entrepreneurship, 2019

Memberships:

<table>
<thead>
<tr>
<th>Organization</th>
<th>Office Held (if any)</th>
<th>Dates of Membership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women in Housing and Finance Foundation</td>
<td>Board Member</td>
<td>2008-2016</td>
</tr>
<tr>
<td>Habitat for Humanity DC</td>
<td>Advisory Council</td>
<td>2013-2015</td>
</tr>
<tr>
<td>Doorways for Women and Families</td>
<td>Board Member</td>
<td>2015-2020</td>
</tr>
<tr>
<td>Races for Peace</td>
<td>Board Member</td>
<td>2016-2020</td>
</tr>
<tr>
<td>National Foundation for Credit Counseling</td>
<td>Advisory Board</td>
<td>2020-2021</td>
</tr>
<tr>
<td>Aspen Institute EPIC Housing</td>
<td>Advisory Board</td>
<td>2019-2020</td>
</tr>
</tbody>
</table>
Employment record: List below all positions held since graduation from college including the title or description of job, name of employer, location of work, and inclusive dates of employment.

1994-1999  Bank United of Texas FSB, Houston, TX
Numerous positions held including customer service call center representative, retail bank teller, personal banker, retail bank compliance officer, mortgage and retail lending officer.

1999-2002  Prudential Texas Properties, Houston, TX
Part-time real estate agent / property sales.

1999-2001  Coastal States, Houston, TX
Outline bank training development, retail and lending compliance officer.

2000-2001  Enron Broadband Services, Houston, TX
Marketing and online strategy.

2001-2002  El Paso Energy, Houston, TX
Government Relations and Communications manager, technical writer, crisis and emergency response communications.

2002-2012  Fannie Mae, Washington DC

2012-2013  JP Morgan Chase, Washington, DC / New York, NY
Vice President, Portfolio and Product Management

2013-2016  CoreLogic
Vice President, Head of Government Solutions

2016-2021  Urban Institute
Vice President, Housing Policy Center.

2021-present  US Department of Housing and Urban Development
Senior Advisor to the Secretary of Housing and Urban Development.

Government Experience:

| US Department of Housing and Urban Development | Senior Advisor | January 2021-present |
| US Department of Treasury FAA Agreement w/ Fannie Mae | Fiscal Agent | February 2009-2011 |
Published writings: List the titles, publishers and dates of books, articles, reports and other published materials you have written. The list should include any publicly accessible publications on the internet in the past ten years, including appropriate URLs for any posts on blogs you maintained or contributed to, and URLs for any other significant internet-based postings during that same period. If available, provide the Committee with one digital copy of each of the writings you list.

I have made an attempt to include any authored and published works and reports below. This may not be comprehensive but is representative of my written work:

Compilation of work from the Urban Institute can be found compiled here: https://www.urban.org/author/alanmoore/publications


Consumers Federation of America Article: https://consumerfdn.org/can-america-keep-up-with-clumping-housing-prices/

Blog, MGEU mortgage insurance: https://mgeu.com/blog/alanmoore-up-the-power-of-public-policy-understanding-the-black-homeownership-gap


Generations Journal: American Society on Aging 2020: Aging in Place: Housing Older Adults (aging.org)

Report: New Deal for Housing Justice: January 2021
Publisher: Community Change and the Ford Foundation
I was author of Chapter 7 on Housing Finance: https://communitychange.org/new-deal-housing-justice/

Congressional Testimony

Speeches and presentations: List all of the formal speeches and presentations (e.g., PowerPoint) you have delivered during the past ten years which are on topics relevant to the position for which you have been nominated, including dates. If available, provide the Committee with one digital copy of each formal speech and presentation. If text is no longer available, list the date, place, and organization or group to whom you made the speech or presentation.

<table>
<thead>
<tr>
<th>HousingDC21</th>
<th>Sep 2021</th>
<th>Discussion on policy steps HUD is taking on minority homeownership <a href="https://housing.dominicelopez.com/housing-dc-21/agenda/">https://housing.dominicelopez.com/housing-dc-21/agenda/</a></th>
</tr>
</thead>
<tbody>
<tr>
<td>Brookings Institution Panel: Homeownership While Black</td>
<td>Dec 2020</td>
<td>Homeownership while black: Examining the devaluation of assets in black neighborhoods</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Habitat on The Hill Keynote Speech</td>
<td>Feb 2020</td>
<td>Unable to locate link to the full speech and no longer have the PowerPoint materials. Speech on affordable rental and homeownership.</td>
</tr>
<tr>
<td>Building the Dream: Charlotte</td>
<td></td>
<td>Hosted by The Hill and National Association of Homebuilders, convened state and local officials and housing experts for conversations on path to homeownership: Building the Dream: Charlotte / TheHill</td>
</tr>
<tr>
<td>National Academies Presentation on Defining Affordable and Determining Distribution of Costs in Housing Sector</td>
<td></td>
<td><a href="https://vimeo.com/221691566">https://vimeo.com/221691566</a></td>
</tr>
<tr>
<td>Closing the Homeownership Gap in Metro Atlanta and Beyond</td>
<td>August 2019</td>
<td>Presented by Atlanta Neighborhood Development Partnership.</td>
</tr>
<tr>
<td>National Association of Local Housing Finance Agencies webinar</td>
<td>June 2018</td>
<td>Topic: Reaching More Mortgage-Ready Millennials</td>
</tr>
<tr>
<td>Annual Legislative Conference</td>
<td>The Dream Still Demands...REALTORS® (realtoparty.realor)</td>
<td></td>
</tr>
</tbody>
</table>

7 additional presentations from the Urban Institute are listed here: https://www.urban.org/author/author-page/events

Other presentations:
- Discuss Steps to Ease Racial Inequality in Homeownership: Please Join Us on April 12th to Discuss Steps to Ease Racial Inequality in Homeownership — Capital Area Asset Builders (caab.org)
- 2021 NAR Forum: NAR Forum Tackles “Historic” Housing Shortage Issues — RISMedia
- NeighborWorks 2019 Cleveland Symposium: In Person Training: NeighborWorks America
- 2018 Prosperity Now Conference 2018 HOME Program off(ProsperityNow.org)
- The State of Housing: Will Cancelling Rent and Halting Evictions Lead to Recovery? - The Aspen Institute
- Housing Crisis Exacerbated During Covid-19 - Chris Herbert | Harvard Kennedy School
- Increasing Homeownership Among People of Color (AC20) — NCSILA
- NCCC Connect Annual Conference | NFCC
- July 2021, HUD P&I: Quarterly Update: /Featured_Article (huduser.gov)
- Fintech’s Achilles Heel? Reaching the Underserved: SXSW 2019 Schedule
- NAR 2020 Policy Conference: How many black millennials are mortgage-ready? (nar.realtor)
- Next Frontier Initiative: Next Frontier Conference & Expo 2020 - Base 11

Public statements: List all public statements you have made during the past ten years which are on topics relevant to the position for which you have been nominated, including dates. Whenever possible, provide the Committee with finding aids (such as citations, internet URLs, etc.) for each statement.
I have been interviewed and my work cited in a number of publications and media over the past ten years. Some of my public statements and media mentions compiled can be found below, although this list is not exhaustive:
- https://www.urban.org/author/alumni-news
Social media usernames

LinkedIn
LinkedIn.com/in/stephanecargo

Twitter
Twitter.com/MyHomeMatters

Facebook
https://www.facebook.com/alnmo.brownecargo

Instagram
www.instagram.com/irshabroc

Political affiliations
List memberships and offices held in and services rendered to all political parties or election committees during the last ten years.

List all public offices, if any, for which you have been a candidate in the past ten years.

Name of Office | Elected/Appointed | Year(s) Election Held or Appointment Made | Terms of Service
--- | --- | --- | ---
N/A

Political contributions
Itemize all political contributions which exceed $200 or which aggregate to over $200 in a calendar year to any individual, campaign organization, political party, political action committee or similar entity during the last ten years and identify specific amounts, dates, and names of recipients.

2020 - Marisa Calderon for Congress - $250
2018 - Katie Porter for Congress - $1000
2016 - Hillary Clinton - $2700

Qualifications
State fully your qualifications to serve in the position to which you have been named. (attach sheet)

Statement
My career in housing finance and policy has prepared me to serve in my current role at HUD as Senior Advisor to Secretary Fudge, and for this opportunity to become the next President of Ginnie Mae. If confirmed, I would bring extensive experience in housing finance along with fresh and visionary leadership to this critical program at HUD which has been without a confirmed leader since 2017. I would work with the dedicated and highly skilled team of career professionals at Ginnie Mae and across HUD to advance the core mission that the agency was created to fulfill with a focus on supporting affordable housing finance and creating a more equitable and inclusive housing finance system that is service to America’s changing demographic and geographic housing needs. Ginnie Mae enables the work of critical government housing programs within Federal Housing...
Administration (FHA), Veterans Affairs (VA), Rural Housing (RHS), and home guarantee programs for Indian country through HUD Public and Indian Housing (PHI). These government insured and guarantee programs play a critical role in housing America’s veterans, low- and moderate-income households, urban, rural, and tribal communities.

My career experience has enabled me to work hands-on with homeless veterans, first-time homebuyers, and urban and rural communities tackling the unique housing challenges of each. I have worked from end to end inside of the housing ecosystem and hold a deep appreciation for the issues Fannie Mae and HUD face at this time and into the future. I am honored to have the opportunity to lead Fannie Mae into its next chapter and to ensure the infrastructure and securitization platform continue to evolve with the growth and risk the agency currently has. If confirmed, I also look forward to engaging with global investors to maintain liquidity in Fannie Mae’s mortgage-backed securities while protecting taxpayers.

My qualifications include a comprehensive understanding of the mortgage business from both a primary and secondary market perspective, relationships across the housing sector, extensive policy knowledge of government programs and risks, and in-depth knowledge of the critical issues that Fannie Mae and HUD face. I also have a tremendous amount of lived experience having worked with the people and communities that Fannie Mae ensures capital and liquidity flows to, and I care deeply about the mission of bringing affordability, liquidity, and stability to housing markets nationwide. Not many leaders have the unique combination of experience working in all aspects of the mortgage business and secondary market that I can bring to this position, which requires a comprehensive understanding of how this complex housing finance system works, not just for business and the capital markets, but for everyday people on Main Street who need safe and stable shelter to call home. I am committed to the work of HUD and to Fannie Mae’s mission to ensure an equitable housing finance system that is integrated and efficient, working alongside the key agencies and stakeholders to ensure our nation’s veterans, first-time homebuyers, rural communities, low- and moderate-income people and communities of color have fair access to affordable and sustainable housing. My work over the last decade and through the Great Recession on housing reforms, particularly in mortgage servicing, and in leading the Housing Finance Policy Center has prepared me for this moment and for the work ahead to ensure stability through the COVID-19 housing recovery.

Making homeownership and affordable resources available to households and communities has been at the center of my work for over two decades. It would be the honor of my lifetime to serve as President of Fannie Mae, an agency that is a crucial enabler of affordable homeownership and access to credit for millions of households and a symbol of strength in America’s housing system. My nomination does represent an historic moment, as I would be the first woman and woman of color to lead the agency if I am confirmed. This reflects the moment we are in and the commitment of the Administration and this body to ensuring our leaders are as diverse as the communities we are fortunate to serve. I am solidly positioned to lead this agency and, if confirmed, I will work every day to lead the agency forward with a heart for service to this country and all communities and constituents.

If confirmed, I look forward to working with the committee leadership and staff to build and grow a strong and stable Fannie program that attracts global investors, maximizes
critical partnerships, and minimizes taxpayer risk all while making housing finance tools more accessible to those who need it most. Thank you for your consideration.

**Future Employment relationships:**

1. Indicate whether you will sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate.

   N/A. I currently work at the U.S. Department of Housing and Urban Development.

2. As far as can be foreseen, state whether you have any plans after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization.

   None

3. Has anyone made a commitment to employ you after you leave government service?

   No

4. Do you expect to serve the full term for which you have been appointed?

   Yes

**Potential conflicts of interest:**

1. Describe any financial arrangements or deferred compensation agreements or other continuing dealings with business associates, clients or customers who will be affected by policies which you will influence in the position to which you have been nominated.

   In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD’s Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

2. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

   In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD’s Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

3. Describe any business relationship, dealing or financial transaction (other than tax paying) which you have had during the last ten years with the Federal Government, whether for yourself, on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

   In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD’s Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

4. List any lobbying activity during the past ten years in which you have engaged in for the purpose of directly or indirectly influencing the passage, defeat or modification of any
legislation at the national level of government or affecting the administration and execution of national law or public policy.

I have never lobbied directly, nor have I ever been a lobbyist.

5. Explain how you will resolve any conflict of interest that may be disclosed by your responses to the items above.

In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD's Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

**Tax compliance and bankruptcy:**

1. In the past ten years, have you and your spouse (if applicable) filed and paid all taxes (federal, state, and local) as of the date of your nomination? Indicate if you filed as "married filing separately."

   Yes, we file as "married filing separately."

2. In the past ten years, have you been required to make any back tax payments? If so, indicate if you have made any back tax payments and provide full details.

   No

3. Has a tax lien or other collection procedure(s) been instituted against you or your spouse (if applicable) by federal, state, or local authorities? If so, provide full details.

   There was a 2016 tax lien from the state of Maryland related to my ex-spouse. The lien was satisfied and closed in 2016 during legal separation.

4. In the past ten years, have you or your spouse (if applicable) ever been the subject of any audit, investigation, or inquiry for federal, state, or local taxes? If so, provide full details.

   No

5. Were all your Federal, State, local, and other tax returns and tax liabilities of any kind current (filed and paid when due) as of the date of your nomination? If not, provide details.

   Yes

6. Have you ever filed for bankruptcy? If so, provide details.

   I was party to a bankruptcy filing in 2006, which was opened during my legal separation from my ex-spouse. This filing was closed and dismissed in December 2006.

**Civil, criminal and investigatory**

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court,
actions:

1. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details, regardless of outcome.

No

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.

No

3. Have you ever been involved as a party in interest in any administrative agency proceeding, or civil litigation other than a divorce proceeding? If so, provide details.

I was named in a lawsuit against Fannie Mae and 2 other executives for wrongful termination, among other claims, by a contractor whom I supervised. Part of the case was dismissed entirely while the remainder was won by Fannie Mae on a summary judgment which was later affirmed on appeal.

4. Have you ever been convicted (including pleas of guilty or no contest) of any criminal violation other than a minor traffic offense? If so, provide details.

No

Other information: Please advise the Committee of any additional information, favorable or unfavorable, which you believe should be considered in connection with your nomination.

N/A

Public records

Do you consent to allow Committee staff to conduct a public records search on you search: using appropriate search tools? (including Westlaw, Lexis, etc.)

Yes

The undersigned certifies that the information contained in the public statement to the Committee is true and correct.

Signed: [Signature] Date: 9/23/2021

[Name]
Chairman Brown, Ranking Member Toomey, and distinguished Members of the Committee, thank you for the opportunity appear before you today as the nominee for Assistant Secretary for Public and Indian Housing (PIH) in the Department of Housing and Urban Development.

I want to thank President Biden for nominating me, and Secretary Fudge for her support of my candidacy. I also want to thank my family and friends for their love, support, and guidance. I am grateful to my father James and particularly my mother Beverly and my sister Jamileh for their guidance and support. Finally, I want to thank my wife, Annie. She has been a partner to me, our three children, and entire family for the last 20 years.

HUD’s Office of Public and Indian Housing funds the operation and capital that supports 3.2 million American families every night. Public housing is at the center of many American neighborhoods and PIH rental assistance supports many American households and landlords. Indian Development Block Grant supports many thousands of families and elders in Tribal Communities every day. I am excited to work with the professionals who have maintained these capital assets and voucher resources since 1938.

I have spent the last 25 years working in city planning and development first as part of a team, and later leading the development and preservation of market-rate and affordable housing units as well and the parks, streets, transportation facilities, commercial districts, downtowns, and employment centers that bring those communities together.

I have done this by bringing together the feasibility, planning, design, permitting and financing concepts (private, public, and philanthropic) required to execute these strategies. Bringing expertise together with community engagement, I have performed this work in downtowns, neighborhoods, and small towns.

Specifically, I have experience in three great American cities—Boston, Washington, and Detroit—as well as the smaller cities and towns of Massachusetts. As part of partnerships with developers, community leaders, funders, boards, and commissions, my work has resulted in the preservation of more than 4,000 affordable units and 3,500 new market and affordable housing units, including hundreds of public housing units.

For the last 9 months, I have had the opportunity to lead HUD’s Community Planning & Development (CPD) Office as Principal Deputy Assistant Secretary. I appreciate the partnership CPD staff members have extended to me.

However, I am particularly honored to be nominated to be the steward of this institution because I grew up in public housing. From 1983 to 1988, I lived at 693 Main Street, Apartment #14, in Amherst Massachusetts. It was a newly built unit, operated by the Amherst Housing Authority.

Amherst is what would be described as an area of high opportunity. It is college town surrounded by five colleges and farming communities where I worked in the summers.

This housing opportunity stabilized my family and made a difference in my life as affordable housing does for so many Americans. Making it work for more Americans has been my mission ever since I left that apartment for college; later for a summer fellowship program that grew my interest in housing; and later for graduate school in City Planning.

I know that well-designed and well-maintained public housing and rental assistance can work as part of the American safety net. I know this personally because I have lived it. I know it professionally because I have worked to make sure affordable housing is part of every development initiative in which I have been involved.

I have spent my entire career collaborating to create better places for every kind of American, where everyone can live together. Public housing is central to that mission.

If confirmed, I will use all of my energy and experience working transform the public housing; ensure vouchers stabilize households and end homelessness; and support the strength of tribal communities across America.

Thank you for the opportunity to testify before you today. I look forward to your questions.
STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES

Name: JEMISON II JAMES ARTHUR

Position to which nominated: Assistant Secretary for Public and Indian Housing, US Department of Housing and Urban Development

Date of nomination: September 29th, 2023

City of Residence: Ann Arbor, MI

Education:

<table>
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<tr>
<th>Institution</th>
<th>Dates</th>
<th>Degree</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Massachusetts, Amherst</td>
<td>1988-1992</td>
<td>Bachelor of Arts</td>
<td>1992</td>
</tr>
</tbody>
</table>

*Nominees should provide information for all institutions attended, whether or not the nominee was granted a degree by the institution.

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships and any other special recognitions for outstanding service or achievement.

I won a Public Policy and International Affairs (PPIA) Fellowship in 1991. In 2013, I was member of the team recognized with the 2013 Robert Luxon Public Policy Award for workforce Housing from the Urban Land Institute, on behalf of the Commonwealth of Massachusetts. In 2016, I was named a Michigan Chronicle Men / Women of Excellence awardee. I was also given the Spirit of Detroit Award in 2021.

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, social, charitable and other organizations.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Office Held (if any)</th>
<th>Dates of Membership</th>
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</thead>
<tbody>
<tr>
<td>None</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Employment record: List below all positions held since graduation from college including the title or description of job, name of employer, location of work, and inclusive dates of employment.

City of Detroit, Michigan

Group Executive of Planning, Housing & Development, Mayor’s Office 6/19 - 1/21
Chief, Services & Infrastructure, Mayor’s Office 6/19 - 6/19
Director, Housing & Rehabilitation Department 9/11 - 6/19
Commonwealth Department of Housing and Community Development, Boston MA 1/12 - 9/14
Deputy Undersecretary & Deputy Director

GLC Development Resources LLC, Boston, MA 4/06-1/12
Senior Project Manager

Massachusetts Port Authority, East Boston, MA 7/04-7/06
Senior Project Manager, Economic Planning and Development

Government of the District of Columbia, Washington, DC 4/00-7/04
Project Manager, Office of Planning & Office of the Deputy Mayor for Planning & Development

Boston Redevelopment Authority, Boston, MA 4/98-4/00
Regional Manager, Roxbury

Boston Housing Authority, Boston, MA 9/95-6/98
Redevelopment Manager, Planning Unit

Arthur Andersen, LLP Real Estate Services, Miami, Florida 8/94-8/95
Staff Consultant

Government Experience:
List any experience in or direct association with Federal, State, or local governments including any advisory, consultative, honorary or other (including part-time) service or positions.

Name of Government Entity                             Position                                    Dates of Service
– Chief Services & Infrastructure, Mayor’s Office 6/18 – 6/19
– Director, Housing & Revitalization Department 9/14 – 6/18

Department of Housing and Community Development, Commonwealth of Massachusetts (Boston, MA) – January 2012 – September 2014
Deputy Undersecretary & Deputy Director

Massachusetts Port Authority (East Boston, MA) – July 2004 – July 2006
Senior Project Manager, Economic Planning and Development

Project Manager, Office of Planning & Office of the Deputy Mayor for Planning & Development

Boston Redevelopment Authority (Boston, MA) – April 1998 – April 2000
Regional Manager, Roxbury
Boston Housing Authority (Boston, MA) – September 1995–April 1998
Redevelopment Manager, Planning Unit

Published writings: List the titles, publishers and dates of books, articles, reports and other published materials you have written. The list should include any publicly accessible publications on the internet in the past ten years, including appropriate URLs for any posts on blogs you maintained or contributed to, and URLs for any other significant internet-based postings during that same period. If available, provide the Committee with one digital copy of each of the writings you list.

I do not have any published writings in the last 10 years.

Speeches and presentations: List all of the formal speeches and presentations (e.g., PowerPoint) you have delivered during the past ten years which are on topics relevant to the position for which you have been nominated, including dates. If available, provide the Committee with one digital copy of each formal speech and presentation. If text is no longer available, list the date, place, and organization or group to whom you made the speech or presentation.


Detroit Homecoming. “World-Class Real Estate Being Developed in Detroit.” 2018 https://www.youtube.com/watch?v=0GoXiP5at-4&t=665s

Building the Engine of Community Development in Detroit. “Why is a Community Development – City of Detroit Partnership Important?” 2017. https://www.youtube.com/watch?v=8x14NcXkFM


Public statements: List all public statements you have made during the past ten years which are on topics relevant to the position for which you have been nominated, including dates. Whenever possible, provide the Committee with finding aids (such as citations, internet URLs, etc.) for each statement.

From 2014 through 2020, I provided routine, unsolicited testimony to the Detroit City Council that was recorded and televised due to the nature of my role within the Mayor’s Office. I provided testimony to the Committees that had jurisdiction over housing and community development, as well as other Committees that called upon my office. Interested parties may access these recordings by requesting them from the City of Detroit City Council.
Social media usernames:
Facebook: James Arthur Jensen
Twitter: @J Jensen2
Instagram: j Jensen2
LinkedIn: James Arthur Jensen

Political affiliations activities:
List memberships and offices held in and services rendered to all political parties and election committees during the last ten years.

List all public offices, if any, for which you have been a candidate in the past ten years.

I have not been a candidate or held any appointed or elected public offices.

I served on the Boston Policy Committee for Housing and Community Development in 2020 and on the Marty Walsh Transition Team for Mayor of Boston in 2013.

Political contributions:
List all political contributions which exceed $200 or which aggregate to over $200 in a calendar year to any individual, campaign organization, political party, political action committee or similar entity during the last ten years and identify specific amounts, dates, and names of recipients.

Elis Savit for Waltham County Prosecutor: $2,000, 2019
Marshall Bullock for State Senator, $250, 2018

Qualifications:
State fully your qualifications to serve in the position to which you have been named.

The Assistant Secretary for Public and Indian Housing is charged with the asset management and capital rehabilitation and redevelopment of the nation’s public housing assets, and its portfolio of project-based and moderate rental assistance. The Assistant Secretary is also a significant partner to Tribal Communities. Most important, the Assistant Secretary must bring those development and rental assistance assets together to build communities. The Assistant Secretary also must place tenants at the center of this work, with the temperament and leadership qualities required to advance the Public and Indian Housing agenda.

I have more than 25 years of directly relevant, increasingly responsible, real estate development and public policy leadership experience. This experience is in three great American cities: Detroit, MI, Washington, D.C., and Boston, MA as well as smaller “Gateway” Cities of the Commonwealth of Massachusetts.

I also bring the tone and leadership qualities required to design, implement and build consensus for policy change. Throughout my career, I have brought together disparate groups of people for one mission: improve the quality of life in American communities.
Rehabilitating, re-developing and successfully operating public housing is not a separate part of making American communities great. It is a central part of that task. PHA tenants are often the most vulnerable families and seniors in their communities. This role that these properties play in their communities is the reason why—whether as a PHA staffer, consultant or City leader—I've been involved in six large scale mixed-finance, HOPE 6 and Choice Neighborhoods redevelopments over the last 15 years.

The Assistant Secretary for Public and Indian Housing position represents an opportunity to significantly change the quality of life in American cities, towns and Tribal communities. I have dedicated my professional career to this goal. I am full of gratitude for the opportunity to serve the country in this way. Thank you for taking the time to consider my candidacy.

**Future Employment Relationships:**

1. Indicate whether you will sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate.

   N/A. I currently work at the U.S. Department of Housing and Urban Development.

2. As far as can be foreseen, state whether you have any plans after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization.

   No.

3. Has anyone made a commitment to employ you after you leave government service?

   No.

4. Do you expect to serve the full term for which you have been appointed?

   Yes.

**Potential Conflicts of Interest:**

1. Describe any financial arrangements or deferred compensation agreements or other continuing dealings with business associates, clients or customers who will be affected by policies which you will influence in the position to which you have been nominated.

   In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD's Office of Ethics and Appraisals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

2. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

   In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD’s Office of Ethics and Appraisals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.
3. Describe any business relationship, dealing or financial transaction (other than tax paying) which you have had during the last ten years with the Federal Government, whether for yourself, on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD’s Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

4. List any lobbying activity during the past ten years in which you have engaged in for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation at the national level of government or affecting the administration and execution of national law or public policy.

I have not engaged in any lobbying activity.

5. Explain how you will resolve any conflict of interest that may be disclosed by your responses to the items above.

In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD’s Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

Tax compliance and bankruptcy:

1. In the past ten years, have you and your spouse (if applicable) filed and paid all taxes (federal, state, and local) as of the date of your nomination? Indicate if you filed as “married filing separately.”

Yes.

2. In the past ten years, have you been required to make any back tax payments? If so, indicate if you have made any back tax payments and provide full details.

No.

3. Has a tax lien or other collection procedure(s) been instituted against you or your spouse (if applicable) by federal, state, or local authorities? If so, provide full details.

No.

4. In the past ten years, have you or your spouse (if applicable) ever been the subject of any audit, investigation, or inquiry for federal, state, or local taxes? If so, provide full details.

No.
5. Were all your Federal, State, local, and other tax returns and tax liabilities of any kind current (filed and paid when due) as of the date of your nomination? If not, provide details.

Yes.

6. Have you ever filed for bankruptcy? If so, provide details.

No.

Civil, criminal and investigatory actions:

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court, administrative agency (e.g., an Inspector General’s office), professional association, disciplinary committee, or other ethics enforcement entity at any time? If so, provide details, regardless of outcome.

The City of Detroit Ethics Board heard, investigated, and dismissed two complaints against my department from individual citizens. In the first complaint, the citizen wanted to buy a City-owned commercial property, which they claimed was a residential side lot. The City offered the owner an easement that would split the lot which was rejected by the complainant. In the second instance, the same person complained of my dismissal of an appointed staff member. Both complaints were dismissed without action against the department.

The City of Detroit Ethics Board also advised me of my ineligibility to accept the Presidency of the Detroit Economic Growth Corporation, a position I was offered but later declined.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.

No.

3. Have you ever been involved as a party in interest in any administrative agency proceeding, or civil litigation other than a divorce proceeding? If so, provide details.

Yes. After dissolving an appointed staff person in 2017, my department at the time IHD was sued. The matter was settled out of court.

4. Have you ever been convicted (including pleas of guilty or no contest) of any criminal violation other than a minor traffic offense? If so, provide details.

No.

Other information: Please advise the Committee of any additional information, favorable or unfavorable, which you believe should be considered in connection with your nomination.

N/A
Public records search: Do you consent to allow Committee staff to conduct a public records search on you using appropriate search tools? (Including Webscrap, Lexis, etc.)

Yes.

The undersigned certifies that the information contained in the public statement to the Committee is true and correct.

JAMES JEMISON

Signed: Date: 2021-02-23 18:18:25-0400 Date:
Thank you Chairman Brown, Ranking Member Toomey, and distinguished Members of the Committee.

I am deeply honored to appear before you today as the nominee for Assistant Secretary of Community Planning and Development at the Department of Housing and Urban Development (HUD). I would like to start by thanking President Biden for his confidence and trust in nominating me. I would also like to thank the Committee Members for allowing me this time and for considering my nomination.

I must also thank my family, friends and colleagues for their unwavering support and to recognize my beautiful and talented wife, Gina Kim and my brother-in-law, Rev. Ryan Kim, the Senior Pastor of the Korean Presbyterian Church of Baltimore, for being here to support me today.

HUD’s Assistant Secretary of Community Planning and Development oversees many of the Department’s most critical grant programs, including the Housing Trust Fund, the Community Development Block Grant, disaster recovery and mitigation programs and numerous homeless prevention programs.

If confirmed, I will bring nearly 20 years of relevant public and private sector experience, to help advance HUD’s mission and to support the constituents who rely on these programs in your States. But before describing that experience, I’d like to start by explaining my motivation for seeking the role:

During my life, I have experienced, first-hand, the debilitating effects that substandard housing and limited economic opportunity can have on a family. My own family lost our house when I was 12 and we moved into one of the few, largely unregulated rentals in our area.

I was one of four siblings raised by a single mother, in a small, working class town, in upstate New York. Our family was easily among the poorest and we wound up with five people living in an 800 sq. ft., two-bedroom apartment.

After my mom passed away when I was 20, I put myself through college, working full-time, first at Westchester Community, then at Hunter College of the City University of New York.

I later earned a law degree from Yale University and spent 6 years working for some of the most prestigious, private law firms in the world. However, ultimately, I decided that public service was my calling and I have spent the past 13 years overseeing programs at New York State’s integrated housing & community development agencies.

My life’s experience has given me a unique perspective on the issues faced by most Americans, whether they’re working class, economically struggling or solidly middle class. I understand intimately the difference that well-run Government programs can make, both as a participant and as a program administrator. And this experience motivates me every day to find ways to improve Government programs, so that more Americans from modest circumstances can access greater opportunities and a safe, decent place to call home.

I also believe that my professional background is uniquely aligned with CPD’s mission of developing viable communities, through partnerships among private industry, nonprofit organizations, and all levels of Government, focused on expanding opportunity for those most in need.

For instance, I have overseen one of the largest, most diverse affordable housing portfolios in the country, with more than 450,000 units, from the Eastern tip of Long Island to the rural North Country, bordering on Canada.

I have also served as my agency’s acting “disaster recovery” counsel, helping to lead New York’s post-Hurricane Sandy and Irene housing recovery efforts, by designing policies for the award of billions of dollars in Federal, State, and local, publicly and privately sourced relief funding.

I have also served with nonprofit organizations that have spearheaded disaster recovery efforts. For instance, after Hurricane Maria devastated Puerto Rico, I helped lead a collaborative effort to purchase, import and distribute, island-wide, more than 12,000 solar lanterns equipped with emergency radios and phone charging capability, most within weeks of Hurricane Maria’s landfall.

In short, I have worked with a range of organizations and officials of all political persuasions, in every corner of the State, and beyond. I have compiled a record of providing efficient and equitable resources to people in need, where and when they need them. And I believe that those Americans most in need of these programs would benefit greatly from someone who shares their experience, can empathize with their struggles and has a proven track record of getting things done.
Finally, I recognize the important role this Committee plays in overseeing the Department’s work. If confirmed, I commit to work in a bipartisan manner and to be responsive to the needs every Senator and their constituents, working to ensure they have access to affordable housing and every opportunity to realize the American dream.

Thank you once again for your time and this opportunity and I look forward to answering any questions that you may have.
**STATEMENT FOR COMPLETION BY PRESIDENTIAL NOMINEES**

Name: Colin  
Mark  
Christian  

(Last)  
(First)  
(Other)

Position to which nominated: Assistant Secretary for Community Planning & Development, US Department of Housing & Urban Development

Date of nomination: April 28, 2021

City of Residence: Brooklyn, NY

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<th>Education*</th>
<th>Institution</th>
<th>Dates Attended</th>
<th>Degree Received</th>
<th>Dates of Degree</th>
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<td>State Univ. of NY (SUNY)</td>
<td>1981-1982</td>
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<td>1982</td>
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</tbody>
</table>

*Nominee should provide information for all institutions attended, whether or not the nominee was granted a degree by the institution.

Honors and awards: List below all scholarships, fellowships, honorary degrees, military medals, honorary society memberships and any other special recognitions for outstanding service or achievement.

- Connecticut Bar Association Fellow
- National Merit Scholar Finalist
- Phi Delta Kappa Honor Society
- NY State Regents Scholarship

Memberships: List below all memberships and offices held in professional, fraternal, business, scholarly, civic, social, charitable and other organizations.

<table>
<thead>
<tr>
<th>Organization</th>
<th>Office Held (if any)</th>
<th>Dates of Membership</th>
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<tbody>
<tr>
<td>El Pante de Williamsburg, Inc.</td>
<td>Board Chair</td>
<td>2015-present</td>
</tr>
<tr>
<td>Institute for Energy Economics &amp; Financial Analysis (&quot;IEEFA&quot;)</td>
<td>Director/Board member</td>
<td>2018-present</td>
</tr>
<tr>
<td>National Association of Latino Elected &amp; Appointed Officials (&quot;NALEO&quot;)</td>
<td>Member</td>
<td>2020-present</td>
</tr>
<tr>
<td>Position/Title</td>
<td>Date Started/Date Left</td>
<td>Location</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>President, Office of Housing Preservation</td>
<td>2013-present</td>
<td>New York, NY</td>
</tr>
<tr>
<td>Deputy General Counsel</td>
<td>2008-2015</td>
<td>New York, NY</td>
</tr>
<tr>
<td>Associate, Finance &amp; Real Estate Practice</td>
<td>2004-2008</td>
<td>New York, NY</td>
</tr>
<tr>
<td>Associate, Real Estate Practice</td>
<td>2002 - 2004</td>
<td>New York, NY</td>
</tr>
</tbody>
</table>

Employment record: List below all positions held since graduation from college including the title or description of job, name of employer, location of work, and inclusive dates of employment.

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*NY State Homes & Community Renewal combines the State's major housing & community renewal agencies under a single management structure. In my role as President of OHRP, I oversee programs across all the agencies. However, I am a solicited employee of the NY State Division of Housing & Community Renewal.*
| U.S. Court of Appeals for the Third Circuit | 2001 - 2002 | Law Clerk to the Honorable Julio M. Fuentes | Newark, NJ |

**Government Experience:** List any experience in or direct association with Federal, State, or local governments, including any advisory, consultant, honorary or other (including part-time) service or positions.

<table>
<thead>
<tr>
<th>Name of Government Entity</th>
<th>Position</th>
<th>Dates of Service</th>
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</thead>
<tbody>
<tr>
<td>NY State Homes &amp; Comm. Renewal</td>
<td>Deputy Commissioner/President, Office of Housing Preservation</td>
<td>2015 - Present</td>
</tr>
<tr>
<td>NYS Div. of Housing &amp; Community Renewal (DHCR) &amp; The Housing Trust Fund Corp. (HTFC)</td>
<td>Deputy General Counsel</td>
<td>2008 - 2015</td>
</tr>
<tr>
<td>U.S. Court of Appeals for the Third Circuit</td>
<td>Law Clerk to the Hon. Julio M. Fuentes</td>
<td>2001 - 2002</td>
</tr>
</tbody>
</table>

**Published writings:** List the titles, publishers and dates of books, articles, reports and other published materials you have written. The list should include any publicly accessible publications on the internet in the past ten years, including appropriate URLs for any posts on blogs you maintained or contributed to, and URLs for any other significant internet-based postings during that same period. If available, provide the Committee with one digital copy of each of the writings you list.


**Speeches and presentations:** List all of the formal speeches and presentations (e.g., PowerPoint) you have delivered during the past ten years which are on topics relevant to the position for which you have been nominated, including dates. If available, provide the Committee with one digital copy of each formal speech and presentation. If text is no longer available, list the date, place, and organization or group to whom you made the speech or presentation.


Public statements: List all public statements you have made during the past 10 years which are on topics relevant to the position for which you have been nominated, including dates. Whatever possible, provide the Committee with finding aids (such as citations, internet URLs, etc.) for each statement.


Social media usernames: Please provide a list of all of your currently active social media usernames (e.g., Facebook, Instagram, Twitter, etc.), and any usernames for any inactive accounts you have used within the previous ten years.

Currently active social media accounts:
- www.linkedin.com/in/markcolen
- https://www.facebook.com/mark.colen.9887117/
- https://twitter.com/mkcolen

No inactive accounts.

Political affiliations: List memberships and offices held in and services rendered to all political parties or election committees during the last ten years.

- Member, 2020 Biden “President” Finance Council

Political contributions: Itemize all political contributions which exceed $200 or which aggregate to over $200 in a calendar year to any individual, campaign organization, political party, political action committee or similar entity during the last ten years and identify specific amounts, dates, and names of recipients.

Clyde Vanel for NYS Assembly, $240, 03/11/2021
Biden Fight Fund/DNC Services Corp., $250, 11/14/2020
Biden Victory Fund, $500, 10/21/2020
Biden Victory Fund, $250, 10/21/2020
Joe Biden for President, $500, 09/16/2020
Biden Victory Fund, $500, 08/25/2020
Biden Victory Fund, $1,000, 07/24/2020
Clyde Vanel for NYS Assembly, $500, 06/22/2020
Cathy Kong for Congress (NV), $200, 12/27/2019
Nydia M. Velazquez for Congress, $500, 05/15/2019
Latino Victory Fund, $1,000, 10/23/2018
Matt Brown for Governor (RI), $500, 06/30/2018
Swing Left (PAC), $500, 04/04/2018
Tom Perriello for Governor (VA), $500, 03/05/2017
Hillary Clinton for President, $1,000, 06/29/2015
Hillary Clinton for President, $1,000, 04/19/2015
Pete Silber for NYC Council, $250, 08/27/2014

Qualifications: State fully your qualifications to serve in the position to which you have been named. (attach sheet)

See attached.

Future Employment relationships: 1. Indicate whether you will sever all connections with your present employer, business firm, association or organization if you are confirmed by the Senate. Yes

2. As far as can be foreseen, state whether you have any plans after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization

None/No Such Plans

3. Has anyone made a commitment to employ you after you leave government service?

No
4. Do you expect to serve the full term for which you have been appointed? Yes

Potential conflicts of interest:

1. Describe any financial arrangements or deferred compensation agreements or other continuing dealings with business associates, clients or customers who will be affected by policies which you will influence in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD's Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

2. List any investments, obligations, liabilities, or other relationships which might involve potential conflicts of interest with the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD's Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

3. Describe any business relationship, dealing or financial transaction (other than tax paying) which you have had during the last ten years with the Federal Government, whether for yourself, on behalf of a client, or acting as an agent, that might in any way constitute or result in a possible conflict of interest with the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD's Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

4. List any lobbying activity during the past ten years in which you have engaged in for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation at the national level of government or affecting the administration and execution of national law or public policy.

None

5. Explain how you will resolve any conflict of interest that may be disclosed by your responses to the items above.

In connection with the nomination process, I have consulted with the Office of Government Ethics and HUD's Office of Ethics and Appeals to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of my ethics agreement.

Tax compliance and bankruptcy:

1. In the past ten years, have you and your spouse (if applicable) filed and paid all taxes (federal, state, and local) as of the date of your nomination? Indicate if you filed as 'married filing separately.'

Yes

2. In the past ten years, have you been required to make any back tax payments? If so, indicate if you have made any back tax payments and provide full details.
3. Has a tax lien or other collection procedure(s) been instituted against you or your spouse (if applicable) by federal, state, or local authorities? If so, provide full details.
No

4. In the past ten years, have you or your spouse (if applicable) ever been the subject of any audit, investigation, or inquiry for federal, state, or local taxes? If so, provide full details.
No

5. Were all your Federal, State, local, and other tax returns and tax liabilities of any kind current (filed and paid when due) as of the date of your nomination? If not, provide details.
Yes

6. Have you ever filed for bankruptcy? If so, provide details.
No

Civil, criminal and investigatory actions:

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court, administrative agency (e.g., Inspector General’s office), professional association, disciplinary committee, or other ethics enforcement entity at any time? If so, provide details, regardless of outcome.
No

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.
No

3. Have you ever been involved as a party in interest in any administrative agency proceeding, or civil litigation other than a divorce proceeding? If so, provide details.
Yes. I was named as a co-respondent (along with my agency) in an Article 78 civil proceeding, in my capacity as President of the Office of Housing Preservation of NYSCPR (2017 N.Y. Slip Op. 32071 (N.Y. Sup. Ct. 2017), Marion Scott Real Estate, Inc. v. Riverbay Corporation v. New York State Division of Housing and Community Renewal & President Mark. Cohen).
The petitions were denied and the case was dismissed by the court.

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violation other than a minor traffic offense? If so, provide details. No

Other information: Please advise the Committee of any additional information, favorable or unfavorable, which you believe should be considered in connection with your nomination.
Public records search: Do you consent to allow Committee staff to conduct a public records search on you using appropriate search tools? (including Westlaw, Lexis, etc.) Yes

The undersigned certifies that the information contained in the public statement to the Committee is true and correct.

Signed: ____________________________ Date: May 26, 2021

Mark Cola
Addendum to “Statement for Completion by Presidential Nominees” for the US Senate Committee on Banking, Housing, and Urban Affairs

**Question:** State fully your qualifications to serve in the position to which you have been named.

**Answer:** I have been nominated to serve as HUD’s Assistant Secretary of Community Planning and Development ("CPD"). The Assistant Secretary of CPD oversees many of HUD’s grant programs, including HUD’s Community Development Block Grant (CDBG) program, CDBG “disaster recovery” and stimulus funding programs and various economic revitalization and homeless prevention programs.

I have nearly twenty years of relevant experience in both the public and private sectors.

Since 2015, I have overseen a multi-agency suite of programs charged with the maintenance and preservation of one of the largest, most diverse affordable housing portfolios in the country, with more than 450,000 units in 3,200 developments across New York State. This includes the nation’s largest project-based rental assistance contract (with 100,000+ units) and third largest Section 8 voucher program (44,000+ vouchers), as well as the State-funded Rural Rental Assistance Program, serving 5,000 low-income, rural residents across New York.

From 2008 to 2015, as Deputy General Counsel for the State’s housing and community development agencies ("NYS HCR"), I advised the Executive Chamber, State’s Housing Commissioner and senior agency management on all legal and policy matters involving or affecting the agencies. I also supervised the preparation of departmental legislation and the formulation of internal policy for the agencies’ 1,000+ staff persons (among numerous other responsibilities).

During my government tenure, I have led many high-priority, time-sensitive initiatives, requiring extensive collaboration with various State, municipal and federal agencies and other public and private stakeholders. This includes:

- Serving as HCR’s acting “disaster recovery” Counsel, helping to lead New York’s post-Hurricane Sandy housing recovery efforts, by designing policies and programs for the award of more than $1B in federal CDBG DR and other public and privately-sourced relief funding;
- As one of six appointees to the State’s “Integration Steering Committee,” designing and implementing the strategic plan to combine the State’s five major housing and community renewal agencies under a single, consolidated management structure;
- Overseeing the recapitalization and long-term preservation of nearly two-thirds of the State’s Mitchell-Lama (moderate income) housing portfolio, including the largest, federally-subsidized rental and cooperatively-owned housing complexes in the nation (with, collectively, more than 20,000 apartments); and
• Creating and implementing HCR’s inaugural Language Access Program, ensuring adequate access to vital housing services for the State’s 2.5 million “Limited English Proficient” individuals.

Prior to my government service, I practiced law for six years at two top-tier, international law firms. As a private attorney, I represented developers, lenders, underwriters and surety providers in more than $6 billion worth of real estate financing for affordable housing developments, qualified industrial projects and exempt civic facilities, among other projects.

I have also served on the boards of many local, regional and national non-profit organizations that frequently operate and/or fund programs involved in community development and disaster recovery efforts. For instance, after Hurricane Maria devastated Puerto Rico, I worked with El Puerto 4 to raise the funding and arrange for the purchase, import and island-wide distribution of more than 30,000 high-powered solar lanterns equipped with radios for emergency communications and phone-charging capability. We also delivered more than 40,000 pounds of food and supplies to residents in need.

I believe that my long-standing public and private sector experience, along with my unique perspective in leading the type of non-profit organizations that are key to the partnerships at the cross of HUD’s Office of Community Planning and Development, would be invaluable to HUD’s efforts to address the housing crisis brought about by COVID-19 and the various disaster recovery efforts our nation faces.

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4 A non-profit organization with offices in New York and San Juan, for which I have been the Board Chairman for the past five years.
Q.1. Where have you excelled in past positions in attracting, hiring, and promoting people of color in positions in your organization? Where might there be room for improvement?

What specific measures will you use to evaluate the success of the Department of Commerce in understanding and addressing the needs of Black, Indigenous, and people of color (BIPOC)? And, will you work with the Secretary and senior officials to keep Congress apprised, as appropriate, on the progress being made on these measures?

What is your plan for creating an inclusive working environment for employees within your office?

A.1. If confirmed, I will be deeply committed to attracting, hiring, and promoting a diverse workforce and building an inclusive workplace culture at the Department of Commerce. I have past experience working at intentionally diverse organizations and believe that diversity is an essential component of strong organizations.

In 1988, I was one of the founding corps members of City Year, a forerunner and eventual inspiration for the AmeriCorps national service program, which brought together racially diverse teams of young adults to do full-time community service in the City of Boston. After college, I deferred admission to law school for 2 years to go back to City Year, where I supervised a diverse team of young adults in their year of full-time community service. It was my job to get this group of young adults from different backgrounds and races not only to get along, but to perform high-quality community service in a Boston elementary school. That experience working closely with people of all different socioeconomic, racial, and educational backgrounds prepared me well for later jobs doing pro bono defense work in the Boston Municipal Court and as a prosecutor in Miami.

My time at City Year also impressed on me the importance of assembling and promoting diverse teams, something I worked hard to do as the Principal Associate Deputy Attorney General at the Department of Justice and then worked hard to do again as a Senior Counselor at DOJ at the beginning of this Administration. If confirmed, I would similarly work to build a diverse organization at Export Enforcement.

It is particularly important that law enforcement organizations be diverse—racially and otherwise. If confirmed, I will work with my staff on ways to diversify the workforce, including ways to recruit a diverse applicant pool and retain a diverse workforce. I will also be intentional about building an inclusive atmosphere at work, where people are valued and celebrated for their differences. I would be happy to keep you and your staff apprised on my efforts and progress in these areas.

Q.2. How do you plan to use Export Enforcement’s authorities and resources to address genocide, human rights violations, and oppressive surveillance in China or other authoritarian countries?

A.2. I will use all of the enforcement tools at my disposal—including criminal enforcement options, administrative enforcement options, and other administrative actions such as denial orders—to
protect our national security and to make sure that authoritarian countries like China do not have access to U.S. technologies that they can put to malign purposes like genocide, human rights violations, and oppressive surveillance.

One of my top priorities, if confirmed, would be to ensure that Export Enforcement is deploying its resources in the way best positioned to meet the national security threat posed by the Chinese Government, especially when it comes to technologies that can be used to conduct unauthorized end uses, including genocide and other human rights abuses, WMD proliferation, military modernization, and terrorism. I would also work in partnership with other Federal law enforcement agencies and with foreign counterparts so that the efforts of the Export Enforcement agents and analysts concerning China are amplified and reinforced.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR TOOMEY FROM MATTHEW AXELROD

Q.1. Congressional Oversight—Please provide your philosophy on how the Office of Export Enforcement at the Department of Commerce (Commerce) will approach and respond to Congressional information requests (both for documentary information and oral testimony), if you are confirmed.

A.1. I deeply respect the oversight role of the Senate Banking, Housing, and Urban Affairs Committee and the Congress and take the statutory requirements of the Export Control Reform Act (ECRA) of 2018 seriously. If confirmed, I intend to sustain a strong working relationship with the Committee and Congress, whether it is through statutorily required reports, briefings on the work of Export Enforcement, or other matters affecting businesses and industries in your State. If confirmed, I will work diligently to respond to requests for information consistent with the constitutional and statutory obligations of the executive branch.

Q.2. If confirmed, do you intend to respond to information requests differently depending on who is making the Congressional information request (whether it’s the chair of the Congressional Committee, the Ranking Member, or another member of Congress)? Please answer “yes” or “no.” If your answer is “yes,” please explain.

A.2. I deeply respect the oversight role of the Senate Banking, Housing, and Urban Affairs Committee and the Congress and take the statutory requirements of the Export Control Reform Act (ECRA) of 2018 seriously. If confirmed, I intend to sustain a strong relationship with the Committee and the Congress, whether it is through statutorily required reports, briefings on the work of Export Enforcement, or other matters affecting businesses and industries in your State. If confirmed, I will work diligently to respond to requests for information consistent with the constitutional and statutory obligations of the executive branch.

I understand that information submitted or obtained in connection with export license applications is subject to Section 1761(h) of ECRA and is provided to the Chair or Ranking Member of committees of appropriate jurisdiction.
Q.3. Will you commit that, if confirmed, you will respond in a timely manner and fully comply with all information requests from me? Please answer “yes” or “no.” If your answer is “no,” please explain.
A.3. Yes. If confirmed, I commit to responding to any information requests from Congress consistent with the constitutional and statutory obligations of the executive branch.

Q.4. Will you commit that, if confirmed, you will make yourself and any other Office of Export Enforcement employee expeditiously available to provide oral testimony (including but not limited to briefings, hearings, and transcribed interviews) to the Committee on any matter within its jurisdiction, upon the request of either the Chairman or Ranking Member? Please answer “yes” or “no.” If your answer is “no,” please explain why.
A.4. Yes. If confirmed, I commit to responding to any requests for testimony consistent with the constitutional and statutory obligations of the executive branch.

Q.5. China—In enforcing export control policy, Commerce’s Bureau of Industry and Security’s (BIS) mission is important to the United States’ high-tech competition with China. Do you agree that China’s technological, military, and economic rise poses one of the greatest current challenges to the safety and well-being of the United States?
A.5. Yes.

Q.6. Please detail your understanding of the national security threat posed by the Chinese Communist Party (CCP), including your assessment of the CCP’s military modernization ambitions, intellectual property theft campaign, and coercion targeting United States’ allies and partners.
A.6. The Chinese Government’s unfair and coercive trade practices hurt American workers and American businesses. Those actions, combined with the Chinese Government’s human rights abuses, including the genocide in Xinjiang, and other malign activities are contrary to our values and interests and those of our allies and partners.

One of my top priorities, if confirmed, would be to ensure that Export Enforcement is deploying its resources in the way best positioned to meet the national security threat posed by the Chinese Government, especially when it comes to technologies that can be used to conduct unauthorized end uses, including genocide and other human rights abuses, WMD proliferation, military modernization, and terrorism. I would also work in partnership with other Federal law enforcement agencies and with foreign counterparts so that the efforts of the Export Enforcement agents and analysts concerning China are amplified and reinforced.

Q.7. In 2017, Chinese telecom giant ZTE reached a settlement with the U.S. Government after the company was caught illegally selling equipment to North Korea and Iran, in violation of U.S. export laws. But ZTE violated that deal and lied to U.S. investigators about it. As such in 2018, Commerce banned U.S. exports to ZTE.
as punishment. Later that year however, the export ban was removed as part of another settlement. This agreement set a new precedent for monitoring compliance with U.S. export laws. U.S. enforcement of this agreement will be watched closely by Beijing.

Will you commit to robustly enforcing this agreement to ensure ZTE does not violate this settlement, as it did with the previous agreement?

If ZTE is found to breach the terms of the agreement, will you commit to enforcing the appropriate penalties?

A.7. If confirmed, I would robustly enforce the superseding settlement agreement with ZTE. My understanding, from publicly available information, is that ZTE is at present being heavily scrutinized by its third-party monitor under the agreement. If the monitor uncovers a material violation of the agreement, I would enforce aggressively and appropriately, especially given the past history of ZTE’s noncompliance with settlement terms it accepted.

Q.8. End-use checks verifying compliance with Export Administration Regulations (EAR) is critical to upholding the legitimacy of the U.S. export control regime. Please describe how you would approach an end-user who refuses to comply properly with BIS enforcement agents and end-use check requirements.

A.8. I agree that end-use checks are a critically important part of the licensing process. End-users who refuse to comply with the Export Control Officers (ECOs) who perform the end-use checks or with the end-use requirements themselves must face consequences. If confirmed, I would not hesitate to use the full range of sanctions at my disposal for such end users, including—depending of course on the severity of the misconduct—denying them the ability to receive future exports, imposing civil penalties, and working with the Department of Justice to bring criminal charges.

Q.9. U.S. goods have been exported through third countries for eventual use in embargoed States like Iran. Iran has long sought to acquire sensitive military and dual-use hardware from the United States through the use of front companies and other schemes meant to avoid detection. C4ADS, a Washington-based think tank, found that “Gaps in the global export control regime and its enforcement enable Iran to procure these items and enable Houthi-linked networks to procure critical components without going through Iran.” If confirmed, what steps will you undertake to stop the flow of unauthorized U.S. goods to Iran and other terror supporting countries such as North Korea and Syria?

A.9. The flow of unauthorized U.S. goods and technologies to Iran, North Korea, and Syria is a significant national security challenge. If confirmed, I plan to use all available enforcement options—including criminal enforcement options, administrative enforcement options, and other administrative actions such as denial orders—to ensure that our adversaries do not have access to U.S. goods and technologies that they can put to malign purposes like terrorism, WMD proliferation, and human rights abuses. The use of front
companies and other middlemen is a continuing problem that must be confronted head on. If confirmed, I would work to ensure that Export Enforcement’s resources are properly matched against the most pressing national security threats, including Iran, North Korea, and Syria, and those middlemen and front companies that do their bidding. I would also work in partnership with other Federal law enforcement agencies and with foreign counterparts so that the efforts of the Export Enforcement agents and analysts in this area are amplified and reinforced.

**Q.10. Anti-Boycott Compliance**—Through the Office of Anti-Boycott Compliance, BIS leads the enforcement of anti-boycott laws to counter malign foreign boycott campaigns. If confirmed, do you commit to fully enforcing U.S. anti-boycott laws and discouraging foreign counterparts from participating in the boycott of Israel?

**A.10.** If confirmed, I will ensure that BIS continues to aggressively and appropriately enforce the anti-boycott laws and continues to work to end unsanctioned boycotts against Israel.

**Q.11. Answering Questions for the Record**—Please describe with particularity the process by which you answered these questions for the record, including identifying who assisted you in answering these questions along with a brief description of their assistance.

**A.11.** I drafted the answers to these questions, with assistance from staff of the Commerce Department and the interagency as appropriate.

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**RESPONSES TO WRITTEN QUESTIONS OF SENATOR MENENDEZ FROM MATTHEW AXELROD**

**Q.1.** Mr. Axelrod, the President, as a candidate, promised that he would return the jurisdiction of the export licensing of semiautomatic weapons from the Commerce Department back to the Department of State, from which the Trump administration took it. This the President can do by simple regulation, without the need for legislative approval. Until that happens, however, the Department is providing no information to the Congress as to what lethal weapons, including sniper rifles and assault rifles, are being sold to what countries, foreign person, in what quantities and under what conditions, if any.

Do you agree that the President made a campaign promise as a candidate to return the export control jurisdiction over semiautomatic weapons, including assault rifles and sniper rifles, to the Department of State?

Has a decision been made by the President, personally, regarding the fulfillment of his campaign promise? If not, will the final decision be put to the President to decide? If not, why not, and who made the decision to not put the issue before the President?

Why has the Department of Commerce not alerted the Congress, and the SFRC specifically, to pending exports of semiautomatic weapons, including assault rifles and sniper rifles? Will the Department of Commerce do so? And when?

How many semiautomatic weapons, including assault rifles and sniper rifles, has the Department of Commerce authorized for export, to what countries, in what amounts, since the export jurisdic-
tion of such weapons was transferred from the Department of State?

A.1. I am aware of the commitment made by Joe Biden on this issue when he was a candidate for President. I understand and respect your concern that export licensing jurisdiction for semiautomatic weapons has been moved from the State Department to the Commerce Department and the need to ensure appropriate oversight over these exports by the relevant committees of jurisdiction, including the Senate Foreign Relations Committee.

If confirmed, I will not be responsible for deciding whether that licensing jurisdiction remains with the Commerce Department. But I very much appreciate your desire to maintain oversight in this area, and commit to the following: if confirmed, (1) I will work to ensure that you receive licensing information concerning the export of semiautomatic weapons, including those that have been authorized for export to date, consistent with applicable law; (2) I will use all of the enforcement tools at my disposal—including criminal enforcement options, administrative enforcement options, and other administrative actions such as denial orders—in partnership with other Federal law enforcement agencies and foreign counterparts, to aggressively and appropriately enforce against licensing violations related to semiautomatic weapons; and (3) I will keep you and your staff apprised of enforcement efforts and progress in this area consistent with ECRA. If confirmed, I would also be happy to meet with you or your staff to discuss this matter further.

RESPONSES TO WRITTEN QUESTIONS OF CHAIRMAN BROWN

FROM ALANNA MCCARGO

Q.1. Where have you excelled in past positions in attracting, hiring, and promoting people of color in positions in your organization? Where might there be room for improvement?

A.1. I am proud of my track record of hiring, attracting, promoting, and coaching/mentoring people of color, especially as a person of color who has worked in leadership ranks in different types of organizations. I embrace and believe that diversity, inclusion, and equity are critical to an organization’s success, and this does not only mean diversity in race and ethnicity, but also diversity in gender, age, organization types and political ideas. Throughout my career in financial services sector, I have worked with diverse groups effectively. I believe there is always room to do more and do better, and if confirmed, I would work to ensure that Ginnie Mae embraces a culture of inclusion, and that staff are heard and able to contribute their talents to the important work of the agency. I would also ensure that Ginnie Mae works not only internally but reaches out to other agencies and stakeholders for input and collaboration on critical issues to ensure perspectives and decisions are not insular. Every organization in America, including the Federal Government, has room for improvement and it requires intentionality, continuous education, and communication to break down organizational barriers and create healthy organizational norms that promote a diverse and inclusive workplace.
Q.2. What specific measures will you use to evaluate the success of the Department of Housing and Urban Development (HUD) in understanding and addressing the needs of Black, Indigenous, and people of color (BIPOC)? And, will you work with the Secretary and senior officials to keep Congress apprised, as appropriate, on the progress being made on these measures?

A.2. If confirmed, I commit to working with the Secretary and HUD team on the equity-related assessments and activities the agency has been directed to engage in pursuant to Executive orders including the Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. \(^1\) If confirmed, I commit to working with Secretary Fudge, senior officials and Congress to ensure transparency and progress on Ginnie Mae’s equity actions and intend to fully assess Ginnie Mae’s inclusion and equity efforts underway, both internal staffing efforts and external efforts to ensure diversity with procurement, issuers, and investors.

Q.3. What is your plan for creating an inclusive working environment for employees within your office?

A.3. If confirmed, I plan to do a series of listening sessions with Ginnie Mae staff at all levels and quickly devise a shared vision and plan that all staff can participate in developing and leading. I am eager to listen and learn, and to empower employees to bring necessary change and be part of an inclusive agenda for moving the agency forward so we can deliver on our mission.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR TOOMEY FROM ALANNA MCCARGO

Q.1. Congressional Oversight—Please provide your philosophy on how Ginnie Mae will approach and respond to Congressional information requests (both for documentary information and oral testimony), if you are confirmed.

A.1. If I am confirmed, my approach to Congressional inquiries will be to act swiftly and transparently in responding. I respect the oversight role Congress plays, and I believe it helps to ensure continuous improvement for the agency in making sure it is meeting its commitments and abiding by the law in ways that are just and protect the American taxpayer.

Q.2. If confirmed, do you intend to respond to information requests differently depending on who is making the Congressional information request (whether it’s the chair of the Congressional Committee, the Ranking Member, or another member of Congress)? Please answer “yes” or “no.” If your answer is “yes,” please explain.

A.2. Yes. If confirmed, I will work to ensure HUD responds in a timely manner to all to Congressional requests for information, consistent with applicable law and regulations.

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Q.3. Will you commit that, if confirmed, you will timely respond to and fully comply with all information requests from me? Please answer “yes” or “no.” If your answer is “no,” please explain.

A.3. Yes. If confirmed, I would expect to provide responses to requests, with reasonable understanding of the time required to produce documentation and consistent with applicable law and regulations.

Q.4. Will you commit that, if confirmed, you will make yourself and any other Ginnie Mae employee expeditiously available to provide oral testimony (including but not limited to briefings, hearings, and transcribed interviews) to the Committee on any matter within its jurisdiction, upon the request of either the Chairman or Ranking Member? Please answer “yes” or “no.” If your answer is “no,” please explain why.

A.4. Yes. If confirmed, I would ensure HUD responds to Congressional requests for information, consistent with applicable law and regulations.

Q.5. Do you believe that Ginnie Mae may assert any privileges or other legal justifications to withhold information (whether records or oral testimony) from Congress? Please answer “yes” or “no.”

A.5. If confirmed, I would prioritize working with Congress and would be responsive to all reasonable information requests that come to Ginnie Mae. I would defer to the Office of General Counsel, which would determine whether Ginnie Mae has an applicable privilege or other legal justification for withholding information.

Q.6. If you answered “yes” to the preceding question, please list every such privilege or other legal justification and provide the legal basis for why you believe Ginnie Mae may use such privilege or legal justification to withhold information from Congress.

A.6. As noted above, any determination as to whether HUD has an applicable privilege or other justification to withhold information from Congress would be made by the Office of General Counsel and identified clearly as such at that time.

Q.7. In an effort to be open and transparent with Congress and the public, will you commit not to assert any such privilege or legal justification against Congress that you listed above?

A.7. I commit to lead Ginnie Mae with full transparency and to working with Congress within legal bounds on any reasonable requests if I am confirmed.

Q.8. If not, why not? If so, please identify all such privileges or legal justifications that you will commit to not assert against Congress.

A.8. If confirmed, I will consult with the Office of General Counsel to ensure Ginnie Mae responds to Congressional requests in a manner consistent with the law and responsive to Congress.

Q.9. Housing Finance Reform—Pursuant to the Presidential Memorandum issued March 27, 2019, HUD submitted its Housing Fi-
nance Reform Plan (Plan) laying out reforms to HUD, including the Federal Housing Administration and Ginnie Mae.¹

Which of the Plan’s recommendations do you agree with?
Which of the Plan’s recommendations do you disagree with?

A.9. I support comprehensive housing finance reform and believe it should be inclusive of the entirety of the system when Congress takes this issue up in the future. The HUD plans that were previously submitted included Ginnie Mae and FHA, which I believe to be an important step forward. I appreciated the focus on risk mitigation, management and liquidity which I have stated publicly as top priorities, and I look forward to working with the Ginnie Mae team on and further strengthening these efforts, if I am confirmed.

Q.10. Mutual Mortgage Insurance (MMI) Fund—You are currently serving as the HUD Secretary’s Senior Advisor for housing finance. The fiscal year 2020 (FY20) Report on the MMI Fund shows that subjecting the FY20 portfolio to the same macroeconomic conditions faced during the housing crisis would create losses in excess of MMI Fund capital, resulting in a MMI Fund capital ratio of -0.63 percent, below the statutory 2 percent minimum, and requiring a bailout. Would you consider it a failure if the Federal Housing Administration (FHA) draws funds from the Treasury to cover losses, or put more simply, requires a bailout?

A.10. The FHA leadership and risk management teams closely monitor and manage the MMI Fund performance, and the Secretary has been clear that ensuring adequate capital to endure all cycles, including the deep distress created by the pandemic, is paramount. Consistent with statements² made during the last quarterly report to Congress on the MMIF, I support prudent management of the fund and keeping adequate capital reserves to weather current and future events that pose risks to it. The health of the fund has direct impact on the underlying homeowners who tend to be lower income, first time borrowers, as well as borrowers of color. It is imperative that FHA manage the fund in a way that protects it from losses that would have an adverse impact on the most vulnerable existing FHA borrowers and future homeowners.

Q.11. Do you think the MMI Fund as of FY20 has sufficient capital reserves?

A.11. The MMI fund in the FY20 report indicated a healthy reserve ratio that was more than three times the 2 percent required capital level. There are several assumptions and market factors like home price appreciation that must be considered and a number of scenarios that could change the reserve rate in either direction. A healthy fund is vital to the FHA program, and the FHA program is a critical and large share of the Ginnie Mae MBS program. If confirmed, I would work closely with Secretary Fudge and the FHA Commissioner on risks and closely monitor how the fund performs. I hope to also work closely with VA and USDA leadership on per-

formance trends and risks ensuring those programs remain healthy as well.

Q.12. Do you think it is inappropriate to build a capital buffer able to withstand a shock of the kind experienced during the 2008 housing crisis?

A.12. I think it is appropriate to closely monitor the fund and run numerous scenarios that stress test the fund and ensure viability during economic shocks. The 2008 crisis is one such experience, as are shocks from natural disasters, pandemics, national home price declines, recessionary periods, and so on. Knowing how the fund would sustain numerous stress scenarios is critical to determining how much buffer is sufficient, and something the Secretary and FHA Commissioner should prioritize.

Q.13. Is the statutory 2 percent MMI Fund capital ratio a sufficient buffer to protect against taxpayer losses? If not, what do you believe is appropriate? If not the 2008 housing crisis, what stress level scenario should FHA consider when deciding what capital buffer is sufficient?

A.13. The 2 percent minimum requirement is set by Congress and represents a floor. I believe the buffer should be continuously evaluated by the Secretary and FHA leadership and risk management teams based on the many variables and market conditions they monitor and the probabilities of significant event of default at a given time. Being prepared to weather storms, expected or unexpected, is critical for managing the FHA insurance program to ensure the program remains a strong and credible tool to help homeowners.

Q.14. Do you have plans to impose the same climate stress tests and climate change regulatory standards on mortgage backed securities (MBS) issued by Ginnie Mae issuers as several Biden administration officials have discussed doing for private sector market participants?

A.14. The Administration has been focused on the effects of climate change, and the FSOC is assessing the financial regulatory actions that are needed to address climate change related issues our Nation faces in the future. If confirmed, I will assess the climate related risks to Ginnie Mae's MBS program and work with issuers and other housing finance agencies to determine what steps make sense to ensure that risk is appropriately understood and disclosed for those who do business with Ginnie Mae as that would be prudent and in the best interest of taxpayers.

Q.15. Downpayment Assistance—You are currently serving as the HUD Secretary's Senior Advisor for housing finance. 12 U.S.C. §1709(b)(9)(C) prohibits the “seller or any other person or entity that financially benefits from the transaction” from providing funds as part of the downpayment for an FHA-insured loan. What does “financially benefits from the transaction” mean to you as the Secretary's Senior Advisor for housing finance?

A.15. In my role as Senior Advisor, I do not interpret the law for HUD. Broadly speaking, this language clearly speaks to ensuring that nefarious or predatory seller practices that are detrimental to the borrower are prohibited in an FHA insured transaction.
Q.16. **Home Affordable Modification Program (HAMP)**—Fannie Mae was contracted by the Treasury Department to administer HAMP, the Federal Government’s flagship loan modification program established in response to the 2008 financial crisis. At Fannie Mae, you played a role in implementing HAMP. There were many problems with the implementation of HAMP. The Office of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP) discovered that a significant share of borrowers re-defaulted after receiving HAMP loan modifications, costing taxpayers money.\(^3\) In addition, the Government Accountability Office (GAO) reported that while one of the “stated goals for HAMP was to standardize the loan modification process across the servicing industry, GAO found inconsistencies in how servicers were treating borrowers under HAMP that could lead to inequitable treatment of similarly situated borrowers.”\(^4\)

What lessons did you learn from the problems identified with the implementation of HAMP? How will you apply those lessons at Ginnie Mae?

A.16. I agree there were challenges with implementing a Government program of the size, scale, and complexity of HAMP during an unprecedented financial institution meltdown and overall economic crisis. Millions of Americans lost their homes and wealth. I continue to carry lessons and learnings about the importance of the mortgage servicing industry in enabling sustainable homeownership, and how the overall system benefits from a rational set of standards that protect consumers and ensure safe and sound financial institution practices. If confirmed, I will take many lessons to the work of Ginnie Mae and provide leadership informed by my experience managing a very complex and large Government program.

Q.17. What steps will you take to ensure that taxpayer dollars are better protected at Ginnie Mae than they were in the implementation of HAMP?

A.17. Protecting taxpayers and creating value and returns to the United States treasury is something Ginnie Mae has done in all economic cycles and is proud of. If confirmed, I will continue to ensure the performance of the Ginnie Mae operation and the value of the Ginnie Mae bond continue to create value for American taxpayers.

Q.18. How will you ensure that the problems identified with the implementation of HAMP will not resurface for HUD borrowers entering into loan modifications ultimately backed-up by Ginnie Mae?

A.18. If confirmed, I will ensure that the Ginnie Mae team monitors the performance and policy choices being made by all the underlying agencies who make up Ginnie Mae securities. My experience working across agencies and in collaboration with key stakeholders will be an asset to ensuring early detection of any indications of problems and having tools in place to mitigate risks.

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Q.19. Do you commit to make protecting taxpayer dollars one of your top priorities at Ginnie Mae? If not, please explain why protecting taxpayer dollars will not be a top priority for you.
A.19. Yes, if confirmed, it is my top priority to ensure that the Ginnie Mae guaranty and security operations remain strong and continues to deliver value back to taxpayers by managing an efficient budget, investing in Ginnie Mae people and technology, prudent risk management, and expanding the agency’s reach with global investors.

Q.20. Ginnie Mae 40-Year Loan Modifications—Ginnie Mae recently announced a new mortgage-backed security (MBS) pool type, enabling the securitization of 40-year mortgage modifications. And FHA is now proposing a new 40-year loan modification option. Do you believe there will be adequate investor interest in MBS containing modified loans (for borrowers who have previously defaulted) in a rising interest rate environment? If yes, please include any reports, evidence, or data supporting your view.
A.20. Forty-year loan modification programs have been available for Government mortgage programs and at Fannie Mae and Freddie Mac for some time. Ginnie Mae has not historically had a securitization option for this duration. A 40-year loan modification option, while not a first resort, can provide additional flexibility for servicers who need to get deeper payment reduction to a homeowner to make mortgage payments affordable and home ownership sustainable. This is especially true for FHA, which has few levers for payment reduction modifications if interest rates begin to rise.5 The 40-year security will be available for any USDA and VA loan modification programs before year end and volume is expected to be very low initially. If FHA implements a 40-year loan modification to bring them in line with what Fannie Mae and Freddie Mac already offer and securitize, volumes will increase. The GSEs have 40-year modification and performing loan MBS but there is very little and infrequent issuance activity. The outstanding volume of past issuances amounts to $2.3 billion in 2021 YTD and $10 billion since Jan 2019.

Q.21. Borrowers entering into 40-year loan modifications may, unwittingly, be paying more in interest for their homes on a 40-year mortgage than they would on a 30-year loan. How will you ensure these borrowers are not paying more for their homes over the course of their modified loans?
A.21. The terms of the mortgage modification agreements are negotiated by the mortgage servicer with the borrower. Extending term would create longer term interest due by the borrower but would also lower monthly payments, increasing affordability of the mortgage for the borrower immediately. This could be the difference between keeping or losing a home and should be discussed and well understood before the borrower opts into any loan modification agreement. Ginnie Mae’s role is not to dictate such terms, but to ensure that the ultimate loan modification that is best for the borrower can be sold back into a liquid secondary market.

Q.22. A significant share of borrowers redefaulted after receiving HAMP loan modifications. Do you anticipate similarly high redefault rates for borrowers coming out of COVID-forbearance status and entering into 40-year loan modifications being pooled by Ginnie Mae issuers?

A.22. The foreclosure prevention tools that have been put in place by the mortgage agencies in response to COVID have been developed with sustainability in mind. My hope is that COVID mortgage modifications perform well, especially given the sizable equity many households have and the tools that have been put in place under this Administration to ensure long term affordability. If confirmed, this performance is something I would monitor closely and discuss regularly with my leadership team.

Q.23. Answering Questions for the Record—Please describe with particularity the process by which you answered these questions for the record, including identifying who assisted you in answering these questions along with a brief description of their assistance.

A.23. I have answered all these questions independently and to the best of my ability and consulted with a review by relevant staff only where necessary to ensure each Senator’s question is fully addressed with sufficient detail and insight. I have answered these questions with the intent to provide you with the information you need to be comfortable voting to support my nomination to be the next President of Ginnie Mae. Thank you for the opportunity to respond.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR SHELBY FROM ALANNA MCCARGO

Q.1. The Obama administration created the Home Affordable Modification Program (HAMP) to try to help homeowners stay in their homes during the financial crisis. Unfortunately, many borrowers that obtained loan modifications through HAMP ended up redefaulting on their loans. Do you agree that the HAMP had unacceptably high redefault rates for borrowers receiving HAMP loan modifications?

A.1. My work with the mortgage servicing industry and Treasury while I was at Fannie Mae involved efforts to mitigate the worst outcomes for homeowners from the global financial crisis, helping to avoid foreclosures and working with the industry to mitigate losses and failures in the system that was broken and ill-equipped to deal with the home price declines and delinquencies that followed. The goal was helping people stay in their homes with sustainable mortgage payments and our job at Fannie Mae was to support Treasury in building the infrastructure to aid the industry by helping the millions of distressed homeowners avoid foreclosure. The level of unemployment experienced during that time was high, and many borrowers were unable to regain incomes, which led to

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1 SIGTARP. “Rising Redefaulths of HAMP Mortgage Modifications Hurt Homeowners, Communities, and Taxpayers.”
unaffordable mortgages on houses that were no longer worth their mortgage debt, and a series of redefaults occurred. I don’t find any of that acceptable and remain disappointed that so many people were not afforded time to get on their feet and keep their homes because if they had made it through that period, many of them would be experiencing and benefiting from what has been a very healthy and appreciating housing market since that time.

Q. 2. What will you do to make sure that borrowers insured or guaranteed by HUD will not redefault in any loan modification programs that are being implemented now in response to COVID–19?

A. 2. The Administration and Secretary Fudge made clear from day one that helping homeowners keep their homes and recover from the pandemic economic crisis was a top priority. HUD’s FHA insurance program has implemented significant policy improvements to its loan modification options with the specific goal of avoiding redefaults and creating a sustainable and affordable loan modification that will succeed. If confirmed, I will work with the FHA team and support the work they have done in coordination with other agencies, including the FHFA, to align efforts and ensure that the tools available for servicers are robust and help homeowners keep their homes whenever possible.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR TILLIS FROM ALANNA MCCARGO

Q. 1. During your tenure at Fannie Mae, you helped to implement the Home Affordable Modification Program (HAMP), which was created in response to the 2008 financial crisis. According to a June 2010 GAO report, there were multiple challenges in implementing HAMP.¹ For example, the report noted that while one of the “stated goals for HAMP was to standardize the loan modification process across the servicing industry, GAO found inconsistencies in how servicers were treating borrowers under HAMP that could lead to inequitable treatment of similarly situated borrowers.”² How will you ensure that any problems identified with HAMP will not resurface for HUD borrowers entering into loan modifications?

A. 1. The HAMP program that was created to address the 2008 Global Financial Crisis (GFC) was unprecedented and the learnings and findings from the reports and analysis you reference have been incredibly insightful for helping policymakers, industry, and Government agencies address the current crisis and other disaster events that have required servicers and policy to help borrowers who are at risk of losing their homes. The 2008 GFC exposed several major flaws in America’s housing finance system and the mortgage servicing infrastructure. I have spent significant time studying the GFC and I helped create and lead the Mortgage Servicing Collaborative³ at the Urban Institute which brought together a diverse coalition of housing finance industry experts and stakeholders to fully understand the challenges faced during the 2008

crisis and ensure the system and mortgage servicers are more stable and prepared for any future crisis of that scale. The pandemic has been a test of the current system, and although the COVID–19 economic crisis is very different, the policy choices and actions taken by Congress and Government agencies demonstrates an understanding from lessons learned in the past and is resulting in far better outcomes for homeowners and a better coordinated and standard response from industry. If confirmed, I would work with the appropriate oversight bodies to continuously learn and apply improvements at Ginnie Mae that ensure a stable and equitable system.

Q.2. The Obama administration originally estimated that HAMP could help between three million and four million homeowners, but as of June 30, 2021, only around 1.7 million borrowers received HAMP modifications. Do you believe HAMP succeeded in helping families stay in their homes and avoid foreclosure?

A.2. The unprecedented nature of the 2008 housing crisis called for new and untested steps to address the millions of homeowners who fell behind on their mortgages and who also saw their home values plummet, losing much of their wealth. The Making Home Affordable (MHA) program Treasury put in place helped millions of people avoid foreclosure, though many still did end up losing their homes. The MHA program (which includes HAMP) was ultimately responsible for helping transform the mortgage servicing sector, standardizing new loan modification options to help borrowers avoid foreclosure, refinancing millions of homeowners into more affordable housing payments through HARP, and modifying over 1.8 million loans in the HAMP program (which ended in 2016), millions more modifications in Government Sponsored Enterprise and FHA and VA insured modification programs. I believe these outcomes are far better than what would have happened if nothing had been done. I also wish more families could have kept their homes. Those who lost their homes were disproportionately lower income households, and people of color and they lost a tremendous amount of wealth which exacerbates the racial home ownership and wealth gaps. The mortgage industry is better prepared for crisis today because of what was learned during that period, and while not perfect, the infrastructure to withstand massive delinquencies and their ripple effects far better in today’s system. If confirmed, I would bring deep and unique insights from the 2008 crisis to Ginnie Mae as we address current and future economic events.

Q.3. HAMP modifications resulted in high redefault rates, harming borrowers and delaying eventual foreclosure. Such borrowers may have been in a better position had they gone through a foreclosure earlier rather modified their mortgages and delay a foreclosure. How will you ensure borrowers entering into loan modifications now with HUD are not at risk of redefault and eventual foreclosure?

A.3. I do not think foreclosure ever puts a borrower in a better position, whether it happens early in the process or later after at-
tempts to modify or restructure a loan. Foreclosure is a bad outcome for a consumer's credit, housing and community stability, and wealth. In my opinion, keeping people in their homes is usually the best outcome when financial distress occurs or helping those who need to leave, exit through a normal home sale that they can benefit from. However, sometimes foreclosure is the only option remaining, and when it must occur, it should be accomplished as efficiently and transparently as possible. If confirmed to lead Ginnie Mae, I will work with the FHA, VA, and USDA mortgage policy teams who create the loan modification policies for borrowers and ensure that the risks to Ginnie Mae securities backing those modified loans are fully understood and mitigated. There is always some probability of default and redefault though it is hard to predict, and the agencies have better tools and models in place today than in 2008 to provide the time for mortgage servicers to work with borrowers to give them the best chance at success.

Q.4. The risk of redefault increases as home values fall and delaying an eventual foreclosure only reduces the value that can be recouped through a foreclosure sale, increasing the claim amount paid to Government-insured lenders.

Do you believe home values will continue rising?

How will you ensure that taxpayer interests are protected if home prices fall?

A.4. Home price fluctuations are very market specific, and home prices have been steadily increasing nationwide for some time. I follow economic and home price trends and the many indices to get a sense of forecasted home values, but I don’t make predictions or speculate. Right now, homeowners’ equity is at record highs, standing at over $25 trillion according to the Federal Reserve’s Flow of Funds Report. Even if home prices fall slightly, the debt-to-equity ratio favors homeowners. If confirmed, I will work with the Ginnie Mae team to ensure continuous and rigorous risk management continues, and I will continue to work to protect taxpayers by delivering value on the securities issued by Ginnie Mae and ensuring stability through all economic cycles.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR MORAN

FROM ALANNA MCCARGO

Q.1. The Home Affordable Modification Program (HAMP) was established in response to the impact of the financial crisis on homeowners. The Obama Treasury Department tasked Fannie Mae with the responsibility of implementing HAMP. You worked at Fannie Mae on the implementation of HAMP. HAMP had numerous difficulties documented by the Office of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP) and the Government Accountability Office (GAO). These difficulties included many borrowers participating in HAMP loan modifications ultimately...
mately redefaulting, putting taxpayer dollars at risk. As president of Ginnie Mae, you will be running an organization which also exposes taxpayer dollars at risk.

What assurances can you provide that decisions made at Ginnie Mae will prioritize protecting taxpayer dollars?

A.1. Ginnie Mae’s mission since its founding has been to bring capital into the housing finance market while minimizing risk to taxpayers. The agency has delivered on this mission for over 50 years. If confirmed, my top priority will be to mitigate risks to taxpayers, strengthen Ginnie Mae’s securitization operations and risk management, and attract global capital that continues to expand the value of Ginnie Mae securities to investors across the globe in order to ensure our veterans, first time homebuyers and lower income households have access to affordable mortgage credit.

Q.2. What steps will you take to prevent HAMP’s difficulties from developing in any programs where Ginnie Mae mortgage-backed securities include loan modifications?

A.2. While HAMP was a novel program designed to address the global financial crisis of 2008, there have since been many new and more efficient loss mitigation programs and tools implemented and adopted by mortgage servicers that have been far more effective in addressing natural disasters and large economic loss events, like the pandemic. If confirmed, I will work with the Ginnie Mae risk and capital markets teams to monitor the loss mitigation and modification activities taking place at FHA, VA, and USDA and the impacts that will have on Ginnie Mae prepayment speeds and market pricing. I will work with the issuer management team to make sure those mortgage servicers and issuers of Ginnie Mae MBS are complying with the latest policies and manage their performance, liquidity, and financial risks.

RESPONSES TO WRITTEN QUESTIONS OF CHAIRMAN BROWN
FROM JAMES ARTHUR JEMISON II

Q.1. Where have you excelled in past positions in attracting, hiring, and promoting people of color in positions in your organization? Where might there be room for improvement?

A.1. I would point to the initial staffing of the City of Detroit Housing & Revitalization Department (HRD) and restaffing of the Planning and Development Department (PDD) as examples. In 2014 and 2015, my then Deputy Director Hunter Kurtz and I had to restructure the staff of both departments as part of the Bankruptcy. (Mr. Kurtz used to work for me in Detroit before becoming PIH Assistant Secretary under the previous Administration.) I recruited Planning Director Maurice Cox (now Planning Director of Chicago, IL) and collaborated him in recruiting a diverse staff of planners to lead the City of Detroit’s Planning Department. While I am certainly proud of the diversity of the new staff—in particular the number of women leaders—I am equally proud of the retention and promotion of staff of color who had served the city for long periods.

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without recognition. The planning field and public housing field need significant inflows of BIPOC graduates. Twenty-five years ago, I was one of those BIPOC students entering the field. As a result, in my leadership in prior positions have worked with academic departments to recruit staff and make sure future generations of my departments have diverse leadership and staff.

Q.2. What specific measures will you use to evaluate the success of the Department of Housing and Urban Development (HUD) in understanding and addressing the needs of Black, Indigenous, and people of color (BIPOC)? And, will you work with the Secretary and senior officials to keep Congress apprised, as appropriate, on the progress being made on these measures?

A.2. Throughout my 25-year career, I have focused on using data and measurable results and would use similar approaches in my work at PIH. Many public housing developments, units occupied by voucher holders, and Tribal communities are within communities of color or on Tribal land. If confirmed, I will make sure PIH is a partner with FHEO and informing fair housing oversight and working with PIH stakeholders to fulfill their role locally. Reports including data on the preservation, rehabilitation and operating results for PIH-related units will allow me to highlight specific areas where progress is being made or where improvement is needed. If confirmed, I will work with the Secretary and other senior officials to keep Congress apprised of progress on these issues.

Q.3. What is your plan for creating an inclusive working environment for employees within your office?

A.3. Creating an inclusive working environment requires a careful process of staff engagement, listening and consensus building. It also involves, where possible, using a transparent process for the creation of the vision, major decisions, and measurement of outcomes. The testimony from my supporting letters and track record in the Commonwealth of Massachusetts, Washington, DC, and Detroit show that I have used these methods in my work.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR TOOMEY
FROM JAMES ARTHUR JEMISON II

Q.1. Congressional Oversight—Please provide your philosophy on how HUD’s Office of Public and Indian Housing (PIH) will approach and respond to Congressional information requests (both for documentary information and oral testimony) if you are confirmed.

A.1. If confirmed, I would provide responses to requests with reasonable understanding of the time required to produce documentation.

Q.2. If confirmed, do you intend to respond to information requests differently depending on who is making the Congressional information request (whether it’s the chair of the Congressional Committee, the Ranking Member, or another member of Congress)? Please answer “yes” or “no.” If your answer is “yes,” please explain.

A.2. Yes. If confirmed, I will work to ensure HUD responds in a timely manner to all congressional requests for information, consistent with applicable law and regulations.
Q.3. If confirmed, I would work to ensure HUD responds in a timely way to congressional requests for information, including from both Chairs and Ranking Members, consistent with applicable law and regulations. Will you commit that, if confirmed, you will timely respond to and fully comply with all information requests from me? Please answer “yes” or “no.” If your answer is “no,” please explain.
A.3. Yes. If confirmed, I would expect to provide responses to requests, with reasonable understanding of the time required to produce documentation and consistent with applicable law and regulations.

Q.4. Will you commit that, if confirmed, you will make yourself and any other PIH employee expeditiously available to provide oral testimony (including but not limited to briefings, hearings, and transcribed interviews) to the Committee on any matter within its jurisdiction, upon the request of either the Chairman or Ranking Member? Please answer “yes” or “no.” If your answer is “no,” please explain why.
A.4. If confirmed, I would seek to respond to such requests with reasonable understanding of the time required to prepare briefings and make sure appropriate staff are prepared to offer substantive responses.

Q.5. Do you believe that PIH may assert any privileges or other legal justifications to withhold information (whether records or oral testimony) from Congress? Please answer “yes” or “no.”
A.5. If confirmed, I would consult with the agency’s Office of General Counsel to ensure HUD responds to Congressional requests in a manner that is consistent with appropriate law and regulations.

Q.6. If you answered “yes” to the preceding question, please list every such privilege or other legal justification, and provide the legal basis for why you believe PIH may use such privilege or legal justification to withhold information from Congress.
A.6. N/A.

Q.7. In an effort to be open and transparent with Congress and the public, will you commit not to assert any such privilege or legal justification against Congress that you listed above? If not, why not? If so, please identify all such privileges or legal justifications that you will commit to not assert against Congress.
A.7. If confirmed, I would work with the Office of General Counsel to ensure that I am complying with any and all legal requirements.

Q.8. HUD Pilot Projects—In recent years, HUD has started some pilot programs to study the effectiveness of Housing Choice Vouchers and to try to improve them for beneficiaries. Would you be open to additional pilots? If so, what kinds of pilots?
A.8. If confirmed, I would be open to additional pilots in consultation with the Secretary.

Q.9. Ensuring That HUD Assistance Is Not for a “Lifetime”—In December 2020, HUD Secretary Marcia Fudge said that “public housing or low income housing should not be a lifetime, it should be
just a stopping point.’’

What do you intend to do during your time as the Assistant Secretary for Public and Indian Housing to advance that goal?

A.9. Programs like Family Self-Sufficiency (FSS) help tenants achieve financial and employment goals, including many who transition to home ownership. Rental assistance alone is vital for those experiencing homelessness or at risk of homelessness, but it offers families stability and the ability to pursue employment and educational goals and improve their health status and wellbeing. If confirmed, I would work with OGC to review the limitations on discretion that I have to support resources appropriated for this type of program by Congress to identify additional ways to support programs like FSS that build on rental assistance to help tenants achieve asset building, employment, and educational goals.

Q.10. *Moving to Work*—The Moving to Work (MTW) Demonstration Program provides public housing agencies (PHAs) with exemptions from many existing public housing and voucher rules and grants flexibility with how to use Federal funds. Do you support expanding the number of eligible jurisdictions to allow more communities to experiment with MTW?

A.10. From my experience in the field, I know the value of flexibility for public housing authority leaders. I do not currently have a position on expanding the MTW program but look forward to consulting with PIH staff, stakeholders, and the Secretary.

Q.11. Would you consider expanding MTW to allow defined-stay tenancy for new tenants (i.e., time limits) in exchange for a set rent that will not increase with income?

A.11. I do not currently have a position on expanding the MTW program but look forward to consulting with PIH staff, stakeholders, and the Secretary. I would like to learn more about that approach, if confirmed and will work with your office and other interested policymakers to ensure that I have the latest thinking on this subject.

Q.12. After years of research, the Moving-to-Work Research Advisory Committee, comprised of public housing agencies, current and former public housing residents, and researchers recommended the MTW expansion include work requirements as a policy cohort to evaluate (along with general flexibility for small/medium PHAs, rent reform, and landlord incentives). Do you agree with this committee’s recommendations?

A.12. I have not seen the committee’s recommendations and so cannot respond to them. I do not currently have a position on expanding the MTW program but look forward to consulting with interested Congressional offices, PIH staff, stakeholders, and the Secretary.

Q.13. Despite years spent designing a study for work requirements and enough PHAs applying to participate in the study, in June 2021, HUD unilaterally decided to cancel this study. HUD justified...
this cancellation by suggesting a need to be “responsive to the economic realities and current needs of low-income families.”

PHAs have expressed disappointment in HUD’s decision to cancel this important research. HUD’s justification for cancelling this study does not make sense given that any work or volunteer requirements studied by PHAs participating in the study would be set years from now. Do you agree with HUD’s decision to cancel this study? Please explain why you agree or disagree with this decision.

A.13. Respectfully, I do not know enough about the committee’s recommendations or the decision to cancel the study. If confirmed, I would learn more and meet with the Committee, HUD staff, and PHA leaders to understand the future of the MTW, including its recent expansion.

Q.14. Indian Housing—You have been nominated to lead HUD’s Office of Public and Indian Housing (PIH). It appears you have no experience related to Indian housing. Why should the public have confidence that you will be able to effectively administer PIH’s role in Indian housing affairs?

A.14. If confirmed, I will have the opportunity to work with the experienced leadership of the Office of Native American Programs which is located in PIH. Success in Indian housing requires respect for Tribal sovereignty and Nation-to-Nation relationships that the President has called on the Federal Government to strengthen across the board. If confirmed, I will embody this commitment and exhibit the flexibility and range of experience needed to address Tribal communities’ housing and community development needs. Recent best practice projects from Tribal communities range from urban affordable housing in Portland, Oregon, to new public housing on islands in the Bering Straits. I have a range of experience from big cities to small cities and towns. While Tribal communities are unique and each one is different, I have the wide array of experience required to consult with Tribes on a wide range of issues on behalf of the Office of Public and Indian Housing.

Q.15. Public Housing—Public housing is costlier than other forms of housing assistance. And public housing projects have long been concentrated areas of poverty and crime. Do you agree that public housing is a less effective form of housing assistance than tenant-based vouchers that provides families freedom to live elsewhere?

A.15. I believe in both vouchers and public housing. I believe in both because I have lived in public housing and seen that it can be as good as private affordable housing when properly managed and supported. Public housing developments represent the cornerstone of the affordable housing system. While vouchers provide a flexible form of housing assistance, there will always be a need for affordable housing units in the community. The transformation of affordable housing often seen through Choice Neighborhoods and before that HOPE VI shows the potential that public housing has

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as a platform for revitalizing neighborhoods and entire communities.

Q.16. Public Housing Agencies (PHAs) are routinely found to mismanage programs and are plagued by scandals. How will you ensure PHAs remain responsible stewards of Federal taxpayer dollars?

A.16. If confirmed, achieving the best outcomes for tenants and voucher-holders will be at the center of my approach to working with PHAs. I will consistently choose the most deliberate and appropriate path to obtain improved conditions. I will make sure PHAs remain responsibly stewards through transparent incentive systems for good performance, drawing on resources at HUD headquarters and in the field. Where PHAs struggle, we will use audits, engagement of PHA leadership, and, where necessary, HUD receivership when PHAs are mismanaged.

Q.17. Detroit’s History of Project Delays—Detroit has invested heavily to revitalize blighted neighborhoods using substantial Federal resources. However, one project in particular has fallen well behind schedule and lost some of its Federal funding. According to news reports, when you served as Detroit’s Chief of Services and Infrastructure, you reduced Federal grants for this project because delays in the revitalization of Detroit’s Fitzgerald neighborhood raised doubts that all the money would be spent in time.4 The city also set overly ambitious completion timelines.5 According to one news report, “Those initial plans were developed without any data—officials admitted in interviews with the Free Press—to support the notion that so many blighted houses could be rehabbed under the original 2-year timeframe.”6 You admitted to the press: “I wish we had been more conservative about the timelines.”7 Why did Detroit set overly ambitious project completion timelines?

A.17. Fitzgerald was one of approximately 35 housing and commercial developments in which I was involved during my time in Detroit. Detroit does not have the benefit of a strong market and the approach to work there is very different than my experience in strong markets of Washington, DC, and the City of Boston.

The Fitzgerald project called for public sector agencies to conduct the demolition of approximately 25 vacant houses, construction of a new park, the construction of a Greenway and significant improvements in alley and roadway systems. The project also called for a market-led, phased rehabilitation of vacant single-family houses over 5-year period with some City funding support.

The scope controlled by public sector entities took place on time. The rehabilitation of the houses which required layered financing and market demand moved more slowly.

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6 Id.
7 Id.
Unfortunately, there was not recent market experience for the kind of project proposed here, especially relative to market demand in a single neighborhood. We had to rely on the projections of the developer who won the RFP process. When I left the City in January 2021, the project’s last phase is scheduled for completion by City affiliates in the 2022 construction season with the final set of home rehabilitations to be completed and another set of houses to be sold to a neighborhood group in that same period.

Q.18. Why did Detroit set these timelines without any data to support them?

A.18. We did use data to support our conclusions. There was not very much applicable market data to draw from, however. The City was bankrupt just 3 years earlier. It had been a generation since there was large scale subdivision development in the city. As a result, there was little good indication on how quickly houses would be absorbed by the market.

In approximately the same timeframe, the City of Detroit and the Detroit Land Bank Authority launched programs which have had significant success in rehabilitation of large numbers of houses. Programs such as the City’s 0 percent Home Repair Loan Program, Bridging Neighborhoods program (BNP) and the Detroit Land Bank Authority’s (DLBA) Rehabbed & Ready program. I was involved with conceiving 0 percent and BNP and fundraising capital support for the Rehabbed & Ready program. When I left the City in January 2021, these programs were approaching completion of 600 0 percent home repairs, 50 BNP home swaps and 90 Rehabbed & Ready sales, respectively.8,9

Q.19. Have you overseen other redevelopment projects whose completion was similarly delayed?

A.19. Development in Detroit takes longer because it is not as strong a market as others in which I have worked. Other large and ambitious projects like the private redevelopment of the former Herman Kiefer Hospital property also moved slowly.

While recovery in Detroit is underway, it is a process and takes time. It took many years for the current market conditions to develop; and it will take time for conditions to go in a new direction. I believe we began moving it in the right direction during my tenure.

Q.20. The PIH Assistant Secretary is delegated significant authority to waive requirements meant to reduce the risk of waste, fraud, and abuse in federally funded housing programs. Will you commit to not waiving such requirements even if faced with pressure to meet unrealistic spending goals?

A.20. I have certainly learned a lot from my 25 years of experience in development. I have not waived Federal requirements to meet goals before. If confirmed, I would use my judgment and avoid waiving requirements to meet spending goals.


There is evidence of my approach to this kind of challenge. When I arrived in Detroit in 2014, the City had never spent its funds on a timely basis according to the timeliness test, which put the City at risk of fund recapture. Under the leadership of Hunter Kurtz and I, from 2016 to 2020 when the test was suspended due to COVID–19, we spent our funds on a timely basis.

Q.21. HUD has already waived requirements for documenting lawful immigration status before awarding housing vouchers made available through the American Rescue Plan Act. Are you considering additional waivers of such safeguards?
A.21. If confirmed, I will always consult with the Office of General Counsel to make sure actions are within the laws and regulations that guides our work.

Q.22. Targeting Low- to Moderate-Income Areas—Detroit funded a program to provide financial and technical assistance to potential and existing small businesses through a Community Development Block Grant (CDBG) award. According to news reports, however, HUD requested Detroit suspend CDBG spending until the city better targeted low- to moderate-income areas. 10 At the time of HUD’s request, you stated that you were “confident we’re going to satisfy HUD’s request.” 11 However, earlier this year, [The City of] Detroit’s Office of Inspector General found that the program had an array of other deficiencies, including “excessive spending, a lack of oversight, weak controls for issuing payments and ultimately nearly 77 percent of the businesses the program assisted failed.” 12

Do you think HUD’s programs should target low- to moderate-income areas and families?
A.22. Yes.

Q.23. Under what specific circumstances do you think money made available through HUD should not target low- to moderate-income areas or families?
A.23. None. The rules governing the targeting of PIH resources are different and if confirmed would adhere closely to them with the guidance of OGC.

Q.24. Why were you confident HUD’s requests would be satisfied?
A.24. I had seen the information and changes to billing approach that the HUD Field Office was requesting, and I believed that the data existed to meet their requirements.

Q.25. Given that this Detroit program had an array of deficiencies, including excessive spending, a lack of oversight, and weak controls for issuing payments, why should Federal taxpayers have confidence that you will be a good steward of their tax dollars at HUD?

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11 Id.

A.25. HRD leadership did not run this program; rather, we were called in to help correct the identified problems. This was a program run by a subrecipient contractor of the city, the Detroit Economic Growth Corporation (DEGC/EDC).

When HUD monitoring identified a problem with the way that the DEGC/EDC was maintaining its Books and Records, the City of Detroit Office of Chief Financial Officer and HRD team leader who reported to me performed a forensic audit to identify the problems, cited contract violations of the DEGC/EDC, and worked with the DEGC/EDC to make the Books and Records better conform with the requests of the HUD Detroit Field Office staff.

Due to the work of the City OCFO and HRD staff to resolve questions, HUD reinstated the City’s ability to contract CDBG with DEGC/EDC for the Motor City Match program in May 2020.

Q.26. To what do you attribute the program’s high failure rate, as 77 percent by businesses receiving assistance through the program failed?
A.26. Please see answer above.

Q.27. How will you implement any lessons learned from this program to ensure success for families assisted through PIH?
A.27. Some troubled PHAs will require strong intervention from HUD PIH and if confirmed, I will use the same approach of forensic auditing and if necessary, installing HUD supervision to make sure taxpayer dollars are protected.

Q.28. Will you ensure that any provisions in law, regulation, or other subregulatory guidance requiring targeting of assistance remain in place for families served by PIH programs?
A.28. Yes, I will comply with all statutory and regulatory authorities when it comes to such guidance.

Q.29. Answering Questions for the Record—Please describe with particularity the process by which you answered these questions for the record, including identifying who assisted you in answering these questions along with a brief description of their assistance.
A.29. I prepared all answers personally. I worked with relevant staff to complete them in a manner consistent with HUD and the position’s responsibilities.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR REED FROM JAMES ARTHUR JEMISON II

Q.1. The Family Self-Sufficiency (FSS) program is an important employment and savings incentive initiative that I have worked over the years to strengthen and expand.

If confirmed, do you commit to prioritizing FSS as a key tool to giving those in public housing the incentives and tools to meet their financial goals?
A.1. FSS is a key tool in helping public housing residents, voucher holders, and NAHASDA-assisted households achieve their financial goals. If confirmed, I will emphasize asset building efforts like FSS to support residents.
Q.2. What strategies and ideas do you have for further improving access to the FSS program and provide the support needed for more public housing agencies to implement it?

A.2. FSS requires local PHA staff leadership to achieve success for tenants. Making sure that housing authorities have the administrative staff and technical assistance required to work with residents will be the key to broader acceptance of the program as a part of PHA core programming.

Q.3. Research has shown that the threat to affordable housing from flooding and other effects driven by climate change will likely triple in the next 30 years, which is why I recently introduced legislation (the Green Retrofits Act, S.2361), to bolster public–private partnerships to make green upgrades to HUD-assisted multifamily homes and create a new program to distribute energy efficiency grants and loans. If confirmed, how will you work to make public housing stock more resilient in the face of climate change? How do we protect our most vulnerable populations from future hurricanes, heat waves, and cold snaps?

A.3. Public housing authorities receive annual capital allocations to address emergency capital needs and otherwise maintain their properties. In addition, the Choice Neighborhoods program provides significant new capital for particularly distressed properties. If confirmed, I will work with PHAs to prioritize resilient rehabilitation as part of their capital programs. If significant new funds come from Congress for capital improvements in public housing, we will have an even greater opportunity to make sure rehabilitation and new development are resilient to disasters and other impacts of climate change.

Q.4. If you are confirmed, can you commit to prioritizing HUD–VASH and working to ensure that no servicemember is discharged into homelessness? What ideas and strategies do you have for improving the HUD–VASH program?

A.4. Yes. No veteran who has raised their hand and committed to serve the United States should experience homelessness. If confirmed, I will prioritize VASH, including Tribal VASH, in my work to make sure we improve utilization of VASH through, among other methods, more focused engagement between PHAs, Continuums of Care, and Tribes, and continuing engagement with the VA and DOD.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR SINEMA FROM JAMES ARTHUR JEMISON II

Q.1. In 2017, HUD reported finding much higher rates of building deficiencies and overcrowding in housing in tribal areas than in other U.S. housing. Arizona is home to 22 Native American tribes and 20 reservations. These issues continue to affect Arizonans who belong to these tribes and live on these reservations. If confirmed, how will you ensure that housing development projects on tribal land in Arizona are safe and affordable? How will you work with tribal leadership and the State of Arizona to ensure the efficacy of these projects?
A.1. If confirmed, I will work to make sure that housing development projects on tribal land are safe and will work to reduce overcrowding. We will do this in coordination with Tribes, engaging in meaningful and robust consultation. Tribes’ needs may vary greatly, but they all want to be able to provide housing and other community resources for families. Where Tribes request best practices and support in working with property owners on safety and overcrowding, our office will provide that support.

If confirmed, I will also focus on helping Tribes meet these needs and fully leverage resources available from the American Rescue Plan enacted earlier in 2021.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR SHELBY FROM JAMES ARTHUR JEMISON II

Q.1. During your time in a senior housing position for the City of Detroit, efforts to redevelop certain neighborhoods experienced significant delays. According to press reports, on one particular project, timelines that you set up were “developed without any data” and were missed.1 What was your justification for developing timelines without any data to support them?

A.1. We did use data to support our conclusions. There was not very much applicable data to draw from, however. The article this question cites to refers to the Fitzgerald project. The Fitzgerald project was one of approximately 35 housing and commercial developments in which I was involved during my time in Detroit.

The Fitzgerald project called for public sector agencies to conduct the demolition of approximately 25 vacant houses, the construction of a new park, the construction of a greenway and significant improvements in alley and roadway systems. The project also called for a market-led, phased rehabilitation of vacant single-family houses over a 5-year period with some City funding support.

The scope of work controlled by public sector entities took place on time. The rehabilitation of the houses, which required layered financing and market demand, moved more slowly.

When I arrived in Detroit from Massachusetts in 2014, the City’s bankruptcy was being resolved and I was part of a team of people whose job it was to help the city recover. This required trying new approaches. In a city recovering from bankruptcy, there was no data or comparable recent programs in which a private, single-family rehabber had delivered significant numbers of single-family home rehabilitations successfully. As a result, there was no data or benchmark from which to measure the proposed pace of rehabilitation. The selected developer cited their track record of rehabilitations in other city neighborhoods.

In approximately the same timeframe, the City of Detroit and the Detroit Land Bank Authority launched programs which have had significant success in rehabilitation of large numbers of houses. Programs such as the City’s 0 percent Home Repair Loan Program, Bridging Neighborhoods program (BNP) and the Detroit Land

Bank Authority’s (DLBA) Rehabbed & Ready program. I was involved with conceiving 0 percent and BNP; and was part of fund-raising capital support for the Rehabbed and Ready program. When I left the City in January 2021, these programs were approaching completion of nearly 600 0-percent home repairs, nearly 50 BNP home swaps and close to 90 Rehabbed and Ready sales, respectively. Articles about both these programs are referenced below as footnotes.2,3

Over the last 25 years I’ve been directly involved in the preservation of over 4,000 and development of over 3,500 market and affordable units and hundreds of public housing units. I have been involved in the permitting and development of over $2 billion in economic development projects and been part of the recovery of two public housing authorities: in Boston under the leadership of Sandi Henriquez former Assistant Secretary for Public and Indian Housing (PIH); and the Detroit Housing Commission with my former Deputy Director in Detroit, Hunter Kurtz. Hunter went on to become the Assistant Secretary for Public and Indian Housing in the prior Administration.

I have done my work in recovering cities, working to hasten positive change. I hope to bring my energy and reform experience, if confirmed, to the Office of Public and Indian Housing.

Q.2. If confirmed, what factors will you consider in order to ensure taxpayer funds are allocated efficiently at HUD?

A.2. If confirmed, the factors to consider include making sure the programs are simple to implement so the full range of local approaches can be used. We should also consider the use of known programmatic and regulatory channels, such as basing new programs on regulatory frameworks like CDBG, for example. This process allows efficient deployment of the funds.

My experience as a practitioner will inform the way in which we ensure the efficient deployment of taxpayer funds I have already spent 10 months at HUD leading the Office of Community Planning and Development. Just since January 2021, CPD has issued implementing notices for over $5 billion in funds through the HOME–ARP program.

If confirmed I would bring my field experience to bear in headquarters. My experience with the field will also ensure that taxpayer funds are allocated efficiently. When I arrived in Detroit in 2014, the City had never spent its funds on a timely basis according to the CDBG Timeliness Test, putting those funds at risk of recapture. From 2016 to 2020, we spent our funds on a timely basis. The test was suspended in 2020 due to the unprecedented challenges posed by the COVID–19 pandemic.

We made these marked improvements to timely expenditures of funds by supporting staff focus and close working relationships with the field office and technical assistance providers. If confirmed, I will bring my extensive reform experience in the field and

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my recent experience at HUD headquarters to bear in this new position.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR ROUNDS 
FROM JAMES ARTHUR JEMISON II

Q.1. Mr. Jemison II, could you explain to me how you plan to succeed in this position when you have very little direct public housing experience and, from what I can tell, no Indian housing experience?

A.1. I have extensive experience working with Public Housing Authorities to rehabilitate and develop public housing and use voucher resources to create more affordable housing. I worked at the Boston Housing Authority for Sandi Henriquez who went on to become the Assistant Secretary for Public and Indian Housing. I also worked with the Detroit Housing Commission which was in receivership when I arrived in 2014. In 2015, HUD ended receivership based on our work and the Commission was put under the control of a locally appointed board. We performed that work when Hunter Kurtz the outgoing Assistant Secretary and I worked together as the leaders of the Housing & Revitalization Department in Detroit.

Indian housing requires a professional with the flexibility and experience to work through Tribal consultation process to help Tribes address their housing and community development goals. Because Tribes are each unique, they may need the kind of housing for urban housing needs that has been developed in Portland; or they may need the kind of housing developed in the Bering Straits for the Tribes of that region. I have experience working in a wide range of environments from big cities to small towns and I have shown the flexibility to create success working with a wide range of different kinds of people. I’m confident I have the range of experience to successfully work with Tribes in your State and others.

Q.2. Mr. Jemison, if you are confirmed to this position, the Office of Native American Programs (ONAP) will fall under your purview. For years ONAP has been a mismanaged, nightmare to work with. Can I get your commitment today to work on fixing ONAP and making it an effective office for tribes, and entities that serve tribes, to work with?

A.2. If confirmed, I would be happy to understand your concerns further and would strive to improve the performance of ONAP to best serve Tribal Communities.

Q.3. Mr. Jemison, one program that falls under ONAP is the Section 184 lending program, of which I’m sure you are familiar. There are significant issues with this program including:

Large numbers of loan guarantee endorsements that are overdue, sometimes by more than 1 year. For reference, ONAP’s guidelines require issuance of the Loan Guarantee Certificate within 60 days of receipt of the endorsement file.

There is a huge backlog of unpaid claims, which is reported to exceed 250 loans.

Outdated loan underwriting guidelines that have fallen far behind other Federal programs and are causing much higher qualification hurdles for Native American borrowers.
A lack of updating technology to match that of other HUD programs, such as FHA.

Can I get your assurances that if you are confirmed you will work to fix all of the aforementioned inadequacies in the Section 184 lending program? Specifically, can I get your commitment to examine the underwriting process ONAP uses for its Section 184 program and look for ways it can be improved to match that of other HUD lending programs?

A.3. You have my commitment to work with your office and Tribes in your State to improve the performance of the Section 184 program so that it is a closer match to other HUD lending programs.

Q.4. Mr. Jemison, in my State of South Dakota, approximately 9 percent of our citizens are Native American. My staff and I have been working closely with the SD Native Homeownership Coalition to improve home ownership opportunities for Native people, especially Native American veterans. As I understand it, the HUD Section 184 home loan guaranty program is a pretty powerful loan program, but it has not lived up to its potential over the past decade. In fact, only about 10 percent of Section 184 loans have gone to borrowers living on Indian reservations, where the program is needed most.

A.4. The issues affecting the Section 184 program are primarily related to resolution of title issues which rest with both the Department of Interior and HUD. If confirmed, I would work to resolve the known cases while also creating an improved title process. I have some experience with this kind of challenge: in 2014, the City of Detroit empowered its Land Bank to handle complicated title issues en masse to support a stronger home ownership market. This was one of the factors that allowed the Detroit Land Bank to sell and enable private rehabilitation of over 8,000 single family rehabilitations over the last 7 years. Each tribe and its title issues will be different but with other experience to bring to bear, we can use the Nation-to-Nation relationship to speed progress.

Q.5. Since this program will be under your jurisdiction, what can you do to make certain the Section 184 loan program receives the attention it needs to help bring more home ownership opportunities to Native people in South Dakota?

A.5. The issues affecting the Section 184 program are primarily related to resolution of title issues which rest with both the Department of Interior and HUD. If confirmed, I would convene the offices across the Departments to resolve the known cases while also creating an improved title process. I have some experience with this kind of challenge: in 2014, the City of Detroit empowered its Land Bank to handle complicated title issues en masse to support a stronger home ownership market. This was one of the factors that allowed the Detroit Land Bank to sell and enable private rehabilitation of over 8,000 single family rehabilitations over the last 7 years. Each Tribe and its title issues will be different but with other experience to bring to bear, we can use the Nation-to-Nation relationship to speed progress.

Q.6. Mr. Jemison, it’s come to my attention that the current relationship and communication, or lack thereof, between ONAP lead-
ership and the Native lending community is extremely severed. Without the participating lending community, the Section 184 program would not exist and therefore the staff would not need to exist. I have heard from lenders in my State that this is the worst relationship between ONAP and 184 lenders in 20 years. Can I get a commitment from you to make certain that this relationship is mended so the Section 184 lending program can continue to grow and flourish?

A.6. If confirmed, I will look into these concerns and would strive to strengthen ONAP to best serve Tribal Communities.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR TILLIS FROM JAMES ARTHUR JEMISON II

Q.1. A [City of Detroit] Detroit Office of Inspect General (OIG) report from January 4, 2021, found that a Community Development Block Grant (CDBG) program developed by Detroit while you were a senior city official awarded grants to businesses in the metro-Detroit suburbs and not inside the City of Detroit. In addition, Detroit awarded CDBG funds to businesses in States as far away as Georgia and California and to businesses in foreign countries, like Canada and France.

Why was it in Detroit’s interest to award CDBG funds to entities so far removed from the City of Detroit?

A.1. In 2014, the Administration believed that the city needed an entrepreneurship program. The field office of HUD in Detroit worked closely with the Detroit Economic Growth Corporation (DEGC) to design the “Motor City Match” program, which is partially funded with CDBG dollars. DEGC/EDC operated the Motor City Match Program and was responsible for its oversight.

The program’s purpose was to open businesses in Detroit neighborhoods and employ Detroit residents. This included companies with founders from outside City boundaries if they committed to creating jobs for low-income Detroit residents. As of January 2021, 64 percent of the new Motor City Match businesses had Detroit-based owners, 81 percent were minority-owned, and 71 percent were women-owned.

The program was designed to have CDBG funds allocated to give entrepreneurs business planning and design advice and allow philanthropic funders to support the capital expenses of new businesses.

The City of Detroit Housing & Revitalization Department entered into a subrecipient contract with the DEGC/EDC for Economic Development programs in 2015. HRD did not operate Motor City Match. That was the responsibility of DEGC/EDC, which is separate from the department I led.

Q.2. Did the City of Detroit have sufficient controls to ensure that CDBG funds would be appropriately targeted to benefit Detroit?

A.2. The City had controls in place for all payments and also an office for focus on consistency with grants through an Office of

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Grants Management within the Office of the Chief Financial Officer. By the time I left in January 2021, the program had had a significant positive impact in Detroit, including the opening of over 111 new brick-and-mortar small businesses and significant numbers of new pop-up and home-based businesses.

When HUD monitoring identified a problem with way that the DEGC/EDC was maintaining its Books and Records, the City of Detroit Office of Chief Financial Officer and the HRD team whose leader reported to me, performed a forensic audit to identify the problems, cited contract violations of the DEGC/EDC, and worked with the DEGC/EDC to make the Books and Records better conform with the requests of the HUD Detroit Field Office staff.

Because of the work of the City OCFO and HRD staff to resolve questions from the agency, HUD reinstated the City’s ability to contract CDBG with DEGC/EDC for the Motor City Match program in May 2020.

Q.3. This same [City of Detroit] OIG report uncovered multiple problems with this Detroit CDBG program. These problems included “excessive spending, a lack of oversight, weak controls for issuing payments and ultimately nearly 77 percent of the businesses the program assisted failed.”

How will you ensure that the programs you administer for the HUD’s Office of Public and Indian Housing (PIH) do not experience similar problems?

A.3. HRD leadership did not run this program; rather, they were called in to help correct the identified problems. This was a program run by a subrecipient contractor of the City, the Detroit Economic Growth Corporation (DEGC).

In my current position at HUD, I take seriously the responsibility to ensure taxpayer dollars are protected. If confirmed as Assistant Secretary for Public and Indian Housing, I will take appropriate action to conduct this oversight.

Q.4. How will you ensure that taxpayer funds administered by PIH are not wasted as they were in Detroit?

A.4. If confirmed, I would diligently oversee PIH’s annual appropriations with the support of extensive expertise and personnel dedicated to PHA oversight in the field. The vast majority of PIH’s funding goes directly to residents for rental assistance and resources for capital needs and operations. Proper oversight of this vital funding is critical to maximize PHAs’ ability to serve residents’ needs.

Q.5. This same Detroit CDBG program was also the subject of a review by HUD due to its poor targeting of low- to moderate-income areas. In fact, HUD called on Detroit to cease this CDBG spending until the city improved this targeting.

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Should CDBG dollars be targeted to serve low- to moderate-income areas?

A.5. This targeting was improved and because of the work of the City OCFO and HRD staff to resolve questions, HUD reinstated the City’s ability to contract CDBG with DEGC/EDC for the Motor City Match program in May 2020.

While this question does not pertain to the scope of the Office of Public and Indian Housing, I believe that grantees should follow the law and regulation.

Q.6. Should other HUD programs—particularly those administered by HUD’s Office of Public and Indian Housing (PIH)—also be targeted to support low- to moderate-income families?

A.6. PIH programs are critical to low- to moderate-income families, providing essential housing assistance. There are strict income eligibility requirements for public housing to which PHAs must adhere.

Q.7. Do you commit to not remove any oversight controls that ensure PIH programs target low- to moderate-income families?

A.7. I do not intend to remove any oversight controls for public housing to which PHAs must adhere.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR KENNEDY FROM JAMES ARTHUR JEMISON II

Q.1. Risk Rating 2.0—Mr. Jemison, the National Flood Insurance Program (NFIP) has undergone significant changes to its rate setting methodology (Risk Rating 2.0) that may cause policyholders to pay more in monthly premiums, impact housing affordability, and, in some instances, constrain the supply of housing.

What will you do to ensure that implementation of these changes do not negatively impact the affordability and availability of housing?

A.1. This is a question best posed to the Federal Housing Administration leadership. It falls outside of both the Office of Public and Indian Housing and the Office of Community Planning and Development.

Q.2. Will you compel the Federal Emergency Management Agency (FEMA) to disclose this data for multifamily properties?

A.2. This is a question best posed to the Federal Housing Administration leadership. It falls outside of both the Office of Public and Indian Housing and the Office of Community Planning and Development.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR MORAN FROM JAMES ARTHUR JEMISON II

Q.1. A recent [City of] Detroit Office of Inspector General (OIG) report published in January 2021 revealed that one of Detroit’s Com-
Community Development Block Grant (CDBG) programs used Federal funds to support many businesses that ultimately failed. In fact, the OIG found that “ultimately nearly 77 percent of the businesses the program assisted failed.”

You served as a senior city official in Detroit during the period reviewed by the OIG. At HUD, you would administer the Office of Public and Indian Housing (PIH), which allocates substantial amounts of taxpayer dollars.

Given your record of performance in Detroit, how can Congress be sure that you will help families supported by HUD reach self-sufficiency while protecting taxpayer dollars?

A.1. HRD leadership did not run this program. This was a program run by a subrecipient contractor of the city, the Detroit Economic Growth Corporation.

The contention of the City of Detroit OIG referenced above is not accurate. Put simply, the failed business percentage cited includes businesses that were still receiving technical assistance but had yet to open. The eligibility criteria would be met when businesses open and hire a low-income Detroiter. Many of these businesses were en route to open but were slowed by COVID–19.

When HUD monitoring identified a problem with way that the DEGC/EDC was maintaining its Books and Records on the program, the City of Detroit Office of Chief Financial Officer and HRD team leader who reported to me performed a forensic audit to identify the problems, cited subrecipient contract violations of the DEGC/EDC, and working with the DEGC/EDC, made the Books and Records better conform with the requests of the HUD Detroit Field Office staff.

Because of the work of the City OCFO and HRD staff to resolve questions, HUD reinstated the City’s ability to contract CDBG with DEGC/EDC for the Motor City Match program in May 2020.

As far as my record is concerned, I stand by my record. Over the last 25 years I’ve been directly involved in the preservation of 4,000 and development of over 3,500 market and affordable units and hundreds of public housing units. I have been involved in the permitting and development of over $2B in economic development projects and been part of the recovery of two public housing authorities in Boston under the leadership of Sandi Henriquez former Assistant Secretary for Public and Indian Housing (PIH); and the Detroit Housing Commission with my former Deputy Director in Detroit, Hunter Kurtz, who went on to become the Assistant Secretary for Public and Indian Housing in the prior Administration.

I have done my work in recovering cities, working to hasten positive change. I hope to bring my energy and reform experience, if confirmed to the Office of Public and Indian Housing.
RESPONSES TO WRITTEN QUESTIONS OF CHAIRMAN BROWN FROM MARK COLÓN

Q.1. Where have you excelled in past positions in attracting, hiring, and promoting people of color in positions in your organization? Where might there be room for improvement?

A.1. I am extremely proud of my record in attracting, hiring, and promoting people of color in the State-wide offices that I have led over the past 13 years.

For instance, it is my understanding that I have promoted the most diverse class of supervisory personnel in agency history, to oversee some of the largest housing programs in the country. This includes BIPOC and/or female Directors and Assistant Directors of (a) the Nation’s third largest Section 8 Housing Choice Voucher program, (b) the 100,000+ unit Mitchell-Lama (moderate income) housing portfolio, and (c) NY State’s Low Income Housing Tax Credit portfolio.

If confirmed, I am committed to continuing this record and attracting, retaining, and promoting a workforce at HUD CPD that reflects the diversity of our Nation.

Q.2. What specific measures will you use to evaluate the success of the Department of Housing and Urban Development (HUD) in understanding and addressing the needs of Black, Indigenous, and people of color (BIPOC)? And, will you work with the Secretary and senior officials to keep Congress apprised, as appropriate, on the progress being made on these measures?

A.2. I am aware of, and support, President Biden and Secretary Fudge’s strong commitment to understanding and addressing the needs of BIPOC communities and to ensuring racial equity across all Federal programs.

If confirmed, I would first want to understand the Secretary’s vision for evaluating success in this critical area. I would also confer with my team, starting on Day One, in order to (a) familiarize myself with those systems already in place for evaluating equity, and (b) understand how we might work with our partners and facilitate communications with BIPOC communities to better identify the most pressing needs and collaborate on the most effective remedies.

I recognize the critical role that Congress plays in overseeing the Department’s work and, if confirmed, I commit to working with the Secretary and senior officials to keep the Members apprised of our progress on these matters.

Q.3. What is your plan for creating an inclusive working environment for employees within your office?

A.3. I have always believed that good workplace morale and an inclusive work environment are critical to providing the best possible Government services, as well as to administering the most efficient, effective and equitable Government programs.

If confirmed, my first priority would be to understand Secretary Fudge’s vision and plan for ensuring an inclusive working environment. I would also sit with CPD’s Operations and Human Resources staff to discuss and evaluate any existing plans.

At its core, though, I have found that an inclusive working environment begins with ensuring that all staff believes that their
forts are adequately recognized and that their voices are heard. I have always done my best to communicate this, as a leader, both by my words and by my actions.

RESPONSES TO WRITTEN QUESTIONS OF SENATOR TOOMEY FROM MARK COLON

Q.1. Congressional Oversight—Please provide your philosophy on how HUD’s Office of Community Planning and Development (CPD) will approach and respond to Congressional information requests (both for documentary information and oral testimony), if you are confirmed.

A.1. I recognize the critical role that Congress plays in overseeing the Department’s work. If confirmed, I would work to ensure that CPD is responsive to Congressional information requests, in as thorough and efficient manner as possible.

Q.2. If confirmed, do you intend to respond to information requests differently depending on who is making the Congressional information request (whether it’s the chair of the Congressional Committee, the Ranking Member, or another member of Congress)? Please answer “yes” or “no.” If your answer is “yes,” please explain.

A.2. No. If confirmed, I would ensure HUD responds to Congressional requests for information, consistent with applicable law and regulations.

Q.3. Will you commit that, if confirmed, you will timely respond to and fully comply with all information requests from me? Please answer “yes” or “no.” If your answer is “no,” please explain.

A.3. Yes, if confirmed, I would ensure HUD responds to Congressional requests for information, consistent with applicable law and regulations.

Q.4. Will you commit that, if confirmed, you will make yourself and any other CPD employee expeditiously available to provide oral testimony (including but not limited to briefings, hearings, and transcribed interviews) to the Committee on any matter within its jurisdiction, upon the request of either the Chairman or Ranking Member? Please answer “yes” or “no.” If your answer is “no,” please explain why.

A.4. Yes, if confirmed, I would ensure HUD responds to Congressional requests for information, consistent with applicable law and regulations.

Q.5. Do you believe that CPD may assert any privileges or other legal justifications to withhold information (whether records or oral testimony) from Congress? Please answer “yes” or “no.”

A.5. If confirmed, I would confer with HUD’s Office of General Counsel regarding all matters involving claims of privilege or other legal justification.

Q.6. If you answered “yes” to the preceding question, please list every such privilege or other legal justification and provide the legal basis for why you believe CPD may use such privilege or legal justification to withhold information from Congress.

A.6. N/A.
Q.7. In an effort to be open and transparent with Congress and the public, will you commit not to assert any such privilege or legal justification against Congress that you listed above? If not, why not? If so, please identify all such privileges or legal justifications that you will commit to not assert against Congress.

A.7. If confirmed, I would confer with HUD’s Office of General Counsel regarding all matters involving claims of privilege or other legal justification.

Q.8. Barriers to Affordable Housing—In January 2021, HUD released a report entitled “Eliminating Regulatory Barriers to Affordable Housing: Federal, State, Local, and Tribal Opportunities”, which “identifies many Federal regulations and practices that could be revised to eliminate unnecessary burdens to providing Americans with affordable, safe, quality places to live, including opportunities to make sustainable home ownership more achievable.”

Which of the report’s recommendations do you agree with?

A.8. I am encouraged by President Biden and Secretary Fudge’s commitment to increasing the supply of safe, decent, and affordable housing, including both privately owned and rental housing. If confirmed, I would want to understand Secretary Fudge’s vision for the role that HUD and CPD can play in encouraging greater production and removing barriers to the development of affordable housing. I would also commit to familiarizing myself with all the current sources of guidance on this topic, including the report cited here.

Q.9. Ensuring That HUD Assistance Is Not for a “Lifetime”—In December 2020, HUD Secretary Marcia Fudge said that “public housing or low income housing should not be a lifetime, it should be just a stopping point.”

What do you intend to do during your time as the Assistant Secretary for Community Planning and Development to advance that goal?

A.9. I am unaware of the context in which Secretary Fudge may have made that remark. If confirmed, I would be reticent to forecast any policy initiatives for CPD based on such a brief remark, without first fully understanding the Secretary’s intent, as well as the context.

Q.10. Community Development Block Grant (CDBG) Program—Will you commit to evaluating whether the CDBG program formula allocates too much money to wealthier areas, at the expense of funding poorer and more rural areas? If so, will you consider implementing CDBG reforms that could address this issue?

A.10. If confirmed, I would first want to understand any recently concluded or ongoing studies in this area, as well as any empirical findings and the Secretary’s thoughts.

Q.11. Will you commit to evaluating whether the CDBG program insufficiently prioritizes the building of affordable housing because


of other allowable uses for CDBG dollars? If so, will you consider implementing CDBG reforms that could address this issue?

A.11. I would want to defer to the Secretary regarding this issue, and, if confirmed, I look forward to discussing this further with her.

Q.12. What are appropriate guardrails to enact in HUD's CDBG Disaster Recovery program to ensure that disaster relief reaches a community swiftly but in a manner that minimizes fraud?

A.12. As a former grantee of CDBG Disaster Recovery funding, I understand well the risks that come with disaster recovery grants—communities must create and administer programs, and award funding, all while dealing with the after-effects of a major disaster.

If confirmed, I commit to working with my team, the Office of the Inspector General, and the Government Accountability Office to protect against waste, fraud, and abuse, while also ensuring that all grantees are treated equally and fairly.

Q.13. On December 4, 2019, you tweeted about the response of Republican members of Congress to the House impeachment hearings against President Trump. You tweeted “Yes, #WellDoneTraitors.” What did you mean when you wrote “#WellDoneTraitors”? At the time did you believe Congressional Republicans were traitors?

A.13. No, I did not.

I am deeply and genuinely sorry for my prior, personal tweets. Posting those tweets was wrong and out of character with my personal life and my entire professional career. That is why I stopped posting, and began to delete, those tweets prior to the 2020 election and long before my nomination.

That is also why I have apologized publicly, on the record, and in every meeting that I have had with any Committee Member or staff person.

While I sincerely regret engaging in that type of activity, I am also immensely proud of the substantive, bipartisan means in which I have addressed housing and economic issues in every region of New York State (and beyond) for nearly 20 years. I am also immensely proud of my office’s record in preserving housing affordability for tens of thousands of New Yorkers, in every region, regardless of party affiliation and, to my knowledge, without a single claim of partisanship against me or my office.

As such, if given the opportunity to serve, I am thoroughly committed to working collaboratively and, as I have my entire career, on a fully bipartisan basis, in order to address the truly pressing issues facing our Nation.

Q.14. On October 16, 2019, another Twitter user tweeted “I see deplorables” in reference to the 62 million Americans who voted for President Trump in 2016. To which you responded, “Same . . . ”. Do you view your fellow Americans who voted for President Trump in 2016 as deplorables? If not, why did you say that you did in the above tweet?


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sonal life and my entire professional career. That is why I stopped posting, and began to delete, those tweets prior to the 2020 election and long before my nomination.

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Q.15. On November 5, 2019, apparently at 4:00 a.m. on a Tuesday, you tweeted: “Hey, I can assure you that Rand Paul has a spine,” and then you wrote “Its just too puny & insignificant to support any sense of dignity.” Do you think Senator Paul lacks “any sense of dignity?” Why did you write this about Senator Paul?

A.15. No, I do not.

I am deeply and genuinely sorry for my prior, personal tweets. Posting those tweets was wrong and out of character with my personal life and my entire professional career. That is why I stopped posting, and began to delete, those tweets prior to the 2020 election and long before my nomination.

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Q.16. On Friday October 4, 2019, at 9:15 a.m.—working hours for most Government workers like yourself—a tweet with a picture of Secretary of State Mike Pompeo, Attorney General Barr, Vice President Pence, and President Trump asked fellow Twitter users “name this band.” You responded with “The Wu Tang (Ku Klux) Klan.” Do you think Secretary of State Pompeo, Attorney General Barr, Vice President Pence, and President Trump are members of the Ku Klux Klan?

I am deeply and genuinely sorry for my prior, personal tweets. Posting those tweets was wrong and out of character with my personal life and my entire professional career. That is why I stopped posting, and began to delete, those tweets prior to the 2020 election and long before my nomination.

That is also why I have apologized publicly, on the record, and in every meeting that I have had with any Committee Member or staff person.

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As such, if given the opportunity to serve, I am thoroughly committed to working collaboratively and, as I have my entire career, on a fully bipartisan basis, in order to address the truly pressing issues facing our Nation.

Q.17. On September 4, 2019, you Tweeted “Stop trying to scare the stupid people, #MoscowMitch. It’s not cool.” Did you think Senator McConnell was working with Russia to the detriment of the United States? If you did not believe Senator McConnell was working with Russia to the detriment of the United States, why would you tweet “#Moscow Mitch”? At any later point, did you Tweet did you tweet that you did not actually believe Senator McConnell was working for Russia?

A.17. No, I did not.

I am deeply and genuinely sorry for my prior, personal tweets. Posting those tweets was wrong and out of character with my personal life and my entire professional career. That is why I stopped posting, and began to delete, those tweets prior to the 2020 election and long before my nomination.

That is also why I have apologized publicly, on the record, and in every meeting that I have had with any Committee Member or staff person.

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As such, if given the opportunity to serve, I am thoroughly committed to working collaboratively and, as I have my entire career, on a fully bipartisan basis, in order to address the truly pressing issues facing our Nation.

Q.18. You had the above Twitter exchange with user @CrankyBelle. Do you know who the person or entity is behind “@CrankyBelle”? Is it an adult? Is it a United States based user?
Did you receive anything from @CrankyBelle? Do you think you exercised good judgment in having this exchange?

**A.18.** My engagement with Twitter was strictly personal and strictly related to tweeting and/or responding to tweets. I have never met, nor spoken with, anyone through my Twitter account whom I did not already know personally or professionally in real life.

**Q.19.** Based on a review of your Twitter account, including your deleted tweets that have been archived by the Wayback Machine, it appears that you posted more than a thousand tweets about Donald Trump or his family, at seemingly all hours of the day and night between March 2019 and January 2021. Many of these recent public statements were highly derogatory and inflammatory. You also posted dozens of offensive statements about members of Congress, particularly those affiliated with the Republican Party. All of these tweets were posted while you were serving in your current position as President of the Office of Housing Preservation at the New York State Homes and Community Renewal (HCR). Why did you choose to behave this way, in a manner that is highly partisan and derogatory toward these Republican officials and their family members, while serving as a senior State Government official?

**A.19.** As noted above, I am deeply and genuinely sorry for my prior, personal tweets. Posting those tweets was wrong and out of character with my personal life and my entire professional career. I have apologized publicly, on the record, and in every meeting that I have had with any Committee Member or staff person.

Regretfully, I let myself get caught up in the heat of a political back-and-forth, for the first, and only time in my life. I have never campaigned for, nor held, any political office. Rather, I am a practitioner and a problem-solver. That’s why I stopped posting, and began to delete, those tweets prior to the election and long before my nomination.

While I sincerely regret engaging in that type of activity, I am also immensely proud of the substantive, bipartisan means in which I have addressed housing and economic opportunity for every New Yorker (and others) for nearly 20 years. I am also immensely proud of my office’s record in preserving housing affordability for tens of thousands of New Yorkers, in every region, regardless of party affiliation and, to my knowledge, without a single claim of partisanship against me or my office.

As such, if given the opportunity to serve, I am thoroughly committed to working collaboratively and, as I have my entire career, on a fully bipartisan basis, in order to address the truly pressing issues facing our Nation.

**Q.20.** On October 14, 2019, in response to a tweet from then-Presidential candidate Joe Biden, you wrote: “Fixed it for you: Donald Trump is the Devil, only stupider and in human form.” Why did you find it necessary to “fix” Joe Biden’s tweet in this way?

**A.20.** I am deeply and genuinely sorry for my prior, personal tweets. Posting those tweets was wrong and out of character with my personal life and my entire professional career. That is why I stopped posting, and began to delete, those tweets prior to the 2020 election and long before my nomination.
That is also why I have apologized publicly, on the record, and in every meeting that I have had with any Committee Member or staff person.

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As such, if given the opportunity to serve, I am thoroughly committed to working collaboratively and, as I have my entire career, on a fully bipartisan basis, in order to address the truly pressing issues facing our Nation.

Q.21. **Answering Questions for the Record**—Please describe with particularity the process by which you answered these questions for the record, including identifying who assisted you in answering these questions along with a brief description of his or her assistance.

A.21. I responded to each question myself and then worked with counsel and through an interagency process. These answers are my own.

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**RESPONSES TO WRITTEN QUESTIONS OF SENATOR MENENDEZ FROM MARK COLÓN**

Q.1. It has been 4 years since Puerto Rico was hit by an unprecedented natural tragedy, Hurricane Maria. The damage was exacerbated by the human-made tragedy of the Trump's administration's cruel response.

According to a HUD Inspector General report, the Trump administration successfully delayed and stonewalled Puerto Rico's disaster funding by setting unprecedented procedural hurdles. No future Administration should be allowed to so cruelly and deliberately inflict harm on its citizens.

The HUD IG report focuses on the interactions between OMB and HUD and how OMB imposed new burdensome requirements for releasing disaster aid to Puerto Rico. As Assistant Secretary, how would you work to standardize the process for releasing funds, to ensure that a future Administration cannot purposefully delay funds?

A.1. I am well aware of the additional requirements imposed on, and delays involved with, Federal disaster recovery funding for Puerto Rico, based, in part, on my personal involvement with non-profit Hurricane Maria relief efforts on the Island.

I am also encouraged that President Biden and Secretary Fudge have acted quickly to release long-promised reconstruction funding for Puerto Rico, as well as to rescind certain additional reporting requirements not imposed on other jurisdictions.

If confirmed, I am committed to ensuring that all disaster recovery funds allocated by Congress are made available to all communities as quickly, efficiently, and equitably as possible.
I am also in favor of permanent solutions to providing timely disaster recovery assistance. Finally, I understand that Congress recently appropriated $5B to HUD related to major disasters in 2020 and 2021. This time period includes Puerto Rico’s most recent, Presidential declared disaster. Knowing this, I commit to making it one of my first priorities to get the necessary guidance issued and those funds awarded to the most impacted and distressed areas with unmet recovery needs.

Q2. If confirmed, how will you ensure that Puerto Rican citizens are provided the respect and consideration that HUD and the U.S. Government should afford to every American citizen, regardless of race, political affiliation, or location?

A2. Based on my first-hand observations, I believe that the Federal response to Hurricane Maria was inadequate, slow, and unacceptable. I believe that it is both a moral and a legal imperative to treat all HUD grantees equally and fairly. Our fellow citizens of Puerto Rico deserve nothing less.

Given the size and the scope of the recovery, resilience, and mitigation efforts needed in Puerto Rico, if confirmed, I commit to working closely and collaboratively with Puerto Rico’s leaders, civic organizations, and citizens, and to having CPD provide clear guidance and adequate oversight and technical assistance in order to rapidly and effectively facilitate the best possible recovery for Puerto Rico.

Nine years later, HUD is attempting to clawback from New Jerseyans the money they used to repair their homes and get back on their feet. The clawbacks that some of my constituents are facing is because CDBG GRANT money duplicated a benefit with SBA LOAN money. We all know that a loan is very different than a grant. I understand that this particular issue was fixed for Harvey survivors and future storms, but Sandy survivors still have this issue.

Q3. Can you commit to working with my office to provide relief for Sandy survivors so that New Jerseyans who tried to follow the rules are not faced with unfair clawbacks?

A3. I have always been open to legitimate solutions that help families to better recover for natural disasters. If confirmed, I commit to further discussing this issue with your office, to determine whether regulatory relief might be available.

I also look forward to working with Congress to ensure that HUD’s role in disaster recovery is complementary of SBA, FEMA, and other programs.

Q4. Hurricane Sandy survivors faced a maze of disaster relief between SBA, FEMA, and HUD. And yet, nearly 9 years after the storm, some New Jerseyans are facing unfair and costly clawbacks of the very disaster relief funds they relied on to rebuild their homes. During her confirmation hearing on January 28th, 2021, Secretary Fudge responded to my question on the matter of HUD clawing back Sandy CDBG–DR aid with this commitment “if confirmed it would be one of the early things I would take a look at and be happy to work with you.”
Will you make the same commitment, if confirmed, to work my office to find a way for New Jerseyans facing clawbacks to get relief?

**A.4.** If confirmed, it would be one of my first priorities to discuss this issue with Secretary Fudge, HUD’s Office of General Counsel and the CPD team. If confirmed, I also commit to working with your office on this important issue.