
**Office of the Comptroller of the Currency
Board of Governors of the Federal Reserve System**

March 22, 2013

The Honorable Elijah E. Cummings
House of Representatives
Washington, D.C. 20515

Dear Congressman Cummings:

Thank you for your letter dated January 31, 2013, regarding the agreements reached by the Office of the Comptroller of the Currency (OCC) and the Board of Governors of the Federal Reserve System (Federal Reserve) with 13 mortgage servicers subject to regulators' enforcement actions. These agreements will result in \$3.6 billion cash payments and \$5.7 billion in other assistance to homeowners. This is the largest cash payout directly to borrowers affected by foreclosure actions of any settlement to date and provides significant benefit to borrowers. These payments will replace the Independent Foreclosure Review required by existing enforcement actions against these servicers, which required the servicers to retain independent consultants to review foreclosure files of borrowers to identify financial injury caused by servicer error.

We appreciate your concerns about the agreements and your desire regarding additional transparency. We agree that transparency is an important part of restoring confidence to mortgage servicing overall. To this end, we have committed to providing public reports that detail the implementation of these agreements. We anticipate the reports to include details about the direct relief and other assistance provided to borrowers, as well as information about the findings of reviews where complete, number of requests for review, costs associated with the reviews, and the status of the other corrective activities directed by our enforcement actions. We are in the process of developing and analyzing this information at this time. As we finalize those reports, we will also consider the information you have suggested be included as well as the other suggestions that we have received.

We also appreciate your interest in documents prepared in the course of implementing the actions required by our April 2011 enforcement actions. With respect to the documents and information you have requested, some of this material has been shared publicly. Specifically, regarding funds paid by servicers to the independent consultants conducting the Independent Foreclosure Review, the servicers expended nearly \$2 billion in costs related to the independent consultants through November 2012. None of the \$3.6 billion in payments or \$5.7 billion in other assistance directed by the agreement will be paid to consultants. You also ask for the total number of borrowers who requested reviews of their foreclosure files by gender, race, zip code, and property value. As of mid-January 2013, after the submission window had closed, about 500,000 borrowers out of a total in-scope population of about 4.4 million had submitted requests for a review of their foreclosure action. Last year, the Federal Reserve published on its Web site

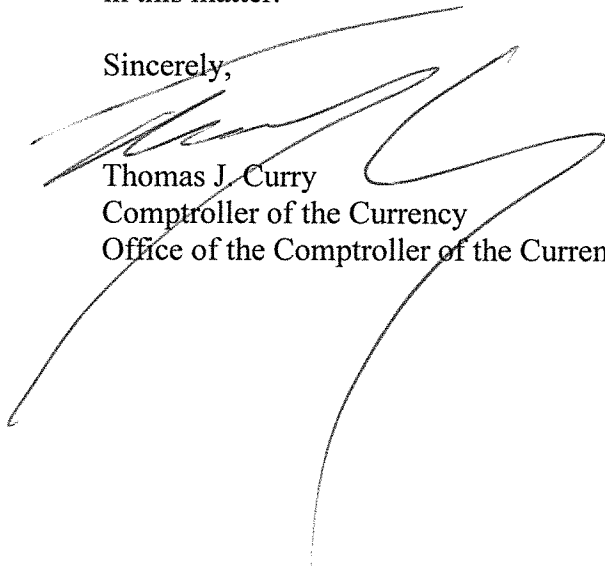
interim data as of September 27, 2012, reflecting, county by county, the numbers of borrowers who were mailed a form to request a file review, as well as the number actually submitting Request for Review Forms.¹ We anticipate making public data on the total number of eligible borrowers by geographic location who requested reviews of their foreclosure files during the entire borrower outreach process. When combined with census data, the location of the borrowers can serve as a proxy for representation of borrowers by race and low- or moderate-income status within the entire population.

As of December 31, 2012, independent consultants for servicers participating in the agreement reported 744,685 loans had been identified for review and 103,820 had been completed. Independent consultants for servicers continuing with the Independent Foreclosure Review process had identified an additional 72,764 loans for review and 9,955 loans had been completed. No remediation has been paid to injured borrowers to date.

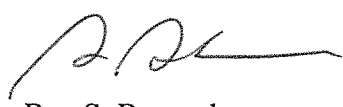
With respect to the additional documents and information you have requested, we would be happy to have our staff schedule a briefing with your staff to discuss further your document request and information relevant to these regulatory actions.

We will continue to work with you and the committees of jurisdiction in the U.S. Senate and the U.S. House of Representatives to ensure effective oversight of the financial regulatory agencies in this matter.

Sincerely,



Thomas J. Curry
Comptroller of the Currency
Office of the Comptroller of the Currency



Ben S. Bernanke
Chairman
Board of Governors of the
Federal Reserve System

¹ See <http://www.federalreserve.gov/consumerinfo/borrower-outreach-mailings-and-response.htm>