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1ST DISTRICT, INDIANA

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Congress of the United States  
House of Representatives  
Washington, DC 20515-1401

2256 RAYBURN BUILDING  
WASHINGTON, DC 20515-1401  
(202) 225-2461

7895 BROADWAY, SUITE A  
MERRILLVILLE, IN 46410  
(219) 795-1844

Call Toll Free  
1 888 423 PETE  
(1 888 423-7383)

INTERNET:  
<http://www.house.gov/visclosky/>

June 9, 2011

The Honorable Mary Schapiro  
Chairman  
Securities And Exchange Commission  
100 F Street, Northeast  
Washington, D.C. 20549

Dear Chairman Schapiro:

I write on behalf of Mr. John Barkley, a resident of Indiana's First Congressional District.

Mr. Barkley has contacted me to express his concerns regarding the proposed rule establishing standards for a Qualified Residential Mortgage. Enclosed, please find a copy of the correspondence I have received from Mr. Barkley. Specifically, Mr. Barkley is concerned that the rule would create an exorbitant down-payment requirement, which would reduce the availability of affordable mortgages for qualified consumers. I would appreciate your addressing his concerns and making his correspondence part of the official comments you receive for the proposed regulation.

Thank you in advance for your serious consideration of this matter. Do not hesitate to let me know if you have any questions or need additional information.

Sincerely,



Peter J. Visclosky  
Member of Congress

PJV:en  
Enclosure

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ES/38690  
2011 JUN 15 PM 11:44  
CHAIRMAN'S  
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## E-Mail Viewer

Message	Details	Attachments	Headers	Source
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[HTML](#)

From: "webforms@visclosky.house.gov" <webforms@visclosky.house.gov>  
Date: 6/2/2011 9:44:17 AM  
To: "IN01IMA" <IN01WYR@housemail.house.gov>  
Cc:  
Subject: IMA MAIL ON The proposed risk retention rule will harm American families and the economy

Mr. Jack Barkley  
[REDACTED]  
[REDACTED]

Dear Representative Peter Visclosky:

As a mortgage finance professional from your state, I am writing to express my grave concerns regarding the proposed rule by six federal financial regulators (FDIC, Federal Reserve, OCC, HUD, FHFA, and the SEC) to implement the risk retention provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act. In passing the Dodd-Frank Act, Congress recognized the impact an across-the-board risk retention requirement could have on consumers and the markets. An amendment was added to exempt affordable and properly underwritten mortgages, known as Qualified Residential Mortgages (QRM).

While I support the intention of the QRM exemption, this regulatory proposal differs significantly from what Congress intended, and will exclude many credit-worthy families from the dream of owning a home.

Specifically, I ask that you please contact federal regulators and urge them to remove the rigid down payment, loan-to-value (LTV) and debt-to-income (DTI) requirements included in the proposed QRM definition. As an example of the overly restrictive requirements in the proposal, in some areas of the country it could take up to 18 years for a moderate income family to save for a 20 percent down payment in order to qualify for a QRM. The DTI requirements are equally daunting and do not provide for consideration of compensating factors such as cash reserves. Clearly these requirements will put homeownership out of reach for far too many families.

I also urge you to ask the regulators to extend the comment period, conduct public hearings and re-propose the risk retention rule before issuing it in final form. Given the range of issues and what is at stake, getting this rule right is far more important than any other imperative.

If the rule were to simply require mortgage loans to be well documented, and prohibit risky product features, the legislative objectives would be satisfied, and the harmful consequences of the proposed rule would be avoided. A parallel rule, proposed by the Federal Reserve to implement Dodd-Frank's ability to repay provisions, and define a "Qualified Mortgage" (QM) safe harbor,

actually takes such an approach -- the QM proposal should guide the QRM rulemaking as well.

Again, on behalf of the thousands of real estate finance professionals from across our state, I ask that you please contact federal regulators to ensure they act as Congress intended so that American families are not harmed and our economy continues to improve,.

Thank you for your time and consideration. I look forward to receiving your response.

Respectfully,

Sincerely,

Jack Barkley



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