

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

**WOONASQUATUCKET RIVER
WATERSHED COUNCIL, *et al.*,**

Plaintiffs,

v.

Civil Action No. 1:25-cv-97 (MSM)

**DEPARTMENT OF AGRICULTURE,
et al.,**

Defendants.

AFFIDAVIT OF THOMAS R. DAVIS

I, Thomas R. Davis, swear as follows:

1. I am employed by the U.S. Department of Housing and Urban Development (the “Department” or “HUD”) as the Director of the Office of Recapitalization, within the Office of Multifamily Housing Programs, within the Office of Housing. I have served in this capacity for over ten years.
2. The Office of Housing was tasked with implementing the grant and direct loan program pursuant to Section 30002(a)(1) of the Inflation Reduction Act of 2022 (Public Law 117-169) (the “Statute”). The Office of Housing delegated the task of implementation to its Office of Multifamily Housing Programs, which further delegated the task to its Office of Recapitalization. The Department elected to refer to all activities under Section 30002 of the Statute as the Green and Resilient Retrofit Program (the “GRRP” or the “Program”). Implementation of the Program is governed by Housing Notice 2023-05 (May 11, 2023), as amended by

Housing Notice 2024-01 (January 8, 2024) (collectively, the “Notice”). HUD is working on a proposed amendment to the Notice to remove the barriers to implementation of the Comprehensive Awards and to make other policy changes to the Program consistent with the Statute and the policy priorities of the Administration.

3. I am providing this affidavit pursuant to the Court’s verbal order at the January 5, 2026, Status Conference held in the above captioned case, which directed Defendants to provide an affidavit, under oath, by a HUD staff member with personal knowledge of the GRRP and efforts to amend the Notice, attesting to the steps that remain in publishing the revised Notice and resuming implementation of the Comprehensive awards. I have personal knowledge of the GRRP and the proposed amended Notice stemming from my programmatic work on the Program and the Notice amendment, and I am available to testify on these issues if required.

4. On January 8, 2026, Office of Recapitalization staff provided OMB with a response to the comments they provided on December 23, 2025 (*see* Joint Status Report of December 31, 2025, ECF No. 101) addressing all but one paragraph which requires consultation with a HUD staffer who is on leave. I expect to have that issue addressed on Monday, January 12, 2026, at which time the Office of Recapitalization will transmit to OMB the full response to the comments.

5. Following receipt of HUD’s responses, OMB will review them to determine whether any issues raised during review remain unresolved. OMB has

indicated that it expects interagency review to conclude in the near future, and so to pose no obstacle to HUD's posting of the Notice by February 15, 2026.

6. Once the interagency review is complete, the Office of Recapitalization will prepare the Notice for signature by Assistant Secretary Frank Cassidy or his designee. The signature process has typically taken about a week. Following signature, the Notice would be posted to the "HUDClips" page on HUD's website, which typically takes 1-2 business days.

7. After the revised Notice is published, the Comprehensive awardees will be able to move forward with implementation of the awards process: conducting due diligence, developing their proposed scopes of work, and submitting construction plans, financing plans, and detailed legal documents to the Office of Recapitalization for review and approval. Following review and approval of the awardees' detailed plans for the use of the funds, the awardees can begin construction and submit invoices for payment.

8. Based on the information currently available to me regarding the status of the OMB review and HUD's typical process thereafter, I believe the Notice should be published on HUDClips by February 15, 2026.

I hereby swear and affirm under oath upon penalty of perjury that the foregoing is true and correct to the best of my information and belief.

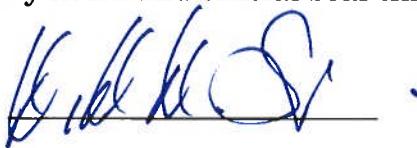
Executed on this 9th day of January 2026, in Washington, DC.



THOMAS R. DAVIS
Director, Office of Recapitalization

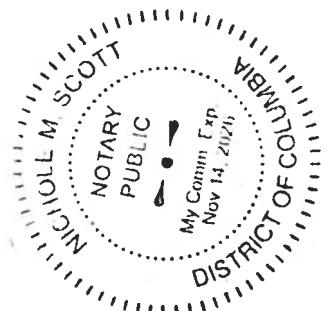
NOTARY PUBLIC ACKNOWLEDGMENT

WITNESSED by my hand and official seal this 9 day of January 2026, in Washington, DC.

Notary Signature 

[SEAL]

Notary Print Name Michele M. Scott



District of Columbia

Signed and Sworn to (or affirmed) before me on 1/9/2026 (Date)
by Thomas R. Davis (Name(s) of Individual(s) Making Statement)

Signature of Notarial Officer: Michele M. Scott

Title of Office: Notary

My Commission Expires: November 14, 2026