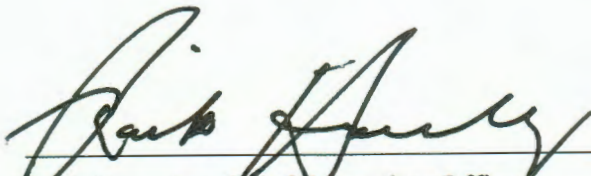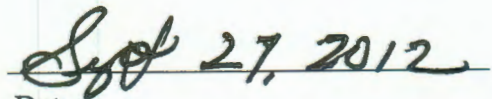FY 2012 Open Government Plan

September 28, 2012

Federal Housing Finance Agency

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Introduction

The Federal Housing Finance Agency's (FHFA) mission is to provide effective supervision, regulation and housing mission oversight of Fannie Mae, Freddie Mac, and the Federal Home Loan Banks to promote their safety and soundness, support housing finance and affordable housing, and support a stable and liquid mortgage market.

FHFA implemented an Open Government Plan (Plan) in Fiscal Year 2011 to communicate the goals, timelines and objectives in support of the Open Government Directive (OGD). This document reflects an update to the FHFA's Plan for FY 2012. FHFA's Open Government objective is to ensure that the information and data released to the public increases the regulatory transparency of the Federal Home Loan Banks, Fannie Mae and Freddie Mac, while supporting the stability of the mortgage market. FHFA information related to the Open Government initiative can be found at http://www.fhfa.gov/open/.

Methodology

FHFA uses a collaborative approach to Open Government, which addresses issues that cross multiple disciplines and organizational components. On a periodic basis the agency examines its practices with respect to data sharing to determine if improvements can be made. FHFA uses the Agile Implementation methodology[1] to create a sustainable infrastructure for implementing Open Government and promoting greater access to its information assets.

FHFA Open Government Framework

Employee engagement contributed to the formulation of the FHFA Open Government Plan, which has led to the incorporation of relevant and useful ideas. Public engagement will be part of FHFA's periodic review, modification, and enhancement of the Plan.

Key FHFA officials serve on the project committee responsible for promoting Open Government at the agency. The Chief Operating Officer leads the Open Government initiative and is the Senior Agency Official responsible for implementing the OGD. The Chief Financial Officer serves as the Senior Accountable Official for data quality. The steering committee serves as an agency-wide working group chartered to enable FHFA to provide greater transparency, increase participation and collaboration, and to effectively oversee vital components of the secondary mortgage market through available data and resources.

The steering committee is responsible for overseeing the specific lines of activities for the agency including:

- Manage communications;

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[1] Agile Implementation is based on iterative and incremental implementations, where requirements and solutions evolve through cross-functional teams.

- Maintain and populate the Open Government website, which links to the agency's Freedom of Information Act (FOIA) website;
- Create and maintain the Open Government Plan;
- Publish data and identify prospective data reporting; and
- Revise agency policies on an as needed basis.

Alignment with the FHFA Strategic Plan and Core Mission Areas

FHFA embraces the three pillars of the OGD as furthering the agency's mission, vision, values, and goals. The agency open government strategy emphasizes:

- Transparency - promotes accountability by providing the public with access to information on Government operations and activities;
- Participation - invites members of the public to contribute to and influence Government policies and functions, so Government can more readily represent the voice of the people; and
- Collaboration - encourages cooperation between agencies, across levels of Government and between the public and private sectors.

FHFA aligns its Open Government strategy with the agency's strategic plan, particularly with respect to FHFA's strategic goal of management and organizational excellence. The Office of Technology and Information Management is responsible for determining the most effective use of technology for creative solutions to access information and encourage stakeholder engagement, including support of the Open Government webpage http://www.fhfa.gov/open.

Transparency

FHFA is committed to open and transparent government. The agency strives to ensure that the American public has access to as much information as possible while protecting personal privacy and confidential, privileged, and proprietary information.

FOIA

FHFA is committed to continuing FOIA process improvements including providing access to agency records through a citizen-centered and results-oriented FOIA program. To facilitate this access, FHFA adopted the plain language question- and-answer format for its FOIA regulation. The FOIA Office, which is comprised of the Chief FOIA Officer, FOIA Officer and FOIA Liaison, will review other changes that could improve the efficiency, effectiveness, and transparency of FHFA's FOIA program.

FHFA has taken the following steps to ensure that the presumption of openness is being applied, any backlog is being reduced, and response times to requests are being improved:

- Reviewing requested records with the objective of identifying any records that can be released in advance of determining applicable exemptions.
- Increasing the number of partial disclosures when full disclosure is not possible by segregating and releasing all non-exempt information.
- Working with requesters to better define or narrow requests to better understand what the requester seeks and whether any responsive records can be located and released.
- Applying the foreseeable harm standard to information that could be properly withheld under Exemptions 2 and 5.
- Proactively posting information on FHFA's website when multiple FOIA requests are made for the same information so that the information is readily available to the public.
- Implementing a third party commercial-off-the-shelf software (COTS) package which provides comprehensive electronic FOIA (and Privacy Act) case management. This COTS package features request tracking, correspondence tracking, full featured redaction, billing and reporting capabilities.

FHFA is taking or has taken the following steps to ensure that the system for responding to FOIA requests is effective and efficient while safeguarding sensitive and confidential agency records in accordance with Federal laws and regulations:

- Providing requesters with a more detailed explanation of how each search was conducted, and if applicable, why the agency does not have responsive records, and why a particular exemption was cited when withholding documents.
- Updated FHFA's FOIA regulation to include language on how requests for Office of Inspector General records will be processed and to clarify and update the regulation.
- Maintaining more complete data on each request to facilitate easier reporting, analysis and monitoring of the number of denials, partial disclosures, and full disclosures and the types of information disclosed.
- Developing correspondence templates to ensure that requesters receive confirmation of receipt of their request and responses to their requests in an expeditious manner.
- Assigning individual tracking numbers to each request to make it easier for requesters to inquire about a request.

- Using multi-track processing to respond more rapidly to simple requests on a separate track from complex requests.
- Updating the agency's public website to include: 1) the FOIA Reference Guide; 2) Frequently Asked Questions page; and 3) providing links to the Department of Justice's FOIA page.
- Providing IT support to the FOIA program to improve efficiency in searching for responsive electronic records.
- Maintaining a dedicated FOIA phone line and through implementation of the COTS package, the ability of requesters to track and follow up on the status of their requests.
- Continuing to develop standard internal protocols for searches, use of exemptions, and processing and authorizing responses, disclosures and denials.
- Developing training and educational materials for agency staff to understand roles and responsibilities under FOIA.
- Assessing ways to improve the responsiveness and efficiency of its processes for responding to requests.

In addition to FOIA personnel, FHFA relies on a broad range of agency personnel, including personnel from the Offices of Congressional Affairs and Communications, General Counsel, Policy Analysis and Research, and other relevant FHFA subject-matter experts, to identify records that can and should be released to the public.

Information on FHFA's FOIA program and how to file a FOIA request is available at http://www.fhfa.gov/FOIA. This website provides access to many documents and records maintained by the agency, including frequently requested records, agency policy statements, administrative manuals, general counsel opinions, annual FOIA reports, and the online FOIA reading room.

Data Prioritization and Release Process

FHFA implemented a process for identifying, preparing, and releasing data on an ongoing basis and incorporated Open Government initiatives into agency strategic planning, IT planning, and budget formulation processes.

FHFA posts four datasets on Data.gov and the FHFA Open Government websites:

- Monthly House Price Indexes for Census Divisions and U.S. January 1991 to Latest (Purchase-Only Index (Only Purchase Index available with Monthly Frequency))
- Monthly Price Change Estimates for U.S. and Census Divisions; Purchase-Only Index, Seasonally Adjusted
- Monthly Price Change Estimates for U.S. and Census Divisions; Purchase-Only Index, Not Seasonally Adjusted
- Federal Home Loan Bank Membership Data

FHFA also provides links to these datasets on the www.fhfa.gov/open website under "FHFA Datasets".

FHFA seeks additional opportunities to increase transparent and open operations. Feedback and input from the public will be incorporated to help determine the most high-value options and desired services.

Participation and FHFA Website

FHFA encourages public participation and seeks feedback through its website www.fhfa.gov. FHFA ensures that security, privacy, and confidentiality risks are identified and mitigation strategies followed.

Records Management Program

FHFA provides links under "Public Information" and "Records Management" on www.fhfa.gov to show how the agency is meeting its records management requirements. These requirements serve as the foundation for the agency's records management program, which includes such activities as identifying and scheduling all electronic records, and ensuring the timely transfer of all records that have permanent value to the National Archives. The agency will post its Comprehensive Records Retention and Disposition Schedules at www.fhfa.gov.

Flagship Initiatives

FHFA developed innovative, public-facing projects that embody the principles of Open Government. Examples of these projects include:

Strategic Plan for Enterprise Conservatorships

One February 21, 2012 FHFA released the Strategic Plan for Enterprise Conservatorships: The Next Chapter in a Story that Needs an Ending or "the strategic plan to the general public http://www.fhfa.gov/StrategicPlanConservatorships.pdf. Two years ago, FHFA sent to Congress a letter setting forth the agency's understanding of its conservatorship obligations and how it plans to fulfill those obligations. The strategic plan sets forth three strategic goals for the next phase of conservatorship:

1. **Build.** Build a new infrastructure for the secondary mortgage market.
2. **Contract.** Gradually contract the Enterprises' dominant presence in the marketplace while simplifying and shrinking their operations.
3. **Maintain.** Maintain foreclosure prevention activities and credit availability for new and refinanced mortgages.

The strategic plan explores each of these goals and identifies specific actions FHFA is contemplating, or is already taking, to accomplish them.

Internet Payments Processing

During FY 2012 FHFA implemented the U.S. Treasury's Internet Payment Platform
(IPP) to streamline the agency's invoice and payment processes. The IPP
implementation leverages the agency's use of the U.S. Treasury's Financial Management
Service. Federal agencies use the IPP to send electronic purchase orders to suppliers, to
receive electronic invoices from suppliers, and for invoice routing and approval
workflow. The IPP uploads payment remittance information from the Treasury and non-
Treasury disbursed agencies, allowing agencies and their suppliers to view and download
payment information. The IPP is a secure web-based electronic invoicing and payment
information service that streamlines the agency's billing and the payment processing.

References

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2. President's Memorandum on Freedom of Information Act, 1/21/09, http://www.whitehouse.gov/the_press_office/Freedom_of_Information_Act/

3. Attorney General's guidelines for Freedom of Information Act (FOIA), 3/19/09, http://www.usdoj.gov/ag/foia-memo-march2009.pdf.

4. OMB Memorandum M-10-06, "Open Government Directive", http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-06.pdf

5. White House Open Government Initiative Home Page, http://www.whitehouse.gov/open

6. OMB Circular A-130, "Management of Federal Information Resources", http://www.whitehouse.gov/omb/circulars_a130_a130trans4/

7. Information Quality Act, Pub. L. No. 106-554, section 515, http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=106_cong_public_laws&docid=f:publ554.106.pdf

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9. OMB Circular A-123, "Management's Responsibility for Internal Control", http://www.whitehouse.gov/omb/circulars_a123_rev/

10. Paperwork Reduction Act, Pub. L. No. 104-13, section 3506(d), http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=104_cong_public_laws&docid=f:publ13.pdf

11. 36 CFR Subchapter B – Records Management, http://www.archives.gov/about/regulations/subchapter/b.html

12. E-Government Act of 2002, Pub. L. No. 107-347, section 207(e), http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=107_cong_public_laws&docid=f:publ347.pdf