



FEDERAL HOUSING FINANCE AGENCY 2022 CHIEF FOIA OFFICER REPORT

March 2022



Freedom of Information Act Office

Introduction

The Federal Housing Finance Agency (FHFA) was established by the Housing and Economic Recovery Act of 2008. FHFA is responsible for the effective supervision, regulation, and housing mission oversight of the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac), and the Federal Home Loan Bank System, which includes the 11 Federal Home Loan Banks and the Office of Finance. Since 2008, FHFA has also served as conservator of Fannie Mae and Freddie Mac.

FHFA's mission is to ensure that the housing government sponsored enterprises operate in a safe and sound manner so that they serve as a reliable source of liquidity and funding for housing finance and community investment.

Through its Freedom of Information Act (FOIA) Program, FHFA strives to achieve the following principles:

- Administer the FOIA with a clear presumption in favor of disclosure, remove doubts in favor of openness, and not withhold information based on speculative or abstract fears; and
- Ensure that requests are responded to in “a spirit of cooperation,” disclosures are timely, and modern technology is used to make information available to the public.

FHFA is committed to providing access to Agency records through a citizen-centered and results-oriented FOIA program. FHFA's FOIA Office, which is comprised of the Chief FOIA Officer, FOIA Officer and FOIA Liaison (FHFA-HQ), continually reviews ways to improve the efficiency, effectiveness, and transparency of FHFA's FOIA program. Like last year, this year's report includes information about the FHFA's Office of Inspector General (FHFA-OIG) FOIA program. The FHFA-OIG operates its own FOIA program separate and apart from FHFA-HQ. Where information is specific to the FHFA-OIG, it so noted in the report.



Reporting Period: March 2021 to March 2022

Section 1: Steps Taken to Apply the Presumption of Openness

The guiding principle underlying DOJ's FOIA Guidelines is the presumption of openness.

A. FOIA Leadership

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. Is your agency's Chief FOIA Officer at or above this level?

- *Yes.*

2. Please provide the name and title of your agency's Chief FOIA Officer.

- *Sean Dent, Senior Deputy General Counsel for Administration.*

B. FOIA Training

3. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. *See* 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.

- *FHFA-HQ – FOIA personnel are encouraged to attend annual refresher training, Department of Justice (DOJ) sponsored FOIA training/seminars, and review DOJ updates. Non-FOIA personnel can request individual office training, led by FHFA FOIA personnel.*
- *FHFA-OIG – Specialized FOIA training provided by DOJ continued to be a priority for FHFA- OIG FOIA professionals. To maintain a high level of current knowledge, FOIA staff regularly reviewed new FOIA-related court decisions and DOJ updates.*

4. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?

- *Yes.*



5. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.

- *Advance FOIA Seminar – overview of privacy exemptions and various FOIA procedural requirements and requirements to make information available proactively.*
- *Exemption 4 and Exemption 5 Workshop – overview of the requirements of protecting trade secrets, certain commercial and financial information, and the submitter-notice process, as well as an overview civil discovery.*
- *Annual FOIA Report Training – overview of annual FOIA reporting requirements.*
- *Chief FOIA Officer Report Training – overview of Chief FOIA Officer reporting requirements.*
- *Privacy Considerations Workshop – interface between FOIA and the Privacy Act, and an overview of FOIA privacy-related Exemptions 6 and 7(c).*
- *Continuing FOIA Education Training - current legal and policy developments impacting FOIA administration, and an overview of recent court decisions.*
- *Artificial Intelligence – types of AI technologies, key terms, and possible applications to the FOIA process.*
- *Exemption 1 and Exemption 7 – overview of Executive Order 13526 and the withholding of classified national security information and FOIA’s primary exemption for law enforcement records, including the threshold requirement and substance subparts.*
- *Procedural Requirements and Fee – overview of the FOIA procedural requirements, as well as fee and fee waiver provisions.*
- *Processing from Start to Finish Workshop – overview of the FOIA process from receipt by the agency to final response to the requester.*
- *Sunshine Week Kickoff Event – training on the importance of FOIA for government transparency.*

6. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

- *100%*



7. OIP has directed agencies to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

- *N/A.*

8. Did the personnel at your agency who have FOIA responsibilities attend training in federal records management during this reporting period?

- *Yes.*

C. Outreach

9. Did your FOIA professionals engage in any outreach or dialogue, outside of the standard request process, with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency’s FOIA administration.

- *No.*

D. Other Initiatives

10. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe:

How often and in what formats your agency provides FOIA training or briefings to non-FOIA staff?

- *FHFA-HQ – new hires received FOIA training (online) as part of their onboarding process. In addition, each FHFA Office has a designated FOIA liaison to assist in office document searches. These liaisons receive refresher training (in-person) on an as needed basis.*
- *FHFA-OIG – conducted annual FOIA training for all FHFA-OIG employees; subjects included statutory and regulatory responsibilities, conducting records searches, and the FOIA process. In addition, the FOIA office works with OIG’s program offices to explain the FOIA process/timeline, provide guidance or*



assistance with searches for responsive records, and answer questions that arise as the program offices gather documents.

If senior leaders at your agency received a briefing on your agency's FOIA resources, obligations, and expectations during the FOIA process?

- *FHFA-HQ – senior leadership are periodically briefed on resource needs and FOIA responsibilities/mandates.*
- *FHFA-OIG – the recently appointed Acting Inspector General received a briefing on FHFA-OIG FOIA resources and responsibilities shortly after her arrival.*

Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests

DOJ's FOIA Guidelines emphasize that "[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests." It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that the management of your FOIA program is effective and efficient. You should also include any additional information that describes your agency's efforts in this area.

1. For Fiscal Year 2021, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2021 Annual FOIA Report.

- *FHFA-HQ – none received.*
- *FHFA-OIG – <1 day.*

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2021 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

- *N/A.*



3. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. In 2016, OIP issued Guidance for Agency FOIA Regulations and the accompanying Template for Agency FOIA Regulations to assist agencies in updating their regulations in accordance with the statute. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?

- *In accordance with the FOIA Improvement Act of 2016 and OIP guidance, FHFA updated its FOIA regulations in March 2017 and February 2018.*

4. Standard Operating Procedures (SOPs) generally document your agency's internal processes for administering the FOIA beyond your FOIA regulations and FOIA Reference Guide. As noted in OIP's guidance, having SOPs can improve the consistency and quality of an agency's FOIA process. SOPs can also serve as a significant resource for incoming FOIA professionals and a way to preserve much of the agency's institutional knowledge on administering the FOIA from how to handle requests from start-to-finish, to identifying and making proactive disclosures, to maintaining a FOIA website. Does your agency have up-to-date internal SOPs for your FOIA administration?

- *FHFA-HQ – No, last update was in 2020.*
- *FHFA-OIG – Yes, updated as of November 2021.*

5. If not, please provide a timeline for when your agency plans to develop or update its SOPs.

- *FHFA-HQ – The SOPs will be reviewed in 2022 for any needed updates.*
- *FHFA-OIG – N/A.*

6. Has your agency established alternative means of access to first-party requested records outside of the FOIA process?

- *No*

7. If yes, please provide examples. If no, please explain if such opportunities exist at your agency and whether there are any challenges in establishing alternative means of access.

- *FHFA-HQ – As a small agency, receiving a small number of first-party requests (most often employees seeking information regarding their grievance and personnel file), we believe our process works in reducing inaccuracy on how first-party requests are handled, as well as makes it easier on first-party requesters to*



get their requests submitted and processed.

- *FHFA-OIG – The vast majority of first-party requests FHFA-OIG receives are from persons seeking results of inquiries into complaints submitted via the FHFA-OIG Hotline. Due to the personal nature of these complaints - and the unavoidable fact that investigation files often contain highly sensitive PII – FOIA remains the only avenue to obtain Hotline investigation records. That said, FOIA staff have developed a FOIA request form to simplify the process for submitting a FOIA request. Given the past and current volume of first-party FOIA requests, our view is that this system is working effectively.*

8. Did your agency conduct a self-assessment of its FOIA administration during the reporting period? If so, please describe the self-assessment methods used, such as analyzing Annual Report or raw data, using active workflows and track management, reviewing and updating processing procedures, etc. In addition, please specifically highlight any data analysis methods or technologies used to assess your agency's FOIA program.

- *FHFA-HQ – No.*
- *FHFA-OIG – Yes. As part of the A-123 internal controls assessment, we reviewed data regarding the numbers of FOIA/PA requests received/closed, the number of backlogged requests, the process for receiving FOIA fees, and information security controls for the FOIA record-keeping system. This period, we also reviewed and updated FHFA-OIG's FOIA SOPs.*

9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during FY 2021 (please provide a total number or an estimate of the number).

- *FHFA-HQ's Public Liaison received no requests for assistance.*
- *FHFA-OIG's Public Liaison received no requests for assistance.*

10. Has your agency reviewed its FOIA-related staffing capabilities to identify resources needed to respond to current and anticipated FOIA demands?

- *FHFA-HQ – Yes.*
- *FHFA-OIG – Yes.*



Section III: Steps Taken to Increase Proactive Disclosures

The Department of Justice has long focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.

- *FHFA-HQ – In addition to the FOIA Reading Room, the FOIA Officer annually reviews the agency’s website to ensure proactive disclosures are being made and reviews FOIA requests to identify what responses should be posted.*
- *FHFA-OIG – The FHFA-OIG FOIA office maintains an electronic FOIA Reading Room as part of its public FOIA web site. The FOIA Officer regularly reviews FOIA requests and responses to identify materials that may be required or appropriate for posting to the FOIA Reading Room.*

2. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well.

FHFA-HQ:

- *Press Releases*
- *Regulations, notices, and public comments*
- *Capital disclosures*
- *Letters to Congress*
- *Supervision handbooks and guidance*
- *Research papers*
- *Advisory Bulletins*
- *Final Opinions and Orders*
- *Policy and Administrative Staff Manuals*
- *Frequently Requested Records*
- *Annual Performance Plans*
- *FHFA Strategic Plans*
- *Performance and Accountability Reports*



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- *Advisory Council Reports*
- *Resources for Consumers*
- *Regulatory Interpretations*
- *Collateral Securing Advances Reports*
- *Quarterly Conservator's Reports*
- *Federal Property Managers Reports*
- *FHFA Examination Manual*
- *Foreclosure Prevention Reports*
- *Dodd-Frank Act Tests*
- *Enterprise Guarantee Fees Reports*
- *Annual Housing Reports*
- *Scorecard for Fannie Mae, Freddie Mac and Common Securitization Solutions*
- *Office of Minority and Women Inclusion Annual Reports to Congress*
- *Federal Home Loan Bank Securitization Reports*
- *Refinance Reports*
- *Suspended Counterparty Program Notices*
- *Sustainability Plans*
- *Strategic Plans for the Conservatorships of Fannie Mae and Freddie Mac*
- *Various Data Sets*
- *Staff Working Papers*
- *Low Income Housing and Community Development Activities of the Federal Home Loan Banks*
- *No-Fear Act Data*
- *Report on Collateral Pledged to Federal Home Loan Banks*
- *Mortgage Market Notes*
- *Executive Compensation Information*
- *Court Documents*
- *Testimony*

This information can be found at:

<https://www.fhfa.gov/AboutUs/FOIAPrivacy/Pages/Reading-Room.aspx>

FHFA-OIG:

- *Press Releases*
- *Current Peer Review Reports*
- *Semi-Annual Reports to Congress*
- *Status and Special Reports*
- *Management Alerts and Advisories*
- *Compliance Reviews*
- *Audit Reports*



- *Evaluation Reports*
- *White Papers*
- *Audit and Evaluation Plans*
- *FY 2022 Annual Plan*
- *Compendium of Open Recommendations*
- *Management and Performance Challenge Memoranda*
- *Frequently Requested Records*
- *No-Fear Act Data*

Finally, after several requests for annual lists of FOIA requests received and processed by our office, we determined to create and make these lists available to the public in our FOIA Electronic Reading Room. These and other proactively disclosed materials can be found at www.fhfaoig.gov (FHFA-OIG reports, testimony, compendia, etc.) and www.fhfaoig.gov/FOIA/ReadingRoom.

3. Does your agency disseminate common types of material outside of FOIA, including in online databases where the public may access them? If yes, please provide examples and, if applicable, statutory authority.

- *FHFA-HQ – Yes. Various data sets are available on the agency’s website, for example, the Public Use Databases for Fannie Mae and Freddie Mac and the Public Use Databases for the Federal Home Loan Banks.*
- *FHFA-OIG – No.*

4. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency’s website?

- *Yes.*

5. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges.

- *FHFA-HQ – In addition to posting documents to FHFA’s FOIA Reading Room, documents are being posted to other locations on FHFA’s website where the public is more likely to look for them. When possible, FHFA also posts material in machine-readable format. For example, data sets are posted in .xlsx.*
- *FHFA-OIG – Our FOIA website pages are structured to make locating reports*



and other documents as efficient as possible. For example, OIG lists its reports and publications chronologically and by type, and lists materials in its Electronic Reading Room by subject. Several high-visibility reports are accessible in both the list of reports and in the Electronic Reading Room. We do not plan to convert documents released under FOIA into open or native formats but will consider doing so in the future where this makes sense.

6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office? If so, describe this interaction.

- *FHFA-HQ – Yes. Various offices provide the FOIA Office with documents to be posted to the FOIA Reading Room.*
- *FHFA-OIG – No.*

Section IV: Steps Taken to Greater Utilize Technology

A key component of FOIA administration is using technology to make information more accessible. In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?

- *Yes.*

2. Please briefly describe any new types of technology your agency began using during the reporting period to support your FOIA program.

- *N/A.*

3. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources, and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

- *Yes.*



4. Did all four of your agency's quarterly reports for Fiscal Year 2021 appear on your agency's website and FOIA.gov?

- *Yes.*

5. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2020.

- *N/A.*

6. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2020 Annual FOIA Report and, if available, for your agency's Fiscal Year 2021 Annual FOIA Report.

- 2020 – <https://www.fhfa.gov/AboutUs/Reports/Pages/Freedom-of-Information-Act-FOIA-Report-FY-2020.aspx>.
- 2021 – Not available.

Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

The Department of Justice has emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

For the figures required in this Section, please use the number contained in the specified sections of your agency's FY 2020 and 2021 Annual Reports.

A. Simple Track

Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.



1. Does your agency utilize a separate track for simple requests?

- *FHFA-HQ – Yes.*
- *FHFA-OIG – Yes.*

2. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2021?

- *FHFA-HQ – No.*
- *FHFA-OIG – Yes.*

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2021 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple request from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.

- *FHFA-HQ – 53.3%.*
- *FHFA-OIG – 67.19%.*

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

- *N/A.*

B. Backlogs

When answering these questions, please refer to your Fiscal Year 2021 Annual FOIA Report, Sections XII.D-E, which compare the number of requests and appeals received, processed, and backlogged between Fiscal Years 2020 and 2021.

BACKLOGGED REQUESTS

5. If your agency had a backlog of requests at the close of Fiscal Year 2021, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?

- *FHFA-HQ – No.*
- *FHFA-OIG – The backlog of FOIA requests reported at the end of FY 2020 decreased and ultimately was eliminated during FY 2021.*



6. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2021 than it did during Fiscal Year 2020?

- *FHFA-HQ – N/A.*
- *FHFA-OIG – N/A.*

7. If your agency’s request backlog increased during Fiscal Year 2021, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests.
 - A loss of staff.
 - An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
 - Any other reasons – please briefly describe or provide examples when possible.
- *FHFA-HQ – An increase in backlog is contributed to loss of staff, increase in the complexity of the requests received, increase to the number of documents to be reviewed, the need to consult with multiple offices and technical difficulties associated with all employees on full-time telework during the pandemic.*
 - *FHFA-OIG – N/A.*

8. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. If your agency has not request backlog, please answer with “N/A.”

- *FHFA- HQ – 30.64%.*
- *FHFA –OIG – N/A.*

BACKLOGGED APPEALS

9. If your agency had a backlog of appeals at the close of Fiscal Year 2021, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?

- *N/A.*



10. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2021 than it did during Fiscal Year 2020?

- *N/A.*

11. If your agency's appeal backlog increased during Fiscal Year 2021, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming appeals.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

- *N/A.*

12. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. If your agency did not receive any appeals in Fiscal Year 2021 and/or has no appeal backlog, please answer with "N/A."

- *N/A.*

C. Backlog Reduction Plans

13. In the 2021 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1,000 requests in Fiscal Year 2020 was asked to provide a plan for achieving backlog reduction in the year ahead. Did you agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2021?

- *Neither FHFA-HQ nor FHFA-OIG had a backlog of over 1,000 requests in Fiscal Year 2021.*

14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2021, please explain your agency's plan to reduce this backlog during Fiscal Year 2022. In particular, please also detail how your agency developed and plans to execute your backlogged reduction plan?



- *N/A.*

D. Status of Ten Oldest Requests, Appeals, and Consultations

Section VII.E, entitled "Pending Requests – Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2020 and Fiscal Year 2021 when completing this section of your Chief FOIA Officer Report.

TEN OLDEST REQUESTS

15. In Fiscal Year 2021, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2020 Annual FOIA Report?

- *FHFA-HQ - No.*
- *FHFA-OIG – Yes.*
- *FHFA Overall – No.*

16. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2020 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

- *FHFA-HQ – 8.*
- *FHFA-OIG – N/A*

17. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

- *FHFA-HQ did not take any additional steps in Fiscal Year 2021 but is currently working on obtaining additional staff to help reduce the overall age of its pending requests.*
- *FHFA-OIG – Both the FOIA Officer and the FOIA Supervisory Attorney read every FOIA request upon receipt to ensure that we are clear on the intent of the requester and to develop a plan to communicate with the requester, search for records, review responsive records, and respond to the requester in a timely fashion.*



TEN OLDEST APPEALS

18. In Fiscal Year 2021, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2020 Annual FOIA Report?

- *N/A.*

19. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2020 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

- *N/A.*

20. Beyond on work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

- *FHFA-HQ – N/A*
- *FHFA-OIG – The FOIA supervisory attorney reviews all appeals upon receipt to determine if an avenue exists to work with the requester and resolve the appeal favorably (to the requester) without a formal decision on the appeal. If not, the attorney ensures that the requester has complied with the requirements for submitting an appeal and that the requester’s grounds for appeal are clear prior to sending to the appeal to the independent appeals attorney for decision.*

TEN OLDEST CONSULTATIONS

21. In Fiscal Year 2021, did your agency close the ten oldest consultations that were reported pending Section XII.C. of your Fiscal Year 2020 Annual FOIA Report?

- *N/A.*

22. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2020 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

- *N/A.*

E. Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans

23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2021.



- *FHFA-HQ – Shortage in staff was an obstacle to closing the ten oldest requests in 2021.*
- *FHFA-OIG – The primary obstacle was locating the requester after one or more years had passed since the request was submitted.*

24. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

- *N/A.*

25. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2022.

- *FHFA-HQ is looking into obtaining additional staffing resources to assist with closing its ten oldest requests.*
- *FHFA-OIG – N/A.*

F. Success Stories

Out of all the activities undertaken by your agency since March 2021 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency’s efforts. The success story can come from any one of the five key areas. As noted above, OIP will highlight these agency success stories during Sunshine Week. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

- *FHFA-HQ – None.*
- *FHFA-OIG – In FY 2021, we eliminated our existing backlog of 16 complex FOIA requests. These requests ranged in age from over 5 years to one year. We achieved this by increasing communication with requesters and by taking a team approach to document review. The elimination of the FOIA backlog means that we can now process complex requests in a more timely fashion as they are received – instead of placing them in the cue of backlogged requests.*

