FY 2014 Open Government Plan

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Federal Housing Finance Agency

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Date

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Introduction
The Federal Housing Finance Agency's (FHFA) mission ensures 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.

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 FHFA's update to the plan for FY 2014. 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 secondary mortgage market. FHFA information related to the OGD can be found at 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 an agile implementation methodology 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 working group responsible for promoting Open Government at the agency. The Acting 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 agency-wide working group is 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 working group is responsible for overseeing the specific lines of activities for the agency including:
- Manage communications;
- Maintain and populate the FHFA Open Government webpage, which links to the agency's Freedom of Information Act (FOIA) webpage;
- 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 (citizen-centric services, open and transparent government and innovation facilitation) of the OGD as furthering the agency's mission, vision, values, and goals. The agency open government strategy emphasizes:

- Transparency - promoting accountability by providing the public with access to information on Government operations and activities.
- Participation - inviting members of the public to contribute to and influence Government policies and functions, so Government can more readily represent the voice of the people.
- Collaboration - encouraging 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 www.FHFA.gov/open.

New and Expanded Initiatives

Open Data
FHFA selectively participates in the Open Data initiative and allows the public access to specific datasets.

1. FHFA utilizes its Information Classification Policy and the Information Classification and Handling Procedures for classifying and inventorying datasets as, public, non-public or restricted. FHFA does not publish Personally Identifiable Information (PII).
2. FHFA has a developer webpage at www.FHFA.gov/DataTools/Developer, which explains how to use the agency's Application Programming Interface (API) to access information.
3. To facilitate the public's access to the electronic information, FHFA has published a public data listing and provides a hyperlink to these datasets on the FHFA webpage at www.FHFA.gov/DataTools. Additionally, FHFA provides a hyperlink on the FHFA webpage to Data.Gov at www.Data.gov. The FHFA public datasets are also listed in Addendum A of this document.
4. A majority of FHFA's data is restricted / non-public Supervisory Information (examination privileged). As the agency identifies new publicly available datasets to be released; "Source FHFA" on the agency's website www.FHFA.gov/ will be used to announce the release of new information.

Proactive Disclosures
FHFA has undertaken various actions to proactively disclose information to advance transparency, accountability, and the presumption of openness. In the FOIA context, FHFA has taken a number of steps:

- Reviewing requested records with the objective of identifying records that may be released in advance of determining applicable exemptions.
- Increasing the number of partial disclosures when full disclosure is not possible by segregating and releasing non-exempt information.
- Working with requesters to refine or narrow requests so as 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.
  - Exemption 2 of the Freedom of Information Act exempts from mandatory disclosure records that are "related solely to the internal personnel rules and practices of an agency."
  - Exemption 5 of the Freedom of Information Act protects "inter-agency or intra-agency memorandums or letters which could not be available by law to a party other than an agency in litigation with the agency."
- The FOIA Officer initially determines what records may be eligible for discretionary releases. After this initial determination, then the record owner, FOIA Officer and Chief FOIA Officer collaborate on whether a discretionary release should or can be made;

More broadly FHFA routinely posts information to FHFA's website, such as press releases, speeches, reports, research papers. In addition, FHFA posts information to FHFA's website when multiple FOIA requests are made for the same information so that the information is readily available to the public.

Privacy
During Fiscal Year 2013, FHFA filed the following Privacy Reports:

- Biennial Computer Match Activity Report – filed July 2013.
- Senior Agency Official for Privacy reports under the Federal Information Security Management Act – last Annual Report filed November 2013; last quarterly report filed April 2014.
- Additionally, FHFA submitted a list of all required privacy reports to privacy-oira@omb.eop.gov.

Whistleblower Protection
In accordance with the Whistleblower Protection Enhancement Act of 2012 (WPEA), the FHFA Inspector General has designated Emilia DiSanto as the Whistleblower Protection Ombudsman in the Office of Inspector General (OIG). The OIG Ombudsman has provided education to FHFA employees about prohibitions on retaliation for protected disclosures and the rights and remedies for whistleblowers in the form of a slideshow presentation emailed to employees as well as made available on the agency's intranet in October, 2013. The Office of General Counsel provided a summary of all the changes in the law as a result of the WPEA and emailed it to every FHFA employee in April, 2013. In addition, FHFA employees received information about the WPEA provisions in an on-line mandatory training on Information Classification Policy and Procedures beginning in April, 2013. This training program remains available for all new FHFA employees in FHFA's on-line training application.

FHFA is currently pursuing its certification in the Office of Special Counsel (OSC) Outreach and 2302(c) Certification Program. In May, 2014, FHFA registered with the OSC for the program and anticipates submitting a compliance form by July, 2014.

FHFA's intranet, as well as its website, contains links to the website for the OSC and FHFA's OIG maintains a hotline to receive whistleblower and other complaints.

Agency Website

FHFA encourages public participation and seeks feedback through its website. FHFA ensures that security, privacy, and confidentiality risks are identified and mitigation strategies followed. See the Rulemaking, FOIA, Participation and Collaboration links of FHFA's website, www.FHFA.gov, for additional information.

On-Going Initiatives

Participation in Transparency Initiatives

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.

In carrying out its eRulemaking initiative, FHFA uses its website, www.FHFA.gov and the eRulemaking portal www.Regulations.gov to encourage public participation and to seek feedback on the development of rulemakings. Opportunity for public comment on rulemakings is expressed in rulemaking documents published in the Federal Register and on FHFA's website. Three electronic methods are offered: (1) submitting comments through the FHFA website via an electronic form, (2) submitting comments through Regulations.gov, or (3) submitting comments by email via the address RegComments@fhfa.gov. FHFA lists all of its rulemakings on its website. Additionally, FHFA participates in the OpenData.Gov initiative.

Public Notice

FHFA notifies the public of its activities through media releases, statements, speeches, testimony, agency plans and reports, and publication of certain items in the Federal Register. These items are made available on FHFA's website, www.FHFA.gov, as well as through alerts to subscribers to the website. In addition, FHFA uses a variety of social media tools to communicate agency information. Furthermore, when FHFA publishes rulemaking information and other pertinent information affecting the public in the Federal Register, this information is made available on FHFA's website so the public can easily locate the information.

Records Management

FHFA provides links under "Public Information" and "Records Management" on its website, 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 posted its Comprehensive Records Retention and Disposition Schedules at www.fhfa.gov/AboutUs/Policies/Record Schedules/FHFA Comprehensive Records Schedule.pdf.

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. The FOIA & Privacy webpage is located at www.fhfa.gov/AboutUs/FOIAPrivacy and provides the FOIA contact information.

- 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.
- Implemented 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 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 and a separate track for 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 information technology 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 for 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 www.fhfa.gov/AboutUs/FOIAPrivacy. 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.

Congressional Requests

FHFA remains committed to prompt and clear communication with members of Congress and their staffs. The Office of Congressional Affairs and Communications (OCAC) serves as the liaison between Congress and FHFA (link to organization chart www.FHFA.gov/Leadership-Organization), including arms of Congress such as the Congressional Budget Office and the Government Accountability Office. OCAC works with other parts of FHFA to respond in a timely and appropriate manner to all congressional inquiries. FHFA's annual Performance and Accountability Report (link to www.int.fhfa.gov/AboutUs/reportsplans page) provides information on the volume of inquiries the agency handles.

Declassification

Declassification is not applicable, as the Agency does not have classified information.

Participation

Rulemaking:

The FHFA website has a robust and user-friendly rulemaking section.

- The homepage www.FHFA.gov, has a "Comment On a Rule" button; which directs the user to a subsequent webpage where all items open for comment or input published in the *Federal Register* can be commented on by the general public. www.FHFA.gov/SupervisionRegulation/RegulationFederalRegister/Open-for-Comment

- Users are able to sort *Federal Register* information by date, title, number and type on www.FHFA.gov/SupervisionRegulation/RegulationFederalRegister/Rules-Notices.
- There is a summary of the proposed action or notice on the selected item.
- Each item has a hyperlink to the *Federal Register* and the Government Printing Office listing of the item.
- The public can view comments submitted for the action or notice within each item that has comments associated with it.
- The public uses a form to submit their comments that automatically opens up when the "submit comment" button is clicked on the item page.

Non-Rulemaking:
The new FHFA website has a consolidated policy-related public input location www.FHFA.gov/PolicyProgramsResearch/Policy. FHFA asks for public input on a variety of topics in this area. The website has a form that opens in the respective area when the comment period is open.

Open Data:
FHFA participates in the Open Data initiative and allows the public access to specific approved datasets. To facilitate the public's access to download the electronic information, FHFA provides a hyperlink to the datasets on the FHFA webpage at www.FHFA.gov/DataTools. Additionally, FHFA provides a hyperlink on the FHFA home page to redirect to Data.Gov at www.Data.gov. The FHFA public datasets are listed in Addendum A of this document.

Events, Conferences & Meetings:
The new FHFA website has topline www.FHFA.gov audience-based navigation (homeowners/homebuyers, industry, media, government) that re-directs users to webpages specifically designed for that particular audience. When FHFA has an event, conference or meeting information; details are published on either a specific webpage, within a webpage tab or in the spotlight section on the FHFA home page.

Collaboration
The new FHFA website provides a central point for users to understand and see relevant information pertinent to each user. The government section www.FHFA.gov/Government in particular is designed for federal, state and local use. State and local governments use House Price Index HPI data found on the Government page to help set property tax valuations.

The new FHFA website provides links to the Federal Government member agencies of the Financial Stability Oversight Council, of which FHFA is a member. This makes it easier for the public to identify participating agencies.

The new FHFA website provides links on its homepage www.FHFA.gov in the form of mortgage resources. The active links take users to other housing-finance related federal agencies and relevant private sector entities.

The new FHFA website also provides homeowners/homebuyers with links for federal agencies that may be able to help them if they have trouble with their mortgage such as www.OCC.gov and www.ConsumerFinance.gov.

The new FHFA website has a social media hub in the footer of the home page so it is accessible where people can connect. In particular FHFA is using Twitter, LinkedIn and YouTube to communicate FHFA's mission, activities and results as well as to bring people together.

Flagship Initiatives

FHFA's flagship initiative for 2013 was the creation of the agency's new website FHFA.gov. Also see previous sections for details on this initiative.

The new FHFA website is hosted in the cloud to allow for scalability which enables the agency to incorporate new collaborative technologies as they become available.

1. The new FHFA website development process included focus groups that were comprised of people from the government, private and non-profit sectors. In particular we talked to members of the media, Capitol Hill staff, representatives from industry, representatives from our regulated entities, and representatives from the Federal Home Loan Bank advisory council.

    The new FHFA website industry section was planned to provide key information, news and updates to interested stakeholders ranging from small and large companies, trade groups, advocacy organizations, vendors, originators, servicers, investors, and mortgage insurers, among others who are welcome to provide feedback and ideas on how to improve the site though the contact point of FHFA's webmaster.

2. As mentioned above, while developing the new FHFA website, external agency partners were consulted and FHFA is open to feedback from those parties on this initiative through contact with the webmaster.

3. The new FHFA website is employing a new analytics tool and established baseline metrics to measure the impact of the new website. FHFA will continually improve the website as it is a living resource for all Americans.

4. The new FHFA website was developed utilizing SharePoint 2013 and uses cloud hosting services which help contribute to a longer life cycle and integration with new technologies as they become available. FHFA has committed to a strong web presence and will continue to allocate resources to support the initiative.

Public and Agency Ideas

FHFA's Open Government Plan complies with the 2014 Agency Open Government Plans Guidance issued on February 24, 2014. FHFA's new website provides an easy-to-access portal for the public to provide feedback and provide future input into the 2016 plan.

References

1. President's Memorandum on Transparency and Open Government, 1/21/09, http://www.whitehouse.gov/the_press_office/Transparency_and_Open_Government

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", 12/8/09, 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

8. "Guidelines for Ensuring and Maximizing the Quality, Objectivity, Utility, and Integrity of Information Disseminated by Federal Agencies", 67 FR 8452, http://www.whitehouse.gov/omb/fedreg/reproducible2.pdf

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

13. OMB Memorandum M-13-13 "Open Data", 5/9/13, http://www.whitehouse.gov/sites/default/files/omb/memoranda/2013/m-13-13.pdf

14. Project Open Data http://project-open-data.github.io/

15. Open Government National Action Plan
   http://www.whitehouse.gov/sites/default/files/docs/us_national_action_plan_6p.pdf

Addendum A: FHFA Public Datasets

Conforming Loan Limits
- Maximum Loan Limits for Loans Acquired by Fannie Mae and Freddie Mac

Current Market Data
- Treasury and Federal Reserve Purchase Programs for GSE and Mortgage-Related Securities

Federal Home Loan Bank System Membership Data
- Membership Data for 12 Federal Home Loan Bank Districts

Monthly and Quarterly House Price Indexes
Census Divisions and U.S. January 1991 to Latest
- Monthly 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
- Quarterly Purchase-Only Index (Estimated using Sales Price Data)
    - Seasonally Adjusted
    - Unadjusted
    - States
    - 100 Largest Metropolitan Statistical Areas (Seasonally Adjusted and Unadjusted)
    - Select Metropolitan Areas – Distress-free Measures (Developmental Index, Seasonally Adjusted and Unadjusted)
    - Puerto Rico (Developmental Index; Seasonally Adjusted and Unadjusted)
- Quarterly All-Transaction Index (Estimated using Sales Prices and Appraisal Data)
    - U.S. and Census Divisions (Not Seasonally Adjusted)
    - States (Not Seasonally Adjusted)
    - Metropolitan Statistical Areas and Divisions (Not Seasonally Adjusted)
    - State Nonmetropolitan Areas (Not Seasonally Adjusted)
    - Puerto Rico (Developmental Index; Not Seasonally Adjusted)
- Quarterly Expanded-Data Index
    - U.S. and Census Divisions (Seasonally Adjusted and Unadjusted)
    - States (Seasonally Adjusted and Unadjusted)
    - 50 Largest Metropolitan Statistical Areas (Seasonally Adjusted and Unadjusted)

Monthly Interest Rate Survey
- Monthly information on interest rates, loan terms, and house prices by property type, by loan type, and by lender type, as well as, information on 15-year and 30-year fixed-rate loans.

Public Use Databases
Fannie Mae & Freddie Mac (Enterprises)
- Single-Family Mortgage-Level Owner-Occupied 1-Unit Property (National File A)

- Single-Family Unit-Level Properties (1-4) includes Renter-Occupied 1-Unit Properties (National File B)
- Single-Family Mortgage-Level Properties, high-cost single-family mortgages purchased and securitized by the Enterprises (National File C)
- Single-Family Census Tract File
- Multi-Family National File, All Multifamily properties by Unit and Mortgages
- Multi-Family Census Tract File
- Geographically Targeted Goal Data
- Profiles of Mortgage Purchases by Fannie Mae and Freddie Mac
- Low-Income Areas and Designated Disaster Areas Data

Federal Home Loan Bank System
- Census tract level data relating to mortgages held by each Federal Home Loan Bank.