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Description of document: Federal Housing Finance Agency (FHFA) submission to the Senate Committee on Banking, Housing, and Urban Affairs regarding the regulatory approach of the FHFA, 2012

Requested date: 22-July-2012

Released date: 30-August-2012

Posted date: 19-November-2012

Source of document: Freedom of Information Act Request  
Federal Housing Finance Agency  
400 7th Street, SW  
8th Floor  
Washington, DC 20024  
Fax: 202-649-1073  
Email: [foia@fhfa.gov](mailto:foia@fhfa.gov)  
[FHFA FOIA Online Portal](#)

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# Federal Housing Finance Agency

Constitution Center

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Washington, D.C. 20024

Telephone: (202) 649-3800

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[www.fhfa.gov](http://www.fhfa.gov)

August 30, 2012

**VIA Email:**

Re: FHFA FOIA Request No.: 2012-FOIA-128

This letter is in response to your Freedom of Information Act (FOIA) request, dated July 22, 2012. Your request was processed in accordance with the FOIA (5 U.S.C. § 552) and FHFA's FOIA regulation (12 CFR Part 1202).

You requested the following:

“Request for FHFA response to Chairman Tim Johnson, Chairman of the Senate Committee on Banking, Housing and Urban Affairs, November 9, 2011 letter to Acting Director Edward DeMarco posing some questions on the regulation of financial institutions.”

After review of agency files and records, FHFA has located one document responsive to your request. The document is being redacted (1 page released and 4 pages withheld) pursuant to exemption 5 of the Freedom of Information Act, 5 U.S.C. § 552 (b)(5), pertaining to attorney work product and/or attorney-client privileges. A copy of the accessible material, totaling 1 page, is enclosed.

This is FHFA's final decision on your request. If you wish to appeal any aspect of FHFA's decision, you must forward within 30 days:

- A copy of your initial request;
- A copy of this letter; and
- A statement of the circumstances, reasons, or arguments for seeking disclosure of the affected record(s).

The appeal must be sent either electronically through FHFA's public access link by clicking here <https://publicaccesslink.fhfa.gov/palMain.aspx> or by mailing to the "FOIA Appeals Officer" at the above address. The envelope and the letter of appeal must be clearly marked "FOIA

Appeal.” Please note that all mail sent to the FHFA via the United States Postal Service is routed through a national irradiation facility, a process that may delay delivery by approximately two weeks. For any time-sensitive correspondence, please plan accordingly.

Your FOIA request is releasable to the public under subsequent FOIA requests. In responding to these requests, FHFA does not release personal information, such as home or email addresses and home or mobile telephone numbers which are protected from disclosure under FOIA Exemption 6 (5 U.S.C. § 552(b)(6)).

If you have any questions regarding the processing of your request, please contact us at [foia@fhfa.gov](mailto:foia@fhfa.gov) or 202-649-3803.

Sincerely,

/s/

Stacy J. Easter

FOIA/Privacy Officer

FEDERAL HOUSING FINANCE AGENCY  
Office of the Director

January 11, 2012

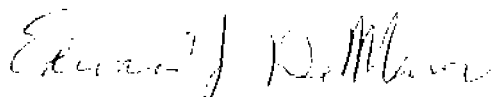
The Honorable Tim Johnson  
Chairman  
Committee on Banking, Housing, and Urban Affairs  
United States Senate  
Washington, DC 20510-6075

Dear Chairman Johnson:

In response to your letter regarding the rulemaking process at the Federal Housing Finance Agency (FHFA), I am providing the attached memorandum from our Office of General Counsel to address questions presented. As you know, FHFA has a more discreet and focused mission in overseeing the secondary market than other financial regulators. At the same time, FHFA takes seriously both the content and impact of its rulemaking activities. I would note that FHFA is subject to and adheres to the Administrative Procedure Act in all its rulemaking activity. The Act contemplates clear presentations to permit robust public participation, input of data from varieties of sources and requires that the agency act with a reasonable basis for any interpretations of law. Additionally, FHFA submits its regulations to Congress for congressional review pursuant to the Congressional Review Act.

I hope the attached memorandum addresses fully the specifics and spirit of your inquiry. Please contact me if you have any questions or your staff may contact Alfred Pollard, General Counsel, at 202 414 3788.

Yours truly,



Edward J. DeMarco  
Acting Director