Request for Records Disposition Authority

(See Instructions on reverse)

To **National Archives and Records Administration (NIR)**
Washington, DC 20408

1 From (Agency or establishment)
Federal Housing Finance Agency

2 Major Subdivision
Office of Technology and Information Management

3 Minor Subdivision

4 Name of Person with whom to confer
Susan Sallaway

5 Telephone (include area code)
(202) 414-8943

Leave Blank (NARA Use Only)

Job Number
N1-543-11-2

Date Received
4/5/11

Notification to Agency

In accordance with the provisions of 44 U S C 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10

Date 9/20/12 Archivist of the United States WITHDRAWN

6 **Agency Certification**

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached _____ page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies

☒ is not required ☐ is attached ☐ has been requested

Signature of Agency Representative	Title	Date (mm/dd/yyyy)
Susan L. Sallaway	Records Officer	03/29/2011

7 Item Number	8 Description of Item and Proposed Disposition	9 GRS or Superseded Job Citation	10 Action taken (NARA Use Only)
	FHFA Comprehensive Records Schedule Schedule 4 Legal Schedule 6 Records Common to Most FHFA Offices		

FHFA Comprehensive Records Retention Schedule

NARA Appraisal Review - 03/29/11

FHFA Comprehensive Records Retention Schedule at a Glance

1. **Records of the Director and Senior Officials, Communications, Congressional Relations, Publications, and Policies**
   Item 1 1 Director and Senior Official Records
   Item 1 2 Official Agency Communications, Congressional Relations, and Publications
   Item 1 3 Directives, Policies, Handbooks, and Manuals
   Item 1 4 Ombudsman Records

2. **Supervision and Housing Mission**
   Item 2 1 Examination and Evaluation Activities Records
   Item 2 2 Supervision and Oversight Activities Records
   Item 2 3 Supervision and Housing Mission Electronic Systems Records

3. **Conservatorship**
   Item 3 1 Conservatorship Program Records
   Item 3 2 Conservatorship Decision Files
   Item 3 3 Inspector General Requests and Responses
   Item 3 4 Making Home Affordable Program Records

4. **Legal**
   Item 4 1 Regulatory Interpretations and Decisions
   Item 4 2 Legal Opinions and Advice
   Item 4 3 Rulemaking Records
   Item 4 4 Litigation and Administrative Hearing Records
   Item 4 5 Compliance Records (Ethics, FOIA, and Privacy)

5. **Operations**
   Item 5 1 Administrative Management Records
   Item 5 2 Technology and Information Management Records
   Item 5 3 Official Personnel Folders

6. **Records Common to Most FHFA Offices**
   Item 6 1 Special Projects
   Item 6 2 Routine Office Administration Records
   Item 6 3 Working Files
   Item 6 4 Transitory Records

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FHFA Comprehensive Records Retention Schedule

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7. **Inspector General**

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FHFA Comprehensive Records Retention Schedule

Introduction

The Federal Housing Finance Agency (FHFA) was created on July 30, 2008, when the **Housing and Economic Recovery Act of 2008** was signed into law The Act created an empowered financial regulator with the authorities necessary to oversee vital components of our country's secondary mortgage markets – Fannie Mae, Freddie Mac, and the Federal Home Loan Banks In addition, this law combined the staffs of the Office of Federal Housing Enterprise Oversight (OFHEO), the Federal Housing Finance Board (FHFB), and the Government Sponsored Entity mission office at the Department of Housing and Urban Development (HUD) The agency's 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

This FHFA Comprehensive Records Retention Schedule is the initial issuance of the agency's records retention and disposition schedule, which upon approval by the National Archives and Records Administration (NARA), establishes the authority for FHFA to take actions regarding federal records that are no longer needed in office space to conduct current agency business These actions include

- Transfer of records to agency storage facilities or NARA records centers
- Transfer of permanent records to the National Archives of the United States
- Disposal or destruction of temporary records no longer needed to conduct agency business

Scope

The FHFA Comprehensive Records Retention Schedule covers all program and administrative records created by FHFA since its creation in July 2008, including administrative records that are covered by the General Records Schedule (GRS), unless an exception is noted Many records scheduled by the predecessor agencies (OFHEO, FHFB, or HUD) are no longer being created by the FHFA, so they are not reflected in this schedule This schedule applies to all formats and media in which records are created and maintained at FHFA, and authorizes the disposition of the records in any media

Disposition Instructions

Disposition instructions for temporary records are included in the schedule for each temporary series Unless otherwise noted, permanent records will be transferred to the National Archives after 30 years, in accordance with the NARA regulations and procedures in place at the time of transfer When possible, permanent records will be cut off and transferred in smaller blocks, as indicated in the schedules If the transfer of records in electronic format is not feasible, NARA and FHFA will negotiate, prior to transfer, alternative media, formats, or physical arrangement that meet the needs for continued preservation and use

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FHFA Comprehensive Records Retention Schedule

NARA Appraisal Review - 03/29/11

As a general rule, records are cut off upon completion of the associated activity, or on an annual basis where applicable Retention rules are applied upon cutoff For example, retention periods are calculated based upon issuance of a final examination report, completion of a project, final payment on a contract, issuance of a final rule or legal decision, or for general administrative records, at end of year

The disposition instructions cited in this records schedule are to be implemented by FHFA staff in the routine course of business However, the destruction or deletion of FHFA records will be suspended, even when the required retention period has been met, if the records are relevant or potentially relevant to any pending or active investigation, audit, litigation, court order, or any active Freedom of Information Act request

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4. Legal

This schedule applies to records that document regulatory interpretations and legal opinions issued by FHFA, the development and issuance of federal regulations that implement FHFA's supervision and housing mission, case files supporting internal and external legal proceedings involving FHFA or the regulated entities, and other legal records that document agency compliance with federally-mandated programs

Item 4.1 Regulatory Interpretations and Decisions

Records that document FHFA's interpretations of existing laws and regulations or the effects of proposed laws and regulations governing the agency or having a direct effect on its operations or those of the regulated entities

Disposition: PERMANENT.

Item 4.2 Legal Opinions and Advice

Records that document FHFA's opinions or advice on legal matters

Item 4.2a: Legal opinions on mission-related or precedent-setting legal issues

Disposition PERMANENT.

Item 4.2b: Legal opinions on administrative matters or internal operations

Disposition: Destroy or delete after 30 years.

Item 4.2c: Legal reviews of agency activities and internal advice to ensure legal sufficiency, such as contract, policy, and procedural reviews

Disposition: TEMPORARY. Destroy or delete after 15 years.

Item 4.3 Rulemaking Records

Records created by FHFA that document and support the federal rulemaking process, including proposed and final rules, notices, and public comments

Disposition: TEMPORARY. Destroy or delete after 30 years.

Item 4.4 Litigation and Administrative Hearing Records

Records relating to litigation or administrative or civil proceedings initiated by and filed against the FHFA, including proceedings in which FHFA responds as a non-party to discovery requests The records consist of court pleadings, correspondence, briefs, orders, deposition notices and

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subpoenas, hearing and deposition transcripts, affidavits, opinions, exhibits, miscellaneous reports pertaining to law and litigation, and any other materials used in litigation proceedings

Disposition: TEMPORARY. Destroy or delete after 15 years.

Item 4.5 Compliance Records

Records that document FHFA's compliance with and implementation of programs mandated by the Ethics in Government Act, the Freedom of Information Act (FOIA), and the Privacy Act These records are managed according to the requirements set out by the applicable National Archives and Records Administration General Records Schedules (GRS)

Records needed in an ongoing investigation will be retained beyond their approved retention period until no longer needed in the investigation

4.5a Ethics Program

Disposition: TEMPORARY. Managed in accordance with GRS 25, Items 1-9.

4.5b FOIA

Disposition· TEMPORARY. Managed in accordance with GRS 14, Items 11-15.

4.5c Privacy Program

Disposition: TEMPORARY. Managed in accordance with GRS 14, Items 21-26.

(See also 6 2 Routine Office Administration Records and 6 3 Working Files)

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6. Records Common to Most FHFA Offices

These schedules covers those records that may be created and maintained by most, if not all, FHFA offices to document and support their mission and agency business operations, and are not covered elsewhere in this records schedule

Item 6.1 Special Projects

Item 6.1a: Records not covered elsewhere in this schedule that are related to special projects that have industry-wide impact or wide public interest, including but not limited to, correspondence, memoranda, reports, studies, and meeting minutes

Disposition: PERMANENT Transfer to NARA when 30 years old.

Item 6.1b: Records not covered elsewhere in this schedule that are related to special projects with agency-wide impact, including but not limited to, correspondence, memoranda, reports, studies and meeting minutes This item includes system development and web development projects

Disposition: TEMPORARY. **Destroy or delete after 15 years.**

Item 6.1c: Records not covered elsewhere in this schedule that are related to special projects with department-wide or administrative impact, including but not limited to, correspondence, memoranda, reports, studies and meeting minutes

Disposition: TEMPORARY. **Destroy or delete after 7 years.**

(See also 6 3 Working Files - Working files that are essential to the understanding of policies, decisions or programs should be filed in the appropriate subject or project file)

Item 6.2 Routine Office Administration Records

Records accumulated by individual offices that relate to the internal administration or housekeeping activities of the office, rather than the functions for which the office exists In general, these records relate to the office organization, staffing, procedures, communications, office budgets, day-to-day administration of office personnel including travel and training, supplies, office space, equipment, supervisor's copies of personnel files, schedules of daily official activities, and other office services These may also include copies of internal activity and workload reports prepared in an office and forwarded to higher levels

Disposition: TEMPORARY. Destroy or delete after 3 years.

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Item 6.3 Working Files

Working files, such as notes, drafts, and other materials that.

- Do not contain unique or substantive annotations or comments,
- Do not add to a proper understanding of the FHFA's formulation and execution of policies, decisions, or programs, or
- Were not circulated or made available to employees, other than the creator, for official purposes such as approval, comment, action, recommendation, follow-up, or to communicate with agency staff about agency business

Disposition: TEMPORARY. Destroy or delete after 3 years.

NOTE: Working files that are essential to the understanding of policies, decisions or programs should be filed in the appropriate subject or project file.

Item 6.4 Transitory Records

Records of short-term interest that have minimal documentary or evidential value, including but not limited to, routine notifications of meetings, routine requests for publications and copies of replies which require no administrative action, transmittal information that does not add any information to that contained in the transmitted materials, to-do lists that serve as reminders, and extra copies of documents when the record copy is filed in the agency recordkeeping system

Disposition: TEMPORARY. Destroy when no longer needed.

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FHFA Schedule 4 – Legal Crosswalk
03/29/2011

2009 Consolidated Records Schedule Crosswalk to Legal Records: N1-XXX-XX-X							
Previous Authority	**Record Type**	**Previous Retention**[1]	**Category Name**	**New Record Type**	**New Retention**	**New SF-115 Number**	**Notes**
New Record	Regulatory Interpretations	Unscheduled	Legal	Regulatory Interpretations and Decisions	Permanent	4 1	
New Record	Waivers	Unscheduled	Legal	Regulatory Interpretations and Decisions	Permanent	4 1	
N1-543-00-02, Item 02a	Legal Opinions Retrieval System	Permanent	Legal	Legal Opinions and Advice	Permanent if dealing with mission or precedent setting issues 30 years if dealing with administrative issues or internal operations 15 years if dealing with legal reviews of agency activities or internal advice to ensure legal sufficiency	4 2a 4 2b 4 2c	
N1-543-00-02, Item 04a	Public Rulemaking File	Permanent	Legal	Rulemaking Records	30 Years	4 3	
N1-543-09-1	Administrative Hearing and Litigation Case Files	Destroy after 15 years	Legal	Litigation and Administrative Hearing Case Files	15 Years	4 4	

[1] Retention refers to the retention established in the applicable SF-115 or GRS unless otherwise indicated

FHFA Schedule 4 – Legal Crosswalk
03/29/2011

2009 Consolidated Records Schedule Crosswalk to Legal Records: N1-XXX-XX-X							
Previous Authority	**Record Type**	**Previous Retention**[1]	**Category Name**	**New Record Type**	**New Retention**	**New SF-115 Number**	**Notes**
N1-543-09-1	Settlement Agreements (Merit System Protection Board, Equal Employment Opportunity Commission, Internal EEO)	Destroy after 15 years	Legal	Litigation and Administrative Hearing Case Files	15 Years	4 4	
N1-543-09-1	Settlement Agreements (Litigation)	Destroy after 15 years	Legal	Litigation and Administrative Hearing Case Files	15 Years	4 4	

FHFA Schedule 6 – Records Common to Most FHFA Offices Crosswalk
03/29/2011

2009 Consolidated Records Schedule Crosswalk to Records Common to Most FHFA Offices Records: N1-XXX-XX-X							
Previous Authority	**Record Type**	**Previous Retention**[1]	**Category Name**	**New Record Type**	**New Retention**	**New SF-115 Number**	**Notes**
New Record	2011 FHFA Reorganization Records	Unscheduled	All FHFA Offices	Special Projects	Permanent	6 1a	
New Record	FHFA Move Project	Unscheduled	All FHFA Offices	Special Projects	15 Years	6 1b	
New Record	Major Website Redesign Records	Unscheduled	All FHFA Offices	Special Projects	15 Years	6 1b	
New Record	System Development Records	Unscheduled	All FHFA Offices	Special Projects	15 Years	6 1b	
New Record	Departmental Strategic Plans	Unscheduled	All FHFA Offices	Special Projects	7 Years	6 1c	
GRS 23, Item 1	Office Administrative Files	Destroy when 2 years old	All FHFA Offices	Routine Office Administration Records	3 Years	6 2	
GRS 23, Item 5	Schedules of Daily Activities	Destroy or delete when 2 years old	All FHFA Offices	Routine Office Administration Records	3 Years	6 2	
GRS 23, Item 8	Tracking and Control Records	Destroy or delete when 2 years old, or 2 years after the date of the latest entry, whichever is applicable	All FHFA Offices	Routine Office Administration Records	3 Years	6 2	
GRS 23, Item 9	Finding Aids (Indexes)	Destroy or delete with the related records	All FHFA Offices	Routine Office Administration Records	3 Years	6 2	
N1-485-94-1, Item 7 14	Senior Management Meetings	Cut off at end of calendar year Destroy 2 years after cut off	All FHFA Offices	Routine Office Administration Records	3 Years	6 2	

[1] Retention refers to the retention established in the applicable SF-115 or GRS unless otherwise indicated

FHFA Schedule 6 – Records Common to Most FHFA Offices Crosswalk
03/29/2011

2009 Consolidated Records Schedule Crosswalk to Records Common to Most FHFA Offices Records: N1-XXX-XX-X							
Previous Authority	**Record Type**	**Previous Retention[1]**	**Category Name**	**New Record Type**	**New Retention**	**New SF-115 Number**	**Notes**
GRS 23, Item 7	Transitory Files	Destroy immediately, or when no longer needed for reference, or according to a predetermined time period or business rule (e g , implementing the auto-delete feature of electronic mail systems)	All FHFA Offices	Transitory Records	Destroy when no longer needed	6 4	