

FHFA-6

SYSTEM NAME:

Fraud Reporting Systems.

SECURITY CLASSIFICATION:

Unclassified but sensitive.

SYSTEM LOCATION:

Federal Housing Finance Agency, 400 7th Street, SW Washington, 20024; and any alternate work site utilized by employees of the Federal Housing Finance Agency or by individuals assisting such employees.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Information about individuals who are suspected of or have been found to have engaged in fraud or possible fraud in connection with the origination, funding, sale, purchase or insurance of a mortgage loan, or the related real estate transaction, or a financial instrument involving the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, or the Federal Home Loan Banks (individually “regulated entity”, and collectively, “regulated entities”), or who are suspected of or have been found to have engaged in other financial misconduct. Such records may also include information on individuals: (a) who have or are currently engaged in a transaction with a regulated entity; (b) who have performed or are currently performing services that relate to transactions with a regulated entity; (c) who are directors, officers, employees, agents of a regulated entity, or other institution engaged in financial transactions or mortgage services; (d) who are actual or potential victims of fraud or possible fraud; (e) who are named as possible witnesses; (f) who have or might have information about reported matters; (g) who are named as preparers of any reports; and (h) who are named as persons to be contacted by FHFA.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records may include name, address, telephone number, electronic mail address, Social Security number, name of institution(s) involved, financial information (such as account number, mortgage loan amount, amount of suspected fraud, and other loan or financial information), online profile or account information, and information pertaining to criminal prosecutions, civil actions, enforcement proceedings, and investigations resulting from or relating to the fraud or suspected fraud.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

The system is established and maintained pursuant to 12 U.S.C. 4513, 4513b, 4514, 4526 and 4642 and 12 CFR part 1233.

PURPOSE(S):

The information in this system of records will be used by FHFA in carrying out the statutory authorities of the Director to require the regulated entities to report fraud or suspected fraud involving a mortgage loan, financial instrument purchased or sold by a regulated entity, or other financial misconduct consistent with the safety and soundness responsibilities of FHFA under the Federal Housing Enterprises Financial Safety and Soundness Act of 1992, as amended.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside FHFA as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

(1) When (a) it is suspected or confirmed that the security or confidentiality of information in the system of records has been compromised; (b) FHFA has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by FHFA or another agency or entity) that rely upon the compromised information; and (c) the disclosure is made to such agencies, entities, and persons who are reasonably necessary to assist in connection with FHFA's efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

(2) Where there is an indication of a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local, tribal, foreign or a financial regulatory organization, including the Financial Crimes Enforcement Network and other law enforcement and government entities, as determined by FHFA to be appropriate and that are charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing a statute, or rule, regulation or order issued pursuant thereto.

(3) To any individual during the course of any inquiry or investigation conducted by FHFA, or in connection with civil litigation, if FHFA has reason to believe that the individual to whom the record is disclosed may have further information about the matters related therein, and those matters appeared to be relevant at the time to the subject matter of the inquiry.

(4) To any individual with whom FHFA contracts to reproduce, by typing, photocopy or other means, any record within this system for use by FHFA and its employees in connection with their official duties or to any individual who is utilized by FHFA to perform clerical or stenographic functions relating to the official business of FHFA.

(5) To members of advisory committees that are created by FHFA or by Congress to render advice and recommendations to FHFA or to Congress, to be used solely in connection with their official, designated functions.

(6) To a Congressional office from the record of an individual in response to an inquiry from the Congressional office made at the request of that individual.

(7) To contractor personnel, grantees, volunteers, interns, and others performing or working on a contract, service, grant, cooperative agreement, or project for FHFA.

(8) To a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations, or in connection with criminal law proceedings, or in response to a subpoena from a court of competent jurisdiction.

(9) To the Office of Management and Budget, Department of Justice (DOJ), Department of Labor, Office of Personnel Management, Equal Employment Opportunity Commission, Office of Special Counsel, Department of Homeland Security, or other Federal agencies to obtain advice regarding statutory, regulatory, policy, and other requirements related to the purpose for which FHFA collected the records.

(10) To DOJ, (including United States Attorney Offices), or other Federal agencies conducting litigation or in proceedings before any court, adjudicative or administrative body, when it is necessary to the litigation and one of the following is a party to the litigation or has an interest in such litigation:

1. FHFA
2. Any employee of FHFA in his/her official capacity;
3. Any employee of FHFA in his/her individual capacity where DOJ or FHFA has agreed to represent the employee; or
4. The United States or any agency thereof, is a party to the litigation or has an interest in such litigation, and FHFA determines that the records are both relevant and necessary to the litigation and the use of such records is compatible with the purpose for which FHFA collected the records.

(11) To the National Archives and Records Administration or other Federal agencies pursuant to records management inspections being conducted under the authority of 44 U.S.C. 2904 and 2906.

(12) To a Federal agency, organization, or individual for the purpose of performing audit or oversight operations as authorized by law, but only such information as is necessary and relevant to such audit or oversight function.

(13) To a regulated entity.

(14) To a federal, state, local, tribal, foreign, or international agency in response to its request for information concerning the hiring or retention of an employee; the issuance of a security clearance; the reporting of an investigation of an employee; the letting of a contract; or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

(15) To a Bar Association, Accountancy Board, or other federal, state, local, tribal, or foreign licensing or oversight authority; or professional association or self-regulatory authority to the extent that it performs similar functions (including the Public Company Accounting Oversight Board) for investigations or possible disciplinary action.

DISCLOSURE TO CONSUMER REPORTING AGENCIES:

Pursuant to 5 U.S.C. 552a(b)(12), disclosures may be made from this system to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 (31 U.S.C. 3701(a)(3)).

POLICIES AND PRACTICE FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM: STORAGE:

Records in this system are stored in paper and electronic format.

RETRIEVABILITY:

Records may be retrieved by name, address, or other unique identifier.

SAFEGUARDS:

Records are safeguarded in a secured environment. Buildings where records are stored have security cameras and 24-hour security guard service. Computerized records are safeguarded through use of access codes and other information technology security measures. Paper records are safeguarded by locked file rooms, locked file cabinets, or locked safes. Access to the records is restricted to those who require the records in the performance of official duties related to the purposes for which the system is maintained.

RETENTION AND DISPOSAL:

Records are maintained in accordance with National Archives and Records Administration and FHFA retention schedules. Records are disposed of according to accepted techniques.

SYSTEM MANAGER(S) AND ADDRESS:

Office of General Counsel, and Divisions of Enterprise Regulation and Bank Regulation, Federal Housing Finance Agency, 400 7th Street SW., Washington, DC 20024.

NOTIFICATION PROCEDURES:

Direct inquiries as to whether this system contains a record pertaining to an individual to the Privacy Act Officer either electronically, or by regular mail, or facsimile. Submit electronic requests at <https://publicaccesslink.fhfa.gov/palMain.aspx>. The regular mail address is: Privacy Act Officer, Federal Housing Finance Agency, 400 7th Street, SW., Washington, DC 20024. The facsimile number is: 202-649-1073. For the quickest possible handling, mark your electronic submission, letter, or facsimile and the subject line, envelope, or facsimile cover sheet “Privacy Act Request” in accordance with the procedures set forth in 12 CFR part 1204.

RECORD ACCESS PROCEDURES:

Direct inquiries as to whether this system contains a record pertaining to an individual to the Privacy Act Officer either electronically, or by regular mail, or facsimile. Submit electronic requests at <https://publicaccesslink.fhfa.gov/palMain.aspx>. The regular mail address is: Privacy Act Officer, Federal Housing Finance Agency, 400 7th Street, SW., Washington, DC 20024. The facsimile number is: 202-649-1073. For the quickest possible handling, mark your electronic submission, letter, or facsimile and the subject line, envelope, or facsimile cover sheet “Privacy Act Request” in accordance with the procedures set forth in 12 CFR part 1204.

CONTESTING RECORD PROCEDURES:

Direct inquiries as to whether this system contains a record pertaining to an individual to the Privacy Act Officer either electronically, or by regular mail, or facsimile. Submit electronic requests at <https://publicaccesslink.fhfa.gov/palMain.aspx>. The regular mail address is: Privacy Act Officer, Federal Housing Finance Agency, 400 7th Street, SW., Washington, DC 20024. The facsimile number is: 202-649-1073. For the quickest possible handling, mark your electronic submission, letter, or facsimile and the subject line, envelope, or facsimile cover sheet “Privacy Act Request” in accordance with the procedures set forth in 12 CFR part 1204.

RECORD SOURCE CATEGORIES:

The information is obtained from the regulated entities and other sources.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

Information in this system is exempt from disclosure under subsections 552a(d)(5), and 552a(k)(2) of the Privacy Act.