



OFFICE OF INSPECTOR GENERAL
Federal Housing Finance Agency

400 7th Street SW, Washington, DC 20219

May 31, 2016

David Brewer, Chief Investigative Counsel
Michael J. Lueptow, Investigative Counsel
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Jason Foster, Chief Investigative Counsel
Paul Junge, Investigative Counsel
Committee on the Judiciary
United States Senate
Washington, DC 20510

Via Electronic Mail

Subject: Response to Request for Information dated May 17, 2016

Gentlemen:

Thank you for your inquiry regarding the Federal Housing Finance Agency (FHFA) Office of Inspector General (FHFA-OIG) retention of outside counsel. FHFA-OIG has retained outside counsels to assist with pending matters related to and arising out of an administrative personnel action and Congressional inquiries.¹ Attorney Peter Broida, Esq., of Arlington, VA, and Zuckerman Spaeder LLP of Washington, DC have been retained to represent FHFA-OIG in regard to one or more issues related to the above referenced matters.²

Kindly note that additional responses and information sought in your requests comprise pre-decisional and deliberative information, as well as attorney-client communications, all of which are privileged and involve pending matters. Accordingly, that information is not included in this production. As with the prior requests for privileged information, we remain prepared to discuss with Committee staff possible approaches that may result in a mutually satisfactory resolution.

¹ FHFA, like other prudential regulators, is an independent agency of the federal government, with independent litigation authority. See 12 U.S.C. §§ 4511, 4513(c), and 4517(d). See also *Humphrey's Ex'r v. United States*, 295 U.S. 602, 629 (1935); *FDIC v. Irwin*, 727 F. Supp. 1073 (N.D. Tex. 1989), *aff'd*, 916 F.2d 1051 (5th Cir. 1990); *Comptroller of Currency v. Lance*, 632 F. Supp. 437 (N.D. Ga. 1986). FHFA is funded through assessments from the entities it regulates, which are not Government or public funds. 12 U.S.C. §§ 4516(a), (f).

² Mr. Broida's hourly fee is \$400; Zuckerman Spaeder's hourly fees range from \$775 to \$850.

Letter to Messrs. Brewer, Lueptow, Foster, and Junge

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Thank you for your interest in FHFA-OIG. Please call me at (202) 730-2830 with any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read 'Leonard J. DePasquale', with a long horizontal line extending to the right.

Leonard J. DePasquale
Chief Counsel, FHFA-OIG