

Federal Reserve System

Federal Open Market Committee Rules and Authorizations



January 2020

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Statement on Longer-Run Goals and Monetary Policy Strategy

Adopted effective January 24, 2012; as amended effective January 29, 2019

The Federal Open Market Committee (FOMC) is firmly committed to fulfilling its statutory mandate from the Congress of promoting maximum employment, stable prices, and moderate long-term interest rates. The Committee seeks to explain its monetary policy decisions to the public as clearly as possible. Such clarity facilitates well-informed decisionmaking by households and businesses, reduces economic and financial uncertainty, increases the effectiveness of monetary policy, and enhances transparency and accountability, which are essential in a democratic society.

Inflation, employment, and long-term interest rates fluctuate over time in response to economic and financial disturbances. Moreover, monetary policy actions tend to influence economic activity and prices with a lag. Therefore, the Committee's policy decisions reflect its longer-run goals, its medium-term outlook, and its assessments of the balance of risks, including risks to the financial system that could impede the attainment of the Committee's goals.

The inflation rate over the longer run is primarily determined by monetary policy, and hence the Committee has the ability to specify a longer-run goal for inflation. The Committee reaffirms its judgment that inflation at the rate of 2 percent, as measured by the annual change in the price index for personal consumption expenditures, is most consistent over the longer run with the Federal Reserve's statutory mandate. The Committee would be concerned if inflation were running persistently above or below this objective. Communicating this symmetric inflation goal clearly to the public helps keep longer-term inflation expectations firmly anchored, thereby fostering price stability and moderate long-term interest rates and enhancing the Committee's ability to promote maximum employment in the face of significant

economic disturbances. The maximum level of employment is largely determined by nonmonetary factors that affect the structure and dynamics of the labor market. These factors may change over time and may not be directly measurable. Consequently, it would not be appropriate to specify a fixed goal for employment; rather, the Committee's policy decisions must be informed by assessments of the maximum level of employment, recognizing that such assessments are necessarily uncertain and subject to revision. The Committee considers a wide range of indicators in making these assessments. Information about Committee participants' estimates of the longer-run normal rates of output growth and unemployment is published four times per year in the FOMC's Summary of Economic Projections. For example, in the most recent projections, the median of FOMC participants' estimates of the longer-run normal rate of unemployment was 4.4 percent.

In setting monetary policy, the Committee seeks to mitigate deviations of inflation from its longer-run goal and deviations of employment from the Committee's assessments of its maximum level. These objectives are generally complementary. However, under circumstances in which the Committee judges that the objectives are not complementary, it follows a balanced approach in promoting them, taking into account the magnitude of the deviations and the potentially different time horizons over which employment and inflation are projected to return to levels judged consistent with its mandate.

The Committee intends to reaffirm these principles and to make adjustments as appropriate at its annual organizational meeting each January.¹

Note: The Committee did not reaffirm this statement in January 2020 in light of its ongoing review

of its monetary policy strategy, tools, and communications practices. This statement is a reprint of the statement affirmed in January 2019.

Federal Open Market Committee—Rules of Organization

As amended effective September 20, 2016

SECTION 1—Authority

The rulesⁱ are issued by the Federal Open Market Committee (the “Committee”) pursuant to the requirement of section 552 of title 5 of the United States Codeⁱⁱ that every agency shall publish in the Federal Register a description of its central and field organization.

SECTION 2—Composition of Committee

(a) *Members.* The Committee consists of the seven members of the Board of Governors of the Federal Reserve System (the “Board”) and five representatives of the Federal Reserve Banks, each of whom is a president or a first vice president of a Federal Reserve Bank.

(b) *Federal Reserve Bank representatives.* The representatives of the Federal Reserve Banks, and an alternate for each representative, are elected by the boards of directors of the Federal Reserve Banks in accordance with section 12A of the Federal Reserve Act (12 USC 263) for annual terms commencing on the date of the first regularly scheduled meeting of the Committee occurring on or after January 1 of each year. Prior to the first regularly scheduled meeting of the Committee on or after January 1 of each year, each member of the Committee representing the Federal Reserve Banks shall cause a record of the member’s election and of the election of the member’s alternate to be forwarded to the secretary of the Committee. If any question is raised as to the election or eligibility of a member or alternate, the Committee determines such question before such member or alternate participates in a meeting of the Committee. In the event a member is absent from a meeting of the Committee, the member’s alternate, in attending the meeting, shall have the same status as the member for whom the alternate is serving. If a member or alternate ceases to be a president or first vice president of a Federal Reserve Bank, a successor may be chosen in a special election by the boards of directors of the appropriate Federal Reserve Bank or Banks and such successor serves until the next annual election.

(c) *Oath of office.* Each member of the Committee and each alternate take the same oath of office as that prescribed by statute to be taken by officers of the United States.

SECTION 3—Chairman and Vice Chairman

At its first regularly scheduled meeting on or after January 1 of each year, the Committee elects a Chairman and a Vice Chairman from among its membership. The Chairman presides at all meetings of the Committee and performs such other duties as the Committee may require. The Vice Chairman performs the duties of the Chairman in the absence of the Chairman. In the absence of both the Chairman and the Vice Chairman of the Committee, the Vice Chairman of the Board acts as Chairman of the Committee; and, in the absence of the Chairman and the Vice Chairman of the Committee and the Vice Chairman of the Board, the member of the Board present with the longest service as a member of the Board acts as Chairman of the Committee.

SECTION 4—Foreign Currency Subcommittee

The Foreign Currency Subcommittee (the “Subcommittee”) consists of the Chairman and Vice Chairman of the Committee and the Vice Chairman of the Board of Governors (or another Board member designated by the Chairman as an alternate if a member of the Board serving on the Subcommittee is unavailable, and the alternate of the Vice Chairman of the Committee if the Vice Chairman of the Committee is unavailable).

SECTION 5—Staff

(a) *Selection of staff officers.* At its first regularly scheduled meeting on or after January 1 of each year, the Committee selects, from among the officers and employees of the Board and the Federal Reserve Banks, the following staff officers to serve until the first regularly

scheduled meeting on or after January 1 of the next following year: secretary, deputy secretary, and one or more assistant secretaries; general counsel, deputy general counsel, and one or more assistant general counsels; economists, one or more of whom may be designated as senior or associate economists or given titles reflecting their areas of particular specialization; and such other officers as the Committee might wish from time to time. A staff officer ceases to be an officer of the Committee if he or she ceases to be employed by the Board or by a Federal Reserve Bank or if the Committee selects a successor to that staff officer.

(b) *Secretary and deputy and assistant secretaries.* The secretary keeps minutes of actions and records of discussions at all meetings of the Committee; maintains a complete record of the actions taken by the Committee upon all questions of policy relating to open market operations; and records the votes taken in connection with the determination of open market policies and the reasons underlying each such action. The secretary has custody of such minutes and records, and performs such other duties as the Committee may require. In the absence of the secretary of the Committee, the deputy secretary or an assistant secretary acts as secretary pro tem.

(c) *Economists.* The economists prepare for the use of the Committee and present to it such information regarding business and credit conditions and domestic and international economic and financial developments as will assist the Committee in the determination of open market policies, and they perform such other duties as the Committee may require.

(d) *General counsel and deputy and assistant*

general counsel. The general counsel furnishes such legal advice as the Committee may require. In the absence of the general counsel, the deputy general counsel or an assistant general counsel acts as general counsel pro tem.

(e) *Filling of vacancies.* At any meeting the Committee may fill any vacancy in the offices described in this section.

(f) *Other staff assistance.* The services of any officers and employees of the Board and the Federal Reserve Banks are made available and are utilized by the Committee as required.

SECTION 6—Manager and Deputy Manager

The Committee selects a manager and deputy manager of the System Open Market Account. The foregoing shall be satisfactory to the Federal Reserve Bank selected by the Committee to execute open market transactions for such account (the “Selected Bank”) and shall serve at the pleasure of the Committee. The manager keeps the Committee informed on market conditions and on transactions made for such account and renders such reports as the Committee may specify. In the absence of the manager, the deputy manager acts as manager pro tem. In the event that the president of the Selected Bank determines that the manager or deputy manager is not able to perform the duties of the position, the Chairman may select a person satisfactory to such president to serve as manager or deputy manager (as relevant) until the Committee and the Selected Bank select a replacement manager or (as relevant) deputy manager in accordance with this section.

ⁱ These are uncodified rules, for use within the Federal Reserve System.

ⁱⁱ See 5 USC 552(a)(1) at 8-311.

Federal Open Market Committee—Rules of Procedure

12 CFR 272; as amended effective September 20, 2016

SECTION 272.1—Authority

This part¹ is issued by the Federal Open Market Committee (the “Committee”) pursuant to the requirement of section 552 of title 5 of the United States Code that every agency shall publish in the Federal Register its rules of procedure.

SECTION 272.2—Functions of the Committee

The procedures followed by the Committee are designed to facilitate the effective performance of the Committee’s statutory functions with respect to the regulation and direction of open market operations conducted by the Federal Reserve Banks and with respect to certain direct transactions between the Federal Reserve Banks and the United States. In determining the policies to be followed in such operations, the Committee considers information regarding business and credit conditions and domestic and international economic and financial developments, and other pertinent information gathered and submitted by its staff and the staffs of the Board of Governors of the Federal Reserve System (the “Board”) and the Federal Reserve Banks. Against the background of such information, the Committee takes actions from time to time to regulate and direct the open market operations of the Federal Reserve Banks. Such policy actions ordinarily are taken through the adoption and transmission to the Federal Reserve Banks of regulations, authorizations, and directives.

SECTION 272.3—Meetings

(a) *Place and frequency.* The Committee meets in Washington, D.C., at least four times each year and oftener if deemed necessary. Meetings are held upon the call of the Chairman of the Board or at the request of any three members of the Committee. Notices of calls by the Chairman of the Board to other members are given by the secretary of the Committee in

writing, by telephone, or electronic means. Requests of any three members for the calling of a meeting shall state the time therefore and shall be filed in writing, by telephone, or electronic means with the secretary who shall forthwith notify all members of the Committee in writing, by telephone, or electronic means. When the secretary has sent notices to all members of the Committee that a meeting has been requested by three members and of the time therefore, a meeting is deemed to have been called. If, in the judgment of the Chairman, circumstances require that a meeting be called at such short notice that one or more members cannot be present in person, such members may participate in the meeting by telephone conference arrangements or by electronic means.

(b) *Alternates.* Whenever any member of the Committee representing Federal Reserve Banks shall find that the member will be unable to attend a meeting of the Committee, the member shall promptly notify the member’s alternate and the secretary of the Committee in writing, by telephone, or electronic means, and upon receipt of such notice such alternate shall advise the secretary whether the alternate will attend such meeting.

(c) *Quorum.* Seven members, at least one of whom represents a Federal Reserve Bank, constitute a quorum of the Committee for purposes of transacting business except that, if there are fewer than seven members in office, then the number of members in office constitute a quorum. For purposes of this paragraph (c), members of the Committee include alternates acting in the absence of members. Less than a quorum may adjourn a meeting of the Committee from time to time until a quorum is in attendance.

(d) *Attendance at meetings.* Attendance at Committee meetings is restricted to members and alternate members of the Committee, the presidents of Federal Reserve Banks who are not at the time members or alternates, staff officers of the Committee, the manager, and such other advisers as the Committee may invite from time to time.

(e) *Meeting agendas.* The secretary, in consultation with the Chairman, prepares an agenda of matters to be discussed at each regularly scheduled meeting and the secretary transmits the agenda to the members of the Committee within a reasonable time in advance of such meeting. In general, the agendas include reports by the manager on open market operations since the previous meeting, and ratification by the Committee of such operations; reports by economists on, and Committee discussion of, the economic and financial situation and outlook; Committee discussion of monetary policy and action with respect thereto; and such other matters as may be considered necessary.

(f) *Foreign Currency Subcommittee.* Meetings of the Foreign Currency Subcommittee (the “Subcommittee”) shall be called at the request of any Subcommittee member, or at the request of the manager. At the request of any member of the Subcommittee, questions arising from a matter before the Subcommittee shall be referred for determination to the Committee.

SECTION 272.4—Committee Actions

(a) *Actions at meetings.* Actions are taken at meetings of the Committee except as described below.

(b) *Policy actions between meetings.* Special circumstances may make it desirable in the public interest for Committee members to consider an action to modify an outstanding Committee authorization or directive at a time when it is not feasible to call a meeting. Whenever, in the judgment of the Chairman, such circumstances have arisen, the relevant information and recommendations for action are transmitted to the members by the secretary, and the members communicate their votes to the secretary. If the action is approved by a majority of the members, advice to that effect is promptly given by the secretary to the members of the Committee and to the Federal Reserve Bank selected to execute transactions for the System Open Market Account. All communications of

recommended actions and votes under this paragraph shall be in writing, by telephone, or electronic means; if the communication is made orally, the secretary shall cause a written record to be made without delay. An action taken between meetings has the force and effect of an action at a meeting; provided, however, that if a meeting is held before the execution of any operations pursuant to the action, the action is null and void unless it is ratified and confirmed by the Committee at such meeting.

(c) *Other actions between meetings.* Circumstances may make it desirable in the public interest for Committee members to consider other actions, such as approval of the minutes, between meetings. In these circumstances, the relevant information and recommendations for such action are transmitted to the members by the secretary, and the members communicate their votes to the secretary. All communications of recommended actions and votes under this paragraph shall be in writing, by telephone, or electronic means; if the communication is made orally, the secretary shall cause a written record to be made without delay.

(d) *Delegations of authority.* In special circumstances, the Committee may delegate authority to take an action, subject to such instructions or guidelines as the Committee deems proper. Such delegations of authority may be made to the Chairman; to a subcommittee consisting of the Chairman and the Vice Chairman of the Committee and the Vice Chairman of the Board (or in the absence of the Chairman or of the Vice Chairman of the Board the members of the Board designated by the Chairman as alternates, and in the absence of the Vice Chairman of the Committee the alternate for the Vice Chairman); or to any other member or members of the Committee. An action taken pursuant to such a delegation of authority has the force and effect of an action taken by the Committee.

(e) *Technical changes to Committee rules.* The secretary of the Committee (or the acting secretary) is authorized to make technical corrections, such as spelling, grammar, construction, and organization (including removal of

obsolete provisions and references), to the Committee's rules, regulations, and orders and other records of Committee action but only with the concurrence of the Committee's general counsel.

(f) *Effective date.* Committee action ordinarily is made effective as of the time it is taken because the nature of the subject matter and the action taken is such that the public interest and the proper discharge of the Committee's responsibilities so require. Occasionally, however, the Committee may specify that an action

is to be effective at some different time.

SECTION 272.5—Notice and Public Procedure

There ordinarily is no published notice of proposed action by the Committee or public procedure thereon, as described in section 553 of title 5 of the United States Code, because such notice and procedure are impracticable, unnecessary, or contrary to the public interest.

ⁱ The words "this part," as used herein, means Rules of Procedure of the FOMC (Code of Federal

Regulations, title 12, chapter II, part 272).

Open Market Operations of Federal Reserve Banks

12 CFR 270; as amended effective March 28, 1983

SECTION 270.1—Authority

This partⁱ is issued by the Federal Open Market Committee (the “Committee”) pursuant to authority conferred upon it by sections 12A and 14 of the Federal Reserve Act (12 USC 263, 355)ⁱⁱ.

SECTION 270.2—Definitions

(a) The term “obligations” means government securities, U.S. agency securities, banker’s acceptances, bills of exchange, cable transfers, bonds, notes, warrants, debentures, and other obligations that Federal Reserve Banks are authorized by law to purchase and sell.

(b) The term “government securities” means direct obligations of the United States (i.e., U.S. bonds, notes, certificates of indebtedness, and Treasury bills) and obligations fully guaranteed as to principal and interest by the United States.

(c) The term “U.S. agency securities” means obligations that are direct obligations of, or are fully guaranteed as to principal and interest by, any agency of the United States.

(d) The term “System Open Market Account” means the obligations acquired pursuant to authorizations and directives issued by the Committee and held on behalf of all Federal Reserve Banks.

SECTION 270.3—Governing Principles

As required by section 12A of the Federal Reserve Act, the time, character, and volume of all purchases and sales of obligations in the open market by Federal Reserve Banks are governed with a view to accommodating commerce and business and with regard to their bearing upon the general credit situation of the country.

SECTION 270.4—Transactions in Obligations

(a) Each Federal Reserve Bank shall engage

in open market operations under section 14 of the Federal Reserve Act only in accordance with this part and with the authorizations and directives issued by the Committee from time to time, and no Federal Reserve Bank shall decline to engage in open market operations as directed by the Committee.

(b) Transactions for the System Open Market Account shall be executed by a Federal Reserve Bank selected by the Committee. The participations of the several Federal Reserve Banks in such account and in the profits and losses on transactions for the account shall be allocated in accordance with principles determined by the Committee from time to time.

(c) In accordance with such limitations, terms, and conditions as are prescribed by law and in authorizations and directives issued by the Committee, the Federal Reserve Bank selected by the Committee is authorized and directed—

(1) To buy and sell government securities and U.S. agency securities in the open market for the System Open Market Account, and to exchange maturing securities with the issuer;

(2) To buy and sell banker’s acceptances in the open market for its own account;

(3) To buy government securities, U.S. agency securities, and banker’s acceptances of the kinds described above, under agreements for repurchase of such obligations, in the open market for its own account; and

(4) To buy and sell foreign currencies in the form of cable transfers in the open market for the System Open Market Account and to maintain for such account reciprocal currency arrangements with foreign banks among those designated by the Board of Governors of the Federal Reserve System under section 214.5 of this chapter [Regulation N].

(d) The Federal Reserve Banks are authorized and directed to engage in such other operations as the Committee may from time to time determine to be reasonably necessary to the effective conduct of open market operations and

the effectuation of open market policies.

ⁱ The words “this part,” as used herein, mean Open Market Operations of Federal Reserve Banks (Code of Federal Regulations, title 12, chapter II,

part 270).

ⁱⁱ At 1-108 and 1-129.

Procedures for Allocation of Securities in the System Open Market Account

As amended effective March 28, 1995

1. Securities in the System Open Market Account shall be reallocated at least once each year as determined by the Board's Division of Reserve Bank Operations and Payment Systems and the manager of the System Open Market Account, for the purpose of settling inter-District clearings and approximately equalizing for each Federal Reserve Bank the ratio of gold certificate holdings to Federal Reserve notes outstanding.
2. Until the next reallocation, the account shall be apportioned on the basis of the ratios determined in paragraph 1.
3. Profits and losses on the sale of securities from the account shall be allocated on the day of delivery of the securities sold on the basis of each Federal Reserve Bank's current holdings at the opening of business on that day.

Resolution Authorizing Certain Actions by Federal Reserve Banks During an Emergency

As amended effective January 27, 2015

The Federal Open Market Committee (the “Committee”) hereby authorizes each Federal Reserve Bank to take any or all of the actions set forth below during and following a national security emergency when such Federal Reserve Bank finds itself unable after reasonable efforts to be in communication with the Committee or when the Committee is unable to function. Action(s) under this authorization will be taken by a Federal Reserve Bank only after reasonable efforts have been made to consult with the Chairman of the Committee or if the latter is not available with the Vice Chairman of the Committee or if both the Chairman and the Vice Chairman are not available, with whatever member of the Board of Governors may be available to serve as Acting Chairman as provided for by the Committee’s Rules of Organization. In addition, to the extent feasible, the action(s) should be coordinated with other Federal Reserve Banks with which the Federal Reserve Bank is able to communicate.

(1) Whenever it deems it necessary in the light of economic conditions and the general credit situation then prevailing (after taking into account the possibility of providing necessary credit through advances secured by

direct obligations of the United States under the last paragraph of section 13 of the Federal Reserve Act), such Federal Reserve Bank may purchase and sell obligations of the United States for its own account, either outright or under repurchase agreement, from and to banks, dealers, or other holders of such obligations.

(2) Such Federal Reserve Banks may engage in operations of the types specified in the Committee’s authorization for System foreign-currency operations when requested to do so by an authorized official of the U.S. Treasury Department; provided, however, that such Federal Reserve Bank shall take all steps practicable at the time to ensure as far as possible that, in light of the information available on other System foreign-currency operations, its own operations do not result in the aggregate in breaching any of the several dollar limits specified in the authorization.

Authority to take the actions set forth shall be effective only until such time as the Federal Reserve Bank is able again to establish communications with the Committee, and such Committee is then functioning.

Guidelines for the Conduct of System Open Market Operations in Federal-Agency Issues

Temporarily suspended effective January 27, 2009

1. System open market operations in federal-agency issues are an integral part of total System open market operations designed to influence bank reserves, money market conditions, and monetary aggregates.

2. System open market operations in federal-agency issues are not designed to support individual sectors of the market or to channel funds into issues of particular agencies.

Temporary Authority to Operate System Account

As amended effective January 27, 2015

The Chairman of the Federal Open Market Committee (the “Committee”) is authorized to appoint a Federal Reserve Bank as agent to operate the System Account temporarily in case the Federal Reserve Bank selected by the Committee to execute open market transactions is

unable to function. In the event the Chairman exercises such authority, the Chairman also is authorized to appoint a Federal Reserve official to act temporarily as manager of the System Account.

Federal Open Market Committee—Rules Regarding Availability of Information

12 CFR 271; as amended effective September 19, 2017

§ 271.1—Authority and Purpose

- (a) *Authority.* This partⁱ is issued by the Federal Open Market Committee (the Committee) pursuant to the Freedom of Information Act, 5 U.S.C. 552, and also pursuant to the Committee's authority under section 12A of the Federal Reserve Act, 12 U.S.C. 263, to issue regulations governing the conduct of its business.
- (b) *Purpose.* This part sets forth the categories of information made available to the public and the procedures for obtaining documents and records.

§ 271.2—Definitions

- (a) *Board* means the Board of Governors of the Federal Reserve System established by the Federal Reserve Act of 1913 (38 Stat. 251).
- (b) *Commercial use request* refers to a request from or on behalf of one who seeks information for a use or purpose that furthers the commercial, trade, or profit interests of the requester or the person on whose behalf the request is made.
- (c) *Direct costs* mean those expenditures that the Committee actually incurs in searching for, reviewing, and duplicating documents in response to a request made under § 271.5.
- (d) *Duplication* refers to the process of making a copy of a document in response to a request for disclosure of records or for inspection of original records that contain exempt material or that otherwise cannot be inspected directly. Among others, such copies may take the form of paper, microform, audiovisual materials, or machine-readable documentation (e.g., magnetic tape or disk).
- (e) *Education institution* refers to a preschool, a public or private elementary or secondary school, or an institution of undergraduate higher education, graduate higher education, professional education, or an institution of vocational education that operates a program of scholarly research.
- (f) *Federal Reserve Bank* means one of the District Banks authorized by the Federal Reserve Act, 12 U.S.C. 222, including any branch

of any such Bank.

(g) *Information of the Committee* means all information coming into the possession of the Committee or of any member thereof or of any officer, employee, or agent of the Committee, the Board, or any Federal Reserve Bank, in the performance of duties for, or pursuant to the direction of, the Committee.

(h) *Noncommercial scientific institution* refers to an institution that is not operated on a "commercial" basis (as that term is used in this section) and which is operated solely for the purpose of conducting scientific research, the results of which are not intended to promote any particular product or industry.

(i) *Records of the Committee* includes rules, statements, decisions, minutes, memoranda, letters, reports, transcripts, accounts, charts, and other written material, as well as any materials in machine-readable form that constitute a part of the Committee's official files.

(j) *Representative of the news media* refers to any person actively gathering news for an entity that is organized and operated to publish or broadcast news to the public.

(1) The term "news" means information about current events or that would be of current interest to the public.

(2) Examples of news-media entities include, but are not limited to, television or radio stations broadcasting to the public at large, and publishers of newspapers and other periodicals (but only in those instances when they can qualify as disseminators of "news") who make their products available for purchase or subscription by the general public.

(3) "Freelance" journalists may be regarded as working for a news organization if they can demonstrate a solid basis for expecting publication through that organization, even though not actually employed by it.

(k)(1) *Review* refers to the process of examining documents, located in response to a request for access, to determine whether any portion of a document is exempt information. It includes doing all that is necessary to excise the documents and otherwise to prepare them for release.

(2) *Review* does not include time spent resolving general legal or policy issues regarding the application of exemptions.

(D)(1) *Search* means a reasonable search, by manual or automated means, of the Committee's official files and any other files containing records of the Committee as seem reasonably likely in the particular circumstances to contain documents of the kind requested. For purposes of computing fees under § 271.9, search time includes all time spent looking for material that is responsive to a request, including line-by-line identification of material within documents. Such activity is distinct from "review" of material to determine whether the material is exempt from disclosure.

(2) *Search* does not mean or include research, creation of any document, or extensive modification of an existing program or system that would significantly interfere with the operation of the Committee's automated information system.

§ 271.3—Published Information

(a) *Federal Register*. The Committee publishes in the *Federal Register*, in addition to this part:

- (1) A description of its organization;
- (2) Statements of the general course and method by which its functions are channeled and determined;
- (3) Rules of procedure;
- (4) Substantive rules of general applicability, and statements of general policy and interpretations of general applicability formulated and adopted by the Committee;
- (5) Every amendment, revision, or repeal of the foregoing; and
- (6) General notices of proposed rulemaking.

(b) *Annual report to Congress*. Each annual report made to Congress by the Board includes a complete record of the actions taken by the Committee during the preceding year upon all matters of policy relating to open market operations, showing the reasons underlying the actions, and the votes taken.

(c) *Other published information*. Other information relating to the Committee, including its open market operations, is made publicly available on the websites of the Board and the Federal Reserve Banks.

§ 271.4—Records Available for Public Inspection

(a) *Types of records made available*. Unless they were published promptly and made available for sale or without charge, records described in 5 USC 552(a)(2) shall be made available for inspection in an electronic format by the Committee.

(b) *Reading room procedures*.

(1) Information described in 5 U.S.C. 552(a)(2), such as statements of policy and records requested three or more times under § 271.5, is made available for public inspection in the Committee's electronic reading room at www.federalreserve.gov/foia/fomc/readingrooms.htm#rr1, in its conventional reading room located at the Freedom of Information Office of the Board of Governors of the Federal Reserve System, or both. For security reasons, the Board requires that visitors make an appointment to inspect documents. You may do so by calling the Board's Freedom of Information Office at (202) 452-3684.

(2) The Committee may determine that certain classes of publicly available filings shall be made available for inspection in electronic format only by the Federal Reserve Bank where those records are maintained.

(c) [RESERVED]

(d) *Privacy protection*. The Committee may delete identifying details from any record to prevent a clearly unwarranted invasion of personal privacy.

§ 271.5—Records Available to the Public on Request

(a) *Types of records made available*. All rec-

ords of the Committee that are not available under §§ 271.3 and 271.4 shall be made available upon request, pursuant to the procedures in this section and the exceptions in § 271.7.

(b) *Procedures for requesting records.*

(1) A request for identifiable records shall reasonably describe the records in a way that enables the Committee's staff to identify and produce the records with reasonable effort and without unduly burdening or significantly interfering with any of the Committee's operations. Information that assists staff in identifying responsive records includes the subject matter and date or time frame of the information requested.

(2) The request shall be submitted in writing to the secretary of the Committee, Federal Open Market Committee, 20th & C Streets N.W., Washington, D.C. 20551; or sent by facsimile to the Secretary of the Committee, (202) 452-2921; or sent electronically using the online request form located at www.federalreserve.gov/forms/FOMCForm.aspx. The request shall be clearly marked FREEDOM OF INFORMATION ACT REQUEST.

(c) *Contents of request.* The request shall contain the following information:

(1) The name and address of the requester, and the telephone number at which the requester can be reached during normal business hours;

(2) Whether the requested information is intended for commercial use, and whether the requester represents an educational or noncommercial scientific institution, or news media;

(3) A statement agreeing to pay the applicable fees, or a statement identifying any fee limitation desired, or a request for a waiver or reduction of fees that satisfies § 271.9(f).

(d) *Defective requests.* The Committee need not accept or process a request that does not reasonably describe the records requested or that does not otherwise comply with the requirements of this section. The Committee may return a defective request, specifying the deficiency. The requester may submit a corrected request, which will be treated as a new request.

§ 271.6—Processing Requests

(a) *Receipt of requests.* The date of receipt for any request, including one that is addressed incorrectly or that is referred to the Committee by another agency or by a Federal Reserve Bank, is the date the secretary of the Committee actually receives the request.

(b) *Priority of responses.* The Committee shall normally process requests in the order they are received. However, in the secretary's discretion, or upon a court order in a matter to which the Committee is a party, a particular request may be processed out of turn.

(c) *Expedited processing.* Where a person requesting expedited access to records has demonstrated a compelling need for the records, or where the Committee has determined to expedite the response, the Committee shall process the request as soon as practicable.

(1) To demonstrate a compelling need for expedited processing, the requester shall provide a certified statement, a sample of which may be obtained from the Board's Freedom of Information Office. The statement, certified to be true and correct to the best of the requester's knowledge and belief, shall demonstrate that:

(i) The failure to obtain the records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or

(ii) The requester is a representative of the news media, as defined in § 271.2, and there is urgency to inform the public concerning actual or alleged Committee activity.

(2) In response to a request for expedited processing, the secretary of the Committee shall notify a requester of the determination within 10 working days of receipt of the request. In exceptional situations, the secretary of the Committee has the discretion to waive the formality of certification. If the secretary of the Committee denies a request for expedited processing, the requester may file an appeal pursuant to the procedures set forth in paragraph (h) of this section, and the Committee shall respond to the appeal within

- 10 working days after the appeal was received by the Committee.
- (d) *Time limits.* The time for response to requests shall be 20 working days, except;
- (1) In the case of expedited treatment under paragraph (c) of this section;
 - (2) Where the running of such time is suspended for payment of fees pursuant to § 271.9(b)(2);
 - (3) In unusual circumstances, as defined in 5 U.S.C. 552(a)(6)(B), the Committee may:
 - (i) Extend the 20-day time limit for a period of time not to exceed 10 working days, where the Committee has provided written notice to the requester, setting forth the reasons for the extension and the date on which a determination is expected to be dispatched; and
 - (ii) Extend the 20-day time limit for a period of more than 10 working days where the Committee has provided the requester with an opportunity to limit the scope of the request so that it may be processed within that time frame or with an opportunity to arrange an alternative time frame for processing the original request or a modified request, and has notified the requester that the Committee's FOIA Public Liaison is available to assist the requester for this purpose and in the resolution of any disputes between the requester and the Committee and of the requester's right to seek dispute resolution services from the Office of Government Information Services.
- (e) *Response to request.* In response to a request that satisfies § 271.5, an appropriate search shall be conducted of records of the Committee in existence on the date of receipt of the request, and a review made of any responsive information located. The secretary shall notify the requester of:
- (1) The Committee's determination of the request;
 - (2) The reasons for the determination;
 - (3) The amount of information withheld;
 - (4) The right of the requester to seek assistance from the Committee's FOIA Public Liaison; and
- (5) When an adverse determination is made (including determinations that the requested record is exempt, in whole or in part; the request does not reasonably describe the records sought; the information requested is not a record subject to the FOIA; the requested record does not exist, cannot be located, or has been destroyed; the requested record is not readily reproducible in the form or format sought by the requester; to deny a fee waiver request or other fee categorization matter; and to deny a request for expedited processing), the secretary will advise the requester in writing of that determination and will further advise the requester of:
- (i) The right to appeal to the Committee any adverse determination, as specified in paragraph (h) of this section;
 - (ii) The right to seek dispute resolution services from the Committee's FOIA Public Liaison or from the Office of Government Information Services; and
 - (iii) The name and title or position of the person responsible for the adverse determination.
- (f) *Referral to another agency.* To the extent a request covers documents that were created by, obtained from, or classified by another agency, the Committee may refer the request to that agency for a response and inform the requester promptly of the referral.
- (g) *Providing responsive records.*
- (1) Copies of requested records shall be sent to the requester by regular U.S. mail to the address indicated in the request, or sent in electronic format to the e-mail address indicated in the request, unless the requester elects to take delivery of the documents at the Board's Freedom of Information Office or makes other acceptable arrangements, or the Committee deems it appropriate to send the documents by another means.
 - (2) The Committee shall provide a copy of the record in any form or format requested if the record is readily reproducible by the Committee in that form or format, but the Committee need not provide more than one copy of any record to a requester.
- (h) *Appeal of an adverse determination.* A

requester may appeal an adverse determination by filing a written appeal with the Committee, as follows:

- (1) The appeal shall prominently display the phrase *FREEDOM OF INFORMATION ACT APPEAL* on the first page, and shall be addressed to the Secretary of the Committee, Federal Open Market Committee, 20th and C Streets N.W., Washington, D.C. 20551; or sent by facsimile to the secretary of the Committee, (202) 452-2921; or sent by e-mail to the secretary of the Committee at FOMC-FOIA-Mailbox@frb.gov.
- (2) An initial request for records may not be combined in the same letter with an appeal.
- (3) The Committee, or such member of the Committee as is delegated the authority, shall make a determination regarding any appeal within 20 working days of actual receipt of the appeal by the secretary. If an adverse determination is upheld on appeal, in whole or in part, the determination letter shall notify the appealing party of the right to seek judicial review and of the availability of dispute resolution services from the Office of Government Information Services as a non-exclusive alternative to litigation.

§ 271.7—Exemptions from Disclosure

(a) *Types of records exempt from disclosure.* Pursuant to 5 U.S.C. 552(b), the following records of the Committee are exempt from disclosure under this part. The Committee will withhold records or information only when it reasonably foresees that disclosure would harm an interest protected by an exemption described in 5 U.S.C. 552(b) and in this paragraph 271.7(a), or when disclosure is prohibited by law. In applying the exemption in subparagraph (a)(5) of this section, the Committee will not withhold records based on the deliberative process privilege if the records were created 25 years or more before the date on which the records were requested.

- (1) *National defense.* Any information that is specifically authorized under criteria established by an executive order to be kept

secret in the interest of national defense or foreign policy and is in fact properly classified pursuant to the executive order.

(2) *Internal personnel rules and practices.* Any information related solely to the internal personnel rules and practices of the Board.

(3) *Statutory exemption.* Any information specifically exempted from disclosure by statute (other than 5 U.S.C. 552(b)), if the statute:

- (i) Requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue; or
- (ii) Establishes particular criteria for withholding or refers to particular types of matters to be withheld.

(4) *Trade secrets; commercial or financial information.* Any matter that is a trade secret or that constitutes commercial or financial information obtained from a person and that is privileged or confidential.

(5) *Inter- or intra-agency memorandums.* Information contained in inter- or intra-agency memorandums or letters that would not be available by law to a party (other than an agency) in litigation with an agency, including, but not limited to:

- (i) Memorandums;
- (ii) Reports;
- (iii) Other documents prepared by the staffs of the Committee, Board or Federal Reserve Banks; and
- (iv) Records of deliberations of the Committee and of discussions at meetings of the Committee or its staff.

(6) *Personnel and medical files.* Any information contained in personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(7) *Information compiled for law enforcement purposes.* Any records or information compiled for law enforcement purposes, to the extent permitted under 5 USC 552(b)(7).

(8) *Examination, inspection, operating, or condition reports, and confidential supervisory information.* Any matter that is contained in or related to examination, operat-

ing, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions, including a state financial institution supervisory agency.

(b) *Segregation of nonexempt information.* The Committee shall provide any reasonably segregable portion of a record that is requested after deleting those portions that are exempt under this section.

(c) *Discretionary release.* Except where disclosure is expressly prohibited by statute, regulation, or order, the Committee may authorize the release of records that are exempt from mandatory disclosure whenever the Committee or designated Committee members determines that such disclosure would be in the public interest.

(d) *Delayed release.* Publication in the *Federal Register* or availability to the public of certain information may be delayed if immediate disclosure would likely:

- (1) Interfere with accomplishing the objectives of the Committee in the discharge of its statutory functions;
- (2) Interfere with the orderly conduct of the foreign affairs of the United States;
- (3) Permit speculators or others to gain unfair profits or other unfair advantages by speculative trading in securities or otherwise;
- (4) Result in unnecessary or unwarranted disturbances in the securities markets;
- (5) Interfere with the orderly execution of the objectives or policies of other government agencies; or
- (6) Impair the ability to negotiate any contract or otherwise harm the commercial or financial interest of the United States, the Committee, the Board, any Federal Reserve Bank, or any department or agency of the United States.

(e) *Prohibition against disclosure.* Except as provided in this part, no officer, employee, or agent of the Committee or any Federal Reserve Bank shall disclose or permit the disclosure of any unpublished information of the Committee to any person (other than Committee officers, employees, or agents properly entitled to such

information for the performance of official duties).

§ 271.8—Subpoenas

(a) *Advice by person served.* If any person, whether or not an officer or employee of the Committee, of the Board of Governors of the Federal Reserve System, or of a Federal Reserve Bank, has information of the Committee that may not be disclosed by reason of § 271.7 and in connection therewith is served with a subpoena, order, or other process requiring the person's personal attendance as a witness or the production of documents or information upon any proceeding, the person should promptly inform the secretary of the Committee of such service and of all relevant facts, including the documents and information requested and any facts that may be of assistance in determining whether such documents or information should be made available; and the person should take action at the appropriate time to inform the court or tribunal that issued the process, and the attorney for the party at whose instance the process was issued, if known, of the substance of this part.

(b) *Appearance by person served.* Except as disclosure of the relevant information is authorized pursuant to this part, any person who has information of the Committee and is required to respond to a subpoena or other legal process shall attend at the time and place therein mentioned and decline to disclose such information or give any testimony with respect thereto, basing such refusal upon this part. If, notwithstanding, the court or other body orders the disclosure of such information, or the giving of such testimony, the person having such information of the Committee shall continue to decline to disclose such information and shall promptly report the facts to the Committee for such action as the Committee may deem appropriate.

§ 271.9—Fee Schedules; Waiver of Fees

(a) *Fee schedules.* The fees applicable to a

request for records pursuant to §§ 271.4 and 271.5 are set forth in appendix A to this section. These fees cover only the full allowable direct costs of search, duplication, and review. No fees will be charged where the average cost of collecting the fee (calculated at \$5.00) exceeds the amount of the fee.

(b) *Payment procedures.* The secretary may assume that a person requesting records pursuant to § 271.5 will pay the applicable fees, unless the request includes a limitation on fees to be paid or seeks a waiver or reduction of fees pursuant to paragraph (f) of this section.

(1) *Advance notification of fees.* If the estimated charges are likely to exceed \$100, the secretary of the Committee shall notify the requester of the estimated amount, unless the requester has indicated a willingness to pay fees as high as those anticipated. Upon receipt of such notice, the requester may confer with the secretary to reformulate the request to lower the costs.

(2) *Advance payment.* The secretary may require advance payment of any fee estimated to exceed \$250. The secretary may also require full payment in advance where a requester has previously failed to pay a fee in a timely fashion. The time period for responding to requests under § 271.6(d), and the processing of the request shall be suspended until the secretary receives the required payment.

(3) *Late charges.* The secretary may assess interest charges when fee payment is not made within 30 days of the date on which the billing was sent. Interest is at the rate prescribed in 31 U.S.C. 3717 and accrues from the date of the billing.

(c) *Categories of uses.* The fees assessed depend upon the intended use for the records requested. In determining which category is appropriate, the secretary shall look to the intended use set forth in the request for records. Where a requester's description of the use is insufficient to make a determination, the secretary may seek additional clarification before categorizing the request.

(1) *Commercial use.* The fees for search, duplication, and review apply when records

are requested for commercial use.

(2) *Educational, research, or media use.* The fees for duplication apply when records are not sought for commercial use, and the requester is a representative of the news media or an educational or noncommercial scientific institution, whose purpose is scholarly or scientific research. The first 100 pages of duplication, however, will be provided free.

(3) *All other uses.* For all other requests, the fees for document search and duplication apply. The first two hours of search time and the first 100 pages of duplication, however, will be provided free.

(d) *Nonproductive search.* Fees for search and review may be charged even if no responsive documents are located or if the request is denied.

(e) *Aggregated requests.* A requester may not file multiple requests at the same time, solely in order to avoid payment of fees. If the secretary reasonably believes that a requester is separating a request into a series of requests for the purpose of evading the assessment of fees, the secretary may aggregate any such requests and charge accordingly. It is considered reasonable for the secretary to presume that multiple requests of this type made within a 30-day period have been made to avoid fees.

(f) *Waiver or reduction of fees.* A request for a waiver or reduction of the fees, and the justification for the waiver, shall be included with the request for records to which it pertains. If a waiver is requested and the requester has not indicated in writing an agreement to pay the applicable fees if the waiver request is denied, the time for response to the request for documents, as set forth in section 271.6(d), shall not begin until a determination has been made on the request for a waiver or reduction of fees.

(1) *Standards for determining waiver or reduction.* The secretary shall grant a waiver or reduction of fees where it is determined both that disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operation or activities of the government, and that the disclosure of information

is not primarily in the commercial interest of the requester. In making this determination, the following factors shall be considered:

- (i) Whether the subject of the records concerns the operations or activities of the government;
 - (ii) Whether disclosure of the information is likely to contribute significantly to public understanding of government operations or activities;
 - (iii) Whether the requester has the intention and ability to disseminate the information to the public;
 - (iv) Whether the information is already in the public domain;
 - (v) Whether the requester has a commercial interest that would be furthered by the disclosure; and, if so,
 - (vi) Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester.
- (2) *Contents of request for waiver.* A request for a waiver or reduction of fees shall include:
- (i) A clear statement of the requester's interest in the documents;
 - (ii) The use proposed for the documents and whether the requester will derive income or other benefit for such use;
 - (iii) A statement of how the public will benefit from such use and from the Committee's release of the documents;
 - (iv) A description of the method by which the information will be disseminated to the public; and
 - (v) If specialized use of the information is contemplated, a statement of the requester's qualifications that are relevant to that use.
- (3) *Burden of proof.* The burden shall be on the requester to present evidence or information in support of a request for a waiver or reduction of fees.
- (4) *Determination by secretary.* The secretary shall make a determination on the request for a waiver or reduction of fees and

shall notify the requester accordingly. A denial may be appealed to the Committee in accordance with § 271.6(h).

- (g) *Employee requests.* In connection with any request by an employee, former employee, or applicant for employment, for records for use in prosecuting a grievance or complaint of discrimination against the Committee, fees shall be waived where the total charges (including charges for information provided under the Privacy Act of 1974 (5 U.S.C. 552a)) are \$50 or less; but the secretary may waive fees in excess of that amount.
- (h) *Special services.* The secretary may agree to provide, and set fees to recover the costs of, special services not covered by the Freedom of Information Act, such as certifying records or information and sending records by special methods such as express mail or overnight delivery.
- (i) *Restrictions on charging fees.*
 - (1) If the Committee fails to comply with the time limits specified in the FOIA in which to respond to a request, the Committee will not charge search fees, or, in the case of requests from requesters described in paragraph (c)(2) of this section, will not charge duplication fees, except as permitted under subparagraphs (2)–(4) of this paragraph (i).
 - (2) If the Committee has determined that unusual circumstances exist, as described in 5 U.S.C. 552(a)(6)(B), and has provided timely written notice to the requester and subsequently responds within the additional 10 days provided in § 271.6(d)(3), the Board may charge search fees, or in the case of requesters described in paragraph (c)(2) of this section, may charge duplication fees.
 - (3) If the Committee has determined that unusual circumstances exist, as described in 5 U.S.C. 552(a)(6)(B), and more than 5,000 pages are necessary to respond to the request, the Committee may charge search fees, or, in the case of requesters described in paragraph (c)(2) of this section, may charge duplication fees, if the Committee has:
 - (i) Provided timely written notice of unusual circumstances to the requester in accordance with the FOIA; and

- (ii) Discussed with the requester via written mail, e-mail, or telephone (or made not less than three good-faith attempts to do so) how the requester could effectively limit the scope of the request in accordance with 5 U.S.C. 552(a)(6)(B)(ii).
- (4) If a court has determined that exceptional circumstances exist, as defined by the FOIA, a failure to comply with the time limits shall be excused for the length of time provided by the court order.

Appendix A to § 271.9—Freedom of Information Fee Schedule

Duplication

Photocopy, per standard page	\$ 0.10
Paper copies of microfiche, per frame	\$ 0.10

Duplicate microfiche, per microfiche \$ 0.35

Search and Review

Clerical/technical, hourly rate	\$20.00
Professional/supervisory, hourly rate	\$38.00
Manager/senior professional, hourly rate	\$65.00

Computer Search and Production

Computer operator search, hourly rate	\$32.00
Tapes (cassette), per tape	\$ 6.00
Tapes (cartridge), per tape	\$ 9.00
Tapes (reel), per tape	\$18.00
Diskettes (3 1/2"), per diskette	\$ 4.00
Diskettes (5 1/4"), per diskette	\$ 5.00
Computer output (PC), per minute	\$ 0.10
Computer output (mainframe)	actual cost

ⁱ The words “this part,” as used herein, mean these Rules Regarding Availability of Information (Code of Federal Regulations, title 12, chapter II,

part 271).

FOMC Policy on External Communications of Committee Participants¹

Adopted effective June 22, 2011; as amended effective January 31, 2017

PREAMBLE

The Federal Open Market Committee (the “Committee”) is committed to providing clear and timely information to the public about the Committee’s monetary policy actions and the rationale for those decisions. Indeed, considerable evidence indicates that central bank transparency increases the effectiveness of monetary policy and enables households and businesses to make better-informed decisions.

Two-way communication with the public is a crucial element in the Committee’s monetary policy process. Committee participants have regular contacts with members of the public as part of the process of gathering the information the Committee needs to understand current economic and financial conditions. In addition, the Committee’s public accountability is strengthened by open discussion of Committee participants’ views about the economic outlook as well as their judgments about the appropriate course of monetary policy.

Therefore, to reinforce the public’s confidence in the transparency and integrity of the monetary policy process, the Committee has established the following principles to govern Committee participants’ contacts with members of the public. The Committee itself maintains responsibility for ensuring that all Committee participants—that is, the members of the Federal Reserve Board and the presidents of the Federal Reserve Banks—abide by these principles.²

GENERAL PRINCIPLES

1. Committee participants will endeavor to enhance the public’s understanding of monetary policy. They are free to explain their individual views but are expected to do so in a spirit of collegiality and to refrain from characterizing the views of other individuals on the Committee. In explaining the rationale for announced Committee decisions, participants will draw on Committee communications and the Chairman’s press conference remarks as appropriate.

2. To foster the ongoing frank exchange of views at Committee meetings, Committee participants will refrain, in any communications with members of the public, from characterizing such discussions beyond what has been published in the minutes of each Committee meeting.

3. To protect the independence of the Committee’s decision-making process from short-term political pressures, participants will strive to avoid any appearance of political partisanship and will be prudent in selecting venues for their speaking engagements.

4. Committee participants will carefully safeguard all confidential information.³ No confidential FOMC information may be released except pursuant to Committee instructions or with written authorization from the Chairman and prompt notification to the Committee.

5. To the fullest extent possible, Committee participants will refrain from describing their personal views about monetary policy in any

¹ “Committee participants” includes the Committee members and non-voting presidents of the Federal Reserve Banks. The Committee’s policy governing the external communications of Federal Reserve System staff is set forth in a separate document.

² This policy is fully consistent with and complements the more general policies for ethical conduct published in the *Federal Reserve Administrative Manual* (“FRAM”) section 2-026.1 (“Ethics—Voluntary Guide to Conduct for Senior Officials”). That section recognizes the overarching principle that senior Federal Reserve officials “have a special responsibility for maintaining the integrity, dignity,

and reputation of the System” and “should scrupulously avoid conduct that might in any way tend to embarrass the System or impair the effectiveness of its operations.” The policy in this document focuses specifically on external communications and is binding on all Committee participants.

³ The Committee’s regulations concerning the designation and handling of confidential FOMC information are set forth in a separate document, “*Program for Security of FOMC Information*,” available at https://www.federalreserve.gov/monetarypolicy/files/FOMC_InformationSecurityProgram.pdf.

meeting or conversation with any individual, firm, or organization who could profit financially from acquiring that information unless those views have already been expressed in their public communications.

6. Committee participants will strive to ensure that their contacts with members of the public do not provide any profit-making person or organization with a prestige advantage over its competitors. They will consider this principle carefully and rigorously in scheduling meetings with anyone who might benefit financially from apparently exclusive contacts with Federal Reserve officials and in considering invitations to speak at meetings that are sponsored by profit-making organizations or that are closed to the public and the media.

7. To facilitate the effectiveness of the Committee's policy deliberations and the clarity of its communications, participants will observe a blackout period on monetary policy communications in conjunction with each regularly scheduled Committee meeting. The blackout period will begin at the start of the second Saturday (midnight) Eastern Time before the beginning of the meeting and will end at midnight Eastern Time on the next day after the meeting. For example, if the Committee meeting starts on a Tuesday, the blackout period will begin at the start of the Saturday that falls ten days earlier, and if the meeting ends on a Wednesday, the blackout period will end at the end of Thursday.⁴ During each blackout period, participants refrain from expressing their views about macroeconomic developments or monetary policy issues in meetings or conversations with members of the public.

PRACTICAL EXAMPLES

To assist Committee participants in understanding the application of these principles, the Committee has considered how the principles should be applied to some common requests for public contact. For example, the following contacts would generally be consistent with the

Committee's policy on external communications, as long as the participant carefully adheres to all of the principles listed above during the contact itself:

1. A speech on a monetary policy topic at a widely-attended event with press in attendance, where the event is organized by a non-profit entity and does not involve fundraising. Such a speech might be given at an academic institution, a conference sponsored by a non-profit organization, or a meeting sponsored by a civic or trade association (such as a chamber of commerce or a state or national bankers' association).

2. An interview with the press regarding the participant's personal views on monetary policy issues.

3. A private meeting with members of the public—such as bankers, community representatives, industry representatives, or labor representatives—to collect information about the economy without divulging any information about the participant's personal views on monetary policy unless those views have already been expressed in their public communications. Whenever practical, a public information officer or other Federal Reserve staff should be present at such a meeting.

In contrast, the following contacts would not be consistent with the principles set out above:

1. Disclosure in any setting of confidential FOMC information.

2. Disclosure or characterization in any setting of the views that others expressed at a Committee meeting.

3. A prediction about Committee action in advance of the Committee announcement of its decision.

4. A private meeting with selected clients of a profit-making entity to discuss monetary policy.

Of course, the foregoing examples are not intended to serve as an exhaustive list, and hence good judgment will be essential in applying these principles.

⁴ In the event that the second Friday before the meeting is a federal holiday, the blackout period

will begin at the start of that Friday (midnight) Eastern Time.

FOMC Policy on External Communications of Federal Reserve System Staff ¹

Adopted effective June 22, 2011; as amended effective January 31, 2017

PREAMBLE

In the course of making monetary policy decisions, the Federal Open Market Committee (the “Committee”) makes extensive use of background materials prepared by the staff of the Federal Reserve System, and senior staff give regular briefings at Committee meetings. In addition, staff are directly involved in the implementation and communication of the Committee’s policy decisions.

Federal Reserve System staff have contacts with members of the public in the process of gathering information about current economic and financial conditions. In addition, staff synthesize that information using a variety of analytical methods and statistical tools, and the continual refinement of these methods and tools is facilitated by ongoing interactions with academic researchers, staff at foreign central banks, and other outside analysts. Staff also have contacts with members of the public in the course of discharging their responsibilities for open market operations and other aspects of monetary policy implementation. Finally, staff play a significant role in helping the public understand the rationale for Committee decisions. The principles described below recognize the importance of these activities for monetary policymaking and are not intended to inhibit the staff from conducting or broadly disseminating economic research or from carrying out other appropriate communications with members of the public.

To reinforce the public’s confidence in the transparency and integrity of the monetary policy process, the Committee has established the following principles to govern the public contacts of Federal Reserve System staff who have access to confidential FOMC information.² The Committee maintains responsibility for ensuring that all System staff with such access

abide by these principles. Specifically, the president of each Federal Reserve Bank is responsible for ensuring the confidentiality of FOMC information at that Federal Reserve Bank and for the conduct and discretion of that Federal Reserve Bank’s staff with regard to the use of that information, and the Chairman fulfills this role for Board staff.

GENERAL PRINCIPLES

1. Federal Reserve staff play a significant role in enhancing public understanding of the Committee’s actions, thereby promoting the effectiveness of monetary policy. In all communications with the public regarding monetary policy issues, members of the staff should refrain from publicly expressing their own personal opinions or predictions regarding prospective monetary policy decisions. In explaining the rationale for announced Committee decisions, staff should draw on Committee communications, the Chairman’s press conference remarks, and other published materials as appropriate. Whenever staff make public comments on monetary policy, they should clearly indicate that those comments are solely their own responsibility and should not be interpreted as necessarily representing the views of the Committee, its principals, or any other person associated with the Federal Reserve System.
2. To foster the ongoing frank exchange of views at Committee meetings, staff will refrain from characterizing such discussions—apart from what has been published in the minutes of each Committee meeting—in any contact with an individual, firm, or organization outside of the Federal Reserve System.
3. To protect the independence of the Committee’s decision-making process from short-term political pressures, members of the staff

¹ This document complements the Committee policy regarding the external communication of Committee participants, which is set forth in a separate document.

² This policy is fully consistent with and complements the rules for ethical conduct prescribed

for the staff of the Board of Governors and for staff at each Federal Reserve Bank.

of the Board and Federal Reserve Banks will follow their respective codes of conduct regarding partisan political activities and strive to avoid any appearance of political partisanship when discussing economic or policy issues with the public.

4. Staff will carefully safeguard all confidential FOMC information.³ No confidential information may be released except pursuant to Committee instructions or with written authorization from the Chairman and prompt notification to the Committee.

5. Unless the information has been made widely available to the public, Federal Reserve staff members will refrain from divulging information outside the Federal Reserve System, such as information about economic and financial conditions or about the methods and tools that are currently being used to assess those conditions, that might allow an individual, firm, or organization to profit financially.

6. Staff will strive to ensure that their contacts with members of the public do not provide any profit-making person, firm, or organization with a prestige advantage over its competitors. They will consider this principle carefully and rigorously in considering invitations to speak at meetings sponsored by profit-making organizations and in scheduling meetings with anyone who might benefit financially from apparently-exclusive contacts with Federal Reserve staff.

7. To facilitate the effectiveness of the Committee's policy deliberations and the clarity of its communications, staff will observe the

blackout period on monetary policy communications in conjunction with each regularly scheduled Committee meeting. The blackout period will begin at the start of the second Saturday (midnight) Eastern Time before the beginning of the meeting and will end at midnight Eastern Time on the next day after the meeting. For example, if the Committee meeting starts on a Tuesday, the blackout period will begin at the start of the Saturday that falls ten days earlier, and if the meeting ends on a Wednesday, the blackout period will end at the end of Thursday.⁴ During each blackout period, FOMC staff officers⁵ as well as staff who have knowledge of information that is classified as "Class I FOMC – Restricted Controlled (FR)" and that is related to the previous or upcoming FOMC meeting will refrain from expressing their views or providing analysis to members of the public about current or prospective monetary policy issues. In addition, during each blackout period, other staff will refrain from expressing their views or providing analysis to members of the public about current or prospective monetary policy issues unless that information has already been cleared for publication and made widely available to the public prior to the blackout period. Staff may carry out their responsibilities for public dissemination of regularly published Federal Reserve data series, System surveys and reports, statistical indexes, and model results. These responsibilities include providing purely descriptive information and answering technical questions specific to a release during the blackout period.

³ The Committee's regulations concerning the designation and handling of confidential FOMC information are set forth in a separate document, "*Program for Security of FOMC Information*," available at https://www.federalreserve.gov/monetarypolicy/files/FOMC_InformationSecurityProgram.pdf.

⁴ In the event that the second Friday before the meeting is a federal holiday, the blackout period will begin at the start of that Friday (midnight) Eastern Time.

⁵ As set forth in a separate document, "*Federal Open Market Committee—Rules of Organization*,"

the FOMC selects staff officers from the Board and Reserve Banks, including a secretary, a deputy secretary, and one or more assistant secretaries; a general counsel, a deputy general counsel, and one or more assistant general counsels; and economists, one or more of whom may be designated as senior or associate economists. The FOMC also selects a manager and a deputy manager of the System Open Market Account. For purposes of this policy, individuals selected for the above positions are considered to be FOMC staff officers.

Data series, surveys and reports, statistical indexes, and model results published during the blackout period that involve staff judgment may be published only with the written approval of the Chairman (for releases prepared by Board staff) or the appropriate Federal Reserve Bank president (for releases prepared by Reserve Bank staff). Staff also may continue during the blackout period to engage in communications with depository institutions, Federal Reserve counterparties, and other market participants, consistent with their ongoing responsibilities for open market operations, other aspects of monetary policy implementation, and information gathering, as long as no confidential information is inappropriately divulged. 8. In carrying out their official responsibilities, Federal Reserve staff engage in certain closely-held communications with other parts of the U.S. government, with foreign central banks and governments, and with international organizations such as the International Monetary Fund and the Bank for International Settlements. In communicating with individuals from such institutions, staff may exchange views on current economic and financial conditions or discuss policy-related matters of interest to the Federal Reserve, including non-public information, and such communications are not subject to the blackout period described above. In all such interactions, however, no confidential FOMC information may be released except pursuant to Committee instructions or with written authorization from the Chairman and prompt notification to the Committee.

PRACTICAL EXAMPLES

To assist Federal Reserve System staff in understanding the application of these principles, the Committee has considered how the principles should be applied to some common requests for public contact. For example, the following contacts would generally be consistent with the Committee’s policy on external communications, as long as the staff member carefully adheres to all of the principles listed above during the contact itself:

1. A presentation at a widely-attended meeting, where the event is organized by a non-profit entity and does not involve fundraising. Such a meeting might be sponsored by an academic institution, non-profit organization, or civic or trade association (such as a chamber of commerce or a state or national bankers’ association).
2. A private meeting with members of the public—such as bankers, community representatives, industry representatives, or labor representatives—to collect information about current economic and financial conditions, without divulging any information that is not widely available to the public. Whenever practical, at least two Federal Reserve staff should be present at such a meeting.
3. Release of a working paper or other publication, or delivery of a presentation, outside the blackout period that evaluates the effectiveness of monetary policy actions taken in the past.
4. A presentation during the blackout period that describes a possible future framework for the conduct of monetary policy, as long as the presenter is not an FOMC staff officer and does not have knowledge of information that is classified as “Class I FOMC – Restricted Controlled (FR)” and that is related to the previous or upcoming FOMC meeting and if the content of the presentation had already been cleared for publication and made widely available to the public prior to the blackout period.
5. A discussion between Federal Reserve and Treasury staff (including during the blackout period) regarding recent economic and financial developments in the United States or a foreign economy, how to interpret them, and their implications for future developments.
6. Federal Reserve staff communications with members of the public (including during the blackout period) to gather information on financial market developments or to discuss, as necessary for operational reasons, matters related to open market operations or other aspects of monetary policy implementation.

In contrast, the following contacts would *not* be consistent with the principles set out above:

1. Disclosure of confidential FOMC information.
2. Disclosure or characterization of the views expressed at a Committee meeting except to the extent that such information has already been released to the public with the approval of the Committee or the Chairman.
3. Disclosure of a Committee participant's personal views on monetary policy that have not previously been communicated to the public.
4. Communications with members of the public in which a Federal Reserve staff member expresses personal opinions about prospective monetary policy decisions.
5. A prediction to members of the public about Committee action prior to the Committee's announcement of such decisions.
6. A private meeting with selected clients of a profit-making entity to discuss monetary policy.

Of course, the foregoing examples are not intended to serve as an exhaustive list, and hence good judgment will be essential in applying these principles. Moreover, whenever staff are unsure about whether specific contacts with the public would be appropriate, they should consult in advance with the appropriate staff person or with the head of their respective institution—namely, the Chairman in the case of staff at the Board of Governors, and the president in the case of staff at a Federal Reserve Bank.

Federal Open Market Committee—Statements of Policy

12 CFR 281; as amended effective February 16, 2005

SECTION 281.1—Policy Regarding the Government in the Sunshine Actⁱ

On September 13, 1976, there was enacted into law the Government in the Sunshine Act, Pub. L. No. 94-409, 90 Stat. 1241 (“Sunshine Act”), established for the purpose of providing the public with the “fullest practicable information regarding the decision-making processes of the Federal Government...while protecting the rights of individuals and the ability of the Government to carry out its responsibilities.”ⁱⁱ The Sunshine Act applies only to those federal agencies that are defined in section 552(e) of title 5 of the United States Code and “headed by a collegial body composed of two or more individual members, a majority of whom are appointed to such position by the President with the advice and consent of the Senate, and any subdivision thereof authorized to act on behalf of the agency.”ⁱⁱⁱ

The Federal Open Market Committee (“FOMC”) is a separate and independent statutory body within the Federal Reserve System. In no respect is it an agent or “subdivision” of the Board of Governors of the Federal Reserve System (“Board of Governors”). It was originally established by the Banking Act of 1933 and restructured in its present form by the Banking Act of 1935 and subsequent legislation in 1942 (generally see 12 USC 263(a)). The FOMC’s membership is composed of the seven members of the Board of Governors and five representatives of the Federal Reserve Banks who are selected annually in accordance with the procedures set forth in section 12A of the Federal Reserve Act, 12 USC 263(a). Members of the Board of Governors serve in an ex officio capacity on the FOMC by reason of their appointment as members of the Board of Governors, not as a result of an appointment “to such position” (the FOMC) by the President. Representatives of the Federal Reserve Banks serve on the FOMC not as a result of an appointment “to such position” by the President, but rather by virtue of their positions with the Federal Reserve Banks and their selection pursuant to section 12A of the Federal Reserve

Act. It is clear therefore that the FOMC does not fall within the scope of an “agency” or “subdivision” as defined in the Sunshine Act and consequently is not subject to the provisions of that act.

As explained below, the act would not require the FOMC to hold its meetings in open session even if the FOMC were covered by the act. However, despite the conclusion reached that the Sunshine Act does not apply to the FOMC, the FOMC has determined that its procedures and timing of public disclosure already are conducted in accordance with the spirit of the Sunshine Act, as that act would apply to deliberations of the nature engaged in by the FOMC.

In the foregoing regard, the FOMC has noted that while the act calls generally for open meetings of multi-member federal agencies, 10 specific exemptions from the open meeting requirement are provided to assure the ability of the government to carry out its responsibilities. Among the exemptions provided is that which authorizes any agency operating under the act to conduct closed meetings where the subject of a meeting involves information “the premature disclosure of which would—in the case of an agency which regulates currencies, securities, commodities, or financial institutions, be likely to lead to significant financial speculation in currencies, securities, or commodities.”^{iv}

As to meetings closed under such exemption, the act requires the maintenance of either a transcript, electronic recording or minutes and sets forth specified, detailed requirements as to the contents and timing of disclosure of certain portions or all of such minutes. The act permits the withholding from the public of the minutes where disclosure would be likely to produce adverse consequences of the nature described in the relevant exemptions.

The FOMC has reviewed the agenda of its monthly meetings for the past three years and has determined that all such meetings could have been closed pursuant to the exemption dealing with financial speculation or other exemptions set forth in the Sunshine Act. The FOMC has further determined that virtually all

of its substantive deliberations could have been preserved pursuant to the act's minutes requirements and that such minutes could similarly have been protected against premature disclosure under the provisions of the act.

The FOMC's deliberations are currently reported by means of a document entitled "Record of Policy Actions" which is released to the public approximately one month after the meeting to which it relates. The Record of Policy Actions complies with the act's minutes requirements in that it contains a full and accurate report of all matters of policy discussed and views presented, clearly sets forth all policy actions taken by the FOMC and the reasons therefore, and includes the votes by individual members on each policy action. The timing of release of the Record of Policy Actions is fully

consistent with the act's provisions assuring against premature release of any item of discussion in an agency's minutes that contains information of a sensitive financial nature. In fact, by releasing the comprehensive Record of Policy Actions to the public approximately a month after each meeting, the FOMC exceeds the publication requirements that would be mandated by the letter of the Sunshine Act.

Recognizing the congressional purpose underlying the enactment of the Sunshine Act, the FOMC has determined to continue its current practice and timing of public disclosures in the conviction that its operations thus conducted are consistent with the intent and spirit of the Sunshine Act.

ⁱ Code of Federal Regulations, title 12, chapter II, part 281. The statement in section 281.1 was effective March 10, 1977. An amendment to 12 CFR 281 effective February 16, 2005, deleted an obsolete statement.

ⁱⁱ Government in the Sunshine Act, Pub. L. No.

94-409, 2, 90 Stat. 1241 (1976).

ⁱⁱⁱ Government in the Sunshine Act, Pub. L. No. 94-409, 3(a), 90 Stat. 1241 (1976).

^{iv} Government in the Sunshine Act, Pub. L. No. 94-409, 3(a), 90 Stat. 1242 (1976).

Program for Security of FOMC Information

As amended January 28, 2020, effective February 1, 2020

I. INTRODUCTION.

The Program for Security of FOMC Information (“the Program”) describes what confidential FOMC information is, how it is classified, who has access to it, how it should be handled, and who is responsible for ensuring that it is protected. Everyone with access to confidential FOMC information is required to review and abide by the rules described below.

These security procedures are not intended to preclude discussions within the Federal Reserve of important FOMC-related issues, including the general reasons for the Federal Open Market Committee’s (the “Committee”) decisions. Such discussions may be conducted for research purposes or for preparing briefings and other information for Committee members, but care should be taken that all discussion participants have the appropriate level of authorization if confidential information is being shared.

II. DEFINITION OF CONFIDENTIAL FOMC INFORMATION.

Confidential FOMC information includes all privileged information that comes into the possession of the Board members, Federal Reserve Bank presidents, or Federal Reserve System staff in the performance of their duties for, or pursuant to the direction of, the Committee. Such information covers, but is not limited to, expressions of policy views at Committee meetings, reasons for those views, votes of the Committee, and staff forecasts. The information that must be kept confidential may be in any form. It includes not only paper documents, but also electronic messages and files, recordings, notes, oral briefings, and discussions relating to confidential FOMC matters.

III. CLASSIFICATION OF CONFIDENTIAL FOMC INFORMATION.

There are three security classifications for confidential FOMC information. The first two classifications—“Class I FOMC – Restricted

Controlled (FR)” and “Class II FOMC – Restricted (FR)” —apply to very sensitive FOMC information. Class I FOMC information must be handled at least as securely as material classified by the Federal Reserve Board as “Restricted Controlled (FR).” Access to Class II information is somewhat less restrictive than access to Class I. It must be treated at least as securely as material classified by the Federal Reserve Board as “Restricted (FR).” The classification “Class III FOMC – Internal (FR)” applies to less sensitive information that still requires confidential treatment. It must be handled at least as securely as material classified by the Federal Reserve Board as “Internal (FR).” (See Section VI below for handling requirements.)

Information in these classifications must be kept confidential until it is released to the public by the Chairman or by the Committee secretary pursuant to Committee instructions. All questions related to the classification, distribution, or handling of documents should be directed to the FOMC Secretariat.

A. “Class I FOMC – Restricted Controlled (FR).”

This classification is generally applied to information that includes policymaker input, e.g., information related to monetary policy decisions at meetings, nonpublic views expressed by policymakers on likely future policy, and identification of meeting participants who express particular views. Class I information includes, but is not limited to:

1. *Monetary Policy Alternatives* (“Tealbook B”).
2. Minutes of Committee meetings, including drafts.
3. Committee meeting recordings and transcripts.
4. Portions of Committee meeting participants’ prepared remarks that include material from Class I documents such as Tealbook B and other monetary policy alternatives under consideration.
5. Submissions by, or on behalf of, policymakers in the Summary of Economic Projections process.

6. Special memoranda or reports deemed particularly sensitive, including materials that might otherwise carry a Class II designation (e.g., a report from the manager containing information on sensitive foreign exchange operations).

B. “Class II FOMC – Restricted (FR).”

This classification is generally applied to Board staff forecasts prepared for the Committee and to information about open market operations. Class II information includes, but is not limited to:

1. *Economic and Financial Conditions: Outlook, Risks, and Policy Strategies* (“Tealbook A”), and Board staff projections or assumptions relating to interest rates.
2. Reports of the manager on domestic and foreign open market operations.
3. Information on Desk operations posted on confidential portions of the “MarketSource” website of the Federal Reserve Bank of New York.
4. Other materials on economic and financial developments (including foreign), special memoranda, tables, and charts less sensitive than those in Class I, including briefing materials containing Class II information that are produced and circulated within the Board or individual Federal Reserve Banks.

C. “Class III FOMC – Internal (FR).”

This classification is generally applied to less-sensitive background information prepared by Board staff to support policy discussions and to less-sensitive information about open market operations. Class III information includes, but is not limited to:

1. Tealbook Data Sheets.
2. Committee meeting agendas.

D. Security Classification Downgrading of confidential FOMC Information.

Confidential FOMC information loses its security classification when the Committee releases it to the public. Class II information

is downgraded to Class III six months after the relevant Committee meeting. Additionally, Tealbook B and monetary policy alternatives documents are downgraded from Class I to Class II six months after the relevant Committee meeting, and from Class II to Class III one year after the relevant meeting. The Chairman’s designees may downgrade Class I and Class II documents on an ad-hoc basis if the sensitivity of the information has declined.

E. The Chairman may make ad-hoc exceptions to this section that are either more or less restrictive for particular documents being circulated or for other confidential FOMC information.

IV. ACCESS TO CONFIDENTIAL FOMC INFORMATION WITHIN THE FEDERAL RESERVE SYSTEM.

A. Access to confidential FOMC information, which includes Class I, Class II, and Class III information, requires eligibility, designation, and maintenance.

1. Eligibility: Eligibility for access to confidential FOMC information is in all cases governed at the Board by the policy “*Access to Federal Open Market Committee and Confidential Supervisory Information*” (Attachment 1: “*Access Eligibility Policy for Board Employees*”) and at the Banks by the *Federal Reserve Administration Manual* (FRAM) policy “*Regulation on Granting Eligibility for Access to FOMC information and CSI*” (Attachment 2: “*Access Eligibility Policy for Bank Employees*”).¹

2. Designation: At each Federal Reserve Bank, the president, or the research director on the president’s behalf, is responsible for designating the individuals, who must meet the eligibility requirements, to be given ac-

¹ The restricted country list, which is referred to in the Board and Bank access eligibility policies, is available in Attachment 3. The attached version of

the list was current as of January 2020; the U.S. Department of State maintains the list, which is available through the link in Attachment 3.

cess to each class of confidential FOMC information. At the Federal Reserve Bank selected by the Committee to execute open market transactions (the “Selected Bank”), the manager of the System Open Market Account (“SOMA”) may also designate individuals on behalf of the president. At the Board, that responsibility is assumed by the Chairman or the Chairman’s designees and by Board members for their assistants. In order for an eligible person to be designated for access, the following requirements must be met:

- a. Need to know: Access to all confidential FOMC information requires a strict “need-to-know” for the information.
- b. Before being granted access, all eligible individuals must receive, review, and agree to abide by the rules for handling confidential FOMC information that are referred to in this document.
- c. Numerical limits: Access at Federal Reserve Banks other than the Selected Bank (and the relevant area of the Federal Reserve Bank that serves as the backup site for open market operations) is subject to the numerical limits noted below. In complying with these limits, Federal Reserve Banks may designate different individuals to have access to different documents. For example, one slot could be filled by designating an international economist as having access to all special memoranda relating to foreign currency operations, and a domestic economist as having access to other FOMC memoranda.
 - i. Access to “Class I FOMC – Restricted Controlled (FR)” materials is restricted to the president and first vice president and to seven other Federal Reserve Bank individuals as well as a limited number of office support staff.
 - ii. Access to “Class II FOMC – Restricted (FR)” materials is restricted to the president and first vice president and

to eleven other Federal Reserve Bank individuals as well as a limited number of office support staff.

- iii. Access to “Class III FOMC – Internal (FR)” information is not limited to a specific number of individuals.
 - d. The lists of all persons, including office support staff, who are authorized to have access to Class I, Class II, or Class III information are to be recorded electronically.
 - e. To facilitate the preparation of special analyses and briefings within the System, eligible individuals may be granted ad-hoc access to Class I, Class II, or Class III information on a strict “need-to-know” basis for a specific and limited period of time. If an individual meets all the other requirements of this section IV, such ad-hoc access may be granted by the president of a Federal Reserve Bank or a research director on his/her behalf for Bank individuals or by the Chairman or the Chairman’s designee for Board individuals. The granting of such access should be recorded electronically.
3. Maintenance: At each institution, access to Class I, Class II, and Class III FOMC information should be reviewed carefully at least annually. In order to maintain access to confidential FOMC information, the following conditions must be met:
- a. Eligibility: Individuals must continue to be eligible for access to FOMC information. If an individual loses eligibility for access to confidential FOMC information, the FOMC Secretariat must be notified promptly and access to all levels of confidential FOMC information must be terminated promptly.
 - b. Designation: Individuals with access to confidential FOMC information must be re-designated for access annually (see section IV.A.2 for the designation process).

c. Rules agreement: After initial agreement, individuals must annually receive, review, and agree to abide by the rules for handling confidential FOMC information that are referred to in this document.

d. Ethics: All employees² of a Federal Reserve Bank or the Board must comply with the ethics policy of their employer, which includes appropriate financial reporting.

e. Training: All individuals with access to confidential FOMC information must complete FOMC information security training annually.

f. Trading blackout:³ All employees must comply with the financial trading blackout policy (Attachment 4) when they have the type of information access described in the policy.

g. External communications: All individuals with access to confidential FOMC information must comply with the FOMC's policies on external communications.⁴

Enforcement of the conditions for maintaining access to confidential FOMC information (section IV.3) is carried out by the appropriate Bank for Bank individuals or by the Board for Board individuals.

B. In order to provide secure and rapid document delivery, access to selected confidential FOMC information is given electronically through the FOMC Portal ("Portal"). Portal access is restricted at each Federal Reserve Bank to the president and first vice president and up

to seven other Federal Reserve Bank individuals. The Desk at the Selected Bank has access for four additional users at that Federal Reserve Bank. The president of each Federal Reserve Bank may delegate to the research director the responsibility for selecting users, monitoring compliance with Portal guidelines, and communicating with the FOMC Secretariat when changes in usage or other issues occur. Access to the Portal for Board individuals is authorized by a designee of the Chairman and monitored by the FOMC Secretariat.

C. Individuals who are not employees may not be given confidential FOMC information unless all the requirements of this section IV, including eligibility requirements, are met and a designee of the Chairman gives prior approval.

D. The Chairman may make ad-hoc exceptions to this section that are either more or less restrictive for particular documents being circulated or for other confidential FOMC information.

V. ACCESS TO CONFIDENTIAL FOMC INFORMATION OUTSIDE THE FEDERAL RESERVE SYSTEM.

A. No confidential FOMC information may be released except pursuant to Committee instructions or with written authorization from the Chairman and, as appropriate, notification to the Committee.

B. Confidential FOMC documents generally are made available to the public after a lag of about five years. Such availability is subject to staff review (including consultation with the

² "Employees" means an individual appointed into Board service for at least 90 calendar days or an individual who performs services for, is on the payroll of, and receives earnings reported on a Form W-2 from a Reserve Bank for a period expected to be at least 90 days.

³ This trading blackout is also included in the Reserve Banks' codes of conduct section 3.3 and in a substantially similar rule in the FRAM 2-026-1,

(*"Ethics—Voluntary Guide to Conduct for Senior Officials"*).

⁴ The Committee's regulations concerning external communications are set forth in two documents, "*FOMC Policy on External Communications of Committee Participants*," and "*FOMC Policy on External Communications of Federal Reserve System Staff*," both of which are available at https://www.federalreserve.gov/monetarypolicy/rules_authorizations.htm

Chairman or the Committee where appropriate) for the purpose of redacting any materials that are still deemed to be sensitive after five years. For example, confidential information obtained from or about particular persons or businesses, foreign governments and central banks, and international institutions that is deemed sensitive after the five-year lag will be protected. In addition, national security classified information that may be contained in FOMC documents remains confidential until it is declassified. The principal objectives of the Committee's policy of withholding sensitive information after the five-year lag are to preserve the Committee's ability to collect needed information, to allow its representatives to participate in sensitive discussions and report on them to the Committee, to avoid disclosures that would adversely affect U.S. international relations, and to comply with the applicable laws governing the disclosure of confidential information.

C. Pursuant to appropriate limits on disclosure, the Selected Bank may share transactional FOMC information with outside entities (such as counterparties, custodians, and financial market utilities) as necessary to ensure the effective and efficient implementation of the directives of the Committee.

D. The Chairman may make ad-hoc exceptions to this section that are either more or less restrictive for particular documents or for other confidential information.

VI. HANDLING OF CONFIDENTIAL FOMC MATERIALS.

To assure the necessary confidentiality, it is important that special care be exercised in handling FOMC materials. The minimum requirements for handling confidential FOMC and Federal Reserve information are described in the Federal Reserve Board's "*Information Classification and Handling Standard*" document (copies of summary appendices of this document, labeled "Attachment 5," are attached for convenience and are also available as pages 36–38 at: ([mation%20Classification%20and%20Handling%20Standard.pdf\). As noted in Section III above, confidential FOMC information must be treated at least as securely as information in the corresponding Federal Reserve Board category. The following requirements are highlighted here:](https://spweb.frb.gov/sites/IT/Content/Pages/FISMA/documents/Infor-</p>
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A. In addition to ensuring that the materials themselves are made available only to individuals who have been given access to them, the confidential FOMC information they contain should be discussed with such individuals only.

B. Individuals who no longer have access to confidential FOMC information, whether because of a job change within the Federal Reserve, employment outside the Federal Reserve, or retirement, must release custody of all confidential materials in their possession and remain subject to all the prohibitions relating to the disclosure of FOMC information that is still confidential.

C. The distribution to the Committee of all documents, other than the manager's reports, should be handled through the FOMC Secretariat.

D. In addition, to facilitate the identification of Class I and Class II FOMC information, the appropriate coversheet should be placed on all such documents that are to be circulated. (The Tealbook is distinctive in appearance and meets this requirement without an additional cover page.) The most up-to-date coversheets are available on the FOMC Secretariat's web site: (<https://spweb.frb.gov/sites/ma/FOMC/>).

VII. ONGOING RESPONSIBILITY FOR MAINTAINING CONFIDENTIALITY.

A. The president of each Federal Reserve Bank is responsible for ensuring the confidentiality of FOMC information at that Federal Reserve Bank and for the conduct and discretion of that Federal Reserve Bank's staff with regard to the use of the information. The Chairman fulfills this role at the Board.

B. In addition to meeting the requirements in section IV, institutions may implement further procedures in support of information security.

C. If any Committee participant or Federal Reserve System individual becomes aware of an incident in which FOMC information security rules may not have been followed, that individual should promptly alert the FOMC Secretariat. The secretary or the Committee's general counsel will, with appropriate consultation with the Chairman, promptly refer all material known or suspected incidents to the Board's inspector general and request an investigation, as well as ensure the incident is reported to other institutions, as appropriate. The Chairman will inform the Committee about these matters and investigations, as appropriate.

D. If a staff person at the Federal Reserve Board has been found to be responsible for an FOMC information security incident, the Chairman will determine the consequences for that individual. If a staff person at a Federal Reserve Bank has been found to be responsible for an FOMC information security incident, the president of that Federal Reserve Bank will determine the consequences for that individual and will inform the Chairman of that determination. If a Committee participant has been found to be responsible for an FOMC information security incident, the Committee will determine the consequences for that participant. The Inspector General will contact law enforcement agencies whenever an investigation indicates that criminal statutes may have been violated.

VIII. COMMITTEE MEETING ATTENDANCE.

A. Except by approval of the Committee, attendance at Committee meetings, including conference calls, is limited to:

1. Board members and Federal Reserve Bank presidents and any other alternate members. In the absence of a president, a substitute Federal Reserve Bank officer designated by the president or the Federal Reserve Bank's board of directors.

2. Committee officers. In the absence of an associate economist from a Federal Reserve Bank, one substitute designated in advance by the president, with notice to the FOMC Secretariat.

3. The manager of the SOMA and one assistant to the manager (such as the deputy manager). In the manager's absence, a substitute designated by the manager or the president of the Selected Bank, with notice to the FOMC Secretariat.

4. One adviser or one substitute designated in advance, with notice to the FOMC Secretariat, by each president who is not currently a member of the Committee.

5. One first vice president of a Federal Reserve Bank. This designee would be in addition to those listed above. The FOMC Secretariat maintains a rotational schedule based on nominations from Federal Reserve Banks.

6. FOMC Secretariat assistance and a limited number of additional members of System staff designated by the Chairman.

B. Attendance may be limited further by the Chairman if a meeting, or portion of a meeting, gives rise to unusual sensitivity problems.

Attachment 1
ACCESS ELIGIBILITY POLICY FOR
BOARD EMPLOYEES

ACCESS TO FEDERAL OPEN MARKET
COMMITTEE AND CONFIDENTIAL SU-
PERSVISORY INFORMATION

POLICY STATEMENT

This policy explains the rules for granting Board employees' eligibility for access to Federal Open Market Committee (FOMC) information and confidential supervisory information (CSI).¹ The purpose of this policy is to help ensure that FOMC information and CSI be maintained in confidence through a system of controlled access to protect against unauthorized disclosure or use of such information that could cause damage to the mission and activities of the Board.

This policy does not apply to individuals, such as contractors, who are not Board employees.² Thus, in general, those who are not Board employees are not eligible to access FOMC information. Non-employees may access CSI if authorized by the director of Supervision and Regulation (S&R) under such terms and conditions established by the director of S&R.

DEFINITIONS

Board employee means an individual who is appointed into Board service.

CSI means confidential supervisory information of the Board, as defined in 12 CFR 261.2(c).

FOMC information means confidential information of the FOMC designated as Class III, Class II, or Class I, as explained in the Program for Security of FOMC Information (Program).

International organization means an intergovernmental organization that the United States participates in, such as the Bank for International Settlements, the International Monetary Fund, and the World Bank.

Prudential regulator means a foreign government entity that is responsible for supervising and regulating foreign banks and/or financial firms and that performs functions similar to those performed by the Division of Supervision and Regulation.

Restricted country means a country that is subject to a State Department policy or embargo that restricts the export of defense articles and services.

CONDITIONS FOR GRANTING ACCESS
TO FOMC INFORMATION OR CSI

Board employees are only eligible to access FOMC information and/or CSI if they (1) have a need to know the information;³ (2) are (i) a U.S. citizen, or a lawful permanent resident or, if not, are not a citizen of a restricted country;⁴

¹ This policy rescinds Supervision and Regulation (SR) letter 06-14 and all references to SR 06-14, and the prior information access rules in 12 CFR § 268.205 ("Prior Access Rules") are to be replaced with a reference to this policy.

² The Board has a separate regulation that governs Reserve Bank employees' access to both Federal Open Market Committee (FOMC) information and confidential supervisory information (CSI).

³ For FOMC information, whether there is a need to know and designation of access is determined under the Program. For CSI, whether there is a need to know and designation of access is determined by S&R policies.

⁴ If an individual is a citizen of a restricted country and a non-restricted country, the individual will be considered to be a citizen of a restricted country for purposes of this policy (unless of course, the individual is a dual citizen of the U.S. or a lawful permanent resident of the U.S. with a declaration of intent, in which case U.S. citizenship or lawful permanent residence, as applicable, controls). Whether an individual is a citizen of a restricted or non-restricted country is determined at the time information access is requested by the employee, and, if access is granted, subsequent changes to the restricted country list will not cause the employee to become ineligible to access information under this

and (ii) if not already a U.S. citizen, have signed a declaration of intent to expeditiously become, as applicable, a lawful permanent resident and a U.S. citizen when eligible;⁵ (3) agree to abide by (and do abide by) the relevant rules for accessing and handling the information;⁶ and (4) have been determined, based on the results of a background investigation (as explained below), to be suitable to access such information. In addition, Board employees are only eligible to access FOMC information if they have been hired to work for the Board as an employee for a period of 90 days or more.

BACKGROUND INVESTIGATION REQUIREMENT

Board employees are eligible to access FOMC information and CSI only if they have undergone a background investigation and have been deemed suitable to perform work for the Board under the Board's Suitability policy.

REINVESTIGATIONS

The Board may reinvestigate individuals at any time to determine whether they continue to be eligible to access FOMC information and CSI. This may include, for example, a set reinvestigation schedule, a random sampling for reinvestigation, or a reinvestigation prompted by learning new information.

regulation. In addition, citizens of restricted countries who were hired prior to the effective date of this policy may retain access to FOMC information and CSI under Prior Access Rules if they sign a declaration of intent by November 22, 2019. Citizens of non-restricted countries who were hired prior to the effective date of this policy may retain access to FOMC information and CSI under Prior Access Rules until February 1, 2022.

⁵ Individuals' access may be revoked if they fail to provide a declaration of intent, to expeditiously apply for lawful permanent residence or U.S. citizenship when eligible, or to expeditiously take all steps necessary to obtain lawful permanent residence or U.S. citizenship. An employee will be considered to have expeditiously applied for U.S.

EXCEPTIONS

Individuals Employed by Foreign Central Banks, Prudential Regulators, International Organizations, or Executive Agencies *Access to CSI*

Individuals employed by foreign central banks or prudential regulators, and international organizations, who are not citizens of a restricted country, and who are on temporary professional exchanges with the Board ("Detailees" or "Secondes") may be granted access, for up to 18 months, to CSI rated Internal-FR or Restricted-FR if they (1) have a need to know the information; (2) agree to abide by (and do abide by) the relevant rules for accessing and handling the information as evidenced by signing a non-disclosure agreement; and (3) have been determined by the director of the division, office, or department hosting the visitor to be eligible to access such information after reviewing

- the result of a fingerprint check that screens the Seconded's fingerprints against the FBI's National Criminal History Fingerprint database;
- the results of a credit check and name check screen by a private contractor;
- information provided by their employer, including, in the case of foreign central banks, a letter indicating that the foreign central bank has vetted the Seconded (for example, by conducting a background investi-

citizenship if the employee applies within six months of being eligible to do so. Whether the time period for other actions will be considered expeditious will be determined based on the facts and circumstances. In addition, an individual who meets the definition of a protected individual under 8 USC § 1324b(a)(3) will qualify as meeting the citizenship requirements detailed in this policy and will (provided they meet the requirements in (1), (3), and (4), above) be eligible to access FOMC information and CSI.

⁶ For FOMC information, the Program establishes these access and handling rules. For CSI, these access and handling rules are established by S&R policies.

gation) and determined the Seconded is qualified for access to confidential and/or sensitive information at their employer; and

- information, if any, provided by intelligence agencies.

Individuals who are employed by executive agencies of the federal government who are on temporary professional exchanges with the Board may be granted access to CSI rated Internal-FR or Restricted-FR if their employing executive agency provides information to the Board to show that they passed the same level of background investigation that the Board would require for them to access such CSI.

Administrative Governor's Authority to Grant Access

The Administrative Governor may grant an individual eligibility to access CSI under other circumstances not outlined above.

TERMINATING ACCESS

An individual's eligibility to access to FOMC information or CSI may be terminated at any time if the individual fails to abide by the above rules for granting access to such information, including the relevant handling rules, or if the individual is not eligible to access such information in light of the results of a background investigation or other information.

RESPONSIBILITY

The Administrative Governor may rescind or amend this policy at any time.

Attachment 2
ACCESS ELIGIBILITY POLICY FOR
BANK EMPLOYEES

REGULATION ON GRANTING ELIGIBILITY FOR ACCESS TO FOMC INFORMATION AND CSI

Federal Reserve Administrative Manual

This regulation explains the requirements the Reserve Banks must follow when granting employees eligibility for access to Federal Open Market Committee (FOMC) information and confidential supervisory information (CSI).¹ The purpose of this regulation is to help ensure that FOMC information and CSI be maintained in confidence through a system of controlled access to protect against unauthorized disclosure or use of such information that could cause damage to the mission and activities of the Federal Reserve System.

This regulation does not apply to individuals, such as contractors, who are not Reserve Bank employees. Thus, in general, those who are not Reserve Bank employees are not eligible to access FOMC information. Non-employees may access CSI if authorized by the Director of Supervision & Regulation (S&R) under such terms and conditions established by the Director of S&R.

¹ This regulation rescinds SR 06-14 and all references to SR 06-14 and the prior information access rules in 12 C.F.R. § 268.205 are to be replaced with a reference to this regulation.

² For FOMC information, whether there is a need to know and designation of access is determined under the Program. For CSI, whether there is a need to know and designation of access is determined by S&R policies.

³ If an individual is a citizen of a Restricted Country and a Non-Restricted Country, the individual will be considered to be a citizen of a Restricted Country for purposes of this regulation (unless of course, the individual is a dual citizen of the US or

DEFINITIONS

CSI means confidential supervisory information of the Board, as defined in 12 C.F.R. 261.2(c).

FOMC information means confidential information of the FOMC designated as Class III, Class II, or Class I, as explained in the Program for Security of FOMC Information (Program).

Reserve Bank employee means an individual who performs services for, is on the payroll of, and receives earnings reported on a Form W-2 by, a Reserve Bank. The term does not include, for example, any individual who provides services to a Reserve Bank under a contract.

Restricted country means a country that is subject to a State Department policy or embargo that restricts the export of defense articles and services.

CONDITIONS FOR GRANTING ELIGIBILITY FOR ACCESS TO FOMC INFORMATION AND CSI

Reserve Bank employees are only eligible to access FOMC information and/or CSI if they: (1) have a need to know the information;² (2) are: (i) a US citizen, or a lawful permanent resident or, if not, are not a citizen of a Restricted country;³ and (ii) if not already a US citizen, have signed a declaration of intent to expedite

a lawful permanent resident of the US with a declaration of intent, in which case US citizenship or lawful permanent residence, as applicable, controls). Whether an individual is a citizen of a Restricted or Non-Restricted Country is determined at the time information access is requested by the employee and, if access is granted, subsequent changes to the Restricted Country list will not cause the employee to become ineligible to access information under this regulation.

tiously become, as applicable, a lawful permanent resident and a US citizen when eligible;⁴ (3) agree to abide by (and do abide by) the relevant rules for accessing and handling the information;⁵ and (4) have been determined, based on the result of a background investigation (as explained below) to be suitable to access such information. In addition, Reserve Bank employees are only eligible to access FOMC information if they have been hired to work for a Reserve Bank with the expectation that the individual will be an employee for a period of at least 90 calendar days.

BACKGROUND INVESTIGATION REQUIREMENT

Reserve Bank employees are eligible to access FOMC information and CSI if the individual or entity who decides whether a Reserve Bank employee is suitable for employment at the Reserve Bank (“deciding official or entity”) has determined that the results of the background investigation conducted by the Reserve Bank demonstrate that the employee is also suitable to access FOMC Information and CSI in light of the Board’s suitability standards.

The background investigation required under this regulation must be acceptable to the Director of RBOPS.⁶ The deciding official or entity will review a Reserve Bank employee’s background investigation results and determine whether the results support eligibility to access

FOMC information and CSI based on the adjudicative standards outlined in the Board’s Suitability policy.

If the deciding official or entity determines an employee’s background investigation results do not support eligibility to access FOMC information or CSI the deciding official or entity shall ensure management does not grant such access. The relevant Reserve Bank official shall determine whether the Reserve Bank employee may continue to perform work for the Reserve Bank if found ineligible to access FOMC information or CSI. To the extent an employee will need access to both FOMC information and CSI the bank should reach one suitability determination, per employee, for both types of information.

Banks must report to the Director of S&R and to the FOMC Secretary the number of requests for access to CSI and FOMC information that are granted and denied each year.

REINVESTIGATIONS

In addition to the above investigations, a Reserve Bank may reinvestigate individuals at any time to determine whether they continue to be eligible to access FOMC information and CSI. This may include, for example, a set reinvestigation schedule, a random sampling for reinvestigation, or a reinvestigation prompted by learning new information.

⁴ Individuals’ access may be terminated if they fail to provide a declaration of intent, to expeditiously apply for lawful permanent residence or US citizenship when eligible, or to expeditiously take all steps necessary to obtain lawful permanent residence or US citizenship. An employee will be considered to have expeditiously applied for US citizenship if he or she applies within six months of being eligible to do so. Whether the time period for other actions will be considered expeditious will be determined based on the facts and circumstances. In addition, an individual who meets the definition of a protected individual under 8 U.S.C. § 1324b(a)(3) will qualify as meeting the citizenship requirements detailed in this regulation and will

(provided they meet the requirements in (1), (3), and (4), above) be eligible to access FOMC information and CSI.

⁵ For FOMC information, the Program establishes these access and handling rules. For CSI, these access and handling rules are established by S&R policies.

⁶ The Director of RBOPS has determined that the background investigations currently conducted by the Reserve Banks meet the requirements of this policy. However, going forward, RBOPS may review in more detail the background investigation practices at the Reserve Banks and may provide different guidance on background investigation requirements in the future.

EXCEPTIONS

The Administrative Governor may grant an individual eligibility to access CSI under other circumstances not outlined above.

TERMINATING ACCESS

An individual's eligibility to access FOMC information or CSI may be terminated at any time if he or she fails to abide by the above rules for granting access to such information, including the relevant handling rules, or if the deciding official or entity determines that the individual is not eligible for access to such information in light of the results of a background investigation or other information. In addition, the Board may review deciding officials' or entities' decisions, through an audit process or as a result of other circumstances, such as becoming aware of information that causes the Board to be concerned that eligibility for access is not consistent with its suitability rules. If, after review, the Board determines that an individual is not eligible for access to such information, the individual's access must be terminated. For

access to FOMC information, this decision will be made by the FOMC Secretary and for access to CSI the decision will be made by the Director of S&R. If an individual has access to both FOMC information and CSI and there is a need to terminate access to both types of information the decision will be made jointly by the FOMC Secretary and the Director of S&R.⁷

If the deciding official or entity (at a Reserve Bank or the Board) terminates an individual's eligibility for access, the deciding official or entity shall communicate the reason for terminating access in writing to the individual being denied access. The decision shall be final when issued and may not be appealed. The relevant Reserve Bank official shall determine whether a Reserve Bank employee may continue to perform work for the Reserve Bank if found ineligible to access FOMC information or CSI.

RESPONSIBILITY

The Administrative Governor may rescind or amend this FRAM regulation at any time.

⁷ In the case of a disagreement between the FOMC Secretary and the Director of S&R, the decision will be made by the Administrative Governor.

Attachment 3

RESTRICTED COUNTRIES

Below is the list of countries (as of January 2020) that are referred to as “restricted countries” in the Board’s “Access to Federal Open Market Committee and Confidential Supervisory Information” policy (Program Attachment 1) and in the Federal Reserve Administration Manual (FRAM) policy, “Regulation on Granting Eligibility for Access to FOMC information and CSI” (Program Attachment 2).¹

Afghanistan

Belarus

Burma

Central Africa Republic

China

Cuba

Cyprus

Democratic Republic of the Congo

Eritrea

Haiti

Iran

Iraq

Kyrgyzstan

Lebanon

Libya

North Korea

Russia

Somalia

South Sudan

Sudan

Syria

Venezuela

Zimbabwe

¹ This list is maintained by the United States Department of State; any changes in the list will be reflected online at

https://www.pmddtc.state.gov/ddtc_public?id=ddtc_public_portal_country_landing.

Attachment 4
FINANCIAL TRADING BLACKOUT¹

An employee with knowledge of Class I FOMC information should avoid engaging in any financial transaction the timing of which could create the appearance of acting on inside information concerning Federal Reserve deliberations and actions. In order to avoid even the appearance of acting on confidential FOMC information, an FOMC staff officer or a System employee who has knowledge of information that is classified as “Class I FOMC – Restricted Controlled (FR)” and that is related to the previous or upcoming FOMC meeting should not knowingly:

- a. Purchase or sell any security (including any interest in the Thrift Plan for Employees of the Federal Reserve System, but not including shares of a money market mutual fund) during the period that begins at the

start of the second Saturday (midnight) Eastern Time before the beginning of the meeting² and ends at midnight Eastern Time on the last day of the meeting; or

- b. Hold any security for less than 30 days, other than shares of a money market mutual fund.

This purchase or sale restriction does not apply if the transaction is authorized before the period described in section (a) above begins (for example, through directions given to a broker). An FOMC staff officer or a System employee with knowledge of information that is classified as “Class I FOMC – Restricted Controlled (FR)” and that is related to the previous or upcoming FOMC meeting also should make every effort to ensure that the financial transactions of his or her spouse and dependent children comply with these restrictions. In unusual circumstances, after consultation with the Ethics Officer, these restrictions may be waived.

¹ This trading blackout is also included in the Reserve Banks’ codes of conduct section 3.3 and a substantially similar rule is included in the Federal Reserve Administrative Manual (FRAM) 2-026-1, Voluntary Guide to Conduct for Senior Officials

² In the event that the second Friday before the FOMC meeting is a federal holiday, the restricted period will begin at the start of that Friday.



Attachment 2-A: Summary for Handling Printed Information

PRINTED	Restricted-Controlled FR ⁶	Restricted FR ⁷	Sensitive Personally Identifiable Information (Sensitive PII)	Internal FR/Official Use ⁸ (including Non-Sensitive PII)
MP-2 Access	A list of the specific FR Staff authorized to access the information must be prepared & attached to the document(s) or centrally maintained by an authorized authority	Authorized and need to know for official business purposes and limited to as few people as possible.	Share only as provided in the Board's Policy for Handling Personally Identifiable Information policy and limited to as few people as possible	Authorized & need to know for official business purposes. PII may be shared with a FRS employee or Board contractor if authorized by the Board employee's supervisor or the employee's position
MP-2 Duplication	Not recommended. If necessary, each copy must have a unique identifier	Limited to need to know	Limited to need to know	Limited to need to know
MP-3 Labeling	"Restricted-Controlled FR" at the top of every page. Numbered using the "x of y" numbering or consecutively numbered w/ the final page labeled "last page"	"Restricted FR" at the top of every page. Numbered using the "x of y" numbering or consecutively numbered w/ the final page labeled "last page"	"Sensitive Personally Identifiable Information" at the top of every page. All pages must be consecutively numbered	"Internal FR/Official Use" at the top of the first page. All pages must be consecutively numbered
MP-3 Coversheet	Restricted-Controlled FR blue coversheet	Restricted FR pink coversheet	Sensitive Personally Identifiable Information green coversheet	No coversheet
MP-4 Storage	1 of the following physical controls: locked desk drawer, file cabinet or office	1 of the following physical controls: locked desk drawer, file cabinet or office	1 of the following physical controls: locked desk drawer, file cabinet or office	Stored in a secure location
MP-5 Transport: Internal	Hand-delivered or placed within two sealed envelopes. The innermost envelope labeled as "Restricted-Controlled FR."	Hand-delivered or placed within a sealed envelope	Hand-delivered or placed within a sealed envelope	No special requirements
MP-5 Transport: External	Two sealed envelopes and sent via Registered Mail (or equivalent service) providing delivery tracking & confirmation. Sender must maintain a list of specific items containing Restricted-Controlled FR that were shipped	Two sealed envelopes and sent via Registered Mail (or equivalent service) providing delivery tracking & confirmation.	2 sealed envelopes & sent via Registered Mail providing delivery tracking & confirmation. Sender must maintain a list of specific items containing Sensitive PII that were shipped. When tracking is not used, the transmitter must use compensating controls to the extent possible.	Placed within a sealed envelope
MP-5 Transport: Fax	Sent via encrypted fax machine and confirm receipt	Sent via encrypted fax machine and confirm receipt	Sent via encrypted fax machine & confirm receipt. When using non-secure fax, the transmitter must use compensating controls to the extent possible.	No special requirements

⁶ FOMC Documents are labeled *Class I FOMC - Restricted Controlled (FR)*

⁷ FOMC Documents are labeled *Class II FOMC - Restricted (FR)*

⁸ FOMC Documents are labeled *Class III FOMC - Internal FR/Official Use*



MP-6 Sanitization & Disposal	Physically destroyed (e.g., paper shredders or approved secure document receptacles)	Physically destroyed (e.g., paper shredders or approved secure document receptacles)	Physically destroyed (e.g., paper shredders or approved secure document receptacles)	Physically destroyed (e.g., paper shredders)
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Attachment 2-B: Summary for Handling Digital Information

DIGITAL	Restricted-Controlled FR ⁹	Restricted FR ¹⁰	Sensitive Personally Identifiable Information (Sensitive PII)	Internal FR/Official Use ¹¹ (including Non-sensitive PII)
MP-2 Access	A list of the specific FR Staff authorized to access the information must be prepared & attached to the media or centrally maintained by an authorized authority.	Authorized and need to know for official business purposes and limited to as few people as possible.	Share only as provided in the Board’s Policy for Handling Personally Identifiable Information policy and limited to as few people as possible	Authorized & need to know for official business purposes. PII may be shared with a FRS employee or Board contractor if authorized by the Board employee’s supervisor or the employee’s position
MP-2 Duplication	Not recommended. If necessary, each copy must have a unique identifier	Limited to need to know	Limited to need to know	Limited to need to know
MP-3 Labeling	Restricted-Controlled FR label must be provided when the information is accessed or displayed. Label Removable media “Restricted-Controlled FR”	Restricted FR label must be provided when the information is accessed or displayed. Label Removable media “Restricted FR”	Sensitive Personally Identifiable Information label must be provided when the information is accessed or displayed. Label Removable media “Sensitive Personally Identifiable Information”	Removable media labeled as “Internal FR/Official Use”
MP-4 Storage	1 of the following physical controls: locked desk drawer, file cabinet or office. Store only on Board or Trusted Third Party owned media that is encrypted using an encryption module that is FIPS-140-2 certified.	1 of the following physical controls: locked desk drawer, file cabinet or office. Store only on Board or Trusted Third Party owned media that is encrypted using an encryption module that is FIPS-140-2 certified.	1 of the following physical controls: locked desk drawer, file cabinet or office. Sensitive PII stored on portable media must be encrypted. Store only on Board or Trusted Third Party owned media that is encrypted using an encryption module that is FIPS-140-2 certified.	Store in a secure location. Store only on Board or FRS owned media.

⁹ FOMC Digital Information, including E-mail is labeled *Class I FOMC - Restricted Controlled (FR)*

¹⁰ FOMC Digital Information, including E-mail is labeled *Class II FOMC – Restricted (FR)*

¹¹ FOMC Digital Information, including E-mail is labeled *Class III FOMC – Internal FR/Official Use*



DIGITAL	Restricted-Controlled FR ⁹	Restricted FR ¹⁰	Sensitive Personally Identifiable Information (Sensitive PII)	Internal FR/Official Use ¹¹ (including Non-sensitive PII)
MP-5 Transport: Internal	Transport on Board or Trusted Third Party owned encrypted portable media that is encrypted using an encryption module that is FIPS-140-2 certified and hand-deliver or place in 2 sealed envelopes. Innermost envelope labeled Restricted-Controlled FR	Transport on Board or Trusted Third Party owned encrypted portable media that is encrypted using an encryption module that is FIPS-140-2 certified and hand-deliver or place in a sealed envelope	Transport on Board or Third Party owned encrypted portable media that is encrypted using an encryption module that is FIPS-140-2 certified and hand-deliver or place in a sealed envelope	Transport only on Board or FRS owned media
MP-5 Transport: External	Transport on Board or Trusted Third Party owned encrypted removable media that is encrypted using an encryption module that is FIPS-140-2 certified in 2 sealed envelopes and sent via Registered Mail providing delivery tracking & confirmation. Sender must maintain a list of specific items containing Restricted-Controlled FR that were shipped	Transport on Board or Trusted Third Party owned encrypted removable media that is encrypted using an encryption module that is FIPS-140-2 certified in 2 sealed envelopes and sent via Registered Mail (or equivalent service) providing delivery tracking & confirmation.	Transport on Board or FRS owned encrypted removable media that is encrypted using an encryption module that is FIPS-140-2 certified in 2 sealed envelopes and sent via Registered Mail providing delivery tracking & confirmation. Sender must maintain a list of specific items that were shipped. When tracking is not used, the transmitter must use compensating controls to the extent possible.	Placed within a sealed envelope. Transport only on Board or FRS owned media.
MP-5 Transport: E-mail	Internal Recipients: Use "FRS Only" category (Reserve Bank users sending Class I FOMC information use the FOMC Classification) External Recipients: Encrypt using Board approved encryption technologies. Use "Secure External" category. Class I FOMC must not be sent outside the FRS.	Internal Recipients: Use "FRS Only" category. (Reserve Bank users sending Class II FOMC information use the FOMC Classification) External Recipients: Encrypt using Board approved encryption technologies Use "Secure External" category. Class II FOMC must not be sent outside the FRS.	Internal Recipients: Use "FRS Only" category External Recipients: Encrypt using Board approved encryption technologies unless the person the information concerns specifically authorizes the unencrypted e-mail communication. Using unencrypted e-mail requires the transmitter to use compensating controls. Use "Secure External" category	Internal Recipients: Use "FRS Only" category External: Use "Unsecured External" category
MP-6 Sanitization & Disposal	Follow the Media Sanitation and Disposal Policy & Procedures	Follow the Media Sanitation and Disposal Policy & Procedures	Follow the Media Sanitation and Disposal Policy & Procedures	Follow the Media Sanitation and Disposal Policy & Procedures

Authorization for Domestic Open Market Operations

As reaffirmed effective January 28, 2020

OPEN MARKET TRANSACTIONS

1. The Federal Open Market Committee (the “Committee”) authorizes and directs the Federal Reserve Bank selected by the Committee to execute open market transactions (the “Selected Bank”), to the extent necessary to carry out the most recent domestic policy directive adopted by the Committee:

A. To buy or sell in the open market securities that are direct obligations of, or fully guaranteed as to principal and interest by, the United States, and securities that are direct obligations of, or fully guaranteed as to principal and interest by, any agency of the United States, that are eligible for purchase or sale under Section 14(b) of the Federal Reserve Act (“Eligible Securities”) for the System Open Market Account (“SOMA”):

- i. As an outright operation with securities dealers and foreign and international accounts maintained at the Selected Bank: on a same-day or deferred delivery basis (including such transactions as are commonly referred to as dollar rolls and coupon swaps) at market prices; or
- ii. As a temporary operation: on a same-day or deferred delivery basis, to purchase such Eligible Securities subject to an agreement to resell (“repo transactions”) or to sell such Eligible Securities subject to an agreement to repurchase (“reverse repo transactions”) for a term of 65 business days or less, at rates that, unless otherwise authorized by the Committee, are determined by competitive bidding, after applying reasonable limitations on the volume of agreements with individual counterparties;

B. To allow Eligible Securities in the SOMA to mature without replacement;

C. To exchange, at market prices, in connection with a Treasury auction, maturing Eligible Securities in the SOMA with the Treasury, in the case of Eligible Securities that are direct obligations of the United States or that are fully guaranteed as to principal and interest by the United States; and

D. To exchange, at market prices, maturing Eligible Securities in the SOMA with an agency of the United States, in the case of Eligible Securities that are direct obligations of that agency or that are fully guaranteed as to principal and interest by that agency.

SECURITIES LENDING

2. In order to ensure the effective conduct of open market operations, the Committee authorizes the Selected Bank to operate a program to lend Eligible Securities held in the SOMA to dealers on an overnight basis (except that the Selected Bank may lend Eligible Securities for longer than an overnight term to accommodate weekend, holiday, and similar trading conventions).

A. Such securities lending must be:

- i. At rates determined by competitive bidding;
- ii. At a minimum lending fee consistent with the objectives of the program;
- iii. Subject to reasonable limitations on the total amount of a specific issue of Eligible Securities that may be auctioned; and
- iv. Subject to reasonable limitations on the amount of Eligible Securities that each borrower may borrow.

B. The Selected Bank may:

- i. Reject bids that, as determined in its sole discretion, could facilitate a bidder’s ability to control a single issue;
- ii. Accept Treasury securities or cash as collateral for any loan of securities authorized in this paragraph 2; and
- iii. Accept agency securities as collateral only for a loan of agency securities authorized in this paragraph 2.

OPERATIONAL READINESS TESTING

3. The Committee authorizes the Selected Bank to undertake transactions of the type described in paragraphs 1 and 2 from time to time for the purpose of testing operational readiness, subject to the following limitations:

A. All transactions authorized in this paragraph 3 shall be conducted with prior notice

to the Committee;

B. The aggregate par value of the transactions authorized in this paragraph 3 that are of the type described in paragraph 1.A.i, 1.B, 1.C and 1.D shall not exceed \$5 billion per calendar year; and

C. The outstanding amount of the transactions described in paragraphs 1.A.ii and 2 shall not exceed \$5 billion at any given time.

TRANSACTIONS WITH CUSTOMER ACCOUNTS

4. In order to ensure the effective conduct of open market operations, while assisting in the provision of short-term investments or other authorized services for foreign central bank and international accounts maintained at a Federal Reserve Bank (the “Foreign Accounts”) and accounts maintained at a Federal Reserve Bank as fiscal agent of the United States pursuant to section 15 of the Federal Reserve Act (together with the Foreign Accounts, the “Customer Accounts”), the Committee authorizes the following when undertaken on terms comparable to those available in the open market:

A. The Selected Bank, for the SOMA, to undertake reverse repo transactions in Eligible Securities held in the SOMA with the Customer Accounts for a term of 65 business days or less; and

B. Any Federal Reserve Bank that maintains Customer Accounts, for any such Customer Account, when appropriate and subject to all other necessary authorization and approvals, to:

i. Undertake repo transactions in Eligible Securities with dealers with a corresponding reverse repo transaction in such Eligible Securities with the Customer Accounts; and

ii. Undertake intra-day repo transactions in Eligible Securities with Foreign

Accounts.

Transactions undertaken with Customer Accounts under the provisions of this paragraph 4 may provide for a service fee when appropriate. Transactions undertaken with Customer Accounts are also subject to the authorization or approval of other entities, including the Board of Governors of the Federal Reserve System and, when involving accounts maintained at a Federal Reserve Bank as fiscal agent of the United States, the United States Department of the Treasury.

ADDITIONAL MATTERS

5. The Committee authorizes the Chairman of the Committee, in fostering the Committee’s objectives during any period between meetings of the Committee, to instruct the Selected Bank to act on behalf of the Committee to:

A. Adjust somewhat in exceptional circumstances the stance of monetary policy and to take actions that may result in material changes in the composition and size of the assets in the SOMA; or

B. Undertake transactions with respect to Eligible Securities in order to appropriately address temporary disruptions of an operational or highly unusual nature in U.S. dollar funding markets.

Any such adjustment described in subparagraph A of this paragraph 5 shall be made in the context of the Committee’s discussion and decision about the stance of policy at its most recent meeting and the Committee’s long-run objectives to foster maximum employment and price stability, and shall be based on economic, financial, and monetary developments since the most recent meeting of the Committee. The Chairman, whenever feasible, will consult with the Committee before making any instruction under this paragraph 5.

Authorization for Foreign Currency Operations

As reaffirmed effective January 28, 2020

IN GENERAL

1. The Federal Open Market Committee (the “Committee”) authorizes the Federal Reserve Bank selected by the Committee (the “Selected Bank”) to execute open market transactions for the System Open Market Account as provided in this Authorization, to the extent necessary to carry out any foreign currency directive of the Committee:

A. To purchase and sell foreign currencies (also known as cable transfers) at home and abroad in the open market, including with the United States Treasury, with foreign monetary authorities, with the Bank for International Settlements, and with other entities in the open market. This authorization to purchase and sell foreign currencies encompasses purchases and sales through standalone spot or forward transactions and through foreign exchange swap transactions. For purposes of this Authorization, foreign exchange swap transactions are: swap transactions with the United States Treasury (also known as warehousing transactions), swap transactions with other central banks under reciprocal currency arrangements, swap transactions with other central banks under standing dollar liquidity and foreign currency liquidity swap arrangements, and swap transactions with other entities in the open market.

B. To hold balances of, and to have outstanding forward contracts to receive or to deliver, foreign currencies.

2. All transactions in foreign currencies undertaken pursuant to paragraph 1 above shall, unless otherwise authorized by the Committee, be conducted:

A. In a manner consistent with the obligations regarding exchange arrangements under Article IV of the Articles of Agreement of the International Monetary Fund (IMF).¹

B. In close and continuous cooperation and consultation, as appropriate, with the United States Treasury.

C. In consultation, as appropriate, with foreign monetary authorities, foreign central banks, and international monetary institutions.

D. At prevailing market rates.

STANDALONE SPOT AND FORWARD TRANSACTIONS

3. For any operation that involves standalone spot or forward transactions in foreign currencies:

A. Approval of such operation is required as follows:

i. The Committee must direct the Selected Bank in advance to execute the operation if it would result in the overall volume of standalone spot and forward transactions in foreign currencies, as defined in paragraph 3.C of this Authorization, exceeding \$5 billion since the close of the most recent regular meeting of the Committee. The Foreign Currency Subcommittee (the “Subcommittee”) must direct the Selected Bank in advance to execute the operation if the Subcommittee believes that consultation with the Committee is not feasible in the time available.

ii. The Committee authorizes the Subcommittee to direct the Selected Bank in advance to execute the operation if it would result in the overall volume of standalone spot and forward transactions

¹ In general, as specified in Article IV, each member of the IMF undertakes to collaborate with the IMF and other members to assure orderly exchange arrangements and to promote a stable system of exchange rates. These obligations include seeking to direct the member’s economic and financial policies toward the objective of fostering or-

derly economic growth with reasonable price stability. These obligations also include avoiding manipulating exchange rates or the international monetary system in such a way that would impede effective balance of payments adjustment or to give an unfair competitive advantage over other members.

in foreign currencies, as defined in paragraph 3.C of this Authorization, totaling \$5 billion or less since the close of the most recent regular meeting of the Committee.

- B. Such an operation also shall be:
- i. Generally directed at countering disorderly market conditions; or
 - ii. Undertaken to adjust System balances in light of probable future needs for currencies; or
 - iii. Conducted for such other purposes as may be determined by the Committee.
- C. For purposes of this Authorization, the overall volume of standalone spot and forward transactions in foreign currencies is defined as the sum (disregarding signs) of the dollar values of individual foreign currencies purchased and sold, valued at the time of the transaction.

WAREHOUSING

4. The Committee authorizes the Selected Bank, with the prior approval of the Subcommittee and at the request of the United States Treasury, to conduct swap transactions with the United States Exchange Stabilization Fund established by section 10 of the Gold Reserve Act of 1934 under agreements in which the Selected Bank purchases foreign currencies from the Exchange Stabilization Fund and the Exchange Stabilization Fund repurchases the foreign currencies from the Selected Bank at a later date (such purchases and sales also known as warehousing).

RECIPROCAL CURRENCY ARRANGEMENTS, AND STANDING DOLLAR AND FOREIGN CURRENCY LIQUIDITY SWAPS

5. The Committee authorizes the Selected Bank to maintain reciprocal currency arrangements established under the North American Framework Agreement, standing dollar liquidity swap arrangements, and standing foreign currency liquidity swap arrangements as provided in this Authorization and to the extent

necessary to carry out any foreign currency directive of the Committee.

A. For reciprocal currency arrangements all drawings must be approved in advance by the Committee (or by the Subcommittee, if the Subcommittee believes that consultation with the Committee is not feasible in the time available).

B. For standing dollar liquidity swap arrangements all drawings must be approved in advance by the Chairman. The Chairman may approve a schedule of potential drawings, and may delegate to the manager, System Open Market Account, the authority to approve individual drawings that occur according to the schedule approved by the Chairman.

C. For standing foreign currency liquidity swap arrangements all drawings must be approved in advance by the Committee (or by the Subcommittee, if the Subcommittee believes that consultation with the Committee is not feasible in the time available).

D. Operations involving standing dollar liquidity swap arrangements and standing foreign currency liquidity swap arrangements shall generally be directed at countering strains in financial markets in the United States or abroad, or reducing the risk that they could emerge, so as to mitigate their effects on economic and financial conditions in the United States.

E. For reciprocal currency arrangements, standing dollar liquidity swap arrangements, and standing foreign currency liquidity swap arrangements:

- i. All arrangements are subject to annual review and approval by the Committee;

- ii. Any new arrangements must be approved by the Committee; and

- iii. Any changes in the terms of existing arrangements must be approved in advance by the Chairman. The Chairman shall keep the Committee informed of any changes in terms, and the terms shall be consistent with principles discussed with and guidance provided by the Committee.

OTHER OPERATIONS IN FOREIGN CURRENCIES

6. Any other operations in foreign currencies for which governance is not otherwise specified in this Authorization (such as foreign exchange swap transactions with private-sector counterparties) must be authorized and directed in advance by the Committee.

FOREIGN CURRENCY HOLDINGS

7. The Committee authorizes the Selected Bank to hold foreign currencies for the System Open Market Account in accounts maintained at foreign central banks, the Bank for International Settlements, and such other foreign institutions as approved by the Board of Governors under Section 214.5 of Regulation N, to the extent necessary to carry out any foreign currency directive of the Committee.

A. The Selected Bank shall manage all holdings of foreign currencies for the System Open Market Account:

- i. Primarily, to ensure sufficient liquidity to enable the Selected Bank to conduct foreign currency operations as directed by the Committee;
- ii. Secondarily, to maintain a high degree of safety;
- iii. Subject to paragraphs 7.A.i and 7.A.ii, to provide the highest rate of return possible in each currency; and
- iv. To achieve such other objectives as may be authorized by the Committee.

B. The Selected Bank may manage such foreign currency holdings by:

- i. Purchasing and selling obligations of, or fully guaranteed as to principal and interest by, a foreign government or agency thereof (“Permitted Foreign Securities”) through outright purchases and sales;
- ii. Purchasing Permitted Foreign Securities under agreements for repurchase of such Permitted Foreign Securities and selling such securities under agreements for the resale of such securities; and
- iii. Managing balances in various time

and other deposit accounts at foreign institutions approved by the Board of Governors under Regulation N.

C. The Subcommittee, in consultation with the Committee, may provide additional instructions to the Selected Bank regarding holdings of foreign currencies.

ADDITIONAL MATTERS

8. The Committee authorizes the Chairman:

A. With the prior approval of the Committee, to enter into any needed agreement or understanding with the Secretary of the United States Treasury about the division of responsibility for foreign currency operations between the System and the United States Treasury;

B. To advise the Secretary of the United States Treasury concerning System foreign currency operations, and to consult with the Secretary on policy matters relating to foreign currency operations;

C. To designate Federal Reserve System persons authorized to communicate with the United States Treasury concerning System Open Market Account foreign currency operations; and

D. From time to time, to transmit appropriate reports and information to the National Advisory Council on International Monetary and Financial Policies.

9. The Committee authorizes the Selected Bank to undertake transactions of the type described in this Authorization, and foreign exchange and investment transactions that it may be otherwise authorized to undertake, from time to time for the purpose of testing operational readiness. The aggregate amount of such transactions shall not exceed \$2.5 billion per calendar year. These transactions shall be conducted with prior notice to the Committee.

10. All Federal Reserve banks shall participate in the foreign currency operations for System Open Market Account in accordance with paragraph 3G(1) of the Board of Governors’ Statement of Procedure with Respect to Foreign Relationships of Federal Reserve Banks

dated January 1, 1944.

11. Any authority of the Subcommittee pursuant to this Authorization may be exercised by the Chairman if the Chairman believes that consultation with the Subcommittee is not feasible in the time available. The Chairman shall promptly report to the Subcommittee any action approved by the Chairman pursuant to this paragraph.

12. The Committee authorizes the Chairman, in exceptional circumstances where it would

not be feasible to convene the Committee, to foster the Committee's objectives by instructing the Selected Bank to engage in foreign currency operations not otherwise authorized pursuant to this Authorization. Any such action shall be made in the context of the Committee's discussion and decisions regarding foreign currency operations. The Chairman, whenever feasible, will consult with the Committee before making any instruction under this paragraph.

Foreign Currency Directive

As reaffirmed effective January 28, 2020

1. The Committee directs the Federal Reserve Bank selected by the Committee (the “Selected Bank”) to execute open market transactions, for the System Open Market Account, in accordance with the provisions of the Authorization for Foreign Currency Operations (the “Authorization”) and subject to the limits in this Directive.

2. The Committee directs the Selected Bank to execute warehousing transactions, if so requested by the United States Treasury and if approved by the Foreign Currency Subcommittee (the “Subcommittee”), subject to the limitation that the outstanding balance of United States dollars provided to the United States Treasury as a result of these transactions not at any time exceed \$5 billion.

3. The Committee directs the Selected Bank to maintain, for the System Open Market Account:

A. Reciprocal currency arrangements with the following foreign central banks:

Foreign central bank	Maximum amount (millions of dollars or equivalent)
Bank of Canada	2,000
Bank of Mexico	3,000

B. Standing dollar liquidity swap arrangements with the following foreign central banks:

Bank of Canada
Bank of England
Bank of Japan
European Central Bank
Swiss National Bank

C. Standing foreign currency liquidity swap arrangements with the following foreign central banks:

Bank of Canada
Bank of England
Bank of Japan
European Central Bank
Swiss National Bank

4. The Committee directs the Selected Bank to hold and to invest foreign currencies in the portfolio in accordance with the provisions of paragraph 7 of the Authorization.

5. The Committee directs the Selected Bank to report to the Committee, at each regular meeting of the Committee, on transactions undertaken pursuant to paragraphs 1 and 6 of the Authorization. The Selected Bank is also directed to provide quarterly reports to the Committee regarding the management of the foreign currency holdings pursuant to paragraph 7 of the Authorization.

6. The Committee directs the Selected Bank to conduct testing of transactions for the purpose of operational readiness in accordance with the provisions of paragraph 9 of the Authorization.