

2018 Chief FOIA Officer Report
National Credit Union Administration
Lara Rodriguez, Deputy General Counsel

Section 1: Steps Taken to Apply the Presumption of Openness

A. FOIA Training

1. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any substantive FOIA training or conference during the reporting period such as that provided by the Department of Justice? Yes.

2. If yes, please provide a brief description of the type of training attended or conducted and the topics covered. Staff attended Department of Justice training and third-party vendor training on the subject, including FOIA continuing education, advanced FOIA training, and agency training on the FOIA.

3. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period. One hundred percent of the FOIA Officer and service center staff attended substantive FOIA training during this reporting period.

4. If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year. Not applicable.

B. Outreach

5. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? FOIA professionals periodically engaged in dialogue with the requester community. For example, the July 2017 Chief FOIA Officers Council meeting, hosted by NARA, they discussed strategies for improving customer service and coordination.

C. Other Initiatives

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. The agency offered all employees privacy training covering their FOIA obligations in 2017. In addition, the FOIA Officer met with and

presented information on the FOIA to groups of staff in the offices of Consumer Protection and Examination and Insurance, among others.

7. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here. The agency is committed to applying the presumption of openness through releases to the public, including postings on its open government page at <https://www.ncua.gov/About/Pages/open-government.aspx>.

Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests

1. For Fiscal Year 2017, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2017 Annual FOIA Report. 5.5 days.

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less. Not applicable.

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? Yes. If so, please describe the methods used, such as reviewing Annual Report data, using active workflows and track management, reviewing and updating processing procedures, etc. The agency uses the DOJ OIP FOIA Self-assessment Toolkit modules to review its process.

4. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during FY 2017 (please provide a total number or an estimate of the number). An estimate of very few, if any, requesters sought assistance from the FOIA Public Liaison.

6. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as improving search processes, eliminating redundancy, etc., please describe them here. The FOIA Officer met regularly with both the service center staff and with the FOIA Public Liaison to discuss and improve search and review processes.

Section III: Steps Taken to Increase Proactive Disclosures

1. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

Examples are bank purchase and assumption applications available at <https://www.ncua.gov/services/Pages/freedom-of-information-act/applications.aspx>.

2. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe these efforts.

Yes, those efforts included press releases, social media, and email-subscription services.

3. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

Yes.

4. If yes, please provide examples of such improvements.

The agency has implemented its website featuring improved navigation and a mobile-responsive design that adapts to facilitate its viewing on various platforms, including smartphones, tablets, laptops, and desktops. Other website features and improvements include: a "Small Credit Union Learning Center" featuring training videos and materials; an online newsroom and social media hub where stakeholders can get the latest news, read articles from The NCUA Report and download graphics and photos; an "I'm a..." search function that allows users to self-identify and quickly access the agency's most frequently requested content; and a consumer section that links to the agency's consumer protection resources, consumer assistance center, share insurance information, and financial literacy materials.

The agency publicly posts videos of interest to credit union system stakeholders at <https://www.ncua.gov/newsroom/Pages/videos.aspx>. The agency also has developed educational videos for credit union board members available at the Small Credit Union Learning Center at <http://go.usa/x8NGx>. In addition, the agency continually posts useful new information on its website solely for consumers www.mycreditunion.gov. Moreover, the agency continually offers free webinars to credit unions and for the public on financial topics.

5. If there are any other steps your agency has taken to improve proactive disclosures, please describe them here.

The agency continues to proactively disclose information to increase the public's awareness of its mission and role through releases to the public, including postings on its open government page at <https://www.ncua.gov/About/Pages/open-government.aspx>. **For example, has your agency engaged requesters in determining how and what to post?** Yes, for example, the agency solicits comments and suggestions for improving its website at plainwriting@ncua.gov. **Has your agency used web analytics to inform your proactive disclosures?** No.

Section IV: Steps Taken to Greater Utilize Technology

1. Has your agency identified any best practices to leverage technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? Yes. **If yes please describe the best practices, the types of technology used and the impact on your agency's processing.** The agency utilizes secure, internal computer drives for shared review of certain interoffice records. This can be efficient and improve processing, especially for larger files.

2. Did your agency successfully post all four quarterly reports for Fiscal Year 2017? Yes.

3. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2018. Not applicable.

4. Please provide the link to this posting for your agency's Fiscal Year 2016 Annual FOIA Report and, if available, for your agency's Fiscal Year 2017 Annual FOIA Report. <https://www.ncua.gov/services/Pages/freedom-of-information-act/reports.aspx>.

5. If there are any other steps your agency has taken to improve use of technology in FOIA, please describe them here. FOIA staff attended training on advanced techniques to further improve the management of FOIA requests online.

Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

A. Simple Track

1. Does your agency utilize a separate track for simple requests? Yes.

2. If so, for your agency overall in Fiscal Year 2017, was the average number of days to process simple requests twenty working days or fewer? Yes.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2017 that were placed in your simple track. 42.7%.

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer? Not applicable.

B. Backlogs

BACKLOGGED REQUESTS

5. If your agency had a backlog of requests at the close of Fiscal Year 2017, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2016? Not applicable.

6. If not, explain why and describe the causes that contributed to your agency not being able to reduce its backlog. Not applicable.

7. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2017. Not applicable.

BACKLOGGED APPEALS

8. If your agency had a backlog of appeals at the close of Fiscal Year 2017, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2016? Not applicable.

9. If not, explain why and describe the causes that contributed to your agency not being able to reduce its backlog. Not applicable.

10. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2017. Not applicable.

C. Backlog Reduction Plans

11. In the 2017 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2016 was asked to provide a plan for achieving backlog reduction in the year ahead. Did you agency implement a backlog reduction plan last year? Not applicable.

12. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2017, what is your agency's plan to reduce this backlog during Fiscal Year 2018? Not applicable.

D. Status of Ten Oldest Requests, Appeals, and Consultations

TEN OLDEST REQUESTS

13. In Fiscal Year 2017, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2016 Annual FOIA Report? Yes, the agency closed all 3 of the 3 pending requests.

14. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2016 Annual FOIA Report. Not applicable. **If you had less than ten total oldest requests to close, please indicate that.**

15. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. None. **If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?** Not applicable.

TEN OLDEST APPEALS

16. In Fiscal Year 2017, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2016 Annual FOIA Report? Not applicable.

17. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2016 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that. Not applicable since there were no appeals pending.

TEN OLDEST CONSULTATIONS

18. In Fiscal Year 2017, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2016 Annual FOIA Report? Not applicable.

19. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2016 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. Not applicable since there were no consultations.

E. Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans

20. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2017. Not applicable.

21. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending. Not applicable.

22. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2017. Not applicable.

F. Success Stories

A quick summary of key achievements for this reporting period are as follows:

- analyzed and completed written responses to approximately 100 FOIA or FOIA/Privacy Act requests during 2017 fiscal year;
- provided public information to consumers and other entities regarding their potential FOIA or Privacy Act requests, resulting in a decreased number of written requests; and
- reviewed and worked with the agency webmaster to update FOIA links and information posted on www.ncua.gov; and
- began offering requesters electronic pay options with their invoices.