NCUA
National Credit Union Administration

CHIEF FOIA OFFICER REPORT

2026

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SECTION I: FOIA LEADERSHIP AND APPLYING THE PRESUMPTION OF OPENNESS

A. Leadership Support for FOIA

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at or above this level? **Yes.**

2. Please provide the name and title of your agency's Chief FOIA Officer. **Liz Harris, Associate General Counsel for Information and Access Law.**

3. What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan? **The NCUA has not incorporated FOIA into its core mission; however, the NCUA Board and NCUA executives understand and appreciate the importance of FOIA and removing barriers to requesting and accessing NCUA information and fully support the FOIA program and its ongoing success.**

B. Presumption of Openness

4. DOJ's 2022 FOIA Guidelines provides that "agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions." Does your agency provide such confirmation in its response letters? **Yes. The NCUA includes foreseeable harm language in its response letters.**

5. In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interest protected by a FOIA exemption. This is commonly referred to as a Glomar response. If your agency tracks Glomar responses, please provide:

- the number of times your agency issued a full or partial Glomar response during Fiscal Year (FY) 2025 (please separate full and partial Glomar responses if possible); **0 Glomar responses**
- the number of times your agency issued a full or partial Glomar response during Fiscal Year (FY) 2025 (please separate full and partial Glomar responses if possible); **N/A.**

6. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

SECTION II: ENSURING FAIR AND EFFECTIVE FOIA ADMINISTRATION

A. FOIA Training

1. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel. **The NCUA provided all employees with training addressing their FOIA obligations. Specifically, along with annual information security training, the NCUA requires all employees to complete a web-based "Privacy, Records Management, and FOIA" training every year. The NCUA also provided additional role-based training to non-FOIA professional staff who support FOIA activities. Additionally, FOIA responsibilities are covered as part of the NCUA's "New Supervisors" required training.**

2. Did your FOIA professionals, or other personnel at your agency with FOIA responsibilities, attend substantive FOIA training during the reporting period, such as training provided by the Department of Justice? **Yes.**

3. If yes, please provide a brief description of the type of training attended or conducted and the topics covered. **The NCUA FOIA staff attended the Department of Justice Office of Information Policy trainings, such as Exemption 4 and 5 Training and Privacy Considerations Training.**

4. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period. **100% of the NCUA's FOIA professionals and staff attended substantive FOIA training during this reporting period.**

5. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." 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. **N/A.**

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff, and if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process. **The NCUA provided FOIA training annually to all employees online as part of the required "Security, Privacy, Records Management, and FOIA Awareness" training. In addition, the FOIA team periodically briefed non-**

FOIA staff (including senior agency leaders) in various NCUA offices on FOIA requirements and processes. This included "New Supervisors" required training and optional role-based training. Briefings and trainings were conducted both virtually and in-person.

B. Outreach

7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples. **Yes. When a request is determined to be complex or voluminous, the FOIA team contacts the requester to provide an opportunity to clarify or narrow the request to help the NCUA process the request and provide the requester with a final determination more quickly.**

8. Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? Please describe any such outreach or dialogue and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration. **No.**

9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during Fiscal Year 2025 (please provide a total number or an estimate of the number for the agency overall). **Requesters sought assistance from the NCUA's FOIA Public Liaison eleven (11) times.**

C. Other Initiatives

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement. **Yes. FOIA assignments were distributed to additional members of the Information and Access Law (IAL) team to increase preparedness in case of an uptick in requests. Currently, all members of the IAL team are involved in some aspect of the FOIA process and have been trained to use the FOIA request management system.**

11. How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics,

etc. In addition, please specifically highlight any data analysis methods or technologies used. **The NCUA uses a commercially available FOIA request management system that produces various types of reports, such as: request progress reports, monthly statistical reports, volume reports, billing reports, and document reports. The FOIA team uses the reports to manage team workload, track progress of requests and appeals, and ensure efficient retrieval of data needed for required reporting.**

12. Optional -- If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.

SECTION III: PROACTIVE DISCLOSURES

1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures. **As part of processing, the NCUA FOIA staff reviews each FOIA request and disclosure to identify whether the NCUA is required to post publicly the information pursuant to (a)(2). The NCUA also proactively posts on the agency website the non-exempt information from the following records categories, even without a specific FOIA request: final agency opinions and orders; specific policy statements not published in the Federal Register; administrative staff manuals and staff instructions affecting the public; and records that are or are likely to become the subject of subsequent requests; as well as records requested multiple times. The FOIA staff track and count the number of records publicly posted under (a)(2). Staff work with the NCUA Office of External Affairs and Communications (OEAC) and Office of the Chief Information Officer (OCIO) to post the disclosures.**

2. Does your agency post logs of its FOIA requests? **Yes.**

- If so, what information is contained in the logs? **The NCUA's FOIA log includes request ID, received date, closed date, requester organization, request description (modified, if needed, to protect personally identifiable information), and final disposition. Additionally, the NCUA proactively posts its FOIA appeal decision letters and the basis for the appeal.**

- Are they posted in CSV format? If not, what format are they posted in? **Yes, the FOIA log is available in CSV format.**

- Please provide a link to the page where any FOIA logs are posted. If applicable, please provide component links. **https://ncua.gov/foia/request-logs.**

3. Provide examples of any material (with links) that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). **Examples are Letters to Credit Unions and Other Guidance and Aggregate Financial Performance Reports.**

4. Please provide a link (or component links, if applicable) where your agency routinely posts its frequently requested records. **https://ncua.gov/foia/library.**

5. 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? If yes, please provide examples of such improvements, such as steps taken to post information in open and machine-readable formats. If your agency is not taking steps to make posted information more useful, please explain why. **Yes. The NCUA is committed to delivering a digital-first public experience and ensuring its website and content are more useful to the public, including in open formats, to the extent feasible, as evidenced by the following examples:**

- **In 2025, the NCUA began a major initiative to review, and revise, as appropriate, all of its regulations. As part of this effort, NCUA posted resources to assist the public in understanding the scope and impact of the proposed changes including posting proposed regulation changes and responses to frequently asked questions (FAQs).**
- **The NCUA posted updates to its Financial Reports and Statements.**

6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction. **Yes. Prior to any proactive disclosure, the FOIA staff coordinates with OEAC and OCIO, as well as the recordholder office.**

7. Optional -- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

SECTION IV: STEPS TAKEN TO MAKE BETTER USE OF TECHNOLOGY

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands? **Yes.**

2. Please briefly describe any new types of technology your agency uses to support your FOIA program. **The NCUA continues to utilize a commercially available FOIA request management system. In addition to requests submitted via FOIA.gov, the NCUA also implemented the NCUA eFOIA PAL Portal that allows a requester to submit a FOIA request directly to the NCUA through a dedicated online portal. Use of the eFOIA PAL Portal allows the requester to communicate directly with the NCUA FOIA staff and receive responsive records.**

3. Does your agency currently use any technology to automate request intake, customer service, or record processing? For example, does your agency use artificial intelligence or other tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology. **Yes. The FOIA request management system used by the NCUA includes the following technologies: full text searches, multiple review layers, and find search/replace redactions. It is not possible to estimate how much time and financial resources have been saved because this tool is the only software the team has used for many years. Additionally, utilization of FOIA.gov and the NCUA eFOIA PAL Portal automate the intake of a new request into the FOIA request management system and the issuance of the acknowledgement letter.**

4. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance? **Yes.**

5. Did all four of your agency's quarterly reports for Fiscal Year 2025 appear on FOIA.gov? **Yes**.

6. If your agency did not successfully post all quarterly reports on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2026. **N/A.**

7. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2024 Annual FOIA Report and, if available, for your agency's Fiscal Year 2025 Annual FOIA Report. **The Annual FOIA report and raw statistical data are available at https://ncua.gov/foia/reports.**

8. In February 2019, DOJ and OMB issued joint Guidance establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance? **Yes.**

9. Optional -- Please describe your agency best practices in better utilizing technology and any challenges your agency faces in this area.

SECTION V: STEPS TAKEN TO REMOVE BARRIERS TO ACCESS, IMPROVE TIMELINESS IN RESPONDING TO REQUESTS, AND REDUCE BACKLOGS

A. Remove Barriers to Access

1. Has your agency established alternative means of access for any categories of first-party requested records, outside of the typical FOIA or Privacy Act process? **Yes.**

2. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know. **Yes. Individuals may submit first party requests for their consumer complaint file directly to the NCUA Consumer Assistance Center. Additionally, members of liquidated credit unions may submit a first party requests for their credit union records directly to the NCUA Asset Management and Assistance Center.**

3. Please describe any other steps your agency has taken to remove barriers to accessing government information. **In 2025, the NCUA created AskNCUA, a secure platform for the public to submit questions, comments or recommendations to the NCUA.**

B. Timeliness

4. For Fiscal Year 2025, 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 2025 Annual FOIA Report. **4.18 days.**

5. If your agency's average number of days to adjudicate requests for expedited processing was more than ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2025 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less. **N/A.**

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

7. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2025? **Yes (the overall average number of days to process simple requests was approximately 10 days).**

8. If not, did the simple track average processing time decrease compared to the previous Fiscal Year? **N/A.**

9. Please provide the percentage of requests processed by your agency in Fiscal Year 2025 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100. **50.73%.**

10. 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? **N/A**.

C. Backlogs

Backlogged Requests

11. If your agency had a backlog of requests at the close of Fiscal Year 2025, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024? **N/A. At the close of Fiscal Year 2025, the NCUA had zero backlogged requests compared to one backlogged request at the close of Fiscal Year 2024.**

12. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2025 than it did during Fiscal Year 2024? **N/A.**

13. If your agency's request backlog increased during Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. **N/A.** When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests: **N/A**
- A loss of staff: **N/A.**
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase): **N/A.**
- Litigation: **N/A.**
- Any other reasons – please briefly describe or provide examples when possible: **N/A.**

14. 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 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A." **N/A**.

Backlogged Appeals

15. If your agency had a backlog of appeals at the close of Fiscal Year 2025, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2024? **N/A**.

16. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2025 than it did during Fiscal Year 2024? **N/A**.

17. If your agency's appeal backlog increased during Fiscal Year 2025, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. **N/A.** When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming appeals: **N/A.**
- A loss of staff: **N/A.**
- An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase): **N/A.**
- Litigation: **N/A.**
- Any other reasons – please briefly describe or provide examples when possible: **N/A.**

18. 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 2025. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2025 and/or has no appeal backlog, please answer with "N/A." **N/A.**

D. Backlog Reduction Plans

19. In the 2025 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2024 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2025? **N/A.**

20. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2025, please explain your agency's plan to reduce this backlog during Fiscal Year 2026. **N/A**.

E. Reducing the Age of Requests, Appeals, and Consultations

Ten Oldest Requests

21. In Fiscal Year 2025, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2024 Annual FOIA Report? **Yes**.

22. 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 2025 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that. **N/A**.

23. Beyond working on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests. **The NCUA took steps to reduce the overall age of the pending requests by generally processing older requests before newer requests, within the complex and simple tracks**.

Ten Oldest Appeals

24. In Fiscal Year 2025, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2024 Annual FOIA Report? **N/A (The NCUA reported no appeals pending for FY2024).**

25. 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 2024 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that. **N/A**.

26. Beyond working on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals. **N/A**.

Ten Oldest Consultations

27. In Fiscal Year 2025, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2024 Annual FOIA Report? **N/A (The NCUA reported no consultations pending for FY2024).**

28. 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 2024 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that. **N/A.**

Additional Information Regarding Ten Oldest

29. If your agency did not close its ten oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those "ten oldest" requests, appeals, and consultations during Fiscal Year 2026. **N/A**.

F. Additional Information about FOIA Processing

30. Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency's overall FOIA request processing and backlog. **Yes.** If possible, please indicate:

- The number and nature of requests subject to litigation: **The NCUA had one request subject to litigation, which is still pending. The request involved NCUA credit union certificate of insurance records. The two issues in litigation are: 1) whether plaintiff properly exhausted administrative remedies, and 2) whether the NCUA conducted an adequate search.**

- Common causes leading to litigation: **The cause of the litigation is likely a lack of understanding of the underlying responsive records.**

- Any other information to illustrate the impact of litigation on your overall FOIA administration: **The NCUA allocated FOIA staff resources in order to appropriately respond to the litigation. Despite the allocation of resources, the NCUA continued to process requests in a timely manner and the agency did not have a backlog of requests at the close Fiscal Year 2025.**

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1775 Duke Street | Alexandria, VA | 22314
703-518-6570
ncua.gov