



Federal Financial Institutions Examination Council (FFIEC)

2019 Chief FOIA Officer Report

Small-Volume Agency Format (less than 50 requests in FY 2017)

March 2018 - February 2019

FFIEC Chief FOIA Officer: Judith E. Dupre, Executive Secretary

During the current reporting period the Federal Financial Institutions Examination Council (FFIEC or Council) continued to implement both the FOIA memoranda and the Department of Justice's (DOJ) 2009 FOIA Guidelines in the administering of its FOIA program. This includes actively seeking ways to meet the DOJ's five main objectives: openness, effective processes, proactive disclosures, use of technology where appropriate, and prompt response times. Below you will find explanations of how the FFIEC implements these five objectives in its FOIA program, and specifically, for the current reporting period of March 2018 through February 2019.

The FFIEC is an interagency body supported by a small, full-time administrative staff of 16 professionals. Each Council staff is detailed from one of the five federal member agencies represented on the Council. As reported in the FFIEC Annual FOIA Report the number of FOIA professionals at the FFIEC is the equivalent of 0.10 of a staff person. Despite the small staff size, the FFIEC works diligently to respond to consumer and public inquires (those made under FOIA and the hundreds more that are made outside of FOIA annually) in a timely and transparent manner with the goal of ensuring that all requestors are satisfied with the information/data shared and the efficiency in which it is shared. The FFIEC Chief FOIA Officer designation resides within the role of the FFIEC Executive Secretary, which is the highest position level at the FFIEC. Accordingly, this meets the statutory requirement for the Chief FOIA Officer designation.

The FFIEC does not have any resources of staff or time to conduct outreach and, taking into account our extremely low volume (8 perfected FOIA requests received in FY 2018), spending scarce resources on outreach is not a justifiable expense. The average processing time for simple perfected requests in FY 2018 was five days (mean = 5.12 days). The FFIEC does not have a backlog of simple or complex FOIA requests. The FFIEC applies the foreseeable harm standard but opportunities to release otherwise exempt information did not occur in FY 2018.

The FFIEC FOIA Public Liaison routinely reaches out to the five federal member agencies' FOIA offices to discuss FOIA administration and processing. Also, the FOIA Public Liaison periodically reaches out to FOIA attorneys and FOIA professionals in other government agencies to gather best practices that might apply to the FFIEC's FOIA system. Additionally, during this reporting period, the FFIEC FOIA Public Liaison attended several FOIA-focused training programs.

Training Programs in reporting period:

- American Society of Access Professionals 10th National Training Conference; Arlington, VA; July 23-25, 2018
- Interagency FOIA Workshop regarding the Federal Bureau of Investigation's FOIA Program & Exemption 7; hosted by the Federal Deposit Insurance Corporation, Arlington, VA, Office; conducted by the Federal Bureau of Investigation's Records/Information Dissemination Section, Records Management Division; June 15, 2018
- DOJ OIP's Chief FOIA Officer Council Meeting, Part I; July 19, 2018
- DOJ OIP's Chief FOIA Officer Council Meeting, Part II; October 4, 2018

The FFIEC website was created to serve as a clearing house of FFIEC data and reports for the public to download freely and at no cost. Reports are published on the website routinely and often have an accompanying press release alerting the public of the data availability. In most instances, when a request is made for information not available on our website, it is not available due to the fact that the reports/documents/information requested is owned by one of our member agencies and not an FFIEC record. The FFIEC continually reviews its website to ensure that it presents the most up-to-date information.

Given its small size, the FFIEC website is managed by one of its member agencies, in accordance with

its founding statute. As such, the member agency handles all web postings and the 508 Complaint coding. New data published to the FFIEC website is announced via press releases and RSS feeds when applicable. Additionally, the FFIEC has several "email alert" subscriptions for the public to sign-up for which provides for instant notification when new content is posted to particular web pages of interest. *Federal Register* notices are utilized when the public's comments or engagement is invited for particular outreach and notifications.

The FFIEC is in a multi-year initiative to modernize its website. The modernization goals include maximizing a positive user experience, i.e. ease of locating the information they seek. This initiative will be conducted with the FOIA in mind, including a review of agency records that could be proactively disclosed.

Our continued measures of success in the FOIA program are two-fold: (1) keeping our processing times well below the statutory mandated time of 20 days, and (2) receiving an email from a FOIA requestor expressing their satisfaction with the assistance we were able to provide to them.