**CHIEF FOIA OFFICER’S REPORT**

**NATIONAL COUNCIL ON DISABILITY (NCD)**

**February 1, 2019**

This report has been prepared by Joan Durocher, NCD’s General Counsel and Chief FOIA Officer, in compliance with the “Guidelines for 2019 Chief FOIA Officer Reports” published by the Department of Justice Office of Information Policy. Questions concerning this report can be addressed to my attention by phone at 202-272-2004 or by email at jdurocher@NCD.gov.

NCD’s 2019 Chief FOIA Officer Report addresses the agency’s activities that have occurred from March 2018 through February 1, 2019.

**I. Introduction**

The National Council on Disability (NCD) recognizes that the Freedom of Information Act (FOIA) is a fundamental element of Open Government. By applying a presumption of openness and maintaining effective FOIA operations, NCD seeks to expand the availability of information about the agency’s programs and operations to the public. The following report describes NCD’s continuing efforts to ensure all tenets of FOIA were employed during this reporting period.

During Fiscal Year 2018 NCD received three FOIA requests and all of them were viewed by the FOIA Officer within 24 hours of submission. Additionally, all of them were processed well under the 20-day statutory deadline. All processed FOIA requests were full grants and there were no appeals. Additionally, NCD has ensured that contact information for NCD’s FOIA Officer and FOIA Public Liaison are posted in multiple locations on its website. The reason for the duplicity is to ensure the public can easily access FOIA personnel if needed. Below is a narrative of NCD’s current policies and procedures which uphold the tenets of FOIA. We have not made any modifications to our FOIA policies or process during this reporting period, as our current policy and process are effective.

**II. Presumption of Openness**

NCD continues to release as much information as possible to a requester through a FOIA request. This includes, but is not limited to, redacting material from a document to provide as much of a requested document as possible – rather than not providing the document at all. More importantly, NCD proactively posts information about NCD’s work and correspondence on NCD’s website. By doing so NCD hopes that information that may have required a FOIA request in the past can now readily be accessed by any interested party via our website. For example, the following documents are posted on our website: NCD’s bylaws and statutory authorization; NCD’s Government Performance and Results Act Reports; Congressional Budget Justification Reports; congressional correspondence regarding our disability policy work; Financial Audit Reports; NCD’s strategic plan; correspondence to stakeholders including correspondence to other federal agencies; all NCD policy publications; the minutes from NCD board meetings; as well as NCD’s FOIA policy and procedures for requesters, along with numerous other documents.

**III. Effective System for Responding to Requests**

NCD has specific internal procedures that we follow when a FOIA request is received to ensure that it is addressed and responded to in a timely manner. A requester may submit a request via email or USPS and instructions for filing a FOIA request are available using plain language on our website.

To ensure that all FOIA requests are addressed expeditiously, NCD’s FOIA Officer monitors all incoming FOIA requests and promptly sends an acknowledgment letter to the requester upon receipt. The acknowledgment letter specifically states the data being requested, anticipated time required for retrieval, and contact information for the FOIA Public Liaison if the requester has any questions or concerns.

**IV. Steps Taken to Increase Proactive Disclosures**

NCD’s FOIA Officer monitors all incoming FOIA requests and if a pattern develops regarding specific subject matter, or NCD were to receive 3 similar requests, the FOIA Officer would proactively post those materials in NCD’s FOIA library, with the exception of information that is prohibited by other federal regulations - such as personally identifiable information.

**V. Steps Taken to Greater Utilize Technology**

Our agency publicizes and/or highlights important proactive disclosures for public awareness by using a variety of communication tools. For example, we provide NCD documents and correspondence with stakeholders via Twitter and Facebook.

NCD’s primary means of communication with requesters is via email. Additionally, NCD also provides all FOIA notifications and correspondence via USPS.