

BOARD ACTION MEMORANDUM

TO: NCUA Board **DATE:** November 18, 2016
FROM: Office of General Counsel **SUBJ:** Interim Final
Rule Revising the FOIA
Regulation, Part 792

ACTION REQUESTED: Board approval of the attached interim final rule with a 30-day comment period amending the NCUA's Freedom of Information Act (FOIA) regulation at 12 CFR Part 792, pursuant to the FOIA Improvement Act of 2016 (FOIA Act).

DATE ACTION REQUESTED: December 15, 2016

OTHER OFFICES CONSULTED: N/A.

VIEWS OF OTHER OFFICES CONSULTED: N/A.

BUDGET IMPACT, IF ANY: None.

SUBMITTED TO INSPECTOR GENERAL FOR REVIEW: Yes.

RESPONSIBLE STAFF MEMBERS: Regina Metz, Senior Staff Attorney, and Linda Dent, Associate General Counsel, Administrative Law Section, Office of General Counsel.

SUMMARY: The interim final rule amends 12 CFR Part 792 of NCUA's regulations in accordance with the FOIA Act, signed into law by President Obama on June 30, 2016. The FOIA Act requires agencies to review their FOIA regulations, and by no later than December 27, 2016, issue regulations pertaining to various elements of their FOIA programs. Accordingly, the interim final rule establishes new procedures for NCUA for disclosing records under the FOIA, and for resolving disputes through the FOIA Public Liaison and the Office of Government Information Services within the National Archives and Records Administration.

RECOMMENDED ACTION: Board approval of the attached interim final rule with a 30-day comment period.

ATTACHMENT: Interim final rule.