

Government of the District of Columbia
Office of the Secretary of the District of Columbia



Stephanie D. Scott, Ph.D.
Acting Secretary of the District of Columbia

January 31, 2007

The Honorable Vincent Gray
Chairman, Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Suite 506
Washington, DC 20004

The Honorable Carol Schwartz
Chairperson, Committee on Workforce Development
and Government Operation
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Suite 506
Washington, DC 20004

Re: FY 2005 District of Columbia Freedom of Information Act Report

Dear Chairman Gray and Chairperson Schwartz:

Pursuant to the District of Columbia Freedom of Information Act ("FOIA" or "ACT") D.C. Official Code §§ 2-531 *et seq.* (2001 and 2005 Supp.), enclosed is the report of public information disclosure activities of the District of Columbia public bodies. To the extent that a public body does not report to the Mayor, information pertaining to that body may not be reflected in this report.

The report covers the period October 1, 2005 through September 30, 2006 and contains data responsive to the annual reporting requirements mandated by the FOIA to the extent available. Please note that it has been difficult to verify that the records we have been able to locate are the complete records from the prior administration. This report includes the following:

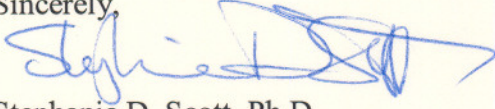
- (1) The number of requests for record received by the public body;
- (2) The number of requests for records pending before the public body as of September 30, 2005, and the median number of days that the requests had been pending the public body on that date;
- (3) The dispositions of requests for records made by each public body;
- (4) The reasons provided by the public body to deny requests records;
- (5) The number of request processed within 15 days, the number of requests processed between 16 and 25 days, and the number of requests processed in 26 days or more;
- (6) The median number of days taken by the public body to process requests, and the average (mean) number of days taken by the public body to process requests;¹
- (7) The number of hours that staff devoted to processing requests for records, and the total amount expended by the public body in processing these request;
- (8) The total amount of fees collected by the public body for processing requests, and the total amount of fees waived by the public body;
- (9) The number of employees found guilty of a misdemeanor pursuant to section 207(d) of the Act (D.C. Official Code § 2-537(d); and
- (10) A qualitative description or summary statement, and conclusions drawn from the data regarding compliance with this subchapter.

The enclosed report also includes details concerning the number of appeals received pursuant to section 207 of the Act (D.C. Official Code § 2-537(a), the results of the appeals, and the reason(s) for the action upon each appeal that resulted in a denial of information.

Additional fiscal year 2006 data will be added to this report as it becomes available. If you have any questions or concerns regarding the report, please contact Thorn Pozen, Special Counsel, Office of the Attorney General. John Wilson Building, 1350 Pennsylvania Avenue, NW, Washington, D.C. 20004. Mr. Pozen's electronic mail address is Thorn.Pozen@dc.gov.

¹ Please note that the average number of days taken by the public body to process requests for records is a statistic that is not required by the FOIA but has been included in the report with the median number of days to give more statistical data concerning public bodies' compliance with the statutory time period.

Sincerely,



Stephanie D. Scott, Ph.D.

Enclosures

Cc: The Honorable Marion Barry
 The Honorable Kwame R. Brown
 The Honorable David Catania
 The Honorable Mary Cheh
 The Honorable Jack Evans
 The Honorable Jim Graham
 The Honorable Phil Mendelson
 The Honorable Harry Thomas, Jr.
 The Honorable Tommy Wells
 Tené Dolphin, Chief of Staff, Executive Office of the Mayor
 Peter Nickles, General Counsel, Executive Office of the Mayor
 Thorn Pozen, Special Counsel, Office of the Attorney General

FISCAL YEAR 2006
DISTRICT OF COLUMBIA
FREEDOM OF INFORMATION ACT

**UNIFORM FORMAT FOR THE SUBMISSION OF THE
ANNUAL FREEDOM OF INFORMATION ACT REPORT FOR FISCAL YEAR 2006
October 1, 2005 through September 30, 2006**

(Please type)

Report Submitted by: Stephanie D. Scott
Title: Acting Secretary of the District of Columbia
Telephone Number: (202) 727-6306

BASIC INFORMATION REGARDING REPORT

Number of Public Bodies Reporting FOIA Disclosure Activities 54

PROCESSING OF FOIA REQUESTS

Name, Title and Telephone Number of FOIA Officer:

Number of FOIA Requests Received During Reporting Period	4,861
Number of FOIA Requests Pending on September 30 of the Preceding Reporting Period	338
Median Number of Days FOIA Requests Pending at the end of the Preceding Fiscal Year	0

DISPOSITION OF FOIA REQUESTS

Number of Requests Granted, in whole	3,070
Number of Requests Granted, in Part, Denied, in Part	720
Number of Requests Denied, in whole	115
Number of Requests Withdrawn	59
Number of Requests Referred or Forwarded to Other Public Bodies ¹	175
Other Disposition	78

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION
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1. Exemption 1 - D.C. Official Code § 2-534(a)(1)	44
2. Exemption 2 - D.C. Official Code § 2-534(a)(2)	764
3. Exemption 3 - D.C. Official Code § 2-534(a)(3)	

¹ This number only reflects the number of requests referred or forwarded to another public body as the only and final disposition of that request. The requests that are processed within the public body and resulted in a grant, denial or partial grant/denial as well as a referral are not included in this number.

a. Subcategory (A)	204
b. Subcategory (B)	212
c. Subcategory (C)	1,222
d. Subcategory (D)	11
e. Subcategory (E)	4
f. Subcategory (F)	1
4. Exemption 4 - D.C. Official Code § 2-534(a)(4)	35
5. Exemption 5 - D.C. Official Code § 2-534(a)(5)	9
6. Exemption 6 - D.C. Official Code § 2-534(a)(6)	
a. Subcategory (A)	69
b. Subcategory (B)	15
7. Exemption 7 - D.C. Official Code § 2-534(a)(7)	2
8. Exemption 8 - D.C. Official Code § 2-534(a)(8)	0
9. Exemption 9 - D.C. Official Code § 2-534(a)(9)	5
10. Exemption 10 - D.C. Official Code § 2-534(a)(10)	0
11. Exemption 11 - D.C. Official Code § 2-534(a)(11)	0
12. Exemption 12 - D.C. Official Code § 2-534(a)(12)	0

TIME-FRAMES FOR PROCESSING FOIA REQUESTS

Number of FOIA Requests Processed Within 15 days	3,036
Number of FOIA Requests Processed Between 16 and 25 days	497
Number of FOIA Requests Processed in 26 days or more	643
Median Number of Days to Process FOIA Requests	24
Average (mean) Number of Days to Process FOIA Requests	26

RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS
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Number of Hours Staff Devoted to Processing FOIA Requests	15,527
Total Dollar Amount Expended by Public Body for Processing FOIA Requests	\$33,190.63

FEES FOR PROCESSING FOIA REQUESTS
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Total Amount of Fees Collected by Public Body	\$27,991.37
Total Amount of Fees Waived by Public Body	\$47,184.40

PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA

Number of Employees Found Guilty of a Misdemeanor for Arbitrarily or Capriciously Violating Any Provision of the District of Columbia Freedom of Information Act	<u>0</u>
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QUALITATIVE DESCRIPTION OR SUMMARY STATEMENT

Pursuant to section 208(a)(9) of the D.C. FOIA, provide in the space below or as an attachment, “[a] qualitative description or summary statement, and conclusions drawn from the data regarding compliance [with the provisions of the Act].”

Public Body	PROCESSING FOIA REQUESTS			DISPOSITION OF FOIA REQUESTS					
	Number of Requests FY06	Number of Requests Pending at End of FY 05	Median Number of Requests Pending at End of FY 06	Number of Requests Granted	Number of Requests Partially Granted	Number of Requests Denied	Number of Requests Withdrawn	Number of Requests Referred	Other Disposition of Requests
OUC	101	0	0	101	0	0	0	0	0
CAB	1	0	0	1	0	0	0	0	0
DHCD	5	1	28	15	1	0	0	0	0
DCLOTTERY	17	1	0	17	1	0	0	0	0
PFRRB	0	0	0	0	0	0	0	0	0
DCARTS	1	0	0	1	0	0	0	0	0
DISB	127	3	3	81	2	7	11	12	14
OIG	47	1	8	5	34	7	1	0	0
ABRA	129	0	0	128	0	0	1	0	0
OZ	1	0	0	1	0	0	0	1	0
DYRS	4	0	0	0	2	0	0	2	0
OCFO	61	10	10	17	9	4	5	1	14
DOES	25	2	2	6	11	0	7	0	1
OPCOMPLAINTS	446	16	16	123	276	28	3	0	16
FEMS	1344	16	16	1048	296	1	0	13	0
PSC	1	0	0	1	0	0	0	0	0
OHR	48	1	1	28	7	9	0	5	0
OCTT	0	0	0	0	0	0	0	0	0
DCSEC	5	1	1	0	5	0	0	0	0
DCPS	78	7	10	64	2	7	2	1	0
EOM	6	0	0	4	2	0	0	1	0
COUNCIL	13	2	2	13	0	0	0	0	0
TOTALS	4939	345	0	3134	722	162	61	176	78