

GOVERNMENT OF THE DISTRICT OF COLUMBIA

---

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Memorandum 2007-5  
November 29, 2007

TO: All Agency and Department Heads and Designated FOIA Officers

ORIGINATOR: Stephanie D. Scott, Secretary of the District of Columbia



SUBJECT: Annual District of Columbia Freedom of Information Act Report

In accordance with the District of Columbia Freedom of Information Act<sup>1</sup> (D.C. FOIA), the Mayor of the District of Columbia is required to submit to the Council of the District of Columbia by February 1 an annual report of the FOIA disclosure activities of each "public body" (agency) of the DC government for the most recent fiscal year. This memo is to request that your agency provide us with your FY2007 FOIA report so we can prepare the Mayor's report to the Council.

Each agency is required to report the following items using the attached form:

1. The number of FOIA requests received and the number of requests completed<sup>2</sup>;
2. The number of requests for records that had not yet been completed by September 30, 2007;
3. The average<sup>3</sup> number of days that unfilled requests have been pending before each public body as of September 30, 2007 (i.e. of the incomplete requests, how long had they been waiting for a response, on average?);
4. The number of determinations made by each agency not to comply with requests for records and the reasons for each determination;
5. The number of requests completed within fifteen (15) days;
6. The number of requests completed between sixteen (16) to twenty-five (25) days;
7. The number of requests completed in twenty-six (26) days or more;
8. The average<sup>3</sup> number of days taken by each agency to complete requests;
9. The total amount of fees collected by each agency for processing requests;
10. The number of hours that staff devoted to processing requests for records, and the total cost expended by each public body for processing such requests; and
11. The number of employees found guilty of a misdemeanor for arbitrarily and capriciously violating any provision of the D.C. FOIA;

---

<sup>1</sup> Section 208 of the District of Columbia Freedom of Information Act of 1976, D.C. Official Code § 2-538 (2001), as amended by D.C. Law 13-283, the "Freedom of Information Amendment Act of 2000," effective April 27, 2001

<sup>2</sup> "Completed" means that the requested information was delivered or that the request was denied in writing.

<sup>3</sup> DC FOIA requires the "median" number of days, but we would like to report the "mean" as it is a more useful statistic here.

Attached is the standard form that all District agencies (public bodies) must use to report FOIA disclosures to facilitate the preparation of the annual report. Please answer all questions on the attached form for the reporting period October 1, 2006 through September 30, 2007.

**Each public body's FOIA officer will be emailed the attached form to be returned via e-mail to Erica Easter at [erica.easter@dc.gov](mailto:erica.easter@dc.gov) no later than Friday, December 28, 2007.** Using this PDF version is the best way to ensure accuracy and timeliness as we create the final report.

If you have any questions or concerns regarding the annual report required by the D.C. FOIA, please contact Thorn Pozen, Freedom of Information Act Officer, Office of the Attorney General, at (202) 724-0872 or [thorn.pozen@dc.gov](mailto:thorn.pozen@dc.gov), or Erica Easter, Chief of Staff, Office of the Secretary, Executive Office of the Mayor, at (202) 727-6306 or [erica.easter@dc.gov](mailto:erica.easter@dc.gov).

Attachments:

As stated.

UNIFORM FORMAT FOR THE SUBMISSION OF THE ANNUAL FREEDOM OF INFORMATION ACT REPORT FOR FISCAL YEAR 2007 October 1, 2006 through September 30, 2007

(Please type)

PROCESSING OF FOIA REQUESTS

Name, Title and Telephone Number of FOIA Officer:

Number of FOIA requests received during reporting period
Number of FOIA requests pending on October 1, 2006
Number of FOIA requests pending on September 30, 2007
The average number of days unfilled requests have been pending before each public body as of September 30, 2007

DISPOSITION OF FOIA REQUESTS

Number of requests granted, in whole
Number of requests granted, in part, denied, in part
Number of requests denied, in whole
Number of requests withdrawn
Number of requests referred or forwarded to other public bodies
Other disposition

NUMBER OF REQUESTS THAT RELIED UPON EACH FOIA EXEMPTION

- 1. Exemption 1 - D.C. Official Code § 2-534(a)(1)
2. Exemption 2 - D.C. Official Code § 2-534(a)(2)
3. Exemption 3 - D.C. Official Code § 2-534(a)(3)
a. Subcategory (A)
b. Subcategory (B)
c. Subcategory (C)
d. Subcategory (D)
e. Subcategory (E)
f. Subcategory (F)

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.

- 4. Exemption 4 - D.C. Official Code § 2-534(a)(4) .....
- 5. Exemption 5 - D.C. Official Code § 2-534(a)(5).....
- 6. Exemption 6 - D.C. Official Code § 2-534(a)(6).....
- a. Subcategory (A).....
- b. Subcategory (B).....
- 7. Exemption 7 - D.C. Official Code § 2-534(a)(7).....
- 8. Exemption 8 - D.C. Official Code § 2-534(a)(8).....
- 9. Exemption 9 - D.C. Official Code § 2-534(a)(9).....
- 10. Exemption 10 - D.C. Official Code § 2-534(a)(10).....
- 11. Exemption 11 - D.C. Official Code § 2-534(a)(11).....
- 12. Exemption 12 - D.C. Official Code § 2-534(a)(12).....

**TIME-FRAMES FOR PROCESSING FOIA REQUESTS**

- Number of FOIA requests processed within 15 days.....
- Number of FOIA requests processed between 16 and 25 days.....
- Number of FOIA requests processed in 26 days or more.....
- Average (mean) number of days to process FOIA Requests<sup>2</sup>.....

**RESOURCES ALLOCATED TO PROCESSING FOIA REQUESTS**

- Number of Hours Staff Devoted to Processing FOIA Requests.....
- Total dollar amount expended by public body for processing FOIA requests.....

**FEES FOR PROCESSING FOIA REQUESTS**

- Total amount of fees collected by public body.....

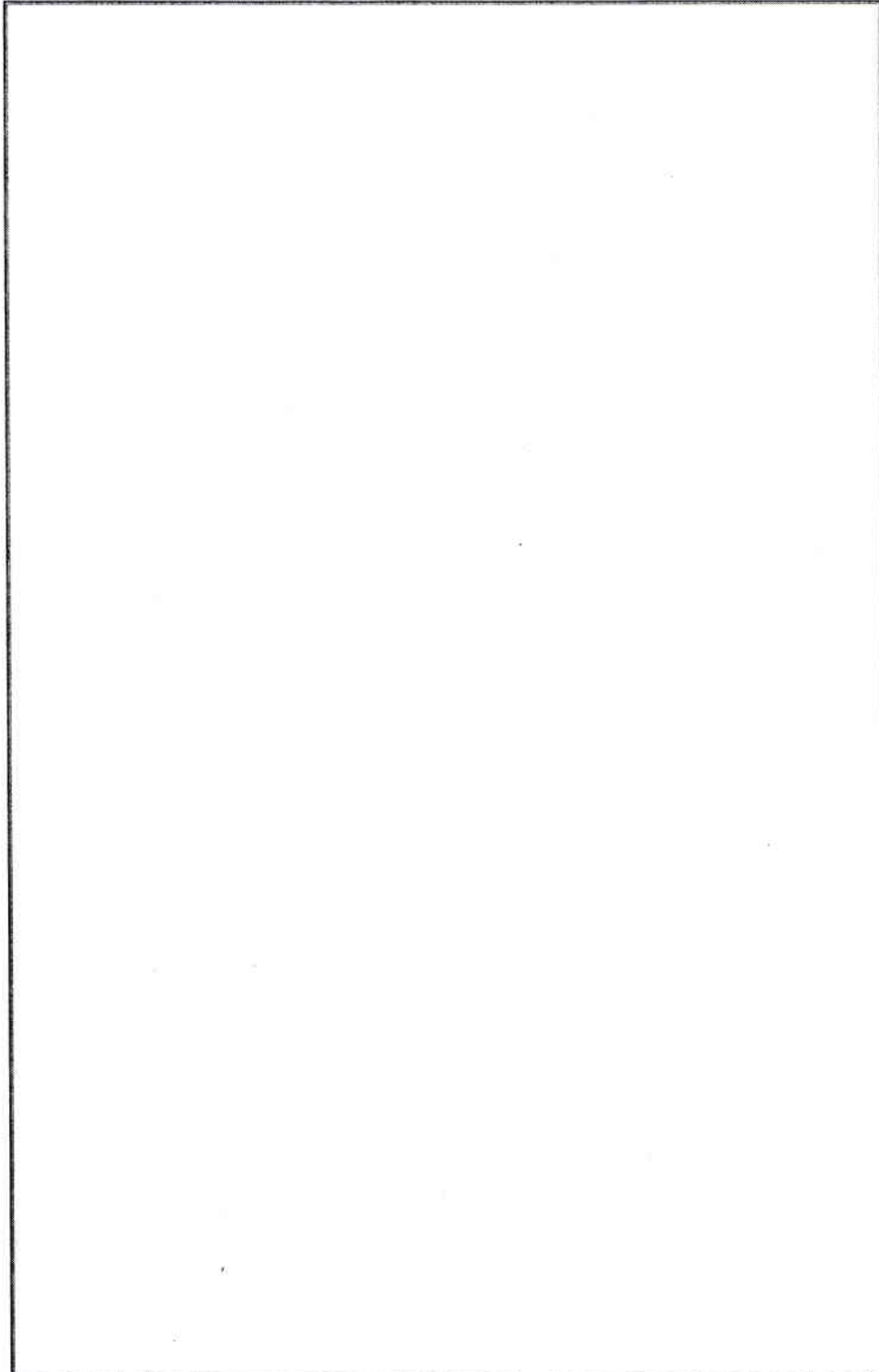
**PROSECUTIONS PURSUANT TO SECTION 207(d) OF THE D.C. FOIA**

- Number of employees found guilty of a misdemeanor for arbitrarily or capriciously violating any provision of the District of Columbia Freedom of Information Act .....

<sup>2</sup> The Freedom of Information Amendment Act of 2000 requests the median number of days to process FOIA requests. We have provided the average number of days instead of the median number of days as it more reasonably reflects response to FOIA requests.

**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].”

A large, empty rectangular box with a thin black border, intended for the user to provide a qualitative description or summary statement as required by the text above.