

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Memorandum 2008-4

December 2, 2008

TO: All Department and Agency 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 Act¹ (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 D.C. government for the most recent fiscal year. This memo is to request that your agency provide us with your FY2008 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 completed²;
2. The number of requests for records that had not yet been completed by September 30, 2008;
3. The average³ number of days that unfilled requests have been pending before each public body as of September 30, 2008 (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 average³ 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;

¹ 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

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

³ 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, 2007 through September 30, 2008.

Each public body's Department Head or FOIA officer will be e-mailed the form to be returned via e-mail to Erica Easter at erica.easter@dc.gov no later than Wednesday, December 31, 2008. 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, or Erica Easter, Chief of Staff, Office of the Secretary, Executive Office of the Mayor, at (202) 727-6306 or erica.easter@dc.gov.

Attachments: To be e-mailed.