

# **2016 Chief FOIA Officer Report<sup>1</sup>**

## **National Capital Planning Commission**

**Chief FOIA Officer: Anne R. Schuyler, General Counsel**

### **I. Steps Taken to Apply the Presumption of Openness**

#### **FOIA Training**

1-2. During the reporting period, there was only one National Capital Planning Commission (NCPC) staff person – the Chief FOIA Officer -- involved in the FOIA Process, and she did not attend any FOIA formal training.

3. NCPC receives few requests and they are all simple. Training beyond that taken by the Chief FOIA Officer would serve little purpose.

#### **Outreach**

No response required.

#### **Discretionary Releases**

4-7. NCPC has no formal process in place to review records for discretionary release. With the exception of deliberative documents and written legal advice, NCPC is very transparent about its work. However, even deliberative documents are carefully examined with an eye toward discretionary disclosure, and are withheld only if the document at issue meets the criteria of the exemption and the agency is at risk for premature disclosure.

8. NCPC did not have an opportunity to make any discretionary releases.

#### **Other Initiatives**

9. NCPC is currently updating its website to improve efficiency of use and make it more user friendly. The update also include, among others, efforts to include more information of interest to the public.

### **II. Steps Taken to Ensure that The Agency Has an Effective System in Place for Responding to Requests.**

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<sup>1</sup> This report addresses those questions for smaller volume agencies because the NCPC received less than 1,000 FOIA requests during the reporting period, March 1, 2015 – February 1, 2016. In actual numbers, NCPC received 5 FOIA requests during the reporting period and three requests during FY 2015.

### Processing Procedures

- 1-2. During FY 2015, NCPC did not receive any requests for expedited processing.
3. NCPC had no need to send any “still interested” inquiries. The agency responded to all requests received during the reporting period in a prompt, timely manner.

### D. Requester Services

4. NCPC has no need to strengthen services to better inform requesters about their requests because of low demand and quick response times.
5. NCPC’s FOIA system consistently operates effectively and efficiency

## **III. Steps Taken to Increase Proactive Disclosures**

### Posting Materials

1. The Chief FOIA Officer maintains the Agency’s FOIA logs such that it would be readily apparent if the same documents have been requested more than once.
2. The Chief FOIA Officer works in close contact with all agency personnel to ensure timely posting of materials of interest to the public which are potential subjects of a formal FOIA request. This interaction is facilitated by the small size of the agency (31 full time employees). The Chief FOIA Officer is intimately involved in all important issues confronting the agency issues because of her full time position as General Counsel (GC) and staff’s consistent involvement of the GC in their work.
3. NCPC made no proactive disclosures during the reporting period.
4. NCPC has not encountered any challenges that make it difficult to post records the agency would like to post.
5. N/A because there were no challenges.
6. N/A because there were no agency proactive postings.
7. N/A because there were no agency proactive postings.

### Other Initiatives

5. There were no steps taken during the reporting period to increase proactive disclosures because there was nothing to be proactively disclose.

## **IV. Steps Taken to Greater Utilize Technology**

### Making Material Posted Online More Useful

1-2. NCPC's websites is undergoing a complete update. The update will make the website more user friendly, improve the search capability, and make information available through mobile applications. The NCPC's Office of Public Engagement also seeks feedback on the content and presentation of posted materials and will continue doing so going forward. Further, NCPC seeks out useful sites that allow for more proactive public comment opportunities on posted materials, e.g. Mind-mixer.

#### Use of Technology to Facilitate Processing of Requests

No response required.

#### Other Initiatives

3. NCPC posted all four quarterly reports for FY 2015.
4. N/A because NCPC posted all four quarterly reports for FY 2015.
5. NCPC utilizes e-mail as a means of communication with FOIA requesters. Most, if not all, of NCPC's FOIA requests are transmitted by e-mail, and NCPC responds in-kind. NCPC also uses e-mail to clarify and perfect requests if and as necessary.
6. N/A

### **Section V. Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs**

#### Simple Tract

1. NCPC utilizes a separate track for simple requests.
2. The average number of days to process a request for FY 2015 was 20 working days or fewer. The actual average number of days for NCPC to process a simple request was 6.5 days.
3. One hundred percent (100%) of NCPC processed FOIA requests for FY 2015 fell into the simple tract category.
4. N/A

#### Backlogged Requests

5. NCPC did not have a backlog of requests at the close of FY 2015. It also had no backlog of requests in FY 2014.
6. N/A
7. N/A

#### Backlogged Appeals

8. NCPC did not have a backlog of appeals at the end of FY 2015. It also had no backlog of appeals at the end of FY 14.

9-10. NA

#### Backlog Reduction Plans

No response required nor is there any need for a plan.

#### Status of Ten Oldest Requests, Appeals, and Consultations

11. In FY 2015, NCPC did not have any requests pending and carried over from FY 2014.

11-13. N/A

#### Ten Oldest Appeals

14. In FY 2015, NCPC did not have any appeals pending and carried over from FY 2014.

15. N/A

#### Ten Oldest Consultations

16. In FY 2015, NCPC did not have any consultations pending and carried over from FY 2014.

17. N/A

#### Additional Information on Ten Oldest Requests, Appeals, and Consultations

18-20. This question is N/A because NCPC did not have any back log of requests, appeals or consultations carried over from FY 2014 into FY 2015.

#### Interim Responses

No response required.

NCPC did not invoke any statutory law enforcement exclusions during FY 2015.

#### Success Story

No response required.