

Chief FOIA Officer's Report – National Capital Planning Commission

January 22, 2010

NCPC submits this report in response to the request in the United States Department of Justice Office of Information Policy email of September 30, 2009. The report has been prepared by Lois Schiffer, Chief FOIA Officer, NCPC.

I. Steps Taken to Apply the Presumption of Openness.

1. NCPC is a small agency with 42 regular employees and Commissioners, 5 of them Special Government Employees (the others are ex officio members). As NCPC's Chief FOIA Officer, I am responsible for reading, reviewing, and responding to all FOIA requests. I have read and understand the President's FOIA memorandum and Attorney General's FOIA guidelines and carry them out as I respond to FOIA requests. Since the President's directive was issued, NCPC has not withheld all or any portion of a requested responsive document.
2. As of FY 2007 to the present, NCPC has not withheld any document or portion of a document that was responsive to a FOIA request.

II. Steps Taken to Ensure that NCPC has an Effective System for Responding to Requests.

NCPC's system for responding to requests is that the request is forwarded to the Chief FOIA officer, who reviews the request, assures that it is logged into NCPC's computer tracking system, then determines whether NCPC has any responsive documents and if so what they are. We have consistently responded within a few days of the request. Marcella Brown, NCPC's Information Resource Specialist, assists in tracking FOIA requests and is aware of the Presidential Directive and Justice Department Memorandum. Since we have so few requests (13 in FY 2007, 15 in FY 2008, 8 in FY 2009), and since the Chief FOIA Officer handles them, NCPC has no "broad spectrum of agency personnel who work with FOIA professionals in responding to requests."

III. Steps Taken to Increase Proactive Disclosures

NCPC has just developed and made publicly available an updated website. Staff has worked with the website developers to increase the emphasis on public participation and to make available both additional current documents and a greater number of historical agency documents. Examples of additional material provided since issuance of the new FIOA Guidelines include a list of Environmental Assessments and Environmental Impact Statements available at NCPC.

IV. Steps Taken to Greater Utilize Technology.

1.) Does your agency currently receive requests electronically.

NCPC receives requests electronically. During FY 2009, of the 8 requests NCPC received, several were received electronically.

2.) If not, what are the current impediments to your agency establishing a mechanism to receive requests electronically.

n/a

3.) Does your agency track requests electronically.

Yes.

4.) If not, what are the current impediments to your agency utilizing a system to track requests electronically.

n/a

5.) Does your agency use technology to process requests.

No.

6.) If not, what are the current impediments to your agency utilizing technology to process requests.

The number of requests to NCPC is so small that using an electronic system for responding is unnecessary and would not be cost-effective.

7.) Does your agency utilize technology to prepare you agency Annual FOIA Report.

No.

8.) If not, what are the current impediments to your agency utilizing technology in preparing your Annual FOIA Report.

The number of requests to NCPC is so small that using an electronic system for responding is unnecessary and would not be cost-effective.

V. Steps Taken to Reduce Backlogs and Improve timeliness of Responding to Requests

1. NCPC has no backlog. We have responded to every request filed during FY 2007 through FY 2009 in a median of 2 or fewer days, and for all requests in FY 2008 and FY 2009 in no more than 2 days.
2. If there has not been a reduction in the backlog describe why that has occurred and what steps your agency is taking to bring about a reduction.

n/a

3. Describe the steps your agency is taking to improve timeliness in responding to requests and to administrative appeals.

Because NCPC has no problem with timeliness in responding to requests, and because NCPC has had no administrative appeals since FY 2006, we are not taking further steps to improve timeliness.