

MINUTES
ADMINISTRATION COMMITTEE
May 12, 2005

The Board's Administration Committee (hereinafter referred to as "Committee") convened at 11:20 am, May 12, 2005. Present were:

COMMITTEE MEMBERS

Charles Deegan, Chairman
Dana Kauffman
Marcell Solomon
Gordon Linton

OTHER BOARD MEMBERS

Gladys Mack
Robert Smith
Christopher Zimmerman

I. Agenda:

The Committee requested that the action item on proposed changes to the Procurement Policy Statement on today's agenda be moved to the July, 2005 meeting. The Committee desired the input of the Jurisdictional Coordination Committee (the JCC) prior to proceeding to hear staff's proposed changes.

II Minutes:

The minutes of the March 31, 2005 meeting were approved without objection.

III Action Item

The Committee received staff recommendations on changes to the Public Access to Records Policy (known as the "PARP") and on a new Privacy Act Policy. The purpose of these two policies is to make "public information public and keep private information private". Staff recommended amending the PARP to more closely align it with the Federal Freedom of Information Act ("FOIA") and federal practice.

Amended PARP

- Reaffirms policy of providing public access to WMATA's records.
- Adds disputes procedures including an internal administrative hearing and judicial review, including award of costs to substantially-prevailing plaintiff.
- Aligns exemptions from disclosure with federal FOIA. For example, PARP 6.1.4 discards former extra protection for WMATA-generated business information in favor of fully adopting federal FOIA exemption 4.
- Adds two exemptions beyond federal FOIA to protect individual SmarTrip and financial information from disclosure except in limited circumstances.
- Tightens time frame for providing requested documents.
- Establishes discipline and reporting requirements.

Proposed Privacy Policy

- Prohibits disclosure of personal information without written permission of the subject of the information, unless an exception applies.
- Law enforce exceptions limits disclosure to head-of-agency requests from federal, state and local entities with jurisdiction within the Transit Zone, except in emergencies.
- Requires WMATA to provide a privacy act statement when it collects personal information from an individual.
- Allows individuals to review, amend and/or disagree with facts contained in records.
- Provides that employees will be disciplined for unauthorized access or use of personal information and requires confidentiality statements.
- Authorizes court action for declaratory or injunctive relief for violations of policy, following administrative appeal.

In order to complete all necessary training and administrative aspects of the new PARP and Privacy policies, the new policies will become effective October 1, 2005.

Mr. Zimmerman moved approval of this item, seconded by Mr. Linton and the motion passed unanimously.

The meeting adjourned at 12:20 pm.