

Washington Metropolitan Area Transit Authority  
Public Access to Records Policy ("PARP") Quarterly Report  
January 1, 2017 – March 31, 2017

WMATA's Office of General Counsel submits the following information to the General Manager/Chief Executive Officer in accordance with PARP § 11.1:

**I. Basic Information Regarding the PARP and the Quarterly Reports**

The PARP was enacted in accordance with WMATA's interstate compact and, as such, carries the force of law. See D.C. Code Ann § 9-1107.01(12).

The text of the PARP is available in its entirety on WMATA's web site at <https://www.wmata.com/about/records/public-records.cfm> under the section marked, "Legal Affairs."

All quarterly PARP reports dated from October 1, 2005, to the present are available on WMATA's web site at <https://www.wmata.com/about/records/public-records.cfm>, under the section marked "Public Access to Records Quarterly Reports."

**II. How To Submit a PARP Request**

A. **By mail at:** Washington Metropolitan Area Transit Authority  
Office of General Counsel  
600 Fifth Street NW  
Washington, DC 20001

RE: PARP Request

B. **By email at:** [PARP@wmata.com](mailto:PARP@wmata.com)

C. **By facsimile (fax) at:** (202) 962-2550

For complete information regarding filing requirements, please see PARP § 7.0, which is available on WMATA's web site at <https://www.wmata.com/about/records/>.

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**III. Key Definitions**

1. **First Quarter (1Q) 2017** – the period from January 1, 2017, to March 31, 2017, inclusive.
2. **PARP Request** – a written statement requesting WMATA records under the PARP.
3. **Processed Request** – a PARP request for which WMATA has taken final action.
4. **Processing Time** – the duration that a PARP request has remained pending.
5. **Backlog Request** – a pending PARP request that has exceeded the prescribed time for a response.
6. **Expedited Request** – a PARP request that is taken out of order for priority processing because of circumstances in which the lack of expedited treatment could be reasonably expected to pose an imminent threat to the life or physical safety of an individual, or because of an urgent need to inform the public about an actual or alleged WMATA activity in accordance with PARP § 7.10.2 b (ii).
7. **Media Request** – a PARP request submitted on behalf of an entity whose primary activity involves publishing or otherwise disseminating information to the general public to the extent records are requested for a news story.
8. **Routine Request** – a PARP request that requires less than 2 hours of staff time to process (e.g., a request for an incident report or SmarTrip® data).
9. **Complex Request** – a PARP request that generates voluminous records (totaling more than 200 pages), or requires coordination with multiple stakeholders within or outside WMATA.
10. **Working Days** – excluding weekends and federal holidays.
11. **Component** – an internal WMATA department or office involved in processing PARP requests.
12. **External Stakeholder** – an entity outside WMATA (generally a requester or third-party contractor) involved in processing PARP requests.
13. **Critical Interim Action** – a condition that must be met by an external stakeholder before processing of a PARP request can commence or continue.
14. **Exemption** – a category of records that is not subject to release under the PARP.
15. **Full Grant** – a completely favorable response to a PARP request, culminating in the release of all requested records without redaction.
16. **Partial Grant** – a less than completely favorable response to a PARP request, which excludes information determined to be fall under one or more prescribed exemptions.
17. **Denial** – an unfavorable response to a PARP request, which does not culminate in the release of any requested records.
18. **PARP Appeal** – a written expression of disagreement with the disposition of a PARP request or a fee waiver decision, accompanied by a petition for administrative review.

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**IV. Quarterly Overview:**

**a. Total Requests**

No. of PARP Requests Pending at Start of 1Q 2017	78
No. of PARP Requests Pending at End of 1Q 2017	90
No. of PARP Requests Received during 1Q 2017	78
No. of PARP Requests Processed during 1Q 2017	66
Avg. Processing Time of PARP Requests Closed in 1Q 2017 (in Working Days)	48

**b. Requests for Expedited Processing**

No. of Requests for Expedited Processing Received during 1Q 2017	7
No. of Requests for Expedited Processing Granted in 1Q 2017	1
No. of Requests for Expedited Processing Denied in 1Q 2017	6
No. of Expedited Requests Pending at Start of 1Q 2017	0
No. of Expedited Requests Pending at End of 1Q 2017	0
No. of Expedited Requests Processed during 1Q 2017	1
Avg. Processing Time of Expedited Requests during 1Q 2017 (in Working Days)	6

**c. Routine and Complex Requests**

No. of Routine PARP Requests Processed during 1Q 2017	18
No. of Complex PARP Requests Processed during 1Q 2017	48
Avg. Processing Time of Routine PARPs during 1Q 2017 (in Working Days)	30
Avg. Processing Time of Complex PARPs during 1Q 2017 (in Working Days)	84

**d. Media Requests**

No. of Media PARP Requests Received during 1Q 2017	8
No. of Media PARP Requests Processed during 1Q 2017	10
Avg. Processing time of Media PARPs during 1Q 2017 (in Working Days)	101

**e. Backlogged Requests**

No. of Backlogged PARP Requests at start of 1Q 2017	58
No. of Backlogged PARP Requests at close of 1Q 2017	52
Avg. Processing Time of Backlog PARPs during 1Q 2017 (in Working Days)	111

**V. Status of Oldest PARP Requests:**

**a. Ten Oldest Pending Requests at start of 1Q 2017**

10. Received 05/2/2016 (175 Business Days)
9. Received 05/2/2016 (175 Business Days)
8. Received 04/28/2016 (177 Business Days)
7. Received 04/11/2016 (190 Business Days)
6. Received 04/01/2016 (196 Business Days)
5. Received 01/13/2015 (253 Business Days)
4. Received 01/05/2015 (259 Business Days)
3. Received 10/22/2015 (312 Business Days)
2. Received 07/27/2015 (375 Business Days)
1. Received 02/24/2015; stayed until 05/04/2016 (166 Business Days) <sup>1</sup>

**b. Ten Oldest Pending Requests at close of 1Q 2017**

10. Received 07/12/2016 (189 Business Days)
9. Received 07/01/2016 (196 Business Days)
8. Received 06/30/2016 (197 Business Days)
7. Received 06/20/2016 (205 Business Days)
6. Received 06/20/2016 (205 Business Days)
5. Received 06/08/2016 (213 Business Days)
4. Received 04/01/2016 (261 Business Days)
3. Received 01/05/2016 (324 Business Days)
2. Received 07/27/2015 (440 Business Days)
1. Received 02/24/2015; stayed until 05/04/2016 (227 Business Days) <sup>2</sup>

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<sup>1</sup> Processing of this complex records request was tolled during a National Transportation Safety Board investigation pursuant to the Independent Safety Board Act of 1974, as amended (49 U.S.C. 1101 et seq.); Federal Aviation Act of 1958, as amended (49 U.S.C. 40101 et seq.); 49 C.F.R. § 831.1349 (“All information concerning the accident or incident obtained by any person or organization participating in the investigation shall be passed to the [Investigator-in-Charge] IIC through appropriate channels before being provided to any individual outside the investigation . . . However, no information concerning the accident or incident may be released to any person not a party representative to the investigation (including non-party representative employees of the party organization) before initial release by the Safety Board without prior consultation and approval of the IIC.”).

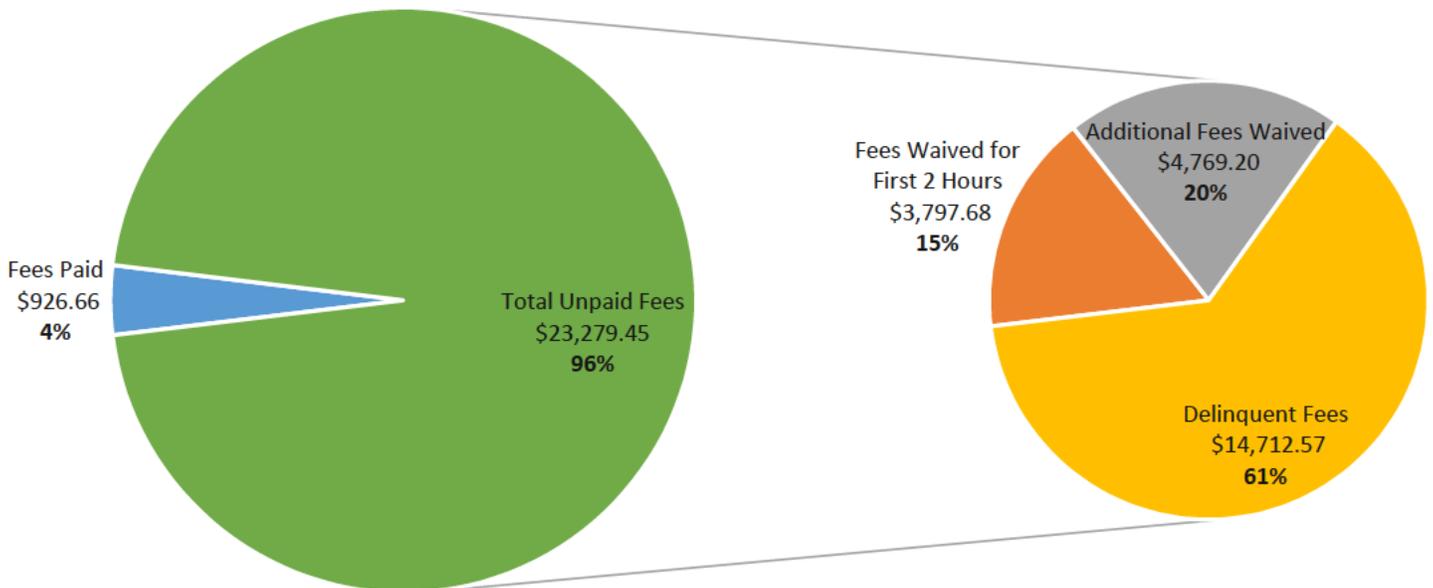
<sup>2</sup> *Id.*

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**VI. Quarterly Fees:<sup>3</sup>**

Fees Paid	\$926.66
Delinquent Fees <sup>4</sup>	\$14,712.57
Fees Waived for First Two Hours of Processing <sup>5</sup>	\$3,797.68
Additional Fees Waived <sup>6</sup>	\$4,769.20
Total Unpaid Fees (Delinquent & Waived)	\$23,279.45
Total Paid and Unpaid Fees	\$24,206.11

**1Q 2017 Fees for All PARP Requests**



<sup>3</sup> Fees are charged for search, review, and duplication of records that are requested for commercial use. See PARP § 8.1.

<sup>4</sup> Refers to fees that have been charged to the requester but remain unpaid; note that the vast majority of these fees (\$14,116.32) were accrued in previous quarters by requesters of records pertaining to WMATA's now-defunct New Electronic Payments Program (NEPP) contract.

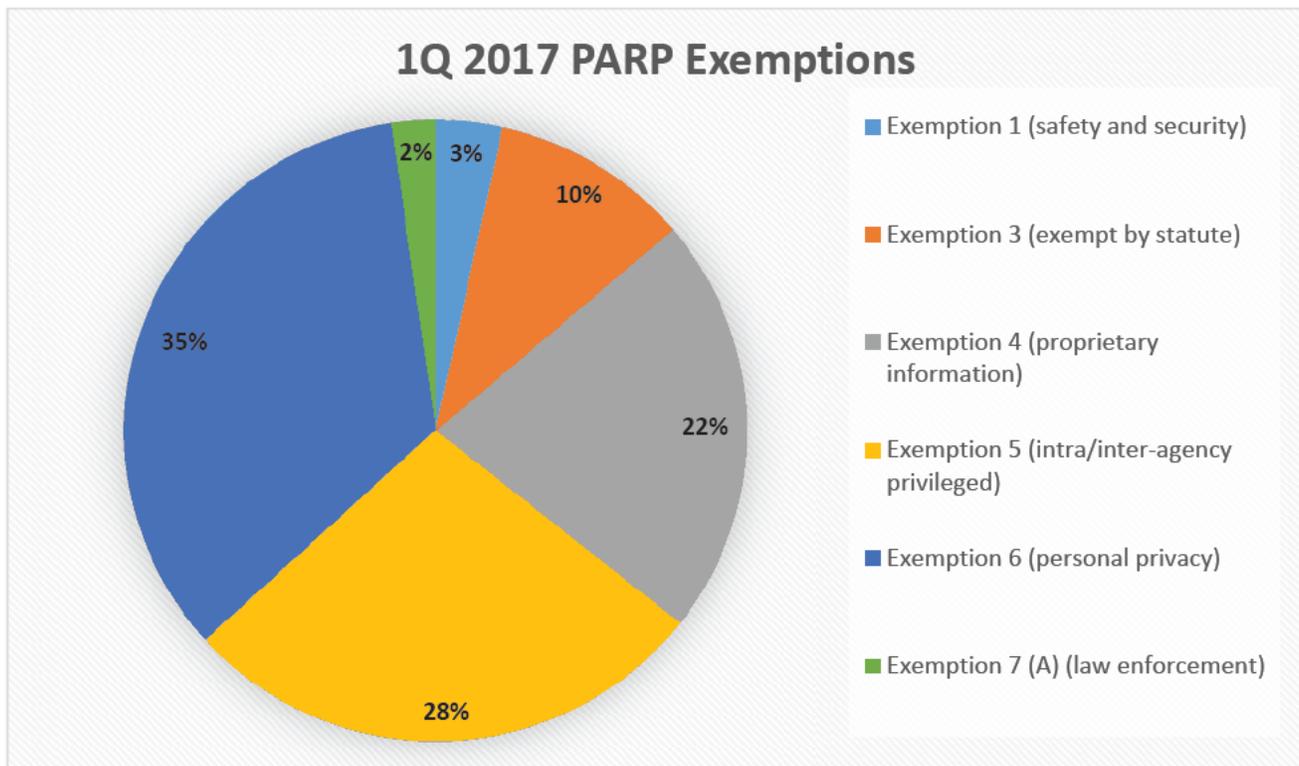
<sup>5</sup> Fees for the initial two hours of processing are waived pursuant to PARP § 8.5.

<sup>6</sup> Refers to additional costs not charged to the requester beyond the initial two hours of processing.

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**VII. Breakdown of PARP Exemptions during 1Q 2017:**

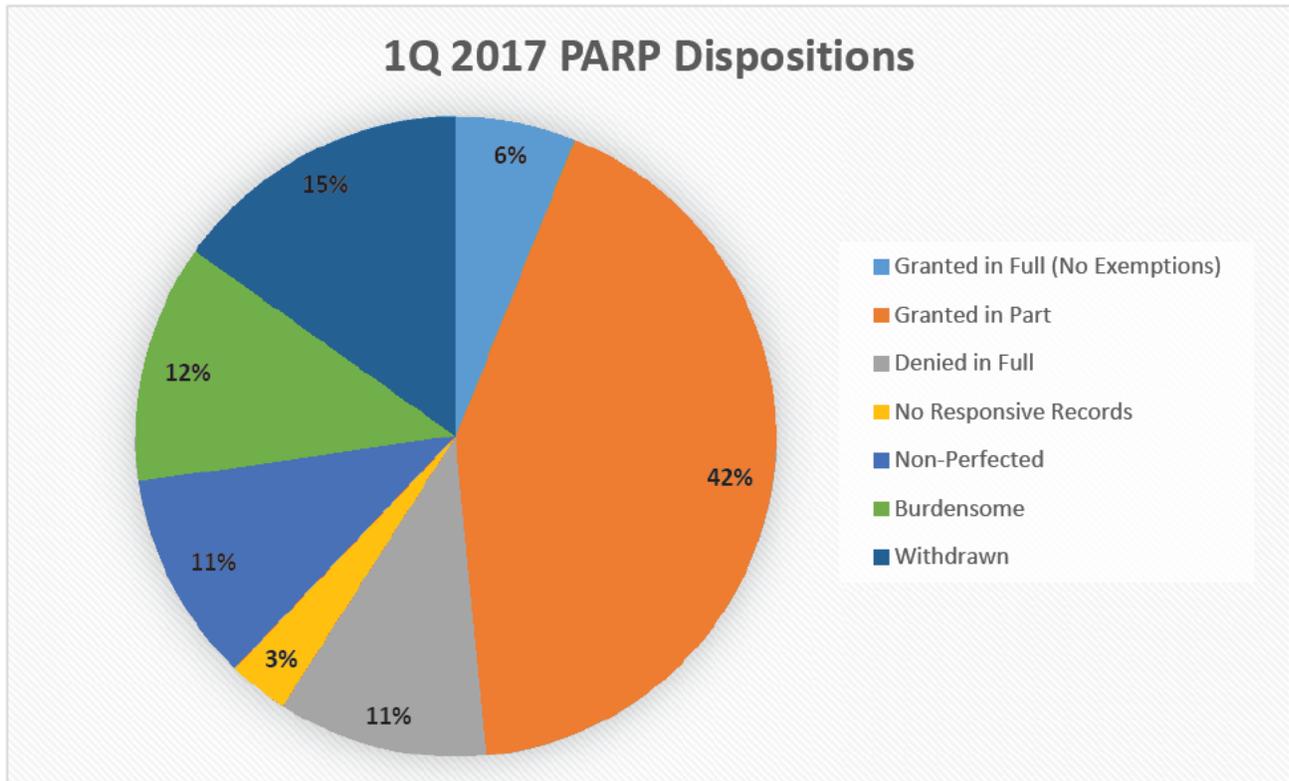
Exemption 1 (safety and security)	3
Exemption 2 (internal personnel rules and practices)	0
Exemption 3 (exempt by statute)	9
Exemption 4 (proprietary information)	19
Exemption 5 (intra/inter-agency privileged)	24
Exemption 6 (personal privacy)	30
Exemption 7 (A) (law enforcement)	2
Exemption 7 (B) (law enforcement)	0
Exemption 7 (C) (law enforcement)	0
Exemption 7 (D) (law enforcement)	0
Exemption 7 (E) (law enforcement)	0
Exemption 7 (F) (law enforcement)	0
Exemption 8 (SmarTrip®)	0
Exemption 9 (customer financial information)	0
Total	87



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**VIII. PARP Request Dispositions for 1Q 2017:**

Granted in Full (No Exemptions)	4
Granted in Part (With Exemptions)	28
Denied in Full (With Exemptions)	7
No Responsive Records	2
Non-Perfected	7
Burdensome (Requester Declined to Narrow)	8
Withdrawn	10
Total	66



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**IX. Staffing Levels:**

Full-time Personnel	3
Part-time or Occasional	1 <sup>7</sup>
Total	4

**X. Appeals:**

**Administrative<sup>8</sup>**

Pending at beginning of 1Q 2017	1
Submitted during 1Q 2017	1
Completed during 1Q 2017	0
Pending at end of 1Q 2017	2

**Judicial<sup>9</sup>**

Pending at beginning of 1Q 2017	2
Submitted during 1Q 2017	0
Completed during 1Q 2017	1
Pending at end of 1Q 2017	1

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<sup>7</sup> Does not include personnel outside of COUN who assist with retrieval and review of records.

<sup>8</sup> The partial grant or denial of a PARP request is subject to administrative appeal. See PARP § 9.1.

<sup>9</sup> Similarly, the partial grant or denial of an administrative appeal is subject to judicial review. See PARP §§ 9.1, 9.3.