

Washington Metropolitan Area Transit Authority
Public Access to Records Policy ("PARP") Quarterly Report
October 1, 2016 – December 31, 2016

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

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. **Fourth Quarter (4Q) 2016** – the period from October 1, 2016, to December 31, 2016, 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 4Q 2016	74
No. of PARP Requests Pending at End of 4Q 2016	78
No. of PARP Requests Received during 4Q 2016	52
No. of PARP Requests Processed during 4Q 2016	48
Avg. Processing Time of PARP Requests closed in 4Q 2016 (in Working Days)	52

b. Requests for Expedited Processing

No. of Requests for Expedited Processing Received during 4Q 2016	2
No. of Requests for Expedited Processing Granted in 4Q 2016	0
No. of Requests for Expedited Processing Denied in 4Q 2016	2
No. of Expedited Requests Pending at Start of 4Q 2016	0
No. of Expedited Requests Pending at End of 4Q 2016	0
No. of Expedited Requests Processed during 4Q 2016	1
Avg. Processing Time of Expedited Requests during 4Q 2016 (in Working Days)	35

c. Routine and Complex Requests

No. of Routine PARP Requests Processed during 4Q 2016	13
No. of Complex PARP Requests Processed during 4Q 2016	35
Avg. Processing Time of Routine PARPs during 4Q 2016 (in Working Days)	69
Avg. Processing Time of Complex PARPs during 4Q 2016 (in Working Days)	136

d. Media Requests

No. of Media PARP Requests Received during 4Q 2016	12
No. of Media PARP Requests Processed during 4Q 2016	14
Avg. Processing time of Media PARPs during 4Q 2016 (in Working Days)	35

e. Backlogged Requests Pending Since 2015

No. of Backlogged PARP Requests at start of 4Q 2016	29
No. of Backlogged PARP Requests at close of 4Q 2016	3
Avg. Processing Time of Backlog PARPs during 4Q 2016 (in Working Days)	159

V. Status of Oldest PARP Requests:

a. Ten Oldest Pending Requests at start of 4Q 2016

10. Received 05/13/2016 (188 Business Days)
9. Received 01/05/2016 (194 Business Days)
8. Received 10/22/2015 (247 Business Days)
7. Received 09/02/2015 (294 Business Days)
6. Received 08/18/2015 (307 Business Days)
5. Received 07/27/2015 (310 Business Days)
4. Received 04/13/2015 (385 Business Days)
3. Received 02/24/2015 (419 Business Days)
2. Received 02/24/2015; stayed until 05/04/2016 (105 Business Days) ¹
1. Received 07/01/2013 (850 Business Days)

b. Ten Oldest Pending Requests at close of 4Q 2016

10. Received 05/02/2016 (175 Business Days)
9. Received 05/02/2016 (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 01/13/2016 (253 Business Days)
4. Received 01/05/2016 (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) ²

¹ 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.”).

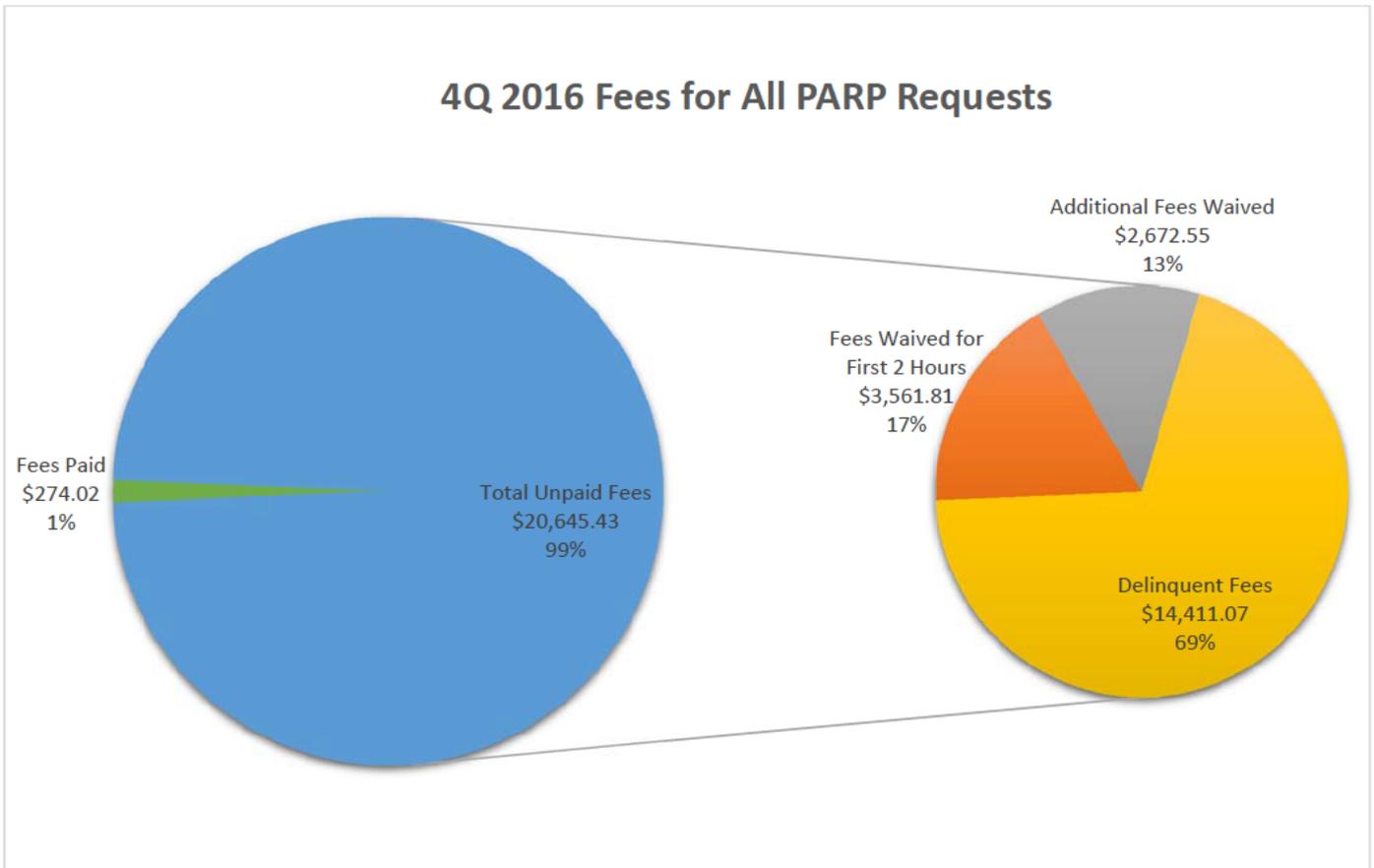
² *Id.*

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VI. Quarterly Fees:³

a. All PARP Requests

Fees Paid	\$274.02
Delinquent Fees ⁴	\$14,411.07
Fees Waived for First Two Hours of Processing ⁵	\$3,561.81
Additional Fees Waived ⁶	\$2,672.55
Total Unpaid Fees (Delinquent & Waived)	\$20,645.43
Total Paid and Unpaid Fees	\$20,919.45



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

⁴ 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.

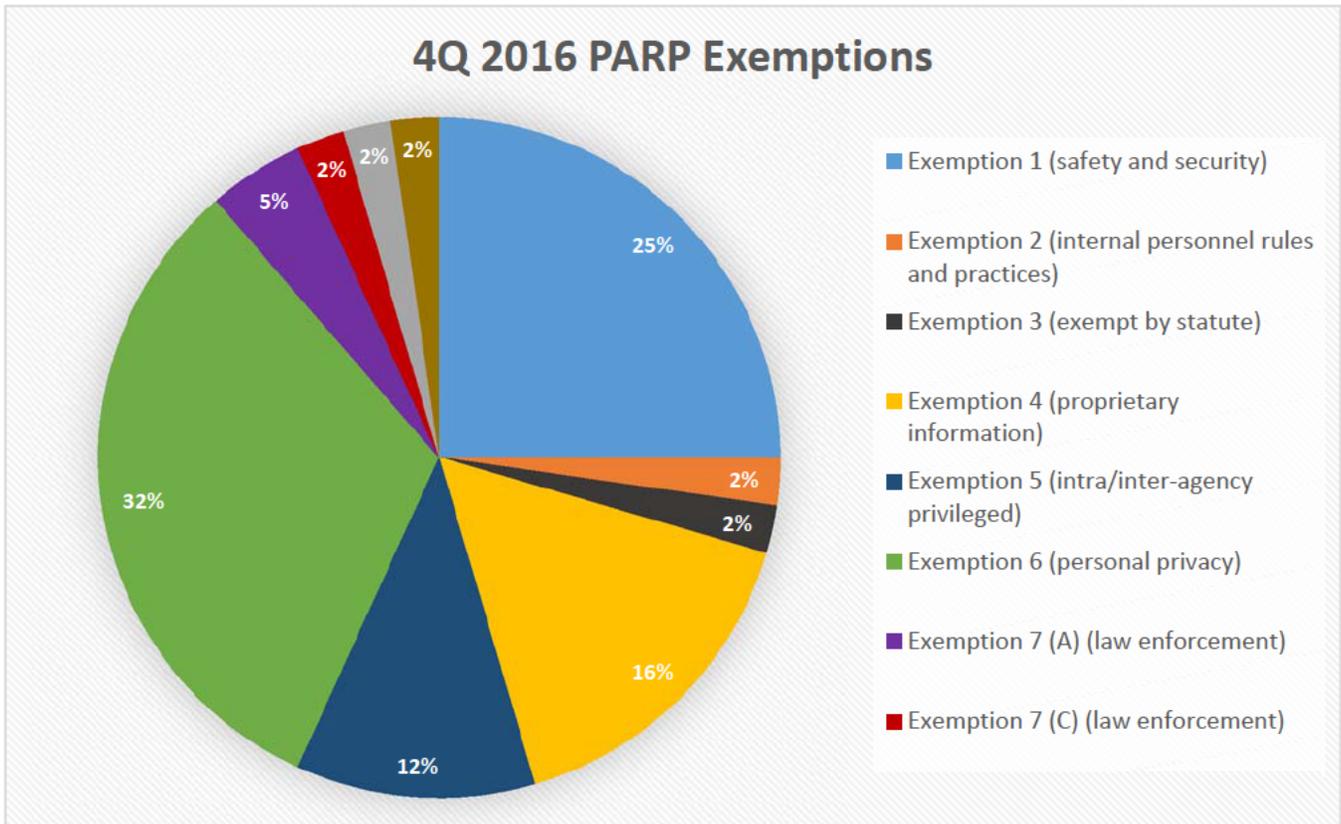
⁵ Fees for the initial two hours of processing are waived pursuant to PARP § 8.5.

⁶ 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 4Q 2016:

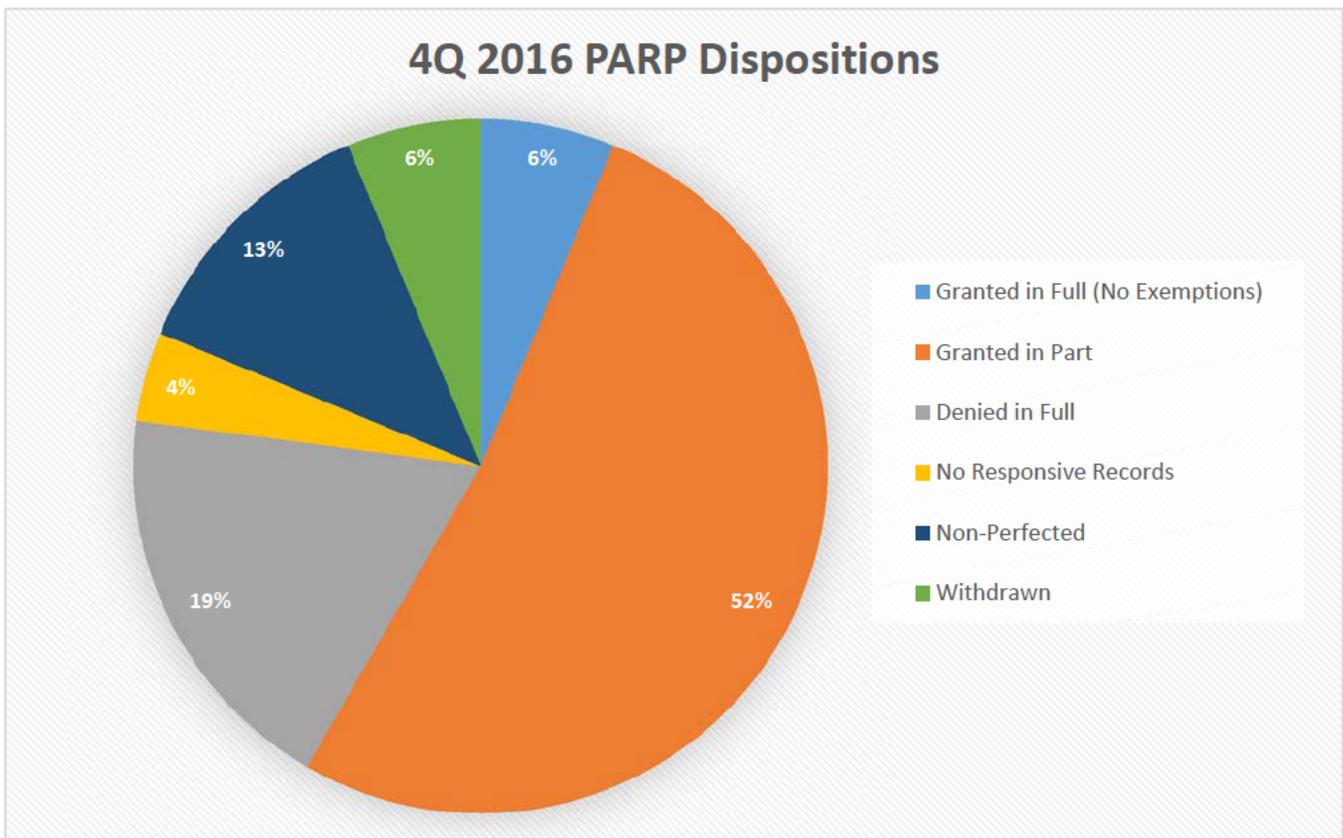
Exemption 1 (safety and security)	4
Exemption 2 (internal personnel rules and practices)	1
Exemption 3 (exempt by statute)	2
Exemption 4 (proprietary information)	17
Exemption 5 (intra/inter-agency privileged)	16
Exemption 6 (personal privacy)	34
Exemption 7 (A) (law enforcement)	2
Exemption 7 (B) (law enforcement)	0
Exemption 7 (C) (law enforcement)	1
Exemption 7 (D) (law enforcement)	0
Exemption 7 (E) (law enforcement)	1
Exemption 7 (F) (law enforcement)	0
Exemption 8 (SmarTrip®)	1
Exemption 9 (customer financial information)	0
Total	79



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VIII. PARP Request Dispositions for 4Q 2016:

Granted in Full (No Exemptions)	10
Granted in Part	45
Denied in Full	19
No Responsive Records	5
Non-Perfectured	12
Burdensome (Requester Declined to Narrow)	5
Withdrawn	13
Total	109



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IX. Appeals:

Administrative⁷

Pending at beginning of 4Q 2016	0
Submitted during 4Q 2016	3
Completed during 4Q 2016	2
Pending at end of 4Q 2016	1

Judicial⁸

Pending at beginning of 4Q 2016	2
Submitted during 4Q 2016	0
Pending at end of 4Q 2016	2

X. Staffing Levels:

Full-time Personnel	3 ⁹
Part-time or Occasional	1 ¹⁰
Total	4

⁷ The partial grant or denial of a PARP request is subject to administrative appeal. See PARP § 9.1.

⁸ Similarly, the partial grant or denial of an administrative appeal is subject to judicial review. See PARP §§ 9.1, 9.3.

⁹ The third full-time staff member was hired during the middle of 4Q 2016.

¹⁰ Does not include personnel outside of COUN who assist with retrieval and review of records.