

D.C. Freedom Of Information Act

Proactive Disclosure Compliance Checklist*

D.C. Official Code § 2-536

**This checklist is designed for the use of D.C. Freedom of Information Act (“DC FOIA”) Officers and staff. (See D.C. Official Code § 2-531 et seq.; specifically, § 2-536); giving general guidance, and does not guarantee “compliance” with every provision of DC FOIA.*

Proactive Disclosure requirements, which are categories of *information specifically TO BE MADE PUBLIC and DO NOT require a written request for information.*

1. Do you have the names, salaries, title, and dates of employment of all employees and officers of a public body accessible and readily available to the public? (*Exception for any employee or officer of a public body who is a participant in the Address Confidentiality Program and who has submitted a request that the information not be made public through the Department of Human Resources*)
2. Are all administrative staff manuals and instructions to staff that affect a member of the public accessible and readily available to the public?
3. Have you posted final opinions, dissenting opinions, and orders accessible and readily available to the public?
4. Do you have your adopted office policies and interpretations of policy, acts, and rules accessible and readily available to the public?
5. Are all correspondence and materials, by and with a public body, relating to any regulatory, supervisory, or enforcement responsibilities of the public body, whereby the public body determines, or states an opinion upon, or is asked to determine or state an opinion upon, the rights of the District, the public, or any private party, accessible and readily available to the public?
6. Is the information in or taken from any account, voucher, or contract dealing with the receipt or expenditure of public or other funds by public bodies accessible and readily available to the public?
7. Are Budget requests, submissions, and reports available electronically that agencies, boards, and commissions transmit to the Office of the Budget and Planning during the budget development process accessible and readily available to the public?
8. Are reports on budget implementation and execution prepared by the Office of the Chief Financial Officer, including baseline budget submissions and appeals, financial status reports, and strategic plans and performance-based budget submissions, accessible and readily available to the public?
9. Are the minutes of all proceedings of your public body accessible and readily available to the public?
10. Are all names and mailing addresses of absentee real property owners and their agents accessible and readily available to the public? (*NOTE: This will apply in very few cases to select bodies*)
11. Do you have all pending applications for building permits and authorized building permits, including the permit file, accessible and readily available to the public?
12. Do you have copies of all records that your public body determines have become or are likely to become the subject of subsequent request for substantially the same record and a general index of these records, accessible and readily available to the public?
13. Are records created on or after November 1, 2021, applicable to **D.C. Official Code § 2-536 et seq.** available on the internet or by other electronic means? (*No document or information described in §2-536 (a)(6A) that was created on or after December 7, 2004, shall be exempt from disclosure requirements pursuant to section 204(a)(4) and (e)), referring to D.C. Official Code § 2-534(a)(4) and § 2-534(e).*)
14. Is your public body providing all documents or information described in § 2-536 (a)(6A) that was created on or after December 7, 2004, to a person who has requested to inspect or copy documents or information, pursuant to D.C. Official Code § 2-532, regardless of the request date?

***If you have questions, please contact the Office of Open Government (“OOG”) at
(202) 481-3411 or open.govoffice@dc.gov.***