

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

MEMORANDUM

TO: Chairman Martin E. Nohe and Members
Northern Virginia Transportation Authority

FROM: Mary Hynes, Chair, Governance and Personnel Committee

DATE: June 2, 2017

SUBJECT: Draft Policy 28 - Responses to Information Requests from Candidates for Political Office

- I. **Purpose.** To seek Northern Virginia Transportation Authority (NVTa) approval of a draft policy intended to provide guidance to NVTa staff in addressing requests for information from candidates for political office.
- II. **Suggested Motion.** *I move Authority approval of Policy 28 – Responses to Information Requests from Candidates for Political Office.*
- III. **Background.**
 - a. During an election year, the Executive Director and NVTa staff may be asked to provide information to candidates for public office regarding NVTa policies, programs, funding, activities, actions and positions on various transportation issues.
 - b. This policy is intended to provide guidance in responding to political candidates' requests for information and/or meetings. The attached draft has been revised to respond to the comments expressed by members of the Authority during their January 2017 meeting.
 - c. The primary changes since the previous draft are:
 - i. Inclusion of a definition of a political candidate,
 - ii. Direction to use email and the Authority's website for dissemination of answers to candidates' questions.
 - d. The draft policy specifies that an Authority member's legal question of the Council of Counsels is exempt from the policy in order to preserve the attorney client relationship.

Coordination: NVTa Council of Counsels

Attachment: Policy 28 - Responses to Information Requests from Candidates for Political Office

NORTHERN VIRGINIA TRANSPORTATION AUTHORITY

**Policy Number 28 - Responses to Information Requests from Candidates for
Political Office**

- I. **Purpose.** During the periods of time leading up to primary elections and to the general elections, the Executive Director and other NVTa staff may be asked to provide information to candidates running for public office regarding NVTa policies, programs, funding, activities, actions and positions on various transportation issues. This policy is intended to provide general guidance for use in responding to such questions and requests.
- II. **General.** Under direction of the Executive Director, the NVTa staff will respond to directives and other inquiries from Authority members including questions and inquiries requiring research on issues coming before the Authority. NVTa staff will continue to maintain a high level of customer service by attendance, as appropriate, at member jurisdictions' local town meetings and other meetings with Authority members.
- III. **Candidate Definition.** For this Policy, a political candidate is a person who has filed at their local Board of Elections as a candidate for a political office and is inclusive of candidates' representatives, associations, and political organizations.
- IV. **Special Provisions.** The following will guide responses to requests from candidates. The NVTa will respond to candidate requests for information by complying with the following provisions:
 - A. **Format of Request.** For clarity, requests must be in writing.
 - B. **No New Research.** Responses to requests for information must rely on existing, public documents. NVTa staff will not develop new information or undertake research for responses.
 - C. **Responses in Writing.** All NVTa responses will be provided in writing.
 - D. **All Responses Shared with Every Candidate.** All NVTa responses must be made available to every candidate. This access will be provided by placing copies of all questions and responses on the NVTa website.
 - E. **Use of E-Mail.** The above guidelines also apply to e-mail correspondence between candidates and NVTa staff.
 - F. **Meetings with Candidates for Office.** Because of the importance of clarity of communications and the need to share information among all candidates, meetings between individual candidates and staff are discouraged. However, should such meetings be necessary, staff is encouraged to get questions in writing in advance of the meeting. Such meetings should be opened, or made available, to all candidates. Staff shall produce a brief written summary of the meeting. Such meetings will be held at the NVTa office or at another suitable government location.

- G. NVTA Website.** Whenever possible, candidates should be directed to the NVTA's website (or that of member jurisdictions) for information. NVTA's website is an effective tool in making information equally accessible to all.
- H. Freedom of Information Act (FOIA).** FOIA requests shall be processed as required by NVTA Policy 5 – Freedom of Information Act Requests.
- I. Authority Member's Legal Questions.** Authority member's legal questions of the Council of Counsels are exempt from the policy in order to preserve the attorney client relationship.

Approved by the Governance and Personnel Committee: **May 11, 2017**

Approved by Northern Virginia Transportation Authority: