



ANNUAL PEACE CORPS FOIA REPORT

October 1, 2011 to September 30, 2012

I. BASIC INFORMATION REGARDING REPORT

1. Name, address, and telephone number of person(s) to be contacted with questions about the report: Denora Miller, FOIA Officer at 202-692-1236.
2. Electronic address for report on the World Wide Web:
<http://www.peacecorps.gov/policies/foia.cfm>
3. You may obtain a copy of the report in paper form by writing to:

Peace Corps
Attention: FOIA
1111 20th St., NW
Washington, DC 20526

II. MAKING A FOIA REQUEST

1. The following offices receive FOIA Requests:

Peace Corps
FOIA/Privacy Act Office
1111 20th St., NW
Washington, DC 20526
Phone: 202-692-1236
Email: foia@peacecorps.gov

Peace Corps
Office of the Inspector General
P.O. Box 57129
Washington, DC 20037
Phone: 202-692-2915
Email: oig@peacecorps.gov

2. Some requests cannot be granted because the records have been destroyed pursuant to Peace Corps' records schedule.

III. Definitions of Terms and Acronyms

1. Agency specific acronyms or other terms.

OIG- Office of Inspector General

2. Basic terms, expressed in common terminology.

- a. **Administrative Appeal** – a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** – the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** – for agencies that process requests on a decentralized basis, a “component” is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection (b)(3) of the FOIA.
- g. **FOIA Request** – a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a “third-party” request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., “first-party” requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA

requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act “systems of records” or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report.

Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)

- h. **Full Grant** – an agency decision to disclose all records in full in response to a FOIA request.
- i. **Full Denial** – an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.
- k. **Multi-Track Processing** – a system in which simple requests requiring relatively minimal review are placed in one processing track and more voluminous and complex requests are placed in one or more other tracks. Requests granted expedited processing are placed in yet another track. Requests in each track are processed on a first in/first out basis.
 - i. **Expedited Processing** – an agency will process a FOIA request on an expedited basis when a requester satisfies the requirements for expedited processing as set forth in the statute and in agency regulations.
 - ii. **Simple Request** – a FOIA request that an agency using multi-track processing places in its fastest (non-expedited) track based on the low volume and/or simplicity of the records requested.
 - iii. **Complex Request** – a FOIA request that an agency using multi-track processing places in a slower track based on the high volume and/or complexity of the records requested.
- l. **Partial Grant/Partial Denial** – in response to a FOIA request, an agency decision to disclose portions of the records and to withhold other portions that are exempt under the FOIA, or to otherwise deny a portion of the request for a procedural reason.

- m. **Pending Request or Pending Administrative Appeal** – a request or administrative appeal for which an agency has not taken final action in all respects.
 - n. **Perfected Request** – a request for records which reasonably describes such records and is made in accordance with published rules stating the time, place, fees (if any) and procedures to be followed.
 - o. **Processed Request or Processed Administrative Appeal** – a request or administrative appeal for which an agency has taken final action in all respects.
 - p. **Range in Number of Days** – the lowest and highest number of days to process requests or administrative appeals.
 - q. **Time Limits** – the time period in the statute for an agency to respond to a FOIA request (ordinarily twenty working days from receipt of a perfected FOIA request).
3. Concise descriptions of the nine FOIA exemptions:
- a. **Exemption 1:** classified national defense and foreign relations information
 - b. **Exemption 2:** internal agency rules and practices
 - c. **Exemption 3:** information that is prohibited from disclosure by another federal law
 - d. **Exemption 4:** trade secrets and other confidential business information
 - e. **Exemption 5:** inter-agency or intra-agency communications that are protected by legal privileges
 - f. **Exemption 6:** information involving matters of personal privacy
 - g. **Exemption 7:** records or information compiled for law enforcement purposes, to the extent that the production of those records (A) could reasonably be expected to interfere with enforcement proceedings,
 - h. **Exemption 8:** information relating to the supervision of financial institutions
 - i. **Exemption 9:** geological information on wells

IV. EXEMPTION 3 STATUTES

Statue	Type of Information Withheld	Case Citation	Number of Times Relied upon per Component	Total Number of Times Relied upon by Agency

V. FOIA REQUESTS

A. Received, Processed and Pending FOIA Requests

	Number of Requests Pending as of Start of Fiscal Year*	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
FOIA Office	22	151	158	15
OIG	1 ¹	15	14	2
AGENCY TOTAL	23	166	172	17

B. (1) Disposition of FOIA Requests – All Processed Requests

	# of Full Grants	# of Partial Grants/ Partial Denials	# of Full Denials Based on Exemptions	# of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in chart below	
FOIA Office	88	17	4	15	7	0	0	10	12	4	1	0	158
OIG	1	7	0	5	1	0	0	0	0	0	0	0	14
Agency Total	89	24	4	20	8	0	0	10	12	4	1	0	172

¹. This is a correction from 2011 annual report. Only 1 request was pending.

B. (2) Disposition of FOIA Requests – “Other” Reasons for “Full Denials Based on Reasons Other than Exemptions” from Section V, B (1) Chart 1.

Component	Description of “Other” Reasons for Denials from Chart B (1) & Number of Times Those Reasons Were Relied upon	TOTAL
FOIA Office		
OIG		

B. (3) Disposition of FOIA Requests – Number of Times Exemptions Applied

	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
FOIA Office	0	0	0	1	2	10	0	0	0	0	0	1	0	0
OIG	0	0	0	0	0	7	1	0	4	0	2	0	0	0
Total	0	0	0	1	2	17	1	0	4	0	2	1	0	0

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

A. Received, Processed and Pending Administrative Appeals

	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
FOIA Office	2	9	11	0
OIG	0	0	0	0
Agency Overall	2	9	11	0

B. Disposition of Administrative Appeals – All Processed Appeals

	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
FOIA Office	7	1	1	2	11
OIG	0	0	0	0	0
Agency Overall	7	1	1	2	11

C. (1) Reasons for Denial on Appeal – Number of Times Exemptions Applied

	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
FOIA Office	0	0	0	0	3	4	0	0	0	0	0	1	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	0	0	0	0	3	4	0	0	0	0	0	1	0	0

C. (2) Reasons for Denial on Appeal – Reasons Other than Exemptions

	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
FOIA Office	1	0	0	0	0	0	0	0	0	1	0
OIG	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	1	0	0	0	0	0	0	0	0	1	0

C. (3) Reasons for Denial on Appeal – “Other” Reasons from Section VI, C (2) Chart

Description of “Other” Reasons for Denial on Appeal from Chart C (2) & Number of Times Those Reasons Were Relied upon	TOTAL
0	0

C. (4) Response Time for Administrative Appeals

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median # of Days	Average #of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days
FOIA Office	25	40	8	124	<1	<1	<1	<1	<1	<1	<1	<1
IG	0	0	0	0	<1	<1	<1	<1	<1	<1	<1	<1
Agency Overall	25	40	8	124	<1	<1	<1	<1	<1	<1	<1	<1

C. (5) Ten Oldest Pending Administrative Appeals

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median # of Days	Average #of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days
FOIA Office												
OIG												
Agency Overall												

VII. FOIA REQUESTS: RESPONSE TIME FOR PROCESSED AND PENDING REQUESTS

A. Processed Requests – Response Time for All Processed Perfected Requests

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median # of Days	Average #of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days
FOIA Office	20	34	1	201	185	184	37	354	24	27	10	51
OIG	13	15	2	50	0	0	0	0	0	0	0	0
Agency Overall	17	25	1	201	185	184	37	354	24	27	10	51

B. Processed Requests – Response Time for Perfected Requests in Which Information Was Granted.

	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median # of Days	Average #of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days	Median # of Days	Average # of Days	Lowest # of Days	Highest # of Days
FOIA Office	20	34	1	201	185	184	37	354	24	27	10	51
OIG	13	15	2	50	0	0	0	0	0	0	0	0
Agency Overall	17	25	1	201	185	184	37	354	24	27	10	51

C. Processed Requests – Response Time in Day Increments.

Simple Requests

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
FOIA Office	76	34	13	7	4	3	2	2	1	0	1	0	0	143
OIG	11	2	1	0	0	0	0	0	0	0	0	0	0	14
Agency Overall	87	36	14	7	4	3	2	2	1	0	1	0	0	157

Complex Requests

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
FOIA Office	0	0	0	0	0	0	0	2	1	1	2	1	1	8
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	0	0	0	0	0	0	0	2	1	1	2	1	1	8

Requests Granted Expedited Processing

	1-20 Days	21-40 Days	41-60 Days	61-80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
FOIA Office	1	2	1	0	0	0	0	0	0	0	0	0	0	4
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	1	2	1	0	0	0	0	0	0	0	0	0	0	4

D. Pending Requests – All Pending Perfected Requests

	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
FOIA Office	3	55	57	12	334	324	0	0	0
OIG	2	41	41	0	0	0	0	0	0
Agency Overall	5	48	49	12	334	324	0	0	0

E. Pending Requests – Ten Oldest Pending Perfected Requests

	10 th Oldest Request and Number of Days Pending	9 th	8 th	7 th	6 th	5 th	4 th	3 rd	2 nd	Oldest Request and Number of Days Pending
FOIA Office	5/21/2012 136	4/16/2012 12 165	2/26/2012 200	10/11/2011 293	6/20/2011 371	5/24/2011 389	2/14/2011 459	2/6/2011 464	1/08/2011 478	3/15/2010 693
OIG	0	0	0	0	0	0	0	0	0	0
Agency Overall	Date Number of Days 10 th Oldest Request and Number of Days Pending	9 th	8 th	7 th	6 th	5 th	4 th	3 rd	2 nd	Oldest Request and Number of Days Pending
	5/21/2012 136	4/16/2012 12 165	2/26/2012 200	10/11/2011 293	6/20/2011 371	5/24/2011 389	2/14/2011 459	2/6/2011 464	1/08/2011 478	3/15/2010 693

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
FOIA Office	2	2	7	7	3
OIG	0	0	0	0	0
AGENCY OVERALL	2	2	7	7	3

B. Requests for Fee Waiver

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
FOIA Office	N/A				
OIG	n/a				
AGENCY OVERALL					

IX. FOIA PERSONNEL AND COSTS

	PERSONNEL			COSTS		
	Number of “Full-Time FOIA Employees	Number of “Equivalent Full-Time FOIA Employees”	Total Number of “Full-Time FOIA Staff” (The sum of Columns 1 & 2)	Processing Costs	Litigation-Related Costs	Total Costs
FOIA Office	0	.75	.75	\$67,122	N/A	\$67,122
OIG	0	0.1	0.1	\$9,575	N/A	\$9,575
AGENCY OVERALL	0	.85	.85	\$76,697	N/A	\$76,697

X. FEES COLLECTED FOR PROCESSING REQUESTS

	Total Amount of Fees Collected	Percentage of Total Costs
FOIA Office	\$0.00	
OIG	\$0.00	
AGENCY OVERALL	\$0.00	

XI. FOIA REGULATIONS

The agency’s regulations implementing the FOIA, which include its fee schedule, can be found at 22 C.F.R. Part 303 or directly in the FOIA Reading Room at <http://multimedia.peacecorps.gov/multimedia/pdf/policies/foia/cfr.pdf>.

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

A. Backlogs of FOIA Requests and Administrative Appeals

	Number of Backlogged Requests as of End of Year	Number of Backlogged Appeals as of End of Fiscal Year
FOIA Office	15	0
OIG	2	0
AGENCY OVERALL	17	0

B. Consultations on FOIA Requests – Received, Processed, and Pending Consultations

	Number of Consultations Received from Other Agencies that Were <u>Pending</u> at Your Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations from Other Agencies that Were <u>Processed</u> by Your Agency During the Fiscal Year	Number of Consultations from Other Agencies that Were Pending at Your Agency as of <u>End</u> of Fiscal Year
FOIA Office	1	1	2	0
OIG	0	0	0	0
AGENCY OVERALL	1	1	2	0

C. Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency

	10 th Oldest Consultation and Number of Days Pending	9 th	8 th	7 th	6 th	5 th	4 th	3 rd	2 nd	Oldest Consultation and Number of Days Pending
FOIA Office										
OIG										
Agency Overall										

D. Comparison of Numbers of Requests from Previous and Current Annual Report – Requests Received, Processed, and Backlogged

	NUMBER OF REQUESTS RECEIVED		NUMBER OF REQUESTS PROCESSED	
	Number Received During Fiscal Year from Last Year’s Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year’s Annual Report	Number Processed During Fiscal Year from Current Annual Report
FOIA Office	159	151	147	158
OIG	23	15	21	14
AGENCY OVERALL	182	166	168	172

	Number of Backlogged Requests as of End of Year from previous Annual Report	Number of Backlogged Requests as of Ends as of End of Fiscal Year from Current Annual Report
FOIA Office	22	15
OIG	1²	2

². This is a correction from 2011 annual report. Only 1 request was pending.

AGENCY OVERALL	23	17
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E. Comparison of Numbers of Administrative Appeals from Previous and Current Annual Report – Appeals Received, Processed, and Backlogged

	NUMBER OF APPEALS RECEIVED		NUMBER OF APPEALS PROCESSED	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
FOIA Office	12	9	10	11
OIG	1	0	1	0
AGENCY OVERALL	13	9	11	11

	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
FOIA Office	2	0
OIG	0	0
AGENCY OVERALL	2	0

F. Discussion of Other FOIA Activities