

ANNUAL PEACE CORPS FOIA REPORT

October 1, 2009 to September 30, 2010

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 Peace Corps 1111 20th St., NW Washington, DC 20526 202-692-1236

- 2. Electronic address for report on the World Wide Web: Go to the FOIA Reading Room located at: <u>http://www.peacecorps.gov/foia</u>
- 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. Requests for records may be denied if the requested records contain information which falls into one or more of the nine categories listed below in Section III.C. If the requested record contains both exempt and non-exempt information, the nonexempt portions which may reasonably be segregated from the exempt portions will be released. Additionally, some requests cannot be granted because the records have been destroyed pursuant to Peace Corps' records management disposition schedules.

III. Definitions of Terms and Acronyms

- 1. Agency specific acronyms or other terms.
 - PC- Peace Corps
 - 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 entireties 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.
- 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.

- 1. **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
N/A	N/A	N/A	0	0

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
PC	2	188	180	10
OIG	0	10	10	0
AGENCY TOTAL	2	198	190	10

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									
				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	TOTAL	
PC	113	13	7	27	3	7	3	2	5	0	0	0	180	
OIG	1	3	0	4	1	1	0	0	0	0	0	0	10	
Agency Total	114	16	7	31	31 4 8 3 2 5 0 0 0 190									

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
PC	0	0
OIG	0	0

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
PC	0	10	0	0	4	5	0	0	0	0	0	0	0	0
OIG	0	0	0	0	1	3	0	0	3	0	3	0	0	0
Total	0	10	0	0	5	8	0	0	3	0	3	0	0	0

VI. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS

	Number of Appeals	Number of	Number of	Number of Appeals
	Pending as of Start of	Appeals Received	Appeals Processed	Pending as of End of Fiscal
	Fiscal Year	in Fiscal Year	in Fiscal Year	Year
PC	0	8	8	0
OIG	0	0	0	0
Agency Overall	0	8	8	0

A. Received, Processed and Pending Administrative Appeals

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
PC	5	0	0	3	8
OIG	0	0	0	0	0
Agency Overall	5	0	0	3	8

	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
РС	0	2	0	0	2	2	0	0	0	0	0	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	0	2	0	0	2	2	0	0	0	0	0	0	0	0

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

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

	No Records	Records Referred at Initial Request Level	Request With- drawn	Fee- Related Reas on	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
PC	1	0	0	0	0	0	0	2	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	1	0	0	0	0	0	0	2	0	0	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

		SIMP	LE			COM	PLEX		EXPEDITED PROCESSING				
	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest	
	# of	#of Days	# of	# of	# of	# of	# of	# of	# of	# of	# of	# of	
	Days	#01 Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	
PC	21	23	10	46	0	0	0	0	0	0	0	0	
OIG	0	0	0	0	0	0	0	0	0	0	0	0	
Agency Overall	21	23	10	46	0	0	0	0	0	0	0	0	

C. (5) Ten Oldest Pending Administrative Appeals

		SIM	PLE			COMI	PLEX		EXPEDITED PROCESSING				
	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest	
	# of	#of	# of	# of	# of	# of	# of	# of	# of	# of	# of	# of	
	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	
PC	0	0	0	0	0	0	0	0	0	0	0	0	
OIG	0	0	0	0	0	0	0	0	0	0	0	0	
Agency Overall	0	0	0	0	0	0	0	0	0	0	0	0	

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

		SIM	PLE			COME	PLEX		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
PC	20	24	1	96	96	83	21	146	0	0	0	0
OIG	20	19	1	45	00	0	0	0	0	0	0	0
Agency Overall	20	22	1	96	96	83	21	146	0	0	0	0

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

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

		SIM	PLE			COMI	PLEX		EXPEDITED PROCESSING			
	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest	Median	Average	Lowest	Highest
	# of	#of	# of	# of	# of	# of	# of	# of	# of	# of	# of	# of
	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days	Days
PC	22	26	1	96	96	86	63	146	0	0	0	0
OIG	20	19	1	45	0	0	0	0	0	0	0	0
Agency Overall	22	23	1	96	96	86	63	146	0	0	0	0

C. Processed Requests – Response Time in Day Increments.

	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
PC	70	61	16	11	1	0	0	0	0	0	0	0	0	159
OIG	8	1	1	0	0	0	0	0	0	0	0	0	0	10
Agency Overall	78	62	17	11	1	0	0	0	0	0	0	0	0	169

Simple Requests

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
PC	0	1	0	4	2	2	0	2	0	0	0	0	0	11
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	0	1	0	4	2	2	0	2	0	0	0	0	0	11

	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
РС	0	0	0	0	0	0	0	0	0	0	0	0	0	0
OIG	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Agency Overall	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Requests Granted Expedited Processing

D. Pending Requests – All Pending Perfected Requests

		SIMPLE			COMPLEX		EXPE	DITED PROC	ESSING
	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
PC	3	103	103	7	134	135	0	0	0
OIG	0	0	0	0	0	0	0	0	0
Agency Overall	3	103	103	7	134	135	0	0	0

	10 th Oldest Request and Number of Days Pending	9 th	8 th	7 th	$6^{ m th}$	5 th	4 th	3 rd	2nd	Oldest Request and Number of Days Pending
PC	09/23/2010	09/20/2010	08/02/2010	07/28/2010	07/22/2010	07/19/2010	06/09/2010	04/07/2010	03/15/2010	02/11/2010
	58	61	97	99	103	106	134	179	196	218
OIG	Date Number of Days	0	0	0	0	0	0	0	0	0
Ageno	all Days Pending	f 9 th	8 th	7 th	6 th	5 th	4 th	3 rd	2nd	Oldest Request and Number of Days Pending
	09/23/2010			07/28/2010						02/11/2010
	58	61	97	99	103	106	134	179	196	218

E. Pending Requests - Ten Oldest Pending Perfected Requests

VIII. REQUESTS FOR EXPEDITED PROCESSING AND REQUESTS FOR FEE WAIVER

A. Requests for Expedited Processing

	Numbe r Grante d	Number Denied	Median Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
PC	0	0	0	0
OIG	0	0	0	0
AGENCY OVERALL	0	0	0	0

B. Requests for Fee Waiver

	Number Granted	Number Denied	Median Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
PC	0	0	0	0
OIG	0	0	0	0
AGENCY OVERALL	0	0	0	0

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
PC	0	0.9	0.9	63177	N/A	63177
OIG	0	0.1	0.1	9131	N/A	9131
AGENCY OVERALL	0	1.0	1.0	72308	N/A	72308

X. FEES COLLECTED FOR PROCESSING REQUESTS

	Total Amount of Fees Collected	Percentage of Total Costs
PC	0	0
OIG	0	0
AGENCY OVERALL	0	0

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 and at the agency's website:

www.peacecorps.gov/foia

XII. BACKLOGS, CONSULTATIONS, AND COMPARISONS

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	Number of Backlogged Requests as	Number of Backlogged Appeals	
	of End of Year	as of End of Fiscal Year	
PC	10	0	
OIG	0	0	
AGENCY	10	0	
OVERALL	10	U	

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

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

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	2nd	Oldest Consultation and Number of Days Pending
PC		0	0	0	0	0	0	0	0	09/16/2010 63
OIG		0	0	0	0	0	0	0	0	0
Agency Overall		0	0	0	0	0	0	0	0	09/16/2010 63

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

	NUMBER OF REQU	JESTS <u>RECEIVED</u>	NUMBER OF REQUESTS PROCESSED			
	Number Received	Number Received	Number Processed	Number Processed		
	During Fiscal Year from	During Fiscal Year	During Fiscal Year from	During Fiscal Year from		
	Last Year's Annual	from Current Annual	Last Year's Annual	Current Annual Report		
	Report	Report	Report			
PC	229	188	249	180		
OIG	11	10	11	10		
AGENCY OVERALL	240	198	260	190		

	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
PC	2	10
OIG	0	0
AGENCY OVERALL	2	10

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

	NUMBER OF APP	EALS <u>RECEIVED</u>	NUMBER OF APPEALS <u>PROCESSED</u>			
	Number Received	Number Received	Number Processed	Number Processed		
	During Fiscal Year from	During Fiscal Year	During Fiscal Year from	During Fiscal Year from		
	Last Year's Annual	from Current Annual	Last Year's Annual	Current Annual Report		
	Report	Report	Report			
PC	6	8	0	8		
OIG	0	0	0	0		
AGENCY OVERALL	6	8	0	8		

	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
PC	0	0
OIG	0	0
AGENCY	0	0
OVERALL	U	U

F. Discussion of Other FOIA Activities