

March 31, 2023

Peace Corps
Attn: FOIA Office
1275 First Street NE
Washington, DC 20526
cc: FOIA@peacecorps.gov

Dear Records Custodian,

Pursuant to the federal Freedom of Information Act, 5 U.S.C. § 552 et seq., we request copies of the following records:

1) All database records in the Peace Corps PC-7 “Reasons for Resignation” database, excluding fields containing PII or other sensitive user information

As you are aware, the Peace Corps Office of Strategic Information, Research, and Planning (OSIRP) records information on all Peace Corps volunteers who end their service period before completing the full term, referred to as Early Termination (ET). Further, if a Peace Corps volunteer chooses to resign from their position (as opposed to terminating due to a medical condition or regional political situation), an assessment of the reason for this resignation is made by a supervising staff officer and collected via *Form MS-284 Attachment D (“Resignation Form”)*.¹

According to a Federal Register notice, data collected through this form is stored in the system of records known as PC-7. Categories of records in this system, also known as “Peace Corps Volunteers: Reasons for Resignation, PEACE CORPS/PC-7,” include: “Name, social security number, codes reflecting the reasons for resignation as identified by the volunteer and Country Staff, training class, country of service, projected close of service date, and actual close of service date.”²

We request all database records stored within the PC-7 system (as well as all analogous resignation form records stored in systems that may have preceded or succeeded PC-7), with the exception of data fields that contain personally-identifiable information, i.e., name and social security number. To the extent that the requested records are stored as structured information in a database, it should be possible to withhold non-disclosable data fields without the need to individually review or redact such records, and without the need to withhold any other portion of those records.

¹ Peace Corps, Form MS-284 Attachment D, accessed March 29, 2023.
<https://files.peacecorps.gov/documents/MS-284-Attachment-D.pdf>.

² Peace Corps, 65 FR 53772, September 5, 2000.
<https://www.federalregister.gov/documents/2000/09/05/00-22559/privacy-act-of-1974-systems-of-records>.

This approach is supported by 5 U.S.C. § 552(a)(8)(A)(ii), which states that an agency shall “take reasonable steps necessary to segregate and release nonexempt information[.]” Records not stored as structured information in a database may need to be redacted manually.

Further, while initial conversations with Peace Corps staff suggested that OSIRP considers the reasons-for-resignation aspect of the records to be non-disclosable because it is “based on opinion,” that position does not appear to be supported by any of the Freedom of Information Act’s exemptions.

We request these records in their native digital format and not in formats that degrade the accessibility of the records. In instances where the same information from a given form submission is stored both in an original PDF/Excel/Word form submission *and* as structured information in a database, we request only the database records for that particular submission. If converting the native digital format to another high-fidelity format, such as CSV, JSON, or Excel, please take care not to introduce formatting inconsistencies or errors, which can occur in the conversion process (for example, encoding errors or the inclusion of internal unescaped quotation marks in CSV files).

We request that the responsive records be provided by email or digital file transfer, rather than by postal mail. If it helps, we can supply the digital transfer folder.

2) All relevant database documentation

Additionally, we request all records documenting all database systems holding the above-requested records, so that the public can accurately interpret the information. These documentation records should include (but not necessarily be limited to) all relevant record layouts, database schemas, entity relationship diagrams, database diagrams, data dictionaries, glossaries, and user guides.

Production of Responsive Records on a Rolling Basis

In the event that a portion of the present request is completed before the full request is completed, we ask that the records be produced on a rolling basis.

Fee Waiver Request

A waiver of search and review fees is appropriate here because disclosure of the requested information is in the public interest under 5 U.S.C. § 552(a)(4)(A)(iii) and 45 C.F.R. § 5.54(a), (b)(1)-(2), and because the request is not primarily in our commercial interest, 45 C.F.R. §§ 5.45(a), (b)(3)(ii).

Disclosure Is in the Public Interest

The disclosure of these records is firmly in the public interest. According to the Peace Corps' most recent Early Termination report, "Given the central role of Volunteers in advancing the Peace Corps mission, ETs reduce the agency's ability to contribute to the project goals and objectives that have been jointly established by the Peace Corps and the host country. This can affect the Peace Corps' relationship with the host country and/or host communities."³

In light of this, the public deserves the chance to fully understand issues that may curtail the effectiveness of the program. Currently, the Peace Corps makes available aggregate data on the total number of volunteers that *resigned* in a given year, a number that accounted for the majority (52%) of all ETs in 2020 according to the latest report.⁴ This aggregated total does not provide any specific details on the reasons for resignation – reasons that Peace Corps staff are asked to infer in order to "improve the Peace Corps' programs and policies," as form MS-284(D) notes, and would therefore help the public to understand areas in which the organization may be seeking to address shortcomings.

These evaluations also contain data that can indicate whether certain Peace Corps regional posts have a higher proportion of volunteers resign due to emotional and mental health problems, illegal substance abuse, or physical and/or sexual harassment. Further, the data recorded in PC-7 indicates whether the volunteers chose to resign rather than face *administrative separation* – a process that occurs "when a Volunteer commits a major violation of Peace Corps policy" – and the public deserves a chance to know how often these resignations in lieu of separation occur.

This Request is Not Primarily in Our Commercial Interest

The requested information is *not* being sought for commercial purposes. 45 C.F.R. § 5.54(a). We are news media requesters that can and will "effectively convey information to the public." 45 C.F.R. § 5.54(b)(2)(ii).

Requester Faife is doing so as an independent journalist investigating government programs. His "past publication record[.]" 5 U.S.C. § 552(a)(4)(A)(ii), spans work conducted for a number of media publications, including as a data reporter at The Markup on the award-winning Citizen Browser project⁵ and as a senior reporter for technology news site The Verge, along with a range of freelance work dating back to 2014.

Requester Singer-Vine is doing so on behalf of the Data Liberation Project, a new initiative to bring more datasets of public value into the public domain, especially for journalistic purposes.⁶ His "past publication record[.]" 5 U.S.C. § 552(a)(4)(A)(ii), includes serv[ing] from 2014 to early 2022 as the data editor for BuzzFeed News, where he helped to make many datasets available to

³ Peace Corps, FY 2020 Peace Corps Early Termination Report, accessed March 29, 2023. https://files.peacecorps.gov/documents/open-government/FY_2020_Early_Termination_Report.pdf

⁴ *ibid.*

⁵ Radio Television Digital News Association, "2022 National Edward R. Murrow Award Winners," <https://www.rtdna.org/2022-national-edward-r-murrow-award-winners>

⁶ The Data Liberation Project. <https://www.data-liberation-project.org/>.

the public;⁷ before that, he worked as a reporter and computer programmer at The Wall Street Journal, where he was named a Pulitzer Prize co-finalist for National Reporting.⁸

The information will also shed light on the operations or activities of the government in relation to the Peace Corps collection of ET assessment data. For this reason, 45 C.F.R. § 5.54(b)(1), and because this information is not already in the public domain, 45 C.F.R. § 5.54(b)(2)(i), this request is “not primarily in the commercial interest of the requester.” 45 C.F.R. § 5.54(b)(3)(ii).

As such, and because disclosure “is likely to contribute significantly to public understanding of the operations or activities of the government” (5 U.S.C. § 552(a)(4)(A)(iii)), we respectfully request that you waive all applicable fees.

Limitation of Fees

We are also entitled to a limitation of fees because we are members of the news media. 45 C.F.R. § 5.53(b); 5 U.S.C. § 552(a)(4)(A)(ii)(II). Accordingly, even if our application for a waiver of all fees is denied, we are entitled to a limitation of fees. As a news media requester, we are “entitled to search time, review time, and up to 100 pages of duplication” and can be charged only duplication fees after the first 100 pages or its cost equivalent. 45 C.F.R. § 5.53(b). We request that the information be provided in its native electronic format, and thus there should be no duplication fees.

Request for Explanation of Withholdings and Redactions

If this request is denied in whole or in part, please provide a reasonable description of any withheld materials and a justification for all such withholdings that includes reference to the specific FOIA exemptions authorizing withholding and specific reasons why such exemptions apply. 45 C.F.R. § 5.31. An agency shall withhold information only if “the agency reasonably foresees that disclosure would harm an interest protected by an exemption” or “disclosure is prohibited by law.” 5 U.S.C. § 552(a)(8)(A)(i). (Per Attorney General Garland’s March 15, 2022 memorandum, “In case of doubt [regarding foreseeable harm or legal bar to disclosure], openness should prevail.”⁹) We therefore request that if the agency determines that an exemption applies, specific reasons be provided as to why disclosure would harm any interest protected by such exemption. An agency shall also “consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible” and “take reasonable steps necessary to segregate and release nonexempt information.” *Id.* at § 552(a)(8)(A)(ii). We therefore request that the agency release all segregable portions of otherwise exempt material.

⁷ BuzzFeed News, “An index of all our open-source data, analysis, libraries, tools, and guides.” <https://github.com/BuzzFeedNews/everything>.

⁸ The Pulitzer Prizes, “Finalist: John Emshwiller and Jeremy Singer-Vine of The Wall Street Journal.” <https://www.pulitzer.org/finalists/john-emshwiller-and-jeremy-singer-vine>.

⁹ Merrick Garland, “Memorandum for Heads of Executive Departments and Agencies” (Subject: “Freedom of Information Act Guidelines”), March 15, 2022. <https://www.justice.gov/ag/page/file/1483516/download>.

We look forward to your reply within the FOIA-specified timeframe of 20 working days. Please let us know if there are any clarifications we can make to make this request easier and/or quicker to complete.

Sincerely,

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