



Peace Corps

2023 Chief FOIA Officer Report

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Chief Freedom of Information Act Officer**

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SECTION I: FOIA LEADERSHIP AND APPLYING THE PRESUMPTION OF OPENNESS

The guiding principle underlying the Attorney General's [FOIA Guidelines](#) is the presumption of openness. The Guidelines also highlight the importance of agency leadership in ensuring effective FOIA administration.

Please answer the following questions about FOIA leadership at your agency and describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

A. Leadership Support for FOIA

1. *The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at or above this level?*

Yes.

2. *Please provide the name and title of your agency's Chief FOIA Officer.*

Francisco Reinoso, Associate Director of Management.

3. *What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?*

The Peace Corps Mission is comprised of three goals:

1. To help the people of interested countries in meeting their need for trained men and women
2. To help promote a better understanding of Americans on the part of the peoples served.
3. To help promote a better understanding of other peoples on the part of Americans.

The FOIA Office has been an integral part in providing information to the public that demonstrates the Peace Corps Mission. We work with various offices, including the Chief Data Officer, to proactively release reports regarding our Volunteers in service and after service.

B. Presumption of Openness

4. *The Attorney General's 2022 FOIA Guidelines provides that "agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm*

standard when reviewing records and applying FOIA exemptions.” Does your agency provide such confirmation in its response letters?

Yes.

5. In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interested protected by a FOIA exemption. This is commonly referred to as a Glomar response. With respect to these responses, please answer the below questions:

a. In addition to tracking the asserted exemption, does your agency specifically track whether a request involved a Glomar response?

Yes.

b. If yes, please provide:

i. the number of times your agency issued a full or partial Glomar response (separate full and partial if possible);

One time.

ii. the number of times a Glomar response was issued by exemption.

Exemption 6- 1 time.

c. If your agency does not track the use of Glomar responses, what would your agency need to do to track in the future? If possible, please describe the resources and time involved.

This is not applicable (N/A).

6. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

SECTION II: ENSURING FAIR AND EFFECTIVE FOIA ADMINISTRATION

The Attorney General’s FOIA Guidelines provide that “[e]nsuring fair and effective FOIA administration requires . . . proper training, and a full understanding of FOIA obligations by the entire agency workforce.” The Guidelines reinforce longstanding guidance to “work with FOIA requesters in a spirit of cooperation.” The Attorney General also “urge[s] agency Chief FOIA Officers to undertake comprehensive review of all aspects of their agency’s FOIA administration” as part of ensuring fair and effective FOIA administration.

A. FOIA Training

1. *The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.*

The Peace Corps FOIA Officer provides virtual face-to-face training twice a month to all incoming federal staff members as part of the New Employee Orientation program. Topics covered include an introduction to the law and the FOIA program, legal responsibility to comply with a FOIA records search, and our internal coordination process. The FOIA Officer also provides virtual in-briefs to all new political appointees or office leaders. Each briefing is tailored to the leader's responsibilities and subject matter. The FOIA Officer reviews and updates all training material and slide presentations to remain current.

2. *Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?*

Yes.

3. *If yes, please provide a brief description of the type of training attended or conducted and the topics covered.*

Peace Corps FOIA staff attended DOJ's Office of Information Policy (OIP) virtual seminars through the year. These covered a wide variety of topics, discussing basic procedural steps in FOIA case processing, to more advanced topics, such as FOIA community forums or litigation matters. Members attended DOJ's Virtual Exemption 1 and Exemption 7 (January 2022); Advanced Freedom of Information Act (FOIA) Training (February 2022); Chief FOIA Officers Council Meeting (April 2022); Virtual Privacy Considerations (July 2022); and the Virtual Annual/Quarterly FOIA Report Training (October 2022).

4. *Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.*

All main office staff attended FOIA training. The Office of the Inspector General FOIA staff was not able to attend training due to schedule conflicts. Approximately 80% of Peace Corps Staff attended FOIA training.

5. *OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.*

Training slides and summary updates are shared with staff members who cannot attend a particular event.

6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process?

The agency FOIA Officer provides virtual face-to-face FOIA training twice a month to all new staff members as part of the New Employee Orientation (NEO) program using a slide presentation and electronic handout material. Training includes the law's purpose, legal and procedural requirements, including the responsibility of each staff member to cooperate with a FOIA records search, and common FOIA request topics. We also train each department's FOIA Point of Contact (POC) who facilitates the FOIA records search as a collateral duty. The FOIA Officer also provides specialized training for political appointees, leaders, and the Chief FOIA Officer. The FOIA Office hosts an intranet FOIA Resource Center page to provide relevant information, web links, and documents to Peace Corps personnel both domestically and overseas.

The FOIA Officer continues to distribute the performance standards and measures for FOIA support positions to all departmental FOIA POCs, as outlined in the Department of Justice memo, "Ensuring Compliance with Freedom of Information Act and Open Government Directive Requirements in Employee Performance Appraisal Records and Work Plans." This provides supporting staff who have collateral FOIA duties, such as performing record searches, with the details for the annual performance plan outlining performance standards, measures, as well as general responsibilities and duties in support of the FOIA. The FOIA Office also shared the web links to the original memorandum, dated October 2, 2015, and to OIP's web posting highlighting this matter, dated January 7, 2016.

New Peace Corps senior leaders meet with the FOIA Officer for an in-brief on the FOIA statute, the agency's FOIA program and request process, their responsibilities and the responsibilities of their staff members to respond to a record search and abide to the statute, the collateral duties of their designated staff members who conduct record searches, and the internal resource page.

B. Outreach

7. Did your FOIA professionals engage in any outreach or dialogue, outside of the standard request process, with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.

Peace Corps FOIA professionals participated in outreach events such as the Federal FOIA Advisory Committee meetings, the Chief FOIA Officers' Council Meetings and its subcommittee on technology; and the American Society of Access Professionals meetings. The Chief FOIA Officer also informs all new Peace Corps staff members that they have the right to submit a FOIA or Privacy Act request to the Peace Corps as a private citizen in the "Other" category requester. A request submission must be made using their own personal resources.

Our FOIA staff encourages FOIA requesters to contact either the assigned case specialist, or the FOIA Liaison, if there is a question about a pending closure, a final release decision, or clarification about an aspect of the final response, especially regarding withheld information or the records search results. This is intended to help the public achieve a better understanding of the FOIA process. A dissatisfied requester can also coordinate with the Office of Government Information Services (OGIS) as a way of mediating with the FOIA Office. An individual can submit an appeal if there is still disagreement after OGIS mediation, or submit an appeal without engaging OGIS.

8. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue, and, if applicable, any specific examples.

Yes. Our FOIA professionals will communicate to the requesters via email in the acknowledgement letter whether their request is complex or if the requester needs to clarify or narrow scope of the request. In special circumstances the FOIA professional may contact the requester via phone to further narrow the scope of the request.

9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during Fiscal Year 2022 (please provide a total number or an estimate of the number).

Three times.

C. Other Initiatives

10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.

Yes. Our agency recently allocated funds to add an additional Government Information Specialist for the FOIA Office, which was recently filled. Also, our agency hired and additional two contractors to provide support in reducing our backlog.

11. *How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.*

The Peace Corps main FOIA Office prepares weekly metrics and monthly reports to identify backlog cases and to follow up on overdue record searches. It also conducts an internal annual assessment to track the agency's overall workflow for responding to FOIA records searches. The purpose is to identify gaps, and reduce the overall case time, procedural steps, and the time involved for personnel.

12. *Optional -- If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.*

N/A.

SECTION III: PROACTIVE DISCLOSURES

The Attorney General's FOIA Guidelines emphasize that "proactive disclosure of information is . . . fundamental to the faithful application of the FOIA." The Guidelines direct agencies to post "records online quickly and systematically in advance of any public request" and reiterate that agencies should post records "in the most useful, searchable, and open formats possible."

1. *Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.*

The FOIA Officer is working with our Office of Chief Information Officer and our Enterprise Data Governance Council on answering these questions.

2. *Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well.*

The Peace Corps FOIA Office posts its annual FOIA log on its FOIA Library:

<https://www.peacecorps.gov/about/open-government/foia/#library>

The Peace Corps webmaster posts country impact studies, policies, reports and statistical information on our Open Government page when an office or department requests a record be posted for public access. An online visitor can organize these into categories based on Report Type, Report Topic, Year, and Countries. The Peace Corps website also makes thousands of pages of general material accessible though

the search tool located at the top right of every webpage. The online visitor must enter a key word or term for a query result.

<https://www.peacecorps.gov/about/open-government/reports/>

3. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

Yes.

4. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges.

The Peace Corps posts its statistical information, country impact studies, survey summaries, policies, and reports on its Open Government page. The information is machine-readable when possible (XML or CSV files). This is led by the agency's Chief Data Officer. The Records Management Officer also gives guidance on machine-readable format in the annual file plan training and written policy. Online material is made available in a timely manner. The Open Government pages are separate from the agency's general website search that is available to the public.

<https://www.peacecorps.gov/about/open-government/>

The Office of the Inspector General posts its reports on a separate webpage:

https://www.peacecorps.gov/about/inspector-general/reports/?_ga=2.147505343.92273694.1586781029-1246879747.1577728713

5. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.

The FOIA Office coordinates with the Office of General Counsel and the Office of External Affairs to provide reviews of some of the agency records considered for proactive disclosure.

6. Optional -- Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

The Peace Corps is very proactive in routinely posting agency record releases, as seen when searching the website for a topic of interest.

SECTION IV: STEPS TAKE TO GREATER UTILIZE TECHNOLOGY

A key component of FOIA administration is using technology to make information available to the public and to gain efficiency in FOIA processing. The Attorney General's FOIA Guidelines emphasize the importance of making FOIA websites easily navigable and complying with the FOIA.gov interoperability requirements. Please answer the following questions to describe how your agency is using technology to improve its FOIA administration and the public's access to information.

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?

Yes.

2. Please briefly describe any new types of technology your agency began using during the reporting period to support your FOIA program.

We are working on adding an e-discovery tool to our FOIA record search process.

3. Does your agency currently use any technology to automate record processing? For example, does your agency use machine learning, predictive coding, technology assisted review or similar tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.

The FOIA Office continues to use the online case management system, FOIAXpress, in place since 2018. The online FOIA case management system is linked to our FOIA request portal, Public Access Link (PAL) and the National FOIA Portal. This automatically populates incoming FOIA requests, which saves Peace Corps time manually entering requests.

4. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

We have reviewed [OIP's 2017 guidance for agency FOIA websites](#) and the Peace Corps FOIA website during this reporting period. We will be adding the types of records maintained by the agency, the FOIA exemptions, the three statutory exclusions, and "an index of the agency's major information systems and a description of major information and record locator systems maintained by the agency."

5. Did all four of your agency's quarterly reports for Fiscal Year 2022 appear on FOIA.gov?

No.

6. *If your agency did not successfully post all quarterly reports on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2023.*

We are working with a component office to have this finalized.

7. *The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2021 Annual FOIA Report and, if available, for your agency's Fiscal Year 2022 Annual FOIA Report.*

Fiscal Year 2021:

https://files.peacecorps.gov/documents/open-government/Peace_Corps_FY_2021_Annual_FOIA_Report.pdf

8. *In February 2019, DOJ and OMB issued joint Guidance establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?*

Yes.

9. *Optional -- Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area.*

SECTION V: STEPS TAKEN TO REMOVE BARRIERS TO ACCESS, IMPROVE TIMELINESS IN RESPONDING TO REQUESTS, AND REDUCE BACKLOGS

The Attorney General's FOIA Guidelines instruct agencies "to remove barriers to requesting and accessing government records and to reduce FOIA processing backlogs." Please answer the following questions to describe how your agency is removing barriers to access, improving timeliness in responding to requests, and reducing FOIA backlogs.

A. Remove Barriers to Access

1. *Has your agency established alternative means of access to first-party requested records outside of the FOIA process?*

No.

2. *If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.*

Our office is working on establishing alternative means of access to first-party requested records outside of the FOIA process. Currently, we are short staffed and unable to dedicate the time to effectively implement effort.

B. Timeliness

3. *For Fiscal Year 2022, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2022 Annual FOIA Report.*

One day.

4. *If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2022 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.*

N/A.

5. *Does your agency utilize a separate track for simple requests?*

Yes.

6. *If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2022?*

No; 98 days.

7. *If not, did the simple track average processing time decrease compared to the previous Fiscal Year?*

No.

8. *Please provide the percentage of requests processed by your agency in Fiscal Year 2022 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.*

92.42%

9. *If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?*

N/A.

C. Backlogs

BACKLOGGED REQUESTS

10. *If your agency had a backlog of requests at the close of Fiscal Year 2022, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2021?*

No.

11. *If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2022 than it did during Fiscal Year 2021?*

Yes.

12. *If your agency's request backlog increased during Fiscal Year 2022, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:*

- *An increase in the number of incoming appeals*
- *A loss of staff*
- *An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)*
- *Impact of COVID-19 and workplace and safety precautions*
- *Any other reasons – please briefly describe or provide examples when possible*

The FOIA Office received more complex media-related interests requests. Additionally, the main FOIA Office has two federal personnel who also serve to fulfill the agency's Privacy Act's program responsibilities, including the Forms Management program with its Paperwork Reduction Act duties.

13. *If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2022. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."*

57.14%

BACKLOGGED APPEALS

14. *If your agency had a backlog of appeals at the close of Fiscal Year 2022, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2021?*

We did not have an appeal backlog at the close of Fiscal Year 2022.

15. *If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2022 than it did during Fiscal Year 2021?*

16. *If your agency's appeal backlog increased during Fiscal Year 2022, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:*

- *An increase in the number of incoming appeals*
- *A loss of staff*
- *An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)*
- *Impact of COVID-19 and workplace and safety precautions*
- *Any other reasons – please briefly describe or provide examples when possible*

Yes. The FOIA Office received more complex media-related interests requests, which resulted in an increase of appeals for our agency.

17. *If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2022. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2022 and/or has no appeal backlog, please answer with "N/A."*

N/A.

D. Backlog Reduction Plans

18. *In the 2022 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2021 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2022?*

N/A. We did not have a backlog of more than 1,000 requests.

19. *If your agency had a backlog of more than 1,000 requests in Fiscal Year 2022, please explain your agency's plan to reduce this backlog during Fiscal Year 2023.*

N/A. We did not have a backlog of more than 1,000 requests.

E. Reducing the Age of Requests, Appeals, and Consultations

TEN OLDEST REQUESTS

20. *In Fiscal Year 2022, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2021 Annual FOIA Report?*

No, we did not close all of the ten oldest perfected requests reported for that year.

21. *If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2021 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.*

The Peace Corps closed one of the top ten oldest pending perfected requests.

22. *Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.*

We have reviewed the more complex cases with a larger volume of pages to ensure the record content is responsive to the request. We continue to dialogue with some requestors to seek clarification on broad requests, and to reduce the scope, if possible.

TEN OLDEST APPEALS

23. *In Fiscal Year 2022, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2021 Annual FOIA Report?*

N/A.

24. *If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2021 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.*

N/A.

25. *Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.*

N/A.

TEN OLDEST CONSULTATIONS

26. *In Fiscal Year 2022, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2021 Annual FOIA Report?*

N/A.

27. *If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2021 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.*

N/A.

ADDITIONAL INFORMATION REGARDING TEN OLDEST

28. *If your agency did not close its ten oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2023.*

The Peace Corps received an influx of high interest news media requests. These requests were complex and required all staff to process these requests. Our Office has hired additional staff to assist in reducing our backlog and closing the top 10 oldest cases.

F. Additional Information about FOIA Processing

29. *Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency’s overall FOIA request processing and backlog. If possible, please indicate the number and nature of requests subject to litigation, common causes leading to litigation, and any other information to illustrate the impact of litigation on your overall FOIA administration.*

N/A.

30. *How many requests during Fiscal Year 2022 involved unusual circumstances as defined by the FOIA? (This information is available in your agency’s FY22 raw data).*

The Peace Corps had 31 requests involving unusual circumstances as defined by the FOIA during the Fiscal Year 2022.