

FOIA Request 889481

The following list contains the entire submission submitted October 06, 2023 11:50:02am ET, and is formatted for ease of viewing and printing.

Contact information

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Request

Request ID	889481
Confirmation ID	888901
Request description	Family Advocacy Program (FAP)'s Child Abuse and Domestic Abuse Incident Reporting System, and database documentation records. Please see attached letter for full request.

Supporting documentation

Additional Information	2023-10-06 — DoD FAP Central Registry Data FOIA Request — Singer-Vine.pdf
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Fees

Request category ID	media
Fee waiver	yes
Explanation	News media / non-commercial / public interest. Please see request letter for details.
Willing to pay	\$100

Expedited processing

Expedited Processing	no
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October 6, 2023

OSD/JS FOIA Requester Service Center
Office of Freedom of Information
Washington Headquarters Services (WHS)
1155 Defense Pentagon
Washington, DC 20301-1155

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 below-referenced database records in the Family Advocacy Program (FAP)'s Child Abuse and Domestic Abuse Incident Reporting System

As described in Department of Defence (DOD) Instruction 6400.01,¹ the Family Advocacy Program (FAP) is “designed to address prevention, identification, evaluation, treatment, rehabilitation, follow-up, and reporting of child abuse and neglect, domestic abuse, and problematic sexual behavior in children and youth.”

As described in DOD Manual 6400.01-V2,² “Under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness, the Director, DoDHRA, through the Director, Defense Manpower Data Center [...] Receives child abuse and domestic abuse incident data from the Service Family Advocacy Program managers (FAPMs) of the Secretaries of the Military Departments, and maintains such data in a database”, which is formally known as the FAP Child Abuse and Domestic Abuse Incident Reporting System. This database is also referred to, in the manual, as the “Service FAP central registry.”

We request **all records stored in this database's tables and fields**, as described on pages 13-28 of **DOD Manual 6400.01-V2, with the exception of the following fields**, which we agree to forgo because they contain personally-identifiable information:

- Sponsor Information: Person Name Text (Field #16), Person Identifier (Field #17), Pay Plan Ordinal Identifier (Field #32)
- Victim Information: Person Name Text (Field #24), Person Identifier (Field #25)
- Alleged Abuser Information: Person Name Text (Field #32), Person Identifier (Field #33), Pay Plan Ordinal Identifier (Field #41)

¹ Department of Defense, “Instruction 6400.01: Family Advocacy Program (FAP),” May 1, 2019. <https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodi/640001p.pdf>.

² Department of Defense, “Family Advocacy Program (FAP): Child Abuse and Domestic Abuse Incident Reporting System” (DoDM 6400.01-V2), August 11, 2016. https://www.esd.whs.mil/Portals/54/Documents/DD/issuances/dodm/640001m_vol2.pdf.

If your office believes the “Person Birth Date” fields (#26 and #34) to raise privacy concerns, we are willing to forgo the month and day components of the date, and request only the year component.

Based on our research, it is our informed belief that these records are stored in a manner that enables bulk retrieval of the requested records.

Similarly, we believe it should be possible to provide the records requested while withholding the records have agreed above to forgo, without the need to withhold or redact any other portion of the 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[.]”

We request these records in their native digital formats and not in formats that degrade the accessibility of the records, such as tabular data converted to PDF or Word files. If converting the native digital format to another high-fidelity format, such as CSV 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 also ask that DoD the records be provided in the structure that they are stored — for instance, as distinct database tables, not “joined” versions of those tables. (Those tables still should, however, contain the fields necessary for the public to perform those database “joins.”)

Given that this request pertains to an export from a specific database system, rather than a document search, we do not believe it is necessary to specify a time period for the records. If, however, specifying such a time period is necessary for your process, please use the following: January 1, 2010 to the date the records export is performed.

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.

We believe the custodian of the records to be the Office of the Under Secretary of Defense for Personnel and Readiness, Defense Manpower Data Center, Child and Domestic Abuse Central Registry File Manager (DMDC-Monterey Bay, 400 Gigling Road, Seaside, CA 93955-6771).³

2) All records documenting the above-requested database system

Additionally, we request all records (other than those already available online to the general public) documenting the Family Advocacy Program (FAP)’s Child Abuse and Domestic Abuse Incident Reporting System, so that the public can accurately interpret the records sought above. (In the event

³ *Ibid.*

that the records above are withheld, we still request the records sought in this section, to help the public better understand the system.) 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. To clarify:

- A “record layout” (also known as a “database schema”) is a technical document that describes the structure of a database. Here is a publicly-available example from the Centers for Medicare and Medicaid Services:
https://www.cms.gov/Medicare/Prescription-Drug-Coverage/DrugCoverageClaimsData/Downloads/FileFormat_020806.pdf
- An “entity relationship diagram” (also known as a “database diagram”) is a technical document that describes the relationships between a database’s various tables and columns. Here is a publicly-available example from the Department of Justice:
https://www.justice.gov/sites/default/files/usao/pages/attachments/2014/12/08/erd_clions11_05_08_2009.pdf
- A “data dictionary” is a document that defines the meaning of each field (and possible values, where necessary) in a database. Here is a publicly-available example from the Bureau of Labor Statistics: <https://www.bls.gov/tus/atuscpscodebk15.pdf>
- A “glossary” is a document that defines various terms used in the database and associated documentation. Here is a publicly-available example from the Department of Transportation: <https://www.transit.dot.gov/ntd/national-transit-database-ntd-glossary>
- A “user guide” is a document that instructs users of a database or computer system how to interact with it. Here is a publicly-available example from the National Institutes of Health: https://www.era.nih.gov/files/AMS_user_guide.pdf

Your agency may use different terminology for similar kinds of documents. Please consider any such documentation within the scope of this request.

We request all such records *produced or in use* between January 1, 2010, and the date that the search for such records is conducted.

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. Although the FAP publishes aggregated statistics on the incidence of abuse as well as demographic summaries of collective incident rates,⁴ these reports measure high-level incidence rates, disaggregated by only one or two incident/victim/alleged-abuser characteristics at a time — for instance, “Proportion of Unique Abusers in Met Criteria Domestic Abuse Incidents by Age Group and Sex.” The requested data would provide incident-level information, furthering transparency and public understanding of incidents and their outcomes. Without incident-level data, the public’s understanding of abuse allegations is constrained to the analyses that the Department of Defense has predetermined. Members of the public, for example, are unable to run sub-analyses for specific demographics or reported incident characteristics. The scope of the DoD-predetermined analyses are, inherently, limited and do not provide answers to many relevant research questions, such as examining differences in the distributions of alleged abuse types by victim/alleged-abuser Military Service. Incident-level records would also be necessary to rigorously analyze how various factors present in the records correlate with incident outcomes (i.e., whether the incident was determined to “meet criteria for abuse”).

Access to the records would also provide evidence regarding the degree to which this information is being reliably tracked by the Child Abuse and Domestic Abuse Incident Reporting System. To what degree are essential fields consistently complete? Does the consistency of the data vary by service branch, or over time?

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 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.⁵ His “past publication record[,]” 5 U.S.C. § 552(a)(4)(A)(ii), includes serv[ing] from 2014 to early 2022 as the

⁴ See, for example: Department of Defense, “Report on Child Abuse and Neglect and Domestic Abuse in the Military for Fiscal Year 2021,” September 2022.

<https://download.militaryonesource.mil/12038/MOS/Reports/FINAL-DoD-FAP-Report-FY2021.pdf>.

⁵ The Data Liberation Project. <https://www.data-liberation-project.org/>.

data editor for BuzzFeed News, where he helped to make many datasets available to the public;⁶ 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.⁷ Records obtained by the Data Liberation Project are released publicly, for all to use.⁸

This information will also shed light on the operations or activities of the government in relation to the Department of Defense's tracking of child abuse allegations, as well as the volume and patterns of such allegations within the military. 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.") 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

⁶ BuzzFeed News, "An index of all our open-source data, analysis, libraries, tools, and guides." <https://github.com/BuzzFeedNews/everything>.

⁷ 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>.

⁸ The Data Liberation Project, "Datasets." <https://www.data-liberation-project.org/datasets/>.

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>.

“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.

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,

Jeremy Singer-Vine
Director, The Data Liberation Project
Email: jvine@gmail.com
Phone: Available upon request
Mailing address: Available upon request