

December 16, 2021

Information and Privacy Coordinator
Central Intelligence Agency
Washington, D.C. 20505

This is a request for records under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 and the Privacy Act, 5 U.S.C. § 552a. This request should be considered under both statutes to maximize the release of records.

REQUESTER INFORMATION

Name: Jason Leopold
Position: Investigative Reporter
Address: 1669 Benedict Canyon Dr., Beverly Hills, CA 90210
Email: jasonleopold@gmail.com

RECORDS SOUGHT

I request disclosure from the Central Intelligence Agency Office of Inspector General a copy of the concluding document (report of investigation, final report, closing memo, referral letter) attachments and exhibits concerning investigations closed in calendar year 2020 and 2021 concerning misconduct, actual or alleged.

Reasonably Foreseeable Harm. The FOIA Improvement Act of 2016 amended the FOIA as follows (5 USC 552(a)(8)):

(A) An agency shall—

(i) withhold information under this section only if—

(I) the agency reasonably foresees that disclosure would harm an interest protected by an exemption described in subsection (b); or

(II) disclosure is prohibited by law; and

(ii) (I) consider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible; and

(II) take reasonable steps necessary to segregate and release nonexempt information. . . .

CIA should not fail to comply with this mandatory part of the FOIA as recently amended by Congress. The Agency is required to identify what reasonably foreseeable harm would flow from release of the information withheld, nor did it

Central Intelligence Agency



Washington, D.C. 20505

17 December 2021

Jason Leopold
BuzzFeed News
1669 Benedict Canyon Drive
Beverly Hills, CA 90210
jasonleopold@gmail.com

Reference: F-2022-00440

Dear Requester:

On 16 December 2021, the Office of the Information and Privacy Coordinator received your same-day correspondence seeking, under the Freedom of Information Act, **a copy of concluding document (report of investigation, final report, closing memo, referral letter) attachments and exhibits concerning investigations closed in the calendar year 2020 and 2021 concerning misconduct, actual or alleged.**

This letter serves to acknowledge that CIA received your request, and to further let you know that this office assigned your request the reference number provided above. Citing this number in future correspondence will allow us to more efficiently locate your case information.

In the event that we have questions or require additional information or clarification from you to proceed with processing your request, a representative will contact you. Unless you object, this office will search for CIA-originated records only up to and including the date that the Agency begins its search.

We note your request for a waiver of applicable fees, and as a matter of administrative discretion, this office is waiving fees associated with your query.

To check the status of your request, please visit: <https://www.cia.gov/readingroom/request/status> and input the reference number provided above or call this office at (703) 613-1287.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Lilly".

Mark Lilly
Information and Privacy Coordinator



Fwd: ATTN -- Initial Response F-2022-00440

1 message

----- Forwarded message -----

From: **Jason Leopold** <jasonleopold@gmail.com>
Date: Mon, Jan 31, 2022, 4:29 PM
Subject: Fwd: ATTN -- Initial Response F-2022-00440
To: <MARKAL11@ucia.gov>

Mark,
Do you have an estimated date of completion for this request?

Best,
Jason

----- Forwarded message -----

From: **Public Access Request Branch@ucia.gov** <Public_Access_Request_Branch@ucia.gov>
Date: Fri, Dec 17, 2021 at 9:39 AM
Subject: ATTN -- Initial Response F-2022-00440
To: jasonleopold@gmail.com <jasonleopold@gmail.com>

Dear Requester:

Attached is an initial response to your Freedom of Information Act (FOIA) query of 16 December 2021. Please review the attachment, and should you have any questions, please call the CIA FOIA Hotline at +1 (703) 613-1287.

Regards,
Public Access Requests Branch
Central Intelligence Agency

Warning – Please DO NOT REPLY to this e-mail. This e-mail is used solely to provide a response to your Freedom of Information Act (FOIA) request of the Central Intelligence Agency (CIA), and is not a means of communicating with CIA regarding your request. As a result, the account from which this message originated is not routinely monitored. Should

you have any questions or concerns about our response, please call the CIA FOIA Hotline at +1 (703) 613-1287.

BuzzFeed News


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Signal: (213) 270-4334 and (646) 379-1975

Send me documents and tips, anonymously and securely: tips.buzzfeed.com

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My BuzzFeed PGP fingerprint: 46DB 0712 284B 8C6E 40FF 7A1B D3CD 5720 694B 16F0

 **F_2022_00440_ACK.pdf**
139K

Central Intelligence Agency



Washington, D.C. 20505

8 February 2022

Jason Leopold
BuzzFeed News
1669 Benedict Canyon Drive
Beverly Hills, CA 90210
jasonleopold@gmail.com

Reference: F-2022-00440

Dear Requester:

On 1 February 2022, the Office of the Information and Privacy Coordinator received your 31 January 2022 correspondence seeking an update on the status of your above-referenced Freedom of Information Act request.

Please be assured that we are currently processing your request and will advise you of the Agency's determination as soon as possible. Our estimated completion date is 11 August 2023. Please note, this is only an estimated date and is subject to change. Meanwhile, we appreciate your patience while we continue to process your request.

To check the status of your request, please visit: <https://www.cia.gov/readingroom/request/status> and input the reference number provided above or call this office at (703) 613-1287.

Sincerely,

A handwritten signature in black ink that reads "Andra Barker".

Andra Barker
Acting Information and Privacy Coordinator

consider a partial disclosure of the information, taking reasonable steps to segregate and release nonexempt information.

INSTRUCTIONS REGARDING SEARCH

1. Instructions Regarding “Leads”:

As required by the relevant case law, the CIA IG should follow any leads it discovers during the conduct of its searches and perform additional searches when said leads indicate that records may be located in another system. Failure to follow clear leads is a violation of FOIA.

2. Request for Public Records:

Please search for any records even if they are already publicly available.

3. Request for Electronic and Paper/Manual Searches:

I request that searches of all electronic and paper/manual indices, filing systems, and locations for any and all records relating or referring to the subject of my request be conducted.

4. Request for Search of Filing Systems, Indices, and Locations:

I request that the CIA search all of its offices and components which are likely to contain responsive records.

5. Request regarding Photographs and other Visual Materials:

I request that any photographs or other visual materials responsive to my request be released to me in their original or comparable forms, quality, and resolution. For example, if a photograph was taken digitally, or if the CIA IG maintains a photograph digitally, I request disclosure of the original digital image file, not a reduced resolution version of that image file nor a printout and scan of that image file. Likewise, if a photograph was originally taken as a color photograph, I request disclosure of that photograph as a color image, not a black and white image. Please contact me for any clarification on this point.

6. Request for Duplicate Pages:

I request disclosure of any and all supposedly “duplicate” pages. Scholars analyze records not only for the information available on any given page, but also for the relationships between that information and information on pages surrounding it. As such, though certain pages may have been previously released to me, the existence of those pages within new context renders them functionally new pages. As such, the only way to properly analyze released information is to analyze that information within its proper context. Therefore, I request disclosure of all “duplicate” pages.

7. Request to Search Emails:

Please search for emails relating to the subject matter of my request.

8. Request for Search of Records Transferred to Other Agencies:

I request that in conducting its search, the CIA IG disclose releasable records even if they are available publicly through other sources outside the CIA IG, such as NARA.

9. Regarding Destroyed Records

If any records responsive or potentially responsive to my request have been destroyed, my request includes, but is not limited to, any and all records relating or referring to the destruction of those records. This includes, but is not limited to, any and all records relating or referring to the events leading to the destruction of those records.

FEE CATEGORY AND REQUEST FOR A FEE WAIVER

I am the senior investigative reporter for BuzzFeed News and formerly senior investigative reporter and on-air correspondent for VICE News. Additionally, my reporting has been published in The Guardian, The Wall Street Journal, The Financial Times, Salon, CBS Marketwatch, The Los Angeles Times, The Nation, Truthout, Al Jazeera English and Al Jazeera America.

I request a complete waiver of all search and duplication fees. If my request for a waiver is denied, I request that I be considered a member of the news media for fee purposes.

Under 5 U.S.C. §552(a)(4)(A)(iii), “Documents shall be furnished without any charge ... if disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.” Disclosure in this case meets the statutory criteria, as the records sought to detail the operations and activities of government. This request is also not primarily in my commercial request, as I am seeking the records as a journalist to analyze and freely release to members of the public.

If I am not granted a complete fee waiver, I request to be considered a member of the news media for fee purposes. I am willing to pay all reasonable duplication expenses incurred in processing this FOIA request.

I will appeal any denial of my request for a waiver administratively and to the courts if necessary.

Please do not hesitate to contact me if you have any questions concerning this request.

Thank you. I appreciate your time and attention to this matter.