

3. Defendant Central Intelligence Agency (“CIA”) is an agency of the United States within the meaning of 5 USC § 552(f).

4. The CIA has possession, custody and control of the records Plaintiff seeks.

JURISDICTION AND VENUE

5. This action arises under the Freedom of Information Act (“FOIA”), 5 USC § 552.

6. This Court has jurisdiction over the parties and subject matter pursuant to 5 USC § 552(a)(4)(B). Jurisdiction also lies with this Court under 28 USC § 1331.

7. Venue is proper in this district pursuant to 5 USC § 552(a)(4)(B).

STATEMENT OF FACTS

BACKGROUND

8. According to the CIA’s website, “The CIA Office of Inspector General (OIG) is an independent office of the CIA that is headed by the Inspector General and promotes economy, efficiency, effectiveness and accountability in the management of CIA activities by performing independent audits, inspections, investigations, and reviews of CIA programs and operations. The OIG also seeks to detect and deter fraud, waste, abuse and mismanagement. The OIG advances the Agency’s mission by providing findings and recommendations expeditiously to the Director, the Agency and the Congressional intelligence committees. The OIG works directly with the Department of Justice and other appropriate federal agencies when investigating alleged violations of law.”

PLAINTIFF’S FOIA REQUESTS

9. On August 9, 2016, Plaintiffs submitted a FOIA request to the CIA for specific records identified and discussed in the Executive Summary of the Senate Select Committee on

Intelligence (SSCI) Study of the CIA's Detention and Interrogation Program (SSCI Report). Attached to Plaintiffs' request was a list of each record that was being requested. Plaintiffs' request also sought a waiver of fees.

10. In a letter dated August 17, 2016, the CIA acknowledged that it had received Plaintiffs' FOIA request on August 11, 2016. The letter further indicated that CIA had assigned the request tracking number F-2016-02387. The letter also indicated that Plaintiffs' request for a fee waiver was being granted.

11. As of the filing of this Complaint, Plaintiffs have not received a final determination as to whether the CIA will release the requested records. Because more than 20 business days have elapsed since August 11, 2016, Plaintiffs are deemed to have exhausted their administrative remedies.

COUNT I:
VIOLATION OF FOIA

12. This Count realleges and incorporates by reference all of the preceding paragraphs.

13. Each of the documents referred to in this Complaint is incorporated herein by reference.

14. The CIA has violated FOIA as to request F-2016-02387 by improperly withholding responsive records.

15. Plaintiffs have been and will continue to be irreparably harmed until Defendant is ordered to comply with FOIA.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

(1) Declare Defendant's failure to comply with FOIA to be unlawful;

- (2) Order Defendant to search for and process the requested records without further delay;
- (3) Grant Plaintiffs an award of attorney fees and other litigation costs reasonably incurred in this action pursuant to 5 USC § 552(a)(4)(E)(i);
- (4) Grant Plaintiffs such other and further relief which the Court deems proper.

Respectfully Submitted,

/s/ Jeffrey Light

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