

Subject: Re: Demand for Immediate Production - FOIA Request F-2015-00726
From: Andrew Sellars <sellars@bu.edu>
Date: 4/6/17, 4:33 PM
To: CIA FOIA <cia_foia@ucia.gov>

Dear Ms. Fong,

Thank you for the timely response, but I have serious issues with your portrayal of the facts here. I am aware that you receive thousands of requests per year, and I am also aware that you process thousands of requests per year. What the CIA has yet to explain, despite my repeated questioning, is why my client's request fell out of its place in the queue.

As I stated in my letter, based on what your agency reported to the Attorney General, Ms. Johnson's request was roughly 1,760th in line when it arrived, and you have produced more than 5,000 requests in the intervening two years, purportedly on a first-in-first-out basis. By your own terms, Ms. Johnson's request should have been processed thousands of requests ago.

We heard from the FOIA case officer that the delay may be explained by a grouping that the CIA did of similar requests in order to process them as a cluster. That is not a valid exercise of the law. Agencies are not allowed to delay requests in order to cluster them for their own ease in processing. And no delay, of any kind, justifies waiting more than two years for records as simple and straightforward as these.

We therefore will not retract our demand. We may be willing to revisit this position if the CIA could show us actual proof of progress, or a guarantee of production by a certain date. Absent that, your response does nothing more than to ask us to have faith and be patient. All available evidence suggests that the CIA has only abused her prior efforts along those lines.

Please feel to call me at 617-358-7377 if you would like to discuss a production schedule.

Very truly yours,
Andrew Sellars

On 4/6/17 11:46 AM, CIA FOIA wrote:

Mr. Sellars:

This responds to your email dated 5 April 2017 regarding your demand for immediate production of records submitted on behalf of your client, Ms. Amanda Johnson, pertaining to her 19 December 2015 Freedom of Information Act (FOIA) request. Specifically, her request was for records related to the CIA's social media public-facing twitter account. We are aware of your concern with not having received a final response to your client's request. We receive thousands of FOIA requests a year and with our limited resources we are experiencing a tremendous backlog. Please note, we are making

every effort to complete your client's request as soon as possible. We have, and we will again notify the office conducting the search concerning your client's status and demand for final completion. We are making every effort to complete it as soon as possible. As you stated, it is within your right under the FOIA to pursue judicial remediation if you determine that we are not exercising our due diligence, but we wish to inform you that your request is in the process and we are actively working towards its completion.

Thank you, Information and Privacy Coordinator Allison Fong

-----Original Message----- From: Andrew Sellars
[mailto:sellars@bu.edu] Sent: Wednesday, April 05, 2017 5:04 PM To:
CIA FOIA <cia.foia@cia.gov> Subject: Demand for Immediate Production
- FOIA Request F-2015-00726

To whom it may concern,

Please see the attached letter concerning FOIA Request F-2015-00726.
Please feel to contact me directly if you have any questions.

Sincerely, Andrew Sellars

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