



**Central Intelligence Agency  
2021 Chief Freedom  
of Information Act  
Officer Report**

**Fiscal Year 2020**

## Jennifer Ewbank, Deputy Director for Digital Innovation and Chief FOIA Officer

### Section I: Steps Taken to Apply the Presumption of Openness

The guiding principle underlying DOJ's FOIA Guidelines is the presumption of openness.

Please answer the following questions in order to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness.

#### **A. FOIA Leadership**

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at the Assistant Secretary or equivalent level. Is your agency's Chief FOIA Officer at this level?

- Yes.

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

- Jennifer Ewbank, Deputy Director for Digital Innovation

#### **B. FOIA Training**

3. 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.

- See Paragraph 5 below.

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

- Yes.

5. If yes, please provide a brief description of the type of training conducted and the topics covered.

- Newly-arrived CIA public access professionals typically attend day-long internal training courses, such as a course focused on substantive understanding of how laws and executive orders apply to the CIA with regards to reviewing, declassifying, and releasing information to the public, or a course that provides an understanding

of the FOIA statute, amendments, and case law. Other refresher training is provided to address updates in the FOIA statute and case law, processing and technological improvements, and FOIA issues related to this agency's unique equities and business. In Fiscal Year 2020, CIA public access professionals also attended training given by the Office of Government Information Services (OGIS), on dispute-resolution tactics with FOIA requesters.

- CIA public access professionals also attend conferences, meetings, and professional networking functions. In Fiscal Year 2020, CIA personnel were unable to attend events in-person due to the COVID-19 pandemic.

6. 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.

- One hundred percent.

7. 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.

- Not applicable.

### **C. Outreach**

8. Did your FOIA professionals engage in any outreach or dialogue 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.

- CIA FOIA office professionals followed media coverage and websites maintained by open government groups and FOIA advocates to spot developments that affect CIA's public access programs, and continually reviewed the DOJ website for current guidance. Normally-attended, in-person events such as the annual meeting of the American Society of Access Professionals (ASAP) were unavailable in Fiscal Year 2020.
- The CIA FOIA office continued the work of its requester engagement team, established in Fiscal Year 2019. The engagement team reaches out to requesters with proactive status updates, and answers other processing-related questions, while also negotiating with requesters on scoping requests, in coordination with legal counsel. CIA also established a digital capability for sending completed FOIA responses to requesters in Fiscal Year 2020, significantly reducing delivery times

for completed cases, and brought online a status-tracker capability for requesters to get updates on in-process cases by searching on their assigned reference number(s).

- CIA's Electronic Reading Room provides helpful tips on how to compose proper, effective FOIA requests. Requesters seeking additional information not found on CIA.gov may call the CIA FOIA hotline at (703) 613-1287, which is staffed during normal business hours when the US Government is open. CIA answered all hotline calls or returned calls by the next business day, answering questions in real time when possible, or informing the caller that CIA would call back or respond by letter.

#### **D. Other Initiatives**

9. 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.

- CIA attorneys and public access professionals have made efforts to sensitize components to the Agency's statutory requirements under the FOIA. CIA FOIA personnel provide briefings to senior officers, executive assistants, and records managers, and web-based courses are available to all CIA personnel.
- FOIA-related performance standards are included in the objectives of employees who administer the FOIA.

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

- CIA's Historical Program Staff (HPS) conducts regular assessments to evaluate potential collections of historical records for discretionary release. This process involves input from CIA's historians, subject matter experts, and members of the academic community to identify topics of historical significance. The program office then researches and reviews the selected material. National security risks that may arise from declassification are carefully weighed against the benefits of disclosure. Public and professional interest in specific topics are also considered, as judged by a number of searches on the FOIA website. Based on this evaluation and the availability of resources, the Agency determines whether to process a collection for discretionary release.
- CIA continues to work with several other partners to ensure openness and transparency, including the CIA Transparency Officer, the CIA Office of Privacy and Civil Liberties, the National Archives and Records Center's Public Interest Disclosure

Board (PIDB) and PIDB Technology Working Group, and the Interagency Security Classification Appeals Panel (ISCAP).

## **Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests**

DOJ's [FOIA Guidelines](#) emphasize that “[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests.” It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that the management of your FOIA program is effective and efficient. You should also include any additional information that describes your agency's efforts in this area.

1. For Fiscal Year 2020, 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 2020 Annual FOIA Report.

- In Fiscal Year 2020, the average number of days for adjudicating requests for expedited processing was 5.2.

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

- Not applicable.

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing annual report data, using active workflows and track management, reviewing and updating processing procedures, etc.

- During Fiscal Year 2020, CIA used a number of methods to continually assess and improve its FOIA program, including a continued reliance on data to drive decision-making. Such methods have greatly enhanced CIA's ability to target older cases for closure, and resulted in significant processing gains in comparison to previous fiscal years.
- CIA holds a monthly FOIA review panel to discuss progress towards current fiscal year FOIA goals and strategize solutions. The panel reviews the “10 oldest” FOIA initial, appeal, and consultation cases, and metrics on the volume of cases received and closed.

- CIA maintained an aggressive approach to contacting other USG agencies where it had consultations pending, negotiating with personnel there to facilitate closure of long-standing consultations.

\* Note: In September 2017, OIP released a FOIA Self-Assessment Toolkit as a resource for agencies conducting a self-assessment of their FOIA program. The Toolkit is available on OIP's website for all agencies to use.

4. Standard Operating Procedures (SOPs): Having SOPs can improve the consistency and quality of an agency's FOIA process. In addition, describing an agency's standard practices for handling FOIA requests on agency FOIA websites can help requesters better understand how their request will be handled.

a) Does your agency have SOPs that outline general processes for handling FOIA requests and appeals?

- Yes.

b) If not, does your agency have plans to create FOIA SOPs?

c) If yes, how often are they reviewed/updated to account for changes in law, best practices, and technology?

- Agency SOPs are reviewed continually to ensure they remain aligned to the extent possible with best practices, statutory changes, and technological advancements.

d) In addition to having SOPs, does your agency post or otherwise describe your standard processes for handling requests on your website?

- Detailed information regarding request format and other requirements is available within CIA's implementing FOIA regulations, posted to the *Code of Federal Regulations* at 32 C.F.R. § 1900, within the *Federal Register*. CIA provides requesters with sample request letters, as well as hints for constructing successful queries, on its website.

5. 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 FY 2020 (please provide a total number or an estimate of the number).

- CIA informs requesters in its final response letters that they may seek dispute resolution services from the CIA's FOIA Public Liaison and provides the phone number by which the Liaison may be reached, as well as contact information for the Office of Government Information Services.
- There were no instances in which a requester sought assistance from the CIA FOIA Public Liaison in Fiscal Year 2020.

6. Does your agency frequently receive common categories of first-party requests? If so, please describe the types of requests and if your agency has explored establishing alternative means of access to these records outside of the FOIA process?

- No.

7. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?

- Efforts to update CIA implementing FOIA regulations are ongoing, in coordination with the Office of General Counsel.

8. Please explain how your agency worked to mitigate the impact of the COVID-19 pandemic on FOIA processing. Examples could include, but are not limited to: altering workflows, implementing new technology, providing notices and instructions or otherwise communicating directly with requesters.

- CIA endeavors to be as transparent as possible with its FOIA requesters, when queried for status updates for open FOIA requests, noting that processing queues have been lengthened by mitigation measures necessitated by the COVID-19 pandemic, and asking for continued patience.

9. Please describe the best practices used to ensure that your FOIA system operates efficiently and effectively and any challenges your agency faces in this area.

- CIA holds a monthly FOIA review panel to discuss progress towards current fiscal year FOIA goals and strategize solutions. The panel reviews the 10 oldest each of FOIA initial, appeal, and consultation cases, metrics on the volume of cases received and closed, and the impact of specific actions on reducing the backlog.
- Various offices supporting FOIA have implemented cross-training efforts so that there is a greater pool of trained FOIA professionals who can surge to support any area that needs additional resources.

### **Section III: Steps Taken to Increase Proactive Disclosures**

The Department of Justice has long focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

1. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

- In 2020, the CIA's Historical Program Staff (HPS) released several collections of records through its Targeted Release Program:
  - October 2019:
    - Lunik on Loan: A Space-Age Spy Story
    - Current Intelligence Bulletin (CIB)<sup>1</sup>, 1956
  - December 2019:
    - The Collapse of Communism in Eastern Europe: A 30-Year Legacy
    - CIB, 1957
  - January 2020:
    - CIB, 1958
  - February 2020:
    - CIB, 1959
  - June 2020:
    - CIB, 1960
  - July 2020:
    - Aquiline<sup>2</sup>
  - August 2020:
    - CIB, 1961

All of these releases were posted exclusively online and not as part of other release events. These released documents were posted on the CIA website and are located at <https://www.cia.gov/readingroom/historical-collections>.

2. Please describe how your agency identifies records that have been requested and released three or more times (and are therefore required to be proactively disclosed pursuant to 5 U.S.C. § 552(a)(2)(D)).

- CIA strives to release FOIA records proactively if they are of public interest and there are no other issues that would negate posting to the CIA website, which alleviates some of the need for tracking material requested three or more times. However, to identify such records, we rely on FOIA requester logs, identifying cases or documents that have been previously reviewed when they are requested in new cases, prior

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<sup>1</sup> A predecessor of today's President's Daily Brief (PDB), the Current Intelligence Bulletin (CIB) was the format of the President's daily intelligence digest from February 1951 through the end of the Eisenhower Administration in 1961.

<sup>2</sup> An innovative Agency program in the 1960s, codenamed Aquiline, was the very first to test the concept of unmanned aerial vehicles (UAVs) as collection platforms.



posted versions of records in the electronic reading room, and identifying popular topics where the same records will be responsive for multiple requests.

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.

- Efforts to improve search functionality, organize collections of materials, and provide better tools or clearer layout are ongoing to make the website more user friendly, in line with an overall website redesign being led by the Office of Public Affairs.

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

- CIA did not engage requesters directly to determine topics of public interest or what to release. However, the FOIA office and Historical Program Staff continues to keep abreast of trending news, historically significant dates, and trends in CIA's FOIA submissions and take that into consideration to determine what to release proactively.
- CIA intends to post online as many records as possible that are released under its FOIA program. Frequently-requested records will be given priority for posting online at regular intervals. As we continue to adopt new and improved technological tools, we hope that the challenges faced in the past relative to posting materials online will be alleviated.

#### **Section IV: Steps Taken to Greater Utilize Technology**

A key component of FOIA administration is using technology to make information more accessible. In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that describes your agency's efforts in this area.

1. Is your agency leveraging technology to facilitate efficiency in conducting searches, including searches for emails? If so, please describe the type of technology used. If not, please explain why and please describe the typical search process used instead.

- CIA improved record search capabilities through the use of web-enabled tools that enhance CIA's ability to efficiently track and manage search tasks electronically, including dividing complex searches into smaller tasks that could be assigned to several people and delivering search results to multiple customers. This improvement has contributed to CIA's ability to respond to FOIA requests in a timelier manner by searching more efficiently and documenting results in case of appeal. These tools allow searches of like requests and prioritization of tasks, as well as provide a tracking function to inform resource-management decisions (e.g., workload assessment and assigning of new cases).
- CIA has been working with several other government agency (OGA) partners to create viable methods for sharing electronic records and consultations on unclassified and classified systems, as appropriate, and identifying compatible technological systems and platforms. CIA currently uses electronic delivery via external electronic media (CD and DVD) with some agencies. In Fiscal Year 2020, CIA relied almost exclusively on e-mail for correspondence with most OGA partners, utilizing it as a means for electronic document delivery where technologically feasible.

2. 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?

- Yes.

3. Did your agency successfully post all four quarterly reports for Fiscal Year 2020?

- Yes.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2021.

- Not applicable.

5. 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 2019 Annual FOIA Report and, if available, for your agency's Fiscal Year 2020 Annual Report.

- CIA's Fiscal Year 2019 Annual FOIA Report is located at <https://www.cia.gov/readingroom/foia-annual-report>.

- CIA's Fiscal Year 2020 Annual FOIA Report and the raw data will be posted at the same site when available.

6. Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area.

- CIA actively identifies, develops, and delivers new technology and tools to increase efficiency, reduce manual and duplicative processes, and enable CIA to consult, review, and respond to requesters more efficiently and consistently. In the meantime, CIA prepares the groundwork for eventual technological advances by refining internal procedures and processes to the extent possible with the tools and technologies available.

### **Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs**

The Department of Justice has emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

For the figures required in this Section, please use the numbers contained in the specified sections of your agency's FY 2019 and 2020 Annual FOIA Reports.

#### **A. Simple Track**

Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

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

- Yes.

2. If your agency uses a separate track for simple requests, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2020?

- Yes, CIA processing of simple track requests averaged 6.9 days in Fiscal Year 2020. In contrast, CIA's average processing in Fiscal Year 2019 was 20.11 days.

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2020 that were placed in your simple track.

- Simple track requests made up 18.95% of CIA's processed FOIA requests.

4. 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?

- Not applicable.

## **B. Backlogs**

Section XII.A of your agency's Annual FOIA Report, entitled "Backlogs of FOIA Requests and Administrative Appeals" shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2020 and Fiscal Year 2019 when completing this section of your Chief FOIA Officer Report.

### **BACKLOGGED REQUESTS**

5. If your agency had a backlog of requests at the close of Fiscal Year 2020, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

- CIA's FOIA backlog of pending requests increased in Fiscal Year 2020.

6. If not, did your agency process more requests during Fiscal Year 2020 than it did during Fiscal Year 2019?

- Yes. CIA processed 2,622 cases in Fiscal Year 2020 and 2,261 cases in Fiscal Year 2019.

7. If your agency's request backlog increased during Fiscal Year 2020, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog.

- The primary driver of the FOIA backlog increase in Fiscal Year 2020 was the unexpected reduction in personnel working on FOIA matters due to health-risk mitigation measures put in place at CIA stemming from the COVID-19 pandemic, with competing review requirements acting as a secondary driver.

8. 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 2020. If your agency has no request backlog, please answer with "N/A".

- 94.5%

## BACKLOGGED APPEALS

9. If your agency had a backlog of appeals at the close of Fiscal Year 2020, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2019?

- CIA's FOIA backlog of pending appeal requests increased in Fiscal Year 2020.

10. If not, did your agency process more appeals during Fiscal Year 2020 than it did during Fiscal Year 2019?

- No. CIA processed 113 cases in Fiscal Year 2020 and 173 cases in Fiscal Year 2019.

11. If your agency's appeal backlog increased during Fiscal Year 2020, 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 requests.
  - ✓ 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.
  - ✓ Any other reasons? Please briefly describe or provide examples when possible.
- Please see comments to Section V.B. Question 7 above.

12. 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 2020. If your agency did not receive any appeals in Fiscal Year 2020 and/or has no appeal backlog, please answer with "N/A."

- 177%

### C. Backlog Reduction Plans

13. In the 2020 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1,000 requests in Fiscal Year 2019 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 2020.

- CIA continued the prior fiscal year's efforts at backlog reduction, and renewed its dedication to collecting and analyzing various metrics to more effectively identify and act on cases pending closure, as well as increased electronic communication with

other USG agency partners to reduce time in sending/receiving consultation requests and replies. The CIA FOIA office did recover from the initial backlog spike seen in early 2020, and ended the fiscal year on a downward trend for the second year in a row.

14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2020, what is your agency's plan to reduce this backlog during Fiscal Year 2021?

- The continued reliance on metrics, coupled with aggressive managerial quality-assurance measures are what the CIA FOIA office will rely on moving forward. These have already begun to bear fruit, as CIA's FOIA backlog has reduced by approximately 6% from baseline through the first two months of Fiscal Year 2021.

#### **D. Status of Oldest Requests, Appeals, and Consultations**

Section VII.E, entitled "Pending Requests—Ten Oldest Pending Requests," Section VI.C.(5), entitled "Ten Oldest Pending Administrative Appeals," and Section XII.C., entitled "Consultations on FOIA Requests—Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency," show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal year 2019 and Fiscal Year 2020 when completing this section of your Chief FOIA Officer Report.

#### **TEN OLDEST REQUESTS**

15. In Fiscal Year 2020, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2019 Annual FOIA Report?

- No.

16. 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 2019 Annual FOIA Report. If you had fewer than ten total oldest requests to close, please indicate that.

- CIA closed seven of its ten oldest initial requests in Fiscal Year 2019.

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

- CIA looks for cases with similar topics to those on the ten oldest requests to see which cases can be closed when the similar case on the ten oldest list is completed. CIA also looks for cases over one year old where similar topics were addressed under discretionary or other release programs, recent public acknowledgements, and/or processing improvements make release possible. Finally, CIA expands its view beyond the ten oldest to a wider range and targets requests where all review work is

complete for closure, pushing down the overall age of the backlog.

- CIA periodically reviews the oldest cases to ensure that they are still being worked, issues are addressed, and outstanding actions or consultations are monitored.

## TEN OLDEST APPEALS

18. In Fiscal Year 2020, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2019 Annual FOIA Report?

- No.

19. 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 2019 Annual FOIA Report. If you had fewer than ten total oldest appeals to close, please indicate that.

- CIA closed zero of its ten oldest appeals in Fiscal Year 2020.

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

- In addition to the responses to question 17, CIA seeks innovative processes to streamline complex reviews, such as creating a holistic review team for cases with intertwined equities.

## TEN OLDEST CONSULTATIONS

21. In Fiscal Year 2020, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2019 Annual FOIA Report?

- Yes.

22. 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 2019 Annual FOIA Report. If you had fewer than ten total oldest consultations to close, please indicate that.

- N/A.

## E. Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans

23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2019.

- Documents that incorporate highly classified material often require more time for review and coordination. The holdouts from our ten oldest requests and appeals lists require extensive consultations as the documents contain information that originated with other federal agencies.

24. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

Case	Initial Receipt Date	Consultation Sent	Last Contact
1	3/26/2009	3/8/2019	11/3/2020
7	1/20/2011	3/6/2019	11/20/2020
10	8/5/2009	3/19/2014	11/12/2020

25. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2021.

- The CIA FOIA office compiles lists of our 10 oldest requests, appeals, and consultations early in the current fiscal year. CIA uses this list of thirty cases to track progress and identify opportunities to advance each case toward closure and develop collaborative solutions to address cases with multiple, complex equities. CIA also alerts internal and external partners, when circumstances warrant, to assign a higher priority to these thirty requests. CIA remains focused on closing each of the 10 oldest requests, appeals, and consultations.

## F. Success Stories

Out of all of the activities undertaken by your agency since March 2020 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency’s efforts. The success story can come from any one of the five key areas. As noted above, OIP will highlight these agency success stories during Sunshine Week. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

- The CIA FOIA office achieved successes during Fiscal Year 2020 not seen since approximately Fiscal Year 2015, in terms of Ten Oldest initial (7/10) and consultation



(10/10) closures. This office laid the groundwork for success in Fiscal Year 2019 with a focus on internal processing reforms, and despite the unprecedented challenges presented by the COVID-19 pandemic, was able to have its most successful year in recent history. The CIA FOIA office also established an e-mail capability for delivery of completed FOIA cases to requesters and has reduced its backlog by approximately 6% from baseline through the first two months of Fiscal Year 2021.