

# Central Intelligence Agency

## Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002

### Annual Report for the Fiscal Year 2010



Office of Equal  
Employment Opportunity

## **Table of Contents**

<b>Tab A</b>	<b>Executive Summary</b>
<b>Tab B</b>	<b>Comparative Data FY2006 – FY2010</b>
<b>Tab C</b>	<b>FY2010 EEO Statistical Report of Discrimination Reports</b>
<b>Tab D</b>	<b>Agency Regulation: Discipline and Accountability</b>
<b>Tab E</b>	<b>Agency's Zero Tolerance Policy</b>



**Insert Signed Executive Summary Here**



Complaint Activity	Comparative Data				
	Previous Fiscal Year Data				
	2006	2007	2008	2009	2010
Number of Complaints Filed	12	24	22	21	33
Number of Complainants	11	23	22	21	32
Repeat Filers	1	2	0	0	1

Complaints by Basis	Comparative Data				
	Previous Fiscal Year Data				
	2006	2007	2008	2009	2010
<i>Note: Complaints can be filed alleging multiple bases. The sum of the bases may not equal total complaints filed.</i>					
Race	2	5	19	8	11
Color	0	1	1	3	0
Religion	1	3	1	0	3
Reprisal	3	7	8	28	18
Sex	6	11	15	6	12
National Origin	1	4	1	7	4
Equal Pay Act	0	0	0	0	0
Age	4	4	8	6	10
Disability	6	7	1	19	9
Non-EEO	0	0	0	0	0

Complaints by Issue	Comparative Data				
	Previous Fiscal Year				
	2006	2007	2008	2009	2010
<i>Note: Complaints can be filed alleging multiple issues. The sum of the issues may not equal total complaints filed.</i>					
Appointment/Hire	4	0	3	0	7
Assignment of Duties	1	9	9	10	9
Awards	1	2	3	7	1
Conversion to Full-time	0	0	0	0	0
<b>Disciplinary Action</b>					
Demotion	0	0	0	0	0
Reprimand	1	0	0	1	1
Removal	0	1	0	8	1
Suspension	0	0	0	0	0
Other	0	1	0	0	3
Duty Hours	0	0	0	1	1
Evaluation Appraisal	0	3	1	2	9
Examination/Test	0	0	1	0	1
<b>Harassment</b>					
Non-Sexual	9	7	10	11	3
Sexual	1	2	3	1	1
Medical Examination	0	0	0	3	1
Pay (Including Overtime)	0	1	1	0	2
Promotion/Non-Selection	6	8	16	6	9
<b>Reassignment</b>					
Denied	1	3	1	8	3
Directed	0	1	1	1	2
Reasonable Accommodation	0	1	0	0	1
Reinstatement	0	0	0	0	0
Retirement	0	0	0	0	0
Termination	0	1	2	4	4
Terms/Conditions of Employment	0	1	0	9	1
Time and Attendance	0	1	0	0	1
Training	2	2	3	5	5
Other	2	0	0	0	6

Processing Time	Comparative Data				
	Previous Fiscal Year Data				
	2006	2007	2008	2009	2010
Complaints pending during fiscal year					
Average number of days in investigation stage	145	173	181	218	180.05
Average number of days in final action stage			240	277	61
Complaint pending during fiscal year where hearing was requested					
Average number of days in investigation stage	657	296	226	240	0
Average number of days in final action stage			304	312	0
Complaint pending during fiscal year where hearing was not requested					
Average number of days in investigation stage	396	183	198	304	290.85
Average number of days in final action stage			49	49	61

Complaints Dismissed by Agency	Comparative Data				
	Previous Fiscal Year Data				
	2006	2007	2008	2009	2010
Total Complaints Dismissed by Agency	4	3	3	5	4
Average days pending prior to dismissal	63	17	34	28	36
<b>Complaints Withdrawn by Complainants</b>					
Total Complaints Withdrawn by Complainants	2	3	2	2	2

Pending Complaints Filed in Previous Fiscal Years by Status	Comparative Data				
	Previous Fiscal Year Data				
	2006	2007	2008	2009	2010
Total complaints from previous Fiscal Years	4	3	10	18	30
Total Complainants	4	3	10	18	29
<b>Number complaints pending</b>					
Investigation	0	0	0	0	0
Hearing	3	3	8	13	18
ROI Issued, Pending Complainants Action	n/a	n/a	n/a	0	0
Final Action	1	0	1	3	2
Appeal with EEOC Office of Federal Operations	0	0	1	2	0

Complaint Investigations	Comparative Data				
	Previous Fiscal Year Data				
	2006	2007	2008	2009	2010
Pending Complaints Where Investigations Exceeds Required Time Frames	3	0	1	2	6





AGENCY OR DEPARTMENT: Central Intelligence Agency REPORTING PERIOD: FY 2010

PART I - PRE-COMPLAINT ACTIVITIES

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EEO COUNSELOR	COUNSELINGS INDIVIDUALS	
	COUNSELINGS	INDIVIDUALS
A. TOTAL COMPLETED/ENDED COUNSELINGS	55	54
1. COUNSELED WITHIN 30 DAYS	15	14
2. COUNSELED WITHIN 31 TO 90 DAYS	30	30
a. COUNSELED WITHIN WRITTEN EXTENSION PERIOD NO LONGER THAN 60 DAYS	25	25
b. COUNSELED WITHIN 90 DAYS WHERE INDIVIDUAL PARTICIPATED IN ADR	5	5
c. COUNSELED WITHIN 31-90 DAYS THAT WERE UNTIMELY	0	0
3. COUNSELED BEYOND 90 DAYS	10	10
4. COUNSELED DUE TO REMANDS	0	0

ADR INTAKE OFFICER	COUNSELINGS INDIVIDUALS	
	COUNSELINGS	INDIVIDUALS
B. TOTAL COMPLETED/ENDED COUNSELINGS	0	0
1. COUNSELED WITHIN 30 DAYS	0	0
2. COUNSELED WITHIN 31 TO 90 DAYS	0	0
a. COUNSELED WITHIN WRITTEN EXTENSION PERIOD NO LONGER THAN 60 DAYS	0	0
b. COUNSELED WITHIN 90 DAYS WHERE INDIVIDUAL PARTICIPATED IN ADR	0	0
c. COUNSELED WITHIN 31-90 DAYS THAT WERE UNTIMELY	0	0
3. COUNSELED BEYOND 90 DAYS	0	0
4. COUNSELED DUE TO REMANDS	0	0

COMBINED TOTAL	COUNSELINGS INDIVIDUALS	
	COUNSELINGS	INDIVIDUALS
C. TOTAL COMPLETED/ENDED COUNSELINGS	55	54
1. COUNSELED WITHIN 30 DAYS	15	14
2. COUNSELED WITHIN 31 TO 90 DAYS	30	30
a. COUNSELED WITHIN WRITTEN EXTENSION PERIOD NO LONGER THAN 60 DAYS	25	25
b. COUNSELED WITHIN 90 DAYS WHERE INDIVIDUAL PARTICIPATED IN ADR	5	5
c. COUNSELED WITHIN 31-90 DAYS THAT WERE UNTIMELY	0	0
3. COUNSELED BEYOND 90 DAYS	10	10
4. COUNSELED DUE TO REMANDS	0	0

D. PRE-COMPLAINT ACTIVITIES	COUNSELINGS INDIVIDUALS	
	COUNSELINGS	INDIVIDUALS
1. ON HAND AT THE BEGINNING OF THE REPORTING PERIOD	10	10
2. INITIATED DURING THE REPORTING PERIOD	57	54
3. COMPLETED/ENDED COUNSELINGS	55	54
a. SETTLEMENTS (MONETARY AND NON-MONETARY)	2	2
b. WITHDRAWALS/NO COMPLAINT FILED	20	20
c. COUNSELINGS COMPLETED/ENDED IN REPORTING PERIOD THAT RESULTED IN COMPLAINT FILINGS IN REPORTING PERIOD	33	32
d. DECISION TO FILE COMPLAINT PENDING AT THE END OF THE REPORTING PERIOD	0	0
4. COUNSELINGS PENDING AT THE END OF THE REPORTING PERIOD	12	12

EEOC FORM 462 (REVISED SEPT 2010)

## ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

**AGENCY OR DEPARTMENT:** Central Intelligence Agency

**REPORTING PERIOD:** FY 2010

**PART II - FORMAL COMPLAINT ACTIVITIES**

36	A. COMPLAINTS ON HAND AT THE BEGINNING OF THE REPORTING PERIOD
33	B. COMPLAINTS FILED
5	C. REMANDS (sum of lines C1+C2+C3)
2	C.1. REMANDS (NOT INCLUDED IN A OR B)
3	C.2. REMANDS (INCLUDED IN A OR B)
0	C.3. NUMBER OF ADDITIONAL REMANDS IN THIS REPORTING PERIOD THAT ARE NOT CAPTURED IN C.1 OR C.2 ABOVE
0	C.4. ADDITIONAL CLOSURES IN THIS REPORTING PERIOD NOT REFLECTED IN F OR H THAT RESULTED FROM REMANDS
71	D. TOTAL COMPLAINTS (sum of lines A+B+C1)
66	E. COMPLAINTS IN LINE D THAT WERE NOT CONSOLIDATED
21	F. COMPLAINTS IN LINE E CLOSED DURING REPORT PERIOD
5	G. COMPLAINTS IN LINE D THAT WERE CONSOLIDATED
0	H. COMPLAINTS IN LINE G CLOSED DURING REPORT PERIOD
53	I. COMPLAINTS ON HAND AT THE END OF THE REPORTING PERIOD (Line D - (F+H)) + [(C2 + C3) - C4]
32	J. INDIVIDUALS FILING COMPLAINTS
2	K. NUMBER OF JOINT PROCESSING UNITS FROM CONSOLIDATION OF COMPLAINTS

**PART III - AGENCY RESOURCES, TRAINING, REPORTING LINE**

	AGENCY		CONTRACT	
	NUMBER	PERCENT	NUMBER	PERCENT
<b>A. AGENCY &amp; CONTRACT RESOURCES</b>				
<b>1. WORK FORCE</b>				
a. TOTAL WORK FORCE	0			
b. PERMANENT EMPLOYEES	0			
<b>2. COUNSELOR</b>				
a. FULL-TIME	0	0.00	0	0.00
b. PART-TIME	0	0.00	0	0.00
c. COLLATERAL DUTY	0	0.00	0	0.00
<b>3. INVESTIGATOR</b>				
a. FULL-TIME	2	100.00	0	0.00
b. PART-TIME	0	0.00	2	100.00
c. COLLATERAL DUTY	0	0.00	0	0.00
<b>4. COUNSELOR/INVESTIGATOR</b>				
a. FULL-TIME	7	100.00	0	0.00
b. PART-TIME	0	0.00	0	0.00
c. COLLATERAL DUTY	0	0.00	0	0.00

	COUNSELORS		INVESTIGATORS		COUNS/INVESTIG	
	AGENCY	CONTRACT	AGENCY	CONTRACT	AGENCY	CONTRACT
<b>B. AGENCY &amp; CONTRACT STAFF TRAINING</b>						
<b>1. NEW STAFF - TOTAL</b>						
a. STAFF RECEIVING REQUIRED 32 OR MORE HOURS	0	0	0	0	2	0
b. STAFF RECEIVING 8 OR MORE HOURS, USUALLY GIVEN TO EXPERIENCED STAFF	0	0	0	0	0	0
c. STAFF RECEIVING NO TRAINING AT ALL	0	0	0	0	0	0
<b>2. EXPERIENCED STAFF - TOTAL</b>						
a. STAFF RECEIVING REQUIRED 8 OR MORE HOURS	0	0	2	2	5	0
b. STAFF RECEIVING 32 OR MORE HOURS, GENERALLY GIVEN TO NEW STAFF	0	0	0	0	0	0
c. STAFF RECEIVING NO TRAINING AT ALL	0	0	0	0	0	0

**C. REPORTING LINE**

1. EEO DIRECTOR'S NAME: \_\_\_\_\_

1a. DOES THE EEO DIRECTOR REPORT TO THE AGENCY HEAD? YES NO  
  X

2. IF NO, WHO DOES THE EEO DIRECTOR REPORT TO?  
 PERSON: \_\_\_\_\_  
 TITLE: Director of the Employee Resource Center

3. WHO IS RESPONSIBLE FOR THE DAY-TO-DAY OPERATION OF THE EEO PROGRAM IN YOUR DEPARTMENT/AGENCY/ORGANIZATION?  
 PERSON: \_\_\_\_\_  
 TITLE: Director of EEO

4. WHO DOES THAT PERSON REPORT TO?  
 PERSON: \_\_\_\_\_  
 TITLE: Director of the Employee Resource Center

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(b)(3)  
(b)(6)  
  
(b)(3)  
(b)(6)

ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: Central Intelligence Agency

REPORTING PERIOD: FY 2010

PART IV - BASES AND ISSUES ALLEGED IN COMPLAINTS FILED

Table with columns for Issues of Alleged Discrimination, Race (Asian, Amer Indian, Alaska Native, etc.), Religion, Color, Sex, National Origin, Age, Disability, GINA, Total Bases by Issue, Total Complaints by Issue, and Total Complainants by Issue. Includes sub-sections for 'Bases of Alleged Discrimination' and 'Issues of Alleged Discrimination'.

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS  
(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)**

AGENCY OR DEPARTMENT: Central Intelligence Agency

REPORTING PERIOD: FY 2010

**PART IVA - BASES OF DISCRIMINATION IN FINDINGS AND ALLEGED IN SETTLEMENTS**

FINDINGS/ALLEGATIONS IN:	BASES OF DISCRIMINATION IN FINDINGS AND ALLEGED BASES IN SETTLEMENTS															
	RACE		RELIGION		SEX		NATIONAL ORIGIN		EQUAL PAY ACT		AGE		DISABILITY		OTHER	
	AMERICAN INDIAN/ALASKA NATIVE	ASIAN/PACIFIC ISLANDER	BLACK/AFRICAN AMERICAN	WHITE	OTHER	RELIGION	MALE	FEMALE	HISPANIC/LATINO	OTHER	MALE	FEMALE	PHYSICAL	MENTAL	UNION	OTHER
<b>1. Counseling Settlement Allegations</b>	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
1a. Number of Counselings Settled	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
1b. Number of Counselings Settled With	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
<b>2. Complaint Settlement Allegations</b>	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
2a. Number of Complaints Settled	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
2b. Number of Complaints Settled With	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>3. Final Agency Decision Findings</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3a. Number FADs with Findings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3b. Number Complaints Issued FAD Findings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>4. AJ Decision Findings</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4a. Number AJ Decisions With Findings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>5. Final Agency Order Findings Implemented</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5a. Number of Final Orders With Findings Implemented	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5b. # of Complaints Issued FOs with Findings Implemented	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL SETTLEMENT ALLEGATIONS</b>	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL FINAL ACTION FINDINGS</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

**PART IVB - ISSUES OF DISCRIMINATION IN FINDINGS AND ALLEGED IN SETTLEMENTS**

FINDINGS/ALLEGATIONS IN:	ISSUES OF DISCRIMINATION IN FINDINGS AND ALLEGED ISSUES IN SETTLEMENTS															
	APPOINTMENT/ HIRE	ASSIGNMENT/ OF DUTY	AWARDS	CONVERTING TO FULL TIME	DISCRIMINATORY ACTION		EVALUATION	EVALUATION	EVALUATION	EVALUATION	EVALUATION	EVALUATION	EVALUATION	EVALUATION	EVALUATION	EVALUATION
					DISCRIMINATORY ACTION	DISCRIMINATORY ACTION										
<b>1. Counseling Settlement Allegations</b>	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
1a. Number of Counselings Settled	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
1b. Number of Counselings Settled With	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>2. Complaint Settlement Allegations</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2a. Number of Complaints Settled	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2b. Number of Complaints Settled With	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>3. Final Agency Decision Findings</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3a. Number FADs with Findings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3b. Number Complaints Issued FAD Findings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>4. AJ Decision Findings</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
4a. Number AJ Decisions With Findings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>5. Final Agency Order Findings Implemented</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5a. Number of Final Orders With Findings Implemented	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
5b. # of Complaints Issued FOs with Findings Implemented	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL SETTLEMENT ALLEGATIONS</b>	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL FINAL ACTION FINDINGS</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

# ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: Central Intelligence Agency

REPORTING PERIOD: FY 2010

## PART V - SUMMARY OF CLOSURES BY STATUTE

**A. STATUTE** (IF A SINGLE COMPLAINT HAS MULTIPLE STATUTES RECORD EACH ON THE APPROPRIATE LINE.)

16	1. TITLE VII
3	2. AGE DISRIMINATION IN EMPLOYMENT ACT (ADEA)
2	3. REHABILITATION ACT
0	4. EQUAL PAY ACT (EPA)
0	5. GENETIC INFORMATION NONDISCRIMINATION ACT (GINA)

**B. TOTAL BY STATUTES**

21 THIS NUMBER MAY BE LARGER THAN THE TOTAL NUMBER OF COMPLAINTS CLOSED.  
(A1+A2+A3+A4+A5)

## PART VI - SUMMARY OF CLOSURES BY CATEGORY

	TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
<b>A. TOTAL NUMBER OF CLOSURES</b> (1+2+3)	16	4056	253.50
1. WITHDRAWALS	2	734	367.00
a. NON-ADR WITHDRAWALS	2	734	367.00
b. ADR WITHDRAWALS	0	0	0.00
2. SETTLEMENTS	2	559	279.50
a. NON-ADR SETTLEMENTS	2	559	279.50
b. ADR SETTLEMENTS	0	0	0.00
3. FINAL AGENCY ACTIONS (B+C)	12	2763	230.25
<b>B. FINAL AGENCY DECISIONS WITHOUT AN ADMINISTRATIVE JUDGE DECISION</b> (1+2+3)	12	2763	230.25
1. FINDING DISCRIMINATION	0	0	0.00
2. FINDING NO DISCRIMINATION	5	2083	416.60
3. DISMISSAL OF COMPLAINTS	7	680	97.14
<b>C. FINAL AGENCY ORDERS WITH AN ADMINISTRATIVE JUDGE (AJ) DECISION</b> (1+2)	0	0	0.00
1. AJ DECISION FULLY IMPLEMENTED (a+b+c)	0	0	0.00
(a) FINDING DISCRIMINATION	0	0	0.00
(b) FINDING NO DISCRIMINATION	0	0	0.00
(c) DISMISSAL OF COMPLAINTS	0	0	0.00
2. AJ DECISION NOT FULLY IMPLEMENTED (a+b+c)	0	0	0.00
(a) FINDING DISCRIMINATION (i+ii+iii)	0	0	0.00
i. AGENCY APPEALED FINDING BUT NOT REMEDY	0	0	0.00
ii. AGENCY APPEALED REMEDY BUT NOT FINDING	0	0	0.00
iii. AGENCY APPEALED BOTH FINDING AND REMEDY	0	0	0.00
(b) FINDING NO DISCRIMINATION	0	0	0.00
(c) DISMISSAL OF COMPLAINTS	0	0	0.00

**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS  
(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)**

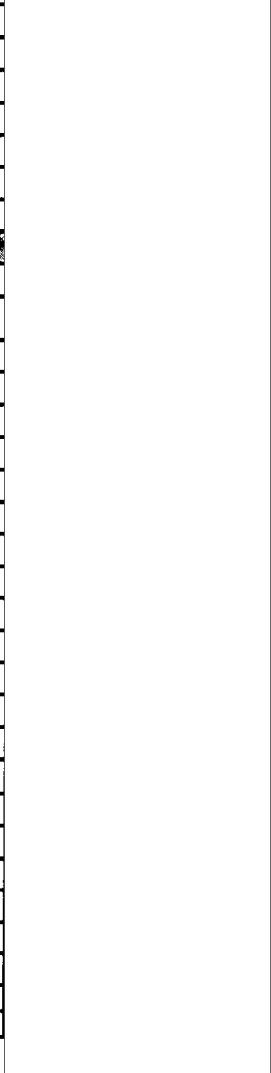
**AGENCY OR DEPARTMENT:** Central Intelligence Agency      **REPORTING PERIOD:** FY 2010

**PART VI - SUMMARY OF CLOSURES BY CATEGORY (Continued)**

	TOTAL NUMBER	TOTAL DAYS	AVERAGE DAYS
D. FINAL AGENCY MERIT DECISIONS (FAD) ISSUED (1+2+3+4)	5	302	60.40
1. COMPLAINANT REQUESTED IMMEDIATE FAD (1a+1b)	3	181	60.33
a. AGENCY ISSUED FAD WITHIN 60 DAYS OF RECEIPT OF FAD REQUEST	2	119	59.50
b. AGENCY ISSUED FAD MORE THAN 60 DAYS BEYOND RECEIPT OF FAD REQUEST	1	62	62.00
2. COMPLAINANT DID NOT ELECT HEARING OR FAD (2a+2b)	2	121	60.50
a. AGENCY ISSUED FAD WITHIN 60 DAYS OF END OF 30-DAY ELECTION PERIOD	1	60	60.00
b. AGENCY ISSUED FAD MORE THAN 60 DAYS BEYOND END OF 30-DAY ELECTION PERIOD	1	61	61.00
3. HEARING REQUESTED; AJ RETURNED CASE TO AGENCY FOR FAD WITHOUT AJ DECISION (3a+3b)	0	0	0.00
a. AGENCY ISSUED FAD WITHIN 60 DAYS OF RECEIPT OF AJ RETURNED CASE FOR FAD ISSUANCE	0	0	0.00
b. AGENCY ISSUED FAD MORE THAN 60 DAYS AFTER RECEIPT OF AJ RETURNED CASE FOR FAD ISSUANCE	0	0	0.00
4. FINAL AGENCY DECISION ISSUED ON A MIXED CASE (4a+4b)	0	0	0.00
a. AGENCY ISSUED FAD WITHIN 45 DAYS AFTER INVESTIGATION	0	0	0.00
b. AGENCY ISSUED FAD MORE THAN 45 DAYS AFTER INVESTIGATION	0	0	0.00

**PART VII - SUMMARY OF FORMAL COMPLAINTS CLOSED BY TYPES OF BENEFITS**

	NUMBER
A. TOTAL COMPLAINTS CLOSED WITH BENEFITS	2
B. CLOSURES WITH MONETARY BENEFITS TO COMPLAINANT	2
1. BACK PAY/FRONT PAY	1
2. LUMP SUM PAYMENT	1
3. COMPENSATORY DAMAGES	0
4. ATTORNEY FEES AND COSTS	0
INTENTIONALLY LEFT BLANK	
E. CLOSURES WITH NON-MONETARY BENEFITS	1
F. TYPES OF BENEFITS	NUMBER OF CLOSURES WITH MONETARY BENEFITS
1. HIRES	0
a. RETROACTIVE	0
b. NON-RETROACTIVE	0
2. PROMOTIONS	1
a. RETROACTIVE	1
b. NON-RETROACTIVE	0
3. EXPUNGEMENTS	0
4. REASSIGNMENTS	0
5. REMOVALS RESCINDED	0
a. REINSTATEMENT	0
b. VOLUNTARY RESIGNATION	0
6. ACCOMMODATIONS	0
7. TRAINING	0
8. APOLOGY	0
9. DISCIPLINARY ACTIONS	0
a. RESCINDED	0
b. MODIFIED	0
10. PERFORMANCE EVALUATION MODIFIED	0
11. LEAVE RESTORED	0
12. 0	0
13. 0	0
14. 0	0



(b)(3)

EEOC FORM 462 (REVISED MARCH 2009)

## ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: **Central Intelligence Agency**

REPORTING PERIOD: **FY 2010**

### PART VIII - SUMMARY OF PENDING COMPLAINTS BY CATEGORY

A. TOTAL COMPLAINTS PENDING (SAME AS PART II Line I) (1+2+3+4)	NUMBER PENDING	NUMBER OF DAYS	AVERAGE DAYS	NUMBER OF DAYS PENDING FOR OLDEST CASE
1. COMPLAINTS PENDING WRITTEN NOTIFICATION (Acknowledgement Letter)	1	41	41.00	41
2. COMPLAINTS PENDING IN INVESTIGATION	27	4753	176.04	339
3. COMPLAINTS PENDING IN HEARINGS	21	16034	763.52	1267
4. COMPLAINTS PENDING A FINAL AGENCY ACTION	4	1710	427.50	568

### PART IX - SUMMARY OF INVESTIGATIONS COMPLETED

	TOTAL	TOTAL DAYS	AVERAGE DAYS
A. INVESTIGATIONS COMPLETED DURING REPORTING PERIOD (1+3)	13	3650	280.77
1. INVESTIGATIONS COMPLETED BY AGENCY PERSONNEL (a+b+c)	11	3151	286.45
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS	3	535	178.33
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS	6	1774	295.67
1. TIMELY COMPLETED INVESTIGATIONS	1	329	329.00
2. UNTIMELY COMPLETED INVESTIGATIONS	5	1445	289.00
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS	2	842	421.00
2. AGENCY INVESTIGATION COSTS			
3. INVESTIGATIONS COMPLETED BY CONTRACTORS (a+b+c)	2	499	249.50
a. INVESTIGATIONS COMPLETED IN 180 DAYS OR LESS	0	0	0.00
b. INVESTIGATIONS COMPLETED IN 181 - 360 DAYS	2	499	249.50
1. TIMELY COMPLETED INVESTIGATIONS	1	268	268.00
2. UNTIMELY COMPLETED INVESTIGATIONS	1	231	231.00
c. INVESTIGATIONS COMPLETED IN 361 OR MORE DAYS	0	0	0.00
4. CONTRACTOR INVESTIGATION COSTS			

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**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS**

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: **Central Intelligence Agency**      REPORTING PERIOD: FY 2010

**PART X - SUMMARY OF ADR PROGRAM ACTIVITIES**

**INFORMAL PHASE (PRE-COMPLAINT)**

**A. INTENTIONALLY LEFT BLANK**

**B. ADR ACTIONS IN COMPLETED/ENDED COUNSELINGS**

	COUNSELINGS	INDIVIDUALS
1. ADR OFFERED BY AGENCY	20	18
2. REJECTED BY COUNSELEE	13	12
3. INTENTIONALLY LEFT BLANK		
4. TOTAL ACCEPTED INTO ADR PROGRAM	7	7

**C. ADR RESOURCES USED IN COMPLETED/ENDED COUNSELINGS (TOTALS)**

	COUNSELINGS	INDIVIDUALS
1. INHOUSE	1	1
2. ANOTHER FEDERAL AGENCY	0	0
3. PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)	0	0
4. MULTIPLE RESOURCES USED (Please specify in a comment box)	0	0
5. FEDERAL EXECUTIVE BOARD	0	0
6. 0	0	0
7. 0	0	0

	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
<b>D. ADR TECHNIQUES USED IN COMPLETED/ENDED COUNSELINGS (TOTALS)</b>	1	1	8	8.00

1. MEDIATION	0	0	0	0.00
2. SETTLEMENT CONFERENCES	0	0	0	0.00
3. EARLY NEUTRAL EVALUATIONS	0	0	0	0.00
4. FACTFINDING	0	0	0	0.00
5. FACILITATION	0	0	0	0.00
6. OMBUDSMAN	1	1	8	8.00
7. PEER REVIEW	0	0	0	0.00
8. MULTIPLE TECHNIQUES USED (Please specify in a comment box)	0	0	0	0.00
9. 0	0	0	0	0.00
10. 0	0	0	0	0.00
11. 0	0	0	0	0.00

**E. STATUS OF ADR CASES IN COMPLETED/ENDED COUNSELINGS**

	COUNSELINGS	INDIVIDUALS	DAYS	AVERAGE DAYS
1. TOTAL CLOSED	7	7	209	29.86
a. SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)	0	0	0	0.00
b. NO FORMAL COMPLAINT FILED	3	3	44	14.67
c. COMPLAINT FILED				
i. NO RESOLUTION	0	0	0	0.00
ii. NO ADR ATTEMPT (aka Part X.E.1.d)	4	4	165	41.25
e. DECISION TO FILE COMPLAINT PENDING AT THE END OF THE REPORTING PERIOD	0	0	0	0.00
2. INTENTIONALLY LEFT BLANK				



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of a finding of discrimination, we did settle some cases. In FY 2010, there were two settlements [redacted] in FY 2009, CIA had five settlements [redacted]. These amounts do not include settlements paid at the hearing stage. [redacted]

[redacted] Continuing a five-year trend, race, sex, reprisal, and disability were the leading bases for the CIA's EEO complaints in FY 2010.

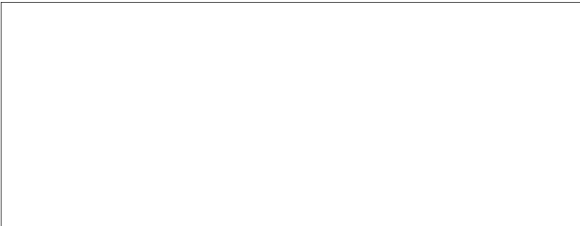
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During the past two years, the CIA has implemented several changes to enhance its EEO/Diversity program. In July 2010, we created a new Employee Resource Center (ERC). The ERC combines the offices and/or components of EEO, Diversity, Alternative Dispute Resolution, Grievance, and Recruitment Outreach into one corporate center, in an effort to more effectively address key EEO and Diversity issues.

CIA continues to focus on educating the workforce on diversity and fairness issues. We implemented several programs that promoted workforce inclusiveness and appreciation for cultural and individual differences. These programs include a mandatory multi-cultural course, an online No FEAR Act course, and workshops on a range of issues such as Women and Success and a Harassment Free Workplace. CIA continues its efforts with such initiatives as implementing the recommendations of the Workplace Dynamics Initiative, the Leadership Development Program, the CIA Mentoring Program, and training for managers who supervise disabled employees.

CIA strengthened outreach efforts through our "Advice Only" program, encouraging managers and employees to seek advice on EEO-related issues without officially entering the EEO process. Under this program, in FY 2010, 402 staff members sought the advice of an EEO counselor, a dramatic increase over 209 in FY 2009.

CIA takes its responsibility seriously to provide a workplace that is free from discrimination and harassment, and we continue to seek new and innovative ways to improve diversity and fairness at the Central Intelligence Agency.



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**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS**

(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)

AGENCY OR DEPARTMENT: **Central Intelligence Agency**

REPORTING PERIOD: FY **2010**

**PART XI - SUMMARY OF ADR PROGRAM ACTIVITIES**

**FORMAL PHASE**

A. INTENTIONALLY LEFT BLANK					
B. ADR ACTIONS IN COMPLAINT CLOSURES		COMPLAINTS	COMPLAINANTS		
1.	ADR OFFERED BY AGENCY	0	0		
2.	REJECTED BY COMPLAINANT	0	0		
3.	INTENTIONALLY LEFT BLANK				
4.	TOTAL ACCEPTED INTO ADR PROGRAM	0	0		
C. ADR RESOURCES USED IN COMPLAINT CLOSURES (TOTALS)		COMPLAINTS	COMPLAINANTS		
1.	INHOUSE	0	0		
2.	ANOTHER FEDERAL AGENCY	0	0		
3.	PRIVATE ORGANIZATIONS, (e.g., CONTRACTORS, BAR ASSOCIATIONS, INDIVIDUAL VOLUNTEERS OR COLLEGE/UNIVERSITY PERSONNEL)	0	0		
4.	MULTIPLE RESOURCES USED (Please specify in a comment box)	0	0		
5.	FEDERAL EXECUTIVE BOARD	0	0		
6.	0	0	0		
7.	0	0	0		
D. ADR TECHNIQUES USED IN COMPLAINT CLOSURES (TOTALS)		COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
1.	MEDIATION	0	0	0	0.00
2.	SETTLEMENT CONFERENCES	0	0	0	0.00
3.	EARLY NEUTRAL EVALUATIONS	0	0	0	0.00
4.	FACTFINDING	0	0	0	0.00
5.	FACILITATION	0	0	0	0.00
6.	OMBUDSMAN	0	0	0	0.00
7.	MINI-TRIALS	0	0	0	0.00
8.	PEER REVIEW	0	0	0	0.00
9.	MULTIPLE TECHNIQUES USED (Please specify in a comment box)	0	0	0	0.00
10.	0	0	0	0	0.00
11.	0	0	0	0	0.00
12.	0	0	0	0	0.00
E. STATUS OF CASES IN COMPLAINT CLOSURES		COMPLAINTS	COMPLAINANTS	DAYS	AVERAGE DAYS
1.	TOTAL CLOSED	0	0	0	0.00
a.	SETTLEMENTS WITH BENEFITS (Monetary and Non-monetary)	0	0	0	0.00
b.	WITHDRAWAL FROM EEO PROCESS	0	0	0	0.00
c.	NO RESOLUTION	0	0	0	0.00
d.	NO ADR ATTEMPT	0	0	0	0.00
2.	INTENTIONALLY LEFT BLANK				
F. BENEFITS RECEIVED		COMPLAINTS	COMPLAINANTS		
1.	MONETARY (INSERT TOTALS)	0	0		
a.	COMPENSATORY DAMAGES	0	0		
b.	BACKPAY/FRONTPAY	0	0		
c.	LUMP SUM	0	0		
d.	ATTORNEY FEES AND COSTS	0	0		
e.	0	0	0		
f.	0	0	0		
g.	0	0	0		
2.	NON-MONETARY (INSERT TOTALS)	0	0		
a.	HIRES	0	0		
i.	RETROACTIVE	0	0		
ii.	NON-RETROACTIVE	0	0		
b.	PROMOTIONS	0	0		
i.	RETROACTIVE	0	0		
ii.	NON-RETROACTIVE	0	0		
c.	EXPUNGEMENTS	0	0		
d.	REASSIGNMENTS	0	0		
e.	REMOVALS RESCINDED	0	0		
i.	REINSTATEMENT	0	0		
ii.	VOLUNTARY RESIGNATION	0	0		
f.	ACCOMMODATIONS	0	0		
g.	TRAINING	0	0		
h.	APOLOGY	0	0		
i.	DISCIPLINARY ACTIONS	0	0		
i.	RESCINDED	0	0		
ii.	MODIFIED	0	0		
j.	PERFORMANCE EVALUATION MODIFIED	0	0		
k.	LEAVE RESTORED	0	0		
l.	0	0	0		
m.	0	0	0		

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**ANNUAL FEDERAL EQUAL EMPLOYMENT OPPORTUNITY  
STATISTICAL REPORT OF DISCRIMINATION COMPLAINTS**

**(REPORTING PERIOD BEGINS OCTOBER 1ST AND ENDS SEPTEMBER 30TH)**

**AGENCY OR DEPARTMENT:** Central Intelligence Agency      **REPORTING PERIOD:** FY 2010

**PART XII - SUMMARY OF EEO ADR PROGRAM ACTIVITIES**

**EEO ADR RESOURCES**

<b>A. NO LONGER COLLECTED</b>			
<b>B. EMPLOYEES THAT CAN PARTICIPATE IN EEO ADR</b>	0		(b)(3)
<b>C. RESOURCES THAT MANAGE ADR PROGRAM (DOES NOT INCLUDE NEUTRALS AS REPORTED IN PARTS X. &amp; XI.)</b>			
1. IN-HOUSE FULL TIME (40 HOURS EEO ADR ONLY)	1		
2. IN-HOUSE PART TIME (32 HOURS EEO ADR ONLY)	0		
3. IN-HOUSE COLLATERAL DUTY (OTHERS/NON-CONTRACT)	0		(b)(3)
4. CONTRACT (ANOTHER FEDERAL AGENCY/PRIVATE ORGANIZATIONS)	0		(b)(6)
4. CONTRACT (ANOTHER FEDERAL AGENCY/PRIVATE ORGANIZATIONS)	1		
<b>D. ADR FUNDING SPENT</b>			

**E. ADR CONTACT INFORMATION**

1. NAME OF ADR PROGRAM DIRECTOR / MANAGER [Redacted]

2. TITLE Ombudsman

3. TELEPHONE NUMBER [Redacted]      4. EMAIL N/A

**F. ADR PROGRAM INFORMATION**

	YES	NO
1. Does the agency require the alleged responsible management official to participate in ADR?		X
1a. If yes, is there a written policy requiring the participation?		
2. Does the alleged responsible management official have a role in deciding if the case is appropriate for ADR?		X

**CERTIFICATION AND CONTACT INFORMATION**

I certify that the EEO complaint data contained in this report, EEOC Form 462, Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints, for the reporting period October 1, through September 30, 2010 are accurate and complete.

NAME AND TITLE OF CERTIFYING OFFICIAL: [Redacted] Director of OEEO

SIGNATURE OF CERTIFYING OFFICIAL: (Enter PIN here to serve as your electronic signature) [Redacted] (b)(3)

DATE: 11/4/2010      TELEPHONE NUMBER: [Redacted] (b)(3)      E-MAIL: [Redacted]

NAME AND TITLE OF PREPARER: [Redacted] Paralegal

DATE: 11/4/2010      TELEPHONE NUMBER: [Redacted] (b)(3)      E-MAIL: [Redacted]

The FY 2010 report (with the PIN entered) is due on or before November 1, 2010.

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## Appendix A - Comments

AGENCY: Central Intelligence Agency - YEAR: 2010

Part 1  
CIA - I.A - Counselings - We had several new counselors who did not understand the 90 day deadline for counseling. The new counselors have now been trained on this issue.

Part 2  
CIA - II.A - Last year CIA had an ending balance of 29 and that should have been our starting balance. However, we had five class action complaints that were being held in abeyance as we waited for whether they would be satisfied and they were not included in this balance. These case were not certified and were placed back in the system for individual processing and so they needed to be included in our total. Our understanding was that these cases were to be excluded from the 462 while they were held in abeyance. We also had two cases on appeal that were not added to the inventory but should have been. Thus, this explains the difference of 7 between last years ending balance and this years beginning balance.

Part 6  
CIA - VI.B Ave Days - The days exceed 400 because we had two cases where their was an amendment and a mutual agreement by the parties to extend for an additional 90 days.

Part 8  
CIA - VIII.A.3 Pending Oldest Case -

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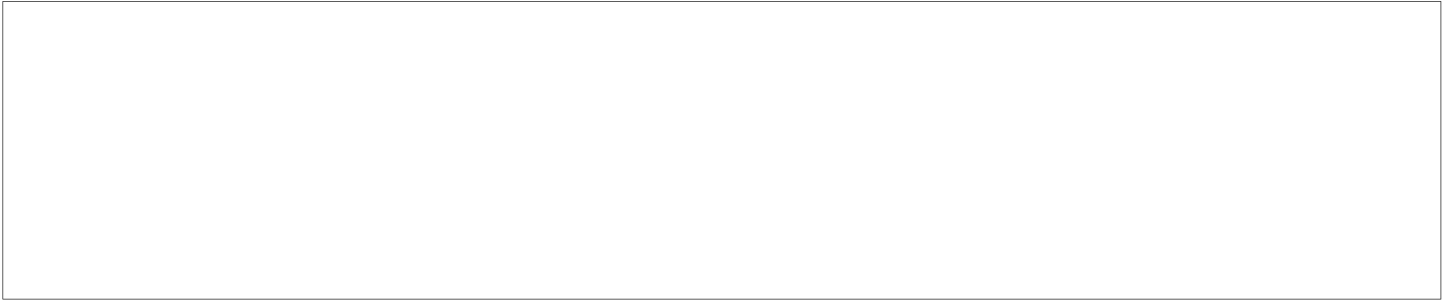
Part 12  
CIA - XII.B Employees participate in ADR - The contract is with an Invididual Contractor (IC) who provides indepenent consultatons and informal counsel as the Agency Ombudsman, performing casework on issues requiring independent assessment of concerns and issues raised by Agency employees. Consulting time will comprise time spent counseling employees and interviewing parties involved with employee concerns and general problems. In addition, the IC serves as the Program Manager for the Alternative Dispute Resolution Program, which includes: (1) reviewing cases -both EEO and non-EEO; (2) identifying mediators;(3) identifying appropriate parties for the mediation; (4) educating managers and employees on ADR; (5) establishing peformance measures; and (6) provide quarterly reports on the program.

CIA - XII.F.1 Agency require mgmt participate in ADR - Select No - The Agency does not require a specific manager to attend the ADR session. Rather, it ensures that a manager who has the ability and authority to resolve the case is present.

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**Title:** AR 13-3 (U) DISCIPLINE AND ACCOUNTABILITY



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E

**THE DIRECTOR  
CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505**

**Statement from the Director:  
Zero Tolerance for Harassment and Discrimination**

The Central Intelligence Agency can only be as strong and as good as its people. This organization, the servant of a democracy, must embody and reflect the highest values of that democracy. CIA has zero tolerance for harassment or discrimination on the basis of race, religion, color, sex, national origin, age, disability, sexual orientation, or status as a parent. That is both a legal obligation and a civic duty. For me, public service in America is inseparable from the promotion of equal opportunity.

I view the Agency's Office of Equal Employment Opportunity as a strong resource, a reservoir of advice and expertise, in fostering the best possible work environment. Make use of the knowledge and talent there. As always, if any employee encounters or witnesses behavior that may cross the line into harassment or discrimination, they, too, should contact OEEO. They can do so secure in the knowledge that the Agency—and the law—shields them from reprisal.

I will hold managers at every level accountable for the working environment in the units they lead. You have a right to expect that. But every Agency employee—supervisor and non-supervisor alike—has a shared responsibility to ensure that CIA is an equitable, harassment-free place in which to serve, grow, and excel.

We must all strive to build and sustain a workplace worthy of our mission. Our awareness of that duty must guide—among other actions—the complete range of management decisions, from hiring and training to assignments, promotion, and career development. If CIA is to be at its best in safeguarding America, a difficult job in a dangerous world, we need to get the most from all our officers. We need them to reach their full potential.

By being true to these policies, we demonstrate the values that shape our nation and inspire our service. They are central to our identity as an Agency and to our effectiveness in protecting the American people.

Leon E. Panetta

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No FEAR Act Annual Report for Fiscal Year 2010  
Executive Summary

The No FEAR Act, signed by President George W. Bush on 15 May 2002, is intended to reduce the incidence of workplace discrimination within the Federal Government by making agencies and departments more accountable for their actions. Section 203 of the No FEAR Act specifically requires, not later than 180 days after the end of each fiscal year, each Federal agency to submit to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives, each committee of Congress with jurisdiction relating to the agency, the Equal Employment Opportunity Commission, and the Attorney General an annual report with specific information relating to each agency's Equal Employment Opportunity (EEO) complaints activity. The Central Intelligence Agency (CIA) fully endorses, and intends to comply with, the intent of the No FEAR Act, and in accordance submits its annual report covering the fiscal year (FY) 2010.

CIA adheres to the provisions of Federal EEO laws and regulations to provide equal opportunity in employment for all persons; to prohibit discrimination on the basis of federally-protected categories—that is, age (40 and over), color, disability, national origin, race, religion, sex, and reprisal for opposing employment discrimination and/or for participating in the EEO process—and on the basis of other categories, such as sexual orientation, marital status, status as a parent, and political affiliation as protected by Executive Order or written CIA policy; and to promote the full realization of EEO.<sup>1</sup>

CIA processed 33 formal complaints in FY 2010 and 21 in FY 2009. The number of formal complaints in FY 2010 showed an increase from the five-year trend of approximately 20 complaints per year. We will monitor to see if this is a new trend requiring adjustment of our current practices or a one-year anomaly.

There was not a single finding of discrimination in the past two years; therefore, no employees were disciplined as a result of an EEO formal complaint. CIA has a Zero Tolerance Policy for discrimination and harassment, which is intended to hold employees to a higher standard than required by Federal law. We have disciplined employees for violating this Zero Tolerance Policy. Thirteen employees were disciplined under this policy in FY 2010 and 26 employees in FY 2009. The discipline ranged from oral warnings to removal from position. Although CIA did not pay any judgments as a result

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<sup>1</sup> The No FEAR Act is codified in the Merit Systems Protection Act (MSPA). Pursuant to 5 U.S.C. § 2302(a) (2) (C), the Central Intelligence Agency is exempted from the MSPA. Nevertheless, CIA is subject to certain provisions of law specified in section 202 of the No FEAR Act found under § 2302(d) of the MSPA. These include the Civil Rights Act of 1964, the Age Discrimination Act of 1967, the Fair Labor Standards Act of 1938, the Rehabilitation Act of 1973, and all other applicable laws, rules, or regulations prohibiting discrimination on the bases of marital status or political affiliation. The CIA, however, is not subject to §2302(b) of the whistleblower statutes based on its exemption.

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of a finding of discrimination, we did settle some cases. In FY 2010, there were two settlements [redacted] in FY 2009, CIA had five settlements [redacted]. These amounts do not include settlements paid at the hearing stage. [redacted] (b)(3)

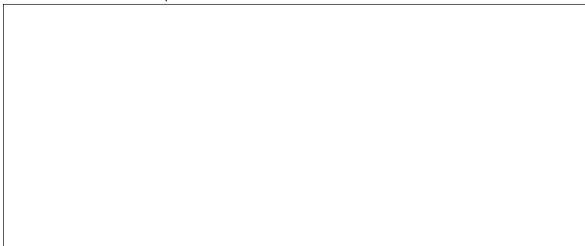
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CIA takes its responsibility seriously to provide a workplace that is free from discrimination and harassment, and we continue to seek new and innovative ways to improve diversity and fairness at the Central Intelligence Agency.



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