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Federal Bureau of Investigation
Washington, D.C. 20535

March 23, 2017

MR. JOHN GREENEWALD JR.
THE BLACK VAULT
[REDACTED]

FOIPA Request No.: 1358189-000
Subject: All Documents Relating to Civil Action #
16-CV-00514

Dear Mr. Greenewald:

The enclosed documents were reviewed under the Freedom of Information Act (FOIA), Title 5, United States Code, Section 552. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Explanation of Exemptions:

Section 552

☐ (b)(1)

☐ (b)(2)

☐ (b)(3)

☐ (b)(4)

☐ (b)(5)

☐ (b)(6)

☐ (b)(7)(A)

☐ (b)(7)(B)

☐ (b)(7)(C)

☐ (b)(7)(D)

☐ (b)(7)(E)

☐ (b)(7)(F)

☐ (b)(8)

☐ (b)(9)

Section 552a

☐ (d)(5)

☐ (j)(2)

☐ (k)(1)

☐ (k)(2)

☐ (k)(3)

☐ (k)(4)

☐ (k)(5)

☐ (k)(6)

☐ (k)(7)

16 pages were reviewed and 13 pages are being released.

☒ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].

☐ This information has been referred to the OGA(s) for review and direct response to you.

☒ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

☐ In accordance with standard FBI practice and pursuant to FOIA exemption (b)(7)(E) and Privacy Act exemption (j)(2) [5 U.S.C. § 552/552a (b)(7)(E)/(j)(2)], this response neither confirms nor denies the existence of your subject's name on any watch lists.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2006 & Supp. IV (2010)). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist. Enclosed for your information is a copy of the Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request. Your patience is appreciated.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within sixty (60) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS) at 877-684-6448, or by emailing ogis@nara.gov. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing foipaquestions@ic.fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so that it may be easily identified.

☐ The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other individuals, or matters, which may or may not be about your subject(s). Our experience has shown when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

☒ See additional information which follows.

The enclosed document contained within this release package represents the 1st interim release of information responsive to your Freedom of Information Act (FOIA) request. This material is being provided to you at no charge.

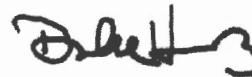
As previously indicated, document(s) were located which originated with, or contained information concerning another agency. We are consulting with the other agency and are awaiting their response. Our office has processed all other information currently in our possession. Upon the completion of the outstanding consultation by our office, the FBI will correspond with you regarding those documents when the consultation is completed.

To the extent you seek records referred to other government agencies for "declassification," we have no records. Our agency is currently consulting with multiple government agencies concerning documents located which originated with, or contained information concerning other government agencies. Upon the completion of the outstanding consultations, the FBI will handle the records accordingly under the FOIA and post to the Vault.

To the extent you seek records in the FBI's FOIA litigation file concerning ongoing Civil Action 16-CV-00514, all material is exempt from disclosure pursuant to 5 U.S.C. § 552(b)(5), with the exception of the publically available Complaint.

Exemption (b)(5), it has been determined that responsive processing notes are pre-decisional and deliberative; and that release of the information contained in these responsive records could reasonably be expected to interfere with the deliberative process. If you are interested in publicly filed court records pertaining to Civil Action 16-CV-00514, please advise.

Sincerely,



David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1358189-0

Total Deleted Page(s) = 3
Page 1 ~ Referral/Consult;
Page 2 ~ Referral/Consult;
Page 3 ~ Referral/Consult;

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X Deleted Page(s) X
X No Duplication Fee X
X For this Page X
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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THE JAMES MADISON PROJECT
1250 Connecticut Avenue, NW
Suite 200
Washington, D.C. 20036

and

SHANE HARRIS
The Daily Beast
1150 17th Street, NW
Suite 302
Washington, DC 20036

Plaintiffs,

v.

Civil Action No. 16-514

DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

and

DEPARTMENT OF DEFENSE
1000 Defense Pentagon
Washington, D.C. 20301-1000

and

CENTRAL INTELLIGENCE AGENCY
Washington, D.C. 20505

Defendants.

COMPLAINT

This is an action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, et seq., as amended, for the disclosure of agency records improperly withheld from plaintiffs

The James Madison Project and Shane Harris by the defendants Department of Justice,

Department of Defense, and the Central Intelligence Agency (as well as their subordinate entities).

JURISDICTION

1. This Court has both subject matter jurisdiction over this action and personal jurisdiction over the defendants pursuant to 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1331.

VENUE

2. Venue is appropriate under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391.

PARTIES

3. Plaintiff The James Madison Project ("JMP") is a non-partisan organization established in 1998 to promote government accountability and the reduction of secrecy, as well as educating the public on issues relating to intelligence and national security.

4. Plaintiff Shane Harris ("Harris") currently serves as a Senior Correspondent for The Daily Beast, covering national security, intelligence and cyber security topics. He received the New York Public Library's Helen Bernstein Book Award for his book, The Watchers, and was the 2010 winner of the 2010 Gerald R. Ford Prize for Distinguished Reporting on National Defense. His most recent book is entitled "@War: The rise of the Military-Internet Complex."

5. Defendant Department of Justice ("DOJ") is an agency within the meaning of 5 U.S.C. § 552 (e), and is in possession and/or control of the records requested by the plaintiffs which are the subject of this action. DOJ controls – and consequently serves as the proper party defendant for litigation purposes for – the Executive Office for the U.S. Attorneys ("EOUSA") and the Federal Bureau of Investigation ("FBI").

6. Defendant Department of Defense ("DOD") is an agency within the meaning of 5 U.S.C. § 552 (e), and is in possession and/or control of the records requested by the plaintiffs which are the subject of this action. DOD controls – and consequently serves as the proper party defendant for litigation purposes for – the Department of the Army ("Army") and the Office of the Secretary of Defense ("OSD").

7. Defendant Central Intelligence Agency ("CIA") is an agency within the meaning of 5 U.S.C. § 552 (e), and is in possession and/or control of the records requested by the plaintiffs which are the subject of this action.

BACKGROUND

8. This FOIA lawsuit seeks various records concerning former CIA Director General David H. Petraeus ("General Petraeus") and the criminal/intelligence investigation into his activities.

9. General Petraeus is a retired Army officer, having served in uniform for 37 years until he retired from the Army on August 31, 2011. <http://www.army.mil/article/64704/> (last accessed February 2, 2016). He was sworn in as the Director of the CIA on September 6, 2011, <https://www.cia.gov/news-information/press-releases-statements/press-release-2011/david-h.-petraeus-takes-helm-as-director-of-the-central-intelligence-agency.html> (last accessed February 2, 2016), and served in that capacity until his resignation on November 9, 2012. <http://www.dailymail.co.uk/news/article-2230697/David-Petraeus-resigns-head-CIA.html> (last accessed February 2, 2016).

10. On March 3, 2015, the Department of Justice ("DOJ") announced that General Petraeus had agreed to plead guilty to a charge of unauthorized removal and retention of classified information. <http://www.msn.com/en-us/news/crime/former-cia-director->

petraeus-pleads-guilty-to-federal-charge-doj/ar-BBibqYX (last accessed February 2, 2016). On April 23, 2015, General Petraeus was sentenced to two years' probation, plus a fine of \$100,000. http://www.nytimes.com/2015/04/24/us/david-petraeus-to-be-sentenced-in-leak-investigation.html?_r=0 (last accessed February 2, 2016). On January 30, 2016, the Department of Defense notified Congress that Secretary of Defense Ashton B. Carter ("Secretary Carter") had decided not to impose any further punishment upon General Petraeus. https://www.washingtonpost.com/world/national-security/pentagon-decides-no-further-punishment-warranted-for-petraeus/2016/01/30/b503348e-c767-11e5-8965-0607e0e265ce_story.html (last accessed February 2, 2016).

COUNT ONE - FBI

11. By letter dated February 5, 2016, the plaintiffs, JMP and Mr. Harris (referred to jointly as "JMP"), submitted to the FBI a FOIA request. The FOIA request specifically sought copies of records, including cross-references, pertaining to General Petraeus.

12. JMP indicated that the FBI could limit the scope of its search to the following categories of information:

- 1) Records memorializing the entirety of the FBI's investigation into General Petraeus' actions that resulted in his eventual guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;
- 2) Any "damage" or "harm" assessments made regarding the impact that General Petraeus' actions which resulted in his guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information, have had upon the national security of the United States;
- 3) Any documentation memorializing legal analyses of the viability of recommending legal action (whether criminal or civil) against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;

- 4) Any documentation memorializing discussions between the FBI and the Army regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;
- 5) Any documentation memorializing discussions between the FBI and the Office of the Secretary of Defense regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI; and
- 6) Any documentation memorializing discussions between the FBI and the CIA regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI.

JMP clarified that the FBI could limit the timeframe of its search from January 1, 2011 up until February 1, 2016. JMP further clarified that the scope of the FBI's search should not be limited to FBI-originated records. JMP also requested that responsive records be produced in electronic form.

13. In the FOIA request, JMP pre-emptively waived any objection to the redaction of the names of any U.S. Government officials below a GS-14 position or whom otherwise were not acting in a supervisory position. JMP similarly waived any objection to redactions of the names of any U.S. Government contractors in a position of authority similar to that of a GS-13 series civilian employee or below.

14. In terms of all other third parties (aside from General Petraeus) who work for the U.S. Government and whose names appear in records responsive to this request, JMP explained in detail that the privacy interests of those individuals have been diminished by virtue of their involvement in one or more of the U.S. Government functions described

above as falling within the scope of the FOIA request. In terms of General Petraeus himself, JMP similarly described in detail the basis for its conclusion that the public interest in records responsive to the FOIA request outweighed General Petraeus' categorical privacy interests. Relying upon the public interest aspect outlined regarding third party privacy interests, JMP stated that it was also seeking a waiver of fees or, at a minimum, a reduction in fees.

15. By letter dated March 4, 2016, the FBI acknowledged receipt of JMP's FOIA request and assigned it Request Number 1345044-000.

16. To date, no substantive response has been received by JMP from the FBI; JMP has constructively exhausted all required administrative remedies.

17. JMP has a legal right under the FOIA to obtain the information it seeks, and there is no legal basis for the denial by the FBI of said right.

COUNT TWO - EOUSA

18. By letter dated February 5, 2016, JMP submitted to the EOUSA a FOIA request. The FOIA request specifically sought copies of records, including cross-references, pertaining to General Petraeus.

19. JMP indicated that the EOUSA could limit the scope of its search to the following categories of information:

- 1) Records memorializing the entirety of the EOUSA's investigation into General Petraeus' actions that resulted in his eventual guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the Federal Bureau of Investigation ("FBI");

- 2) Any "damage" or "harm" assessments made regarding the impact that General Petraeus' actions which resulted in his guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information, have had upon the national security of the United States; and
- 3) Any documentation memorializing legal analyses of the viability of taking legal action (whether criminal or civil) against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI.

JMP clarified that the EOUSA could limit the timeframe of its search from January 1, 2011 up until February 5, 2016. JMP further clarified that the scope of the EOUSA's search should not be limited to EOUSA-originated records. JMP also requested that responsive records be produced in electronic form.

20. JMP realleges paragraphs 13-14, as JMP's request to the EOUSA contained similar language to that contained in the FBI request addressing privacy concerns and JMP's request for a fee waiver.

21. To date, no substantive response has been received by JMP from the EOUSA. JMP has constructively exhausted all required administrative remedies.

22. JMP has a legal right under the FOIA to obtain the information it seeks, and there is no legal basis for the denial by the EOUSA of said right.

COUNT THREE - ARMY

23. By letter dated February 5, 2016, JMP submitted to the Army a FOIA request. The FOIA request specifically sought copies of records, including cross-references, pertaining to General Petraeus.

24. JMP indicated that the Army could limit the scope of its search to the following categories of information:

- 1) Records memorializing the entirety of the Army's investigation into General Petraeus' actions that resulted in his eventual guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the Federal Bureau of Investigation ("FBI");
- 2) Any "damage" or "harm" assessments made regarding the impact that General Petraeus' actions which resulted in his guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information, have had upon the national security of the United States;
- 3) Any documentation memorializing legal analyses of the viability of taking legal or administrative action (whether criminal or civil) against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;
- 4) Any documentation memorializing discussions between the Army and the Office of the Secretary of Defense regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;
- 5) Any documentation memorializing discussions between the Army and the CIA regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI; and
- 6) Any documentation memorializing discussions between the Army and the FBI regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI.

JMP clarified that the Army could limit the timeframe of its search from January 1, 2011 up until February 5, 2016. JMP further clarified that the scope of the Army's search should not be limited to Army-originated records. JMP also requested that responsive records be produced in electronic form.

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25. JMP realleges paragraphs 13-14, as JMP's request to the Army contained similar language to that contained in the FBI request addressing privacy concerns and JMP's request for a fee waiver.

26. To date, no substantive response has been received by JMP from the Army. JMP has constructively exhausted all required administrative remedies.

27. JMP has a legal right under the FOIA to obtain the information it seeks, and there is no legal basis for the denial by the Army of said right.

COUNT FOUR - OSD

28. On February 16, 2016, JMP submitted to the OSD a FOIA request. The FOIA request specifically sought copies of records, including cross-references, pertaining to General Petraeus.

29. JMP indicated that the OSD could limit the scope of its search to the following categories of information:

- 1) Records memorializing the entirety of the OSD's investigation into General Petraeus' actions that resulted in his eventual guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the Federal Bureau of Investigation ("FBI");
- 2) Any "damage" or "harm" assessments made regarding the impact that General Petraeus' actions which resulted in his guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information, have had upon the national security of the United States;
- 3) Any documentation memorializing legal analyses of the viability of taking legal or administrative action (whether criminal or civil) against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;

- 4) Any documentation memorializing discussions between the OSD and the Army regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;
- 5) Any documentation memorializing discussions between the OSD and the CIA regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI; and
- 6) Any documentation memorializing discussions between the OSD and the FBI regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI.

JMP clarified that the NSA could limit the timeframe of its search from January 1, 2011 up until February 1, 2016. JMP further clarified that the scope of the OSD's search should not be limited to OSD-originated records. JMP also requested that responsive records be produced in electronic form.

30. JMP realleges paragraphs 13-14, as JMP's request to the OSD contained similar language to that contained in the FBI request addressing privacy concerns and JMP's request for a fee waiver.

31. By e-mail dated March 7, 2016, OSD informed JMP that the request had been received and assigned Case No. 16-F-0593. To date, no substantive response has been received by JMP from the OSD. JMP has constructively exhausted all required administrative remedies.

32. JMP has a legal right under the FOIA to obtain the information it seeks, and there is no legal basis for the denial by the OSD of said right.

COUNT FIVE - CIA

33. By letter dated February 5, 2016, JMP submitted to the CIA a FOIA request. The FOIA request specifically sought copies of records, including cross-references, pertaining to General Petraeus.

34. JMP indicated that the CIA could limit the scope of its search to the following categories of information:

- 1) Records memorializing the entirety of the CIA's investigation into General Petraeus' actions that resulted in his eventual guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the Federal Bureau of Investigation ("FBI");
- 2) Any "damage" or "harm" assessments made regarding the impact that General Petraeus' actions which resulted in his guilty plea, including but not limited to his alleged unauthorized removal and retention of classified information, have had upon the national security of the United States;
- 3) Any documentation memorializing legal analyses of the viability of recommending legal action (whether criminal or civil) against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;
- 4) Any documentation memorializing discussions between the CIA and the Army regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI;
- 5) Any documentation memorializing discussions between the CIA and the Office of the Secretary of Defense regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his alleged unauthorized removal and retention of classified information and alleged false statements to the FBI; and
- 6) Any documentation memorializing discussions between the CIA and the FBI regarding the viability of possible legal or administrative action against General Petraeus as a result of his actions, including but not limited to his

alleged unauthorized removal and retention of classified information and alleged false statements to the FBI.

JMP clarified that the CIA could limit the timeframe of its search from January 1, 2011 up until February 5, 2016. JMP further clarified that the scope of the CIA's search should not be limited to CIA-originated records. JMP also requested that responsive records be produced in electronic form.

35. JMP realleges paragraphs 13-14, as JMP's request to the CIA contained similar language to that contained in the FBI request addressing privacy concerns and JMP's request for a fee waiver.

36. By letter dated March 7, 2016, CIA acknowledged receipt of JMP's FOIA request and assigned it Case Number F-2016-01088.

37. To date, no substantive response has been received by JMP from the CIA. JMP has constructively exhausted all required administrative remedies.

38. JMP has a legal right under the FOIA to obtain the information it seeks, and there is no legal basis for the denial by the CIA of said right.

WHEREFORE, plaintiffs The James Madison Project and Shane Harris pray that this Court:

(1) Orders the defendant federal agencies to disclose the requested records in their entirety and make copies promptly available to the plaintiffs;

(2) Award reasonable costs and attorney's fees as provided in 5 U.S.C. § 552 (a)(4)(E) and/or 28 U.S.C. § 2412 (d);

(3) expedite this action in every way pursuant to 28 U.S.C. § 1657 (a); and

(4) grant such other relief as the Court may deem just and proper.

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Date: March 18, 2016

Respectfully submitted,

/s/

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