

Central Intelligence Agency



Washington, D.C. 20505

10 August 2016

Nikki Gramian
Acting Director
Office of Government Information Services
National Archive and Records Administration
8601 Adelphi Road
College Park, MD 20740

Dear Ms. Gramian:

Thank you for your letter of June 22, 2016, requesting that the Central Intelligence Agency (CIA) revise our Privacy Act system of records notice (SORN) to add a routine use that applies to records related to Freedom of Information Act (FOIA) requests and appeals. Specifically, you have requested that we revise our SORN to include a routine use related to the Office of Government Information Services' (OGIS) review of administrative agency policies, procedures, and compliance related to FOIA, as well as its offering of mediation services to resolve disputes between persons making FOIA requests and the CIA.

CIA is currently revising its SORNs to reflect changes made by CIA's recent modernization initiative and will consider creating an explicit routine use for OGIS as part of this larger revision. Our assessment, however, is that the majority of records to which OGIS will need access to exercise its statutory authorities are not Privacy Act records retrieved from a Privacy Act system of records as defined by 5 U.S.C. § 552a(a). To the extent that OGIS's statutory authorities, as amended by the FOIA Improvement Act of 2016, will necessitate access to relevant Privacy Act records to carry out its mandate under the FOIA, we further assess that the current Privacy Act conditions of disclosure in 5 U.S.C. § 552a(b), to include CIA's current published general routine uses, enable CIA disclosure of such records to OGIS.

If you have concerns that the CIA has not disclosed any Privacy Act protected records relevant to OGIS's authorities, please contact me so we may discuss the matter further.

CIA has benefitted from its regular engagement with OGIS regarding FOIA requests. We look forward to our continued engagement and working with OGIS in your enhanced role under the FOIA Improvement Act of 2016.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben Huebner", with a long horizontal flourish extending to the right.

Ben Huebner
CIA Senior Agency Official for Privacy