U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

March 16, 2026

BY ECF
The Honorable Dale E. Ho
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Knight First Amendment Institute v. Office of Management and Budget, et al.*, 25 Civ. 8783 (DEH)

Dear Judge Ho:

This Office represents the defendant agencies in this Freedom of Information Act (FOIA) case. We write jointly with counsel for plaintiff to provide a joint status report, as directed by the Court's December 15, 2025 Order, ECF No. 13.

As we noted in our initial letter, the complaint seeks records from three distinct entities for FOIA purposes: (1) the Office of Management and Budget (OMB), and two separate components of the Department of Justice (DOJ): (2) DOJ's Office of Legal Counsel (OLC); and (3) the DOJ's Information Policy (OIP), which, among other things, conducts FOIA operations for DOJ leadership offices.

As we previously reported, OMB completed its search on December 9. Since that time, OMB has been engaged in a responsiveness and deduplication review. OMB has thus far reviewed approximately 1,525 pages and reports that it has not located any records responsive to either Parts 1 or 2 of Plaintiff's FOIA request. OMB reports that the search results primarily consist of records related to the issuance of the executive orders and Presidential memoranda and the subsequent litigation that followed. OMB will continue to review the remaining search results for responsiveness at a rate of 500 pages per month.

As anticipated, OIP has completed an initial responsiveness review and deduplication of its electronic search results and has identified a small amount of material requiring additional review for responsiveness and potential processing. If responsive, OIP expects to complete the initial processing of this material by March 30, 2026, after which it will circulate material to other Executive Branch entities for consultation, as necessary, and will provide its response as to this material once the consultation process is completed.

As we previously noted, shortly after receiving the request, OLC completed a search, and provided plaintiff response on May 30, 2025, indicating it had found no records.

Under the Court's standing order for status reports, ECF No. 13, the parties' next report will be due April 15.

We thank the Court for its attention to this matter.

Respectfully submitted,

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