U.S. Department of Justice

United States Attorney
Southern District of New York

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September 16, 2022

BY ECF
The Honorable Colleen McMahon
United States District Judge
500 Pearl Street
New York, NY 10007

9/20/2022 Thank you. October 21 is a good date for further status report.

Re: *Knight Institute v. Central Intelligence Agency, et al.*, 22 Civ. 1542 (CM)

MEMO ENDORSED

Dear Judge McMahon:

This Office represents the defendant agencies in this Freedom of Information Act (FOIA) case. As required by the Court's July 13, 2022 order, ECF No. 36, we write to provide a status report on the agencies or components that have been engaged in search or processing since the last status report.

DOJ Criminal Division. As agreed, the Criminal Division completed its search for potentially responsive records by September 9. CRM will now review this set of records for responsiveness (but not exemptions), a process that should take six to eight weeks. CRM will update plaintiff by October 14 on the progress of its review, and barring any unforeseen circumstances, it will complete its review by no later than November 11. Once the responsiveness review is complete, the parties will confer about a schedule for processing the remaining presumptively responsive records.

DOJ's Office of Information Policy. OIP completed processing the records it had previously identified for processing in response to the request, and by letter dated September 16, 2022, provided plaintiff an interim response indicating that because other executive branch entities have equities in these records, they were either (1) referred to other entities for direct response to plaintiff or (2) processed initially and then sent for consultation with such equity holders, which must be completed before OIP can make a final response. In addition, based on the results of its search and processing to date, OIP anticipates conducting a targeted, supplemental search, which it will complete within four weeks. OIP will provide an update on these items to plaintiff by October 14.

DOJ National Security Division. NSD completed processing the records it gathered for its own equities by August 31, and has notified plaintiff with a response letter that all records have been referred to other DOJ components for direct response to plaintiff.

FBI. The FBI completed processing by August 31, and provided a response of 13 pages released in whole or in part. On September 7, the FBI also provided a supplemental response of 49 pages released in part after determining that some additional material could be released.

Proposal. The parties propose that we provide the Court with a further status report by October 21, 2022.

We thank the Court for its attention to this matter.

Respectfully submitted,

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