U.S. Department of Justice

United States Attorney
Southern District of New York

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May 31, 2023

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

OK

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

Dear Judge McMahon:

Colleen McMahon 6/1/2023

This Office represents the defendant agencies in this Freedom of Information Act (FOIA) case. As required by the Court's April 3, 2023 order, ECF No. 46, 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. Since the last update, CRM completed its manual review of records to exclude duplicates, which yielded a universe of approximately 1,500 pages of potentially responsive records from unclassified systems. CRM is now processing the remaining responsive, non-duplicative pages for any applicable exemptions. CRM intends to produce the non-exempt portions of any responsive documents that do not require the Criminal Division to consult with other DOJ components and/or Executive Branch agencies. In the event that the Criminal Division needs to consult with other DOJ components and/or Executive Branch agencies about a record, it will make rolling productions of the non-exempt portions of those records when the consultation process is complete. CRM intends to complete processing these records by September 1, 2023. However, the specific timeline for a final processing of these records may depend on the speed with which any consulting agencies or components complete their review.

CRM has also located a limited number of pages of potentially responsive records on classified systems. It will provide plaintiff an update on the processing timeline for these records by the end of June.

DOJ's Office of Information Policy. Since the last update, OIP has engaged in a third, narrow, supplemental search. Like the second supplemental search, this one was also done on a classified system. Once complete, and in any event by June 16, OIP will confer with plaintiff as to volume of potentially responsive material located and approximate time required to complete processing of any responsive material located.

Additionally, last week, OIP provided its response as to all material it previously referenced in its September 16, 2022 response letter as having been circulated to other Executive

Branch equity holders for consultation. Subject to any additional material located in its supplemental search, OIP has completed its response.

Proposal. The parties propose that we provide the Court with a further status report by July 31, 2023.

We thank the Court for its attention to this matter.

Respectfully submitted,

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