

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

JUDICIAL WATCH, INC.,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

Civil Action No. 25-4047 (DLF)

**JOINT STATUS REPORT**

Pursuant to the Court’s Minute order (Jan. 12, 2026), Plaintiff Judicial Watch, Inc. and Defendant U.S. Department of Justice, by and through their undersigned counsel, respectfully submit this Joint Status Report (“JSR”) in this case under Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”).

The Complaint (ECF No. 1) in this action asks for three items of records.

For item 1, Plaintiff seeks “[a]ll documents referenced by Deputy Director Dan Bongino” (emphasis added) concerning a room located in FBI Headquarters. The room referenced is a Sensitive Compartmented Information Facility (SCIF) that houses records related to both closed and open investigations.

Items 2 and 3 seek the following records:

“All internal FBI communications among officials in the offices of FBI Director Kash Patel and FBI Deputy Director Dan Bongino related to the discovery of these documents.”

“All directives sent to officials from the offices of the Director and/or Deputy Director regarding the handling and disposition of the documents referenced in Bullet 1.”

For item 1, on April 23, 2026, the FBI provided information about the status of the search process, the current estimated total page count, and a general description of the records to Plaintiff for the purpose of potentially narrowing the scope of this portion of the request. Specifically, the FBI advised Plaintiff that the FBI has assessed that the room presently contains several five-drawer filing cabinets (safes) that the FBI estimates to include approximately between 950,000 and 1,900,000 pages.

The FBI described the files as follows (on April 23, 2026):

“There are 20 file cabinets in the SCIF with records that require digitization, of which 17 file cabinets contain legacy records (as described below) and 3 file cabinets contain recent records (described below):

- Legacy Files: These records consist of older legacy records, the majority of which relate to two closed, historical investigations. These records belong to the DOJ Office of Inspector General (OIG) and prior to their release they must be sent to the DOJ OIG for consultation on its equities in the records. The FBI estimates the volume of these records is approximately 841,500 pages and that it will take 5,184 hours or 216 business days (11 months) to digitize them before conducting our initial review and marking of the records, sending any necessary consultations to OGAs, followed by final processing of the records to incorporate any OGAs recommended withholdings and markings.

- Recent Files: These records consist of more recent records related to various investigations, including, for example, active investigations and prior Special Counsel investigative records, many of which are likely to require consultation with other government agencies prior to release. The FBI estimates that the volume of these records is approximately 112,500 pages and that it will take 696 hours or 29 business days (1 month) to digitize them before

conducting our initial review and marking of the records, sending any necessary consultations to OGAs, followed by final processing of the records to incorporate any OGAs recommended withholdings and markings.”

To reduce the workload associated with this process, on March 13, 2026, the FBI proposed narrowing the scope of item 1 to certain records that the FBI believes are likely to be of most interest to Plaintiff. Plaintiff responded the same day, informing the FBI it would need more information before narrowing, specifically who or what were the subjects of the case files, in both the Legacy and Recent categories. Plaintiff is still awaiting this information.

On April 23, 2026, the FBI responded with the description of the file cabinets included above. The same day, Plaintiff responded that it would consult with its client and get back to the FBI on scope. On May 14, Plaintiff clarified again that until the FBI has a subject index of the records, Plaintiff believes that narrowing the scope would be arbitrary and premature. Plaintiff suggested the FBI prioritize digitizing and processing the Recent Files before the Legacy Files responsive to Bullet 1. The parties will continue to confer regarding the scope of item 1 and will provide an update in the next status report.

In compliance with the Court’s March 12, 2026 Minute Order, the FBI can report that it has now completed its search for responsive records for Bullets 2 and 3. As a result of these searches, the FBI did not locate any records responsive to either item 2 or 3 of Plaintiff’s request. Plaintiff has requested a search declaration describing the FBI’s search in detail. Plaintiff further queried whether the FBI discovered which offices are custodians of the records requested in Bullets 1 and 2, if not the offices of the Director and Deputy Director.

The Parties have different proposals for the date of the next status report.

The Defendant proposes filing the next status report on or before July 14, 2026.

Plaintiff hoped that today's status report would include search information and results for Bullets 2 and 3, but received "no records," and FBI provided no information whatsoever about the search. Plaintiff did not oppose an extension for this report as Plaintiff hoped it would come with substantial answers from the FBI. Instead, Plaintiff's counsel received a draft status report this afternoon, leaving little time to confer with the FBI or with Plaintiff. Therefore, so as not to further delay answers another two months, Plaintiff proposes filing the next status report on or before June 14, 2026.

Dated: May 14, 2026

/s/ Philumina Johanni

RAMONA RAULA COTCA  
D.C. Bar No. 501159  
PHILUMINA JOHANNI\*  
Judicial Watch, Inc.  
425 Third Street, SW Suite 800  
Washington, DC 20024  
(202) 646-5172  
rcotca@judicialwatch.org  
pjohanni@judicialwatch.org

*Attorneys for Plaintiff*  
*\*Admitted Pro Hac Vice*

Respectfully submitted,

JEANINE FERRIS PIRRO  
United States Attorney

/s/ Robert J. Morris, II

ROBERT J. MORRIS, II  
D.C. Bar #1719434  
Assistant United States Attorney  
601 D Street NW  
Washington, DC 20530  
(202) 252-2534  
Robert.Morris@usdoj.gov

*Attorneys for the United States of America*