

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AMERICAN OVERSIGHT,

Plaintiff,

v.

INTERNAL REVENUE SERVICE, *et al.*,

Defendants.

Civil Action No. 25-1585 (CRC)

JOINT STATUS REPORT

Pursuant to this Courts August 28, 2025 and October 29, 2025 Minute Orders, Plaintiff American Oversight and Defendant U.S. Department of Education (“Department”), by and through undersigned counsel, hereby submit this joint status report to “apprise the Court of the status of the Department’s response to Plaintiff’s FOIA request.” Aug. 28, 2025 Min. Order.

In this Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, case, Plaintiff seeks records responsive to Plaintiff’s April 17, 2025, FOIA request submitted to the U.S. Department of Education. Plaintiff filed this suit on May 19, 2025 (ECF No. 1) and the U.S. Department of Education filed an answer on July 23, 2025 (ECF No. 8).

The status of the Department’s response to Plaintiff’s FOIA request is as follows. The Department has reached out to five program offices to conduct searches the scope of which are reasonably likely to gather all records responsive to Plaintiff’s FOIA request. The Department continues to receive responses from program offices, which the Department continues to process for responsiveness and for application of any exemptions.

Specifically, for items 1-4 of the request, the Department, identified 31 pages from the Office of the Under Secretary (“OUS”) that are potentially responsive to the request of which 22 were sent out for consultations to other federal agencies. The Department also identified 38 pages from the Office of Civil Rights (“OCR”) potentially responsive to parts 1-4 of Plaintiff’s request of which 17 pages were sent out for consultation to other federal agencies. The Department also gathered over 1,500 pages from the Office of Secretary (“OS”) from a search for records potentially responsive to parts 1-4 of the request, which should not be construed as an indicator as to the number of responsive records identified by the OS, given that the results of the search are currently being reviewed for responsiveness. Finally, the Department’s Office of the Chief Information Officer (“OCIO”) is assessing the scope of a remaining search to ensure that all reasonably searched records responsive to items 1-4 have been identified.

As for items 5-7 of the request, the Department’s search for responsive records is still ongoing, but the Department has identified 3,022 pages so far from OCR, OUS, OS, and Office of General Counsel (“OGC”) and is reviewing those records.

The Department expects to make its first interim response containing a release of non-exempt reasonably segregable information responsive to Plaintiff’s request by December 15, 2025. The Department had endeavored to make its initial response in September 2025, but was unable to do so. The government shutdown then disrupted this matter. The Department now continues its efforts to complete its searches for responsive records as described above, which will allow the Department to assess a further schedule for processing those records as more information about the results of the ongoing searches are gathered.

In light of the current status as to the Department's response to Plaintiff's FOIA request, the parties respectfully request to file a further joint status report in approximately sixty days or by February 6, 2026 to further apprise the Court as to the status of this case.

Date: December 8, 2025

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Respectfully submitted,

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