UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DEMOCRATIC NATIONAL COMMITTEE	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civ. A. No. 26-2928 (CKK)
	)	
U.S. DEPARTMENT OF JUSTICE	)	
	)	
Defendant.	)	
	)	

JOINT STATUS REPORT

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Defendant, U.S. Department of Justice ("DOJ" or "the Department"), and Plaintiff, Democratic National Committee, by and through their respective counsel, hereby submit this joint status report ("JSR").

On August 20, 2026, Plaintiff filed its Complaint, which seeks the release of records responsive to Plaintiff's February 6, 2026 FOIA requests to the Federal Bureau of Investigation ("FBI") and the Department's Criminal Division ("CRM"). *See* Compl. (ECF No. 1). Plaintiff's FOIA requests seek records pertaining to "planned, anticipated, or potential inspection or seizure of election materials—with or without a warrant—to be conducted in the period beginning 30 days before a federal primary or general election" and ending with "the certification of such election by appropriate state election officials." *Id.* ¶¶ 34, 47. CRM concluded that other components of DOJ may maintain records related to Plaintiff's request and routed the request to DOJ's Civil Rights Division ("CRT") and Office of Information Policy ("OIP"). *Id.* ¶ 52. Defendant filed its Answer on September 28, 2026. *See* Answer (ECF No. 15).

Statement of the Democratic National Committee

The DNC provides the following update for each DOJ component below:

With respect to the FBI, the FBI previously stated that it "anticipates being able to provide an update within the next 30 days." *See* Oct. 14 Status Report (ECF No. 16) at 5. Two weeks later, the FBI continues to state that it "anticipates being able to provide an update within the next 30 days," rather than within the next 16 days, and offers no meaningful update on the progress of its search. As noted above, the FBI received the DNC's FOIA request in February. Public reporting now indicates that FBI agents are concerned they may be ordered to seize ballots or voting machines. Ken Dilanian and Carol Leonnig, *White House Actions Spur Worry Among FBI Agents About Being Called to Polling Places, Sources Say*, MS Now (Oct. 28, 2026), https://www.ms.now/news/white-house-actions-spur-worry-among-fbi-agents-about-being-called-to-polling-places-sources-say. The DNC has requested to meet and confer with the FBI to discuss scoping and search terms.

With respect to CRM and CRT, the DNC previously expressed concerns that CRM failed to identify responsive records, despite recent actions to remove relevant guidance from the Department's website and civil litigation demanding segregation of particular ballots. *See* Oct. 14 Status Report at 2–3; Order Denying Temporary Restraining Order, at 2, *United States v. State of California et al.*, No. 2:26-cv-12025 (C.D. Cal. Oct. 28, 2026). Now that CRT has also failed to identify responsive records, the DNC is concerned that CRT has similarly failed to undertake a reasonable search. The DNC has requested to meet and confer with CRM and CRT to discuss scoping and search terms.

With respect to OIP, the OIP acknowledged the DNC's FOIA request in February 2026, and nearly nine months later, OIP has just finished its initial search but has not provided any additional information on the results. The DNC previously offered to "meet and confer with OIP

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to discuss scoping and search terms." *See* Oct. 14 Status Report at 4. Having failed to receive a response, the DNC has since reiterated this request.

Statement of Defendant

FBI: FBI is continuing to conduct searches for potentially responsive records and anticipates being able to provide an update within the next 30 days.

CRM: CRM has issued its final response to Plaintiff and concluded it does not possess records responsive to the request.

CRT: CRT has issued its final response to Plaintiff and concluded it does not possess records responsive to the request.

OIP: As previously reported, OIP has designed its search for records potentially responsive to Plaintiff's FOIA request. OIP's initial search is now completed, and OIP is presently reviewing the results of its search to determine whether any records are responsive to Plaintiff's FOIA request. OIP further intends to confer with Plaintiff, as applicable, regarding potential scoping and/or narrowing agreements. In light of the current status of the proceedings, it is not yet possible to estimate the anticipated number of records responsive to Plaintiff's FOIA request to OIP, or the anticipated date(s) for release of any responsive records.

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In accordance with the Court's October 16, 2026 Minute Order, the parties will file their next joint status report on or before November 13, 2026 to update the Court on the status of their engagement.

Dated: October 30, 2026
Washington, DC

Respectfully submitted,

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/s/ *Nicolas F. Garcia*

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†*Not admitted to the D.C. Bar. Admitted to the bars of New York and Florida only. Practice in the District of Columbia is strictly limited to in-house counsel services for the Democratic National Committee pursuant to D.C. App. R. 49(c)(6) and matters before U.S. courts pursuant to D.C. App. R. 49(c)(3).*

Attorneys for the Democratic National Committee

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