

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

LOIS MOORE, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 20cv1027 (RCL)
	)	
UNITED STATES CENTRAL	)	
INTELLIGENCE AGENCY	)	
	)	
Defendant.	)	
_____	)	

**STATUS REPORT**

Pursuant to this Court’s Order dated July 9, 2020, Defendant Central Intelligence Agency (“Defendant” or “CIA”), through undersigned counsel, respectfully provide the following Joint Status Report to the Court:

1. On April 28, 2020, Plaintiffs Lois Moore, Robert Moore, Jana Orear, Christianne O’Malley, and Mark Sauter (“Plaintiffs”) commenced this litigation against the CIA alleging that the CIA failed to respond to their FOIA request for information regarding American POWs of the Korean War being transported to China and the Soviet Union for imprisonment and interrogation. ECF No. 1 (Complaint).

2. On June 3, 2020, CIA filed an Answer to the Complaint. ECF No. 6 (Answer).

3. On July 9, 2020, this Court entered an Order that the Parties confer and that Defendant file a Status Report recommending a schedule for any outstanding matters. ECF No. 11.

4. Pursuant to the agreement of the Parties that Defendant prioritize 11 items identified by Plaintiffs from their FOIA request, Defendant states that it has completed its initial search for documents that are potentially responsive these items. At present, Defendant

anticipates that it will complete its processing and production of documents responsive to these items on or before October 6, 2020.<sup>1</sup>

5. Once processing/production of the prioritized items is complete, the Parties will confer and inform the Court of their proposed schedule for the processing/production of documents responsive to the remaining requests.

6. The parties cannot determine whether summary judgment briefing will be necessary until the CIA has completed its review/production of responsive, non-exempt records and the parties have had an opportunity to confer regarding the production and any withholdings.

7. The Defendant proposes, and Plaintiff consents, to file a further Joint Status Report no later than Monday, October 26, 2020.

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<sup>1</sup> Defendant has previously informed Plaintiffs and the Court that CIA is taking precautions to reduce the likelihood of transmission or community spread of COVID-19 within its workplace as part of the government-wide response to the COVID-19 (coronavirus) pandemic. Accordingly, CIA is prioritizing mission-critical activities, and CIA's FOIA staffing and processing capabilities were significantly reduced and have not yet returned to normal. In addition, searches for and processing of responsive records must occur in secure Agency workspaces. DOJ's "Guidance of Agency FOIA Administration in Light of COVID-19 Impacts" explicitly recognizes that agencies such as CIA face unique constraints—such as staffing issues, the inability to operate remotely, and records implicating classified information. Given the current unavailability of key search personnel and requisite subject matter experts and the inability of CIA's personnel to work remotely, CIA requires additional time in which to process Plaintiffs' requests.

Dated: August 25, 2020

Respectfully submitted,

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By: /s/ *Darrell C. Valdez*

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