

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN FEDERATION OF
TEACHERS,
555 New Jersey Ave., NW,

3. The information sought by Plaintiffs' FOIA requests, which will shed light on whether lobbyists associated with the firearms industry or gun-lobby groups including the National Rifle Association were involved in the Department's decision and reveal communications between the Department and states or local school districts and within the Department concerning the use of these funds to arm teachers, is plainly of great public importance.

4. Yet, despite the pressing need for this information, Defendant has failed to comply with its statutory obligations to respond within the legally required time period.

Parties

5. Plaintiff American Federation of Teachers is a union representing 1.7 million members in more than 3,000 affiliates nationwide, including over 1 million educators and other school employees.

6. Plaintiff Giffords Law Center to Prevent Gun Violence is a non-profit, national

representatives of gun-lobby groups were involved in the Department's decision-making as well as communications between the Department and state or local school districts and within the Department about using the funds for this purpose.

Plaintiffs' NRA FOIA Request

15. On August 27, 2018, Plaintiffs submitted a FOIA request to the Department, seeking the following records:

1. All records discussing or revealing communications or meetings with the National Rifle Association (NRA).

18. On September 26, 2018, Defendant advised Plaintiffs by letter that it was granting their fee waiver request and was “unable to provide an estimated completion date” for this request.

Plaintiffs’ Title IV-A Communications

provisions” of the FOIA, Plaintiffs are “deemed to have exhausted [their] administrative remedies,” 5 U.S.C. § 552(a)(6)(C)(i).

Count One

(Violation of the FOIA, 5 U.S.C. § 552)

29. Plaintiffs incorporate by reference the foregoing paragraphs as if fully set forth herein.

30. By failing to respond to Plaintiffs’ FOIA requests within the statutorily mandated time frame and failing to process and produce documents in an expedited manner, Defendant has violated its duties under 5 U.S.C. § 552, including but not limited to, the duties to conduct a reasonable search for responsive records, to process Plaintiffs’ requests expeditiously, to take reasonable steps to release all non-exempt information, and to not withhold responsive records.

Requested Relief

WHEREFORE, Plaintiffs pray that this Court:

1. order Defendant to expedite the processing of Plaintiffs’ FOIA requests;
2. order Defendant to conduct searches for any and all records responsive to Plaintiffs’ FOIA requests using search methods reasonably likely to lead to the discovery of all responsive records;
3. order Defendant to produce, within twenty days of the Court’s order, or by such other date as the Court deems appropriate, any and all non-exempt records responsive to Plaintiffs’ FOIA requests at no cost to Plaintiffs and a *Vaughn* index of any responsive records withheld under a claim of exemption;
4. enjoin Defendant from continuing to withhold any and all non-exempt responsive records;

5. award Plaintiffs their costs, attorneys' fees, and other disbursements for this action; and

6.