

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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AMERICAN CIVIL LIBERTIES UNION, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 22-1721 (JEB)
	)	
U.S. DEPARTMENT OF HOMELAND	)	
SECURITY,	)	
	)	
Defendant.	)	

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**JOINT STATUS REPORT**

Pursuant to the Court’s Minute Order dated May 31, 2023, Plaintiffs American Civil Liberties Union and American Civil Liberties Union Foundation and Defendant United States Department of Homeland Security (“DHS”) respectfully submit this Joint Status Report. This Freedom of Information Act case involves Plaintiffs’ requests for records concerning (1) how DHS, specifically the Center for Prevention Programs and Partnerships (“CP3”) and Office of Intelligence and Analysis (“I&A”), assess targeted violence, risk management tools, and definitions of key terms used to formulate domestic terrorism frameworks; and (2) the input and guidance the Office for Civil Rights and Civil Liberties (“CRCL”) regarding CP3 programs and activities.

Plaintiffs have requested an estimate of the number of records and pages responsive to categories 2, 5, and 6,<sup>1</sup> and the agency is working on providing that information. The parties

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<sup>1</sup> The categories are the six categories of records listed in Section II of Plaintiff’s request. *See* Compl. Ex. 1 at 5–6, ECF No. 1-1.

respectfully propose herein a schedule for processing of potentially responsive records and production of responsive, non-exempt records.

DHS Privacy

DHS Privacy completed its search for records responsive to Plaintiff's FOIA request and located 3,852 pages of potentially responsive records. In addition to the 1,662 potentially responsive pages located for FOIA request numbers 1, 3, and 4, DHS Privacy also located 1,064 potentially responsive pages for FOIA request number 2; 542 potentially responsive pages for FOIA request number 5; and 584 potentially responsive pages for FOIA request number 6. DHS Privacy has made releases on October 28, 2022, November 30, 2022, December 15, 2022, January 20, 2023, February 15, 2023, March 15, 2023, April 14, 2023, May 31, 2023, June 15, 2023, and July 14, 2023. DHS Privacy has approximately 1400 pages pending consultations with other offices/agencies.

CRCL

CRCL agreed to process records at a rate of 400 pages per month and make releases on the 15th of each month beginning on October 15, 2022. CRCL has made releases on October 14, 2022, November 15, 2022, and December 15, 2022. CRCL has processed 1,274 pages and completed processing of all records responsive to Plaintiffs' request.

Office of I&A

A preliminary search of potentially responsive records for category 1 resulted in approximately 332 pages.

With respect to category 2, a preliminary search resulted in I&A finding approximately 20 pages of potentially responsive records.

With respect to category 5, a preliminary search resulted in I&A finding approximately 105 pages of potentially responsive records.

On April 20, the Office of I&A has provided to Plaintiff a proposal on how to handle category 5. On May 23, 2023, Plaintiff accepted that offer. The Office of I&A will process records found based on that proposal at a rate of 200 pages per month.

The Office of I&A is presently processing approximately 213 pages, which it plans to release to Plaintiff in August.

The parties agree to submit a joint status report to the Court on their progress by September 13, 2023.

Dated: July 31, 2023

Respectfully submitted,

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