

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

AMERICAN CIVIL LIBERTIES )  
UNION, et al., )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
UNITED STATES DEPARTMENT )  
OF HOMELAND SECURITY, et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. 1:16-cv-221 (CKK)

**FOURTH JOINT STATUS REPORT**

The parties to this Freedom of Information Act (“FOIA”) matter respectfully submit this Fourth Joint Status Report in response to the Court’s July 22, 2016 Order.

**BACKGROUND**

This lawsuit arises out of a FOIA Request (the “Request”) dated May 13, 2015 for records concerning the government’s Countering Violent Extremism (“CVE”) programs.<sup>1</sup> On July 21, 2016, the parties filed their third joint status report, informing the Court of the status of Defendants’ responses to Plaintiffs’ FOIA Request. ECF No. 20. On July 22, 2016, the Court ordered the parties to file a further joint status report by September 23, 2016.

**UPDATED STATUS**

The parties continue to confer regarding Defendants’ responses to Plaintiffs’ Request.

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<sup>1</sup> Plaintiffs’ FOIA claims against Defendant Department of Education pertain only to a FOIA request dated October 15, 2015 concerning CVE.

Defendants state the following regarding their production of responsive, non-exempt records:<sup>2</sup>

Department of Health and Human Services. Pursuant to the processing and production schedule in the parties' June 3, 2016 Joint Status Report, the Administration for Children and Families ("ACF") at Department of Health and Human Services ("HHS") produced records on July 29, 2016 and August 31, 2016.

Pursuant to the processing and production schedule in the parties' July 21, 2016 Joint Status Report, the Office of the Secretary ("OS") at HHS made interim productions on July 29, 2016 and August 31, 2016. Additionally, OS made a production on September 19, 2016 of all records that ACF had referred to it for direct release.

HHS has released all of its responsive, non-exempt records that were identified in its searches.

Department of Homeland Security. Pursuant to the processing and production schedule in the parties' June 3, 2016 Joint Status Report, the Department of Homeland Security ("DHS") Office of Intelligence & Analysis ("I&A") made an interim production of records on July 29, 2016 and August 31, 2016. I&A will continue its processing and release of records in accordance with that schedule. I&A anticipates making a final release of records identified in its search on or before September 30, 2016.

Pursuant to the July 21, 2016 Joint Status Report, the DHS Privacy Office provided Plaintiffs an update on the status of its search on August 12, 2016 and made an interim production on August 31, 2016. The Privacy Office continues to collect potentially responsive

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<sup>2</sup> Plaintiffs do not concede that the searches Defendants have conducted to this point are adequate or that the material Defendants have withheld in part or in full is properly subject to exemption.

records from custodians. The Privacy Office will make interim productions on or before October 10, 2016, October 31, 2016, and November 30, 2016.

Pursuant to the processing and production schedule in the parties' July 21, 2016 Joint Status Report, the Federal Emergency Management Agency ("FEMA") produced 239 pages of potentially responsive material on July 28, 2016. FEMA's search for responsive records is now complete. On or before September 30, 2016, FEMA will re-release 195 pages of records to include bates stamping. This will complete FEMA's release of records that were identified in its search.

The National Protection and Programs Directorate ("NPPD") at DHS is continuing its search for responsive records and is continuing to collect from custodians potentially responsive material. NPPD will make an interim production of non-exempt records that are responsive to Plaintiffs' FOIA Request on or before October 31, 2016 and November 30, 2016.

Department of Justice. Pursuant to the processing and production schedule in the parties' June 3, 2016 Joint Status Report, the Federal Bureau of Investigation ("FBI") made an interim production on July 28, 2016 and August 31, 2016. FBI will continue its processing and release of records in accordance with that schedule. On or before September 30, 2016, FBI anticipates making a final release of records identified in its search.

Department of State. Pursuant to the July 21, 2016 Joint Status Report, the Department of State ("State") made an interim production of non-exempt records that are responsive to Plaintiffs' FOIA Request on August 31, 2016. State continues to collect potentially responsive documents and will make a further interim production on or before September 30, 2016, October 31, 2016, and November 30, 2016.

Office of the Director of National Intelligence. Pursuant to the processing and production schedule in the parties' July 21, 2016 Joint Status Report, the Office of the Director of National Intelligence ("ODNI") made an interim production on July 28, 2016 and on August 30, 2016. ODNI will continue its processing and release of records in accordance with that schedule.

REQUESTED COURT ACTION

The parties respectfully suggest that the Court order the parties to file a joint status report no later than December 21, 2016.

Dated: September 23, 2016

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