

**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)

**NINTH JOINT STATUS REPORT**

The parties to this Freedom of Information Act (“FOIA”) matter respectfully submit this Ninth Joint Status Report in response to the Court’s September 20, 2017 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 September 19, 2017, the parties filed their eighth joint status report, informing the Court of the status of Defendants’ responses to Plaintiffs’ FOIA Request. ECF No. 26. On September 20, 2017, the Court ordered the parties to file a further joint status report by January 19, 2018.

**UPDATED STATUS**

The parties continue to confer regarding Defendants’ responses to Plaintiffs’ Request. Defendants state the following regarding their production of responsive, non-exempt records:<sup>2</sup>

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

<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.

Department of Homeland Security. Pursuant to the processing and production schedule in the parties' December 21, 2016 Joint Status Report, the Department of Homeland Security ("DHS") Privacy Office made interim productions on September 29, 2017, October 27, 2017, November 30, 2017, and December 27, 2017. The DHS Privacy Office will continue its processing and release of records in accordance with the December 21, 2016 Joint Status Report.

The Federal Emergency Management Agency at DHS made a production on January 12, 2018 of material referred to it for direct release to Plaintiffs.

The Science and Technology Directorate at DHS made a production on January 17, 2018 of material referred to it for direct release to Plaintiffs.

Pursuant to the March 20, 2017 Joint Status Report, the National Protection and Programs Directorate ("NPPD") at DHS made interim productions on September 29, 2017, October 31, 2017, November 30, 2017, and December 22, 2017. NPPD will continue its processing and release of records in accordance with the March 20, 2017 Joint Status Report.

Department of State. Pursuant to the processing and production schedule in the parties December 21, 2016 Joint Status Report, the Department of State ("State") made interim productions on September 29, 2017, October 31, 2017, November 30, 2017, and December 28, 2017. State will continue its processing and release of records in accordance with the December 21, 2016 Joint Status Report.

Department of Justice. The Federal Bureau of Investigation made a production on September 25, 2017 of material referred to it for direct release to Plaintiffs.

The parties continue to discuss whether the scope of the FOIA request to State, DHS Privacy Office, and DHS NPPD can be narrowed to facilitate the timely processing and production of documents. The parties respectfully ask that the Court provide them additional

time for these discussions to proceed, and will update the Court of any progress in their next joint status report.

REQUESTED COURT ACTION

The parties respectfully suggest that the Court order the parties to file a joint status report no later than April 18, 2018.

Dated: January 18, 2018

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Respectfully submitted,

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