

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

MUSLIM ADVOCATES, et al.

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT  
OF STATE, *et al.*,

*Defendants.*

Civil Action No. 18-1546 (TSC)

**JOINT STATUS REPORT**

Defendants, the United States Department of State (“DOS”), United States Department of Homeland Security (“DHS”), United States Customs and Border Protection (“CBP”), United States Citizenship and Immigration Services (“USCIS”) and Plaintiffs, Muslim Advocates and Center for Constitutional Rights (“CCR”), each by its undersigned counsel, submit this joint status report in this Freedom of Information Action in response to the Court’s Minute Order dated January 22, 2019.

1. Defendants hereby notify the Court and Plaintiff that an appropriations act providing funding to the Department of Justice (“DOJ”) for a three-week period of time was enacted on January 25, 2019. Consequently, DOJ attorneys, including the undersigned Assistant United States Attorney assigned to this case, were authorized by law to resume work on January 28, 2019, to tend to civil matters, including matters that are not “emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342.

2. Defendants provide the following updates regarding their responses to Plaintiffs' FOIA requests.

a. DOS:

On December 3, 2018, DOS reported to Plaintiffs that DOS has completed its initial searches, which yielded around 1,000 potentially responsive documents. However, the pool of responsive documents may increase if DOS determines that additional searches are necessary, for example, to follow leads uncovered in the documents. DOS intends to continue providing rolling productions of non-exempt, responsive material to Plaintiffs at a monthly rate, with the next production on February 25, 2019.

b. USCIS:

USCIS has finished its initial search, but is still reviewing approximately 2700 remaining pages of potentially responsive records. Assuming that no additional searches are deemed necessary, USCIS anticipates being able to begin rolling productions of responsive, non-exempt USCIS records starting no later than April, 2019. USCIS is currently assessing whether it may begin rolling productions at an earlier date.

c. CBP:

CBP has concluded its search for responsive documents and has identified five pages of responsive documents; it released redacted versions of the responsive documents to Plaintiffs on February 5, 2019. Along with responsive records, CBP also provided to Plaintiffs a memorandum from a CBP official explaining the context and nature of the result of CBP's search for responsive records.

d. DHS:

DHS has completed its search and the processing of the approximately 3,709 potentially responsive pages. At this juncture, DHS has begun review of the pages processed but is unable to provide an estimated release date. DHS anticipates that it will make a single production.

3. The parties intend to consult again as productions proceed and propose that they file another joint status report on March 11, 2019.

Dated: February 11, 2019

Respectfully submitted,

/s/Sirine Shebaya

Sirine Shebaya (D.C. Bar # 1019748)

Nimra H. Azmi\*°

MUSLIM ADVOCATES

P.O. Box 66408

Washington, D.C . 20035

(202) 897-2622

sirine@muslimadvocates.org

nimra@muslimadvocates.org

Baher Azmy\*

Diala Shamas\*

CENTER FOR CONSTITUTIONAL  
RIGHTS

666 Broadway, 7th Floor

New York, NY 10012

(212) 614-6426

dshamas@ccrjustice.org

JESSIE K. LIU, DC Bar #472845

United States Attorney

DANIEL F. VAN HORN, DC Bar #924092

Chief, Civil Division

By: \_\_\_\_\_ /s/

W. MARK NEBEKER, DC Bar #396739

Assistant United States Attorney

555 4th Street, N.W.

Washington, DC 20530

(202) 252-2536

mark.nebeker@usdoj.gov

*Counsel for Defendants*

\*admitted *pro hac vice*

°admitted in New York only;

supervised by members of the DC bar

*Counsel for Plaintiffs*