

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

THE PROTECT DEMOCRACY PROJECT, INC.

Plaintiff

vs.

17-cv-02202-RDM

DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION

Defendants.

JOINT STATUS REPORT

Pursuant to this Court's order dated January 4, 2018, Plaintiff The Protect Democracy Project, Inc., and Defendants, the Department of Homeland Security ("DHS") and Customs and Border Protection ("CBP"), by and through their undersigned counsel, report as follows the status of this Freedom of Information Act ("FOIA") case.

Plaintiff initiated this action on October 24, 2017 in connection with FOIA requests that Plaintiff submitted to Defendants in August 2017 (the "August 2017 Requests"). Defendants filed an answer on December 15, 2017, and a status conference was held on January 4, 2018. At the status conference, the parties informed the Court of their agreement that no later than February 3, 2018: (1) Defendants would provide Plaintiff with a description of the searches conducted to identify responsive records and a production schedule; and (2) Defendants would begin making productions to Plaintiff on a rolling basis. The Court thereafter entered a minute order requiring the parties to file a joint status report no later than March 3, 2018 and to appear before the court for the next status conference on March 13, 2018.

Appendix A summarizes the information Defendants have thus far provided on searches conducted and on proposed production schedules. It also summarizes areas where the parties agree that Defendants will provide further information with respect to the scope of the offices, databases, and custodians searched, the search terms applied, and proposed production schedules.

Plaintiff has identified to Defendants questions regarding the scope of certain searches conducted by Defendants.

On February 2, 2018, Defendant DHS made a partial production of 184 pages of responsive documents identified by its Office of the Inspector General.

Plaintiff understands that Defendants are working to provide pending information shown in Appendix A prior to the status conference scheduled on March 13, 2018. Plaintiff expects Defendants to provide complete search descriptions and proposed production schedules by the date of the status conference, such that the parties are in a position to agree on a production schedule at the status conference. If Plaintiff's expectation is not met, Plaintiff may request that the Court impose a production schedule by order.

Conclusion

As noted above, the parties are continuing to engage in discussions to resolve any outstanding issues. The parties will provide the Court with an update to Appendix A prior to the status conference scheduled in this case on March 13, 2018.

March 2, 2018

Respectfully submitted,

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Appendix A to Status Report on Case No. 17-cv-02202

I. DHS

Req. No.	Custodians/Components or Databases Searched	Search Terms	Productions and Proposed Production Schedule
1-8	The DHS Office of the Inspector General (“OIG”) has provided a description of search terms used and searches conducted. Search descriptions from other components are pending.	DHS OIG has provided a description of search terms used and searches conducted. Search descriptions from other components are pending.	DHS OIG has produced 184 pages of documents, some of which contained redactions. DHS OIG has referred additional materials to CBP and ICE for review and production. Information from other components is pending.
9-12	Pending.	Pending.	Pending.

II. CBP

Req. No.	Custodians/Components or Databases Searched	Search Terms	Productions and Proposed Production Schedule
1-11	Pending.	<u>San Diego, Rio Grande, El Centro, Big Bend, Del Rio, Tucson and Yuma Sectors</u> militia, armed patriot group, citizen defenders, citizen's border patrol, patriots, minutemen, patriots, three percent, tim foley, shane bauer, rusty\'s rangers, Arizona border recon, Arizona militia <u>Laredo Sector</u> militia, Texas Border Volunteers, Minutemen, Citizen Border Patrol, Armed Patriot Group, Arizona Militia, Citizen Defenders, Texas Militia, and Three percent United Patriots <i>Note: Parties are discussing refinements to search terms.</i>	Pending.