

UNITED STATES DISTRICT COURT
FOR NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

AMERICAN CIVIL LIBERTIES UNION OF)
ILLINOIS, *et al.*,)

Plaintiffs,)

v.)

U.S. DEPARTMENT OF HOMELAND)
SECURITY and U.S. CUSTOMS AND)
BORDER PROTECTION)

Defendants.)

No. 17 C 2768

Judge Dow

DEFENDANTS' APRIL STATUS REPORT

Defendants U.S. Department of Homeland Security and U.S. Customs and Border Protection (“CBP”) respectfully submit this Status Report pursuant to the Court’s Order of November 21, 2017. Defendants report as follows:

1. As of March 1, 2018, CBP had assigned the equivalent of 29 full-time first and second level reviewers to the review of records potentially responsive to 22 FOIA requests related to Executive Orders 13,769 and 13,780, entitled “Protecting the Nation from Foreign Terrorist Entry into the United States,” of which 19 were submitted by various ACLU affiliates, including Plaintiffs. Decl. of Patrick Howard ¶ 6. Many of these reviewers were detailed to the FOIA division through “temporary duty assignments” or the “temporary detail” program (TDY), and between March 1, 2018 and March 19, 2018, the temporary details for many of these TDY personnel expired. *Id.* Accordingly, between March 19, 2018 and March 31, 2018, CBP had assigned the equivalent of 13 full-time first and second level reviewers to the review project.¹

¹ The agency has added several new reviewers to replace the TDY personnel whose details expired and anticipates continuing to bring additional new reviewers onboard. *See id.* ¶ 7.

For purposes of calculating this number, the agency counts any individual reviewer assigned to the review project on a half-time basis as the equivalent of 0.5 full-time reviewers. *Id.*

2. In addition to the time spent by first and second level reviewers, between March 1, 2018 and March 31, 2018, CBP Office of Chief Counsel attorneys spent approximately 52.05 hours on the review of records potentially responsive to various FOIA requests related to Executive Orders 13,769 and 13,780. *Id.* ¶ 8.

3. Between March 1, 2018 and March 31, 2018, CBP finalized the processing of 1,006 pages of records related to the four priority custodians in this case. *Id.* ¶ 9.

Dated: April 16, 2018

Respectfully submitted,

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