

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

THE PROTECT DEMOCRACY PROJECT, INC.

Plaintiff

vs.

DEPARTMENT OF HOMELAND SECURITY
CUSTOMS AND BORDER PROTECTION

Defendants.

17-cv-02202-RDM

JOINT STATUS REPORT

Plaintiff The Protect Democracy Project, Inc., and Defendants 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. In the joint status report submitted on May 19, 2020, the parties stated that they are working together to resolve the outstanding issues in this case. *See* Joint Status Report (ECF No. 45). The remaining substantive issues for resolution are: (i) the status of records that have been referred to other components or agencies for processing; (ii) a partial *Vaughn* index from Defendant DHS for the remaining pages identified by Plaintiff; and (iii) attorneys’ fees.

Defendants reported that progress on these issues has been delayed due to the ongoing work disruptions arising from the COVID-19 pandemic. Counsel for the parties, however, have

remained in touch and have made significant efforts to reach closure on the remaining substantive issues in this case so that they can then focus on attorneys' fees questions.

By joint request of the parties, the Court ordered that the parties file a further status report on or before June 12, 2020. *See* Minute Order (May 20, 2020).

Overview of Current Status

Last week, Defendants produced to Plaintiff a subset of the records referred to other components or agencies for processing. Defendants report that they, like FOIA operations at other agencies, continue to experience work disruptions resulting from the COVID-19 pandemic, but they expect to complete their processing and release of remaining, non-exempt records by the end of July. Each of the remaining records has been referred to a third-party agency on account of that agency's equities in the record in order to solicit that agency's views before responding to Plaintiff. In addition, Defendant DHS anticipates that it will produce the remaining *Vaughn* index on or before July 2, 2020.

The parties propose to submit a further joint status report on or before August 7, 2020, setting forth what further action, if any, is necessary.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, DAVID J. IRAOLA, certify that on June 12, 2020, true and correct copies of this Joint Status Report were served electronically on all registered counsel of record via ECF.

Dated: June 12, 2020

/s/ David J. Iraola

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