U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

December 22, 2025

Via ECF
Honorable Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Knight First Amendment Institute at Columbia Univ. v. U.S. Dep't of State et al.*, 22 Civ. 3003 (DEH)

Dear Judge Ho:

This Office represents defendants the U.S. Department of State ("State"), the U.S. Department of Homeland Security ("DHS"), and the Office of the Director of National Intelligence ("ODNI," and collectively with State and DHS, the "Agencies") in the above-referenced case brought by plaintiff Knight First Amendment Institute at Columbia University ("Plaintiff") pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

I write respectfully on behalf of the parties to provide a joint status update pursuant to the Court's order dated January 17, 2025, Dkt. No. 59.[1] 4

As noted in the parties' last joint status report dated September 12, 2025, Dkt. No. 63, Plaintiff previously requested additional information from the Agencies concerning certain withholdings from the records produced in response to Plaintiff's FOIA request, and subsequently sent follow-up questions. The Agencies have provided responses to all of Plaintiff's questions at this time.

Additionally, as noted in prior status reports, following discussions between the parties, DHS referred Plaintiff's FOIA request to the following DHS components: U.S. Immigration and Customs Enforcement ("ICE"), the Transportation Security Administration ("TSA"), U.S. Customs and Border Protection ("CBP"), and U.S. Citizenship and Immigration Services ("USCIS"). As previously noted, CBP completed its response on March 31, 2025, and TSA completed its response on June 17, 2025.

[1] This case was stayed, and case deadlines were tolled, pursuant to the Amended Standing Order issued by Chief Judge Swain on October 2, 2025, in response to the lapse in government appropriations. This status letter is being filed within 43 days after the original deadline of November 12, 2025, which would fall on December 29, 2025, in light of Court-observed holidays on December 25 and 26, 2025.

The status of the referrals to ICE and USCIS since the last status report is as follows:

- **ICE**: On September 24, 2025, ICE issued a final response with respect to a supplemental search as agreed between the parties, noting that it had reviewed 3,024 pages of records but that all of them were non-responsive. ICE has now completed its response.

- **USCIS:** On December 8, 2025, USCIS issued a final response to the FOIA request. In that response, USCIS noted that it reviewed 391 pages of records that had previously been sent for consultation to other components. Of those records, USCIS determined 71 pages were duplicative or non-responsive, released 14 pages in full, and released 306 pages in part, with redactions of material exempted under 5 U.S.C. § 552(b).

Pursuant to the Court's order, Dkt. No. 59, the parties will provide another status update in 60 days, by February 20, 2026, as to what, if any, further steps are necessary in this action.

We thank the Court for its consideration of this matter.

Respectfully submitted,

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cc: Counsel of record (via ECF)