U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

September 12, 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.

As noted in the parties' last joint status report, Dkt. No. 62, 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"). The status of those referrals is as follows:

- **ICE**: As noted in the last status report, ICE has completed processing the records it located in its initial search, including a referral of records to DHS. Additionally, per the parties' agreement, ICE conducted a supplemental search of the files of Tae Johnson, then-ICE Acting Director, and Patrick Lechleitner, then-ICE Deputy Director, from October 8, 2021, to October 8, 2022, for records responsive to the FOIA request. ICE provided an initial response regarding those records on August 22, 2025, in which it reviewed more than 3,011 pages of records but determined that 62 pages were duplicative and the remaining 2,949 pages were non-responsive. ICE plans to issue another response by the end of this month, which it expects will

complete its processing of responsive records subject to any need for referrals to other agencies or components.

- **TSA:** As noted in the previous status report, TSA completed its response on June 17, 2025.

- **CBP:** As noted in previous status reports, CBP completed its response on March 31, 2025.

- **USCIS:** USCIS issued a third response to the FOIA request dated July 14, 2025. In that response, USCIS noted that it reviewed 467 pages of records, of which it released 221 pages in full or in part; referred 19 pages to DHS for consultation; and determined that 227 pages were duplicative or non-responsive. USCIS has also received from DHS a set of records it had previously referred for consultation. USCIS expects to issue a response as to those records by the date of the next status report.

Pursuant to the Court's January 17 order, the parties will provide another status update in 60 days, by November 12, 2025.[1] If the parties reach an impasse regarding a production schedule or other issues, they will advise the Court of their respective positions and seek the Court's guidance.

We thank the Court for its consideration of this matter.

Respectfully submitted,

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cc: Counsel of record (via ECF)

[1] Because November 11 is a federal holiday, the date for the next status update falls on November 12 pursuant to Fed. R. Civ. P. 6(a)(1)(C).