

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

DR. KUSUMA NIO, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
HOMELAND SECURITY, *et al.*,

Defendants.

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) Civil Action No. 1:17-00998-ESH-RMM
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DEFENDANTS' FEBRUARY 8, 2019, REPORT TO THE COURT

Pursuant to the Court's Order (ECF No. 232), Defendants United States Department of Homeland Security, *et al.*, respectfully submit the enclosed report¹, detailing the *Nio* class members':

- a. Enlistment Date
- b. Naturalization Application Filing Date²
- c. "Special Processing" Investigation Screening Completion Date³
- d. MSSD Completion Date (blank if pending)

¹ The redacted report is attached to this filing. Additionally, a secure unredacted excel version of the report has been sent to Chambers and Plaintiffs' counsel (*see* ECF No. 232 at 3-4). The USCIS data is current as of February 7, 2019. The DoD data is current as of January 25, 2019. *See* Exhibit A, Summary of Statistics.

² In some cases, the spreadsheet notes multiple N-400 receipt dates. *See* Exhibit B, February 8, 2019, Report. This means that the specific class member filed multiple N-400s. Accordingly, the spreadsheet details the information on these multiple applications.

³ Based on the layout of the chart provided in Appendix A of the Court's Order (ECF No. 232 at 4), Defendants read the Court's order as requesting one date: the date in which the latest "Special Processing" phase was completed and the case became "CAF adjudication ready." DoD only tracks the NIAC completion date and the CI screening completion date.

- e. MSSD Result (suitable/unsuitable/pending)
- f. Naturalization Interview Scheduled? (yes/no)
- g. Naturalization Interview Completed? (yes/no)
- h. Naturalization Interview Date (blank if not scheduled)
- i. Naturalization Case Status (approved/denied/withdrawn/pending)
- j. Naturalization Date (blank if not naturalized)
- k. Effective Discharge Date (blank if not discharged);
- l. Discharge Revoked? (yes/no)
- m. Offered Reinstatement Pursuant to Oct. 26, 2018 Memo? (yes/no/will be)
- n. Discharge Due to Unsuitable MSSD? (yes/no/blank if not discharged)
- o. Separation Code (blank if not separated).⁴

Approximately 1,033 former *Nio* class members who are now United States citizens. *See* Ex. A. The spreadsheet reflects that there are approximately 590 *Nio* class members for whom an MSSD remain pending. *See* Ex. B, Column K.

Since the December 13, 2018, (ECF No. 224)⁵:

- a. 187 *Nio* class members have naturalized (*see* Ex. A) and;
- b. 106 have received an MSSD determination uploaded to the shared portal with USCIS. *Id.*

⁴ A key that defines the separation codes used in the report has been attached as Exhibit C.

⁵ The data provided by USCIS in the December 13, 2018, report was current as of November 27, 2018 (ECF No. 224, n.1).

DATED: February 8, 2019,

Respectfully submitted,

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE
Civil Action No. 1:17-00998-ESH-RMM

I HEREBY CERTIFY that on this **8th day of February, 2019**, a true copy of the foregoing was filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing via e-mail to the following:

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ATTORNEY FOR DEFENDANTS

EXHIBIT A

Individuals Pending*	Individuals Naturalized - Total	Pending With Interviews Completed	Pending With Interviews Scheduled
883	1,033	112	65
Individuals who received MSSD Uploaded to USCIS since November 27, 2018 Report**	Individuals Naturalized - Since November 27, 2018 Report**		
106	187		
<i>Please note:</i>			
1) The report reflects the most up-to-date data available at the time the report is generated.			
2) Individuals with a pending case status may be approved but not naturalized.			
3) Naturalized cases are those which have populated certificate numbers, oath and natz dates.			
The USCIS data is current as of February 7, 2019.			
The DoD data is current as of January 25, 2019.			
**"Pending" refers to a pending naturalization application.			
**This data was reported to the Court on December 13, 2018 (ECF No. 224)			

EXHIBIT B

Table with columns for Name, Title, Firm, and various dates. Includes entries for individuals like 'J. M. HARRIS' and 'J. M. HARRIS', with dates ranging from 1992 to 2019.

Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name	Case No.	Doc No.	Date Filed	Case Name												
17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...	17-323	1	1/27/2018	...

EXHIBIT C

Code	Note	Type
JBK	7	Invol
JBM		Invol
JCC	3	Invol
JCP		Invol
JCR		Invol
JDA		Invol
JDG		Invol
JDK		Invol
JDN		Invol
JFB		Invol
JFC		Invol
JFF		Invol
JFL		Invol
JFM		Invol
JFP		Invol
JFQ	8	Invol
JFR	9	Invol
JFT		Invol
JFV		Invol
JFW		Invol
JFX		Invol
JGA		Invol
JGH		Invol
JHJ		Invol
JJC		Invol
JJD		Invol
JJF		Invol
JKA		Invol
JKB		Invol
JKD		Invol
JKF		Invol
JKK		Invol
JKL		Invol
JKM	10	Invol
JKN		Invol
JKQ		Invol
JKR		Invol
JND		Invol
JPC		Invol
JPD		Invol
KBK	1	Vol
KBM		Vol

Code	Note	Type
KCA	2	Vol
KCB	2	Vol
KCC	3	Vol
KCF		Vol
KCM		Vol
KCQ		Vol
KDB		Vol
KDF		Vol
KDG		Vol
KDM		Vol
KDS		Vol
KFF		Vol
KFN		Vol
KFS		Vol
KFV		Vol
KGH		Vol
KGM		Vol
KGN		Vol
KGP		Vol
KGQ		Vol
KGX		Vol
KHC	4	Vol
KND	5	Vol
LBK	7	Invol REFRAD
LBM		Invol REFRAD
LCC	3	Invol REFRAD
LCR		Invol REFRAD
LDG		Invol REFRAD
LDN		Invol REFRAD
LFC		Invol REFRAD
LFF		Invol REFRAD
LFT		Invol REFRAD
LFV		Invol REFRAD
LFW		Invol REFRAD
LFX		Invol REFRAD
LGA		Invol REFRAD
LGH		Invol REFRAD
LND	5	Invol REFRAD
MBK	6	Vol REFRAD
MBM		Vol REFRAD
MCA	2	Vol REFRAD
MCB	2	Vol REFRAD

Code	Note	Type
MCC	3	Vol REFRAD
MCF		Vol REFRAD
MCQ		Vol REFRAD
MDB		Vol REFRAD
MDF		Vol REFRAD
MDG		Vol REFRAD
MDM		Vol REFRAD
MDS		Vol REFRAD
MFF		Vol REFRAD
MFR		Vol REFRAD
MGH		Vol REFRAD
MGQ		Vol REFRAD
MND	5	Vol REFRAD
RBD		Retirement
RBE	11	Retirement
RCC	11	Retirement
SFJ		Retirement
SFK		Retirement
VBK	12	Retirement
WFJ	13	Retirement
WFK	13	Retirement
WFQ	13	Retirement
YDA		Release
YDN		Release
YFB		Release
YFC		Release