

Exhibit B



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau
Washington, DC 20233-0001

March 12, 2021

Mr. Jason Torchinsky
Holtzman Vogel Josefiak Torchinsky
15405 John Marshall Hwy
Haymarket, VA 20169
Jtorchinsky@hvjt.law

Dear Mr. Torchinsky:

This letter is in response to correspondence, dated February 22, 2021, from Adam Kincaid, Executive Director, Fair Lines America Foundation, Inc. to the U.S. Census Bureau's Freedom of Information Act (FOIA) Office. Per Mr. Kincaid's request, we are responding to you. We received the FOIA request in this office on February 22, 2021, and have assigned to it tracking number DOC-CEN-2021-000987. We are responding under the FOIA to the request for:

Records demonstrating or reflecting—for each institutional living facility or housing facility from which a completed 2020 Group Quarters Enumeration questionnaire was received (or any other method of group quarters reporting received such as Drop-Off, Pick Up, Pick Up Paper Response Data File, or Self-Enumeration)—the number of residents reported by each living or housing facility nationwide in response to the Census Bureau's request for group quarters population data, for each resident living or sleeping at such facility on Census Day, April 1, 2020, and the dates on which such response(s) were received.

We are withholding responsive documents in whole, under FOIA Exemption 3, Title 5, United States Code, Section 552(b)(3). Please be aware that information responsive to your request, may contain information that is protected by Title 13, United States Code, Section 9, which requires that census records be used solely for statistical purposes and makes these records confidential. Exemption (b)(3) of the FOIA exempts from disclosure, records or portions of records that are made confidential by statute. Accordingly, to that extent that, we must deny your request containing Title 13 protected information.

Based on the above information, this constitutes a denial of the request. You have the right to appeal this denial of the FOIA request. An appeal must be received within 90 calendar days of the date of this response letter. Address an appeal to the following office:

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**Assistant General Counsel for Litigation, Employment and Oversight
Room 5898-C
U.S. Department of Commerce,
14th and Constitution Avenue, N.W.
Washington, D.C. 20230**

An appeal may also be sent by e-mail to FOIAAppeals@doc.gov, by facsimile (fax) to 202-482-2552, or by FOIAonline, if you have an account in FOIAonline, at <https://foiaonline.regulations.gov/foia/action/public/home#>. The appeal should include a copy of the original request and initial denial, if any. All appeals should include a statement of the reasons why the records requested should be made available and why the adverse determination was in error. The appeal letter, the envelope, the e-mail subject line, and the fax cover sheet should be clearly marked "**Freedom of Information Act Appeal.**"

The e-mail, fax machine, FOIAonline, and Office are monitored only on working days during normal business hours (8:30 a.m. to 5:00 p.m., Eastern Time, Monday through Friday). FOIA appeals posted to the e-mail box, fax machine, FOIAonline, or Office after normal business hours will be deemed received on the next normal business day. If the 90th calendar day for submitting an appeal falls on a Saturday, Sunday or legal public holiday, an appeal received by 5:00 p.m., Eastern Time, the next business day will be deemed timely.

In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

**Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, Maryland 20740-6001
e-mail at ogis@nara.gov
telephone at 202-741-5770; toll free at 1 877-684-6448
facsimile at 202-741-5769**

Please contact Chauvez Bennett or Deloris Reed of my staff, by telephone at 301-763-2127 or by email at census.foia@census.gov if you have any questions regarding your request.

Sincerely,

Vernon Curry

Vernon E. Curry, PMP, CIPP/G
Freedom of Information Act/Privacy Act Officer
Chief, Freedom of Information Act Office