

EXHIBIT I



UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Washington, DC 20233-0001
OFFICE OF THE DIRECTOR

March 29, 2018

Ms. Jamila Benkato
The Protect Democracy Project
2020 Pennsylvania Avenue, NW, Suite #163
Washington, DC 20006
FOIA@protectdemocracy.org

Dear Ms. Benkato:

This letter is in further response to your correspondence, dated March 20, 2018, to the U.S. Census Bureau's Freedom of Information Act (FOIA) Office. We received your request in this office on March 23, 2018, and have assigned to it tracking number DOC-CEN-2018-000999. We are responding under the FOIA to your request for:

1. All records, including but not limited to emails, notes, and memoranda, reflecting communications between the Census Bureau and the following individuals, or the Census Bureau and employees or representatives of the following entities, discussing or otherwise relating to the inclusion of a citizenship question in the 2020 Census.
 - a. Donald Trump for President (including but not limited to emails in which the domains donaldjtrump.com; trump.com; trumporg.com; ptt.gov; or donaldtrump.com are in the email address in the to, from, cc, bee, subject, or body fields of the email)
 - b. The Republican National Committee (including but not limited to emails in which the domains gop.com or RNCHQ.org are in the email address in the to, from, cc, bee, subject, or body fields of the email)
 - c. America First Action (including but not limited to emails in which the domain a1apac.org is in the email address in the to, from, cc, bee, subject, or body fields of the email)
 - d. Great America
 - e. Future 45
 - f. Brad Parscale
 - g. Michael Glassner
 - h. John. Pence
 - i. Steve Bannon

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- j. Breitbart (including but not limited to emails in which the domain **breitbart.com** is in the email address in the to, from, cc, bcc, subject, or body fields of the email)
- k. Fox News (including but not limited to emails in which the domain **foxnews.com** is in the email address in the to, from, cc, bcc, subject, or body fields of the email)
2. All communications, including but not limited to emails, notes, and memoranda, between the Census Bureau and the Executive Office of the President, reflecting, discussing, or otherwise relating to the determination of the questions for the 2020 Census, including but not limited to emails in which the domain **cop.gov** is in the email address in the to, from, cc, bcc, subject, or body fields of the email.
3. All records, including but not limited to emails, notes, and memoranda, reflecting, discussing, or otherwise relating to communications between the Census Bureau and Thomas Brunell.
4. In addition to the records requested above, we also request records describing the processing of this request, including records sufficient to identify search terms used and locations and custodians searched, and any tracking sheets used to track the processing of this request. If your agency uses FOIA questionnaires or certifications completed by individual custodians or components to determine whether they possess responsive materials or to describe how they conducted searches, we also request any such records prepared in connection with the processing of this request.

In your request correspondence, you seek a waiver of fees. Pursuant to procedures established in Department of Commerce's FOIA regulations, Title 15, Code of Federal Regulations, Section 4.11(l), we rely on the following factors in determining whether the statutory standard for granting a fee waiver has been met:

1. The subject of the requested records must concern identifiable operations or activities of the Federal Government.
2. The disclosable portions of the requested records must be meaningfully informative about Government operations or activities in order to be "likely to contribute" to and increase public understanding of those operations or activities.
3. The disclosure of the requested information must contribute to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester.

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4. The disclosure of the requested information is likely to contribute “significantly” to the public’s understanding of Government operations or activities.
5. Whether the requester has a commercial interest that would be furthered by the requester.
6. Whether any identified commercial interest of the requester is sufficiently great, in comparison with the public interest in disclosure, such that the disclosure is not primarily in the commercial interest of the requester.

After review of your request, we have determined that your fee waiver justification was insufficient in detail for the records listed above, and you did not provide us with the necessary information to make an informed decision as to whether or not we can appropriately grant you a fee waiver. In particular, although you stated that, “The core mission of The Protect Democracy Project, a 501(c)(3) organization, is to inform public understanding on operations and activities of the government. This request is submitted in consort with the organization's mission to gather and disseminate information that is likely to contribute significantly to the public understanding of executive branch operations and activities. The Protect Democracy Project has no commercial interests,” you did not provide additional information addressing the factors outlined above.

Although we have denied your fee waiver request, no fee estimate is included with this correspondence; however, a fee estimate is underway and will be provided upon completion.

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

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

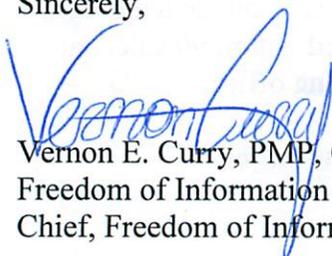
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In addition, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows:

**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 202741-5770; toll free at 1 877-684-6448
facsimile at 202-741-5769**

Additionally, at this time, pursuant to the provisions of Title 15, Code of Federal Regulations, Section 4.6(d)(2), I am extending the time for our initial determination from April 23, 2018 to May 7, 2018. This extension is necessary due to the need to search for and collect the requested records from field facilities or other establishments separate from the office processing the request. We will make every effort to respond in advance of May 7, 2018. If necessary, please feel free to contact Deloris Reed or Latasha Hill, by telephone at (301) 763-2127 or by email at census.foia@census.gov to discuss either an alternative time frame for processing your request or modifying your request.

Sincerely,



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