

EXHIBIT 3

BUCKLEY SANDLER

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May 18, 2018

James Smith, FOIA Analyst
Douglas Hibbard, FOIA Public Liaison
Office of Information Policy
U.S. Department of Justice
Suite 11050
1425 New York Avenue, N.W.
Washington, D.C. 20530-0001

RE: Freedom of Information Act Request DOJ-2018-002496 (AG)

Dear Mr. Smith and Mr. Hibbard:

Buckley Sandler represents the Campaign Legal Center (“CLC”) in connection with the above referenced Freedom of Information Act request. We write to address the lack of progress in completing the request since your office granted expedited processing on February 9, 2018 and your office’s failure to provide a date by which the expedited processing of the request will be complete.

On February 1, 2018, CLC submitted a FOIA request to the Office of the Attorney General for records pertaining to a request by Arthur E. Gary, the General Counsel of DOJ’s Justice Management Division, to the Census Bureau to add a citizenship question to the 2020 Census Questionnaire. In particular, CLC sought (1) documents to, from, or mentioning Dr. Ron Jarmin or Dr. Enrique Lamas; and (2) documents containing the phrases “2020 census,” “long form,” “citizenship question,” “questions regarding citizenship,” “ACS,” “American Community Survey,” “citizen voting age population,” or “CVPA,” dating from January 20, 2017 to the present.

CLC requested expedited processing because there is an “urgency to inform the public” about the “actual or alleged government activity” covered by the request. Further, the requested records involve “a matter of widespread and exceptional media interest in which there exist possible questions about the government’s integrity that affect public confidence.” 28 C.F.R. § 16.5(e)(1)(iv). Indeed, the Census Bureau’s decision to include a citizenship question on the 2020 census has gathered enormous media and public interest that affects public confidence in the government.

On February 9, 2018, your office granted CLC’s request for expedited processing of the FOIA request, thereby acknowledging the urgency of responding to the request. While your office noted that the request falls within unusual circumstances under 5 U.S.C. 552 § (a)(6)(B)(i)-(iii), it failed to provide CLC with the date on which a determination is expected, as required by the

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statute. Despite the urgent nature of the FOIA request and the grant of expedited processing on February 9, 2018, the request has yet to be completed and no updates have been provided.

Please provide an update on the processing of the request and an expected completion date. We are prepared to seek judicial relief if we do not receive a determination promptly. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Miller', with a long horizontal stroke extending to the right.

Adam Miller