

EXHIBIT C



U.S. Department of Justice
Civil Rights Division

NDH:ANF:DKH
18-00208-F

Freedom of Information/Privacy Acts Branch - PHB
950 Pennsylvania Ave., NW
Washington, DC 20530

May 31, 2018

Via Electronic Mail Only

Jamila Benkato, Esq.
The Protect Democracy Project
2020 Pennsylvania Avenue NW, #163
Washington, DC 20006
jamila.benkato@protectdemocracy.org

Dear Ms. Benkato:

This is in further response to your March 20, 2018 Freedom of Information Act request, received by the Civil Rights Division on March 20, 2018, seeking access to:

1. All records, including but not limited to emails, notes, and memoranda, reflecting communications between Department of Justice and the following individuals, or the Department of Justice and employees or representatives of the following entities, discussing or otherwise relating to the 2020 Census or 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, bcc, 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, bcc, 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, bcc, 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

- 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 Department of Justice 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 *eop.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 Department of Justice 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.

After consideration of the responsive records, I have determined that all responsive records are exempt from disclosure pursuant to 5 U.S.C. §552(b)(7)(A) since disclosure thereof could reasonably be expected to interfere with law enforcement proceedings regarding the review of this issue by the Civil Rights Division's Voting Section. The Department of Justice is currently in active litigation regarding the Census issues. *See New York v. DOC*, 1:18-cv-02921 (Filed April 4, 2018, S.D. NY); *California v. Ross*, 3:18-cv-01865, (Filed March 26, 2018, N.D. CA); and *Kravitz v. DOC*, 8:18-cv-01041 (Filed March 11, 2018, D.C. Md.). I have further determined that certain information within these records that is exempt from disclosure pursuant to 5 U.S.C. §552(b)(7)(A) should also be denied pursuant to 5 U.S.C. §552(b)(5), since records consist of attorney work product, and pre-decisional deliberative material and attorney client material.

You may resubmit your request once the Justice Department has closed this matter, and we will be happy to provide you with any documents that may be released which will not jeopardize the Department's currently active enforcement interest in this matter.

If you are not satisfied with my response to your request, you may administratively appeal by writing to the Director, Office of Information Policy, United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's eFOIA portal at <http://www.justice.gov/oip/efoia-portal.html>. Your appeal must be postmarked or transmitted electronically within sixty days from the date of

this letter. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

I hope the Civil Rights Division has been of some assistance to you in this matter.

Sincerely,

Nelson D. Hermilla

Nelson D. Hermilla, Chief
Freedom of Information/Privacy Acts Branch
Civil Rights Division