

LATHAM & WATKINS LLP
 Sadik Huseny (Bar No. 224659)
 sadik.huseny@lw.com
 Steven M. Bauer (Bar No. 135067)
 steven.bauer@lw.com
 Amit Makker (Bar No. 280747)
 amit.makker@lw.com
 Shannon D. Lankenau (Bar No. 294263)
 shannon.lankenau@lw.com
 505 Montgomery Street, Suite 2000
 San Francisco, CA 94111
 Telephone: 415.391.0600
 Facsimile: 415.395.8095

LATHAM & WATKINS LLP
 Melissa Arbus Sherry (*pro hac vice*)
 melissa.sherry@lw.com
 Richard P. Bress (*pro hac vice*)
 rick.bress@lw.com
 Anne W. Robinson (*pro hac vice*)
 anne.robinson@lw.com
 Tyce R. Walters (*pro hac vice*)
 tyce.walters@lw.com
 Gemma Donofrio (*pro hac vice*)
 gemma.donofrio@lw.com
 Christine C. Smith (*pro hac vice*)
 christine.smith@lw.com
 555 Eleventh Street NW, Suite 1000
 Washington, D.C. 20004
 Telephone: 202.637.2200
 Facsimile: 202.637.2201

LAWYERS' COMMITTEE FOR
 CIVIL RIGHTS UNDER LAW
 Kristen Clarke (*pro hac vice*)
 kclarke@lawyerscommittee.org
 Jon M. Greenbaum (Bar No. 166733)
 jgreenbaum@lawyerscommittee.org
 Ezra D. Rosenberg (*pro hac vice*)
 erosenberg@lawyerscommittee.org
 Ajay P. Saini (*pro hac vice*)
 asaini@lawyerscommittee.org
 Maryum Jordan (Bar No. 325447)
 mjordan@lawyerscommittee.org
 Pooja Chaudhuri (Bar No. 314847)
 pchaudhuri@lawyerscommittee.org
 1500 K Street NW, Suite 900
 Washington, D.C. 20005
 Telephone: 202.662.8600
 Facsimile: 202.783.0857

*Additional counsel and representation
 information listed in signature block*

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

CASE NO. 5:20-cv-05799-LHK

**PLAINTIFFS' NOTICE OF MOTION
 AND MOTION TO COMPEL TIMELY
 PRODUCTION OF DOCUMENTS AND
 FOR RELATED RELIEF**

Date: December 11, 2020

Time: 1:30 p.m.

Place: Courtroom 8

Judge: Hon. Lucy H. Koh

NOTICE OF MOTION AND MOTION TO COMPEL

PLEASE TAKE NOTICE that Plaintiffs, by and through their counsel, hereby move the Court for an order compelling defendants to timely produce document and for related relief.

Specifically, Plaintiffs move the Court for the following:

1. Order Defendants to produce, by Monday, December 14, 2020, documents sufficient to show the details of the Bureau's current data-processing plans, procedures, and schedule (including changes) since October 15, 2020.
2. Order Defendants to produce, by Monday, December 14, 2020, documents responsive to requests from the House Committee on Oversight and Reform and Census Integration Group ("CIG") documents.
3. Order Defendants to produce, by Monday, December 14, 2020, all summary report data responsive to Defendants' sufficient-to-show requests regarding data collection processes, metrics, issues and improprieties (RFP Nos. 2-4, 6-10, 15, 16, 18).
4. Order Defendants to produce, by Monday, December 14, 2020, appropriate metadata—including MD5 Hash data, production begin bates, production end bates, production begin attachment, production end attachment, custodian, email from, email to, email cc, author, document date, and file name—for their December 1, 2020 and December 8, 2020 productions. Order Defendants to produce appropriate metadata—including MD5 Hash data, production begin bates, production end bates, production begin attachment, production end attachment, custodian, email from, email to, email cc, author, document date, and file name—for all future productions in this case.
5. Order Defendants to make available for deposition no later than December 17, 2020, an additional Rule 30(b)(6) witness on the limited topics of Defendants' retention, organization, collection, review, and production of documents and data, as well as the search functionalities and capabilities of Defendants' various databases, so that Plaintiffs have definitive, sworn answers regarding key document production issues in this case, and meaningful guidance regarding how Defendants retain, manage, and organize data and how they are collecting and producing documents in this litigation, that will help finalize this portion of discovery without further delay.
6. Order that Defendants shall have 14 days instead of 30 days to respond to the narrowly tailored Interrogatories and Requests for Admission Plaintiffs will be able to craft and serve once they receive production of the key materials outlined above.

As set forth in Plaintiffs' Motion to Shorten Time and Expedite, filed concurrently herewith, Plaintiffs respectfully request that this motion be heard simultaneously with the Case Management Conference on December 11, 2020 at 1:30 p.m., or as soon as practicable.

1 Dated: December 9, 2020

LATHAM & WATKINS LLP

2 By: /s/ Sadik Huseny
3 Sadik Huseny

4 Sadik Huseny (Bar No. 224659)
sadik.huseny@lw.com
5 Steven M. Bauer (Bar No. 135067)
steven.bauer@lw.com
6 Amit Makker (Bar No. 280747)
amit.makker@lw.com
7 Shannon D. Lankenau (Bar. No. 294263)
shannon.lankenau@lw.com
8 **LATHAM & WATKINS LLP**
505 Montgomery Street, Suite 2000
9 San Francisco, CA 94111
Telephone: 415.391.0600
10 Facsimile: 415.395.8095

11 Melissa Arbus Sherry (*pro hac vice*)
melissa.sherry@lw.com
12 Richard P. Bress (*pro hac vice*)
rick.bress@lw.com
13 Anne W. Robinson (*pro hac vice*)
anne.robinson@lw.com
14 Tyce R. Walters (*pro hac vice*)
tyce.walters@lw.com
15 Gemma Donofrio (*pro hac vice*)
gemma.donofrio@lw.com
16 Christine C. Smith (*pro hac vice*)
christine.smith@lw.com
17 **LATHAM & WATKINS LLP**
555 Eleventh Street NW, Suite 1000
18 Washington, D.C. 20004
Telephone: 202.637.2200
19 Facsimile: 202.637.2201

20 *Attorneys for Plaintiffs National Urban League;*
21 *League of Women Voters; Black Alliance for*
22 *Just Immigration; Harris County, Texas; King*
County, Washington; City of San Jose,
California; Rodney Ellis; Adrian Garcia; and
the NAACP

23 Dated: December 9, 2020

24 By: /s/ Jon M. Greenbaum
Kristen Clarke (*pro hac vice*)
kclarke@lawyerscommittee.org
25 Jon M. Greenbaum (Bar No. 166733)
jgreenbaum@lawyerscommittee.org
26 Ezra D. Rosenberg (*pro hac vice*)
erosenberg@lawyerscommittee.org
27 Ajay Saini (*pro hac vice*)
asaini@lawyerscommittee.org
28 Maryum Jordan (Bar No. 325447)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

mjordan@lawyerscommittee.org
Pooja Chaudhuri (Bar No. 314847)
pchaudhuri@lawyerscommittee.org
**LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW**
1500 K Street NW, Suite 900
Washington, DC 20005
Telephone: 202.662.8600
Facsimile: 202.783.0857

*Attorneys for Plaintiffs National Urban League;
City of San Jose, California; Harris County,
Texas; League of Women Voters; King County,
Washington; Black Alliance for Just
Immigration; Rodney Ellis; Adrian Garcia; the
NAACP; and Navajo Nation*

Wendy R. Weiser (*pro hac vice*)
weiserw@brennan.law.nyu.edu
Thomas P. Wolf (*pro hac vice*)
wolft@brennan.law.nyu.edu
Kelly M. Percival (*pro hac vice*)
percivalk@brennan.law.nyu.edu
BRENNAN CENTER FOR JUSTICE
120 Broadway, Suite 1750
New York, NY 10271
Telephone: 646.292.8310
Facsimile: 212.463.7308

*Attorneys for Plaintiffs National Urban League;
City of San Jose, California; Harris County,
Texas; League of Women Voters; King County,
Washington; Black Alliance for Just
Immigration; Rodney Ellis; Adrian Garcia; the
NAACP; and Navajo Nation*

Mark Rosenbaum (Bar No. 59940)
mrosenbaum@publiccounsel.org
PUBLIC COUNSEL
610 South Ardmore Avenue
Los Angeles, California 90005
Telephone: 213.385.2977
Facsimile: 213.385.9089

Attorneys for Plaintiff City of San Jose

Doreen McPaul, Attorney General
dmcpaul@nndoj.org
Jason Searle (*pro hac vice*)
jasearle@nndoj.org
NAVAJO NATION DEPARTMENT OF JUSTICE
P.O. Box 2010
Window Rock, AZ 86515
Telephone: (928) 871-6345

Attorneys for Navajo Nation

Dated: December 9, 2020

By: /s/ Danielle Goldstein
Michael N. Feuer (Bar No. 111529)
mike.feuer@lacity.org
Kathleen Kenealy (Bar No. 212289)
kathleen.kenealy@lacity.org
Danielle Goldstein (Bar No. 257486)
danielle.goldstein@lacity.org
Michael Dundas (Bar No. 226930)
mike.dundas@lacity.org
CITY ATTORNEY FOR THE CITY OF LOS ANGELES
200 N. Main Street, 8th Floor
Los Angeles, CA 90012
Telephone: 213.473.3231
Facsimile: 213.978.8312

Attorneys for Plaintiff City of Los Angeles

Dated: December 9, 2020

By: /s/ Michael Mutalipassi
Christopher A. Callihan (Bar No. 203010)
legalwebmail@ci.salinas.ca.us
Michael Mutalipassi (Bar No. 274858)
michaelmu@ci.salinas.ca.us
CITY OF SALINAS
200 Lincoln Avenue
Salinas, CA 93901
Telephone: 831.758.7256
Facsimile: 831.758.7257

Attorneys for Plaintiff City of Salinas

Dated: December 9, 2020

By: /s/ Rafey S. Balabanian
Rafey S. Balabanian (Bar No. 315962)
rbalabanian@edelson.com
Lily E. Hough (Bar No. 315277)
lthough@edelson.com
EDELSON P.C.
123 Townsend Street, Suite 100
San Francisco, CA 94107

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Telephone: 415.212.9300
Facsimile: 415.373.9435

Rebecca Hirsch (*pro hac vice*)
rebecca.hirsch2@cityofchicago.org
**CORPORATION COUNSEL FOR THE
CITY OF CHICAGO**

Mark A. Flessner
Stephen J. Kane
121 N. LaSalle Street, Room 600
Chicago, IL 60602
Telephone: (312) 744-8143
Facsimile: (312) 744-5185

Attorneys for Plaintiff City of Chicago

Dated: December 9, 2020

By: /s/ Donald R. Pongrace
Donald R. Pongrace (*pro hac vice*)
dpong race@akingump.com
Merrill C. Godfrey (Bar No. 200437)
mgodfrey@akingump.com
**AKIN GUMP STRAUSS HAUER & FELD
LLP**
2001 K St., N.W.
Washington, D.C. 20006
Telephone: (202) 887-4000
Facsimile: 202-887-4288

*Attorneys for Plaintiff Gila River Indian
Community*

Dated: December 9, 2020

By: /s/ David I. Holtzman
David I. Holtzman (Bar No. 299287)
David.Holtzman@hklaw.com
HOLLAND & KNIGHT LLP
Daniel P. Kappes
Jacqueline N. Harvey
50 California Street, 28th Floor
San Francisco, CA 94111
Telephone: (415) 743-6970
Fax: (415) 743-6910

Attorneys for Plaintiff County of Los Angeles

ATTESTATION

I, Sadik Huseny, am the ECF user whose user ID and password authorized the filing of this document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred in this filing.

Dated: December 9, 2020

LATHAM & WATKINS LLP

By: /s/ Sadik Huseny
Sadik Huseny

LATHAM & WATKINS LLP
 Sadik Huseny (Bar No. 224659)
 sadik.huseny@lw.com
 Steven M. Bauer (Bar No. 135067)
 steven.bauer@lw.com
 Amit Makker (Bar No. 280747)
 amit.makker@lw.com
 Shannon D. Lankenau (Bar No. 294263)
 shannon.lankenau@lw.com
 505 Montgomery Street, Suite 2000
 San Francisco, CA 94111
 Telephone: 415.391.0600
 Facsimile: 415.395.8095

LATHAM & WATKINS LLP
 Melissa Arbus Sherry (*pro hac vice*)
 melissa.sherry@lw.com
 Richard P. Bress (*pro hac vice*)
 rick.bress@lw.com
 Anne W. Robinson (*pro hac vice*)
 anne.robinson@lw.com
 Tyce R. Walters (*pro hac vice*)
 tyce.walters@lw.com
 Gemma Donofrio (*pro hac vice*)
 gemma.donofrio@lw.com
 Christine C. Smith (*pro hac vice*)
 christine.smith@lw.com
 555 Eleventh Street NW, Suite 1000
 Washington, D.C. 20004
 Telephone: 202.637.2200
 Facsimile: 202.637.2201

LAWYERS' COMMITTEE FOR
 CIVIL RIGHTS UNDER LAW
 Kristen Clarke (*pro hac vice*)
 kclarke@lawyerscommittee.org
 Jon M. Greenbaum (Bar No. 166733)
 jgreenbaum@lawyerscommittee.org
 Ezra D. Rosenberg (*pro hac vice*)
 erosenberg@lawyerscommittee.org
 Ajay P. Saini (*pro hac vice*)
 asaini@lawyerscommittee.org
 Maryum Jordan (Bar No. 325447)
 mjordan@lawyerscommittee.org
 Pooja Chaudhuri (Bar No. 314847)
 pchaudhuri@lawyerscommittee.org
 1500 K Street NW, Suite 900
 Washington, D.C. 20005
 Telephone: 202.662.8600
 Facsimile: 202.783.0857

*Additional counsel and representation
 information listed in signature block*

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

 Plaintiffs,

 v.

 WILBUR L. ROSS, JR., et al.,

 Defendants.

CASE NO. 5:20-cv-05799-LHK

**MEMORANDUM OF POINTS AND
 AUTHORITIES IN SUPPORT OF
 PLAINTIFFS' MOTION TO COMPEL
 TIMELY PRODUCTION OF
 DOCUMENTS AND FOR RELATED
 RELIEF**

Date: December 11, 2020
 Time: 1:30 p.m.
 Place: Courtroom 8
 Judge: Hon. Lucy H. Koh

On November 13, 2020, the Court ordered a limited and expedited eight-week fact discovery period in this case, to be followed immediately by a shortened expert discovery period, a summary judgment phase, and trial (if needed) in March. ECF No. 357. Defendants wanted more time for fact discovery (three months); Plaintiffs wanted less (one month). ECF No. 356. But the Court chose a middle approach to the parties' competing positions on case scheduling, the heart of which was the swift resolution of narrow document discovery, with Plaintiffs limited to 25 Requests for Production and Defendants required to meaningfully produce responsive materials starting within two weeks of service of such requests. Swift document production was essential because the rest of the schedule (limited Interrogatories and Requests for Admission, limited fact depositions, expert reports, and so on) was dependent on the expedited production of such materials.

Plaintiffs are forced to file the instant motion to compel because Defendants are refusing to timely produce materials, thereby seeking to prejudice Plaintiffs and sabotage the Court's schedule. It has been three weeks since Plaintiffs issued a carefully crafted, narrowly-tailored set of document requests. *See* Makker Decl., Exs. 1, 2. For two weeks, Defendants refused Plaintiffs' multiple requests to meet and confer in order to deal with common issues such as keyword search terms, custodians, date ranges, the identification of summary reports that would allow swift compliance with the bulk of Plaintiffs' requests, and so on. Makker Decl., Ex. 3. Instead, without having met and conferred and in faux compliance of the Court's order, Defendants produced 175 duplicate-riddled documents on December 1 (the mandated 14-day deadline). After Plaintiffs vociferously complained, and after finally agreeing to meet and confer on December 2 and again just yesterday on December 8, Defendants claim to be "working" on actual, meaningful production. *See* Makker Decl., Exs. 4, 5.

But their actions speak louder than words. Despite being warned repeatedly that Plaintiffs would be forced to file an expedited motion to compel if Defendants refused to timely produce, Defendants sent late last night a supplemental production of 516 documents, 391 of which predate the Bureau's August 3 announcement of the Replan (and thus tell Plaintiffs and the Court nothing about Defendant's actual data collection and data processing issues), are filler

documents such as meeting invites, and duplicates once again. Defendants also failed to provide even the most basic metadata that would have allowed Plaintiffs to identify duplicate documents automatically in a database. In the limited time since Defendants made their production late last night, Plaintiffs undertook a *manual* review of the documents in order to determine that, of the 691 documents Defendants have thus far produced:

- There are 116 calendar invites (or cancelled calendar invites) that contain no substantive information;
- There are 55 copies of a presentation titled “Nonresponse Followup (NRFU) Soft Launch, dated June 10, 2020;
- There are 52 copies of a Senior Management Agenda, dated June 10, 2020;
- There are 27 copies of a document titled, “Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)”;
- There are 26 copies of a document titled, “Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)”;
- There are 24 copies of a document titled, “Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)”;
- There are 22 copies of an undated document titled, “Department of Commerce – Second Term Key Priorities”; and
- There are 22 copies of a document titled, “Status Reporting: Phased Restart for the 2020 Decennial Census,” dated June 8, 2020. *See* Makker Decl., Ex. 6.

This is not compliance. And it is particularly egregious here, given Defendants’ history of defying this Court’s orders and approach of delay and obfuscation. That Defendants have not yet produced any reports sufficient to allow Plaintiffs to assess the accuracy of Defendants’ truncated census count and completion rates—or any documents sufficient to allow Plaintiffs or the Court to know anything about the current data processing period—is untenable. Indeed, Defendants have told Plaintiffs that most of the narrowly tailored data reports Plaintiffs seek will be produced near the end of December—which would be approximately *one week* before the close of fact discovery, and only *two weeks* before expert reports are due. As for the rest of the materials—including vital documents laying out the current status and schedule of data processing and the ultimate delivery of state population counts to the President—Plaintiffs know nothing regarding eventual production. It is clear that Defendants have unilaterally decided to give themselves the three months of discovery this Court *denied* them. Because if document production is not completed until the end of December—and fact discovery ends on January 7—

1 there is no meaningful way that Plaintiffs can conduct fact depositions, issue narrowly tailored
 2 Interrogatories or Requests for Admission directed at the core issues in this case, or produce full
 3 and robust expert reports by January 14. Plaintiffs waited until Defendants’ second production,
 4 last night, in hopes that Defendants would finally produce real materials and that the parties
 5 could move forward without the need for yet additional motion practice in this case. That was
 6 not to be.

7 Perhaps worst of all, and in a sign that history does often repeat itself, Defendants’
 8 intransigence has been independently confirmed—via Congressional leaks. The Court will recall
 9 that in early August, Defendants professed ignorance of any Replan specific timelines or
 10 processes until Congress leaked the August 3, 2020 Replan presentation. *See, e.g.*, Sept. 4, 2020
 11 Hr’g Tr. at 29:4-24, 32:24-33:25; ECF No. 66-2, para. 5; ECF 66-3. Last week, almost
 12 immediately after Defendants had (finally) met and conferred with Plaintiffs about the
 13 insufficient initial production of 175 documents (many of which are duplicates of each other or
 14 previously produced materials, and none of which was current (*see* Makker Decl., Ex. 6)), media
 15 reports indicated that the House Committee on Oversight and Reform had in fact demanded very
 16 similar documents from Defendants. *See* [https://talkingpointsmemo.com/news/census-internal-](https://talkingpointsmemo.com/news/census-internal-docs-delays)
 17 [docs-delays](https://talkingpointsmemo.com/news/census-internal-docs-delays). The reports indicated that *a week prior*, Census Director Dillingham had told the
 18 House Committee that they had identified documents, and had sent them to the Commerce
 19 General Counsel, but would not produce them because of “ongoing litigation”—i.e., this case.
 20 *Id.*

21 Specifically, according to Chairwoman Maloney of the Committee on Oversight and
 22 Reform, at a November 24, 2020 briefing, Defendant Dillingham and “other top Census Bureau
 23 officials,” “reported that documents responsive to the Committee’s November 19 request had
 24 been submitted to [the] General Counsel at the Department of Commerce on November 24,
 25 2020, but had not been cleared for release to the Committee due to ‘concerns about ongoing
 26 litigation.’” Makker Decl., Ex. 7. The Committee noted that the Commerce Department’s
 27 response raised concerns “whether the Administration is seeking to conceal information not only
 28 from Congress, but from the Judiciary.” *Id.*

1 The few leaked documents that Congress did obtain were precisely the sorts of materials
 2 Plaintiffs asked for weeks ago, but Defendants have not produced—including “documents
 3 relating to [] anomalies, the predicted delays they would cause, and their potential impact on the
 4 accuracy of the Census count.” *Id.* The letter referenced “several internal Census Bureau
 5 documents from another source that not only confirm [reports that they will be unable to produce
 6 a complete and accurate 2020 Census count prior to late January and possibly into February
 7 2021], but indicate that unresolved errors may be more extensive than first reported.” *Id.* The
 8 leaked documents, titled “DRF1 Anomaly Summary” and “DRF1 Anomaly Tracker – Active
 9 Issues,” and “2020 Census Post Collection Processing” (Makker Decl., Exs. 8, 9), are
 10 indisputably relevant to this litigation. And Defendants have withheld them and like documents
 11 from production, apparently by seeking to shield them via the General Counsel at the
 12 Department of Commerce.

13 A party may move for an order compelling production if another party fails to produce
 14 documents as requested under Rule 34. *Amazing Insurance Inc. v. DiManno*, No. 2:19-cv-
 15 01349-TL-CKD, 2020 WL 5440050, at *3 (E.D. Cal. Sep. 10, 2020). The party seeking to
 16 compel production of documents must make a threshold showing that the discovery sought is
 17 relevant. *Id.* (citing *Nugget Hydroelectric, L.P. v. Pac. Gas & Elec. Co.*, 981 F.2d 429, 438-39
 18 (9th Cir. 1992)). Once relevancy is shown, the party resisting discovery has the burden to show
 19 that discovery should not be allowed. *Id.*

20 There is no question regarding relevancy, and no legitimate argument that discovery of
 21 the key, limited information sought by Plaintiffs is inappropriate. The issue is simply one of
 22 timing—and Defendants have caused great delay and prejudice to Plaintiffs by failing to provide
 23 the requested materials within the Court’s ordered schedule. Plaintiffs will continue to work
 24 with Defendants to obtain a full set of documents in response to Plaintiffs’ limited requests.¹ If
 25

26 ¹ For example, now several weeks after Plaintiffs’ initial requests to meet and confer, Defendants
 27 are finally engaging on appropriate search terms, custodians, and the like. Plaintiffs do not wish
 28 to trouble the Court at this time with mundane matters that should have been worked out by the
 parties weeks ago, nor with the Parties’ discovery correspondence and back-and-forth. Instead,
 with the Court’s guidance on the requests made herein, Plaintiffs will work diligently to resolve
 as much as possible without the Court’s additional intervention.

1 that fails, then Plaintiffs may well have to come to this Court again, and soon, on another
 2 expedited motion to compel—broader than this one. But given the second inappropriate
 3 production last night, Plaintiffs cannot wait before seeking to compel Defendants to produce
 4 certain critical, clearly relevant materials *now*. Plaintiffs likewise can no longer trust
 5 Defendants’ counsel to engage in timely and appropriate meet and confer efforts—consistent
 6 with the Court’s schedule, and not the schedule Defendants wish were in place—when
 7 Defendants’ primary motivation is delay, and their counsel professes ignorance on the specifics
 8 of their clients’ discovery processes, positions, and actions. In order to have any hope of
 9 meeting the expedited schedule in this case, Plaintiffs therefore respectfully ask that the Court to:

- 10 1. Order Defendants to produce, by Monday, December 14, 2020, documents
 11 sufficient to show the details of the Bureau’s current data-processing plans,
 12 procedures, and schedule (including changes) since October 15, 2020;
- 13 2. Order Defendants to produce, by Monday, December 14, 2020, documents
 14 responsive to requests from the House Committee on Oversight and Reform
 15 and Census Integration Group (“CIG”) documents. The documents described
 16 in the Committee on Oversight and Reform’s December 2, 2020 letter identify
 17 numerous anomalies in the Bureau’s collected data that the Bureau has
 18 indicated would impact substantial numbers of census records as well as the
 19 ability of the Bureau to transmit apportionment figures. There is no dispute
 20 that these documents exist, are relevant to this litigation and responsive to
 21 Plaintiffs’ requests, and are not protected by any legitimate privilege or
 22 protection precluding production. According to Defendant Dillingham, those
 23 documents have *already* been prepared and submitted to the General Counsel
 24 at the Department of Commerce for safekeeping from this litigation, and are
 25 therefore ready to be produced immediately.
- 26 3. Order Defendants to produce, by Monday, December 14, 2020, all summary
 27 report data responsive to Defendants’ sufficient-to-show requests regarding
 28 data collection processes, metrics, issues and improprieties (RFP Nos. 2-4,
 6-10, 15, 16, 18). As is readily apparent from their RFPs, and as Plaintiffs
 have told Defendants, Plaintiffs do *not* seek raw census data from or regarding
 specific individuals. The protections of Title 13, which were meant to protect
 “raw census data reported by or behalf of individuals,” thus do not protect the
 disclosure of the sorts of internal documents and documents reporting
 aggregated data that Plaintiffs request here. *See Baldridge v. Shapiro*, 455
 U.S. 345, 361 (1982). Defendants have acknowledged that an appropriate
 production of such material would satisfy a large portion of Plaintiffs’
 narrowly-tailored requests—they just want to wait to produce all of it until the
 end of December.
4. Order Defendants to produce, by Monday, December 14, 2020, appropriate
 metadata—including MD5 Hash data, production begin bates, production end
 bates, production begin attachment, production end attachment, custodian,
 email from, email to, email cc, author, document date, and file name—for

their December 1, 2020 and December 8, 2020 productions. Order Defendants to produce appropriate metadata—including MD5 Hash data, production begin bates, production end bates, production begin attachment, production end attachment, custodian, email from, email to, email cc, author, document date, and file name—for all future productions in this case.

5. Order Defendants to make available for deposition no later than December 17, 2020, an additional Rule 30(b)(6) witness on the topics of Defendants' retention, organization, collection, review, and production of documents and data, as well as the search functionalities and capabilities of Defendants' various databases, so that Plaintiffs have definitive, sworn answers regarding key document production issues in this case, and meaningful guidance regarding how Defendants retain, manage, and organize data and how they are collecting and producing documents in this litigation, that will help finalize this portion of discovery without further delay.
6. Order that Defendants shall have 14 days instead of 30 days to respond to the narrowly tailored Interrogatories and Requests for Admission Plaintiffs will be able to craft and serve once they receive production of the key materials outlined above.

* * *

Defendants have understood for weeks that the Court ordered expedited discovery, but have repeatedly failed to meet their discovery obligations. Plaintiffs respectfully request that the Court grant Plaintiffs' motion as set forth above.

Dated: December 9, 2020

LATHAM & WATKINS LLP

By: /s/ Sadik Huseny
Sadik Huseny

Sadik Huseny (Bar No. 224659)
sadik.huseny@lw.com
Steven M. Bauer (Bar No. 135067)
steven.bauer@lw.com
Amit Makker (Bar No. 280747)
amit.makker@lw.com
Shannon D. Lankenau (Bar. No. 294263)
shannon.lankenau@lw.com
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Telephone: 415.391.0600
Facsimile: 415.395.8095

Melissa Arbus Sherry (*pro hac vice*)
melissa.sherry@lw.com
Richard P. Bress (*pro hac vice*)
rick.bress@lw.com

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Anne W. Robinson (*pro hac vice*)
anne.robinson@lw.com
Tyce R. Walters (*pro hac vice*)
tyce.walters@lw.com
Gemma Donofrio (*pro hac vice*)
gemma.donofrio@lw.com
Christine C. Smith (*pro hac vice*)
christine.smith@lw.com
LATHAM & WATKINS LLP
555 Eleventh Street NW, Suite 1000
Washington, D.C. 20004
Telephone: 202.637.2200
Facsimile: 202.637.2201

*Attorneys for Plaintiffs National Urban League;
League of Women Voters; Black Alliance for
Just Immigration; Harris County, Texas; King
County, Washington; City of San Jose,
California; Rodney Ellis; Adrian Garcia; and
the NAACP*

Dated: December 9, 2020

By: /s/ Jon M. Greenbaum
Kristen Clarke (*pro hac vice*)
kclarke@lawyerscommittee.org
Jon M. Greenbaum (Bar No. 166733)
jgreenbaum@lawyerscommittee.org
Ezra D. Rosenberg (*pro hac vice*)
erosenberg@lawyerscommittee.org
Ajay Saini (*pro hac vice*)
asaini@lawyerscommittee.org
Maryum Jordan (Bar No. 325447)
mjordan@lawyerscommittee.org
Pooja Chaudhuri (Bar No. 314847)
pchaudhuri@lawyerscommittee.org
**LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW**
1500 K Street NW, Suite 900
Washington, DC 20005
Telephone: 202.662.8600
Facsimile: 202.783.0857

*Attorneys for Plaintiffs National Urban League;
City of San Jose, California; Harris County,
Texas; League of Women Voters; King County,
Washington; Black Alliance for Just
Immigration; Rodney Ellis; Adrian Garcia; the
NAACP; and Navajo Nation*

Wendy R. Weiser (*pro hac vice*)
weiserw@brennan.law.nyu.edu
Thomas P. Wolf (*pro hac vice*)
wolft@brennan.law.nyu.edu
Kelly M. Percival (*pro hac vice*)

percivalk@brennan.law.nyu.edu
BRENNAN CENTER FOR JUSTICE
120 Broadway, Suite 1750
New York, NY 10271
Telephone: 646.292.8310
Facsimile: 212.463.7308

*Attorneys for Plaintiffs National Urban League;
City of San Jose, California; Harris County,
Texas; League of Women Voters; King County,
Washington; Black Alliance for Just
Immigration; Rodney Ellis; Adrian Garcia; the
NAACP; and Navajo Nation*

Mark Rosenbaum (Bar No. 59940)
mrosenbaum@publiccounsel.org
PUBLIC COUNSEL
610 South Ardmore Avenue
Los Angeles, California 90005
Telephone: 213.385.2977
Facsimile: 213.385.9089

Attorneys for Plaintiff City of San Jose

Doreen McPaul, Attorney General
dmcpaul@nndoj.org
Jason Searle (*pro hac vice*)
jasearle@nndoj.org
**NAVAJO NATION DEPARTMENT OF
JUSTICE**
P.O. Box 2010
Window Rock, AZ 86515
Telephone: (928) 871-6345

Attorneys for Navajo Nation

Dated: December 9, 2020

By: /s/ Danielle Goldstein
Michael N. Feuer (Bar No. 111529)
mike.feuer@lacity.org
Kathleen Kenealy (Bar No. 212289)
kathleen.kenealy@lacity.org
Danielle Goldstein (Bar No. 257486)
danielle.goldstein@lacity.org
Michael Dundas (Bar No. 226930)
mike.dundas@lacity.org
**CITY ATTORNEY FOR THE CITY OF
LOS ANGELES**
200 N. Main Street, 8th Floor
Los Angeles, CA 90012
Telephone: 213.473.3231
Facsimile: 213.978.8312

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: December 9, 2020

Attorneys for Plaintiff City of Los Angeles

By: /s/ Michael Mutalipassi
Christopher A. Callihan (Bar No. 203010)
legalwebmail@ci.salinas.ca.us
Michael Mutalipassi (Bar No. 274858)
michaelmu@ci.salinas.ca.us
CITY OF SALINAS
200 Lincoln Avenue
Salinas, CA 93901
Telephone: 831.758.7256
Facsimile: 831.758.7257

Dated: December 9, 2020

Attorneys for Plaintiff City of Salinas

By: /s/ Rafey S. Balabanian
Rafey S. Balabanian (Bar No. 315962)
rbalabanian@edelson.com
Lily E. Hough (Bar No. 315277)
lhough@edelson.com
EDELSON P.C.
123 Townsend Street, Suite 100
San Francisco, CA 94107
Telephone: 415.212.9300
Facsimile: 415.373.9435

Rebecca Hirsch (*pro hac vice*)
rebecca.hirsch2@cityofchicago.org
**CORPORATION COUNSEL FOR THE
CITY OF CHICAGO**
Mark A. Flessner
Stephen J. Kane
121 N. LaSalle Street, Room 600
Chicago, IL 60602
Telephone: (312) 744-8143
Facsimile: (312) 744-5185

Attorneys for Plaintiff City of Chicago

1
2 Dated: December 9, 2020

By: /s/ Donald R. Pongrace
Donald R. Pongrace (*pro hac vice*)
dpongance@akingump.com
Merrill C. Godfrey (Bar No. 200437)
mgodfrey@akingump.com
**AKIN GUMP STRAUSS HAUER & FELD
LLP**
2001 K St., N.W.
Washington, D.C. 20006
Telephone: (202) 887-4000
Facsimile: 202-887-4288

*Attorneys for Plaintiff Gila River Indian
Community*

9
10 Dated: December 9, 2020

By: /s/ David I. Holtzman
David I. Holtzman (Bar No. 299287)
David.Holtzman@hkllaw.com
HOLLAND & KNIGHT LLP
Daniel P. Kappes
Jacqueline N. Harvey
50 California Street, 28th Floor
San Francisco, CA 94111
Telephone: (415) 743-6970
Fax: (415) 743-6910

Attorneys for Plaintiff County of Los Angeles

17
18
19
20
21 **ATTESTATION**

22 I, Sadik Huseny, am the ECF user whose user ID and password authorized the filing of this
23 document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred
24 in this filing.

25 Dated: December 9, 2020

LATHAM & WATKINS LLP

By: /s/ Sadik Huseny
Sadik Huseny

LATHAM & WATKINS LLP
Sadik Huseny (Bar No. 224659)
sadik.huseny@lw.com
Steven M. Bauer (Bar No. 135067)
steven.bauer@lw.com
Amit Makker (Bar No. 280747)
amit.makker@lw.com
Shannon D. Lankenau (Bar No. 294263)
shannon.lankenau@lw.com
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
Telephone: 415.391.0600
Facsimile: 415.395.8095

LATHAM & WATKINS LLP
Melissa Arbus Sherry (*pro hac vice*)
melissa.sherry@lw.com
Richard P. Bress (*pro hac vice*)
rick.bress@lw.com
Anne W. Robinson (*pro hac vice*)
anne.robinson@lw.com
Tyce R. Walters (*pro hac vice*)
tyce.walters@lw.com
Gemma Donofrio (*pro hac vice*)
gemma.donofrio@lw.com
Christine C. Smith (*pro hac vice*)
christine.smith@lw.com
555 Eleventh Street NW, Suite 1000
Washington, D.C. 20004
Telephone: 202.637.2200
Facsimile: 202.637.2201

LAWYERS' COMMITTEE FOR
CIVIL RIGHTS UNDER LAW
Kristen Clarke (*pro hac vice*)
kclarke@lawyerscommittee.org
Jon M. Greenbaum (Bar No. 166733)
jgreenbaum@lawyerscommittee.org
Ezra D. Rosenberg (*pro hac vice*)
erosenberg@lawyerscommittee.org
Ajay P. Saini (*pro hac vice*)
asaini@lawyerscommittee.org
Maryum Jordan (Bar No. 325447)
mjordan@lawyerscommittee.org
Pooja Chaudhuri (Bar No. 314847)
pchaudhuri@lawyerscommittee.org
1500 K Street NW, Suite 900
Washington, D.C. 20005
Telephone: 202.662.8600
Facsimile: 202.783.0857

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

CASE NO. 5:20-cv-05799-LHK

**DECLARATION OF AMIT MAKKER
IN SUPPORT OF PLAINTIFFS'
MOTION TO COMPEL PRODUCTION
OF DOCUMENTS AND FOR
RELATED RELIEF**

Date: December 11, 2020
Time: 1:30 p.m.
Place: Courtroom 8
Judge: Hon. Lucy H. Koh

1 I, Amit Makker, declare as follows:

2 1. I am an active member of the State Bar of California, a member in good standing
3 of the Bar of this court, an associate in the San Francisco office of Latham & Watkins LLP, and
4 counsel for Plaintiffs in the above-captioned case. I submit this declaration in support of
5 Plaintiffs' Motion to Compel Production of Documents.

6 2. I have personal and first-hand knowledge of the matters set forth below and, if
7 called upon to do so, I could and would testify competently thereto.

8 3. Attached hereto as **Exhibit 1** is a true and correct copy of Plaintiffs' First Set of
9 Requests for Production ("RFPs"), served November 17, 2020.

10 4. Attached hereto as **Exhibit 2** is a true and correct copy of Defendants' Response
11 to Plaintiffs' First Set of RFPs, served November 27, 2020.

12 5. Attached hereto as **Exhibit 3** is a true and correct copy of an email chain between
13 Amit Makker and Counsel for Defendants, dated November 24, 2020.

14 6. Attached hereto as **Exhibit 4** is a true and correct copy of an email chain between
15 Amit Makker and Alexander V. Sverdlov, dated December 8, 2020.

16 7. Attached hereto as **Exhibit 5** is a true and correct copy of a letter from Sadik
17 Huseny to Alexander Sverdlov, dated December 4, 2020.

18 8. Attached hereto as **Exhibit 6** is a spreadsheet that Plaintiffs compiled in order to
19 assess the number of duplicates in Defendants' December 1, 2020 and December 8, 2020
20 productions.

21 9. Attached hereto as **Exhibit 7** is a true and correct copy of a letter from
22 Chairwoman Carolyn B. Maloney of the Committee on Oversight and Reform, to Secretary
23 Wilbur L. Ross, Jr. of the U.S. Department of Commerce, dated December 2, 2020, and
24 available at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-12-02.CBM%20to%20Ross-Commerce%20re%202020%20Census%20Count.pdf>.
25

26 10. Attached hereto as **Exhibit 8** is a true and correct copy of a document entitled
27 "DRF1 Anomaly Summary," dated November 27, 2020. The document is labeled as "Document
28 #2," was produced by the House Committee on Oversight and Reform on December 2, 2020, and

1 is available at

2 <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Document%202.pdf>.

3 11. Attached hereto as **Exhibit 9** is a true and correct copy of a document entitled
4 “2020 Census Post Collection Processing,” dated November 27, 2020. The document is labeled
5 as “Document #3,” was produced by the House Committee on Oversight and Reform on
6 December 2, 2020, and is available at

7 <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Document3.pdf>.

8 I declare under penalty of perjury under the laws of the United States of America that
9 each of the facts stated herein is true and correct. Executed on December 9, 2020, at Oakland,
10 California.

11
12 /s/ Amit Makker

13 Amit Makker
14 of LATHAM & WATKINS

15
16
17
18
19
20 **ATTESTATION**

21 I, Sadik Huseny, am the ECF user whose user ID and password authorized the filing of this
22 document. Under Civil L.R. 5-1(i)(3), I attest that all signatories to this document have concurred
23 in this filing.

24 Dated: December 9, 2020

LATHAM & WATKINS LLP

25
26 By: /s/ Sadik Huseny
27 Sadik Huseny
28

EXHIBIT 1

LATHAM & WATKINS LLP
 Sadik Huseny (Bar No. 224659)
 sadik.huseny@lw.com
 Steven M. Bauer (Bar No. 135067)
 steven.bauer@lw.com
 Amit Makker (Bar No. 280747)
 amit.makker@lw.com
 Shannon D. Lankenau (Bar No. 294263)
 shannon.lankenau@lw.com
 505 Montgomery Street, Suite 2000
 San Francisco, CA 94111
 Telephone: 415.391.0600
 Facsimile: 415.395.8095

LATHAM & WATKINS LLP
 Melissa Arbus Sherry (*pro hac vice*)
 melissa.sherry@lw.com
 Richard P. Bress (*pro hac vice*)
 rick.bress@lw.com
 Anne W. Robinson (*pro hac vice*)
 anne.robinson@lw.com
 Tyce R. Walters (*pro hac vice*)
 tyce.walters@lw.com
 Gemma Donofrio (*pro hac vice*)
 gemma.donofrio@lw.com
 555 Eleventh Street NW, Suite 1000
 Washington, D.C. 20004
 Telephone: 202.637.2200
 Facsimile: 202.637.2201

LAWYERS' COMMITTEE FOR
 CIVIL RIGHTS UNDER LAW
 Kristen Clarke (*pro hac vice*)
 kclarke@lawyerscommittee.org
 Jon M. Greenbaum (Bar No. 166733)
 jgreenbaum@lawyerscommittee.org
 Ezra D. Rosenberg (*pro hac vice*)
 erosenberg@lawyerscommittee.org
 Ajay P. Saini (*pro hac vice*)
 asaini@lawyerscommittee.org
 Maryum Jordan (Bar No. 325447)
 mjordan@lawyerscommittee.org
 Pooja Chaudhuri (Bar No. 314847)
 pchaudhuri@lawyerscommittee.org
 1500 K Street NW, Suite 900
 Washington, D.C. 20005
 Telephone: 202.662.8600
 Facsimile: 202.783.0857

*Additional counsel and representation
 information listed in signature block*

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

CASE NO. 5:20-cv-05799-LHK

**PLAINTIFFS' FIRST SET OF
 REQUESTS FOR PRODUCTION (NO. 1-
 22)**

Assigned to Judge Lucy H. Koh
 (Courtroom 8)

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Plaintiffs National Urban League; League of Women Voters; Black Alliance for Just Immigration; Harris County, Texas; King County, Washington; City of Los Angeles, California; City of Salinas, California; City of San Jose, California; Rodney Ellis; Adrian Garcia; The National Association for the Advancement of Colored People; City of Chicago, Illinois; County of Los Angeles, California; Navajo Nation; and Gila River Indian Community (collectively, “Plaintiffs”) request that Defendants Wilbur L. Ross, Jr., in his official capacity as Secretary of Commerce; U.S. Department of Commerce; Steven Dillingham, in his official capacity as Director of the U.S. Census Bureau; and U.S. Census Bureau (collectively, “Defendants”) respond separately and in writing to each of the following requests, and produce and permit the inspection and copying of each of the documents and things described below that is within their possession, custody, or control. Any objections to the requests shall be served within ten (10) days of service of these requests, and the production of documents and things shall begin within fourteen (14) days after service of these requests, pursuant to Court order (Dkt. 357) and the parties’ agreement, via electronic mail and in hard copy at the offices of Latham & Watkins, LLP, 555 Eleventh Street NW, Suite 1000, Washington, D.C. 20004.

DEFINITIONS

The following definitions (applicable whether the terms in question are capitalized or not) apply to this document as a whole and as to each of the following requests for production and shall be deemed incorporated therein:

1. “Bureau” refers to Defendant United States Census Bureau.
2. “Communication” means any instance in which any Person has had contact with any other Person including by any oral or written utterance, question, comment, inquiry, notation, or statement of any nature whatsoever, by and to whomever made, including, but not limited to, any conversation, correspondence, agreement, note, e-mail, voicemail, or other transfer of information, whether written, oral, electronic, or by any other means, and including any Document or other medium which abstracts, digests, records, incorporates, summarizes, describes, or transcribes any such Communication, or any subsequent review or discussion of such Communication, whether occurring at meetings or otherwise.

1 3. “Dates” as used in these requests means September 22, 2020; September 30,
2 2020; October 5, 2020; and October 15, 2020.

3 4. “Document” has the meaning prescribed in the Federal Rules of Civil Procedure,
4 including Rules 26 and 34. The term “Document” shall be interpreted in the broadest sense
5 possible and includes Documents in any form, including by way of example and without
6 limitation, originals and copies of letters, memoranda, notes, records, minutes, reports,
7 notebooks, messages, emails, telegrams, ledgers, legal instruments, legal opinions to the extent
8 that they are not protected by the attorney client privilege or attorney work product doctrines,
9 agreements, manuals, procedures, graphs, rough drafts, secretarial notes, work pads, films or
10 videos, photographs, computer disks and other electronic media, books, publications,
11 advertisements, literature, brochures, announcements, press releases, and includes without
12 limitation all tangible things which come within the meaning of the terms “writings and
13 recordings” used in Federal Rule of Evidence 1001 and all electronically stored information, and
14 includes data and data files, and underlying data or data files, whether in raw or processed form.
15 A draft or non-identical copy is a separate document within the meaning of this term. The term
16 “Document” also includes the term “Thing” construed under the broadest possible construction
17 under the Federal Rules of Civil Procedure.

18 5. “OIG” refers to the Office of Inspector General of the Department of Commerce.

19 6. “Person” includes both natural persons and entities, without limitation, including
20 all predecessors in interest, groups, associations, partnerships, corporations, agencies, or any
21 other legal, business, or governmental entity. The acts “of” a Person are defined to include the
22 acts of directors, officers, members, employees, agents, or attorneys acting on the Person’s
23 behalf.

24 7. “Sufficient to Show” refers to that set of materials which Bureau officials and
25 Bureau subject matter experts would require to see and use, by way of best practices, to reach
26 conclusions or perform or calculate the relevant assessments and review of the topic(s) at issue in
27 the request.

28

1 8. “Thing” has the meaning prescribed in the Federal Rules of Civil Procedure,
2 including Rules 26 and 34. The term “Thing” specifically includes, by way of example but not
3 limitation, any disc, tape, or other electronic media storage device.

4 9. To “Identify” or provide the “Identity” or “Identification” of a Person who is a
5 natural Person means to state for that Person: the Person’s full name, present or last known
6 address(es), present or last known telephone number(s), present or last known employer and that
7 employer’s address, present or last known job title, and whether the Person is represented by
8 counsel in connection with this litigation. To “Identify” or provide the “Identify” or
9 “Identification” of a Person that is an entity means to state for that entity: the entity’s full name,
10 present or last known address for its principal place of business, present or last known telephone
11 number, type (e.g., corporation, partnership, trust), date and place of formation, registered agent,
12 all known names under which the entity has operated in the past, and all known addresses at
13 which the entity has conducted business in the past.

14 10. To “Identify” any Document or Thing or to provide the “Identity” or
15 “Identification” of any Document or Thing means:

- 16 a. To provide a brief description of such Document or Thing sufficient to
- 17 support a request for production;
- 18 b. To state its type (e.g., e-mail, letter, memorandum, computer system,
- 19 software);
- 20 c. To state its date;
- 21 d. To state the purchase date of the Thing;
- 22 e. To identify each author and recipient (including actual and designated
- 23 recipients of copies);
- 24 f. To identify who made the Thing, if applicable;
- 25 g. To specify the place where the Document or Thing may be inspected and its
- 26 custodian; and
- 27
- 28

1 h. If a copy of the Document or Thing has been previously supplied, to so state
 2 and specifically identify the previously supplied copy by reference to Bates
 3 number(s) or other identifying information such as litigation control number.

4 11. To “Identify” an event or Communication means to state:

5 a. Its type (e.g., oral communication, telephone call, meeting or conference,
 6 teletype communication, purchase, sale);

7 b. Its date, time and place;

8 c. The identity of all Persons participating, attending and observing, as well as
 9 Persons most knowledgeable about the event or Communication;

10 d. A detailed description of the event or Communication and what transpired;
 11 and

12 e. The identify of any Documents referenced, referred to, relied upon, or created
 13 in connection with the event, including any record made of the event.

14 12. The plural of any word used herein includes the singular and the singular includes
 15 the plural. The masculine gender of any word used herein includes the feminine and the neuter.

16 13. The past tense of a verb used herein includes the present tense and the present
 17 tense includes the past tense.

18 14. “And/or,” “and,” and “or” shall be construed in the conjunctive and disjunctive,
 19 whichever makes the request more inclusive.

20 **INSTRUCTIONS**

21 1. Each request shall be answered pursuant to Federal Rules of Civil Procedure 26
 22 and 32, and supplemented as required by Federal Rule of Civil Procedure 26(e). Rule 26(e)
 23 requires Defendants to correct or supplement Defendants’ response if Defendants learn that it
 24 was incomplete or incorrect when made or, although complete and correct when made, is no
 25 longer complete and correct.

26 2. These requests shall apply to all Documents in Defendants’ possession, custody,
 27 or control at the present time, or coming into Defendants’ possession, custody, or control prior to
 28 the date of the production. If Defendants know of the existence, past or present, of any

1 Documents or Things requested below, but are unable to produce such Documents or Things
 2 because they are not presently in Defendants' possession, custody, or control, Defendants shall
 3 so state and shall Identify such Documents or Things, and the Person who has possession,
 4 custody, or control of the Documents or Things.

5 3. If no Documents are responsive to a particular request, Defendants are to state in
 6 the response that no responsive Documents exist.

7 4. If Defendants withhold any Document or portion thereof in response to any of the
 8 requests set forth below on grounds of privilege or any other claim of immunity from discovery,
 9 then for each Document, Communication, or portion thereof so withheld, state the following: (a)
 10 the type of Document (e.g., letter, memorandum, contact, etc.); (b) its title; (c) its date; (d) its
 11 subject matter; (e) the name, address, and employer at the time of preparation of the individual(s)
 12 who authored, drafted, or prepared it; (f) the name, address, and employer at the time of
 13 dissemination of the individual(s) to whom it was directed, circulated, or copied, or who had
 14 access thereto; and (g) the grounds on which the Document is being withheld (e.g., "attorney-
 15 client privilege," "attorney work product," etc.).

16 5. If Defendants contend that a portion of a Document contains information that is
 17 immune from discovery, then produce the Document with the allegedly immune portion redacted
 18 therefrom and describe the redacted portion in a privilege log pursuant to the instruction in
 19 paragraph 4 above.

20 6. If any Document responsive to any request was, but is no longer, in Defendants
 21 possession, custody, or control, state what disposition was made of it and when. If any
 22 Document responsive to any request has been lost or destroyed, describe in detail the
 23 circumstances of such loss or destruction and Identify each lost or destroyed Document and all
 24 files that contained such Document.

25 7. Each Document is to be produced along with all drafts, without abbreviation or
 26 redaction.

27
 28

8. Any keys, codes, explanations, manuals, or other Documents necessary for the interpretation or understanding of the Documents produced in response to these requests shall be produced.

9. In the event that Defendants object to any request on the ground that it is overbroad and/or unduly burdensome for any reason, respond to that request as narrowed to the least extent necessary, in Defendants judgment, to render it not overbroad/unduly burdensome and state specifically the extent to which Defendants have narrowed that request for purposes of Defendants' response and the factual basis for Defendants' conclusion.

10. In the event that Defendants object to any request on the ground that it is vague and/or ambiguous, identify the particular words, terms, or phrases that are asserted to make such request vague or ambiguous and specify the meaning actually attributed by Defendants to such words for purposes of Defendants' response thereto.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

All Documents used by Defendants to calculate the census completion rates, at each level tracked by the Bureau, for the 2020 Census as of each Date.

REQUEST FOR PRODUCTION NO. 2:

Documents Sufficient to Show the accuracy of Defendants' assertions of a 99.98% census completion rate as of October 15, 2020 for the 2020 Census and differences in the meaning, methodologies, or processes regarding the calculation of completion rates as between the 2000, 2010, and 2020 censuses.

REQUEST FOR PRODUCTION NO. 3:

Documents Sufficient to Show any other metrics (other than completion rates) that Defendants have used internally at any point to measure the progress, performance, or quality of the 2020 Census, and how Defendants understand those metrics to differ from any like or similar metrics the Bureau previously used to describe or measure the progress, performance, or quality of the 2000 and 2010 censuses.

REQUEST FOR PRODUCTION NO. 4:

Documents Sufficient to Show the percentage and number of housing units/addresses, at the national, state, county, and census tract level, resolved through particular methods for the 2020 Census, including but not limited to the following: (a) enumerations by administrative records (for occupied, vacant, and delete/nonexistent); (b) enumerations by proxies (for occupied, vacant, and delete/nonexistent); (c) “pop count only” enumerations; (d) enumerations as vacant (and how so determined); (e) enumerations as delete/nonexistent (and how so determined); (f) enumerations that do not contain name and/or date of birth; (g) enumerations using fictitious names (e.g., ADULT ONE); (h) enumerations with a popcount of 1 and information entered as “refused” or “don’t know”; (i) enumerations of closed cases that were reopened in the close-out phase of NRFU; (j) enumerations where the geo-location data does not match the housing unit/address; and (k) all actual and potential housing units/addresses unresolved.

REQUEST FOR PRODUCTION NO. 5:

All Documents comparing, contrasting, or assessing the 2020 Census data collection results with the 2000 and 2010 census data collection results, including Documents Sufficient to Show how the 2020 percentages and numbers described in Request For Production No. 4 relate or compare to the like percentages and numbers for the 2000 and 2010 censuses.

REQUEST FOR PRODUCTION NO. 6:

As to housing units/addresses resolved by administrative records, Documents Sufficient to Show in summary detail all actual and potential housing units/addresses resolved by administrative records for each of the 2000, 2010 and 2020 censuses, including but not limited to documents regarding what types of administrative records were used for each such closeout; when and how the use of various administrative records was triggered; where various administrative records were used to close housing units after zero visits or one visit; the housing units that were eligible to be closed using various administrative records after zero visits or one visit; how many housing units/addresses were enumerated with administrative records not validated by another source; how close in time to April 1, 2020 the administrative records were;

any quality assessment of the administrative records; and the changing rules and parameters regarding the use of administrative records.

REQUEST FOR PRODUCTION NO. 7:

As to housing units/addresses resolved by proxy, Documents Sufficient to Show in summary detail all actual and potential housing units/addresses resolved by proxy for each of the 2000, 2010 and 2020 censuses, including but not limited to Documents regarding what types of proxies were used for each such closeout; when and how the use of proxies was triggered; where proxies were used to close housing units after zero visits or one visit; the housing units that were eligible to be closed using proxy after zero visits or one visit; the geo-location/proximity of the device making the enumeration to the housing unit/address being enumerated; and the changing rules and parameters regarding the use of proxies.

REQUEST FOR PRODUCTION NO. 8:

As to housing units/addresses resolved as vacant or nonexistent/delete, Documents Sufficient to Show in summary detail all actual and potential housing units/addresses resolved as vacant or nonexistent/delete for each of the 2000, 2010 and 2020 censuses, including but not limited to Documents regarding when and how vacancy or nonexistent/delete was determined; how many visits were made prior to the resolution of vacancy or nonexistent/delete; where, when, and in what fashion the vacancy or nonexistent/delete enumeration was made, including by whom (field enumerator or any supervisors or management); the geo-location/proximity of the device making the enumeration to the housing unit/address being enumerated; and the changing rules and parameters regarding the use of any methods allowing for a vacant or nonexistent/delete enumeration.

REQUEST FOR PRODUCTION NO. 9:

As to housing units/addresses resolved through “pop count only,” Documents Sufficient to Show in summary detail all actual and potential housing units/addresses resolved as “pop count only” for each of the 2000, 2010 and 2020 censuses, including but not limited to documents regarding when and how the determination of making a “pop count only” count was triggered; where “pop count only” enumerations were used to close housing units after zero visits

1 or one visit; the housing units that were eligible to be closed using “pop count only”
 2 enumerations after zero visits or one visit; the geo-location/proximity of the device making the
 3 enumeration to the housing unit/address being enumerated; and the changing rules and
 4 parameters regarding the use of “pop count only” enumerations.

5 **REQUEST FOR PRODUCTION NO. 10:**

6 Documents Sufficient to Show the total number and relevant percentages of housing
 7 units/addresses in the entire NRFU universe as of each Date, including but not limited to all
 8 housing units/addresses obtained during the NRFU process and closeout phases, all vacant and
 9 nonexistent/delete housing units/addresses identified in the NRFU process, when and whether
 10 any additional housing units/addresses obtained during the NRFU process were enumerated and
 11 were to be accounted for, and whether and how any completion rates as of the Dates included or
 12 failed to include any additional housing units/addresses in the calculations.

13 **REQUEST FOR PRODUCTION NO. 11:**

14 All Documents providing summary details or assessments regarding NRFU process
 15 indicators or “paradata” regarding how the NRFU operation was conducted, at the national, state,
 16 county, and census tract levels.

17 **REQUEST FOR PRODUCTION NO. 12:**

18 All Communications sent or forwarded to enumerators’ NRFU iPhones from senior
 19 Bureau management (regional directors or higher level managers), including but not limited to
 20 text messages, regarding enumeration policies, procedures, and scheduling.

21 **REQUEST FOR PRODUCTION NO. 13:**

22 All Documents regarding enumerator productivity rates and enumerator quality control
 23 checks, including but not limited to measurements of productivity rates and trend data over time,
 24 concerns over productivity rates, efforts to alter productivity rates, changing any enumerator
 25 standards, processes, or quality control checks in order to increase productivity rates (including
 26 but not limited to the decision to eliminate random re-interview enumerator quality control
 27 checks in favor of automatic control checks), comparisons with expected or required/necessary
 28 productivity rates, and the overall performance and utilization of the Optimizer software.

REQUEST FOR PRODUCTION NO. 14:

All Documents regarding complaints, grievances, requests for change, or like reports from enumerators or Bureau employees regarding the NRFU process, including but not limited to improper enumeration processes; inaccuracies in enumeration; workflow or assignments; instruction or pressure to alter any enumerations or enumeration processes; submission or false or potentially false/knowingly inaccurate enumerations; and the NRFU software and any limitations in its ability to allow for accurate enumeration, particularly once a housing unit/address has been marked as complete via methods other than live enumeration.

REQUEST FOR PRODUCTION NO. 15:

Documents Sufficient to Show the details of the Bureau's current data-processing plans, procedures, and schedule, including how the current plans, procedures, and schedule differ, have been altered, or steps have been eliminated, from the data-processing operations contemplated in the Final Operational Plan, and Defendants' understanding of the quality impacts that will result as a consequence of those eliminations or alterations.

REQUEST FOR PRODUCTION NO. 16:

Documents Sufficient to Show the role that the data-processing operations contemplated in the Final Operational Plan play in reducing or eliminating undercounts, and/or differential undercounts, of hard to count groups, including racial or ethnic minority groups, and Defendants' understanding of the consequences of eliminating or altering those operations for reducing or eliminating undercounts.

REQUEST FOR PRODUCTION NO. 17:

All Documents regarding how and to what extent data processing will correct, fix, supplement, or alter the 2020 Census population counts as a result of any changes to data collections made and implemented by Defendants from August 3, 2020 to the end of the data collection period.

REQUEST FOR PRODUCTION NO. 18:

Documents Sufficient to Show the Census Unedited File (CUF) quality indicators, including but not limited to the numbers and percent of records (a) identified as duplicate

enumerations across different addresses, (b) that do not contain information sufficient for deduplication, (c) that required status or count imputation, (d) created by count imputation, (e) that will require whole person imputation, (f) missing a complete name, (g) missing a date of birth, (h) from administrative records, (i) from administrative records lacking complete names or date of birth, and (j) that required item imputation for race, Hispanic origin, sex, and age.

REQUEST FOR PRODUCTION NO. 19:

All Documents regarding the Replan's effects or potential effects on differential undercounts or potential differential undercounts of hard-to-count populations, including tribal populations, communities of color, legal and illegal immigrants.

REQUEST FOR PRODUCTION NO. 20:

All Documents provided or to be provided by Defendants to the OIG with respect to the 2020 Census, or provided to Defendants from OIG.

REQUEST FOR PRODUCTION NO. 21:

All Documents and Communications to or from Secretary Ross regarding the 2020 Census, including but not limited to all Communications, Documents, data, and reports Secretary Ross has submitted or will submit directly or indirectly to the President or President's liaisons or staff.

REQUEST FOR PRODUCTION NO. 22:

All Documents regarding the July 21, 2020 Presidential Memorandum, including but not limited to the processes, plans and schedules to effectuate and implement the Presidential Memorandum, the effects of such effectuation and implementation on the 2020 Census and Bureau personnel, resources, and funds, and the potential or actual effects on differential undercounts as a result of the Presidential Memorandum or its effectuation and implementation.

1 Dated: November 17, 2020

LATHAM & WATKINS LLP

2 By: /s/ Sadik Huseny
3 Sadik Huseny

4 Steven M. Bauer (Bar No. 135067)
5 steven.bauer@lw.com
6 Sadik Huseny (Bar No. 224659)
7 sadik.huseny@lw.com
8 Amit Makker (Bar No. 280747)
9 amit.makker@lw.com
10 Shannon D. Lankenau (Bar. No. 294263)
11 shannon.lankenau@lw.com
12 **LATHAM & WATKINS LLP**
13 505 Montgomery Street, Suite 2000
14 San Francisco, CA 94111
15 Telephone: 415.391.0600
16 Facsimile: 415.395.8095

17 Richard P. Bress (*pro hac vice*)
18 rick.bress@lw.com
19 Melissa Arbus Sherry (*pro hac vice*)
20 melissa.sherry@lw.com
21 Anne W. Robinson (*pro hac vice*)
22 anne.robinson@lw.com
23 Tyce R. Walters (*pro hac vice*)
24 tyce.walters@lw.com
25 Gemma Donofrio (*pro hac vice*)
26 gemma.donofrio@lw.com
27 **LATHAM & WATKINS LLP**
28 555 Eleventh Street NW, Suite 1000
Washington, D.C. 20004
Telephone: 202.637.2200
Facsimile: 202.637.2201

*Attorneys for Plaintiffs National Urban League;
League of Women Voters; Black Alliance for
Just Immigration; Harris County, Texas; King
County, Washington; City of San Jose,
California; Rodney Ellis; Adrian Garcia; and
the NAACP*

22 Dated: November 17, 2020

23 By: /s/ Jon M. Greenbaum
24 Kristen Clarke (*pro hac vice*)
25 kclarke@lawyerscommittee.org
26 Jon M. Greenbaum (Bar No. 166733)
27 jgreenbaum@lawyerscommittee.org
28 Ezra D. Rosenberg (*pro hac vice*)
erosenberg@lawyerscommittee.org
Dorian L. Spence (*pro hac vice to come*)
dspence@lawyerscommittee.org
Ajay Saini (*pro hac vice*)
asaini@lawyerscommittee.org
Maryum Jordan (Bar No. 325447)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

mjordan@lawyerscommittee.org
Pooja Chaudhuri (Bar No. 314847)
pchaudhuri@lawyerscommittee.org
**LAWYERS' COMMITTEE FOR CIVIL
RIGHTS UNDER LAW**
1500 K Street NW, Suite 900
Washington, DC 20005
Telephone: 202.662.8600
Facsimile: 202.783.0857

*Attorneys for Plaintiffs National Urban League;
City of San Jose, California; Harris County,
Texas; League of Women Voters; King County,
Washington; Black Alliance for Just
Immigration; Rodney Ellis; Adrian Garcia; the
NAACP; and Navajo Nation*

Wendy R. Weiser (*pro hac vice*)
weiserw@brennan.law.nyu.edu
Thomas P. Wolf (*pro hac vice*)
wolft@brennan.law.nyu.edu
Kelly M. Percival (*pro hac vice*)
percivalk@brennan.law.nyu.edu
BRENNAN CENTER FOR JUSTICE
120 Broadway, Suite 1750
New York, NY 10271
Telephone: 646.292.8310
Facsimile: 212.463.7308

*Attorneys for Plaintiffs National Urban League;
City of San Jose, California; Harris County,
Texas; League of Women Voters; King County,
Washington; Black Alliance for Just
Immigration; Rodney Ellis; Adrian Garcia; the
NAACP; and Navajo Nation*

Mark Rosenbaum (Bar No. 59940)
mrosenbaum@publiccounsel.org
PUBLIC COUNSEL
610 South Ardmore Avenue
Los Angeles, California 90005
Telephone: 213.385.2977
Facsimile: 213.385.9089

Attorneys for Plaintiff City of San Jose

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Doreen McPaul, Attorney General
dmcpaul@nndoj.org
Jason Searle (*pro hac vice*)
jasearle@nndoj.org
NAVAJO NATION DEPARTMENT OF JUSTICE
P.O. Box 2010
Window Rock, AZ 86515
Telephone: (928) 871-6345

Attorneys for Navajo Nation

Dated: November 17, 2020

By: /s/ Danielle Goldstein
Michael N. Feuer (Bar No. 111529)
mike.feuer@lacity.org
Kathleen Kenealy (Bar No. 212289)
kathleen.kenealy@lacity.org
Danielle Goldstein (Bar No. 257486)
danielle.goldstein@lacity.org
Michael Dundas (Bar No. 226930)
mike.dundas@lacity.org
CITY ATTORNEY FOR THE CITY OF LOS ANGELES
200 N. Main Street, 8th Floor
Los Angeles, CA 90012
Telephone: 213.473.3231
Facsimile: 213.978.8312

Attorneys for Plaintiff City of Los Angeles

Dated: November 17, 2020

By: /s/ Michael Mutalipassi
Christopher A. Callihan (Bar No. 203010)
legalwebmail@ci.salinas.ca.us
Michael Mutalipassi (Bar No. 274858)
michaelmu@ci.salinas.ca.us
CITY OF SALINAS
200 Lincoln Avenue
Salinas, CA 93901
Telephone: 831.758.7256
Facsimile: 831.758.7257

Attorneys for Plaintiff City of Salinas

1
2 Dated: November 17, 2020

By: /s/ Rafey S. Balabanian
Rafey S. Balabanian (Bar No. 315962)
rbalabanian@edelson.com
Lily E. Hough (Bar No. 315277)
lthough@edelson.com
EDELSON P.C.
123 Townsend Street, Suite 100
San Francisco, CA 94107
Telephone: 415.212.9300
Facsimile: 415.373.9435

Rebecca Hirsch (*pro hac vice*)
rebecca.hirsch2@cityofchicago.org
**CORPORATION COUNSEL FOR THE
CITY OF CHICAGO**
Mark A. Flessner
Stephen J. Kane
121 N. LaSalle Street, Room 600
Chicago, IL 60602
Telephone: (312) 744-8143
Facsimile: (312) 744-5185

Attorneys for Plaintiff City of Chicago

14 Dated: November 17, 2020

By: /s/ Donald R. Pongrace
Donald R. Pongrace (*pro hac vice*)
dpongace@akingump.com
**AKIN GUMP STRAUSS HAUER & FELD
LLP**
2001 K St., N.W.
Washington, D.C. 20006
Telephone: (202) 887-4000
Facsimile: 202-887-4288

Dario J. Frommer (Bar No. 161248)
dfrommer@akingump.com
**AKIN GUMP STRAUSS HAUER & FELD
LLP**
1999 Avenue of the Stars, Suite 600
Los Angeles, CA 90067-6022
Phone: 213.254.1270
Fax: 310.229.1001

*Attorneys for Plaintiff Gila River Indian
Community*

1
2 Dated: November 17, 2020

By: /s/ David I. Holtzman
David I. Holtzman (Bar No. 299287)
David.Holtzman@hklaw.com
HOLLAND & KNIGHT LLP
Daniel P. Kappes
Jacqueline N. Harvey
50 California Street, 28th Floor
San Francisco, CA 94111
Telephone: (415) 743-6970
Fax: (415) 743-6910

Attorneys for Plaintiff County of Los Angeles

CERTIFICATE OF SERVICE

I am employed in the County of San Francisco, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 505 Montgomery Street, Suite 2000, San Francisco, CA 94111.

On November 17, 2020, I caused the following document(s) to be served:

- **PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION (NOS. 1-22)**

via electronic mail delivery to the person(s), address(es), and email address(es) set forth below:

AUGUST E. FLENTJE
ALEXANDER K. HAAS
DIANE KELLEHER
BRAD P. ROSENBERG
M. ANDREW ZEE
ALEXANDER V. SVERDLOV
STEPHEN EHRLICH
U.S. Department of Justice
Civil Division, Federal Programs Branch
450 Golden Gate Avenue
San Francisco, CA 94102
Phone: (415) 436-6646
E-mails: august.flentje@usdoj.gov
alexander.haas@usdoj.gov
diane.kelleher@usdoj.gov
brad.rosenberg@usdoj.gov
m.andrew.zee@usdoj.gov
alexander.v.sverdlov@usdoj.gov
stephen.ehrlich@usdoj.gov

*Attorneys for Defendants Wilbur L. Ross, Jr., in his official capacity as Secretary of Commerce;
U.S. Department of Commerce; Steven Dillingham, in his official capacity as Director of the
U.S. Census Bureau; and U.S. Census Bureau*

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November 17, 2020, at San Francisco, California.

Dated: November 17, 2020

LATHAM & WATKINS LLP

By: /s/ Sadik Huseny
Sadik Huseny

EXHIBIT 2

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General
JOHN V. COGHLAN
Deputy Assistant Attorney General
AUGUST E. FLENTJE
Special Counsel to the Assistant Attorney General
ALEXANDER K. HAAS
Branch Director
DIANE KELLEHER
BRAD P. ROSENBERG
Assistant Branch Directors
M. ANDREW ZEE
ALEXANDER V. SVERDLOV
STEPHEN EHRLICH
Trial Attorneys
U.S. Department of Justice
Civil Division - Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20005
Telephone: (202) 305-0550

Attorneys for Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

NATIONAL URBAN LEAGUE, *et al.*,

Plaintiff,

v.

WILBUR L. ROSS, JR., *et al.*,

Defendants.

Case No. 5:20-cv-05799-LHK

DEFENDANTS' RESPONSE TO PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION

1 Pursuant to Federal Rules of Civil Procedure 26 and 34, Defendants the United States De-
2 partment of Commerce, Wilbur Ross, in his official capacity as Secretary of Commerce, the United
3 States Census Bureau, and Steven Dillingham, in his official capacity as Director of the Census
4 Bureau (Defendants), by and through counsel, provide the following objections and responses to
5 Plaintiffs' First Set of Request For Production to Defendants.

6 **OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS**

7 1. Defendants object to the definition of "document" in Plaintiffs' Definition 4 insofar
8 as it exceeds the definition provided in Federal Rule of Civil Procedure 34(a).

9 2. Defendants object to Plaintiffs' Instructions 2, 3, 4, 5, 7, 8, and 10 to the extent they
10 imply any obligation outside of the scope of Federal Rules of Civil Procedure 26(b)(5) or 34, and
11 on the ground that they are unduly burdensome. Additionally, documents created by or commu-
12 nications sent to or from litigation counsel (including agency counsel responsible for this litigation
13 after commencement of this matter) will not be logged, as information contained therein is not
14 subject to production and would be unduly burdensome to place on a privilege log.

15 3. Defendants object to Instructions 2 and 6 as imposing obligations outside the scope
16 of Federal Rule of Civil Procedure 34 and for being unduly burdensome insofar as they purport to
17 require a document-by-document recounting without regard to the date on which the document
18 was created, the date on which it was lost, discarded, destroyed, or otherwise disposed of, or
19 whether litigation involving the substance of the document was reasonably foreseeable at that time
20 it was lost, discarded, destroyed or otherwise disposed.

21 **OBJECTIONS TO ALL REQUESTS FOR PRODUCTION**

22 1. Defendants object to Plaintiffs' discovery requests generally as unduly burdensome
23 and disproportionate to the needs of this case, as Defendants have already produced a large volume
24 of materials in an expedited fashion, and Plaintiffs have not demonstrated how those materials are
25 insufficient for them to seek final judgment.

26 2. Defendants object to Plaintiffs' discovery requests as overly broad, unduly burden-
27 some, and disproportionate to the extraordinarily expedited discovery schedule in this case, which
28 was predicated on Plaintiffs' representations of their purported intent to serve targeted and narrow

1 discovery requests, when in fact their actual requests are for granular detail into nearly every aspect
2 of not only the 2020 Census, but also the 2000 Census and the 2010 Census, neither of which are
3 at issue in this case.

4 3. Defendants object to Plaintiffs' discovery requests to the extent they seek docu-
5 ments that are publicly available, or are readily accessible to Plaintiffs or otherwise would be less
6 burdensome for Plaintiffs to obtain than Defendants. *See* Fed. R. Civ. P. 26(b)(2)(C). Defendants
7 will not reproduce documents already produced in this matter.

8 4. Defendants object to Plaintiffs requests to produce "all" documents related to an
9 issue or topic because such requests are vague, ambiguous, overbroad, and disproportionately bur-
10 densome. Read expansively, a request to produce "all" documents could require a document-by-
11 document review of materials generated within the United States Department of Commerce and
12 the Census Bureau—large federal agencies with tens of thousands of employees. The burden of
13 such a review disproportionately outweighs any possible need for the requested documents. Ac-
14 cordingly, Defendants will identify relevant documents in response to the request, including re-
15 sponsive results based on search terms from identified custodians.

16 5. Defendants object to Plaintiffs' requests to the extent that the requests impose bur-
17 dens beyond the permissible scope of discovery as outlined in Federal Rule of Civil Procedure 26,
18 i.e., nonprivileged matter that is relevant to any party's claim or defense and proportional to the
19 needs of the case, considering the importance of the issues at stake in the action, the amount in
20 controversy, the parties' relative access to relevant information, the parties' resources, the im-
21 portance of the discovery in resolving the issues, and whether the burden or expense of the pro-
22 posed discovery outweighs its likely benefit.

23 6. Defendants object to Plaintiffs' requests to the extent that they seek (a) attorney
24 work product; (b) communications protected by the attorney-client privilege; (c) information pro-
25 tected by the deliberative process privilege, the joint defense privilege, common interest privilege,
26 or law enforcement privilege; (d) material the disclosure of which would violate legitimate privacy
27 interests and expectations of persons not party to this litigation; (e) information protected by any
28 form of executive privilege; or (f) any other applicable privilege or protection.

7. Defendants specifically decline to produce privileged information. Defendants will not produce a privilege log for materials that are publicly available and materials that were otherwise previously produced. Defendants further object to any requirement that they produce a privilege log for privileged material not otherwise properly within the scope of discovery and/or as to which no privilege log would be required pursuant to Federal Rule of Civil Procedure 26(b)(5).

8. Defendants will not produce materials protected from disclosure under the provisions of 13 U.S.C. §§ 8 and 9. Before any product or document involving census data may be released, the material must be reviewed by the Census Bureau's Disclosure Review Board (DRB) to ensure that no identifiable confidential data are or may be disclosed. Should the DRB determine that the product or document does or reasonable could result in such disclosure, then the data product will be modified prior to approval for release.

9. Each and every response contained herein is subject to the above objections, which apply to each and every response, regardless of whether a specific objection is interposed in a specific response. The making of a specific objection in response to a particular request is not intended to constitute a waiver of any other objection not specifically referenced in the particular response.

10. Defendants specifically reserve the right to make further objections as necessary to the extent additional issues arise regarding the meaning of and/or information sought by discovery.

GENERAL RESPONSE TO ALL REQUESTS FOR PRODUCTION

1. Subject to and without waiving the above objections, Defendants refer Plaintiffs to the materials that have already been produced or made available in this litigation.

Further, Defendants have identified twenty-one (21) custodians who may have potentially relevant materials for Plaintiffs' requests, though not every one of these custodians may have relevant materials for any particular request. Those custodians are:

- (1) Secretary Wilbur L. Ross
- (2) Deputy Secretary Karen Dunn Kelley
- (3) Michael J. Walsh, Jr., Chief of Staff, Office of the Secretary, and performing the non-exclusive duties of General Counsel

- (4) Daniel Risko, Chief of Staff, Office of the Deputy Secretary
- (5) Census Bureau Director Steven Dillingham
- (6) Ron Jarmin, Deputy Director and Chief Operating Officer
- (7) Christa D. Jones, Chief of Staff
- (8) Albert E. Fontenot, Jr., Associate Director for Decennial Census Programs
- (9) Michael T. Thieme, Assistant Director for Decennial Census Programs, Systems & Contracts
- (10) Kathleen M. Styles, Chief, Decennial Communications and Stakeholder Relationships
- (11) John M. Abowd, Associate Director for Research & Methodology
- (12) Victoria A. Velkoff, Associate Director for Demographic Programs
- (13) Timothy P. Olson, Associate Director for Field Operations
- (14) James T. Christy, Assistant Director for Field Operations
- (15) Benjamin A. Overholt, Deputy Director for Data
- (16) Earl N. Mayfield, Counsel to the Director
- (17) Nathaniel Cogley, Deputy Director for Policy
- (18) Colleen Holzbach, Program Manager, Oversight Engagement, Policy Coordination Office

Defendants have gathered the email files (including attachments) of these custodians created between May 11, 2020, and November 23, 2020, for the first four custodians above, and November 20, 2020, for the rest. Those documents constitute over 130 Gigabytes. Additionally, Defendants are in the process of gathering materials from three additional custodians: (19) Ali M. Ahmad, Associate Director for Communications; (20) Christopher J. Stanley, Chief, Office of Congressional and Intergovernmental Affairs; and (21) Deborah M. Stempowski, Assistant Director for Decennial Census Programs, Operations & Schedule Management.

Given this large volume of materials, defendants will use search terms to identify potentially responsive documents to this request, or the ones that follow. Those search terms are:

- (“covid” or “replan” or “deadline” or “accur!” or “inaccur!” or “quality” or “anomal!” or “undercount”) w/10 (“apportion!” or “NRFU” or “field operations” or “field ops” or “nonresponse followup” or “post processing” or “prox!” or

“adrec” or “administrative records” or “pop count” or (“enumerator” w/3
 “productivity”) or “correct” or “incorrect” or “unedited file” or “CUF” or
 (“enumerator” w/3 “complaint”)); OR

- Census and (“Presidential Memorandum” or “PM”) AND (“illegal” or
 “undocumented” or “unlawful”)

Defendants will review the results of these searches and, on a rolling basis, produce nonprivileged materials responsive to this request and not subject to withholding under the provisions of 13 U.S.C. §§ 8 and 9 that are in Defendants’ possession, custody, or control.

OBJECTIONS AND RESPONSES TO SPECIFIC REQUESTS FOR PRODUCTION

Request for Production No. 1. All Documents used by Defendants to calculate the census completion rates, at each level tracked by the Bureau, for the 2020 Census as of each Date.

OBJECTIONS: Defendants incorporate by reference the above objections. Defendants also object to this request as unduly burdensome and disproportionate to the needs of the case. As written, this request potentially implicates all household responses, administrative records, and other materials used to conduct the 2020 Census, regardless of their relevancy to Plaintiffs’ claims. Because the vast majority of these documents will be exempt from disclosure under the provisions of 13 U.S.C. §§ 8 and 9, the burden of gathering and reviewing all such materials disproportionately outweighs any possible need for the requested documents.

Defendants also object to this request to the extent it calls for the production of privileged material, including but not limited to attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a final decision.

RESPONSE: Subject to and without waiving the above objections, Defendants refer Plaintiffs to the materials that have already been produced or made available in this litigation. Further, Defendants refer Plaintiffs to Defendants’ General Response to All Requests for Production, above.

Subject to the above objections and responses, Defendants are willing to meet and confer to discuss this request.

Request for Production No. 2. Documents Sufficient to Show the accuracy of Defendants’ assertions of a 99.98% census completion rate as of October 15, 2020 for the 2020 Census and differences in the meaning, methodologies, or processes regarding the calculation of completion rates as between the 2000, 2010, and 2020 censuses.

OBJECTIONS: Defendants incorporate by reference the above objections. Defendants also object to this request as unduly burdensome and disproportionate to the needs of the case. As written, this request potentially implicates materials that were produced over two decades ago, regardless of their relevancy to Plaintiffs’ claims.

Defendants further object to this request because the phrase “differences in the meaning, methodologies, or processes” is vague and ambiguous. Defendants also object to this request to the extent it calls for the production of privileged material, including but not limited to attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a final decision.

RESPONSE: Subject to and without waiving the above objections, Defendants refer Plaintiffs to Defendants’ General Response to All Requests for Production, above. Defendants also refer Plaintiffs to documents regarding the 2000 Census and 2010 Census publicly available on the Census Bureau’s website at <https://www.census.gov/content/census/en/programs-surveys/decennial-census/decade/2010/program-management/cpex.html> and <https://www.census.gov/pred/www/>.

Further, Defendants will identify materials generated since August 3, 2020, such as briefings to Commerce Department Leadership and briefings presented to the Census Integration Group, that are likely to contain the requested information. Defendants will review such materials for responsiveness and produce nonprivileged materials responsive to this request and not subject to withholding under the provisions of 13 U.S.C. §§ 8 and 9 that are in Defendants’ possession, custody, or control. Subject to the above objections and responses, Defendants are willing to meet and confer to discuss this request.

Request for Production No. 3. Documents Sufficient to Show any other metrics (other than completion rates) that Defendants have used internally at any point to measure the progress,

performance, or quality of the 2020 Census, and how Defendants understand those metrics to differ from any like or similar metrics the Bureau previously used to describe or measure the progress, performance, or quality of the 2000 and 2010 censuses.

OBJECTIONS: Defendants incorporate by reference the above objections. Defendants also object to this request as unduly burdensome and disproportionate to the needs of the case. As written, this request stretches back many years, and potentially sweeps in decades-old documents regardless of their relevancy to Plaintiffs' claims. The burden of obtaining and producing such documents disproportionately outweighs any possible need for the requested documents.

Defendants further object to this request because the terms "metrics," "progress," "performance," and "quality" are vague and ambiguous. Defendants also object to this request to the extent it calls for the production of privileged material, including but not limited to attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a final decision.

RESPONSE: Subject to and without waiving the above objections, Defendants refer Plaintiffs to Defendants' response to Request for Production No. 2, above. Subject to the above objections and responses, Defendants are willing to meet and confer to discuss this request.

Request for Production No. 4. Documents Sufficient to Show the percentage and number of housing units/addresses, at the national, state, county, and census tract level, resolved through particular methods for the 2020 Census, including but not limited to the following: (a) enumerations by administrative records (for occupied, vacant, and delete/nonexistent); (b) enumerations by proxies (for occupied, vacant, and delete/nonexistent); (c) "pop count only" enumerations; (d) enumerations as vacant (and how so determined); (e) enumerations as delete/nonexistent (and how so determined); (f) enumerations that do not contain name and/or date of birth; (g) enumerations using fictitious names (e.g., ADULT ONE); (h) enumerations with a popcount of 1 and information entered as "refused" or "don't know"; (i) enumerations of closed cases that were reopened in the close-out phase of NRFU; (j) enumerations where the geo-location data does not match the housing unit/address; and (k) all actual and potential housing units/addresses unresolved.

1 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants further
2 object to this request because the phrase “particular methods” is vague and ambiguous. Defendants
3 also object to this request as unduly burdensome and disproportionate to the needs of the case. As
4 written, the request seeks information that is currently not available, and which may not be avail-
5 able until a later date, if ever. Defendants also object to this request to the extent it calls for the
6 production of privileged material, including but not limited to attorney-client, work product, or
7 deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a
8 final decision.

9 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
10 Defendants’ response to Request for Production No. 2, above. Subject to the above objections and
11 responses, Defendants are willing to meet and confer to discuss this request.

12
13 **Request for Production No. 5.** All Documents comparing, contrasting, or assessing the 2020
14 Census data collection results with the 2000 and 2010 census data collection results, including
15 Documents Sufficient to Show how the 2020 percentages and numbers described in Request For
16 Production No. 4 relate or compare to the like percentages and numbers for the 2000 and 2010
17 censuses.

18 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants further
19 object to this request because the phrase “data collection results” is vague and ambiguous. De-
20 fendants also object to this request as unduly burdensome and disproportionate to the needs of the
21 case. As written, this request potentially implicates materials that were produced over two decades
22 ago, regardless of their relevancy to Plaintiffs’ claims, as well as information that is currently not
23 available, and which may not be available until a later date, if ever. Defendants also object to this
24 request to the extent it calls for the production of privileged material, including but not limited to
25 attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing delib-
26 erations and planning prior to a final decision.

1 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs
2 to Defendants' General Response to All Requests for Production, above. Subject to the above
3 objections and responses, Defendants are willing to meet and confer to discuss this request.
4

5 **Request for Production No. 6.** As to housing units/addresses resolved by administrative records,
6 Documents Sufficient to Show in summary detail all actual and potential housing units/addresses
7 resolved by administrative records for each of the 2000, 2010 and 2020 censuses, including but
8 not limited to documents regarding what types of administrative records were used for each such
9 closeout; when and how the use of various administrative records was triggered; where various
10 administrative records were used to close housing units after zero visits or one visit; the housing
11 units that were eligible to be closed using various administrative records after zero visits or one
12 visit; how many housing units/addresses were enumerated with administrative records not vali-
13 dated by another source; how close in time to April 1, 2020 the administrative records were; any
14 quality assessment of the administrative records; and the changing rules and parameters
15 regarding the use of administrative records.

16 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants further
17 object to this request because the phrase "summary detail" is vague, ambiguous, and self-contra-
18 dictory. Defendants also object to this request as unduly burdensome and disproportionate to the
19 needs of the case. As written, this request potentially implicates materials that were generated
20 over two decades ago, regardless of their relevancy to Plaintiffs' claims, as well as information
21 that is currently not available, and which may not be available until a later date, if ever. Defendants
22 also object to this request to the extent it calls for the production of privileged material, including
23 but not limited to attorney-client, work product, or deliberative process privilege, as it may pertain
24 to ongoing deliberations and planning prior to a final decision.

25 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
26 Defendants' General Response to All Requests for Production and to Defendants' response to
27 Request for Production No. 2, above. Subject to the above objections and responses, Defendants
28 are willing to meet and confer to discuss this request.

1 **Request for Production No. 7.** As to housing units/addresses resolved by proxy, Documents
2 Sufficient to Show in summary detail all actual and potential housing units/addresses resolved by
3 proxy for each of the 2000, 2010 and 2020 censuses, including but not limited to Documents re-
4 garding what types of proxies were used for each such closeout; when and how the use of prox-
5 ies was triggered; where proxies were used to close housing units after zero visits or one visit;
6 the housing units that were eligible to be closed using proxy after zero visits or one visit; the geo-
7 location/proximity of the device making the enumeration to the housing unit/address being enu-
8 merated; and the changing rules and parameters regarding the use of proxies.

9 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
10 to this request as unduly burdensome and disproportionate to the needs of the case. As written,
11 this request potentially implicates materials that were produced over two decades ago, regardless
12 of their relevancy to Plaintiffs' claims, as well as information that is currently not available, and
13 which may not be available until a later date, if ever.

14 Defendants further object to this request because the phrase "summary detail" is vague,
15 ambiguous, and self-contradictory. Defendants also object to this request to the extent it calls for
16 the production of privileged material, including but not limited to attorney-client, work product,
17 or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to
18 a final decision.

19 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
20 Defendants' General Response to All Requests for Production and to Defendants' response to Request
21 for Production No. 2, above. Subject to the above objections and responses, Defendants are willing
22 to meet and confer to discuss this request.

23
24 **Request for Production No. 8.** As to housing units/addresses resolved as vacant or nonexist-
25 ent/delete, Documents Sufficient to Show in summary detail all actual and potential housing
26 units/addresses resolved as vacant or nonexistent/delete for each of the 2000, 2010 and 2020 cen-
27 suses, including but not limited to Documents regarding when and how vacancy or nonexist-
28

ent/delete was determined; how many visits were made prior to the resolution of vacancy or non-existent/delete; where, when, and in what fashion the vacancy or nonexistent/delete enumeration was made, including by whom (field enumerator or any supervisors or management); the geo-location/proximity of the device making the enumeration to the housing unit/address being enumerated; and the changing rules and parameters regarding the use of any methods allowing for a vacant or nonexistent/delete enumeration.

OBJECTION: Defendants incorporate by reference the above objections. Defendants also object to this request as unduly burdensome and disproportionate to the needs of the case. As written, this request potentially implicates materials that were generated over two decades ago, regardless of their relevancy to Plaintiffs' claims, as well as information that is currently not available, and which may not be available until a later date, if ever.

Defendants further object to this request because the phrase "summary detail" is vague, ambiguous, and self-contradictory. Defendants also object to this request to the extent it calls for the production of privileged material, including but not limited to attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a final decision.

RESPONSE: Subject to and without waiving the above objections, Defendants refer Plaintiffs to Defendants' General Response to All Requests for Production and to Defendants' response to Request for Production No. 2, above. Subject to the above objections and responses, Defendants are willing to meet and confer to discuss this request.

Request for Production No. 9. As to housing units/addresses resolved through "pop count only," Documents Sufficient to Show in summary detail all actual and potential housing units/addresses resolved as "pop count only" for each of the 2000, 2010 and 2020 censuses, including but not limited to documents regarding when and how the determination of making a "pop count only" count was triggered; where "pop count only" enumerations were used to close housing units after zero visits or one visit; the housing units that were eligible to be closed using "pop count only" enumerations after zero visits or one visit; the geo-location/proximity of the device

1 making the enumeration to the housing unit/address being enumerated; and the changing rules
2 and parameters regarding the use of “pop count only” enumerations.

3 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
4 to this request as unduly burdensome and disproportionate to the needs of the case. As written,
5 this request potentially implicates materials that were produced over two decades ago, regardless
6 of their relevancy to Plaintiffs’ claims, as well as information that is currently not available, and
7 which may not be available until a later date, if ever.

8 Defendants further object to this request because the phrase “summary detail” is vague,
9 ambiguous, and self-contradictory. Defendants also object to this request to the extent it calls for
10 the production of privileged material, including but not limited to attorney-client, work product,
11 or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to
12 a final decision.

13 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
14 Defendants’ General Response to All Requests for Production and to Defendants’ response to
15 Request for Production No. 2, above. Subject to the above objections and responses, Defendants
16 are willing to meet and confer to discuss this request.

17
18 **Request for Production No. 10.** Documents Sufficient to Show the total number and relevant
19 percentages of housing units/addresses in the entire NRFU universe as of each Date, including
20 but not limited to all housing units/addresses obtained during the NRFU process and closeout
21 phases, all vacant and nonexistent/delete housing units/addresses identified in the NRFU process,
22 when and whether any additional housing units/addresses obtained during the NRFU process
23 were enumerated and were to be accounted for, and whether and how any completion rates as of
24 the Dates included or failed to include any additional housing units/addresses in the calculations.

25 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
26 to this request as unduly burdensome and disproportionate to the needs of the case. As written,
27 this request potentially implicates materials that are currently not available, and which may not be
28 available until a later date, if ever.

1 Defendants further object to this request because the terms “NRFU universe” and “ob-
2 tained” are vague and ambiguous. Defendants also object to this request to the extent it calls for
3 the production of privileged material, including but not limited to attorney-client, work product,
4 or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to
5 a final decision.

6 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
7 Defendants’ General Response to All Requests for Production and to Defendants’ response to Re-
8 quest for Production No. 2, above. Subject to the above objections and responses, Defendants are
9 willing to meet and confer to discuss this request.

10
11 **Request for Production No. 11.** All Documents providing summary details or assessments re-
12 garding NRFU process indicators or “paradata” regarding how the NRFU operation was con-
13 ducted, at the national, state, county, and census tract levels.

14 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
15 to this request because it is vague as to time and unduly burdensome and disproportionate to the
16 needs of the case. As written, this request potentially implicates materials that were produced over
17 an indefinite period, regardless of their relevancy to Plaintiffs’ claims.

18 Defendants further object to this request because the phrases “process indicators” and “par-
19 adata” are vague and ambiguous. Defendants further object to this request because the phrase
20 “summary detail” is vague, ambiguous, and self-contradictory. Defendants also object to this re-
21 quest to the extent it calls for the production of privileged material, including but not limited to
22 attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing delib-
23 erations and planning prior to a final decision.

24 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
25 Defendants’ General Response to All Requests for Production and to Defendants’ response to
26 Request for Production No. 2, above. Subject to the above objections and responses, Defendants
27 are willing to meet and confer to discuss this request.

1 **Request for Production No. 12.** All Communications sent or forwarded to enumerators' NRFU
2 iPhones from senior Bureau management (regional directors or higher level managers), including
3 but not limited to text messages, regarding enumeration policies, procedures, and scheduling.

4 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
5 to this request to the extent it calls for the production of privileged material, including but not
6 limited to attorney-client, work product, or deliberative process privilege, as it may pertain to on-
7 going deliberations and planning prior to a final decision.

8 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
9 Defendants' General Response to All Requests for Production, above. Subject to the above objec-
10 tions and responses, Defendants are willing to meet and confer to discuss this request.

11
12 **Request for Production No. 13.** All Documents regarding enumerator productivity rates and
13 enumerator quality control checks, including but not limited to measurements of productivity
14 rates and trend data over time, concerns over productivity rates, efforts to alter productivity rates,
15 changing any enumerator standards, processes, or quality control checks in order to increase
16 productivity rates (including but not limited to the decision to eliminate random re-interview
17 enumerator quality control checks in favor of automatic control checks), comparisons with ex-
18 pected or required/necessary productivity rates, and the overall performance and utilization of
19 the Optimizer software.

20 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
21 to this request as unduly burdensome and disproportionate to the needs of the case. As written,
22 this request stretches back indefinitely, and potentially sweeps in decades-old documents regard-
23 less of their relevancy to Plaintiffs' claims. The burden of obtaining and producing all such doc-
24 uments across decades disproportionately outweighs any possible need for the requested docu-
25 ments.

26 Defendants further object to this request on the ground that the phrase "quality control
27 checks" is vague and ambiguous. Defendants also object to this request to the extent it calls for the
28 production of privileged material, including but not limited to attorney-client, work product, or

1 deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a
2 final decision.

3 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
4 Defendants' General Response to All Requests for Production, above. Subject to the above objec-
5 tions and responses, Defendants are willing to meet and confer to discuss this request.

6
7 **Request for Production No. 14.** All Documents regarding complaints, grievances, requests for
8 change, or like reports from enumerators or Bureau employees regarding the NRFU process, in-
9 cluding but not limited to improper enumeration processes; inaccuracies in enumeration; work-
10 flow or assignments; instruction or pressure to alter any enumerations or enumeration processes;
11 submission or false or potentially false/knowingly inaccurate enumerations; and the NRFU soft-
12 ware and any limitations in its ability to allow for accurate enumeration, particularly once a
13 housing unit/address has been marked as complete via methods other than live enumeration.

14 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
15 to this request as unduly burdensome and disproportionate to the needs of the case. As written,
16 this request stretches back indefinitely, and potentially sweeps in decades-old documents regard-
17 less of their relevancy to Plaintiffs' claims. The burden of obtaining and producing all such doc-
18 uments across decades disproportionately outweighs any possible need for the requested docu-
19 ments.

20 Defendants further object to this request on the ground that the terms "complaints," "griev-
21 ances," "requests for change," "like reports," and "live enumeration" are vague and ambiguous.
22 Defendants also object to this request to the extent it calls for the production of privileged material,
23 including but not limited to attorney-client, work product, or deliberative process privilege, as it
24 may pertain to ongoing deliberations and planning prior to a final decision.

25 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
26 Defendants' General Response to All Requests for Production, above. Subject to the above objec-
27 tions and responses, Defendants are willing to meet and confer to discuss this request.

1 **Request for Production No. 15.** Documents Sufficient to Show the details of the Bureau's cur-
2 rent data-processing plans, procedures, and schedule, including how the current plans, proce-
3 dures, and schedule differ, have been altered, or steps have been eliminated, from the data-pro-
4 cessing operations contemplated in the Final Operational Plan, and Defendants' understanding of
5 the quality impacts that will result as a consequence of those eliminations or alterations.

6 **OBJECTIONS:** Defendants incorporate by reference the above objections. Defendants further
7 object to this request on the ground that the term "quality impacts" is vague and ambiguous. De-
8 fendants also object to this request to the extent it calls for the production of privileged material,
9 including but not limited to attorney-client, work product, or deliberative process privilege, as it
10 may pertain to ongoing deliberations and planning prior to a final decision.

11 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
12 Defendants' General Response to All Requests for Production and to Defendants' response to Re-
13 quest for Production No. 2, above. Subject to the above objections and responses, Defendants are
14 willing to meet and confer to discuss this request.

15
16 **Request for Production No. 16.** Documents Sufficient to Show the role that the data-processing
17 operations contemplated in the Final Operational Plan play in reducing or eliminating under-
18 counts, and/or differential undercounts, of hard to count groups, including racial or ethnic minor-
19 ity groups, and Defendants' understanding of the consequences of eliminating or altering those
20 operations for reducing or eliminating undercounts.

21 **OBJECTIONS:** Defendants incorporate by reference the above objections. Defendants also ob-
22 ject to this request to the extent it calls for the production of privileged material, including but not
23 limited to attorney-client, work product, or deliberative process privilege, as it may pertain to on-
24 going deliberations and planning prior to a final decision.

25 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
26 Defendants' General Response to All Requests for Production and to Defendants' response to Re-
27 quest for Production No. 2, above. Subject to the above objections and responses, Defendants are
28 willing to meet and confer to discuss this request.

1 **Request for Production No. 17.** All Documents regarding how and to what extent data pro-
2 cessing will correct, fix, supplement, or alter the 2020 Census population counts as a result of
3 any changes to data collections made and implemented by Defendants from August 3, 2020 to
4 the end of the data collection period.

5 **OBJECTIONS:** Defendants incorporate by reference the above objections. Defendants further
6 object to this request on the ground that the phrase “correct, fix, supplement, or alter the 2020
7 Census population counts as a result of any changes to data collections” is vague and ambiguous.
8 Defendants also object to this request to the extent it calls for the production of privileged material,
9 including but not limited to attorney-client, work product, or deliberative process privilege, as it
10 may pertain to ongoing deliberations and planning prior to a final decision.

11 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
12 Defendants’ General Response to All Requests for Production, above. Subject to the above objec-
13 tions and responses, Defendants are willing to meet and confer to discuss this request.

14
15 **Request for Production No. 18.** Documents Sufficient to Show the Census Unedited File (CUF)
16 quality indicators, including but not limited to the numbers and percent of records (a) identified
17 as duplicate enumerations across different addresses, (b) that do not contain information suffi-
18 cient for deduplication, (c) that required status or count imputation, (d) created by count imputa-
19 tion, (e) that will require whole person imputation, (f) missing a complete name, (g) missing a
20 date of birth, (h) from administrative records, (i) from administrative records lacking complete
21 names or date of birth, and (j) that required item imputation for race, Hispanic origin, sex, and
22 age.

23 **OBJECTION:** Defendants incorporate by reference the above objections. Defendants also object
24 to this request as unduly burdensome and disproportionate to the needs of the case. As written,
25 this request potentially implicates materials that are currently not available, and which may not be
26 available until a later date, if ever.

Defendants further object to this request because the term “quality indicators” is vague and ambiguous. Defendants also object to this request to the extent it calls for the production of privileged material, including but not limited to attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a final decision.

RESPONSE: Subject to and without waiving the above objections, Defendants refer Plaintiffs to Defendants’ General Response to All Requests for Production and to Defendants’ response to Request for Production No. 2, above. Subject to the above objections and responses, Defendants are willing to meet and confer to discuss this request.

Request for Production No. 19. All Documents regarding the Replan’s effects or potential effects on differential undercounts or potential differential undercounts of hard-to-count populations, including tribal populations, communities of color, legal and illegal immigrants.

OBJECTIONS: Defendants incorporate by reference the above objections. Defendants also object to this request to the extent it calls for the production of privileged material, including but not limited to attorney-client, work product, or deliberative process privilege, as it may pertain to ongoing deliberations and planning prior to a final decision.

RESPONSE: Subject to and without waiving the above objections, Defendants refer Plaintiffs to Defendants’ General Response to All Requests for Production, above. Subject to the above objections and responses, Defendants are willing to meet and confer to discuss this request.

Request for Production No. 20. All Documents provided or to be provided by Defendants to the OIG with respect to the 2020 Census, or provided to Defendants from OIG.

OBJECTIONS: Defendants incorporate by reference the above objections. Defendants also object to this request as unduly burdensome and disproportionate to the needs of the case. As written, this request stretches back years, and sweeps in a variety of materials regardless of their relevancy to Plaintiffs’ claims. The burden of obtaining and producing all such documents disproportionately outweighs any possible need for the requested documents, particularly when Defendants have already produced the OIG documents that are most relevant to this litigation.

1 Defendants also object to this request to the extent it calls for the production of privileged
2 material, including but not limited to attorney-client, work product, or deliberative process privi-
3 lege, as it may pertain to ongoing deliberations and planning prior to a final decision.

4 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
5 Defendants' General Response to All Requests for Production, above. Subject to the above objec-
6 tions and responses, Defendants are willing to meet and confer to discuss this request.

7
8 **Request for Production No. 21.** All Documents and Communications to or from Secretary Ross
9 regarding the 2020 Census, including but not limited to all Communications, Documents, data,
10 and reports Secretary Ross has submitted or will submit directly or indirectly to the President or
11 President's liaisons or staff.

12 **OBJECTIONS:** Defendants incorporate by reference the above objections. Defendants also ob-
13 ject to this request as unduly burdensome and disproportionate to the needs of the case. As written,
14 this request stretches back years, and sweeps in a variety of materials regardless of their relevancy
15 to Plaintiffs' claims. The burden of obtaining and producing all such documents disproportion-
16 ately outweighs any possible need for the requested documents.

17 Defendants also object to this request to the extent it calls for the production of privileged
18 material, including but not limited to attorney-client, work product, deliberative process, or any
19 other executive privilege.

20 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
21 Defendants' General Response to All Requests for Production, above. Subject to the above objec-
22 tions and responses, Defendants are willing to meet and confer to discuss this request.

23
24 **Request for Production No. 22.** All Documents regarding the July 21, 2020 Presidential Memo-
25 randum, including but not limited to the processes, plans and schedules to effectuate and imple-
26 ment the Presidential Memorandum, the effects of such effectuation and implementation on the
27 2020 Census and Bureau personnel, resources, and funds, and the potential or actual effects on
28

1 differential undercounts as a result of the Presidential Memorandum or its effectuation and im-
2 plementation.

3 **OBJECTIONS:** Defendants incorporate by reference the above objections. Defendants also ob-
4 ject to this request as unduly burdensome and disproportionate to the needs of the case. As written,
5 this request sweeps in a variety of materials regarding the methodologies used to implement the
6 Presidential Memorandum that have no relevance to Plaintiffs' claims. The burden of obtaining
7 and producing all such documents disproportionately outweighs any possible need for the re-
8 quested documents.

9 Defendants also object to this request to the extent it calls for the production of privileged
10 material, including but not limited to attorney-client, work product, deliberative process, or any
11 other executive privilege.

12 **RESPONSE:** Subject to and without waiving the above objections, Defendants refer Plaintiffs to
13 Defendants' General Response to All Requests for Production, above. Subject to the above objec-
14 tions and responses, Defendants are willing to meet and confer to discuss this request.

1 DATED: November 27, 2020

JEFFREY BOSSERT CLARK
Acting Assistant Attorney General

JOHN V. COGHLAN
Deputy Assistant Attorney General

AUGUST E. FLENTJE
Special Counsel to the Assistant
Attorney General

ALEXANDER K. HAAS
Branch Director

DIANE KELLEHER
BRAD P. ROSENBERG
Assistant Branch Directors

/s/ Alexander V. Sverdlov
ALEXANDER V. SVERDLOV
(New York Bar No. 4918793)
STEPHEN EHRLICH
M. ANDREW ZEE
Trial Attorneys
U.S. Department of Justice
Civil Division - Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20005
Telephone: (202) 305-0550

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 27, 2020, I served the foregoing via email to designated counsel of record for Plaintiffs:

Amit Makker	Amit.Makker@lw.com
Sadik Huseny	Sadik.Huseny@lw.com
Jon M. Greenbaum	jgreenbaum@lawyerscommittee.org
Danielle Goldstein	Danielle.Goldstein@lacity.org
Michael Multalipassi	michaelmu@ci.salinas.ca.us
Rafey Balabanian	rbalabanian@edelson.com
Donald R. Pongrace	dpongrace@akingump.com
David I. Holtzman	David.Holtzman@hklaw.com
NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com	

/s/ Alexander V. Sverdlov
Alexander V. Sverdlov

EXHIBIT 3

From: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>
Sent: Tuesday, November 24, 2020 8:39 PM
To: Makker, Amit (Bay Area); Flentje, August (CIV); Kelleher, Diane (CIV); Rosenberg, Brad (CIV); Zee, M. Andrew (CIV); Ehrlich, Stephen (CIV)
Cc: #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM
Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Service of Discovery

Amit,

We appreciate your offer. At this time, Defendants are continuing to study Plaintiffs' requests and are working to ascertain the volume of materials that could potentially be responsive. As you know, Plaintiffs requested an extraordinarily short window for our responses to these requests, and we are not going to be in a position to have a meaningful meet and confer before we submit those responses. We believe discussing the scope of Defendants' production and ways to streamline the burden that Plaintiffs' broad requests impose will be more productive after we have more time to evaluate your requests and our collected documents, and you have an opportunity to review our responses. We are happy to set up a time to talk next week.

Best,
Aleks

Alexander Sverdlov

Trial Attorney | Federal Programs Branch
Civil Division | U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Phone: (202) 305-8550

From: Amit.Makker@lw.com <Amit.Makker@lw.com>
Sent: Tuesday, November 24, 2020 5:55 PM
To: Flentje, August (CIV) <AFlentje@CIV.USDOJ.GOV>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <DKellehe@CIV.USDOJ.GOV>; Rosenberg, Brad (CIV) <BRosenbe@civ.usdoj.gov>; Zee, M. Andrew (CIV) <mzee@CIV.USDOJ.GOV>; Sverdlov, Alexander V. <ASverdlo@civ.usdoj.gov>; Ehrlich, Stephen (CIV) <sehrlich@CIV.USDOJ.GOV>
Cc: NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com
Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Service of Discovery

Counsel-

We have not heard from you on our offer to meet and confer regarding Plaintiffs' requests, so we are reaching out again.

The sooner we meet and confer, the more streamlined and less burdensome Defendants' document productions will be. As is typical, the parties should work together, for example, on focusing on the right custodians and keyword search terms. In addition, as we have previously discussed, many of the requests can likely be resolved in a straightforward way, by printing out reports or making data available from Defendants' databases and electronic programs (i.e., for most if not all of the requests requiring information about Census metrics, completion, and so on). But a discussion with you

on what data and reports are available will be critical, and will serve to avoid unnecessary motion practice. Additionally, summary report type documents should be readily available, for example in explaining the processing anomalies that the Bureau has publicized.

Please let us know when you are available to discuss these issues. As you know, there is an extremely limited window for discovery in this case, and the first tranche of documents is set for production next Tuesday, December 1. We very much want to avoid additional unnecessary motion practice here, but if a motion to compel becomes necessary, we will have to file it almost immediately, on an expedited timeframe, so our meet and confer process should start now. We believe that the Court would expect the same.

Would tomorrow at 1pm Pacific work? It would be good to do this before Thanksgiving. We can use the following dial-in information if that time works:

Dial: 877-205-3155

Code: 100721

Thank you,
-Amit Makker

From: Makker, Amit (Bay Area) <Amit.Makker@lw.com>

Sent: Tuesday, November 17, 2020 8:38 PM

To: august.flentje@usdoj.gov; alexander.haas@usdoj.gov; diane.kelleher@usdoj.gov; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>; Zee, M. Andrew (CIV) <M.Andrew.Zee@usdoj.gov>; Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>; stephen.ehrlich@usdoj.gov

Cc: #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM <NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com>

Subject: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Service of Discovery

Counsel-

Attached please find for service Plaintiffs' First Set of Requests for Production (No. 1-22) in the *National Urban League v. Ross* action. Plaintiffs are available to meet and confer with Defendants immediately to discuss what data/materials are readily available for production, the right limitations on custodians, agreements on keyword searching, and if any specific time limitations beyond those already included in or contemplated by the requests would be appropriate. As per our call last week, we want to minimize production burdens as much as reasonably possible, and the sooner we can discuss and address any requests or concerns from Defendants, the more we can all ensure a timely document production and an ultimate deposition schedule that provides for as much flexibility, at year-end, as possible.

Per agreement, we are serving these by email—if you would like hard copy sent as well, please let us know.

Best regards,

Amit Makker

LATHAM & WATKINS LLP

505 Montgomery Street, Suite 2000

San Francisco, CA 94111-6538

Direct Dial: +1.415.395.8034

Fax: +1.415.395.8095

Email: amit.makker@lw.com

<https://www.lw.com>

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, disclosure, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies including any attachments.

Latham & Watkins LLP or any of its affiliates may monitor electronic communications sent or received by our networks in order to protect our business and verify compliance with our policies and relevant legal requirements. Any personal information contained or referred to within this electronic communication will be processed in accordance with the firm's privacy notices and Global Privacy Standards available at www.lw.com.

EXHIBIT 4

From: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>
Sent: Tuesday, December 8, 2020 9:54 AM
To: Makker, Amit (Bay Area); Huseny, Sadik (Bay Area)
Cc: Flentje, August (CIV); alexander.haas@usdoj.gov; Kelleher, Diane (CIV); Rosenberg, Brad (CIV); Zee, M. Andrew (CIV); Ehrlich, Stephen (CIV); #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM; Rebecca.Hirsch2@cityofchicago.org; MGodfrey@AKINGUMP.com; wolft@brennan.law.nyu.edu; michaelmu@ci.salinas.ca.us; erosenberg@lawyerscommittee.org; Danielle.goldstein@lacity.org; asaini@lawyerscommittee.org; David.Holtzman@hklaw.com
Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Amit,

We do not agree with your characterizations, but are happy to discuss further by phone. We will plan to speak to you at 9am PT.

Best,
Aleks

Alexander Sverdlov

Trial Attorney | Federal Programs Branch
Civil Division | U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Phone: (202) 305-8550

From: Amit.Makker@lw.com <Amit.Makker@lw.com>
Sent: Tuesday, December 08, 2020 12:18 AM
To: Sverdlov, Alexander V. <ASverdlo@civ.usdoj.gov>; Sadik.Huseny@lw.com
Cc: Flentje, August (CIV) <AFlentje@CIV.USDOJ.GOV>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <DKellehe@CIV.USDOJ.GOV>; Rosenberg, Brad (CIV) <BRosenbe@civ.usdoj.gov>; Zee, M. Andrew (CIV) <mzee@CIV.USDOJ.GOV>; Ehrlich, Stephen (CIV) <sehrlich@CIV.USDOJ.GOV>; NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com; Rebecca.Hirsch2@cityofchicago.org; MGodfrey@AKINGUMP.com; wolft@brennan.law.nyu.edu; michaelmu@ci.salinas.ca.us; erosenberg@lawyerscommittee.org; Danielle.goldstein@lacity.org; asaini@lawyerscommittee.org; David.Holtzman@hklaw.com
Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Aleks-

We have been trying to engage with you in good faith since we served our RFPs. For weeks you refused, and your production in response to those RFPs, as well as your responses and refusals since we requested immediate production of the documents discussed in Chairwoman Maloney's letter to Secretary Ross, have been unsatisfactory, especially in light of the limited discovery period. We will continue to work with you in good faith – and that does not preclude filing a motion to compel given where we are.

We are available at 9am PT tomorrow morning. We can use this dial in:

Dial: 877.205.3155

Code: 100721

Please let us know if you plan to dial in.

Best regards,

-Amit Makker

From: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>

Sent: Monday, December 7, 2020 12:00 PM

To: Makker, Amit (Bay Area) <Amit.Makker@lw.com>; Huseny, Sadik (Bay Area) <Sadik.Huseny@lw.com>

Cc: Flentje, August (CIV) <August.Flentje@usdoj.gov>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <Diane.Kelleher@usdoj.gov>; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>; Zee, M. Andrew (CIV) <M.Andrew.Zee@usdoj.gov>; Ehrlich, Stephen (CIV) <Stephen.Ehrlich@usdoj.gov>; #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM <NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com>; Rebecca.Hirsch2@cityofchicago.org; MGodfrey@AKINGUMP.com; wolft@brennan.law.nyu.edu; michaelmu@ci.salinas.ca.us; erosenberg@lawyerscommittee.org; Danielle.goldstein@lacity.org; asaini@lawyerscommittee.org; David.Holtzman@hklaw.com

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Amit,

Defendants are of the view that a meet and confer is appropriate to attempt to resolve disputed issues. If Plaintiffs have already made up their mind to file a motion, and are merely seeking additional information to include in that motion—as your email appears to suggest—then we do not view that as a good-faith meet and confer. If you do wish to engage in a good-faith effort to resolve the dispute, we are available to discuss tomorrow, as we are currently in the midst of gathering additional information regarding the anticipated production schedule.

Best,

Aleks

Alexander Sverdlov

Trial Attorney | Federal Programs Branch
Civil Division | U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Phone: (202) 305-8550

From: Amit.Makker@lw.com <Amit.Makker@lw.com>

Sent: Monday, December 07, 2020 1:31 PM

To: Sverdlov, Alexander V. <ASverdlo@civ.usdoj.gov>; Sadik.Huseny@lw.com

Cc: Flentje, August (CIV) <AFlentje@CIV.USDOJ.GOV>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <DKellehe@CIV.USDOJ.GOV>; Rosenberg, Brad (CIV) <BRosenbe@civ.usdoj.gov>; Zee, M. Andrew (CIV) <mzee@CIV.USDOJ.GOV>; Ehrlich, Stephen (CIV) <sehrlich@CIV.USDOJ.GOV>; NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com; Rebecca.Hirsch2@cityofchicago.org; MGodfrey@AKINGUMP.com; wolft@brennan.law.nyu.edu; michaelmu@ci.salinas.ca.us; erosenberg@lawyerscommittee.org; Danielle.goldstein@lacity.org; asaini@lawyerscommittee.org; David.Holtzman@hklaw.com

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Aleks-

What would be productive is for Defendants, now 3 weeks after Plaintiffs' limited requests for production, to abide by our requests and by the end of the day today (1) produce all of the materials that Chairwoman Maloney references and that Director Dillingham discussed, along with full explanations of the relevant background and details of that set of materials, and (2) produce the reports that should satisfy a large portion of our narrowly-tailored requests. Failure to do otherwise given our expedited schedule—when you have produced a mere 175 documents to date, most of which are duplicative—will tell us that Defendants are once again focused on delay and not a good-faith, timely satisfaction of their Court-ordered obligations.

We're glad Defendants are willing to meet and confer, and can get on a call this afternoon to discuss. Let's do 2pm Pacific, using the following:

Dial: 877.205.3155

Code: 100721

On that call, please be prepared to provide us full information and context about both categories, so that we can include all relevant information in any motion we may be forced to imminently file. We will have many questions, and expect complete answers.

Best regards,

-Amit Makker

From: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>

Sent: Monday, December 7, 2020 6:13 AM

To: Makker, Amit (Bay Area) <Amit.Makker@lw.com>; Huseny, Sadik (Bay Area) <Sadik.Huseny@lw.com>

Cc: Flentje, August (CIV) <August.Flentje@usdoj.gov>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <Diane.Kelleher@usdoj.gov>; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>; Zee, M. Andrew (CIV) <M.Andrew.Zee@usdoj.gov>; Ehrlich, Stephen (CIV) <Stephen.Ehrlich@usdoj.gov>; #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM <NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com>; Rebecca.Hirsch2@cityofchicago.org; MGodfrey@AKINGUMP.com; wolft@brennan.law.nyu.edu; michaelmu@ci.salinas.ca.us; erosenberg@lawyerscommittee.org; Danielle.goldstein@lacity.org; asaini@lawyerscommittee.org; David.Holtzman@hklaw.com

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Sadik,

Your letter betrays a profound misunderstanding of defendants' discovery efforts and the applicable legal framework. Plaintiffs' allegations of purported obstruction and delay are wholly without basis, and we continue to be disappointed in plaintiffs' apparent belief that accusations and ultimatums can somehow facilitate the complex and difficult work of accommodating plaintiffs' unfocused, disproportionate, and continually-evolving discovery requests. Moreover, the tone of plaintiffs' letter is wholly unproductive. We intend to continue our ongoing efforts to produce CIG decks and other materials as quickly as is possible, and will look forward to explaining those efforts to the Court should plaintiffs choose to file their threatened motion.

As always, we are happy to discuss any issues by phone if you believe that would be productive. Please let us know if you would like to set up a time to talk.

Best,

Aleks

Alexander Sverdlov

Trial Attorney | Federal Programs Branch
Civil Division | U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Phone: (202) 305-8550

From: Amit.Makker@lw.com <Amit.Makker@lw.com>

Sent: Friday, December 04, 2020 11:46 PM

To: Sverdlov, Alexander V. <ASverdlo@civ.usdoj.gov>

Cc: Flentje, August (CIV) <AFlentje@CIV.USDOJ.GOV>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <DKellehe@CIV.USDOJ.GOV>; Rosenberg, Brad (CIV) <BRosenbe@civ.usdoj.gov>; Zee, M. Andrew (CIV) <mzee@CIV.USDOJ.GOV>; Ehrlich, Stephen (CIV) <sehrlich@CIV.USDOJ.GOV>; Sadik.Huseny@lw.com; NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com; Rebecca.Hirsch2@cityofchicago.org; MGodfrey@AKINGUMP.com; wolft@brennan.law.nyu.edu; michaelmu@ci.salinas.ca.us; erosenberg@lawyerscommittee.org; Danielle.goldstein@lacity.org; asaini@lawyerscommittee.org; David.Holtzman@hklaw.com

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Aleks-

Please find the attached correspondence from Sadik Huseny.

Best regards,

-Amit Makker

From: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>

Sent: Friday, December 4, 2020 11:55 AM

To: Makker, Amit (Bay Area) <Amit.Makker@lw.com>

Cc: Flentje, August (CIV) <August.Flentje@usdoj.gov>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <Diane.Kelleher@usdoj.gov>; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>; Zee, M. Andrew (CIV) <M.Andrew.Zee@usdoj.gov>; Ehrlich, Stephen (CIV) <Stephen.Ehrlich@usdoj.gov>; Huseny, Sadik (Bay Area) <Sadik.Huseny@lw.com>; #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM <NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com>

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Amit,

After what we all agreed was a productive meet-and-confer call with you and your colleagues, we were disappointed to receive your email. While Plaintiffs have identified some areas where we are hopeful progress can be made, they have also injected a variety of mischaracterizations, ultimatums, and threats, none of which came up during the call. Despite Plaintiffs' representations to the Court that your requests would be narrowly tailored to minimize the burden on Defendants, Plaintiffs continue to press broad and burdensome document requests while Defendants are working around the clock to complete the census. And, as we noted in our discussion, a meet-and-confer call with Plaintiffs before Wednesday would not have been productive, as it took every bit of the ten days ordered by the Court—a time period drastically shorter than that provided for by the Federal Rules of Civil Procedure—to analyze Plaintiffs' requests, consult with the Department of Commerce and Census Bureau,

determine relevant custodians, begin collecting documents, and examine the feasibility of reviewing and producing the voluminous documents responsive to Plaintiffs' requests. We thus find it most unusual for Plaintiffs to claim that Defendants "delayed" by not immediately conferring upon receipt of the requests, rather than use the already-truncated time allotted by the Court to review those requests, collect documents, and prepare their responses. As our discussion and prior correspondence should have made clear, gathering information to respond to Plaintiffs' broad inquiries is not delay, but rather a necessary part of the process—and is particularly crucial where, as here, Plaintiffs' requests and inquiries are framed in such broad and categorical terms.

Nonetheless, as you note, Defendants are working in good faith to accommodate Plaintiffs' requests by offering to prioritize certain productions, consider additional custodians, and run additional search terms.

As for your requested information:

- We are continuing to look into your question of whether there is a database of "complaints/grievances" of the kind you described on the call. We have not identified one to date. The general process for enumerator complaints appears to be as we described: an enumerator with a complaint will typically lodge that complaint with his or her supervisor at the local level. While on occasion an enumerator with a complaint might email someone at Census Bureau headquarters, we do not understand that to be a regular process.
- We are in the process of determining what kinds of data could be generated for any particular point in time. The short answer is that the availability of data depends on the level of geography and metric of interest. We expect a number of the relevant metrics, such as productivity, to be contained in the CIG reports we discussed at the national and regional levels. The availability of more granular data is a much more fact-specific inquiry, and best explored through interrogatory or deposition.
- We are working as fast as we can to continue loading documents into the database and run your proposed search terms. We will get back to you as soon as possible with the resulting hit count information (which may not be reportable in the precise manner Plaintiffs have requested). Needless to say, your proposed terms are far more extensive than Defendants' terms, and it is taking some time to get hit results.
- We appreciate your limiting the dates of the CIG reports, and we will prioritize the more recent reports for review by the Disclosure Review Board. General information on the DRB [is available here](#). As we discussed extensively on our call, it is neither possible nor reasonable to demand substantial production of these materials—some aspects of which may be statutorily protected—in a mere four days. But we are doing everything we can to expedite that process as much as possible. However, as we noted during Wednesday's call those reports are unlikely to be included in next week's production, which we currently anticipate making sometime mid-week.
- We are examining your proposal to add an additional ten custodians to the 21 already advanced by Defendants. As you know, adding more custodians will only increase the burden on Defendants. We identified the custodians we believed are most likely to have information relevant to your requests; their materials already include a significant amount of correspondence with the new custodians you identified. And while we appreciate your attempt to prioritize custodians for review, we note that of Defendants' identified custodians, you propose that a full two-thirds of them be prioritized (and more than half of them be prioritized when Plaintiffs' additional ten custodians are added in).
- Regarding the documents referenced in your cited news reports, we will be happy to consider any separate correspondence Plaintiffs wish to provide us on that issue. Despite Plaintiffs' insinuations, we can assure you that we are working in good faith to collect and review materials as quickly as possible, and that the types of materials that appear to be referenced in the news reports are within the scope of documents that are being gathered and searched. Plaintiffs' suggestion that Defendants are somehow purposefully keeping such documents from Plaintiffs is entirely without basis. So too is Plaintiffs' suggestion that Defendants are somehow not abiding by their discovery obligations. We do not believe it is appropriate to make such baseless assertions, and look forward to Plaintiffs taking a more productive tack.

Defendants will continue to work in good faith with Plaintiffs to reach reasonable solutions to discovery issues. We sincerely hope that Plaintiffs are willing to do the same, and refrain from further inappropriate threats of motions to compel, for sanctions, or for contempt, none of which are conducive to resolving the parties' disputes.

Best,
Aleks

Alexander Sverdlov

Trial Attorney | Federal Programs Branch
Civil Division | U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Phone: (202) 305-8550

From: Amit.Makker@lw.com <Amit.Makker@lw.com>

Sent: Wednesday, December 02, 2020 11:37 PM

To: Sverdlov, Alexander V. <ASverdlo@civ.usdoj.gov>

Cc: Flentje, August (CIV) <AFlentje@CIV.USDOJ.GOV>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <DKellehe@CIV.USDOJ.GOV>; Rosenberg, Brad (CIV) <BRosenbe@civ.usdoj.gov>; Zee, M. Andrew (CIV) <mzee@CIV.USDOJ.GOV>; Ehrlich, Stephen (CIV) <sehrlich@CIV.USDOJ.GOV>; Sadik.Huseny@lw.com; NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Aleks-

Thank you for the meet and confer this morning. We appreciate Defendants' willingness to prioritize certain productions, consider additional custodians, and run additional search terms to provide us with hit counts. But as noted on the call, all this needs to be resolved extremely quickly, given that Defendants declined to meet and confer shortly after we served the RFPs, and instead chose to wait for approximately 2 weeks. We are therefore in a timing crunch where additional delays cannot be tolerated.

As discussed, below are the additional custodians and search terms to include in your search protocol, as well as a recap of the topics on which you agreed to provide more information. We have also include prioritization and production dates to help streamline the process given the expedited timeline. In addition to the hit counts for each of the searches below, please also provide a tabulation of the unique documents that each search hits on (i.e., additional documents not already encompassed in Defendants' proposed searches) and a total hit count of unique documents for all of Plaintiffs' additional proposed searches together.

Finally, we raise one additional, very recent topic: news reports this afternoon/evening that Defendants have apparently created various critical documents regarding data processing that are readily available for production, but as to which Defendants have kept from Plaintiffs—including a few documents that have been leaked to the House of Representatives and a tranche of documents that Defendants have identified but not yet produced even to Congress, in an apparent effort to keep the materials from Plaintiffs in this lawsuit. *See, e.g.*, <https://talkingpointsmemo.com/news/census-internal-docs-delays>. Your first production was due last night, under Court order, and yet you included one of these readily available materials (which were identified by Defendants over a week ago, according to the media). We are extremely troubled by these reports—which hearken back to Defendants' earlier refusal to produce materials in this case, and egregious misconduct related thereto—and will follow up with you via separate correspondence on this issue. But Plaintiffs hereby demand that you immediately produce all of the documents referenced in the article—including the materials Defendants sent to the Commerce General Counsel. Any

failure or delay in doing so, or adequately explaining this failure to abide by your discovery obligations, will necessitate our filing a motion to compel and for sanctions or contempt.

1. Additional Information

Per our call, Defendants have agreed to provide us with additional information on the following topics. Please confirm that these topics are correct and that you will send us this information by Friday, December 4, 2020:

- What is the internal complaint/grievance process? Is there a database or specific place where complaints/grievances are kept and can be accessed and produced?
- What is the level of granularity you are able to ascertain by running queries in the various realtime databases you referenced on our call? For example, we have seen reports with the national enumerator productivity rates and declarations with ACO level information. Can we determine what enumerator productivity rates were on a given date or date range (i.e., snapshot in time)? In a given locality or region? Can we find out how many housing units were resolved via administrative record (or other methods) on a given date or date range (i.e., snapshot in time)? In a given locality or region?
- What is the repository for information such as ECF No. 233-2? Will all such information be produced at the same and lower geographic levels of data?

2. Custodians

Please add the following custodians, most of which were identified in Defendants' initial disclosures: Enrique Lamas, Jennifer Reichert, Pat Cantwell, Deirdre Bishop, Barbara LoPresti, Karen Battle, Steven Smith, James Treat, Adam Korzeniewski, and Michael Spring.

Please prioritize productions from the following custodians: Wilbur L. Ross, Karen Dunn Kelley, Steven Dillingham, Ron Jarmin, Michael Walsh, Daniel Risko, Albert E. Fontenot, Timothy P. Olson, James T. Christy, Christa Jones, John Abowd, Ali M. Ahmad, Nathaniel Cogley, Deborah M. Stempowski, Enrique Lamas, and James Treat.

Please confirm that Defendants agree to the above, and will produce the priority custodians' documents beginning no later than December 9, 2020 and substantially complete these productions by December 16, 2020.

3. Date Range for CIG Reports

Plaintiffs are willing to agree to a date range of July 1, 2020 to present for all CIG reports. Plaintiffs also request that production of CIG reports be prioritized in reverse chronological order (i.e., more recent reports should be prioritized over older reports).

Please confirm the above, and that Defendants will make the first (substantial) production of these materials by December 7, 2020.

4. Additional Searches

Please confirm that you will run and produce hit counts for the following additional search strings, in addition to a tabulation of the unique documents that each search hits on (i.e., additional documents not already encompassed in Defendants' proposed searches) and a total hit count of unique documents for all of Plaintiffs' additional proposed searches together. Please also confirm you will provide this information by the end of the week, which you indicated was doable.

- RFP 1
 - ("census" w/20 (("complet!" w/3 "rate!") or "calculat!"))
- RFP 2
 - (((("accur!" or "inaccur!" or "quality" or "anomal!" or "undercount") w/10 ("complet!" or "rate!" or "calculat!"))
 - ("complet!" and "2020" and ("compar!" or "versus" or "differ!") and ("2010" or "2000"))
- RFP 3

- (“census” w/10 (“progress!” or “perform!” or “quality” or “accur!” or “inaccur!” or “anomal!” or “undercount”))
- RFP 11
 - (“census” w/10 (“paradata” or “process indicat!”))
- RFP 12
 - (((“iPhone” or “text” or “messag!” or “communicat!”) w/10 (“enumerat!” or “polic!” or “procedure” or “schedul!” or “deadline” or “field operations” or “field ops” or “nonresponse followup” or “NRFU” or (“data!” w/3 “collect!”)) or “rush!” or “finish!” or “delay” or “close out” or “Sept! 30” or “9/30” or “Oct! 5” or “10/5” or “Oct! 15” or “10/15”))
- RFP 13
 - (((“productiv!” w/3 “rate”) or (“enumerator” w/3 “productivity”) or (“enumerator” w/3 “complaint”) or “quality control” or “QC” or “complet! case! per attempt” or “ccpa” or “complet! case! per hour” or “ccph” or “alert!”)
- RFP 14
 - (((“enumerator” or “census”) and (“complain!” or “grievance!” or “object!” or “accus!” or “critic!” or “fire!” or “terminat!” or “let go” or “lay off” or “laid off” or “dismiss!” or “releas!”))
- RFP 15
 - (((“data!” w/3 “process!”) w/20 (“plan!” or “schedul!” or “procedure!”))
 - (“dec! 31” or “12/31” or (“deadline” w/10 (“census” or “produc!” or “report” or “apportion!” or “redistrict!” or “change!” or “modif!” or “alter!” “adjust!” or “amend!” or “short!” or “cut!” or “delay” or “statutory” or “violat!” or “not meet” or “blow” or “WLR” or “Ross”)))
- RFP 17
 - (((“data!” w/3 “process!”) or (“pop!” w/3 “count!”) or “enumerat!” or “NRFU” or “nonresponse followup” or (“data!” w/3 “collect!”)) and (“fix!” or “correct!” or “anomal!” or “supplement!” or “alter!”))
 - (“anomal!” w/3 (“summary” or “tracker” or “timeline”))
- RFP 19
 - (((“census” or “NRFU” or “field operations” or “field ops” or “nonresponse followup” or (“data” w/3 “collect!”) or (“data” w/3 “process!”) or “post process!” or “prox!” or “adrec” or “administrative records” or “pop count”) and “undercount”)
- RFP 20
 - (“Office of the Inspector General” or “OIG”) and (“census” or “covid” or “replan” or “statutory deadline” or “apportion!” or “redistrict!” or “NRFU” or “field operations” or “field ops” or “nonresponse followup” or (“data” w/3 “process!”) or “post process!” or “post collect!” or “prox!” or “adrec” or “administrative records” or “pop count” or (“enumerator” w/3 “productivity”) or “unedited file” or “CUF” or (“enumerator” w/3 “complaint”) or ((“Trump” or “white house” or “president” or “WH”) and (“census” or “Presidential Memorandum” or “memorandum” or “memo” or “PM” or “exclud!” or “subtract” and “back out”)))
- RFP 21
 - (“census” or “covid” or “replan” or “statutory deadline” or “apportion!” or “redistrict!” or “NRFU” or “field operations” or “field ops” or “nonresponse followup” or (“data” w/3 “process!”) or “post process!” or “post collect!” or “prox!” or “adrec” or “administrative records” or “pop count” or (“enumerator” w/3 “productivity”) or “unedited file” or “CUF” or (“enumerator” w/3 “complaint”) or ((“Trump” or “white house” or “president” or “WH”) and (“census” or “Presidential Memorandum” or “memorandum” or “memo” or “PM” or “exclud!” or “subtract” and “back out”)))
- RFP 22
 - (((“Presidential Memorandum” or (“PM” and “census”)) and (“exclude!” or “subtract” and “back out” or “Trump” or “white house” or “president” or “WH” or “immigrant” or “alien” or “undocumented” or “illegal” or “unlawful” or “deadline” or “produc!”))

Thank you,
-Amit Makker

From: Makker, Amit (Bay Area) <Amit.Makker@lw.com>

Sent: Tuesday, December 1, 2020 3:01 PM

To: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>

Cc: Flentje, August (CIV) <August.Flentje@usdoj.gov>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <Diane.Kelleher@usdoj.gov>; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>; Zee, M. Andrew (CIV) <M.Andrew.Zee@usdoj.gov>; Ehrlich, Stephen (CIV) <Stephen.Ehrlich@usdoj.gov>; Huseny, Sadik (Bay Area) <Sadik.Huseny@lw.com>; #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM <NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com>

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Aleks-

Let's plan to discuss at 8:30 a.m. PT on Wednesday. We can use the following dial-in for tomorrow:

Dial: 877-205-3155

Code: 100721

If there is any misunderstanding on your responses, it is because they are not clear as to what you will produce and from where. This is why we suggested an earlier meet-and-confer. We will be prepared to discuss our concerns with Defendants' custodians and search, and ask that you be prepared to discuss the items listed in my previous email.

Please also let us know when you expect to serve your production today.

Best regards,

-Amit Makker

From: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>

Sent: Tuesday, December 1, 2020 8:11 AM

To: Makker, Amit (Bay Area) <Amit.Makker@lw.com>

Cc: Flentje, August (CIV) <August.Flentje@usdoj.gov>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <Diane.Kelleher@usdoj.gov>; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>; Zee, M. Andrew (CIV) <M.Andrew.Zee@usdoj.gov>; Ehrlich, Stephen (CIV) <Stephen.Ehrlich@usdoj.gov>; Huseny, Sadik (Bay Area) <Sadik.Huseny@lw.com>; #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM <NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com>

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Amit,

We are disappointed that Plaintiffs take issue with our objections and responses. As you no doubt gathered, we took great care to determine the best path to respond to the unrealistically broad and burdensome requests Plaintiffs have made. Indeed, your email suggests that you did not properly read or understand our responses. We specifically indicated that we would seek to satisfy the sufficient-to-show data requests with various types of documents separate and apart from email searches; these documents, we believe, should have the very types of data information Plaintiffs are seeking. To the extent you believe you have a better understanding of what specific type of internal documents would satisfy your requests, we would be happy to hear your suggestion.

Likewise, we would appreciate if you be prepared to discuss what specifically you find lacking about "Defendants' custodians" or "Defendants' proposed search methodology and search terms." In fact, we would be happy to run a set of search terms you propose and report to you on the volume of materials such a set generates. As I am sure you will appreciate, the extraordinarily short period for discovery that you have requested places real limits on Defendants' ability to review and produce massive quantities of materials.

We would be happy to talk about all these issues anytime after 10 am Eastern on Wednesday morning. Please let us know what time works for you.

Best,
Aleks

Alexander Sverdlov

Trial Attorney | Federal Programs Branch
Civil Division | U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Phone: (202) 305-8550

From: Amit.Makker@lw.com <Amit.Makker@lw.com>

Sent: Monday, November 30, 2020 11:13 PM

To: Sverdlov, Alexander V. <ASverdlo@civ.usdoj.gov>

Cc: Flentje, August (CIV) <AFlentje@CIV.USDOJ.GOV>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <DKellehe@CIV.USDOJ.GOV>; Rosenberg, Brad (CIV) <BRosenbe@civ.usdoj.gov>; Zee, M. Andrew (CIV) <mzee@CIV.USDOJ.GOV>; Ehrlich, Stephen (CIV) <sehrlich@CIV.USDOJ.GOV>; Sadik.Huseniy@lw.com; NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Aleks-

We received your objections and responses late on Friday evening, and have carefully reviewed them. We believe Defendants' objections are without merit, and as expected this would have benefitted greatly from an initial meet-and-confer (Defendants' unilaterally proposed search terms, which are extremely narrow and unacceptable; Defendants' apparent decision to not produce any data or reports but do email searches, even though most of the requests are sufficient to show requests that can easily be satisfied by producing readily-available data and reports; etc.). We now reiterate our request for a meet-and-confer. Please let us know if 11:30 a.m. PT tomorrow (Tuesday) works for you. In particular, please be prepared to discuss the following:

- Defendants' responses to the RFPs and expected scope of tomorrow's first tranche production
- Defendants' document repositories
- Defendants' proposed search methodology and search terms
- Defendants' custodians
- The contents and scope of briefings to Commerce Department Leadership and briefings presented to the Census Integration Group
- Defendants' anticipated timeline for future productions

We can use the following dial-in for tomorrow:

Dial: 877-205-3155

Code: 100721

If 11:30 a.m. PT tomorrow does not work, please propose another time tomorrow or Wednesday morning. As previously noted, if we cannot reach agreement very quickly—and see a substantial production tomorrow—we will have to file an expedited motion to compel where we will seek all appropriate relief.

Best regards,
-Amit Makker

From: Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>

Sent: Friday, November 27, 2020 8:31 PM

To: Makker, Amit (Bay Area) <Amit.Makker@lw.com>; Flentje, August (CIV) <August.Flentje@usdoj.gov>; alexander.haas@usdoj.gov; Kelleher, Diane (CIV) <Diane.Kelleher@usdoj.gov>; Rosenberg, Brad (CIV) <Brad.Rosenberg@usdoj.gov>; Zee, M. Andrew (CIV) <M.Andrew.Zee@usdoj.gov>; Ehrlich, Stephen (CIV) <Stephen.Ehrlich@usdoj.gov>; Makker, Amit (Bay Area) <Amit.Makker@lw.com>; Huseny, Sadik (Bay Area) <Sadik.Huseny@lw.com>; Jon M. Greenbaum <jgreenbaum@lawyerscommittee.org>; Danielle Goldstein <Danielle.goldstein@lacity.org>; Michael Mutalipassi <michaelmu@ci.salinas.ca.us>; Rafey S. Balabanian <rbalabanian@edelson.com>; dponggrace@akingump.com; david.holtzman@hklaw.com; #C-M NATIONAL URBAN LEAGUE V ROSS - LW TEAM <NATIONALURBANLEAGUEVROSS.LWTEAM@lw.com>; Sverdlov, Alexander V. <Alexander.V.Sverdlov@usdoj.gov>

Subject: RE: National Urban League v. Ross, No. 5:20-cv-5799-LHK (N.D. Cal) – Defendants' Objections and Responses to Plaintiffs' Requests for Production

Counsel,

Consistent with the parties' agreement to accept service by email, please find Defendants' objections and responses to Plaintiffs' First Set of Requests for Production, attached.

Best,
Aleks

Alexander Sverdlov

Trial Attorney | Federal Programs Branch
Civil Division | U.S. Department of Justice
P.O. Box 883
Washington, DC 20044
Phone: (202) 305-8550

This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, disclosure, reliance or distribution by others or forwarding without express permission is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies including any attachments.

Latham & Watkins LLP or any of its affiliates may monitor electronic communications sent or received by our networks in order to protect our business and verify compliance with our policies and relevant legal requirements. Any personal information contained or referred to within this electronic communication will be processed in accordance with the firm's privacy notices and Global Privacy Standards available at www.lw.com.

EXHIBIT 5

Sadik Huseny

Direct Dial: +1.415.395.8116

sadik.huseny@lw.com

505 Montgomery Street, Suite 2000

San Francisco, California 94111-6538

Tel: +1.415.391.0600 Fax: +1.415.395.8095

www.lw.com

LATHAM & WATKINS LLP

December 4, 2020

VIA EMAIL

Alexander V. Sverdlov
U.S. Department of Justice
Civil Division – Federal Programs Branch
1100 L Street, NW
Washington, D.C. 20005
Telephone: (202) 305-0550
Email: alexander.v.sverdlov@usdoj.gov

FIRM / AFFILIATE OFFICES

Beijing	Moscow
Boston	Munich
Brussels	New York
Century City	Orange County
Chicago	Paris
Dubai	Riyadh
Düsseldorf	San Diego
Frankfurt	San Francisco
Hamburg	Seoul
Hong Kong	Shanghai
Houston	Silicon Valley
London	Singapore
Los Angeles	Tokyo
Madrid	Washington, D.C.
Milan	

Re: National Urban League et al. v. Ross et al., No. 5:20-cv-05799-LHK (N.D. Cal.)

Dear Aleks:

I write to follow up on the parties' email exchanges about Defendants' approach to date regarding Plaintiffs' requests for production.

As you are aware, the schedule for discovery in this case is extremely expedited, and too short for Defendants to delay production of documents that can and should be immediately be produced. Per the Court's November 13, 2020 order (ECF No. 357), Defendants were to start substantially producing documents in response to Plaintiffs' Requests for Production on December 1, 2020. Instead, after refusing to meet and confer for weeks, Defendants produced a paltry 175 documents, many of which were duplicates, and many of which were duplicative of documents already produced in this litigation.

This is unacceptable, particularly in light of Defendants' well-documented history of delay and obfuscation in this case. The excuses given us for the failure to appropriately produce to date (everyone is just too busy; confidentiality issues must be worked through; Defendants don't know what Plaintiffs really want; Defendants have to deal with privilege) are contrived. They were also discussed during our last court hearing and rejected as the Court worked out a compromise, expedited fact discovery period.

Enough is enough. My colleagues will continue to work with you in ensuring that a substantial production is received by the middle of next week on the various email tranches that have been discussed. But it is now very clear that the government has gathered and identified two sets of materials that it should have disclosed already, and which could be disclosed with little effort. Specifically:

1. A recently-revealed letter from Congress indicates that Defendants have in fact already gathered and produced to the General Counsel at the Department of Commerce a set of documents directly relevant to this litigation.¹ Indeed, the implication of Chairwoman

¹ Ltr. From Chairwoman Maloney, Committee on Oversight and Reform, to Defendant Ross, Department of Commerce (Dec. 2, 2020), available at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-12-02.CBM%20to%20Ross-Commerce%20re%202020%20Census%20Count.pdf>.

LATHAM & WATKINS^{LLP}

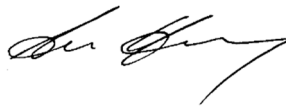
Maloney's letter is that Defendant Dillingham told the Committee that Defendants are withholding the documents from Congress *precisely* so that they are not produced in this litigation.² This is not an accusation coming from Plaintiffs, but from Congress, which quotes Director Dillingham and other top Census Bureau officials as saying the materials had been gathered but not cleared for release due to "concerns about ongoing litigation." Your failure to notify or discuss this with us in any respect is inexcusable, as is the failure to produce. All of these materials—including transmittal emails, correspondence, and talking points regarding the materials as between Congress and Defendants—must be produced now.

2. Defendants have also failed to produce *any* Census Integration Group ("CIG") documents or summary/aggregate report data on December 1 with your first production, or explain why this data—which Plaintiffs requested in carefully crafted and narrowly-tailored sufficient-to-show requests—requires the lengthy confidentiality review you claim it all does. Many of these materials clearly do not, as they are the sort of high level reports and summary information that do *not* contain or could not possibly contain individual-level confidentiality issues whatsoever. (For example, enumerator productivity information does not relate to a census respondent's information). Defendants have these materials, acknowledge they are responsive, but claim they will eventually get around to producing them at the end of December, thereby drastically prejudicing Plaintiffs' ability to take factual depositions or provide adequate expert reports.

Your failure to produce these materials to date is already a violation of the Court's orders and your discovery obligations. In an effort to avoid having to file yet another motion in this case seeking to compel Defendants to abide by their Court-ordered obligations, we have asked you previously to confirm that you will produce these materials to us immediately. You have refused.

We must receive by 5pm Pacific time on Monday, December 7, 2020 every single document set forth in category (1), and a material and substantial amount of the reports and aggregate summaries covered by category (2). **Please confirm by 9am Eastern time on Monday December 7, 2020, that you will make these productions by that time.** If you do not confirm, we will be forced to start preparing a motion to compel and for sanctions/contempt, for filing on Monday.

Best regards,



Sadik Huseny
of LATHAM & WATKINS LLP

CC via email: august.flentje@usdoj.gov; alexander.haas@usdoj.gov; diane.kelleher@usdoj.gov; brad.rosenberg@usdoj.gov; m.andrew.zee@usdoj.gov; stephen.ehrlich@usdoj.gov; rebecca.hirsch2@cityofchicago.org; mgodfrey@akingump.com; wolft@brennan.law.nyu.edu; michaelmu@ci.salinas.ca.us; erosenberg@lawyerscommittee.org; danielle.goldstein@lacity.org; asaini@lawyerscommittee.org; david.holtzman@hklaw.com

² See *id.* ("The Department's insistence on withholding documents due to 'ongoing litigation' raises questions about whether the Administration is seeking to conceal information not only from Congress, but from the Judiciary.").

EXHIBIT 6

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0015982	Dec. 1 Prod	65	12/19/12 12:00 AM	2010 Census Service-Based Enumeration Operation Assessment Report
DOC_0016047	Dec. 1 Prod	124	9/5/12 12:00 AM	2010 Census Enumeration at Transitory Locations Assessment Report
DOC_0016171	Dec. 1 Prod	1	5/11/20 5:13 PM	Email from B. Brooke to K. Kelley et al. re: "FW: 2020 Census Materials for Today's Meeting with the Deputy Secretary Attached"
DOC_0016172	Dec. 1 Prod	1	5/11/20 12:00 AM	Senior Management Agenda
DOC_0016173	Dec. 1 Prod	22	5/11/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for May 11, 2020)
DOC_0016195	Dec. 1 Prod	21	5/11/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for May 11, 2020)
DOC_0016216	Dec. 1 Prod	8	5/11/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for May 18, 2020)
DOC_0016224	Dec. 1 Prod	25	FY 2020, Q2	Agency Priority Goal Action Plan: Conduct a Complete and Accurate 2020 Decennial Census
DOC_0016249	Dec. 1 Prod	1		Outline of NRFU Presentation
DOC_0016250	Dec. 1 Prod	5	5/30/20 12:00 AM	2020 Census Quality Teams: Supporting a Complete and Accurate Count for the 2020 Census
DOC_0016255	Dec. 1 Prod	2	6/1/20 8:21 PM	Email from C. Tucker to M. Burris et al. re: "AP: Census hits milestone as states worry about deadline switch"
DOC_0016257	Dec. 1 Prod	1	6/2/20 8:58 PM	Email from K. Kelly to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016258	Dec. 1 Prod	2	6/5/20 7:45 PM	Email from K. Kelley to S. Smith re: "Senior Management Committee"
DOC_0016260	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0016261	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016277	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016281	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0016284	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016300	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0016308	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016326	Dec. 1 Prod	1		Email to N. Cogley et al. re: "Canceled Senior Management Decennial Committee"
DOC_0016327	Dec. 1 Prod	1	6/2/20 8:58 PM	Email from K. Kelley to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016328	Dec. 1 Prod	2	6/5/20 7:45 PM	Email from K. Kelley to S. Smith re: "Senior Management Committee"
DOC_0016330	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0016331	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016347	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016351	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016354	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016370	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0016378	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016396	Dec. 1 Prod	1	6/2/20 8:58 PM	Email from K. Kelley to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016397	Dec. 1 Prod	2	6/5/20 7:45 PM	Email from K. Kelley to S. Smith re: "Senior Management Committee"
DOC_0016399	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0016400	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016416	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016420	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0016423	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016439	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0016447	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016465	Dec. 1 Prod	1	8/24/20 12:52 AM	Email from K. Kelley to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016466	Dec. 1 Prod	2	10/13/20 12:37 PM	Email from K. Kelley to J. Bryant et al. re: "Senior Management Decennial Committee"
DOC_0016468	Dec. 1 Prod	1	6/2/20 8:58 PM	Email from K. Kelley to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016469	Dec. 1 Prod	2	6/5/20 7:45 PM	Email from K. Kelley to S. Smith re: "Senior Management Committee"
DOC_0016471	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0016472	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016488	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016492	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016495	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016511	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0016519	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016537	Dec. 1 Prod	1	8/24/20 12:52 AM	Email from K. Kelley to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016538	Dec. 1 Prod	2	10/13/20 12:37 PM	Email from K. Kelley to J. Bryant et al. re: "Senior Management Decennial Committee"
DOC_0016540	Dec. 1 Prod	1	6/2/20 8:58 PM	Email from K. Kelley to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016541	Dec. 1 Prod	2	6/5/20 7:45 PM	Email from K. Kelley to S. Smith re: "Senior Management Committee"

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0016543	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0016544	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016560	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016564	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016567	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016583	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0016591	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016609	Dec. 1 Prod	1	8/24/20 12:52 AM	Email from K. Kelley to K. Kelley et al. re: "Senior Management Decennial Committee"
DOC_0016610	Dec. 1 Prod	2	10/13/20 12:37 PM	Email from K. Kelley to J. Bryant et al. re: "Senior Management Decennial Committee"
DOC_0016612	Dec. 1 Prod	14	6/2/20 9:29 PM	Email from S. Brasch to R. Estrada, et al. re: "7th Letter on 6-2-20: The U.S. Census Bureau St. Louis, MO office clearly is not following the CDC guidelines and is not a safe working environment for our employees"
DOC_0016626	Dec. 1 Prod	2		Draft Responses to S. Brasch's questions
DOC_0016628	Dec. 1 Prod	14	6/8/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016642	Dec. 1 Prod	14	6/8/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016656	Dec. 1 Prod	14	6/8/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016670	Dec. 1 Prod	14	6/8/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016684	Dec. 1 Prod	14	6/8/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016698	Dec. 1 Prod	26	3/7/05 12:00 AM	Research Report Series (Statistics 2005-01): Imputation, Apportionment, and Statistical Methods in the U.S. Census: Issues Surrounding Utah v. Evans
DOC_0016724	Dec. 1 Prod	113	9/25/03 12:00 AM	Analysis of Imputation Rates for the 100 Percent Person and Housing Unit Data Items from Census 2000 (Final Report)

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0016837	Dec. 1 Prod	1	6/5/20 1:32 PM	Email from K. Kelley to K. Kelley et al. re: "Census Pre-Brief"
DOC_0016838	Dec. 1 Prod	19	6/8/20 12:00 AM	Census Imputation in the 2020 Census
DOC_0016857	Dec. 1 Prod	1	6/5/20 1:32 PM	Email from K. Kelley to K. Kelley et al. re: "Census Pre-Brief"
DOC_0016858	Dec. 1 Prod	19	6/8/20 12:00 AM	Census Imputation in the 2020 Census
DOC_0016877	Dec. 1 Prod	1	6/10/20 12:40 AM	Email from D. Risko to C. Jones et al. re: "Additional Topic for Tomorrow"
DOC_0016878	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016882	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016885	Dec. 1 Prod	1	6/10/20 12:41 AM	Email from D. Risko to C. Jones et al. re: "Additional Topic for Tomorrow"
DOC_0016886	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016890	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016893	Dec. 1 Prod	1	6/10/20 12:40 AM	Email from D. Risko to C. Jones et al. re: "Additional Topic for Tomorrow"
DOC_0016894	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016898	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016901	Dec. 1 Prod	2	6/10/20 12:41 AM	Email from D. Risko to C. Jones et al. re: "Fwd: Additional Topic for Tomorrow"
DOC_0016903	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016907	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016910	Dec. 1 Prod	2	6/10/20 12:42 AM	Email from D. Risko to C. Jones et al. re: "Fwd: Additional Topic for Tomorrow"
DOC_0016912	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016916	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016919	Dec. 1 Prod	2	6/10/20 1:32 AM	Email from R. Wyvill to C. Rafiekian et al. re "REVISED: [NEW agenda and materials attached] 6/10 KDK's Sr. Management Meeting
DOC_0016921	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0016922	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016938	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0016942	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0016945	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0016961	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0016969	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0016987	Dec. 1 Prod	2	6/10/20 1:37 AM	Email from D. Risko to N. Cogley re: "FW: REVISED: [NEW agenda and materials attached] 6/10 KDK's Sr. Management Meeting"
DOC_0016989	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0016990	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017006	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0017010	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0017013	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017029	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0017037	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0017055	Dec. 1 Prod	2	6/10/20 1:38 AM	Email from D. Risko to R. McDermott re: "FW: REVISED: [NEW agenda and materials attached] 6/10 KDK's Sr. Management Meeting"
DOC_0017057	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0017058	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017074	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0017078	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0017081	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017097	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0017105	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0017123	Dec. 1 Prod	2	6/10/20 2:14 AM	Email from S. Barranca to R Wilbur et al. re: "Fwd: REVISED: [NEW agenda and materials attached] 6/10 KDK's Sr. Management Meeting"
DOC_0017125	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0017126	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017142	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0017146	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0017149	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017165	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0017173	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0017191	Dec. 1 Prod	1	6/10/20 11:51 AM	Email from R. McDermott to K. Kelley et al. re: "RE: 06-10-2020 Briefing Book"
DOC_0017192	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0017193	Dec. 1 Prod	2	6/9/20 12:00 AM	Memo from C. Jones re: "Briefing Memorandum for Secretary Ross"
DOC_0017195	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017211	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0017215	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0017218	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017234	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0017242	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0017260	Dec. 1 Prod	1	6/10/20 12:30 PM	Email from B. Brooke to S. Dillingham et al. re: "Senior Management Decennial Committee"
DOC_0017261	Dec. 1 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0017262	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017278	Dec. 1 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0017282	Dec. 1 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0017285	Dec. 1 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017301	Dec. 1 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0017309	Dec. 1 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0017327	Dec. 1 Prod	8	6/15/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (DRAFT Release for June 15, 2020)
DOC_0017335	Dec. 1 Prod	1	6/15/20 12:00 AM	2020 Census High-level Summary Status
DOC_0017336	Dec. 1 Prod	2	7/30/20 12:00 AM	2020 Census High-level Summary Status
DOC_0017338	Dec. 1 Prod	12	8/3/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: DRAFT Release for August 3, 2020)
DOC_0017350	Dec. 1 Prod	1	8/2/20 12:00 AM	Memo from C. Jones re: "Briefing Memorandum for Secretary Ross"
DOC_0017351	Dec. 1 Prod	12	8/10/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: DRAFT Release for August 10, 2020)
DOC_0017363	Dec. 1 Prod	3	8/6/20 12:00 AM	2020 Census High-level Summary Status
DOC_0017366	Dec. 1 Prod	14	8/10/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for August 10, 2020)
DOC_0017380	Dec. 1 Prod	1		Notional Contingency Waterfall for Estimated Revised NRFU
DOC_0017381	Dec. 1 Prod	9		Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: DRAFT)
DOC_0017390	Dec. 1 Prod	1	8/10/20 12:00 AM	Senior Management Agenda

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0017391	Dec. 1 Prod	1	8/7/20 12:00 AM	Memo from C. Jones re: "Briefing Memorandum for Secretary Ross"
DOC_0017392	Dec. 1 Prod	9	8/10/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: Notional Reports - August 10, 2020)
DOC_0017401	Dec. 1 Prod	3	8/10/20 12:00 AM	2020 Census High-level Summary Status
DOC_0017404	Dec. 1 Prod	14	8/10/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for August 10, 2020)
DOC_0017418	Dec. 1 Prod	12	8/10/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for August 10, 2020)
DOC_0017430	Dec. 1 Prod	1	8/10/20 12:00 AM	Senior Management Agenda
DOC_0017431	Dec. 1 Prod	18	8/11/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: August 11, 2020)
DOC_0017449	Dec. 1 Prod	18	8/17/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: August 17, 2020)
DOC_0017467	Dec. 1 Prod	13	8/24/20 12:00 AM	2020 Census Data Processing Planning For the Census Unedited File (CUF)
DOC_0017480	Dec. 1 Prod	2		GEO Processing to meet 12/14/2002 CUF Delivery
DOC_0017482	Dec. 1 Prod	26	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: August 24, 2020)
DOC_0017508	Dec. 1 Prod	25	FY 2020, Q3	Agency Priority Goal Action Plan: Conduct a Complete and Accurate 2020 Decennial Census
DOC_0017533	Dec. 1 Prod	1	8/24/20 12:00 AM	Senior Management Agenda
DOC_0017534	Dec. 1 Prod	26	8/31/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: August 31, 2020)
DOC_0017560	Dec. 1 Prod	1	8/31/20 12:00 AM	Senior Management Agenda
DOC_0017561	Dec. 1 Prod	29	9/8/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: September 8, 2020)

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0017590	Dec. 1 Prod	31	9/15/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: September 15, 2020)
DOC_0017621	Dec. 1 Prod	32	9/21/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: September 21, 2020)
DOC_0017653	Dec. 1 Prod	32	9/21/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: September 21, 2020)
DOC_0017685	Dec. 1 Prod	28	9/28/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: September 28, 2020)
DOC_0017713	Dec. 1 Prod	22	10/5/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: October 5, 2020)
DOC_0017735	Dec. 1 Prod	15	10/13/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census (Periodic Reporting: October 13, 2020)
DOC_0017750	Dec. 1 Prod	1	11/10/20 12:00 AM	2020 Census: Decennial Response Processing Status - DRF1
DOC_0017751	Dec. 1 Prod	3	11/16/20 12:00 AM	2020 Census: Decennial Response Processing Status - DRF1
DOC_0017754	Dec. 8 Prod	1	5/11/20 12:24 PM	Email from A. Foti to S. Barranca et al. re: "lowest response rates for call list with numbers.xlsx"
DOC_0017755	Dec. 8 Prod	16	5/10/20 12:00 AM	Response Rates Spreadsheet as of May 10
DOC_0017771	Dec. 8 Prod	1	5/13/20 11:46 PM	Email from A. Foti to T. Goudarzi et al. "Fwd: updated response rates for the next calls"
DOC_0017772	Dec. 8 Prod	16		Response Rates Spreadsheet
DOC_0017788	Dec. 8 Prod	1	5/15/20 10:00 PM	Email from K. Kelley to A. Korzeniewski et al. re: "Census Reports"
DOC_0017789	Dec. 8 Prod	23	5/18/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: DRAFT Release for May 18, 2020)

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0017812	Dec. 8 Prod	8	5/18/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (DRAFT Release for May 18, 2020)
DOC_0017820	Dec. 8 Prod	12	5/18/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: DRAFT Release for May 18, 2020)
DOC_0017832	Dec. 8 Prod	4	5/15/20 12:00 AM	Memo from C. Jones re "Briefing Memorandum for Secretary Ross"
DOC_0017836	Dec. 8 Prod	18	5/18/20 12:00 AM	2020 Census Nonresponse Followup Overview
DOC_0017854	Dec. 8 Prod	1	5/13/20 12:00 AM	2020 Census - Flow of Self-Response and Nonresponse Followup Workload
DOC_0017855	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017856	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017858	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0017859	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017875	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0017879	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0017882	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017898	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0017906	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0017924	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017925	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017926	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017928	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0017929	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017945	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0017949	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0017952	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0017968	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0017976	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0017994	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017995	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017996	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0017998	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0017999	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018015	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018019	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018022	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018038	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0018046	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018064	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018065	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018066	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0018068	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018069	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018085	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018089	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018092	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018108	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0018116	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018134	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018135	Dec. 8 Prod	2	8/31/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018137	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018138	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018140	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018141	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018157	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018161	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018164	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018180	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0018188	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018206	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0018207	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018208	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018210	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018211	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018227	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018231	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018234	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018250	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0018258	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018276	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018277	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018278	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018280	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018281	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018297	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018301	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018304	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018320	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0018328	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0018346	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018347	Dec. 8 Prod	1	8/31/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018348	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018349	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018351	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018352	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018368	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018372	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018375	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018391	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0018399	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018417	Dec. 8 Prod	1	8/24/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018418	Dec. 8 Prod	2	10/13/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018420	Dec. 8 Prod	1	6/2/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018421	Dec. 8 Prod	2	6/5/20 12:00 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018423	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018424	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018440	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018444	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0018447	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0018463	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0018471	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018489	Dec. 8 Prod	1	6/2/2020 pm	Calendar Invite for Senior Management Decennial Committee
DOC_0018490	Dec. 8 Prod	2	6/5/2020 pm	Calendar Invite for Senior Management Decennial Committee
DOC_0018492	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018493	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018509	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018513	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018516	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0018532	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0018540	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018558	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018559	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018560	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018562	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018563	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018579	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018583	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018586	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0018602	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0018610	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018628	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018629	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018631	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018632	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018648	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018652	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018655	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0018671	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0018679	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018697	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0018698	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018699	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018701	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018702	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018718	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018722	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018725	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0018741	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0018749	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0018767	Dec. 8 Prod	1	8/24/20 12:52 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018768	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018769	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018771	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018772	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018788	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018792	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018795	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0018811	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0018819	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018837	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018838	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018840	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018841	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018857	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018861	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018864	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0018880	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0018888	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018906	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0018907	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018909	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018910	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018926	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018930	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0018933	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0018949	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0018957	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0018975	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018976	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0018978	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0018979	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0018995	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0018999	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019002	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019018	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019026	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019044	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019045	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019047	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019048	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0019064	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0019068	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019071	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019087	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019095	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019113	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019114	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019116	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019117	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019133	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0019137	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019140	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019156	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019164	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019182	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019183	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019185	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019186	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019202	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0019206	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019209	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019225	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0019233	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019251	Dec. 8 Prod	1	8/3/20 5:00 PM	CANCELLED Calendar Invite for Senior Management Decennial Committee
DOC_0019252	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019253	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019255	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019256	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019272	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019276	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019279	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019295	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019303	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019321	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019322	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019324	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019325	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019341	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019345	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019348	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019364	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019372	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019390	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0019391	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019393	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019394	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019410	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019414	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019417	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019433	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019441	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019459	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019460	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019462	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019463	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019479	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019483	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019486	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019502	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019510	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019528	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019529	Dec. 8 Prod	1	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019530	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019548	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0019556	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019572	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019588	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019589	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019590	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019592	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019593	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019609	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019613	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019616	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019632	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019640	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019658	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019659	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019661	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019662	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019678	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019682	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019685	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019701	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019709	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0019727	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019728	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019730	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019731	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019747	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019751	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019754	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019770	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019778	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019796	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0019797	Dec. 8 Prod	2	10/13/20 12:37 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019799	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019800	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019802	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019803	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019819	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019823	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019826	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019842	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019850	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0019868	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0019869	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019870	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019872	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019873	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019889	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019893	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019896	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census
DOC_0019912	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880
DOC_0019920	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0019938	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for Senior Management Decennial Committee
DOC_0019939	Dec. 8 Prod	1	10/13/20 12:37 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019940	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019941	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0019943	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0019944	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census
DOC_0019960	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponsive Followup (NRFU) Soft Launch
DOC_0019964	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0019967	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0019983	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0019991	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0020009	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020010	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020011	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020013	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0020014	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020030	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0020034	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0020037	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020053	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0020061	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0020079	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020080	Dec. 8 Prod	2	10/13/20 12:37 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020082	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020083	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020085	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0020086	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020102	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020106	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0020109	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020125	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0020133	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0020151	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020152	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020153	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020155	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0020156	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020172	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0020176	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0020179	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020195	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0020203	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0020221	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020222	Dec. 8 Prod	2	10/13/20 12:37 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020224	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020225	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020227	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020228	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020244	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0020248	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0020251	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020267	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0020275	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0020293	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020294	Dec. 8 Prod	2	10/13/20 12:37 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020296	Dec. 8 Prod	1	6/2/20 8:58 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020297	Dec. 8 Prod	2	6/5/20 7:45 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020299	Dec. 8 Prod	1	6/10/20 12:00 AM	Senior Management Agenda
DOC_0020300	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: Phased Restart for the 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020316	Dec. 8 Prod	4	6/10/20 12:00 AM	Nonresponse Followup (NRFU) Soft Launch
DOC_0020320	Dec. 8 Prod	3	6/10/20 12:00 AM	Service-Based Enumeration (SBE) Updated Timeline
DOC_0020323	Dec. 8 Prod	16	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census (Periodic Reporting: Release for June 8, 2020)
DOC_0020339	Dec. 8 Prod	8	6/8/20 12:00 AM	Status Reporting: 2020 Decennial Census - Executive Order 13880 (Release for June 8, 2020)
DOC_0020347	Dec. 8 Prod	18	6/10/20 12:00 AM	Count Imputation in the 2020 Census
DOC_0020365	Dec. 8 Prod	1	8/24/20 12:52 AM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting
DOC_0020366	Dec. 8 Prod	2	10/13/20 12:37 PM	Calendar Invite for "Senior Management Decennial Committee" weekly meeting

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020370	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020373	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020376	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020379	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020382	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020385	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020388	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020391	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020394	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020397	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020398	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020401	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020402	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020405	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020406	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020409	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020410	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020413	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020414	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020417	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020418	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020421	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020422	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020423	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020426	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020427	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020430	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020431	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020434	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020435	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020438	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020441	Dec. 8 Prod	1	6/15/20 6:31 PM	Calendar Invite for "DOC Bureau Leadership" weekly meeting
DOC_0020442	Dec. 8 Prod	1	7/1/20 3:00 PM	Canceled Calendar Invite for "DOC Bureau Leadership" meeting
DOC_0020443	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020446	Dec. 8 Prod	3		Department of Commerce - Second Term Key Priorities
DOC_0020449	Dec. 8 Prod	1	6/19/20 5:17 PM	Email from C. Jones to D. Risko re: "2020 Census Data Processing" - attaching "Summary of Post Data Collection Activities.docx"
DOC_0020450	Dec. 8 Prod	3	5/7/20 12:00 AM	Summary of the Post-Data Collection Activities
DOC_0020453	Dec. 8 Prod	2	6/29/20 4:31 PM	Email correspondence between R. McDermott, M. Walsh, et al. re: "SWR comments on 70146"
DOC_0020456	Dec. 8 Prod	1	7/17/20 7:21 PM	Email from D. Risko to ? Re: "Trump expected to exclude undocumented migrants from U.S. census Article [AMP] Reuters"
DOC_0020457	Dec. 8 Prod	1	7/17/20 7:29 PM	Email from D. Risko to K. Kelley fwd: email from M. Burris to W. Ross et al. re: "Politico Playbook on Census"
DOC_0020458	Dec. 8 Prod	3	7/17/20 7:38 PM	Email from D. Risko to K. Kelley fwd: email from M. Burris to W. Ross et al. re: "The Independent on Census"

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020461	Dec. 8 Prod	1	7/21/20 2:14 PM	Email from D. Risko to D. Risko re: "[Scan] CRO-detailed-operational-plan"
DOC_0020462	Dec. 8 Prod	76	7/26/19 12:00 AM	2020 Census Detailed Operational Plan for: 23. Count Review Operation (CRO) (Version 1.0)
DOC_0020538	Dec. 8 Prod	1	7/21/20 3:15 PM	Email from D. Risko to N. Martin re: "CRO-detailed-operational-plan.pdf"
DOC_0020539	Dec. 8 Prod	76	7/26/19 12:00 AM	2020 Census Detailed Operational Plan for: 23. Count Review Operation (CRO) (Version 1.0)
DOC_0020615	Dec. 8 Prod	2	7/21/20 5:42 PM	Email from M. Burris to W. Ross re: "FW: USA Today: Trump tells census workers not to count undocumented people; analysts say that's illegal"
DOC_0020617	Dec. 8 Prod	1	7/29/20 3:41 PM	Email from M. Walsh to W. Ross re: "RE: IRS data"
DOC_0020618	Dec. 8 Prod	1	7/29/20 4:07 PM	Email from M. Walsh to W. Ross re: "Fwd: Taxes -ITIN"
DOC_0020619	Dec. 8 Prod	1	8/3/20 11:43 AM	Email from D. Risko to M. Walsh and K. Kelley re: "operational and processing options to meet september 30 final.pdf"
DOC_0020620	Dec. 8 Prod	14	8/3/20 12:00 AM	Operational and Processing Options to Meet Statutory Date of December 31, 2020 for Apportionment
DOC_0020634	Dec. 8 Prod	1	8/10/20 4:08 PM	Email from B. Brooke to D. Risko and N. Martin re: "FW: Census APG"
DOC_0020635	Dec. 8 Prod	26		Agency Priority Goal Action Plan: Conduct a Complete and Accurate 2020 Decennial Census
DOC_0020661	Dec. 8 Prod	1	8/13/20 2:38 AM	Email from S. Barranca to W. Ross and M. Walsh re: "8.13.20 Briefing Book.pdf"
DOC_0020662	Dec. 8 Prod	100	8/13/20 12:00 AM	Briefing Book Secretary Wilbur L. Ross
DOC_0020762	Dec. 8 Prod	2	8/13/20 12:03 PM	Email from A. Mohammad Adhmad to S. Brebbia, et. al. re "Fwd: Office of Inspector General Request for Information and Interview"

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020764	Dec. 8 Prod	4	8/12/20 12:00 AM	Memorandum from W. Green, Jr. to A. Fontenot, Jr. re: "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020768	Dec. 8 Prod	1	8/13/20 12:08 PM	Email from S. Dillingham to M. Walsh, et. al. re "Fw: Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020769	Dec. 8 Prod	4	8/13/20 12:00 AM	Memo from P. Gustafson to S. Dillingham re: "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020773	Dec. 8 Prod	1	8/13/20 12:35 PM	Email from D. Risko to M. Walsh re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020774	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020779	Dec. 8 Prod	2	8/13/20 12:35 PM	Email from D. Risko to M. Walsh re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020781	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020786	Dec. 8 Prod	2	8/13/20 1:07 PM	Email from M. Walsh to ? Re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector Genreal Act of 1978, as Amended", Privileged and Confidential
DOC_0020788	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020793	Dec. 8 Prod	2	8/13/20 1:07 AM	Email from M. Walsh to ? Re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector Genreal Act of 1978, as Amended", Privileged and Confidential
DOC_0020795	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020800	Dec. 8 Prod	2	8/13/20 1:10 PM	Email from M. Walsh to C. Keller, et. al. re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector General of 1978, as Amended"
DOC_0020802	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020807	Dec. 8 Prod	2	8/13/20 1:10 PM	Email from M. Walsh to C. Keller, et. al. re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector General of 1978, as Amended"
DOC_0020809	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020814	Dec. 8 Prod	1	8/14/20 1:32 AM	Email from R. McDermott to K. Kelley re: "08-14-2020 Briefing Book"
DOC_0020815	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020820	Dec. 8 Prod	2	8/14/20 1:51 AM	Email from P. Gustafson to R. McDermott, et. al. re: "RE: Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020822	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020827	Dec. 8 Prod	1	8/14/20 2:44 PM	Email from S. Brebbia to M. Walsh and A. Foti re: "Draft"

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020828	Dec. 8 Prod	1	8/14/20 12:00 AM	Draft Letter from A. Foti to Chairwoman Maloney
DOC_0020829	Dec. 8 Prod	1	8/14/20 6:04 PM	Email from D. Risko to K. Kelley re: "FW: FOR FINAL REVIEW - 2020 Census Operational Update - Short Fuse"
DOC_0020873	Dec. 8 Prod	2	8/18/20 10:35 PM	Email from S. Olson to M. Walsh and C. Keller re: "FW: FYI - Shortened Census nonresponse followup (NRFU) operation - OIG Alert memorandum and Congressional request to GAO"
DOC_0020875	Dec. 8 Prod	3	8/18/20 12:00 AM	Memo from M. Zabarsky to S. Dillingham re: "2020 Census Alert: The Census Bureau Faces Challenges in Accelerating Hiring and Minimizing attrition Rates for Abbreviated 2020 Census Field Operations"
DOC_0020878	Dec. 8 Prod	2	8/18/20 11:15 PM	Email from D. risko to K. Kelley re: "Fwd: FYI - Shortened Census nonresponse followup (NRFU) operation -- OIG Alert memorandum and Congressional response to GAO"
DOC_0020880	Dec. 8 Prod	3	8/18/20 12:00 AM	Memo from M. Zabarsky to S. Dillingham re: "2020 Census Alert: The Census Bureau Faces Challenges in Accelerating Hiring and Minimizing attrition Rates for Abbreviated 2020 Census Field Operations"
DOC_0020883	Dec. 8 Prod	1	8/19/20 8:48 PM	Email from N. Martin to K. Kelley et. al. re: "Census Pre Brief"
DOC_0020895	Dec. 8 Prod	2	8/20/20 8:28 PM	Email from D. Risko to S. Brebbia et. al. re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020897	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020902	Dec. 8 Prod	2	8/20/20 8:28 PM	Email from D. Risko to S. Brebbia et. al. re: "Fwd: Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0020904	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020921	Dec. 8 Prod	4	8/21/20 1:44 PM	Email from D. Risko to B. Brooke re: "Fwd: Positive Coverage of Director Dillingham conducting NRFU work in South Carolina"
DOC_0020925	Dec. 8 Prod	1	8/21/20 1:56 PM	Email from N. Martin to S. Dillingham et. al, re: "Census Pre Brief"
DOC_0020948	Dec. 8 Prod	2	8/21/20 2:05 PM	Email from D. Risko to N. Martin re: "Fwd: Census Pre Brief"
DOC_0020962	Dec. 8 Prod	1	8/21/20 5:21 PM	Email from S. Brebbia to M. Walsh re: "OIG-20-038-M Thursday evening.pdf"
DOC_0020963	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020968	Dec. 8 Prod	2	8/21/20 7:10 PM	Email from D. Risko to R. Johnston and B. Maney re: "Re: Request for Information and Notice of Interview Pursuant to the Inspector Genreal Act of 1978, as Amended"
DOC_0020970	Dec. 8 Prod	5	8/13/20 12:00 AM	Memo from P. Gustafon re "Request for Information and Notice of Interview Pursuant to the Inspector General Act of 1978, as Amended"
DOC_0020975	Dec. 8 Prod	2	8/21/20 10:57 PM	Email from D. Risko to K. Kelley re: "Fwd: Draft Deck with Data as of midnight Thursday"
DOC_0020977	Dec. 8 Prod	21	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: DRAFT Release for August 24, 2020
DOC_0020998	Dec. 8 Prod	2	8/21/20 10:57 PM	Email from D. Risko to K. Kelley re: "Fwd: Draft Deck with Data as of midnight Thursday"
DOC_0021000	Dec. 8 Prod	21	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: DRAFT Release for August 24, 2020

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0021021	Dec. 8 Prod	4	8/23/20 9:13 PM	Email from D. Risko to A. Parazino re: "Fwd: Sunday Draft of GEO and CUF processing Deck for KDK (Post 8/21 10:00 AM Meeting)"
DOC_0021038	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery
DOC_0021040	Dec. 8 Prod	2	8/24/20 1:02 AM	Email from D. Risko to B. Overhold re: "Fwd: Census Pre Brief"
DOC_0021054	Dec. 8 Prod	4	8/24/20 1:12 PM	Email from M. Walsh to M. Burris, et. al. re: "re: Front page NYT - As Census Count Resumes, Doubts About Accuracy Continue to Grow"
DOC_0021058	Dec. 8 Prod	3	8/24/20 2:58 PM	Email from M. Thieme to D. Risko, et. al. re: "Updated Final Slide Decks for Census Processing and Presidential Memo Meeting"
DOC_0021061	Dec. 8 Prod	13	8/24/20 12:00 AM	2020 Census Data Processing Planning for the Census Unedited File (CUF)
DOC_0021074	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery
DOC_0021080	Dec. 8 Prod	1	8/24/20 3:53 PM	Email from D. Risko to ? Re: "2020824 Overview slide for PM Final1.pptx"
DOC_0021083	Dec. 8 Prod	13	8/24/20 12:00 AM	2020 Census Data Processing Planning for the Census Unedited File (CUF)
DOC_0021096	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery
DOC_0021098	Dec. 8 Prod	1	8/24/20 3:54 PM	Email from D. Risko to S. Barranca, et. al. re: "2020 Census Program Update 08242020 ver 1 (3)(2).pdf"
DOC_0021099	Dec. 8 Prod	26	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: Release for August 24, 2020
DOC_0021125	Dec. 8 Prod	1	8/24/20 3:54 AM	Email from D. Risko to ? Re: "2020824 Overview slide for PM Final1.pptx"
DOC_0021128	Dec. 8 Prod	13	8/24/20 12:00 AM	2020 Census Data Processing Planning for the Census Unedited File (CUF)
DOC_0021141	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0021143	Dec. 8 Prod	1	8/24/20 3:59 PM	Email from D. Risko to ? Re: ?, contains attachment "2020824 Overview slide for PM Final1.pptx"
DOC_0021146	Dec. 8 Prod	1	8/24/20 3:59 PM	Email from D. Risko to S. Barranca et. al., "2020 Census Program Update 08242020 ver 1 (3)(2).pdf"
DOC_0021147	Dec. 8 Prod	26	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: Release for August 24, 2020
DOC_0021173	Dec. 8 Prod	1	8/24/20 4:03 PM	Email from S. Barranca to D. Risko and M. Walsh re "2020 Census Program Update 08242020 ver 1 (3)(2).pdf"
DOC_0021174	Dec. 8 Prod	26	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: Release for August 24, 2020
DOC_0021200	Dec. 8 Prod	1	8/24/20 4:11 PM	Email from N. Martin to S. Olson, et al. re "Subject Management Decennial Committee"
DOC_0021201	Dec. 8 Prod	26	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: Release for August 24, 2020
DOC_0021227	Dec. 8 Prod	1	8/24/20 1:45 PM	Calendar Invite for Senior Management Decennial Committee
DOC_0021228	Dec. 8 Prod	2	8/24/20 5:33 AM	Email from S. Pepper to K. Kelley, et al. re: "RE: 08.24.2020 Briefing Book"
DOC_0021230	Dec. 8 Prod	86	8/24/20 12:00 AM	Briefing Book Secretary Wilbur L. Ross
DOC_0021316	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery
DOC_0021318	Dec. 8 Prod	26	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: Release for August 24, 2020
DOC_0021344	Dec. 8 Prod	13	8/24/20 12:00 AM	2020 Census Data Processing Planning for the Census Unedited File (CUF)
DOC_0021357	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0021361	Dec. 8 Prod	1	8/24/20 5:42 PM	Email from S. Pepper to R. McDermott et. al. re: "RE: 08.24.2020 Briefing Book"
DOC_0021362	Dec. 8 Prod	86	8/24/20 12:00 AM	Briefing Book Secretary Wilbur L. Ross
DOC_0021448	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery
DOC_0021450	Dec. 8 Prod	26	8/24/20 12:00 AM	Status Reporting: Nonresponse Followup for the 2020 Decennial Census, Periodic Reporting: Release for August 24, 2020
DOC_0021476	Dec. 8 Prod	13	8/24/20 12:00 AM	2020 Census Data Processing Planning for the Census Unedited File (CUF)
DOC_0021489	Dec. 8 Prod	2		GEO Processing to meet 12/14/2020 CUF Delivery
DOC_0021493	Dec. 8 Prod	1	8/25/20 10:34 PM	Email from S. Pepper to K. Kelley, et. al. re: "08.26.2020 Briefing Book"
DOC_0021494	Dec. 8 Prod	1	8/26/20 6:13 PM	Email from S. Pepper to K. Kelley , et. al. re: "RE: 08.26.2020 Briefing Book"
DOC_0021495	Dec. 8 Prod	11	8/26/20 12:00 AM	Briefing Book Secretary Wilbur L. Ross
DOC_0021506	Dec. 8 Prod	3	8/26/20 12:00 AM	Briefing Memo for Secretary Ross from A. Foti re: "Call with Lousiana Governor John Bel Edwards (D-LA) on hurricane recovery efforts"
DOC_0021509	Dec. 8 Prod	1	8/26/20 6:14 PM	Email from S. Pepper to R. McDermott, et. al. re: "RE: 06.26.2020 Briefing Book" (Louisiana Call Briefing Memo)
DOC_0021510	Dec. 8 Prod	11	8/26/20 12:00 AM	Briefing Book Secretary Wilbur L. Ross
DOC_0021521	Dec. 8 Prod	3	8/26/20 12:00 AM	Briefing Memo for Secretary Ross from A. Foti re: "Call with Lousiana Governor John Bel Edwards (D-LA) on hurricane recovery efforts"
DOC_0021524	Dec. 8 Prod	2	8/26/20 6:30 PM	Email from S. Pepper to K. Kelley , et. al. re: "RE: 08.26.2020 Briefing Book" (Texas Call Briefing Memo)
DOC_0021526	Dec. 8 Prod	14	8/26/20 12:00 AM	Briefing Book Secretary Wilbur L. Ross
DOC_0021540	Dec. 8 Prod	3	8/26/20 12:00 AM	Briefing Memo for Secretary Ross from A. Foti re: "Phone Call with Texas goveronr Greg Abbott (R-TX) on hurricane recovery efforts"

Bates No.	File Type	Page Count	Doc Date	Description
DOC_0021543	Dec. 8 Prod	2	8/26/20 6:31 PM	Email from S. Pepper to R. McDermott, et. al. re: "RE: 06.26.2020 Briefing Book" Texas Call Briefing Memo)
DOC_0021545	Dec. 8 Prod	14	8/26/20 12:00 AM	Briefing Book Secretary Wilbur L. Ross
DOC_0021559	Dec. 8 Prod	3	8/26/20 12:00 AM	Briefing Memo for Secretary Ross from A. Foti re: "Phone Call with Texas governor Greg Abbott (R-TX) on hurricane recovery efforts
DOC_0021566	Dec. 8 Prod	6		Proposed Options for Completion of Enumeration
DOC_0021572	Dec. 8 Prod	3	10/21/20 12:00 AM	2020 Census Post Collection Processing (Draft Version)
DOC_0021575	Dec. 8 Prod	4	10/25/20 12:00 AM	2020 Census Post Collection Processing (Version 1.2)
DOC_0021586	Dec. 8 Prod	4	10/28/20 12:00 AM	2020 Census Post Collection Processing (Version 1.4)
DOC_0021590	Dec. 8 Prod	4	11/2/20 12:00 AM	2020 Census Post Collection Processing (Version 1.9)
DOC_0021596	Dec. 8 Prod	4	11/10/20 12:00 AM	2020 Census Post Collection Processing (Version 3.6)
DOC_0021603	Dec. 8 Prod	11	11/16/20 12:00 AM	2020 Census Post Collection Processing (Version 3.16)
DOC_0021614	Dec. 8 Prod	7	11/19/20 12:00 AM	Post Collection Processing -- DRF1: current anomalies requiring patches as of 11/19/2020

EXHIBIT 7

CAROLYN B. MALONEY
CHAIRWOMAN

ONE HUNDRED SIXTEENTH CONGRESS

JAMES COMER
RANKING MINORITY MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

December 2, 2020

The Honorable Wilbur L. Ross, Jr.
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Secretary Ross:

The Department of Commerce is blocking the production of documents requested last month by the Committee relating to reports that career officials at the Census Bureau have warned the Trump Administration that they will be unable to produce a complete and accurate 2020 Census count prior to late January and possibly into February 2021. Despite the Trump Administration's obstruction, the Committee has now obtained several internal Census Bureau documents from another source that not only confirm these press reports, but indicate that unresolved errors may be more extensive than first reported. I write to urge you to end your obstruction of the Committee's inquiry on this critical issue and produce a full and unredacted set of the documents requested by the Committee. If you refuse, the Committee will have no choice but to issue a subpoena.

Trump Administration's Refusal to Produce Documents on Census Delays

The 2020 Census has faced unprecedented challenges, including delays due to the coronavirus pandemic, a potential undercount induced by the President's illegal efforts to exclude undocumented immigrants, and a tightly compressed schedule resulting from the Administration's rush to complete the count before President Trump leaves office despite warnings from career Census Bureau staff that this could lead to serious data errors.

On November 19, 2020, the *New York Times* reported that "Census Bureau officials have concluded that they cannot produce the state population totals required to reallocate seats in the House of Representatives until after President Trump leaves office in January." The report added: "the Census Bureau told the Commerce Department that a growing number of snags in the massive data-processing operation that generates population totals had delayed the completion of population calculations at least until Jan. 26, and perhaps to mid-February."¹

¹ *Census Officials Say They Can't Meet Trump's Deadline for Population Count*, New York Times (Nov. 19, 2020) (online at www.nytimes.com/2020/11/19/us/2020-census-data.html).

The Honorable Wilbur L. Ross, Jr.
Page 2

After the story became public, the Census Bureau Director, Dr. Steven Dillingham, issued a statement confirming that “anomalies have been discovered” during data processing, but he provided few details.²

Since none of these problems had been reported to the Committee, I sent a letter to the Census Bureau on November 19, 2020, seeking documents relating to these anomalies, the predicted delays they would cause, and their potential impact on the accuracy of the Census count. The letter asked for these documents by November 24, 2020, explaining: “The Committee must have reliable and accurate information in order to fulfill our responsibilities under the Constitution to conduct oversight of the 2020 Census.”³

No documents have been provided to the Committee in response to this letter. On November 24, 2020—the date the documents were due—Committee staff received a bipartisan telephone briefing from Director Dillingham and other top Census Bureau officials. These officials reported that documents responsive to the Committee’s November 19 request had been submitted to your General Counsel at the Department of Commerce, but had not been cleared for release due to “concerns about ongoing litigation.” When asked whether the Bureau had an expected date by which production might be possible, the officials could not provide one.

The existence of separate litigation is not a valid reason to withhold documents from Congress.⁴ The Constitution provides Congress with responsibility to conduct oversight of, and to pass laws relating to, the Census,⁵ and the Committee has authority that is separate and independent from any litigation being pursued in civil courts.⁶

² U.S. Census Bureau, *Press Release: Statement from Census Bureau Director Steve Dillingham* (Nov. 19, 2020) (online at www.census.gov/newsroom/press-releases/2020/statement-post-collection-processing.html).

³ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to Director Steven Dillingham, U.S. Census Bureau (Nov. 19, 2020) (online at <https://oversight.house.gov/news/press-releases/committee-demands-documents-after-reports-that-career-census-experts-warned-that>).

⁴ *Hutcheson v. United States*, 369 U.S. 599 (1962) (“But surely a congressional committee which is engaged in a legitimate legislative investigation need not grind to a halt whenever responses to its inquiries might potentially be harmful to a witness in some distinct proceeding, *Sinclair v. United States*, supra, at 295, or when crime or wrongdoing is disclosed, *McGrain v. Daugherty*, 273 U.S. 135, 179-180.”); *Sinclair v. United States*, 279 U.S. 263, 295 (1929)], or when crime or wrongdoing is disclosed, *McGrain v. Daugherty*, 273 U.S.135,179-180.”); *Sinclair*, 279 U.S at 295 (“It may be conceded that Congress is without authority to compel disclosure for the purpose of aiding the prosecution of pending suits; but the authority of that body, directly or through its committees to require pertinent disclosures in aid of its own constitutional power is not abridged because the information sought to be elicited may also be of use in such suits.”).

⁵ U.S. Const. Art. 1, sec. 2 (the decennial census “shall be made ... in such manner as [Congress] shall by law direct”); *Trump v. Mazars USA*, 590 U.S. __ (2019) (the “power of inquiry—with process to enforce it—is an essential and appropriate auxiliary to the legislative function”) (quoting *McGrain*, 273 U. S. at 174); *Id.* (“The congressional power to obtain information is ‘broad’ and ‘indispensable.’”) (quoting *Watkins v. United States*, 354 U. S. 178 (1957)).

⁶ House Rule X clause 1(n) (granting jurisdiction to the Committee on Oversight and Reform over issues including “population and demography generally, including the Census” and the “overall economy, efficiency, and management of government operations”; House Rule X clause 4(c)(2) (the Oversight Committee “may at any time conduct investigations of any matter”).

The Honorable Wilbur L. Ross, Jr.
Page 3

The Department’s insistence on withholding documents due to “ongoing litigation” raises questions about whether the Administration is seeking to conceal information not only from Congress, but from the Judiciary. The Supreme Court heard oral arguments just this week in a challenge to President Trump’s order to exclude undocumented immigrants from the Census count. During these arguments, Justices asked Jeffrey Wall, the Acting Solicitor General at the Department of Justice, to clarify the anticipated schedule for completing Census data processing. In response, the Acting Solicitor General stated that the “situation is fairly fluid.”⁷

New Internal Documents Obtained by Committee

Despite the Trump Administration’s efforts to withhold documents sought by the Committee, we have now obtained three internal documents from another source that not only confirm reports that the Census Bureau will take several additional weeks to resolve data anomalies and produce an accurate count as required by the Constitution, but that also indicate that these anomalies are more serious than first reported.

According to these internal documents, career officials have now identified at least 15 anomalies that impact more than one million Census records. The documents indicate that the Bureau needs until January 23, 2021, to complete the census count and transmit apportionment figures to the President—and until February 3, 2021, to transmit data called for by the President’s memorandum attempting to exclude undocumented immigrants.

One of these internal documents, a November 19, 2020, presentation for senior Census Bureau officials, warns that addressing these data anomalies “impacts overall end date by 20 days” and anticipates that the population count will not be complete until between January 26, 2021, and February 6, 2021. The document also notes, “If new anomalies are identified they will be tracked, assessed and additional time maybe required for comprehensive release.”⁸

This document describes 13 anomalies identified as of November 19 that impact more than 900,000 census records. For example:

- Career officials discovered a problem related to certain duplicate non-response follow-up records across all 50 states, explaining, “If this issue isn’t correct[ed], the most accurate record may not be selected.”
- Career officials identified a data error from the enumeration of group quarters that impacts more than 16,000 records and, if not corrected, “may result in undercount[ed] persons.”

⁷ Transcript of Oral Argument, *Trump v. New York* (Nov. 30, 2020) (No. 20-366) (www.supremecourt.gov/oral_arguments/argument_transcripts/2020/20-366_k537.pdf).

⁸ U.S. Census Bureau, *Post-Collection Processing—DRF-1: Current Anomalies Requiring Patches as of Nov. 19, 2020* (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Document%201.pdf>) (Document #1).

The Honorable Wilbur L. Ross, Jr.

Page 4

- Career officials identified a “coding error” affecting approximately 46,000 records in nine states, explaining, “If this error isn’t corrected demographic data for persons will be missed and may impact the final pop counts.”⁹

This document also sets forth a detailed 11-step process for correcting these anomalies, including developing and testing a comprehensive patch with more than a dozen individual patches, and verifying that these anomalies have been fully resolved. The document cautions that taking shortcuts could compound these problems and lead to even more errors, warning, “If the sequencing of patch deployment isn’t executed properly may result in other data anomalies.”¹⁰

A second internal Census Bureau document provides subsequent updates on data anomalies one week later—as of November 27, 2020. This document shows that, since the first document was produced, career officials identified two additional errors, including one that impacts more than 240,000 records and risks causing a “significant overcount” in certain areas.¹¹

A third internal Census Bureau document provides an updated schedule as of the same date, November 27, 2020. This document shows that career officials will deliver the “Final Apportionment Transmittal Package” to the Department of Commerce on January 23, 2020, and that the “Apportionment Counts” will be sent to the President on the same day. This document also shows that the “Transmittal Package of Resident Population, Federally Affiliated Overseas Population, and Unauthorized Population by State” will be completed on February 3, 2021.¹²

Demand for Withheld Documents

Director Dillingham stated publicly on November 19, 2020, that he was “directing the Census Bureau to utilize all resources available to resolve this as expeditiously as possible” and that the Census Bureau’s “goal remains an accurate and statistically sound Census.”¹³ However, the documents obtained by the Committee—some of which were created after his public statements—indicate that these problems may be getting worse instead of better.

By blocking the production of the full set of documents requested by the Committee last month, the Trump Administration is preventing Congress from verifying the scope of these anomalies, their impact on the accuracy of the Census, and the time professionals at the Census Bureau need to fix them.

⁹ *Id.*

¹⁰ *Id.*

¹¹ U.S. Census Bureau, *DRFI Anomaly Summary* (Nov. 27, 2020) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Document%202.pdf>) (Document #2).

¹² U.S. Census Bureau, *2020 Census Post-Collection Processing* (Nov. 27, 2020) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Document3.pdf>) (Document #3).

¹³ U.S. Census Bureau, *Press Release: Statement from Census Bureau Director Steve Dillingham* (Nov. 19, 2020) (online at www.census.gov/newsroom/press-releases/2020/statement-post-collection-processing.html).

The Honorable Wilbur L. Ross, Jr.

Page 5

Your failure to cooperate with the Committee's investigation appears to be part of a dangerous pattern of obstruction with the Census. For example, in response to a previous Committee request, you failed to provide the Committee with another key document that the Committee was able to obtain from another source. On September 2, 2020, the Committee released that internal document warning that the Trump Administration's plan to rush data processing created a high risk of an inaccurate census. This document, which apparently was presented to you on August 3, 2020, highlighted that the compressed schedule you imposed will "reduce accuracy" and "creates risk for serious errors not being discovered in the data."¹⁴

You personally have played a key role in blocking the production of information to the Committee regarding the Trump Administration's efforts to politicize the 2020 Census—even after it was subpoenaed. For example, in July 2019, the House of Representatives held you in contempt for refusing to produce documents revealing the real reason that you tried to add a citizenship question to the Census—an effort that the Supreme Court ruled was illegal and was based on a pretext.¹⁵

For all of these reasons, I request that you produce by December 9, 2020, a complete and unredacted set of the following documents—all of which were requested by the Committee on November 19, 2020—or inform us whether the Committee should instead issue a subpoena to compel their production:

1. All documents, including memoranda and slide presentations, prepared or used in connection with briefings for you, Director Dillingham, or other Trump Administration officials regarding data processing anomalies, data accuracy, or potential delays, including in particular any briefings on November 18 or 19, 2020;
2. All documents regarding any data processing anomalies, errors, problems, or concerns identified by Census Bureau employees during the processing of 2020 Census data;
3. All documents regarding the accuracy of 2020 Census data processed by the Census Bureau; and
4. All documents regarding the schedule for data processing for the 2020 Census, the impact of a compressed schedule on data processing or data accuracy, or the need for additional time for data processing.

¹⁴ Committee on Oversight and Reform, *Press Release: Oversight Committee Releases New Internal Census Bureau Document Warning of Risk of "Serious Errors"* (Sept. 2, 2020) (online at <https://oversight.house.gov/news/press-releases/oversight-committee-releases-new-internal-census-bureaudocument-warning-of-risk>).

¹⁵ Committee on Oversight and Reform, *Press Release: House Holds Attorney General and Commerce Secretary in Contempt* (July 17, 2020) (online at <https://oversight.house.gov/news/press-releases/house-holds-attorney-general-and-commerce-secretary-in-contempt>); *Department of Commerce v. New York*, 588 U.S. __ (2019).

The Honorable Wilbur L. Ross, Jr.

Page 6

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. In addition, the Committee has jurisdiction over “Population and demography generally, including the Census.”¹⁶

Sincerely,

A handwritten signature in blue ink that reads "Carolyn B. Maloney". The signature is written in a cursive, flowing style.

Carolyn B. Maloney
Chairwoman

Enclosure

cc: The Honorable James R. Comer, Ranking Member

¹⁶ House rule X, clause 1(n)(8).

Responding to Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committees.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committees' preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committees should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

7. Documents produced to the Committees should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committees' letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee on Oversight and Reform, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building. When documents are produced to the Committee on Financial Services, production sets shall be delivered to the Majority Staff in Room 2129 of the Rayburn House Office Building and the Minority Staff in Room 4340 of the O'Neill House Office Building. When documents are produced to the Permanent Select Committee on Intelligence, production sets shall be delivered to Majority and Minority Staff in Room HVC-304 of the Capital Visitor Center.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a

part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.

EXHIBIT 8

DRF1 Anomaly Summary

Issue ID	Title	Requirements received	Development started	Development completed	Project level test - individual patch started	Project level test - individual patch completed	Released for SME Review	Completed SME Review	Notes
1	Standard age calculation is incorrect when month and day is missing from the record.	1	1	1	1	1	1	1	
2	Invalidate HU data when associated with GQ Enumeration	1	1	1	1	1	1		DSSD verified on 11/25
7	GQ type code is incorrectly passed to DRPS	1	1	1	1	1			Forecasted to go to POP and DSSD on 11/27.
9	Problem with flagging of NRFU and paper resends	1	1	1	1				Went back to development on 11/26. Expect to go back to test on 11/27.
24	Mismatch between GEO and DSSD to identify survivor ID - creating conflict for DRPS to identify and correctly process duplicates	1	1	1	1	1	1		
37	Data-Defined Person (DDP) Mismatch	1	1	1					
39	GQ Rework	1	1						
40	Survivor MAFIDs missing from universe file	1	1	1	1	1	1		
58	NRFU Reinterview records in fail file	1	1	1	1	1	1		
61	GQ Population Reconciliation	1	1	1	1	1	1		
71	Error in exception handling of brother/sister relationship variables set	1	1	1	1	1	1	1	
73	Person records without associated housing	1							
89	Continuation form linking for UE	1							
94	GQ Non-Residential Conversions	1	1	1	1	1	1		
95	GQ Overcount at universities	1	1						
	Grand Total as of 11/27	15	13	11	10	9	8	2	
	Grand Total as of 11/23	14	9	7	6	0	0	0	

Document #2

As of: 11/27/2020

DRF1 Anomaly Tracker - Active Issues

Version
Page 2 of 5 p

Issue ID	Title	Description	Impact	Anomaly confirmed	Requirements received	Development started	Development completed	Project level test - individual patch started	Project level test - individual patch completed	Released for SME Review	Completed SME Review	Deploy to production	Status	Notes	Complexity
1	Standard age calculation is incorrect when month and day is missing from the record.	Currently calculation is adding one year. Current standard age is needed for person matching for DRF2 to eliminate duplicates.	All States ~750,476 IDs	11/17/2020	11/19/2020	11/19/2020	11/21/2020	11/21/2020	11/23/2020	11/24/2020	11/25/2020				Low
2	Invalidate HU data when associated with GQ Enumeration	When a person responds by self response or NRFU, whose data is also in GQE, DRPS should process GQE response and ignore response from HU.	127,296 records reported nationwide	11/17/2020	11/18/2020	11/19/2020	11/21/2020	11/21/2020	11/23/2020	11/24/2020					Med
7	GO type code is incorrectly passed to DRPS	There are 1,526 IDs where GQ type is 999 (GQ unidentified) in DRPS, but they all have GQ type in GEO. It was incorrectly passed to DRPS.	1,526 records nationwide (6 states not impacted)	11/17/2020	11/18/2020	11/19/2020	11/21/2020	11/21/2020	11/23/2020					Forecasted to go to POP and DSSD on 11/27.	Med
9	Problem with flagging of NRFU and paper resends	When DRPS receives the record twice, it should keep the recent one. The data was resent to correct output issues. If this issue isn't correct, the most accurate record may not be selected	All States 37000 reported in one state	11/17/2020	11/18/2020	11/24/2020	11/24/2020	11/24/2020						Went back to development on 11/26. Expect to go back to test on 11/27	Med
24	Mismatch between GEO and DSSD to identify survivor ID - creating conflict for DRPS to identify and correctly process duplicates	If the issue isn't fix there is a potential of overcount. MAFID A and B will be processed instead of identifying MAFID A or B.	All States 3,343 records reported	11/17/2020	11/19/2020	11/23/2020	11/25/2020	11/25/2020	11/25/2020	11/25/2020					High
37	Data-Defined Person (DDP) Mismatch	DDP mismatch between DSSD and DRPS coding. Valid Data-Defined Person is one with sufficient information for processing. Related to special characters provided in the name fields.	26 records reported nationwide	11/17/2020	11/19/2020	11/19/2020	11/26/2020								Med

Document #2

Issue ID	Title	Description	Impact	Anomaly confirmed	Requirements received	Development started	Development completed	Project level test - individual patch started	Project level test - individual patch completed	Released for SME Review	Completed SME Review	Deploy to production	Status	Notes	Complexity
39	GQ Rework	There are GQs where only one person has rework flag yes. This was supposed to be an indication that the GQ (as a whole) was reworked. This indicator invalidates all persons at the GQ who do not have rework indicated. DSSD QC has indicated there was only one GQ flagged for rework. If not corrected this may result in undercount persons.	All States 16,813 records reported for all states	11/17/2020	11/16/2020	11/27/2020									Med
40	Survivor MAFIDs missing from universe file	For 2723 records survivor IDs were chosen incorrectly and were not included in the universe file sent to DRPS. If not fixed, the records will be excluded in DRF2.	2,723 records reported nationwide	11/19/2020	11/20/2020	11/23/2020	11/25/2020	11/25/2020	11/25/2020	11/25/2020					Med
58	NRFU Reinterview records in fail file	If there is one reinterview response in fail file, but two reinterview responses only one response should be flagged for further processing.	94 records reported nationwide	11/17/2020	11/19/2020	11/22/2020	11/22/2020	11/23/2020	11/24/2020	11/25/2020					Low
61	GQ Population Reconciliation	DRPS uses the count of ICQs scanned into FOCs/UTS to determine if DRPS has all records accounted for. There was an issue with how UTS calculated this count for special GQ records, which is causing DRPS to generate records erroneously to make up the difference.	All States 45,000 reported in California and 18,000 in Texas	11/19/2020	11/21/2020	11/23/2020	11/23/2020	11/23/2020	11/24/2020	11/25/2020					Med
71	Error in exception handling of brother/sister relationship variables set	Fix required to identify the correct relationship variable during exception handling.	Impacting all states when applying the patch	11/17/2020	11/19/2020	11/19/2020	11/23/2020	11/23/2020	11/24/2020	11/25/2020	11/25/2020				Med

Document #2

Issue ID	Title	Description	Impact	Anomaly confirmed	Requirements received	Development started	Development completed	Project level test - individual patch started	Project level test - individual patch completed	Released for SME Review	Completed SME Review	Deploy to production	Status	Notes	Complexity
73	Person records without associated housing unit records	For paper responses where respondent doesn't complete the housing unit questions, but does complete person level questions, DRPS must generate housing unit record for the persons. There was coding error associating person level data to a correct state. If this error isn't corrected demographic data for persons will be missed, and may impact the final pop counts.	136,373 records reported across 9 states	11/17/2020	11/19/2020										High
89	Continuation form linking for UE	When continuation forms were resent and when a SESSION_CONTEXT_CODE=76 (dummy) record was generated, that continuation form is linking to a wrong parent. Also when both records from a continuation form are placed into a HU that both records are not being identified as duplicates.	All 6 UE States 344 records reported	11/19/2020	11/24/2020										High
94	GQ Non-Residential Conversions	When GQ is converted into Non-residential unit it should be placed into housing unit tables. If not corrected, the record won't be counted into CUF.	88 GQ Locations nationwide	11/20/2020	11/22/2020	11/24/2020	11/25/2020	11/25/2020	11/25/2020	11/25/2020					High
95	GQ Overcount at universities	In certain universities, each dorm has attached the counts for total GQ, which creates significant overcount.	243,136 records	11/21/2020	11/22/2020	11/24/2020									High

As of: 11/27/2020

DRF1 Anomaly Timeline - 15 Anomalies

Version 2.4
Page 5 of 5 pages

Task	Planned Start Date	Planned End Date	Actual Start Date	Actual End Date	Status	Notes
Test Data Preparation	11/19/2020	11/21/2020	11/18/2020	11/19/2020		
Requirements Validation	11/18/2020	11/21/2020	11/18/2020	11/24/2020		As new anomalies are identified we expect requirements/MOU to be provided within 24-48 hours.
Development	11/19/2020	11/28/2020	11/19/2020			
Project Test						
Individual patches	11/22/2020	11/28/2020	11/21/2020			Development will flow individual patch fixes to project test from 11/22 through 11/28.
Consolidated patch for implementation	11/29/2020	12/1/2020				Project test will receive the comprehensive patch for all fixes on 11/29.
Program Test	12/1/2020	12/5/2020				Program test will start on 12/1 day to test comprehensive patch.
Patch implementation in Production	12/6/2020	12/7/2020				
POP and DSSD verify patches	12/8/2020	12/10/2020				DRF2 will start on 12/11 and run concurrently with SME DRF1 detailed analysis.
Subject Matter Expert Review (POP/DSSD) of DRF1 detailed analysis	12/8/2020	12/14/2020				

Document #2

EXHIBIT 9

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
1 End of Data Collection Operation								
1a	Last day of CQA	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20			
1b	Last day of ISR	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20			
1c	Last day of NRFU	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20			
1d	Scanning/keying of paper form responses complete	Mon 3/9/20	Tue 10/27/20	Mon 3/9/20	Tue 10/27/20			
2 End of NRFU Delivery								
2a	Close out Remaining Open Cases in Field Operation Control System (FOCS)	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20	Thu 10/15/20			
2b	NRFU Reinterview Clerical Review & Fail File Delivery	Wed 7/8/20	Fri 10/30/20	Wed 7/8/20	Thu 10/29/20			
2c	Self Response Quality Assurance (SRQA) Results & Delivery to Census Data Lake (CDL)	Tue 7/7/2020	Mon 11/2/20	Tue 7/7/2020	Mon 11/2/20			
3 NON-ID Clerical Result Finalization								
3a	CDL Receive all Clerical Match Results for all Housing Units	Thu 3/12/20	Tue 10/27/20	Thu 3/12/20	Wed 10/28/20			
3b	CDL Send Non-ID Response to Decennial Response Processing System (DRPS)	Sun 3/15/20	Wed 10/28/20	Sun 3/15/20	Thu 10/29/20			
3c	One time send of Group Quarter (GQ) Usual Home Elsewhere (UHE) Results from Unlinked Individual Census Questionnaires (Paper) to Master Address File/Topologically Integrated Geographic Encoding & Referencing System (MAFTIGER)	Mon 10/19/20	Mon 10/19/20	Mon 10/19/20	Mon 10/19/20			
3d	CDL Receive GQ UHE Results for Unlinked Individual Census Questionnaires (Paper) from MAFTIGER	Tue 10/20/20	Tue 10/20/20	Tue 10/20/20	Wed 10/21/20			
3e	CDL Receives all UHE Non-ID Results	Thu 3/12/20	Tue 10/27/20	Thu 3/12/20	Tue 10/27/20			

As of: 11/27/2020

2020 Census Post Collection Processing

Version 3.24
Page 2 of 11 pages

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
4 CDL Response Processing								
4a	Processing NRFU Responses	Wed 7/1/20	Sat 10/17/20	Wed 7/1/20	Tue 10/20/20			
4b	Processing Paper Form Responses	Mon 3/9/20	Tue 10/27/20	Mon 3/9/20	Tue 10/27/20			
4c	Processing CQA-ISR Form Responses	Thu 3/12/20	Thu 10/15/20	Thu 3/12/20	Thu 10/15/20			
4d	Processing CQA-Coverage Improvement (CI) Form Responses	Wed 4/22/20	Thu 10/15/20	Wed 4/22/20	Thu 10/15/20			
4e	Processing CQA Closed Case Dispositions	Fri 10/16/20	Fri 10/16/20	Fri 10/16/20	Fri 10/16/20			
4f	Processing ISR Form Responses	Thu 3/12/20	Sat 10/17/20	Thu 3/12/20	Tue 10/20/20			
4g	Processing Automated Tracking and Control (ATAC) Form Responses	Thu 6/25/20	Tue 10/27/20	Thu 6/25/20	Tue 10/27/20			
4h	Processing Group Quarters (GQ) e-Responses	Tue 1/21/20	Fri 9/25/20	Tue 1/21/20	Fri 9/25/20			
5 CDL delivery to Decennial Response Processing System (DRPS)								
5a	CDL Last daily send to DRPS before to End of Operations	Tue 10/20/20	Tue 10/20/20	Tue 10/20/20	Tue 10/20/20			
5b	CDL Response Data Reconciliation before End of Operation Process	Sat 10/17/20	Tue 10/20/20	Thu 10/15/20	Tue 10/20/20			
5c	CDL Last daily send to DRPS after End of Operations	Wed 10/28/20	Wed 10/28/20	Wed 10/28/20	Thu 10/29/20			
5d	DRPS Ingests Response Data after End of Operations	Thu 10/29/20	Thu 10/29/20	Thu 10/29/20	Thu 10/29/20			
5e	DRPS Response Data Reconciliation after End of Operation	Fri 10/30/20	Fri 10/30/20	Thu 10/29/20	Fri 10/30/20			

2020 Census Post Collection Processing

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
6 All Operational Delivery Address Updates (ADDUP)								
6a	Non-ID ADDUP	Sun 9/27/20	Sun 9/27/20	Sun 9/27/20	Sun 9/27/20			
6b	NRFU ADDUP	Sun 9/27/20	Sun 9/27/20	Sun 9/27/20	Sun 9/27/20			
6c	Self Response Non-ID ADDUP	Sun 9/27/20	Sun 9/27/20	Sun 9/27/20	Sun 9/27/20			
6d	NRFU FV ADDUP	Wed 9/2/20	Wed 9/2/20	Wed 9/2/20	Wed 9/2/20			
6e	Update Leave ADDUP	Mon 8/17/20	Mon 8/17/20	Mon 8/17/20	Mon 8/17/20			
6f	Update Enumerate ADDUP	Thu 9/3/20	Thu 9/3/20	Thu 9/3/20	Thu 9/3/20			
6g	Remote Alaska ADDUP	Thu 9/3/20	Thu 9/3/20	Thu 9/3/20	Thu 9/3/20			
6h	GQ ADDUP	Wed 9/23/20	Wed 9/23/20	Wed 9/23/20	Wed 9/23/20			
6i	GQ Enumeration ADDUP	Fri 9/11/20	Fri 9/11/20	Fri 9/11/20	Fri 9/11/20			
6j	GQ Maritime Vessel Enumeration ADDUP	Fri 9/4/20	Fri 9/4/20	Fri 9/4/20	Fri 9/4/20			
6k	GQ Advance Contact ADDUP	Thu 9/10/20	Thu 9/10/20	Thu 9/10/20	Thu 9/10/20			
6l	Enumeration at Transitory Locations (ETL) ADDUP	Mon 10/26/20	Mon 10/26/20	Sun 10/25/20	Sun 10/25/20			
7 Geographic Processing								
7a	Master Address File/Topologically Integrated Geographic Encoding & Referencing System (MAFTIGER) Creates Non-ID Feedback Table (NIFT) and Master Address File Extract (MAFX)	Wed 10/14/20	Wed 10/28/20	Wed 10/14/20	Tue 10/27/20			
7b	Receive NIFT files from MAFTIGER	Wed 10/21/20	Wed 10/21/20	Wed 10/21/20	Wed 10/21/20			
7c	Delivery of Collection MAFX from MAFTIGER	Wed 10/21/20	Wed 10/28/20	Wed 10/21/20	Tue 10/27/20			
7d	ETL NIFT Delivery to CDL	Mon 11/16/20	Mon 11/16/20	Wed 11/11/20	Wed 11/11/20			
8 CDL End of Operations Processing								
8a	Final Non ADDUP Response Processing	Wed 10/21/20	Fri 10/23/20	Tue 10/20/20	Fri 10/23/20			
8b	Final ADDUP Response Processing	Sat 10/24/20	Tue 10/27/20	Fri 10/23/20	Wed 10/28/20			

2020 Census Post Collection Processing

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
9 Decennial Response File (DRF) 1 Creation								
9a	Receive and ingest NRFU Reinterview Fail File	Fri 10/30/20	Sun 11/1/20	Fri 10/30/20	Sat 10/31/20			
9b	Nationwide Duplicate Person Identification (DPI) Master Address File Identifier (MAFID) Links Delivery	Fri 10/16/20	Fri 10/16/20	Fri 10/16/20	Fri 10/16/20			
9c	Control and Response Data System (CaRDS) receives and ingests MAFX	Thu 10/22/20	Wed 10/28/20	Thu 10/21/20	Wed 10/28/20			
9d	CaRDS creates and reviews Collection Sample Delivery File (SDF)	Thu 10/29/20	Mon 11/2/20	Thu 10/29/20	Thu 10/29/20			
9e	Collection SDF Delivery	Mon 11/2/20	Mon 11/2/20	Thu 10/29/20	Thu 10/29/20			
9f	DRF1 Creation and processing	Tue 11/3/20	Tue 11/24/20	Tue 11/3/20				Due to a number of data processing anomalies a comprehensive patch and redelivery of state files for review is required. Review expected completion date is 12/10/20.
9g	Ingest and Load Special GQs	Tue 11/3/20	Tue 11/3/20	Tue 11/3/20	Tue 11/3/20			
9h	Load Nationwide Duplicate Person Identification (DPI) file	Wed 11/4/20	Wed 11/4/20	Wed 11/4/20	Wed 11/4/20			
9i	Execute final daily load of DRF1	Thu 11/5/20	Thu 11/5/20	Fri 11/6/20	Fri 11/6/20			
9j	Prepare final DRF1 processing (Fix DRF1 data as defined by sponsors DSSD and POP)	Thu 11/5/20	Fri 11/6/20	Fri 11/6/20	Fri 11/6/20			
9k	Tier 1 DRF1-state files delivery to Population Division (POP) and Decennial Statistical Studies Division (DSSD) complete	Tue 11/10/20	Tue 11/10/20	Tue 11/10/20	Fri 11/13/20			Initial Tier 1 state files delivered on 11/13. Redelivery of patched state files is expected on 12/7/20.
9l	Tier 2 DRF1-state files delivery to POP/DSSD complete	Wed 11/11/20	Wed 11/11/20	Wed 11/11/20	Fri 11/13/20			Initial Tier 2 state files delivered on 11/13. Redelivery of patched state files is expected on 12/7/20.
9m	Tier 3 DRF1-state files delivery to POP/DSSD complete	Fri 11/13/20	Fri 11/13/20	Fri 11/13/20	Sun 11/15/20			Initial Tier 3 state files delivered on 11/15. Redelivery of patched state files is expected on 12/7/20.

Legend

Blue - Finished

Green - On Schedule

Yellow - late, but doesn't push end date

Red - late and pushes the end date

Controlled Unclassified Information (CUI)

As of: 11/27/2020

2020 Census Post Collection Processing

Version 3.24

Page 5 of 11 pages

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
9n	Tier 4 DRF1-state files delivery to POP/DSSD complete	Sat 11/14/20	Sat 11/14/20	Sun 11/15/20	Mon 11/16/20			Initial Tier 4 state files delivered on 11/16. Redelivery of patched state files is expected on 12/7/20.
9o	Tier 5 DRF1-state files delivery to POP/DSSD complete	Sun 11/15/20	Sun 11/15/20	Mon 11/16/20	Tue 11/17/20			Initial Tier 5 state files delivered on 11/17. Redelivery of patched state files is expected on 12/7/20.
9p	Tier 6 DRF1-state files delivery to POP/DSSD complete	Tue 11/17/20	Tue 11/17/20	Mon 11/16/20	Wed 11/18/20			Initial tier 6 state files delivered on 11/18. Redelivery of patched state files is expected on 12/7/20.
9q	POP/DSSD completed review of DRF1-state files	Tue 11/24/20	Tue 11/24/20					Due to a number of data processing anomalies a comprehensive patch and redelivery of state files for review is required. Review expected completion date is 12/14/20.
9r	POP/DSSD review complete via Review Complete Memo	Tue 11/24/20	Tue 11/24/20					Due to a number of data processing anomalies a comprehensive patch and redelivery of state files for review is required. Review expected completion date is 12/14/20.

Document #3

2020 Census Post Collection Processing

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
10 Decennial Response File (DRF) 2 Creation								
10a	CDL delivery SRQA Results to DRPS	Wed 11/4/20	Wed 11/4/20	Tue 11/3/20	Tue 11/3/20			Input to creation of DRF2. The file identifies possible self responses to be included in the census. File not used until 11/25.
10b	Nationwide Matching results file Delivery to CDL	Thu 10/29/20	Thu 10/29/20	Thu 10/29/20	Thu 10/29/20			
10c	Nationwide Matching results file Delivery to DRPS	Fri 10/30/20	Sat 10/31/20	Fri 10/30/20	Fri 10/30/20			Input needed for DRF2. The file is used to conduct PSA in formulating the housing unit of record to be represented in the census. File not used until 11/25.
10d	Primary Selection Algorithm Across Housing Unit Matching Input Delivery	Mon 11/9/20	Mon 11/9/20	Mon 11/9/20	Mon 11/9/20			Input parameters to conduct PSA (10f). File not used until 11/25.
10e	Primary Selection Algorithm Across Group Quarters Matching Input Delivery	Mon 11/9/20	Mon 11/9/20	Mon 11/9/20	Mon 11/9/20			Input parameters to conduct PSA (10f). File not used until 11/25.
10f	DRF2 Creation & Processing	Wed 11/25/20	Sun 12/13/20					Final DRF1 State files serve as input to DRF2. Currently experiencing delay of receiving DRF1 files. Files expected on 12/11/20.
10g	All DRF2 state files delivery to POP/DSSD Complete	Mon 11/30/20	Mon 11/30/20					
10h	POP/DSSD review of all Tier 1 DRF2-state files [test states] complete	Mon 11/30/20	Fri 12/4/20					
10i	POP/DSSD review of all remaining DRF2-state files complete	Sun 12/13/20	Sun 12/13/20					

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
11 Census Unedited File (CUF) Creation								
11a	2020 Race and Ethnicity Coding Master Output File Delivery	Thu 12/3/20	Mon 12/7/20					Input file to CUF (11d).
11b	Housing Unit Status and Count Imputation File Delivery	Sun 9/6/20	Sun 9/6/20	Sun 9/6/20	Sun 9/6/20			This is an input file to set up count imputation. This file is not needed until 12/14.
11c	CDL delivery of Undeliverable As Addressed (UAA) Processing File to DRPS	Thu 12/10/20	Thu 12/10/20					This is an input file to set up count imputation. This file is not needed until 12/14.
11d	CUF Creation & Processing	Mon 12/14/20	Sun 12/27/20					Final DRF2 National delivery file serves as input to CUF. Currently experiencing delay of receiving DRF2. File expected on 12/30/20.
11e	Tier 1 CUF-state files delivery to POP/DSSD complete	Wed 12/16/20	Wed 12/16/20					
11f	Tier 2 CUF-state files delivery to POP/DSSD complete	Thu 12/17/20	Thu 12/17/20					
11g	Tier 3 CUF-state files delivery to POP/DSSD complete	Fri 12/18/20	Fri 12/18/20					
11h	Tier 4 CUF-state files delivery to POP/DSSD complete	Sun 12/20/20	Sun 12/20/20					
11i	Tier 5 CUF-state files delivery to POP/DSSD complete	Tue 12/22/20	Tue 12/22/20					
11j	Tier 6 CUF-state files delivery to POP/DSSD complete	Thu 12/24/20	Thu 12/24/20					
11k	POP/DSSD completed review of CUF-state files	Sun 12/27/20	Sun 12/27/20					
11l	POP/DSSD review complete via Review Complete Memo	Sun 12/27/20	Sun 12/27/20					

As of: 11/27/2020

2020 Census Post Collection Processing

Version 3.24
Page 8 of 11 pages

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
12.1 Input files needed for Apportionment (needed for 12.2 and 12.3)								
12.1.a	Create MAFID State Change (MISC) file							
12.1.a.1	Tabulation Benchmark Geocoding	Fri 11/6/20	Fri 11/20/20	Fri 11/6/20	Wed 11/18/20			
12.1.a.2	Tabulation Benchmark complete Geocoding QC and associated Data Fixes	Fri 11/6/20	Fri 11/20/20	Fri 11/6/20	Wed 11/18/20			
12.1.a.3	Tabulation Benchmark Run Validate Topology/Final Data Edits, and Run Map spot Numbers	Sat 11/21/20	Sun 11/22/20	Thu 11/19/20	Thu 11/19/20			
12.1.a.4	Tabulation Benchmark Creation	Mon 11/23/20	Mon 11/23/20	Fri 11/20/20	Fri 11/20/20			
12.1.a.5	Create and QC MAFID State Change (MISC) file	Sun 11/29/20	Sat 12/5/20	Fri 11/20/20	Fri 11/20/20			
12.1.a.6	Delivery of MAFID State Change (MISC) file	Sun 12/6/20	Sun 12/6/20	Fri 11/20/20	Fri 11/20/20			MISC input file not incorporated until 12/28.
12.1.b	Create Enumeration at Transitory Locations (ETL) population count file							
12.1.b.1	Create initial Enumeration at Transitory Locations (ETL) population count file	Mon 11/16/20	Mon 11/23/20	Mon 11/16/20	Mon 11/23/20			
12.1.b.2	Deliver initial Enumeration at Transitory Locations (ETL) population count file	Mon 11/23/20	Mon 11/23/20	Mon 11/23/20	Mon 11/23/20			
12.1.b.3	Review initial Enumeration at Transitory Locations (ETL) population count file	Mon 11/23/20	Thu 12/10/20	Mon 11/23/20				
12.1.b.4	Delivery of final Enumeration at Transitory Locations (ETL) population count file	Thu 12/10/20	Thu 12/10/20					ETL input file not incorporated until 12/28.

2020 Census Post Collection Processing

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
12.1.c	Create Federally-Affiliated Count Overseas file							
12.1.c.1	Collecting counts of overseas personnel	Wed 4/1/20	Mon 12/7/20	Wed 4/1/20	Tue 11/10/20			
12.1.c.2	Delivery of initial version of Federally-Affiliated Count Overseas file	Mon 12/7/20	Mon 12/7/20	Tue 11/10/20	Tue 11/10/20			
12.1.c.3	Review of initial version of Federally-Affiliated Count Overseas file	Tue 12/8/20	Mon 12/14/20	Tue 11/10/20	Thu 11/12/20			
12.1.c.4	Delivery of final Federally-Affiliated Count Overseas file	Mon 12/14/20	Mon 12/14/20	Fri 11/13/20	Fri 11/13/20			FACO input file not incorporated until 12/28.
12.1.d	Delivery of Unauthorized Immigrants in ICE Detention Centers Enumerated in the Census	Wed 12/16/20	Wed 12/16/20					Expected delivery on 1/1/21.
12.1.e	Unauthorized Immigrants in ICE Detention Centers Enumerated in the Census Finalized	Sun 12/27/20	Sun 12/27/20					Expected delivery on 1/12/21.
12.1.f	Delivery of the Final Census Unedited File (CUF)	Sun 12/27/20	Sun 12/27/20					Expected delivery on 1/12/21.
EITHER 12.2 Apportionment Count (Resident Population, FACO, with Count of Unauthorized Immigrants in Detention Centers) - 1/7/21								
12.2.a	POP Verifies Apportionment Input Files	Sun 12/6/20	Mon 12/28/20					Expected finish date 1/13/21.
12.2.b	POP Calculates/Verifies Apportionment Counts	Mon 12/28/20	Thu 12/31/20					Expected finish date 1/16/21.
12.2.c	POP Creates/Verifies Apportionment Tables	Fri 1/1/21	Sun 1/3/21					Expected finish date 1/19/21.
12.2.d	POP Delivers Final Apportionment Tables to CQAS, PIO, CNMP, GEO	Sun 1/3/21	Sun 1/3/21					Expected delivery on 1/19/21.
12.2.e	CQAS/PIO/GEO/CNMP/POP Assembles Transmittal Package, Press Kit, and other Materials for Release	Mon 1/4/21	Thu 1/7/21					Expected finish date 1/23/21.
12.2.f	BOC DIR Delivers Final Apportionment Transmittal Package to DOC	Thu 1/7/21	Thu 1/7/21					Expected delivery on 1/23/21.
12.2.g	DOC Delivers Apportionment Counts to President (U.S.C. Article 1, Section 2)	Thu 1/7/21	Thu 1/7/21					Expected delivery on 1/23/21.
12.2.h	Public Release of 2020 Apportionment Data	Thu 1/7/21	Thu 1/7/21					Expected delivery on 1/23/21.

Document #3

Green - On Schedule
Yellow - late, but doesn't push end date
Red - late and pushes the end date

As of: 11/27/2020

2020 Census Post Collection Processing

Version 3.24

Page 10 of 11 pages

ID	Task Name	Baseline Start	Baseline Finish	Actual Start	Actual Finish	Previous Status	Status	Comments
OR 12.3 Delivery of Resident Population, FACO, and Count of Unauthorized Immigrants from matching the CUF to Administrative Records (BoC to run Apportionment after count delivery - 1/18/21)								
12.3.a	CUF Processed by Production Person Identification Validation System (PVS)	Mon 12/28/20	Thu 12/31/20					Expected finish date 1/16/21.
12.3.b	Match Admin Records to CUF and Quality Assurance	Fri 1/1/21	Tue 1/12/21					Expected finish date 1/29/21.
12.3.b.1	Do Record Linkage Quality Assessment for the CUF	Fri 1/1/21	Sun 1/3/21					Expected finish date 1/19/21.
12.3.b.2	Link CUF Records to Admin Records from SSA, DHS, IRS, State, etc.	Mon 1/4/21	Tue 1/5/21					Expected finish date 1/21/21.
12.3.b.3	Apply Record Linkage Quality Thresholds to CUF and Verify Output	Wed 1/6/21	Thu 1/7/21					Expected finish date 1/23/21.
12.3.b.4	Validate Unauthorized Immigrant Assignments	Fri 1/8/21	Sun 1/10/21					Expected finish date 1/26/21.
12.3.b.5	Tabulate Unauthorized Immigrant Counts by State	Mon 1/11/21	Mon 1/11/21					Expected finish date 1/27/21.
12.3.b.6	Verify Tabulation	Tue 1/12/21	Tue 1/12/21					Expected finish date 1/28/21.
12.3.c	Quality Assurance of the Tabulation And Demographic Reasonableness Checks	Wed 1/13/21	Fri 1/15/21					Expected finish date 1/31/21.
12.3.d	Apply Disclosure Avoidance to Unauthorized Immigrant Counts	Sat 1/16/21	Sat 1/16/21					Expected finish date 2/1/21.
12.3.e	Create Transmittal Package of Resident Population, Federally Affiliated Overseas Population, and Unauthorized Population by State	Sun 1/17/21	Mon 1/18/21					Expected finish date 2/3/21.

Document #3

Critical Path Tasks

ID	Task Name	Baseline Start	Baseline Finish	Status	Expected Finish Date
7a	Master Address File/Topologically Integrated Geographic Encoding & Referencing System (MAFTIGER) Creates Non-ID Feedback Table (NIFT) and Master Address File Extract (MAFX)	Wed 10/14/20	Wed 10/28/20		
7c	Delivery of Collection MAFX from MAFTIGER	Wed 10/21/20	Wed 10/28/20		
9c	Control and Response Data System (CaRDS) receives and ingests MAFX	Thu 10/22/20	Wed 10/28/20		
9d	CaRDS creates and reviews Collection Sample Delivery File (SDF)	Thu 10/29/20	Mon 11/2/20		
9e	Collection SDF Delivery	Mon 11/2/20	Mon 11/2/20		
9f	DRF1 Creation and processing	Tue 11/3/20	Tue 11/24/20		Thu 12/10/20
10f	DRF2 Creation & Processing	Wed 11/25/20	Sun 12/13/20		Tue 12/29/20
11d	CUF Creation & Processing	Mon 12/14/20	Sun 12/27/20		Tue 1/12/21
11l	POP/DSSD review complete via Review Complete Memo	Sun 12/27/20	Sun 12/27/20		Tue 1/12/21
12.2.d	POP Delivers Final Apportionment Tables to CQAS, PIO, CNMP, GEO	Sun 1/3/21	Sun 1/3/21		Tue 1/19/21
12.2.g	DOC Delivers Apportionment Counts to President (U.S.C. Article 1, Section 2)	Thu 1/7/21	Thu 1/7/21		Sat 1/23/21
12.3.b	Match Admin Records to CUF and Quality Assurance	Fri 1/1/21	Tue 1/12/21		Sun 1/17/21 - Fri 1/29/21
12.3.e	Create Transmittal Package of Resident Population, Federally Affiliated Overseas Population, and Unauthorized Population by State	Sun 1/17/21	Mon 1/18/21		Wed 2/3/21

LATHAM & WATKINS LLP
 Sadik Huseny (Bar No. 224659)
 sadik.huseny@lw.com
 Steven M. Bauer (Bar No. 135067)
 steven.bauer@lw.com
 Amit Makker (Bar No. 280747)
 amit.makker@lw.com
 Shannon D. Lankenau (Bar No. 294263)
 shannon.lankenau@lw.com
 505 Montgomery Street, Suite 2000
 San Francisco, CA 94111
 Telephone: 415.391.0600
 Facsimile: 415.395.8095

LATHAM & WATKINS LLP
 Melissa Arbus Sherry (*pro hac vice*)
 melissa.sherry@lw.com
 Richard P. Bress (*pro hac vice*)
 rick.bress@lw.com
 Anne W. Robinson (*pro hac vice*)
 anne.robinson@lw.com
 Tyce R. Walters (*pro hac vice*)
 tyce.walters@lw.com
 Gemma Donofrio (*pro hac vice*)
 gemma.donofrio@lw.com
 Christine C. Smith (*pro hac vice*)
 christine.smith@lw.com
 555 Eleventh Street NW, Suite 1000
 Washington, D.C. 20004
 Telephone: 202.637.2200
 Facsimile: 202.637.2201

LAWYERS' COMMITTEE FOR
 CIVIL RIGHTS UNDER LAW
 Kristen Clarke (*pro hac vice*)
 kclarke@lawyerscommittee.org
 Jon M. Greenbaum (Bar No. 166733)
 jgreenbaum@lawyerscommittee.org
 Ezra D. Rosenberg (*pro hac vice*)
 erosenberg@lawyerscommittee.org
 Ajay P. Saini (*pro hac vice*)
 asaini@lawyerscommittee.org
 Maryum Jordan (Bar No. 325447)
 mjordan@lawyerscommittee.org
 Pooja Chaudhuri (Bar No. 314847)
 pchaudhuri@lawyerscommittee.org
 1500 K Street NW, Suite 900
 Washington, D.C. 20005
 Telephone: 202.662.8600
 Facsimile: 202.783.0857

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

NATIONAL URBAN LEAGUE, et al.,

Plaintiffs,

v.

WILBUR L. ROSS, JR., et al.,

Defendants.

CASE NO. 5:20-cv-05799-LHK

**[PROPOSED] ORDER GRANTING
 MOTION TO COMPEL TIMELY
 PRODUCTION OF DOCUMENTS AND
 FOR RELATED RELIEF**

Date: December 11, 2020

Time: 1:30 p.m.

Place: Courtroom 8

Judge: Hon. Lucy H. Koh

[PROPOSED] ORDER

This matter comes before the Court on the motion to compel timely production of documents and for related relief (“Motion”) filed by Plaintiffs National Urban League; League of Women Voters; Black Alliance for Just Immigration; Harris County, Texas; King County, Washington; City of Los Angeles, California; City of Salinas, California; City of San Jose, California; Rodney Ellis; Adrian Garcia; the NAACP; Navajo Nation; City of Chicago, Illinois; County of Los Angeles, California; and Gila River Indian Community (collectively, “Plaintiffs”). Having considered all papers submitted in support of and in opposition to the Motion, all other pleadings and papers on file, and all arguments presented by counsel, Plaintiffs’ Motion is GRANTED in its entirety.

IT IS HEREBY ORDERED THAT:

1. Defendants shall produce, by Monday, December 14, 2020, documents sufficient to show the details of the Bureau’s current data-processing plans, procedures, and schedule (including changes) since October 15, 2020;
2. Defendants shall produce, by Monday, December 14, 2020, documents responsive to requests from the House Committee on Oversight and Reform and Census Integration Group (“CIG”) documents.
3. Defendants shall produce, by Monday, December 14, 2020, all summary report data responsive to Defendants’ sufficient-to-show requests regarding data collection processes, metrics, issues and improprieties (RFP Nos. 2-4, 6-10, 15, 16, 18).
4. Defendants shall produce, by Monday, December 14, 2020, appropriate metadata—including MD5 Hash data, production begin bates, production end bates, production begin attachment, production end attachment, custodian, email from, email to, email cc, author, document date, and file name—for their December 1, 2020 and December 8, 2020 productions. Defendants shall produce appropriate metadata—including MD5 Hash data, production begin bates, production end bates, production begin attachment, production end attachment, custodian, email from, email to, email cc, author, document date, and file name—for all future productions in this case.
5. Defendants shall make available for deposition no later than December 17, 2020, an additional Rule 30(b)(6) witness on the topics of Defendants’ retention, organization, collection, review, and production of documents and data, as well as the search functionalities and capabilities of Defendants’ various databases, so that Plaintiffs have definitive, sworn answers regarding key document production issues in this case, and meaningful guidance regarding how Defendants retain, manage, and organize data and how they are

collecting and producing documents in this litigation, that will help finalize this portion of discovery without further delay.

6. Defendants shall have 14 days instead of 30 days to respond to the narrowly tailored Interrogatories and Requests for Admission Plaintiffs will be able to craft and serve once they receive production of the key materials outlined above.

Dated: _____

HONORABLE LUCY H. KOH
UNITED STATES DISTRICT JUDGE