



U.S. Department of Justice  
Civil Rights Division

NDH:TC  
17-00362-F

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

*VIA EMAIL*

March 20, 2018

Sean Morales-Doyle, Counsel, Democracy Program  
Wendy R. Weiser, Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
120 Broadway, Suite 1750  
New York, NY 10271  
weiserw@brennan.law.nyu.edu  
morales-doyles@brennan.law.nyu.edu

Dear Mr. Morales-Doyle and Ms. Weiser:

This is in response to your July 20, 2017 Freedom of Information Act request, received by the Civil Rights Division on July 21, 2017, seeking the following information:

- 1) All documents the Department of Justice (DOJ) received or receives from state or local election officials in response to the "Letter" (defined as the June 28, 2017, letter sent by the Voting Section to states covered by the National Voter Registration Act (NVRA)).
- 2) All communications and documents, including but not limited to emails and memoranda, between DOJ officer, employee, or agent, or any White House liaison to the Department, and any other person, including but not limited to any officer, employee, or agent of the White House or the Presidential Advisory Commission on Election Integrity concerning the Letter.

Regarding your first request for all documents regarding the Letter sent to states covered by the NVRA, I have determined that access should be denied pursuant to 5 U.S.C. §552(b)(7)(A), since disclosure thereof could reasonably be expected to interfere with law enforcement proceedings. I have further determined that certain information within these records that is exempt from disclosure pursuant to 5 U.S.C. §552(b)(7)(A) should also be denied pursuant to 5 U.S.C. §552(b)(5), since the records consist of attorney work product, and include intra-agency memoranda containing pre-decisional, deliberative material and attorney client material; and subject to 5 U.S.C. § 552 (b)(6), since disclosure thereof could reasonably be expected to constitute an unwarranted invasion of personal privacy

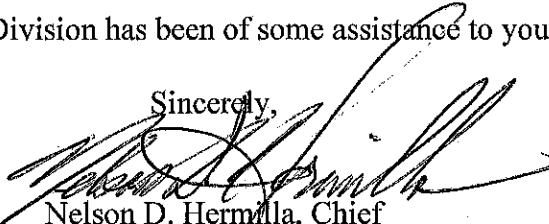
Regarding your second request, after review of the responsive Civil Rights Division documents referred to our office, I have determined the enclosed 407 pages may be released to you subject to the excision of the names and other identifying information of private individuals

pursuant to 5 U.S.C. § 552 (b)(6), since disclosure thereof could reasonably be expected to constitute an unwarranted invasion of personal privacy; and pursuant to 5 U.S.C. §552(b)(5), since the records consist of attorney work product, and include intra-agency memoranda containing pre-decisional, deliberative material and attorney client material. Further, I have determined that access to four pages of documents should be denied pursuant to 5 U.S.C. §552(b)(7)(A), since disclosure thereof could reasonably be expected to interfere with law enforcement proceedings. I have further determined that certain information within these records that is exempt from disclosure pursuant to 5 U.S.C. §552(b)(7)(A) should also be denied pursuant to 5 U.S.C. §552(b)(5), since the records consist of attorney work product, and include intra-agency memoranda containing pre-decisional, deliberative material and attorney client material. Finally, when some documents were electronically loaded, the transfer left white boxes which are not redactions and some irregular formats on pages. The redacted boxes include the specific redaction code within the boxes.

If you are not satisfied with my response to this production, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, DC 20530-0001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following web site: <https://foiaonline.regulations.gov/foia/action/public/home>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

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

Sincerely,



Nelson D. Hermilla, Chief

Freedom of Information/Privacy Acts Branch  
Civil Rights Division