



U. S. Department of Justice

Civil Division

Washington, D.C. 20530

Joseph H. Hunt
Director

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March 12, 2010

VIA ELECTRONIC MAIL AND FIRST-CLASS U.S. MAIL

Mr. David P. Blackwood
General Counsel
United States Commission On Civil Rights
624 Ninth Street, N.W.
Washington, D.C. 20425

Re: United States Commission on Civil Rights'
Planned Statutory Enforcement Report

Dear Mr. Blackwood:

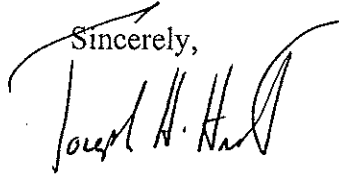
By letter dated February 26, 2010, I advised you that the Department of Justice ("Department") was not prepared to respond to the request of the United States Commission on Civil Rights ("Commission") for hearing testimony from Department employees [REDACTED] and [REDACTED]. I explained that the Commission's request requires thoughtful consideration of how to strike the appropriate balance between the Department's desire to cooperate with the Commission and the protection of the Department's confidentiality interests, but that the Department is sensitive to the Commission's timetable, and therefore would provide a response as soon as possible. You subsequently requested the Department's response on or before March 12, 2010 even though the Commission hearing was rescheduled for April 23, 2010.

We are not in a position to meet this timetable for the response, although the Department has expended and continues to expend substantial resources responding to the Commission's requests for documents, interrogatory answers, and testimony. For example, Department personnel across various Department components have expended numerous hours searching for and reviewing records to determine what may be responsive to the document requests directed at the Department on December 8, 2009. That effort did not cease when the Department provided the Commission with responses to interrogatories and nearly 2000 pages of documents on January 11, 2010. The Department's supplemental production of documents on February 26, 2010 resulted from an ongoing evaluation of whether the Department could provide further information to the Commission while protecting the Department's confidentiality interests. And that effort remains underway today.

The Department continues to evaluate the Commission's requests, including with respect to the provision of testimony. As you know, when the Commission originally requested testimony for the hearing, initially scheduled for February 12, 2010, you asked that the Department respond only one week before that date. The hearing was subsequently rescheduled for April 23, 2010, which is still six weeks from now. There should be sufficient time between now and the date of the hearing for the Department to provide further supplementation of its response to the Commission's requests for documents and interrogatories, if any, and to convey its decision concerning the provision of testimony. The Department remains sensitive to the Commission's desire to proceed with its inquiry, and thus is moving forward in a manner that will permit it to provide further supplementation and to respond to your request for testimony in advance of the Commission's April 23, 2010 hearing.

We appreciate your continued patience as we proceed in an effort to accommodate the legitimate interests of both the Commission and the Department.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph H. Hunt". The signature is written in a cursive style with a large, sweeping initial "J" and a long, horizontal flourish extending to the right.

Joseph H. Hunt
Director
Federal Programs Branch
Civil Division