COMMONWEALTH of VIRGINIA

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August 4, 2000

John H. Thompson
Associate Director, Bureau of the Census
Suitland Federal Center, Building 2, Room 3586
Suitland and Silver Hill Roads
Suitland, Maryland 20233

Re: Comments on Proposed Rule for Reports of Tabulations of Populations to States and Localities

Dear Mr. Thompson:

Attached please find a copy of the Memorandum of Law in Support of a Motion for Summary Judgment filed on behalf of the Plaintiffs in the case of *Commonwealth of Virginia v. Reno, et al.*, Civil Action No. 1:00 CV 00751 (HHK), currently pending in the United States District Court for the District of Columbia. Please file this letter and the attached memorandum as our comments regarding the rule proposed by the United States Census Bureau relating to the bureau's plan to report tabulations of populations to states and localities pursuant to 13 U.S.C. § 141(c) and in making available certain other population information. For reasons stated in the memorandum we oppose the proposed rule.

As the Memorandum of Law indicates, it is clear that the decision to conduct the 2000 Census through a statistical adjustment scheme has already been made. Therefore, this rulemaking process affords no real and adequate opportunity for opponents of the rule to provide meaningful comment.

Very truly yours,

Frank S. Ferguson

Frank S. Ferguson
Deputy Attorney General

Enclosure: Memorandum of Law in Support of Motion for Summary Judgment

The Office of the Attorney General for the Commonwealth of Virginia enclosed the following with his response:

Memorandum of Law in Support of a Motion for Summary Judgment filed on behalf of the Plaintiffs in the case of *Commonwealth of Virginia v. United States of America, et al*, Civil Action No. 1:00 CV 00751 (HHK), currently pending in the United States District Court for the District of Columbia

If you would like a copy of this enclosure, please e-mail Mr. Burton H. Reist at:

Burton.H.Reist@ccmail.census.gov