

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ROBYN KRAVITZ, *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
COMMERCE, *et al.*,

Defendants.

Civil Action No. 18-cv-01041-GJH

LA UNIÓN DEL PUEBLO ENTERO, *et al.*,

Plaintiffs,

v.

WILBUR ROSS, *et al.*,

Defendants.

Civil Action No. 18-cv-01570-GJH

NOTICE OF MOTION AND MOTION FOR LEAVE TO FILE *AMICUS* BRIEF

PLEASE TAKE NOTICE that the American Statistical Association, American Sociological Association, and Population Association of America respectfully seek leave to file the accompanying brief as *amici curiae* in support of Plaintiffs.¹

¹ No party's counsel authored the accompanying brief, in whole or part, and no person or entity other than *amici* and their counsel assisted in or made a monetary contribution to the preparation or submission of this brief.

Because there is no rule directly on point, this Court has broad discretion to accept *amicus* briefs that may provide guidance in resolving thorny legal issues. *See Bryant v. Better Bus. Bureau of Greater Maryland, Inc.*, 923 F. Supp. 720, 728 (D. Md. 1996).

Amici curiae are three leading national associations of professional and academic statisticians, sociologists, and demographers who have a strong interest in, and regularly rely on, the integrity of the data produced by the United States Census Bureau (the “Bureau”), including the results of the decennial census that the Constitution mandates. *Amici* have a strong interest in ensuring that their members and the public at large are able to continue to benefit from the accurate and trustworthy data that the Bureau has historically generated through the census. *Amici* are deeply concerned that an uncertain and untested change to that census will imperil the accuracy, reliability, and utility of a core tool for their research and decision-making. And because *amici* so heavily rely on census data, they are further concerned that the addition of the citizenship question will cause lasting damage to the credibility and professional standing of the Bureau, one of the world’s leading statistical agencies.

The American Statistical Association is the world’s largest community of statisticians and one of the oldest continuously operating professional science societies in the United States. Its members generally hold advanced degrees and serve in industry, government, and academia in more than 90 countries, advancing research and promoting sound statistical practice to inform public policy. With over 18,000 members, who are primarily but not exclusively located in the United States, the American Statistical Association is the “Big Tent for Statistics” worldwide. Since its founding in 1839, the American Statistical Association has supported excellence in the development, application, and dissemination of statistical science through meetings, publications, membership services, education, accreditation, and advocacy.

The American Sociological Association is the national professional and scholarly association of sociologists in the United States. Founded in 1905, the organization has almost 12,000 members and publishes twelve leading peer-reviewed journals. The American Sociological Association is a nonprofit membership association dedicated to advancing sociology as a scientific discipline and profession that serves the public good.

The Population Association of America is a nonprofit, scientific organization of professionals from multiple disciplines engaged in the scientific study of population. Its purpose is to advance knowledge and understanding of the causes and consequences of population composition, processes, and change. Founded in 1931, the Population Association of America now has over 3,000 members, including demographers, sociologists, economists, public-health professionals, and other individuals interested in research and education in the population field.

The Court should grant *amici* leave to file the attached brief because *amici* have a unique perspective, based on their specialized expertise, on the importance of the integrity and statistical rigor of census data that goes beyond the views of the parties. Moreover, *amici* can provide much-needed context, from neutral parties whose only interest is the integrity of census data, with respect to the importance of the baseline data-collection practices and procedures ordinarily followed by the Bureau and the extent of the departures from those standard practices which Defendants are seeking to pursue by adding a citizenship question to the census.

Amici have received leave to file a brief making these points in another case raising the same issues before the Court, *State of New York v. United States Department of Commerce*, No. 1:18-cv-02921-JMF (S.D.N.Y.), and *New York Immigration Coalition v. U.S. Dep't of Commerce*, No. 1:18-cv-05025-JMF (S.D.N.Y.). *Amici* have also sought leave to file a similar

brief in *State of California v. Wilbur Ross*, No. 3:18-CV-01865-RS (N.D. Cal), and that request remains pending.

All parties have consented to the filing of this brief. A proposed order and the proposed brief accompany this motion.

Dated: February 13, 2019

Respectfully submitted,

/s/ James N. Tansey

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