



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

October 14, 2021

The Honorable Steve Toth
State Representative
P.O. Box 2910
Austin, TX 78768-2910
steve.toth@house.texas.gov

Representative Toth:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request for records from the Texas House of Representatives pursuant to Chapters 551 and 552 of the Texas Government Code (“The Open Meetings Act” and “The Texas Public Information Act”, respectively).

Specifically, CREW requests the following records relating to House Bill 3979 (“HB 3979”) created on or before June 1, 2021:

1. All records discussing the potential effect of any provision of HB 3979 on Black, Latino, or other racial, ethnic, or sexual minorities, and including without limitation the following provisions of HB 3979:
 - i. Prohibition on: (1) discussions of current or controversial social or public policy affairs; (2) student participation in various forms of civil engagement for class credit; (3) requiring teachers to engage in “training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex”; (4) discussions of systemic racism. (HB 3979 Section 1, h-3)
 - ii. Ban on instruction concerning The 1619 Project (HB 3979 Section 1, h-4)
2. All records reflecting any analysis, consideration, or determination regarding how HB 3979 would serve to decrease political divisiveness or promote racial, ethnic, or sexual equality, including any evidence or data supporting such analyses.
3. All records relating to the legislative procedures by which HB 3979 was passed, including, without limitation, records relating to:
 - i. Requirements or limitations regarding testimony from members of the public on the bill
 - ii. Requirements or limitations regarding legislative debate on the bill
 - iii. Efforts to expedite the legislative process for the bill



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4. All records relating to the decision to make the bill effective September 1, 2021. (HB 3979 Section 5).

5. All records reflecting any communications, meetings, phone calls, or conversations regarding HB 3979 or any predecessor version of that bill with representatives of any non-governmental or private organization, including without limitation the following organizations and individuals:
 - i. Claremont Institute
 - ii. Be the People Project
 - iii. Unity Training Solutions
 - iv. Steamboat Institute
 - v. America First Policy Institute
 - vi. The Hoover Institute
 - vii. American Majority
 - viii. American Cornerstone Institute
 - ix. 1776 Action
 - x. Heritage Action for America
 - xi. Heritage Foundation
 - xii. Susan B. Anthony List
 - xiii. American Principles Project
 - xiv. Tea Party Patriots
 - xv. FreedomWorks
 - xvi. American Legislative Exchange Council (ALEC)
 - xvii. Family Research Council
 - xviii. Honest Elections Project
 - xix. State Policy Network
 - xx. Alliance Defending Freedom
 - xxi. Federalist Society
 - xxii. Cleta Mitchell
 - xxiii. Ken Cuccinelli

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as emails to which the subjects of this request were cc'ed or bcc'ed.

If it is your position that any portion of the requested records is exempt from disclosure, please state the basis of the exemption you contend is applicable. Tex. Code §



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552.301. Further, should you intend to request a decision by the Attorney General concerning your determination to withhold any portion of the requested records, please provide a written statement and any communications to the Attorney General pertaining to said request within the applicable statutory period. Tex. Code § 552.301(d). If some portions of the requested records are properly exempt from disclosure, please redact those portions and produce the remainder of the requested records. Tex. Code § 552.221.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and reducing the influence of money on politics. CREW intends to analyze the information responsive to this request and to share its analysis with the public. The release of information obtained through this request is not in CREW's financial interest.

If there are any fees for searching or copying these records, CREW agrees to pay up to \$100. However, CREW also requests a waiver of all fees associated with the instant request because the disclosure of the requested information is in the public interest. Tex. Code § 552.267. The public is entitled to information concerning the decision-making processes of the Texas Senate that factored into the passage of HB 3979, which will likely have a widespread effect on a significant portion of the state's voting populace. Further, this information is not being sought for commercial purposes. If copying fees are expected to exceed \$100, or if you anticipate that "extensive use" of information technology resources or extensive clerical or supervisory assistance will be needed to fulfill this request, please contact me at (202) 408-5565 or liheanachor@citizensforethics.org.

Where possible, please produce records in electronic format. Please send the requested records to me at either liheanachor@citizensforethics.org or Laura Iheanachor, Citizens for Responsibility and Ethics in Washington, 1331 F St. NW, Suite 900, Washington, D.C. 20004.

Please contact me if you have any questions about this request or foresee any problems in fully releasing the requested records.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Laura Iheanachor", written in a cursive style.

Laura Iheanachor
Staff Counsel