Slides attached

Ron S Jarmin, PhD., Deputy Director
U.S. Census Bureau
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***DRAFT***
2020 Census Data Processing Planning

8/24/2020
Overview

- This is a viable plan to deliver the final Census Unedited File (CUF) by 12/14/2020
- It cuts a four-month process down to two and a half months
- It optimizes staff and computing resources to be in operation 24/7, weekends and holidays
- It streamlines and limits processes to focus only on Apportionment, separating and deferring redistricting processing
- Contingent on field operations ending 9/30/2020, we identified any process that could start earlier, run in parallel, or be eliminated
- This plan presents risk to data accuracy
- If risks are realized, they will require decisions that weigh data accuracy and U.S. Census Bureau reputation against schedule delays
- By closely managing both the process and the risks, our intention continues to be to produce an accurate, defensible 2020 Census count
Re-Planning for 2020 Census Post Processing

Original Plan (Before COVID 19)

7/13/20
GEO Processing (48 days)

8/31/20
Produce, Review and Verify DRF 1 (30 days)

9/30/20
Produce, Review and Verify DRF 2 (22 days)

10/31/20
Produce, Review and Verify CUF (27 days)

COVID 19 Plan

10/1/20
GEO Processing (30 days)

11/30/20
Produce, Review and Verify DRF 1 (33 days)

12/31/20
Produce, Review and Verify DRF 2 (22 days)

1/31/21
Produce, Review and Verify CUF (25 days)

Current Plan

9/4/20
Start Address Processing Early by allowing no new added addresses after 9/4/20 (26 days)

9/10/20
GEO Processing (44 days)

10/31/20
Produce, Review and Verify DRF 1 (27 days)

11/30/20
Produce, Review and Verify DRF 2 (22 days)

12/14/20
Produce, Review & Verify CUF (15 days)

12/31/20

1/31/21

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Creating the MAF/TIGER Benchmark – Bottom Line Plan

Geographic data built the foundation for 2020 Census data collection, tabulation, and dissemination. We have the most complete and accurate address list and maps in history. Nearly 152 million addresses were included in the 2020 Census enumeration universe.

In this plan we streamlined, rescheduled, and eliminated processing activities to meet the 12/14/2020 CUF delivery deadline

- No new addresses accepted from data collection operations after 9/4/2020
  - Any new addresses identified between then and 9/30/2020, the last day of data collection operations, and the population associated with those addresses will not be included in the 2020 Census

- This plan reduces the MAF address update process from 45 to 18 days per operation

- The benchmarking process is shortened from 34 to 20 days, eliminating 14 days worth of processing activities that will be cut now and deferred until the creation of the redistricting data products

- We have cancelled the internal independent review of the final list of addresses that will be used to tabulate 2020 Census data (MAF Extract)

- We are eliminating quality control steps that traditionally resulted in a nationwide delivery of all files at once. Instead states will now be delivered on a flow basis.
Decennial Response Processing and Review – Producing Accurate 2020 Results

Once the 2020 Census MAF/TIGER collection benchmark is complete, we have the frame that will serve as the collection geography for 2020 Census response processing. The high-level process to deliver the Census Unedited File includes:

Produce the Decennial Response File 1 (DRF1) – 27 days
- Integrate final collection geography data with the response data
- Standardize data collection modes data (phone, internet, paper and Non Response Follow Up), incorporating high-quality administrative records data as the response data for housing units that do not have an enumeration.
- Classify living quarters as Housing Units or Group Quarters
- Identify unique persons within an individual response
- Incorporate results from NRFU re-interview and electronic records from group quarters
- Determine final demographic variables from response data
- Standardize demographic data for person matching
- Remove responses from collection universe depending on residence criteria
- Perform baby delete criteria – flags person records for deletion for babies confirmed to be born after 4/1
- Assign IDs to non-ID cases
- Collate multiple sheet large HU paper responses
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**Produce Decennial Response File 2 (DRF2) – 22 days**
- Remove responses that meet criteria for being born after Census Day
- Execute Primary Selection Algorithm (PSA) - this resolves situations where we have more than one response for a single address
- Review and verify PSA results
- Process DRF2 state-by-state and at the national level

**Produce the Census Unedited File (CUF) – 15 days**
- Determine the status for every housing unit as occupied, vacant or non-existent
- Identify the universe of data to include in the Census from the Sample Delivery File (SDF) and DRF2 and apply the Count Imputation (CI) operation to fill in the missing housing unit status and the missing household size
- Determine final population count for each address
- Review the population totals and their reasonableness
- Review and verify the data processing steps and products

UHE College student example
DRF1 & 2 deal with addresses we have responses for, CUF deals with the whole universe, including addresses without responses.
Decennial Response Processing - Bottom Line Plan

- **Improved DRPS System Performance in Preparation for 2020 Census Processing**
  Upgraded Oracle Real Application Clusters (RAC) to Oracle Exadata environment. Exadata is a high-performing pre-configured combination of hardware and software that provides infrastructure for Oracle databases.
  - Infrastructure Perform Optimized for Oracle Databases
  - Actively optimizing DRPS processing through monitoring large test executions and consultation with Oracle
  - Adjusted code base to address bottlenecks

- **Optimized role assignments to ensure maximum staff resource usage during this shortened production period**

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Enhancing and Accelerating Data Review

**Subject Matter Expert (SME) Review Improvements**

- Increased analysis of real-time response data to look for trends in data collection and shifting demographics
- Use of SME-developed and tested SAS review programs to automate data collection and data processing review
- The most in-depth demographic reasonableness review will be conducted on the first five to ten states produced by DRPS, with later states undergoing more cursory review checks
- Review of the DRF1 will occur to identify potential issues earlier; in 2010, SME review started with the DRF2
- The focus of the DRF1-CUF review will be on total population counts for apportionment; a separate team of analysts will be compiled to support the additional review of state totals
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- An automated issue tracking system and a streamlined communication plan will allow for quicker decision making about identified issues and provide additional information to senior leadership
- Creation of the DRF1 and CUF will operate concurrently with SME Reviews
Risks During Data Processing and Review

- Reduced data processing and review time increases the risk regarding data quality.
- When anomalies are detected during processing or review, they are assessed and root cause is determined. Past experience tells us we will find anomalies. This means that as data issues are fixed, individual states or all states may need to be re-processed.
- State, multi-state, and national re-processing has been required in all recent censuses, and we anticipate, based on previous Censuses, the need to re-process state or national data in 2020 Census processing.
- The 2020 Census implemented a number of new innovations this decade, such as internet data collection and administrative record enumeration. There other external factors that may impact the data, such as COVID. These factors also increase the risk of re-processing.
- The nature of one-time processing and the requirement to have the full universe complete for accurate review means we won’t know the full extent of anomalies until we process the entire universe.
- It is unknown at this time if re-processing activities will disrupt decennial response processing and impact the timely delivery of the CUF.
- These schedule modifications have removed any ability to recover from late critical issues.
Appendix
Census Undercount File (CUF) production and quality assurance.

Prior to 12/14/2020

CUF finalized

12/14/2020

CUF processed by PVS

Matchingadmin records to CUF and quality assurance (QA)

Applying rules to assign status of the unauthorized immigrant

Quality assurance of tabulation and demographic reasonableness review

Quality assurance of transmittal package

After 12/14/2020

Tabulation of resident population and federally affiliated overseas population (FACO); tabulation of ICE detention centers; QA procedures. This will meet the December 31, 2020 deadline.

Transmittal package
Table with 3 columns: resident population, FACO, and unauthorized immigrants

* ICE detention centers tabulation will only be used as an input to tabulation of unauthorized immigrants and will not be released separately due to disclosure issues.
Good morning everyone,

Attached are the two PowerPoints being reviewed during this morning’s call.

Happy Friday,
Nicole

Nicole Martin
Office of the Deputy Secretary
NMMartin1@doc.gov
O: 202-482-0504
C: [b(6)]
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COVID 19 Plan

- 10/31/20: Produce, Review and Verify DRF 1 (33 days)
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**Note:** The process continues with similar entries for subsequent dates and steps.
Hi all,

Please find the PowerPoint that will be referenced during today’s call.

Best,
Nicole

Nicole Martin
Office of the Deputy Secretary
NMartin1@doc.gov
O: 202-482-0504
C: b(6)
Procedures for Identifying and Tabulating Unauthorized Immigrants as Defined in the Presidential Memorandum

Briefing
August 17, 2020
Overview

- Post data collection processing to finalize the Census Unedited File (CUF)
- Presidential Memorandum teams and data stewardship
- Flowchart of steps needed to complete Presidential Memorandum work and timing
- ICE detention centers tabulation
- Admin records available
- Processing the CUF through the Person Identification Validation System (PVS) and matching to admin records
- Rules for assigning status
- Quality assurance of the unauthorized immigrant counts
- Communication strategy decisions
Post Data Collection Processing to Finalize the Census Unedited File (CUF)

- Post data collection processing is a complex operation that includes several divisions (Decennial Census Management Division; Decennial Information Technology Division; Decennial Statistical Studies Division; Geography Division; Population Division; Social, Economic, and Housing Statistics Division) who all have unique roles in the process.

- Example of some of the activities in this operation include:
  - Geocoding all addresses, meaning that it codes each address to the block level so that it is properly reflected in the correct geography. This geography will form a backbone for all remaining processing.
  - Ensuring that responses from households that responded without the unique identifier or who responded from a previously unidentified address are assigned to the correct location.
  - Merging and standardizing the format of data received from different sources, including mail-in, phone, or internet self-responses; nonresponse follow-up information provided to an enumerator; and "special operations" such as group quarters. This includes clerical coding of write-in responses.
  - De-duplicating data from households who may have responded multiple times in order to avoid "double counting." This includes reviewing instances where a household provided different information across multiple responses, and determining what information should be counted as part of the official record.
  - Performing statistical techniques to account for missing housing unit status and household size information.
  - Processing the counts for military and civilian personnel working for the federal government and their dependents living overseas as part of the Federally Affiliated Count Overseas operation.

- At each step of the process, experts conduct and document rigorous quality assurance to look for errors in processing or tabulation, including evaluating the data at multiple levels of geography against benchmark data to ensure demographic reasonableness of data.
Presidential Memorandum Teams and Data Stewardship

- Presidential Memorandum (PM) Implementation
  - PM Team
    - Team Leads – Chief Scientist and Chief Demographer
    - Includes experts on admin records, demographers, economists, and statisticians
    - Builds on the experience of the CVAP team for determining methodology and using data sets from the Executive Order 13880
  - PM Executive Guidance Group (EGG)
    - Chair – Director
    - Members – Copley, Jarmin, Alowd, Creech, Fontenot, Jones, Lamas, Smith, and Velloff
    - EGG provides the charge to the PM team and gives guidance

- Data Stewardship Executive Policy Committee (DSEP)
  - Membership
    - Chair – Deputy Director/Chief Operating Officer
    - Members – Associate Directors for Decennial, Demographic, Economic, Field, and Research and Methodology; CIO; Chief of Staff; Assistant Directors for Communication and R&D; Chief of PCG; Chief Privacy Officer; two at-large members (Bishop and Lamas)
  - Mission
    - Ensures the Census Bureau maintains its commitment, by fulfilling the legal, ethical, and reporting obligations levied by Title 13 of the U.S. Code, the Privacy Act, and other applicable statutes, including those of governmental and other suppliers of data to the Census Bureau
Census-Verified File (CUF): production and quality assurance.

CUF finalized
Prior to 12/14/2020

After 12/14/2020

Ad hoc records available and processed by Person Identification Validation System (PV8).

Tabulation of resident population and federally affiliated overseas population: tabulation of ICE detention centers; QA procedures. This will meet the December 31, 2020 deadline.

Transmittal package

CUF processed by PV8

Matching ad hoc records to CUF and quality assurance (QA)

Applying rules to assign status of the unauthorized immigrant

Quality assurance of tabulation

Apply disclosure avoidance to unauthorized immigrant counts and QA

Quality assurance of file, reasonableness, data product

Prepublication, internal use only
Tabulating ICE Detention Centers

- Inmates in ICE detention centers were counted as part of the Group Quarters enumeration process.
- When we have the final CUF, we will tabulate these data to create a count of inmates in ICE detention centers for each state.
- This tabulation can be done by the December 31, 2020 deadline.
- We need to make a decision about whether all inmates are unauthorized. In order to distinguish who is unauthorized, record linkage to the CUF is required pushing this past December 31.
- The PM Team will make a recommendation on whether to use admin records for ICE detention centers.
Administrative Record Sources

- The administrative record sources include
  - SSA Numident
  - State Department U.S. passports and Worldwide Refugee Admissions Processing System (WRAPS) refugee data
  - USCIS naturalization certificates, lawful permanent residents, refugees, asylees, Deferred Action for Childhood Arrivals (DACA), Special Immigrant Juveniles (SIJ), and lawful permanent resident pending applicants and denials
  - CBP Arrival and Departure Information Systems (ADIS)
  - ICE Student Exchange Visitor Information System (SEVIS) student and exchange visa holders and Enforcement and Removal Operation (ERO) data
  - Department of Interior Incident Management Analysis Reporting System (IMARS) and Law Enforcement Management Information System (LEMIS) data
  - Personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers (ITINs), which is public information

- These records will be put through the PVS process to assign Protected Identification Keys (PIK) prior to December and will be ready for matching when the CUF is available.
- We are awaiting delivery of 2 files.
- All MOUs need to be modified to allow tabulation of unauthorized immigrants.
Processing the CUF through the PVS and Matching to Admin Records

• First we process the CUF through the PVS
  • Each of the 50 states plus DC will be run through the PVS programs. The process includes over 20 passes for each state in order to assign PIKs.
  • A team will check the quality of the identifiers and review for any errors due to the PVS process.
  • The final step includes generating the of protected identification keys (PIK) files for each state.

• Next we link the CUF to the admin records
  • We have over two dozen unique administrative record files and each file will be separately compared to the CUF looking for a matching PIK.
  • Pertinent information on authorization status will be maintained on a consolidated file.
  • Once each administrative record file has been processed against the CUF, the data will need to be reconciled for any inconsistencies between administrative record files regarding status.
  • Once those issues are identified and resolved, a final file will be ready for processing.
Assignment Rules

We will apply a series of rules to individuals who have a match between the CUF and admin records to assign an authorized/unauthorized status as of April 1, 2020.

It is possible for admin records to have multiple statuses for an individual (e.g., people who enter in an unauthorized status can be given legal status such as refugee; a student on a visa could overstay their visa and become unauthorized).

If definitive admin records show that someone is a citizen, we assign this person citizenship status. This is the reason that we must use all admin records in the process.

People will be classified as an unauthorized immigrant if they are enumerated in the census and match to an admin record that has a clear indication that they are here illegally as of April 1, 2020.

For each state and DC, we will only tabulate unauthorized immigrants who link directly to a census record. Records that do not match are out of scope.
Quality Assurance on Assignment Rules and Disclosure Avoidance

- Assignment rules will be independently double-programmed (concurrently) and compared to ensure data quality standards.
- Staff will need to investigate any obvious errors and resolve these issues. Since solving these puzzles is not always straightforward, we estimate this step will take three days.
- We will apply disclosure avoidance and then produce the final table of unauthorized immigrants as defined as in the Presidential Memorandum.
Quality Assurance of the Unauthorized Immigrant Counts

After disclosure avoidance is applied, we will do quality assurance of the tabulated unauthorized immigrant counts:

1. Verify file (e.g., does every state have an count?)
2. Data reasonableness review. Typical process: (1) Compare current-year estimates to prior-year estimates (2) Compare to other, similar estimates (benchmarks).
   • No recent Census Bureau estimates of unauthorized immigrants in decennial censuses.
   • Compare to estimates of unauthorized immigrants from Pew Research Center (Pew 2018), Center for Migration Statistics (Warren 2018), and Office of Immigration Statistics (OIS 2018). Specifically, compare levels and rough rank-ordering of states.
3. Produce a table of the unauthorized immigrants for each state and DC and provide to the Secretary.
Communication Strategy Decisions

- The Census Bureau typically is transparent about methodologies used for data products. We need to decide how to publically communicate the methodologies used to create these tabulations and when to do this communication.
- We recommend that we do a federal register notice on the methodology because transparency requires that the American public understand how we derived the counts of unauthorized immigrants and have the opportunity to comment on that methodology.
- Data dissemination strategy – to be determined at a later date.
From: Brebbia, Sean (Federal) [SBrebbia@doc.gov]
Sent: 9/30/2020 4:01:36 PM
To: Walsh, Michael (Federal) [MWalsh@doc.gov]
Subject: FW: Census Appointees Letters
Attachments: 08-XX-20 DRAFT RESPONSE to Maloney et al on Hiring 8-6-20 v2.docx; 2020-07-13.CBM Gomez Raskin Connolly Clarke to Ross-DOC re Cogley and Korzeniewski.pdf; 08-XX-20 DRAFT RESPONSE to Schatz et al on Hiring 8-6-20 v2.docx; 20-070946 incoming.pdf
August XX, 2020

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairwoman Maloney:

Thank you for your letter regarding the hiring of Nathaniel Cogley, Ph.D., to serve as Deputy Director for Policy and Adam Korzeniewski to serve as Senior Advisor to the Director at the U.S. Census Bureau.¹

Both Dr. Cogley and Mr. Korzeniewski joined the Census Bureau from the Department of Commerce, where they had been working on Census issues since April as a senior advisor and advisor, respectively,² in the Office of the Deputy Secretary.³ Prior to joining the Department, Dr. Cogley received his Ph.D. in Political Science from Yale University in 2013 and was recently the Head of the Department of Government, Legal Studies, and Philosophy at Tarleton State University in Stephenville, Texas.⁴ Mr. Korzeniewski has exemplary military and public service experience, including service in the United States Marine Corps, with two combat

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¹ U.S. Census Bureau, Press Release, Statement from Census Bureau Director Dr. Steven Dillingham, Jun. 23, 2020, [HYPERLINK "https://www.census.gov/newsroom/press-releases/2020/statement-new-staff.html"] (“I am pleased to welcome two new staff joining the U.S. Census Bureau, Nathaniel Cogley, PhD. as Deputy Director for Policy, and Adam Korzeniewski, as Senior Advisor to the Deputy Director for Policy.”).
² U.S. Census Bureau, Draft Responses to Questions for the Record for Mr. Michael Walsh, U.S. Senate Committee on Commerce, Science, and Transportation, “Nominations Hearing,” Jun. 16, 2020, at 1 (sent Jul. 8, 2020) (hereinafter “Census Draft QFR Responses”) ("Dr. Cogley and Mr. Korzeniewski have been working on Census Bureau issues since April as a senior advisor and advisor, respectively, at the Department of Commerce.").
³ Draft Responses to Questions for the Record for Mr. Michael Walsh, U.S. Senate Committee on Commerce, Science, and Transportation, “Nominations Hearing,” Jun. 16, 2020, at 4 (last viewed Jul. 23, 2020) (hereinafter “Draft QFR Responses”) ("[Dr. Cogley and Mr. Korzeniewski] joined the Census Bureau from the Department of Commerce where they had been working on Census issues since April."); U.S. Census Bureau, Nathaniel Cogley, Ph.D., Deputy Director of Policy, U.S. Census Bureau, [HYPERLINK "https://www.census.gov/newsroom/bios/nathaniel-cogley.html"] (last visited Jul. 23, 2020) (hereinafter “Cogley Bio”) ("In April 2020, [Dr. Cogley] began serving as a Senior Advisor in the Office of the Deputy Secretary at the U.S. Department of Commerce.").
⁴ Cogley Bio, supra note 3 ("[Dr. Cogley] received his Ph.D. in Political Science from Yale University in 2013. He was recently the Head of the Department of Government, Legal Studies, & Philosophy at Tarleton State University in Stephenville, TX.").
deployments to Afghanistan, and as Lead Census Field Manager in Queens, New York, for the 2020 Census.⁵

The Census Bureau Director’s office has historically included multiple senior advisors and staff – both career staff and appointees – who support the Director in the discharge of his or her duties.⁶ In their new roles, Dr. Cogley and Mr. Korzeniewski assist the Director from a policy standpoint, especially in relation to present demands and future innovations of the Census Bureau.⁷ They both report to Director Dillingham.⁸ Additional information about their respective positions can be found in the Census Bureau statement available at [ Hyperlink "https://www.census.gov/newsroom/press-releases/2020/statement-new-staff.html" ].

I also want to address the news stories cited in your letter. Unfortunately, some have misconstrued our new appointees’ firm commitment to a complete and accurate count and, with anonymous comments to the news media, have called into question their integrity and intentions. To set the record straight, neither Dr. Cogley nor Mr. Korzeniewski has questioned the need to obtain census responses from all persons and all communities, nor have they questioned the need to conduct outreach campaigns to promote response. Reports to the contrary are simply false, and truly unfortunate.

We appreciate the opportunity to assist with your inquiry. Staff are working on your document request. For additional questions, please contact the Office of Legislative and Intergovernmental Affairs at (202) 482-1148.

Sincerely,

Copy to The Honorable Jimmy Gomez, Vice Chairman, Committee on Oversight and Reform
Copy to The Honorable James R. Comer, Ranking Member, Committee on Oversight and Reform
Copy to The Honorable Jamie Raskin, Chairman, Subcommittee on Civil Rights and Civil Liberties

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⁵ U.S. Census Bureau, Adam Korzeniewski, Senior Advisor to the Deputy Director, U.S. Census Bureau, [Hyperlink "https://www.census.gov/newsroom/bios/adam-korzeniewski-.html"] (last visited Jul. 23, 2020).

⁶ Census Draft QFR Responses, supra note 2, at 1 ("The Census Bureau Director’s office has historically included multiple senior advisors and staff, both career staff and appointees, that support him or her in discharging his or her duties.").

⁷ Id. ("They will support the director from a policy standpoint, especially in relation to present demands and future innovations of the Census Bureau.").

⁸ Draft QFR Responses, supra note 3, at 4 ("Dr. Cogley will report to Director Dillingham and Mr. Korzeniewski will report to Dr. Cogley as his Senior Advisor.").
Copy to The Honorable Chip Roy, Ranking Member, Subcommittee on Civil Rights and Civil Liberties

Copy to The Honorable Gerald E. Connolly, Chairman, Subcommittee on Government Operations

Copy to The Honorable Jody B. Hice, Ranking Member, Subcommittee on Government Operations

Copy to The Honorable Yvette Clarke, Member of Congress
August XX, 2020

The Honorable Brian Schatz
United States Senate
Washington, DC 20510

Dear Senator Schatz:

Thank you for your letter regarding the hiring of Nathaniel Cogley, Ph.D., to serve as Deputy Director for Policy and Adam Korzeniewski to serve as Senior Advisor to the Director at the U.S. Census Bureau.¹

Both Dr. Cogley and Mr. Korzeniewski joined the Census Bureau from the Department of Commerce, where they had been working on Census issues since April as a senior advisor and advisor, respectively,² in the Office of the Deputy Secretary.³ Prior to joining the Department, Dr. Cogley received his Ph.D. in Political Science from Yale University in 2013 and was recently the Head of the Department of Government, Legal Studies, and Philosophy at Tarleton State University in Stephenville, Texas.⁴ Mr. Korzeniewski has exemplary military and public service experience, including service in the United States Marine Corps, with two combat deployments to Afghanistan, and as Lead Census Field Manager in Queens, New York, for the 2020 Census.⁵

¹ U.S. Census Bureau, Press Release, Statement from Census Bureau Director Dr. Steven Dillingham, Jun. 23, 2020, [HYPERLINK "https://www.census.gov/newsroom/press-releases/2020/statement-new-staff.html"] (“I am pleased to welcome two new staff joining the U.S. Census Bureau, Nathaniel Cogley, PhD. as Deputy Director for Policy, and Adam Korzeniewski, as Senior Advisor to the Deputy Director for Policy.”).
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⁵ U.S. Census Bureau, Adam Korzeniewski, Senior Advisor to the Deputy Director, U.S. Census Bureau, [HYPERLINK "https://www.census.gov/newsroom/bios/adam-korzeniewski-.html"] (last visited Jul 23, 2020).
The Census Bureau Director’s office has historically included multiple senior advisors and staff – both career staff and appointees – who support the Director in the discharge of his or her duties.\textsuperscript{6} In their new roles, Dr. Cogley and Mr. Korzeniewski assist the Director from a policy standpoint, especially in relation to present demands and future innovations of the Census Bureau.\textsuperscript{7} They both report to Director Dillingham.\textsuperscript{8}

In their roles supporting the Director, Dr. Cogley and Mr. Korzeniewski do not supervise Census Bureau operations.\textsuperscript{9} They have taken the oath required under Title 13 to protect Census Bureau data.\textsuperscript{10} Access to person-level data is restricted to those who must have access for their jobs, and Dr. Cogley and Mr. Korzeniewski are not working with such data.\textsuperscript{11} Additional information about the respective positions can be found in the Census Bureau statement available at [HYPERLINK "https://www.census.gov/newsroom/press-releases/2020/statement-new-staff.html" ].

I also want to address various news stories about their appointments. Unfortunately, some have misconstrued our new appointees’ firm commitment to a complete and accurate count and, with anonymous comments to the news media, have called into question their integrity and intentions. To set the record straight, neither Dr. Cogley nor Mr. Korzeniewski has questioned the need to obtain census responses from all persons and all communities, nor have they questioned the need to conduct outreach campaigns to promote response. Reports to the contrary are simply false, and truly unfortunate.

We appreciate the opportunity to assist with your inquiry. For additional questions, please contact the Office of Legislative and Intergovernmental Affairs at (202) 482-1148.

Sincerely,

Copy to The Honorable Ron Wyden, United States Senate

Copy to The Honorable Sherrod Brown, United States Senate

\textsuperscript{6} Census Draft QFR Responses, supra note 2, at 1 (“The Census Bureau Director’s office has historically included multiple senior advisors and staff, both career staff and appointees, that support him or her in discharging his or her duties.”).

\textsuperscript{7} Id. (“They will support the director from a policy standpoint, especially in relation to present demands and future innovations of the Census Bureau.”).

\textsuperscript{8} Draft QFR Responses, supra note 3, at 4 (“Dr. Cogley will report to Director Dillingham and Mr. Korzeniewski will report to Dr. Cogley as his Senior Advisor.”).

\textsuperscript{9} Email from Chris Stanley, Jul. 31, 2020, re: Schatz Letter, Draft Response to Question 2 (“they support the director and do not supervise operations.”).

\textsuperscript{10} Id., Draft Response to Question 4a (“they have taken the oath required to protect data.”).

\textsuperscript{11} Id. (“Access to person-level data is restricted to those who must have access for their jobs, and they are not working with that data.”).
Further updated decks attached. On the PM deck, reduced wording in the final box of the flow diagram, and slide number references removed. No change in the Processing deck, but adding for Nathaniel and Ben. Thanks,

-Michael

Michael T. Thieme
Assistant Director for Decennial Census Programs, Systems and Contracts
U.S. Census Bureau
(301) 763-9062 (Office)
Michael.t.thieme@census.gov
From: Michael T Thieme (CENSUS/ADDC FED) <Michael.T.Thieme@census.gov>
Sent: Monday, August 24, 2020 10:16 AM
To: Risko, Daniel (Federal) <DRisko@doc.gov>
Cc: Deirdre Bishop (CENSUS/GEO FED) <Deirdre.Dalpiaz.Bishop@census.gov>; John Maron Abowd (CENSUS/ADRM FED) <john.maron.abowd@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Paranzino, Anthony (Federal) <AParanzino@doc.gov>; Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; Kelley, Karen (Federal) <KKelley@doc.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Victoria Velkoff (CENSUS/ADDP FED) <Victoria.A.Velkoff@census.gov>; Karen Battle (CENSUS/POP FED) <karen.battle@census.gov>; Barbara M LoPresti (CENSUS/DITD FED) <Barbara.M.LoPresti@census.gov>; Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>
Subject: Final Slide Decks for Census Processing and Presidential Memo Meeting

Dan -

Here are the final decks reviewed by both the Deputy Secretary and the Director. Thanks,

-Michael

Michael T. Thieme
Assistant Director for Decennial Census Programs, Systems and Contracts
U.S. Census Bureau
(301) 763-9062 (Office)
( b(6) ) Mobile
Michael.t.thieme@census.gov

From: Kelley, Karen (Federal)
Sent: Friday, August 21, 2020 1:24 PM
To: Kelley, Karen (Federal) <KKelley@doc.gov>; Paranzino, Anthony (Federal) <AParanzino@doc.gov>; Risko, Daniel (Federal) <DRisko@doc.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Victoria Velkoff (CENSUS/ADDP FED) <Victoria.A.Velkoff@census.gov>; Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; Michael T Thieme (CENSUS/ADDC FED) <Michael.T.Thieme@census.gov>; Deirdre Bishop (CENSUS/GEO FED) <Deirdre.Dalpiaz.Bishop@census.gov>; Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>
Subject: Check In
When: Sunday, August 23, 2020 5:00 PM-5:30 PM.
Where: b(6)
2020 Census Data Processing Planning For the Census Unedited File (CUF)

8/24/2020
Overview

- This is a viable plan to deliver the final Census Unedited File (CUF) by 12/14/2020
- It cuts a four-month process down to two and a half months
- It optimizes staff and computing resources to be in operation 24/7, weekends and holidays
- It streamlines and limits processes to focus only on Apportionment, separating and deferring redistricting processing
- We have identified any process that could start earlier, run in parallel, or be eliminated

Risks

- This plan is contingent on field operations ending 9/30/2020, and depends on a reasonably smooth sequence of processing events
- The increased speed and reduced review time required in this plan and potential errors present risk to data accuracy
- If processing risks are realized, they will require decisions that weigh data accuracy and U.S. Census Bureau reputation against schedule delays

Bottom Line

- By closely managing both the process and the risks, our intention continues to be to deliver an accurate, defensible 2020 Census count in compliance with statutory deadlines and the Presidential Memorandum
Re-Planning for 2020 Census Post Processing

### Original Plan (Before COVID 19)

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**Note:** Collection Data

### Original Schedule with 9/30 as the end of Field Data Collection (notional)

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**Note:** Collection Data

### Current Plan

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<td>10/14/20</td>
<td>Produce, Review and Verify DRF 1</td>
</tr>
<tr>
<td>11/30/20</td>
<td>Produce, Review and Verify DRF 2</td>
</tr>
<tr>
<td>12/14/20</td>
<td>Produce, Review and Verify CIF</td>
</tr>
</tbody>
</table>

**Note:** Collection Data
Geographic Processing Plan

Confidence that decades of work by the Census Bureau and our Partners have produced the most accurate and complete geographic foundation underpins this plan. Nearly 152 million addresses were included in the 2020 Census enumeration universe. Building the foundation requires human capital, computing power, and adequate time.

We have streamlined, rescheduled, and eliminated processing activities to meet the 12/14/2020 CUF delivery deadline

- No new addresses accepted from data collection operations after 9/4/2020
  - Any new addresses identified between then and 9/30/2020, the last day of data collection operations, and the population associated with those addresses will not be included in the 2020 Census

- We have significantly reduced the period of time to update the MAF with new addresses (102 to 29 days)
  - Due to the operational schedule changes, MAF updating for the majority of operations has converged in September (e.g., Remote Alaska, Update Enumerate, NRFU, Non-ID)

- The benchmarking process is shortened from 33 to 20 days, eliminating 13 days worth of processing activities that will be cut now and deferred until the creation of the redistricting data products

- We have cancelled the internal independent review of the final list of addresses that will be used to tabulate 2020 Census data (MAF Extract)

- We are eliminating quality control steps that traditionally resulted in a nationwide delivery of all files at once. Instead, states will now be delivered on a flow basis.
Optimized Systems and Staff Resources

• Improved Decennial Response Processing System (DRPS) Performance in Preparation for 2020 Census Processing
  Upgraded Oracle Real Application Clusters (RAC) to Oracle Exadata environment. Exadata is a high-performing pre-configured combination of hardware and software the provides infrastructure for Oracle databases.
  – Infrastructure Platform Optimized for Oracle Databases
  – Actively optimizing DRPS processing through monitoring large test executions and consultation with Oracle
  – Adjusted code base to address bottlenecks

• Optimized role assignments to ensure maximum staff resource usage during this shortened production period

<table>
<thead>
<tr>
<th></th>
<th>DRF1 (Decennial Response File 1)</th>
<th>DRF2 (Decennial Response File 2)</th>
<th>CUF (Census Unedited File)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Schedule Savings from Pre-Covid</td>
<td>3 Days</td>
<td>0 Days</td>
<td>12 Days</td>
</tr>
</tbody>
</table>
Decennial Response Processing and Review

Once geographic processing is complete, we have the frame that will serve as the collection geography for 2020 Census response processing. The process to deliver the Census Unedited File is heavily interactive with multiple concurrent cycles of data creation and review.

<table>
<thead>
<tr>
<th>DRF1 - 27 Days</th>
<th>DRF2 - 22 Days</th>
<th>CUF - 15 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>(State-Based Processing)</td>
<td>(National Processing, Addresses with responses)</td>
<td>(State-Based Processing, Full Universe of Addresses)</td>
</tr>
<tr>
<td>10/14</td>
<td>11/9</td>
<td>11/30</td>
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</tbody>
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Unclassified/ For Official Use Only
Decennial Response File 1 (DRF1) Plan

Produce the Decennial Response File 1 (DRF1) – 27 days
- Integrate final collection geography data with the response data for state-based processing
- Standardize data collection modes data (phone, internet, paper and Non Response Follow Up),
  incorporating high-quality administrative records data as the response data for housing units that do not
  have an enumeration.
- Classify living quarters as Housing Units or Group Quarters
- Identify unique persons within an individual response
- Incorporate results from NRFU re-interview and electronic records from group quarters
- Standardize demographic data for person matching
- Remove responses from collection universe depending on residence criteria
- Perform baby delete criteria – flags person records for deletion for babies confirmed to be born after 4/1
- Assign IDs to non-ID cases
- Collate multiple sheet large HU paper responses

UHE College student example
DRF1 & 2 deal with addresses we have responses for, CUF deals with the whole universe, including addresses without
responses.
Decennial Response File 2 (DRF2) and Census Unedited File (CUF) Plan

**Produce Decennial Response File 2 (DRF2) – 22 days**
- Remove responses that meet criteria for being born after Census Day
- Execute Primary Selection Algorithm (PSA) - This resolves situations where we have more than one response for a single address and two or more responses (possibly in different states) for the same household
- Review and verify PSA results
- Process DRF2 at the national level

**Produce the Census Unedited File (CUF) – 15 days**
- Determine the status for every housing unit as occupied, vacant or non-existent
- Identify the universe of data to include in the Census from the Sample Delivery File (SDF) and DRF2 and apply the Count Imputation (CI) operation to fill in the missing housing unit status and the missing household size
- Determine final population count for each address
- Review the population totals and their reasonableness
- Review and verify the data processing steps and products

UHE College student example
DRF1 & 2 deal with addresses we have responses for, CUF deals with the whole universe, including addresses without responses.
Early and Ongoing Review to Enhance and Accelerate Final Data Review

New Subject Matter Expert (SME) Review Improvements
- Implemented increased analysis of real time response data to look for trends in data collection and shifting demographics. This helps to offset downstream review and processing risks
- Review of the DRF1 will occur to identify potential issues earlier; in 2010, SME review started with the DRF2
- The focus of the DRF1-CUF review will be on total population counts for apportionment; a separate team of analysts will be compiled to support the additional review of population totals
- An automated issue tracking system and a streamlined communication plan will allow for quicker decision making about identified issues and provide additional information to senior leadership

Other SME Review Methods to Accelerate Data Review
- Use of SME-developed and tested SAS review programs to automate data collection and data processing review
- The most in-depth demographic reasonableness review will be conducted on the first five to ten states produced by DRPS, with later states undergoing more cursory review checks
- Creation of the DRF1 and CUF will operate concurrently with SME Reviews
Appendix
Background on Risks

• If we do not complete all field data collection by 9/30/2020, this schedule may not be viable
• The schedule modifications in this plan have limited the ability to recover from a late start, processing delays, or other critical issues
• The risk of delays in processing is real, based on previous Census experience
  – As with every past Census, data anomalies will be detected during processing or review
  – Fixes may require individual states or all states to be re-processed.
  – State, multi-state, and national re-processing has been required in all recent censuses
  – We will not know the full extent of anomalies until we process the entire universe.
• Again, by closely managing both the process and the risks, our intention continues to be to produce an accurate, defensible 2020 Census count in compliance with statutory deadlines and the Presidential Memorandum
### Additional Detail on GEO Processing

**GEO Processing to meet 12/14/2020 CUF Delivery**

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Shading represents end of field operations 10/14/20
### Detailed Processing Steps

<table>
<thead>
<tr>
<th>Week 06/2020</th>
<th>Processing Access</th>
<th>Calendar</th>
<th>Step</th>
<th>End Date</th>
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<td>06/08</td>
<td>Receive Initial Biennial Census mailings</td>
<td>Federal</td>
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<td>6/15</td>
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<td>Receive Initial Biennial Census mailings</td>
<td>State</td>
<td>Step</td>
<td>6/12</td>
<td>6/15</td>
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<tr>
<td>06/22</td>
<td>Receive Initial Biennial Census mailings</td>
<td>Local</td>
<td>Step</td>
<td>6/12</td>
<td>6/15</td>
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</table>

... (Table continues with more steps)
DRAFT
Procedures for Identifying and Tabulating Unauthorized Immigrants as Defined in the Presidential Memorandum

Briefing
August 24, 2020
DRAFT Procedural Flow

Census-Related File (CRF): production and quality assurance

Prior to 12/14/2020

CUF finalized
12/14/2020

CUF processed by PVS

Matching admin records to CUF and quality assurance (QA)

1 day (1/14)

Applying rules to assign status of the unauthorized immigrant

3 days (1/16)

Quality assurance of tabulation and demographic reasonableness review

1 day (1/17)

Apply disclosure avoidance to unauthorized immigrant counts and QA

1 day (1/18)

Quality assurance of transmittal package

2 days (1/19)

Transmittal package

Prepublication, internal use only

After 12/14/2020

Tabulation of resident population and federally affiliated overseas population (FACO); tabulation of ICE detention centers. QA procedures. This will meet the December 31, 2020 deadline.
Review of 2020 Operational Plan Schedule

August 14, 2020

Albert E. Fontenot, Jr.,
Associate Director for Decennial Census Programs

Timothy P. Olson
Associate Director for Field Operations
<table>
<thead>
<tr>
<th>Activity / Operation</th>
<th>Original Dates</th>
<th>Replan Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Update Leave (Stateside)</td>
<td>March 15 – April 17</td>
<td>Phased re-opening occurred between May 4 and June 12</td>
</tr>
<tr>
<td>Service Based Enumeration</td>
<td>March 30 – April 1</td>
<td>September 22 – 24</td>
</tr>
<tr>
<td>Targeted Non-Sheltered Outdoor Locations</td>
<td>March 31 – April 1</td>
<td>September 23 – 24</td>
</tr>
<tr>
<td>Group Quarters Enumeration</td>
<td>April 2 – June 5</td>
<td>April 2 – September 3</td>
</tr>
<tr>
<td>Enumeration of Transitory Locations</td>
<td>April 9 – May 4</td>
<td>September 3 – 28</td>
</tr>
<tr>
<td>Nonresponse Followup*</td>
<td>May 13 – July 31</td>
<td>August 9 – September 3</td>
</tr>
<tr>
<td>Delivery of Apportionment Data**</td>
<td>By Statutory Deadline:</td>
<td>By Statutory Deadline: December 31, 2020</td>
</tr>
<tr>
<td></td>
<td>December 31, 2020</td>
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<tr>
<td>Delivery Restricting Data**</td>
<td>By Statutory Deadline:</td>
<td>Plan in Development</td>
</tr>
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<td></td>
<td>March 30, 2021</td>
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</table>

*For a period of time, NRFU was 8/11/20-10/31/20.
**For a period of time, delivery of apportionment data by 4/30/21 and redistricting data by 7/31/21, were considered.
Self-Response Rate Summary
As of 11:59pm August 13, 2020

Total Self-Response Rate: 63.6%

Total Responding Housing Units: 94.0M

Responses by mode:
75.2M (79.9%) – Internet
17.4M (18.6%) – Paper
1.4M (1.5%) – Phone
Update Leave – Status Update

Operation:
The Update Leave (UL) operation is designed to occur in areas where the majority of housing units either do not have mail delivered to the physical location of the housing unit, or the mail delivery information for the housing unit cannot be verified. A Census Bureau employee physically delivers a 2020 Census invitation to these housing units and updates the census address list. Nonresponding households will be visited by an enumerator during nonresponse followup.

Workload:
- Update Leave Original Workload (does not change): 6,805,523 housing units
- Workload Completed as of March 18 (date field operations were suspended): 736,320 housing units
  - Percentage Completed at suspension: 10.8%
- The Update Leave workload was completed on August 10, 2020

Response Rates:
- Total Responses (as of August 13): 2,347,481 (34.5%)
  - Internet: 1,223,025 (52.1%)
  - Paper: 1,078,240 (45.9%)
  - Phone: 46,216 (2.0%)
Group Quarters Enumeration – Status Update

Operation:
Group Quarters Enumeration is the U.S. Census Bureau's special process for counting people who live or stay in group quarters during the 2020 Census. Because group quarters are owned or managed by a third party, the Census Bureau assists group quarters administrators in responding to the census on behalf of residents to ensure a complete and accurate census count.

<table>
<thead>
<tr>
<th>Group Quarters Enumeration Progress*</th>
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<tbody>
<tr>
<td>Initial Workload</td>
</tr>
<tr>
<td>195,656</td>
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</tbody>
</table>

*As of August 13, 2020
2020 Census Service-Based Enumeration (SBE) Overview

Background
The SBE operation is conducted at service-based locations and targeted non-sheltered outdoor locations (TNSOLs) to provide an opportunity for people experiencing homelessness to be included in the census. These service locations include: emergency and transitional shelters (with sleeping facilities) for people experiencing homelessness, soup kitchens, and regularly scheduled mobile food vans.

Prior to operational adjustments made in lieu of COVID-19, SBE was scheduled to be conducted March 30 – April 1.

Consulted With Major Stakeholders
- In late May/early June we consulted with 67 national and local organizations to assist the Census Bureau in determining the best date to conduct SBE/TNSOL.
- Determining an optimal date to conduct SBE took into consideration the need to conduct a thorough and accurate enumeration, while also understanding the needs of our external partners, which are crucial during SBE.

Operational Decision
- Based on the feedback from our stakeholders, input from Census experts, and consultation with operational team leads, we have selected September 22 – 24 as the dates to conduct SBE and TNSOL.

Current Status
- Updating TNSOLs locations and making appointments with service providers in early September.
- Finalizing training plans for approximately 45,000 SBE field staff.
## Nonresponse Followup Field Operations

### Early Start of Nonresponse Followup Operations

<table>
<thead>
<tr>
<th>Cycle 1a</th>
<th>Area Census Offices (ACOs) began operations on July 16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cycle 1b</td>
<td>ACOs began operations on July 23</td>
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</table>

35 Cycle 2 ACOs were scheduled to begin operations on July 30; however, we started operations earlier in some ACOs where staff was available:
- 17 ACOs – Started July 26 – 29
- 18 ACOs – Started July 30

39 Cycle 3 ACOs were scheduled to begin operations by August 3:
- 15 ACOs – Started July 31
- 16 ACOs – Started August 1
- 8 ACOs – Started August 3

All remaining ACOs were scheduled to begin August 11, but all began operations by August 9:
- 107 ACOs – Started August 3 – 7
- 55 ACOs (all remaining) – August 9

**As of August 9** Nonresponse Followup Operations have started in **all 248 ACOs**
Safety during Field Activities

On August 7, in a joint statement from the Census Bureau and Centers for Disease Control (CDC) on Conducting 2020 Census Non-Response Follow-Up Interviews, the CDC stated that participation in 2020 Census interviews should present a low risk of transmission of COVID-19.

Census takers are trained to rigorously and universally follow these CDC recommendations to mitigate risk of transmission:

- Wearing of face masks.
- Maintaining social distance of 6 ft. or more.
- Practicing hand hygiene.
- Not entering homes, and conducting interviews outside as much as possible or practical.
Providing an Apportionment Count

**Objective:** We have developed a plan in response to Secretarial direction to provide an apportionment count by the statutory deadline of December 31, 2020.

- **Achieving** an acceptable level of accuracy and completeness, with a goal of resolving at least 99% of Housing Units in every state, comparable with previous censuses.

- **Maintaining** original contact strategy for occupied housing units. Field activities, including number of attempts to contact respondents, will not be changed.

- **Maximizing** staff and production hours for field data collection operations to conclude field data collection by September 30, 2020.

- **Streamlining** backend processing to deliver apportionment counts by the statutory deadline of December 31, 2020.
Nonresponse Followup Field Operations – Current Status

Cycle 1A (6 ACOs) began operations on July 16:
- 55.3% Percent Complete
- 52.7% Percent Goal

Cycle 1B (6 ACOs) began operations on July 23:
- 43.5% Percent Complete
- 41.8% Percent Goal

Cycle 2 (35 ACOs) began operations July 26-30:
- 33.9% Percent Complete
- 28.7% Percent Goal

Cycle 3 (39 ACOs) began operations July 31 - August 3:
- 13.6% Percent Complete
- 4.7% Percent Goal

National Metrics (ALL 248 ACOs)
Began operations by August 9:
National Workload: 60,766,676 HUs
Completed Workload: 11,016,892 HUs
- 18.1% Percent Complete
- 10.4% Percent Goal
Maintaining Original Contact Strategy

We are maintaining the original contact strategy for occupied housing units. Field activities, including number of attempts to contact respondents, will not be changed.

- In most cases, census workers will make up to six attempts at each housing unit address to count possible residents.
Increasing Work Hours from Current Enumerators

From August 9th through August 29th, Census Field Supervisors and Enumerators who maximize hours worked will have the opportunity to earn award pay in addition to their regular pay.

Census Field Supervisor Award Criteria
- Census Field Supervisors who exceed 32 hours or more per week, between Aug 9-Aug 29, will earn a $750 award.

Census Enumerator Award Criteria
- Enumerators who work between 15 hours and 24 hours per week, and complete .75 cases/hour, will earn a $50 award.
- Enumerators who work 25 hours or more per week, and complete .75 cases/hour, will earn a $100 award.
- Enumerators who work 25 hours or more per week and complete .75 cases/hour, between Aug 9-Aug 29, will earn a $500 award.

Earn up to an extra $800 on top of your regular pay.
# Keeping Staff Levels Up

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<th>Actions</th>
<th>Benefit</th>
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<td>Inviting More People to Training</td>
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- **Employing** expanded technical capacity to conduct analytical Re-Interview selection as the basis for the Re-Interview process.

- **Utilizing** new techniques for the 2020 Census to monitoring quality:
  - **Using** statistical techniques with professional statisticians and analysts to proactively identify, monitor, evaluate, and resolve quality issues.
  - **Analyzing** data and metrics to identify and investigate outliers and other unusual activity.

- **Increasing** efficiency of our strategy for verifying vacant or non-existing Housing Units.
Ensuring High Quality Data from the 2020 Census

Special teams with expertise from within the entire Census Bureau in the fields of census operations, statistical methodology, acquisition and utilization of administrative records, and in the social, economic, and housing subject areas to supplement the existing expert teams and provide extra focus on data quality.

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*New team, not previously part of 2020 Census operations
Post Enumeration Data Processing

Professional career staffers at the Census Bureau are evaluating the processes and procedures and incorporating technological developments, such as the improvements in the quality of the Master Address File, to determine how to effectively and accurately deliver apportionment counts by the statutory deadline of December 31, 2020.

This staff will be closely monitoring the collection and processing of the data and assessing any potential impacts on accuracy, data quality, and coverage.

Further updates on our post enumeration data processing will be provided.
Implementation of the Presidential Memo

The Census Bureau has been tasked with developing a legally and methodologically valid process that meets tests of operational feasibility, to accomplish the goals and directives of the Presidential Memorandum. To achieve this, the Census Bureau will:

- Build upon the decades of continuous experience we have working with administrative records.

- “We will continue full steam ahead with our mission of counting every person, counting them once, and counting them in the right place.”
Thank You

Albert E. Fontenot, Jr.
Associate Director for Decennial Census Programs

Timothy P. Olson
Associate Director for Field Operations
Section by Section Analysis H.R. 6800 2020 Census Specific Language

This is an analysis of language in H.R. 6800 adopted by the House of Representatives on May 15, 2020, related to the 2020 Census.

Sec. 70201 This section is substantively the same as language provided to the Senate Homeland Security and Governmental Affairs Committee and House Oversight and Reform Committee on April 18, 2020, at their request. This language extends the 2020 Census deadlines. New language in the House passed legislation and not in the original proposal submitted to Congress, is in bold italics. The new language does not cause any substantive issues for the Census Bureau. It states that apportionment counts provided to the Secretary by April 1, 2020 would also be made available publicly; directs the Census Bureau to prioritize the provision of redistricting information by state redistricting deadline; and, instructs the Census Bureau ensure that the data quality of 2020 Census data products meet or exceed 2010 Census standards. This is the core legislative fix needed for the 2020 Census.

Sec. 70202. This section establishes new reporting requirements for the Census Bureau. The language originated in the House. It creates several issues, for instance the Census Bureau does not plan to report Non-Response Follow-up completion rates publicly. Furthermore, “Total tabulated responses” reported by race and ethnicity monthly would provide a wrong picture, as only part of data can be available quickly (the race information of the householder, the first person listed on a household’s response), while the rest will not be available until data processing. It would give a false indication of the response rate given the need for processing that lags behind the geographic response rates that are reported daily.

Sec. 70203 creates specific exemptions to the Family Educational Rights and Privacy Act of 1974 which will make it easier to get a complete and accurate count of communities with significant college and university student populations. The COVID-19 pandemic has created significant challenges in enumerating this population due to most colleges and universities cancelling in person classes before students could be enumerated in place. This provision would expire at the conclusion of 2020 Census operations.

Sec. 70204 would prohibit the release of data products under Executive Order 13880.
H.R. 6800- Legislative Text Adopted by the House of Representatives May 15, 2020

SEC. 70201. MODIFICATION OF 2020 CENSUS DEADLINES AND TABULATION OF POPULATION.

(a) Deadline Modification.—Notwithstanding the timetables provided in sections 141(b) and (c) of title 13, United States Code, and section 22(a) of the Act entitled “An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress”, approved June 18, 1929 ([HYPERLINK "http://uscode.house.gov/quicksearch/get.plx?title=2&section=2a"]), for the 2020 decennial census of the population—

(1) the tabulation of total population by States required by section 141(a) of such title for the apportionment of Representatives in Congress among the several States shall be completed and reported by the Secretary to the President within 13 months after the decennial census date of April 1, 2020, and shall be made public by the Secretary no later than the date on which it is reported to the President;

(2) the President shall transmit to the Congress a statement showing the whole number of persons in each State, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives, as required by such section 22(a), and determined solely as described therein, within 14 days after receipt of the tabulation reported by the Secretary; and

(3) the tabulations of populations required by section 141(c) of such title shall be completed by the Secretary as expeditiously as possible after the census date of April 1, 2020, taking into account each State’s deadlines for legislative apportionment or districting, and reported to the Governor of the State involved and to the officers or public bodies having responsibility for legislative apportionment or districting of such State, except that such tabulations of population of each State requesting a tabulation plan, and basic tabulations of population of each other State, shall be completed, reported, and transmitted to each respective State within 16 months after the decennial census date of April 1, 2020.

(b) Quality.—Data products and tabulations produced by the Bureau of the Census pursuant to sections 141(b) or (c) of title 13, United States Code, in connection with the 2020 decennial census shall meet the same or higher data quality standards as similar products produced by the Bureau of the Census in connection with the 2010 decennial census.

SEC. 70202. REPORTING REQUIREMENTS FOR 2020 CENSUS.

On the first day of each month during the period between the date of enactment of this Act and July 1, 2021, the Director of the Bureau of the Census shall submit, to the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committees on Appropriations of the House
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and the Senate, a report regarding the 2020 decennial census of population containing the following information:

(1) The total number of field staff, sorted by category, hired by the Bureau compared to the number of field staff the Bureau estimated was necessary to carry out such census.

(2) Retention rates of such hired field staff.

(3) Average wait time for call center calls and average wait time for each language provided.

(4) Anticipated schedule of such census operations.

(5) Total tabulated responses, categorized by race and Hispanic origin.

(6) Total appropriations available for obligation for such census and a categorized list of total disbursements.

(7) Non-Response Follow-Up completion rates by geographic location.

(8) Update/Enumerate and Update/Leave completion rates by geographic location.

(9) Total spending to date on media, advertisements, and partnership specialists, including a geographic breakdown of such spending.

(10) Post-enumeration schedule and subsequent data aggregation and delivery progress.

SEC. 70203. PROVIDING BUREAU OF THE CENSUS ACCESS TO INFORMATION FROM INSTITUTIONS OF HIGHER EDUCATION.

(a) IN GENERAL.—Notwithstanding any other provision of law, including section 444 of the General Education Provisions Act (commonly known as the “Family Educational Rights and Privacy Act of 1974”), an institution of higher education may, in furtherance of a full and accurate decennial census of population count, provide to the Bureau of the Census information requested by the Bureau for purposes of enumeration for the 2020 decennial census of population.

(b) APPLICATION.—

(1) INFORMATION.—Only information requested on the official 2020 decennial census of population form may be provided to the Bureau of the Census pursuant to this section. No institution of higher education may provide any information to the Bureau on the immigration or citizenship status of any individual.

(2) NOTICE REQUIRED.—Before information can be provided to the Bureau, the institution of higher education shall give public notice of the categories of information which it
plans to provide and shall allow 10 days after such notice has been given for a student to inform
the institution that any or all of the information designated should not be released without the
student’s prior consent. No institution of higher education shall provide the Bureau with the
information of any individual who has objected to the provision of such information.

(3) USE OF INFORMATION.—Information provided to the Bureau pursuant to this
section may only be used for the purposes of enumeration for the 2020 decennial census of
population.

(c) DEFINITION OF INSTITUTION OF HIGHER EDUCATION.—In this section, the term
“institution of higher education” has the meaning given that term in section 102 of the Higher
Education Act of 1965 ([HYPERLINK

(d) SUNSET.—The authority provided in this section shall expire at the conclusion of 2020
census operations.

SEC. 70204. LIMITATION ON TABULATION OF CERTAIN DATA.

(a) LIMITATION.—The Bureau of the Census may not compile or produce any data
product or tabulation as part of, in combination with, or in connection with, the 2020 decennial
census of population or any such census data produced pursuant to section 141(c) of title 13,
United States Code, that is based in whole or in part on data that is not collected in such census.

(b) EXCEPTION.—The limitation in subsection (a) shall not apply to any data product or
tabulation that is required by sections 141(b) or (c) of such title, that uses the same or
substantially similar methodology and data sources as a decennial census data product produced
by the Bureau of the Census before January 1, 2019, or that uses a methodology and data sources
that the Bureau of the Census finalized and made public prior to January 1, 2018.
Draft Legislative Text Apended to the House Committee on Oversight and Reform and the Senate Homeland Security and Governmental Affairs Committee on April 18, 2020

Notwithstanding the timetables provided in sections 141(b) and (c) of title 13, United States Code, and section 2a(a) of title 2, United States Code, for the 2020 decennial census of the population –

(a) the tabulation of total population by States required by section 141(a) of title 13, United States Code, for the apportionment of Representatives in Congress among the several States shall be completed within 13 months after the census date of April 1, 2020 and reported by the Secretary to the President of the United States;

(b) the President shall transmit to the Congress a statement showing the whole number of persons in each State, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives, as required by section 2a(a) of title 2, United States Code, within 14 days after receipt of the tabulation reported by the Secretary; and

(c) the tabulations of populations required by section 141(c) of title 13, United States Code, shall be completed by the Secretary as expeditiously as possible after the census date of April 1, 2020, and reported to the Governor of the State involved and to the officers or public bodies having responsibility for legislative apportionment or districting of such State, except that such tabulations of population of each State requesting a tabulation plan, and basic tabulations of population of each other State, shall, in any event, be completed, reported, and transmitted to each respective State within 16 months after the census date of April 1, 2020.

Section-by-Section

The draft legislation would, only for the 2020 Census, extend the statutory deadlines to deliver certain census data, including apportionment data.

Subsection (a): Under current law (13 USC 141(b)), the Secretary of Commerce is required to complete and report to the President within 9 months after the decennial census date (defined as the first day of April) the tabulation of the total population by State as required for apportionment of the Representatives in Congress among the several States. The draft legislation would extend that deadline for the 2020 Census to 13 months after the census date of April 1, 2020.

Subsection (b): Under current law (2 USC 2a(a)), on the first day or within one week thereafter, of the first regular session of Congress after the decennial census is conducted, the President is required to transmit to the Congress a statement showing the whole number of persons in each State and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives. The draft legislation would amend that deadline for the 2020 Census to require the President to transmit the statement to
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Congress within 14 days after receipt of the tabulation reported by the Secretary (as required under section 13 USC 141(b), with the extended deadline as set out above in Subsection (a)).

Subsection (c): Under current law (13 USC 141(c)), the Secretary of Commerce is required to complete, report, and transmit to State Governors and other State officials and public bodies certain tabulations of state populations within one year of the census date. The draft legislation would extend that deadline to require the Secretary to complete, report, and transmit the tabulations to each State within 16 months after the census date of April 1, 2020.
Review of 2020 Operational Plan Schedule

August 14, 2020

Albert E. Fontenot, Jr.,
Associate Director for Decennial Census Programs

Timothy P. Olson
Associate Director for Field Operations
# Operational Timelines: Original and Pandemic-Adjusted

<table>
<thead>
<tr>
<th>Activity / Operation</th>
<th>Original Dates</th>
<th>Replan Dates</th>
</tr>
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<tbody>
<tr>
<td>Update Leave (Stateside)</td>
<td>March 15 – April 17</td>
<td>Phased re-opening occurred between May 4 and June 12</td>
</tr>
<tr>
<td>Service Based Enumeration</td>
<td>March 30 – April 1</td>
<td>September 22 – 24</td>
</tr>
<tr>
<td>Targeted Non-Sheltered Outdoor Locations</td>
<td>March 31 – April 1</td>
<td>September 23 – 24</td>
</tr>
<tr>
<td>Group Quarters Enumeration</td>
<td>April 2 – June 5</td>
<td>April 2 – September 3</td>
</tr>
<tr>
<td>Enumeration of Transitory Locations</td>
<td>April 9 – May 4</td>
<td>September 3 – 28</td>
</tr>
<tr>
<td>Nonresponse Followup*</td>
<td>May 13 – July 31</td>
<td>August 9 – September 30</td>
</tr>
<tr>
<td>Delivery of Apportionment Data**</td>
<td>By Statutory Deadline: December 31, 2020</td>
<td>By Statutory Deadline: December 31, 2020</td>
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<tr>
<td>Delivery Redistricting Data**</td>
<td>By Statutory Deadline: March 30, 2021</td>
<td>Plan in Development</td>
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*For a period of time, NRFU was 8/11/20-10/31/20.
**For a period of time, delivery of apportionment data by 4/30/21 and redistricting data by 7/31/21, were considered.
Self-Response Rate Summary
As of 11:59pm August 13, 2020

Total Self-Response Rate: 63.6%

Total Responding Housing Units: 94.0M

**Responses by mode:**
- 75.2M (79.9%) – Internet
- 17.4M (18.6%) – Paper
- 1.4M (1.5%) – Phone
Update Leave – Status Update

Operation:
The Update Leave (UL) operation is designed to occur in areas where the majority of housing units either do not have mail delivered to the physical location of the housing unit, or the mail delivery information for the housing unit cannot be verified. A Census Bureau employee physically delivers a 2020 Census invitation to these housing units and updates the census address list. Nonresponding households will be visited by an enumerator during nonresponse followup.

Workload:
- Update Leave Original Workload (does not change): 6,805,523 housing units
- Workload Completed as of March 18 (date field operations were suspended): 736,320 housing units
  - Percentage Completed at suspension: 10.8%
- The Update Leave workload was completed on August 10, 2020

Response Rates:
- Total Responses (as of August 13): 2,347,481 (34.5%)
  - Internet: 1,223,025 (52.1%)
  - Paper: 1,078,240 (45.9%)
  - Phone: 46,216 (2.0%)
Group Quarters Enumeration – Status Update

Operation:
Group Quarters Enumeration is the U.S. Census Bureau's special process for counting people who live or stay in group quarters during the 2020 Census. Because group quarters are owned or managed by a third party, the Census Bureau assists group quarters administrators in responding to the census on behalf of residents to ensure a complete and accurate census count.

<table>
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<tr>
<th>Group Quarters Enumeration Progress*</th>
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<th>Current Workload</th>
<th>Completed &amp; Closed Cases</th>
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<th>Percent Completed &amp; Closed</th>
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<tr>
<td>Initial Workload</td>
<td>GQs Added</td>
<td>211,261</td>
<td>170,169</td>
<td>41,092</td>
<td>80.6%</td>
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<td>195,656</td>
<td>15,605</td>
<td>211,261</td>
<td>170,169</td>
<td>41,092</td>
<td>80.6%</td>
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*As of August 13, 2020
2020 Census Service-Based Enumeration (SBE) Overview

Background

The SBE operation is conducted at service-based locations and targeted non-sheltered outdoor locations (TNSOLs) to provide an opportunity for people experiencing homelessness to be included in the census. These service locations include: emergency and transitional shelters (with sleeping facilities) for people experiencing homelessness, soup kitchens, and regularly scheduled mobile food vans.

Prior to operational adjustments made in lieu of COVID-19, SBE was scheduled to be conducted March 30 – April 1.

Consulted With Major Stakeholders

• In late May/early June we consulted with 67 national and local organizations to assist the Census Bureau in determining the best date to conduct SBE/TNSOL.
• Determining an optimal date to conduct SBE took into consideration the need to conduct a thorough and accurate enumeration, while also understanding the needs of our external partners, which are crucial during SBE.

Operational Decision

• Based on the feedback from our stakeholders, input from Census experts, and consultation with operational team leads, we have selected September 22 – 24 as the dates to conduct SBE and TNSOL.

Current Status

• Updating TNSOLs locations and making appointments with service providers in early September.
• Finalizing training plans for approximately 45,000 SBE field staff.
Nonresponse Followup Field Operations

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<th>Early Start of Nonresponse Followup Operations</th>
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<td>6 Cycle 1a Area Census Offices (ACOs) began operations on July 16</td>
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<tr>
<td>6 Cycle 1b ACOs began operations on July 23</td>
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<tr>
<td>35 Cycle 2 ACOs were scheduled to begin operations on July 30; however, we started operations earlier in some ACOs where staff was available:</td>
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<tr>
<td>• 17 ACOs – Started July 26 – 29</td>
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<td>• 18 ACOs – Started July 30</td>
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<td>39 Cycle 3 ACOs were scheduled to begin operations by August 3:</td>
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<td>• 15 ACOs – Started July 31</td>
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<td>• 16 ACOs – Started August 1</td>
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<td>• 8 ACOs – Started August 3</td>
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All remaining ACOs were scheduled to begin August 11, but all began operations by August 9:
• 107 ACOs – Started August 3 – 7
• 55 ACOs (all remaining) – August 9

As of August 9 Nonresponse Followup Operations have started in all 248 ACOs
Safety during Field Activities

On August 7, in a joint statement from the Census Bureau and Centers for Disease Control (CDC) on Conducting 2020 Census Non-Response Follow-Up Interviews, the CDC stated that participation in 2020 Census interviews should present a low risk of transmission of COVID-19.

Census takers are trained to rigorously and universally follow these CDC recommendations to mitigate risk of transmission:

- Wearing of face masks.
- Maintaining social distance of 6 ft. or more.
- Practicing hand hygiene.
- Not entering homes, and conducting interviews outside as much as possible or practical.
Providing an Apportionment Count

Objective: We have developed a plan in response to Secretarial direction to provide an apportionment count by the statutory deadline of December 31, 2020.

- **Achieving** an acceptable level of accuracy and completeness, with a goal of resolving at least 99% of Housing Units in every state, comparable with previous censuses.

- **Maintaining** original contact strategy for occupied housing units. Field activities, including number of attempts to contact respondents, will not be changed.

- **Maximizing** staff and production hours for field data collection operations to conclude field data collection by September 30, 2020.

- **Streamlining** backend processing to deliver apportionment counts by the statutory deadline of December 31, 2020.
Nonresponse Followup Field Operations – Current Status

Cycle 1A (6 ACOs) began operations on July 16:
- 55.3% Percent Complete
- 52.7% Percent Goal

Cycle 1B (6 ACOs) began operations on July 23:
- 43.5% Percent Complete
- 41.8% Percent Goal

Cycle 2 (35 ACOs) began operations July 26-30:
- 33.9% Percent Complete
- 28.7% Percent Goal

Cycle 3 (39 ACOs) began operations July 31 - August 3:
- 13.6% Percent Complete
- 4.7% Percent Goal

National Metrics (ALL 248 ACOs)
Began operations by August 9:
National Workload: 60,766,676 HUs
Completed Workload: 11,016,892 HUs
- 18.1% Percent Complete
- 10.4% Percent Goal
Maintaining Original Contact Strategy

We are maintaining the original contact strategy for occupied housing units. Field activities, including number of attempts to contact respondents, will not be changed.

• In most cases, census workers will make up to six attempts at each housing unit address to count possible residents.
Increasing Work Hours from Current Enumerators

From August 9th through August 29th, Census Field Supervisors and Enumerators who maximize hours worked will have the opportunity to earn **award pay** in addition to their regular pay.

### Census Field Supervisor Award Criteria
- Census Field Supervisors who exceed **32 hours** or more per week, **between Aug 9-Aug 29**, will earn a **$750** award.

### Census Enumerator Award Criteria
- Enumerators who work between **15 hours** and **24 hours per week**, and complete **.75 cases/hour**, will earn a **$50** award.

- Enumerators who work **25 hours or more per week**, and complete **.75 cases/hour**, will earn a **$100** award.

- Enumerators who work **25 hours or more per week and complete .75 cases/hour**, **between Aug 9-Aug 29**, will earn a **$500** award.

---

**Earn up to an extra **$800** on top of your regular pay.**

- **25 hours** (.75 cases/hour) = **$100**
- **15 hours** (.75 cases/hour) = **$50**

\[ x3 = \$300 \]

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## Keeping Staff Levels Up

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<td>Post Enumeration Survey</td>
<td></td>
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</tr>
<tr>
<td>Current Surveys Field Experience Team*</td>
<td></td>
<td></td>
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</tbody>
</table>

*New team, not previously part of 2020 Census operations
Post Enumeration Data Processing

Professional career staffers at the Census Bureau are evaluating the processes and procedures and incorporating technological developments, such as the improvements in the quality of the Master Address File, to determine how to effectively and accurately deliver apportionment counts by the statutory deadline of December 31, 2020.

This staff will be closely monitoring the collection and processing of the data and assessing any potential impacts on accuracy, data quality, and coverage.

Further updates on our post enumeration data processing will be provided.
Implementation of the Presidential Memo

The Census Bureau has been tasked with developing a legally and methodologically valid process that meets tests of operational feasibility, to accomplish the goals and directives of the Presidential Memorandum. To achieve this, the Census Bureau will:

- Build upon the decades of continuous experience we have working with administrative records.
- “We will continue full steam ahead with our mission of counting every person, counting them once, and counting them in the right place.”
Thank You

Albert E. Fontenot, Jr.
Associate Director for Decennial Census Programs

Timothy P. Olson
Associate Director for Field Operations
To: Blair, Robert [Federal] [RBlair@doc.gov]; Ding, Michael [Federal] [MDing@doc.gov]; Sprung, Michael J [michael.j.sprung@census.gov]; Coggins, Wynn [Federal] [WCoggins@doc.gov]; Gorey, Lauren [Federal] [LGorey@doc.gov]; Davis, Caitlin [Federal] [CDavis4@doc.gov]; Lane, Jennifer [Federal] [JLane@doc.gov]; Mendes, Andre [Federal] [AMendes@doc.gov]; Quinley, Kevin [kevin.quinley@census.gov]; Cano, Luis [Luis.can@doc.gov]; Ziya, David R [david.r.ziya@census.gov]; Shea, Molly A [molly.a.shea@census.gov]; Preston, Robert [Federal] [RPreston@doc.gov]; Taylor, Benjamin K [benjamin.k.taylor@doc.gov]; Kalluri, Phani-Kumar A [phani-kumar.atri.kalluri@census.gov]; Stempowski, Deborah M [deborah.m.stempowski@census.gov]; Styles, Kathleen M [kathleen.m.styles@census.gov]; Preskenis, Kevin [Federal] [KPreskenis@doc.gov]; Smith, Steven Kelly [kenneth.s.msmith@census.gov]; Creech, Melissa L [melissa.l.creech@census.gov]; Barnes, Johnny G [johnny.g.barnes@doc.gov]; Whiteley, Everett G [everett.g.whiteley@census.gov]; Gilman, Thomas [Federal] [TGilman@doc.gov]; Phelps, Michael [Federal] [MPhelps@doc.gov]; Adkins, Byron [Federal] [BAdkins@doc.gov]; Stanley, Christopher J [christopher.j.stanley@census.gov]; Thieme, Michael T [michael.t.thieme@census.gov]; Treat, James B [james.b.treat@census.gov]; Cannon, Michael [Federal] [MCannon@doc.gov]; Walsh, Michael [Federal] [MWalsh@doc.gov]; Jones, Christa D [christa.d.jones@census.gov]; Smith, Kevin B [kevin.b.smith@census.gov]; Christy, James T [james.t.christy@census.gov]; Reist, Burton H [burton.h.reist@census.gov]; Moese, Albert [Federal] [AMoese@census.gov]; Lamas, Enrique [enrique.lamas@census.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]; Kelley, Karen [Federal] [KKelley@doc.gov]; Dillingham, Steven [steven.dillingham@census.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]; Fontenot, Albert E [albert.e.fontenot@census.gov]; Olson, Timothy P [timothy.polson@census.gov]; Christy, James T [james.t.christy@census.gov]; Jones, Christa D [christa.d.jones@census.gov]; Ahmad, Ali M [ali.m.ahmad@census.gov]; Lamas, Enrique [enrique.lamas@census.gov]; Page, Benjamin J [benjamin.j.page@census.gov]; Stempowski, Deborah M [deborah.m.stempowski@census.gov]; Thieme, Michael T [michael.t.thieme@census.gov]; Risko, Daniel [Federal] [DRisko@doc.gov]; Olson, Stephanie [Federal] [SOLson@doc.gov]; Foti, Anthony [Federal] [AFoti@doc.gov]; Preston, Robert [Federal] [RPreston@doc.gov]; Gorey, Lauren [Federal] [LGorey@doc.gov]; Blair, Robert [Federal] [RBlair@doc.gov]; Cannon, Michael [Federal] [MCannon@doc.gov]; Walsh, Michael [Federal] [MWalsh@doc.gov]; Ding, Michael [Federal] [MDing@doc.gov]; Langdon, David [Federal] [DLangdon@doc.gov]; Paranzino, Anthony [Federal] [AParanzino@doc.gov]; Korzeniewski, Adam [Federal] [AKorzeniewski@doc.gov]; Cogley, Nathaniel [Federal] [NCogley@doc.gov]; Rockas, James [Federal] [JRockas@doc.gov]; Treat, James B [james.b.treat@census.gov]; Burris, Meghan [Federal] [MBurris@doc.gov]

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Location: b(6)

Start: 6/2/2020 1:00:00 PM
End: 6/2/2020 2:00:00 PM
Show Time As: Busy

Recurrence: (none)
every Monday from 1:00 PM to 2:30 PM

Required: Dillingham, Steven; Jarmin, Ron S; Fontenot, Albert E; Olson, Timothy P; Christy, James T; Jones, Christa D; Ahmad, Ali M; Lamas, Enrique; Page, Benjamin J; Stempowski, Deborah M; Thieme, Michael T; Risko, Daniel (Federal); Olson, Stephanie (Federal); Foti, Anthony (Federal); Preston, Robert (Federal); Gorey, Lauren (Federal); Blair, Robert (Federal); Cannon, Michael (Federal); Walsh, Michael (Federal); Ding, Michael (Federal); Langdon, David (Federal); Paranzino, Anthony (Federal); Korzeniewski, Adam (Federal); Cogley, Nathaniel (Federal); Rockas, James (Federal); Treat, James B; Burris, Meghan (Federal)

Attendees:
Updated materials provided for this afternoon’s Decennial meeting.
Status Reporting: 2020 Decennial Census – Executive Order 13880
Release for June 1, 2020
### Periodic Performance Management Reports

<table>
<thead>
<tr>
<th>Status</th>
<th>Report Title</th>
<th>Summary</th>
<th>Slide Number</th>
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<tbody>
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<td>Work to reach agreements and receive data for Federal Administrative Records sources in support of Executive Order 13880 is progressing.</td>
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<tr>
<td>● 2020 Census: EO 13880 State Administrative Records Status for SNAP</td>
<td>Work to reach agreements and receive state data on the Supplemental Nutrition Assistance Program (SNAP) in support of Executive Order 13880 is progressing.</td>
<td>6</td>
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<tr>
<td>● 2020 Census: EO 13880 State Administrative Records Status for Driver’s License</td>
<td>Work to reach agreements and receive state data on State Driver’s Licenses in support of Executive Order 13880 is progressing.</td>
<td>7</td>
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</tr>
</tbody>
</table>

| Acronyms for Administrative Records | |

**Legend**

- Not Applicable
- Completed
- On Track
- Management Focus
- Requires Attention
### Periodic Performance Management Reports
#### 2020 Census: Federal Administrative Records Supporting Executive Order 13880

**Status:**
- **On Track**

**Data current as of:**
- **June 1, 2020**

**Target Completion for Delivery of April 1, 2020**

**Vintage Data:**
- **July 31, 2020**

**Notes:**

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<tr>
<th>Source: File</th>
<th>Under Negotiation</th>
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<th>Initial Data Received</th>
<th>April 1, 2020 Vintage Data Received</th>
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<tr>
<td><strong>Completed Agreements</strong></td>
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<td>CMS: Medicare</td>
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<td>CMS: Medicaid/CHIP</td>
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<td>IHS: Patient Registration</td>
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<td>State: Passport Services</td>
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<td>State: Worldwide Refugee Admissions Processing System (WRAPS)</td>
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<td>DHS: USCIS</td>
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<td>DHS: CBP</td>
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<td>DHS: ICE</td>
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<td>DOJ: US Marshals</td>
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<td>BJS: National Corrections Reporting Program (NCRP)</td>
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</table>

**Legend**
- **Not Started**
- **Completed**
- **On Track**
- **Management Focus**
- ** Requires Attention**

**Source:** Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for TANF

Status:
- On Track

Data current as of:
- June 1, 2020

Target Completion:
- December 31, 2019

Notes:
- The Temporary Assistance for Needy Families (TANF) program is designed to assist families with children when parents or other responsible relatives cannot provide for the family’s basic needs.
- The target date for signed agreements was November 15, 2019.
- Los Angeles county, CA has signed an agreement for the provision of TANF data.

Source: Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for WIC

Status:  
On Track

Data current as of:  
June 1, 2020

Target Completion:  
December 31, 2019

Notes:

- The Women, Infants, and Children (WIC) program provides federal grants to states for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women and to infants and children up to age five who are found to be at nutritional risk.

- The target date for signed agreements was November 15, 2019

United States Census Bureau
Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for SNAP

Status:  
On Track

Data current as of:  
June 1, 2020

Target Completion:  
December 31, 2019

Notes:
- The Supplemental Nutrition Assistance Program (SNAP) provides nutritional benefits to supplement the food budget of needy families so they can purchase healthy food and move toward self-sufficiency.
- The target date for signed agreements was November 15, 2019.
- Los Angeles county, CA has signed an agreement for the provision of SNAP data.

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<thead>
<tr>
<th>State</th>
<th>Declined to Enter Agreement/Provide Data</th>
<th>No Signed Agreement</th>
<th>Signed Agreement; No Data Available</th>
<th>Signed Agreement; Data Available</th>
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<tbody>
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<td>AK</td>
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Source: Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for Driver’s License

Status:
- On Track

Data current as of:
- June 1, 2020

Target Completion:
- December 31, 2019

Notes:
- State Driver’s License data files provide information pertaining to persons within a state who have met state requirements to drive a motor vehicle.
- The target date for signed agreements was November 15, 2019.

Source: Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
### Periodic Performance Management Reports

#### Acronyms for Administrative Records

<table>
<thead>
<tr>
<th>Federal</th>
<th>State</th>
</tr>
</thead>
<tbody>
<tr>
<td>BOP: Bureau of Prisons</td>
<td>LIHEAP: Low-Income Home Energy Assistance Program</td>
</tr>
<tr>
<td>BJS: Bureau of Justice Statistics</td>
<td>SNAP: Supplemental Nutrition Assistance Program</td>
</tr>
<tr>
<td>CBP: Customs and Border Patrol</td>
<td>TANF: Temporary Assistance for Needy Families</td>
</tr>
<tr>
<td>CHIP: Children's Health Insurance Program</td>
<td>WIC: Supplemental Nutrition Program for Women, Infants and Children</td>
</tr>
<tr>
<td>CHUMS: Computerized Homes Underwriting Management System</td>
<td>MBR: Master Beneficiary Record</td>
</tr>
<tr>
<td>CMS: Centers for Medicare &amp; Medicaid Services</td>
<td>NCOA: National Change of Address</td>
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<tr>
<td>DHS: Department of Homeland Security</td>
<td>PIC: Public and Indian Housing Information Center</td>
</tr>
<tr>
<td>DMDC: Defense Manpower Data Center</td>
<td>SSA: Social Security Administration</td>
</tr>
<tr>
<td>DOD: Department of Defense</td>
<td>SSS: Selective Service System</td>
</tr>
<tr>
<td>DOI: Department of Interior</td>
<td>TRACS: Tenant and Rental Assistance Certification System</td>
</tr>
<tr>
<td>DOJ: Department of Justice</td>
<td>UAA: Undeliverable As Addressed</td>
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<tr>
<td>DSF: Delivery Sequence File</td>
<td>USCIS: United States Citizenship and Immigration Services</td>
</tr>
<tr>
<td>FHA: Federal Housing Administration</td>
<td>USPS: United States Postal Service</td>
</tr>
<tr>
<td>HUD: Housing and Urban Development</td>
<td>WRAPS: Worldwide Refugee Admissions Processing System</td>
</tr>
</tbody>
</table>

**Source:** Economic Reimbursable Surveys Division Spreadsheet
To: Blair, Robert [Federal] [RBlair@doc.gov]; Ding, Michael [Federal] [MDing@doc.gov]; Sprung, Michael J [michael.j.sprung@census.gov]; Coggins, Wynn [Federal] [WCoggins@doc.gov]; Gorey, Lauren [Federal] [LGorey@doc.gov]; Davis, Caitlin [Federal] [CDavis4@doc.gov]; Lane, Jennifer [Federal] [JLane@doc.gov]; Mendes, Andre [Federal] [AMendes@doc.gov]; Quinley, Kevin [kevin.quinley@census.gov]; Cano, Luis J [Luis.j.cano@census.gov]; Ziaya, David R [david.r.ziaya@census.gov]; Shea, Molly A [molly.a.shea@census.gov]; Preston, Robert [Federal] [R Preston@doc.gov]; Taylor, Benjamin K [benjamin.k.taylor@doc.gov]; Kalluri, Phani-Kumar A [phani-kumar.atri.kalluri@census.gov]; Stempowski, Deborah M [deborah.m.stempowski@census.gov]; Styles, Kathleen M [kathleen.m.styles@census.gov]; Preskenis, Kevin [Federal] [KPreskenis@doc.gov]; Smith, Steven K [steven.k.smith@census.gov]; Creech, Melissa L [melissa.l.creech@census.gov]; Barnes, Johnny G [johnny.g.barnes@census.gov]; Whiteley, Everett G [everett.g.whiteley@census.gov]; Gilman, Thomas [Federal] [TGilman@doc.gov]; Phelps, Michael [Federal] [MPhelps@doc.gov]; Adkins, Byron [Federal] [BAdkins@doc.gov]; Stanley, Christopher J [christopher.j.stanley@census.gov]; Thieme, Michael T [michael.t.thieme@doc.gov]; Treat, James B [James.b.treat@doc.gov]; Cannan, Michael [Federal] [MCannan@doc.gov]; Walsh, Michael [Federal] [M Walsh@doc.gov]; Jones, Christa D [christa.d.jones@census.gov]; Christy, James T [james.t.christy@doc.gov]; Reist, Burton H [burton.h.reist@census.gov]; Moesle, Albert [Federal] [AMoesle@census.gov]; Lamas, Enrique [enrique.lamas@census.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]; Kelley, Karen [Federal] [KKelley@doc.gov]; Dillingham, Steven [steven.dillingham@census.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]; Fontenot, Albert E [albert.e.fontenot@census.gov]; Olson, Timothy P [timothy.p.olson@census.gov]; Christy, James T [james.t.christy@doc.gov]; Jones, Christa D [christa.d.jones@census.gov]; Ahmad, Ali M [ali.m.ahmad@census.gov]; Lamas, Enrique [enrique.lamas@census.gov]; Page, Benjamin J [benjamin.j.page@doc.gov]; Stempowski, Deborah M [deborah.m.stempowski@census.gov]; Thieme, Michael T [michael.t.thieme@doc.gov]; Risko, Daniel [Federal] [DRisko@doc.gov]; Olson, Stephanie [Federal] [S Olson@doc.gov]; Foti, Anthony [Federal] [AFoti@doc.gov]; Preston, Robert [Federal] [R Preston@doc.gov]; Gorey, Lauren [Federal] [LGorey@doc.gov]; Blair, Robert [Federal] [R Blair@doc.gov]; Cannon, Michael [Federal] [MCannon@doc.gov]; Walsh, Michael [Federal] [M Walsh@doc.gov]; Ding, Michael [Federal] [MDing@doc.gov]; Langdon, David [Federal] [D Langdon@doc.gov]; Paranzino, Anthony [Federal] [A Paranzino@doc.gov]; Korzeniewski, Adam [Federal] [AKorzeniewski@doc.gov]; Cogley, Nathaniel [Federal] [NCogley@doc.gov]; Rockas, James [Federal] [J Rockas@doc.gov]; Treat, James B [James.b.treat@doc.gov]; Burris, Meghan [Federal] [MBurris@doc.gov]

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Updated materials provided for this afternoon’s Decennial meeting.

Dial-in: b(6)
Participant: b(6)
Leader: b(6)
Status Reporting: 2020 Decennial Census – Executive Order 13880
Release for June 1, 2020
## Periodic Performance Management Reports

**Release for June 1, 2020**

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**Acronyms for Administrative Records**

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**Legend**

- Not Applicable
- Completed
- On Track
- Management Focus
- Requires Attention

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2020 Census: Federal Administrative Records Supporting Executive Order 13880

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<td><strong>Renewal Agreements</strong></td>
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<td>DHS: ICE</td>
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<td>DOJ: US Marshals</td>
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<td>DOI: Citizenship &amp; Immigration Data Collection</td>
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<td>BOP: Federal Incarceration Data</td>
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<td>BJS: National Corrections Reporting Program (NCRP)</td>
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<th>On Track</th>
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<th>Requires Attention</th>
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**Source:** Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for TANF

Status:
● On Track

Data current as of:
June 1, 2020

Target Completion:
December 31, 2019

Notes:
• The Temporary Assistance for Needy Families (TANF) program is designed to assist families with children when parents or other responsible relatives cannot provide for the family’s basic needs.
• The target date for signed agreements was November 15, 2019.
• Los Angeles county, CA has signed an agreement for the provision of TANF data.

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Source: Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for WIC

Status:  
On Track

Data current as of:  
June 1, 2020

Target Completion:  
December 31, 2019

Notes:
- The Women, Infants, and Children (WIC) program provides federal grants to states for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women and to infants and children up to age five who are found to be at nutritional risk.
- The target date for signed agreements was November 15, 2019

Source: Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for SNAP

Status:

- **On Track**

Data current as of:
June 1, 2020

Target Completion:
December 31, 2019

Notes:

- The Supplemental Nutrition Assistance Program (SNAP) provides nutritional benefits to supplement the food budget of needy families so they can purchase healthy food and move toward self-sufficiency.
- The target date for signed agreements was November 15, 2019
- Los Angeles county, CA has signed an agreement for the provision of SNAP data.

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Source: Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
Periodic Performance Management Reports
2020 Census: EO 13880 State Administrative Records Status for Driver’s License

Status:
- **On Track**

Data current as of:
- **June 1, 2020**

Target Completion:
- **December 31, 2019**

Notes:
- State Driver’s License data files provide information pertaining to persons within a state who have met state requirements to drive a motor vehicle.
- The target date for signed agreements was November 15, 2019.

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**Source:** Economic Reimbursable Surveys Division Spreadsheet

Pre-decisional - Internal Only - Not for Public Distribution.
### Periodic Performance Management Reports

**Acronyms for Administrative Records**

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<thead>
<tr>
<th><strong>Federal</strong></th>
<th><strong>State</strong></th>
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<tbody>
<tr>
<td><strong>BOP</strong>: Bureau of Prisons</td>
<td><strong>LIHEAP</strong>: Low-Income Home Energy Assistance Program</td>
</tr>
<tr>
<td><strong>BJS</strong>: Bureau of Justice Statistics</td>
<td><strong>SNAP</strong>: Supplemental Nutrition Assistance Program</td>
</tr>
<tr>
<td><strong>CBP</strong>: Customs and Border Patrol</td>
<td><strong>TANF</strong>: Temporary Assistance for Needy Families</td>
</tr>
<tr>
<td><strong>CHIP</strong>: Children’s Health Insurance Program</td>
<td><strong>WIC</strong>: Supplemental Nutrition Program for Women, Infants and Children</td>
</tr>
<tr>
<td><strong>CHUMS</strong>: Computerized Homes Underwriting Management System</td>
<td></td>
</tr>
<tr>
<td><strong>CMS</strong>: Centers for Medicare &amp; Medicaid Services</td>
<td></td>
</tr>
<tr>
<td><strong>DHS</strong>: Department of Homeland Security</td>
<td></td>
</tr>
<tr>
<td><strong>DMDC</strong>: Defense Manpower Data Center</td>
<td></td>
</tr>
<tr>
<td><strong>DOD</strong>: Department of Defense</td>
<td><strong>NCOA</strong>: National Change of Address</td>
</tr>
<tr>
<td><strong>DOI</strong>: Department of Interior</td>
<td><strong>PIC</strong>: Public and Indian Housing Information Center</td>
</tr>
<tr>
<td><strong>DOJ</strong>: Department of Justice</td>
<td><strong>SSA</strong>: Social Security Administration</td>
</tr>
<tr>
<td><strong>DSF</strong>: Delivery Sequence File</td>
<td><strong>SSS</strong>: Selective Service System</td>
</tr>
<tr>
<td><strong>FHA</strong>: Federal Housing Administration</td>
<td><strong>TRACS</strong>: Tenant and Rental Assistance Certification System</td>
</tr>
<tr>
<td><strong>HUD</strong>: Housing and Urban Development</td>
<td><strong>UAA</strong>: Undeliverable As Addressed</td>
</tr>
<tr>
<td><strong>ICE</strong>: Immigration and Customs Enforcement</td>
<td><strong>USCIS</strong>: United States Citizenship and Immigration Services</td>
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<tr>
<td><strong>IRS</strong>: Internal Revenue Service</td>
<td><strong>USPS</strong>: United States Postal Service</td>
</tr>
<tr>
<td><strong>LITC</strong>: Low-Income Housing Tax Credits</td>
<td><strong>WRAPS</strong>: Worldwide Refugee Admissions Processing System</td>
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</table>

**Source**: Economic Reimbursable Surveys Division Spreadsheet
Q & A for July 29, 2020, House Oversight Hearing

Summary of the Timeline of COVID-19 Adjustments

March 18 – Suspension of field operations – first announced as two weeks
March 28 – announcement of another two-week suspension
April 13 – suspension until June announced by Director Dillingham and Secretary Ross
April 18 – legislative draft submitted to move delay apportionment and redistricting by four months
May 8 – beginning of the phased restart
June 11- completion of the phased restart
July 16 – beginning of NRFU soft launch

Issues to be added:

Cyber
MENA
Rural
Tribal
7.21 PRESIDENTIAL MEMORANDUM

Memo Implementation

- The U.S. Census Bureau is a nonpartisan government agency, and the principle federal statistical agency.
- The Census Bureau conducts all of its work in accordance with all federal law, regulations, policies, and applicable court rulings.
- The Census Bureau does not set policy.
- Under Section 141(b) of title 13, the Secretary of Commerce is tasked with delivering apportionment counts to the President.
- Secretary Ross has been tasked by Presidential Memorandum with “tak[ing] all appropriate action, consistent with the Constitution and other applicable law, to provide information permitting the President, to the extent practicable” to exclude undocumented persons from the apportionment count.
- The Presidential Memorandum then goes on to state: The Secretary shall also include in that report information tabulated according to the methodology set forth in Final 2020 Census Residence Criteria and Residence Situations, 83 Fed. Reg. 5525 (Feb. 8, 2018).
- As I said in my opening statement, in discussions with Secretary Ross after the memorandum was issued, he tasked the Census Bureau to examine and report on the methodologies available to “provide information permitting the President, to the extent practicable, to exercise the President’s discretion to carry out the policy” of “the exclusion of illegal aliens from the apportionment base, to the extent feasible and to the maximum extent of the President’s discretion under the law.”
- I have set up a working group, led by Career experts at the Census Bureau, to report back to my office on potential methodologies to produce those numbers.
- The Census Bureau will always maintain the highest standards of scientific integrity and transparency about the data we produce.
- I must stress, as is explicitly stated in the Presidential Memorandum, that this will have absolutely no impact on our data collection operations. We are
continuing on our mission to count every person living in this country once, only once, and in the right place.

- Ultimately, our ability to produce any data is dependent upon successful completion of those data collection operations, which face significant challenges in the coming weeks. Meeting and overcoming those challenges is our top priority at this time.

- The women and men of the U.S. Census Bureau have undertaken extraordinary efforts during this unprecedented time to keep the 2020 Census on track, continue to collect our vital economic and household surveys, and produce new innovative data to help measure the impact of the virus and our economic recovery. They deserve the highest praise and your unqualified support.
Has the Census Bureau received a written order from Commerce Secretary Wilbur Ross to provide information permitting the president to carry out the policy set forth in section 2 of the memorandum (i.e., instructions to produce a count of unauthorized immigrants included in the 2020 census apportionment count)? If so, when, and what was the language of that order?

- Not in writing, but the Secretary and I have spoken about it. That was last Friday. I spoke with staff in his office and the Deputy Secretary prior to that.

Has Census Bureau Director Steven Dillingham, Deputy Director Ron Jarmin and/or Deputy Director of Policy Nathaniel Cogley issued a written order to any Census Bureau staffers about providing provide information permitting the president to carry out the policy set forth in section 2 of the memorandum (i.e., instructions to produce a count of unauthorized immigrants included in the 2020 census apportionment count)? If so, when, and what was the language of that order?

- On Friday July 24, 2020, I asked Deputy Director and Chief Operating Officer Ron Jarmin to recommend names for an internal working group. I accepted those recommendations and tasked them to begin work immediately. I have asked for a report to my office as soon as possible.

What is the methodology the Census Bureau will use to attempt to produce a count of unauthorized immigrants included in the 2020 census apportionment count?

- That question is currently under review by our working group.

Any comment on the census lawsuit filed against Director Steven Dillingham in the Southern District of New York by New York state et al?

- I will not comment on any litigation or court cases underway.

Will the memo require Census retroactively to figure out who, among the people who have already been counted in the 2020 survey, are undocumented? Or is this about banning undocumented immigrants from participating going forward?

- This is NOT about banning anyone from participating. We will count everyone living in this country regardless of legal status. The memo instructs the Secretary to include, to the extent practicable, numbers of undocumented persons by state. The methodology to produce that data is being examined
by an internal working group now. But it will have no impact on field data collection operations.

*Can you provide us with numbers showing how many undocumented immigrants have already been counted for?*

- No. We do not release any decennial data products during data collection beside household self-response rate.
- An internal working group is looking at methodologies to produce those estimates of the undocumented population per state.

*Was Census leadership included in this discussion?*

- Census leadership, specifically me, has been tasked by the Secretary after the issuance of the Presidential Memorandum.

*What is the message to undocumented immigrants, should they fill out the census?*

- Yes. My message to EVERYONE in this country is that you should fill out the Census for your entire household and count everyone living under your roof.

*How does the Bureau intend to screen census respondents for whether they meet the conditions laid out in the EO?*

- The methodologies are under review right now by an internal working group.
- However, I would offer that none methodology would be a “screening.” Everyone living in this country should still participate in the 2020 Census.

*If the agency does not have state records from all states would it still use a subset of states to arrive at the total undocumented population?*

  - I’m afraid the question is a little confused- this is not primarily driven by state records.
  - Our working group is reviewing all possible methodologies and I have asked them to report back to my office as soon as possible.
Will the agency use statistical modeling methods to arrive at the undocumented population?

- The agency uses sound statistical methodology and scientific rigor in all of its work. An internal working group is currently reviewing the practicality of available methodologies.

Will the agency screen respondents to differentiate between citizens with few administrative records or conflicting administrative records and undocumented immigrants?

- The various methodologies are under consideration now.

Would the info released subject to the memo also be subject to differential privacy?

- The internal working group will certainly consider that question as well, and make a recommendation.

Will the agency adjust its advertising or outreach campaign to immigrant communities in light of this memo?

- The communications campaign and partnership program will maintain its robust outreach to all communities to encourage self-response and cooperation with nonresponse follow-up.
- We will continue to highlight that all information obtained by the census is confidential. The Census Bureau will only release statistics.

Is there any way the Census Bureau responds to these fears that people have and what do you do to encourage undocumented residents to respond to the census.

- I am responding clearly here today. You should be counted in the 2020 Census. We have the same obligation today that we did before to provide a complete and accurate count of every person living in this country.
- The memorandum itself does not contradict that and in fact it explicitly reinforces that. Your data is SAFE. Nobody can access it who does not need to access and we can only product high level statistics. It cannot be released to anyone for 72 years. When it is released in 72 years, your response will only include the questions that were included on the 2020 Census.
Also, on average, do you know the percent of undocumented people who respond to the census?

- [Is there an estimate on this? Checking and will add if there is one.]

Any input on how one of the most vulnerable groups in our city are affected by the census and or how possibly not responding affects the future funding for this very group?

- This will not affect the numbers we turn into the Secretary that reflect the overall population.
- The laws, regulations, policies, and formulas that rely on decennial census data are generally outside of those implemented by the Census Bureau, but I can assure you that we will be delivering the datasets that are expected for these many other uses.

Moreover, is this something the President would be able to do or will the Census Bureau be responding this at all?

- I won’t comment on the pending litigation or the legal analysis.

I’m unclear on where exactly that data would come from, and how detailed it would be. The Bureau obviously doesn’t ask the citizenship question on forms, and it’s hard to find good data or estimates, unless you go back to Pew in 2016. Can you tell me where that data would come from? Are there other government sources for it, or would the administration use an outside expert? Would that data be only on a statewide level, or could you conceivably get it down to the county level?

- The working group will consider. A key source would be the work already underway pursuant to the President’s Executive Order from July 2019.
- The Federal agencies have securely provided data pursuant to that executive order.
- Some states have submitted data for our work on administrative records, but those files do not really help with determining citizenship. They are helpful with record linkage across datasets.
Have the regional offices changed any protocols or procedures throughout the states because of this memo?

- No.

**Apportionment / Delayed Data Products**

Last week, it was reported that the administration is seeking $1 billion for the Census Bureau in the next COVID relief bill for timely completion of the census. I've been told by a number of folks that the bureau has scrapped/will scrap its extended timeline for NRFU and (I assume) other counting operations in order to meet its original statutory goal of providing reapportionment data by the December 31 deadline. Specifically, I'm hearing that NRFU is being sliced from a 10-12 week operation to six weeks. Can you address any of that? If a final, completely buttoned-down decision hasn't been made, is it under serious consideration, and is planning underway? Has Commerce or the White House told the bureau it now wants delivery of reapportionment data by year's end, or asked the bureau to begin planning for that?

- I do not have any comment on legislative negotiations. The pace of our schedule is driven by the realities on the ground, hard data, and analysis by career Census Bureau leaders.
- Our field data collection operation is not primarily driven by statutory deadlines, but it is driven by the health and safety needs of the American people and our workforce.
- However, it would be imprudent not to plan for the possibility that we are still subject to the current legislative deadlines. We have been assessing this question continually, but last week Secretary Ross asked the Census Bureau last week to formally look into the impact on the decennial data products of reporting data on December 31, 2020.

*How much time does the Census Bureau need to prepare the 2020 census apportionment count file?*

- Under the current operational design and methodologies, we expect it will take 5 months from the completion of 2020 Census data collection operations.
- Our current plan is to complete data collection by October 31.
Given the operational adjustments due to COVID-19, on what date did the Census Bureau pass the point of being able to deliver the 2020 census apportionment counts to the president before the current statutory deadline of Dec. 31, 2020? The Association Director of Field Tim Olson said on a May 26 webinar that the bureau had “passed the point” by then. (Here’s the audio: [HYPERLINK "https://www.youtube.com/watch?v=F6IyJMiDDgY&feature=youtu.be&t=4688"])

- That is accurate under the current methodology and design.

**Memo Operational Feasibility**

According to the Census Bureau, 132 federal programs used Census-derived data to distribute more than $675 billion in funding for FY 2015. According to more recent estimates by Professor Andrew Reamer at GWU, in 2017, 316 federal programs relied on census-derived data to distribute $1.5 trillion dollars annually to states, local governments, nonprofit organizations, businesses, and households across the nation. In addition to the obvious legal and ethical considerations, the exclusion of non-citizens from apportionment data files would be difficult to parse operationally.

How will the Census Bureau generate and maintain data sets for different purposes? Top-line decennial numbers are rarely used for the allocation the formulas noted above. In fact, funding criteria are more commonly derived from ACS and Population Estimates. I worry whether compliance with the Memorandum will require the Bureau to maintain two massive data files, one for apportionment and another for other programs and activities.

- By my plain reading of the memorandum, the Census Bureau will deliver a full population count under the residency criteria established in February 2018.
- The working group is looking to the feasibility of the methodologies that may be used to deliver another set of estimates of the undocumented persons population by state, as instructed by the Presidential Memorandum.
- I assure you that no matter our path forward, we will ensure the critical data products we produce for a wide variety of uses are not affected.
Memo Political Interference (Anti-Immigrant Policies)

QUESTION: After President Trump issued his Memorandum, dozens of my House colleagues took to social media platforms to decry the Administration’s decision. Many of us see this Memorandum as part of a broader pattern of hostility toward immigrants who have contributed so much to our society. What can you say to allay these concerns?

What can you tell the families watching this hearing who may be confused about whether they should bother responding to the census at all if they are not going to be included for the purposes of political representation?

They pay taxes, they serve in the military, and they work on the front lines in the health care sector helping our nation respond to the COVID-19 pandemic. Their children attend public schools that rely on census data for federal and state funding. They want to hear a direct answer from you today on whether and why they should be excluded from the apportionment count.

- In no uncertain terms, we will count everyone living under your roof.
- When filling out the 2020 Census online, over the phone, or through the mail, or when responding to an in-person interview, all persons living in your household, everyone under your roof as of Census Day, April 1, 2020, should be included.
- This is without regard to citizenship or immigration status.
- It is the core mission of the Census Bureau to provide information to inform policymakers at all level of government, the private sector, and the non-profit sector, to they have all the data available to guide their resources appropriately.
MEMO Racism – Likely to be a similar question from Rep. Clay

I recently tweeted that this latest action by the President is a racist dog whistle to rig the 2020 Census and that it will fail. I know it and you know it. This action – rooted in racism – is rank political interference with a constitutionally-mandated function of government as old as America itself. A number of former Census Bureau Directors have stated that they would resign if faced with political pressure or interference. Have you ever discussed the possibility of resigning from your position with colleagues at the Census Bureau, within the Department of Commerce, or at the White House?

- The U.S. Census Bureau is a nonpartisan government agency, and the principle federal statistical agency.
- The Census Bureau conducts all of its work in accordance with all federal law, regulations, policies, and applicable court rulings.
- The Census Bureau does not set policy.
- There has been no pressure or interference in my tenure as Census Bureau director.
- I have decades of experience in federal service, including leading two other statistical agencies. I would know it if I see it.
- The Secretary of Commerce has been tasked with providing this information, and he has asked us to look into the practicability of producing this information. We are doing that now.
MEMO Consultations with the White House – Internal deliberative but they will likely ask anyway

*To be clear, I’m not asking for an opinion on whether the President’s Memorandum is legal, permissible, or even justifiable on policy grounds. I just want a yes or no answer to the following question: Did the President of United States or anyone on the White House staff consult with you or your staff at Census while drafting this Memorandum? I’m not asking you to tell us what you may have shared during any such discussions, I just want to know whether the Administration made this decision without consulting the Census Bureau?*

- I have had no conversations with the White House in regard to this memorandum, nor the underlying methodological questions.
- I have been tasked by Secretary Ross to look into the practicability of its implementation.
- I have created a working group to look into the issue, and I aim to deliver a report to the Secretary as soon as possible.
MEMO Timing

I share the view of many of my colleagues that the timing of the President’s Memorandum was calculated to throw the 2020 Census into disarray. The President’s recent action sows doubt, deepens fears, and compounds anxieties among immigrant families about participation in the census. Why was this Memorandum released in July of 2020? Why did the President issue the memorandum during the soft launch phase of the Bureau’s Non-Response Follow Up operation – a critical period when you’re ramping up operations and informing the estimated 38% of the country that has yet to respond that there is still time to do so?

- I have no insight to offer as to the timing of this memorandum. I have had no conversations with anyone at the White House in regards to this memorandum or the issue overall.
- I want to be very clear here- in front of these cameras- that this does NOT affect our field data collection operations.
- We will continue our mission to count everyone living in America, once, only once, and in the right place, without regard to citizenship or legal status.
- This is explicitly stated by the memo’s instructions to report based on final residency rules published in 2018.
- I would ask for your help in ensuring that message is clearly delivered to your constituents and to people across the nation.
- You have a powerful voice, too, and the 2020 Census needs your help getting the word out.
MEMO General Questions

How will the Memo affect operations?

- The memo makes no impact whatsoever on our field data collection operations. I have tasked a working group to look into the practicability of the methodological options to produce the data requested by the memo. We plan on reporting back to Secretary Ross as soon as possible.

Has the Secretary reviewed the Memo?

- I have spoken with the Secretary about the memo, and I informed him we have initiated a working group to look into the methodological options to produce the data requested by the memo.

How will the Memo affect the DACA population?

- I have seen no-analysis yet on that, but that is an excellent question and one which our working group will analyze to the best extent possible.

Was anyone at the Census Bureau involved in writing the memorandum? If so, who and what was their role(s)?

- Nobody at the Census Bureau was involved in writing the memorandum. I have not been briefed on the involvement of the Department of Commerce. We regularly report to the Department on the status of 2020 Census operations, and brief the Secretary, Deputy Secretary, and other senior leadership on a wide variety of issues.
- Staff from the Census Bureau has briefed the Secretary on methodological issues related to the production of existing estimates on the population of undocumented persons, on more than one occasion, since the July 2019 executive order was issued.
- I am unaware to what extent if any those briefings informed the drafting of the memorandum.

Were you or anyone at the Bureau asked to provide information on undocumented individuals/illegal aliens for this memorandum?

- Not for this memorandum.
When did you find out about the memorandum?

- On the afternoon of July 17, 2020, staff informed me of publication of a rumor about an “executive order” on the subject published in Politico Playbook. I did not see the text of the memorandum before it was sent to reporters and published online. To the best of my knowledge, no one at the Census Bureau saw the text prior to publication.

- The memo established a policy, and directs the Secretary to obtain information to implement the policy to the extent practicable. As head of the Census Bureau, I am responsible for looking into the practicability.

Were Census Bureau staff that provide weekly briefings to staff of the Oversight and Appropriations Committee involved with the memorandum in any other way?

- No. Again, we learned of this memorandum initially through a published rumor, and then saw the text when it was provided to the public.

You and your staff agreed to be transparent with this committee. Our staff have asked your staff to give them advance notice of anything that might have an adverse impact on the 2020 Census. Were you aware of the memorandum before it was published? Was there any discussion about giving Congress notice this memorandum would be published?

- We were not aware. We maintain our commitment to providing regular operational updates on the 2020 Census, and even in advance of this hearing, conducted just such a briefing last Friday. I suspect we will be briefing staff this Friday as well.

- The Census Bureau has provided more than 60 congressional briefings to Members, committee staff, caucuses, and individual offices this year.

Congresswoman Grace Meng of New York has introduced legislation to prohibit the use of federal funds to implement, administer or enforce the memo. If funds are denied, how will the Bureau implement the memo?

- I will not speculate on policy disagreements or future legislative action. We will always follow the law.

Are there any efforts currently underway in the Bureau to exclude undocumented persons from the apportionment numbers?
As I stated in my opening statement, I have tasked a working group to look into the practicability of providing this information.

[ HYPERLINK "https://www.whitehouse.gov/presidential-actions/executive-order-collecting-information-citizenship-status-connection-decennial-census/" \h ]

The Executive Orders states, “All agencies shall promptly provide the Department the maximum assistance permissible, consistent with law, in determining the number of citizens, non-citizens, and illegal aliens in the country, including by providing any access that the Department may request to administrative records that may be useful in accomplishing that objective. “

**How is this information being collected from the agencies?**

- Under the Executive Order from July 2019, we have pursued acquisition of administrative records to improve our ability to determine the number of citizens, non-citizens, and the immigration status of those non-citizens. Records are collected in a secure manner, and fully protected by Title 13, just like our survey and census operations.

**Which agencies have provided information and what information has been provided?**

- A number of agencies have provided data pursuant to the Executive Order: DHS, Social Security Administration, HHS, IRS, State, Justice, and Interior.

**How is this information being collected from the states?**

- Under the EO issued last July, we have pursued acquisition of administrative records to improve our ability to determine the number of citizens, non-citizens, and the immigration status of those non-citizens. Records are collected in a secure manner, and fully protected by Title 13, just like our survey and census operations.

**Which states have provided information and what information has been provided?**

- We can provide a list. 37 states have provided information that will be used in this project. This is not only the EO work. These files help with other work as, well, not only the in determining citizenship status.
Is information being collected from entities other than state and federal agencies? If so, which entities? What information is being provided?

- No information related to the July 2019 Executive Order is coming from non-governmental entities.
- However, it is important to note that we are mandated to use administrative records to the maximum extent possible to reduce respondent burden.
- We have been working with these records for decades, and have a long track record of absolutely protecting privacy and safety of the American people while doing so.

Do political appointees have access to the information?

- No. While we are all Title 13 sworn, that only allows access to the information if you have the need to access it. Only staff conducting the actual technical work can access the information. We are all subject to the strict penalties of violating Title 13.

What other information do political appointees have access to and what safeguards are in place to ensure this information is used for statistical purposes provided under Title 13, Title 26, and Title 5?

- We have a robust Privacy Coordination Office. We provide regular trainings to all staff, including appointees. Only staff with a need to know for their work can access census data on individuals. [We might need more on this from PCO]

Have there been any unauthorized access to the data by political appointees or those who work for or with them?

- No.

Have there been any data breaches by political appointees or those who work with them? Have they shared information with unauthorized personnel at the White House, Department of Commerce, Office of Management and Budget, or any other entity within the Executive or Legislative Branches, or outside of government? If so, please specify. If so, were they reported to Congress?

- None whatsoever.

State Driver’s Licenses
Which states has the Census Bureau contacted for driver's license and state ID records, and when?

- The U.S. Census Bureau conducts ongoing outreach to secure Memoranda of Understanding from every state to obtain administrative records that help ease respondent burden and save taxpayer money.
- All 50 states were contacted for driver license data between August and November of 2019, and the Bureau continues to reach out to states without an active MOU in place. Our goal is to have data in by July 31, 2020.
- [If asked - South Dakota, Iowa, and Nebraska have provided DL data.]

When is the latest a state can start transferring driver's license and state ID records data to the bureau in order for the information to be used to create CVAP data in support of Executive Order 13880?

- Our plan is that States have until July 31, 2020, to transfer administrative data for the work under Executive Order 13880.

What criteria did the bureau use in choosing which states to contact in 2019 for driver's license and state ID records?

- Census Bureau staff asked all states to help improve our statistics with administrative records.
- All 50 states were contacted for driver license data between August and November of 2019, and the Bureau continues to reach out to states without an active MOU in place.
WORST CASE SCENARIO – COVID and no completed NRFU:

What contingency plan does the Census Bureau have in place in case it is unable to start and/or complete the nonresponse followup operation in an area because of COVID-19-related issues? What happens if you are not able to deploy NRFU operations due to increase in numbers of COVID-19 cases?

- We are laser focused on contingencies to ensure we get NRFU done as safely and quickly as possible.
- If what you are asking is “what if we can never get NRFU done” that is a hypothetical to which I do not have a complete answer now other than to say this: the Census Bureau will present a clear, transparent, understanding to all policymakers and key stakeholders involved.
- As I said in my opening statement, we are taking two new actions – sending a seventh mailer with another paper questionnaire to some households and conducting some follow-up work by phone.
- We are increasing our media communication to remind everyone that there’s an opportunity to stay safe, stay home and still self-respond to the census.
- It's one of the core things that people can do in this census that they couldn't do in 2010 – self response will continue until the end of data collection
- Those who haven’t responded yet can do so online, or they can pick up the telephone, or you can mail the paper form that we already sent – all without interacting with a census taker.

OPERATIONS

Please provide an Operational update on current operations.

- Summary in prepared statement

Update Leave got off to a late start. Has that operation been completed?

- It is more than 99.5% completed. We are down to the last few thousands houses, primarily on tribal lands. We are in close coordination with the tribal governments to complete.

Regarding NRFU Soft Launches how have these sites been selected and how are soft launches going in selected cities?
2020 Census career operational leaders make the decisions based on the availability of the workforce, the status of COVID-19 within the areas, and to ensure geographic diversity so as to better understand the success of the operation.

• Response rates were not part of the selection process for soft launch areas.

What is the purpose of the soft launches?

• We have done a soft launch of every major operation in the 2020 Census, including self-response. The purpose is always the same - to ensure the systems and operations function as our tests indicate in a live environment, before we have to go fully into production.

• In this case, we were able to catch an IT issue with our certification system and correct it.

• We are also tracking the rates at which census takers report for training, complete training, and then show up for the first day of work.

• We do not have enough offices in production yet to establish a trend, but we definitely think it is the right course to maintain our hiring and training operation through NRFU to ensure we have sufficient staffing.

When does NRFU start across the nation, and will you delay that if it is not safe?

• Twelve of our Area Census Offices have started this work. 35 more are scheduled to begin tomorrow (July 30)

• We will have a third round of soft launch locations, 40 more ACOs, scheduled to being on August 6.

• For the rest, general our target date to start follow up work is August 11th.

• We are continually assessing safety in everything thing we do.

• We will delay or halt operations at the ACO and sub-ACO level as necessary based on local conditions. This includes an increase in COVID-19 cases, or natural disasters such as hurricanes, or other situations that mean we cannot safely conduct operations.
Service Based Enumeration - when will that take place? Do you think that the Bureau will have to make additional adjustments to this operation due to recent upticks in COVID-19 cases in certain areas?

- The operation was originally scheduled for March 30, March 31 and April 1, but health and safety concerns with COVID-19 forced us to delay these activities.
- Between September 22 and 24, the Census Bureau now plans to send specially trained census takers to count people at shelters, soup kitchens, regularly scheduled mobile food vans, and locations previously identified by the Census Bureau where people are known to sleep outdoors (like under bridges) and at all-night businesses (such as transit stations and 24-hour laundromats). People experiencing homelessness will be counted where they are staying when census takers visit between September 22-24.

Could you please provide an update on MQA?

- We had to delay and scale back this operation due to the pandemic, but now partnership staff are working to identify MQA sites where people go when they leave home, such as grocery stores, pharmacies, and other places with essential services.
- In most instances, these MQA sites are outdoors, and they adhere to local, state and federal health and safety guidelines.
- I wish we were able to do the full plan as it was designed, sending people to malls, churches, festivals, and other events and gatherings that unfortunately can’t happen right now.
- So we are doing what we can with a scaled back program. We have up to 3,000 people available for this work.
- We can provide the committee with more information on how it is going soon. It just started on July 14.

REDISTRICTING

Will 2020 Census data products be delivered on time for redistricting purposes?

- Our current proposed schedule calls for delivering redistricting products between June 17 and July 31, 2021.
However, we are looking into the impact of delivering the products by the legislative deadline.

What is the Census Bureau doing to ensure states get their redistricting data on time?

- One thing we will do to make the process as smooth for the states as possible is to deliver as much as we can as early as we can: for instance, we will deliver some geographical files ahead of time so states can begin the work.
- Ultimately, the field data collection and the accuracy and integrity work we need to do to the data will drive the delivery of the redistricting data.
- We will work with states and group them by the ones with the most urgent needs. For example, Virginia and New Jersey have state elections in 2021, so our current plan has them in the first grouping to be delivered by June 17.
- They others organized by consideration of their constitutional mandates, then their statutory mandates, followed by other logistical needs.
- Our Redistricting Office in in touch with the state liaisons and will do so again in October and November.

HIRING/TRAINING

When will training begin for Enumerators?

- I am pleased to report it has begun in every ACO across the nation. It will be finished the week before the ACO is ready to deploy to the field.
- We will continue to hire and train on an ongoing basis to ensure we maintain the maximum sized workforce possible.

What is the Bureau doing to ensure that you hire the right people to enumerate in HTC areas?

- Bottom line: We hire locally.

Is all of your training conducted virtually? If not, how is it done?

- Much of the training is virtual, but there is a requirement for some in-person training.
- We have done as much as we can to reduce the amount of in-person training, and of the part that is required, we do this with appropriate safety measures with social distancing.
What operations require in person interaction among the Bureau’s staff?

- There are a number that do, but we are training our staff to do it safely.
- Update / Enumerate (remote areas of Maine and southeast Alaska), Remote Alaska, and Nonresponse Followup require in-person interactions. Also, partnership activities can be in-person, as well.
- Masks are required for our field staff nationwide. Local rules are followed on the size of gatherings. We have instructed census takers to conduct interviews outside if at all possible.

PPE/PROTECTING EMPLOYEES

How is the Census Bureau safe-guarding and protecting their employees against COVID-19?

- Our commitment throughout the census process is to protect every employee and the American people throughout all interactions we have with people. Personal protective equipment (PPE) and training and expectations that all staff maintain social distancing in all interactions are key in our commitment to protect people’s health during this pandemic.
- We require all census employees who have any public interaction to wear a face mask regardless of geographic location.
- We have acquired more than 40 million items of PPE for use by our office and field staff. This includes 2.4 million masks, 14.4 million individual gloves, 21.4 million individual disinfectant wipes, 3.6 million individual hand sanitizer bottles for field staff use, and 48,000 gallons of hand sanitizer for use in census facilities.

The Commerce IG has received complaints about OSHA violations in the Field. How has the Bureau responded to those complaints?

- We talk to OIG hotline staff every few weeks so they can share info on kinds of calls they are getting. I will have to check on those.
- We take IG inquiries seriously, and if they raise any issues with us, we work to address them.
- I have a weekly meeting with the Commerce Department IG, and we have a good working relationship.

PARTNERSHIP

How many partners do we currently have now?
Almost 400,000 – currently more than 395,000 and climbing, I am proud to report. We met the goal of 300,000 before March 1, and we have exceeded the 257,000 number from 2010.

When I was with the committee on February 12, we were at 266,000.

Could you give us some examples of how Partners have been able to contribute to the Census and raise response rate numbers?

- Repeat examples from opening statement.
- Generally mention social media, car parades, promoting the census in water bills, and sharing census information at food distribution sites.

How has the partnership program had to shift to adjust to current environment due to COVID-19?

- Primarily, many of our partner organizations had planned in person outreach events- and those had to become virtual. So we went online with them.
- [Ali can get stats/two examples from National/CPEP.]

COMMUNICATIONS

What is the Census Bureau doing in terms of Communications?

- We expanded our Integrated Communications Contract from $500 million to $700 million total.
- Our media buy is increasing from $323.5 million to $383.4 million. The media buy list is on our website and it is updated as new vendors are added.
- [If asked – the rest other than the media buy covers salaries, production costs, and other expenses. We can provide the committee with a breakdown.]
- This is enabling us to continue our advertising and communications efforts through the summer and into the fall.

We understand your current regional push is well underway. Could you tell us how that is going?

- We are currently right in the middle of our “July Push” to maximize self-response. We created new ads for this as well.
• We have increased our media spend with local advertising in every part of the country, including rural areas but with an emphasis on cities with low response rates.
• The July Push will be followed by a national campaign in early August to let the country know that we will be knocking on doors in the Nonresponse Followup operation.
• Next, starting August 11 and running through the end of September, we will run advertising in areas with the lowest self-response rates, adapting to areas with the heaviest nonresponse workloads where possible.
• We redesigned out advertising to show our enumerators in masks and practicing social distancing. We’ll also be reminding people that it’s never too late to responding to the 2020 Census.
• Self-response will continue, and when a household responds, it is removed from the workload automatically, reducing unnecessary visits.

Please provide updates on media strategy and contracts. Will contracts be extended?

• We do not need to extend our contracts.

Additional Funding was provided for the Communications Campaign. Do you have a break down of what funds were spent based on audience and language?

• I do not have that off the top of my head but I’ll ask my staff to send that to the Committee.
• I do know that we increased the investment across all audiences as we adjusted the campaign, and we expanded the number of languages that have advertising to 45 total.

Please tell us how the Bureau and Y&R are working with Carol H. Williams on advertising for the Black/African American media markets. Provide specific examples. [NOTE – during the staff briefing for CBC, we had some questions about this subcontractor.]

• [Ali is getting examples an answer from TY&R.]

Have any of the other subcontractors for the advertising campaign been reassigned work that was originally assigned to or plan for Carol H. Williams?

[Ali is getting examples an answer from TY&R.]
CUI/PRIV

Mike,

Attached are the Minority QFRs minus what we are waiting on from NOAA. I accepted the tracked changes and cleaned up the comments. Let us know your thoughts.

Thanks,
Harry
Questions for the Record for Mr. Michael Walsh
U.S. Senate Committee on Commerce, Science, and Transportation
“Nominations Hearing”

June 16, 2020

Questions Submitted by the Hon. Maria Cantwell to Mr. Michael Walsh, Nominated to be General Counsel of the Department of Commerce.

Scientific Integrity. As a leader at the Department of Commerce who has served as Deputy General Counsel, Chief of Staff, and now Acting General Counsel, you play a key role in ensuring that Department respects its scientific and professional staff and the role they play in the decision-making process. From natural disasters and emergency response to fisheries management and weather, the Department must follow the best available science.

Unfortunately, there have been several recent deviations from that course at the Department of Commerce. On September 1, 2019, President Trump sent a Tweet that “South Carolina, North Carolina, Georgia, and Alabama will most likely be hit (much) harder than anticipated” by Hurricane Dorian. As you know, this was disputed by National Oceanographic and Atmospheric Administration (NOAA) weather forecasters stationed in Birmingham, Alabama. To address confusion and the potential risk to public health and safety from that Tweet, the National Weather Service (NWS) office in Birmingham issued a clarifying Tweet that Alabama “will NOT see any impacts from Dorian.”

Rather than support its scientists, NOAA released an unsigned and confusing statement on September 6, 2019, stating that the National Hurricane Center models “demonstrated that tropical storm-force winds from Hurricane Dorian could impact Alabama.” Several media reports have indicated that you were involved in the drafting or facilitation of the unsigned NOAA statement. Specifically, these reports indicate that the statement may have been drafted on the computer of the Department’s Deputy General Counsel and later reviewed or revised by you.

Question 1. How would you describe your level of involvement in and responsibility for NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian?

Answer.

b(5) - DP/AC
**Question 2.** In retrospect, would you have changed anything about the process that led to the drafting or issuance of NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian? Would you change anything about this statement? If so, what?

**Answer.**

**b(5) - DP/AC**

**Question 3.** Did NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian benefit NOAA or further NOAA’s mission? If so, how and what aspect of its mission?

**Answer.**

**b(5) - DP/AC**

**Question 4.** Did you engage with NOAA political leadership, career leadership, or employees in general to address the publicly reported NOAA employees’ complaints and concerns about NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian?

**Answer.**

**b(5) - DP/AC**

**Question 5.** The committee is aware that the Department of Commerce Office of the Inspector General (OIG) has an open inquiry into the events surrounding NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian. Should the committee be concerned about the outcome of the OIG report and how it reflects on your character or fitness to hold the position of General Counsel of the Department of Commerce?

**Answer.**

**b(5) - DP/AC**

**Question 6.** Do you have any lessons learned from the process that was undertaken to ultimately lead to the release of the NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian?

**Answer.**

**b(5) - DP/AC**
Question 7. In hindsight, assuming you had the authority to do so, would you stop the release of NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian? Why or why not?

Answer.

b(5) - DP/AC

Question 8. Will you commit to the release of the OIG’s report on NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian without any requested redactions for privilege by the Department? If not, why are taxpayers not entitled to the full report to show how government business was conducted regarding the September 6, 2019, NOAA unattributed statement about Hurricane Dorian?

Answer.

b(5) - DP/AC

Question 9. Did you cooperate fully with the OIG in their inquiry related to NOAA’s unattributed September 6, 2019 statement about Hurricane Dorian?

Answer.

b(5) - DP/AC

Question 10. Please respond to the allegation made by Julie Kay Roberts in an interview by the NOAA General Counsel that on September 6, 2019, at around 2:30 a.m. Eastern Standard Time with regard to the Hurricane Dorian Birmingham Weather Forecast Office tweet, you said “There are jobs on the line. It could be the forecast office, or it could be someone higher than that and that’s less palatable to me.” Do you recall a phone call with Ms. Roberts on or around that date and time? What was the nature of that call? Why would Ms. Roberts come away with the impression that “jobs [were] on the line”?

Answer.

b(5) - DP/AC
Question 11. An internal NOAA Fisheries memorandum dated June 22, 2020, directed NOAA Fisheries employees to refrain from using the term COVID-19 and COVID-19 related terms whenever possible in both agency rulemakings as well as other formal announcements, including fishery management announcements. Since March, NOAA has routinely made announcements for fisheries management, including modifications to fishery observer coverage, specifically in response to transmission risk of COVID-19 between observers and crew. COVID-19 has resulted in significant direct and indirect impacts to the fishing industry including safety onboard vessels, impacted market access, and seafood processing safety requirements. Did you participate in the drafting of this NOAA National Marine Fisheries Service memorandum? If so, what was your role in establishing this guidance? If not, did you provide any guidance to NOAA leadership regarding response, communications or messaging for COVID-19?

Answer.

b(5) - DP/AC

Interference with the Census Bureau. Media reports also indicate that you were involved in the attempt to add a question regarding citizenship status to the 2020 Census. Specifically, these media reports note that you were involved in efforts to claim that the citizenship question originated with the Department of Justice, rather than the fact that the genesis originated with Secretary Ross.

Question 1. Are these reports of your involvement in the attempt to add a “citizenship” question to the 2020 Census correct? If not, please explain why they are not correct.

Answer.

b(5) - DP/AC

Question 2. The Census Bureau recently created 2 top level positions that were filled by political appointees. Specifically, the Census Bureau hired Nathaniel T. Cogley as Deputy Director for Policy and Adam Korzeniewski, a former political consultant, as Mr. Cogley’s senior advisor. What role will they play in the organizational structure of the Bureau; how do their appointments impact the roles of existing senior staff; and, what role, if any, will these individuals have in directing the execution of 2020 Decennial Census field operations, tabulations, and policy?

Answer.

b(5) - DP/AC
**Question 3.** The Census Bureau’s response to the COVID-19 pandemic was to delay 2020 Decennial Census field operations for the health and safety of its workforce and the American public. Respondent data quality degrades as the gap between the reference period (April 1, 2020) and the date of collection (now late summer) increases. How can we be assured the counts are valid for reapportionment, redistricting, and general purpose uses (i.e., will you remove misreported children born after April 1; will you remove individuals duplicated because they were enumerated by the Census multiple times and how will you select their correct location; will appropriate field resources be directed to close the current significant gap in response rates by race)?

**Answer.**
Question 4. To protect the identity of 2020 Decennial Census respondents, the Bureau will be applying differential privacy methods to infuse noise into its substate tabulations. While this approach does not impact apportionment tallies, it could have a significant impact on the quality of data used in redistricting, assuring voters rights, and a variety of applications used for small geographic areas. When will the Census Bureau determine the categories of data to be perturbed and the level of noise to be infused? What are the Bureau’s plans to ensure the public’s trust in the validity of these products, will you provide measures of uncertainty by characteristic at the Census block level, and will you train data users on how best to use these new products?

Answer.

b(5) - DP/AC

Question 5. The 2020 Census enumerations will be the basis for the Bureau’s Intercensal Estimates that are subsequently employed as demographic survey controls (e.g., the American Community Survey). These statistical measures are used to distribute trillions of dollars in federal domestic assistance over the course of a decade. Given the uncertainty of the 2020 census enumeration quality, what avenues do state and local governments have to challenge their 2020 enumerations? Does the Bureau plan to be more flexible in accepting challenges from impacted governments in either its Decennial Census or Intercensal Estimates Challenge process. If enumeration anomalies are discovered in this decennial census, would the Bureau be willing to modify the file used as the basis for its population estimates, in a manner similar to its development and application of the 1990 Modified Age Race Sex file?

Answer.

b(5) - DP/AC
Executive Branch Concerns with FCC’s Ligado Decision. The Departments of Commerce and Transportation (along with the entirety of the executive branch) believe that the Federal Communications Commission’s (“FCC’s”) recent approval of Ligado’s terrestrial wireless plans threatens the nation’s global positioning system (“GPS”) on which the safety and security of everything from civil aviation to military operations to weather forecasting rely. The FCC rejected the executive branch’s concerns and related technical studies both from the government and the private sector showing that the precision and effectiveness of GPS could be impaired. Instead, the FCC relied on competing technical studies (some of which were funded by Ligado), and its own conclusion that the government studies measured the wrong things, to allow Ligado to move forward with its plans.

Yet in its decision to allow Ligado to move forward, the FCC acknowledged that its “analysis [in the order] should not be construed to say there is no potential for harmful interference to any GPS device currently in operation in the marketplace.”

Question 1. Did the FCC quantify the number of receivers that would be negatively impacted by its decision, or analyze the impact of its decision on the risk this interference could cause to safety of life or property?

Answer.

Question 2. Did the Department of Transportation or Commerce provide data in its study on the percentage of GPS receivers that would suffer interference from Ligado’s terrestrial operations at the power levels recently authorized by the FCC? Did the FCC ask for such information?

Answer.
Question 3. Do you agree that in high-profile spectrum decisions, particularly ones which create potential risk to safety of life, that it is in the greater public interest to reach consensus among and between the FCC and the expert federal agencies on aviation, transportation safety, and national defense?

Answer.
Questions Submitted by the Hon. Amy Klobuchar to Mr. Michael Walsh, Nominated to be General Counsel of the Department of Commerce.

**Question 1.** In March 2018, Secretary Ross announced his intent to add a citizenship question to the 2020 Census, which would have led to an undercount of about 6 million people according to one study. Last July, the Supreme Court ruled against this effort. Reports indicate that you were involved in efforts to claim that the citizenship question originated with the Department of Justice rather than the Commerce Department.

If confirmed, how will you ensure that any changes to the Census do not unfairly target immigrants and politicize citizenship data?

**Answer.**

b(5) - DP/AC
b(5) - DP/AC

Thank you!

Anthony Foti
Performing the delegated duties of the
Assistant Secretary for Legislative and Intergovernmental Affairs
U.S. Department of Commerce
1401 Constitution Ave, NW
Washington, DC 20230
202-482-1148

On Jul 14, 2020, at 11:24 AM, Brebbia, Sean (Federal) <SBrebbia@doc.gov> wrote:

CUI//PRIV

Track changes accepted, watermark removed, please take a final review.

Sean B. Brebbia
Acting Deputy General Counsel for the
Office of Special Projects
202-482-9051 (direct)
{cell}
Questions for the Record for Mr. Michael Walsh  
U.S. Senate Committee on Commerce, Science, and Transportation  
“Nominations Hearing”

June 16, 2020

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| b(5) - DP/AC |

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**Question 1.** Are these reports of your involvement in the attempt to add a “citizenship” question to the 2020 Census correct? If not, please explain why they are not correct.

**Answer.**

| b(5) - DP/AC |

**Question 2.** The Census Bureau recently created 2 top level positions that were filled by political appointees. Specifically, the Census Bureau hired Nathaniel T. Cogley as Deputy Director for Policy and Adam Korzeniewski, a former political consultant, as Mr. Cogley’s senior advisor. What role will they play in the organizational structure of the Bureau; how do their appointments impact the roles of existing senior staff; and, what role, if any, will these individuals have in directing the execution of 2020 Decennial Census field operations, tabulations, and policy?

**Answer.**

| b(5) - DP/AC |
Question 3. The Census Bureau’s response to the COVID-19 pandemic was to delay 2020 Decennial Census field operations for the health and safety of its workforce and the American public. Respondent data quality degrades as the gap between the reference period (April 1, 2020) and the date of collection (now late summer) increases. How can we be assured the counts are valid for reapportionment, redistricting, and general purpose uses (i.e., will you remove misreported children born after April 1; will you remove individuals duplicated because they were enumerated by the Census multiple times and how will you select their correct location; will appropriate field resources be directed to close the current significant gap in response rates by race)?

Answer.

Question 4. To protect the identity of 2020 Decennial Census respondents, the Bureau will be applying differential privacy methods to infuse noise into its substate tabulations. While this approach does not impact apportionment tallies, it could have a significant impact on the quality
of data used in redistricting, assuring voters rights, and a variety of applications used for small geographic areas. When will the Census Bureau determine the categories of data to be perturbed and the level of noise to be infused? What are the Bureau’s plans to ensure the public’s trust in the validity of these products, will you provide measures of uncertainty by characteristic at the Census block level, and will you train data users on how best to use these new products?

**Answer.**

b(5) - DP/AC

**Question 5.** The 2020 Census enumerations will be the basis for the Bureau’s Intercensal Estimates that are subsequently employed as demographic survey controls (e.g., the American Community Survey). These statistical measures are used to distribute trillions of dollars in federal domestic assistance over the course of a decade. Given the uncertainty of the 2020 census enumeration quality, what avenues do state and local governments have to challenge their 2020 enumerations? Does the Bureau plan to be more flexible in accepting challenges from impacted governments in either its Decennial Census or Intercensal Estimates Challenge process. If enumeration anomalies are discovered in this decennial census, would the Bureau be willing to modify the file used as the basis for its population estimates, in a manner similar to its development and application of the 1990 Modified Age Race Sex file?

**Answer.**

b(5) - DP/AC

**Executive Branch Concerns with FCC’s Ligado Decision.** The Departments of Commerce and Transportation (along with the entirety of the executive branch) believe that the Federal Communications Commission’s (“FCC’s”) recent approval of Ligado’s terrestrial wireless plans threatens the nation’s global positioning system (“GPS”) on which the safety and security of everything from civil aviation to military operations to weather forecasting rely. The FCC rejected the executive branch’s concerns and related technical studies both from the government and the private sector showing that the precision and effectiveness of GPS could be impaired. Instead, the FCC relied on competing technical studies (some of which were funded by Ligado),
and its own conclusion that the government studies measured the wrong things, to allow Ligado to move forward with its plans.

Yet in its decision to allow Ligado to move forward, the FCC acknowledged that its “analysis [in the order] should not be construed to say there is no potential for harmful interference to any GPS device currently in operation in the marketplace.”

**Question 1.** Did the FCC quantify the number of receivers that would be negatively impacted by its decision, or analyze the impact of its decision on the risk this interference could cause to safety of life or property?

*Answer.*

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b(5) - DP/AC
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**Question 2.** Did the Department of Transportation or Commerce provide data in its study on the percentage of GPS receivers that would suffer interference from Ligado’s terrestrial operations at the power levels recently authorized by the FCC? Did the FCC ask for such information?

*Answer.*

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b(5) - DP/AC
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**Question 3.** Do you agree that in high-profile spectrum decisions, particularly ones which create potential risk to safety of life, that it is in the greater public interest to reach consensus among
and between the FCC and the expert federal agencies on aviation, transportation safety, and national defense?

*Answer.*

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b(5) - DP/AC
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Questions Submitted by the Hon. Amy Klobuchar to Mr. Michael Walsh, Nominated to be General Counsel of the Department of Commerce.

**Question 1.** In March 2018, Secretary Ross announced his intent to add a citizenship question to the 2020 Census, which would have led to an undercount of about 6 million people according to one study. Last July, the Supreme Court ruled against this effort. Reports indicate that you were involved in efforts to claim that the citizenship question originated with the Department of Justice rather than the Commerce Department.

If confirmed, how will you ensure that any changes to the Census do not unfairly target immigrants and politicize citizenship data?

**Answer.**

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b(5) - DP/AC
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Q & A for July 29, 2020, House Oversight Hearing

Summary of the Timeline of COVID-19 Adjustments

March 18 – Suspension of field operations – first announced as two weeks

March 28 – announcement of another two-week suspension

April 13 – suspension until June announced by Director Dillingham and Secretary Ross

April 18 – legislative draft submitted to move delay apportionment and redistricting by four months

May 8 – beginning of the phased restart

June 11- completion of the phased restart

July 16 – beginning of NRFU soft launch

Issues to be added:

Cyber

MENA

Rural

Tribal
7.21 PRESIDENTIAL MEMORANDUM

Memo Implementation

- The U.S. Census Bureau is a nonpartisan government agency, and the principle federal statistical agency.
- The Census Bureau conducts all of its work in accordance with all federal law, regulations, policies, and applicable court rulings.
- The Census Bureau does not set policy.
- Under Section 141(b) of title 13, the Secretary of Commerce is tasked with delivering apportionment counts to the President.
- Secretary Ross has been tasked by Presidential Memorandum with “tak[ing] all appropriate action, consistent with the Constitution and other applicable law, to provide information permitting the President, to the extent practicable” to exclude undocumented persons from the apportionment count.
- The Presidential Memorandum then goes on to state: The Secretary shall also include in that report information tabulated according to the methodology set forth in Final 2020 Census Residence Criteria and Residence Situations, 83 Fed. Reg. 5525 (Feb. 8, 2018).
- As I said in my opening statement, in discussions with Secretary Ross after the memorandum was issued, he tasked the Census Bureau to examine and report on the methodologies available to “provide information permitting the President, to the extent practicable, to exercise the President’s discretion to carry out the policy” of “the exclusion of illegal aliens from the apportionment base, to the extent feasible and to the maximum extent of the President’s discretion under the law.”
- I have set up a working group, led by Career experts at the Census Bureau, to report back to my office on potential methodologies to produce those numbers.
- The Census Bureau will always maintain the highest standards of scientific integrity and transparency about the data we produce.
- I must stress, as is explicitly stated in the Presidential Memorandum, that this will have absolutely no impact on our data collection operations. We are
continuing on our mission to count every person living in this country once, only once, and in the right place.

- Ultimately, our ability to produce any data is dependent upon successful completion of those data collection operations, which face significant challenges in the coming weeks. Meeting and overcoming those challenges is our top priority at this time.

- The women and men of the U.S. Census Bureau have undertaken extraordinary efforts during this unprecedented time to keep the 2020 Census on track, continue to collect our vital economic and household surveys, and produce new innovative data to help measure the impact of the virus and our economic recovery. They deserve the highest praise and your unqualified support.
Has the Census Bureau received a written order from Commerce Secretary Wilbur Ross to provide information permitting the president to carry out the policy set forth in section 2 of the memorandum (i.e., instructions to produce a count of unauthorized immigrants included in the 2020 census apportionment count)? If so, when, and what was the language of that order?

- Not in writing, but the Secretary and I have spoken about it. That was last Friday. I spoke with staff in his office and the Deputy Secretary prior to that.

Has Census Bureau Director Steven Dillingham, Deputy Director Ron Jarmin and/or Deputy Director of Policy Nathaniel Cogley issued a written order to any Census Bureau staffers about providing provide information permitting the president to carry out the policy set forth in section 2 of the memorandum (i.e., instructions to produce a count of unauthorized immigrants included in the 2020 census apportionment count)? If so, when, and what was the language of that order?

- On Friday July 24, 2020, I asked Deputy Director and Chief Operating Officer Ron Jarmin to recommend names for an internal working group. I accepted those recommendations and tasked them to begin work immediately. I have asked for a report to my office as soon as possible.

What is the methodology the Census Bureau will use to attempt to produce a count of unauthorized immigrants included in the 2020 census apportionment count?

- That question is currently under review by our working group.

Any comment on the census lawsuit filed against Director Steven Dillingham in the Southern District of New York by New York state et al?

- I will not comment on any litigation or court cases underway.

Will the memo require Census retroactively to figure out who, among the people who have already been counted in the 2020 survey, are undocumented? Or is this about banning undocumented immigrants from participating going forward?

- This is NOT about banning anyone from participating. We will count everyone living in this country regardless of legal status. The memo instructs the Secretary to include, to the extent practicable, numbers of undocumented persons by state. The methodology to produce that data is being examined
by an internal working group now. But it will have no impact on field data
collection operations.

**Can you provide us with numbers showing how many undocumented immigrants
have already been counted for?**

- No. We do not release any decennial data products during data collection
  beside household self-response rate.
- An internal working group is looking at methodologies to produce those
  estimates of the undocumented population per state.

**Was Census leadership included in this discussion?**

- Census leadership, specifically me, has been tasked by the Secretary after
  the issuance of the Presidential Memorandum.

**What is the message to undocumented immigrants, should they fill out the census?**

- Yes. My message to EVERYONE in this country is that you should fill out
  the Census for your entire household and count everyone living under your
  roof.

**How does the Bureau intend to screen census respondents for whether they meet
the conditions laid out in the EO?**

- The methodologies are under review right now by an internal working
  group.
- However, I would offer that none methodology would be a “screening.”
  Everyone living in this country should still participate in the 2020 Census.

**If the agency does not have state records from all states would it still use a subset
of states to arrive at the total undocumented population?**

  - I’m afraid the question is a little confused- this is not primarily driven
    by state records.
  - Our working group is reviewing all possible methodologies and I have asked
    them to report back to my office as soon as possible.
Will the agency use statistical modeling methods to arrive at the undocumented population?

- The agency uses sound statistical methodology and scientific rigor in all of its work. An internal working group is currently reviewing the practicality of available methodologies.

Will the agency screen respondents to differentiate between citizens with few administrative records or conflicting administrative records and undocumented immigrants?

- The various methodologies are under consideration now.

Would the info released subject to the memo also be subject to differential privacy?

- The internal working group will certainly consider that question as well, and make a recommendation.

Will the agency adjust its advertising or outreach campaign to immigrant communities in light of this memo?

- The communications campaign and partnership program will maintain its robust outreach to all communities to encourage self-response and cooperation with nonresponse follow-up.
- We will continue to highlight that all information obtained by the census is confidential. The Census Bureau will only release statistics.

Is there any way the Census Bureau responds to these fears that people have and what do you do to encourage undocumented residents to respond to the census.

- I am responding clearly here today. You should be counted in the 2020 Census. We have the same obligation today that we did before to provide a complete and accurate count of every person living in this country.
- The memorandum itself does not contradict that and in fact it explicitly reinforces that. Your data is SAFE. Nobody can access it who does not need to access and we can only product high level statistics. It cannot be released to anyone for 72 years. When it is released in 72 years, your response will only include the questions that were included on the 2020 Census.
Also, on average, do you know the percent of undocumented people who respond to the census?

- [Is there an estimate on this? Checking and will add if there is one.]

Any input on how one of the most vulnerable groups in our city are affected by the census and or how possibly not responding affects the future funding for this very group?

- This will not affect the numbers we turn into the Secretary that reflect the overall population.
- The laws, regulations, policies, and formulas that rely on decennial census data are generally outside of those implemented by the Census Bureau, but I can assure you that we will be delivering the datasets that are expected for these many other uses.

Moreover, is this something the President would be able to do or will the Census Bureau be responding this at all?

- I won’t comment on the pending litigation or the legal analysis.

I’m unclear on where exactly that data would come from, and how detailed it would be. The Bureau obviously doesn’t ask the citizenship question on forms, and it’s hard to find good data or estimates, unless you go back to Pew in 2016. Can you tell me where that data would come from? Are there other government sources for it, or would the administration use an outside expert? Would that data be only on a statewide level, or could you conceivably get it down to the county level?

- The working group will consider. A key source would be the work already underway pursuant to the President’s Executive Order from July 2019.
- The Federal agencies have securely provided data pursuant to that executive order.
- Some states have submitted data for our work on administrative records, but those files do not really help with determining citizenship. They are helpful with record linkage across datasets.
Have the regional offices changed any protocols or procedures throughout the states because of this memo?

- No.

Apportionment / Delayed Data Products

Last week, it was reported that the administration is seeking $1 billion for the Census Bureau in the next COVID relief bill for timely completion of the census. I’ve been told by a number of folks that the bureau has scrapped/will scrap its extended timeline for NRFU and (I assume) other counting operations in order to meet its original statutory goal of providing reapportionment data by the December 31 deadline. Specifically, I’m hearing that NRFU is being sliced from a 10-12 week operation to six weeks. Can you address any of that? If a final, completely buttoned-down decision hasn’t been made, is it under serious consideration, and is planning underway? Has Commerce or the White House told the bureau it now wants delivery of reapportionment data by year’s end, or asked the bureau to begin planning for that?

- I do not have any comment on legislative negotiations. The pace of our schedule is driven by the realities on the ground, hard data, and analysis by career Census Bureau leaders.
- Our field data collection operation is not primarily driven by statutory deadlines, but it is driven by the health and safety needs of the American people and our workforce.
- However, it would be imprudent not to plan for the possibility that we are still subject to the current legislative deadlines. We have been assessing this question continually, but last week Secretary Ross asked the Census Bureau last week to formally look into the impact on the decennial data products of reporting data on December 31, 2020.

How much time does the Census Bureau need to prepare the 2020 census apportionment count file?

- Under the current operational design and methodologies, we expect it will take 5 months from the completion of 2020 Census data collection operations.
- Our current plan is to complete data collection by October 31.
Given the operational adjustments due to COVID-19, on what date did the Census Bureau pass the point of being able to deliver the 2020 census apportionment counts to the president before the current statutory deadline of Dec. 31, 2020? The Association Director of Field Tim Olson said on a May 26 webinar that the bureau had “passed the point” by then. (Here’s the audio: [HYPERLINK "https://www.youtube.com/watch?v=F6IyJMIDDgY&feature=youtu.be&t=4688"])

- That is accurate under the current methodology and design.

**Memo Operational Feasibility**

According to the Census Bureau, 132 federal programs used Census-derived data to distribute more than $675 billion in funding for FY 2015. According to more recent estimates by Professor Andrew Reamer at GWU, in 2017, 316 federal programs relied on census-derived data to distribute $1.5 trillion dollars annually to states, local governments, nonprofit organizations, businesses, and households across the nation. In addition to the obvious legal and ethical considerations, the exclusion of non-citizens from apportionment data files would be difficult to parse operationally.

How will the Census Bureau generate and maintain data sets for different purposes? Top-line decennial numbers are rarely used for the allocation the formulas noted above. In fact, funding criteria are more commonly derived from ACS and Population Estimates. I worry whether compliance with the Memorandum will require the Bureau to maintain two massive data files, one for apportionment and another for other programs and activities.

- By my plain reading of the memorandum, the Census Bureau will deliver a full population count under the residency criteria established in February 2018.
- The working group is looking to the feasibility of the methodologies that may be used to deliver another set of estimates of the undocumented persons population by state, as instructed by the Presidential Memorandum.
- I assure you that no matter our path forward, we will ensure the critical data products we produce for a wide variety of uses are not affected.
Memo Political Interference (Anti-Immigrant Policies) -

QUESTION: After President Trump issued his Memorandum, dozens of my House colleagues took to social media platforms to decry the Administration’s decision. Many of us see this Memorandum as part of a broader pattern of hostility toward immigrants who have contributed so much to our society. What can you say to allay these concerns?

What can you tell the families watching this hearing who may be confused about whether they should bother responding to the census at all if they are not going to be included for the purposes of political representation?

They pay taxes, they serve in the military, and they work on the front lines in the health care sector helping our nation respond to the COVID-19 pandemic. Their children attend public schools that rely on census data for federal and state funding. They want to hear a direct answer from you today on whether and why they should be excluded from the apportionment count.

- In no uncertain terms, we will count everyone living under your roof.
- When filling out the 2020 Census online, over the phone, or through the mail, or when responding to an in-person interview, all persons living in your household, everyone under your roof as of Census Day, April 1, 2020, should be included.
- This is without regard to citizenship or immigration status.
- It is the core mission of the Census Bureau to provide information to inform policymakers at all level of government, the private sector, and the non-profit sector, so they have all the data available to guide their resources appropriately.
MEMO Racism – Likely to be a similar question from Rep. Clay

*I recently tweeted that this latest action by the President is a racist dog whistle to rig the 2020 Census and that it will fail. I know it and you know it. This action—rooted in racism—is rank political interference with a constitutionally-mandated function of government as old as America itself. A number of former Census Bureau Directors have stated that they would resign if faced with political pressure or interference. Have you ever discussed the possibility of resigning from your position with colleagues at the Census Bureau, within the Department of Commerce, or at the White House?

• The U.S. Census Bureau is a nonpartisan government agency, and the principle federal statistical agency.
• The Census Bureau conducts all of its work in accordance with all federal law, regulations, policies, and applicable court rulings.
• The Census Bureau does not set policy.
• There has been no pressure or interference in my tenure as Census Bureau director.
• I have decades of experience in federal service, including leading two other statistical agencies. I would know it if I see it.
• The Secretary of Commerce has been tasked with providing this information, and he has asked us to look into the practicability of producing this information. We are doing that now.
MEMO Consultations with the White House – Internal deliberative but they will likely ask anyway

To be clear, I’m not asking for an opinion on whether the President’s Memorandum is legal, permissible, or even justifiable on policy grounds. I just want a yes or no answer to the following question: Did the President of United States or anyone on the White House staff consult with you or your staff at Census while drafting this Memorandum? I’m not asking you to tell us what you may have shared during any such discussions, I just want to know whether the Administration made this decision without consulting the Census Bureau?

- I have had no conversations with the White House in regard to this memorandum, nor the underlying methodological questions.
- I have been tasked by Secretary Ross to look into the practicability of its implementation.
- I have created a working group to look into the issue, and I aim to deliver a report to the Secretary as soon as possible.
MEMO Timing

I share the view of many of my colleagues that the timing of the President’s Memorandum was calculated to throw the 2020 Census into disarray. The President’s recent action sows doubt, deepens fears, and compounds anxieties among immigrant families about participation in the census. Why was this Memorandum released in July of 2020? Why did the President issue the memorandum during the soft launch phase of the Bureau’s Non-Response Follow Up operation – a critical period when you’re ramping up operations and informing the estimated 38% of the country that has yet to respond that there is still time to do so?

- I have no insight to offer as to the timing of this memorandum. I have had no conversations with anyone at the White House in regards to this memorandum or the issue overall.
- I want to be very clear here- in front of these cameras- that this does NOT affect our field data collection operations.
- We will continue our mission to count everyone living in America, once, only once, and in the right place, without regard to citizenship or legal status.
- This is explicitly stated by the memo’s instructions to report based on final residency rules published in 2018.
- I would ask for your help in ensuring that message is clearly delivered to your constituents and to people across the nation.
- You have a powerful voice, too, and the 2020 Census needs your help getting the word out.
MEMO General Questions

*How will the Memo affect operations?*

- The memo makes no impact whatsoever on our field data collection operations. I have tasked a working group to look into the practicability of the methodological options to produce the data requested by the memo. We plan on reporting back to Secretary Ross as soon as possible.

*Has the Secretary reviewed the Memo?*

- I have spoken with the Secretary about the memo, and I informed him we have initiated a working group to look into the methodological options to produce the data requested by the memo.

*How will the Memo affect the DACA population?*

- I have seen no-analysis yet on that, but that is an excellent question and one which our working group will analyze to the best extent possible.

*Was anyone at the Census Bureau involved in writing the memorandum? If so, who and what was their role(s)?*

- Nobody at the Census Bureau was involved in writing the memorandum. I have not been briefed on the involvement of the Department of Commerce. We regularly report to the Department on the status of 2020 Census operations, and brief the Secretary, Deputy Secretary, and other senior leadership on a wide variety of issues.
- Staff from the Census Bureau has briefed the Secretary on methodological issues related to the production of existing estimates on the population of undocumented persons, on more than one occasion, since the July 2019 executive order was issued.
- I am unaware to what extent if any those briefings informed the drafting of the memorandum.

*Were you or anyone at the Bureau asked to provide information on undocumented individuals/illegal aliens for this memorandum?*

- Not for this memorandum.
When did you find out about the memorandum?

- On the afternoon of July 17, 2020, staff informed me of publication of a rumor about an “executive order” on the subject published in Politico Playbook. I did not see the text of the memorandum before it was sent to reporters and published online. To the best of my knowledge, no one at the Census Bureau saw the text prior to publication.

- The memo established a policy, and directs the Secretary to obtain information to implement the policy to the extent practicable. As head of the Census Bureau, I am responsible for looking into the practicability.

Were Census Bureau staff that provide weekly briefings to staff of the Oversight and Appropriations Committee involved with the memorandum in any other way?

- No. Again, we learned of this memorandum initially through a published rumor, and then saw the text when it was provided to the public.

You and your staff agreed to be transparent with this committee. Our staff have asked your staff to give them advance notice of anything that might have an adverse impact on the 2020 Census. Were you aware of the memorandum before it was published? Was there any discussion about giving Congress notice this memorandum would be published?

- We were not aware. We maintain our commitment to providing regular operational updates on the 2020 Census, and even in advance of this hearing, conducted just such a briefing last Friday. I suspect we will be briefing staff this Friday as well.

- The Census Bureau has provided more than 60 congressional briefings to Members, committee staff, caucuses, and individual offices this year.

Congresswoman Grace Meng of New York has introduced legislation to prohibit the use of federal funds to implement, administer or enforce the memo. If funds are denied, how will the Bureau implement the memo?

- I will not speculate on policy disagreements or future legislative action. We will always follow the law.

Are there any efforts currently underway in the Bureau to exclude undocumented persons from the apportionment numbers?
• As I stated in my opening statement, I have tasked a working group to look into the practicability of providing this information.

[ HYPERLINK "https://www.whitehouse.gov/presidential-actions/executive-order-collecting-information-citizenship-status-connection-decennial-census/" ]

The Executive Orders states, “All agencies shall promptly provide the Department the maximum assistance permissible, consistent with law, in determining the number of citizens, non-citizens, and illegal aliens in the country, including by providing any access that the Department may request to administrative records that may be useful in accomplishing that objective.”

**How is this information being collected from the agencies?**

• Under the Executive Order from July 2019, we have pursued acquisition of administrative records to improve our ability to determine the number of citizens, non-citizens, and the immigration status of those non-citizens. Records are collected in a secure manner, and fully protected by Title 13, just like our survey and census operations.

**Which agencies have provided information and what information has been provided?**

• A number of agencies have provided data pursuant to the Executive Order: DHS, Social Security Administration, HHS, IRS, State, Justice, and Interior.

**How is this information being collected from the states?**

• Under the EO issued last July, we have pursued acquisition of administrative records to improve our ability to determine the number of citizens, non-citizens, and the immigration status of those non-citizens. Records are collected in a secure manner, and fully protected by Title 13, just like our survey and census operations.

**Which states have provided information and what information has been provided?**

• We can provide a list. 37 states have provided information that will be used in this project. This is not only the EO work. These files help with other work as, well, not only the in determining citizenship status.
Is information being collected from entities other than state and federal agencies? If so, which entities? What information is being provided?

- No information related to the July 2019 Executive Order is coming from non-governmental entities.
- However, it is important to note that we are mandated to use administrative records to the maximum extent possible to reduce respondent burden.
- We have been working with these records for decades, and have a long track record of absolutely protecting privacy and safety of the American people while doing so.

Do political appointees have access to the information?

- No. While we are all Title 13 sworn, that only allows access to the information if you have the need to access it. Only staff conducting the actual technical work can access the information. We are all subject to the strict penalties of violating Title 13.

What other information do political appointees have access to and what safeguards are in place to ensure this information is used for statistical purposes provided under Title 13, Title 26, and Title 5?

- We have a robust Privacy Coordination Office. We provide regular trainings to all staff, including appointees. Only staff with a need to know for their work can access census data on individuals. [We might need more on this from PCO]

Have there been any unauthorized access to the data by political appointees or those who work for or with them?

- No.

Have there been any data breaches by political appointees or those who work with them? Have they shared information with unauthorized personnel at the White House, Department of Commerce, Office of Management and Budget, or any other entity within the Executive or Legislative Branches, or outside of government? If so, please specify. If so, were they reported to Congress?

- None whatsoever.

State Driver’s Licenses
Which states has the Census Bureau contacted for driver's license and state ID records, and when?

- The U.S. Census Bureau conducts ongoing outreach to secure Memoranda of Understanding from every state to obtain administrative records that help ease respondent burden and save taxpayer money.
- All 50 states were contacted for driver license data between August and November of 2019, and the Bureau continues to reach out to states without an active MOU in place. Our goal is to have data in by July 31, 2020.
- [If asked - South Dakota, Iowa, and Nebraska have provided DL data.]

When is the latest a state can start transferring driver's license and state ID records data to the bureau in order for the information to be used to create CVAP data in support of Executive Order 13880?

- Our plan is that States have until July 31, 2020, to transfer administrative data for the work under Executive Order 13880.

What criteria did the bureau use in choosing which states to contact in 2019 for driver's license and state ID records?

- Census Bureau staff asked all states to help improve our statistics with administrative records.
- All 50 states were contacted for driver license data between August and November of 2019, and the Bureau continues to reach out to states without an active MOU in place.
WORST CASE SCENARIO – COVID and no completed NRFU:

What contingency plan does the Census Bureau have in place in case it is unable to start and/or complete the nonresponse followup operation in an area because of COVID-19-related issues? What happens if you are not able to deploy NRFU operations due to increase in numbers of COVID-19 cases?

- We are laser focused on contingencies to ensure we get NRFU done as safely and quickly as possible.
- If what you are asking is “what if we can never get NRFU done” that is a hypothetical to which I do not have a complete answer now other than to say this: the Census Bureau will present a clear, transparent, understanding to all policymakers and key stakeholders involved.
- As I said in my opening statement, we are taking two new actions – sending a seventh mailer with another paper questionnaire to some households and conducting some follow-up work by phone.
- We are increasing our media communication to remind everyone that there’s an opportunity to stay safe, stay home and still self-respond to the census.
- It's one of the core things that people can do in this census that they couldn't do in 2010 – self response will continue until the end of data collection.
- Those who haven’t responded yet can do so online, or they can pick up the telephone, or you can mail the paper form that we already sent – all without interacting with a census taker.

OPERATIONS

Please provide an Operational update on current operations.

- Summary in prepared statement

Update Leave got off to a late start. Has that operation been completed?

- It is more than 99.5% completed. We are down to the last few thousands houses, primarily on tribal lands. We are in close coordination with the tribal governments to complete.

Regarding NRFU Soft Launches how have these sites been selected and how are soft launches going in selected cities?
• 2020 Census career operational leaders make the decisions based on the availability of the workforce, the status of COVID-19 within the areas, and to ensure geographic diversity so as to better understand the success of the operation.
• Response rates were not part of the selection process for soft launch areas.

What is the purpose of the soft launches?
• We have done a soft launch of every major operation in the 2020 Census, including self-response. The purpose is always the same - to ensure the systems and operations function as our tests indicate in a live environment, before we have to go fully into production.
• In this case, we were able to catch an IT issue with our certification system and correct it.
• We are also tracking the rates at which census takers report for training, complete training, and then show up for the first day of work.
• We do not have enough offices in production yet to establish a trend, but we definitely think it is the right course to maintain our hiring and training operation through NRFU to ensure we have sufficient staffing.

When does NRFU start across the nation, and will you delay that if it is not safe?
• Twelve of our Area Census Offices have started this work. 35 more are scheduled to begin tomorrow (July 30)
• We will have a third round of soft launch locations, 40 more ACOs, scheduled to being on August 6.
• For the rest, general our target date to start follow up work is August 11th.
• We are continually assessing safety in everything thing we do.
• We will delay or halt operations at the ACO and sub-ACO level as necessary based on local conditions. This includes an increase in COVID-19 cases, or natural disasters such as hurricanes, or other situations that mean we cannot safely conduct operations.
Service Based Enumeration - when will that take place? Do you think that the Bureau will have to make additional adjustments to this operation due to recent upticks in COVID-19 cases in certain areas?

- The operation was originally scheduled for March 30, March 31 and April 1, but health and safety concerns with COVID-19 forced us to delay these activities.
- Between September 22 and 24, the Census Bureau now plans to send specially trained census takers to count people at shelters, soup kitchens, regularly scheduled mobile food vans, and locations previously identified by the Census Bureau where people are known to sleep outdoors (like under bridges) and at all-night businesses (such as transit stations and 24-hour laundromats). People experiencing homelessness will be counted where they are staying when census takers visit between September 22-24.

Could you please provide an update on MQA?

- We had to delay and scale back this operation due to the pandemic, but now partnership staff are working to identify MQA sites where people go when they leave home, such as grocery stores, pharmacies, and other places with essential services.
- In most instances, these MQA sites are outdoors, and they adhere to local, state and federal health and safety guidelines.
- I wish we were able to do the full plan as it was designed, sending people to malls, churches, festivals, and other events and gatherings that unfortunately can’t happen right now.
- So we are doing what we can with a scaled back program. We have up to 3,000 people available for this work.
- We can provide the committee with more information on how it is going soon. It just started on July 14.

REDISTRICTING

Will 2020 Census data products be delivered on time for redistricting purposes?

- Our current proposed schedule calls for delivering redistricting products between June 17 and July 31, 2021.
• However, we are looking into the impact of delivering the products by the legislative deadline.

What is the Census Bureau doing to ensure states get their redistricting data on time?

• One thing we will do to make the process as smooth for the states as possible is to deliver as much as we can as early as we can: for instance, we will deliver some geographical files ahead of time so states can begin the work.
• Ultimately, the field data collection and the accuracy and integrity work we need to do to the data will drive the delivery of the redistricting data.
• We will work with states and group them by the ones with the most urgent needs. For example, Virginia and New Jersey have state elections in 2021, so our current plan has them in the first grouping to be delivered by June 17.
• They others organized by consideration of their constitutional mandates, then their statutory mandates, followed by other logistical needs.
• Our Redistricting Office in in touch with the state liaisons and will do so again in October and November.

HIRING/TRAINING

When will training begin for Enumerators?

• I am pleased to report it has begun in every ACO across the nation. It will be finished the week before the ACO is ready to deploy to the field.
• We will continue to hire and train on an ongoing basis to ensure we maintain the maximum sized workforce possible.

What is the Bureau doing to ensure that you hire the right people to enumerate in HTC areas?

• Bottom line: We hire locally.

Is all of your training conducted virtually? If not, how is it done?

• Much of the training is virtual, but there is a requirement for some in-person training.
• We have done as much as we can to reduce the amount of in-person training, and of the part that is required, we do this with appropriate safety measures with social distancing.
What operations require in person interaction among the Bureau’s staff?

- There are a number that do, but we are training our staff to do it safely.
- Update / Enumerate (remote areas of Maine and southeast Alaska), Remote Alaska, and Nonresponse Followup require in-person interactions. Also, partnership activities can be in-person, as well.
- Masks are required for our field staff nationwide. Local rules are followed on the size of gatherings. We have instructed census takers to conduct interviews outside if at all possible.

**PPE/PROTECTING EMPLOYEES**

*How is the Census Bureau safe-guarding and protecting their employees against COVID-19?*

- Our commitment throughout the census process is to protect every employee and the American people throughout all interactions we have with people. Personal protective equipment (PPE) and training and expectations that all staff maintain social distancing in all interactions are key in our commitment to protect people’s health during this pandemic.
- We require all census employees who have any public interaction to wear a face mask regardless of geographic location.
- We have acquired more than 40 million items of PPE for use by our office and field staff. This includes 2.4 million masks, 14.4 million individual gloves, 21.4 million individual disinfectant wipes, 3.6 million individual hand sanitizer bottles for field staff use, and 48,000 gallons of hand sanitizer for use in census facilities.

*The Commerce IG has received complaints about OSHA violations in the Field. How has the Bureau responded to those complaints?*

- We talk to OIG hotline staff every few weeks so they can share info on kinds of calls they are getting. I will have to check on those.
- We take IG inquiries seriously, and if they raise any issues with us, we work to address them.
- I have a weekly meeting with the Commerce Department IG, and we have a good working relationship.

**PARTNERSHIP**

*How many partners do we currently have now?*
Almost 400,000 – currently more than 395,000 and climbing, I am proud to report. We met the goal of 300,000 before March 1, and we have exceeded the 257,000 number from 2010.

When I was with the committee on February 12, we were at 266,000.

Could you give us some examples of how Partners have been able to contribute to the Census and raise response rate numbers?

- Repeat examples from opening statement.
- Generally mention social media, car parades, promoting the census in water bills, and sharing census information at food distribution cites.

How has the partnership program had to shift to adjust to current environment due to COVID-19?

- Primarily, many of our partner organizations had planned in person outreach events- and those had to become virtual. So we went online with them.
- [Ali can get stats/two examples from National/CPEP.]

COMMUNICATIONS

What is the Census Bureau doing in terms of Communications?

- We expanded our Integrated Communications Contract from $500 million to $700 million total.
- Our media buy is increasing from $323.5 million to $383.4 million. The media buy list is on our website and it is updated as new vendors are added.
- [If asked – the rest other than the media buy covers salaries, production costs, and other expenses. We can provide the committee with a breakdown.]
- This is enabling us to continue our advertising and communications efforts through the summer and into the fall.

We understand your current regional push is well underway. Could you tell us how that is going?

- We are currently right in the middle of our “July Push” to maximize self-response. We created new ads for this as well.
• We have increased our media spend with local advertising in every part of the country, including rural areas but with an emphasis on cities with low response rates.
• The July Push will be followed by a national campaign in early August to let the country know that we will be knocking on doors in the Nonresponse Followup operation.
• Next, starting August 11 and running through the end of September, we will run advertising in areas with the lowest self-response rates, adapting to areas with the heaviest nonresponse workloads where possible.
• We redesigned out advertising to show our enumerators in masks and practicing social distancing. We’ll also be reminding people that it’s never too late to responding to the 2020 Census.
• Self-response will continue, and when a household responds, it is removed from the workload automatically, reducing unnecessary visits.

Please provide updates on media strategy and contracts. Will contracts be extended?

• We do not need to extend our contracts.

Additional Funding was provided for the Communications Campaign. Do you have a break down of what funds were spent based on audience and language?

• I do not have that off the top of my head but I’ll ask my staff to send that to the Committee.
• I do know that we increased the investment across all audiences as we adjusted the campaign, and we expanded the number of languages that have advertising to 45 total.

Please tell us how the Bureau and Y&R are working with Carol H. Williams on advertising for the Black/African American media markets. Provide specific examples. [NOTE – during the staff briefing for CBC, we had some questions about this subcontractor.]

• [Ali is getting examples an answer from TY&R.]

Have any of the other subcontractors for the advertising campaign been reassigned work that was originally assigned to or plan for Carol H. Williams?

[Ali is getting examples an answer from TY&R.]