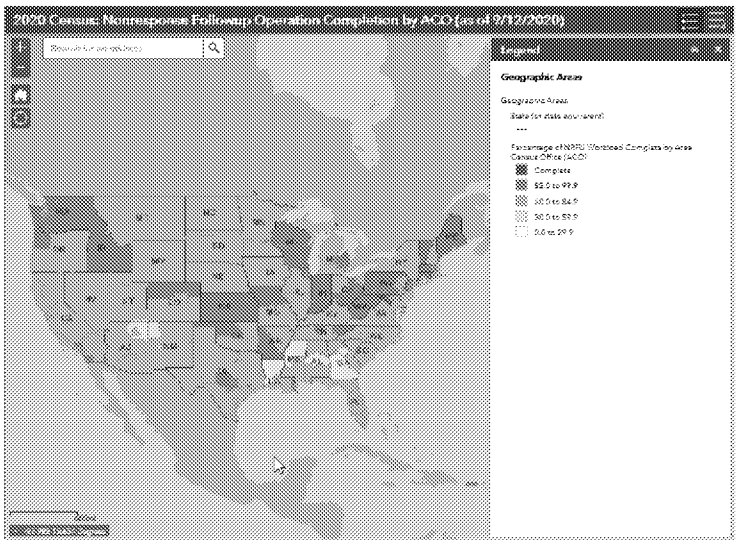
2020 Census

Status – Tools for monitoring Census progress



2020 Census Nonresponse Followup Operation Completion by ACO

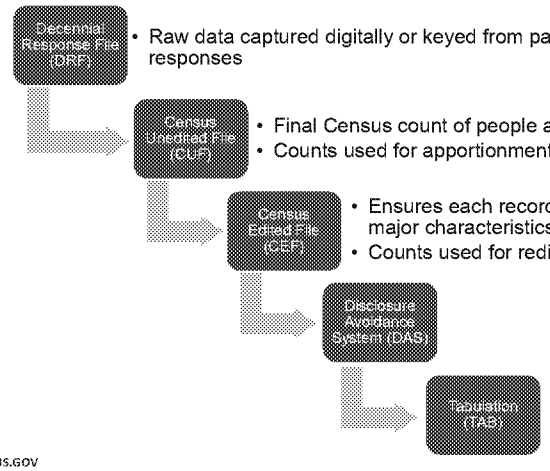
- https://2020census.gov/en/response-rates/nrfu-completion.html

Shape your future START HERE >

Census 2020

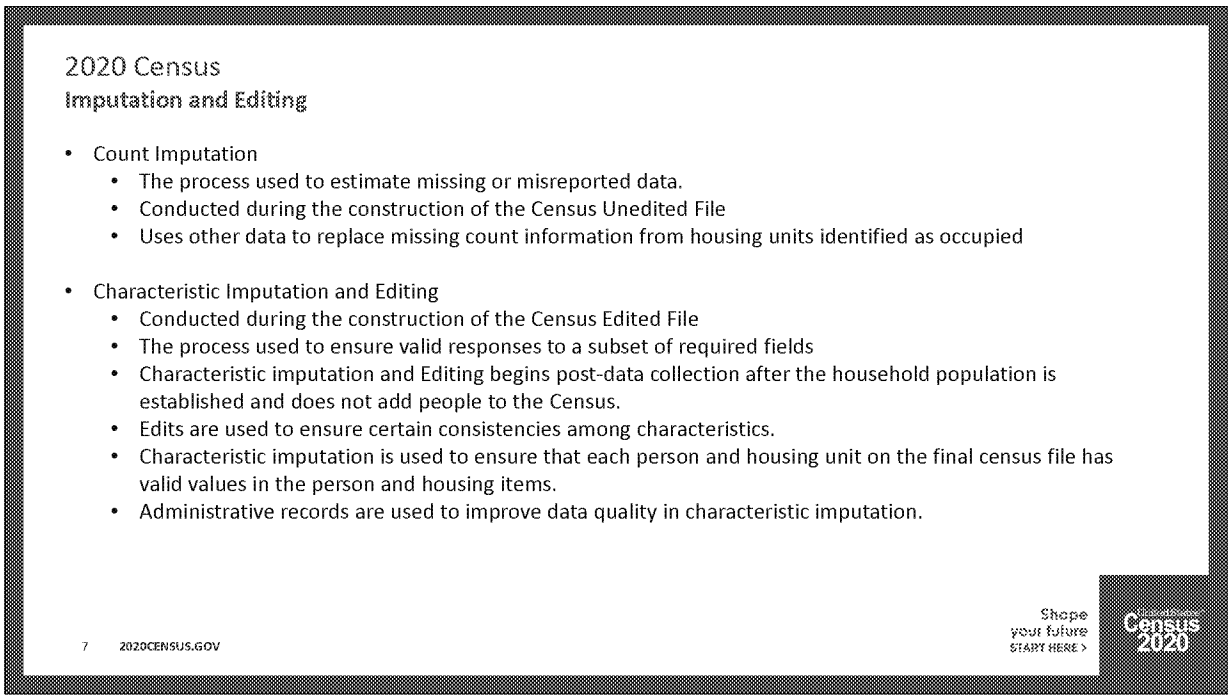
2020 Census

Generalized Flow Of Response Data



Shape your future START HERE >

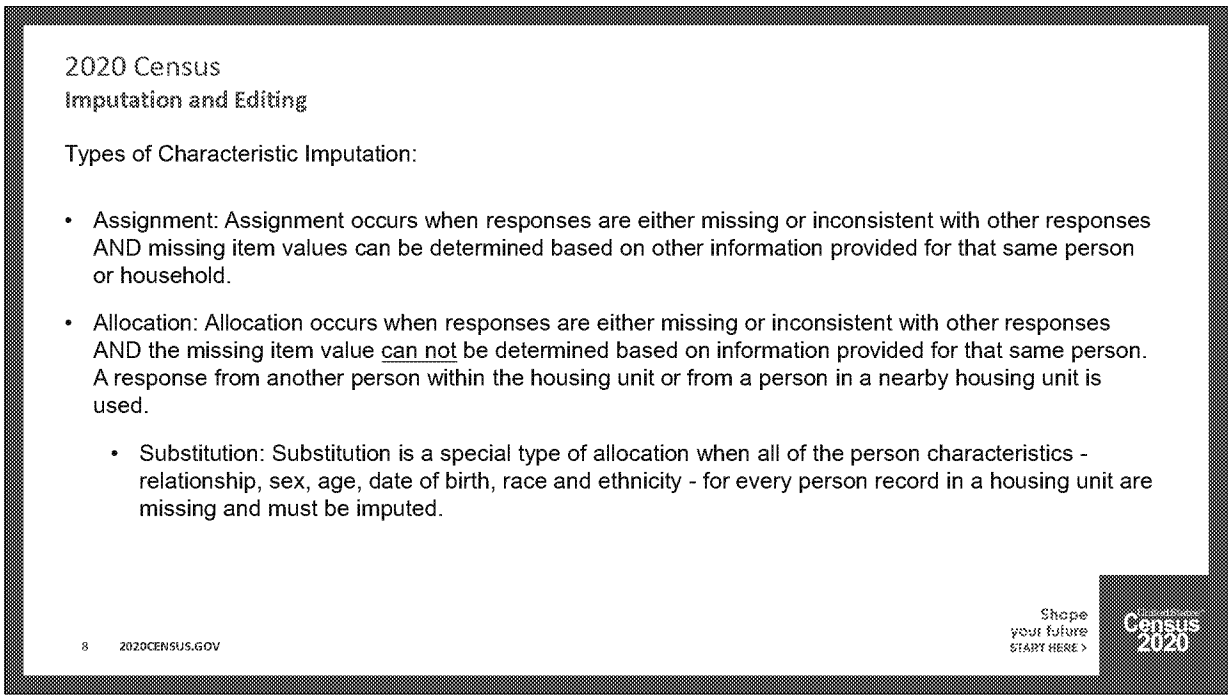
Census 2020



The next stage of the process revolves around the concepts of editing and imputation. There are essentially two types of these actions. We have count imputation and we have characteristic editing and imputation.

Count Imputation is used to replace missing count information from housing units that have been identified and verified as occupied. Count Imputation is conducted during the construction of the next stage of the process which is the creation of the Census Unedited File or the CUF. The completed CUF provides us with the first official counts from the decennial Census, the total population counts. These are the counts that are used for apportionment.

Once the CUF is complete, the next stage is to construct the Census Edited File or the CEF. As part of creating the CEF, edits and characteristic imputation are used to ensure that every record has a valid response for the person and housing responses in the Census.
Its important to understand the purpose of edits and characteristic imputation. The purpose is to ensure that every respondent has a valid response. Edits and characteristic imputation do Not add people to the Census. As I mentioned earlier, the total population counts for the Census are finalized with the CUF. The edits ensure consistency among characteristics such as a person being identified as a parent not being younger than a young child. The characteristic imputation ensures that each person and housing item has a valid response such as an occupied housing unit without a tenure status indicated, is it rented or owned. Administrative records will be used to improve the quality of the characteristic imputation.

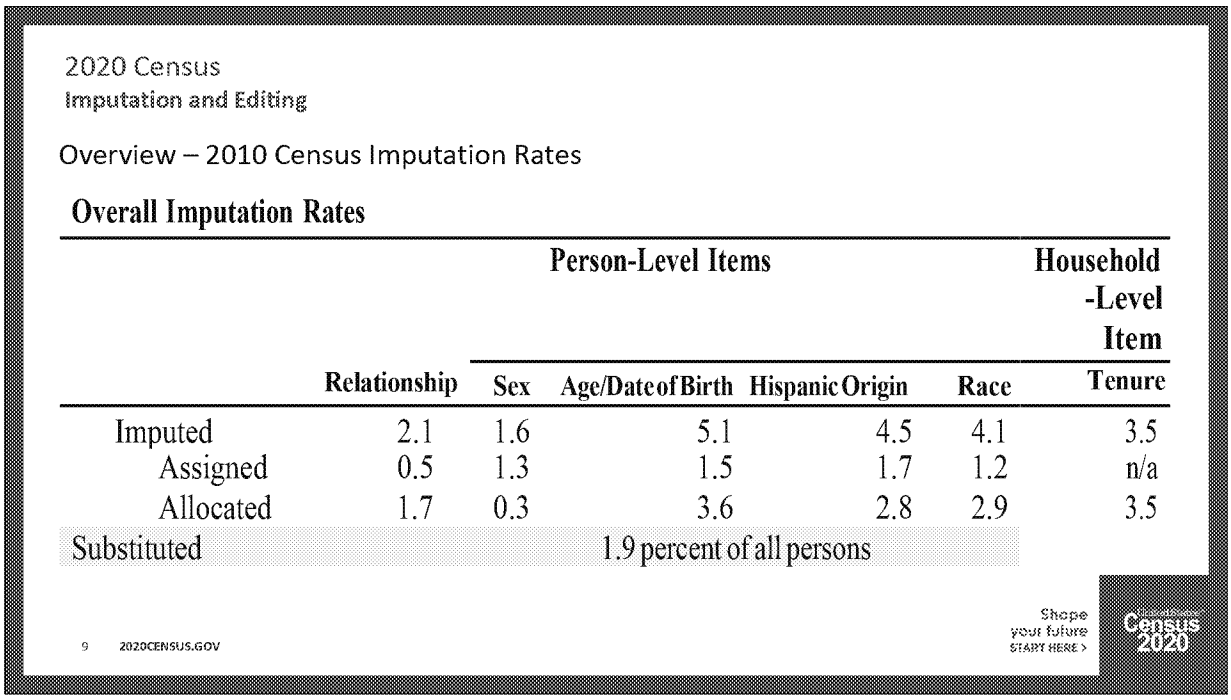


There are different types of characteristic imputation:

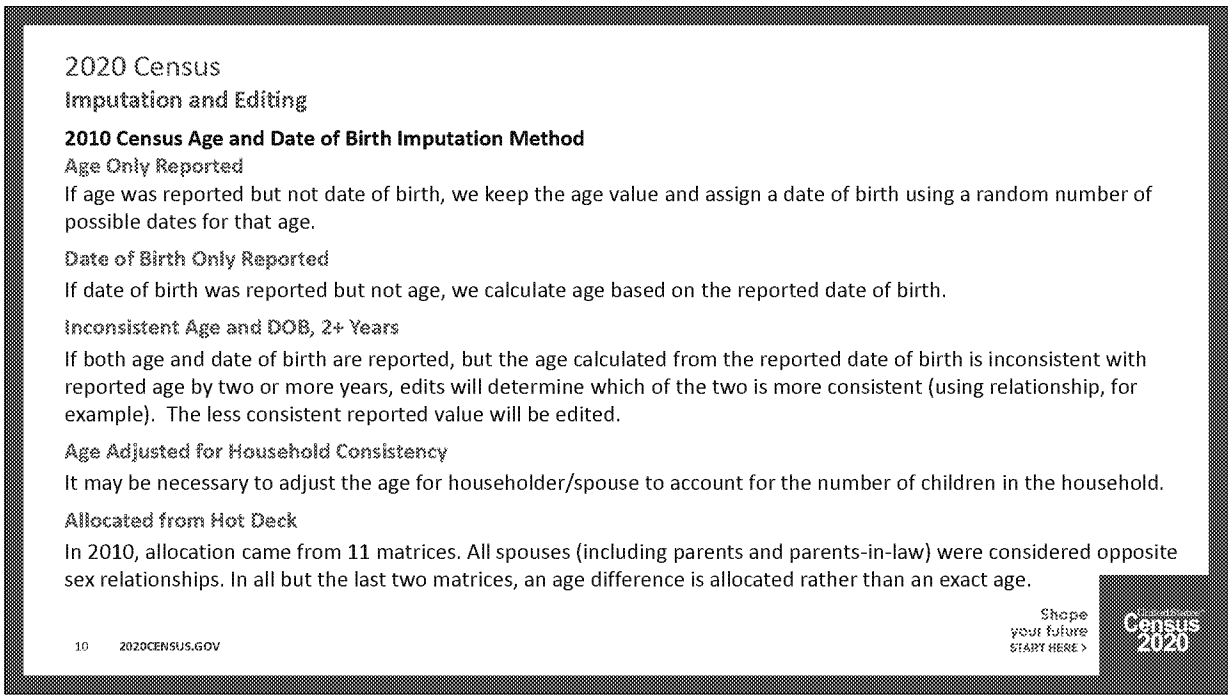
Assignment is when responses are missing or inconsistent with others data supplied for that person or household can be used for that missing or inconsistent response. The simplest of these is when either birthdate or age is missing. The one you do have can be used to calculate that information.

Allocation is when you have the same situation but you can not make a determination for the missing or inconsistent response based on that already supplied person or household data. In these cases a response from another person within the housing unit or a nearby housing unit may be used.

Substitution is a special type of allocation. It is used when we know we have person records but all of the person characteristics for all of the person records in that housing unit must be imputed.



Now that we know the 3 types of characteristic imputation, we can break out the 2010 rates by type and by the characteristic which you can see remain fairly small.



To help conceptualize these edits and characteristic imputation, I have a few examples around age and date of birth. The first scenario I mentioned earlier, one is provided and the other is missing – if age was reported but not the date of birth, we generate a random birthdate for that reported age. If it's the date of birth that was reported we calculate the age.

If both the age and date of birth are reported but they are inconsistent by 2 or more years, then we use edits to determine which is more consistent with other reported data and edit the other.

We may need to edit an age for consistency like the child/parent relationship from the previous slide.

Finally – if necessary an allocation from a hot deck can be used. A hot deck assigns a missing value from a record with similar characteristics. The characteristics in the hot deck vary depending on the nature of the unanswered questions.

Once all of this review and editing and imputation are completed, and remember, the majority of records need none of this work- this is a small percentage of the overall Census returns, then we have the completed CEF. This is the full census records with characteristics. We can now move to the next stage of the processing, the Disclosure avoidance system.

Redistricting Data Program

Phase 3 – P.L. 94-171 Redistricting Data Geographic Products

2020 Census P.L. 94-171 Redistricting Data Geographic Products	
Product Type	Census Web Address
Shapefiles	https://www.census.gov/geographies/mapping-files/time-series/geo/tiger-line-file.html
Maps	https://www.census.gov/geographies/reference-maps.html
Block Assignment Files	https://www.census.gov/geographies/reference-files.html
Block to Block Relationship Files	https://www.census.gov/geographies/reference-files/time-series/geo/relationship-files.html

- Shapefiles – geographic information system geometry files
- Maps (PDF only) – County Block; State Legislative with Voting District; Tract; School District
- Block Assignment Files – tables identifying the blocks used to build different geographic entities
- Block to Block Relationship Files – Crosswalk of 2010 blocks to 2020 blocks

Redistricting Data Program

Phase 3 – P.L. 94-171 Redistricting Data Tabulation Product

2020 Census P.L. 94-171 Redistricting Data Tabulations
Table P1 – Race
Table P2 – Race for the Population 18 Years and Over
Table P3 – Hispanic or Latino, and not Hispanic or Latino by Race
Table P4 – Hispanic or Latino, and not Hispanic or Latino by Race for the Population 18 and Over
Table H1 – Occupancy Status (Housing)
New Table
Table P5 – Group Quarters Population by Group Quarters Type

- All tables produced at multiple geographies including census block
- Group Quarter types: Correctional Institutions for Adults, Juvenile Facilities, Nursing Facilities/Skilled Nursing, Other Institutional, College/University Student Housing, Military quarters, and other non-institutional
- Group quarters is total population only, no demographic breakdown

Redistricting Data Program

Phase 3 – P.L. 94-171 Redistricting Data Products Delivery Timing

Phase 3 – Prototype Data

Activity	Date
Prototype geographic support products	February 2019 (Complete)
Prototype P.L. 94-171 Redistricting Data	March 2019 (Complete)

Phase 3 – Official Data

Activity	Original Planned Dates	New Planned Date
Geographic support products	Nov. 20, 2020 – Feb. 1, 2021	No later than April 1, 2021*
P.L. 94-171 Redistricting Data	Feb. 18, 2021 – March 31, 2021	No later than April 1, 2021*

* Statutory deadline, planned date still TBD

2020 Census
Disclosure Avoidance

- All 2020 Census data products released after apportionment will have formal privacy protections applied through the use of differential privacy.
  - For the P.L. 94-171 Redistricting Data this will be through the use of the Top Down Algorithm (TDA)
    - The TDA is being streamlined to focus solely on the P.L. 94-171 Redistricting Data and the characteristics reported in that file. (Race, Age of 18+, Ethnicity, etc.)
  - The Census Bureau, using the 2010 Census as the data source, has been releasing interim output from the TDA as demonstration products
  - https://www.census.gov/programs-surveys/decennial-census/2020-census/planning-management/2020-census-data-products/2020-das-metrics.html

2020 Census

Disclosure Avoidance

- October 29, 2019 – 2010 Demonstration Data Product Baseline
  - Test running system at scale and progress to date
- July 14, 2020 – Release interim output showing improvements (underlying data created 5/27/2020)
  - Released as Privacy Protected Microdata File (PPMF)
  - Tables created by IPUMS/NHGIS
    - https://www.nhgis.org/privacy-protected-demonstration-data#v20200527
  - Series of metrics added for review and comparison
- September 17, 2019 – Release interim output showing improvements (underlying data created X/XX/XXXX)
  - Released as Privacy Protected Microdata File (PPMF)
  - Tables expected to be created by IPUMS/NHGIS
  - Tailored specifically and only to the P.L. 94-171 Redistricting Data characteristics
  - Revised series of metrics added for review and comparison
- TBD – a final PPMF is expected prior to publishing the official data

Redistricting Data Program

Citizen Voting Age Population by Race and Ethnicity (CVAP)

- Annual Tabulation using the American Community Survey 5-year estimates for 2011 through 2020 publications
  - Typically released in the 1st week of February each year
- 2020 Census CVAP Special Tabulation
  - Calculated using administrative records and released by the P.L. 94-171 deadline

Content
Total:
Hispanic or Latino
Not Hispanic or Latino:
White alone
Black or African American alone
American Indian and Alaska Native alone
Asian alone
Native Hawaiian and Other Pacific Islander alone
Some Other Race alone*
Black or African American and White
American Indian and Alaska Native and White
Asian and White
American Indian and Alaska Native and Black or African American
Remainder of Two or More Race Responses

Geography
Nation
State
Congressional District
State Legislative District, Upper Chamber
State Legislative District, Lower Chamber
County
Minor Civil Division (for CT, MA, ME, MI, MN, NH, NJ, NY, PA, RI, VT, and WI)
Tract
Block Group
Block*

***only for the 2020 Census Special Tabulation**

Redistricting Data Program

Citizen Voting Age Population by Race and Ethnicity (CVAP)

- Internal Expert Panel is developing the methodology and is expected to publish their final methodology report by October 31, 2020
- The current status of this project is being presented at the Census Scientific Advisory Committee (CSAC) meeting today, 9/18/2020, at 1:25pm. This meeting is being recorded and will be made available here:
  - CSAC main page: https://www.census.gov/about/cac/sac.html
  - CSAC specific meetings page: https://www.census.gov/about/cac/sac/meetings.html
- There are essentially four different techniques being considered
  - 3 techniques rely on a combination of business rules and modeling
  - 1 technique relies on a latent class model for the full population

Thank You

James Whitehorne
Chief, Census Redistricting & Voting Rights Data Office
Email: rdo@census.gov
Phone: 1-301-763-4039
Web: www.census.gov/rdo

From: Enrique Lamas (CENSUS/DEPDIR FED) [Enrique.Lamas@census.gov]
Sent: 9/15/2020 6:13:16 PM
To: Ron S Jarmin (CENSUS/DEPDIR FED) [Ron.S.Jarmin@census.gov]; Christa D Jones (CENSUS/DEPDIR FED) [Christa.D.Jones@census.gov]; John Maron Abowd (CENSUS/ADRM FED) [john.maron.abowd@census.gov]; Victoria Velkoff (CENSUS/ADDP FED) [Victoria.A.Velkoff@census.gov]
Subject: Fw: Question on the effect of SDNY's Court Order on Census Work
Attachments: (b) (5) [redacted]

FYI

Enrique Lamas
Senior Advisor
Director's Office
U.S. Census Bureau
Office: 301-763-3811

(b) (5) [redacted]


(b) (5)

From: Steven Dillingham (CENSUS/DEPDIR FED) [steven.dillingham@census.gov]
Sent: 9/15/2020 9:37:59 PM
Subject: Fw: Letter to Dir. Dillingham re. apportionment
Attachments: FINAL Letter to Census Bureau Dir. Dillingham re. apportionment, 9-10-20.pdf

---

From: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
Sent: Thursday, September 10, 2020 2:41 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>; Steven K Smith (CENSUS/DEPDIR FED) <steven.k.smith@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Benjamin A Overholt (CENSUS/DEPDIR FED) <benjamin.a.overholt@census.gov>; Kevin Quinley (CENSUS/ADCOM FED) <kevin.quinley@census.gov>; Adam Michael Korzeniewski (CENSUS/DEPDIR FED) <adam.m.korzeniewski@census.gov>; Michael John Sprung (CENSUS/DEPDIR FED) <michael.j.sprung@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Christa D Jones (CENSUS/DEPDIR FED) <Christa.D.Jones@census.gov>; Kathleen M Styles (CENSUS/ADDC FED) <kathleen.m.styles@census.gov>
Subject: Fw: Letter to Dir. Dillingham re. apportionment

Here is a new letter organized by Schatz.

From: Mark G Dorsey (CENSUS/ADCOM FED) <mark.g.dorsey@census.gov>
Sent: Thursday, September 10, 2020 2:02 PM
To: BOC Correspondence Quality Assurance (CENSUS) <boc.correspondence.quality.assurance@census.gov>
Cc: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>; Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>; Bina K Saafi (CENSUS/OCIA FED) <bina.k.saafi@census.gov>; Stuart P Durst Jr (CENSUS/OCIA FED) <Stuart.P.Durst.Jr@census.gov>
Subject: Fw: Letter to Dir. Dillingham re. apportionment

Please control.

From: Ito, Trelaine (Schatz) <Trelaine_Ito@schatz.senate.gov>
Sent: Thursday, September 10, 2020 1:55 PM
To: Mark G Dorsey (CENSUS/ADCOM FED) <mark.g.dorsey@census.gov>
Subject: Letter to Dir. Dillingham re. apportionment

Hi Mark,

Attached is a letter from Senator Schatz and 19 of his colleagues to Director Dillingham with specific questions about apportionment following the 2020 Census. I will note the request for a response by Sept. 24.

Please let me know if you have any questions.

Thank you,
Trelaine

Trelaine Ito, MS
Legislative Assistant, Office of U.S. Senator Brian Schatz (D-HI)

722 Hart Senate Office Building
Tel: (202) 224-3934, Fax: (202) 228-1153
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Follow Senator Schatz on Twitter & Facebook


United States Senate

September 10, 2020

The Honorable Dr. Steven Dillingham
Director
U.S. Census Bureau
4600 Silver Hill Road
Washington, DC 20233

Dear Director Dillingham:

We write to raise concerns about the data and methodologies that the Census Bureau will use to develop apportionment counts for each of the states. With the president's unconstitutional memorandum excluding undocumented people from apportionment, coupled with your agency's decision to end the 2020 Census count one month early, we also raise serious concerns about a fair and accurate distribution of congressional representation—a fundamental and crucial aspect of our constitutional democracy.[i]

From the time of our founding, the Constitution established a democracy premised on the idea that all persons—no matter where they are from, regardless of whether they can vote—deserve representation in our government. To ensure representation for all, the Constitution, through both Article I, Section 2 and the Fourteenth Amendment, explicitly requires the federal government to accurately conduct an "actual Enumeration" of the people.[ii] The Fourteenth Amendment places a clear duty on the federal government to count the "whole number of persons in each State."[iii] In other words, the federal government must count *all people* living in the United States, whether they are citizens or non-citizens, whether they were born in the United States or in a distant part of the world, whether they are living here in accordance with our laws or not.

Furthermore, the framers of the Fourteenth Amendment considered immigrants, undocumented or otherwise, as *people* entitled to equal representation, insisting that the "whole immigrant population should be numbered with the people and counted as part of them."[iv] The Supreme Court has affirmed this constitutional understanding, emphasizing that "the Framers chose to use population . . . as the basis for representation,"[v] and that "representatives serve all residents, not just those eligible or registered to vote."[vi]

Following the Supreme Court's ruling to block this administration's attempt to add a citizenship question to the 2020 Census, the president issued an executive order directing Commerce Secretary Wilbur Ross to collect citizenship information from other governmental sources.[vii] Per this directive, the Census Bureau has amassed a collection of administrative records from various sources—some from existing agreements with federal, state, and local agencies, and others from newly established partnerships.[viii]

However, the collection of citizenship information is not uniform across the country. This raises the prospect that the Census Bureau will have incomplete information as to the citizenship status

of all persons residing in the country. For example, some federal agencies have agreed to share citizenship information with the Census Bureau.[ix] However, a person's immigration status can change over time. The administrative data on a person is only as good as the moment when the agency interacts with that person.[x] For example, a person who entered the country without documentation may have received Deferred Action for Childhood Arrivals protection, or may have started a path to citizenship by serving in the military, or may have been granted asylum protection. Depending on when a person interacts with an agency, their status may be very different from what it is currently.

At the same time, not every state is sharing citizenship data. States such as Iowa, Nebraska, South Carolina and South Dakota agreed to share driver's license and state identification card information.[xi] But states like Pennsylvania, New Hampshire, and Illinois denied the Census Bureau's request to share information.[xii] Furthermore, state administrative data on citizenship can be unreliable and inaccurate.[xiii] As a result, your agency will have arbitrarily collected information based on state officials who decide to share or not information about their citizens, some of which will contain citizenship information, and some will not.

This arbitrary collection of citizenship information implicates the president's unconstitutional attempt to exclude undocumented people from fair representation in the Congress. Apportionment is a geographic division of congressional seats. If only certain states are sharing citizenship information—and the data shared is itself unreliable or inaccurate—and federal data sets do not capture all persons in the country, then the data available to the Census Bureau for apportionment tabulation will be incomplete and run afoul of the Constitution. The resulting reapportionment report submitted to the U.S. House of Representatives by the president will be an inaccurate, arbitrary, and unconstitutional distribution of congressional seats across the country, based on states that either had or did not have citizenship information for selected portions of their population.[xiv] An arbitrary collection of data will produce a bad output based on that data—garbage in, garbage out.

In addition, the *Census Act* prohibits the Census Bureau from using sampling methods to determine apportionment. In 1999, the U.S. Supreme Court rejected the Census Bureau's proposed uses of statistical sampling to calculate the population for purposes of congressional apportionment following the 2000 decennial census.[xv] A similar effort by the agency to use statistical sampling to determine the numbers of undocumented people in each state should be rejected by the courts.

These problems are further exacerbated by the agency's decision to end self-response and non-response follow up operations a month early—from October 31 to September 30.[xvi] The shortened schedule risks the accuracy of the Census Bureau's data products, including the apportionment tabulation, and raises risks that errors will neither be found nor fixed. A federal judge recently issued a temporary restraining order to stop the Census Bureau from winding down or altering 2020 Census field operations until a September 17 hearing.[xvii] Furthermore, the administration's refusal to include statutory deadline extensions in their negotiations with congressional leaders on coronavirus relief legislation, raise questions about their commitment to addressing these concerns.[xviii]

To address some of these concerns, we ask that you provide answers to the following questions:

- In implementing Executive Order 13880, can the Census Bureau collect administrative record data uniformly and universally across the country? If so, how?
- What are the models and methodologies that the Census Bureau is currently developing and studying to tabulate apportionment? Does the agency have enough time to study, test, and implement these apportionment models and methodologies prior to the December 31, 2020 deadline? How will these models and methodologies comply with the *Census Act*'s prohibition on the use of statistical sampling for apportionment purposes?
- An agency document on 2020 Census operations and data processing notes that "A compressed review period creates risk for serious errors not being discovered in the data – thereby significantly decreasing data quality."[xix] The document also notes that "serious errors discovered in the data may not be fixed — due to lack of time to research and understand the root cause or to re-run and re-review one or multiple state files." How will the Census Bureau ensure that its apportionment tabulation does not contain significant errors?
- As the Census Bureau implements the president's July 21, 2020, memorandum, how will you ensure that the apportionment tabulation is developed in a way that is not arbitrary when the agency uses administrative data collected through agreements with other federal, state, and local agencies that is not uniformly shared and may contain errors and inaccuracies?
- To what degree of confidence can the Census Bureau assure the public that its apportionment tabulation is not arbitrary, does not contain significant errors, and is a fair and representative distribution of congressional seats? What is the basis for the agency's confidence, considering many of the quality assurance processes that will be side-stepped or completed hastily under the condensed timeframe?

These questions raise serious concerns about one of the most fundamental constitutional activities: the apportionment of congressional representation. With the end of the 2020 Census and the apportionment deadline fast approaching, we request your written response by September 24, 2020. Thank you for your attention to our request.

Sincerely,

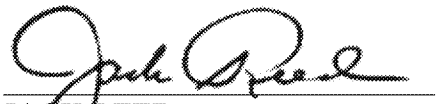
BRIAN SCHATZ
United States Senator

PATRICK LEAHY
United States Senator

RON WYDEN
United States Senator

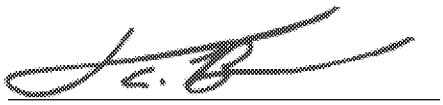
KIRSTEN GILLIBRAND
United States Senator

SHERROD BROWN
United States Senator

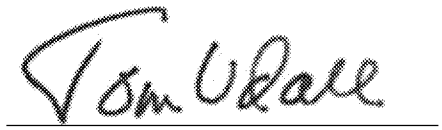


JACK REED
United States Senator

RICHARD BLUMENTHAL
United States Senator



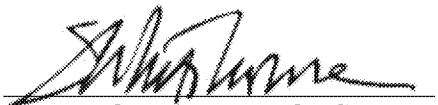
CORY A. BOOKER
United States Senator



TOM UDALL
United States Senator

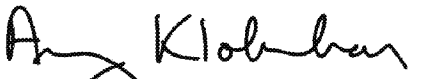
ELIZABETH WARREN
United States Senator

JEANNE SHAHEEN
United States Senator



SHELDON WHITEHOUSE
United States Senator

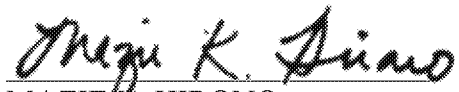
EDWARD J. MARKEY
United States Senator



AMY KLOBUCHAR
United States Senator

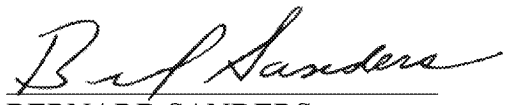
JEFFREY A. MERKLEY
United States Senator

/s/ Martin Heinrich
MARTIN HEINRICH
United States Senator



MAZIE K. HIRONO
United States Senator

TIM KAINE
United States Senator



BERNARD SANDERS
United States Senator

JACKY ROSEN
United States Senator

cc: The Honorable Wilbur L. Ross, Jr.
Secretary
U.S. Department of Commerce

---

[i] "Excluding Illegal Aliens From the Apportionment Base Following the 2020 Census," Memorandum, 85 FR 44679, 21 July 2020, https://www.federalregister.gov/documents/2020/07/23/2020-16216/excluding-illegal-aliens-from-the-apportionment-base-following-the-2020-census.

[ii] U.S. Const. art. I, § 2, cl. 3.

[iii] *Id*. Amend. XIV, § 2.

[iv] Cong. Globe, 39th Cong. 1st 432 (1866).

[v] *Utah v. Evans*, 536 U.S. 452, 478 (2002).

[vi] *Evenwel v. Abbott*, 136 S. Ct. 1120, 1132 (2016).

[vii] "Collecting Information About Citizenship Status in Connection With the Decennial Census," EO 13880, 11 July 2019, 84 FR 33821, https://www.federalregister.gov/documents/2019/07/16/2019-15222/collecting-information-about-citizenship-status-in-connection-with-the-decennial-census.

[viii] Hansi Lo Wang, "To Figure Out Who's A Citizen, Trump Administration Is Using These Records," *NPR*, 20 May 2020, https://www.npr.org/2020/05/20/855062093/to-figure-out-whos-a-citizen-trump-administration-is-using-these-records.

[ix] Hansi Lo Wang, "To Produce Citizenship Data, Homeland Security To Share Records With Census," *NPR*, 4 Jan. 2020, https://www.npr.org/2020/01/04/793325772/to-produce-citizenship-data-homeland-security-to-share-records-with-census.

[x] Tye Rush, Suzanne Almeida, Keshia Morris, "Whitewashing Representation: How using citizenship data to gerrymander will undermine our democracy," Common Cause Education Fund, 2019, https://www.commoncause.org/wp-content/uploads/2019/10/WhitewashingRepresentation_WEBFINAL.pdf.

[xi] Hansi Lo Wang, "Four States Are Sharing Driver's License Info To Help Find Out Who's A Citizen," *NPR*, 14 July 2020, https://www.npr.org/2020/07/14/890798378/south-dakota-is-sharing-drivers-license-info-to-help-find-out-who-s-a-citizen.

[xii] Ibid.

[xiii] ACLU, "ACLU 2020 Census State Administrative Records Comment," 15 Nov. 2019, https://www.aclu.org/letter/aclu-2020-census-state-administrative-records-comment.

[xiv] 13 U.S.C. § 141 (b): The tabulation of total population by States under subsection (a) of this section as required for the apportionment of Representatives in Congress among the several States shall be completed within 9 months after the census date and reported by the Secretary to the President of the United States.

[xv] *Department of Commerce v. United States House of Representatives*, 525 U.S. 316, (1999).

[xvi] "U.S. Department of Commerce Secretary Wilbur Ross and U.S. Census Bureau Director Steven Dillingham Statement on 2020 Census Operational Adjustments Due to COVID-19," U.S. Census Bureau, 13 April, 2020, https://2020census.gov/en/news-events/press-releases/statement-covid-19-2020.

[xvii] Mike Schneider, "Census Bureau stops layoffs for door knockers after order," *AP News*, 8 Sept. 2020, https://apnews.com/3605213c469e941ccd630b7b618d11e7.

[xviii] "In New Letter, Schumer And Pelosi Say Trump Administration's Efforts To Rush Census Count Despite Expert Warnings Are Politically Motivated And Threaten Census Accuracy, Call For Full Disclosure Of Decision-Making Process," Senate Democrats, 4 Sept. 2020, https://www.democrats.senate.gov/newsroom/press-releases/in-new-letter-schumer-and-pelosi-say-trump-administrations-efforts-to-rush-census-count-despite-expert-warnings-are-politically-motivated-and-threaten-census-accuracy-call-for-full-disclosure-of-decision-making-process.

[xix] "Operational and Processing Options to Meet Statutory Date of December 31, 2020 for Apportionment," U.S. Census Bureau, 3 Aug. 2020, https://oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Census%20Slide%20Deck%20Aug%203%2020.pdf.

From: Ron S Jarmin (CENSUS/DEPDIR FED) [Ron.S.Jarmin@census.gov]
Sent: 9/16/2020 1:40:51 PM
To: Enrique Lamas (CENSUS/DEPDIR FED) [Enrique.Lamas@census.gov]; Christa D Jones (CENSUS/DEPDIR FED) [Christa.D.Jones@census.gov]
Subject: Fw: Follow-up from Friday call

(b) (5) [redacted]

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From: Ron S Jarmin (CENSUS/DEPDIR FED)
Sent: Tuesday, September 15, 2020 2:43 PM
To: Karen Kelley <kkelley@doc.gov>
Subject: Follow-up from Friday call

Karen,

Here's my stab at a list of topics to discuss with Secretary Ross through the end of the year. You should feel free to add any I may have missed. Respectfully, I've attempted to be transparent and frank about how the professional staff of the Census Bureau views these issues.

(b) (5) [redacted]

(b) (5)

[redacted]

Thanks

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From: Misty L Heggeness (CENSUS/ADRM FED) [misty.l.heggeness@census.gov]
Sent: 9/16/2020 9:56:11 PM
To: John Maron Abowd (CENSUS/ADRM FED) [john.maron.abowd@census.gov]; Kimberly L Leonard (CENSUS/PPSI FED) [kimberly.l.leonard@census.gov]
CC: William R Bell (CENSUS/ADRM FED) [William.R.Bell@census.gov]; Shana Banks (CENSUS/PPSI FED) [shana.j.banks@census.gov]; Helen Y Abraham (CENSUS/PPSI FED) [helen.y.abraham@census.gov]
Subject: Re: CVAP is cleared to go
Attachments: 20200907_csac2020presentation_wrb.pptx

Slides attached - without disclaimer.

Misty L. Heggeness, PhD
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From: John Maron Abowd (CENSUS/ADRM FED) <john.maron.abowd@census.gov>
Sent: Wednesday, September 16, 2020 5:18 PM
To: Kimberly L Leonard (CENSUS/PPSI FED) <kimberly.l.leonard@census.gov>
Cc: William R Bell (CENSUS/ADRM FED) <William.R.Bell@census.gov>; Shana Banks (CENSUS/PPSI FED) <shana.j.banks@census.gov>; Helen Y Abraham (CENSUS/PPSI FED) <helen.y.abraham@census.gov>; Misty L Heggeness (CENSUS/ADRM FED) <misty.l.heggeness@census.gov>
Subject: Re: CVAP is cleared to go

+Misty who can get the deck for you. Please add the approved disclaimer. We do not have a copy of the final language. Thanks,

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On Sep 16, 2020, at 5:00 PM, Kimberly L Leonard (CENSUS/PPSI FED) <kimberly.l.leonard@census.gov> wrote:

Bill,

I just received confirmation that the CVAP slides have been cleared. Please send me the slide deck as soon as possible. If you do not have the disclaimer statement on the title page, we will add it.

Thanks in advance!

Kim Leonard
External Stakeholder Program Manager
Office of Program, Performance and Stakeholder Integration (PPSI)
301-763-7281 (office)
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Estimating Citizen Voting Age Population: An Experimental Product

William Bell

Senior Mathematical Statistician for Small Area Estimation

U.S. Census Bureau

September 18, 2020

This presentation was developed for the September 2020 CSAC meeting. It presents ongoing research to inform interested parties and to encourage discussion. Views expressed are those of the presenter, not those of the United States Census Bureau. This work is a collaborative effort, and would not be possible without major contributions from members of the CVAP Internal Expert Panel, the CVAP Technical Working Group, and the CVAP Implementation Team. Data presented were approved for dissemination by the Census Bureau Disclosure Review Board (CBDRB-FY20-CED006-0031). ~~Results shown here are pre-decisional and still under review.~~

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Census 2020

CVAP Teams

2020 Census Methods Internal Expert Panel

John M. Abowd (chair), William Bell, Michael Berning, J. David Brown, John L. Eltinge, Patrick J. Cantwell, Misty L. Heggeness (coordinator), Howard R. Hogan (until retirement), Jenny Hunter-Childs, Christa Jones (deputy chair), V. Thomas (Tom) Mule, Roberto Ramirez, Joseph Schafer, Victoria Velkoff

Citizen Voting Age Population (CVAP) Technical Working Group

William Bell, J. David Brown (lead), Stephanie (Jamie) Busick, Misty L. Heggeness, Ryan Janicki, Andrew Keller, Darcy Morris, V. Thomas (Tom) Mule, Joseph Schafer, Matthew Spence, Lawrence Warren, Moises Yi

Citizen Voting Age Population (CVAP) Implementation Team

John M. Abowd, Michael Berning, J. David Brown, Stephanie (Jamie) Busick, Michael Clark, Jaya Damineni, Karen Deaver, Michael Hawes, Liza Hill, Cynthia Davis Hollingsworth, Jane Ingold, Andrew Keller, V. Thomas (Tom) Mule, Danielle Ringstrom, Teresa Sabol, David Sheppard, Damon Smith, Steven Smith, Matthew Spence, Thomas Thornton, James Treat (chair), Epaphrodite Uwimana, James Whitehorne

Outline of Presentation

I. Background on CVAP, data sources, and record linkage

II. Summary of main points of the presentation

III. Results related to fitness for use of the data sources

IV. Results for estimation of citizens – testing done using the 2010 Census Edited File as the frame, combining it with admin and survey data sources

All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Citizen Voting Age Population (CVAP) Program

- A special tabulation of the population of U.S. citizens living in housing units and group quarters by voting age (18+), race, and ethnicity, down to census block groups, published by the Redistricting and Voting Rights Data Office, U.S. Census Bureau (RDO@CENSUS.GOV).
- Historically used for research, evaluation, and enforcement of the *Voting Rights Act*, including estimates required by Section 203 (identification of jurisdictions required to provide language support for participation in the electoral process for citizens with limited English capabilities).
- Original CVAP estimates were produced from the 2000 Census long form.
- With elimination of the long form in 2010, for the last decade CVAP has been based on American Community Survey (ACS) five-year estimates, updated annually.
- The post-2020 Census CVAP Special Tabulation estimates will be produced for Census tabulation blocks using 2020 Census and administrative records data, and possibly survey data sources.

All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Race/ethnicity groups for the 2020 CVAP

Not Hispanic or Latino

1. American Indian or Alaskan Native (AIAN) alone
2. **Asian alone**
3. **Black or African American alone**
4. Native Hawaiian or Other Pacific Islander alone
5. **White alone**
6. Some Other Race alone
7. AIAN and White
8. Asian and White
9. Black or African American and White
10. AIAN and Black or African American
11. Remainder of two or more race responses
12. **Hispanic or Latino**

Results here focus on the four largest race/ethnicity groups, which are in bold.

All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Data sources available for CVAP

- 2020 Census
  - Census Unedited File (CUF): used in record linkage
  - Census Edited File (CEF): serves as frame for estimation of citizens
- SSA Numident
  - Applications for Social Security Numbers (SSNs) and subsequent transactions
  - Primary reference file for the Census Bureau's Person Identification Validation System (PVS) (Wagner and Layne, 2014) – used to assign Protected Identification Keys (PIKs) for record linkage
  - Information on nativity (country of birth), citizenship and noncitizen legal status
  - Covers large share of population – Nearly 90% of persons in the 2010 Census were successfully found in Numident (Rastogi and O'Hara, 2012)

SSA = Social Security Administration. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Additional Administrative Sources of Citizenship Data

- Department of State Passport Data (all U.S. passports, citizens)
- USCIS naturalizations (citizens) – all persons naturalized since 2001
  - Exception: children automatically naturalized because their parents naturalized when child did not also get a naturalization certificate
- USCIS lawful permanent residents – green card holders (noncitizens)
- ITINs – individual taxpayer identification numbers (noncitizens)

Very limited additional coverage found from the following sources:

- ADIS – Customs and Border Protection Arrivals and Departures Information System
- SEVIS – Immigration and Customs Enforcement (ICE) Office of Student and Exchange Visitor Information System
- WRAPS – State Dept. Worldwide Refugee Admissions Processing System
- Federal law enforcement records (U.S. Marshals Service, Bureau of Prisons)
- SNAP and TANF data from some states
- Driver's license files from Nebraska and South Dakota

USCIS = U.S. Customs and Immigration Service. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. SNAP = Supplemental Nutrition Assistance Program. TANF = Temporary Assistance to Needy Families. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Survey Data Sources

- ACS (American Community Survey)
- CPS (Current Population Survey)
- AHS (American Housing Survey)
- SIPP (Survey of Income and Program Participation)

 All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Record Linkage

- Link records from other files to records in a Reference File constructed from SSA Numident records and occurrences of ITINs. This allows assignment of Protected Identification Keys (PIKs) to the other file records, which are then used for matching of records across the various files.
  - Probabilistic record linkage
  - SSN verification, then combinations of name, address, date of birth
- EPIKs: Unduplicated unlinked records with sufficient PII, put in Enhanced Reference File (ERF), and assign PIKs to as many ERF records as possible that do not already have PIKs (while maintaining record linkage quality)
  - For simplicity, we refer to these "enhanced process PIKs" as EPIKs
  - EPIK process incorporates noncitizens without SSNs
- 2020 Census records, and other data sources, are assigned PIKs and EPIKs via linkage to the Reference File and the Enhanced Reference File
- Link administrative and survey records containing citizenship to the 2020 Census via the PIKs and EPIKs.

SSA = Social Security Administration. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Record Linkage (continued)

- EPIK linkages provide citizenship information for just 0.11% of the 2018 ACS estimated population, including both primary and secondary source linkages.
- Linkage process assigns separate quality score for each link attempt (combination of linkage variables)
  - SSN verification most reliable
  - Matching including address is more reliable than name and date of birth matching without address
- Create a single quality indicator (probability of correct linkage) from linked records using information on the link attempts and the attempt's quality score. See slides #44-45.
  - Exclude links with Pr(link correct) < .99 from estimation process to minimize linkage error.

Numident = Social Security Administration Numerical Identification file. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Notes on quality of citizenship data records

- Many administrative sources require documentation of citizenship. We regard these data as highly reliable.
  - Ex. SSA Numident, passport data, USCIS naturalizations
- Data that is not current and indicates a noncitizen can be incorrect since the person may have since naturalized.
  - Currency is not of much concern for data indicating citizens
- Survey data on citizenship is subject to various errors:
  - Incorrect status reported (more frequent for true noncitizens)
  - Out-of-date reports of noncitizen status
  - Imputations for nonresponse to citizenship question on survey
- Record linkage errors can lead to errors in citizenship status for any data source.
  - Apply record linkage quality threshold to minimize linkage errors

SSA Numident = Social Security Administration Numerical Identification file. USCIS = U.S. Customs and Immigration Service. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Summary of main points of the presentation

1. Combining the primary administrative data sources provides reliable data on citizenship for a large percentage of the population (91% in tests using 2018 ACS data or 2010 Census data)
   - Administrative sources used included SSA Numident, State Dept. passport data, USCIS lawful permanent residents and naturalizations, ITINs
   - Additional data sources beyond these provide very limited additional coverage
   - Prediction via imputation or modeling is needed for the cases not assigned citizenship status
2. Four approaches investigated for estimation of citizens:
   - Business Rules (BR) plus Hot Deck imputation from BR cases for the Census NBR (non-business rule) cases
     - Business Rules assign citizenship status to Census records based on the citizenship data sources linked to each record (assignments made for 91% of the records in the testing done, leaving 9% for imputation)
   - Business Rules plus Logistic Regression fitted to BR cases, applied to Census NBR cases
   - Business Rules plus Logistic Regression fitted to ACS NBR cases, applied to Census NBR cases
   - Latent Class model using multiple citizenship indicators (including Census BR and NBR cases, ACS data, …)

ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. USCIS = U.S. Customs and Immigration Service. See slides #7-8 for a list of the additional data sources. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Summary of main points of the presentation (continued)

3. We compared results of the four estimation approaches, applied using the 2010 CEF (Census Edited File) and associated administrative and survey records, for the following four subsets of the CEF records:
   - BR cases (91%): very strong agreement across approaches
   - NBR-PIK: large differences across approaches, but this is a very small fraction of the population
   - NBR-SS: substantial differences across approaches for Hispanics and Nonhispanic Asian Alone
     - SS = sent to search for a PIK, NSS = not sent to search for a PIK
   - NBR-NSS: some differences seen across approaches, but generally smaller than for NBR-SS
4. An important difference between the estimation approaches is what data serve as the "training sample" used to produce a predictor of citizenship for the CEF NBR cases
   - **Hot Deck** imputation: training sample = CEF BR cases
   - **BR Logistic** regression: training sample = CEF BR cases
   - **ACS Logistic** regression: training sample = ACS NBR cases with ACS reported citizenship status
   - **Latent Class** model: no distinct subset of data used as a training sample; draws information from CEF and ACS BR and NBR cases, and other data sources

BR cases are CEF records with citizenship status assigned from linked data sources according to "business rules". NBR cases (No Business Rules) are CEF records for which citizenship status could not be assigned by the business rules. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Administrative Record Coverage of the 2018 ACS Estimated Population

Source	Percent of ACS Population (PIKs)
Numident	90.4
Citizen value for citizenship	66.9
Missing citizenship, U.S. born (citizens)	14.6
Noncitizen value for citizenship	7.8
Foreign born or uncertain country of birth, missing citizenship	1.0
U.S. Passports (citizens)	48.6
USCIS	11.5
Naturalizations (citizens)	6.6
Lawful permanent residents and refugees (noncitizens)	5.0
ITINs (noncitizens)	0.5

Notes: These percentages use ACS survey weights. The total 2018 ACS estimated population age 18 and over is 253,800,000.

USCIS = U.S. Customs and Immigration Service. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Amount of Agreement on Citizenship Status by SSA Numident, Passports, USCIS, ITINs

Totals	% of 2018 ACS Estimated Population	
	No restrictions on record linkage	With record linkage quality restrictions
Agreement	87.36	87.90
on citizens	81.46	81.96
on noncitizens	5.91	5.94
Disagreements	3.43	2.68
Missing (no linked admin records citizenship)	9.21	9.42

USCIS = U.S. Customs and Immigration Service. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. "With record linkage quality restrictions" indicates links are accepted only if the predicted Pr{link is correct} ≥ .99; see slide #45. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Citizenship Business Rules (using 2018 ACS as the population frame)

Criteria for assigning citizen	Rule assignment	% of 2018 ACS Population: No restrictions on record linkage	% of 2018 ACS Population: With record linkage quality restrictions
Numident citizen	Citizen	66.94	66.94
Numident missing citizenship but U.S.-born	Citizen	14.63	14.63
U.S. passport	Citizen	3.01	2.79
USCIS naturalization certificate	Citizen	0.29	0.28
If not U.S. citizen according to above criteria, even without record linkage quality restriction:			
Numident noncitizen	Noncitizen	5.27	5.33
ITIN	Noncitizen	0.52	0.52
USCIS lawful permanent resident or refugee	Noncitizen	0.12	0.09
ICE SEVIS record	Noncitizen	0.06	0.06
ADIS record not born in U.S.	Noncitizen	D	D
WRAPS record	Noncitizen	D	D
Has PIK, but no citizenship assignment	**Model**	0.05	0.37
No PIK	**Model**	**8.98**	**8.98**

"With record linkage quality restrictions" indicates links are accepted only if the predicted Pr(link is correct) ≥ .99; see slide #45. "D" indicates that the number is suppressed due to disclosure restrictions. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. USCIS = U.S. Customs and Immigration Service. See slides #6-8 for definitions of the various data sources. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Citizen and Noncitizen Shares for Business Rules

Business rule assignment	% of 2018 ACS Estimated Population	
	No restrictions on record linkage	With record linkage quality restrictions
Citizen	84.88	84.64
Noncitizen	5.98	6.02
Missing	9.03	9.34

"With record linkage quality restrictions" indicates links are accepted only if the predicted Pr(link is correct) ≥ .99; see slide #45. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Business Rules vs. 2008-2012 ACS Estimated Percent Citizens

Sample with Both Business Rules and ACS As-Reported Citizenship Present

Race/ethnicity	Business rules	ACS As-Reported
Total	**93.5**	**93.4**
NH White Alone	98.4	98.5
NH Black Alone	95.5	95.7
Hispanic	73.3	72.4
NH Asian Alone	70.9	69.3

All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Comparison of 2018 ACS As-Reported to 2018 Business Rules Citizenship

	Column Percents		
	BR Citizen	**BR Noncitizen**	**ACS Total**
ACS Citizen	99.29	**10.60**	
ACS Noncitizen	**0.71**	89.40	
Benchmark Total	100.00	100.00	

	Cell Percents		
ACS Citizen	93.11	**0.66**	93.77
ACS Noncitizen	**0.66**	5.56	6.23
Benchmark Total	93.78	6.22	

All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Four approaches to determining or predicting citizenship for Census cases

- **Hot Deck**: Business Rules (BR) plus hot deck imputation (BR covers ≈ 91% of the data)
- **BR logistic**: BR plus logistic regression with BR data
- **ACS logistic**: BR plus logistic regression with NBR cases in the ACS sample that have a response to the ACS citizenship question
- **LC**: Latent class model

NBR = no business rules citizenship determination. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Business Rules (BR) plus hot deck imputation (Hot Deck)

- Accept BR determinations
- For NBR cases, impute citizenship from nearest neighbor (on address list) within imputation cells defined by a cross-classification of
  - Race and detailed Hispanic origin (17 groups)
  - Whether or not the housing unit had a non-PIKed person within the unit
  - Age groups: 18 – 29, 30 – 49, 50+
- There are small numbers of resolved cases in some cells.
- Very few cases needing imputation are in units where all persons are PIKed

NBR = no business rules citizenship determination. Detailed Hispanic origin categories are Mexican, Puerto Rican, Cuban, Central American, Latin American, and Other Hispanic. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Business rules plus logistic regression with BR data (BR logistic)

- Accept BR determinations using linked data that pass a record linkage quality threshold. (See slide #44 for details.)
- Logistic regressions used to predict probabilities of citizenship for NBR cases:
  - Fit logistic regression for **BR householders** using tract indicators, CVAP race and Hispanic origin categories, and age domains (under 29, 30 to 49 and 50+) as main effects). Use this model to predict citizenship for **householders without BR citizenship**.
  - Fit logistic regression for **other household members with BR citizenship** using relationship to householder (11 categories), CVAP race and Hispanic origin categories, and age domains. This was **done separately for the cases where householders were BR citizens and for the cases where householders were BR noncitizens (two models).**
  - Predicted citizenship probabilities for **other household members without BR citizenship** were then obtained from

$$\Pr(\text{Other is Citizen}) = \Pr(\text{HH is citizen}) \times \Pr(\text{Other is Citizen}|\text{HH is citizen}) + [1 - \Pr(\text{HH is citizen})] \times \Pr(\text{Other is Citizen}|\text{HH is noncitizen})$$

- A different logistic regression model was used for group quarters residents (for GQs, there is no householder)

NBR = no business rules citizenship determination. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

BR plus logistic regression with ACS data (ACS logistic)

- **Motivation:** As-reported ACS estimated citizen shares vary widely depending on
  - whether or not citizenship information can be linked to the person's survey record and,
  - if not, the reason why not, especially for race/ethnic groups that have higher noncitizen shares (Asians and Hispanics).
  - This suggests differences between the BR versus NBR data **(nonignorable missingness)**.
- **Goal:** Use ACS data to address nonignorable missingness that can arise by using BR cases to develop predictions for the NBR cases.

NBR = no business rules citizenship determination. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

BR plus logistic regression with ACS data (ACS logistic, continued)

- Accept BR determinations using linked data that pass a record linkage quality threshold. (See slide #45 for details.)
- Fit logistic regression models to ACS data without BR determinations, but with ACS reported citizenship. Fit separate models to the following different groups of ACS cases:
  - NBR-PIK (no business rules but has PIK)
  - NBR-SS (no business rules and sent to PVS search for a PIK)
  - NBR-NSS (no business rules and not sent to PVS search for a PIK).
- The models use many regression variables including state indicators, age groups, race/ethnicity groups, sex, tenure, etc., plus citizenship status of householder interacted with relative vs. non-relative of householder.
- Apply fitted logistic regression model to CEF NBR cases to predict their citizenship probabilities.

NBR = no business rules citizenship determination. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031)

Latent Class model (LC)

- Treat true citizenship status as a latent variable (L), imperfectly measured by multiple items from various data sources (Numident, passport data, USCIS data, ITINs, Bureau of Prisons and U.S. Marshall Service law enforcement data, ACS, CPS, AHS, SIPP).
  - L has three possible states: U.S.-born citizen, foreign-born citizen, and noncitizen
- Fit the latent-class model in two stages for its two parts:
  - **Measurement model** – describes relationships between L and the items that measure it.
  - **Prevalence model** – describes how the distribution of L varies over the population in relation to predictors (e.g., logistic regression).
- Carry over fitting results from Stage 1 to Stage 2 via person-level Bayes factors, with their natural interpretation as odds multipliers (for states of L).
- Compute probability of citizenship for each person based on all available items.

USCIS = U.S. Customs and Immigration Service. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. CPS = Current Population Survey. AHS = American Housing Survey. SIPP = Survey of Income and Program Participation. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Notes on the four approaches to estimation of citizenship

- The first three accept the BR determinations (covers ≈ 91% of the data); the latent class modeling does not, but it nearly replicates the BR determinations.
  - In initial test implementations, the first three approaches used slightly different versions of the BRs. This is being harmonized.
- The first two approaches (hot deck and BR logistic) effectively assume that the NBR cases are like the BR cases, conditional on certain information (Missing at Random). However, ACS data provide evidence against this assumption.
- The third approach (ACS logistic) assumes the NBR cases found in the ACS sample are like all the other NBR cases, conditional on certain information. It also accepts the ACS citizenship responses for these cases, which include some error.
- The latent class model draws information from both CEF and ACS BR and NBR cases, and other data sources, to provide information on the NBR cases.

NBR = no business rules citizenship determination. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

2010 CEF Percent of Cases by PIK Group

	Business Rules	NBR-PIK	NBR-SS	NBR-NSS	Population (1,000s)
Total	**90.9**	**0.12**	**5.8**	**3.3**	**234,600**
NH White Alone	93.2	0.12	3.9	2.8	157,100
NH Black Alone	88.0	0.04	6.9	5.2	27,320
Hispanic	83.2	0.18	12.8	3.8	33,350
NH Asian Alone	89.1	0.22	7.2	3.5	11,290

NBR-PIK is no business rules and has PIK. NBR-SS is no business rules and sent to PVS search. NBR-NSS is no business rules and not sent to PVS search. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens from Four Approaches
2010 CEF, All Cases

Race/Ethnicity	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
Total	**91.4**	**91.4**	**91.1**	**90.8**	**91.5**
NH White Alone	98.3	98.1	98.2	97.8	98.3
NH Black Alone	95.0	94.9	95.0	93.7	95.3
Hispanic	64.0	64.8	62.5	63.3	65.7
NH Asian Alone	67.7	67.5	67.2	68.3	67.4

The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26.
CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens from Four Approaches 2010 CEF, BR Cases (91% of total pop)

Race/Ethnicity	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
Total	**92.6**	**92.5**	**92.6**	**92.5**	**93.0**
NH White Alone	98.4	98.4	98.4	98.4	98.5
NH Black	95.5	95.5	95.5	95.4	95.6
Hispanic	67.8	67.5	67.7	67.2	71.3
NH Asian Alone	69.4	68.9	69.4	69.4	69.7

Notes: The 2010-2012 ACS column uses the ACS citizenship values. BR in 2010-2012 ACS is the assignment rules used in BR + Hot Deck (using primary sources only) applied to the same 2010-2012 ACS records as in the 2010-2012 ACS column.

The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens from Four Approaches 2010 CEF, NBR-SS Cases (5.8% of total pop)

Race/Ethnicity	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
Total	**75.3**	**76.7**	**67.0**	**64.8**	**73.1**
NH White Alone	95.9	94.9	93.6	83.3	95.1
NH Black	91.4	89.5	88.5	70.4	90.9
Hispanic	42.0	48.6	29.0	37.2	33.4
NH Asian Alone	53.2	54.8	41.2	55.5	47.3

NBR-SS is no business rules and sent to PVS search. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens from Four Approaches 2010 CEF, NBR-SS Cases (12.8% of Hispanic pop) Hispanics

Race/Ethnicity	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
Hispanic	**42.0**	**48.6**	**29.0**	**37.2**	**33.4**
Mexican	39.9	48.2	25.6	34.0	30.3
Puerto Rican	96.3	70.0	97.4	87.7	97.2
Cuban	59.9	60.4	58.3	49.7	62.8
Central American	28.2	39.3	15.3	31.6	19.2
Latin American	37.1	47.6	26.5	36.5	33.7
Other Hispanic	62.7	60.0	47.2	47.9	75.1

NBR-SS is no business rules and sent to PVS search. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens from 4 Approaches 2010 CEF, NBR-SS Cases (7.2% of NH Asian pop) NH Asian Alone

Race/Ethnicity	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
NH Asian Alone	**53.2**	**54.8**	**41.2**	**55.5**	**47.3**
Asian Indian	47.0	49.7	36.9	53.0	40.7
Chinese	51.7	53.5	39.0	52.7	44.1
Filipino	62.9	61.6	54.5	61.0	63.3
Japanese	57.3	61.6	44.3	58.6	54.8
Korean	48.3	53.7	29.1	54.8	35.1
Vietnamese	64.5	59.7	62.7	61.8	65.3
Other Asian	53.6	54.6	39.7	55.5	47.4

NBR-SS is no business rules and sent to PVS search. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDR8-FY20-CED006-0031).

Estimated Percent Citizens from Four Approaches 2010 CEF, NBR-NSS Cases (3.3% of total pop)

Race/Ethnicity	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
Total	**86.1**	**88.1**	**89.8**	**91.0**	**94.4**
NH White Alone	96.0	96.2	97.9	98.1	98.2
NH Black	91.7	92.2	95.1	94.9	96.6
Hispanic	54.6	63.1	61.7	68.6	69.2
NH Asian Alone	54.7	62.8	67.8	68.9	76.2

NBR-NSS is no business rules and not sent to PVS search. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens for 2010 CEF NBR-SS Group with Alternative Applications of the ACS Logistic Model by Training Sample and Source of Citizenship Status

	ACS logistic approach model used						
Race/Ethnicity	**ACS NBR-SS Sample, ACS Citizenship**	**ACS BR Sample, ACS Citizenship**	**ACS BR Sample, BR Citizenship**	**CEF BR Sample, BR Citizenship**	**BR logistic**	**Hot Deck**	**Latent Class Model**
Total	**69.0**	**76.6**	**77.9**	**77.3**	**76.7**	**75.3**	**64.8**
NH White Alone	93.6	95.0	95.1	95.0	94.9	95.9	83.3
NH Black Alone	88.5	89.6	89.8	89.6	89.5	91.4	70.4
Hispanic	29.0	48.2	51.3	50.0	48.6	42.0	37.2
NH Asian Alone	41.2	52.5	56.5	55.4	54.8	53.2	55.5

NBR-SS is no business rules and sent to PVS search. CEF = Census Edited File. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model, not including the alternatives for the ACS logistic approach used here) are discussed on slides #20-26. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Conclusions from comparing estimation approaches using 2010 CEF data as the frame

- The four approaches yield very similar results for citizenship estimates for the total 18+ population at the national level
- Some differences can be seen in (total 18+) national estimates for Hispanics, particularly Mexicans and Central Americans
- We have examined state level estimates in which we see similar patterns in the results though, as expected, with some variations across states. These results have not yet gone through a disclosure review.

The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Some larger differences can be seen when the estimates are broken out by PIK status

- BR cases: minimal differences
- NBR-PIK: very large differences, but this is a very small group
- NBR-SS: Large differences for Hispanics and for NH Asians, especially for Mexicans, Central Americans, Latin Americans, and Koreans
  - An experiment that applied the model from the ACS logistic approach in alternative ways showed that the largest contributor to differences between the estimation approaches for the NBR-SS group was whether BR cases or ACS NBR cases were used as the "training sample" for making predictions.
- NBR-NSS: Some differences seen across approaches, but generally smaller than for NBR-SS

NBR-PIK is no business rules and has PIK. NBR-SS is no business rules and sent to PVS search. NBR-NSS is no business rules and not sent to PVS search. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Further research planned and underway

- Apply the four approaches using 2018 ACS data as the frame, along with corresponding 2018 administrative sources. See if we get similar results to those shown here from using the 2010 CEF as the frame.
- Harmonize to a common set of business rules.
- Refine the models used, drawing on results of the analyses done to date.
  - Since the ACS provides a much smaller data set than a census, there can be some limitations on model refinement for the application to the 2018 ACS, especially as it relates to detailed population subgroups and geography.
  - For the Latent Class Model, this requires certain enhancements to the modeling software.
  - Research linking of administrative files to census housing unit records (where person records could not be linked)
- Refine the record linkage quality measure.

CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Disclosure Avoidance

- Data in this presentation were protected using the Disclosure Review Board's current rules for legacy data at the national level
- The 2020 CVAP data product will be protected using the 2020 Disclosure Avoidance System
  - Using a privacy-loss budget determined by the Data Stewardship Executive Policy Committee and charged to the 2020 Census
  - Using the TopDown Algorithm
  - Constrained to be fully consistent with the geographic, race and ethnicity definitions used in Table P4 of the 2020 PL94-171 redistricting data

All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Questions for the committee

1. Should we use the secondary data sources and EPIK linkages given the limited additional coverage that they provide?
2. Do you have suggestions for how we decide on which data to use as the "training sample" for developing citizenship predictions for the cases not covered by the Business Rules?
   - The BR cases themselves, or some subset – Issue: evidence that the BR cases differ from the non-BR cases.
   - ACS non-BR cases with ACS as-reported citizenship – Issues: evidence of reporting error in ACS, particularly for noncitizens, plus potential for 2020 ACS to be less comparable to the 2020 Census (than was the case in 2010).
   - Use the Latent Class model, which makes use of both these data sources, and others.
   - Formulate some mathematical comparison criterion?
   - Combine results from more than one estimator – how?
3. Do you have suggestions for explaining (primarily to a technical audience) how we made this decision?
4. Do you have suggestions for ways to convey uncertainty reflecting prediction error, which is not due to sampling error, and is partly due to certain systematic errors? (Note the second question.)

Note: We plan to release a report on this work by October 31, 2020 that will indicate which estimation approach we have chosen and why, so near-term responses to these questions are appreciated.

"EPIK" refers to PIKs obtained through an enhanced process; see slides #9-10. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

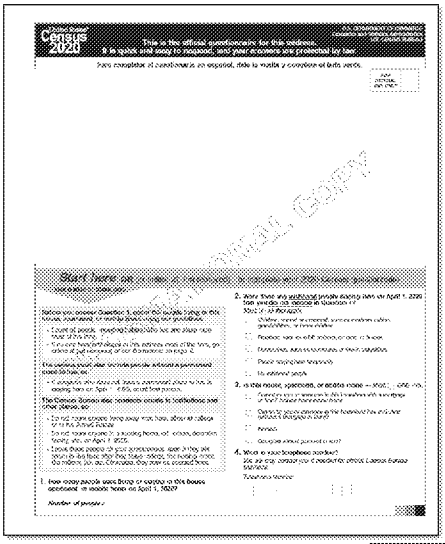
Additional slides with more details follow

All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

2020 Decennial Census

- CUF (Census Unedited File) – to be used for record linkage

- CEF (Census Edited File)
  - serves as the frame for the CVAP estimates
  - we use other data sources to predict the probability of citizenship for each CEF person record (may be 0, 1, or in between) and then add up these predictions to tabulate estimated numbers of citizens



All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

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Census 2020

Social Security Administration (SSA) Numident File

- Applications for Social Security Numbers (SSNs) and subsequent transactions
- Primary reference file for the Census Bureau's Person Identification Validation System (PVS) (Wagner and Layne, 2014)
- Information on nativity, citizenship and noncitizen legal status

Strengths

- Covers large share of population – Nearly 90% of persons in the 2010 Census were successfully found in Numident (Rastogi and O'Hara, 2012)
- Numident report of citizenship can be accepted with high confidence

Weaknesses

- Reports of non-citizenship are less reliable, because naturalizations are not always reported to SSA
- No coverage of those in the resident population without SSNs

Record Linkage Process

- Link records from other files to records in a Reference File constructed from SSA Numident records and occurrences of ITINs. This allows assignment of Protected Identification Keys (PIKs) to the other file records, which are then used for matching of records across the various files.
  - Probabilistic record linkage
  - SSN verification, then combinations of name, address, date of birth
- Unduplicate unlinked records with sufficient PII, put in Enhanced Reference File (ERF), and assign PIKs to as many ERF records as possible that do not already have PIKs (while maintaining record linkage quality)
  - For simplicity, we refer to these "enhanced process PIKs" as EPIKs
  - EPIK process incorporates noncitizens without SSNs
- 2020 Census records are assigned PIKs and EPIKs via linkage to the Reference File and the Enhanced Reference File
- Link administrative and survey records containing citizenship to the 2020 Census via the PIKs and EPIKs.

SSA = Social Security Administration. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Record linkage quality threshold: Business rules plus logistic regression with BR data

Linkage process assigns a separate quality score for each linkage attempt (PVS module and pass)

Accept BR determinations using linked data that pass the following record linkage quality threshold.

- Quality threshold is Pr(correct link) ≥ .99, where the linkage probabilities were determined by a decision tree analysis applied to links between Numident foreign-born records and other source records that indicated noncitizen. Note that if another source says noncitizen and the Numident says they were U.S.-born, this is likely to be a linkage error.
- Variables used in making the decision tree were source, PVS module and pass combined indicator, and the record linkage score. This was done separately for each state.
- Decision tree predictor developed with noncitizen records was also used to predict probabilities of correct links for citizens.

PVS = Person Identification Validation System, which is used to assign PIKs, the Protected Identification Keys.
All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Record linkage quality threshold: Business rules plus logistic regression with ACS data

Accept BR determinations using linked data that pass the following record linkage quality threshold.

Create single quality score from logistic regressions with noncitizen observations in the file.

- Dependent variable = 1 if linked to foreign-born Numident record, = 0 if linked to U.S.-born Numident record
- Independent variables are linkage attempt and score
- Fitted logistic regression model is applied to linked records (whether indicating citizen or noncitizen) to predict the probability that the link is correct. (Where tables indicate "record linkage quality restriction" this mean links are accepted only if their predicted probability of being correct is ≥ .99.)

Conclusions about fitness for use of data sources

- Combining the primary administrative data sources provides reliable data on citizenship for a large percentage of the population (91% as estimated using 2018 ACS data)
  - SSA Numident, State Dept. passport data, USCIS lawful permanent residents and naturalizations, ITINs (with limited additional return from the ADIS, SEVIS, and WRAPS data)
- Additional data sources (SNAP/TANF, driver's licenses, BOP, USMS, ACS, AHS, CPS, and SIPP) provide very limited additional return due to:
  - Limited population coverage of most sources (for surveys, ACS is the one exception)
  - Overlap with the primary admin sources, especially for citizens (incremental coverage is just 0.03%, as estimated using 2018 ACS population)
  - Records for noncitizens that are out-of-date
  - Record linkage problems with some sources (assessing quality of record links is important)

ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. USCIS = U.S. Customs and Immigration Service. See slides #7-8 for definitions of the additional data sources. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Shares of 2018 ACS Estimated Population by Source Citizenship Combinations

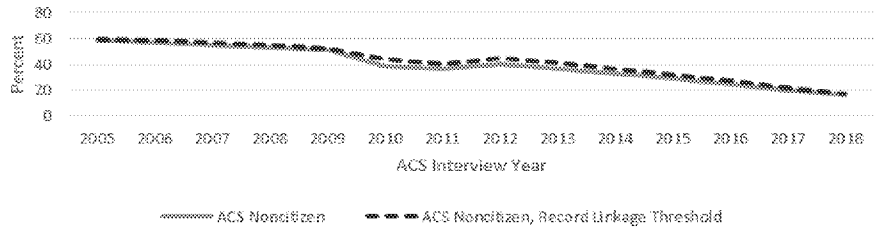
Disagreements

				% of 2018 ACS Estimated Population	
Numident	**U.S. Passport**	**USCIS**	**ITIN**	**No restrictions on record linkage**	**With record linkage quality restrictions**
Noncitizen	Citizen	Citizen	Absent	1.97	1.68
Noncitizen	Absent	Citizen	Absent	0.27	0.26
Noncitizen	Citizen	Noncitizen	Absent	0.23	0.12
Noncitizen	Citizen	Absent	Absent	0.08	0.41
Cumulative Total				**2.55**	**2.47**
Citizen	Absent	Noncitizen	Absent	0.09	0.04
Citizen	Citizen	Noncitizen	Absent	0.67	0.16
Missing Citizenship, Foreign-Born	Citizen	Noncitizen	Absent	0.11	< 0.01
Cumulative Total				**3.42**	**2.68**
Missing Citizenship, U.S.-Born	Absent	Noncitizen	Absent	< 0.01	D
Missing Citizenship, U.S.-Born	Citizen	Noncitizen	Absent	< 0.01	D
Absent	Citizen	Citizen	Noncitizen	0.00	0.00
Absent	Citizen	Noncitizen	Noncitizen	0.00	0.00
Absent	Citizen	Absent	Noncitizen	0.00	0.00
Total disagreements				**3.43**	**2.68**

Notes: This uses the 2018 ACS voting-age sample and its sampling weights. The total number of observations is 3,989,000.

"With record linkage quality restrictions" indicates links are accepted only if the predicted Pr{link is correct} ≥ .99; see slide #45. "D" indicates that the number is suppressed due to disclosure restrictions. USCIS (U.S. Customs and Immigration Service) citizens are from naturalization records; USCIS noncitizens are from lawful permanent resident, refugee, and asylee records. ITINs refers to personal tax identifiers in the range reserved for Individual Taxpayer Identification Numbers, which is public information. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Percent ACS Noncitizens That Are 2020 Business Rule Citizens, by ACS Interview Year



The number of observations is 2,156,000 without a record linkage threshold, and 1,273,000 with one.

"Record linkage threshold" indicates cases that satisfy the quality restrictions that links are accepted only if the predicted Pr(linkage is correct) ≥ .99; see slide #45. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens from Four Approaches 2010 CEF, NBR-SS Cases (5.8% of total pop) by observable characteristics

Characteristic	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
Householder Citizen	88.4	81.6	79.5	71.4	79.3
Householder Noncitizen	24.1	22.2	13.3	37.9	14.2
Difference	64.4	59.5	66.1	33.5	65.1
English Form	76.4	77.1	72.7	67.8	79.7
Non-English Form	30.0	37.8	7.6	23.4	13.8
Difference	46.5	39.9	65.1	44.4	65.9

NBR-SS is no business rules and sent to PVS search. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

Estimated Percent Citizens from Four Approaches 2010 CEF, NBR-SS Cases (5.8% of total pop) by observable characteristics (continued)

Characteristic	Hot Deck	BR logistic	ACS logistic	Latent Class Model	2010-2012 ACS
Non-Relative and HHLDR a Citizen	88.0	73.4	81.4	71.7	84.8
Non-Relative and HHLDR a Noncitizen	23.9	16.6	14.4	37.2	14.2
Difference	64.1	56.8	67.0	34.5	70.6

NBR-SS is no business rules and sent to PVS search. HHLDR is householder. The four estimation approaches (Hot Deck, BR logistic, ACS logistic, and Latent Class Model) are discussed on slides #20-26. CEF = Census Edited File. All original data presented in this presentation have passed Census Bureau Disclosure Review Board approval (CBDRB-FY20-CED006-0031).

From: James [james.whitehorne@gmail.com]
Sent: 9/18/2020 2:25:59 PM
To: James Whitehorne (CENSUS/ADDC FED) [James.Whitehorne@census.gov]
Subject: NCSL September presentation
Attachments: 2020_09_18_NCSL_September_Update.pptx

The 2020 Census and The 2020 Census Redistricting Data Program

James Whitehorne
Chief, Census Redistricting and Voting Rights Data Office

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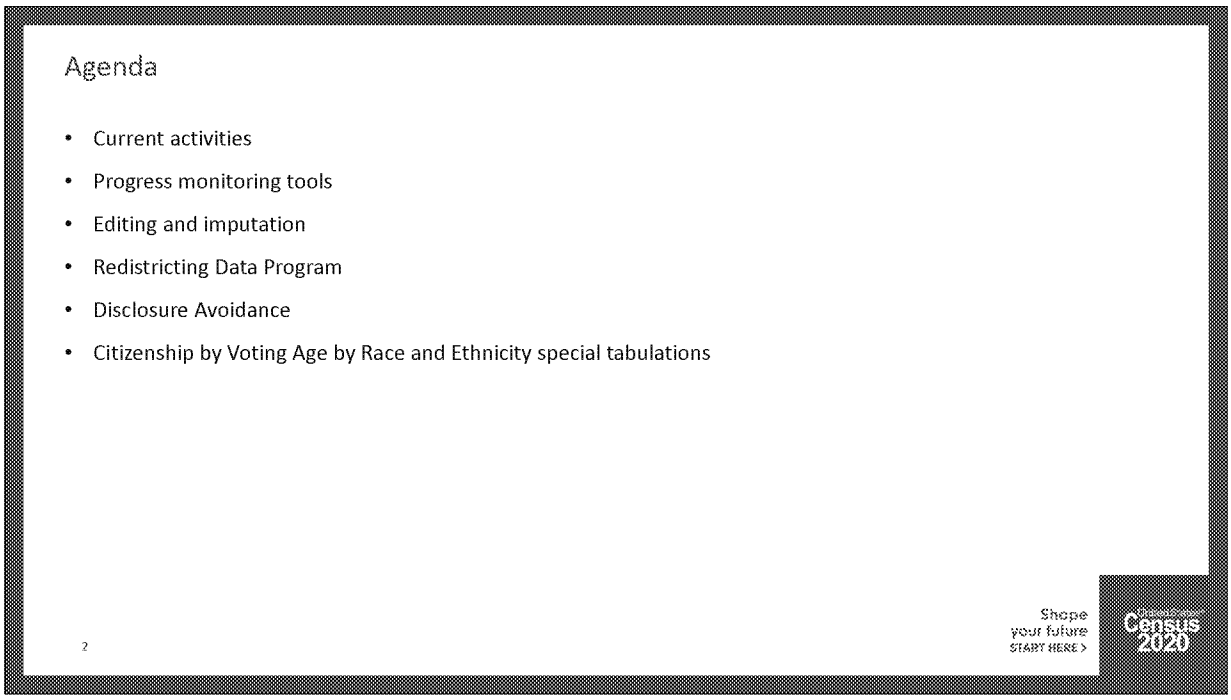
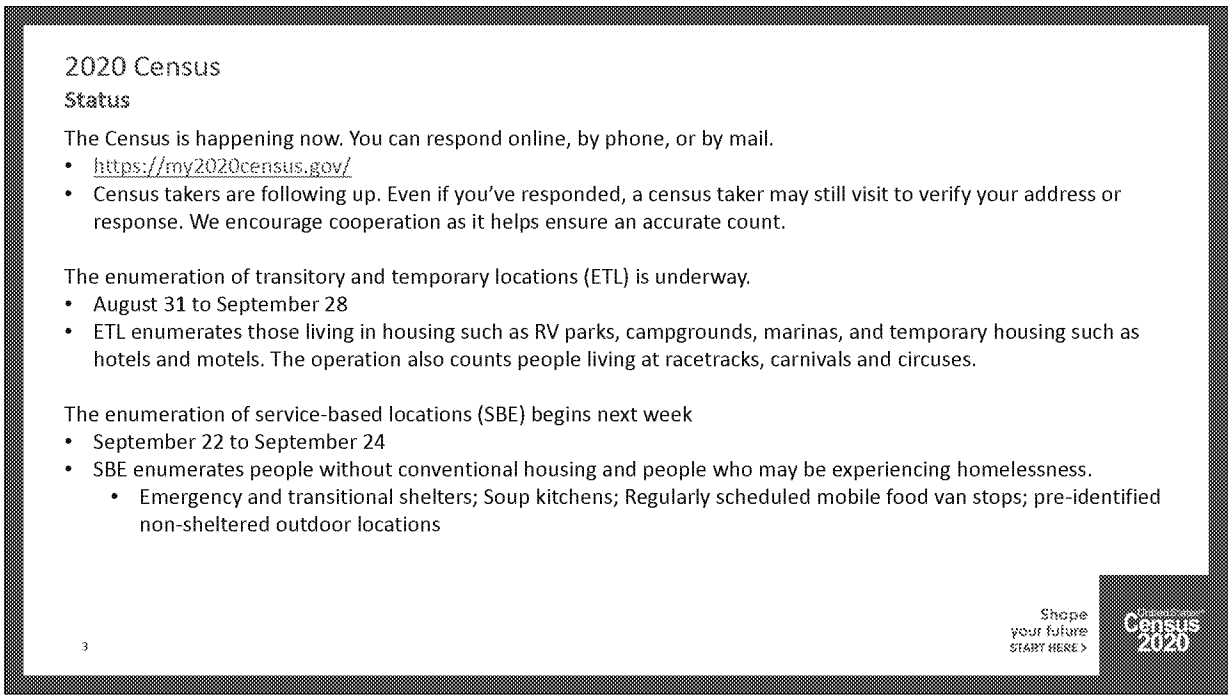
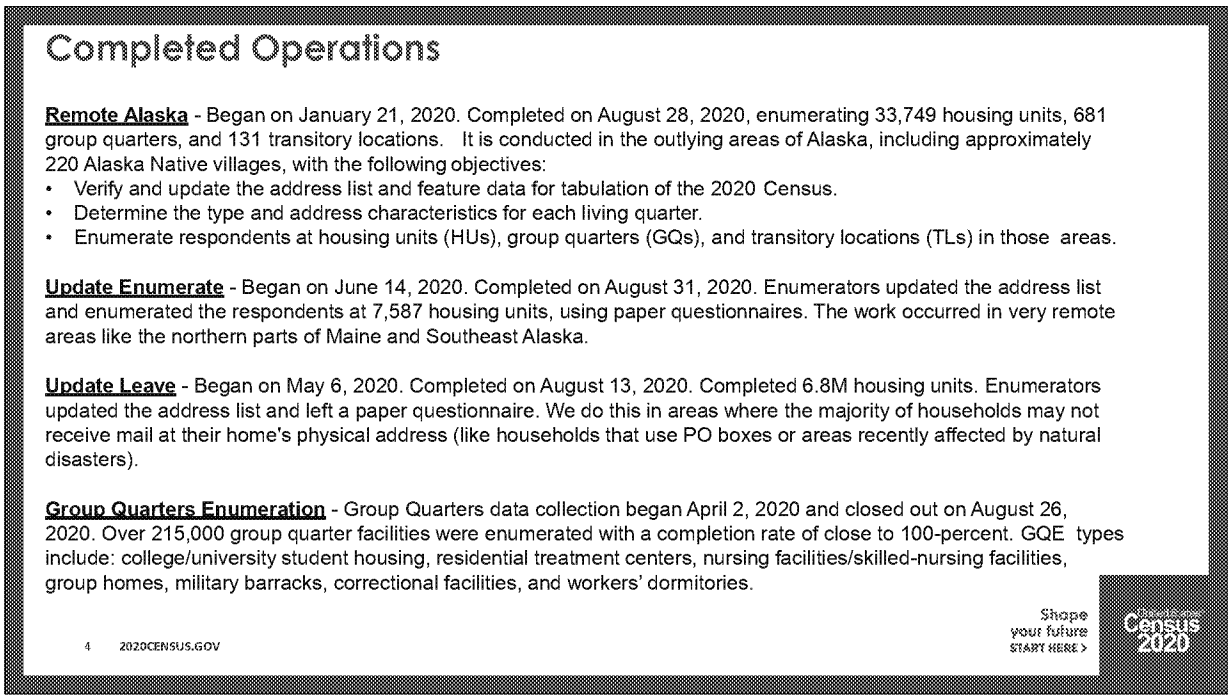


Good morning and thank you to NCSL for once again providing us with a forum in which we can provide information and address questions and concerns from our stakeholders. Today's presentation is a little disjointed in that I have some topics that are not always addressed in the same setting. I will talk a little bit about progress on the 2020 Census, imputation and editing or response data, a few reminders from the redistricting data program, our plans for disclosure avoidance, and finally the CVAP special tabulations.



I want to start with the most important message that you can take away from today and share with your constituents, friends, and family. It is not too late to respond to the Census. You can still respond online, by phone, or by paper if you still have the paper questionnaire we sent earlier. In addition, if you have already responded and you get a visit from a census worker, please work with them. There are many reasons why an enumerator may revisit an address that has responded, most of which involve quality assurance work. Your cooperation with these hard working folks is important and valuable.

Secondly, I would like to point out that we have two operations that have started up in September – enumeration of transitory locations and enumeration of service based locations. I will talk about these a little more in a few slides.



Lets talk about some of the work that has already been completed.

The Census was able to successfully complete our Remote Alaska Operation. This is almost like a mini census for those outlying areas of Alaska and covers address listing, housing unit and group quarters enumerations and transitory location enumeration.

We also completed our Update Enumerate operation where, just like we all picture, enumerators went door to door updating address lists and enumerating households in very remote areas like northern parts of Maine and Southeast Alaska. 7,587 households

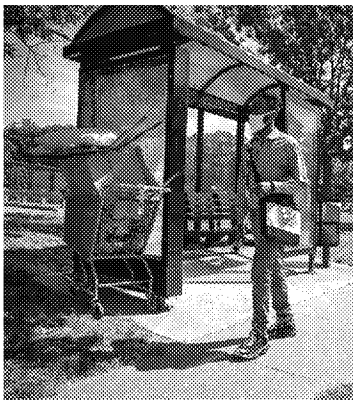
We completed our update leave operation where enumerators update our address list an drop off paper form for areas where households may not receive mail at their physical address or were affected by natural disasters. 6.8 million housing units

Finally, we have finished our group quarters enumeration. These are things like correctional facilities nursing homes military barracks. This is an important one for redistricting as this decade we have a group quarters table in the P.L. 94-171 Redistricting Data files.

Enumeration at Transitory Locations (ETL)

The goal of the ETL operation is to enumerate individuals in occupied units at transitory locations who do not have a Usual Home Elsewhere (UHE). A transitory location is a location that is comprised of living quarters where people are unlikely to live year round, due to the transitory/temporary/impermanent nature of these living quarters. Enumerators will canvass a transitory location in one visit to enumerate all occupied transitory units. Data collection for the ETL operations began on August 31, 2020 and will be completed by September 28, 2020.

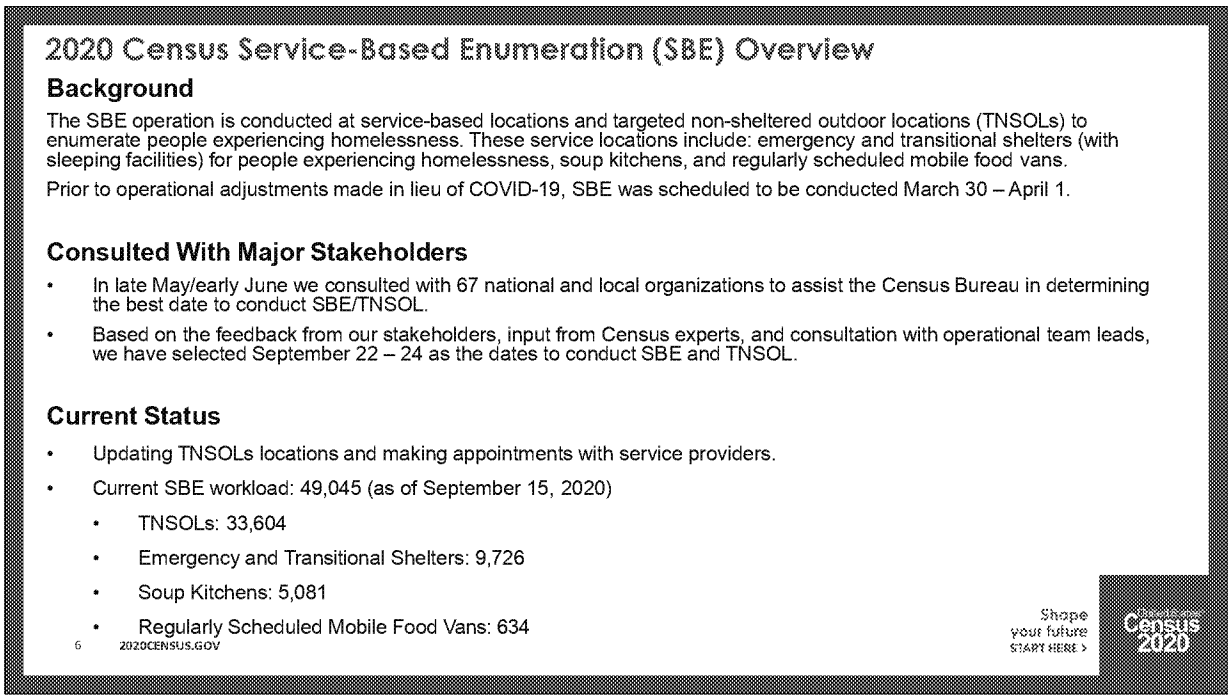
Transitory locations include: Recreational Vehicle Parks, Campgrounds, Racetracks, Circuses, Carnivals, Marinas, and Hotels.



Enumeration at Transitory Locations Progress – As of September 15, 2020

Initial Workload	Cases Added	Total Workload	Completed & Closed Cases	Current Workload	Percent Completed & Closed
61,853	627	62,480	47,947	14,533	76.7%

As I mentioned, we have a couple of operations going on this month. One that started on August 31 is the enumeration at transitory locations. This operation goes through September 28th and covers RV parks, campgrounds, racetracks, marinas, and the like where people may reside temporarily but also may not have a usual home elsewhere. As you can see by the workload listed in the table, this operation is well on its way to successfully completing its work.



Another September operation that occurs next week is the Service Based Enumeration operation. This is how Census captures people experiencing homelessness. This is done by doing a rapid canvassing of locations where services are provided, like shelters and soup kitchens, but also by enumerating locations where people experiencing homelessness are likely to congregate. These dates were selected in consultation with our partner organizations as the best for them to be able to support the operation and where the population profile is similar to that expected in an April timeframe.

Nonresponse Followup Field Operations – Current Status

Workload (as of September 15, 2020):

National Workload: 62,962,757 Cases

Completed Workload: 51,645,019 Cases

- 82.0% Percent Complete
- 77.8% Percent Goal

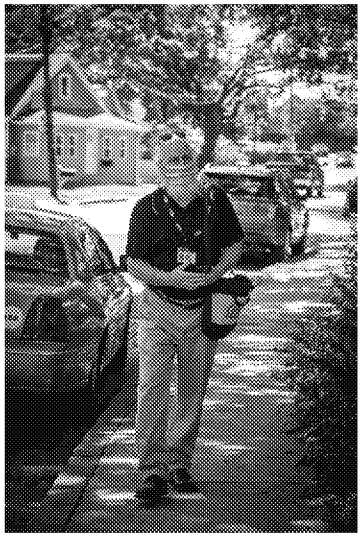
Productivity:

Average Hours worked per Week: 19.3*

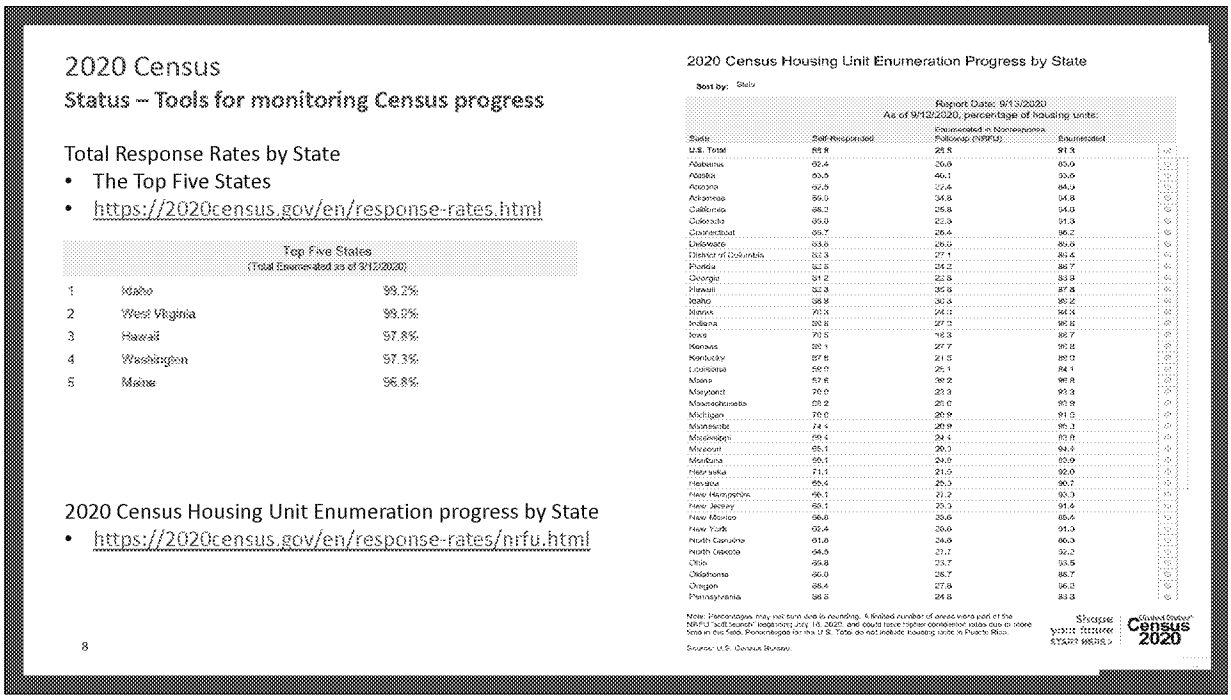
Average Cases Completed per Hour: 2.13

Planned Cases Completed per Hour: 1.55

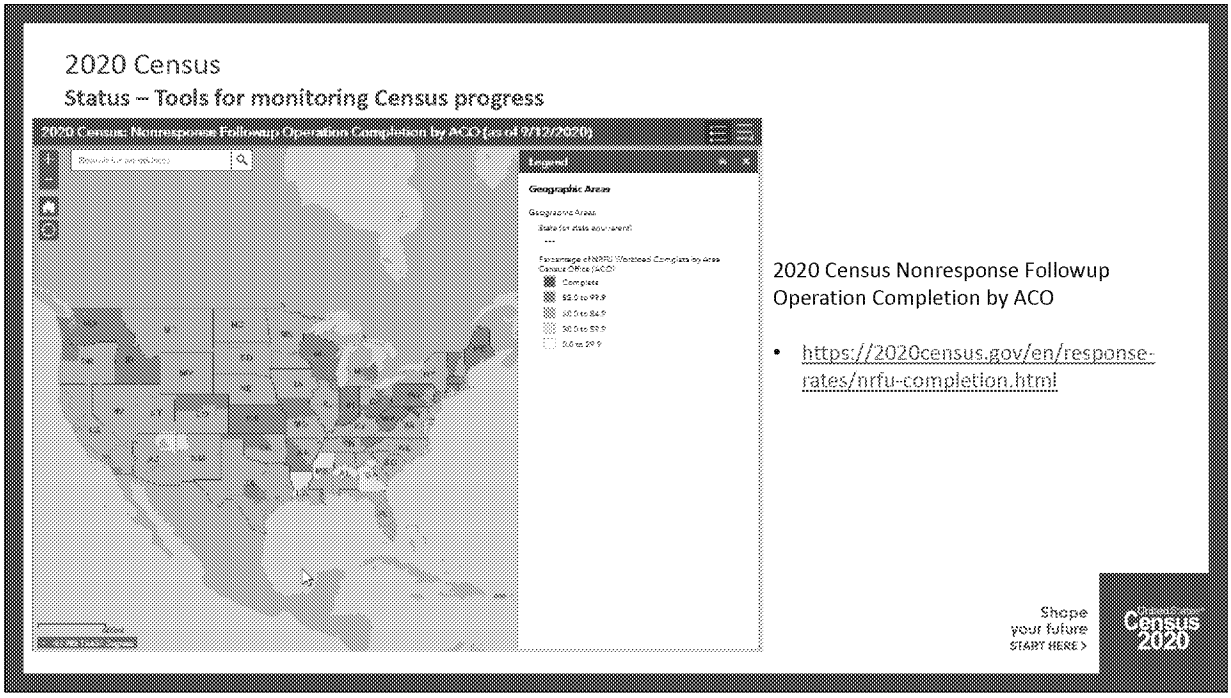
*September 3, 2020 – September 9, 2020



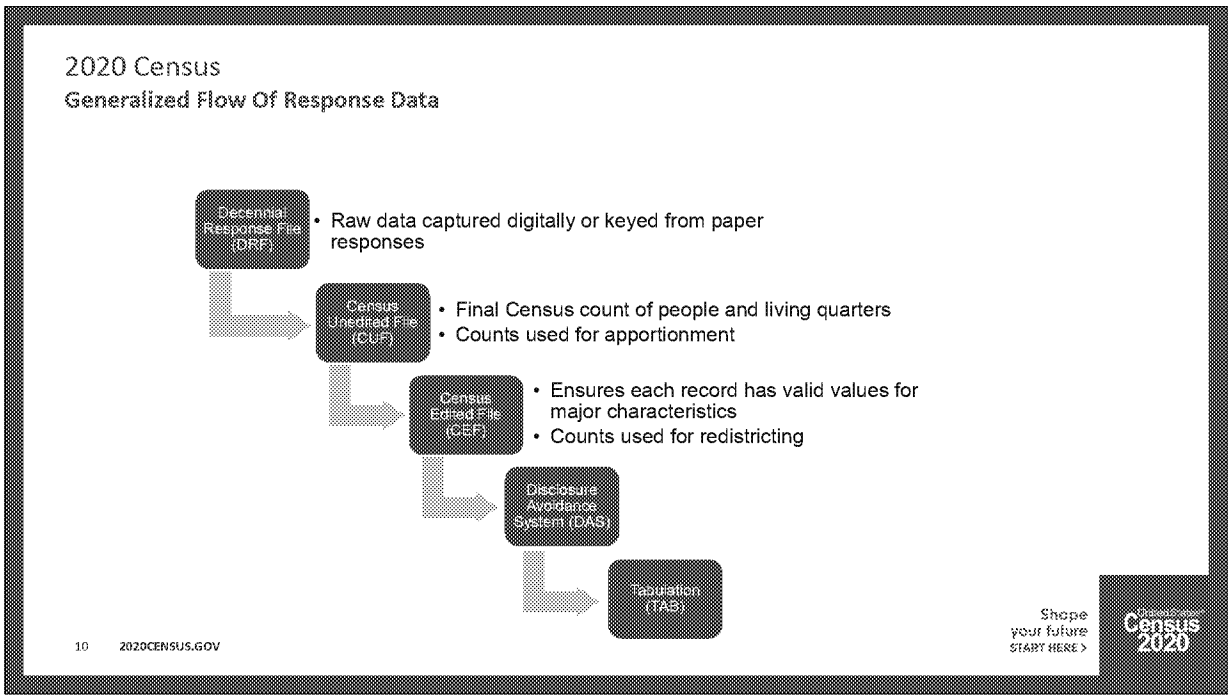
The main operation at this time that has most of the public's attention is our Non-Response Followup operation or NRFU. NRFU is going well. As of Tuesday the 15th we were 82% complete which exceeds our goal for that date of 77.8%. Enumerators are working hard averaging 19.3% hours per week from the week of September 3rd to 9th.



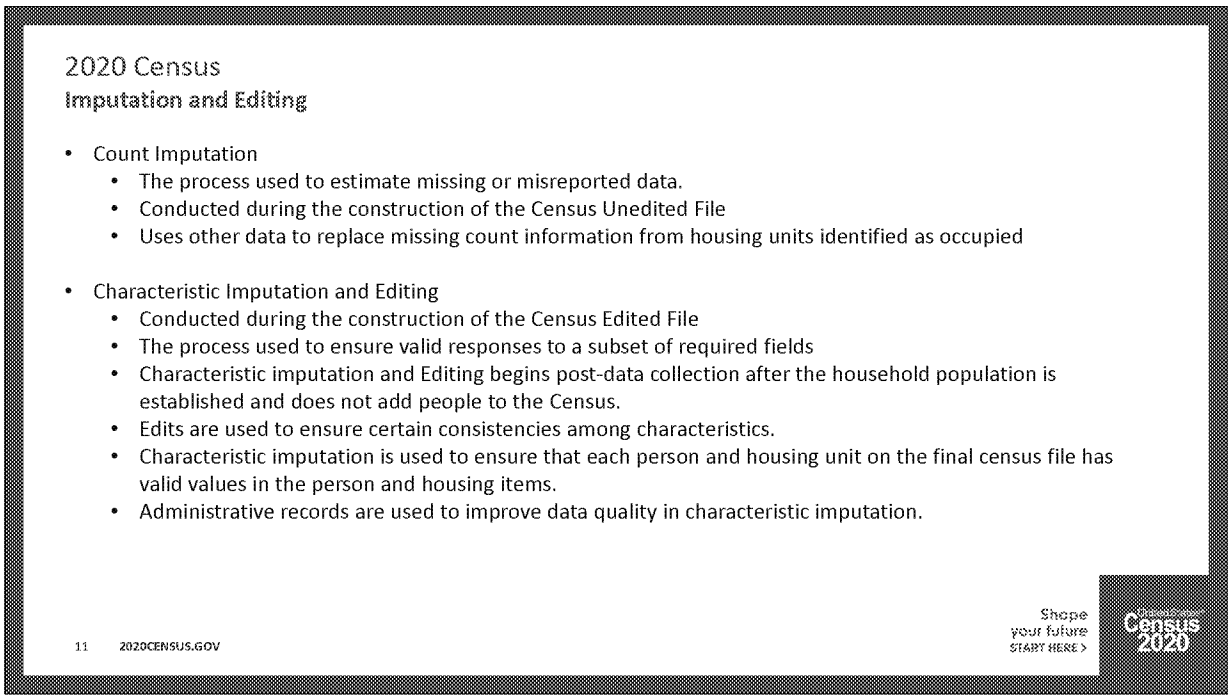
The Census Bureau has put together some tools to help the public track the progress of the NRFU operation.
Our response rate by state page has the self response, the enumerated in NRFU response, and the total enumeration rate for each state, the District of Columbia, and Puerto Rico. The tables on my slide are from the 12th but as of today we have two states that have crossed the 99% mark, Idaho and West Virginia, which is the census stated quality goal for each state. In addition Hawaii is 0.1% away from also hitting this mark.



For those of you who are not aware, the field enumerations are run through our area Census offices (ACOs). We are also providing a map that allows you to look at the NRFU progress by ACO.



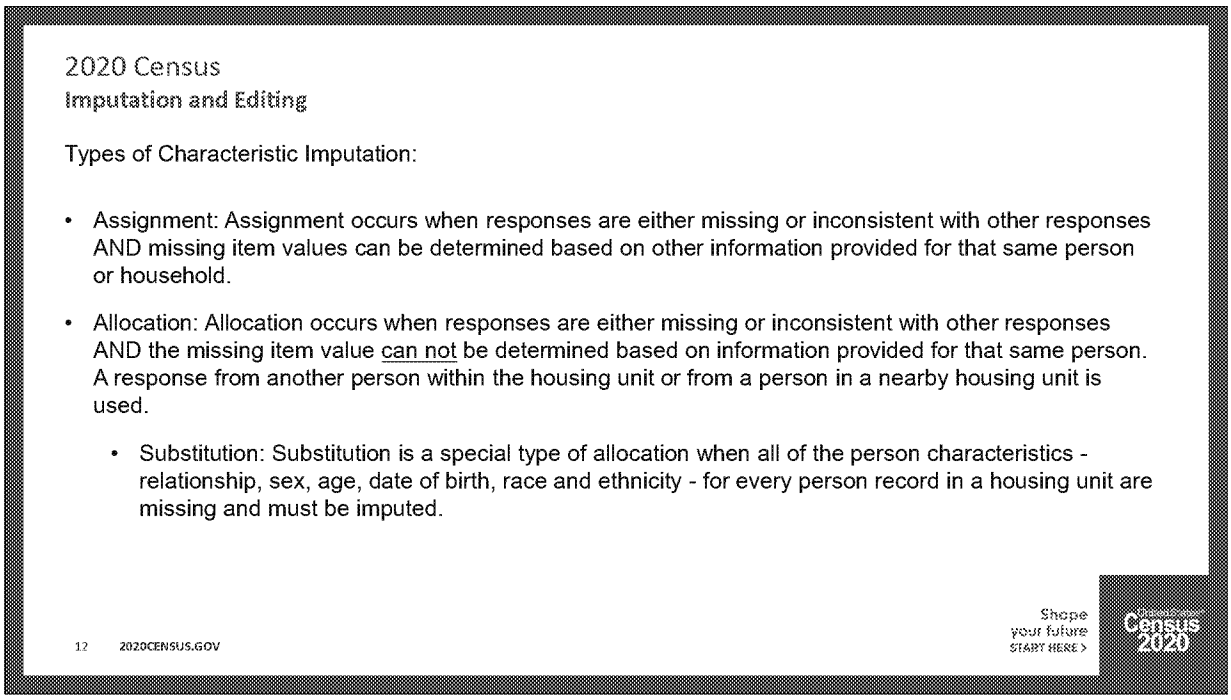
So now I am going to switch gears a little to talk about what happens once we have the data in house. The Census responses go through a series of transformations before they get returned as data to the public. This is an overly simplified description of that typical flow.



When transforming responses into the subsequent formats is when we encounter the activities/concepts of imputation and editing. These show up as essentially two types of actions. We have count imputation and we have characteristic editing and imputation.

Count Imputation is used to replace missing count information from housing units that have been identified and verified as occupied. Count Imputation is conducted during the construction of the Census Unedited File or the CUF. The completed CUF provides us with the first official counts from the decennial Census, the total population counts. These are the counts that are used for apportionment.

Once the CUF is complete, the next stage is to construct the Census Edited File or the CEF. As part of creating the CEF, edits and characteristic imputation are used to ensure that every record has a valid response for the person and housing responses in the Census.
Its important to understand the purpose of edits and characteristic imputation. The purpose is to ensure that every respondent has a valid response. Edits and characteristic imputation do Not add people to the Census. As I mentioned earlier, the total population counts for the Census are finalized with the CUF. The edits ensure consistency among characteristics such as a person being identified as a parent not being younger than a young child. The characteristic imputation ensures that each person and housing item has a valid response such as an occupied housing unit without a tenure status indicated, is it rented or owned. Administrative records will be used to improve the quality of the characteristic imputation.

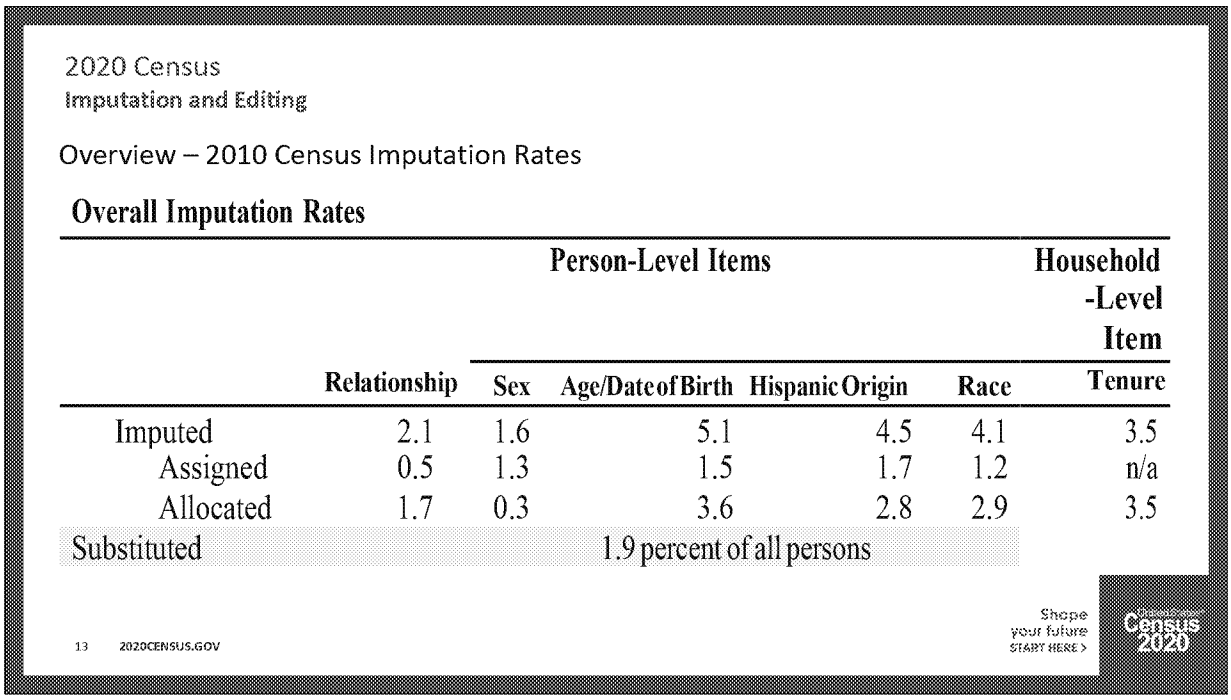


There are different types of characteristic imputation:

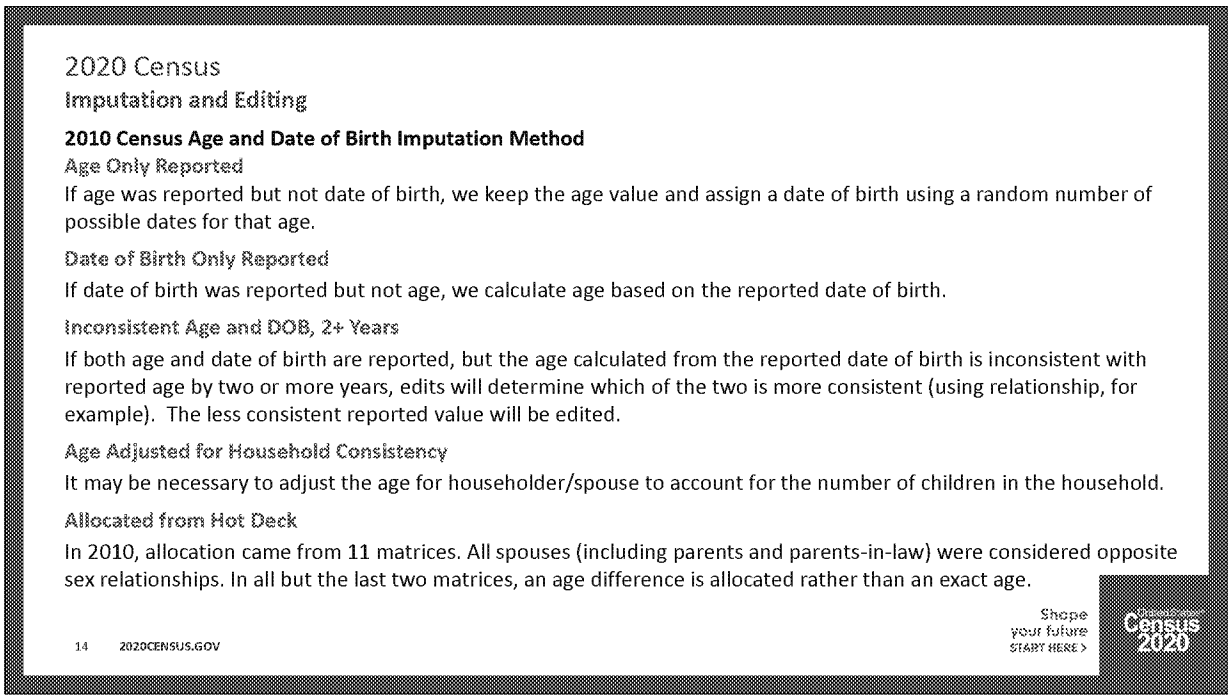
Assignment is when responses are missing or inconsistent with others data supplied for that person or household can be used for that missing or inconsistent response. The simplest of these is when either birthdate or age is missing. The one you do have can be used to calculate that information.

Allocation is when you have the same situation but you can not make a determination for the missing or inconsistent response based on the already supplied person or household data. In these cases a response from another person within the housing unit or a nearby housing unit may be used.

Substitution is a special type of allocation. It is used when we know we have person records but all of the person characteristics for all of the person records in that housing unit must be imputed.



Now that we know the 3 types of characteristic imputation, we can break out the 2010 rates by type and by the characteristic which you can see remain fairly small.



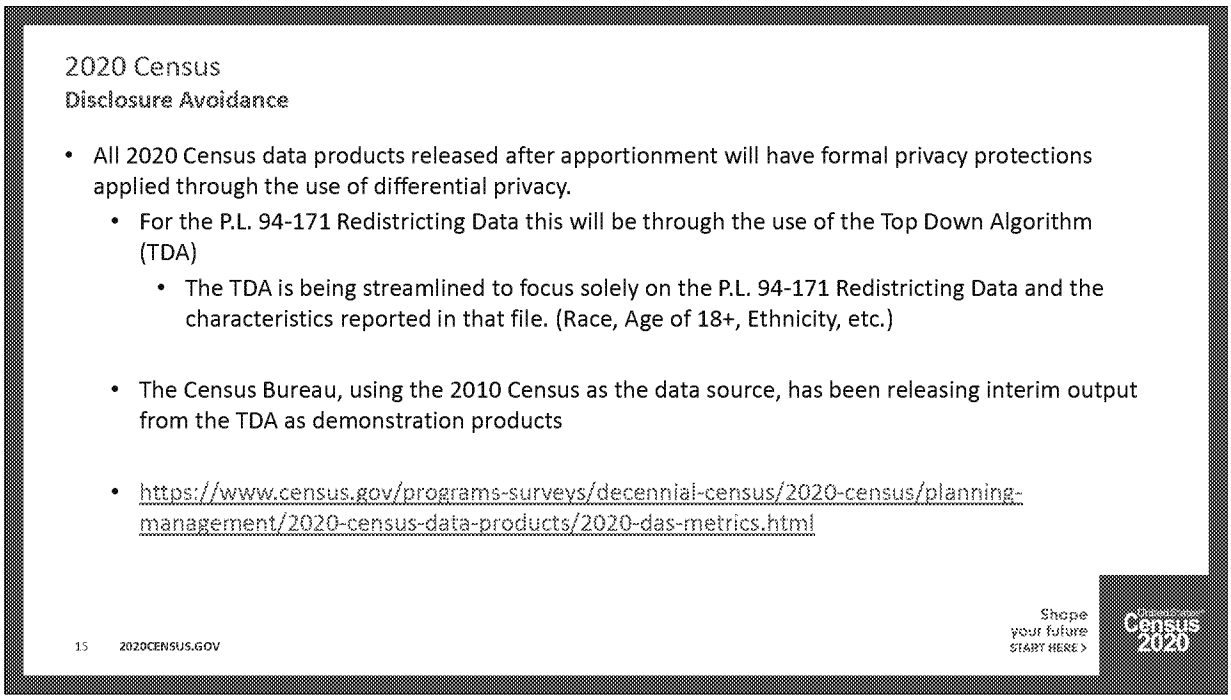
To help conceptualize these edits and characteristic imputation, I have a few examples around age and date of birth. The first scenario I mentioned earlier, one is provided and the other is missing – if age was reported but not the date of birth, we generate a random birthdate for that reported age. If it's the date of birth that was reported we calculate the age.

If both the age and date of birth are reported but they are inconsistent by 2 or more years, then we use edits to determine which is more consistent with other reported data and edit the other.

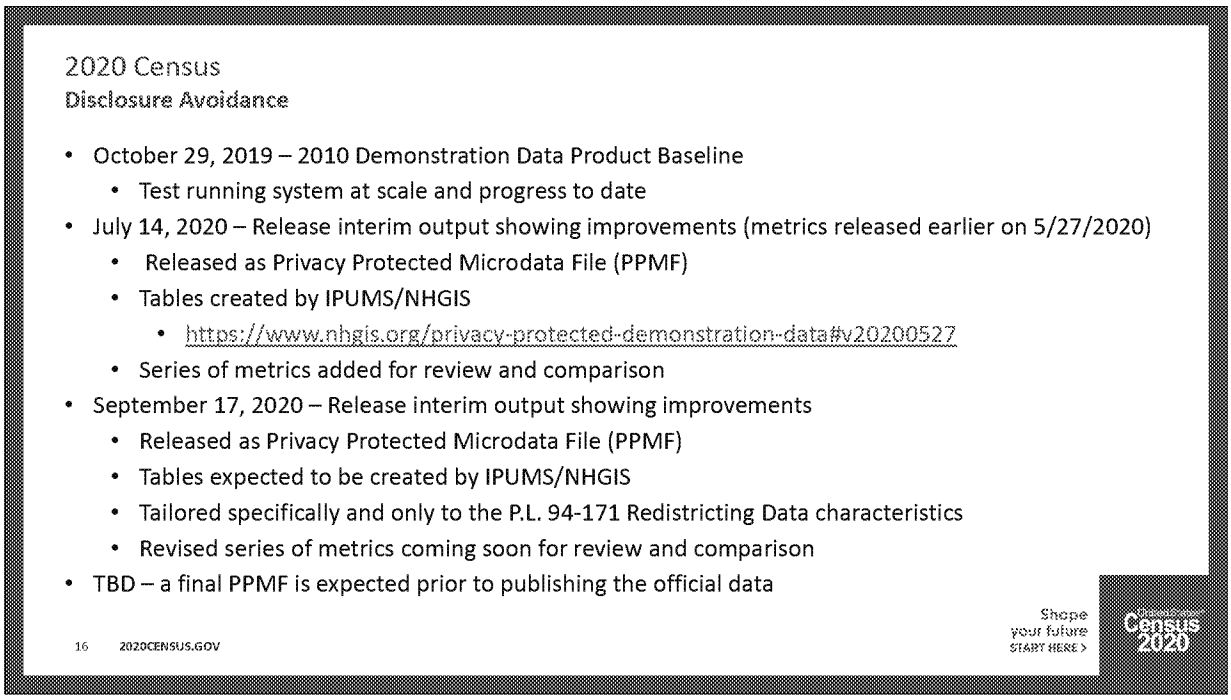
We may need to edit an age for consistency like the child/parent relationship from the previous slide.

Finally – if necessary an allocation from a hot deck can be used. A hot deck assigns a missing value from a record with similar characteristics. The characteristics in the hot deck vary depending on the nature of the unanswered questions.

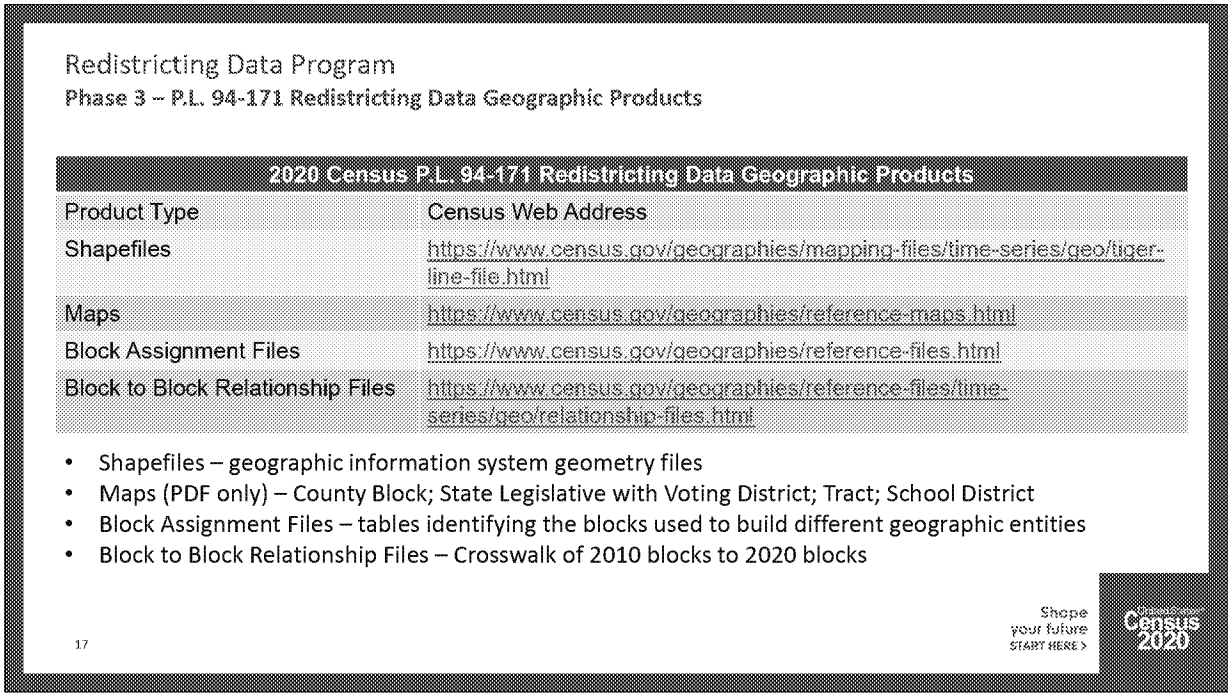
Once all of this review and editing and imputation are completed, and remember, the majority of records need none of this work- this is a small percentage of the overall Census returns, then we have the completed CEF. This is the full census records with characteristics. We can now move to the next stage of the processing, the Disclosure avoidance system.



To answer the question we get most often right off the bat, Yes the P.L. 94-171 Redistricting Data will have disclosure avoidance techniques applied, as has been done for the last several decades. The important difference is that this decade we are moving to something called formal privacy which injects noise into the data to protect respondents while still maintaining the data as fit for use by our data users. There is a lot of information about this on our website and I know the NCSL Redistricting listserv has sent message pointing that out and I believe maintains its own page about the subject. What I am going to point out today is the materials we are producing as our technique is refined for the public to use and evaluate. We have been producing demonstration data products created using the 2010 Census data as its source. This data has been made available publicly periodically so data users can apply their use cases to this data to se how the outcomes would have been affected by this new technique.



We released the initial run as a full demonstration data product back in October of last year. This was to show that we could run this at scale and to demonstrate our progress to date.
We followed this with what we call a PPMF which looks like individual census records but is actually privacy protected records that have been processed through our protection system. Since it is difficult to work with a 300 million + record file, the folks at IPUMS/NHGIS converted this PPMF into tables that data users would recognize and would be easier for them to work with.
We have a newer version coming any day now that will show not only the progress to date but also the change to focus solely on the P.L. 94-171 Redistricting Data file for this version.
We do expect to produce at least one more PPMF prior to the Data Stewardship Executive Policy Committee making its final decision on where to set the Epsilon value which controls the trade off between accuracy and privacy.



Now that we have discussed collection, processing, and disclosure avoidance, I would like to briefly remind folks about the data products. We are still planning to produce the suite of products we identified in the 2018 End-to-End Test prototype products. This includes <see list> . The timing of this delivery is still somewhat in flux due to current events but we are very hopeful that we can get these geographic materials to the states by late February/Early March of 2021.

Redistricting Data Program

Phase 3 – P.L. 94-171 Redistricting Data Tabulation Product

2020 Census P.L. 94-171 Redistricting Data Tabulations
Table P1 – Race
Table P2 – Race for the Population 18 Years and Over
Table P3 – Hispanic or Latino, and not Hispanic or Latino by Race
Table P4 – Hispanic or Latino, and not Hispanic or Latino by Race for the Population 18 and Over
Table H1 – Occupancy Status (Housing)
New Table
Table P5 – Group Quarters Population by Group Quarters Type

- All tables produced at multiple geographies including census block
- Group Quarter types: Correctional Institutions for Adults, Juvenile Facilities, Nursing Facilities/Skilled Nursing, Other Institutional, College/University Student Housing, Military quarters, and other non-institutional
- Group quarters is total population only, no demographic breakdown

Redistricting Data Program

Phase 3 – P.L. 94-171 Redistricting Data Products Delivery Timing

Phase 3 – Prototype Data

Activity	Date
Prototype geographic support products	February 2019 (Complete)
Prototype P.L. 94-171 Redistricting Data	March 2019 (Complete)

Phase 3 – Official Data

Activity	Original Planned Dates	New Planned Date
Geographic support products	Nov. 20, 2020 – Feb. 1, 2021	No later than April 1, 2021*
P.L. 94-171 Redistricting Data	Feb. 18, 2021 – March 31, 2021	No later than April 1, 2021*

* Statutory deadline, planned date still TBD

Redistricting Data Program

Citizen Voting Age Population by Race and Ethnicity (CVAP)

- Annual Tabulation using the American Community Survey 5-year estimates for 2011 through 2020 publications
  - Typically released in the 1st week of February each year
- 2020 Census CVAP Special Tabulation
  - Calculated using administrative records and released by the P.L. 94-171 deadline

Content
Total:
Hispanic or Latino
Not Hispanic or Latino:
White alone
Black or African American alone
American Indian and Alaska Native alone
Asian alone
Native Hawaiian and Other Pacific Islander alone
Some Other Race alone*
Black or African American and White
American Indian and Alaska Native and White
Asian and White
American Indian and Alaska Native and Black or African American
Remainder of Two or More Race Responses

Geography
Nation
State
Congressional District
State Legislative District, Upper Chamber
State Legislative District, Lower Chamber
County
Minor Civil Division (for CT, MA, ME, MI, MN, NH, NJ, NY, PA, RI, VT, and WI)
Tract
Block Group
Block*

***only for the 2020 Census Special Tabulation**

Redistricting Data Program

Citizen Voting Age Population by Race and Ethnicity (CVAP)

- Internal Expert Panel is developing the methodology and is expected to publish their final methodology report by October 31, 2020
- The current status of this project is being presented at the Census Scientific Advisory Committee (CSAC) meeting today, 9/18/2020, at 1:25pm. This meeting is being recorded and will be made available here:
  - CSAC main page: https://www.census.gov/about/cac/sac.html
  - CSAC specific meetings page: https://www.census.gov/about/cac/sac/meetings.html
- There are essentially four different techniques being considered
  - 3 techniques rely on a combination of business rules and modeling
  - 1 technique relies on a latent class model for the full population

Thank You

James Whitehorne
Chief, Census Redistricting & Voting Rights Data Office
Email: rdo@census.gov
Phone: 1-301-763-4039
Web: www.census.gov/rdo

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House Oversight and Reform Committee Holds Hearing on Census Count

Jul. 29, 2020 Revised Final

House Oversight and Reform Committee Holds Hearing on Census Count

LIST OF PANEL MEMBERS AND WITNESSES

MALONEY:
The committee will come to order. Without objection the chair is authorized to declare recess of the committee at any time. I now recognize myself for an opening statement.

Thank you all for being here today. Our Constitution requires that every 10 years we count every person living in the United States of America. We use the discount to allocate more than $1 trillion in federal resources, to draw legislative maps, and to assign electoral college votes to states. It is no exaggeration to say that the census is a cornerstone of our democracy.

Last week, the president issued a memorandum directing the secretary of Commerce to provide him with and inform--with all of the information necessary to exclude undocumented immigrants from the census count for were apportionment purposes. Let me be clear, the president's direction is unconstitutional, it is illegal, and it disregards the precedent set by every other president beginning with President George Washington.

The Constitution requires the census to count quote the whole number of persons in each state end quote. Federal law requires the secretary of Commerce to report quote the total population end quote of each state to the president and it requires the president to transmit this information to Congress.

In the 230-year history of the Census, no president has ever tried to manipulate they census count in this way. In fact, just two years of the Census Bureau reaffirmed its commitment to do the exact opposite of what the president is now trying to do. The Bureau committed to counting every person regardless of partisanship or status under the rules of Congress set in the Census Act of 1790. The president's decision to release this illegal memo now appears designed to inflict maximum damage to the accuracy of the ongoing 2020 census.

In just two weeks, the Census Bureau will start visiting the homes of millions of people who have not yet responded to the census. The President's latest attack on immigrants could sow fear and confusion in communities across the country could lead many people do decide not to participate. This will hurt communities that are already undercounted, underrepresented, and underfunded.

Addressing the chaos caused by the president's memo will drain valuable resources from the Census Bureau which is already struggling to administer the 2020 census in the middle of an unprecedented pandemic, and it will further divide our country at a time when we need unity. Of course, this is not the first time that President Trump has attempted to politicize the census. For more than two years, he tried to add a citizenship question even though the Census Bureau's own studies showed it would depress response rates in many communities.

When this committee investigated Secretary Ross and other administration officials denied they were trying to exclude immigrants from congressional apportionment and instead claimed falsely that the Department of Justice needed citizenship data to enforce the Voting Rights Act.

The Supreme Court saw through their explanation calling it quote contrived end quote and blocking the addition of the citizenship question. And when Secretary Ross and Attorney General Barr refused to turn over documents about the real reason for the citizenship question, the House held them both in contempt.

Now the president is trying again to weaponize the census to hurt immigrants and help Republicans. As a nation we depend on the census to be nonpartisan, fair, and accurate. As I told Director Dillingham the last time he appeared before us, our Constitution requires it, our communities rely on it, and our democracy depends on it. We are here today at this emergency hearing because the Trump administration is threatening this cornerstone of our democracy.

We will hear from four former Census Bureau directors who oversaw the census during the both Republican and Democratic administrations. They will share their views on the president's unprecedented attempt to manipulate the census count and why it is important to count every person in the United States. Then we will hear directly from the current Census Bureau Director Dr. Dillingham. I expect Dr. Dillingham to give us an honest assessment of how the president's memo could impact the accuracy of the census and what the Bureau is doing to address this risk.

I thank all of our witnesses for participating today, and I look forward to your testimony. I now recognize the distinguished Ranking Member, Mr. Comer, for an opening statement.

COMER:
Chairman Maloney, I appreciate you calling this hearing today on the 2020 Census. Let me begin by saying unequivocally, the 2020 Census is counting every resident in the United States regardless of citizenship status. Any assertions to the contrary are scare tactics which have a consequence of reducing participation in the census.

The census is underway now. I want to encourage every American to complete their census form. Starting in August, census enumerators will be fanning out across the country to count not responding households. I encourage everyone to engage with the enumerator if they come to your door, but if you're concerned about an enumerator coming to your door, you can complete your 2020 census online now at mycensus2020 or my2020census.gov.

I truly wish the hearing today or oversight hearing of the 2020 census because COVID-19 has created a lot of operational challenges for the census. Unfortunately, this committee has conducted no oversight of these impacts. Once again, Democrats are focusing their efforts on political issues, not the basic good government oversight this committee is charged with conducting.

Last week, President Trump took a very important step to ensuring the sanctity of our nation's elections and equal representation under the Constitution. The president directed the secretary of Commerce to report an apportionment count for the House of Representatives, which excludes nonlegal residence in the United States including illegal immigrants.

All Americans should care about who is being included in the apportionment count; including illegal immigrants in the count for representation in Congress only dilutes the representation of all Americans who vote in elections and makes a mockery of our basic principle of one person one vote.

The president's action restores the concept of representational government envisioned by the Constitution. In a country so closely divided as the United States, illegal immigrants and noncitizens have a material effect on representation. Representation should matter to everyone; it's a simple question of fairness. Predictably the Democrats liberal interest groups have already filed lawsuits against the president. Like the sound and fury surrounding the citizenship question the legal questions about the president's action are likely to wind up at the Supreme Court.

This hearing today is the Democrats first shot across the bow of Chief Justice Roberts and the other Supreme Court justices. The intimidation of the Supreme Court begins today. I urge us all to focus on the task at hand, the completion of the 2020 census count now underway. With that, I yield back.

MALONEY:
Thank you. Now I would like to introduce our witnesses. Our first panel is composed of former Census Bureau directors. We are grateful to have their expertise. Our first witness today is Mr. Vincent Barabba who served as the census director from 1973 to 1976 and again from '79 to 1981.

Then, we will hear from Kenneth Prewitt who served as the census a director from 1998 to 2001. Next, we will hear and go to Robert M. Groves who served as the census director from 2009 to 2012. And finally, we will go to John H. Thompson who served as the census and director from 2013 to 2017.

The witnesses will be muted so we can swear them in--un-muted so we can swear them in. Witnesses, please raise your right hand. Do you swear or affirm that the testimony you are about to give us the truth, the whole truth, and nothing but the truth, so help you God?

UNKNOWN:
I do

UNKNOWN:
I do

MALONEY:
Let the record show that the witnesses answered in the affirmative. Thank you. Without objection, your written statements will be made part of the record. With that, Mr. Robin--Barabba, you are now recognized for your testimony.

BARABBA:
Thank you. (INAUDIBLE) formulated in 1928 stated that it if men defined situations as real, they are real in our consequences. In essence, (INAUDIBLE) serves as the potential that when incorrect situations are perceived by people as real, they are real in their consequences.

The real problem with the President's current action is that by reproducing his illegal desire of only counting citizens, this is that many approaches he's taken to ensure that he achieves his real objective. That is to make sure less people will be counted in states with large minority populations, which does not support President Trump or the positions he has taken. If this occurs, this those areas will have their representation in Congress and other legislative districts reduced as well and it will receive fewer government approved allocations based on the census count.

However, the incorrect perception of possible direct harm by filling out the form by non-citizens is not correct because it is against the law. Any census bureau employee (INAUDIBLE) to disclose or publish any census or survey information that identifies an individual or business. This is true even for interagency communications.

The FBI and other government entities do not have the legal right to access this information violating the confidentiality of a respondent is a federal crime with serious penalties, including a federal prison sentence of up to five years with a fine of up to $250,000 or both. In fact, when these protections have been challenged, title 13's confidentiality guarantee has been upheld in the courts.

I will now provide an example of how the Census Bureau and other agencies work together to follow title 13. It on August 13, 1980, late in--late that afternoon, four FBI agents arrived at the district office in Colorado Springs armed with a search warrant authorizing them to seize the census documents and include--including completed questionnaires in the course of their investigation of a case involving alleged questionnaire classification and payroll fraud.

I was immediately informed of the situation and contacted the director of the FBI. After a brief flurry of telephone calls to employees in Colorado, we agreed to a mutually satisfactory conclusion that could be reached while the disputed questionnaire remained in the custody of the Census Bureau. Ultimately, the documents were placed in a secure room protected by two locks with one key held by the FBI and the other by a local census official.

Under this arrangement, only sworn census employees were allowed to enter the room but an FBI agent had to be present when the door was opened. While the door was unlocked, an agent was stationed outside the room to monitor the activities of the census personnel. The Census Bureau brought in and experienced census bureau enumerators from outside the Denver area to re-interview the respondents in area for the where the alleged fraud had taken place. They prepare the original questionnaires with those from the re-canvas.

Census Bureau officials prepared a report that described all significant discrepancies uncovered but did not leave reveal any confidential information. Mrs. Chairwoman (INAUDIBLE) I served as Census Bureau director through employment by presidents of both political parties. In 1980, I had the honor of providing secretary of Commerce with the Census Bureau statement showing the population of the states and a number of representatives to which each state is entitled, which he then forward to the president.

I was also proud of the fact that our outreach program to low income and minority populations led to an estimated count of nearly 97 percent of our population. The 1980 census was also a clear demonstration with a nonpartisan manner by which a census should be conducted. The 1980 census was designed and planned during a Republican presidency and successfully implement as designed and planned during the Democratic presidency.

It will be up to Congress and the press to make sure that this information (INAUDIBLE) by the president be addressed forcefully and that is true motivation (INAUDIBLE) that census belongs to the people, not the president. The entire population of persons in the United States should participate willingly in the 2020 census (INAUDIBLE) moment to reaffirm our founders' intent that everyone be counted. Thank you.

MALONEY:
Thank you so much for your testimony and your service. We will now hear from Dr. John Eastman, Professor Henry Salvatori Professor of Law and Community Service Director Center for Constitutional Jurisprudence Dale E Fowler School of Law and Senior fellow Claremont Institute. Dr. Eastman

EASTMAN:
(INAUDIBLE)

MALONEY:
Should we go to another one?

UNKNOWN:
Yeah.

MALONEY:
We seem to have some technical problems. We're going to go to the next speaker after Dr. Eastman and come back to him because there seems to be a problem with connecting with him. Thank you. We will now turn to Dr. Prewitt. Mr. Prewitt, you are now recognized.

PREWITT:
Thank you very much, Madam Chairwoman. We know that this--this discussion will include concern about the--in putting the noncitizen, and or the illegals into the apportionment count. I just have to say three things about that.

First, we've never done it. The census has never done it. Second, they can't do it by asking questions. You're not going to knock on the door and say are you are you not. And third, the administrative records are inadequate to do it. So even if it was a good idea, we don't know--we don't yet know that we can do it, that the Census Bureau can do it.

And with that as my starting point, I want to go on and say some things about the larger census as a--as that ranking member invited us to do. We--we all know that we were about 62 percent with respect to nonresponse with respect to self-reporting, but that leaves, you know, more than a third of the population uncounted.

And I have to really stress this point. Nonresponsive follow-up, hard to count, very difficult since his territory as we all know. And we are not in control. The we is the Census Bureau, the we is the Congress, the we is the White House. COVID is in control of whether we will be

able to that as a Census Bureau, will be able to do this account successfully before the end of the year, which they are now on that--on that schedule.

And we know about 15 percent of the American population has already told us in polls that they do not intend to cooperate with the census. And so I'd like to make two, three quick points. How do I define a successful census? The bureau will know as no other unit of government can if the numbers will accurately reapportioned and fairly distribute federal funds for a decade.

It knows that the census account is the denominator of every vital statistics we rely on whether the number--whether it's the number of consumer products, whether it's differential rate of infection across the population subgroups on the pandemic, and so forth. Every number that we use for 10 years is anchored to the quality of the census.

Secondly, the bureau knows that these statistical facts can easily damage and the flawed numbers that will be produced will--will--that we'll inflict on society will create serious damage to the society. And it's not--it's not pretty; 10 years of homeless veterans because we mis-locate their--mis-locate their--sorry--mis-locate their hospitals, 10 years of tropical storm disaster relief that is too little too late because traffic congestion is underestimated.

Ten years of poor planning by local school districts because they have flawed estimates of how many one--first graders are going to show up, 10 years of missed Chamber of Commerce--misled Chamber of Commerce because predictions of population growth and characteristics are off base. We know that will be the consequences of a--of a census that does not count as best it can. Quite in--quite separate from who's in the apportionment count, we have to start with a good census.

The third thing I would say about this is the bureau will not want to inflict the damage that flawed numbers will produce. The Census Bureau is too honorable, too scientific, too proud of its professional standards, too faithful to its constitutional duties. The bureau will struggle with the enormous burden of whether to release substandard results. I urge the Congress to share the burden.

I would ask Congress to please appoint, using the National Academy of Sciences or some other apolitical trusted institution of its choosing, to produce predetermined quality metrics that can assess of the final 2020 numbers reasonably match what the bureau knows that they should be. And the bureau has very good estimates from ACS, from demographic analysis, very good estimates of how many people across the state all the way down to the census tract levels.

And so, if we can have this special group of experts to sort of create the metrics by which we will judge if we have an adequate census to do what it's supposed to do and, if not, what steps should the country take.

MALONEY:
Thank you. We're going to return to Dr. Eastman if we have solved the difficulties of reaching him. Dr. Eastman?

EASTMAN:
Let's try--let's try this again. Can you hear me now?

MALONEY:
Yes, we can.

EASTMAN:
Very good. Thank you. Chairman Maloney, Ranking Member Comer, and other members of the committee, thank you for inviting me to participate in this important hearing.

I actually think President Trump's directive is not only good policy, but perfectly constitutional. And I want to address real quickly something Mr. Prewitt said. I think there's a confusion here between the two purposes that we use the census for. One is for apportionment set out by Article 1, Section 2 of the Constitution. The other, exercising Congress' spending power or its commerce power, is to do a whole myriad of other things like allocate federal resources, determine where we're going to need schools and VA hospitals and what have you.

Presidents Trump's order addresses the apportionment part of that. It doesn't have anything to do with the broader purpose of the total count on the census. And I think the political theory underlying the reason we have an apportionment clause is extremely important, so let me begin with that.

We--we--we get our political theory from the Declaration of Independence. It sets out universal principles, all men are created equal, that we are endowed by our Creator with certain unalienable rights, but we apply those universal principles in a particular context. The Declaration starts off by talking about one people separating themselves from another. The theory of representative government is that it is based on the consent of the people to be governed, not on the consent of people elsewhere, but on the consent of the particular people that are setting up a government.

Now, those--those principles, the consent of the governed, the representative government theory, find their selves into the text of the Constitution. Right from the very beginning, it's as we the people of the United States. It doesn't say we the people of the world or we the

people of any foreign nationals who happen to be present when we take a census. It's we the people of the United States. That language is mimicked then in the apportionment clause.

Article 1, Section 2, Clause 1 says representatives are chosen by the people, that same people referring back to the people of the United States, now the people in there several states. And then in Clause 3, it says the people again, and they are chose--choose their representatives based on the total number of persons. That refers back to their representatives. That refers back to the people in the several states.

And proof of this is the clause excluding Indians not taxed. That was a clause. It was designed to recognize and to exempt from the census count those people who work in the states but not part of our body politic, who were not citizens. As the Supreme Court held in--in Elk versus Wick--Wilkins, Indians not taxed are excluded from the census for--because for the reason that they are not citizens.

In other words, the whole political theory of the Declaration codified into the Constitution is that we are counting people for purposes of apportionment in order to reflect accurately representative strength and divide equally and fairly the representation among the several states based on their numbers of people who are citizens, who are part of the body politic.

I'll give you an example. If the census in--if the 1984 Olympics was held in 1980 and it happened to coincide with Census Day, we wouldn't have added two or three congressional seats to California because there were a couple million people visiting Los Angeles for the Olympics. And this has always been our history. Diplomats, visitors are never been counted because they're not part of the body politic. They don't adhere to the necessity of--of--of representate--the theory of representative government.

The Supreme Court has upheld this as well. It's a recognized in Reynolds versus Sims, for example, which was the equal protection, one person, one vote case, that it's the equal number of citizens. They refer repeatedly this--the language of citizens rather than total population. Now, for most of our history, there wasn't much difference. The--the disparity between citizens and noncitizens was roughly similar one district to another, so we didn't have to get into this question.

But we now live in a circumstance where there are vast differences state-by-state between the number of citizens compared to the total population. And to continue to count total population for apportionment purposes is to give an un--an undue weight to people--to states that have large numbers of noncitizens living within their borders. That's not consistent with the--with the principles of representative government. It's unfair to those states that--they continue to have only citizens. And it's particularly unfair when the number of noncitizens includes large numbers of people who are not here legally at all. It creates a perverse incentive to encourage illegal immigration to undermine the weight of the votes of citizens elsewhere in the country.

Thank you, Madam Chairman. I look forward to your questions.

MALONEY:
Thank you. I--I--I now is--next is Mr. Groves. And I understand that--that you have a hard stop at 11:00. You will be excused with our thanks and you may have questions for the record. Mr. Groves, you are now recognized.

GROVES:
Thank you, Chairwoman Maloney and--and Ranking Member Comer. Since 1790, each U.S. decennial census has sought to enumerate all residents in the country. Some of the first words in the U.S. Constitution seem to illuminate the intent of the founding fathers on the score.

Before the decennial mandate is laid out in Article 1, Section 2, the prior section, Section 1, notes the qualifications of membership in the House of Representatives by "No person shall be a representative who shall not have attained it to the age of 25 years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen." So, I note the explicit designation of the word citizenship for qualifications of members of the House.

In the very next section, Section 2, outlining the decennial census, the word citizen is not used either in referring to the senses or to the apportionment of the House of Representatives. Instead, the phrase whole persons is used. This goal, a complete enumeration of all persons, residents, and the country, has been the basis of all Census sense that conducted by Thomas Jefferson in 1790.

It has been the basis of reapportionment decade after decade; indeed, a decennial census is the only event we have in this country in which all persons participate. I am not a lawyer and thus will not comment on the legal basis of the recent memorandum. I will instead comments on the critical needs of the Census Bureau going forward with an eye towards quality assurance and transparency. I have four points.

One, the Census Bureau technical staff must be free to complete the 2020 census at the maximum level of quality possible within the unprecedented constraints of the pandemic. As you know, the technical staff at the Census Bureau has requested in the delivery of various products. This request flows from the delay in the conduct of various stages of data collection. This delay, no doubt, has saved lives of enumerators whose public service will make these efforts successful. I applaud the technical staff of the Census Bureau, making this decision. The decision, however, forces a delay of the delivery of 2020 products. I support this delay and urge Congress to authorize it.

Number two, all of us need to convey the message again very clearly that the 2020 census must enumerate all persons resident in the U.S. regardless of the outcome of the administration's memorandum. The decennial census has the goal of enumerating all persons in the United States. We must double down on this message in the coming days.

Number three, the Census Bureau should release all quality indicators of the measurement of citizens required on the July 11, 2019, executive order. Rarely in the conduct of censuses throughout the world is the responsible agency asked to produce official estimates critical to the society without prior testing.

The attempt to assemble from administrative record systems and other sources counts of citizens in small geographical areas is unprecedented in the history of the Bureau. With unprecedented efforts comes the obligation to inform the country of the strengths and weaknesses of the product. I urge Congress to assurance that the valuations of the accuracy of such statistics be presented along with the estimates themselves.

Number four, the credibility of the 2020 census can be achieved only by wide dissemination of quality indicators (INAUDIBLE). I urge the Census Bureau given the unique nature of this data collection to publish intermediate indicators of quality of the 2020 census. These would include process indicators, comparisons with population estimates from demographic analysis and comparable tabular form, and initial field data from the post enumeration survey, for example, match rates of households. Credibility requires transparency. The sooner the country can see multiple indicators of the 2020 census quality, the sooner the use case for the census can be made.

In conclusion, I am pleased to submit this written testimony and look forward to testifying before the committee.

MALONEY:
Thank you. We will now conclude this panel with Mr. Thompson. Mr. Thompson, you are now recognized.

THOMPSON:
Good morning, Chairwoman Maloney, Ranking Member Comer, and members of the committee. Thank you for this opportunity to testify before your committee regarding the July 21, 2020 memorandum for the Secretary of commerce on excluding illegal aliens from the apportionment base following the 2020 census.

I am extremely concerned that this action will adversely affect the quality and accuracy of the 2020 census. The remainder of my testimony will focus on five areas that I believe are critical for your committee and the leadership at the Department of Commerce and the Census

Bureau to consider.

First, effects of the directive on the 2020 census response for the hard to count populations. I believe that the memorandum has a high potential to reduce the likelihood of census participation in hard to count populations, including non-citizens and immigrants. A significant component of the Census Bureau plan to get a complete count of these populations is getting out a message that the 2020 census is important to local communities and that respondent information is kept completely private and not shared with any outside entity, including law and immigration enforcement.

I am very concerned that the release of this memorandum will increase the fears of many in the hard to count community that their data will not be safe. The end result will most likely be increased nonparticipation and increased undercounts of these populations.

Two, effects of not accepting the Census Bureau recommendation to extend the 2020 census deadlines. The Census Bureau, through the Department of Commerce, has requested that Congress extend the deadlines for providing apportionment counts and redistricting data by four months. It is critical that these deadlines be extended.

The effective conduct of the operation to enumerate those households that do not sell respond, non-response follow-up, or NRFU is necessary to achieve a fair and accurate enumeration for all populations. I am concerned that not extending the deadlines will force the Census Bureau to make adjustments to the NRFU.

These adjustments will most likely include reducing the number of NRFU visits and increasing the use of statistical methods to impute responses into a much greater percentage of housing units than in previous censuses. The consequence of actions such as this would tend to underrepresent the hard to count populations and over represent other populations.

Three, the risk of introducing serious errors into the 2020 census apportionment counts before the quality and accuracy of the 2020 census is understood. For the 2020 census, little is known at this point regarding quality, accuracy, and, most importantly, the number of undocumented persons that will actually be enumerated. I am very concerned that a much lower number of undocumented persons will be counted in the 2020 census relative to previous censuses due to increased fear that their information will not be secure.

At the same time, a significant portion of legal residence could be overcounted. It will take very careful analysis to understand the properties of the 2020 census and to determine how many if any undocumented persons are included in the enumeration. This analysis will not be available when the apportionment counts are released; therefore, using the existing estimates of the undocumented population to reduce the 2020 census numbers would have unknown and possibly serious adverse effects on the accuracy of the resulting apportionment.

Four, there must be transparency in how the estimates of the undocumented population are constructed. The 2020 census is a foundation of our democracy, and there must be assurances that any actions that would affect the census are based on objective methodologies, a long-held principle of the Census Bureau is openness and transparency.

Five, the importance of not leaving, giving the appearance of political interference with the conduct and tabulation of the 2020 census. Perceptions that the results of the 2020 census have been manipulated for political purposes will greatly erode public and stakeholder confidence not only in the 2020 census but in our democracy.

When I was directing the 2000 census as a career executive under the leadership of Census Bureau Director Dr. Kenneth Prewitt, we went to great lengths to ensure all stakeholders that data-driven decisions were being made and that there was no consideration of politics in the conduct of the census. I would strongly urge the current Census Bureau and Department of Commerce senior officials to follow these principles for the 2020 census.

In conclusion, thank you for this opportunity, and I look forward to answering any questions that you may have.

MALONEY:
The chair now recognizes herself for five minutes for questions. I would like first to thank all of you for joining us today. It is powerful to hear from for former census directors who have been appointed by presidents of both parties. Collectively you have served Richard Nixon, Gerald Ford, Jimmy Carter, Bill Clinton, George W. Bush, Barack Obama, and Donald Trump.

On July 21, the president issued a memo directing the secretary of Commerce to provide him with the information necessary to exclude undocumented immigrants from the census count for apportionment purposes. Many people have opined already--

MALONEY:
--that the president's memorandum is unlawful and unconstitutional. I have studied it closely and believe it violates the clear language of the Constitution and existing federal laws. But I wanted to ask each of you the same question for a yes or no answer.

In your opinion and based on your knowledge and experience, does the president's 20--July 21 memo seeking to exclude undocumented immigrants from the apportionment base appear to violate existing federal law and historically enduring views of the Constitution, yes or no? Mr. Barabba.

BARABBA:
Yes.

MALONEY:
Dr. Eastman.

EASTMAN:
No.

MALONEY:
Dr. Prewitt.

PREWITT:
Yes.

MALONEY:
Mr. Groves.

GROVES:
Yes.

MALONEY:
Mr. Thompson

THOMPSON:
Yes.

MALONEY:
Second question, based on your knowledge and experience, does the Constitution require the census to count every person living in the United States at the time of the census, including undocumented immigrants, Mr. Barabba, yes or no?

BARABBA:
Yes.

MALONEY:

Dr. Eastman.

EASTMAN:
No.

MALONEY:
Dr. Prewitt.

PREWITT:
Yes.

MALONEY:
Mr. Groves.

GROVES:
Yes.

MALONEY:
Mr. Thompson

THOMPSON:
Yes.

MALONEY:
Third question. Based on your knowledge and experience, do you agree that that federal law requires the president to send Congress an apportionment count based on the census account of the total population of the U.S., including undocumented immigrants, Mr. Barabba? Yes or no?

BARABBA:
Yes. Yes.

MALONEY:
Dr. Eastman. Dr. Eastman.

EASTMAN:
No. No.

MALONEY:
Dr. Prewitt.

PREWITT:
Yes.

MALONEY:
Mr. Groves.

GROVES:
Yes.

MALONEY:
Mr. Thompson

THOMPSON:
Yes.

MALONEY:
And lastly, and is it correct that all previous censuses and apportionment counts in the history of the United States have included both citizens and noncitizen, including undocumented immigrants, Mr. Barabba, yes or no?

BARABBA:
Yes.

MALONEY:
Dr. Eastman, yes or no?

EASTMAN:

No.

MALONEY:
Mr. Prewitt.

PREWITT:
Yes.

MALONEY:
Mr. Groves.

GROVES:
Yes.

MALONEY:
Mr. Thompson

THOMPSON:
Yes.

MALONEY:
Thank you. I--I think that all of these answers speak for themselves. The president may not pick and choose who is included in the census account or the apportionment base. The Constitution, federal law, and the historic practice of the Census Bureau dating back more than two centuries as required the census account and the apportionment base to include every person in the United States, regardless of their immigration status. I now yield to the distinguished ranking member for five minutes for questions.

COMER:
Dr. Eastman, thank you for testifying today. And let me be crystal clear. I strongly support the president's order. I want to start with a few basic questions. What is the constitutional and legal justification for the president's apportionment decision, briefly?

EASTMAN:

Well, the Constitution says count all persons in several states. That refers to the people of the several states. That refers to the people of the United States. As the Indians not tax exclusion clause makes clear, it was designed to cover citizens. Those are the people that we were choosing representatives to represent. It doesn't include people who are here visiting and certainly not people who are here visiting unlawfully.

COMER:
Right. So why is it using total population not a good metric for an apportionment account?

EASTMAN:
Well, for many of our nations--much of our nation's history, total population was roughly approximate district by district to citizen population. That is no longer the case and the political theory and that tax and the reference to the people that is contained in the Constitution suggests that we now take account of the fact that we have great disparities district to district for apportionment purposes on the number of citizens versus the total population.

COMER:
Will you briefly explain the principle of one person, one vote?

EASTMAN:
Well, the idea of one person one vote set out by the Supreme Court in Reynolds vs. Sims is tied to the idea of representative government that we should each have an equal vote in whom I will represent--who were going to choose as our representative.

We're not talking about other people in the world having a say in who we choose as our representatives. It's one person, and that means one citizen, one vote because those are the people that are choosing who's going to represent them in this particular place in this particular government. It's not a--it's not about government, it's a government of the people of the United States.

COMER:
So for the issue at hand, can you explain how counting illegal immigrants for purposes of apportionment dilutes the political power of citizens and illegal immigrants in states with fewer illegal immigrants?

EASTMAN:

Take--take two states like California 2.5 million estimate illegal immigrants. That's roughly three or four additional congressional seats beyond what the citizen population will allow. And you are diluting the votes of citizens in other places that have not encouraged such illegal immigration into their states.

If our--if our representative government is going to be based on citizens, then--then diluting the vote of citizens to overweight the apportionment in the number of seats, and it's not just seats in Congress, it seats--it's votes in the electoral College for president as well, and this is nonpartisan. California and Florida and Texas would also lose seats if the president's order is upheld. That's, you know, some on the Democrat side, some on the Republican side.

This goes more to the basic notion of a prisoner of government and who it is our--our elected representatives are supposed to be representing. And it's citizens here. It's not people from elsewhere in the world.

COMER:
So doesn't counting illegal immigrants for purposes of the apportionment base distorted the principle of one person one vote?

EASTMAN:
It most certainly does, and it dilutes the votes of legitimate citizen voters in states that have low numbers of illegal immigrants or other foreign nationals present within their borders.

COMER:
All right, my last question. How does the president's memorandum on apportionment restore representation and apportionment in the House of Representatives?

EASTMAN:
Well, it did gets back into the apportionment base that I think our Constitution envisioned certainly the theory of our Declaration of Independence envisioned. And that is that one people there choosing our representatives, but we're going to apportion that people according to state and allot of the number of congressional states based on that, not however many people we can cram into the state leading into the census to roster up our numbers. It's citizens who are choosing representatives. Citizens those representatives are representing and therefore, the apportionment ought to be tied to citizenship.

COMER:

Well Dr. Eastman, you've done an excellent job explaining this issue, but I think an overwhelming majority of Americans support. I appreciate your testimony and forward to further questions. Madam Chair. I yielded balance of my time.

MALONEY:
Thank you. The chair now recognizes Representative Norton.

NORTON:
Thank you, Madam chair. And this is an important hearing and I appreciate this hearing. I'd like to approach this--my question from a constitutional basis as I practiced constitutional law before I was elected to Congress.

The Trump administration's attempt to exclude undocumented immigrants from the citizen count appears to me to be plainly unconstitutional. The language of the Constitution is pretty clear. Article 1 Section 2 says the apportionment of representative shall be based on "The actual enumeration of," and here--here are the words, "The whole number of persons." Persons, and I'm underlining that.

The 14th Amendment says representatives shall be apportioned, again, including, "Among the several states according to their respective numbers counting the number," here again is that word, "Of persons in each state." Persons. I don't see citizens and I don't see any other word such as voters.

So I really don't need to taught constitutional law the way I did. You don't need a low degree of any kind or dictionary to go through the exercise I have just gone through. All numbers persons in each state, every single person. Since most of you have been directors of that census bureau, for the record, I would like your answers to the following. Does--in your understanding, does the term whole number of persons in each state include undocumented immigrants living in the United States, Mr. Barabba?

BARABBA:
Yes.

NORTON:
Mr. Pruitt?

PREWITT:
Yes.

NORTON:
Mr. Groves.

GROVES:
Yes.

NORTON:
Mr. Thompson.

THOMPSON:
Yes.

NORTON:
I'd like to ask each of you based on your experience, your actual experience, a related question. During your tenure as director of the Census Bureau, did you have any doubt that the Constitution requires a census count to include undocumented immigrants living in the United States? Mr. Barabba?

BARABBA:
No, I did not have any doubts.

NORTON:
Mr. Prewitt?

PREWITT:
No.

NORTON:
Mr. Groves?

GROVES:
No doubts.

NORTON:
Mr. Thompson?

THOMPSON:
No doubts.

NORTON:
Let me direct you--if--if the Trump administration had any doubts, they might go to the census's own website. Here is a question from that website--bureau's website entitled "Fighting 2020 Census Rumors, setting the record straight." Question, are noncitizens counted in the census? Answer, yes, everyone counts.

The 2020 census count everyone living in the country, including noncitizens. I put this on the record because I've--anything this hearing--conclusions we come to should be based on just such documented evidence.

The administration might also have looked at the letter sent to Congress from the Justice Department in 1989 when George H.W. Bush was president and Attorney General Bill Barr was the head of the department's Office of Legal Counsel. That letter affirms the department's--the Justice Department's conclusion that both the enumeration clause and the 14th Amendment quote require the--and here I am quoting them, "the inhabitants of states who are illegal actions--aliens to be included in the census."

Mr. Thompson, as the most recent census director on this panel, could you briefly explain why you believe it is important that the census include everyone, every living person in the United States, not just citizens or voters?

THOMPSON:
Certainly. So, the Census Bureau is charged with a very difficult task, and that is counting everyone in the United States. The Census Bureau has no enforcement powers whatsoever. They're a statistical agency, so they wouldn't even have the ability to try to ascertain someone's legal status or not legal status. Now, I might add that if they tried to do that, then they would--they would produce counts that--that were seriously flawed.

NORTON:
Thank you very much. Thank you, Madam Chair--Chair. I yield back.

MALONEY:

The chair now recognize Representative Gosar.

GOSAR:
Thank you very much, Madam Chairman. Dr. Eastman, in your testimony and opinion piece you wrote in June of last year, you--you connected the citizenship question to the fundamental notion ingrained in our system of government, the consent of the governed. Representation is based on such consent, and this notion was confirmed in the 14th Amendment, which excluded Indians not taxed, because they were not part of the political body.

You conclude then that citizenship is at the core representation. However, in today's discussion, we are again addressing the question of whether we can allocate representation based on the known presence of millions of individuals who are not citizens. A question to you; do you feel that President Trump's memorandum calling for an apportion--apportionment count that tallies only the number of citizens and legal residents in a state is in line with the core founding tradition of the 14th Amendment?

EASTMAN:
I--I do. Not only is it in line with it, I think it's compelled to by it. The notion of consent of the governed requires that we--that we apportion our representatives based on who's going to be governed, not on people who are here illegally or people who are temporarily visiting, or Indians not taxed. I think the Supreme Court's decision in Elk versus Wilkins is very clear.

The reason that clause is there is--Indians not taxed(PH) are excluded from the count is because they are not citizens. Well, the Indians not taxed right now are illegal immigrants or foreign nationals who are visiting this country but who are not part of our body politic. The same principle applies.

GOSAR:
And that has a lot to do with application of our laws to the governed, as well as trying to make sure that--that we are the holding to--to the--to the country, would it not?

EASTMAN:
It--it--it does. Look, the--the very notion of consent of the governed is that a particular people decide on the kind of government they're going to have and who the representatives in that government are going to be to govern them in order to best secure the inalienable rights that they have from nature and nature's God. It's not designed to give other people a voice.

I mean, why have we spent the last three years concern about Russia's interference in our election if we think anybody from the world over ought to have a say in the choosing and the allotment of our representatives? The fact of the matter is it's the body politic, the particular people that choose our representatives to govern ourselves and to apply laws to other people while they are visiting here. But they're not the governing body. They're not the political regime.

GOSAR:
Dr. Eastman, you actually heard the discussion from the gentlewoman from the District of Columbia. You know, she says that the--specifically that citizens are--are not enumerated. Can you address that?

EASTMAN:
Sure. So, it says the--counting the number of--whole number of persons, but it--but it says their representatives. And the--the their refers back to the people in the states, in the several states. The people refers back to the very opening language of the Constitution, we the people of the United States allotted according to the people in the states. And it's those persons that we're going to count.

We have never in our history counted every single individual who happens to be within the state at the time of the census. We've not counted visitors. We've not counted Indians not taxed. We've not counted diplomats. The principal reason why we don't count such folks is they are not part of the people. They are not persons that form part of the people in the states that are the people of the United States.

You can't read that one word in isolation as she did. It's part of the larger language of Article 1, Section 2 as well is the preamble, and it's part of the principles that are set out in the Declaration of Independence tied back to the very notion of consent of the governed.

GOSAR:
Thank you. Finally, Madam Chairwoman, I would like to express my concern with the actions of this body over the past several years. Partisan leadership is forced this committee to consider the simple question of having a person identify themselves a citizen on--numerous times. However, we have only had a few hearings on the topic of issues like hard to count populations, an issue for my district and I'm sure districts of several other members of this committee.

This misdirection has forced this committee to deal with how we asked one question to non-Americans more so than how we ensure Americans in these hard to count populations can participate in the entire census, even though the majority constantly states its intentions to

count every person.

American voters and American tax dollars send us all to Washington, DC to provide for and oversee the census, yet partisan leadership has neglected this true intention, which concerns members like myself who are focused on ensuring their constituents get their proper representation and protection from their federal government.

Maybe we ought to entertain that, if we're going to give another stimulus, what we ought to do is ask that they fulfill filling out there census. If you want to get everybody spoke, may-- maybe that's an incentive that we could go by. I yield back.

MALONEY:
The chair now recognizes Representative Lynch. We now recognize Representative Cooper.

COOPER:
Thank you so much, Chairwoman Maloney. And also I would like to honor Delegate Norton. Your line of questioning has exposed the fact that, for those not keeping score back home, that virtually every living director of the census support your view that the president has taken a unilateral and outrageous version of the 14th amendment, which is probably unconstitutional.

You would think that a country is old and as distinguished as America would be able to reputably count its own citizens and follow the president established by every living census director to count not only citizens but others such as undocumented people in each district. There are countless questions surrounding the census. An issue we're facing in my congressional district is this.

I am told that outreach specialists, partnership specialists will have their contracts terminated September 30, and that the census will continue until October 31. So, I would like to find out from--

COOPER:
--the previous census directors what effect this could have on the accuracy of the count when partnership specialists are terminated a month early, a month before the census has ended. I do not know the impact of this decision on the numerators themselves, but it would seem that partnership specialists wouldn't have been hired unless they added some value to the process so I would like to hear from Mr. Prewitt, Mr. Groves, Mr. Barabba and Mr. Thompson about the effect of this premature and early termination of the census specialist on the accuracy of the count.

BARABBA:

This is Mr. Barabba. Let me speak first. In fact yesterday I talked to the individual who is responsible for the area in which I live. She was very concerned that she would be--that her contract would be eliminated a month before the activity is completed.

She has reached out to many, many organizations throughout the area, and keeping in contact with them is important to the absolute completion of the census particularly in areas that we have in our district and in our area like the Salinas and other areas which have significant minority populations.

GROVES:
Let me--this is Bob Groves, let me just comment. If there is one piece of evidence that we have with great assurance, it is that local community leaders that have the trust of diverse communities in their areas are key to the original response, the soft response as well as the nonresponsive follow-up stage. We know this from several decades of work in a interference in their performance will affect the quality of the census, and we should avoid it whenever possible.

COOPER:
Is it going too far to say that--go ahead.

PREWITT:
Sorry just one more (INAUDIBLE). We have a vast pro bono labor force out there trying to help us do the census. This was launched in the 2000 census, it never existed before, and it is responsible for the fact that we have a self-response and a non-response of the people who don't respond. It is attributable to that crowd of people, and they are in the thousands, in the thousands. They--they are schoolteachers, they are union leaders, they are chambers of commerce leaders in the thousands to help us do this census, and they think their job is to count everyone.

COOPER:
What can communities do to prevent the termination of these partnership specialist or two if need be supplement or substitute the work of these specialist in that crucial month of October? Mr. Thompson--

BARABBA:
(INAUDIBLE) committees can do, but the Congress can do something, and that is to make sure that the period is extended.

THOMPSON:
So as my former colleagues have all said a really important component of getting a complete count is getting the message out on the local level, but the census is very important to your community and very importantly that the census is completely confidential which is not a message that can go out from Washington.

We started these programs in the 2000 census, and we saw some dramatic decreases in the under accounts of various hard to count populations. So for the month of October, it is critical that local communities, local leaders keep getting those messages out about why the census is important to their community and that it is completely confidential. The census doesn't share information with anyone.

COOPER:
I think the chair of. I see that my time has expired.

MALONEY:
The gentleman yields back. The chair now recognizes Congressman Jordan. Congresswoman Foxx?

FOXX:
Thank you, Madam Chair. Doctor Eastman, the president's memorandum, notes the interpretation of the 14th Amendment term quote persons in each state" is subject to judgment leaving up to each decennial census the Census Bureau releases a detailed rule on determining residency for each decennial census count. Do you agree that the standard for residency is subject to judgment?

EASTMAN:
I do, and we have routinely altered that. We have included people who are long-term residents in the state but not short-term residents. We have included people who are no longer residents in the state but are abroad because of work or military service or what have you and every--every census those--those parameter.

FOXX:
So, do you believe it is appropriate for residency criteria to change to exclude illegal aliens?

EASTMAN:

I do.

FOXX:
Mr. Thompson, when you were director you drafted the current residency rules for the 2020 census, is that correct?

THOMPSON:
Yes, it is, Congresswoman.

FOXX:
So it is fair to say that you support counting every person residing in the United States, legal or illegal, is that correct?

THOMPSON:
That is correct.

FOXX:
Okay. When you were director, did you support changing the rules for military residency?

THOMPSON:
I did.

FOXX:
And so let me understand this. There are many of Americans who reside overseas, including military personnel, yet they are enumerated as if they were residing in the United States, but they aren't residents because they are not present on April 1, 2020? So using your logic military personnel deployed abroad should be excluded. Is that correct?

THOMPSON:
No, ma'am. We--we did a lot of review of the previous census residence rules we put them in the Federal Register for comment and based on a lot of input we made the decision that we should count the overseas military in the United States.

FOXX:

Okay, well, that is absolutely the way it should be, in my opinion, but because we recognize these individuals are normally U.S. residents but were asked to serve abroad and will return when their short service is over. They are serving the country and deserve to be counted and represented, but their representation is still looted by illegal aliens being counted even though they have broken our laws to come here.

Mr. Thompson, another question for you. The 2020 census residency criteria changed how prison inmates are counted for the 2020 census. Prison inmates are enumerated at their prison, which is technically their residence on census day. Is this correct?

THOMPSON:
That is correct, and that is where they have been counted in most censuses.

FOXX:
Okay. Well, it is very controversial because some people believe that they should be counted at their residence pre-incarceration because that is their normal residence, not the prison. Some people argue you are diluting the representation of inmates by counting them at their prison site, so you believe though that prison inmates representation is diluted--make do you believe that it is still diluted because of how the census enumerates their location?

THOMPSON:
So the final decision on where to count the prisoners were made after I actually left government service, but I support the Census Bureau's decision to count the prisoners where they are incarcerated.

FOXX:
So you believe the fair representation of prison inmates why do you support the dilution of prison inmates and other citizens constitutional representation by supporting the counting of illegal aliens?

THOMPSON:
Throughout my experience at the Census Bureau, which included 27 years as a career employee and then four years as a political appointee as director, I operate under the guidance that the census was to count everyone in the United States regardless of status.

FOXX:
Thank you, Madam Chair. I yield back.

MALONEY:
Thank you. We now recognize Congressman Lynch.

LYNCH:
Hello there, can you hear me?

MALONEY:
We can hear you.

LYNCH:
Great. Well, thank you, Madam Chair for holding this very important and very timely hearing. And I want to thank all of our witnesses as well. I'd like to ask a question of Mr. Barabba, Mr. Groves, Mr. Thompson and Mr. Prewitt.

I noticed that back in April, you signed--you each signed a public letter supporting the bureau's request to delay this--this process and I think Mr. Prewitt, you were--you were quoted in one of the articles that I--I read. You said that the truth is that the only thing in charge of this census right now is the virus.

Not the Bureau, not the president. And the virus will be in charge until it isn't. Mr. Prewitt, would it be correct to say that they coronavirus presents an enormous challenge to the Census Bureau to conduct an accurate and timely account of the American people under these conditions?

PREWITT:
A huge challenge. Unprecedented.

LYNCH:
Yeah. Now, the reason that--I'm assuming that the reason that you requested the delay was to give the bureau more time. This is--this is the largest and most complex census ever conducted in this country and then--and then you add--and that's in normal times and then you add in the pandemic and the limitation of the enumerators and--and people being hunkered down. I guess I'm assuming that you also wrote that letter based on it being in the best interest of the country, is that correct?

PREWITT:
Yes, sir.

UNKNOWN:
Yes, sir.

UNKNOWN:
Yes, sir.

LYNCH:
Now, this most recent memorandum that the president submitted last week directing the Census Bureau to take a whole different approach to this census in the middle of the census, it seems to me that this new memorandum of questionable legality really will--will require the Bureau to dedicate considerable resources and a huge workaround in light of the new memorandum. Would--would that be a correct assumption here?

UNKNOWN:
Yes.

UNKNOWN:
It would.

UNKNOWN:
Yeah.

UNKNOWN:
Yes.

LYNCH:
And--and do so--so you've got this whole shift in resources, this redeployment, and a whole different program that's been put in as of last week directing that Census Bureau to change--change their plans. And yet--and yet, on Monday, the Census Bureau also posted on its website that despite this huge demand on resources that arose last week with the president's memorandum, the Census Bureau says that it is working towards this plan to complete the field data collection by October 31, 2020. Do you think it is feasible to dedicate all those resources to the object of the new memorandum and yet, not have the accuracy of the census impacted?

PREWITT:
Right now, that census I believe, sir, is at risk of being inadequate to do the task it is charged to do. A serious risk. And I would like to take as much of the burden off of them as we can. That's operational burden, timing burden and so forth.

I was extremely disappointed when it turned out that they were not going to get the four month extension going on into 2021, which we were counting on and they were planning around that and then suddenly, there's a reversal on that decision. And in my sense, the chances of having census accurate enough to use is--is unclear very, very much unclear whether we'll even have a census. That's why the debate about the illegals and undocumented is beside the point if not even going to have a census that we can take to the American people. And that's what I'm worried about.

LYNCH:
Thank you very much, Mr. Prewitt. Madam--Madam Chair, my time is expired, and I yield back. Thank you.

MALONEY:
Thank you. I now recognize Representative Palmer.

PALMER:
Thank you, Madam Chair. I have a couple of reports. One of which is from the Pew Research Center about the transient nature of people who are here and are here unauthorized here illegally. About 40 percent of the people who are here illegally are here--won't even be here for the next census. Given that, the transient status of millions of foreign residents in the U.S., doesn't it make it even more problematic to include unauthorized noncitizen, people who are here illegally and who are here temporarily to be counted for apportionment, Dr. Eastman?

EASTMAN:
I--yes, I--I agree, and I think it applies to legal temporary immigrants as well, people want temporary work visas or student visas.

PALMER:
Well, the point being--

EASTMAN:
--It's a very transient population. Yeah.

PALMER:
Yes, sir. To the point being is that these are not people who will be here to participate in our government in any form or fashion. I'd like to also point out that 60 percent of the unauthorized immigrants that people who are residing here illegally reside in just 20 metro areas that are self-declared sanctuary cities, counties, or states. By violating federal law, by establishing themselves as sanctuary sanctuaries for people who are here illegally, including some who've committed felonies, by the way, have these estates created an advantage for themselves that could cause harm to states that are declared centuries, Dr. Eastman?

EASTMAN:
Yes--yes, they do, depending on the distribution of the illegal immigrant population, states that are encouraging illegal immigration stand to gain a large number of seats in the House of Representatives as well as votes in the electoral college for president--

PALMER:
--Well, could that--

EASTMAN:
--To the detriment of other states.

PALMER:
Doesn't that create an incentive for certain states and in certain places to--to declare themselves sanctuaries, to give benefits, to give protection from prosecution for whatever crimes they might commit to increase the number of people in those areas, to give them this advantage? I mean, isn't that a rational thing to do if you're already acting in contradiction to federal law?

EASTMAN:
Well, it's--it's rational in the short term, Representative Palmer. And not so much in the long term. But--but you know, Alabama is likely to lose a seat in Congress and a--and an alert electoral vote for president as a result of--of this kind of encouragement for illegal immigration to reside in certain states like California.

PALMER:
Speaking of rational, and I try to be rational. I try to be linear in my thinking, so I start and follow evidence where it might lead. Your points early--early on about the right to self-government resides with the citizens, not with noncitizen, whether they are here legally or illegally, and--and to make this point, we don't allow foreign citizens to work residing in the United States, whether they're here legally or illegally to run for office, do we?

EASTMAN:
No, we don't.

PALMER:
Okay. We don't allow people who are here from foreign countries or they are here legally or illegally to make campaign contributions to U.S. candidates, do we?

EASTMAN:
No, we do not.

PALMER:
And presumably, we don't allow people who are here from foreign countries, whether they are here legally or illegally to vote in our elections, do we?

EASTMAN:
We're--it's illegal for them to vote, although we got evidence that large numbers have voted.

PALMER:
That's why I say presumably. So let me ask each of the other panelists, are those laws fair? Mr. Prewitt--Dr. Prewitt, are those laws fair? Should we allow foreign citizens to run for office to make financial contributions to candidates or to vote in our elections? Yes or no.

PREWITT:
We just--I'm sorry--

PALMER:
--No, no, that's a yes or no--

PREWITT:
--You're asking me a question--

PALMER:
--Do we--should we allow foreign citizens to run for office? Should we allow foreign citizens to make campaign contributions? Should we allow them to vote in elections, whether they're here legally or illegally? That's a yes or no. Your silence is--

PREWITT:
--That's what the law is now, and I agree with the law.

PALMER:
Okay, that--that's a great little answer. Mr. Thompson, yes or no?

THOMPSON:
I agree with the laws of the United States.

PALMER:
That's a--that's a--you agree that we shouldn't allow that. Dr. Eastman, I think I know your answer, but give me a quick answer. Yes or no.

EASTMAN:
Yes, absolutely.

PALMER:
All right. If that's the case, why in the world would we think it's--it should be legal to allow people who are here illegally or legally be counted for apportionment to influence our government when close to 40 percent of them won't even be here for the next census?

PALMER:
Can you answer that? It doesn't make sense, does it?

EASTMAN:
Yeah, I don't--it doesn't make sense, and I don't think it's consistent with the--the theory and the text of the Constitution either.

PALMER:
I thank the gentleman. I yield back. Madam Chairman, I would like to enter these just like these documents into the official record.

MALONEY:
May I see what the documents are?

PALMER:
Yes, ma'am. They're documents from the Pew Research Center, and one of them is from the Migration Population Institute located here in Washington, DC.

MALONEY:
Okay, without objection.

PALMER:
I--I thank the--the chairwoman and I yield back.

MALONEY:
I--I now recognize Representative Connolly.

CONNOLLY:
Thank you, Madam Chairman, and thank you for your long leadership on trying to preserve an accurate census and a fair and transparent process associated with it. Your leadership has meant a great deal and has served our country well. Thank you.

I'm must say, listening to this discussion, Dr. Eastman would be apparently very happy with the decision of Roger Taney and the Supreme Court that ruled on Dred Scott, because of that decision they decided that no African-American, free or slave, was a citizen of the United States deserving of any of the privileges of white people.

That was actually the language of the ruling. And therefore, no blacks would've been counted in the census. And we would've had millions of Americans declared noncitizens, under Dr. Eastman's logic, not counted in a census.

And we would've had no picture of America, especially south--the southern part of America in terms of the actual demographics, just how powerful the numbers were of African-Americans who, in the Constitution, were singled out to be counted as three-fifths of a

person for the purpose of the census, which, by the way, inflated the numbers of Southern representation in the Congress at the time.

You know, immigrants throughout American history have been subject to this kind of smear and innuendo we've been listening to. You know, they're all criminals. They're all trying to cheat. States are using them to inflate their numbers. You know, there were movements of the 19th century, the Know Nothing Party, to ban them, to deny them the vote. Irish immigrants, there was a big movement in New York in the mid-19th century to deny Irish immigrants the right to vote because they were illiterate, they were ignorant, they worshiped a foreign religion, they were really Americans.

This kind of nativism, this kind of bigotry frankly has no place in the carrying out of the census. The language of the Constitution--and for a crowd that talks about originalism, well, the language is clear. It says persons. It doesn't say citizens. It says persons. It wants to get a feel how many people are here at a given time, how many people are residing in the United States of America, not what their future intentions are, not what their statuses, are they residing here for the purpose of understanding the population of the United States at any given time.

And--and that's how the census has been carried out. Let me ask Mr. Prewitt, and--and all of--all of the former directors could answer this as well, have we ever adopted, to your knowledge, in the carrying out of the census in modern times a selective process of not enumerating certain individuals because of their status?

PREWITT:
No, sir.

BARABBA:
Not to my knowledge.

CONNOLLY:
Mr. Groves? Mr. Groves? Mr. Thompson?

THOMPSON:
No.

CONNOLLY:

And why do you think we need to have account of the people--the persons residing in the United States? Why is that important? Why isn't Dr. Eastman right? Let's only count citizens, full-blooded Americans citizens and nobody else.

PREWITT:
My quick answer on that is they--or the--they're if they put gasoline in their car. They're paying property taxes if they live someplace, that is they're functioning as people in the country. And--and more--more than that, that you have a really difficult--difficult situation to uncount them.

I--I don't think the other members of the committee have paid enough attention to my first point. We do not know, the Census Bureau does not know, how to do what the president is asking them to do, and it's going to hurt the census and therefore we are at risk of not having a census in--in 2020.

CONNOLLY:
And--and Mr. Thompson, is it--is of the case that, for example, throughout American history this is what we've done? We counted immigrants whether they were citizens are not in the 19th century, the turn of the 20th century, as well as currently. Isn't that the case?

THOMPSON:
That is the case.

CONNOLLY:
Yeah. So, this--what Dr. Eastman is propounding sounds reasonable, except it would fly in the--the face of over 200 years of practice in American history and, in my view, would flaunt the actual words of the Constitution of the United States. Thank you. I yield back.

MALONEY:
Thank you. The chair now recognizes Representative Roy.

ROY:
Madam Chairwoman, before I start, may I ask which of the experts remain available for response?

MALONEY:

I--I believe--I believe Mr. Graves had an appointment at 11:00 and had to leave, but the rest are there.

ROY:
So, Mr. Barabba, Prewitt, and Thompson--

MALONEY:
--Yes--

ROY:
--Are all available?

MALONEY:
Yes.

ROY:
Okay, thank you. Sorry. Mr. Eastman, let me ask you just a quick question about the law. If I recall correctly, there was a case in which Justice Thomas in 2001 in dissent clarified that there is a split in the circuits and a split in the law, Ninth Circuit versus the fourth and the fifth, as to what the court's position would be on the question at hand, on apportionment and what we're talking about. Is that true? And--and would you expound on that very briefly because I need to move on?

EASTMAN:
Yeah. So, it was a case out of Hawaii that was dealt with. They wanted to apportion locally based on citizen population rather than total population. And the court upheld that, and--and there was language in it that strongly suggested such was compelled by the notion of representative government. Judge Skadinsky (SP) on the Ninth Circuit specifically said that even though the decision doesn't absolutely require that technically, the logic of it compels it. And I think that's right.

If I may, can I go back? Representative Connolly, I know you're protected by the speech and debate clause, but that doesn't mean I should not respond to the slanderous statement you made. I do not defend Judge Taney's decision in Dred Scott.

In fact, I am a vigorous defender of the dissenting opinions in that. It was an absolutely wrong decision. African-Americans were treated as citizens in this country, and Taney was wrong. I will not let you get away with the slander just because you're protected by the

speech and debate clause.

ROY:
Well, Professor, I was going to give you an opportunity to respond. I'm glad you did. I was going to ask you that question. I thought it was irresponsible of my colleagues ask a question along those lines, and I'm glad that you responded. It was--it was not appropriate to direct that towards you on a very debatable question, a very real question.

And at a bare minimum, we can all agree that there is a split in the jurisprudence or a difference of opinion in the jurisprudence on whether or not apportionment should be accounted for in the way we're discussing and--and that this is a live question. And that citizenship, in fact, matters.

The citizenship must matter if we're to be a nation of laws and if we're going to have citizens vote, citizens running for office, that we should have a robust debate and discussion and that, frankly, this body, this Congress ought to act.

My colleagues on the other side of the aisle spent last year fighting every ounce of effort on the part of this administration or this body and Republicans in this body to try to ask a question, a simple question, on the--on the census as to whether or not your citizen or not. The vast majority of Americans recognize that that is an important question to ask.

But I would just say again to the professor we agree, at a bare minimum, there's a split in the jurisprudence on this question. Is that correct?

EASTMAN:
That's correct.

ROY:
Thank you. A--a question here for Mr. Barabba, Prewitt, or Thompson, and I'm going to go through a few things because I have limited time here, and then I just want to get your yes or no on whether I'm characterizing this appropriately.

My understanding of the way the census counts is that we have something called count imputation and that we have something called characteristic imputation. And that in count imputation we have status count imputation, we have occupancy count imputation, and we have household size count imputation. What does this mean for the average listener?

It means that we make stuff up. It means that we have situations where we literally have an address. We can't find the house and we impute to that address the characteristic--or I should say the count of a house nearby. It means that we go through on occupancy and say,

well, we find the house and there's somebody there but we can't find them, so we just say, well, you know what?

The next door neighbor, there's five white people in the house, so we're just going to put five white people in this house. Or that we have household size imputation that says, well, we don't know how many or numbers in it. Well, we don't know if it's one or two or three, but we're just going to guess that it's 5 or 10 based on who's next door, and that in fact, we have characteristic imputation where we go into race and characteristics and that this is a reality of what our Census Bureau does in order to achieve numbers.

Now that is what is actually going on. Now there's a whole other thing where we have the community survey, the ACS, and I would ask Mr. Eastman if you would jump in here real quick. Is that not correct that the ACS is used and that the court acknowledges that it is appropriate for it to use those estimates and sampling for purposes of the application of the Voting Rights Act?

EASTMAN:
Yes, that is correct.

ROY:
And so my question here would be would it not, therefore, of course, be appropriate to use if you are a state for redistricting purposes, not apportionment let me just ask this question, for redistricting purposes, the same data if you are going to use it for the voting rights act?

EASTMAN:
Yes, absolutely, and it is more current because it is taken every year instead of just the decennial census.

ROY:
And you should use the ACS in this case if we are going to be doing apportionment, you can use the ACS for apportionment?

EASTMAN:
I believe we could, certainly to coincide with the census.

ROY:

So my question to the representative--the former director of the Census Bureau am I correct that the Census Bureau does, in fact, have to fill holes and make assumptions on data when they go house to house, when they get into imputation is a way that the Census Bureau does that, just a yes or no and then I will finish my questions Madam Chair.

Mr. Thompson?

THOMPSON:
Thank you for on muting me. The Census Bureau has used a technique called count imputation because if they don't do anything, that means they are assuming everything is vacant or nonexistent, which isn't the case either.

ROY:
Mr. Prewitt?

PREWITT:
Yes, it is a long-standing practice. It is used as rare as possible. You would much rather get a direct response, but we don't always get direct responses, and we don't say oh well that's too bad we will just have to go--these are well established, technical, statistical processes that have given us a more complete census than we would otherwise have.

ROY:
Thank you, sir, and then Mr. Barabba, and then I am done, Madam Chairwoman.

BARABBA:
I concur with my colleagues' comments.

ROY:
Thank you all.

MALONEY:
Thank you. We now recognize Congressman Raskin.

RASKIN:

Madam Chair, thank you very much. Thanks for calling this super important hearing and it's really wonderful to hear all of the prior census directors who converge around a very simple conclusion which is that the president's proposal is a radical break from history and a radical break from the text of the Constitution, a radical break from the structure and the spirit and the meaning of the Constitution and so basically every methodology we have for interpreting what the Constitution means supports the proposition that we have been doing it right for more than two centuries that is we have been counting everybody.

That is the way we have done that, there is no reason to overthrow that right now and what we are getting really from the administration is a whole series of attacks on the election, attack on male in balloting, president threatening not to observe the final results of the election if he doesn't like it and so on. This is all part of kind of thin anticipatory temper tantrum by the president.

I wanted to correct a couple of things that were floating out--out there are specifically about voting and citizenship, and there seem to be this false equation between voting and citizenship. The Supreme Court has been very clear that they don't imply one another.

They are obviously large categories of people who are citizens who can't vote starting with children and historically the vast majority of citizens couldn't vote because women couldn't vote as well as children as well as people who weren't landowners or property owners and conversely there were lots of people who could vote who were not citizens for the vast majority of American and even today there are lots of municipalities and localities which allow people to vote without regard to citizenship in local elections but the way that it existed through the 18th and 19th and really up to the early 20th century.

Was that what mattered was race qualifications, gender qualifications, property and wealth qualifications for voting and if you were a Christian white male property owner it didn't make any difference what your quote citizenship was, and that was a confusing concept in a way for more than a century whether that was determined that the state level or the federal level.

We didn't have these kind of rigid ideas about citizenship that are being propounded right now. So that was a conservative position having to do with land ownership and property ownership and race and gender for a very long time. It wasn't until we started getting immigrants coming in from southern Europe and other places that that turned around.

You should go back and check out the history leading up to the Civil War and the admission of Kansas and Nebraska and a number of the other states they are because it was the Republican Party which was the great champion of alien suffrage in America and the advocate of the idea that if you would be willing to move out to the Midwestern and Western states, you should be allowed to vote before you became a citizen.

That was Lincoln's position, that was the position of the Republican Party. It was the South's position that there were all of these radical immigrants coming over from Europe bringing anti-slavery ideas that they should--that--that it was their position that they shouldn't be included for that reason.

In fact, if you look at article one of the Confederate Constitution of the United States, it says that you must be a citizen of the Confederacy in order to vote, something that we don't have in the U.S. Constitution which is why noncitizens could vote for most of our history and lots of cities and indeed in a corporations I wanted position on the other side is that--is that you need to be a citizen of the United States to be a member of a corporate board of directors and to vote in a corporation in America or to own stock in America. I mean, that would be a really startling position, but it seems to flow from what they are saying.

Let me just ask I--I got curious about this whole question of Indians not taxed that was repeated so joyfully by one of the witnesses and I wonder Mr. Prewitt if I come to you what is the situation today Indians not taxed, certainly there are children who are native Americans who were not taxed but also with adults who are not paying taxes and are they counted today as part of the census despite the constitutional text?

PREWITT:
Yes, they are.

RASKIN:
Okay, that--that--that is interesting. Let me ask another question of you, Mr. Prewitt. If we were actually to go ahead and adopt the president's proposal and now we see why of course they were pushing for their citizenship question which was struck down by the Supreme Court as lawless and a violation of the whole administrative procedures but now we know why they were doing it but if we were to go ahead with this how would they actually since we don't know who is a citizen and who is not a citizen how would they go ahead and try to make that work?

PREWITT:
And my judgment there is no way. This is what worries me about this initiative. The expert on administrative records at the Census Bureau for many, many years, and I will now quote her, she is now with Georgetown University. To produce a good number that is a good number separating out the documented from the undocumented you'd need to be able to draw a clear line between the two categories sharp definition doesn't exist in the administrative records available to the Census Bureau's.

This is an article in science magazine just published yesterday, and so we are all anxious about this initiative not because of the arguments that are being made about so forth and so on, it is what is it going to do to the census itself in 2020 and look, if we don't come up closer to 100 percent that (INAUDIBLE) then we are in trouble.

RASKIN:
So, Madam Chair, just to conclude it is not only unrooted in the text of the Constitution and impractical, but it is a danger to having the real census counted and completed. Thank you very much for your indulgence Madam Chair. I yield back to you.

MALONEY:
Congressman Hice? Congressman Hice? He is online. You need to unmute yourself, Congressman Hice.

HICE:
Okay, all right.

MALONEY:
Okay, great.

HICE:
Thank you, Madam Chair. Listen, I want to thank all of our witnesses for being here today, unfortunately, I think it is largely a waste of your time as yet again it is for hours. I mean, we continue not doing our job of oversight and, in this case specifically, as it relates to the census. We--we--here we are four months into the census, and this is the first time we've had a hearing about it.

We've only 120 days into this we are just now getting around to it, and as Mr. Prewitt shared a little earlier we may not even have a census this--this go around because of the pandemic and other issues and get the irresponsibility of this committee to do proper oversight this is only the third committee hearing, full committee hearing of the year from my account and this is just unacceptable.

Had my colleagues been willing to show up for work as we have done in the Republican Party perhaps we would be able to continue our--our oversight and to somehow think now that we are engaged in an emergency over this, and even in this emergency hearing we are still not

providing oversight as to what is happening with the census is just unthinkable to me and highly irresponsible, and I would ask the chair if we could get back into the order of what this committee is supposed to be involved with.

But as it relates to right now, to again somehow think that it is unreasonable or unconstitutional for us as a nation to have the number of citizens who are in this country as well as the total number of people in this--in this country is just unthinkable to me. To think this is somehow a radical break for us to know the number of citizens as well as noncitizen is in itself an absurd way of thinking about all of this to me.

But here, nonetheless, we are. Dr. Eastman, I appreciate the testimony that you've given any answers that you've given. I know this has already been covered, but I think it's worth reiterating again. Is the president within his authority to direct a memorandum to the Census Bureau?

EASTMAN:
I--I believe he is and I think the supreme court's decision in the Franklin vs. Massachusetts (INAUDIBLE)

HICE:
And likewise, is within his authority to ask that Bureau to send him an apportionment count that includes citizens and legal residents, is that correct?

EASTMAN:
That's correct.

HICE:
Okay. And just reiterate again why this is so important that we have a count of citizens, not just illegals as well. I mean, we need to know--I'm fine if you want to know the total number here, but the critical aspect is knowing the citizens. Again, reemphasize why that is the case.

EASTMAN:
The importance of knowing the citizens and apportioning according to the citizen distribution is because it's the citizens that control the government. It's not foreigners that control our government. That's one of the most basic premises of the consent of the governed, principles set out in the Declaration of Independence.

HICE:

Yeah, absolutely. I mean, I don't see what's so complicated about this. It's illegal for a--a non-citizen to vote. It's illegal for them to be involved in our political process. And yet now, for all practical purposes, we have a political class, a political party that is determined to give citizens of foreign countries the right to vote in our federal elections, to be involved in impacting our federal elections.

This whole thing to me got to be deeply troubling. And at worst, it--it should be seen as election interference for us to enable or fight on behalf of individuals who work illegally in this country to impact the--the voting power of the citizens of this country is (INAUDIBLE).

And quite frankly, you look back, I don't know, Dr. Eastman, if you caught any of the DC statehood debate that we had around here, but it's the same thing then as it is now. It's all about gaining and strengthening political power for the Democratic Party and it shrugs off old norms, it shrugs off common sense, it shrugs off the law in itself.

And I would just thank you again for your testimony here today and I would implore my colleagues on the other side to end these showboat hearings and let's get back to the work of good census oversight. And with that, Madam Chair, I yield back.

MALONEY:
Well, I thank the gentleman for his testimony and I'd just like to respond to his attack. I--I read the president's census memo carefully and I believe that it is blatantly unconstitutional and that complying with his memo would violate federal law. That is why we called this important hearing. And I'd like to say--

HICE:
--And the chairwoman--

MALONEY:
--You don't have to take--

HICE:
--Is certainly entitled to her and--

MALONEY:
--Sir--sir--may--I did not--I did not interrupt you. May I complete? You do not have to take my word for it. All four of--of four former census directors that served both Republican and Democratic presidents said they also believed that the president's memo appears to violate

the Constitution and existing law. So this is serious and I now recognize Congressman Rouda.

ROUDA:
Thank you, Madam Chair. It must be exhausting for Republicans when the president tweets out lies and you are forced to defend it. It must be exhausting to be a Republican when the president of the United States holds a press conference and sells snake oil salesman cures for the coronavirus. And it must be extremely exhausting to come in here and defend the president of the United States when he takes unconstitutional actions such as he has done here.

Candidly, I feel sorry for you. I feel sorry members of the House of Representatives of the United States of America are afraid to speak their mind, to speak the opinions that they hold, to speak the truth that they know in their hearts, in their mind and defend this president at all costs, defending the indefensible. And it seems that the primary argument that has been stated as Representative Raskin pointed out at least a half dozen times in this hearing is that Indians not taxed were not counted.

The utter stupidity in that statement lies in the fact that undocumented immigrants last year according to the Internal Revenue Service paid $9 billion in payroll taxes. According to the Internal Revenue Service, undocumented immigrants paid $12 billion in Social Security benefits, more than they received. And according to the Institute of taxation and economic policy, undocumented immigrants paid $12 billion in state and local coffers.

Yet, here we are. Here we sit today because of this memorandum by this president telling us clearly what's most important to this president. Yet, we sit here today 140,000 of our fellow Americans are dead. Tens of thousands more Americans will die in the coming months because of the utter lack of leadership by this president.

The economic collapse of our country is unfolding before our eyes because a president is unwilling to do what is necessary as the leader of the United States to ensure that we take the actions we need to take to protect Americans. And it tens of millions of Americans are out of work, struggling to figure out how to pay rent, pay the mortgage, pay medical bills, and put food on the table for their families.

Yet, here we are today because of this president showing us and the minions to follow him what is important to them. Not as a Democrat, not as a former Republican, but as an American, we are better than this. I yield back.

MALONEY:
Thank you. I now work recognize Representative Green.