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DEPARTMENT OF COMMERCE

Bureau of the Census

15 CFR Chapter I

[Docket Number 160526465-8033-03]

RIN 0607-XC026

Final 2020 Census Residence Criteria and Residence Situations

AGENCY: Bureau of the Census, Department of Commerce.

ACTION: Final criteria.

SUMMARY: The Bureau of the Census (U.S. Census Bureau) is providing notification of the Final 2020 Census Residence Criteria and Residence Situations. In addition, this document contains a summary of comments received in response to the June 30, 2016, *Federal Register* document, as well as the Census Bureau's responses to those comments. The residence criteria are used to determine where people are counted during each decennial census. Specific residence situations are included with the criteria to illustrate how the criteria are applied.

DATES: The final criteria in this document are effective on **[INSERT DATE 30 DAYS**

AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]

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SUPPLEMENTARY INFORMATION:

A. Background

The U.S. Census Bureau is committed to counting every person in the 2020 Census once, only once, and in the right place. The fundamental reason that the decennial census is conducted is to fulfill the Constitutional requirement (Article I, Section 2) to apportion the seats in the U.S. House of Representatives among the states.¹ For a fair and equitable apportionment, it is crucial that the Census Bureau counts everyone in the right place during the decennial census.

The residence criteria are used to determine where people are counted during each decennial census. Specific residence situations are included with the criteria to illustrate how the criteria are applied.

1. The Concept of Usual Residence

The Census Bureau's enumeration procedures are guided by the constitutional and statutory mandates to count all residents of the several states. [U.S. Const. Art. 1, Section 2, cl.3, Title 13, United States Code, Section 141.] The state in which a person resides and the specific location within that state is determined in accordance with the concept of “usual residence,” which is defined by the Census Bureau as the place where a person lives and sleeps most of the time. This is not always the same as a person’s legal residence, voting residence, or where they prefer to be counted. This concept of “usual residence” is grounded in the law providing for the first census, the Act of March 1, 1790, expressly specifying that persons be enumerated at their “usual place of abode.”

¹ Apportionment is based on the resident population, plus a count of overseas federal employees, for each of the 50 states. Redistricting data include the resident population of the 50 states, District of Columbia, and Puerto Rico.

Determining usual residence is straightforward for most people. However, given our nation's wide diversity in types of living arrangements, the concept of usual residence has a variety of applications. Some examples of these living arrangements include people experiencing homelessness, people with a seasonal/second residence, people in group facilities,² people in the process of moving, people in hospitals, children in shared custody arrangements, college students, live-in employees, military personnel, and people who live in workers' dormitories.

2. Reviewing the 2020 Census Residence Criteria and Residence Situations

Every decade, the Census Bureau undertakes a review of the Residence Criteria and Residence Situations to ensure that the concept of usual residence is interpreted and applied, consistent with the intent of the Census Act of 1790, which was authored by a Congress that included many of the framers of the U.S. Constitution and directed that people were to be counted at their usual residence. This review also serves as an opportunity to identify new or changing living situations resulting from societal change, and to address those situations in the guidance in a way that is consistent with the concept of usual residence.

This decade, as part of the review, the Census Bureau requested public comment on the "2010 Census Residence Rule and Residence Situations" through the *Federal Register* (80 FR 28950) on May 20, 2015, to allow the public to recommend any changes they would like to be considered for the 2020 Census. The Census Bureau received 252 comment submission letters

² In this document, "group facilities" (referred to also as "group quarters" (GQ)) are defined as places where people live or stay in group living arrangements, which are owned or managed by an entity or organization providing housing and/or services for the residents.

or emails that contained 262 total comments (Some comment submissions included comments or suggestions on more than one residence situation.)

On June 30, 2016, the Census Bureau published the “Proposed 2020 Census Residence Criteria and Residence Situations” in the *Federal Register* (81 FR 42577).³ In that publication, the Census Bureau included a summary of comments on the May 2015 *Federal Register* document, as well as the Bureau’s responses to those comments. During the 60-day comment period that ended on September 1, 2016, the Census Bureau received 77,958 comment submissions⁴ that contained 77,995 total comments in response to the proposed residence criteria and situations. A summary of these comments and the Census Bureau’s responses are included in section B of this document.

Section C of this document provides the Final 2020 Census Residence Criteria and Residence Situations.⁵

B. Summary of Comments Received in Response to the “Proposed 2020 Census Residence Criteria and Residence Situations”

On June 30, 2016, the Census Bureau published a document in the *Federal Register* asking for public comment on the “Proposed 2020 Census Residence Criteria and Residence

³ The Proposed 2020 Census Residence Criteria and Residence Situations are the same as the Final 2020 Census Residence Criteria and Residence Situations that are provided in Section C.

⁴ Of the 77,958 comment submissions, 2,958 contained unique content and 75,000 were duplicates.

⁵ The Census Bureau used the term “Residence Rule and Residence Situations” when referring to the 2010 version of this documentation and in portions of previous publications in the *Federal Register* in 2015 and 2016 regarding this topic. However, in this document, and in the foreseeable future, the Census Bureau will use the term “Residence Criteria and Residence Situations.”

Situations ” Of the 77,995 comments received, 77,887 pertained to prisoners,⁶ and 44 pertained to overseas military personnel. There were four comments on health care facilities. There were three comments on each of the following residence situations: foreign citizens in the United States, juvenile facilities, and people in shelters and/or experiencing homelessness. There were two comments on each of the following residence situations: boarding school students, college students, group homes and residential treatment centers for adults, transitory locations, visitors on Census Day, people who live or stay in more than one place, merchant marine personnel, and religious group quarters. There was one comment on each of the rest of the residence situations [people away from their usual residence on Census Day (e.g., on vacation or business trip); people living outside the United States; people moving into or out of a residence around Census Day; people who are born or who die around Census Day; relatives and nonrelatives; residential schools for people with disabilities; housing for older adults; U.S. military personnel; and workers’ residential facilities]. The Census Bureau also received one comment on the concept of usual residence, seven general comments on the overall residence criteria, and 18 comments on other issues not directly related to the residence criteria or any specific residence situation.

1. Comments on Prisoners

Of the 77,887 comments pertaining to prisoners, 77,863 suggested that prisoners should be counted at their home or pre-incarceration address. The rationales included in these comments were as follows.

⁶ The majority of comments received on this topic used the terms ‘prisoner,’ ‘incarcerated,’ or ‘inmate.’ Although the terminology is not exactly what we use in the residence criteria documentation, we believe the context of the comments suggests the comments apply to people in Federal and State Prisons, Local Jails and Other Municipal Confinement Facilities, and possibly Federal Detention Centers and Correctional Facilities Intended for Juveniles. References in this document to “prisons,” or “prisoners,” should be interpreted as referring to all of these types of facilities.

- Almost all commenters either directly suggested, or alluded to the view, that counting prisoners at the prison inflates the political power of the area where the prison is located, and deflates the political power in the prisoners' home communities. These commenters stated that this distorts the redistricting process by allowing officials to count prisoners as "residents" of the districts where they are imprisoned, even though the prisoners are not allowed to vote during the time that they are confined in that district.
 - Similarly, many commenters suggested that counting prisoners away from their home address goes against the principle of equal representation. Some commenters more specifically suggested that the practice potentially violates the Voting Rights Act and/or the U.S. constitutional commitment to one person, one vote. A couple of commenters stated that the practice differs from certain international guidelines.
 - A few commenters stated that counting prisoners at the correctional facilities can also negatively impact the communities in which the prisons are located by distorting and/or complicating the redistricting process at the local level (e.g., county commissions, city councils, and school boards).
 - Some commenters stated that the current residence criteria for prisoners are inconsistent with certain states' laws regarding residency for elections (i.e., some state laws specifically say that a correctional facility is not a residence).
 - Some commenters stated that some states and many local governments already adjust their population data to remove prisoners when drawing their districts. However, these commenters also suggested that this "piecemeal" approach at the local level is inefficient and cannot fully resolve the issues associated with where prisoners are counted.

- Most commenters suggested that counting prisoners at the prison inaccurately represents the population counts and demographic characteristics of prisoners' home communities, as well as the communities where the prisons are located. These commenters stated that prisoners typically come from urban, underserved communities whose populations are disproportionately African-American and Latino, while prisons are more likely to be located in largely White (non-Hispanic) rural communities, far from the actual homes of the prisoners. Therefore, most commenters also suggested that counting prisoners at the prisons disproportionately harms communities with high proportions of minorities, by preventing their home communities from receiving their fair share of representation and funding.
- Many commenters stated that the incarcerated population has increased significantly in recent decades. Some commenters also stated that, throughout the long history of the decennial census, the Census Bureau has previously evolved and reevaluated its residence criteria in response to other historical changes in demographics and normative living situations (e.g., the 1950 change to how college students were counted). Therefore, they suggested that the changes in the prisoner population and patterns of prison locations during recent decades warrant a similar evolution of the residence criteria.
- Some commenters suggested that the Census Bureau should change its interpretation of the concept of "usual residence" (i.e., as the place where a person lives and sleeps most of the time), as it relates to incarcerated people. To support this suggestion, commenters used various rationales
 - Some commenters suggested that prisoners do not have enduring social ties or allegiance to the community where they are incarcerated. To explain this, some commenters more specifically stated that prisoners cannot interact with the community where they are

incarcerated, are there involuntarily, and generally do not plan to remain in that community upon their release. A few commenters also stated that the governmental representatives of the community where the prison is located do not serve the prisoners, or they stated that prisoners are not constituents of the community where the prison is located. These commenters further stated that prisoners rely, instead, on the representative services of the legislators in their pre-incarceration communities.

- Some commenters suggested that the correctional facility where a prisoner is located on Census Day is not where a prisoner spends most of their time.
 - Some supported this suggestion by stating that counting incarcerated people at the facility in which they are housed on Census Day ignores the transient and temporary nature of incarceration. These commenters stated that incarcerated people are typically transferred multiple times between various correctional facilities during the time between when they are arrested and when they are released.
 - Some supported this suggestion by focusing on local jails. They stated that, while the length of incarceration for prison inmates is typically more than one year, about a third of all inmates (in prisons and jails) are jail inmates, and the typical length of incarceration for jail inmates is much shorter than one year (i.e., a few days to a few weeks). A few also stated that the majority of jail inmates have not been convicted of a crime, or stated that they are awaiting trial and presumed innocent until proven guilty.
 - A few supported this suggestion by stating that, if your measuring stick is the 10-year period for which the decennial census counts affect representation, funding, and policies, most prisoners are incarcerated for less than 10 years.

- A few commenters suggested that multiple factors must be considered together when determining the correct place to count certain types of people, such as prisoners, who do not easily align with the standard definition of usual residence. Therefore, they stated that a one-size-fits-all approach of focusing solely on where people live and sleep most of the time is not appropriate for determining where to count prisoners.
- A few commenters suggested that only prisoners who are serving long-term sentences, such as longer than six months or a year, should be counted at the facility, and that prisoners serving shorter terms should be counted at their usual residence outside of the facility.
- Some commenters suggested that the treatment of prisoners is inconsistent with the treatment of other residence situations in which people are temporarily living or staying away from their permanent address (e.g., travelers and snowbirds). A few stated that the proposed residence criteria make it appear as if the Census Bureau plans to count boarding school students, deployed military personnel, truck drivers, members of Congress, and/or juveniles in residential treatment facilities at their home address, even if they do not spend most of their time there.
- Some commenters suggested that the number/proportion of comments submitted on this issue indicates that there is an overwhelming consensus urging a change to how prisoners are counted in the census.
- A few commenters suggested that the Census Bureau has acknowledged the need to correct its own data by proposing to help states with post-census population adjustments.
 - Some of these commenters suggested that “this ad hoc approach is neither efficient nor universally implementable.” Some also stated that many states have laws that would

prevent them from using such alternative data to adjust their Census counts for redistricting, and that many states may not have the resources to gather the necessary data to provide to the Census Bureau. Some also expressed concerns about the states' inability to provide data on federal prisoners and prisoners who are incarcerated in another state.

- Therefore, some of these commenters suggested that the only way to implement a consistent solution for the entire United States is for the Census Bureau to change the way it counts prisoners. A few also suggested that the Census Bureau would be best able to accomplish this change if all correctional facilities (local, state, and federal) and/or all state and federal corrections departments were required to collect and maintain accurate records on each prisoner's home/pre-incarceration address.

Four comments were in support of counting prisoners at the correctional facility. All of these commenters suggested that the correctional facility is the prisoner's usual residence, or where they live and sleep most of the time (i.e., prisoners are usually in prison, or away from their pre-incarceration address, for relatively long periods of time, such as one year or more). One commenter further stated that, because people are usually sent to prison for more than one year, they are not considered to be only "temporary residents" of the prison under many government regulations (other than the Census Bureau's). One commenter suggested that it makes sense to count prisoners at the facility because the communities in which the facilities are located are responsible for providing emergency response and certain law enforcement services to those facilities, as well as providing road maintenance and hospitality services (e.g., hotels and restaurants) for the family and friends of the prisoners who travel to the facility for visitation.

One commenter suggested that counting prisoners at their “home address” would create unreasonable burden on the census process because of the considerable time and effort that would be necessary, both on the part of the facility administrators who would need to research and maintain the address records, and on the census enumerators who would need to collect and ensure the accuracy of the addresses. One commenter stated that any approach that would count prisoners somewhere other than the prison would likely result in a national undercount due to the difficulty in tracking inmates in transit. One commenter stated that it is not the Census Bureau’s responsibility to facilitate states’ redistricting activities beyond their currently proposed activities (i.e., providing the redistricting data file, identifying the group quarters counts at the block level, and the proposed option to geocode prisoner addresses if they are provided by the state to the Census Bureau).

Twenty comments were neutral regarding where to count prisoners, in that they did not state whether they thought that prisoners should be counted at the facility or at some other address. Many of these commenters stated the importance of equal representation for all. Some stated that prisoners should have the right to vote. A few further clarified that prisoners should have the right to vote if they are going to be counted as residents (of any place) for redistricting purposes, or vice versa (i.e., if prisoners do not have the right to vote, then they should not be counted). One specifically stated that incarcerated people should not be counted at all (either at the facility or elsewhere) because they committed a crime and are not legally eligible to vote. A few commenters stated concerns regarding the fairness or effectiveness of the criminal justice system.

Census Bureau Response For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for correctional facilities (Sections C.13.e, C.15, and C.17.a). The practice of counting prisoners at the correctional facility is consistent with the concept of usual residence, as established by the Census Act of 1790. As noted in section A.1 of this document, “usual residence” is defined as the place where a person lives and sleeps most of the time, which is not always the same as their legal residence, voting residence, or where they prefer to be counted. Therefore, counting prisoners anywhere other than the facility would be less consistent with the concept of usual residence, since the majority of people in prisons live and sleep most of the time at the prison.

States are responsible for legislative redistricting. The Census Bureau works closely with the states and recognizes that some states have decided, or may decide in the future, to ‘move’ their prisoner population back to the prisoners’ pre-incarceration addresses for redistricting and other purposes. Therefore, following the 2020 Census, the Census Bureau plans to offer a product that states can request, in order to assist them in their goals of reallocating their own prisoner population counts. Any state that requests this product will be required to submit a data file (indicating where each prisoner was incarcerated on Census Day, as well as their pre-incarceration address) in a specified format. The Census Bureau will review the submitted file and, if it includes the necessary data, provide a product that contains supplemental information the state can use to construct alternative within-state tabulations for its own purposes. However, the Census Bureau will not use the state-provided data in this product to make any changes to the official decennial census counts.

The Census Bureau also plans to provide group quarters data after the 2020 Census sooner than it was provided after the 2010 Census. For the 2010 Census, the Census Bureau released the *Advance Group Quarters Summary File* showing the seven major types of group quarters, including correctional facilities for adults and juvenile facilities. This early⁷ release of data on the group quarters population was beneficial to many data users, including those in the redistricting community who must consider whether to include or exclude certain populations when redrawing boundaries as a result of state legislation. The Census Bureau is planning to incorporate similar group quarters information in the standard *Redistricting Data (Public Law 94-171) Summary File* for 2020.

2. Comments on the Military Overseas

Of the 44 comments received pertaining to the military overseas, 40 supported the Census Bureau proposal to treat military personnel who are temporarily *deployed* overseas on a short-term basis differently than military personnel who are *stationed* overseas on a more long-term basis. More specifically, most of these commenters suggested that military personnel who are deployed overseas should be counted at their usual residence in the United States where they were stationed at the time they were deployed, and included in the local community-level resident population counts.

Many commenters stated that counting deployed military personnel at their usual residence (where they are stationed) in the United States would more accurately reflect the social

⁷ The *Advance Group Quarters Summary File* was released on April 20, 2011, which was earlier than when that GQ data was originally planned to be released in the *Summary File 1* that was released on June 16 – August 25, 2011. The earlier release made it easier to use these GQ data in conjunction with the *Redistricting Data (Public Law 94-171) Summary File*, which was released on February 3 – March 24, 2011.

and economic impact that these personnel members have on the communities where they usually work, recreate, and reside. Many commenters similarly stated that deployed personnel should be counted at their usual residence in the United States in order to ensure that the communities surrounding military bases are able to obtain the necessary resources and funding to support the soldiers who serve our country and their families, as well as accurate data to inform community planning. These commenters stated that the aforementioned planning, funding, and other resources would support community services such as police and fire departments, schools, roads, parks, utilities, and other infrastructure and amenities.

Some commenters stated that deployments from specific military bases typically happen in surges to support specific events, such as combat missions or natural disasters. Therefore, these commenters suggested that, if an event like this happens around the time of the census enumeration, then the population of the community surrounding that military base would be grossly undercounted if the deployed personnel were not counted there. One commenter suggested that counting deployed personnel at their usual residence would produce more consistent results than counting them at their home of record because the Department of Defense records on military personnel members' home of record⁸ were not well maintained prior to the 2010 Census.

Some commenters suggested that the military member's permanent duty station from which they were deployed is their usual residence (i.e., where they live and sleep most of the

⁸ Home of record is generally the permanent home of the person at the time of entry or reenlistment into the Armed Forces, as included on personnel files. For the 2010 Census, if home of record information was not available for a person, the Department of Defense used the person's "legal residence" (the residence a member declares for state income tax withholding purposes), or thirdly, "last duty station," to assign a home state.

time), and some commenters stated that counting deployed personnel at their usual residence in the United States would be consistent with how the Census Bureau counts other people who are temporarily away for work purposes. A few commenters stated that deployments are typically short in duration, and one commenter stated that the Army plans to further shorten the length of deployments in the future. A few commenters stated that deployed personnel must return to their permanent duty station in the United States after the deployment ends, and a few commenters stated that many deployed personnel have families that live with them at their permanent duty station and maintain their residence while the military member is deployed.

Some commenters stated that many of the family members of deployed military were confused during the 2010 Census about whether they should count themselves at their usual residence because they were instructed that their deployed family member would be counted through administrative records, and they assumed the same would be true for them as well. One of these commenters stated that proposed residence guidance for how deployed personnel would be counted in the 2020 Census should reduce some of this confusion. However, all of these commenters encouraged the Census Bureau to conduct a strong communication and outreach program to ensure that all family members of deployed personnel are made aware of the fact that they still need to complete the census questionnaire for themselves.

One commenter expressed concern about footnote 5 in the proposed residence criteria documentation, which said: “The ability to successfully integrate the DOD data on deployed personnel into the resident population counts must be evaluated and confirmed prior to the 2020 Census.” The commenter was worried that the proposed change for counting

deployed military might not be implemented if the research and evaluations are not completed before final decisions must be made, and they suggested that such research is not necessary because the Census Bureau already uses data from the Defense Manpower Data Center when producing annual population estimates at the national, state, and county levels. This commenter also recommended that if the proposed change for counting deployed military is implemented for the 2020 Census, then the Census Bureau should also ensure that the methodology used to produce the annual population estimates is revised accordingly.

One commenter expressed support for the proposal to include military and civilian employees of the U.S. government who are deployed or stationed/assigned overseas and are not U.S. citizens (but must be legal U.S. residents to meet the requirements for federal employment) in the Federally Affiliated Overseas Count, because these people have met the requirements to qualify for federal employment and have pledged to serve our country. They also stated that this proposal would be consistent with the fact that citizenship status is not a requirement for determining a person's residence.

Three comments opposed the proposal to count deployed military at their usual residence in the United States from which they were deployed. One commenter suggested that all overseas military personnel should be counted in the same way, and that there is not a good reason to treat deployed personnel as a separate category from personnel who are stationed overseas. One commenter suggested that the Census Bureau should continue to count all overseas military personnel, including those who are deployed, in the state where they lived when they enlisted (i.e., their home of record) because military personnel are typically reassigned to a different

permanent duty station every few years throughout their career, and their home of record is where they have the strongest ties. One commenter suggested that the Census Bureau should not implement the proposed change to how deployed military are counted because that change would weaken the argument for continuing to count prisoners at the correctional facility where they are incarcerated on Census Day. This commenter also recommended that the Census Bureau should make a stronger case for the distinction between these two large populations (i.e., deployed military personnel versus prisoners).

One comment was neutral regarding where to count overseas military personnel, in that they did not state where they thought deployed personnel should be counted. They simply stated that it appeared that not all of the locally stationed military personnel and their dependents were being counted, and asked for more information on whether this was true and/or how to ensure they were counted in the future.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for overseas military personnel (Sections C.4.a-b and C.13.f-g). This guidance makes a distinction between personnel who are *deployed* overseas and those who are *stationed* or *assigned* overseas. Deployments are typically short in duration, and the deployed personnel will be returning to their usual residence where they are stationed or assigned in the United States after their temporary deployment ends. Personnel stationed or assigned overseas generally remain overseas for longer periods of time and often do not return to the previous stateside location from which they left. Therefore, counting deployed personnel at

their usual residence in the United States follows the standard interpretation of the residence criteria to count people at their usual residence if they are temporarily away for work purposes.

The Census Bureau will use administrative data from the Department of Defense to count deployed personnel at their usual residence in the United States for apportionment purposes and for inclusion in the resident population counts. The Census Bureau will count military and civilian employees of the U.S. government who are stationed or assigned outside the United States, and their dependents living with them, in their home state, for apportionment purposes only, using administrative data provided by the Department of Defense and the other federal agencies that employ them.

The Census Bureau has been communicating with stakeholders from various military communities and plans to work closely with military stakeholders to plan and carry out the enumeration of military personnel. As the planning process moves forward, there will be continued testing of our process for integrating DOD data on deployed personnel into the resident population counts.

3. Comments on Health Care Facilities

Four comments were related to health care facilities. One commenter simply stated that they agree with the Census Bureau's proposal regarding how to count people in health care facilities. One commenter suggested that the Census Bureau add residence guidance specifically regarding memory care centers as a separate category from nursing facilities because the nature of Alzheimer's disease and Dementia necessitates that these patients be enumerated through

administrative records in order to ensure the accuracy of the data. One commenter suggested that people in psychiatric facilities should be counted at the residence where they were living before they entered the facility because they will most likely return to their prior community, which is where they would normally vote. This commenter also stated that these people should be counted in their prior communities in order to ensure that those communities receive the proper allocation of representatives and resources.

One commenter similarly suggested that people living in psychiatric hospitals on Census Day should be counted at the residence where they sleep most of the time, and only counted at the facility if they do not have a usual home elsewhere. They stated that the Census Bureau misunderstands the functioning of state and private psychiatric hospitals, which today provide primarily acute and short term treatment (e.g., less than two weeks, in most cases). They also stated that most patients in these facilities are likely to have a permanent residence elsewhere. The same commenter also stated that the Census Bureau's proposal for how to count people in nursing/skilled-nursing facilities does not best capture the experience of people with disabilities who are in the process of transitioning from group housing to more independent housing. Therefore, the commenter suggested that the Census Bureau should alter the proposed guidance in order to allow people in nursing/skilled-nursing facilities to be counted at a residence to which they are actively preparing to transition.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for health care facilities (Section C.11). Separate residence guidance was not added for memory care centers because these types of facilities

would be considered subcategories of assisted living facilities and nursing facilities/skilled nursing facilities (Section C.11), and the guidance provided for these types of facilities is sufficient. Patients in mental (psychiatric) hospitals and psychiatric units in other hospitals (where the primary function is for long-term non-acute care) will be counted at the facility because the facilities or units within the facilities are primarily serving long-term non-acute patients who live and sleep at the facility most of time. Because people must be counted at their current usual residence, rather than a future usual residence, the residence guidance for patients in nursing/skilled-nursing facilities will not be revised to allow some people to be counted at a residence to which they are actively preparing to transition. Comments on health care facilities not addressed in this section were considered out of scope for this document.

4. Comments on Foreign Citizens in the United States

Three comments were related to foreign citizens in the United States. One commenter simply stated that they agree with the Census Bureau's proposal regarding how foreign citizens are counted. One commenter suggested that the Census Bureau should add wording to clarify whether foreign "snowbirds" (i.e., foreign citizens who stay in a seasonal residence in the United States for multiple months) are considered to be "living" in the United States or only "visiting" the United States. In order to more accurately reflect the impact of foreign snowbirds on local jurisdictions in the United States, this commenter suggested defining those who are "living" in the United States as those who are "living or staying in the United States for an extended period of time exceeding ____ months." One commenter expressed concern about the impact of including undocumented people in the population counts for redistricting because these people cannot vote, and they stated that this practice encourages gerrymandering. This commenter

suggested collecting data to identify the citizen voting age population (CVAP), so that the data could be used to prevent gerrymandering in gateway communities during the redistricting process.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for foreign citizens in the United States (Section C.3). Foreign citizens are considered to be “living” in the United States if, at the time of the census, they are living and sleeping most of the time at a residence in the United States. Section C.3 provides sufficient guidance for foreign citizens either living in or visiting the United States. Section C.5 provides additional guidance regarding “snowbirds.” Comments on foreign citizens in the United States not addressed in this section were considered out of scope for this document.

5. Comments on Juvenile Facilities

Three comments were related to juvenile facilities. One commenter simply stated that they agree with the Census Bureau’s proposal regarding how to count juveniles in non-correctional residential treatment centers. One commenter stated that juveniles in all three types of juvenile facilities (i.e., correctional facilities, non-correctional group homes, and non-correctional residential treatment centers) should be counted at their usual residence. One commenter similarly stated that people in juvenile facilities should be counted at their usual residence outside the facility, but the context of the comment showed that this commenter was referring mostly to correctional facilities for juveniles (rather than non-correctional group homes and non-correctional residential treatment centers).

Census Bureau Response For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for juvenile facilities (Section C.17). People in correctional facilities for juveniles and non-correctional group homes for juveniles will be counted at the facility because the majority of people in these types of facilities live and sleep there most of the time. People in non-correctional residential treatment centers for juveniles will be counted at the residence where they live and sleep most of the time (or at the facility if they do not have a usual home elsewhere) because these people typically stay at the facility temporarily and often have a usual home elsewhere to return to after treatment is completed.

6. Comments on People in Shelters and People Experiencing Homelessness

Three comments were related to people in shelters and people experiencing homelessness. One expressed agreement with the Census Bureau's proposal regarding how to count people in all of the subcategories of this residence situation except for the subcategory of people in domestic violence shelters. This commenter suggested that people in domestic violence shelters should be allowed to be counted at their last residence address prior to the shelter, due to the temporary nature of their stay and the confidentiality of that shelter's location. One commenter suggested that the Census Bureau add residence guidance specifically regarding "temporarily moved persons due to emergencies" (e.g., displaced from their home by a hurricane or earthquake). This commenter stated that these people should be counted "in their normal prior residential locations" (if they state the intention to return to that prior location after their home is repaired/rebuilt) so that accurate decisions can be made regarding funding for rebuilding and infrastructure restoration in those locations. One commenter requested that the Census Bureau publish national and/or state level population counts for the subcategory of people in emergency

and transitional shelters with sleeping facilities for people experiencing homelessness. This commenter stated that these data are important to both housing advocates trying to assess the housing needs of people with disabilities, and to legal advocates working to enforce the community integration mandates of the Americans with Disabilities Act.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for people in shelters and people experiencing homelessness (Section C.21).

The proposed residence guidance already allows people who are temporarily displaced by natural disasters to be counted at their usual residence to which they intend to return. People in temporary group living quarters established for victims of natural disasters will be counted where they live and sleep most of the time (or at the facility if they do not report a usual home elsewhere). In addition, people who are temporarily displaced or experiencing homelessness, and are staying in a residence for a short or indefinite period of time, will be counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they will be counted where they are staying on Census Day.

7. Comments on College Students and Boarding School Students

Two comments were related to boarding school students, and two comments were related to college students. One commenter simply stated that they agree with the Census Bureau's proposal regarding how to count boarding school students and college students. One commenter suggested that they agree with counting college students at their college residence because that

would better ensure that all college students are counted in the census. One commenter suggested that boarding school students should be counted at the school because that is where they live and sleep most of the time, and they participate in (and consume the resources of) the community where the school is located. This commenter also stated that counting boarding school students at their parental home is inconsistent with the fact that college students are counted at their college residence, considering that college students are often just as dependent on their parents as boarding school students.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for college students (Section C.10.a-e) and boarding school students (Section C.9.a). The Census Bureau has historically counted boarding school students at their parental home, and will continue doing so because of the students' age and dependency on their parents, and the likelihood that they will return to their parents' residence when they are not attending their boarding school (e.g., weekends, summer/winter breaks, and when they stop attending the school).

8. Comments on Non-Correctional Adult Group Homes and Residential Treatment Centers

Two comments were related to adult group homes and residential treatment centers. One commenter suggested that all people in adult group homes and adult residential treatment centers should be counted at their usual residence other than the facility, because counting them at the facility is not consistent with their state's definition of residence. One commenter stated that the Census Bureau's proposal for how to count people in adult group homes does not best capture

the experience of people with disabilities who are in the process of transitioning from group housing to more independent housing. Therefore, the commenter suggested that the Census Bureau should alter the proposed guidance in order to allow people in adult group homes to be counted at a residence to which they are actively preparing to transition. The same commenter also requested that the Census Bureau publish national and/or state level population counts for the subcategories of people in adult group homes and adult residential treatment centers. This commenter stated that these data are important to both housing advocates trying to assess the housing needs of people with disabilities, and to legal advocates working to enforce the community integration mandates of the Americans with Disabilities Act.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for people in non-correctional adult group homes and residential treatment centers (Section C.16). People in non-correctional group homes for adults will be counted at the facility because the majority of people in these types of facilities live and sleep there most of the time. People in non-correctional residential treatment centers for adults will be counted at the residence where they live and sleep most of the time (or at the facility if they do not have a usual home elsewhere) because these people typically stay at the facility temporarily and often have a usual home elsewhere to return to after treatment is completed.

The residence guidance for people in adult group homes will not be revised to allow some people to be counted at a residence to which they are actively preparing to transition because people must be counted at their current usual residence, rather than a future usual

residence. Comments on non correctional adult group homes and residential treatment centers not addressed in this section were considered out of scope for this document.

9. Comments on Transitory Locations

Two comments were related to transitory locations. One commenter simply stated that they agree with the Census Bureau's proposal regarding how to count people in transitory locations. One commenter stated that the proposed residence guidance for transitory locations is acceptable because it is consistent with the concept of usual residence. However, they were concerned that the procedures used in the 2010 Census may have caused certain types of people to not be counted in the census because these people typically move seasonally from one transitory location (e.g., RV park) to another throughout the year, but the location where they are staying on Census Day may not be the location where they spend most of the year. This commenter stated that, during the 2010 Census, if the transitory location where a person was staying on Census Day was not where they stayed most of the time, then they were not enumerated at that location because the assumption was that they would be enumerated at their usual residence. Therefore, the commenter was concerned that people who stayed in one RV park for a few months around Census Day were not counted at that RV park if they indicated that they usually lived elsewhere (e.g., another RV park), and they would also not have been counted at that other RV park when they are there later that year (after the census enumeration period ends). The commenter suggested that we add procedures to account for people who spend most of their time in a combination of multiple transitory locations.

Census Bureau Response For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for people in transitory locations (Section C.18). Sufficient guidance for people in transitory locations, including those living in recreational vehicles, is provided in Section C.18. Comments on transitory locations not addressed in this section were considered out of scope for this document.

10. Comments on Visitors on Census Day

Two comments were related to visitors on Census Day. One commenter simply stated that they agree with the Census Bureau's proposal regarding how to count visitors on Census Day. One commenter asked whether the Census Bureau would count all vacationers in a specific state as residents of that state.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for visitors on Census Day (Section C.2). People who are temporarily visiting a location on Census Day will be counted where they live and sleep most of the time. If they do not have a usual residence to return to, they will be counted where they are staying on Census Day.

11. Comments on People Who Live or Stay in More than One Place

Two comments were related to people who live or stay in more than one place. One commenter simply stated that they agree with the Census Bureau's proposal regarding how to count people who live or stay in more than one place. One commenter suggested that the Census

Bureau add more clarification to the residence guidance regarding where “snowbirds” (i.e., seasonal residents) are counted.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for people who live or stay in more than one place (Section C.5). People who travel seasonally between residences (e.g., snowbirds) will be counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they will be counted where they are staying on Census Day.

12. Comments on Merchant Marine Personnel

Two comments were related to merchant marine personnel, and both commenters simply stated that they agree with the Census Bureau’s proposal regarding how to count merchant marine personnel.

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for merchant marine personnel (Section C.14).

13. Comments on Religious Group Quarters

Two comments were related to religious group quarters. One commenter simply stated that they agree with the Census Bureau’s proposal regarding how to count people in religious group quarters. One commenter expressed agreement with the proposal because most religious group quarters are long-term residences that align with the concept of usual residence.

Census Bureau Response For the 2020 Census, the Census Bureau will retain the proposed residence situation guidance for religious group quarters (Section C.20).

14. Comments on Other Residence Situations

There was one letter that included a comment on every residence situation, and each of those topic-specific comments was included as appropriate among the comments regarding the corresponding residence situations discussed above. However, for each of the other residence situations not already discussed above, the commenter stated that they agreed with how the Census Bureau proposed to count people in the following residence situations.

- People away from their usual residence on Census Day (e.g., on vacation or business trip) (Section C.1).
- People living outside the United States (Section C.4).
- People moving into or out of a residence around Census Day (Section C.6).
- People who are born or who die around Census Day (Section C.7).
- Relatives and nonrelatives (Section C.8).
- Residential schools for people with disabilities (Section C.9.b-c).
- Housing for older adults (Section C.12).
- Stateside military personnel (Section C.13.a-e).
- Workers' residential facilities (Section C.19).

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the proposed guidance for the residence situations listed in this section (B.14).

15. Comments on the Concept of Usual Residence or the General Residence Criteria

There was one comment on the concept of usual residence, in which the commenter expressed agreement with the definition of “usual residence” as being the place where a person lives and sleeps most of the time.

There were seven comments on the general residence criteria. One commenter simply supported the entire residence criteria and residence situations documentation. Two commenters stated that they specifically agree with the three main principles of the residence criteria. One commenter disagreed with “this method of tallying the U.S. population,” but did not refer to any specific residence situation. One commenter stated that every resident should be counted in the census. One commenter stated that every citizen should be counted in the census. One commenter suggested that the Census Bureau count people who are away from their home at the time of the census using a code to indicate the reason why they are away (e.g., travel, work, incarceration, etc.).

Census Bureau Response: For the 2020 Census, the Census Bureau will retain the three main principles of the residence criteria (see introduction portion of section C). The goal of the decennial census is to count all people who are living in the United States on Census Day at their usual residence. Comments on the concept of usual residence or general residence criteria not addressed in this section were considered out of scope for this document.

16. Other Comments

There were 18 comments that did not directly address the residence criteria or any particular residence situation.

Census Bureau Response:

Comments that did not directly address the residence criteria or any particular residence situation are out of scope for this document.

C. The Final 2020 Census Residence Criteria and Residence Situations

The Residence Criteria are used to determine where people are counted during the 2020 Census. The Criteria say:

- Count people at their usual residence, which is the place where they live and sleep most of the time.
- People in certain types of group facilities on Census Day are counted at the group facility.
- People who do not have a usual residence, or who cannot determine a usual residence, are counted where they are on Census Day.

The following sections describe how the Residence Criteria apply to certain living situations for which people commonly request clarification.

1. PEOPLE AWAY FROM THEIR USUAL RESIDENCE ON CENSUS DAY

People away from their usual residence on Census Day, such as on a vacation or a business trip, visiting, traveling outside the United States, or working elsewhere

without a usual residence there (for example, as a truck driver or traveling salesperson) - Counted at the residence where they live and sleep most of the time.

2. VISITORS ON CENSUS DAY

Visitors on Census Day - Counted at the residence where they live and sleep most of the time. If they do not have a usual residence to return to, they are counted where they are staying on Census Day.

3. FOREIGN CITIZENS IN THE UNITED STATES

- a) *Citizens of foreign countries living in the United States - Counted at the U.S. residence where they live and sleep most of the time.*
- b) *Citizens of foreign countries living in the United States who are members of the diplomatic community - Counted at the embassy, consulate, United Nations' facility, or other residences where diplomats live.*
- c) *Citizens of foreign countries visiting the United States, such as on a vacation or business trip - Not counted in the census.*

4. PEOPLE LIVING OUTSIDE THE UNITED STATES

- a) *People deployed outside the United States⁹ on Census Day (while stationed or assigned in the United States) who are military or civilian employees of the U.S. government -*

⁹ In this document, "Outside the United States" and "foreign port" are defined as being anywhere outside the geographical area of the 50 United States and the District of Columbia. Therefore, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, the Pacific Island Areas (American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands), and all foreign countries are considered to be "outside the United States." Conversely, "stateside," "U.S. homeport," and "U.S. port" are defined as being anywhere in the 50 United States and the District of Columbia.

Counted at the U S residence where they live and sleep most of the time, using administrative data provided by federal agencies.¹⁰

- b) *People stationed or assigned outside the United States on Census Day who are military or civilian employees of the U.S. government, as well as their dependents living with them outside the United States* - Counted as part of the U.S. federally affiliated overseas population, using administrative data provided by federal agencies.
- c) *People living outside the United States on Census Day who are not military or civilian employees of the U.S. government and are not dependents living with military or civilian employees of the U.S. government* - Not counted in the stateside census.

5. PEOPLE WHO LIVE OR STAY IN MORE THAN ONE PLACE

- a) *People living away most of the time while working, such as people who live at a residence close to where they work and return regularly to another residence* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.
- b) *People who live or stay at two or more residences (during the week, month, or year), such as people who travel seasonally between residences (for example, snowbirds)* - Counted at the residence where they live and sleep most of the time. If they cannot

¹⁰ Military and civilian employees of the U.S. government who are deployed or stationed/assigned outside the United States (and their dependents living with them outside the United States) are counted using administrative data provided by the Department of Defense and the other federal agencies that employ them. If they are deployed outside the United States (while stationed/assigned in the United States), the administrative data are used to count them at their usual residence in the United States. Otherwise, if they are stationed/assigned outside the United States, the administrative data are used to count them (and their dependents living with them outside the United States) in their home state for apportionment purposes only.

determine a place where they live most of the time, they are counted where they are staying on Census Day.

- c) *Children in shared custody or other arrangements who live at more than one residence*
- Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.

6. PEOPLE MOVING INTO OR OUT OF A RESIDENCE AROUND CENSUS DAY

- a) *People who move into a new residence on or before Census Day* - Counted at the new residence where they are living on Census Day.
- b) *People who move out of a residence on Census Day and do not move into a new residence until after Census Day* - Counted at the old residence where they were living on Census Day.
- c) *People who move out of a residence before Census Day and do not move into a new residence until after Census Day* - Counted at the residence where they are staying on Census Day.

7. PEOPLE WHO ARE BORN OR WHO DIE AROUND CENSUS DAY

- a) *Babies born on or before Census Day* - Counted at the residence where they will live and sleep most of the time, even if they are still in a hospital on Census Day.
- b) *Babies born after Census Day* - Not counted in the census.
- c) *People who die before Census Day* - Not counted in the census.

- d) *People who die on or after Census Day* - Counted at the residence where they were living and sleeping most of the time as of Census Day.

8. RELATIVES AND NONRELATIVES

- a) *Babies and children of all ages, including biological, step, and adopted children, as well as grandchildren* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day. (Only count babies born on or before Census Day.)
- b) *Foster children* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.
- c) *Spouses and close relatives, such as parents or siblings* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.
- d) *Extended relatives, such as grandparents, nieces/nephews, aunts/uncles, cousins, or in-laws* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.
- e) *Unmarried partners* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.

- f) *Housemates or roommates* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.
- g) *Roomers or boarders* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.
- h) *Live-in employees, such as caregivers or domestic workers* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.
- i) *Other nonrelatives, such as friends* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.

9. PEOPLE IN RESIDENTIAL SCHOOL-RELATED FACILITIES

- a) *Boarding school students living away from their parents' or guardians' home while attending boarding school below the college level, including Bureau of Indian Affairs boarding schools* - Counted at their parents' or guardians' home.
- b) *Students in residential schools for people with disabilities on Census Day* - Counted at the school.
- c) *Staff members living at boarding schools or residential schools for people with disabilities on Census Day* - Counted at the residence where they live and sleep most of the time. If they do not have a usual home elsewhere, they are counted at the school.

10. COLLEGE STUDENTS (and Staff Living in College Housing)

- a) *College students living at their parents' or guardians' home while attending college in the United States* - Counted at their parents' or guardians' home.
- b) *College students living away from their parents' or guardians' home while attending college in the United States (living either on-campus or off-campus)* - Counted at the on-campus or off-campus residence where they live and sleep most of the time. If they are living in college/university student housing (such as dormitories or residence halls) on Census Day, they are counted at the college/university student housing.
- c) *College students living away from their parents' or guardians' home while attending college in the United States (living either on-campus or off-campus) but staying at their parents' or guardians' home while on break or vacation* - Counted at the on-campus or off-campus residence where they live and sleep most of the time. If they are living in college/university student housing (such as dormitories or residence halls) on Census Day, they are counted at the college/university student housing.
- d) *College students who are U.S. citizens living outside the United States while attending college outside the United States* - Not counted in the stateside census.
- e) *College students who are foreign citizens living in the United States while attending college in the United States (living either on-campus or off-campus)* - Counted at the on-campus or off-campus U.S. residence where they live and sleep most of the time. If they are living in college/university student housing (such as dormitories or residence halls) on Census Day, they are counted at the college/university student housing.
- f) *Staff members living in college/university student housing (such as dormitories or residence halls) on Census Day* - Counted at the residence where they live and sleep

most of the time. If they do not have a usual home elsewhere, they are counted at the college/university student housing.

11. PEOPLE IN HEALTH CARE FACILITIES

- a) *People in general or Veterans Affairs hospitals (except psychiatric units) on Census Day, including newborn babies still in the hospital on Census Day* - Counted at the residence where they live and sleep most of the time. Newborn babies are counted at the residence where they will live and sleep most of the time. If patients or staff members do not have a usual home elsewhere, they are counted at the hospital.
- b) *People in mental (psychiatric) hospitals and psychiatric units in other hospitals (where the primary function is for long-term non-acute care) on Census Day* - Patients are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.
- c) *People in assisted living facilities¹¹ where care is provided for individuals who need help with the activities of daily living but do not need the skilled medical care that is provided in a nursing home* - Residents and staff members are counted at the residence where they live and sleep most of the time.
- d) *People in nursing facilities/skilled-nursing facilities (which provide long-term non-acute care) on Census Day* - Patients are counted at the facility. Staff members are

¹¹ Nursing facilities/skilled-nursing facilities, in-patient hospice facilities, assisted living facilities, and housing intended for older adults may coexist within the same entity or organization in some cases. For example, an assisted living facility may have a skilled-nursing floor or wing that meets the nursing facility criteria, which means that specific floor or wing is counted according to the guidelines for nursing facilities/skilled-nursing facilities, while the rest of the living quarters in that facility are counted according to the guidelines for assisted living facilities.

counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.

- e) *People staying at in-patient hospice facilities on Census Day* - Counted at the residence where they live and sleep most of the time. If patients or staff members do not have a usual home elsewhere, they are counted at the facility.

12. PEOPLE IN HOUSING FOR OLDER ADULTS

People in housing intended for older adults, such as active adult communities, independent living, senior apartments, or retirement communities - Residents and staff members are counted at the residence where they live and sleep most of the time.

13. U.S. MILITARY PERSONNEL

- a) *U.S. military personnel assigned to military barracks/dormitories in the United States on Census Day* - Counted at the military barracks/dormitories.
- b) *U.S. military personnel (and dependents living with them) living in the United States (living either on base or off base) who are not assigned to barracks/dormitories on Census Day* - Counted at the residence where they live and sleep most of the time.
- c) *U.S. military personnel assigned to U.S. military vessels with a U.S. homeport on Census Day* - Counted at the onshore U.S. residence where they live and sleep most of the time. If they have no onshore U.S. residence, they are counted at their vessel's homeport.
- d) *People who are active duty patients assigned to a military treatment facility in the United States on Census Day* - Patients are counted at the facility. Staff members are

counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.

- e) *People in military disciplinary barracks and jails in the United States on Census Day* - Prisoners are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.
- f) *U.S. military personnel who are deployed outside the United States (while stationed in the United States) and are living on or off a military installation outside the United States on Census Day* - Counted at the U.S. residence where they live and sleep most of the time, using administrative data provided by the Department of Defense.
- g) *U.S. military personnel who are stationed outside the United States and are living on or off a military installation outside the United States on Census Day, as well as their dependents living with them outside the United States* - Counted as part of the U.S. federally affiliated overseas population, using administrative data provided by the Department of Defense.
- h) *U.S. military personnel assigned to U.S. military vessels with a homeport outside the United States on Census Day* - Counted as part of the U.S. federally affiliated overseas population, using administrative data provided by the Department of Defense.

14. MERCHANT MARINE PERSONNEL ON U.S. FLAG MARITIME/MERCHANT VESSELS

- a) *Crews of U.S. flag maritime/merchant vessels docked in a U.S. port, sailing from one U.S. port to another U.S. port, sailing from a U.S. port to a foreign port, or sailing*

from a foreign port to a U S port on Census Day Counted at the onshore U S residence where they live and sleep most of the time. If they have no onshore U.S. residence, they are counted at their vessel. If the vessel is docked in a U.S. port, sailing from a U.S. port to a foreign port, or sailing from a foreign port to a U.S. port, crewmembers with no onshore U.S. residence are counted at the U.S. port. If the vessel is sailing from one U.S. port to another U.S. port, crewmembers with no onshore U.S. residence are counted at the port of departure.

- b) *Crews of U.S. flag maritime/merchant vessels engaged in U.S. inland waterway transportation on Census Day* - Counted at the onshore U.S. residence where they live and sleep most of the time.
- c) *Crews of U.S. flag maritime/merchant vessels docked in a foreign port or sailing from one foreign port to another foreign port on Census Day* - Not counted in the stateside census.

15. PEOPLE IN CORRECTIONAL FACILITIES FOR ADULTS

- a) *People in federal and state prisons on Census Day* - Prisoners are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.
- b) *People in local jails and other municipal confinement facilities on Census Day* - Prisoners are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.

- c) *People in federal detention centers on Census Day, such as Metropolitan Correctional Centers, Metropolitan Detention Centers, Bureau of Indian Affairs Detention Centers, Immigration and Customs Enforcement (ICE) Service Processing Centers, and ICE contract detention facilities* - Prisoners are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.
- d) *People in correctional residential facilities on Census Day, such as halfway houses, restitution centers, and prerelease, work release, and study centers* - Residents are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.

16. PEOPLE IN GROUP HOMES AND RESIDENTIAL TREATMENT CENTERS FOR ADULTS

- a) *People in group homes intended for adults (non-correctional) on Census Day* - Residents are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.
- b) *People in residential treatment centers for adults (non-correctional) on Census Day* - Counted at the residence where they live and sleep most of the time. If residents or staff members do not have a usual home elsewhere, they are counted at the facility.

17. PEOPLE IN JUVENILE FACILITIES

- a) *People in correctional facilities intended for juveniles on Census Day* Juvenile residents are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.
- b) *People in group homes for juveniles (non-correctional) on Census Day* - Juvenile residents are counted at the facility. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the facility.
- c) *People in residential treatment centers for juveniles (non-correctional) on Census Day* - Counted at the residence where they live and sleep most of the time. If juvenile residents or staff members do not have a usual home elsewhere, they are counted at the facility.

18. PEOPLE IN TRANSITORY LOCATIONS

People at transitory locations such as recreational vehicle (RV) parks, campgrounds, hotels and motels, hostels, marinas, racetracks, circuses, or carnivals - Anyone, including staff members, staying at the transitory location is counted at the residence where they live and sleep most of the time. If they do not have a usual home elsewhere, or they cannot determine a place where they live most of the time, they are counted at the transitory location.

19. PEOPLE IN WORKERS' RESIDENTIAL FACILITIES

People in workers' group living quarters and Job Corps Centers on Census Day

Counted at the residence where they live and sleep most of the time. If residents or staff members do not have a usual home elsewhere, they are counted at the facility.

20. PEOPLE IN RELIGIOUS-RELATED RESIDENTIAL FACILITIES

People in religious group quarters, such as convents and monasteries, on Census Day -

Counted at the facility.

21. PEOPLE IN SHELTERS AND PEOPLE EXPERIENCING HOMELESSNESS

- a) *People in domestic violence shelters on Census Day* - People staying at the shelter (who are not staff) are counted at the shelter. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the shelter.
- b) *People who, on Census Day, are in temporary group living quarters established for victims of natural disasters* - Anyone, including staff members, staying at the facility is counted at the residence where they live and sleep most of the time. If they do not have a usual home elsewhere, they are counted at the facility.
- c) *People who, on Census Day, are in emergency and transitional shelters with sleeping facilities for people experiencing homelessness* - People staying at the shelter (who are not staff) are counted at the shelter. Staff members are counted at the residence where they live and sleep most of the time. If staff members do not have a usual home elsewhere, they are counted at the shelter.

- d) *People who, on Census Day, are at soup kitchens and regularly scheduled mobile food vans that provide food to people experiencing homelessness* - Counted at the residence where they live and sleep most of the time. If they do not have a usual home elsewhere, they are counted at the soup kitchen or mobile food van location where they are on Census Day.
- e) *People who, on Census Day, are at targeted non-sheltered outdoor locations where people experiencing homelessness stay without paying* - Counted at the outdoor location where they are on Census Day.
- f) *People who, on Census Day, are temporarily displaced or experiencing homelessness and are staying in a residence for a short or indefinite period of time* - Counted at the residence where they live and sleep most of the time. If they cannot determine a place where they live most of the time, they are counted where they are staying on Census Day.

Dated: February 1, 2018.

Ron S. Jarmin
Associate Director for Economic Programs
Performing the Non-Exclusive Functions
and Duties of the Director
Bureau of the Census

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Subject: Fw: Letter to Dr. Dillingham re: Operational Changes
[Letter to Census Bureau on Operational Changes - 9.3.2020.pdf](#)

FYI. Here is a new letter from California members.

Chris Stanley, Chief
Office of Congressional and Intergovernmental Affairs
U.S. Census Bureau
O: 301-763-4276 | M: (b) (6)
[census.gov](#) | [@uscensusbureau](#)
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From: Mark G Dorsey (CENSUS/ADCOM FED) <mark.g.dorsey@census.gov>
Sent: Thursday, September 3, 2020 12:03 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>
Subject: Fw: Letter to Dr. Dillingham re: Operational Changes

Please control. Thank you

From: Brest, Phillip (Judiciary-Dem) <Phillip_Brest@judiciary-dem.senate.gov>
Sent: Thursday, September 3, 2020 11:47 AM
To: Mark G Dorsey (CENSUS/ADCOM FED) <mark.g.dorsey@census.gov>
Cc: Condon, Emily (Feinstein) <Emily_Condon@feinstein.senate.gov>; Weiner, Matt <Matt.Weiner@mail.house.gov>; Guerrero, Bertha <Bertha.Guerrero@mail.house.gov>; Rios, Diana <Diana.Rios@mail.house.gov>
Subject: Letter to Dr. Dillingham re: Operational Changes

Mark,

Attached please find a letter to Dr. Dillingham from Senator Feinstein, Representatives Lofgren and Gomez, and other members of California's congressional delegation. Please acknowledge receipt. We appreciate the Director's prompt attention to this.

Best,

Phil

Phillip Brest
Deputy Staff Director
United States Senate Committee on the Judiciary
Office of Senator Dianne Feinstein, Ranking Member
202-224-7492 (Direct)

BC-DOC-CEN-2020-001602-005476

202-224-7703 (Main Office)

[Website](#) | [Twitter](#) | [Facebook](#) | [YouTube](#)

APPOINTEES

What are the job responsibilities of these new appointees?

- Need to get the response to the IG

Please explain the specific responsibilities of each of the appointees?

- Need more language, getting IG response.

Please explain the qualifications of the appointees for the positions to which they have been appointed?

- I will provide this committee the full CVs of both. I will say in my few weeks of working with them, I have found Dr. Cogley to be a thoughtful academic with a healthy interest in ensuring we are doing everything we can to count everyone living in this country. Adam Korzeniewski is a passionate young man with training in survey methodology, service to our country in uniform, and provides me with invaluable insight as someone who had an on-the-ground management position in the New York Regional Office.

It has been reported in the media that the appointees to the Census Bureau has pushed back in the Bureau's methods to enumerate hard-to-count populations. Do these appointees have oversight of programs developed to reach hard-to-count populations? If so, what are they?

- Neither appointee oversees operations, but for by virtue of the fact that I oversee operations and they advise me. I would like to push back on this: while there is always a healthy discussion of operations and policy at the Census Bureau, I have heard nothing which would indicate either of these two oppose or have questions our operations to enumerate hard-to-count populations. Likewise, I have heard no such question from anyone at the Department of Commerce or within the government.

Has the Bureau responded to the Commerce IG's inquiry about the appointees?

- **[NOTE – I think the initial response was sent. We should have this early Monday morning]** The Department of Commerce Office of General Counsel is coordinating the response. I have been informed they have begun the production of documents. I can check in with the General Counsel's office and get you and update on the status of that production today.

Congress of the United States
Washington, DC 20515

September 3, 2020

Dr. Steven Dillingham
Director
United States Census Bureau
4600 Silver Hill Road
Washington, DC 20233

Dear Dr. Dillingham:

This letter is to inquire about the U.S. Census Bureau's plans for accurately counting our country's population in the 2020 Census. In California, nearly 15 percent of our residents remain uncounted, many in historically undercounted communities at risk of losing federal funding and resources. In light of the challenges created by COVID-19, the fires burning across California, and the recent decision to end counting operations early, we ask that you provide additional detail about how a complete count will be achieved.

It is our understanding that with the shortened counting timeline, Census Bureau workers will need to visit 8 million more homes nationwide than in 2010, in just seven weeks instead of ten weeks. Data accuracy and review procedures for processing apportionment counts have also been reduced from six months to three months. Additional obstacles caused by COVID-19 include a higher number of people experiencing homelessness, an historically undercounted population, as well as difficulties with hiring and retention of census workers.

Given these significant barriers to a fair and accurate census, we would appreciate answers to the following questions.

- With in-person counting operations cut short, the Census Bureau will likely need to utilize administrative records and statistical techniques to complete the enumeration. Do you now anticipate any changes in the number of households that will be enumerated using administrative records and other statistical techniques, or any additions to the types of administrative records that the Bureau will use to identify and enumerate households for which

reliable administrative data exists? Will you change the standard used to determine whether administrative records for a particular household are of sufficient quality for use in enumeration?

- What additional information will the Census Bureau disclose to Congress and the public about the progress of non-response follow up operations and the post-enumeration survey, and about the quality of the count?
- Which California Area Census Offices (ACOs) have hired and trained less than 75% of the goal number of enumerators? Which have hired and trained less than 50%? Will the Census Bureau increase the number of enumerators to account for the large increase in people experiencing homelessness due to COVID-19? How have California's wildfires impacted the number of enumerators needed in California?
- When and how will the Census Bureau evaluate the adherence of decennial Census data products to its Statistical Quality Standards and Information Quality Guidelines – in particular, its commitment to objectivity? Which personnel will evaluate requests for correction, pursuant to the Information Quality Act, of any erroneous data in 2020 Census products?

Thank you for your attention to this request. If you have any questions, please do not hesitate to contact us

Sincerely,



DIANNE FEINSTEIN
United States Senator



ZOE LOFGREN
Member of Congress



JIMMY GOMEZ
Member of Congress



KAMALA D. HARRIS
United States Senator

PETE AGUILAR
Member of Congress

NANETTE BARRAGÁN
Member of Congress

KAREN BASS
Member of Congress

AMI BERA
Member of Congress

JULIA BROWNLEY
Member of Congress

SALUD CARBAJAL
Member of Congress

TONY CÁRDENAS
Member of Congress

JUDY CHU
Member of Congress

GIL CISNEROS
Member of Congress

LOU CORREA
Member of Congress

JIM COSTA
Member of Congress

TJ COX
Member of Congress

SUSAN A. DAVIS
Member of Congress

MARK DESAULNIER
Member of Congress

ANNA G. ESHOO
Member of Congress

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BARBARA LEE
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Member of Congress

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Member of Congress

ALAN LOWENTHAL
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DORIS MATSUI
Member of Congress

JERRY MCNERNEY
Member of Congress

GRACE F. NAPOLITANO
Member of Congress

JIMMY PANETTA
Member of Congress

SCOTT PETERS
Member of Congress

KATIE PORTER
Member of Congress

HARLEY ROUDA
Member of Congress

LUCILLE ROYBAL-ALLARD
Member of Congress

RAUL RUIZ
Member of Congress

LINDA T SÁNCHEZ
Member of Congress

ADAM B. SCHIFF
Member of Congress

BRAD SHERMAN
Member of Congress

JACKIE SPEIER
Member of Congress

ERIC SWALWELL
Member of Congress

MARK TAKANO
Member of Congress

MIKE THOMPSON
Member of Congress

NORMA J. TORRES
Member of Congress

JUAN C VARGAS
Member of Congress

MAXINE WATERS
Member of Congress

To: Steven Dillingham (CENSUS/DEPDIR FED)[steven.dillingham@census.gov]; Steven K Smith (CENSUS/DEPDIR FED)[steven.k.smith@census.gov]; Ali Mohammad Ahmad (CENSUS/ADCOM FED)[ali.m.ahmad@census.gov]; Benjamin A Overholt (CENSUS/DEPDIR FED)[benjamin.a.overholt@census.gov]; Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@census.gov]; Adam Michael Korzeniewski (CENSUS/DEPDIR FED)[adam.m.korzeniewski@census.gov]; Michael John Sprung (CENSUS/DEPDIR FED)[michael.j.sprung@census.gov]; Kevin Quinley (CENSUS/ADCOM FED)[kevin.quinley@census.gov]
From: Christopher J Stanley (CENSUS/OCIA FED)[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ADA39E1C50F84DBE8E2EB98E59096E2D-STANLEY, CH]
Sent: Tue 9/29/2020 8:52:37 PM (UTC)
Subject: Fw: NM Delegation Letter to Dept. Commerce re Census Extensions-9.29.2020.pdf
[NM Delegation Letter to Dept. Commerce re Census Extensions-9.29.2020.pdf](#)

FYI.

From: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
Sent: Tuesday, September 29, 2020 4:51 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Timothy P Olson (CENSUS/ADFO FED) <Timothy.P.Olson@census.gov>
Cc: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>; James T Christy (CENSUS/LA FED) <James.T.Christy@census.gov>
Subject: Fw: NM Delegation Letter to Dept. Commerce re Census Extensions-9.29.2020.pdf

He have a new letter addressed to Secretary, Director, and Tim.

From: Foti, Anthony (Federal) <AFoti@doc.gov>
Sent: Tuesday, September 29, 2020 4:45 PM
To: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>; Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>; Brebbia, Sean (Federal) <SBrebbia@doc.gov>
Subject: NM Delegation Letter to Dept. Commerce re Census Extensions-9.29.2020.pdf

FYI

CONGRESS OF THE UNITED STATES

**DELEGATION OFFICE
STATE OF NEW MEXICO
HART SENATE OFFICE BUILDING
WASHINGTON, D.C. 20510
(202) 224 - 8962**

September 29, 2020

VIA ELECTRONIC TRANSMISSION

The Honorable Wilbur L. Ross, Jr.
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, DC 20233

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

Timothy P. Olson
Associate Director of Field Operations
U.S. Census Bureau
4600 Silver Hill Road
Washington, D.C. 20233

Dear Secretary Ross, Dr. Dillingham and Mr. Olson,

Following the recent federal district court ruling in *Nat'l Urb. League v. Ross*,¹ we urge you to continue to lead census data collection efforts in, and retain all employees and partnership specialists serving, New Mexico through October 31, 2020. As members of the New Mexico Congressional Delegation, we have a strong interest in ensuring that the federal government meets its constitutional duty to count all persons living in New Mexico for the 2020 Census. The communities of color and diverse constituencies that we serve – including rural and Tribal populations – remain among the most difficult to enumerate in the country. The importance of a fair enumeration to the people of New Mexico is not only critical to ensuring that our constituents are properly represented in Congress and in our state legislatures, but also for the allocation of federal dollars. The consequences of undercounting the people of New Mexico in the 2020 Census would be enormously damaging for at least the next decade.

In March 2020, shortly after the beginning of data collection, the COVID-19 pandemic upended the U.S. Census Bureau's Operational Plan and compelled more time for census operations.²

¹ *Nat'l Urb. League v. Ross*, No. 20-CV-05799-LHK (N.D. Cal. filed Sept. 24, 2020).

² The U.S. Census Bureau adopted a final operational plan for the 2020 Census in December 2018 called the Operational Plan Version 4.0. U.S. CENSUS BUREAU, 2020 Census Operational Plan: A New Design for the 21st Century (December 2018), <https://www2.census.gov/programs-surveys/decennial/2020/program-management/planning-docs/2020-oper-plan4.pdf>.

Accordingly, on April 13, 2020, the Bureau adopted the COVID-19 Plan, which lengthened the schedule for data collection and processing, and the Secretary of Commerce’s reports of population “tabulations” to the President and the states.³ Detailed media reports have revealed that President Trump and Census Bureau officials publicly stated that meeting the December 31, 2020 deadline would be impossible given the ongoing pandemic.⁴

However, on August 3, 2020, the Bureau announced a revised operational agenda, branded the “Replan,” which significantly reduced the COVID-19 timeframes overall from 71 ½ weeks to 49 ½ weeks. Specifically for post-processing, the timeframe was shortened from 26 weeks to 13 weeks, reverting from the deadline of April 30, 2021 the White House and the Census Bureau requested of Congress, to the original statutory deadline of December 31, 2020. Self-response was compressed from 33 ½ weeks to 29 weeks and the Non Response Follow Up (NFRU) timeframe was compressed from 11 ½ weeks to 7 ½ weeks, with timeframes for both moved up from October 31, 2020 to September 30, 2020.⁵ We note that separate reports issued by the Government Accountability Office and U.S. Department of Commerce Office of the Inspector General determined that the acceleration of collecting data increases the risks to obtaining a complete and accurate 2020 Census.⁶

Following these actions, our offices remain gravely concerned that the Census Bureau is in danger of failing to meet its own target for a nationwide enumeration rate of at least 99 per cent. Indeed, as of September 28, 2020, New Mexico was below that target with a 96.9 percent total response rate.⁷ Furthermore, we are troubled that even with a 99 percent enumeration rate, that household information will be incomplete or inaccurate. The increased risk of an undercount is commensurate with the Bureau’s use of less accurate data collection and administrative practices as it attempts to rush its operational plan. We are concerned that rushed enumeration protocols will endanger data quality in New Mexico independent of a 99 percent or greater enumeration rate. These include but are not limited to: greater reliance on proxies, enumerators collecting “headcounts” for households while using administrative records to complete missing demographic information for a household’s

³ 13 U.S.C. § 141(b), (c) (1976).

⁴ On the day the COVID-19 Plan was announced, President Donald J. Trump stated, “I don’t know that you even have to ask [Congress]. This is called an act of God. This is called a situation that has to be. They have to give it. I think 120 days isn’t nearly enough.” Remarks by President Trump, Vice President Pence, and Members of the Coronavirus Task Force in Press Briefing (Apr. 13, 2020 5:49 P.M. EDT), <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-vice-president-pence-members-coronavirus-task-force-press-briefing-25/>; On May 26, 2020, Associate Director for Field Operations, Timothy Olson, stated that “[w]e have passed the point where we could even meet the current legislative requirement of December 31. We can’t do that anymore. We -- we’ve passed that for quite a while now.” Nat’l Conf. of Am. Indians, 2020 Census Webinar: American Indian/Alaska Native at 1:17:30–1:18:30, YouTube (May 26, 2020), <https://www.youtube.com/watch?v=F6IyJMtDDgY>; similarly, on July 8, 2020, Associate Director Albert Fontenot, confirmed that the Bureau is “past the window of being able to get” accurate counts to the President by December 31, 2020. U.S. CENSUS BUREAU, Operational Press Briefing – 2020 Census Update at 20–21 (July 8, 2020), <https://www.census.gov/content/dam/Census/newsroom/presskits/2020/news-briefing-program-transcript-july8.pdf>.

⁵ Nat’l Urb. League at 12.

⁶ GAO-20-551R: *COVID-19 Presents Delays and Risks to Census Count* (June 2020), <https://www.gao.gov/products/GAO-20-551R>; OIG-20-050-M: *The Acceleration of the Census Schedule Increases the Risks to a Complete and Accurate 2020 Census* (Sept. 18, 2020), <https://www.oig.doc.gov/OIGPublications/OIG-20-050-M.pdf>.

⁷ U.S. CENSUS BUREAU, Total Response Rates by State: New Mexico (Sept. 29, 2020), <https://2020census.gov/en/response-rates/nrfu.html>.

members, lack of sufficient enumerators in hard-to-count census tracts, and the Bureau letting go of entire offices or teams of temporary employees before field operations have concluded.

Accordingly, we expect you to continue field operations until October 31, 2020 based on the Bureau's April 13, 2020 COVID-19 Plan while any appeals in the Ninth Circuit or other courts are pending. The Bureau's most recent announcement that the new target date to conclude field operations and self-response by October 5, 2020 is troublesome for our communities, and we urge the Bureau to plan for continued operations through the end of October as the current court decision intends. Moreover, we request the Bureau provide clear communication of an adjusted schedule allowing for field operations to continue until October 31, 2020 on its website and urgently communicate this to census operations teams to help New Mexico and the rest of the country achieve a complete census count.

We look forward to hearing back from you regarding a commitment to gathering a full, fair, and accurate count for the 2020 Census

Sincerely,

/s/ Tom Udall

Tom Udall
United States Senator

/s/ Martin Heinrich

Martin Heinrich
United States Senator

/s/ Ben Ray Luján

Ben Ray Luján
United States Representative

/s/ Debra Haaland

Debra Haaland
United States Representative

/s/ Xochitl Torres Small

Xochitl Torres Small
United States Representative

To: Steven Dillingham (CENSUS/DEPDIR FED)[steven.dillingham@census.gov]; Ron S Jarmin (CENSUS/DEPDIR FED)[Ron.S.Jarmin@census.gov]; Christa D Jones (CENSUS/DEPDIR FED)[Christa.D.Jones@census.gov]; Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@census.gov]; Michael John Sprung (CENSUS/DEPDIR FED)[michael.j.sprung@census.gov]; Steven K Smith (CENSUS/DEPDIR FED)[steven.k.smith@census.gov]; Enrique Lamas (CENSUS/DEPDIR FED)[Enrique.Lamas@census.gov]; Timothy P Olson (CENSUS/ADFO FED)[Timothy.P.Olson@census.gov]; James T Christy (CENSUS/LA FED)[James.T.Christy@census.gov]; Albert E Fontenot (CENSUS/ADDC FED)[Albert.E.Fontenot@census.gov]; Deborah Stempowski (CENSUS/ADDC FED)[Deborah.M.Stempowski@census.gov]; Michael T Thieme (CENSUS/ADDC FED)[Michael.T.Thieme@census.gov]; Adam Michael Korzeniewski (CENSUS/DEPDIR FED)[adam.m.korzeniewski@census.gov]; Kathleen M Styles (CENSUS/ADDC FED)[kathleen.m.styles@census.gov]
Cc: Christopher J Stanley (CENSUS/OCIA FED)[christopher.j.stanley@census.gov]; Michael C Cook (CENSUS/PIO FED)[Michael.C.Cook@census.gov]; Burton H Reist (CENSUS/ADCOM FED)[burton.h.reist@census.gov]
From: Ali Mohammad Ahmad (CENSUS/ADCOM FED)[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9F924D2AEBA34BB78774A059DDE7550C-AHMAD, ALI]
Sent: Tue 8/4/2020 12:13:11 AM (UTC)
Subject: Cleared Statement- Posting Soon
[Embargoed Till Posting- Statement from Director Dillingham on 2020 Census Updates.docx](#)

Statement will be on website in about 20-30 minutes. You can use this so send to folks ahead of time if you need to hit up GAO, OIG, or anyone else.

Tim/Jamey- will you send to the RDs?

I will send the link when it's posted.

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789 | M: (b) (6)
Ali.M.Ahmad@census.gov
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Statement from Director U.S. Census Bureau Director Steven Dillingham: Delivering a Complete and Accurate 2020 Census Count

The U.S. Census Bureau continues to evaluate its operational plans to collect and process 2020 Census data. Today, we are announcing updates to our plan that will include enumerator awards and the hiring of more employees to accelerate the completion of data collection and apportionment counts by our statutory deadline of December 31, 2020, as required by law and directed by the Secretary of Commerce. The Census Bureau's new plan reflects our continued commitment to conduct a complete count, provide accurate apportionment data, and protect the health and safety of the public and our workforce.

- **Complete Count:** A robust field data collection operation will ensure we receive responses from households that have not yet self-responded to the 2020 Census.
 - We will improve the speed of our count without sacrificing completeness. As part of our revised plan, we will conduct additional training sessions and provide awards to enumerators in recognition of those who maximize hours worked. We will also keep phone and tablet computer devices for enumeration in use for the maximum time possible.
 - We will end field data collection by September 30, 2020. Self-response options will also close on that date to permit the commencement of data processing. Under this plan, the Census Bureau intends to meet a similar level of household responses as collected in prior censuses, including outreach to hard-to-count communities.
- **Accurate Data and Efficient Processing:** Once we have the data from self-response and field data collection in our secure systems, we plan to review it for completeness and accuracy, streamline its processing, and prioritize apportionment counts to meet the statutory deadline. In addition, we plan to increase our staff to ensure operations are running at full capacity.
- **Flexible Design:** Our operation remains adaptable and additional resources will help speed our work. The Census Bureau will continue to analyze data and key metrics from its field work to ensure that our operations are agile and on target for meeting our statutory delivery dates. Of course, we recognize that events can still occur that no one can control, such as additional complications from severe weather or other natural disasters.
- **Health and Safety:** We will continue to prioritize the health and safety of our workforce and the public. Our staff will continue to follow Federal, state, and local guidance, including providing appropriate safety trainings and personal protective equipment to field staff.

The Census Bureau continues its work on meeting the requirements of [Executive Order 13880](#) issued July 11, 2019 and the [Presidential Memorandum](#) issued July 21, 2020. A team of experts are examining methodologies and options to be employed for this purpose. The collection and use of pertinent administrative data continues.

DRAFT

We are committed to a complete and accurate 2020 Census. To date, 93 million households, nearly 63 percent of all households in the Nation, have responded to the 2020 Census. Building on our successful and innovative internet response option, the dedicated women and men of the Census Bureau, including our temporary workforce deploying in communities across the country in upcoming weeks, will work diligently to achieve an accurate count.

We appreciate the support of our hundreds of thousands of community-based, business, state, local and tribal partners contributing to these efforts across our Nation. The 2020 Census belongs to us all. If you know someone who has not yet responded, please encourage them to do so today online at 2020census.gov, over the phone, or by mail.

To: RM Center Chiefs (b) (6); Krista Park (CENSUS/ADRM FED)[Krista.Park@census.gov]
From: John Maron Abowd (CENSUS/ADRM FED)/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CB0EEE1CC6CA45CC948C0077899626C2-ABOWD, JOHN]
Sent: Mon 8/10/2020 4:07:39 PM (UTC)
Subject: Fw: [8/3-7] Director's Weekly Bureau Report
[Week of August 3, Director Dillingham's Weekly Bureau Report.docx](#)

FYSA

John M. Abowd, PhD, Associate Director and Chief Scientist

Research and Methodology

U.S. Census Bureau

O: [301-763-5880](tel:301-763-5880) M: simulring on cell

[census.gov](https://www.census.gov) | [@uscensusbureau](https://twitter.com/uscensusbureau)

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From: Robin Wyvill (CENSUS/DEPDIR FED) <Robin.L.Wyvill@census.gov>

Sent: Friday, August 7, 2020 2:23 PM

To: OPCOM - Principals Only List (CENSUS/ OTHER) (b) (6); Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Adam Michael Korzeniewski (CENSUS/DEPDIR FED) <adam.m.korzeniewski@census.gov>

Cc: Christa D Jones (CENSUS/DEPDIR FED) <Christa.D.Jones@census.gov>

Subject: [8/3-7] Director's Weekly Bureau Report

Hello all,

Please find attached...

- Week of August 3, Director Dillingham's Weekly Bureau Report

Take care,

Robin

From: Christa D Jones (CENSUS/DEPDIR FED) <Christa.D.Jones@census.gov>

Sent: Friday, March 27, 2020 8:57 AM

To: OPCOM - Principals Only List (CENSUS/ OTHER) <opcom.-.principals.only.list@census.gov>

Cc: Robin Wyvill (CENSUS/DEPDIR FED) <Robin.L.Wyvill@census.gov>

Subject: 3/23, Weekly Bureau Report

All--making this report available to all for the general purpose of sharing information.

Weekly Hill Briefing Prep Material

August 7, 2020

Bottom Line Up Front

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

- **Maximizing** staff and production hours for field data collection operations to conclude field data collection by September 30, 2020.
- **Compressing** and streamline backend processing to deliver apportionment counts by December 31, 2020.
- **Achieving** an acceptable level of accuracy and completeness, with a goal of resolving at least 99% of Housing Units in every state.

Nonresponse Followup Operational Options

Early Start of Nonresponse Followup Operations

6 Cycle 1a Area Census Offices (ACOs) began operations on July 16

- 35% total complete as of August 4

6 Cycle 1b ACOs began operations on July 23

- 22% total complete as of August 4

35 Cycle 2 ACOs were scheduled to begin operations on July 30; however, we started operations earlier in some ACOs where staff was available:

- 17 ACOs – Started July 26 – 29
- 18 ACOs – Started July 30

39 Cycle 3 ACOs were scheduled to begin operations by August 3:

- 15 ACOs – Started July 31
- 16 ACOs – Started August 1
- 8 ACOs – Started August 3

All remaining ACOs were scheduled to begin August 11, but will begin operations by August 9:

- 107 ACOs – Starting August 3 – 7
- 55 ACOs (all remaining) – August 9
- These ACOs will have to deploy staff regardless of the COVID-19 risk in those areas to open on these dates.

Increased Replacement Training for Enumerators

Replacement Training Options	Potential Efficiency Gain / Applicable Costs to Implement
Inviting More People to Training	Over selection rates will address higher-than-expected no-show rates of 35%, bringing us closer to our target initial staffing levels.
Continual Replacement Training	Expect to conduct replacement training for at least 135K Enumerators due to attrition. Just over 11,000 training additional sessions: \$90m total training cost

Increased Work Hours from Current Enumerators

Award Program	Potential Efficiency Gain / Applicable Costs to Implement
Implement Awards to increase hours worked by Enumerators from an average of 19 hours/week to a target of 25 hours/week	<ul style="list-style-type: none">Increases capacity by 1.5 million work hours per week, or 80,000 more “19 hour” enumerators per week
Implement Award for Enumerator retention, working three weeks of production	<ul style="list-style-type: none">Reduce training costMaintain experienced workforce

Outreach Methods to Expand Reach to Underperforming Areas

Options	Potential Efficiency Gain / Applicable Costs to Implement
<p>Expand the use of NRFU Travel Teams:</p> <ul style="list-style-type: none">• Moving teams that have successfully completed their areas to areas requiring additional attention	<p>Using experienced staff minimizes the need to train new staff – particularly in areas where new staff are not available.</p>
<p>Implement outbound phone calling to conduct interviews:</p> <ul style="list-style-type: none">• Use telephone numbers from ERD Contact Frame• Used by enumerators in ACOs that are finishing up to help out in other ACOs	<p>Enables enumeration in high COVID-19 risk areas and provides additional data collection capability.</p>

NRFU Contact Strategy

- Our field activities and NRFU contact strategy for occupied Housing Units will not be changed.
- Increasing efficiency of Re-Interview contacts.
- Increasing efficiency our strategy for verifying vacant or non-existing Housing Units.

Overview of Backend Processing

Assumptions:

1. Highly compressed schedule for 2020 Census data processing and review of data products.
2. Post-processing must start by October 1, 2020.
3. Post-processing work activities are limited to those required to produce apportionment counts. Delivery of redistricting data products will be negatively impacted under this revised plan and we are determining full impacts.
4. All of these activities represent abbreviated processes or eliminated activities that may reduce accuracy.

Compressing Backend Processing - Continued

Adjusted Activity	Impact and Risks
Cancel Count Review Event 2, eliminating the need for late Group Quarters Enumeration (GQE) operations	State demographer review of GQ data will be cancelled. The Demographic and Decennial staffs will work together to develop the message and communicate it to the Federal State Cooperative for Population Estimates (FSCPE)/states. The risk is virtually certain vocal objections from the FSCPE State Demographers and the State Governors they serve.
Compress POP division and DSSD review and processing times	A compressed review period creates risk for serious errors not being discovered in the data – thereby significantly decreasing data quality. Additionally, 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.
Compress time for creating/verifying apportionment data and preparation of transmittal package for DOC	A compressed review period creates risk for errors being present in the data.

Implementation of the Presidential Memo

A team has been established and is tasked with deriving a process utilizing sound statistical methods and meeting tests of operational feasibility, to achieve the goals of directives from Secretary Ross regarding implementation of the Presidential Memo. To achieve this, the Census will:

- Build upon the work we have already done based on Executive Order 13880, “Collecting Information about Citizenship Status in Connection with the Decennial Census”.
- Use all administrative records to the extent they are available. Using these records, in combination with other data already obtained regarding citizenship status, we will further refine the non-citizen category.
- Incorporating this work into the schedule to meet the current legal mandates.

Self-Response Rates Summary

As of 11:59pm July 23, 2020

	Total self-response rate
Total (TEA 1 + 6)	62.8%
Mailout areas (TEA 1)	64.6%
Update leave (TEA 6)	28.8%

	Internet	Paper	Phone
Actual Response	50.2%	11.7%	0.9%

Responses by mode:

92.89M TOTAL

- 74.19M (79.87%) – Internet
- 17.37M (18.70%) – Paper
- 1.33M (1.43%) – Phone

Responses This Week:

July 25 – July 31: 588K (84K/day)
 July 28 (highest day): 116K

As of 11 59 pm of the previous day

Update Leave – Status Update

Workload:

- Update Leave Original Workload (does not change): 6,805,523
- Workload Completed March 18 (date field operations were suspended): 736,320
 - Percentage Completed at suspension: 10.82%
- Workload Completed July 31: 6,790,829
 - **Percentage Completed: 99.78%**
 - Workload Remaining: 14,694

Response Rates:

- **Total Responses (as of July 31): 2,244,896**
 - Internet: 1,154,187 (51.41%)
 - Paper*: 1,048,946 (46.73%)
 - Phone: 41,763 (1.86%)
- Responses Rate by Completed: 33.1%

States with bulk work remaining:

- Arizona – 96.3% Completed (Less than 8K HUs remaining)
- Montana – 96.4% Complete (Less than 3K HUs remaining)
- New Mexico – 97.8% Completed (Less than 5K HUs remaining)

Group Quarters Enumeration – Status Update

Group Quarters Enumeration Progress*

Initial Workload	GQs Added	Current Workload	Completed & Closed Cases	Current Workload	Percent Completed & Closed
195,656	13,345	209,001	137,361	71,640	65.72%

PENDING UPDATE

*Only includes the eResponse and GQE in-field sub-operations

Questions?

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

August 25, 2020

Cen u Id CQAS 10523

DOC Number

Corre pondence Type Congre ional NOT Con tituent

Action Office ADRM

Signature Director

Subject Letter regarding Cen u Di clo ure Avoidance Sy tem and AI/AN Data from the Native American Caucus.

In truction Prepare for the Director' ignature

Due in CQAS 09/01/2020

Sender Deb Hallan (D NM 01) Tom Cole (R OK 04)

Con tituent

Corr Date 08/24/2020

Rec Date 08/25/2020

Due Date 09/08/2020

Confidential Information No

Addre ee Director

Infocopy Stanley,Kawe

Concurrence

Surname								
Initials								
Date								



Congress of the United States
House of Representatives

August 24, 2020

Director Steven D. Dillingham
United States Department of Commerce
U.S. Census Bureau
Office of the Director
Washington, DC 20233-0001

RE: Census Disclosure Avoidance System and American Indian and Alaska Native Data

Dear Director Dillingham:

As you prepare for the 2020 Census and work to produce accurate statistics for American Indian and Alaska Native (AI/AN) communities, we write on behalf of the Congressional Native American Caucus to urge you to adopt Disclosure Avoidance System (DAS) methods that produce accurate data and accessible data for AI/ANs. It is critical that the 2020 census includes accurate data for tribal communities for the purposes of representation, reapportionment, federal funding formulas, accurate research, and tribal government planning and service delivery in furtherance of the federal trust responsibility. We respectfully ask that as you develop and produce privacy methods as required by law, you consider the following recommendations:

- Extend the Bureau's upcoming September 2020 DAS decision deadline to December 2020;
- Ensure that the priority use cases for AI/ANs are met and that there is accurate data for local tribal governance, federal funding formulas, representation, and AI/AN research; and
- Hold full and meaningful tribal consultation sessions on the Bureau's proposed privacy method impacting AI/AN populations on an ongoing basis until tribal nations are confident that the Bureau's DAS methods do not have a negative impact on an accurate count

Thank you for considering these recommendations and we appreciate your efforts in ensuring an accurate data for AI/AN communities in the 2020 census. If you have additional questions, please reach out to either Heidi.Todacheene@house.mail.gov in Rep. Deb Haaland's office or Joshua.Jackson@mail.house.gov in Rep. Tom Cole's office

Sincerely,

Deb Haaland, Co-Chair
Congressional Native American Caucus

Tom Cole, Co-Chair
Congressional Native American Caucus

Fwd: Native American Caucus - Ltr re Census Disclosure Avoidance System and AI/AN Data (Haaland-Cole)

Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>

Tue 8/25/2020 2:18 PM

To: BOC Correspondence Quality Assurance (CENSUS) <(b) (6)>

Cc: Bina K Saafi (CENSUS/OCIA FED) <bina.k.saafi@censu
<Dee.A.Alexander@census.gov>; Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>

2 attachments (130 KB)

20.8.24 - Ltr US Census Bureau re Census Disclosure (Haaland-Cole) .pdf; ATT00001.htm;

Please control to R&M and be sure Michael Hawes is on the list to receive it. Thank you.

Begin forwarded message:

From: "Todacheene, Heidi" <Heidi.Todacheene@mail.house.gov>

Date: August 25, 2020 at 2:14:14 PM EDT

To: "Steven Dillingham (CENSUS/DEPDIR FED)"
<steven.dillingham@census.gov>

Cc: "Katherine Dodson Hancher (CENSUS/DEPDIR FED)"
<Katherine.Dodson.Hancher@census.gov>, "Dee A Alexander (CENSUS/OCIA
FED)" <Dee.A.Alexander@census.gov>, "Christopher J Stanley (CENSUS/OCIA
FED)" <christopher.j.stanley@census.gov>, "Jackson, Joshua"
<Joshua.Jackson@mail.house.gov>

**Subject: Native American Caucus - Ltr re Census Disclosure Avoidance
System and AI/AN Data (Haaland-Cole)**

Hello Director Dillingham,

Please find a letter attached to this e-mail from the Congressional Native American Caucus regarding Census Disclosure Avoidance System and American Indian and Alaska Native Data. If you have any questions, please feel free to contact myself or Joshua Jackson who handles the Caucus for Co-Chair Rep. Tom Cole (cc'ed here).

Thank you,

Heidi Todacheene
Legislative Counsel
Rep. Deb Haaland (NM-01)



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau
Office of the Director
Washington, DC 20233-0001

July 1, 2020

Mr. Kevin J. Allis
Chief Executive Officer
National Congress of American Indians
1516 P Street, NW
Washington, DC 20005

Dear Mr. Allis:

Thank you for your letter regarding the U.S. Census Bureau's Disclosure Avoidance System (DAS) that will be used to protect respondent privacy for the 2020 Census Data Products. In your letter, you made a number of recommendations for how the Census Bureau can better serve the data needs of American Indian and Alaska Native (AIAN) tribal nations, and how we can support increased engagement of AIAN data users as we continue to improve and enhance the DAS over the coming months. The Census Bureau is committed to producing accurate statistics to support AIAN tribal needs, while ensuring the privacy of our respondents as required by law. Throughout this endeavor, we appreciate the continued engagement and feedback from your organization on behalf of AIAN tribal nations. Our responses to your recommendations are included below.

NCAI Recommendation #1 – Continue Tribal Consultation

The Census Bureau appreciates our partnership with the National Congress of American Indians (NCAI) and the NCAI Policy Research Center staff. Organizations like NCAI help our agency better understand AIAN tribes' data needs and support our continued planning for tribal consultations.

The Census Bureau hosted a listening session on May 15, 2020 that updated tribes on the current status of 2020 Census operations, including an update on the DAS and how the Census Bureau is addressing the accuracy of population counts for AIAN geographies.

Acting on the suggestion of the Census Bureau, the Committee on National Statistics (CNSTAT) has invited an NCAI Policy Research Center staff member to their expert working group on the implementation of the DAS. This working group is involved in a series of expert meetings as a follow-up to the December 2019 CNSTAT workshop. The Census Bureau is using these meetings to discuss improvements and remaining challenges in the design and optimization of the 2020 DAS. At the first meeting, the Census Bureau updated participants on the completed and planned improvements and modifications to the 2020 DAS that reflect the feedback received at the Workshop. The Census Bureau also developed a set of fitness-for-use measures to be used over the months ahead to report regularly on how improvements to the 2020 DAS are progressing. The advice and recommendations of the expert meeting participants will enable Census Bureau to both prioritize the remaining work to improve the 2020 DAS, and to effectively communicate, the results of those efforts throughout the year.



With census operations being delayed 120 days, the Census Bureau will be seeking input from tribes and AIAN researchers on our plans for Group II data products (including AIAN Summary Files). The Census Bureau is planning for continued tribal consultations to tentatively occur by the end of 2020 or spring of 2021. With every tribal consultation, the Census Bureau will develop information for tribes to review prior to the tribal consultation session. Notification for these meetings will adhere to tribal consultation protocols with at least a 30-day notice. The Census Bureau will continue to update tribes and AIAN researchers on the current status of the 2020 DAS and we appreciate NCAI in helping with outreach to their tribal membership for these meetings and any upcoming meetings.

NCAI Recommendation #2 Provide More Detail on How Metrics will Fulfill Priority Use Cases for the 2020 Census Data

In making this recommendation, you correctly note that the proposed suite of accuracy metrics do not include benchmark thresholds for what is considered sufficient accuracy. This is because, at the present time, the intention of the metrics is to assess and demonstrate our efforts to reduce or eliminate errors and distortions arising from post-processing within the DAS TopDown Algorithm (TDA). Successful mitigation of this post processing error would enable the relative accuracy of each proposed use case to be set directly by the overall privacy-loss budget (epsilon), and by the allocation of the privacy-loss budget across queries, geographies, and data products. The selection and allocation of the privacy-loss budget will be made by the Census Bureau's Data Stewardship Executive Policy Committee (DSEP). When making these decisions, DSEP will closely examine these accuracy metrics for a range of privacy-loss budgets, and with various allocations, to assess the data's resulting fitness-for-use. At that point, DSEP will benefit from constructive feedback from our data users on minimally acceptable thresholds for accuracy that reflect our legal requirement to protect privacy and that acknowledge the tradeoff between privacy and accuracy. For the moment, however, our priority is to ensure that we are measuring accuracy in the right ways.

NCAI Recommendation #3 – Provide Greater Access to Tribal Nations and their Representatives to View the Results of Data Runs as New DAS Algorithmic and Other Adjustments Occur; and

NCAI Recommendation #4 – Release a New 2010 Demonstration Product to the Public with Any Significant Adjustments to the DAS for Public Viewing and Analysis

The Detailed Summary Metrics that we released on May 27, and subsequent versions that we will be releasing as future improvements to the algorithm are made, are designed to allow our data users to assess improvements and their impact on fitness-for-use in a variety of ways. That said, we recognize that for some important uses of census data there is no substitute for actually examining the underlying data. In your letter, you recommend that the Census Bureau should release additional demonstration data products to support in depth analysis of the data's fitness for use. Unfortunately, the tabulation, documentation, and quality control processes that the Census Bureau employs for public releases of data products are enormously time and labor intensive. With the 2020 Census now underway, we are unable to support additional releases at the present time. In order to support these detailed assessments without overburdening our tabulation and data products teams, the Census Bureau is committing to releasing new "Privacy-Protected Microdata Files" (PPMFs), which are the underlying

microdata files for the entire nation used to generate the Detailed Summary Metrics. It is important to note that while the data in the PPMFs look like individual records, all of the data is privacy-protected. The microdata records generated by the Disclosure Avoidance System ensure respondent privacy through the application of differentially private statistical noise. The microdata included in the PPMF do not include any individual's actual census responses. They are simply the microdata format used by the Census Bureau's production system to produce privacy-protected tables that the DAS generated. While these PPMFs are untabulated microdata records, members of the Committee on National Statistics' expert group will be tabulating, formatting and posting data tables after each successive PPMF release. This partnership allows the census staff who would otherwise perform the time-intensive tabulation, data review and release process in house to continue their focus on other important data collection and processing work. We trust that this solution will meet your needs.

NCAI Recommendation #5 – Ensure that Tribal Nations Receive the Same Data Treatment as State Level Data

The Census Bureau recognizes the special trust relationship that the United States has with federally recognized AIAN tribes, and we understand the importance of providing accurate population counts for AIAN communities and geographies. While the final selection of invariants to be used for the 2020 Census Data Products has not yet been made by DSEP, the Census Bureau is evaluating solutions to improve the accuracy of population counts for AIAN communities and geographies. One approach under consideration would treat total population for AIAN geographies at the state level as invariant. If implemented, the aggregate total population of all legally recognized AIAN geographic units within a state would be reported as enumerated (this includes Alaska Native Village statistical areas, which are surrogates for the legal Alaska Native Villages). At the sub-state level, AIAN population counts for these geographies would be subject to noise in order to protect privacy. Decisions about the final selection of the privacy-loss budget and its allocation across the sub-state geographic levels and varying tabulations will be made by DSEP. Pending that determination, the iterative runs of the DAS on which we are generating the accuracy metrics are using the same level of privacy-loss budget as was used in the 2010 demonstration products, in order to demonstrate the impact of design improvements on overall accuracy while holding the level of privacy protections constant.

NCAI Recommendation #6 – Share the Metrics and Changes to the TopDown Algorithm in an Understandable Manner to Entry Level Data Users and the General Public

We appreciate your recommendation to make the accuracy metrics more understandable and interpretable by less technical audiences. As new iterations of the metrics, demonstrating successive improvements to the DAS TDA architecture, are generated we intend to summarize the results of these changes for less technical audiences through our Research Matters blog and through our upcoming email newsletter. We will take your suggestion to provide maps and illustrative real-world implications of these accuracy improvements under consideration.

NCAI Recommendation #7 – Tribal Population Counts and Geographies Must Be Incorporated into any Data Runs or Information on Impact of DAS Adjustments

The Census Bureau appreciates the suggestions for improvement to the accuracy metrics to reflect tribal areas of differing population sizes. Your suggestions are currently being reviewed by the Census Bureau's Population Division for inclusion in the metrics moving forward.

The Data Stewardship Executive Policy Committee (DSEP) will be making final decisions about invariants, so we are unable to provide the final list at present.

NCAI Recommendation #8 – Publish All Comments Received on the Proposed Metrics

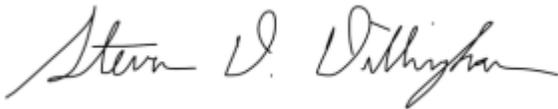
The Census Bureau is currently exploring how to implement this recommendation.

NCAI Recommendation #9 – Create a New Timeline for Decisions on DAS

Understandably, the impact of the COVID 19 pandemic has required substantial adjustments to the Census Bureau's operational schedule for the 2020 Census. The Census Bureau will ensure that these schedule adjustments, including implications on the development and production schedule for the DAS, are properly communicated to our stakeholders.

Thank you for your support of 2020 Census.

Sincerely,

A handwritten signature in black ink that reads "Steven D. Dillingham". The signature is written in a cursive style with a large, stylized "S" and "D".

Steven D. Dillingham
Director

*****DRAFT*****

2020 Census Data Processing Planning

8/24/2020

U//FOUO

Unclassified/ For Official Use Only

Shape
your future
START HERE >

United States[®]
Census
2020

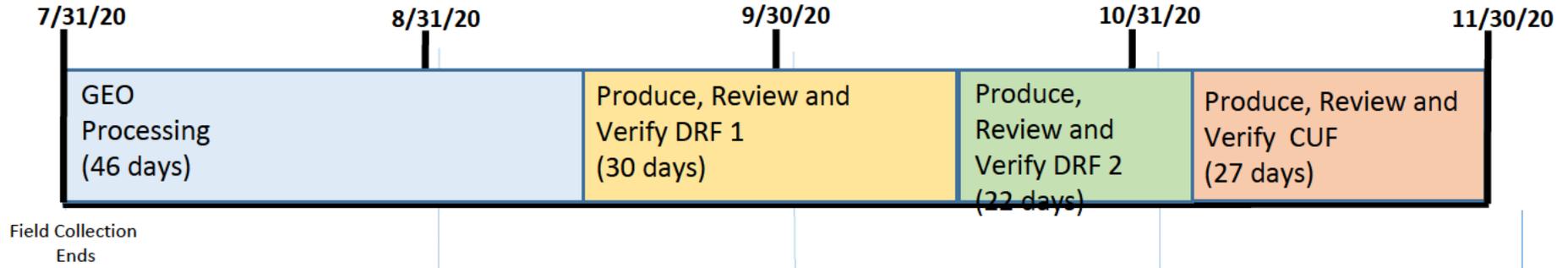
BC-DOC-CEN-2020-001602-005512

Overview

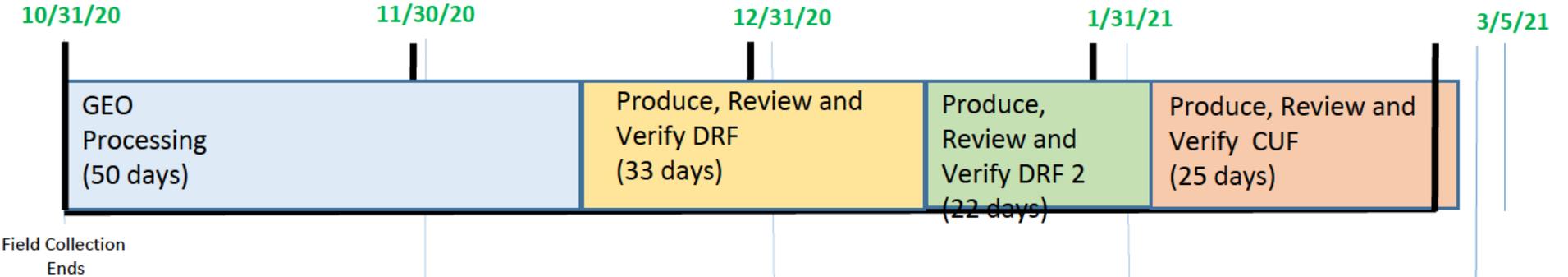
- This is a viable plan to deliver the final Census Unedited File (CUF) by 12/14/2020
- It cuts a four-month process down to two and a half months
- It optimizes staff and computing resources to be in operation 24/7, weekends and holidays
- It streamlines and limits processes to focus only on Apportionment,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

Re-Planning for 2020 Census Post Processing

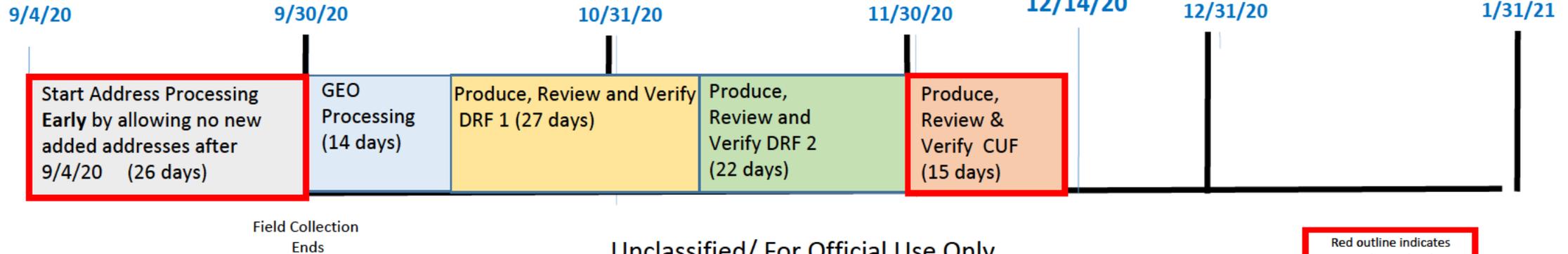
Original Plan (Before COVID 19)



COVID 19 Plan



Current Plan



Unclassified/ For Official Use Only

Red outline indicates Heightened Risk

Creating the MAF/TIGER Benchmark – Bottom Line Plan

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

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

- No new addresses accepted from data collection operations after 9/4/2020
 - Any new addresses identified between then and 9/30/2020, the last day of data collection operations, and the population associated with those addresses **will not be included in the 2020 Census**
- This plan reduces the MAF address update process from 45 to 18 days per operation
- The benchmarking process is shortened from 34 to 20 days, eliminating 14 days worth of processing activities that will be cut now and deferred until the creation of the redistricting data products
- We have cancelled the internal independent review of the final list of addresses that will be used to tabulate 2020 Census data (MAF Extract)
- We are eliminating quality control steps that traditionally resulted in a nationwide delivery of all files at once. Instead states will now be delivered on a flow basis.

Decennial Response Processing and Review – Producing Accurate 2020 Results

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

Produce the Decennial Response File 1 (DRF1) – 27 days

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

Decennial Response Processing and Review – Producing Accurate 2020 Results

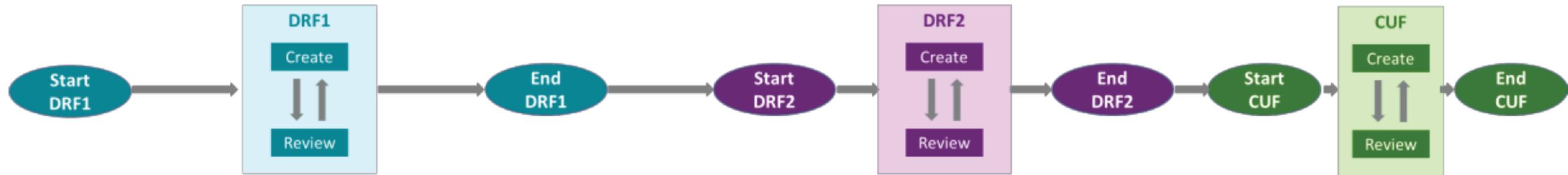
Produce Decennial Response File 2 (DRF2) – 22 days

- Remove responses that meet criteria for being born after Census Day
- Execute Primary Selection Algorithm (PSA) - this resolves situations where we have more than one response for a single address
- Review and verify PSA results
- Process DRF2 state-by-state and at the national level

Produce the Census Unedited File (CUF) – 15 days

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

Decennial Response Processing- Bottom Line Plan



- **Improved DRPS System Performance in Preparation for 2020 Census Processing**

Upgraded Oracle Real Application Clusters (RAC) to Oracle Exadata environment. Exadata is a high-performing pre-configured combination of hardware and software that provides infrastructure for Oracle databases.

Infrastructure Platform Optimized for Oracle Databases

- Actively optimizing DRPS processing through monitoring large test executions and consultation with Oracle
- Adjusted code base to address bottlenecks

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

	DRF1	DRF2	CUF
Pre-Covid	Sept 15 – Oct 14, 2020	Oct 14 – Nov 4, 2020	Nov 4 – 30, 2020
Covid Replan	Dec 18 – Jan 19, 2021	Jan 19 – February 9, 2021	Feb 9 – March 5, 2021
Current Plan	Oct 14 – Nov 9, 2020	Nov 9 – Nov 30, 2020	Nov 30 – Dec 14, 2020
Schedule Savings from Pre-Covid	3 Days	0 Days	12 Days

Enhancing and Accelerating Data Review

Subject Matter Expert (SME) Review Improvements

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

Risks During Data Processing and Review

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

Appendix

Detailed Processing Steps

Activity ID	Activity Name	Calendar	OD	Start	Finish	Var- Start	Var- Finish
Z0ISR-12170	Conduct Internet Self-Response (ISR) Data Collection	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-Oct-20	0d	0d
Z0NID-11020	Conduct Non-ID Clerical Process Operation	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-Oct-20	0d	0d
Z0SQU-10500	Conduct Self-Response Quality Assurance	7 Day Federal Holiday thru 202	2 0d	12-Mar-20	1-Oct-20	0d	0d
Z0CQA-10830	Conduct Census Questionnaire Assistance (CQA) Inbound Operation	4. 7 Day No Holidays thru 2023	234d	12-Mar-20	31-Oct-20	0d	0d
Z0CQA-10840	Conduct Census Questionnaire Assistance (CQA) Outbound Operation	4. 7 Day No Holidays thru 2023	193d	22-Apr-20	31-Oct-20	0d	0d
Z0CIC-12520	Monitor CQA Outbound Call Telephone Operation	3. 7 Day Federal Holiday thru 2023	187d	24-Apr-20	31-Oct-20	0d	0d
Z0NRD-31520	Conduct NRFU Reinterview Field Data Collection	3. 7 Day Federal Holiday thru 2023	79d	12-Aug-20	31-Oct-20	0d	0d
Z0IPC-11080	Conduct 2020 Reminder Phase	4. 7 Day No Holidays thru 2023	79d	14-Aug-20	31-Oct-20	0d	0d
Z0MIS-22260	Create MAF/TIGER Benchmark for Final Collection Products and Services	3. 7 Day Federal Holiday thru 2023	22d	13-Nov-20	5-Dec-20	0d	1d
Z0MIS-20400	Create MAF Extract for Final Collection - MAF/TIGER	3. 7 Day Federal Holiday thru 2023	9d	6-Dec-20	14-Dec-20	1d	1d
Z0MIS-20410	QC MAF Extract for Final Collection - MAF/TIGER	3. 7 Day Federal Holiday thru 2023	9d	7-Dec-20	15-Dec-20	1d	1d
Z0MIS-20390	Deliver MAF Extract & Header File to DITD/CarDS for Final Collection - MAF/TIGER	3. 7 Day Federal Holiday thru 2023	2d	16-Dec-20	17-Dec-20	1d	3d
Z0CAR-50950	DITD/CarDS Receive MAF Extract from MAF/TIGER for Final SDF (Coil)	1. 5 Day Federal Holiday thru 202	0d	18-Dec-20		1d	1d
Z0CAR-50980	CarDS Ingests MAF Extract from MAF/TIGER for Final SDF (Coil)	4. 7 Day No Holidays thru 2023	2d	18-Dec-20	19-Dec-20	3d	3d
Z0CAR-51060	CarDS Creates and Review Final SDF (Coil)	4. 7 Day No Holidays thru 2023	4d	20-Dec-20	23-Dec-20	3d	6d
Z0CAR-51100	CarDS Delivers Final SDF (Coil) to DRPS	4. 7 Day No Holidays thru 2023	0d		23-Dec-20	6d	6d
Z0DRP-90590	DRPS Receives and Ingests Final Collection SDF from CarDS	4. 7 Day No Holidays thru 2023	3d	24-Dec-20	26-Dec-20	6d	9d
Z0DRP-90580	Create Initial Decennial Response File (PCDI/DRF1) - DRPS	1. 5 Day Federal Holiday thru 2023	12d	28-Dec-20	13-Jan-21	5d	5d
Z0DRP-11590	Deliver Initial Decennial Response File (PCDI/DRF1) to RPO/DSSD - DRPS	1. 5 Day Federal Holiday thru 2023	13d	30-Dec-20	19-Jan-21	5d	5d
Z0DRP-11600	Receive Approval of Decennial Response File (PCDI/DRF1) from RPO/DSSD - DRPS	1. 5 Day Federal Holiday thru 2023	1d	19-Jan-21	19-Jan-21	5d	5d
Z0DRP-90750	Create Initial Decennial Response File (PSA/DRF2) - DRPS	1. 5 Day Federal Holiday thru 2023	6d	19-Jan-21	26-Jan-21	5d	5d
Z0DRP-18430	Deliver Initial Decennial Response File (PSA/DRF2) to RPO/DSSD - DRPS	1. 5 Day Federal Holiday thru 2023	1d	26-Jan-21	26-Jan-21	5d	5d
Z0RPO-11250	Receive Primary Selection Algorithm File (PSA) (Final PSA/DRF2) from DRPS	1. 5 Day Federal Holiday thru 202	1d	26-Jan-21	26-Jan-21	5d	5d
Z0RPO-11260	Perform SME Review of Primary Selection Algorithm File (Final PSA/DRF2)	1. 5 Day Federal Holiday thru 2023	11d	26-Jan-21	9-Feb-21	5d	5d
Z0DRP-18440	Receive Approval of Decennial Response File (PSA/DRF2) from RPO/DSSD - DRPS	1. 5 Day Federal Holiday thru 2023	1d	9-Feb-21	9-Feb-21	5d	5d
Z0DRP-90610	Create Initial Census Unedited File (CUF) - DRPS	1. 5 Day Federal Holiday thru 2023	17d	9-Feb-21	4-Mar-21	5d	5d
Z0RPO-11270	Provide Results and Approval of Primary Selection Algorithm File (Final PSA/DRF2) to DRPS	1. 5 Day Federal Holiday thru 2023	0d		9-Feb-21	5d	5d
Z0DRP-18460	Deliver Initial Census Unedited File (CUF) to RPO/POP - DRPS	1. 5 Day Federal Holiday thru 2023	15d	11-Feb-21	4-Mar-21	5d	5d
Z0DRP-18470	Receive Approval of Census Unedited File (CUF) from RPO/POP - DRPS	1. 5 Day Federal Holiday thru 2023	1d	4-Mar-21	4-Mar-21	5d	5d
Z0DRP-18480	Deliver Final Census Unedited File (CUF) to POP / CDL - DRPS	1. 5 Day Federal Holiday thru 2023	0d		4-Mar-21	5d	5d
Z0DPD-10730	POP Receives Final CUF from CDL/DRPS	1. 5 Day Federal Holiday thru 2023	0d	5-Mar-21		5d	5d
Z0PMD-16890	-----Executive Review and Approve CUF-----	4. 7 Day No Holidays thru 2023	30d	5-Mar-21	3-Apr-21	7d	-2d
Z0DPD-10740	POP Creates/Verifies Apportionment Tables	1. 5 Day Federal Holiday thru 202	16d	5-Apr-21	26-Apr-21	1d	0d
Z0DPD-10750	POP Delivers Final Apportionment Tables to BOC DIR and CQAS	1. 5 Day Federal Holiday thru 2023	0d		26-Apr-21	0d	0d
Z0DPD-10760	BOC DIR/CQAS Assembles Final Apportionment Transmittal Package	1. 5 Day Federal Holiday thru 2023	4d	27-Apr-21	30-Apr-21	0d	0d
Z0DPD-10770	BOC DIR Delivers Final Apportionment Transmittal Package to DOC	1. 5 Day Federal Holiday thru 2023	0d		30-Apr-21	0d	0d
Z0DPD-10850	DOC Delivers Apportionment Counts to President (U.S.C. Article 1, Section 2)	1. 5 Day Federal Holiday thru 2023	0d		30-Apr-21	0d	0d

Census Unedited File (CUF) production and quality assurance

Admin records available and processed by Person Identification Validation System (PVS)
Slide 7

Prior to 12/14/2020

CUF finalized
12/14/2020

After 12/14/2020

Tabulation of resident population and federally affiliated overseas population (FACO); tabulation of ICE detention centers*; QA procedures. This will meet the December 31, 2020 deadline.
Slides 6 and 10

9 days (12/23) CUF processed by PVS
Slide 8

7 days (12/30) Matching admin records to CUF and quality assurance (QA)
Slide 8

5 days (1/4) Applying rules to assign status of the unauthorized immigrant
Slide 9

3 days (1/7) Quality assurance of tabulation and demographic reasonableness review.
Slide 10

1 days (1/8) Apply disclosure avoidance to unauthorized immigrant counts and QA
Slide 10

2 days (1/10) Quality assurance of transmittal package
Slide 11

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

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

To: Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@census.gov]
Cc: Steven K Smith (CENSUS/DEPDIR FED)[steven.k.smith@census.gov]; Michael John Sprung (CENSUS/DEPDIR FED)[michael.j.sprung@census.gov]
From: Steven Dillingham (CENSUS/DEPDIR FED)/[O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=09DC165EB6DD488E9F3A9A0CE6B45130-DILLINGHAM,]
Sent: Tue 8/4/2020 4:04:28 PM (UTC)
Subject: Fw: The Honorable Steven Dillingham, Director, U.S. Census Bureau
[2020-08-04.CBM to Dillingham re Transcribed Interviews.pdf](#)

FYI

From: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
Sent: Tuesday, August 4, 2020 10:01 AM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Subject: Fw: The Honorable Steven Dillingham, Director, U.S. Census Bureau

FYI.

From: Goss, Trinity <Trinity.Goss@mail.house.gov>
Sent: Tuesday, August 4, 2020 9:54 AM
To: Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Timothy P Olson (CENSUS/ADFO FED) <Timothy.P.Olson@census.gov>; Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; John Maron Abowd (CENSUS/ADRM FED) <john.maron.abowd@census.gov>; 'AKorzeniewski@doc.gov' <AKorzeniewski@doc.gov>; Adam Michael Korzeniewski (CENSUS/DEPDIR FED) <adam.m.korzeniewski@census.gov>; 'NCogley@doc.gov' <NCogley@doc.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
Cc: Kim, Janet <Janet.Kim@mail.house.gov>; Anderson, Tori <Tori.Anderson@mail.house.gov>; Whitcomb, Max <Max.Whitcomb@mail.house.gov>; LaNier, Elisa <Elisa.LaNier@mail.house.gov>; Jones, Taylor <Taylor.Jones@mail.house.gov>; MacPherson, Cameron <Cameron.MacPherson@mail.house.gov>; Bush, Anthony <Anthony.Bush@mail.house.gov>
Subject: The Honorable Steven Dillingham, Director, U.S. Census Bureau

Hello---

Please see the letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to The Honorable Steven Dillingham, Director, U.S. Census Bureau.

Please acknowledge receipt of letter.

Thank you,

Trinity Goss

Trinity M. E. Goss | Executive Team Coordinator
Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform
Trinity.Goss@mail.house.gov | (202) 225-5051

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Majority (202) 225-6051
Minority (202) 225-6074
<http://oversight.house.gov>

August 4, 2020

The Honorable Steven Dillingham
Director
U.S. Census Bureau
4600 Silver Hill Rd
Suitland-Silver Hill, MD 20746

Dear Director Dillingham:

In light of alarming news about additional efforts to rush and politicize the 2020 Census, the Committee on Oversight and Reform requests the appearance of Census Bureau employees for transcribed interviews.

Last night, you issued a statement that the Census Bureau will be ending Non-Response Follow-Up (NRFU) and online responses on September 30, 2020—a full month earlier than previously announced.¹ You did not mention this change during your testimony last week before the Committee. This move will rush the enumeration process, result in inadequate follow-up, and undercount immigrant communities and communities of color who are historically undercounted. As Former Director John Thompson testified to the Committee:

The career people who are experts at taking the census requested a four month extension of the deadlines that's in their Title. They know what they are doing. They know what it's going to take to get the census done. Not extending those deadlines is going to put tremendous pressure on the Census Bureau. It's not clear what kind of quality counts they can produce if they don't get the extension. So it could be a really big problem.²

Senior career staff at the Census Bureau have publicly stated that meeting the statutory deadlines is impossible because of the delays that have already occurred. On July 8, 2020, Al Fontenot, Associate Director for Decennial Census Programs, stated of the December 31, 2020, statutory deadlines: “We are past the window of being able to get those counts by those dates at

¹ U.S. Census Bureau, *Statement from U.S. Census Bureau Director Steven Dillingham: Delivering a Complete and Accurate 2020 Census Count* (Aug. 3, 2020) (online at www.census.gov/newsroom/press-releases/2020/delivering-complete-accurate-count.html).

² *Oversight Committee Held Emergency Hearing on Trump Administration's Unconstitutional Politicization of 2020 Census* (July 29, 2020) (online at <https://oversight.house.gov/news/press-releases/oversight-committee-held-emergency-hearing-on-trump-administration-s>).

this point.”³ On May 26, 2020, Tim Olson, Associate Director for Field Operations, said publicly: “We have passed the point where we could even meet the current legislative requirement of December 31. We can’t do that anymore.”⁴

Testimony on July 29, 2020, during the Committee’s emergency hearing underscored the Committee’s concerns about the administration of the 2020 Census. Four former Directors of the Census Bureau testified that the President’s memorandum issued on July 21, 2020, directing the Secretary of Commerce to exclude undocumented immigrants from the apportionment count, is unconstitutional.

In addition, your testimony at that hearing revealed new and troubling information about the White House’s inappropriate partisan influence over how the 2020 Census is conducted. For example, when you were asked whether you or anyone else at the Census Bureau contributed to the President’s July 21, 2020, legal memorandum or provided any input on it before it was released, you responded, “Madam Chairwoman, I certainly did not, and I’m not aware of others in the Census Bureau that did.”⁵ When you were asked when you first became aware of the President’s intention to exclude undocumented immigrants from the Apportionment count, you responded, “As I recall, someone from the press reported that a directive may be coming down.”⁶

For the foregoing reasons, the Committee requests that Census Bureau officials appear for virtual transcribed interviews on the following dates:

- * **August 10, 2020:** Enrique Lamas, Chief Advisor to the Deputy Director;
- * **August 11, 2020:** Timothy P. Olson, Associate Director for Field Operations;
- * **August 12, 2020:** Victoria Velkoff, Associate Director for Demographic Programs;
- * **August 14, 2020:** Albert Fontenot, Jr, Associate Director for Decennial Census Programs;
- * **August 17, 2020:** John Abowd, Chief Scientist and Associate Director for Research and Methodology;
- * **August 19, 2020:** Adam Korzeniewski, Assistant Deputy Director for Policy;
- * **August 20, 2020:** Nathaniel Cogley, Deputy Director for Policy; and
- * **August 21, 2020:** Ron S. Jarmin, Deputy Director and Chief Operating Officer.

³ *Republicans Signal They’re Willing To Cut The Census Counting Short*, National Public Radio (July 28, 2020) (online at www.npr.org/2020/07/28/895744449/republicans-signal-theyre-willing-to-cut-short-census-counting).

⁴ *‘We’re Running Out of Time’: Census Turns to Congress to Push Deadlines*, National Public Radio (May 27, 2020) (online at www.npr.org/sections/coronavirus-live-updates/2020/05/27/863290458/we-re-running-out-of-time-census-turns-to-congress-to-push-deadlines).

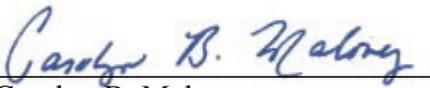
⁵ Committee on Oversight and Reform, *Counting Every Person: Safeguarding the 2020 Census Against the Trump Administration’s Unconstitutional Attacks* (July 29, 2020) (online at <https://oversight.house.gov/legislation/hearings/counting-every-person-safeguarding-the-2020-census-against-the-trump>).

⁶ *Id.*

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. In addition, the Committee has jurisdiction over “Population and demography generally, including the Census.”⁷

Please confirm whether the requested witnesses will appear voluntarily by August 7, 2020. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

Sincerely,

Handwritten signature of Carolyn B. Maloney in blue ink, written over a horizontal line.

Carolyn B. Maloney
Chairwoman

cc: The Honorable James R. Comer, Ranking Member

⁷ House rule X, clause 1(n)(8).

To: Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@census.gov]; Benjamin A Overholt (CENSUS/DEPDIR FED)[benjamin.a.overholt@census.gov]; Adam Michael Korzeniewski (CENSUS/DEPDIR FED)[adam.m.korzeniewski@census.gov]; Steven K Smith (CENSUS/DEPDIR FED)[steven.k.smith@census.gov]; Michael John Sprung (CENSUS/DEPDIR FED)[michael.j.sprung@census.gov]
From: Christopher J Stanley (CENSUS/OCIA FED)[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=ADA39E1C50F84DBE8E2EB98E59096E2D-STANLEY, CH]
Sent: Fri 9/25/2020 1:59:44 PM (UTC)
Subject: Fw: disclosure avoidance letters - set 2
[Hallowell-Rector Maine incoming.pdf](#)
[Hallowell-Rector Maine outgoing.pdf](#)
[Jinks Alexandria VA incoming.pdf](#)
[Jinks Alexandria VA outgoing.pdf](#)
[Allis NCAI incoming2.pdf](#)
[Allis NCAI outgoing2.pdf](#)
[Schar National States Geographic Information Council outgoing.pdf](#)
[Schar National States Geographic Information Council incoming.pdf](#)
[Storey NCSL outgoing.pdf](#)
[Storey NCSL incoming.pdf](#)
[Allis NCAI outgoing1.pdf](#)
[Allis NCAI incoming1.pdf](#)
[Halaad-Cole Native American Caucus incoming.pdf](#)

From: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
Sent: Tuesday, September 8, 2020 7:19 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>
Cc: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Subject: disclosure avoidance letters - set 2

Here is the second set of letters.

Chris Stanley, Chief
Office of Congressional and Intergovernmental Affairs
U.S. Census Bureau
O: 301-763-4276 | M: (b) (6)
[census.gov](https://www.census.gov) | [@uscensusbureau](https://twitter.com/uscensusbureau)
Shape your future. START HERE > 2020census.gov

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

March 05, 2020

Cen u Id CQAS 10135

DOC Number

Corre pondence Type Letter

Action Office ADRM

Signature

Subject E pre e concern regarding propo ed policy change involving the u e of differential privacy in census data

In truction Send draft re pon e to CQAS

Due in CQAS 03/13/2020

Sender Angela Hallowell and Amanda Hector

Con tituent

Corr Date 02/02/2020

Rec Date 03/05/2020

Due Date 03/16/2020

Confidential Information No

Addre ee Steven D Dillingham

Infocopy Stanley,Hawkin

Concurrence

Surname								
Initials								
Date								

Incoming Correspondence: [EXTERNAL] Census memo (Maine) - Differential Privacy (DP) approach

Sabrina McNeal (CENSUS/OCIA CTR) <sabrina.e.mcneal@census.gov>

Wed 3/4/2020 4:39 PM

To: BOC Correspondence Quality Assurance (CENSUS) (b) (6).gov>

1 attachments (834 KB)

Letter to Census on differential privacy concerns_Maine SDC.pdf;

Sabrina E. McNeal

Intergovernmental Affairs Associate, Contractor
Office of Congressional and Intergovernmental Affairs
U.S. Census Bureau
O 301 763 4960
[census.gov](https://www.census.gov) | [@uscensusbureau](https://twitter.com/uscensusbureau)

From: Hollister, Ross <(b) (6)>
Sent: Tuesday, February 25, 2020 12:47 PM
To: Sabrina McNeal (CENSUS/OCIA CTR) <sabrina.e.mcneal@census.gov>
Cc: Amanda.Rector@Maine.gov <Amanda.Rector@Maine.gov>; Angela.Hallowell@maine.gov <Angela.Hallowell@maine.gov>; Amberman, Christie (b) (6)>; Lukas, Richard (b) (6)>
Subject: FW: [EXTERNAL] Census memo (Maine) - Differential Privacy (DP) approach

Hi Sabrina,

As discussed yesterday, please see attached the Maine memo on differential privacy. I am copying its authors Amanda Rector and Angela Hallowell.

Amanda and Angela, Sabrina McNeal is liaison to governors' offices at the U.S. Census Bureau.

Relatedly, NGA is facilitating a March 12 Census briefing for governors' offices on differential privacy, to be led by the U.S. Census Bureau's Senior Advisor for Data Access and Privacy, Michael Hawes. We will circulate call details to states this week

Regards, Ross

Ross Hollister | Management Analyst | NGA Consulting



National Governors
 Association
 [444%20North%
 20Capitol%20St%
 20NW%20#267,
 Washington, DC
 20001]444 North Capitol
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 [444%20North%
 20Capitol%20St%
 20NW%20#267,
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 20001]Suite 267
 [444%20North%
 20Capitol%20St%
 20NW%20#267,
 Washington, DC
 20001]Washington, DC
 20001

O: 202-624-7794
 C: (b) (6)
 E: rhollister@nga.org
www.nga.org

From: Rector, Amanda K. <Amanda.K.Rector@Maine.gov>
 Sent: Thursday, February 20, 2020 9:55 AM
 To: Hollister, Ross (b) (6) >; Lukas, Richard (b) (6) >; Perez Quinn, Susie (b) (6) >; Blute, Timothy (b) (6) >; Amberman, Christie (b) (6) >
 Cc: Hallowell, Angela <Angela.Hallowell@maine.gov>
 Subject: RE: [EXTERNAL] Census memo (Maine) - Differential Privacy (DP) approach

Good morning,

Jeremy Kennedy asked that I share with you the letter we sent today to the Census Bureau outlining our concerns on differential privacy (attached). Please let me know if you have any questions for us.

Best,
Amanda

Amanda Rector
 Maine State Economist
 Department of Administrative and Financial Services
 78 State House Station
 Augusta, Maine 04333-0078
Amanda.Rector@Maine.gov
 (207) 287-2873

From: Hollister, Ross (b) (6) >
 Sent: Wednesday, February 19, 2020 11:18:49 AM
 To: Kennedy, Jeremy <Jeremy.Kennedy@maine.gov>
 Cc: Lukas, Richard (b) (6) >; Perez Quinn, Susie (b) (6) >; Blute, Timothy (b) (6) >; Amberman, Christie (b) (6) >
 Subject: RE: Census memo (Maine) Differential Privacy (DP) approach

EXTERNAL: This email originated from outside of the State of Maine Mail System. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeremy,

Our Census contact is: [Sabrina McNeal](#), Intergovernmental Affairs Associate, US Census Bureau, 301 763 4960

We will be organizing a conference call on differential privacy in the next few weeks. At least four other states have expressed interest in hearing more from Census on this issue.

We will let you know when the call details are finalized.

Regards, Ross

Ross Hollister | Management Analyst | NGA Consulting



National Governors
 Association
[444 North Capitol Street](#)
[Suite 267](#)
[Washington, DC 20001](#)

O: 202-624-7794
 C: (b) (6)
 E: rhollister@nga.org
www.nga.org

From: Amberman, Christie (b) (6) >
 Sent: Wednesday, February 12, 2020 7:24 PM
 To: Kennedy, Jeremy <Jeremy.Kennedy@maine.gov>
 Cc: Hollister, Ross (b) (6) >; Lukas, Richard (b) (6) >; Perez Quinn, Susie (b) (6) >; Blute, Timothy (b) (6) >
 Subject: RE: Census memo (Maine) - Differential Privacy (DP) approach

Hi Jeremy,

Thank you for joining us at the Chiefs' sessions during the NGA Winter Meeting. During the Monday session, I raised your concern about the Differential Privacy (DP) approach for the 2020 Census with our U.S. Census Bureau speaker. He agreed to provide a POC to address this further with you; Ross Hollister on my team (cc'd) will connect you.

Also, I've cc'd colleagues in the NGA Government Relations office and attached the memo you shared for reference. They've heard from other states on this issue today. Please let us know of other concerned states that you're aware of; they are looking into continuing this conversation.

Best,

Christie

Christie Amberman | Director, NGA Management Consulting



National Governors Association
444 North Capitol Street NW
Suite 267
Washington, DC 20001

(w) 202.624.5370
(c) (b) (6)
camberman@nga.org
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From: Kennedy, Jeremy <Jeremy.Kennedy@maine.gov>

Sent: Sunday, February 9, 2020 4:24 PM

To: Amberman, Christie (b) (6)

Subject: [EXTERNAL] Census memo

Jeremy Kennedy
Chief of Staff
Office of Governor Janet T. Mills
(b) (6) Cell

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JANET T. MILLS
GOVERNOR

KIRSTEN LC FIGUEROA
COMMISSIONER

Dr. Steven Dillingham
Director of the United States Census Bureau
4600 Silver Hill Road
Washington, DC 20233

February 20, 2020

Dear Dr. Dillingham,

The Office of the State Economist, within the Department of Administrative and Financial Services, serves as the State Data Center lead for the State of Maine. In this capacity, we are writing to express our concerns regarding the proposed policy changes involving the use of differential privacy in census data. Privacy protections for individuals are of utmost importance to the State of Maine. We recognize that caution and careful planning for disclosure avoidance are necessary in order to maintain the integrity of the decennial census and all Census products. However, upon careful review of the 2010 demonstration data product released by the U.S. Census Bureau, we are hereby voicing concern for the usability, reliability, and equity of differentially private (DP) Census data

Our analyses show that small, rural places suffer the most in terms of inaccurate estimates. In Maine's case, that means a majority of our counties and sub-county geographies are subject to unacceptably high levels of error. If this holds true in the release of the 2020 decennial census data and other future data products, the repercussions for our state and nation are considerable.

Decennial census data are used for the apportionment of state legislative districts. They serve as the benchmark for population estimates, demographic projections, surveys, research, and analysis carried out by everyone from local housing planners to the U.S. Census Bureau itself. Over three hundred federal spending programs distribute funds on the basis of data derived from the decennial census. Policy decisions at all levels of government use data that originate with the decennial census. In many cases policymakers, researchers, businesspeople, and the public rely on data that is only available from the U.S. Census Bureau. If the reliability of that data falls by the wayside or the data becomes so difficult to interpret that general users are unable to decipher it, we run the risk of basing decisions on no data at all or, perhaps worse, on inaccurate data.

The U.S. Census Bureau has long been the standard-bearer in terms of providing high quality, reliable data to the public. This proposed policy change would threaten that position and throw into doubt any redistricting, funding decisions, or analysis done using census data.

While we have been able to assess the errors in the demonstration product, this will not be possible for the 2020 published data. At the time of writing, there is no established guidance with respect to how statistical analysis should be carried out in light of the proposed change. Even if these tools existed, we fear many of the data users within our state do not have the resources and training necessary to account for these errors. This exacerbates our concern that DP has the potential to exclude rural and resource-strained communities from equitable access to high-quality, reliable data, and that our narratives will be systematically misinformed as a result.

In light of our grave misgivings concerning this proposed policy change, we have several requests that would help to either reduce the negative impacts from the change or provide additional information to help us prepare for the impacts.

1. We request that the U.S. Census Bureau release more demonstration datasets for different epsilon values, geographical hierarchies, and queries, as well as multiple iterations of each.

2. We request that the U.S. Census Bureau use a higher value of epsilon, and particularly higher allocation for Age and Sex tabulations.

3. We request that the U.S. Census Bureau release raw noise-injected counts.

4. We request better information and analysis from the U.S. Census Bureau regarding the impacts on related data products including the American Community Survey, Current Population Survey, and Population Estimates Program.

5. We request that the U.S. Census Bureau report margins of error or confidence intervals for previously released DP data and any newly-released DP data.

Despite the availability of the demonstration data product, data users have not been given enough time to conduct thorough analysis to understand these impacts, since several tables were either not included or are not comparable to the demonstration data. For example, the U.S. Census Bureau has cautioned that table P20 is not comparable to the demonstration product. There has been inadequate opportunity to evaluate the privacy-accuracy tradeoff since there has been only one single demonstration data set to analyze at one single epsilon value, geographical hierarchy, and query. More demonstration datasets would allow users to understand these three important aspects of the privacy algorithm.

Additionally, there has been inadequate communication regarding impacts to other valuable data products such as the American Community Survey, the Current Population Survey, or the Population Estimates Program¹. Other economic data released by the U.S. Bureau of Economic Analysis, U.S. Bureau of Labor Statistics, and a vast spectrum of other data agencies will similarly face challenges with survey design.

¹ The Census Bureau's analysis of the Population Estimates Program shows Maine (statewide) has the second-highest Mean Absolute Percentage Error (MAPE) among all states in these estimates: 42.5% MAPE using the demonstration products as a benchmark compared to 12.8% with published Census data. These estimates are a primary data input for Maine's population projections. Still, the data for this calculation has not been released to the public, which has left us mostly unaware of these impacts.

Inaccuracy in the decennial census will flow through ten full years of data via these crucial products. The current implementation of DP creates a group of regions and people, predominantly rural and already marginalized, that are left behind; they will continue to be left behind for the remainder of the decade unless action is taken to improve the algorithm. Without resolution to the above uncertainties it will be impossible to measure the magnitude of these errors, resulting in further challenges for these places and communities.

Following is a description of the analysis performed by our office and the results that prompted our concerns. We appreciate your consideration of our requests and look forward to a prompt reply.

Sincerely,



Angela Hallowell
Maine State Data Center lead



Amanda Rector
Maine State Economist

Impacts in Maine

The demonstration data product was accessed courtesy of IPUMS NHGIS, University of Minnesota, www.nhgis.org. We find that most counts are reliable at the state level, as are total population counts at the county level. However, detailed counts for nearly all sub-state geographies have been compromised by noise injection.

County-level counts

One example of this lies in age and sex counts at the county level (**Figure 1**). The greatest Mean Absolute Percentage Error (MAPE) is found for 18-19 years, 20 years, 21 years, and 85 years and over cohorts for both male and female. Even when aggregated by sex, MAPE is over 10% in all abovementioned cohorts except 18 and 19 years (**Figure 2**). This data has a major part to play in the analysis carried out by numerous state agencies. For example, the ongoing opioid crisis throughout the state disproportionately affects young men in rural counties. Inaccuracies of this magnitude in population counts could lead to under- or over-calculations of overdose rates and would make it difficult to statistically detect changes across time and space. This makes the management of this public health crisis a nearly impossible task. Additionally, Maine has the oldest median age and the highest percent of the population age 65 and older of any state in the U.S. The high level of inaccuracy with the 85 and over cohorts will make planning for our rapidly aging population increasingly complex.

Similarly, **Figure 3** demonstrates the inaccuracy in counts for households by age of householder. Again, the youngest category (householder aged 15-24) and the oldest categories (75-84 and 85 years and over) have the highest errors. This translates to errors that halve or double these populations in some of Maine's smallest counties (**Table 1**).

Race of householder in occupied units is also significantly flawed (**Figure 4**). All racial categories except *White alone* have MAPE over 25%. In fact, only two have MAPE under 100% (Two or more races and American Indian and Alaska Native). In Franklin County, the count of households with a black or African American householder was more than 11 times its published count (**Table 2**). Any changes in Maine's diversity at a county level will be incredibly difficult to statistically detect and will undoubtedly lead to misinformed narratives about demographic comparisons over time and space. These examples are just some of the many large errors we found in the data at the county level in Maine.

County Subdivision and School District Counts

Data users will find county subdivision counts almost entirely useless given the current privacy loss budget level and allocation. Total population counts are relatively acceptable for large county subdivisions. Error is large for the smallest subdivisions, but meaningfully falls below 10% absolute percent error at about 900 people. However, this leaves about 236 of 533 Maine county subdivisions vulnerable to large miscounts. This is demonstrated in **Figures 5 and 6**.

Age and sex counts are severely affected by noise injection. **Figures 7 and 8** show the MAPE by age and sex cohort and counties, respectively. No category (other than total) has a MAPE under 50%, and many have MAPE well over 100% for both sexes. Similarly, half of the counties have MAPE across category and geographies above 100%; the lowest is in York at 49.8%. These errors are altogether unacceptable and if left unchanged, we will caution users against relying on any of these data.

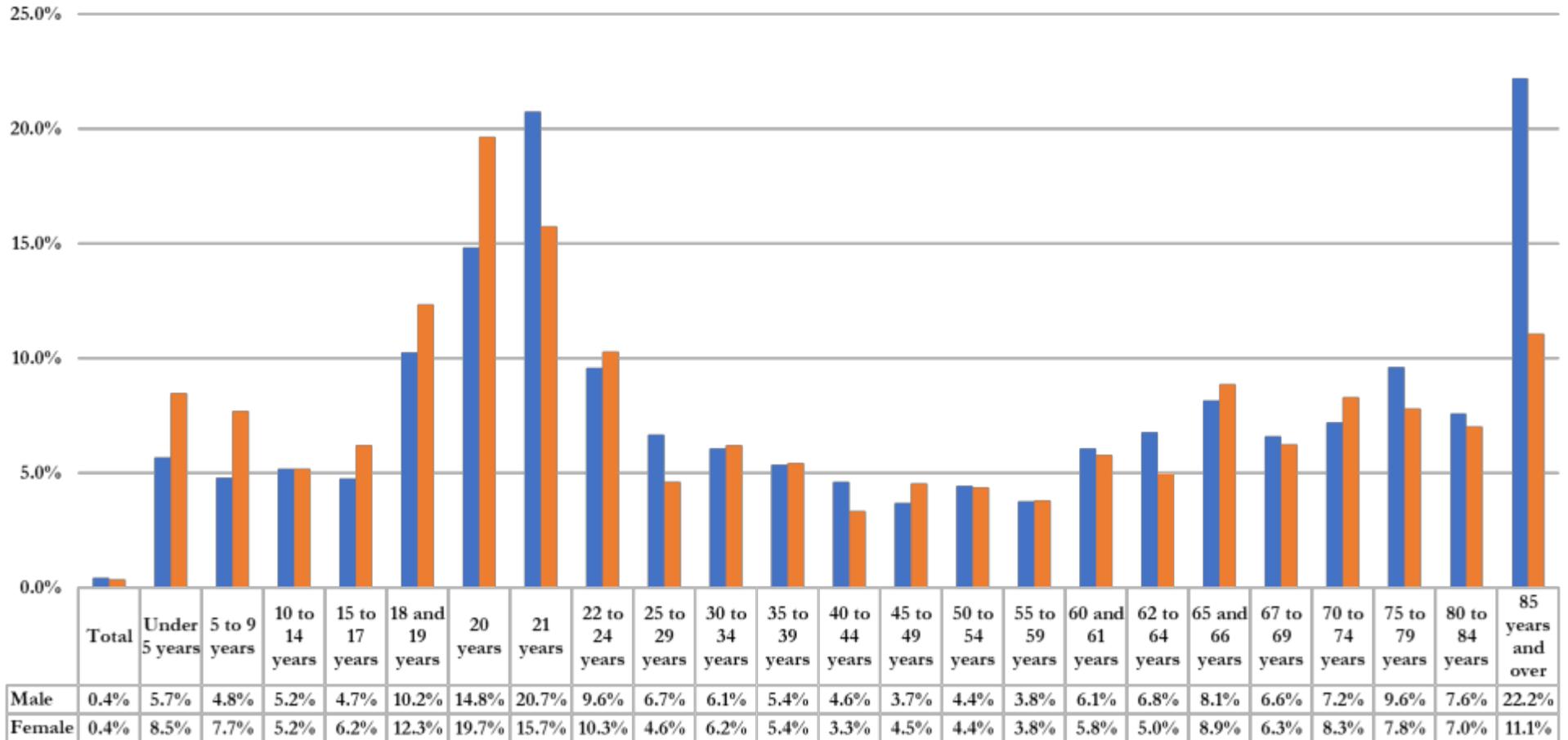
This will have myriad financial and economic repercussions for the “winners” and “losers” that municipalities will randomly become. One significant example is funding for school districts. **Figure 9** shows the losses and gains in the school aged population. School districts stand to lose significant portions of funding as a result of a faulty headcount. For example, RSU 34 (serving Alton, Bradley and Old Town) lost 422 students from its school-aged children count. In 2011, there were 290 students attending its Leonard Middle School². This loss is akin to artificially removing the students from more than an entire school from its school district. Conversely, some lucky school districts such as Deer Isle-Stonington Community School District would see a 35% increase in its school-aged population.

It is important to note that these results are based on random draws; outcomes for Maine could be entirely different in another iteration of the algorithm. For this reason, we close by urging the U.S. Census Bureau to provide more demonstration datasets and to release raw noise-inject data that include negative counts. This will help data users approximate margins of error for the 2020 published data and assess how these errors will manifest in the future. Without this ability, we will cease to use most of the published decennial data and be forced to seek alternative data sources.

² Source: Maine Education Data Warehouse

Tables and Figures

Figure 1. Mean Absolute Percent Error for age and sex, all counties in Maine



■ Male ■ Female

Figure 2. Mean Absolute Percent Error, both sexes, 16 Maine Counties

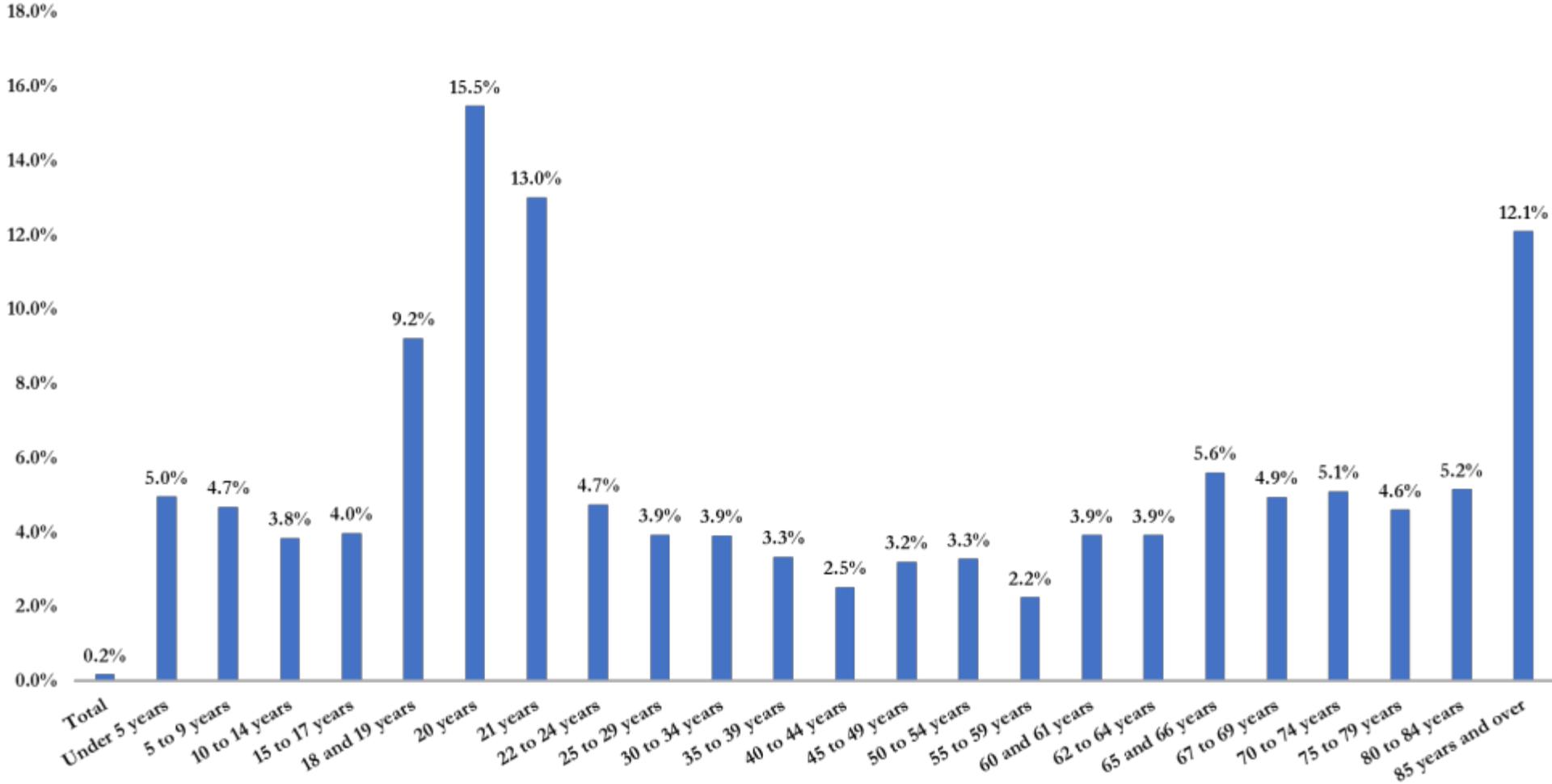


Figure 3. Mean Absolute Percent Error - Households by age of householder

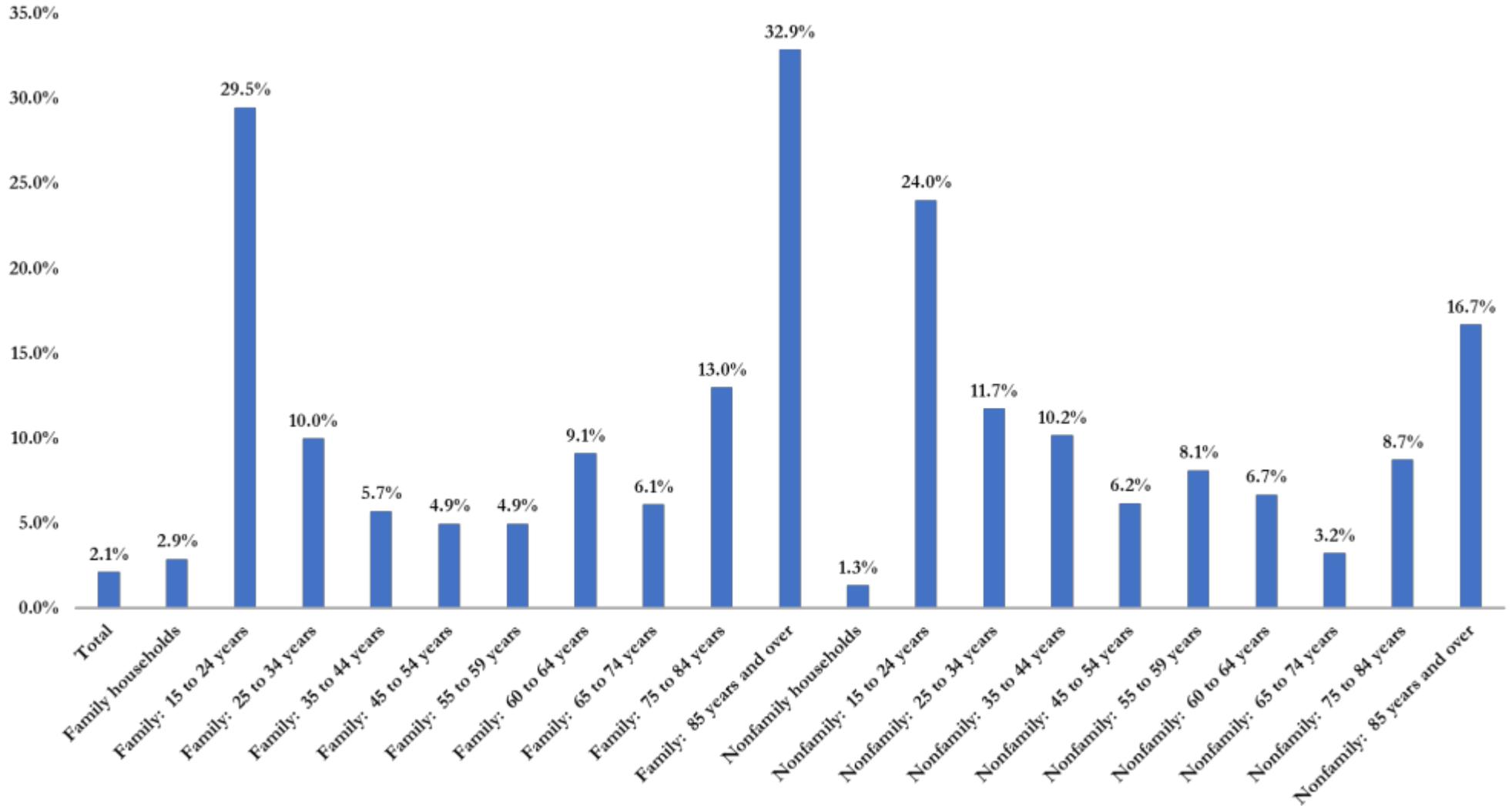


Figure 4. Race of Householder - Mean absolute percent error in 16 counties

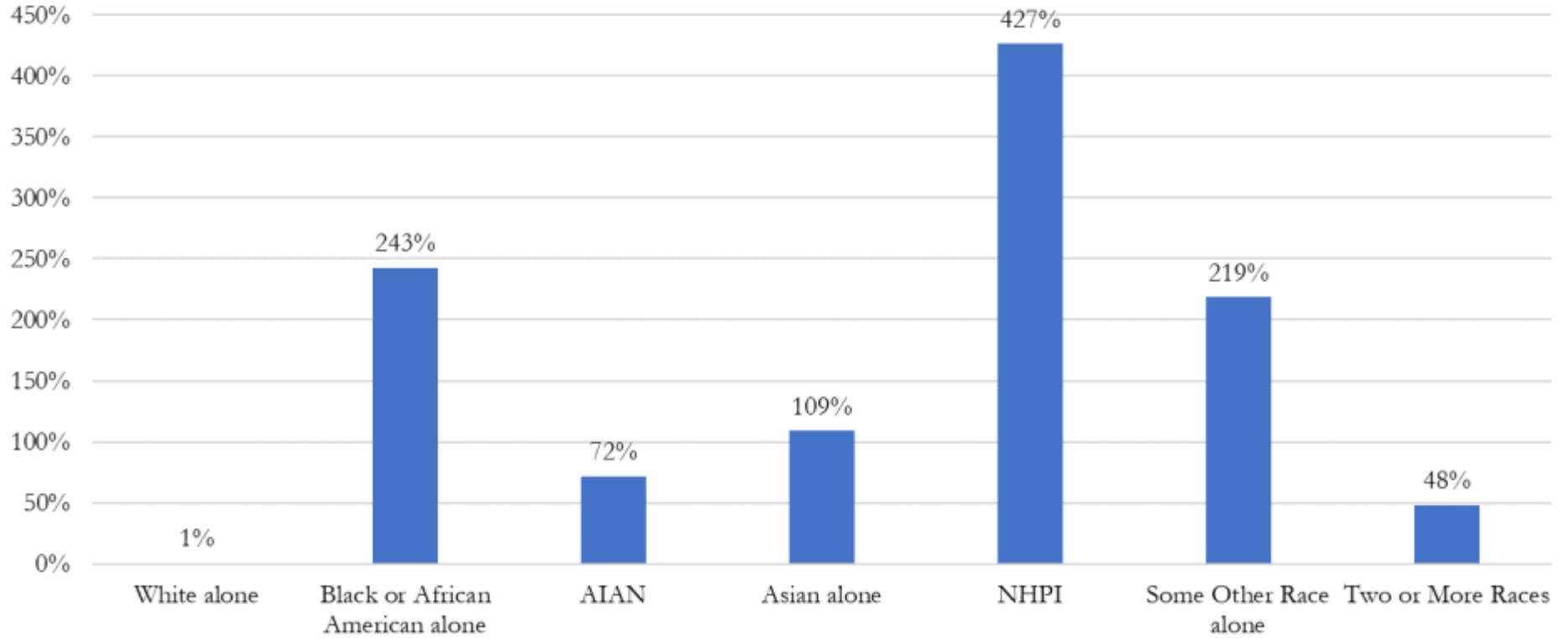


Figure 5. Percent Error in Total Population for All County Subdivisions

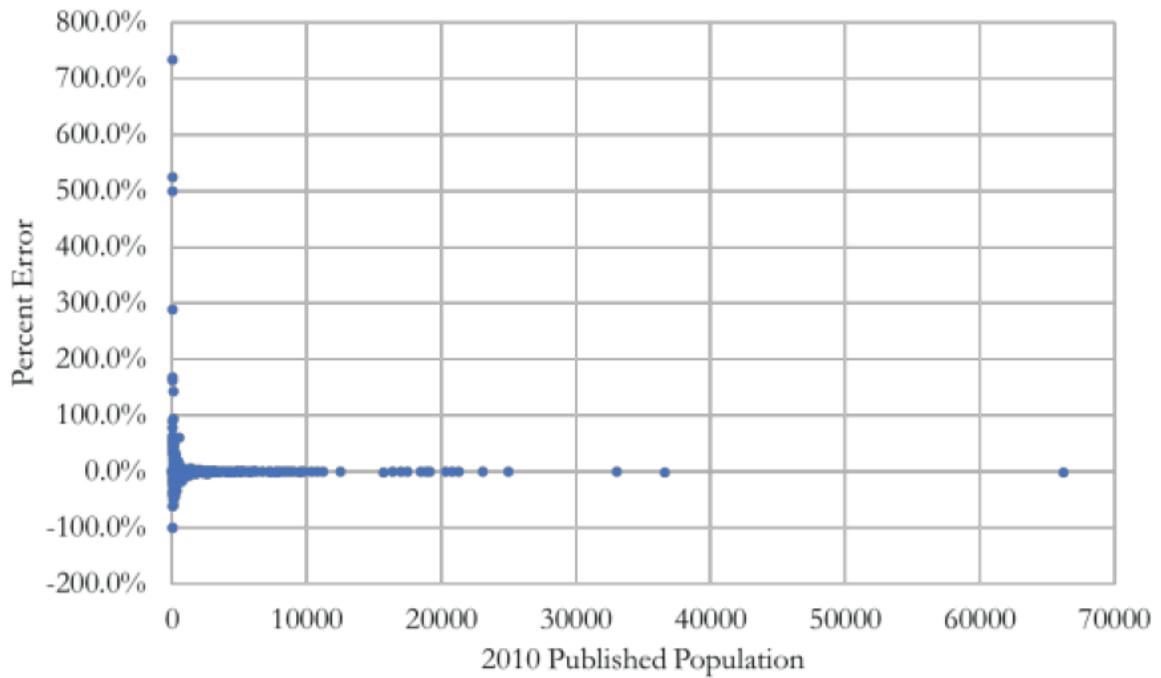


Figure 6. Percent Error in Total Population for County Subdivisions, Zoom View

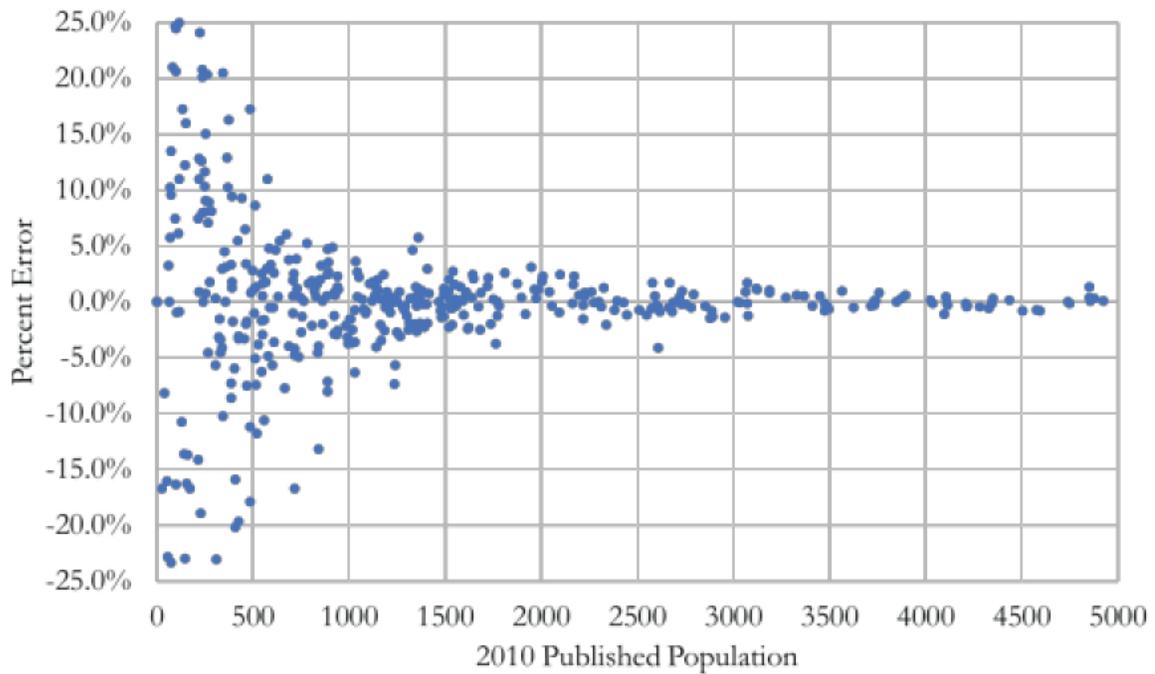


Figure 7. Mean Absolute Percentage Error for Age and Sex in Maine's County Subdivisions

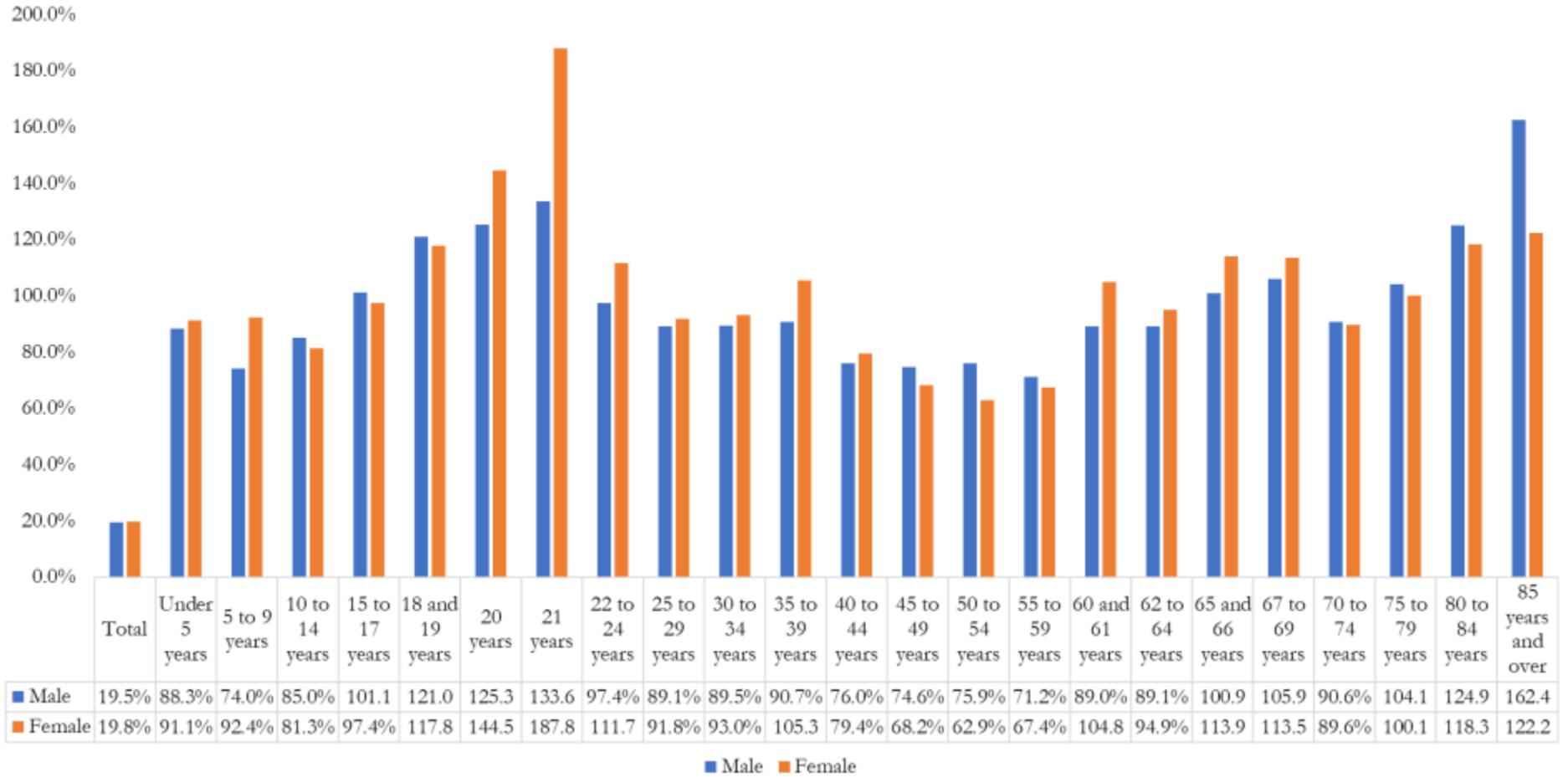


Figure 8. MAPE for age and sex by county, all county subdivisions in Maine

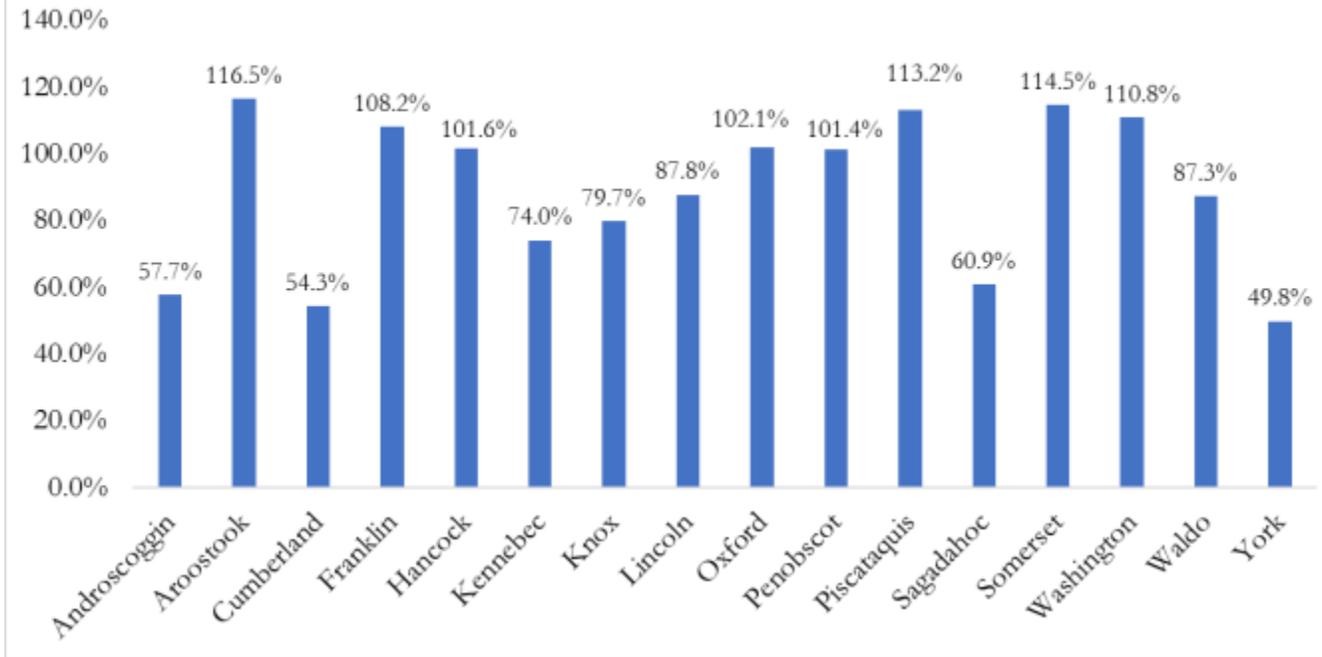


Figure 9. Miscount of school-aged children (5-17 years old) in all school districts in Maine

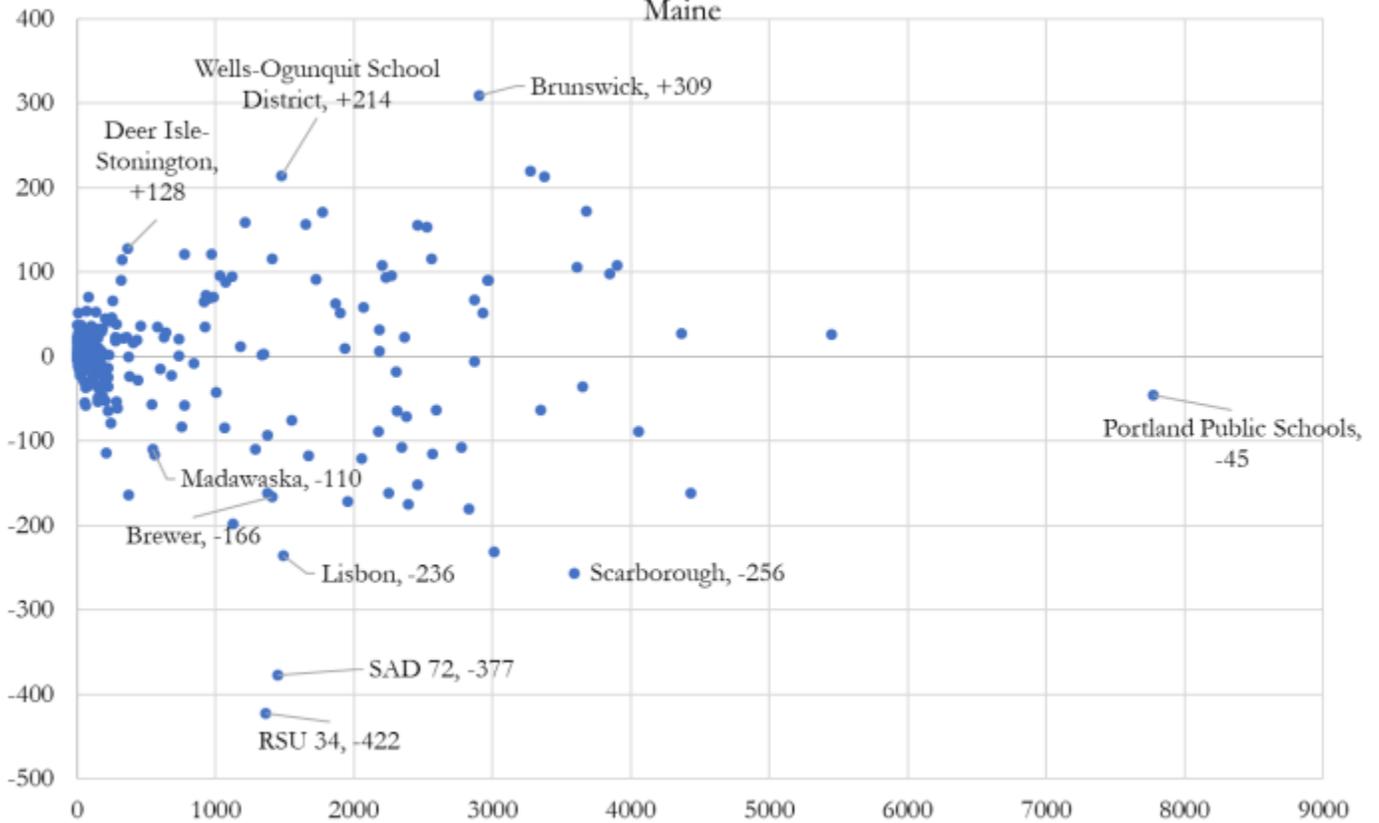


Table 1. Households by type and age of householder – highest error categories by county

(Where 100% means doubling and -50% means halving)

-50% and less |
 -49% to -25% |
 25% to 99% |
 100% and over

Percent Difference	Family:	Family:	Family:	Family:	Family:	Family:
	Householder 15 to 24 years	Householder 25 to 34 years	Householder 45 to 54 years	Householder 60 to 64 years	Householder 75 to 84 years	Householder 85 years and over
Androscoggin County	-5%	3%	2%	7%	-2%	17%
Aroostook County	16%	15%	8%	1%	6%	23%
Cumberland County	20%	-2%	-1%	-3%	9%	-10%
Franklin County	70%	25%	2%	-11%	6%	-28%
Hancock County	11%	21%	7%	5%	-4%	28%
Kennebec County	-16%	-2%	0%	3%	-6%	-19%
Knox County	76%	17%	1%	8%	-12%	-37%
Lincoln County	109%	-20%	-3%	-1%	-13%	116%
Oxford County	2%	5%	0%	28%	-3%	-23%
Penobscot County	-20%	-5%	-1%	-2%	0%	10%
Piscataquis County	10%	0%	31%	29%	-51%	63%
Sagadahoc County	-2%	29%	1%	-6%	23%	-16%
Somerset County	16%	3%	-2%	-13%	14%	-4%
Waldo County	32%	-1%	-2%	-19%	47%	99%
Washington County	36%	-12%	17%	-10%	-11%	-31%
York County	-32%	1%	-1%	0%	-1%	3%

	Nonfamily:						
	Householder 15 to 24 years	Householder 25 to 34 years	Householder 35 to 44 years	Householder 45 to 54 years	Householder 55 to 59 years	Householder 75 to 84 years	Householder 85 years and over
Androscoggin County	0%	-7%	10%	-6%	-1%	-6%	8%
Aroostook County	-7%	23%	2%	3%	-4%	-14%	5%
Cumberland County	-5%	-2%	1%	0%	-1%	-3%	1%
Franklin County	-8%	-2%	6%	-1%	-7%	10%	35%
Hancock County	-28%	-1%	1%	1%	7%	12%	-20%
Kennebec County	-6%	-9%	-4%	-6%	4%	5%	-2%
Knox County	-12%	-9%	-31%	6%	-1%	2%	27%
Lincoln County	33%	-11%	-21%	0%	6%	-1%	-4%
Oxford County	48%	21%	-20%	-9%	11%	-1%	15%
Penobscot County	-3%	-7%	11%	5%	0%	-1%	-11%
Piscataquis County	152%	14%	12%	28%	-45%	44%	-31%
Sagadahoc County	48%	39%	-4%	-17%	14%	5%	-39%
Somerset County	17%	-17%	-7%	2%	12%	9%	16%
Waldo County	-2%	17%	2%	-1%	-11%	-12%	7%
Washington County	4%	-5%	28%	12%	-2%	12%	-34%
York County	11%	-4%	-3%	-1%	-3%	-3%	12%

Table 2. Percent Error for Race of Householder by County

	Total	White alone	Black or African American alone	AIAN	Asian alone	NHPI	Some Other Race alone	Two or More Races	MAPE
Androscoggin County	0%	0%	-21%	23%	11%	-25%	72%	27%	22%
Aroostook County	1%	0%	82%	-30%	115%	-25%	627%	-11%	111%
Cumberland County	-1%	0%	-19%	24%	-8%	-33%	-58%	-15%	20%
Franklin County	5%	1%	1029%	182%	151%	260%	557%	81%	283%
Hancock County	1%	0%	105%	48%	-13%	1000%	26%	80%	159%
Kennebec County	-1%	0%	8%	-8%	-7%	92%	-53%	-20%	24%
Knox County	2%	0%	154%	137%	68%	500%	367%	16%	155%
Lincoln County	4%	2%	416%	23%	360%		364%	47%	152%
Oxford County	2%	1%	80%	118%	121%	25%	11%	22%	47%
Penobscot County	-1%	0%	0%	-16%	-15%	442%	9%	-36%	65%
Piscataquis County	8%	3%	813%	274%	423%	33%	683%	126%	295%
Sagadahoc County	4%	2%	73%	30%	23%	2400%	77%	162%	346%
Somerset County	2%	0%	186%	47%	140%	467%	462%	75%	172%
Waldo County	1%	0%	529%	118%	103%	480%	86%	-41%	170%
Washington County	1%	1%	367%	-29%	163%	1000%	0%	-8%	196%
York County	-1%	-1%	-7%	42%	-19%	-43%	-46%	-2%	20%
MAPE	2%	1%	243%	72%	109%	427%	219%	48%	

Correspondence Quality Assurance Staff

Office of the Director
U.S. Census Bureau

Control Sheet

March 10, 2020

Census Id: CQAS-10151

DOC Number:

Correspondence Type: Local Government

Action Office: DCCO

Signature: Steven D. Dillingham

Subject: The Mayor is concerned about the effect of the Census Bureau Differential Privacy on the City of Alexandria, VA, and makes three recommendations to prevent inaccuracies in annual forecasted population estimates

Instructions: Send draft to CQAS

Due in CQAS: 03/18/2020

Sender: Mark B. Jinks

Constituent:

Corr Date: 02/03/2020

Rec Date: 03/10/2020

Due Date: 03/23/2020

Confidential Information: No

Addressee: U.S. Census Bureau

Infocopy: ADDC,Stanley,InterGov

Concurrence

Surname	DCMD	CQAS	ADRM	LEGAL				
Initials	MT	KM	JMA	MC				
Date	3/10	3/10	3/27	3/27				



OFFICE OF THE CITY MANAGER

301 King St., Suite 3500
Alexandria, VA 22314

MARK B. JINKS
City Manager

703.746.4300
Fax: 703.838.6343

February 3, 2020

U.S. CENSUS BUREAU
4600 Silver Hill Road
Washington, DC 20233

RE: Effect of U.S. Census Differential Privacy on the City of Alexandria, Virginia

Dear U.S. Census Bureau,

The City of Alexandria relies on Census Bureau data to provide timely and accurate information on the city's population and demographic statistics. City staff, policymakers, and community-based organizations (CBOs) use these data to assess the efficacy of existing public policies and services, and to evaluate the expected impact of new policy decisions on our residents. We are concerned that the proposed differential privacy methodology would limit our understanding of the city's population, and inhibit our ability to serve our residents equitably.

The City uses Decennial Census data to calculate annual population estimates. During intercensal years, the City estimates the population at the block level based on average household size and occupancy rates from the most recent Decennial Census, and the current number of housing units as identified in the City's geodatabase system. In blocks where a significant number of units are added between Censuses, any discrepancy between the true block-level statistics and those to which differential privacy protections have been applied will be amplified. Similarly, the City uses Decennial Census data to forecast population estimates based on our best assumptions about how the City's built environment will develop in the future. These estimates are used to inform public service and policy decisions that will last for decades. For example, the estimates feed into the Metropolitan Washington Council of Governments' (MWCOG) long-range transportation plan, [Visualize 2045](#).

If our population estimates and projections are inaccurate, the City and CBOs risk providing inadequate levels of service to our residents if the true number of residents in a sub-jurisdictional geography is greater than the estimated number based on Census data. For example, the City is currently developing a new public transit routing plan using current Census data and City population forecasts. If Census data do not reflect reality, the system could unintentionally be designed to overserve some communities and underserve others.

We would also not be able to use Census data to reliably identify where communities of residents belonging to specific racial, ethnic, or age groups are located within the City. These data are necessary for City and CBO services that serve a specific subpopulation, such as early childhood education services. City staff also use these data to assess whether they are serving all racial, ethnic, and age groups equitably. Applying differential privacy protections to these variables could mask demographic characteristics of sub-jurisdictional geographies and alter the conclusions of these analyses.

The City of Alexandria appreciates and values the Census Bureau's dedication to protecting individual privacy in response to growing data science and artificial intelligence capabilities. At the same time, accurate block-level data are critically important to the City's understanding of the current population and ability to anticipate future population growth.

To prevent inaccuracies in annual and forecasted population estimates, we recommend that the Census Bureau permit authorized City staff to access 2020 Census results before the application of differential privacy. Staff would be subject to a strict non-disclosure agreement, as well as Title 13 protections. Authorized staff would adhere to Census Bureau guidance when summarizing population estimates and forecasts to protect individual privacy.

To best avoid inequitable allocation of services, we recommend that the Census Bureau provide clear guidance on how to interpret publicly accessible 2020 Census data that is understood by a non-technical audience. The guidance should focus particularly on sub-jurisdictional geographies, since many services are provided at the neighborhood-level. This would allow City staff and CBOs to continue to use Census data to determine whether services are being provided equitably and whether they are reaching their target populations.

Lastly, we recommend that the Census Bureau provide margins of error for publicly available 2020 Census data. Margins of error will make it easier to establish confidence intervals around population figures provided by the Census Bureau, which would reduce the uncertainty associated with differential privacy protections. Guidance on interpreting 2020 Census data should reference how to use and understand margins of error for non-technical audiences. Please contact Sierra Latham (703.746.3832 or sierra.latham@alexandriava.gov), City of Alexandria Demographer, with any questions.

Sincerely,



Mark B. Jinks
City Manager



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau
Office of the Director
Washington, DC 20233-0001

05/04/2020

Ms. Angela Hallowell
Maine State Data Center Lead
Department of Administrative and Financial Services
Burton M. Cross Building, 3rd Floor
78 State House Station
Augusta, ME 04333-0078

Dear Ms. Hallowell:

Thank you for your co-signed letter demonstrating that decennial census data are critically important for financial allocations and decision-making at all levels of government. Over the decades, federal, state, and local policymakers have come to rely upon the quality of the decennial census as a cornerstone of their data-driven decision-making. The U.S. Census Bureau takes this responsibility seriously and is committed to ensuring that the 2020 Census Data Products meet our data users' needs, consistent with our legal obligations to protect confidentiality.

In your letter, you expressed concerns about the impact that the Census Bureau's adoption of differential privacy may have on your state's uses of decennial census data. Any statistical technique that can be used to protect privacy in public data releases will have an impact on the resulting data's fitness-for-use. Choices made during the design and implementation of those protections will impact certain data use cases more than others. With this in mind, a successful Disclosure Avoidance System (DAS) is one that can sufficiently protect privacy while maintaining the data's fitness for use for the most important use cases. Accomplishing this requires extensive analysis and engagement with the data users to identify those use cases and assess the resulting fitness-for-use.

To facilitate that engagement with our data users, the Census Bureau released the 2010 demonstration data products that you referred to in your letter. These data were produced using an interim version of our differentially private DAS from early last fall. We knew at the time that the DAS would still need more work before its use next year to produce the first of the 2020 Census Data Products. That said, we felt that releasing these data was necessary. In addition to demonstrating that we have been successful at building a system that can effectively protect privacy at the scale of the 2020 Census, our intention in releasing these demonstration data was also to help ensure that the data we release are of the same high quality that our data users have come to expect. In its current iteration, the DAS does very well at ensuring the data's fitness for use for some important use cases, but falls short in others. Releasing the demonstration products allowed us to crowdsource the process of identifying and measuring where the system still needs to be improved.



To that end, the extensive feedback that we have received, including that which you provided in your letter, is invaluable to our efforts to improve the DAS before the 2020 Data Products are produced. There are many ways that the system could be adjusted to improve data accuracy for different use cases. We have already begun implementing some of these changes to the DAS, and we will be keeping our partners and data users informed of our progress over the coming weeks and months. We appreciate the recommendations you made in your letter regarding upcoming policy decisions and the need for additional engagement with our data user communities. Rest assured that we will give your recommendations serious consideration over the coming months.

The Census Bureau has a long history of producing quality statistics about the nation. Now, as always, we appreciate the input from data users and policymakers like yourselves that helps us to ensure that we are able to continue that tradition.

Sincerely,

A handwritten signature in cursive script that reads "Steven D. Dillingham". The signature is written in black ink and is positioned above the printed name and title.

Steven D. Dillingham
Director



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau
Office of the Director
Washington, DC 20233-0001

05/04/2020

Ms. Amanda Rector
Maine State Economist
Department of Administrative and Financial Services
Burton M. Cross Building, 3rd Floor
78 State House Station
Augusta, ME 04333-0078

Dear Ms. Rector:

Thank you for your co-signed letter demonstrating that decennial census data are critically important for financial allocations and decision-making at all levels of government. Over the decades, federal, state, and local policymakers have come to rely upon the quality of the decennial census as a cornerstone of their data-driven decision-making. The U.S. Census Bureau takes this responsibility seriously and is committed to ensuring that the 2020 Census Data Products meet our data users' needs, consistent with our legal obligations to protect confidentiality.

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Sincerely,

A handwritten signature in cursive script that reads "Steven D. Dillingham". The signature is written in black ink and is positioned above the printed name and title.

Steven D. Dillingham
Director

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

April 30, 2020

Cen u Id CQAS 10288
DOC Number
Corre pondence Type Controlled Corre pondence
Action Office ADRM
Signature Dillingham
Subject Letter on Propo ed 2020 Cen u Di clo ure Avoidance Sy tem (DAS) Improvement Metrics .
In truction Prepare for the Director' ignature Rea igned to ADRM
Due in CQAS 05/04/2020
Sender Kevin Alli
Con tituent
Corr Date 04/23/2020
Rec Date 04/24/2020
Due Date 05/07/2020
Confidential Information No
Addre ee
Infocopy ADDC,Stanley,Tribal Affair ,InterGov,DCCO

Concurrence

Surname								
Initials								
Date								

Fw: Letter on Proposed 2020 Census Disclosure Avoidance System (DAS) Improvement Metrics

Dee A Alexander (CENSUS/OCIA FED) <Dee.A.Alexander@census.gov>

Fri 4/24/2020 1:02 PM

To: BOC Correspondence Quality Assurance (CENSUS) (b) (6)

Cc: Christopher J Stanley (CENSUS/OCIA FED) <christop

1 attachments (343 KB)

NCAI letter to US Census Bureau on DAS Metrics 4 23 2020 FINAL signed.pdf;

Please send for review and response.

Dee Alexander (Cheyenne-Arapaho)
 Tribal Affairs Coordinator
 Office of Congressional and Intergovernmental Affairs
 U.S. Census Bureau
 O: 301-763-9335 | M: (b) (6)
[census.gov](https://www.census.gov) | [@uscensusbureau](https://twitter.com/uscensusbureau)
Shape our future. START HERE > 2020census.gov

From: Yvette Roubideaux <yroubideaux@NCAI.org>
Sent: Friday, April 24, 2020 11:37 AM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Katherine Dodson Hancher (CENSUS/DEPDIR FED) <Katherine.Dodson.Hancher@census.gov>; Dee A Alexander (CENSUS/OCIA FED) <Dee.A.Alexander@census.gov>
Cc: (b) (6) <(b) (6)>; Sierra Watt (b) (6) <(b) (6)>; (b) (6) <(b) (6)>
Subject: Letter on Proposed 2020 Census Disclosure Avoidance System (DAS) Improvement Metrics

Please find attached our letter in response to the proposed 2020 Census DAS improvement Metrics.

We also look forward to hearing when tribal consultation will resume on the DAS.

If you have any questions, please let me know,

Yvette

Yvette Roubideaux, M.D., M.P.H. (*Rosebud Sioux*)
 Vice President for Research
 Director, NCAI Policy Research Center

National Congress of American Indians
 Embassy of Tribal Nations

1516 P Street NW
Washington, DC 20005
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yroubideaux@ncai.org
www.ncai.org/prc



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NCAI
FUND

April 23, 2020

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Kevin Allis
*Forest County Potawatomi
Community*

Director Steven D. Dillingham
United States Department of Commerce
U.S. Census Bureau
Office of the Director
Washington, DC 20233-0001

Delivered via email Emailed to: steven.dillingham@census.gov;
Katherine.dodson.hancher@census.gov; Dee.A.Alexander@census.gov

Dear Director Dillingham:

We are writing to provide recommendations on the U.S. Census Bureau's **proposed 2020 Census Disclosure Avoidance System (DAS) Improvement Metrics**. These metrics were made available to the public on March 27, 2020 with feedback requested by April 24, 2020. We have reviewed all relevant information on the proposed metrics and the latest updates to the DAS at your webpage:

https://www.census.gov/about/policies/privacy/statistical_safeguards/disclosure-avoidance-2020-census.html.

The National Congress of American Indians (NCAI) is the oldest, largest, and most representative national organization serving the broad interests of American Indian and Alaska Native (AI/AN) tribal nations and advocates to uphold and strengthen tribal sovereignty. Every tribal nation, as a sovereign nation, has the right to be counted and to have accurate data about their nation produced from the decennial census.

We appreciate the time your staff spent with our team to discuss recent changes to the plans for implementing the DAS with the 2020 Census and your efforts to be responsive to input received from tribal nations during your agency's tribal consultation efforts in 2019. We urge you to immediately implement the following recommendations and/or to immediately provide an update to all tribal nations on your plans with the DAS to ensure accurate and accessible decennial census data for the priority use cases of tribal nations.

NCAI FUND HEADQUARTERS
1516 P STREET, NW
WASHINGTON, D.C. 20005
202.466.7767
202.466.7797 FAX

Recommendation #1 – Continue Tribal Consultation

We understand that the planned tribal consultation or listening sessions scheduled for April 2020 had to be postponed due to the current coronavirus (COVID-19) pandemic. However, we still encourage you to formally consult with tribes on this metrics issue, as well as your other DAS plans, so that tribal nations can give meaningful input before you finalize plans to implement any planned DAS methods for the 2020 Census.

While tribal listening sessions were held last fall, tribal consultation is needed on the following topics:

- Results of the December 2019 Committee on National Statistics Workshop;
- Specific findings from the workshop that illustrated significant errors, especially for small, rural, and remote populations, and most concerning, the erasure of many tribal nations in the dataset;
- New plans for the DAS including the new proposed “TopDown Algorithm” for Group 1 data products (P.L. 94-171 Redistricting Data File and Demographic/Housing Files);
- The impact of the new proposed method for all AI/AN Geographies in the TopDown Algorithm;
- Strategies for post-processing after the TopDown Algorithm is applied;
- The proposed metrics; and
- Plans for Group 2 data products (including AI/AN Summary Files).

Analysis of the 2010 Demonstration Data products released in 2019 revealed that the planned DAS algorithm disproportionately and negatively impacted American Indian and Alaska Native (AI/AN) census data. Tribal consultation is required when federal policies and decisions may have an impact on tribal nations and meaningful tribal consultation must continue until the needs of tribal nations are addressed.

Recommendation #2 – Provide More Detail on How Metrics will Fulfill Priority Use Cases for the 2020 Census Data

In several meetings and tribal listening sessions in 2019, the U.S. Census Bureau staff requested information on how tribal nations use census data, and then stated that they would design the DAS to ensure accurate, accessible data for “priority use cases.” NCAI previously has provided input on the following priority use cases for tribal nations:

- Accurate representation in the P.L.94-171 Restricting File
- Accurate census data for federal funding formulas and decisions
- Accurate and accessible census data for local tribal governance
- Accurate census data for research about AI/ANs

However, for the current request for information on metrics, the U.S. Census Bureau has not provided adequate information for a lay audience on why they chose these metrics, how these metrics will impact priority use cases, and what targets for these metrics will indicate adequate accuracy for the priority use cases we provided. Having metrics that only provide information on whether error measurements improve, or whether accuracy, bias, or outliers improve, is not adequate to determine if the priority use cases requested by tribal nations and others have been adequately addressed, and whether data will be accessible and accurate for those uses.

The U.S. Census Bureau must provide more detail on the proposed targets for metrics to meet the priority use cases. The metrics provided are limited and do not provide the confidence that the algorithm is changing in needed ways to ensure tribal nations are treated equitably with the rest of the United States. The need to ensure usable, quality, and equitable data on tribal nations for these priority uses is of the utmost importance.

Recommendation #3 – Provide Greater Access to Tribal Nations and their Representatives to View the Results of Data Runs as New DAS Algorithmic and Other Adjustments Occur

NCAI is grateful for the opportunity to be included in the current plans for viewing results of data runs after key adjustments to the TopDown Algorithm and other adjustments are made to the DAS in a series of informal expert meetings organized through the National Academies of Sciences, Engineering, and Medicine. However, the information cannot be kept behind closed doors since the U.S. Census Bureau is required to consult with tribal nations on this topic. There needs to be a direct relationship between the U.S. Census Bureau and tribal nations through consultation, and any results from data runs, including changes in metrics and the actual data, must be shared publicly with tribal nations before final decisions are made, and must be shared in plain language or lay language. We also request that the impacts of these data runs be shared with other impacted small, rural, and remote populations. While the U.S. Census Bureau may have been planning to only share metrics changes with each data run, we need to see the underlying data as well.

Recommendation #4 – Release a New 2010 Demonstration Product to the Public with Any Significant Adjustments to the DAS for Public Viewing and Analysis

NCAI recommends that the Census Bureau provide more data access on each new run of the data through the algorithmic adjustments to the privacy measures, similar to the 2010 Demonstration Product made public in October 2019. Public access should include release of a new data product on any new data runs, access to data users with special sworn status to test the data quality and run analyses, and a release of data to show impact on AI/AN statistical areas and tribal nations. Now that the timeline for enumeration has been extended, and the U.S. Census Bureau has requested a longer

extension for delivery of data products, there should be adequate time to allow public viewing and analysis.

Recommendation #5 – Ensure that Tribal Nations Receive the Same Data Treatment as State Level Data

We understand that the new proposed census geographic “spine” pulls AI/AN tribal areas onto the main “spine” or geographic breakdown and allows for the epsilon to be applied directly to AI/AN tribal geographies. Since tribal nations are sovereign nations, NCAI recommends the U.S. Census Bureau ensure tribal nations receive the same data treatment as state level data for equitable processes. NCAI also requests the following information:

- NCAI requests a further explanation as to whether tribal nation population levels are being held invariant since tribal nations need local numbers to be accurate for tribal governance;
- Please explain if tribal nations are considered state-equivalents and will have invariant total populations by tribal nation;
- NCAI requests that the Census Bureau define what tribal areas are included on which side of the geographic spine, and why Oklahoma Tribal Statistical Areas are separated onto different sides of the geographic spine from other AI/AN statistical areas;
- NCAI requests that the Census run the tests using epsilons more likely to be used in the 2020 DAS so we may have a more accurate understanding of how the data will be impacted by any adjustments. The 2010 Demonstration Products used a privacy epsilon of six with minimal epsilon adjustments. The metrics provided for measuring changes, positive or negative, to the DAS algorithm are based on a data run that used a higher and a more uniform privacy application that would not be used in the actual data protection.

Recommendation #6 – Share the Metrics and Changes to the TopDown Algorithm in an Understandable Manner to Entry-Level Data Users and the General Public

The proposed metrics do not provide meaningful information to most tribal or government leaders. They also do not provide enough meaningful information to data users. The metrics and changes to the algorithm must be shared in an understandable way to an entry-level data user and the general public. NCAI suggests the following strategies:

- NCAI recommends that maps displaying the randomness measures, systematic bias metrics, and the error changes on each data run be made available to tribal nations.
- All tables produced must include outlier metrics;
- NCAI recommends the Census Bureau rethink how to illustrate to the public the changes being made to the algorithm and the data quality changes so that

the information is available in a more meaningful and understandable way. The relative use of each of the proposed metrics remains unclear. The metrics are not helpful for even an advanced or expert data user to regain trust in the data quality.

- NCAI recommends the adjustments to data quality be provided through real world applications.
- NCAI recommends that the U.S. Census Bureau reveal what portion of the total error in results of data runs is attributable to Differential Privacy vs. post-processing.
- A written document must be produced and made public after each data run that explains the results in a manner that is accessible to a lay person and in plain language.

Recommendation #7 – Tribal Population Counts and Geographies Must Be Incorporated into Any Data Runs or Information on Impact of DAS Adjustments

Analyses at the National Academies of Sciences, Engineering, and Medicine workshop in December showed how large data fluctuations occurred at different tribal nation population sizes. As a result, the population sizes need to be taken into account during the data runs and shown in the results. NCAI suggests the following strategies:

- Use cases for different tribal sizes and geographies must be run and made available to tribes;
- Fluctuations between tribal populations in a similar geographical areas need to be identified. Small shifts between blocks and block groups may seem acceptable to an unfamiliar data user, but these small shifts of tribal population losses may represent potentially large funding losses in federal funding formulas;
- Publish impact of adjustments on total population and voting-age population for tribal nations and consider making these both invariant at the state and tribal nation level;
- Data runs must include AI/AN alone AND AI/AN in combination tabulations for the differing population sizes. Only analyzing data for AI/AN alone data is not acceptable since tribal citizens are in both categories.
- NCAI recommends testing coding strategies, such as binning data, be run to test further potential data quality adjustments with input from tribal consultation; and
- Clarification is needed on what exactly will be invariant in the data.

Recommendation #8 – Publish All Comments Received on the Proposed Metrics

NCAI recommends the U.S. Census Bureau publish the comments received from data users, tribal governments, and organizations in response to the proposed metrics. The concepts around the DAS are sufficiently complicated to the lay public, and review of

letters from multiple stakeholders can help tribal nations refine their recommendations.

Recommendation #9 – Create a New Timeline for Decisions on DAS

We are aware that the U.S. Census Bureau recently submitted a new timeline for enumeration and data products for Census 2020 to the U.S. Congress. NCAI recommends that a new timeline for differential privacy decisions be built into the new proposed timeline that allows for more consultation and public review of adjustments to the DAS and resulting impacts on data accuracy at the local tribal level and for all tribal priority use cases.

Access to accurate data on the AI/AN population at all levels is important to tribal nations, given the multiple uses of the data in redistricting, governance, research, and federal agency resource allocation and decision-making. Given the high potential for negative impact from the DAS on federally recognized tribal governments and their citizens, as we learned from the 2010 Demonstration Products, we request that you respond to this letter as soon as possible. If you have any questions, please feel free to contact us at research@ncai.org.

Sincerely

A handwritten signature in black ink, appearing to read 'K. Allis', with a long horizontal flourish extending to the right.

Kevin Allis
Chief Executive Office
National Congress of American Indians



UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau
Office of the Director
Washington, DC 20233-0001

06/11/2020

Mr. Mark B. Jinks
City Manager
City of Alexandria
301 King Street, Suite 3500
Alexandria, VA 22314

Dear Mr. Jinks:

Thank you for your letter regarding the effects that the U.S. Census Bureau's adoption of differential policy may have on the City of Alexandria's future use of census data. As noted in your letter, census data are critically important for financial allocations and decision-making at all levels of government. Over the decades, federal, state, and local policymakers have come to rely upon the quality of the decennial census as a cornerstone of their data-driven decision-making. The Census Bureau takes this responsibility seriously and is committed to ensuring that the 2020 Census Data Products meet our data users' needs, consistent with our legal obligations to protect confidentiality.

Any statistical technique that can be used to protect privacy in public data releases will have an impact on the resulting data. Choices made during the design and implementation of those protections will affect certain data use cases more than others. With this in mind, a successful Disclosure Avoidance System (DAS) is one that can sufficiently protect privacy while maintaining the data's fitness-for-use. The Census Bureau's DAS requires extensive analysis and engagement with the data users to identify the most important use cases and to assess the quality of the data.

The extensive feedback that we have received, including your recommendations, is invaluable to our efforts to improve the DAS we will be using to protect privacy in the 2020 Census Data Products. There are many ways that the system can be adjusted to improve data accuracy for different use cases. Your observations will help us to prioritize improvements to the system and assess the effectiveness of those efforts. We have already begun implementing changes to the DAS, and we will be keeping our partners and data users informed of our progress over the coming weeks and months.

The Census Bureau has a long history of producing quality statistics about our nation's people and economy. We appreciate your input and the feedback we receive from data users and policymakers across the nation. Thank you for contributing to our work and helping us continue that tradition.

Sincerely,

A handwritten signature in black ink that reads "Steven D. Dillingham".

Steven D. Dillingham
Director



Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

June 25, 2020

Cen u Id CQAS 10378
DOC Number
Corre pondence Type Letter
Action Office ADRM
Signature
Subject National Congre of American Indian (NCAI) Letter on Di clo ure Avoidance Sy tem (DAS)
In truction Plea e prepare draft for formal re pon e
Due in CQAS 07/09/2020
Sender Kevin Alli , CEO, NCAI
Con tituent
Corr Date 06/25/2020
Rec Date 06/25/2020
Due Date 07/15/2020
Confidential Information No
Addre ee DIR Dillingham
Infocopy Stanley,Hawkin

Concurrence

Surname	CStanley	CQAS	LEGAL	ADRM	Chris	Ali	Christa	
Initials	CS	GPC	MC	JA	CS	AA	CJ	
Date	6/25	6/25	7/16	7/16	7/22	7/23	7/23	



NATIONAL CONGRESS OF AMERICAN INDIANS

June 25, 2020

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Comanche Nation

SOUTHWEST

Vacant

WESTERN

Vacant

CHIEF EXECUTIVE OFFICER

Kevin Allis
FOREST COUNTY POTAWATOMI COMMUNITY

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Director Steven D. Dillingham
United States Department of Commerce
U.S. Census Bureau
Office of the Director
Washington, DC 20233 0001

Delivered via email Emailed to: steven.dillingham@census.gov;
Katherine.dodson.hancher@census.gov; Dee.A.Alexander@census.gov

Dear Director Dillingham:

We write to provide urgent recommendations on the U.S. Census Bureau's **proposed 2020 Census Disclosure Avoidance System (DAS)**. In our last letter sent to you on April 23, 2020, we requested meaningful consultation on a number of issues and challenges. A Census Roundtable Discussion was held on May 25, 2020, but we believe it was not a meaningful session and did not adequately address the issues and challenges we expressed in our letter. We are writing to demand immediate, meaningful tribal consultation solely on the DAS so that our priority use cases for American Indian and Alaska Native (AI/AN) data can be addressed as soon as possible.

The National Congress of American Indians (NCAI) is the oldest, largest, and most representative national organization serving the broad interests of American Indian and Alaska Native (AI/AN) tribal nations and advocates to uphold and strengthen tribal sovereignty. Every tribal nation, as a sovereign nation, has the right to be counted and to have accurate data about their nation produced from the decennial census. We have clearly stated in multiple meetings with the U.S. Census Bureau since last year that the 2020 Census data must be accurate for the following priority use cases: 1) reapportionment and representation; 2) federal funding formulas and decision-making; 3) local tribal governance; and 4) AI/AN research and surveillance data.

Despite multiple reassurances from U.S. Census Bureau staff over the past five months, we are disappointed to learn that plans to address tribal priority use cases, including the need for data for local tribal governance, are no longer being addressed. U.S. Census Bureau staff informed NCAI and tribal leaders in the Census Roundtable Discussion that a new geographic spine strategy would be tested to address the priority use cases for political and legal entities

and would place AI/AN data on the geographic spine, make AI/AN data within a state invariant, and would give AI/AN geographies their own direct allocation of the privacy loss budget. While we were interested to see how this proposed plan would fare in Sprint II, we were recently informed that the new geographic spine was not tested and instead was dismissed by U.S. Census Bureau officials as “too hard” to implement.

While our team was repeatedly assured by U.S. Census Bureau staff in numerous calls, meetings, and virtual workshops since January that our concerns were being addressed, we recently learned the information that was provided to us was in fact, not true. This lack of transparency is even more concerning since the metrics associated with the recent data in Sprint II showed the error measures to be even worse for AI/AN data as well as for other impacted small, rural, and remote populations compared with prior demonstration product data.

We are losing confidence in your efforts to make adjustments to the DAS and are concerned that our priority use cases are not being addressed. Even your own staff admitted after the December 2019 National Academy of Sciences, Engineering, and Medicine workshop that the results of applying the DAS to the 2010 demonstration product were “unacceptable.” It is now six months later, and the results of Sprint II are even more inaccurate. We are losing confidence that your team can correct these unacceptable outcomes in the short time remaining. However, this concern does not alleviate the U.S. Census Bureau from their duty to consult with tribal nations on a government-to-government basis in a meaningful manner. To date, this has not occurred.

Therefore, we demand that you adopt the following recommendations immediately:

- Provide an immediate response to our last letter dated April 23, 2020, and to this letter;
- Provide an immediate and transparent update to all tribal nations on your current plans to improve the DAS to ensure accurate and accessible decennial census data for the priority use cases relevant to tribal nations;
- Detail how you plan to ensure that tribal nations receive the same focus and considerations for ensuring accurate data as states;
- Schedule a tribal consultation session within the next two weeks that focuses solely on the DAS and does not include other census updates or topics and allows for adequate time for discussion and questions;
- Prepare background materials in plain language for the consultation and disseminate them at least one week prior to the consultation;

- Provide a detailed explanation of why the prior plan to include AI/AN Tribal Areas in the geographic spine for the DAS in the 2020 Census was not tested and implemented, and what alternatives you are currently considering;
- Extend the timeline for the decision on the Disclosure Avoidance System algorithmic structure, including geographies and invariants, from September to December 2020;
- Release a demonstration product after each sprint that is similar to the 2010 demonstration product released in October 2019 – the microdata file is not sufficient for comparison and not useful to a lay audience; and
- Delay a final plan for implementing the DAS until meaningful tribal consultation results in a plan that ensures accurate and accessible data for AI/AN and tribal nation priority use cases.

Access to accurate data on the AI/AN population at all geographic levels is critical to tribal nations, given the multiple uses of the data for redistricting, governance, research, and federal agency resource allocation and decision-making. Given the high potential for a negative impact from the DAS on federally recognized tribal governments and their citizens, as we learned from the 2010 Demonstration Products and the latest round of metrics from Sprint II, we request that you respond to and implement the recommendations in this letter as soon as possible. If you have any questions, please feel free to contact us at research@ncai.org.

Sincerely



Kevin Allis
Chief Executive Office
National Congress of American Indians

CC: The Honorable Carolyn Maloney, U.S. House of Representatives
The Honorable Jim Jordan, U.S. House of Representatives
The Honorable Ron Johnson, U.S. Senate
The Honorable Gary Peters, U.S. Senate
Mr. Tyler Fish, Executive Director, White House Council on Native American Affairs

Fw: NCAI letter re: proposed DAS and AI/AN data

Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>

Thu 6/25/2020 12:12 PM

To: BOC Correspondence Quality Assurance (CENSUS) (b) (6)
Cc: Dee A Alexander (CENSUS/OCIA FED) <Dee.A.Alexa (CENSUS/OCIA FED) <Nicole.Y.Thomas-Hawkins@census.gov>

1 attachments (164 KB)

NCAI Letter to US Census Bureau on DAS 6 25 2020 FINAL signed.pdf;

Control to ADRM and make sure Michael Hawes is on it. Thank you.

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>

Sent: Thursday, June 25, 2020 11:54 AM

To: Michael B Hawes (CENSUS/CED FED) <michael.b.hawes@census.gov>; John Maron Abowd (CENSUS/ADRM FED) <john.maron.abowd@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Christa D Jones (CENSUS/DEPDIR FED) <Christa.D.Jones@census.gov>; Victoria Velkoff (CENSUS/ADDP FED) <Victoria.A.Velkoff@census.gov>

Cc: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>

Subject: Fwd: NCAI letter re: proposed DAS and AI/AN data

Begin forwarded message:

From: "Katherine Dodson Hancher (CENSUS/DEPDIR FED)"

<Katherine.Dodson.Hancher@census.gov>

Date: June 25, 2020 at 11:48:30 AM EDT

To: "Ali Mohammad Ahmad (CENSUS/ADCOM FED)"

<ali.m.ahmad@census.gov>, "Steven K Smith (CENSUS/DEPDIR FED)"

<steven.k.smith@census.gov>, "Michael John Sprung (CENSUS/DEPDIR FED)"

<michael.j.sprung@census.gov>

Subject: Fw: NCAI letter re: proposed DAS and AI/AN data

Kathy Hancher
Office of the Director

U.S. Census Bureau
301.763.3964
katherine.dodson.hancher@census.gov

From: Yvette Roubideaux (b) (6)
Sent: Thursday, June 25, 2020 11:46 AM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>
Cc: Katherine Dodson Hancher (CENSUS/DEPDIR FED)
<Katherine.Dodson.Hancher@census.gov>; Dee A Alexander (CENSUS/OCIA FED)
<Dee.A.Alexander@census.gov>
Subject: NCAI letter re: proposed DAS and AI/AN data

Please find attached a letter from the National Congress of American Indians on the US Census Bureau proposed 2020 Census Disclosure Avoidance System (DAS).

If you have any questions, please let me know, and we look forward to your response.

Yvette

Yvette Roubideaux, M.D., M.P.H. (*Rosebud Sioux*)
Vice President for Research
Director, NCAI Policy Research Center

National Congress of American Indians
Embassy of Tribal Nations
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UNITED STATES DEPARTMENT OF COMMERCE
U.S. Census Bureau
Office of the Director
Washington, DC 20233-0001

July 31, 2020

Mr. Kevin J. Allis
Chief Executive Officer
National Congress of American Indians
1516 P Street, NW
Washington, DC 20005

Dear Mr. Allis:

Thank you for your letter regarding the U.S. Census Bureau's Disclosure Avoidance System (DAS) that will be used to protect respondent confidentiality for the 2020 Census. As I stated in my July 1, 2020, response to your previous letter, the Census Bureau is committed to producing accurate statistics to support the American Indian Alaska Native (AIAN) tribal needs while ensuring the privacy of our respondents as required by law. Throughout this endeavor, we appreciate the continued engagement and feedback from your organization on behalf of AIAN tribal nations

Our responses to your recommendations are included below:

Provide an immediate and transparent update to all tribal nations on your current plans to improve the DAS to ensure accurate and accessible decennial census data for the priority use cases relevant to tribal nations.

We appreciate this recommendation. The Census Bureau provides regular updates about our progress improving the Disclosure Avoidance System to our entire data user community. These updates are regularly communicated via our Disclosure Avoidance Updates webpage and through our newsletters and blogs. We recognize, however, that these general updates may not answer all of our data users' questions, and that particular communities, including tribal nations, have unique questions or concerns that merit a more focused discussion. We plan to schedule discussions that continue the topics included in listening sessions held this year. We also plan to continue the work with NCAI and the Committee on National Statistics (CNSTAT) to engage data experts and demographers in the focused discussion to address the AIAN tribal leaders' questions and concerns in the near future



Detail how you plan to ensure that tribal nations receive the same focus and considerations for ensuring accurate data as states.

As I stated in my July 1 letter, the Census Bureau recognizes the special trust relationship that the United States has with federally recognized AIAN tribes, and we understand the importance of providing accurate population counts for AIAN communities and geographies. While the final selection of invariants to be used for the 2020 Census Data Products has not yet been made, the Census Bureau is evaluating a variety of solutions to improve the accuracy of population counts for AIAN communities and geographies. We are currently targeting the populations of AIAN tribal areas for explicit accuracy improvements induced by allocating more of the privacy-loss budget to those statistics. This is the preferred approach because it works; it does not break the privacy guarantees in the DAS and allows us to improve the AIAN data at all levels of geography. As we continue our work evaluating these possible solutions to ensure fitness-for-use of the AIAN census data, we will keep your organization and the tribal nations informed of our efforts.

Schedule a tribal consultation session within the next two weeks that focuses solely on the DAS and does not include other census updates or topics and allows for adequate time for discussion and questions.

The Census Bureau adheres to its AIAN Tribal Consultation Policy principles. The Census Bureau's principal for outreach, notice, and consultation ensures involvement of AIAN tribal governments before making decisions or implementing any policies, rules, or programs that may affect tribes and to ensure that tribal rights and concerns are addressed. The recommended tribal policy notification for tribal consultation is to give at least a 30-day advance notice of a tribal consultation meeting along with the essential documents for the tribe to review and to provide input. The Census Bureau will continue to follow this important notification procedure when planning our next tribal consultation on the 2020 DAS. The timing of the Bureau's next round of consultations is under consideration due to the current travel restrictions in place as a result of the COVID 19 pandemic. We are also examining the possibility of virtual consultations as an option to move forward in our engagement with tribal nations.

Prepare background materials in plain language for the consultation and disseminate them at least one week prior to the consultation.

Thank you for this recommendation. The Census Bureau will ensure that appropriate briefing materials are provided to the tribal leaders in advance of future tribal consultations about the DAS.

Provide a detailed explanation of why the prior plan to include AI/AN Tribal Areas in the geographic spine for the DAS in the 2020 Census was not tested and implemented, and what alternatives you are currently considering.

The proposed inclusion of AIAN tribal geographies into the geographic spine used by the DAS was evaluated earlier this spring. What the DAS team discovered was that the proposed implementation of the changes to the geographic spine would not produce the accuracy gains that had been predicted and, in many cases, made some of the AIAN data significantly worse. This impact was due to the rapid “fan-out” of AIAN entities as you move down the initially proposed AIAN geographical hierarchy and the sparsity of the population in the geographic areas below AIAN tribal areas. This fan-out, wherein the system moves immediately from one large geographical unit to many small geographic units, was producing noticeably more post-processing error than occurred using the existing geographic hierarchy. Consequently, the DAS team deferred making any changes to the hierarchy until a solution could be developed and tested to address this fan-out issue. Research into this issue, among others, to address the accuracy of data for AIAN geographies is ongoing, and we anticipate having empirical results demonstrating successful improvements soon.

Extend the timeline for the decision on the Disclosure Avoidance System algorithmic structure, including geographies and invariants, from September to December 2020.

The Census Bureau is unable to postpone the timeline for making final decisions about the overall architecture of the DAS, including the final list of invariants and the processing geographical hierarchy. This is due to the requirement that all 2020 Census Information Technology (IT) systems be finalized to ensure that the IT systems that will process the 2020 Census complete further integration testing and will be ready for production on schedule. However, optimization of the system will continue through early 2021, as the parameters of the system (e.g., the privacy-loss budget and its allocation) will not be finalized until right before production.

Release a demonstration product after each sprint that is similar to the 2010 demonstration product released in October 2019 – the microdata file is not sufficient for comparison and not useful to a lay audience.

The tabulation, documentation, and quality control processes that the Census Bureau employs for public releases of data products are enormously time and labor intensive. With the 2020 Census now underway, we are unable to support additional releases of tabulated demonstration data at the present time. That said, in order to support data users’ needs without overburdening our tabulation and data products teams, the Census Bureau has partnered with the CNSTAT to produce tabulated data products from the Privacy Protected Microdata Files (PPMF). The first of these tabulated files, generated from the PPMF 2020-05-27

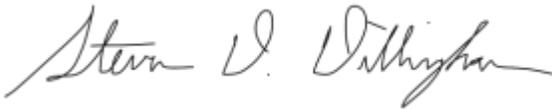
file, has already been posted on the University of Minnesota's IPUMS National Historical Geographic Information System ([NHGIS](#)) website. As new PPMF files are released for subsequent DAS runs, tabulations from those files will also be posted on that website. We trust this will meet your needs.

Delay a final plan for implementing the DAS until meaningful tribal consultation results in a plan that ensures accurate and accessible data for AI/AN and tribal nation priority use cases.

The overall production schedule for the decennial census is determined by statutory deadlines for the production of the PL94 171 redistricting data files. The Census Bureau is committed to ensuring the fitness-for-use of AIAN data for the tribal nations' priority use cases.

We are working closely with stakeholders to address issues and concerns related to the Census Bureau's DAS. Thank you for your support as we continue this important work. If you have any further questions, please contact Dee Alexander, Tribal Affairs Coordinator, at 301-763-6100.

Sincerely,

A handwritten signature in black ink that reads "Steven D. Dillingham". The signature is written in a cursive style with a large, sweeping initial "S".

Steven D. Dillingham
Director

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

May 26, 2020

Cen u Id CQAS 10337

DOC Number

Corre pondence Type Letter

Action Office DCCO

Signature

Subject National Conference of State Legi lature ha concern regarding delayed Cen u operations and Differential Privacy

In truction Plea e prepare draft for formal re pon e

Due in CQAS 06/09/2020

Sender National Conference of State Legi lature

Con tituent

Corr Date 05/26/2020

Rec Date 05/26/2020

Due Date 06/15/2020

Confidential Information No

Addre ee Director Dillingham

Infocopy Stanley,Hawkin

Concurrence

Surname	DCCO	CQAS	LEGAL	ADCOM	ADDC	ADRM	JONES	JARMIN
Initials	M. Therrien	ab/nth	M. Creech	Stanley/ Ahmad	J. Dinwiddie	J. Abowd	C. Jones	
Date								



May 26, 2020

The Honorable Steven Dillingham
Director, U.S. Census Bureau
4600 Silver Hill Road
Suitland-Silver Hill, MD 20746

Robin Vos
Assembly Speaker
Wisconsin
President, NCSL

Martha R. Wigton
Director
House Budget & Research
Office
Georgia
Staff Chair, NCSL

Tim Storey
Executive Director

Dear Director Dillingham:

On behalf of the nation's state legislatures, I write to you to express the National Conference of State Legislatures' (NCSL) concerns regarding two issues of grave importance to states—U.S. Census Bureau delays and their state impact on redistricting and the bureau's use of differential privacy as its statistical method for protecting individual data. These two issues present a conundrum for many states—Census delays present serious hurdles for states constrained by state constitutional and statutory requirements for districting and elections. The use of differential privacy has caused state concerns regarding the accuracy of the data they will receive. NCSL respectfully asks that the Census Bureau engage in **meaningful and frequent consultation with states on a state-by-state basis** to work through state concerns with Census delays and to provide an appropriate staggered roll-out of census data to states to accommodate state constitutional and statutory deadlines. NCSL urges the bureau to amend the differential privacy algorithm to provide states with total population at the block level. We are [advocating](#) for Congress to provide frequent and comprehensive oversight of bureau operations to ensure best practices and that this **meaningful and frequent consultation** with individual states on Census issues takes place.

NCSL greatly values the close working relationship we have had with the U.S. Census Bureau throughout the decades. The Redistricting and Voting Rights Data Office staff has provided its expertise to our membership several times per year throughout the decade. Most recently the bureau has become a sponsor of this year's redistricting seminar series. We appreciate our strong connection with the bureau as a whole and hope that the following explanations assist the bureau in its future interactions with states and with NCSL.

Census Delays

State legislators and legislative staff are acutely aware that the Coronavirus (Covid-19) is requiring changes in conducting the Census. The bureau's April 13 decision to delay its operational timeline, as well as its request to Congress for permission to make further adjustments to its timelines present difficulties for states.

The bureau's request to Congress for a four-month delay in the required release of apportionment data, from Dec 31, 2020 to April 30, 2021, and a four-month delay in the release of the P.L. 94-171 redistricting data, from a final release deadline of March 31, 2021 to July 31, 2021, will cause challenges for states as they prepare to conduct redistricting.

Many states have long-established timelines that begin when the P.L. 94-171 data is released and end with their first post-census election. Many states developed their redistricting schedules knowing that the April 1 P.L. 94-171 data delivery deadline was set by federal law.

Two states—New Jersey and Virginia—have planned to hold November 2021 state legislative elections with new district lines, in accordance with their constitutions. The timeline was already remarkably short for these states, and in fact was shortened by several weeks from the previous cycle. With delays, these states face constitutional dilemmas. The bureau must consult with these states as soon as possible to determine the best course of action for releasing data.

State constitutions such as those in Alabama, Arkansas, Connecticut, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Minnesota, Nevada, New Hampshire, North Dakota, Oklahoma, Oregon and Wisconsin include redistricting deadlines that are likely to be impossible to meet because they require redistricting in the year following the census (not the release of census data) and their 2021 sessions will be completed before July 31. Nine states—California, Delaware, Colorado, Iowa, Maine, Ohio, South Dakota, Vermont and Washington—have exact dates set in their constitutions or statutes, which will be hard to meet with the proposed release delays. All states will find their current timelines are compressed, which may have an impact on the comprehensiveness of the analysis used to produce new districts. The bureau must engage in extensive and frequent collaboration with each state as soon as possible to alleviate detrimental impact.

NCSL understands the gravity of the COVID-19 crisis, and that delays are inevitable. Even so, we ask if a full 4-month extension on data release is necessary when the bureau is giving itself only a three-month extension for the data-gathering phase? Can the bureau commit to a timeline for a state-by-state release of data, with the states that are most immediately impacted receiving their data at least six weeks prior to the end of the extension?

Disclosure Avoidance and Differential Privacy

Another change this year creates equal, or greater concern on the part of states as they prepare for redistricting. The Census Bureau's decision to use differential privacy, as its statistical method to meet the goal of avoiding the disclosure of individual responses may not be the best method to ensure states receive the most accurate data for redistricting purposes. NCSL understands and respects that the bureau is governed by 13 U.S.C.S. § 9 (Title 13, U.S. Code Section 9), which states that the bureau is prohibited from making "any publication whereby the data furnished by any particular establishment or individual under this title can be identified," and P.L. 94-171, which requires the bureau to provide accurate census block level data to the states for redistricting purposes.

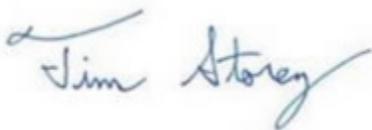
These two laws appear to be in conflict this decade, and it appears that the bureau has favored the first over the second. A demonstration data set based on the 2010 census has been provided to the states, and redistricters and demographers have [found it lacking](#). The variation from the 2010 data release is simply too large to be of use for redistricting purposes. While the demonstration dataset highlighted many shortcomings, the one of concern for redistricters is the distortion of population at the block level—the data called for in P.L. 94-171.

States are required to comply with the U.S. Constitution's "one-person, one-vote" principle and with the protections provided by the Voting Rights Act of 1965 (as amended). If block-level census data is released in a form that is known to not represent the actual number of people enumerated at the block level, states may find themselves litigating based on the quality and accuracy of federal census data before plans are drawn and even afterwards.

While the bureau has assured data users that it is aware of the problems in the demonstration data set and is working to improve its differential privacy process and therefore the accuracy of the data, NCSL submits that the bureau could provide such assurances if it released a second demonstration data set. NCSL is not aware of any bureau plans to do so and we urge a reconsideration of that decision given that an additional 120 days will most likely be added to its timeline.

NCSL staff look forward to additional engagement with you on these two topics—the census delays and differential privacy—both of which add uncertainty to the redistricting cycle that begins next year. Please contact Susan Parnas Frederick, susan.frederick@ncsl.org or Wendy Underhill, wendy.underhill@ncsl.org with any questions or follow-up.

Sincerely,



Tim Storey
Executive Director, NCSL

Re: National Conference of State Legislatures Letter - Census Delay and Differential Privacy

Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>

Tue 5/26/2020 10:26 AM

To: BOC Correspondence Quality Assurance (CENSUS) (b) (6) >;
 Sabrina McNeal (CENSUS/OCIA CTR) <sabrina.e.mcneal@census.gov>;
Cc: Van R lawrence (CENSUS/OCIA FED) <Van.R.Lawrence@census.gov>; Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>; Sylvia Y Doyle (CENSUS/OCIA FED) <sylvia.y.doyle@census.gov>; James Whitehorne (CENSUS/ADDC FED) <James.Whitehorne@census.gov>; Grayson P Cochran (CENSUS/OCIA CTR) <grayson.p.cochran@census.gov>

This needs to be jointly developed between decennial / Mr. Whitehorne for the first part and ADRM / Michael Hawes for the second part.

Grayson, this is different than what I just said on the CAO staff call.

From: BOC Correspondence Quality Assurance (CENSUS) (b) (6) >

Sent: Tuesday, May 26, 2020 10:12 AM

To: Sabrina McNeal (CENSUS/OCIA CTR) <sabrina.e.mcneal@census.gov>; Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>

Cc: Van R lawrence (CENSUS/OCIA FED) <Van.R.Lawrence@census.gov>; Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>; Sylvia Y Doyle (CENSUS/OCIA FED) <sylvia.y.doyle@census.gov>; James Whitehorne (CENSUS/ADDC FED) <James.Whitehorne@census.gov>

Subject: Re: National Conference of State Legislatures Letter - Census Delay and Differential Privacy

Chris,

Should CQAS enter this into the COTS system for a response. IF so, should the Action Office be DCO or ADRM.

Thanks.

CQAS
 kathy

From: Sabrina McNeal (CENSUS/OCIA CTR) <sabrina.e.mcneal@census.gov>

Sent: Tuesday, May 26, 2020 9:37 AM

To: BOC Correspondence Quality Assurance (CENSUS) (b) (6) >; Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>

Cc: Van R lawrence (CENSUS/OCIA FED) <Van.R.Lawrence@census.gov>; Alan Lang (CENSUS/OCIA

FED) <alan.lang@census.gov>; Sylvia Y Doyle (CENSUS/OCIA FED) <sylvia.y.doyle@census.gov>; James Whitehorne (CENSUS/ADDC FED) <James.Whitehorne@census.gov>

Subject: Fw: National Conference of State Legislatures Letter - Census Delay and Differential Privacy

Sabrina E. McNeal

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From: Susan Frederick (b) (6)
Sent: Tuesday, May 26, 2020 9:31 AM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>
Cc: Sabrina McNeal (CENSUS/OCIA CTR) <sabrina.e.mcneal@census.gov>
Subject: National Conference of State Legislatures Letter - Census Delay and Differential Privacy

Good Morning Director Dillingham:
Please find attached the National Conference of State Legislatures' letter regarding state concerns surrounding Census Bureau delays and the use of Differential Privacy. We hope to work closely with the Census Bureau to make sure state data is both accurate and as timely as possible. Please feel free to reach out to me, or to my colleague Wendy Underhill (wendy.underhill@ncsl.org) with any questions or for more information.

Thank you
Susan Parnas Frederick

Susan Parnas Frederick, Esq.
National Conference of State Legislatures
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