

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

August 25, 2020

Census Id: CQAS-10523

DOC Number:

Correspondence Type: Congressional NOT Constituent

Action Office: ADRM

Signature: Director

Subject: Letter regarding Census Disclosure Avoidance System and AI/AN Data from the Native American Caucus.

Instructions: Prepare for the Director's signature

Due in CQAS: 09/01/2020

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

Constituent:

Corr Date: 08/24/2020

Rec Date: 08/25/2020

Due Date: 09/08/2020

Confidential Information: No

Addressee: 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

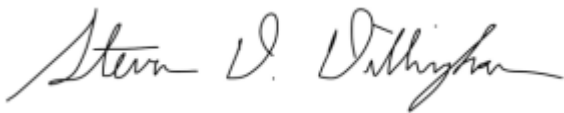
The Census Bureau is currently exploring how to implement this recommendation.

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 dark ink, reading "Steven D. Dillingham". The signature is fluid and cursive, with the first name "Steven" and last name "Dillingham" clearly legible.

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

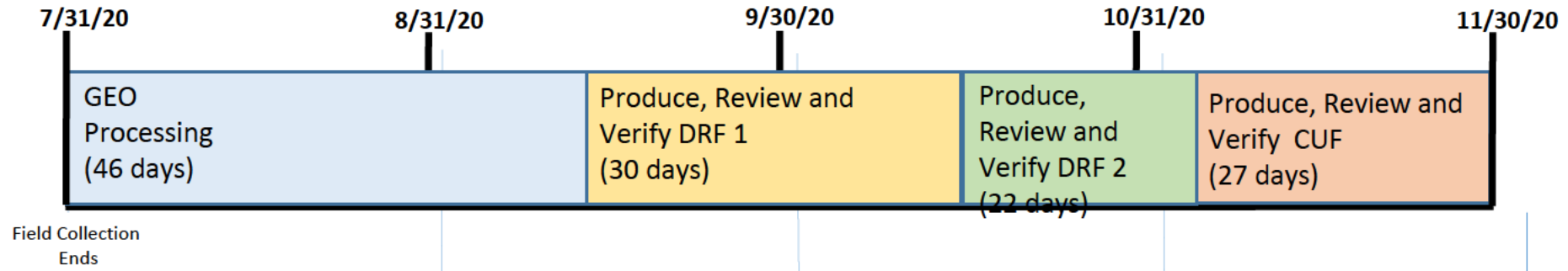
BC-DOC-CEN-2020-001602-005512

Overview

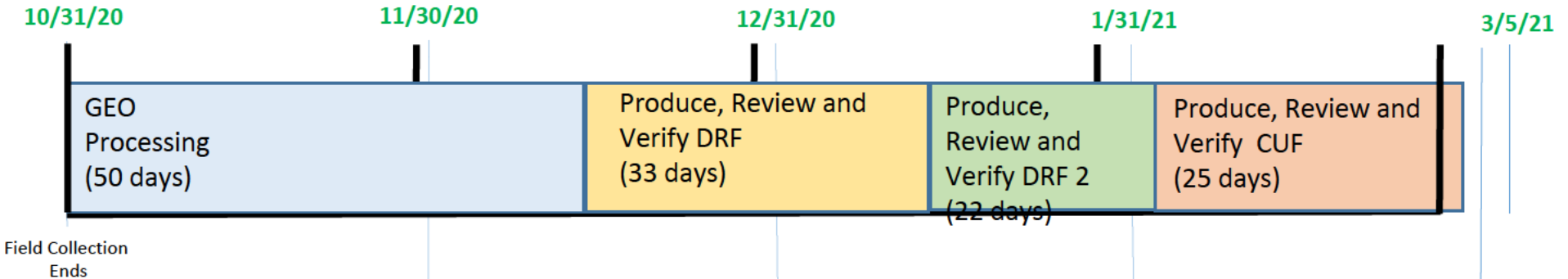
- This is a viable plan to deliver the final Census Unedited File (CUF) by 12/14/2020
- It cuts a four-month process down to two and a half months
- It optimizes staff and computing resources to be in operation 24/7, weekends and holidays
- It streamlines and limits processes to focus only on Apportionment, 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

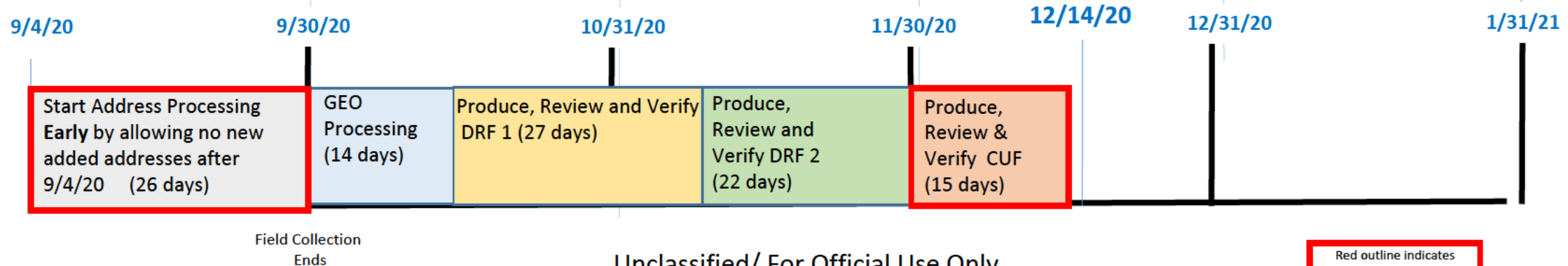
Original Plan (Before COVID 19)



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

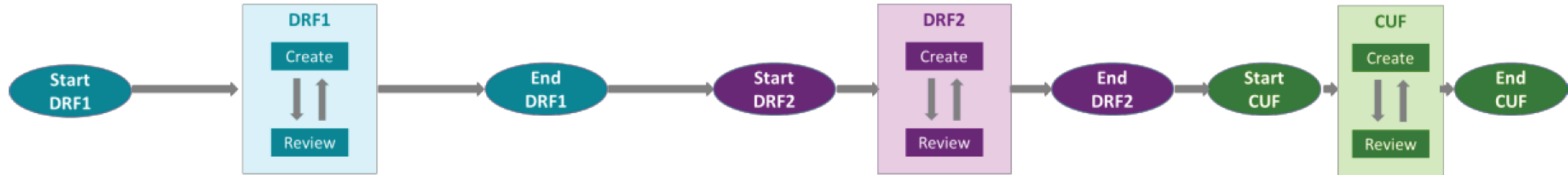
Produce Decennial Response File 2 (DRF2) – 22 days

- 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	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-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
Z0CIO-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 2023	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 2023	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
Z0PPD-10730	POP Receives Final CUF from CDL/DRPS	1. 5 Day Federal Holiday thru 2023	0d	5-Mar-21		5d	5d
Z0PPD-16890	-----Executive Review and Approve CUF-----	4. 7 Day No Holidays thru 2023	30d	5-Mar-21	3-Apr-21	7d	-2d
Z0PPD-10740	POP Creates/Verifies Apportionment Tables	1. 5 Day Federal Holiday thru 2023	16d	5-Apr-21	26-Apr-21	-1d	0d
Z0PPD-10750	POP Delivers Final Apportionment Tables to BOC DIR and CQAS	1. 5 Day Federal Holiday thru 2023	0d		26-Apr-21	0d	0d
Z0PPD-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
Z0PPD-10770	BOC DIR Delivers Final Apportionment Transmittal Package to DOC	1. 5 Day Federal Holiday thru 2023	0d		30-Apr-21	0d	0d
Z0PPD-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

CUF processed by PVS

9 days (12/23)

Slide 8

Matching admin records to CUF and quality
assurance (QA)

7 days (12/30)

Slide 8

Applying rules to assign status of the unauthorized
immigrant

5 days (1/4)

Slide 9

Quality assurance of tabulation and demographic
reasonableness review.

3 days (1/7)

Slide 10

Apply disclosure avoidance to unauthorized
immigrant counts and QA

1 days (1/8)

Slide 10

Quality assurance of transmittal package

2 days (1/10)

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.

Predecisional; Internal use only

BC-DOC-CEN-2020-001602-005523

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

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Majority (202) 225-6051
Minority (202) 225-6074
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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).

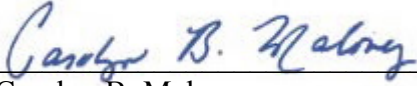
⁵ Committee on Oversight and Reform, *Counting Every Person: Safeguarding the 2020 Census Against the Trump Administration’s Unconstitutional Attacks* (July 29, 2020) (online at <https://oversight.house.gov/legislation/hearings/counting-every-person-safeguarding-the-2020-census-against-the-trump>).

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,


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)
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Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

March 05, 2020

Census Id: CQAS-10135

DOC Number:

Correspondence Type: Letter

Action Office: ADRM

Signature:

Subject: Expresses concern regarding proposed policy change involving the use of differential privacy in census data

Instructions: Send draft response to CQAS

Due in CQAS: 03/13/2020

Sender: Angela Hallowell and Amanda Hector

Constituent:

Corr Date: 02/02/2020

Rec Date: 03/05/2020

Due Date: 03/16/2020

Confidential Information: No

Addressee: Steven D. Dillingham

Infocopy: Stanley,Hawkins

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
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Washington, DC
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Street
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20Capitol%20St%
20NW%20#267,
Washington, DC
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

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(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

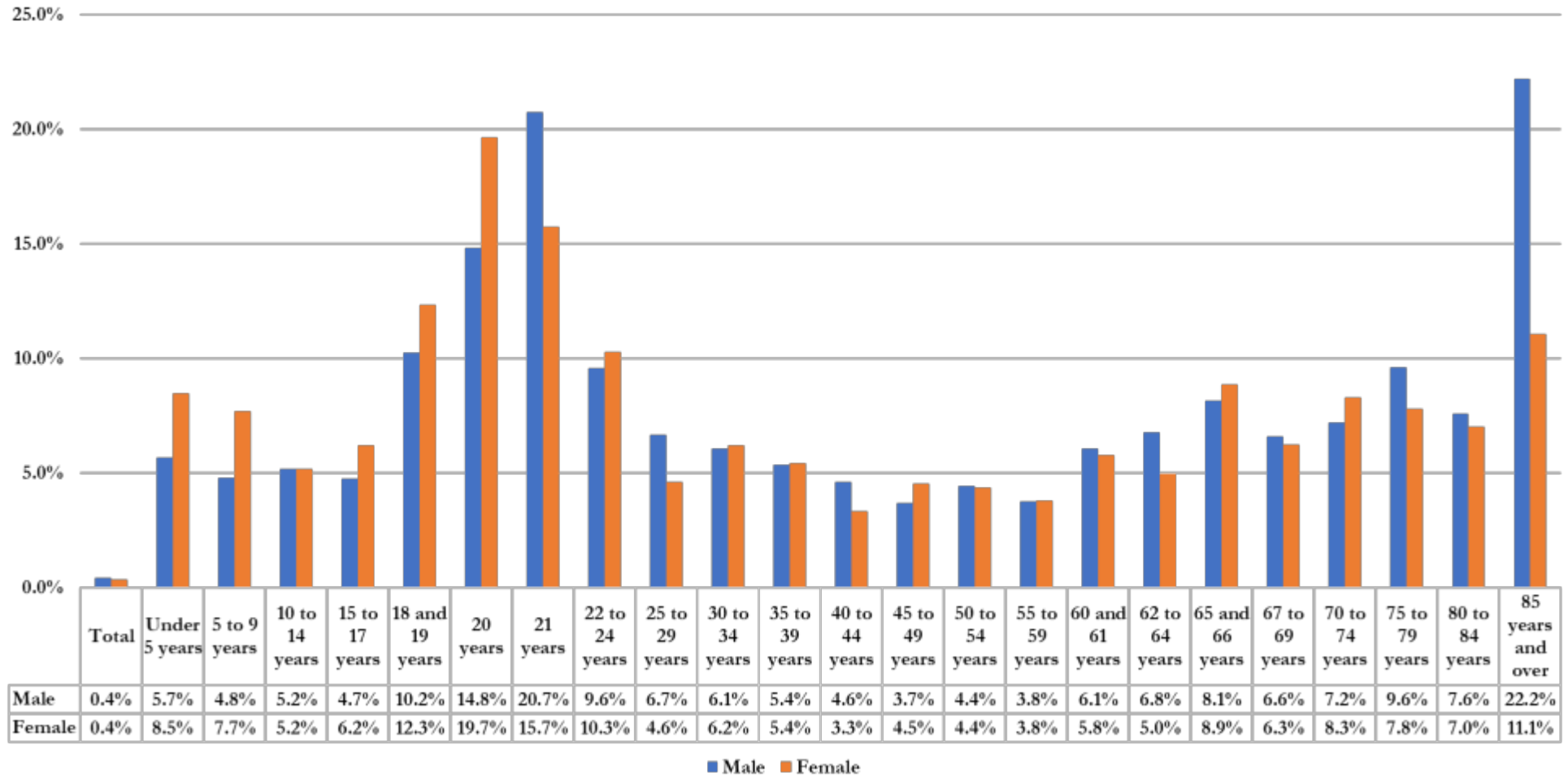


Figure 2. Mean Absolute Percent Error, both sexes, 16 Maine Counties

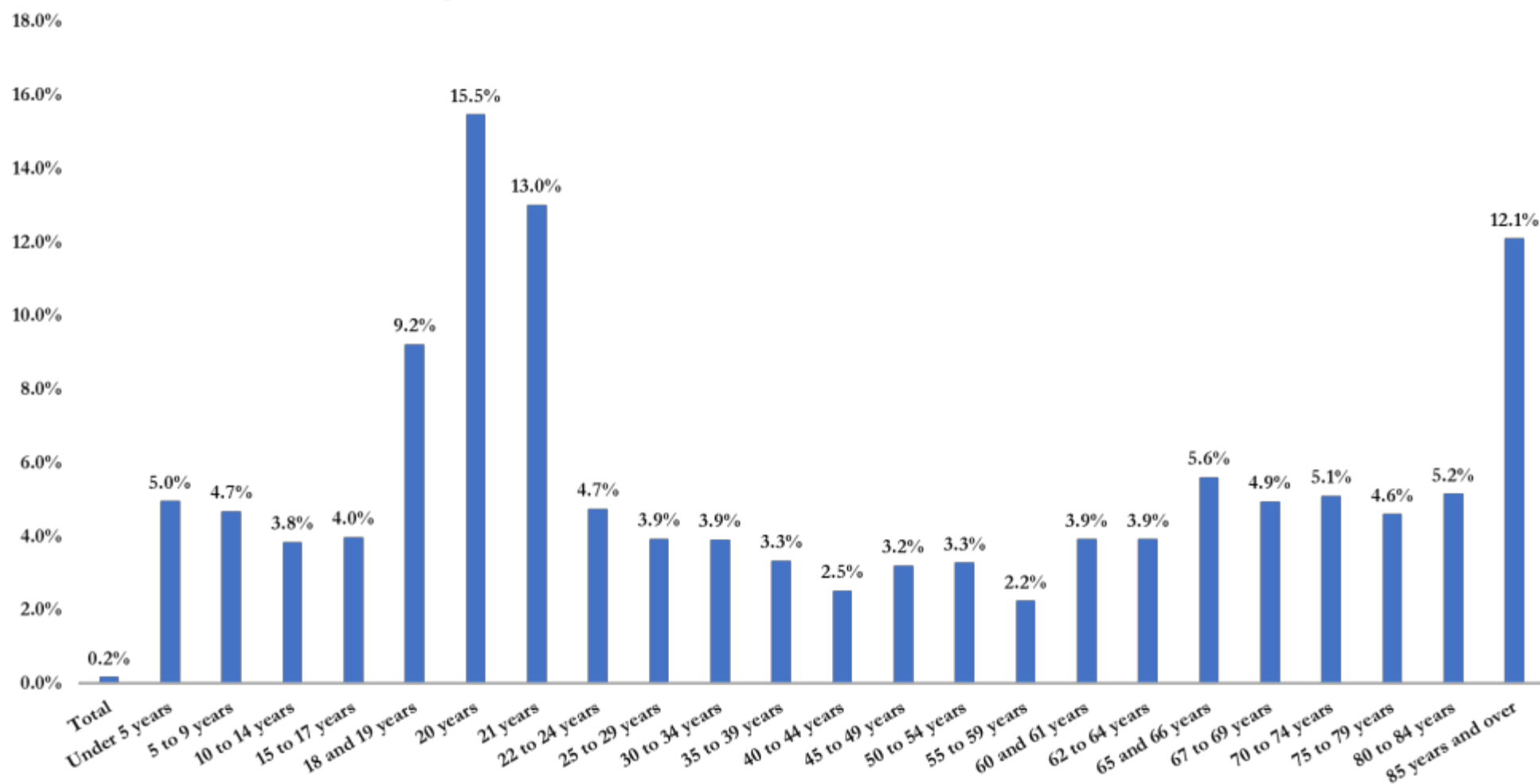


Figure 3. Mean Absolute Percent Error - Households by age of householder

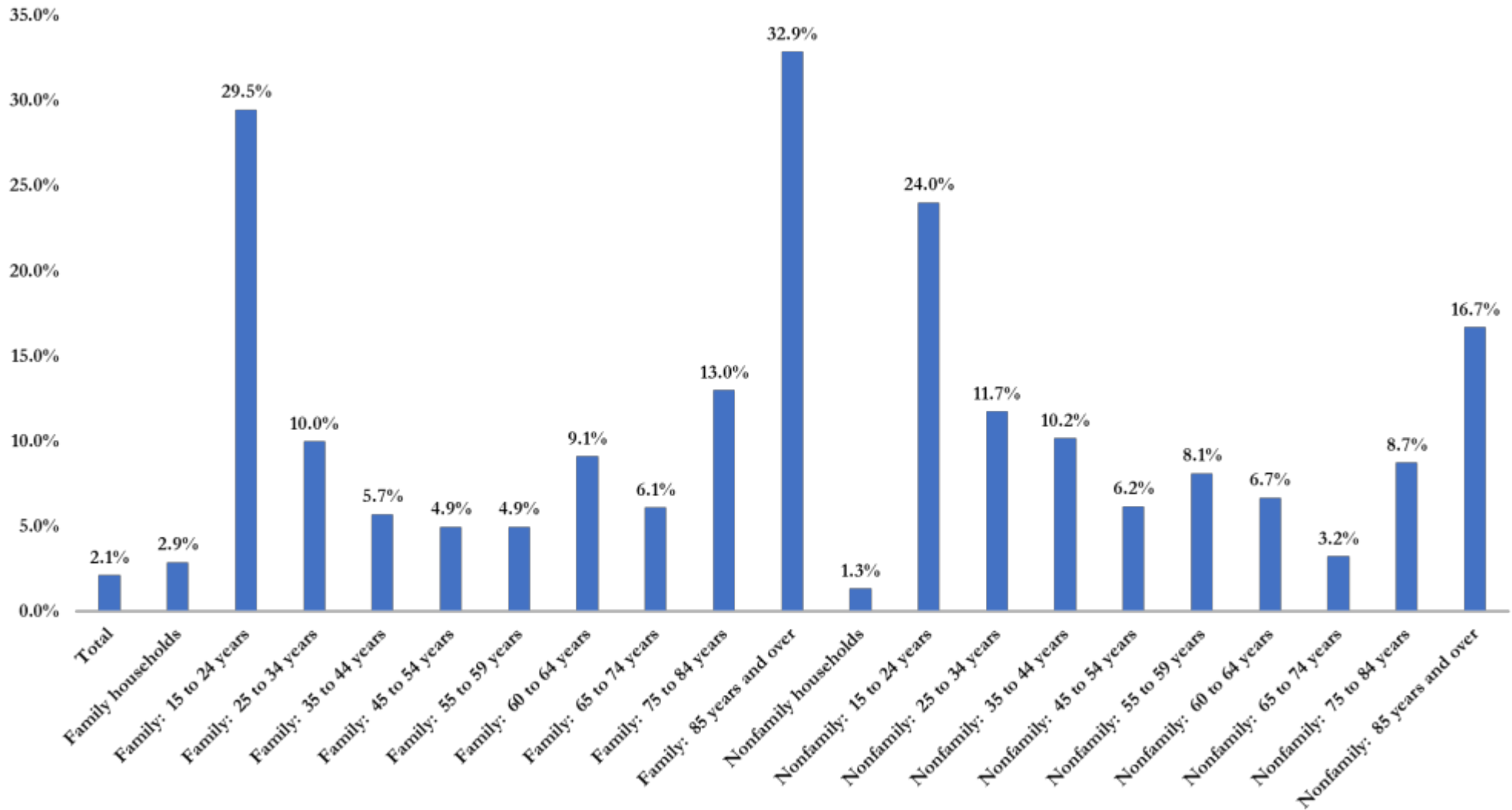


Figure 4. Race of Householder - Mean absolute percent error in 16 counties

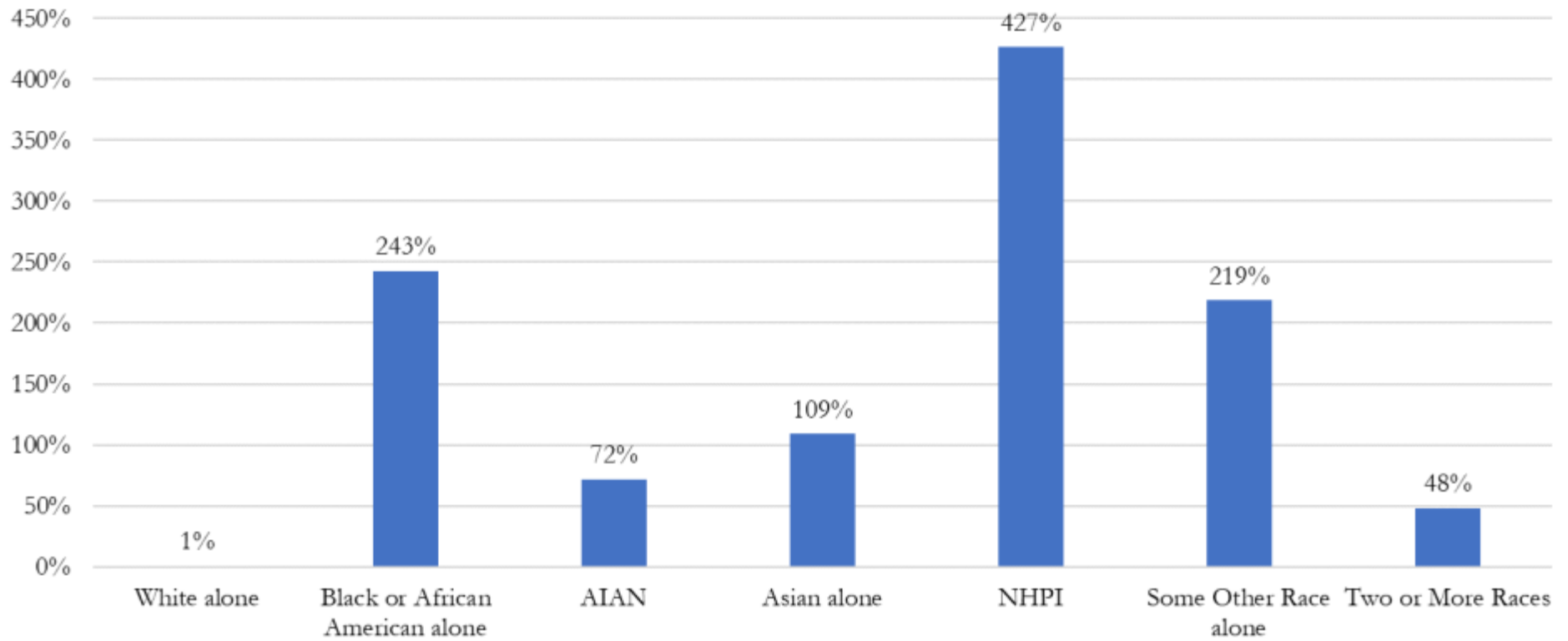


Figure 5. Percent Error in Total Population for All County Subdivisions

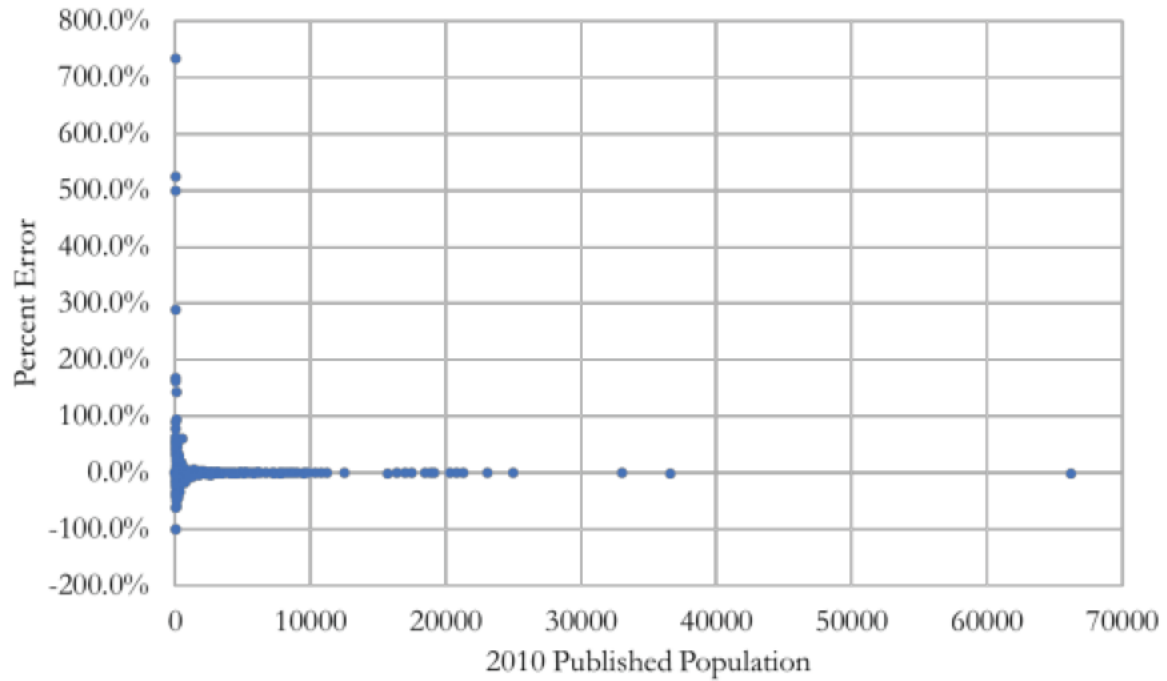


Figure 6. Percent Error in Total Population for County Subdivisions, Zoom View

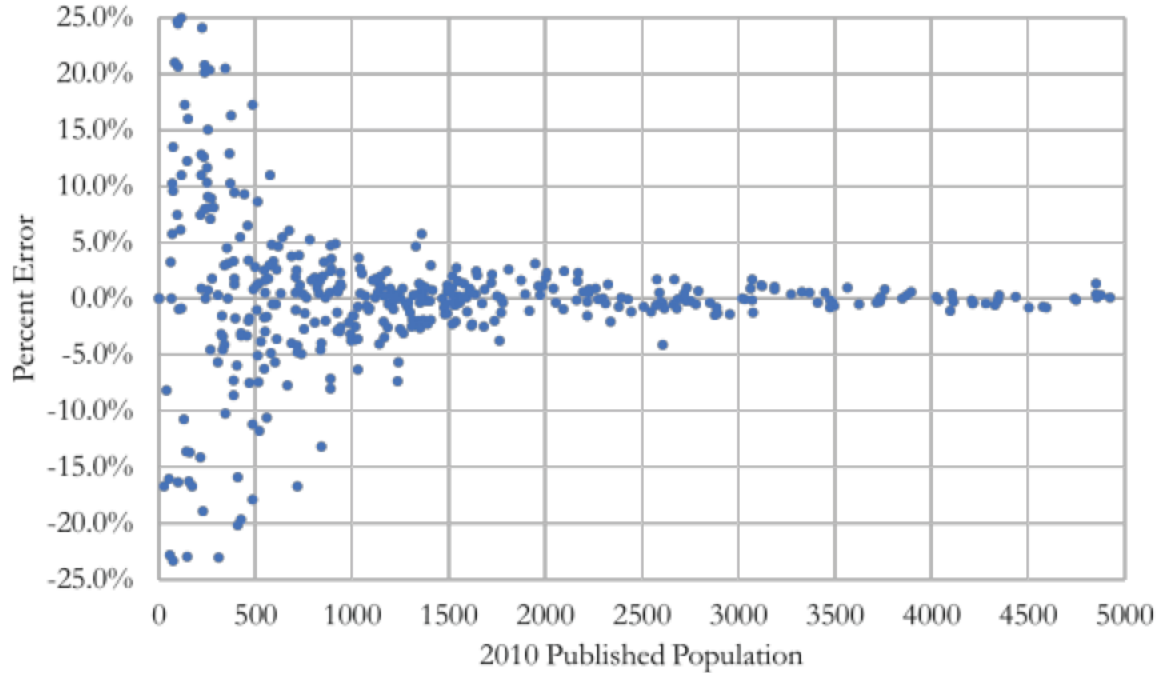


Figure 7. Mean Absolute Percentage Error for Age and Sex in Maine's County Subdivisions

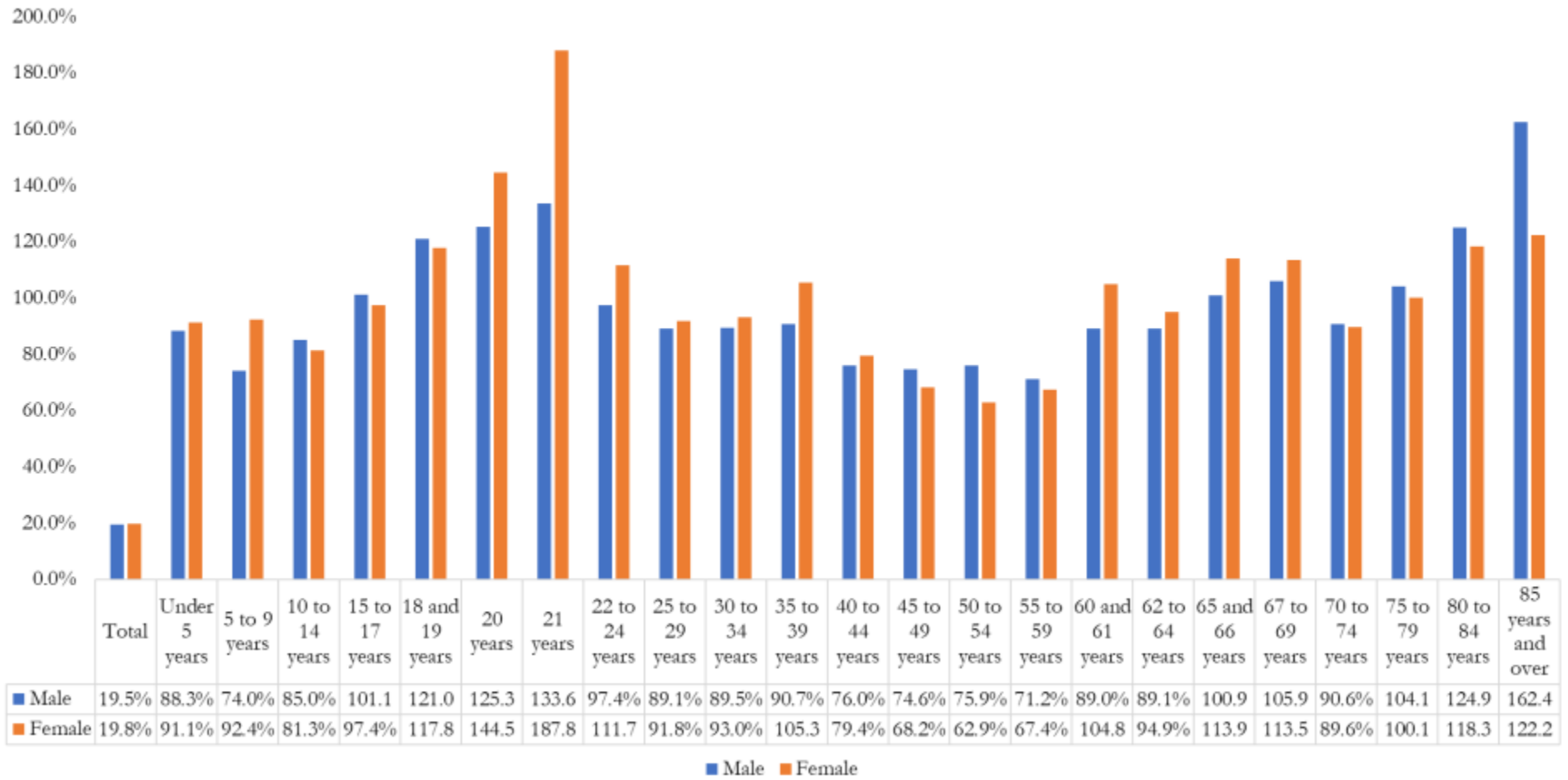


Figure 8. MAPE for age and sex by county, all county subdivisions in Maine

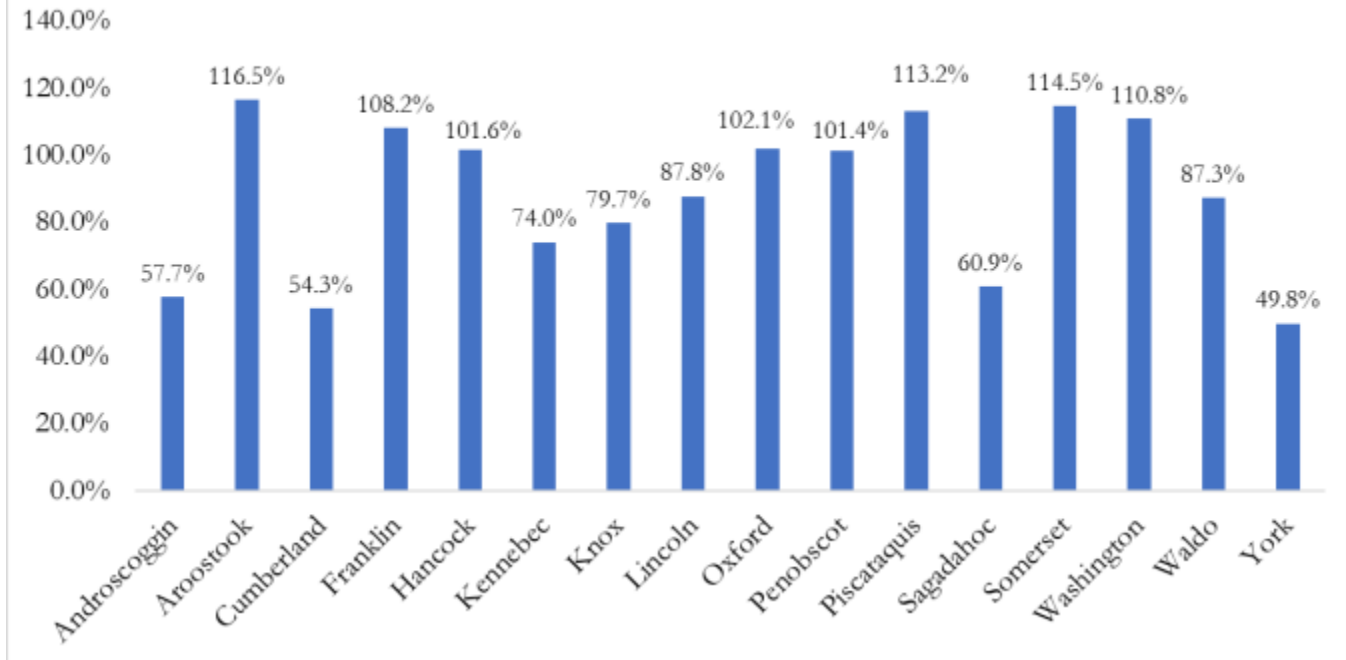


Figure 9. Miscount of school-aged children (5-17 years old) in all school districts in Maine

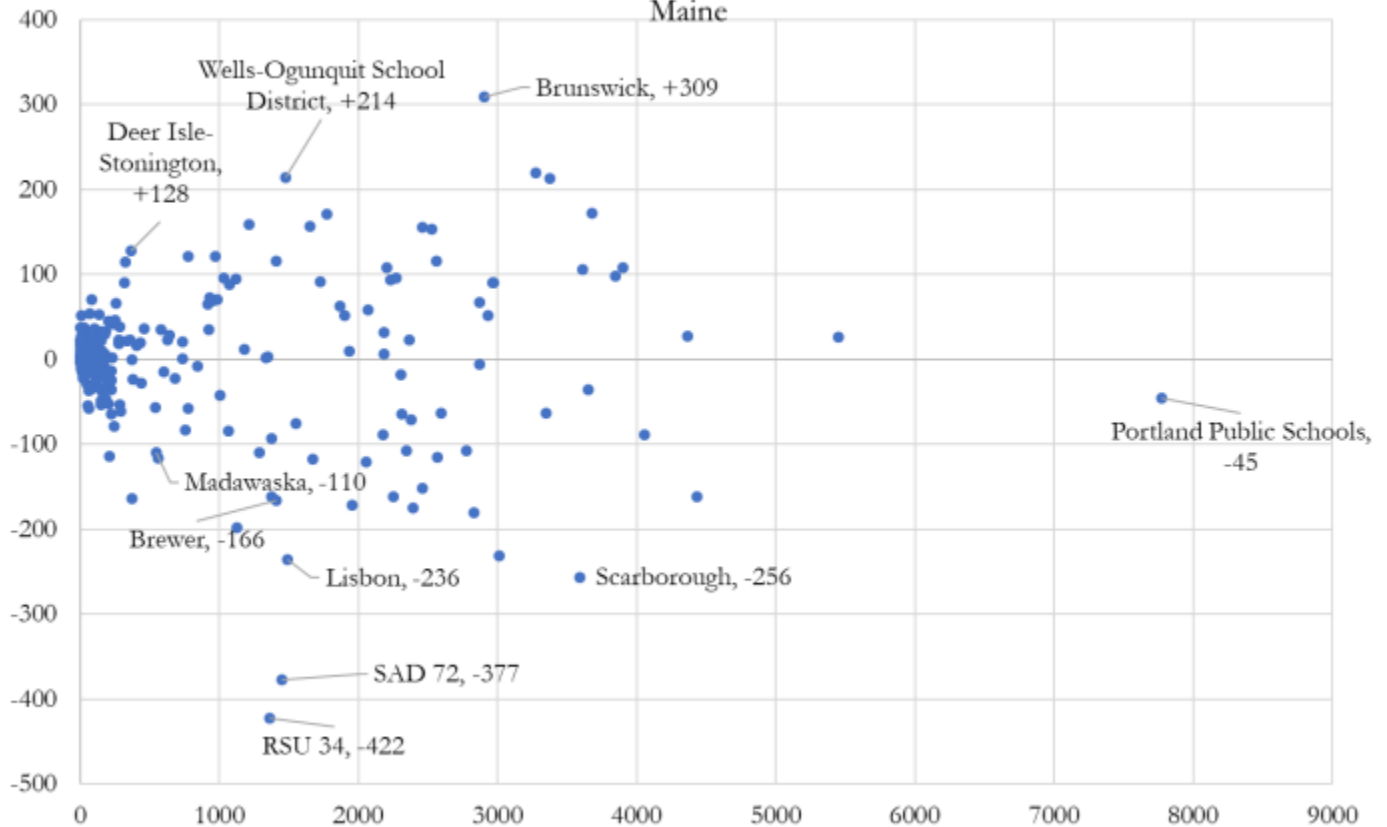


Table 1. Households by type and age of householder – highest error categories by county

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

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

Percent Difference	Family: Householder 15 to 24 years	Family: Householder 25 to 34 years	Family: Householder 45 to 54 years	Family: Householder 60 to 64 years	Family: Householder 75 to 84 years	Family: 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	Nonfamily: Householder 25 to 34 years	Nonfamily: Householder 35 to 44 years	Nonfamily: Householder 45 to 54 years	Nonfamily: Householder 55 to 59 years	Nonfamily: Householder 75 to 84 years	Nonfamily: 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				

BC-DOC-CEN-2020-001602-005548



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.

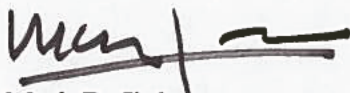
The City of Alexandria appreciates and values the Census Bureau's dedication to protecting individual privacy in response to growing data science and artificial intelligence capabilities. At the same time, accurate block-level data are critically important to the City's understanding of the current population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




[census.gov](https://www.census.gov)

BC-DOC-CEN-2020-001602-005551

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 dark ink, reading "Steven D. Dillingham". The signature is fluid and cursive, with the first name "Steven" and last name "Dillingham" clearly legible.

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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BC-DOC-CEN-2020-001602-005553

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.

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Sincerely,

A handwritten signature in dark ink, reading "Steven D. Dillingham". The signature is fluid and cursive, with the first name "Steven" and last name "Dillingham" clearly legible.

Steven D. Dillingham
Director

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

April 30, 2020

Census Id: CQAS-10288

DOC Number:

Correspondence Type: Controlled Correspondence

Action Office: ADRM

Signature: Dillingham

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

Instructions: Prepare for the Director's signature. Reassigned to ADRM.

Due in CQAS: 05/04/2020

Sender: Kevin Allis

Constituent:

Corr Date: 04/23/2020

Rec Date: 04/24/2020

Due Date: 05/07/2020

Confidential Information: No

Addressee:

Infocopy: ADDC,Stanley,Tribal Affairs,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)

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From: Yvette Roubideaux <(b) (6)>

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)>

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
Phone: 202.466.7767 x228
Fax: 202.466.7797

(b) (6)

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Community*

NATIONAL CONGRESS OF AMERICAN INDIANS

April 23, 2020

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

BC-DOC-CEN-2020-001602-005558

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 be 'KA' followed by a long horizontal stroke.

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 cursive script, reading "Steven D. Dillingham", is positioned below the "Sincerely," text.

Steven D. Dillingham
Director



Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

June 25, 2020

Census Id: CQAS-10378

DOC Number:

Correspondence Type: Letter

Action Office: ADRM

Signature:

Subject: National Congress of American Indians (NCAI) Letter on Disclosure Avoidance System (DAS)

Instructions: Please prepare draft for formal response.

Due in CQAS: 07/09/2020

Sender: Kevin Allis, CEO, NCAI

Constituent:

Corr Date: 06/25/2020

Rec Date: 06/25/2020

Due Date: 07/15/2020

Confidential Information: No

Addressee: DIR Dillingham

Infocopy: Stanley,Hawkins

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	

BC-DOC-CEN-2020-001602-005565



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

NCAI HEADQUARTERS

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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 dataKathy 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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Washington, DC 20005
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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

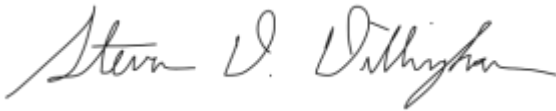
file, has already been posted on the University of Minnesota's IPUMS National Historical Geographic Information System ([NHGIS](#)) website. As new PPMF files are released for subsequent DAS runs, tabulations from those files will also be posted on that website. We trust this will meet your needs.

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 dark ink, reading "Steven D. Dillingham". The signature is fluid and cursive, with the first name "Steven" and last name "Dillingham" clearly legible.

Steven D. Dillingham
Director

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

May 26, 2020

Census Id: CQAS-10337

DOC Number:

Correspondence Type: Letter

Action Office: DCCO

Signature:

Subject: National Conference of State Legislatures has concerns regarding delayed Census operations and Differential Privacy

Instructions: Please prepare draft for formal response.

Due in CQAS: 06/09/2020

Sender: National Conference of State Legislatures

Constituent:

Corr Date: 05/26/2020

Rec Date: 05/26/2020

Due Date: 06/15/2020

Confidential Information: No

Addressee: Director Dillingham

Infocopy: Stanley,Hawkins

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.

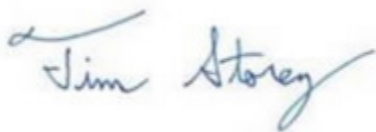
These two laws appear to be in conflict this decade, and it appears that the bureau has favored the first over the second. A demonstration data set based on the 2010 census has been provided to the states, and redistricters and demographers have [found it lacking](#). The variation from the 2010 data 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

Intergovernmental Affairs Associate, Contractor
Office of Congressional and Intergovernmental Affairs
U.S. Census Bureau
O: 301-763-4960 | M: (b) (6)
[census.gov](https://www.census.gov) | [@uscensusbureau](https://twitter.com/uscensusbureau)

Shape your future. START HERE > 2020census.gov

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
Senior Federal Affairs Counsel
202.624.3566 (o) | (b) (6) (m)



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

July 16, 2020

Mr. Tim Storey
Executive Director
National Conference of State Legislatures
7700 East First Place
Denver, CO 80230

Dear Mr. Storey:

The U.S. Census Bureau is very grateful for and proud of the longstanding relationship we have developed with the National Conference of State Legislatures (NCSL), a vital stakeholder organization in regards to our core mission. The venues for interaction and the access to high priority stakeholders NCSL has provided over the years have helped us meet the needs of the states, especially with regard to redistricting. NCSL's support across the decades in advocating on our behalf and in promoting the census and census data has been extremely helpful and appreciated. We look forward to our continued discussions and relationship for many decades to come.

As NCSL is an organization that heavily uses and understands Census Bureau data, we are all the more appreciative that you took the time to express your thoughts and concerns about two major issues affecting the 2020 Census: the current timeline for the delivery of the apportionment and P.L. 94-171 redistricting data, and the implementation of differential privacy for data protection.

Timeline Shift for Data Delivery

Due to the COVID-19 pandemic, the Census Bureau has adjusted 2020 Census operations to protect the health and safety of the American public and Census Bureau employees as well as to ensure a complete and accurate count. In our decisions to suspend field operations and as we have resumed work, the Census Bureau implements guidance from federal, state, local, and tribal authorities regarding COVID-19. Enumeration, office work, processing activities, and other in-person activities will incorporate the most current guidance from federal, state, and tribal government authorities to ensure the health and safety of staff and the public. The Census Bureau is closely coordinating the acquisition of needed personal protective equipment (PPE) for field and office staff through the U.S. Department of Commerce. Deliveries of PPE have been received, and we will continue ordering as needed.

We have extended the time for fieldwork beyond our originally planned schedule, and self-response will continue until operations in the field conclude. Please visit <https://2020census.gov/news-events/operational-adjustments-covid-19.html> for more detailed information about the adjustments to the 2020 Census operations. This page will be updated as the ongoing response to COVID-19 develops.

Due to COVID-19, the current schedule includes a delay of 120 days for the delivery of the apportionment count and the P.L. 94-171 redistricting data. This decision was not made lightly, but was needed to ensure the health and safety of the American public and Census Bureau employees. Although we plan to extend data collection by 90 days, the overall 120-day delay on delivering the data will ensure that we can conduct a complete and accurate count of all communities and deliver data products that meet the quality expected from the decennial census.

The Census Bureau recognizes this delay may raise concerns for states and that each state has unique timing for their redistricting activities. This means each state will have to evaluate its very specific statutory and constitutional requirements to adapt to this delay. We announced this necessary schedule change as early as possible to provide states with the maximum possible time to adapt their processes.

The Census Redistricting Data Program always has been sensitive to the deadlines that states have adopted to permit them to complete their difficult redistricting work. Historically, the program has been organized to try to ensure that states receive their data in as timely a manner as possible. For the last several censuses, the Census Bureau has delivered data to states in weekly groupings. We organize these groupings based on the deadlines faced by the states and the production capabilities of the Census Bureau. This staggered delivery is necessary to allow the needed quality control reviews and materials production that ensures these data releases meet the Census Bureau's data quality standards. We have typically included states with off-year elections in the first week's delivery group.

The plan for the 2020 Census includes a six-week rolling weekly delivery of data to the states. Incorporating the [current schedule](#), that six-week delivery period would start no later than June 17, 2021.

Through the Redistricting Data Program and its official state liaisons, the Census Bureau is working to understand and capture the impacts on individual states of the delayed delivery of the data. We are reaching out to the program's official liaisons for their state's initial impact assessments. From October through November of 2020, the Redistricting Data Office will again approach these liaisons to receive input about how states have addressed the scheduled delay

of the data. We will use this information to organize groupings for delivery of redistricting data in 2021. While the current schedule allows the Census Bureau to deliver redistricting data as late as July 31, 2021, we will strive to release the results as early as possible while complying with our data quality standards.

In keeping with our standard practice of working to get materials to the states in an expedited manner, we will be providing states with geographic support materials well in advance of the redistricting counts. The geographic materials will include the shape files – the files needed for geographic information systems – PDF maps, and other materials. We expect to begin providing these geographic products to the states in early February 2021 and to complete the process of delivering to all states by the end of March 2021. This advance delivery of geographic support materials will allow states and their vendors to begin the process of building and testing their redistricting systems well in advance of receiving the actual data and should help mitigate some of the delays caused by COVID-19.

Disclosure Avoidance and Differential Privacy

The Census Bureau recognizes the unique importance of decennial census data for the fair and equitable allocation of political representation at all levels of government. As such, we consider the use of census data products for redistricting and for enforcement of the Voting Rights Act to be among the highest priority uses of census data. We are committed to ensuring that the 2020 Census data products will be sufficiently accurate to support these important uses.

At the same time, as you acknowledge in your letter, the Census Bureau is prohibited under Title 13, Section 9 from publishing any information that would reveal personally identifiable information about our respondents. With the rise of powerful computer algorithms that can reconstruct individual-level records from tabulated data, and the proliferation of third-party data sources that can then be linked to those records, the privacy risks associated with publishing highly granular statistics contained in our data products have increased enormously. Were the Census Bureau to rely on the traditional approaches to privacy protection that we have used in previous decades, namely the swapping of individual household records across geographies, meeting our statutory obligation to protect respondent privacy would require such high swapping rates that the resulting data would be rendered essentially useless. Consequently, the Census Bureau sees no viable alternative to comply with our Title 13 obligations but to modernize our disclosure avoidance methods through the application of differential privacy.

In your letter, you note that the 2010 demonstration data products that the Census Bureau released in October 2019 contained notable distortions and errors that would impede effective use of the data for redistricting purposes. We are in the process of identifying and mitigating the features of the Disclosure Avoidance System (DAS) Top-Down Algorithm that produced them. As we have publicly stated in our Research Matters blog post on the subject, much of

the significant error and distortion observed in the 2010 demonstration data was not the byproduct of the differential privacy mechanism used to meet our obligations to safeguard respondent privacy under Title 13. Rather, it was caused by operations in the post processing algorithms we used to convert the resulting protected data into the internally and hierarchically consistent data that feed into the tabulation systems that produce the official census data products. As such, there is much we can do to improve the accuracy and fitness-for-use of these data without impacting the privacy guarantee afforded by our use of differential privacy.

In March, we implemented the first of what will likely be a number of significant algorithm design improvements to address this issue. The impact of this design change on the accuracy of the resulting data can be directly observed in the “2010 Demonstration Metrics 2” file, which we released on May 27. When compared with the baseline accuracy measures calculated from the 2010 demonstration data, the improvements in accuracy for total population counts are notable. For example, in the October 2019 DAS run, the total population count for the average county was off by approximately 82 people (0.78 percent). With the algorithm improvements implemented in March, that error has been decreased to only 16 people (0.14 percent). These improvements are also observable at lower levels of geography. In the October 2019 DAS run, total population for the average census tract was off by almost 26 people; now that error has been reduced to just 14.5 people. At the block level, error in the population for the average urban census block has likewise been reduced from 9.2 people to 7.7 people. These accuracy improvements come without any reduction in the strength of the privacy guarantee. That is, the privacy-loss budget for both DAS runs was held constant, so the observed improvements are directly attributable to improvements in our post processing algorithms.

The accuracy metrics we have released for these DAS runs, and that we will continue to release as future improvements to the algorithm are made, allow our data users to assess these 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 release the differentially private, but untabulated, Privacy-Protected Microdata Files (PPMF) produced by each successive iteration of the DAS algorithm for which we publish metrics. While these PPMFs will not be in the standard table structures associated with the P.L. 94-171 or other data products, it would be an easy matter for some of our public data users to tabulate them accordingly. We are confident that this solution will meet your needs.

Our efforts to ensure the accuracy and fitness-for-use of the 2020 Census data products for redistricting and enforcement of the Voting Rights Act are ongoing. Throughout this work, the importance and benefit of the ongoing feedback and support that we have received from NCSL and other prominent users of census data cannot be understated. We look forward to continuing this dialogue over the coming months.

We look forward to our continued collaboration in support of the 2020 Census. If you have additional questions, please contact Chris Stanley, Chief, Office of Congressional and Intergovernmental Affairs, at 301-763-6100.

Sincerely,

A handwritten signature in dark ink, reading "Steven D. Dillingham". The signature is fluid and cursive, with the first name "Steven" and last name "Dillingham" clearly legible.

Steven D. Dillingham
Director

Correspondence Quality Assurance Staff

Office of the Director

U.S. Census Bureau

Control Sheet

May 22, 2020

Census Id: CQAS-10336

DOC Number:

Correspondence Type: Controlled Correspondence

Action Office: ADRM

Signature:

Subject: NSGIC has concerns regarding the Census Bureaus' implementation of the Differential Privacy Disclosure Avoidance System

Instructions: Please prepare draft for formal response.

Due in CQAS: 06/05/2020

Sender: National States Geographic Information Council

Constituent:

Corr Date: 05/21/2020

Rec Date: 05/22/2020

Due Date: 06/11/2020

Confidential Information: No

Addressee:

Infocopy: ADRM,Stanley,Hawkins

Concurrence

Surname								
Initials								
Date								

May 21, 2020

John M Abowd, PhD
Associate Director and Chief Scientist
Research and Methodology
U.S. Census Bureau
4600 Silver Hill Road, Room 8H001
Washington, DC 20233



Dear Sir,

The National States Geographic Information Council (NSGIC) is the nation's state-led forum for geospatial coordination, advocacy and leadership. Our membership consists of geospatial leaders from across the nation. These individuals represent geospatial communities, coordinate geospatial solutions in their respective states, advise policy makers in location-based decision-making, and provide leadership in the development of framework data for the nation.

Conducting the decennial census and delivering quality data products are essential to the productivity and health of our state systems. The data are critical to state funding allocations, economic planning and development decisions, and public safety. The recent COVID-19 pandemic response efforts illustrate our need for and reliance on accurate and available census data. States are utilizing the statistical information to identify vulnerable populations, assess impacted communities, and develop safe reopening strategies.

NSGIC collaborates closely with the nation's State Data Centers and State Demographers. Through these partnerships we have become aware of the Census Bureau's move to a new Differential Privacy Disclosure Avoidance System (DAS). Our state representatives have surveyed their geospatial communities, and collective concern exists that implementing these new practices will negatively impact state programs and the ability to carry out statutory responsibilities, in effect harming the citizens the DAS aims to protect.

NSGIC has monitored the developments and feedback related to the Census Bureau's release of the 2010 demonstration products. We are encouraged by the Census Bureau's response to the feedback provided by the census data user community. The Bureau's willingness to explore adjustments to the DAS algorithm in order to minimize inaccuracies in the resulting data products shows that potential exists to meet privacy protection goals and continue to provide reliable data.

NSGIC has a strong network and an innate ability to collaboratively solve problems. Our organization is committed to finding solutions through our partnerships and innovative technologies. We are hopeful that opportunity awaits for the NSGIC community to collaborate with and provide feedback to the Census Bureau as the DAS adjustments are evaluated.

CC: Steven Dillingham, US Census Bureau Director; Karen Rogers, State of Wyoming, NSGIC President

Sincerely,

Molly Schar
Executive Director

504.265.9720

www.nsgic.org
info@nsgic.org

BC-DOC-CEN-2020-001602-005588

Fw: Differential Privacy Avoidance System

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

Fri 5/22/2020 7:43 AM

To: BOC Correspondence Quality Assurance (CENSUS) (b) (6) >
Cc: Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>

1 attachments (106 KB)

Differential Privacy - NSGIC.pdf;

Control this to R&M, and be sure Michael Hawes is included as requested by R&M Associate Director Dr. Abowd. Thank you.

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

Sent: Friday, May 22, 2020 7:41 AM

To: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>; Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>

Subject: Fwd: Differential Privacy Avoidance System

For CQAS assign time Hawes please.

Begin forwarded message:

From: "John Maron Abowd (CENSUS/ADRM FED)"

<john.maron.abowd@census.gov>

Date: May 21, 2020 at 9:07:42 PM EDT

To: "Steven Dillingham (CENSUS/DEPDIR FED)"

<steven.dillingham@census.gov>, "Ali Mohammad Ahmad (CENSUS/ADCOM FED)" <ali.m.ahmad@census.gov>

Cc: "Michael B Hawes (CENSUS/CED FED)" <michael.b.hawes@census.gov>,

"Cynthia Davis Hollingsworth (CENSUS/DCMD FED)"

<cynthia.davis.hollingsworth@census.gov>, "Victoria Velkoff (CENSUS/ADDP FED)" <Victoria.A.Velkoff@census.gov>, "Christa D Jones (CENSUS/DEPDIR FED)" <Christa.D.Jones@census.gov>

Subject: Re: Differential Privacy Avoidance System

I assume this will go to controlled correspondence. Michael Hawes is standing by to draft a response.

Thanks,

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 | [@uscensusbureau](https://twitter.com/uscensusbureau)
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From: Molly Schar (b) (6) >
Sent: Thursday, May 21, 2020 3:12 PM
To: John Maron Abowd (CENSUS/ADRM FED) <john.maron.abowd@census.gov>
Cc: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Karen Rogers (b) (6) >
Subject: Differential Privacy Avoidance System

Dear Sir,

The National States Geographic Information Council (NSGIC) is the nation's state-led forum for geospatial coordination, advocacy, and leadership. Our membership consists of geospatial leaders from across the nation. These individuals represent geospatial communities, coordinate geospatial solutions in their respective states, advise policy makers in location-based decision-making, and provide leadership in the development of framework data for the nation.

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shows that potential exists to meet privacy protection goals and continue to provide reliable data.

NSGIC has a strong network and an innate ability to collaboratively solve problems. Our organization is committed to finding solutions through our partnerships and innovative technologies. We are hopeful that opportunity awaits for the NSGIC community to collaborate with and provide feedback to the Census Bureau as the DAS adjustments are evaluated.

Sincerely,
Molly Schar

Molly Schar, Executive Director
National States Geographic Information Council



T: [504-475-8178](tel:504-475-8178)

W: www.nsgic.org





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

Ms. Molly Schar
Executive Director
National States Geographic Information Council
(b) (5)

Dear Ms. Schar:

Thank you for your letter regarding the U.S. Census Bureau's adoption of differential privacy to protect the confidentiality of the 2020 Census. As you note in your letter, decennial census data are critically important for 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.

As we work to improve the 2020 Disclosure Avoidance System (DAS), feedback from census data users, including those whom your organization represents, has been invaluable. Based on this feedback, we have already implemented a number of improvements to the algorithm's design and operation. We post all of updates to our [DAS Updates webpage](#), including the most recent release of "2010 Demonstration Metrics 2" that measure improvements to the DAS since the October 2019, release of the 2010 Demonstration Data Products. We anticipate making additional improvements over the coming months and will continue engaging the data user community.

If your organization's members would like to stay informed of our ongoing work on the 2020 DAS, they can subscribe to our new [2020 Census Data Products newsletter](#). Those who would like to provide feedback or recommendations to inform our upcoming work on the DAS can send it to our development and data products teams at 2020DAS@census.gov.

We appreciate your support, and we look forward to engaging with your organization's members on this important initiative.

Sincerely,

JOHN ABOWD Digitally signed by JOHN ABOWD
Date: 2020.06.29 16:27:42 -04'00'

John M. Abowd, Ph.D
Associate Director and Chief Scientist
Research and Methodology



To: Steven Dillingham (CENSUS/DEPDIR FED)[steven.dillingham@census.gov]
Cc: Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@census.gov]; Steven K Smith (CENSUS/DEPDIR FED)[steven.k.smith@census.gov]; Michael John Sprung (CENSUS/DEPDIR FED)[michael.j.sprung@census.gov]; Ron S Jarmin (CENSUS/DEPDIR FED)[Ron.S.Jarmin@census.gov]; Adam Michael Korzeniewski (CENSUS/DEPDIR FED)[adam.m.korzeniewski@census.gov]
From: Ali Mohammad Ahmad (CENSUS/ADCOM FED)/[O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9F924D2AEBA34BB78774A059DDE7550C-AHMAD, ALI]
Sent: Wed 8/5/2020 5:22:14 PM (UTC)
Subject: PLEASE REVIEW- Operational and Processing Options to meet September 30 Hill Update 8.7.20.pdf
[Operational and Processing Options to meet September 30 Hill Update 8.7.20.pdf](#)
[ATT00001.htm](#)

For Friday's Hill briefing these are the notes Al will have. OMB wants to see to clear. We will not hand this out or show it- these are just notes. Please reply with any comments or call Chris Stanley. (b) (6)
I'll check back in after 2 Pm when I am online.

Begin forwarded message:

From: "Albert E Fontenot (CENSUS/ADDC FED)" <Albert.E.Fontenot@census.gov>
Date: August 5, 2020 at 1:08:06 PM EDT
To: "Christopher J Stanley (CENSUS/OCIA FED)" <christopher.j.stanley@census.gov>, "Ali Mohammad Ahmad (CENSUS/ADCOM FED)" <ali.m.ahmad@census.gov>
Cc: "Ron S Jarmin (CENSUS/DEPDIR FED)" <Ron.S.Jarmin@census.gov>, "Christa D Jones (CENSUS/DEPDIR FED)" <Christa.D.Jones@census.gov>, "Enrique Lamas (CENSUS/DEPDIR FED)" <Enrique.Lamas@census.gov>, "Deborah Stempowski (CENSUS/ADDC FED)" <Deborah.M.Stempowski@census.gov>, "Christopher M Denno (CENSUS/ADDC FED)" <christopher.m.denno@census.gov>, "Michael T Thieme (CENSUS/ADDC FED)" <Michael.T.Thieme@census.gov>, "Kathleen M Styles (CENSUS/ADDC FED)" <kathleen.m.styles@census.gov>
Subject: Operational and Processing Options to meet September 30 Hill Update 8.7.20.pdf

Per our discussion attached are my pre Doc clearance planned talking points for Friday's weekly Hill staff briefing. Just a reminder - this continues to be a verbal briefing - as usual there is no handout provided.

To: Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@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]; Benjamin A Overholt (CENSUS/DEPDIR FED)[benjamin.a.overholt@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 2:00:46 PM (UTC)
Subject: DAS materials for tribal consultations - set 1
[AIAN Researcher Call 09.04.19 FINAL.pptx](#)
[Transcript 090419 Census Webinar.pdf](#)
(b) (5)

From: Melissa K Bruce (CENSUS/OCIA FED) <melissa.k.bruce@census.gov>
Sent: Friday, September 25, 2020 9:50 AM
To: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>; Dee A Alexander (CENSUS/OCIA FED) <Dee.A.Alexander@census.gov>
Cc: Van R Lawrence (CENSUS/OCIA FED) <Van.R.Lawrence@census.gov>; Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>; Bina K Saafi (CENSUS/OCIA FED) <bina.k.saafi@census.gov>
Subject: Re: DAS materials for tribal consultations

Hi Chris

Here is the presentation and transcript from the call with AIAN Data users, that was done at the request of NCAI, and the presentation used for the tribal consultations held during the NCAI and AFN annual conventions

Melissa

Melissa K. Bruce, Intergovernmental Affairs Specialist
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U.S. Census Bureau
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Shape Your Future. START HERE > 2020census.gov

From: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
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Subject: DAS materials for tribal consultations

Can you please send me ASAP the presentations and public reports related to the tribal consultations on disclosure avoidance?

Thank you.

Chris Stanley, Chief
Office of Congressional and Intergovernmental Affairs
U.S. Census Bureau

O: 301-763-4276 | M: (b) (6)

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

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*****DRAFT*****

2020 Census Data Processing Planning

8/24/2020

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your future
START HERE >

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2020

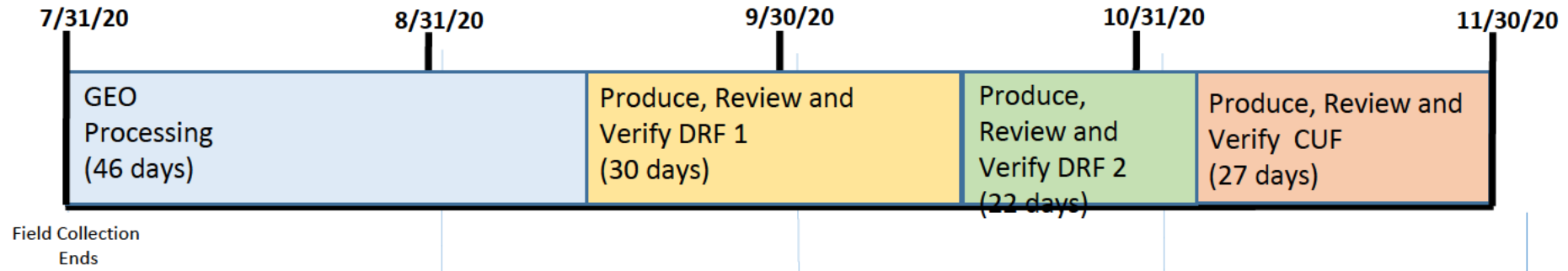
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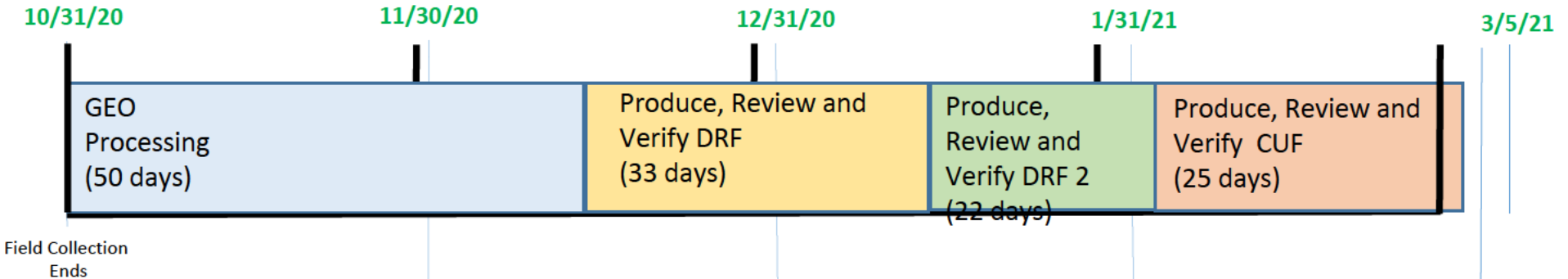
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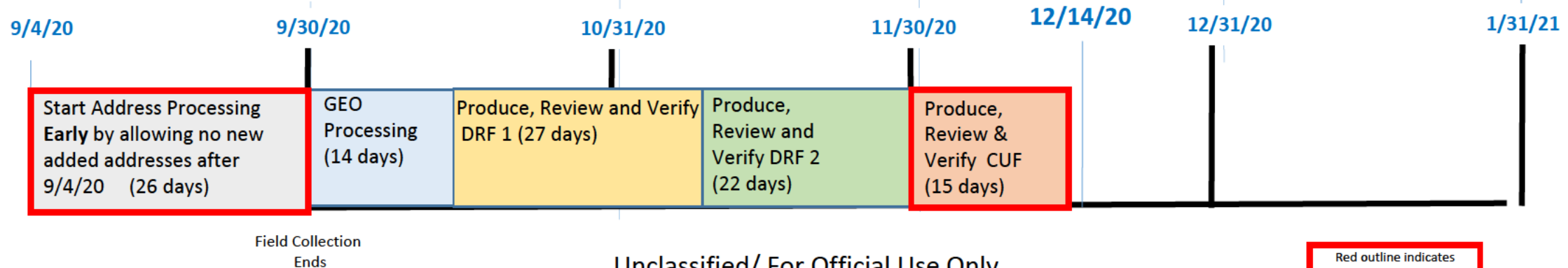
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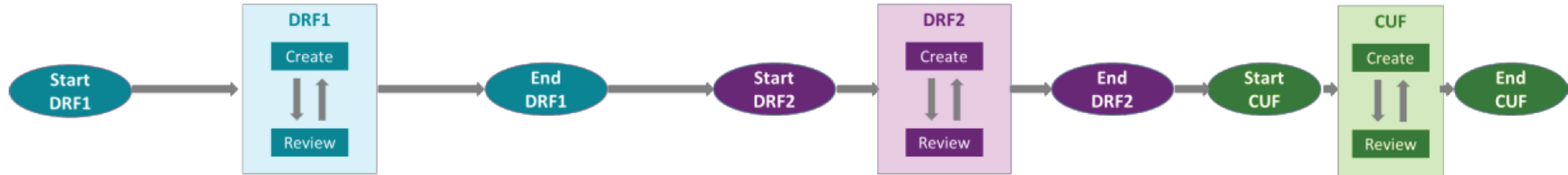
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- Reduced data processing and review time increases the risk regarding data quality.
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- The 2020 Census implemented a number of new innovations this decade, such as internet data collection and administrative 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.
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- These schedule modifications have removed any ability to recover from late critical issues.

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Detailed Processing Steps

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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	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-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
Z0CIO-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 (Coll)	1. 5 Day Federal Holiday thru 2023	0d	18-Dec-20		1d	1d
Z0CAR-50980	CARDS Ingests MAF Extract from MAF/TIGER for Final SDF (Coll)	4. 7 Day No Holidays thru 2023	2d	18-Dec-20	19-Dec-20	3d	3d
Z0CAR-51060	CARDS Creates and Review Final SDF (Coll)	4. 7 Day No Holidays thru 2023	4d	20-Dec-20	23-Dec-20	3d	6d
Z0CAR-51100	CARDS Delivers Final SDF (Coll) 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 2023	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
Z0PPD-10730	POP Receives Final CUF from CDL/DRPS	1. 5 Day Federal Holiday thru 2023	0d	5-Mar-21		5d	5d
Z0PPD-16890	-----Executive Review and Approve CUF-----	4. 7 Day No Holidays thru 2023	30d	5-Mar-21	3-Apr-21	7d	-2d
Z0PPD-10740	POP Creates/Verifies Apportionment Tables	1. 5 Day Federal Holiday thru 2023	16d	5-Apr-21	26-Apr-21	-1d	0d
Z0PPD-10750	POP Delivers Final Apportionment Tables to BOC DIR and CQAS	1. 5 Day Federal Holiday thru 2023	0d		26-Apr-21	0d	0d
Z0PPD-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
Z0PPD-10770	BOC DIR Delivers Final Apportionment Transmittal Package to DOC	1. 5 Day Federal Holiday thru 2023	0d		30-Apr-21	0d	0d
Z0PPD-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

To: Steven Dillingham (CENSUS/DEPDIR FED)[steven.dillingham@census.gov]; Steven K Smith (CENSUS/DEPDIR FED)[steven.k.smith@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]; Albert E Fontenot (CENSUS/ADDC FED)[Albert.E.Fontenot@census.gov]; Deborah Stempowski (CENSUS/ADDC FED)[Deborah.M.Stempowski@census.gov]; Victoria Velkoff (CENSUS/ADDP FED)[Victoria.A.Velkoff@census.gov]; Michael T Thieme (CENSUS/ADDC FED)[Michael.T.Thieme@census.gov]; Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@census.gov]; Korzeniewski, Adam (Federal)[AKorzeniewski@doc.gov]; Deirdre Bishop (CENSUS/GEO FED)[Deirdre.Dalpiaz.Bishop@census.gov]; Barbara M LoPresti (CENSUS/DITD FED)[Barbara.M.LoPresti@census.gov]; Benjamin A Overholt (CENSUS/DEPDIR FED)[benjamin.a.overholt@census.gov]; John Maron Abowd (CENSUS/ADRM FED)[john.maron.abowd@census.gov]; Walsh, Michael (Federal)[MWalsh@doc.gov]

From: Martin, Nicole (Federal)[NMartin1@doc.gov]

Sent: Fri 8/21/2020 1:56:45 PM (UTC)

Subject: Census Pre Brief

[Census 2020 Backend Processing DRAFT 2.6.pptx](#)

[Census 2020 Backend Processing DRAFT 2.6.pptx](#)

Good morning everyone,

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

Happy Friday,
Nicole

Nicole Martin

Office of the Deputy Secretary

NMartin1@doc.gov

O: 202-482-0504

C: (b) (6)

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

CUF processed by PVS

9 days (12/23)

Slide 8

Matching admin records to CUF and quality
assurance (QA)

7 days (12/30)

Slide 8

Applying rules to assign status of the unauthorized
immigrant

5 days (1/4)

Slide 9

Quality assurance of tabulation and demographic
reasonableness review.

3 days (1/7)

Slide 10

Apply disclosure avoidance to unauthorized
immigrant counts and QA

1 days (1/8)

Slide 10

Quality assurance of transmittal package

2 days (1/10)

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.

Predecisional; Internal use only

BC-DOC-CEN-2020-001602-005608

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2020 Census Data Processing Planning

8/24/2020

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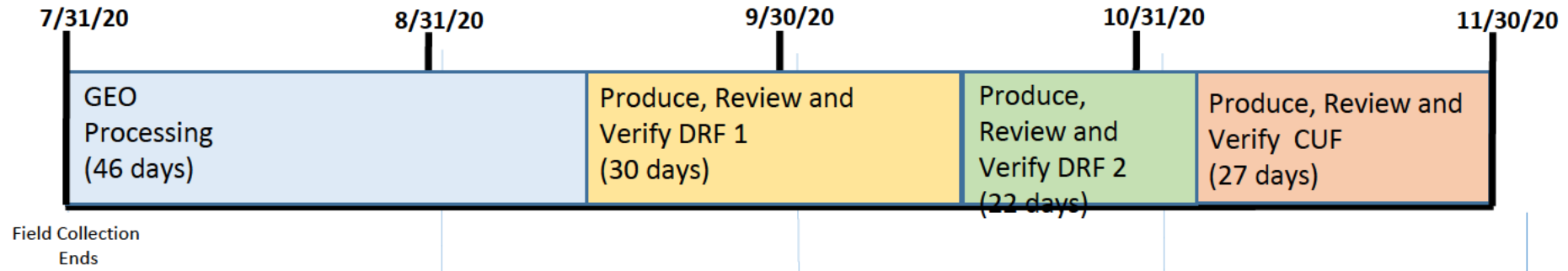
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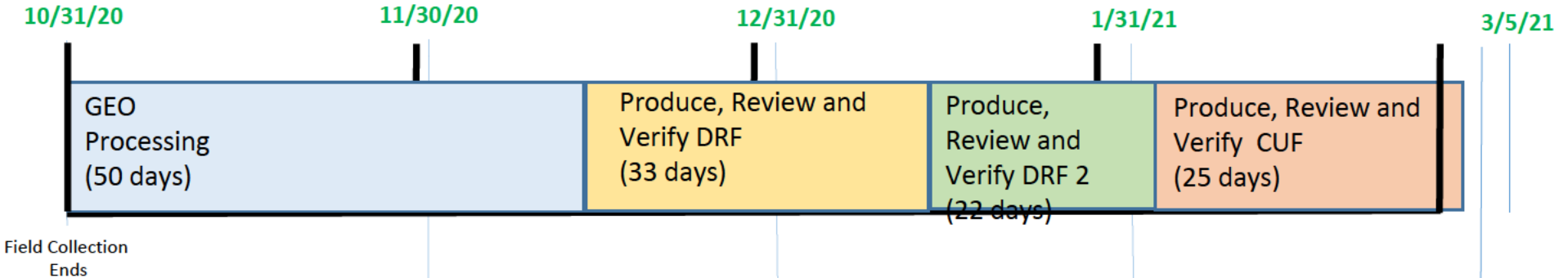
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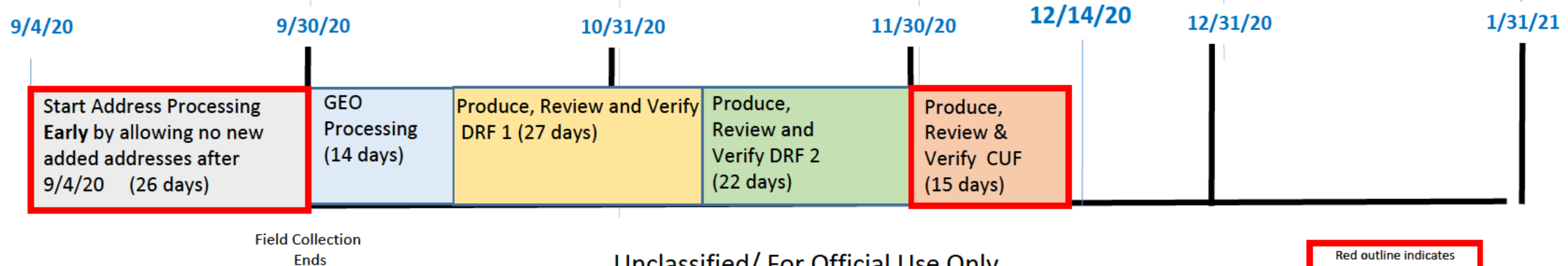
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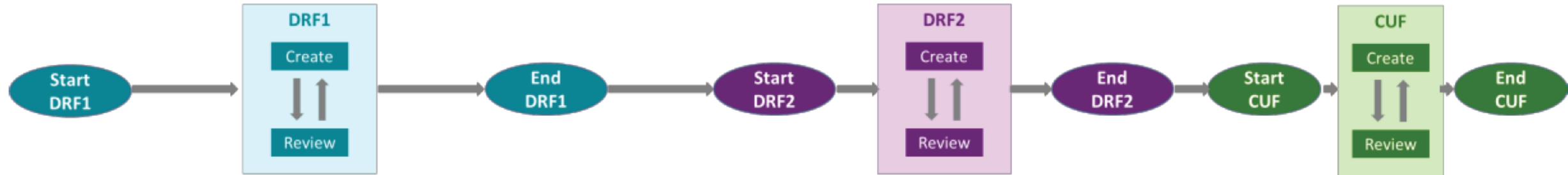
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Z0ISR-12170	Conduct Internet Self-Response (ISR) Data Collection	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-Oct-20	0d	0d
Z0NID-11020	Conduct Non-ID Clerical Process Operation	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-Oct-20	0d	0d
Z0SQU-10500	Conduct Self-Response Quality Assurance	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-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
Z0CIO-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 2023	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 2023	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 2023	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

The Status of Data Acquisition and Options for Estimating the Illegal Population Enumerated in the 2020 Census

August 10, 2020

I. Status of Data Acquisition to Support the Presidential Memorandum

- The work related to the Presidential Memorandum will build on available data and that acquired over the past 8 months to support Executive Order 13880 to create Citizen Voting Age Population (CVAP) estimate of citizen/non-citizens.
 - Available CVAP data sources are from the Department of Homeland Security (DHS), the Department of Housing and Urban Development (HUD), Social Security Administration (SSA), State Department, Centers for Medicare and Medicaid Services (CMS), Bureau of Prisons, U.S. Marshals, Bureau of Justice Statistics, Internal Revenue Services (IRS), Department of Interior (DOI) and Indian Health Services (IHS).
- Data identified as required to determine legal status:
 - Available Data: DOI data provided to support the CVAP work.
 - Additional data to be acquired: Department of Homeland Security:
 - USCIS data to include declined applications for Lawful Permanent Resident, DACA and Student Immigrant Juveniles data
 - ICE data to include Enforcement and Removal Operations data.
 - Additional data from USCIS and ICE are targeted for an August 31, 2020 delivery to the Census Bureau.
- MOU Status: modifications are in draft to acquire/and or authorize existing data for the project:
 - Acquisition of new data: Applies to ICE and CIS to directly support determination of documented/undocumented. Draft MOU's to acquire the data and authorize the additional use were reviewed by both ICE and CIS prior to Census Bureau Legal review.
 - Both MOU's have cleared Census Legal and are now in the signature process.
 - Authority to use existing data to determine documentation status: Applies to DOI data already acquired for CVAP.
 - MOU is in Census Legal review.
 - Authority to add the new work as an authorized use to the CVAP citizen/non-citizen work: Applies to data acquired/available for CVAP to estimate non-citizenship but not directly inform of documented/undocumented.

[DELIBERATIVE/PRE-DECISIONAL]

- MOUs in Census Legal review for DHS Customs and Border Protection, State Department, HUD, SSA, CMS, IRS, IHS, U.S. Marshalls, Bureau of Justice Statistics and Bureau of Prisons.

II. Options for Estimating the Illegal Population Enumerated in the 2020 Census

1. **Tabulate the People Enumerated in the 2020 Census who were in ICE Detention Centers as of April 1, 2020**

- a. Pros
 - i. This is an actual enumeration.
 - ii. Could meet the existing statutory, judicial, and regulatory standards established for the resident population definition used in apportionment.
 - iii. Can complete this by December 31
 - iv. We can get a list of the centers from ICE and verify that we enumerated them in the Group Quarters operation
- b. Cons
 - i. Need to assume that either all prisoners living in the detention centers are here illegally or some proportion are here illegally (we can ask ICE for data on this)
 - ii. Some centers are part of county jails, we may not have enough information in what we collected to distinguish prisoners in the county jail from those in the detention center
 - iii. This is the lower end of the actual number of illegal people enumerated in the 2020 census

2. **Match Administrative Records to the 2020 Census** (Need 43 days from when the Census Unedited File (CUF) is complete for this option)^{1 2}

- a. Pros
 - i. Will be able to match various administrative records to people enumerated in the 2020 Census
 - ii. Could meet the existing statutory, judicial and regulatory standards established for the resident population definition used in apportionment
 - iii. This option will match to a larger number of illegal immigrants than option 1 because we will also include the people identified in option 1.
- b. Cons

¹ Note that this method assumes a match and a definitive determination of status from the records. If we were instructed to determine status for the unmatched population using, for example, a hot deck methodology or statistical modeling, this would add additional days.

² Note that we plan to use production level matching to the Person Identification Validation System (PVS). The PVS will link people with social security numbers or individual taxpayer identification numbers (ITINs). The Experimental PVS (EPVS), developed for the Citizen Voting Age Population data, is not ready for production use. This EPVS potentially links additional administrative records to the 2020 Census by using PII found on DHS and State Department records. This EPVS is suitable for use in an experimental product but has not received either the internal or external peer review associated with apportionment.

[DELIBERATIVE/PRE-DECISIONAL]

- i. The number of illegal immigrants in both administrative records and the 2020 census is likely to be low.
 - ii. Based on the 2010 Census, we expect about 10 percent of decennial records to not match an administrative record. Many of the unmatched are U.S. citizens or legal immigrants who did not provide enough personally identifiable information to match.
- 3. **Use an Aggregate Residual Method to Estimate the Number of Illegal Immigrants by State who were Enumerated in the 2020 Census** This method begins with an estimate of the foreign-born population from the American Community Survey (ACS).
 - a. Pros
 - i. Can finish this by December 31, 2020 (if we start now).
 - ii. We have access to many administrative data sets at the Census Bureau that other organizations who do this type of estimate do not (ACS, mortality data,...)
 - b. Cons
 - i. This method will be based on the ACS which is based on a sample.
 - ii. We would need to make several adjustments to the foreign-born population that are based on limited data. This includes estimating how many illegal immigrants we think we enumerated in the 2020 Census based on coverage measurement samples.
 - iii. These numbers have limited precision, thousands or tens of thousands at best, and have a range of uncertainty around them.

To: Kelley, Karen (Federal)[KKelley@doc.gov]; Steven Dillingham (CENSUS/DEPDIR FED)[steven.dillingham@census.gov]; Steven K Smith (CENSUS/DEPDIR FED)[steven.k.smith@census.gov]; Enrique Lamas (CENSUS/DEPDIR FED)[Enrique.Lamas@census.gov]; Christa D Jones (CENSUS/DEPDIR FED)[Christa.D.Jones@census.gov]; Albert E Fontenot (CENSUS/ADDC FED)[Albert.E.Fontenot@census.gov]; Deborah Stempowski (CENSUS/ADDC FED)[Deborah.M.Stempowski@census.gov]; Victoria Velkoff (CENSUS/ADDP FED)[Victoria.A.Velkoff@census.gov]; Michael T Thieme (CENSUS/ADDC FED)[Michael.T.Thieme@census.gov]; Nathaniel Cogley (CENSUS/DEPDIR FED)[nathaniel.cogley@census.gov]; Korzeniewski, Adam (Federal)[AKorzeniewski@doc.gov]; Deirdre Bishop (CENSUS/GEO FED)[Deirdre.Dalpiaz.Bishop@census.gov]; Barbara M LoPresti (CENSUS/DITD FED)[Barbara.M.LoPresti@census.gov]
From: Ron S Jarmin (CENSUS/DEPDIR FED)[/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=72786421D55B476C9D97B2A03A361FA1-JARMIN, RON]
Sent: Fri 8/21/2020 1:54:12 PM (UTC)
Subject: Re: Census Pre Brief
[Census 2020 Backend Processing DRAFT 2.6.pptx](#)
[20200820 Updated Overview Slide.pptx](#)

Slides attached

Ron S Jarmin, PhD., Deputy Director
U.S. Census Bureau
o: 301-763-1858 | m: (b) (6)
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Shape your future. START HERE > [2020census.gov](#)

From: Kelley, Karen (Federal)
Sent: Thursday, August 20, 2020 1:25 PM
To: Kelley, Karen (Federal) <KKelley@doc.gov>; Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Steven K Smith (CENSUS/DEPDIR FED) <steven.k.smith@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>; Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; Deborah Stempowski (CENSUS/ADDC FED) <Deborah.M.Stempowski@census.gov>; Victoria Velkoff (CENSUS/ADDP FED) <Victoria.A.Velkoff@census.gov>; Michael T Thieme (CENSUS/ADDC FED) <Michael.T.Thieme@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Korzeniewski, Adam (Federal) <AKorzeniewski@doc.gov>; Deirdre Bishop (CENSUS/GEO FED) <Deirdre.Dalpiaz.Bishop@census.gov>; Barbara M LoPresti (CENSUS/DITD FED) <Barbara.M.LoPresti@census.gov>
Subject: Census Pre Brief
When: Friday, August 21, 2020 10:00 AM-11:30 AM.
Where: (b) (6)

July 21, 2020

By Electronic Mail

Vernon E. Curry, PMP, CIPP/G
U.S. Census Bureau, Room 3J235
4600 Silver Hill Road
Washington, DC 20233-3700

Cc: Deloris Reed
U.S. Census Bureau, Room 3J235
4600 Silver Hill Road
Washington, DC 20233-3700

Re: July 1, 2020 Brennan Center for Justice at NYU School of Law's Submission of Freedom of Information Act Request

Dear Mr. Curry and Ms. Reed:

On July 1, 2020, our office delivered a Freedom of Information Act ("FOIA") request on behalf of our client, the Brennan Center for Justice at NYU School of Law (the "Requestors"). The July 1, 2020 FOIA Request is attached. As the request indicates, the letter was mailed to the Census Bureau's FOIA Office located at 4600 Silver Hill Road, Washington, DC 20233-3700. On July 21, 2020, we received notice that the letter was "Returned Undelivered."

We spoke with Ms. Reed, at approximately 1:14 p.m. on July 21, 2020 who confirmed that we mailed the request to the accurate address and was unsure why it was returned. Ms. Reed then directed us to resend the request by email at this address, census.foia@census.gov, and said we would receive a confirmation. We are following these instructions and resubmitting the request in this manner.

Please note that this is a time sensitive request and we have asked for expedited processing (see July 1, 2020 FOIA Request attached). Since our initial request was returned, media interest surrounding the census and the President's involvement has continued to

escalate.¹ Therefore, we request that you please provide special expedited processing, backdating the request to July 1, 2020, on account of the error in the delivery. We are sensitive to the delays and unusual working circumstances caused by the coronavirus pandemic, but point out that your website does not indicate you were not accepting any requests by mail. Your website states:

Guest users are welcome to use the FOIAonline system to submit requests, search for previously released records, and generate reports, but the tracking and communications features will not be available.

Requests can also be submitted to the Census Bureau by paper copy (Privacy Act statement.) When making a request, please include a mailing address so we may contact you if necessary. Keep a copy of your request; you may need to refer to it for further correspondence with the agency.²

Thank you for your prompt attention to this matter. Please copy all responsive records and furnish copies in electronic format by email or U.S. mail to undersigned counsel for the Requestors at:

¹ As we indicated in our initial request, how the Trump administration plans to use citizenship data to affect reapportionment, in contravention of the Constitution and Census Bureau policy, raises questions about the government's integrity and is the subject of intense media speculation. See, e.g., Andrew Restuccia, *Trump Moves to Exclude Those in U.S. Illegally From Counts for Congressional Seats*, WALL ST. J. (July 21, 2020), <https://www.wsj.com/articles/trump-moves-to-bar-who-are-people-in-u-s-illegally-from-being-counted-in-congressional-apportionment-11595352083?mod=searchresults&page=1&pos=1>; David Jackson, *Trump Tells Census to Not Count Undocumented People for Purposes of Deciding House Apportionment*, USA TODAY (July 21, 2020), <https://www.usatoday.com/story/news/politics/2020/07/21/trump-tell-census-not-count-undocumented-immigrants/5459873002>; Hansi Lo Wang, *With No Final Say, Trump Wants to Change Who Counts for Dividing Up Congress' Seats*, NPR (July 21, 2020), <https://www.npr.org/2020/07/21/892340508/with-no-final-say-trump-wants-to-change-who-counts-for-dividing-up-congress-seat>; Mica Rosenberg, Nick Brown & Mimi Dwyer, *Trump Orders Voting Districts to Exclude People in U.S. Illegally*, REUTERS (July 21, 2020), <https://www.reuters.com/article/us-usa-trump-migrants-census/trump-aims-to-stop-counting-of-illegal-migrants-in-redrawing-of-us-voting-maps-idUSKCN24M26U>; Tara Bahrapour, *Trump Administration Seeks to Bar Undocumented Immigrants from a Portion of the 2020 Census*, WASH. POST (July 21, 2020), https://www.washingtonpost.com/local/social-issues/trump-administration-seeks-to-bar-undocumented-immigrants-from-a-portion-of-the-2020-census/2020/07/21/9af682ee-c87f-11ea-a99f-3bbdfb1af38_story.html; Anita Kumar, *Trump Tries to Restrict Undocumented Immigrants from Census Count*, POLITICO (July 21, 2020), <https://www.politico.com/news/2020/07/21/trump-undocumented-immigrants-census-376241>; Michael Wines, *Census Bureau Adds Top-Level Political Posts, Raising Fears for 2020 Count*, N.Y. TIMES (June 23, 2020), <https://www.nytimes.com/2020/06/23/us/census-bureau-cogley-korzeniewski.html>; Maya King, *Census Bureau Spends Millions on Ads Combating Citizenship Question Scare*, POLITICO (Feb. 18, 2020), <https://www.politico.com/news/2020/02/18/census-bureau-ads-citizenship-question-115718>; Chris Dunn, *The Long Fight to Protect the 2020 Census from Trump*, BOSTON GLOBE (Feb. 17, 2020), <https://www.bostonglobe.com/2020/02/17/opinion/long-fight-protect-2020-census-trump>; Jake Sherman (@JakeSherman), TWITTER (July 17, 2020), <https://twitter.com/JakeSherman/status/1284172980050898945>; Leah Litman (@LeahLitman), TWITTER (July 17, 2020), <https://twitter.com/leahlitman/status/1284172866901159937?s=21>; Joshua A. Geltzer (@jgeltzer), TWITTER (July 17, 2020), <https://twitter.com/jgeltzer/status/1284181260038963201?s=21>.

² *How do I File a FOIA Request*, CENSUS BUREAU, https://www.census.gov/about/policies/foia/foia-requests/how_to_file_a_foia_request.html (last visited July 21, 2020).

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Respectfully,

/s/ Patrick Carome
Patrick Carome
Mikayla C. Foster
Jared V. Grubow
Rieko H. Shepherd
Counsel for Requestors

July 1, 2020

By Mail

ATTN: FOIA Office
U.S. Census Bureau, Room 3J235
4600 Silver Hill Road
Washington, DC 20233-3700

Re: Freedom of Information Act Request

Dear Sir or Madam:

On behalf of our client, the Brennan Center for Justice at NYU School of Law (the “Brennan Center” or “Center” or “Requestors”), we respectfully request all records in the possession of the Census Bureau, including any officers, employees, or divisions thereof, on the topics listed below concerning the 2020 Census, pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). By this letter we also request expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E).

Background

On June 27, 2019, the U.S. Supreme Court struck down the Trump administration’s attempt to add an unprecedented citizenship question to the 2020 decennial census.¹ Soon after, on July 11, 2019, President Donald J. Trump renewed the administration’s attempt to collect citizenship data via the Census Bureau by issuing Executive Order 13880, which ordered the Bureau to collect pre-existing administrative records on citizenship from other federal agencies.² During the same press conference where President Trump announced Executive Order 13880, United States Attorney General William Barr stated that the Administration “will be studying” whether the data collected via Executive Order 13880 is “relevant to” whether “illegal aliens can be included for apportionment purposes.”³ Several agencies have already complied with that Executive Order.⁴

¹ *Dep’t of Commerce v. New York*, 139 S. Ct. 2551, 2576 (2019).

² 84 Fed. Reg. 33821 (July 11, 2019).

³ *Remarks by President Trump on Citizenship and the Census*, The White House (July 11, 2019, 5:37 p.m.), <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-citizenship-census>.

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

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Apportionment—the determination of how many seats each state receives in the U.S. House of Representatives—is a constitutionally required, once-a-decade calculation made using the results of the decennial census. Under the U.S. Code, the Secretary of Commerce provides the state-population totals required for congressional apportionment to the President.⁵ The President then must use those state totals to calculate the congressional apportionment using a mathematical formula specified by statute and report the results to Congress.⁶ Because the administration has indicated that it may attempt to use citizenship data in some way during the process for calculating the congressional apportionment but has not revealed any details of its plans to the public, this request seeks all records related to the administration’s plans for how it might use citizenship data collected by the Census Bureau for apportionment purposes.

Apportionment affects the representational rights of every person living in the United States. Accordingly, the public has a right to know how the administration intends to calculate the apportionment and whether and how citizenship data might be used in the calculation.

Records Requested

We request the following:

- 1) All records⁷ created on or after June 27, 2019, pertaining to how any of the citizenship-status data collected pursuant to Executive Order 13880 can, could, should, or may be used, incorporated, referenced, or considered in any of the following activities:
 - calculating or otherwise formulating the 2020 total national population;
 - calculating or otherwise formulating the 2020 state-population totals to be used to apportion the United States House of Representatives as contemplated by 13 U.S.C. § 141(b) (hereinafter, the “2020 state-population totals”);
 - reporting the 2020 state-population totals to President Trump by the Secretary of Commerce as required under 13 U.S.C. § 141(b);

⁵ 13 U.S.C. § 141(b).

⁶ 2 U.S.C. § 2a(a).

⁷ The term “records” includes any and all codes, correspondence (including electronic mail and instant messages), digital recordings, documents, directives, examinations, guidelines, handbooks, instructions, manuals, maps, microfilms, computer tapes or disks, memoranda, notes, photographs, regulations, reports, rules, or standards, including any drafts thereof.

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- reporting by President Trump to Congress the 2020 state-population totals and number of congressional representatives to which each state is entitled, as required under 2 U.S.C. § 2a(a);
 - changing the Census Bureau's policy for calculating the 2020 state-population totals, which currently states the 2020 state-population totals will be calculated using the Census Unedited File⁸;
 - changing the Census Bureau's policy for creating the Census Unedited File, which currently states the Census Unedited File will not contain any citizenship status data.⁹
- 2) All records created on or after June 27, 2019, pertaining to the process by which the Secretary of Commerce will report the 2020 state-population totals to President Trump, as required under 13 U.S.C. § 141(b).
 - 3) All records created on or after June 27, 2019 pertaining to the process by which President Trump will report to Congress the 2020 state-population totals and number of congressional representatives to which each state is entitled thereunder, as required under 2 U.S.C. § 2a(a).
 - 4) All records created on or after June 27, 2019 and relating to the 2020 Census in which there is any mention of, involvement in, or communication with any of the following persons or entities:

Persons

- Adam Korzeniewski, Senior Advisor to the Deputy Director for Policy at the U.S. Census Bureau and Former Advisor to the Department of Commerce
- Christopher C. Demuth, Sr., Hudson Institute
- Christopher J. Hajec, Immigration Reform Law Institute
- David Dewhirst, Formerly of Department of Commerce
- Eric Ueland, White House Office of Legislative Affairs
- Eric W. Lee, Judicial Watch
- Gail Gitcho, National Republican Redistricting Trust
- Guy Harrison, National Republic Redistricting Trust
- Hans von Spakovsky, Heritage Foundation

⁸ See John M. Abowd & Victoria Velkoff, *Update on Disclosure Avoidance and Administrative Data*, U.S. Census Bureau, at 12 (Sept. 13, 2019), <https://www2.census.gov/cac/sac/meetings/2019-09/update-disclosure-avoidance-administrative-data.pdf>.

⁹ *Id.*

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- J. Christian Adams, Public Interest Legal Foundation and Presidential Advisory Commission on Election Integrity
- J. Justin Reimer, Republican National Committee
- Jeff Timmer, Michigan GOP
- John Fleming, White House Chief of Staff Office
- Joseph W. Miller, Restoring Liberty
- Karen Dunn Kelley, Deputy Secretary of Commerce
- Kaylan Phillips, Public Interest Legal Foundation
- Lauren Bryan, National Republican Senatorial Committee
- Mark S. Venezia, Immigration Reform Law Institute
- Michael M. Hethmon, Immigration Reform Law Institute
- Mike Walsh, Chief of Staff to the Secretary of Commerce
- Nathaniel Cogley, Deputy Director for Policy at the U.S. Census Bureau and Former Advisor to the Department of Commerce
- Peter B. Davidson, Department of Commerce
- Robert D. Popper, Judicial Watch
- Russ Vought, Deputy Director of Office of Management and Budget

Entities

- Allied Educational Foundation
- American Civil Rights Union
- American Legislative Exchange Council
- Citizens United
- Citizens United Foundation
- Conservative Legal Defense and Education Fund
- Eagle Forum Education & Legal Defense Fund
- English First Foundation
- Fair Lines America
- Family-PAC Federal
- Gun Owners Foundation
- Gun Owners of America, Inc.
- Heritage Foundation
- Immigration Reform Law Institute
- Judicial Watch
- National Republican Congressional Committee
- Policy Analysis Center
- Polidata

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- Public Advocate of the United States
- Public Interest Legal Foundation
- Project on Fair Representation
- Republican National Committee
- Republican State Leadership Committee
- Restoring Liberty Action Committee
- The Senior Citizens League

In searching for records that are responsive to each of the four foregoing requests, please be sure to search the electronic records (including email and text messages) and non-electronic records of each person within your agency who might have any responsive records, and, in addition, please search, in particular, the electronic records and non-electronic records of each of the following persons:

- Nathaniel Cogley, Deputy Director for Policy at the U.S. Census Bureau and
- Adam Korzeniewski, Senior Advisor to the Deputy Director for Policy at the U.S. Census Bureau

Request for Expedited Processing

Requestors seek expedited processing of the above requests pursuant to 5 U.S.C. § 552(a)(6)(E) and 15 C.F.R. § 4.6(f) and rely on two justifications for the request.

The Department of Commerce must process requests on an expedited basis when either (1) “[a] matter of widespread and exceptional media interest involving questions about the Government’s integrity which affect public confidence”¹⁰ exists; or (2) “[a]n urgency to inform the public about an actual or alleged Federal Government activity” is made by an organization “primarily engaged in disseminating information.”¹¹ Both bases are satisfied by this request.

First, the records requested concern a matter of widespread and exceptional media interest. There has been a plethora of reporting about how the Trump Administration plans to

¹⁰ 5 U.S.C. § 552(a)(6)(E) and 15 C.F.R. § 4.6(f)(iii).

¹¹ 5 U.S.C. § 552(a)(6)(E)(II) and 15 C.F.R. § 4.6(f)(iv).

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collect citizenship data¹² in conjunction with the 2020 Census reporting.¹³ Such news reporting discusses the nexus between Executive Order 13880 and the census generally, as well as focuses on how the Bureau is preparing citizenship data and how states might use that data for apportioning their legislatures and/or redrawing their electoral districts.¹⁴ Census Bureau policy instructs that the file used to calculate apportionment counts “does not contain any citizenship data.”¹⁵ Nevertheless, Attorney General Barr stated that the Administration “will be studying” whether the data collected via Executive Order 13880 is “relevant to” whether “illegal aliens can be included for apportionment purposes.”¹⁶ A challenge by the Trump Administration to the Census Bureau’s well-settled policy raises “questions about the Government’s integrity which affect public confidence.”¹⁷

Second, there is an “urgency to inform the public” about any past, present, or future actions taken by the federal government with regard to using citizenship data to calculate the apportionment.¹⁸ Such urgency exists because any action taken by the government to incorporate citizenship status into the calculations for apportioning congressional seats would violate the clear command of the U.S. Constitution, mark a monumental shift in methodology for

¹² See Abowd & Velkoff, *supra* note 8, at 12 (“[T]he President’s Executive Order 13880 commit[s] the Census Bureau to releasing Citizen Voting-Age Population (CVAP) data . . . by combining administrative data from a number of federal, and possibly state, agencies into a separate micro-data file that will contain a ‘best citizenship’ variable for every person in the 2020 census.”).

¹³ See, e.g., Katie Rogers et al., *Trump Says He Will Seek Citizenship Information From Existing Federal Records, Not the Census*, N.Y. Times (July 11, 2019), <https://www.nytimes.com/2019/07/11/us/politics/census-executive-action.html>; Wang, *supra* note 4.

¹⁴ See, e.g., Brendan A. Shanahan, *Counting Everyone—Citizens and Non-Citizens—in the 2020 Census is Crucial*, Wash. Post (Mar. 12, 2020), <https://www.washingtonpost.com/outlook/2020/03/12/counting-everyone-citizens-non-citizens-2020-census-is-crucial/>; Adam Boyd, *How Census Is Building a Citizenship Database Covering Everyone Living in the U.S.*, Nextgov (Apr. 1, 2020), <https://www.nextgov.com/analytics-data/2020/04/how-census-building-citizenship-database-covering-everyone-living-us/164275>. A dispute is also currently ongoing involving whether non-citizens can be excluded from the population totals used for congressional apportionment. See *Alabama v. Dep’t of Commerce*, No. 18-CV-00772 (N.D. Ala. May 21, 2018) (Complaint).

¹⁵ See Abowd & Velkoff, *supra* note 8, at 9.

¹⁶ *Remarks by President Trump on Citizenship and the Census*, The White House (July 11, 2019, 5:37 p.m.), available at <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-citizenship-census>.

¹⁷ 5 U.S.C. § 552(a)(6)(E) and 15 C.F.R. § 4.6(f)(iii).

¹⁸ 5 U.S.C. § 552(a)(6)(E)(II) and 15 C.F.R. § 4.6(f)(iv).

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apportioning Congress, and contravene the Census Bureau's current policy.¹⁹ Modeling shows how significantly the use of citizenship data would affect apportionment.²⁰

The federal government's actual or alleged activity includes at least the following:²¹ First, the government is collecting citizenship data in conjunction with the 2020 Census. President Trump signed Executive Order 13880, requesting that citizenship data be sent to the Census Bureau. Several agencies have already complied with that Order.²² Second, Attorney General Barr has stated that the Justice Department would study how that data could be used in calculating apportionment. And yet, little else is known of the government's plans and whether other non-government entities may be influencing those plans. As the census is currently ongoing and the statutory deadline for calculating the apportionment is rapidly approaching, processing this request is urgent to inform the public about how the federal government is affecting their representational rights.

The Brennan Center is an organization "primarily engaged in the dissemination of information."²³ The Brennan Center is a think tank and public interest law center that regularly writes and publishes reports and articles and makes appearances in various media outlets regarding census-related subjects, including efforts to ensure that all people participate in the census. The opportunity to explain to the public how citizenship data may be used to calculate the apportionment is the best tool to mitigate any public fears of government abuses and thereby increase census participation. The records and communications requested are essential to that goal.

The Brennan Center certifies that the above explanation is true and correct to the best of its knowledge and belief.²⁴

¹⁹ See U.S. Const. amend. XIV, § 2 (mandating that "[r]epresentatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state"); Abowd & Velkoff, *supra* note 8, at 9; cf. *Wisconsin v. City of New York*, 517 U.S. 1, 11–12 (1996) (approving of the Secretary's findings that "small changes in adjustment methodology would have a large impact upon apportionment" and that any adjustment "might open the door to political tampering in the future."). Efforts to use citizenship data in light of the Census Bureau's policy raises the specter of political tampering.

²⁰ See *States Gaining/Losing Seats Based Upon Citizen VAP Projected to 2020*, Polidata.org, <https://www.polidata.org/census/ST017KCA.pdf> (last accessed May 17, 2020).

²¹ 5 U.S.C. § 552(a)(6)(E)(v)(II) and 15 C.F.R. § 4.6(f)(iv).

²² See Wang, *supra* note 4.

²³ 5 U.S.C. § 552(a)(6)(E)(v)(II) and 15 C.F.R. § 4.6(f)(iv). Requestors are "a cutting-edge communications hub, shaping opinion by taking our message directly to the press and public." *Mission & Impact*, Brennan Ctr., <https://www.brennancenter.org/about/mission-impact> (last accessed May 17, 2020).

²⁴ 5 U.S.C. § 552(a)(6)(E)(vi) and 15 C.F.R. § 4.6(f)(3).

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Pursuant to the applicable statute and regulations, Requestors expect the determination regarding expedited processing to be made within 10 days.²⁵

Request for Fee Waiver or Limitation on Fees

Requestors seek a waiver of all document search, review, and duplication fees because disclosure “is likely to contribute significantly to public understanding of the operations or activities of the government” and “is not primarily in the commercial interest of” the Brennan Center.²⁶ If the fee waiver request is not granted, the Brennan Center asks that fees be limited to reasonable standard charges for document duplication because the Center qualifies as a noncommercial scientific institution, an educational institution, and a representative of the news media.²⁷

A. Disclosure Is in the Public Interest

The records requested satisfy the two factors used by the Department of Commerce when determining whether to waive fees: (i) disclosure “is in the public interest”; and (ii) disclosure “is not primarily in the commercial interest of” the Brennan Center.²⁸

The information requested satisfies the Department of Commerce’s four factor “public interest” test: (i) the records requested concern the operations or activities of the government; (ii) disclosure is likely to contribute to an understanding of government operations or activities; (iii) disclosure will contribute to the understanding of a reasonably broad audience of persons interested in the subject; and (iv) disclosure is likely to contribute significantly to public understanding of government operations or activities.²⁹

First, the records requested “concern identifiable operations or activities of the Federal Government”³⁰ because they relate to: (1) compilation of citizenship data by the Department of Commerce pursuant to Executive Order 13880; (2) reporting of the 2020 Census results by the Secretary of Commerce and the President; and (3) communications involving employees of the Department of Commerce, Department of Justice, or outside organizations concerning details about the 2020 Census.

²⁵ See 5 U.S.C. § 552(a)(6)(E)(ii)(I) and 15 C.F.R. § 4.6(f)(4).

²⁶ 5 U.S.C. § 552(a)(4)(A)(iii) and 15 C.F.R. § 4.11(l)(1)(i)–(ii).

²⁷ See 5 U.S.C. § 552(a)(4)(A)(ii)(II) and 15 C.F.R. § 4.11(c)(1)(ii)–(iii), (d)(1).

²⁸ 15 C.F.R. § 4.11(l)(1)(i)–(ii).

²⁹ See *id.* § 4.11(l)(2)(i)–(iv).

³⁰ 15 C.F.R. § 4.11(l)(2)(i).

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Second, disclosure would be “meaningfully informative about Government operations or activities”³¹ because the records requested will provide firsthand evidence about how the federal government plans to use citizenship data in apportionment and which groups or individuals outside the government it has consulted in forming those plans.

Third, disclosure will “contribute to the understanding of a reasonably broad audience of persons interested in the subject,” because the Department of Commerce “presumes that a representative of the news media,” such as the Brennan Center, “satisfies this consideration.”³² As discussed in more detail below, the Brennan Center qualifies as a representative of the news media because it broadly disseminates information to the public about issues affecting justice and democracy, including the census. Through articles on its frequently visited website, brennancenter.org, and through its widely read research reports,³³ the Brennan Center is an “entity that [] gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work and distributes that work to an audience.”³⁴ Even if the Brennan Center were not a representative of the news media, this third factor would be satisfied because apportionment affects every single person living in the United States. Information about how citizenship data might be used in apportionment will therefore contribute to the understanding of members of the American public whose representational rights are directly impacted by apportionment.

Fourth, the public’s understanding of how the federal government plans to use citizenship data for apportionment purposes will be “significantly enhanced by the disclosure” because, aside from Attorney General Barr’s brief remarks about using citizenship data for apportionment purposes, little is known about how the federal government plans to use data gathered under Executive Order 13880 for apportionment purposes or whether groups outside the government have been involved in discussions about how to use that data.

Requestors also satisfy the “commercial interest” condition for a fee waiver because disclosure of the records requested “is not primarily in the commercial interest of” the Brennan Center.³⁵ The Brennan Center is a 501(c)(3) non-profit organization and does not seek the requested records for commercial use.³⁶ Instead, the Center plans to analyze, publish, and

³¹ *Id.* § 4.11(l)(2)(ii).

³² *Id.* § 4.11(l)(2)(iii).

³³ See, e.g., Kelly Percival, *Federal Laws that Protect Census Confidentiality*, Brennan Ctr. (Feb. 20, 2019), <https://www.brennancenter.org/our-work/research-reports/federal-laws-protect-census-confidentiality>.

³⁴ 15 C.F.R. § 4.11(a)(6).

³⁵ *Id.* § 4.11(l)(3).

³⁶ See *Financial & Legal Information*, Brennan Ctr., <https://www.brennancenter.org/about/financial-legal-information> (last accessed May 18, 2020).

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publicly disseminate the information requested at no cost. Moreover, the Department of Commerce “ordinarily shall presume that if a news media requester has satisfied the public interest standard, the public interest is the primary interest served by disclosure to that requester[,]” not commercial use.³⁷ As explained above, the Brennan Center is a representative of the news media and has satisfied the public interest standard.

For these reasons, the Brennan Center’s request for a fee waiver should be granted.

B. The Brennan Center is a Noncommercial Scientific Institution

Even if the Brennan Center’s request for a fee waiver is not granted, fees should be limited to standard charges for document duplication because the Center qualifies as a noncommercial scientific institution.³⁸ The Brennan Center is a noncommercial scientific institution because it conducts social scientific research into the American justice system and American democracy, the results of which are intended to inform the American public, not “promote any particular product or industry.”³⁹ As stated on its website, the Center is “an independent, nonpartisan law and policy organization” that conducts “rigorous research to identify problems and provide in-depth empirical findings and compelling analyses of pressing legal and policy issues.”⁴⁰

C. The Brennan Center is an Educational Institution

If the Brennan Center’s request for a fee waiver is not granted, fees should be limited to standard duplication fees because the Center also qualifies as an educational institution.⁴¹ The Brennan Center qualifies as an educational institution because it is affiliated with the New York University School of Law, which is an “institution of graduate higher education” falling under the Department of Commerce’s definition of an “[e]ducational institution.”⁴²

³⁷ 15 C.F.R. § 4.11(l)(3)(ii).

³⁸ See 5 U.S.C. § 552(a)(4)(A)(ii)(II) and 15 C.F.R. § 4.11(c)(1)(ii).

³⁹ 15 C.F.R. § 4.11(b)(5).

⁴⁰ *Research & Reports*, Brennan Ctr, <https://www.brennancenter.org/our-work/research-reports> (last accessed May 18, 2020). See, e.g., Laura Royden & Michael Li, *Extreme Maps*, Brennan Ctr. (May 9, 2017), <https://www.brennancenter.org/our-work/research-reports/extreme-maps>; Ames Grawert, *Crime Trends: 1990-2016*, Brennan Ctr. (Apr. 18, 2017), <https://www.brennancenter.org/our-work/research-reports/crime-trends-1990-2016> (examining crime statistics at the national and city level during the last quarter century).

⁴¹ See 5 U.S.C. § 552(a)(4)(A)(ii)(II) and 15 C.F.R. § 4.11(c)(1)(ii).

⁴² 15 C.F.R. § 4.11(b)(4).

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D. The Brennan Center is a Representative of the News Media

Finally, if fees are not waived, they should be limited to standard duplication fees because the Brennan Center also qualifies as a representative of the news media.⁴³ Representatives of the news media are not limited only to traditional media outlets like newspapers and periodicals.⁴⁴ Rather, a representative of the news media is defined as “any person or entity that [] gathers information of potential interest to a segment of the public, uses its editorial skills to turn the raw materials into a distinct work and distributes that work to an audience.”⁴⁵ Moreover, posting content to a public website can qualify as a means of distributing it for the purposes of qualifying as a representative of the news media.⁴⁶

The Brennan Center regularly publishes news articles and research reports on its website, brennancenter.org, which was visited by 1.9 million people in 2019.⁴⁷ The Center gathers information about the American political system, synthesizes that research, and reports that information to the public. It therefore plainly falls within the definition of a representative of the news media and should be exempt from all fees associated with this request except for standard duplication fees.

In the event you deny our waiver request, please contact us if you expect the costs to exceed the amount of \$500.00.

* * *

To the extent that some of the requested records may be available before other records, please provide responsive records on a rolling basis as they become available.

If you determine that any requested record or portion of a requested record is exempt from disclosure, please identify each such record or portion of such record and the basis for the asserted exemption by reference to specific exemptions of FOIA. We expect release of all nonexempt records and segregable portions of otherwise exempt records. We reserve the right to appeal a decision to withhold any information.

⁴³ See 5 U.S.C. § 552(a)(4)(A)(ii)(II) and 15 C.F.R. § 4.11(c)(iii).

⁴⁴ See *Cause of Action v. FTC*, 799 F.3d 1108, 1119-1120 (D.C. Cir. 2015) (citing *Nat'l Sec. Archive v. Dep't of Def.*, 880 F.2d 1381 (D.C. Cir. 1989)).

⁴⁵ 5 U.S.C. § 552(a)(4)(A)(ii) and 15 C.F.R. § 4.11(b)(6).

⁴⁶ See *Cause of Action*, 799 F.3d at 1123.

⁴⁷ See *2019 Annual Report* 15, Brennan Ctr, (2019), https://www.brennancenter.org/sites/default/files/2020-04/2019__AnnualReport.pdf.

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Thank you for your prompt attention to this matter. Please copy all responsive records and furnish copies in electronic format by email or U.S. mail to undersigned counsel for the Requestors at:

Jared V. Grubow
Wilmer Cutler Pickering Hale and Dorr LLP
7 World Trade Center
250 Greenwich Street, 42nd Floor
New York, NY 10007
jared.grubow@wilmerhale.com

As indicated above, we are applying for expedited processing of this request. Notwithstanding your determination of expedited processing, we would appreciate a response within twenty days of receipt of this request consistent with 5 U.S.C. § 552(a)(6)(A)(i).

Respectfully,

/s/ Patrick Carome

Patrick Carome

Mikayla C. Foster

Jared V. Grubow

Christian Ronald

Rieko H. Shepherd

Counsel for Requestors

To: Enrique Lamas (CENSUS/DEPDIR FED)[Enrique.Lamas@census.gov]; Steven Dillingham (CENSUS/DEPDIR FED)[steven.dillingham@census.gov]; Ron S Jarmin (CENSUS/DEPDIR FED)[Ron.S.Jarmin@census.gov]; Cogley, Nathaniel (Federal)[NCogley@doc.gov]
From: Steven K Smith (CENSUS/DEPDIR FED)[/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e35bc3922b504648bebc4a7cb8b11bdd-Smith, Stev]
Sent: Mon 8/10/2020 9:24:52 PM (UTC)
Subject: Re: Material for briefing Sec Ross
[2020-08-10 One Pager on Options v3 ss.docx](#)

A few suggestion for consideration in attached document in track changes.

From: Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>
Sent: Monday, August 10, 2020 3:18 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Cogley, Nathaniel (Federal) <NCogley@doc.gov>; Steven K Smith (CENSUS/DEPDIR FED) <steven.k.smith@census.gov>
Subject: Material for briefing Sec Ross

The attached is based on the request from KDK for a 1 pager to brief Secretary Ross on the status of the admin rec acquisition and the options for estimating the undoc immigrant population.

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

To: Misty L Heggeness (CENSUS/ADRM FED)[misty.l.heggeness@census.gov]; Melissa Scopilliti (CENSUS/ADDP FED)[Melissa.Scopilliti@census.gov]
Cc: Victoria Velkoff (CENSUS/ADDP FED)[Victoria.A.Velkoff@census.gov]; Enrique Lamas (CENSUS/DEPDIR FED)[Enrique.Lamas@census.gov]; John L Eltinge (CENSUS/ADRM FED)[john.l.eltinge@census.gov]; Ron S Jarmin (CENSUS/DEPDIR FED)[Ron.S.Jarmin@census.gov]; Christa D Jones (CENSUS/DEPDIR FED)[Christa.D.Jones@census.gov]
From: John Maron Abowd (CENSUS/ADRM FED)[O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CB0EEE1CC6CA45CC948C0077899626C2-ABOWD, JOHN]
Sent: Thur 9/24/2020 4:50:15 PM (UTC)
Subject: Fw: FOIA: Grubow-DOC-CEN-2020-001602 Need Responsive Records no payment required by COB September 29
[07.21.20 Census Bureau Letter \(180809380\) \(3\)-1.pdf](#)
[07.21.20 Census Bureau Letter \(180809380\) \(3\)-1.pdf](#)

For CVAP and IEP, Misty please assign a team to comply.

For PM, Melissa please assign a team to comply.

I think some of these records were turned over before. Check with FOIA office before augmenting.

Thanks,

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: Sarabeth Rodriguez (CENSUS/PCO FED) <Sarabeth.Rodriguez@census.gov>
Sent: Thursday, September 24, 2020 12:43 PM
To: James B Treat (CENSUS/DEPDIR FED) <James.B.Treat@census.gov>; John Maron Abowd (CENSUS/ADRM FED) <john.maron.abowd@census.gov>; Victoria Velkoff (CENSUS/ADDP FED) <Victoria.A.Velkoff@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Christa D Jones (CENSUS/DEPDIR FED) <Christa.D.Jones@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Kathleen M Styles (CENSUS/ADDC FED) <kathleen.m.styles@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Adam Michael Korzeniewski (CENSUS/DEPDIR FED) <adam.m.korzeniewski@census.gov>
Cc: Caryn M Tate (CENSUS/DEPDIR FED) <caryn.m.tate@census.gov>; Josie A Hollingsworth (CENSUS/DEPDIR FED) <josie.a.hollingsworth@census.gov>; Natalie M Jackson (CENSUS/DEPDIR FED) <Natalie.M.Jackson@census.gov>; Katherine Dodson Hancher (CENSUS/DEPDIR FED) <Katherine.Dodson.Hancher@census.gov>
Subject: FOIA: Grubow-DOC-CEN-2020-001602 Need Responsive Records no payment required by COB September 29

From the Desk of Vernon E. Curry, Freedom of Information Act/Privacy Act Officer

**** IT please search email systems for email communications according to DOC instructions. All other program areas, please search for memos, notes, correspondence, etc. that can be found OUTSIDE of the email system.****

The Census Bureau has received a Freedom of Information Act (FOIA) request. We believe your office may have responsive documents and request a diligent search for any existing records that match the respondent's request.

Please do the following:

1. review the attached incoming request and the tasker memorandum, which contain instructions for fulfilling the FOIA request;
2. notify our office if you know of any other division/office not included in this email that may also have responsive documents;
3. search for documents (excluding emails) in your area, which are responsive to the request, **PLEASE DO NOT CREATE A DOCUMENT IF IT DOESN'T EXIST**
4. Provide the documents us and

- 5. complete and return the attached FOIA Final Fee Calculation Sheet; and IT will search for responsive records within the email system;
- 6. complete and return the second page of the tasker memorandum along with any responsive documents by COB September 29, 2020 .

Please provide Key Words and Key Terms used to conduct your search:

NOTE: This search is for responsive records/information on or after June 27, 2019. Documents created after this date are not responsive to this request. The search is for responsive records/information pertaining to:

Please see incoming request

Please feel free to contact Sarabeth Rodriguez of my staff by phone at 301-763-2127 or by email at census.foia@census.gov , if you have any questions or need any help fulfilling the request.

Sarabeth Rodriguez, Government Information Specialist
Freedom Of Information Act Office/Policy Coordination Office
U.S. Census Bureau
O: 301-763-2127
D: 301-763-4529
Cell: (b) (6)
[census.gov](https://www.census.gov) | [@uscensusbureau](https://twitter.com/uscensusbureau)

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*****DRAFT*****

2020 Census Data Processing Planning

8/24/2020

U//FOUO

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Census
2020

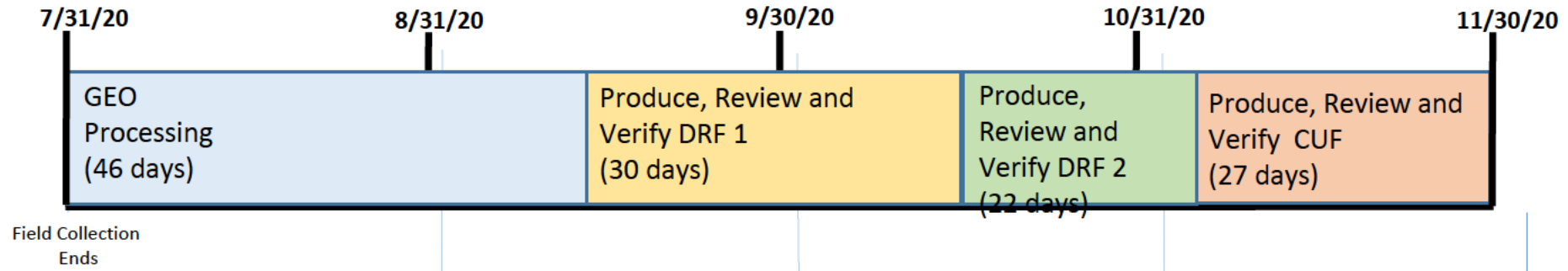
BC-DOC-CEN-2020-001602-005642

Overview

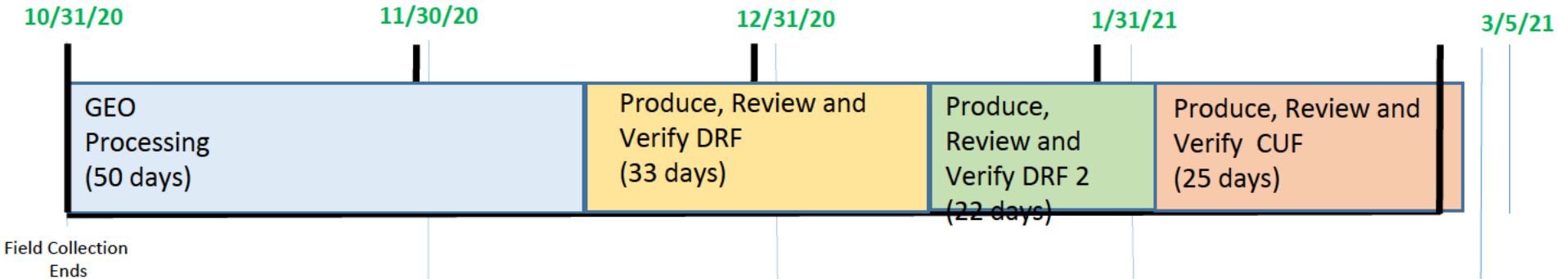
- This is a viable plan to deliver the final Census Unedited File (CUF) by 12/14/2020
- It cuts a four-month process down to two and a half months
- It optimizes staff and computing resources to be in operation 24/7, weekends and holidays
- It streamlines and limits processes to focus only on Apportionment, 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

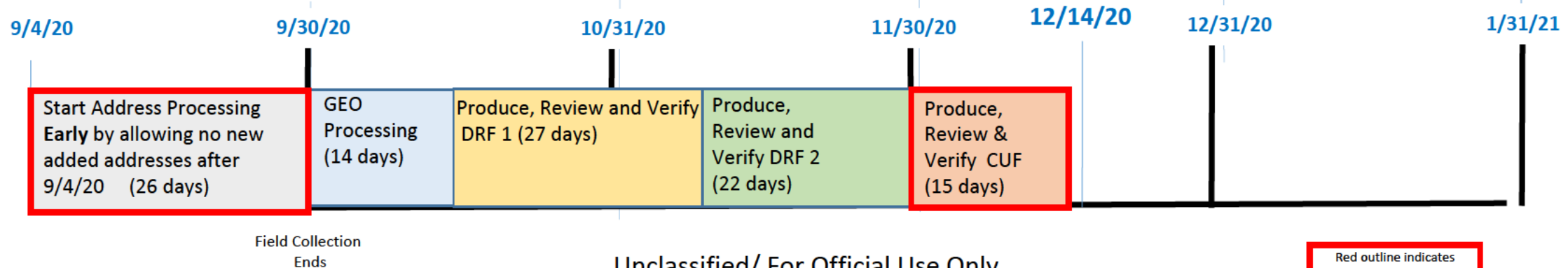
Original Plan (Before COVID 19)



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

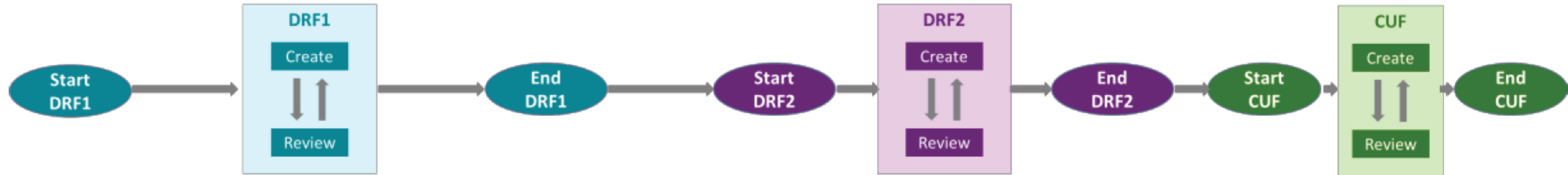
Produce Decennial Response File 2 (DRF2) – 22 days

- 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	3. 7 Day Federal Holiday thru 2023	230d	12-Mar-20	31-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
Z0CIO-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 (Coll)	1. 5 Day Federal Holiday thru 2023	0d	18-Dec-20		1d	1d
Z0CAR-50980	CARDS Ingests MAF Extract from MAF/TIGER for Final SDF (Coll)	4. 7 Day No Holidays thru 2023	2d	18-Dec-20	19-Dec-20	3d	3d
Z0CAR-51060	CARDS Creates and Review Final SDF (Coll)	4. 7 Day No Holidays thru 2023	4d	20-Dec-20	23-Dec-20	3d	6d
Z0CAR-51100	CARDS Delivers Final SDF (Coll) 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 2023	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 2023	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

July 21, 2020

By Electronic Mail

Vernon E. Curry, PMP, CIPP/G
U.S. Census Bureau, Room 3J235
4600 Silver Hill Road
Washington, DC 20233-3700

Cc: Deloris Reed
U.S. Census Bureau, Room 3J235
4600 Silver Hill Road
Washington, DC 20233-3700

Re: July 1, 2020 Brennan Center for Justice at NYU School of Law's Submission of Freedom of Information Act Request

Dear Mr. Curry and Ms. Reed:

On July 1, 2020, our office delivered a Freedom of Information Act ("FOIA") request on behalf of our client, the Brennan Center for Justice at NYU School of Law (the "Requestors"). The July 1, 2020 FOIA Request is attached. As the request indicates, the letter was mailed to the Census Bureau's FOIA Office located at 4600 Silver Hill Road, Washington, DC 20233-3700. On July 21, 2020, we received notice that the letter was "Returned Undelivered."

We spoke with Ms. Reed, at approximately 1:14 p.m. on July 21, 2020 who confirmed that we mailed the request to the accurate address and was unsure why it was returned. Ms. Reed then directed us to resend the request by email at this address, census.efoia@census.gov, and said we would receive a confirmation. We are following these instructions and resubmitting the request in this manner.

Please note that this is a time sensitive request and we have asked for expedited processing (see July 1, 2020 FOIA Request attached). Since our initial request was returned, media interest surrounding the census and the President's involvement has continued to

escalate.¹ Therefore, we request that you please provide special expedited processing, backdating the request to July 1, 2020, on account of the error in the delivery. We are sensitive to the delays and unusual working circumstances caused by the coronavirus pandemic, but point out that your website does not indicate you were not accepting any requests by mail. Your website states:

Guest users are welcome to use the FOIAonline system to submit requests, search for previously released records, and generate reports, but the tracking and communications features will not be available.

Requests can also be submitted to the Census Bureau by paper copy (Privacy Act statement.) When making a request, please include a mailing address so we may contact you if necessary. Keep a copy of your request; you may need to refer to it for further correspondence with the agency.²

Thank you for your prompt attention to this matter. Please copy all responsive records and furnish copies in electronic format by email or U.S. mail to undersigned counsel for the Requestors at:

¹ As we indicated in our initial request, how the Trump administration plans to use citizenship data to affect reapportionment, in contravention of the Constitution and Census Bureau policy, raises questions about the government's integrity and is the subject of intense media speculation. See, e.g., Andrew Restuccia, *Trump Moves to Exclude Those in U.S. Illegally From Counts for Congressional Seats*, WALL ST. J. (July 21, 2020), <https://www.wsj.com/articles/trump-moves-to-bar-who-are-people-in-u-s-illegally-from-being-counted-in-congressional-apportionment-11595352083?mod=searchresults&page=1&pos=1>; David Jackson, *Trump Tells Census to Not Count Undocumented People for Purposes of Deciding House Apportionment*, USA TODAY (July 21, 2020), <https://www.usatoday.com/story/news/politics/2020/07/21/trump-tell-census-not-count-undocumented-immigrants/5459873002>; Hansi Lo Wang, *With No Final Say, Trump Wants to Change Who Counts for Dividing Up Congress' Seats*, NPR (July 21, 2020), <https://www.npr.org/2020/07/21/892340508/with-no-final-say-trump-wants-to-change-who-counts-for-dividing-up-congress-seat>; Mica Rosenberg, Nick Brown & Mimi Dwyer, *Trump Orders Voting Districts to Exclude People in U.S. Illegally*, REUTERS (July 21, 2020), <https://www.reuters.com/article/us-usa-trump-migrants-census/trump-aims-to-stop-counting-of-illegal-migrants-in-redrawing-of-us-voting-maps-idUSKCN24M26U>; Tara Bahrapour, *Trump Administration Seeks to Bar Undocumented Immigrants from a Portion of the 2020 Census*, WASH. POST (July 21, 2020), https://www.washingtonpost.com/local/social-issues/trump-administration-seeks-to-bar-undocumented-immigrants-from-a-portion-of-the-2020-census/2020/07/21/9af682ee-c87f-11ea-a99f-3bbdfb1af38_story.html; Anita Kumar, *Trump Tries to Restrict Undocumented Immigrants from Census Count*, POLITICO (July 21, 2020), <https://www.politico.com/news/2020/07/21/trump-undocumented-immigrants-census-376241>; Michael Wines, *Census Bureau Adds Top-Level Political Posts, Raising Fears for 2020 Count*, N.Y. TIMES (June 23, 2020), <https://www.nytimes.com/2020/06/23/us/census-bureau-cogley-korzeniewski.html>; Maya King, *Census Bureau Spends Millions on Ads Combating Citizenship Question Scare*, POLITICO (Feb. 18, 2020), <https://www.politico.com/news/2020/02/18/census-bureau-ads-citizenship-question-115718>; Chris Dunn, *The Long Fight to Protect the 2020 Census from Trump*, BOSTON GLOBE (Feb. 17, 2020), <https://www.bostonglobe.com/2020/02/17/opinion/long-fight-protect-2020-census-trump>; Jake Sherman (@JakeSherman), TWITTER (July 17, 2020), <https://twitter.com/JakeSherman/status/1284172980050898945>; Leah Litman (@LeahLitman), TWITTER (July 17, 2020), <https://twitter.com/leahlitman/status/1284172866901159937?s=21>; Joshua A. Geltzer (@jgeltzer), TWITTER (July 17, 2020), <https://twitter.com/jgeltzer/status/1284181260038963201?s=21>.

² *How do I File a FOIA Request*, CENSUS BUREAU, https://www.census.gov/about/policies/foia/foia-requests/how_to_file_a_foia_request.html (last visited July 21, 2020).