From: Steven K Smith (CENSUS/DEPDIR FED) [steven.k.smith@census.gov]
Sent: 8/10/2020 5:24:52 PM
To: Lamas, Enrique [enrique.lamas@census.gov]; Dillingham, Steven [steven.dillingham@census.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]; Cogley, Nathaniel (Federal) [NCogley@doc.gov]
Subject: Re: Material for briefing Sec Ross
Attachments: 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 b(5) - DP

b(5) - DP

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

From: Ding, Michael (Federal) [MDing@doc.gov]
Sent: 4/16/2020 9:08:33 AM
To: Cogley, Nathaniel (Federal) [NCogley@doc.gov]
Subject: RE: Census Issue
Attachments: CVAP Latent Class Seminar 12-16-2019 corrected.pptx

Please find attached.

From: Cogley, Nathaniel (Federal) <NCogley@doc.gov>
Sent: Thursday, April 16, 2020 9:08 AM
To: Ding, Michael (Federal) <MDing@doc.gov>
Subject: RE: Census Issue

Thanks for this, Michael, and for connecting me to everyone.

I see this powerpoint is from January, and it is very interesting to see.

There was a powerpoint associated with the conference call yesterday that we both were on, which discussed the b(5) - DP b(5) - DP Any chance you can send that over as well?

—Nathaniel

From: Ding, Michael (Federal) <MDing@doc.gov>
Sent: Thursday, April 16, 2020 8:52 AM
To: Cogley, Nathaniel (Federal) <NCogley@doc.gov>
Subject: RE: Census Issue

Nathaniel,

At the bottom of the Hill article, he states: "Since 1790, the U.S. has managed to complete its Census without assistance from the Mexican embassy. It should be able to do so again in 2020."

In a briefing Census provided me last week, they mentioned that b(5) - DP b(5) - DP b(5) - DP I've attached the slide deck from that presentation here.

Thanks,

Michael

From: Gonzalez, Michael b(6) @heritage.org>
Sent: Wednesday, April 15, 2020 4:56 PM
To: Ding, Michael (Federal) <MDing@doc.gov>; von Spakovsky, Hans b(6) @heritage.org>; Howell, Mike b(6) @heritage.org>
Cc: Cogley, Nathaniel (Federal) <NCogley@doc.gov>
Subject: RE: Census Issue

Hi there,

Here are two pieces I recently published:

https://thehill.com/opinion/international/492017-mexicos-suspicious-interest-in-the-us-census

https://www.heritage.org/technology/commentary/census-tech-and-theresistance

chrs, Mike

Mike Gonzalez
Angeles T. Arredondo E Pluribus Unum Senior Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
202-608-6115
heritage.org

From: Ding, Michael (Federal) <MDing@doc.gov>
Sent: Wednesday, April 15, 2020 4:52 PM
To: Gonzalez, Michael b(6) @heritage.org>; von Spakovsky, Hans b(6) @heritage.org>; Howell, Mike b(6) @heritage.org>
Cc: Cogley, Nathaniel (Federal) <NCogley@doc.gov>
Subject: RE: Census Issue

Hi Mike and Hans,

Sorry for the delayed response. I'd like to connect you with a new member of our team here at Commerce.

Nathaniel Cogley just started this week, and he'll be a good contact for you to have on this topic. Thanks in advance for sharing your valuable perspectives!

Regards,

Michael

Michael Ding
Strategic Advisor
Office of Policy and Strategic Planning
MDing@doc.gov
b(6)

From: Gonzalez, Michael b(6) @heritage.org>
Sent: Monday, March 30, 2020 3:45 PM
To: von Spakovsky, Hans b(6) @heritage.org>; Howell, Mike b(6) @heritage.org>; Ding, Michael (Federal) <MDing@doc.gov>
Subject: Re: Census Issue

b(6) cell

Mike Gonzalez
Angeles T. Arredondo E Pluribus Unum Senior Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
202-608-6115
heritage.org

From: von Spakovsky, Hans b(6) @heritage.org>
Sent: Monday, March 30, 2020 3:44:40 PM
To: Howell, Mike b(6) @heritage.org>; mding@doc.gov <mding@doc.gov>
Cc: Gonzalez, Michael b(6) @heritage.org>
Subject: RE: Census Issue

My cell is b(6) or send me an email.

Hans von Spakovsky
Manager, Election Law Reform Initiative and Senior Legal Fellow
Institute for Constitutional Government
x6207

From: Howell, Mike b(6) @heritage.org>
Sent: Monday, March 30, 2020 3:43 PM
To: mding@doc.gov
Cc: von Spakovsky, Hans b(6) @heritage.org>; Gonzalez, Michael b(6) @heritage.org>
Subject: Census Issue

Mike G/Hans-

I wanted to connect you with my former colleague and good buddy Michael Ding. He is at Commerce and has census in his portfolio. He was hoping to connect with you guys before Wednesday. Appreciate any help you could give him. I'll let you all take it from here.

-Mike

Mike Howell
Senior Advisor, Executive Branch Relations
x1545

From: Ding, Michael (Federal) [MDing@doc.gov]
Sent: 4/16/2020 8:51:35 AM
To: Cogley, Nathaniel (Federal) [NCogley@doc.gov]
Subject: RE: Census Issue
Attachments: b(5) - DP

Nathaniel,

At the bottom of the Hill article, he states: "Since 1790, the U.S. has managed to complete its Census without assistance from the Mexican embassy. It should be able to do so again in 2020."

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b(5) - DP
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Cc: Cogley, Nathaniel (Federal) <NCogley@doc.gov>
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https://www.heritage.org/technology/commentary/census-tech-and-theresistance

chrs, Mike

Mike Gonzalez
Angeles T. Arredondo E Pluribus Unum Senior Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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From: Ding, Michael (Federal) <MDing@doc.gov>
Sent: Wednesday, April 15, 2020 4:52 PM
To: Gonzalez, Michael b(6) @heritage.org>; von Spakovsky, Hans b(6) @heritage.org>; Howell, Mike b(6) @heritage.org>

Cc: Cogley, Nathaniel (Federal) <NCogley@doc.gov>
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Michael Ding
Strategic Advisor
Office of Policy and Strategic Planning
MDing@doc.gov
b(6)

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Sent: Monday, March 30, 2020 3:45 PM
To: von Spakovsky, Hans b(6) @heritage.org>; Howell, Mike b(6) @heritage.org>; Ding, Michael (Federal) <MDing@doc.gov>
Subject: Re: Census Issue

b(6) cell

Mike Gonzalez
Angeles T. Arredondo E Pluribus Unum Senior Fellow
Davis Institute for National Security and Foreign Policy
The Heritage Foundation
214 Massachusetts Avenue, NE
Washington, DC 20002
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From: von Spakovsky, Hans b(6) @heritage.org>
Sent: Monday, March 30, 2020 3:44:40 PM
To: Howell, Mike b(6) @heritage.org>; mding@doc.gov <mding@doc.gov>
Cc: Gonzalez, Michael b(6) @heritage.org>
Subject: RE: Census Issue

My cell is b(6) or send me an email.

Hans von Spakovsky
Manager, Election Law Reform Initiative and Senior Legal Fellow
Institute for Constitutional Government

x6207

From: Howell, Mike [b(6)]@heritage.org>
Sent: Monday, March 30, 2020 3:43 PM
To: mding@doc.gov
Cc: von Spakovsky, Hans [b(6)]@heritage.org>; Gonzalez, Michael [b(6)]@heritage.org>
Subject: Census Issue

Mike G/Hans-

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-Mike

Mike Howell
Senior Advisor, Executive Branch Relations
x1545

From: Steven Dillingham (CENSUS/DEPDIR FED) [steven.dillingham@census.gov]
Sent: 8/10/2020 7:54:28 PM
To: Risko, Daniel (Federal) [DRisko@doc.gov]
CC: Kelley, Karen (Federal) [KKelley@doc.gov]
Subject: Fw: Discussion of Summary of PM Options and Schedule
Attachments: 2020-08-10 One Pager on Options v3 nc,sd.docx

From: Steven Dillingham (CENSUS/DEPDIR FED)
Sent: Monday, August 10, 2020 7:53 PM
To: Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>
Cc: Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>
Subject: Discussion of Summary of PM Options and Schedule

Excellent work, many thanks. Nathaniel made a substantive edit and I corrected a few words. It was sent to Dan and Karen to review. I assume we will discuss the summary tomorrow afternoon with S-1, probably as part of small group. Anyone needed besides us three and the DOC leadership team?

Steven D. Dillingham, Ph.D., Director
U.S. Census Bureau
o: 301-763-2135 | m: b(6)
census.gov | @uscensusbureau

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) [ali.m.ahmad@census.gov]
Sent: 6/1/2020 9:40:34 PM
To: Olson, Stephanie (Federal) [SOlson@doc.gov]; Cannon, Michael (Federal) [MCannon@doc.gov]; Foti, Anthony (Federal) [AFoti@doc.gov]
Subject: Fwd: draft analysis - submitted vs House passed
Attachments: Analysis of 2020 Census Provisions in House Passed Legislation.docx; ATT00001.htm

Begin forwarded message:

From: "Ali Mohammad Ahmad (CENSUS/ADCOM FED)" <ali.m.ahmad@census.gov>
Date: June 1, 2020 at 8:23:08 PM EDT
To: Michael Walsh <MWalsh@doc.gov>
Cc: Anthony Foti <AFoti@doc.gov>
Subject: Re: draft analysis - submitted vs House passed

I may not know what a redline should look like- my apologies for not realizing that earlier. I did add a section by section of the House passed legislation, and explained the minor edits to the key section. The document then includes the House passed legislation, and then our original submitted language.

I'm sorry this is going so late.

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789 | M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED)
Sent: Monday, June 1, 2020 6:51 PM
To: Michael Walsh <MWalsh@doc.gov>
Cc: Anthony Foti <afoti@doc.gov>
Subject: Fwd: draft analysis - submitted vs House passed

Here's what was sent. If this doesn't work I can hop on computer and fix.

Begin forwarded message:

From: "Ali Mohammad Ahmad (CENSUS/ADCOM FED)" <ali.m.ahmad@census.gov>
Date: June 1, 2020 at 6:20:39 PM EDT
To: Anthony Foti <AFoti@doc.gov>
Cc: "Christopher J Stanley (CENSUS/OCIA FED)" <christopher.j.stanley@census.gov>
Subject: draft analysis - submitted vs House passed

Foti- you think this works?

From: Steven Dillingham (CENSUS/DEPDIR FED) [steven.dillingham@census.gov]
Sent: 7/2/2020 6:34:39 PM
To: Cogley, Nathaniel (Federal) [NCogley@doc.gov]; Smith, Steven K [steven.k.smith@census.gov]; Sprung, Michael J [michael.j.sprung@census.gov]
Subject: Fw: Letter to Director Dillingham regarding a Complete and Accurate 2020 Count
Attachments: 07-02-20 Census Director Dillingham_signed.pdf

fyi

From: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
Sent: Thursday, July 2, 2020 5:38 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; Kathleen M Styles (CENSUS/ADDC FED) <kathleen.m.styles@census.gov>; Alan Lang (CENSUS/OCIA FED) <alan.lang@census.gov>; Timothy P Olson (CENSUS/ADFO FED) <Timothy.P.Olson@census.gov>; Christa D Jones (CENSUS/DEPDIR FED) <Christa.D.Jones@census.gov>
Cc: Benjamin J Page (CENSUS/CFO FED) <benjamin.j.page@census.gov>; Everett G Whiteley (CENSUS/BUD FED) <Everett.G.Whiteley@census.gov>
Subject: Fw: Letter to Director Dillingham regarding a Complete and Accurate 2020 Count

FYI. We have a positive letter from Senate subcommittee chairman Moran (KS) and ranking member Shaheen (NH). Ali and I discussed a plan to prepare a positive response based on other material in the works that we could be quickly adapted, so we should have a draft for review soon.

Have a good weekend.

From: Sheridan, Blaise (Appropriations) <Blaise_Sheridan@appro.senate.gov>
Sent: Thursday, July 2, 2020 1:48 PM
To: Christopher J Stanley (CENSUS/OCIA FED) <christopher.j.stanley@census.gov>
Cc: Toal Eisen, Jean (Appropriations) <Jean_ToalEisen@appro.senate.gov>; Bloom, Hamilton (Appropriations) <Hamilton_Bloom@appro.senate.gov>; Cutler, Allen (Appropriations) <Allen_Cutler@appro.senate.gov>; Benjamin J Page (CENSUS/CFO FED) <benjamin.j.page@census.gov>; Everett G Whiteley (CENSUS/BUD FED) <Everett.G.Whiteley@census.gov>
Subject: Letter to Director Dillingham regarding a Complete and Accurate 2020 Count

Chris,

Please find the attached letter to Census Director Dillingham from the Chair and Vice Chair of the Senate CJS Appropriations Subcommittee regarding the necessity of a complete and accurate 2020 Decennial Census, including efforts to reach hard-to-count populations and to preserve integrity and fairness in the post-enumeration data processing. Let me know if you have any questions.

Thanks,
Blaise

From: Kelley, Karen (Federal) [KKelley@doc.gov]
Sent: 5/13/2020 8:57:21 AM
To: Cogley, Nathaniel (Federal) [NCogley@doc.gov]; Korzeniewski, Adam (Federal) [AKorzeniewski@doc.gov]; Risko, Daniel (Federal) [DRisko@doc.gov]
Subject: Fw: House coronavirus legislation
Attachments: BILLS-116hr6800ih.pdf; ATT00001.htm

please see the Census section, we ought to discuss

kdk

From: Foti, Anthony (Federal) <AFoti@doc.gov>
Sent: Tuesday, May 12, 2020 6:13 PM
To: TF2020 b(6) @doc.gov>
Subject: Re: House coronavirus legislation

Below is an overview of DOC equities I identified in the 1800 pages:

b(5) - DP

b(5) - DP

Anthony Foti

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

On May 12, 2020, at 4:03 PM, Foti, Anthony (Federal) <AFoti@doc.gov> wrote:

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) [ali.m.ahmad@census.gov]
Sent: 7/24/2020 1:20:59 PM
To: Dillingham, Steven [steven.dillingham@census.gov]; Cogley, Nathaniel [nathaniel.cogley@census.gov]; Smith, Steven K [steven.k.smith@census.gov]; Sprung, Michael J [michael.j.sprung@census.gov]; Stanley, Christopher J [christopher.j.stanley@census.gov]; Korzeniewski, Adam (Federal) [AKorzeniewski@doc.gov]
Subject: Re:

Fysa

How removing unauthorized immigrants from census statistics could affect House reapportionment
Pew Research Center's "Fact Tank" blog – Jeffrey Passel and D'Vera Cohn

Since the first census of the United States in 1790, counts that include both citizens and noncitizens have been used to apportion seats in the House of Representatives, with states gaining or losing based on population change over the previous decade. If unauthorized immigrants in the U.S. were removed from the 2020 census apportionment count – which the White House seeks to do – three states could each lose a seat they otherwise would have had and three others each could gain one, according to a Pew Research Center analysis based on government records.

If unauthorized immigrants were excluded from the apportionment count, California, Florida and Texas would each end up with one less congressional seat than they would have been awarded based on population change alone. California would lose two seats instead of one, Florida would gain one instead of two, and Texas would gain two instead of three, according to analysis based on projections of Census Bureau 2019 population estimates and the Center's estimates of the unauthorized immigrant population.

Alabama, Minnesota and Ohio would each hold onto a seat that they would have lost if apportionment were based only on total population change. Alabama filed a lawsuit in 2018 seeking to block the Census Bureau from including unauthorized immigrants in its population count.

In addition to these states, 11 more would gain or lose seats based on population change alone, whether unauthorized immigrants are included or excluded. Five states would gain one seat each: Arizona, Colorado, Montana, North Carolina and Oregon. Six states would lose one seat each: Illinois, Michigan, New York, Pennsylvania, Rhode Island and West Virginia.

The apportionment of seats in Congress is required by the U.S. Constitution, which says that the census will be used to divide the House of Representatives "among the several States according to their respective numbers, counting the whole number of persons in each State," except for enslaved people, who, until the late 1800s, were counted as three-fifths of a person, and certain American Indians. The 14th Amendment eliminated the partial count of enslaved people, and the total American Indian population was added later to congressional reapportionment calculations. The number of seats in the House was fixed at 435 following the 1910 census. Each state gets one seat, and the remainder are assigned according to a complex formula based on relative population size.

The census count includes everyone living in the United States, except for foreign tourists and business travelers in the country temporarily, according to Census Bureau rules. For apportionment purposes since 1990, military and civilian federal employees stationed abroad and their dependents are counted as living in a state if they provided a state address in their employment records. The District of Columbia, Puerto Rico and U.S. island area populations are excluded from the apportionment total because they have no voting representation in Congress.

Federal law requires the population totals from the decennial census be delivered to the president nine months after Census Day, meaning Dec. 31, 2020. The Census Bureau has requested Congress extend the deadline to April 30, 2021, due to the coronavirus pandemic, although the White House reportedly may push for a "timely census" fueled by $1 billion in additional funding. States would redraw congressional district boundaries to fit the new totals. The results would take effect for the Congress that meets in 2023.

In his memorandum announcing a new policy "to the extent practicable" in how congressional seats are divided up, President Donald Trump asserted that the president has discretion to decide who is considered an inhabitant of the U.S. for

apportionment purposes. Some of the same groups that successfully challenged the White House attempt to add a citizenship question to the census last year said they also would sue to block any change in apportionment policy. Democrats announced they would hold an emergency congressional hearing to respond.

The Census Bureau does not regularly publish counts or estimates of unauthorized immigrants, although the Department of Homeland Security has done so. Last year, after the U.S. Supreme Court ruled against including a question about citizenship on the 2020 census, the president ordered the Census Bureau to assemble a separate database, using other government records, on the citizenship status of every U.S. resident. This has also been challenged in court.

The Center's analysis relies on assumptions about populations to be counted in the 2020 census and estimates of unauthorized immigrants. The actual figures used for apportionment will be different from these, and so the actual apportionment could differ regardless of whether unauthorized immigrants are excluded from the apportionment totals.

On Jul 24, 2020, at 8:44 AM, Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov> wrote:

FYSA. I've also added a pro-PM op-Ed that ran **b(5) - DP**

Trump census order faces logistical challenge
The Hill – Reid Wilson, July 24

An executive order President Trump issued this week to exclude undocumented immigrants from the official calculation of how many seats each state gets in Congress has raised questions about how the administration will adjust formal Census findings.

Few Census experts expect Trump's order to withstand legal scrutiny when it inevitably lands in court. Several states and groups have already issued litigious threats, pointing to a constitutional requirement that all persons be counted in the decennial Census.

But beyond the legal questions, those same experts had a more fundamental query: How does the administration plan to count those who are in the country illegally?

It is not clear if any formal federal dataset covering undocumented workers exists. The Supreme Court last year blocked the administration from requiring the Census Bureau to ask whether respondents were citizens. Other agencies track immigrants in the country legally, though experts say there is no official way to track how many are in the country without authorization, or where those people live.

"There is no method that they currently have to do what he wants them to do. So how do you implement his order, if indeed it continues on? That's really the paramount question," said Kimball Brace, a Census and redistricting expert who runs the consulting firm Election Data Services.

She noted that various outside estimates have been released on the number of undocumented immigrants believed to be in the country, though those vary widely.

Trump's executive order requires departments and federal agencies to share relevant information with the Census Bureau that could be used to help count the illegal alien population, a White House spokesperson said.

The executive order specifically directs the Department of Homeland Security's Citizenship and Immigration Services, Immigration and Customs Enforcement, Customs and Border Patrol, the Centers for Medicare and Medicaid Services, the Social Security Administration and two offices within the State Department to provide data.

The White House spokesperson said the Census Bureau has been collecting records, though the spokesperson declined to elaborate on what datasets might be used.

The bureau directed questions to the White House. A spokeswoman for Commerce Department, which oversees the Census Bureau, did not respond to a request for comment.

"How are you going to sort out the illegal from the other citizens who are here legally? How are we going to get the estimates of the illegal population? So that seems to me to be highly challenging data collection," said Michael McDonald, a political scientist and Census expert at the University of Florida. "I think it's a nonstarter just because the data are not going to be available."

Mere estimates about the undocumented population are hard to come by as well, a fact Trump's own executive order acknowledges. It cites a 2018 study by Yale University researchers who estimated that between 16.2 million and 29.5 million people were in the United States illegally, figures that are far higher than other studies. A Pew Research Center study from 2016 estimated the undocumented population at 10.7 million.

Tinkering with official Census Bureau figures by eliminating an estimated number of undocumented immigrants would almost certainly change the allocation of U.S. House seats, bringing with it potentially significant ramifications.

States like California and Texas – which are home to 2.2 million and 1.6 million undocumented immigrants respectively, according to Pew's figures – would stand to lose multiple seats in Congress. The undocumented population in Florida and New York are larger than the typical congressional district, too.

Other states would likely benefit, however, such as Alabama, West Virginia and Rhode Island, all of which are projected to lose a seat in the upcoming reapportionment process. Those states have tiny undocumented populations, meaning they would lose proportionally smaller fractions of their population.

The idea to exclude undocumented immigrants from the count came from a lawsuit filed two years ago by Alabama Attorney General Steve Marshall (R). Marshall's suit alleged counting undocumented immigrants would cost Alabamians their right to equal representation.
Marshall praised Trump's order when it was issued Tuesday.

"When the states' Congressional seats and Electoral College votes are divided up, representation should be based on those people who reside in their states and this country lawfully. A contrary result would rob the State of Alabama and its legal residents of their rightful share of representation and undermine the rule of law," Marshall said. "The state of Alabama is among several states that could lose a seat in the U.S. House of Representatives if illegal aliens are counted for apportionment in the 2020 Census."

Some states have tiny margins for determining their number of congressional seats, meaning any effort to manipulate Census data could result in a shifted allocation. Brace's most recent estimates show that Florida stands to gain its 29th seat — the second it would earn this redistricting cycle — by a margin of just 44,285 residents. Alabama, by contrast, would drop from seven seats to six by a margin of just 10,072 residents.

Illinois, New York, Texas and Montana appear to pick up the last congressional seats up for grabs, under the Commerce Department's likely calculations. Minnesota, Ohio, California and Rhode Island fall just short of retaining their current total number of seats.

"We know the states that are on the cusp, and those are likely to be more impacted than not," Brace said.

But those preliminary figures will not be finalized until the Census Bureau reports their final counts.

And, in an ironic twist, the coronavirus pandemic may alleviate Alabama's complaint in the first place: Brace said new population estimates by the data giant ESRI shows Florida's population growth has slowed sufficiently that it would no longer pick up a 29th district — and that Alabama would keep its seventh district.

Within states, Trump's plan would grossly complicate the redistricting process. In a state like California, where the majority of the undocumented population lives in Los Angeles County, allocating fewer seats would mean larger congressional districts, leading to less representation for every region in the state — from Democratic Los Angeles to the Republican Inland Empire.

Trump's plan would just as certainly draw a legal challenge from states that would stand to lose votes in the House. That is not unprecedented: A federal court ruled in 1998 against a Clinton administration effort to use sampling to get a different count in the 2000 cycle.

Even if the courts were to uphold Trump's order, there is no guarantee that Congress — especially one under Democratic control — would ratify the Census Bureau's figures.
"Even if the Trump administration presented the numbers to Congress, they don't have to accept them," McDonald said.

President Trump Seeks to Ensure Fair Representation for American Citizens
Newsweek – Dan Stein, July 24

Should American citizens lose representation in Congress and lose out on billions of dollars in federal funding to their communities, and have that representation and funding awarded to people who are illegally present in the United States?

In a more rational time, the answer to that question would be obvious. But we're not living in rational times. So President Donald Trump's memorandum, signed on Tuesday, which attempts to at least minimize the harmful effect of including people who are here illegally in the Census—for the purpose of reapportioning congressional representation—was predictably met with howls of protest and lawsuits filed.

Very few things in life are zero-sum, where one person's gain is offset by a precisely corresponding loss to someone else. The Census is one of those rare exceptions. The number of seats in the House of Representatives is fixed at 435, which means that if one state gains a seat, another state necessarily loses one. That shift in representation is fair as long as it is influenced by phenomena like citizens and legal residents deciding to escape the harsh winters in Michigan and settle in sunny Florida, or people fleeing high taxes or economic stagnation in one state in pursuit of better government and economic opportunities in another.

It is quite another matter when additional representation in Congress is awarded to some states because they have large concentrations of people living there illegally. In years past, states that picked up representation in Congress by virtue of large populations of people illegally present in the United States have been passive beneficiaries of this phenomenon.

However, in recent decades, state and local governments have been guilty of putting their fingers on the scale. Sanctuary policies that shield unlawful migrants from federal law enforcement, as well as generous benefits like health coverage and subsidized college tuition, induce such people to take up residence in these states and localities.

California, a state that has gone out of its way to attract and protect immigration law violators, is likely to reap three or four additional House seats at the expense of other states, much as it did after the 2010 Census. The result is not only additional seats in Congress, but more federal dollars flowing to states with large unauthorized populations, as well as greater influence in presidential elections—after all, each state's number of Electoral College votes is based on the number of House seats it is apportioned.

The president's "Memorandum on Excluding Illegal Aliens From the Apportionment Base Following the 2020 Census" is a good-faith effort to use what data are available to identify unauthorized aliens, where they live and

subtract those numbers from the count for the purpose of apportioning House seats for the next decade. Those identified would still be included in the gross tally of the number of people residing in the United States, as required by the Constitution. However, the memorandum would prevent states from increasing their political power and their share of federal appropriations by encouraging and abetting illegal immigration.

Admittedly, the White House's belated attempt to ensure fair representation based on legally present individuals in the United States would have only a limited impact on reapportionment, even if the president prevails in the inevitable legal challenges. The data needed to effectively exclude those living here illegally from influencing the apportionment of federal representation is incomplete, either because the federal government has been remiss in assembling it or because state and local governments refuse to share the data they have. But the principle behind the memorandum is a sound one—in a representative democracy, citizens and legal immigrants should not lose representation to people who are illegally present in the country.

Given the prevailing hyper-partisanship, a political resolution that safeguards representation for citizens is unlikely. That will almost certainly have to be decided in the courts (like just about everything else nowadays). Even as the advocates for unauthorized immigrants and their army of lawyers hurriedly prepare to stop the president's latest memorandum from going into effect, another case, *Alabama v. United States Department of Commerce*,may hold the key to ensuring fair representation to American citizens in this Census—or at least in future ones.

Alabama is one of the states that will almost certainly lose representation, federal funding and Electoral College votes if illegal aliens are included in the reapportionment equation. A favorable ruling for Alabama would supersede the president's order and ensure that mechanisms be put in place for future censuses such that law-abiding citizens do not lose representation and federal dollars to those here illegally—and to states that encourage illegal immigration.

Dan Stein is president of the Federation for American Immigration Reform in Washington, D.C.

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From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) [ali.m.ahmad@census.gov]
Sent: 9/18/2020 2:06:53 PM
To: Jarmin, Ron S [ron.s.jarmin@census.gov]
CC: Christy, James T [james.t.christy@census.gov]; Dillingham, Steven [steven.dillingham@census.gov]; Smith, Steven K [steven.k.smith@census.gov]; Sprung, Michael J [michael.j.sprung@census.gov]; Cogley, Nathaniel [nathaniel.cogley@census.gov]; Overholt, Benjamin A [benjamin.a.overholt@census.gov]; Korzeniewski, Adam (Federal) [AKorzeniewski@doc.gov]; Lamas, Enrique [enrique.lamas@census.gov]; Jones, Christa D [christa.d.jones@census.gov]; Fontenot, Albert E [albert.e.fontenot@census.gov]; Olson, Timothy P [timothy.p.olson@census.gov]; Cannon, Michael (Federal) [MCannon@doc.gov]; Cook, Michael C [michael.c.cook@census.gov]
Subject: Re: HEADS UP- AP story forthcoming with allegation of violating TRO

AP Exclusive: Census layoffs ordered despite judge's ruling
The Associated Press – Mike Schneider, September 18

Two weeks after a federal judge prohibited the U.S. Census Bureau from winding down the 2020 census, a manager in Illinois instructed employees to get started with layoffs, according to an audio of the conversation obtained by The Associated Press.

During a conference call Thursday, the Chicago area manager told supervisors who report to him that they should track down census takers who don't currently have any cases, collect the iPhones they use to record information, and bid them goodbye. The manager did not respond to an email from the AP.

"I would really like to get a head start on terminating these people," he said. "All of these inactives that we have, we need to get rid of them. So hunt down your inactives, collect their devices, get them terminated and off of our lists."

It was unclear whether such actions would violate U.S. District Judge Lucy Koh's temporary restraining order prohibiting the Census Bureau from winding down field operations while she considers a request to extend the head count by a month.

Earlier this week, the judge, who is in San Jose, California, held a hearing on other possible violations of the order, but no action was taken after a Census Bureau official said in a declaration that they were unsubstantiated or the result of miscommunication. The judge extended the order for another week on Thursday.

Government attorneys told the judge earlier this month that the Census Bureau would refrain from laying off workers who were in the later stages of door knocking at the homes of residents who hadn't yet answered the census questionnaire. They said workers could still be terminated for performance reasons, however.

While the Chicago area manager told his supervisors they couldn't lay people off for lack of work, he suggested they could encourage census takers who haven't had an assignment in a while to resign or fire them for poor performance.

"It doesn't have to be their performance is poor. It just means it's not good enough," he said. "If you are going to terminate someone for performance, I want you to consult me first. But I'm pretty much going to be on your side, no matter what."

The census taker also suggested that supervisors should unofficially plan on wrapping up their work by Saturday, 11 days short of the Sept. 30 deadline for ending the 2020 census.

Census Bureau spokesman Michael Cook said in a statement Friday that the agency was investigating.

"In the meantime, the U.S. Census Bureau continues to focus on conducting a complete 2020 Census count while instructing field personnel of their continuing obligation to comply with court orders," Cook said.

The once-a-decade head count of every U.S. resident helps determine how $1.5 trillion in federal funding is distributed annually and how many congressional seats each state gets — a process known as apportionment. The census takers are sent out to knock on the doors of homes that have not yet responded to the census on their own, either online, by phone or by mail.

Before the coronavirus pandemic hit in March, the bureau had planned to complete the 2020 census by the end of July. In response to the pandemic, it extended the deadline to the end of October. That changed to the end of September after the Republican-controlled Senate failed to take up a request from the Census Bureau to extend the deadline for turning over the numbers used for apportionment. As a result, government attorneys told the judge, the Census Bureau has no choice but to finish the count by Sept. 30.

The temporary restraining order was requested by a coalition of cities, counties and civil rights groups that had sued the Census Bureau, demanding it restore the October deadline. The coalition had argued the earlier deadline would cause the Census Bureau to overlook minority communities in the census, leading to an inaccurate count.

Attorneys for the coalition said Friday that they didn't want to comment on the Chicago case.

On Sep 18, 2020, at 9:30 AM, Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov> wrote:

b(5) - AC/WP/DP

On Sep 18, 2020, at 9:28 AM, James T Christy (CENSUS/LA FED) <James.T.Christy@census.gov> wrote:

b(5) - AC/WP/DP

James Christy
U.S. Census Bureau
LA 818.267.1700 HQ 301.763.6228 Cell **b(6)**
census.gov Connect with us on Social Media

Shape Your Future | Start Here 2020census.gov

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Friday, September 18, 2020 9:22 AM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@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>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Benjamin A Overholt (CENSUS/DEPDIR FED) <benjamin.a.overholt@census.gov>; Korzeniewski, Adam (Federal) <AKorzeniewski@doc.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>; Timothy P Olson (CENSUS/ADFO FED) <Timothy.P.Olson@census.gov>
Cc: Michael Cannon <mcannon@doc.gov>; Michael C Cook (CENSUS/PIO FED) <Michael.C.Cook@census.gov>; James T Christy (CENSUS/LA FED) <James.T.Christy@census.gov>
Subject: HEADS UP- AP story forthcoming with allegation of violating TRO

Once again, AP has obtained some purported evidence, allegedly from the Chicago Region, of a field manager offering guidance which the reporter alleges would be in violation of the TRO. He's got what he says is an audio recording.

b(5) - AC/WP/DP the story should post at 10 a.m. but they have a habit of posting sooner:

b(5) - AC/WP/DP

Here's the part of the reporter's inquiry which summarizes what's on his purported tape:

I've obtained an audio recording of a census field manager in the Chicago area who tells his supervisors that they need to start laying off census takers.
This is a direct quote: "I would really like to get a head start on terminating these people ... All of these inactives that we have, we need to get rid of them. So hunt down your inactives, collect their devices, get them terminated and off of our lists."
He also says the supervisors should encourage enumerators who haven't had an assignment for a week to resign or to fire them for poor performance.
Another direct quote: "It doesn't have to be their performance is poor. It just means it's not good enough ... If you are going to terminate someone for performance, I want you to consult me first. But I'm pretty much going to be on your side, no matter what."
He also suggests informally to his supervisors that the enumeration should stop Sept. 19 instead of Sept. 30.

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: **b(6)**
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Foti, Anthony (Federal) [AFoti@doc.gov]
Sent: 7/14/2020 12:40:53 PM
To: Kumar, Harry (Federal) [HKumar@doc.gov]
CC: Walsh, Michael (Federal) [MWalsh@doc.gov]; Brebbia, Sean (Federal) [SBrebbia@doc.gov]
Subject: Re: QFRs
Attachments: Minority QFRs for Mr. Michael Walsh (final).docx; ATT00001.htm; Minority QFRs for Mr. Michael Walsh (final).pdf; ATT00002.htm

b(5) - DP/AC

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

On Jul 14, 2020, at 12:19 PM, Kumar, Harry (Federal) <HKumar@doc.gov> wrote:

Hi guys,

Please see attached. We're still waiting on NOAA for the majority QFRs, **b(5) - DP/AC**
Can everyone take one last look **b(5) - DP/AC**

Thanks,
Harry

From: Walsh, Michael (Federal) <MWalsh@doc.gov>
Sent: Tuesday, July 14, 2020 11:43 AM
To: Kumar, Harry (Federal) <HKumar@doc.gov>; Foti, Anthony (Federal) <AFoti@doc.gov>; Brebbia, Sean (Federal) <SBrebbia@doc.gov>
Subject: Re: QFRs

b(5) - DP/AC Thank you everyone.

From: "Kumar, Harry (Federal)" <HKumar@doc.gov>
Date: Tuesday, July 14, 2020 at 11:38 AM
To: Mike Walsh <MWalsh@doc.gov>, "Foti, Anthony (Federal)" <AFoti@doc.gov>, "Brebbia, Sean (Federal)" <SBrebbia@doc.gov>
Subject: RE: QFRs

See attached, changed to Times New Roman 12 point.

From: Walsh, Michael (Federal) <MWalsh@doc.gov>
Sent: Tuesday, July 14, 2020 11:37 AM
To: Foti, Anthony (Federal) <AFoti@doc.gov>; Brebbia, Sean (Federal) <SBrebbia@doc.gov>

Cc: Kumar, Harry (Federal) <HKumar@doc.gov>
Subject: Re: QFRs

Same. Any way anyone can fix the font b(5) - DP/AC I can't but it looks funny

---

From: "Foti, Anthony (Federal)" <AFoti@doc.gov>
Date: Tuesday, July 14, 2020 at 11:31 AM
To: "Brebbia, Sean (Federal)" <SBrebbia@doc.gov>
Cc: "Kumar, Harry (Federal)" <HKumar@doc.gov>, Mike Walsh <MWalsh@doc.gov>
Subject: Re: QFRs

b(5) - DP/AC Thank you!

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

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

CUI//PRIV

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

Sean B. Brebbia
Acting Deputy General Counsel for the
Office of Special Projects
202-482-9051 (direct)
b(6) (cell)

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

June 16, 2020

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

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

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

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

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

Answer.

b(5) - DP/AC

Question 2. In retrospect, would you have changed anything about the process that led to the drafting or issuance of NOAA's unattributed September 6, 2019 statement about Hurricane Dorian? Would you change anything about this statement? If so, what?

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

Question 7. In hindsight, assuming you had the authority to do so, would you stop the release of NOAA's unattributed September 6, 2019 statement about Hurricane Dorian? Why or why not?

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

Question 4. To protect the identity of 2020 Decennial Census respondents, the Bureau will be applying differential privacy methods to infuse noise into its substate tabulations. While this approach does not impact apportionment tallies, it could have a significant impact on the quality

of data used in redistricting, assuring voters rights, and a variety of applications used for small geographic areas. When will the Census Bureau determine the categories of data to be perturbed and the level of noise to be infused? What are the Bureau's plans to ensure the public's trust in the validity of these products, will you provide measures of uncertainty by characteristic at the Census block level, and will you train data users on how best to use these new products?

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

and its own conclusion that the government studies measured the wrong things, to allow Ligado to move forward with its plans.

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

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

Question 3. Do you agree that in high-profile spectrum decisions, particularly ones which create potential risk to safety of life, that it is in the greater public interest to reach consensus among

and between the FCC and the expert federal agencies on aviation, transportation safety, and national defense?

Answer.

b(5) - DP/AC

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

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

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

Answer.

b(5) - DP/AC

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

June 16, 2020

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b(5) - DP/AC

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b(5) - DP/AC

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Answer.

b(5) - DP/AC

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Answer.

b(5) - DP/AC

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and its own conclusion that the government studies measured the wrong things, to allow Ligado to move forward with its plans.

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Answer.

b(5) - DP/AC

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b(5) - DP/AC

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Answer.

b(5) - DP/AC

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Answer.

b(5) - DP/AC

From: Kumar, Harry (Federal) [HKumar@doc.gov]
Sent: 7/14/2020 10:03:58 AM
To: Walsh, Michael (Federal) [MWalsh@doc.gov]
CC: Foti, Anthony (Federal) [AFoti@doc.gov]
Subject: FW: Draft Review
Attachments: Minority QFRs for Mr. Michael Walsh + Census edited MJW.docx; ATT00001.htm

From: Foti, Anthony (Federal) <AFoti@doc.gov>
Sent: Monday, July 13, 2020 8:58 PM
To: Brebbia, Sean (Federal) <SBrebbia@doc.gov>
Cc: Kumar, Harry (Federal) <HKumar@doc.gov>
Subject: Re: Draft Review

b(5) - DP Thanks for doing this.

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

On Jul 13, 2020, at 2:36 PM, Brebbia, Sean (Federal) <SBrebbia@doc.gov> wrote:

CUI//PRIV/ACP/AWP/DPP

Still in draft, Stephanie has reviewed as well. Please make any changes in track.

Sean B. Brebbia
Acting Deputy General Counsel for the
Office of Special Projects
202-482-9051 (direct)
b(6) (cell)

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

June 16, 2020

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

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

Answer.

b(5) - DP/AC

Question 2. In retrospect, would you have changed anything about the process that led to the drafting or issuance of NOAA's unattributed September 6, 2019 statement about Hurricane Dorian? Would you change anything about this statement? If so, what?

Answer.

b(5) - DP/AC

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b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

Question 7. In hindsight, assuming you had the authority to do so, would you stop the release of NOAA's unattributed September 6, 2019 statement about Hurricane Dorian? Why or why not?

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

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b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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Answer.

b(5) - DP/AC

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Answer.

b(5) - DP/AC

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b(5) - DP/AC

CUI//PRIV/ACP/AWP/DPP

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

Answer.

b(5) - DP/AC

From: Brebbia, Sean (Federal) [SBrebbia@doc.gov]
Sent: 7/14/2020 2:17:23 PM
To: Kumar, Harry (Federal) [HKumar@doc.gov]; Foti, Anthony (Federal) [AFoti@doc.gov]
CC: Walsh, Michael (Federal) [MWalsh@doc.gov]
Subject: RE: QFRs
Attachments: Minority QFRs for Mr. Michael Walsh (final 2).docx

CUI//PRIV

I capitalized a "Department" and deleted an extra space, neither in track. Updated version attached, b(5) - DP/AC

b(5) - DP/AC

From: Kumar, Harry (Federal)
Sent: Tuesday, July 14, 2020 11:46 AM
To: Walsh, Michael (Federal) <MWalsh@doc.gov>; Foti, Anthony (Federal) <AFoti@doc.gov>; Brebbia, Sean (Federal) <SBrebbia@doc.gov>
Subject: RE: QFRs

Great! Have updated the title and attached, will circle back once we receive NOAA's final input.

From: Walsh, Michael (Federal) <MWalsh@doc.gov>
Sent: Tuesday, July 14, 2020 11:43 AM
To: Kumar, Harry (Federal) <HKumar@doc.gov>; Foti, Anthony (Federal) <AFoti@doc.gov>; Brebbia, Sean (Federal) <SBrebbia@doc.gov>
Subject: Re: QFRs

b(5) - DP/AC Thank you everyone.

From: "Kumar, Harry (Federal)" <HKumar@doc.gov>
Date: Tuesday, July 14, 2020 at 11:38 AM
To: Mike Walsh <MWalsh@doc.gov>, "Foti, Anthony (Federal)" <AFoti@doc.gov>, "Brebbia, Sean (Federal)" <SBrebbia@doc.gov>
Subject: RE: QFRs

See attached, changed to Times New Roman 12 point.

From: Walsh, Michael (Federal) <MWalsh@doc.gov>
Sent: Tuesday, July 14, 2020 11:37 AM
To: Foti, Anthony (Federal) <AFoti@doc.gov>; Brebbia, Sean (Federal) <SBrebbia@doc.gov>
Cc: Kumar, Harry (Federal) <HKumar@doc.gov>
Subject: Re: QFRs

Same. Any way anyone can fix the font b(5) - DP/AC I can't but it looks funny

From: "Foti, Anthony (Federal)" <AFoti@doc.gov>
Date: Tuesday, July 14, 2020 at 11:31 AM
To: "Brebbia, Sean (Federal)" <SBrebbia@doc.gov>
Cc: "Kumar, Harry (Federal)" <HKumar@doc.gov>, Mike Walsh <MWalsh@doc.gov>
Subject: Re: QFRs

b(5) - DP/AC Thank you!

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

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

CUI//PRIV

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

Sean B. Brebbia
Acting Deputy General Counsel for the
Office of Special Projects
202-482-9051 (direct)
b(6) (cell)

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June 16, 2020

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b(5) - DP/AC

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b(5) - DP/AC

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b(5) - DP/AC

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b(5) - DP/AC

From: Brebbia, Sean (Federal) [SBrebbia@doc.gov]
Sent: 7/10/2020 5:37:22 PM
To: Walsh, Michael (Federal) [MWalsh@doc.gov]
Subject: Draft
Attachments: Minority QFRs for Mr. Michael Walsh + Census edited (3).docx

CUI//PRIV/ACP/AWP

Hi Mike, attached are draft responses. Where comments note additional info is needed, OSP will be updating those sections. Happy to discuss any areas with you.

Sean B. Brebbia
Acting Deputy General Counsel for the
Office of Special Projects
202-482-9051 (direct)
b(6) (cell)

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Answer.

b(5) - DP/AC

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

Answer.

Question 7. In hindsight, assuming you had the authority to do so, would you stop the release of NOAA's unattributed September 6, 2019 statement about Hurricane Dorian? Why or why not?

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

Question 5. The 2020 Census enumerations will be the basis for the Bureau's Intercensal Estimates that are subsequently employed as demographic survey controls (e.g., the American Community Survey). These statistical measures are used to distribute trillions of dollars in federal domestic assistance over the course of a decade. Given the uncertainty of the 2020 census enumeration quality, what avenues do state and local governments have to challenge their 2020 enumerations? Does the Bureau plan to be more flexible in accepting challenges from

impacted governments in either its Decennial Census or Intercensal Estimates Challenge process. If enumeration anomalies are discovered in this decennial census, would the Bureau be willing to modify the file used as the basis for its population estimates, in a manner similar to its development and application of the 1990 Modified Age Race Sex file?

Answer.

Answer.

b(5) - DP/AC

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

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

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

CUI//PRIV/ACP/AWP/DPP

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

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

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

Answer.

b(5) - DP/AC

From: Walsh, Michael (Federal) [MWalsh@doc.gov]
Sent: 7/10/2020 6:19:05 PM
To: Brebbia, Sean (Federal) [SBrebbia@doc.gov]
Subject: Re: Draft
Attachments: Minority QFRs for Mr. Michael Walsh + Census edited MJW.docx

CUI//PRIV/ACP/AWP

Let's discuss

From: "Brebbia, Sean (Federal)" <SBrebbia@doc.gov>
Date: Friday, July 10, 2020 at 5:37 PM
To: Mike Walsh <MWalsh@doc.gov>
Subject: Draft

CUI//PRIV/ACP/AWP

Hi Mike, attached are draft responses. Where comments note additional info is needed, OSP will be updating those sections. Happy to discuss any areas with you.

Sean B. Brebbia
Acting Deputy General Counsel for the
Office of Special Projects
202-482-9051 (direct)
b(6) (cell)

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

June 16, 2020

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

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

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

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

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

Answer.

b(5) - DP/AC

Question 2. In retrospect, would you have changed anything about the process that led to the drafting or issuance of NOAA's unattributed September 6, 2019 statement about Hurricane Dorian? Would you change anything about this statement? If so, what?

Answer. b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

Question 7. In hindsight, assuming you had the authority to do so, would you stop the release of NOAA's unattributed September 6, 2019 statement about Hurricane Dorian? Why or why not?

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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Answer.

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Answer.

b(5) - DP/AC

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Answer.

b(5) - DP/AC

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Answer.

b(5) - DP/AC

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

Answer.

b(5) - DP/AC

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~~*Answer.*~~

Answer.

b(5) - DP/AC

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threatens the nation's global positioning system ("GPS") on which the safety and security of everything from civil aviation to military operations to weather forecasting rely. The FCC rejected the executive branch's concerns and related technical studies both from the government and the private sector showing that the precision and effectiveness of GPS could be impaired. Instead, the FCC relied on competing technical studies (some of which were funded by Ligado), and its own conclusion that the government studies measured the wrong things, to allow Ligado to move forward with its plans.

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Answer.

b(5) - DP/AC

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Answer.

b(5) - DP/AC

b(5) - DP/AC

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Answer.

b(5) - DP/AC

CUI//PRIV/ACP/AWP/DPP

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

Answer.

b(5) - DP/AC

From: Michael T Thieme (CENSUS/ADDC FED) [Michael.T.Thieme@census.gov]
Sent: 8/24/2020 10:16:17 AM
To: Risko, Daniel (Federal) [DRisko@doc.gov]
CC: Bishop, Deirdre D [deirdre.dalpiaz.bishop@census.gov]; Abowd, John M [john.maron.abowd@census.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]; Paranzino, Anthony (Federal) [AParanzino@doc.gov]; Fontenot, Albert E [albert.e.fontenot@census.gov]; Kelley, Karen (Federal) [KKelley@doc.gov]; Lamas, Enrique [enrique.lamas@census.gov]; Velkoff, Victoria A [victoria.a.velkoff@census.gov]; Battle, Karen [karen.battle@census.gov]; LoPresti, Barbara M [barbara.m.lopresti@census.gov]; Dillingham, Steven [steven.dillingham@census.gov]
Subject: Final Slide Decks for Census Processing and Presidential Memo Meeting
Attachments: Census 2020 Backend Processing FINAL.pptx; 20200824 Overview slide for PM Final.pptx

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

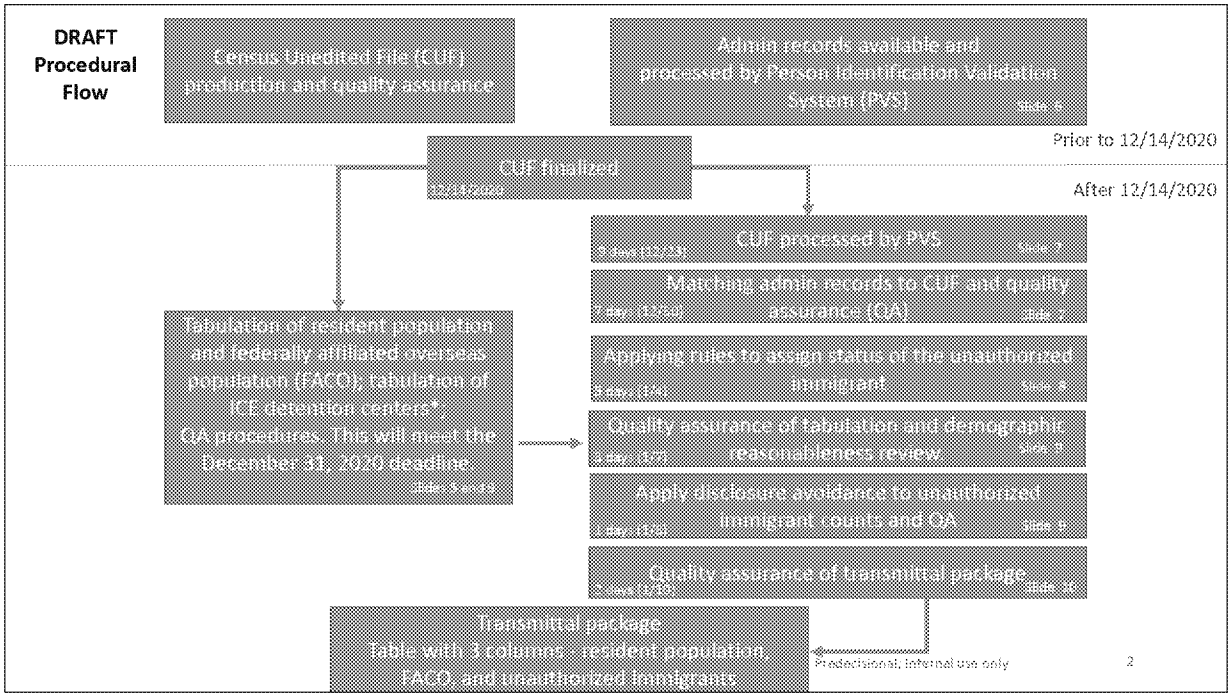
-Michael

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

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

DRAFT
Procedures for Identifying and Tabulating Unauthorized Immigrants as Defined in the Presidential Memorandum

Briefing
August 24, 2020


DRAFT Procedural Flow
Census Unedited File (CUF) production and quality assurance
Admin records available and processed by Person Identification Validation System (PVS)
Prior to 12/14/2020
CUF finalized
After 12/14/2020
CUF processed by PVS
Matching admin records to CUF and quality assurance (QA)
Applying rules to assign status of the unauthorized immigrant
Quality assurance of tabulation and demographic reasonableness review
Apply disclosure avoidance to unauthorized immigrant counts and QA
Quality assurance of transmittal package
Tabulation of resident population and federally affiliated overseas population (FACO); tabulation of ICE detention centers; QA procedures. This will meet the December 31, 2020 deadline.
Transmittal package
Table with 3 columns - resident population, FACO, and unauthorized immigrants
Predecisional, internal use only
2

From: Risko, Daniel (Federal) [DRisko@doc.gov]
Sent: 8/16/2020 2:40:26 PM
To: Kelley, Karen (Federal) [KKelley@doc.gov]
Subject: FW: FOR REVIEW-- Updated Draft- Operational Update
Attachments: 212pm August 16 2020 Census Update DRAFT.pdf

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Sunday, August 16, 2020 2:21 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>; Fontenot, Albert E <albert.e.fontenot@census.gov>
Cc: Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>; Risko, Daniel (Federal) <DRisko@doc.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike:

Thank you for the follow up conversations. Quoting your last email below for edification of the group. b(5) - AC/WP/DP

b(5) - AC/WP/DP

Ali, thanks for your time this morning. Per our conversation,

b(5) - AC/WP/DP

Please let me know if you have any questions, and thanks again for your time.

Best,

Mike

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Cannon, Michael (Federal) <MCannon@doc.gov>
Sent: Saturday, August 15, 2020 7:38 PM
To: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Cc: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>; Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: RE: FOR REVIEW-- Updated Draft- Operational Update

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395

Cell: b(6)
Email: mcannon@doc.gov

From: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Sent: Saturday, August 15, 2020 4:06 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Ahmad, Ali M <ali.m.ahmad@census.gov>; Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike

Thank you, please see my comments

b(5) - AC/WP/DP

Al

Albert E. Fontenot Jr.
Associate Director, Decennial Census Programs
United States Department of Commerce
Bureau of the Census
Office b(6)
Office 301-763-4668
Cell b(6)

Sent from my iPhone

On Aug 15, 2020, at 3:21 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP

Please let me know if you have any questions or concerns.

Thank you very much!

Best,

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
Email: mcannon@doc.gov

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Friday, August 14, 2020 7:06 PM
To: Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Fontenot, Albert E <albert.e.fontenot@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Director: Thanks for chatting. Made the asterixed comments on slide 2 more grammatically friendly, per our discussion.

Ali Ahmad, Associate Director

Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED)
Sent: Friday, August 14, 2020 5:24 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>
Subject: FOR REVIEW-- Updated Draft- Operational Update

Looking toward releasing this Monday now. Only very minor updates from this afternoon on pages 2, 9, and 18. All updates in line with earlier edits.

Ali Ahmad, Associate Director

Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Enrique Lamas (CENSUS/DEPDIR FED) [Enrique.Lamas@census.gov]
Sent: 8/15/2020 10:33:52 PM
To: Kelley, Karen (Federal) [KKelley@doc.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]
Subject: PPT for PM
Attachments: 20200814_Overview_of_procedures vv.pptx; ATT00001.htm

Karen,
Attached is the slide presentation regarding the pm. We will discuss it in the morning. There are some items we can discuss that we are still working on.

From: Steven Dillingham (CENSUS/DEPDIR FED) [steven.dillingham@census.gov]
Sent: 8/10/2020 6:07:04 PM
To: Risko, Daniel (Federal) [DRisko@doc.gov]
CC: Kelley, Karen (Federal) [KKelley@doc.gov]
Subject: Minor edits to PM options document
Attachments: 2020-08-10 One Pager on Options v3 nc,sd.docx

Enrique did an excellent job. Nathaniel had a single substantive edit in a footnote, and I added a couple of spelling, grammar edits. I recommend b(5) - DP b(5) - DP Thoughts?

Steven D. Dillingham, Ph.D., Director
U.S. Census Bureau
o: 301-763-2135 | m: b(6)
census.gov | @uscensusbureau

From: Steven Dillingham (CENSUS/DEPDIR FED) [steven.dillingham@census.gov]
Sent: 8/10/2020 4:53:08 PM
To: Risko, Daniel (Federal) [DRisko@doc.gov]
CC: Kelley, Karen (Federal) [KKelley@doc.gov]
Subject: Fw: Material for briefing Sec Ross
Attachments: 2020-08-10 One Pager on Options v3.docx

Does this need more work? Can Enrique be party to the discussion tomorrow, at least at the beginning? THX

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 b(5) - DP

b(5) - DP

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

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) [ali.m.ahmad@census.gov]
Sent: 8/17/2020 7:45:54 AM
To: Cannon, Michael (Federal) [MCannon@doc.gov]
CC: Fontenot, Albert E [albert.e.fontenot@census.gov]; Dillingham, Steven [steven.dillingham@census.gov]; Cogley, Nathaniel [nathaniel.cogley@census.gov]; Lamas, Enrique [enrique.lamas@census.gov]; Jarmin, Ron S [ron.s.jarmin@census.gov]; Olson, Stephanie (Federal) [SOlson@doc.gov]; Risko, Daniel (Federal) [DRisko@doc.gov]
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Dan Risko caught one place where we need to edit the word "memo" back to "memorandum." b(5) - DP/AC

b(5) - DP/AC

On Aug 16, 2020, at 3:18 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

b(5) - AC/WP/DP Thank you Ali!

Mike

Sent from my iPhone

On Aug 16, 2020, at 2:21 PM, Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov> wrote:

Mike:

Thank you for the follow up conversations. Quoting your last email below for edification of the group b(5) - AC/WP/DP

b(5) - AC/WP/DP

Ali, thanks for your time this morning. Per our conversation,

b(5) - AC/WP/DP

Please let me know if you have any questions, and thanks again for your time.

Best,

Mike

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)

Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Cannon, Michael (Federal) <MCannon@doc.gov>
Sent: Saturday, August 15, 2020 7:38 PM
To: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Cc: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>; Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: RE: FOR REVIEW-- Updated Draft- Operational Update

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP

Michael A. Cannon

Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
Email: mcannon@doc.gov

From: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Sent: Saturday, August 15, 2020 4:06 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Ahmad, Ali M <ali.m.ahmad@census.gov>; Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike

Thank you, please see my comments

b(5) - AC/WP/DP

Al

Albert E. Fontenot Jr.
Associate Director, Decennial Census Programs
United States Department of Commerce
Bureau of the Census
Office b(6)
Office 301-763-4668
Cell b(6)

Sent from my iPhone

On Aug 15, 2020, at 3:21 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP

Please let me know if you have any questions or concerns.

Thank you very much!

Best,

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
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Email: mcannon@doc.gov

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Sent: Friday, August 14, 2020 7:06 PM
To: Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>

Cc: Fontenot, Albert E <albert.e.fontenot@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Director: Thanks for chatting. Made the asterixed comments on slide 2 more grammatically friendly, per our discussion.

Ali Ahmad, Associate Director

Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

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Sent: Friday, August 14, 2020 5:24 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
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Subject: FOR REVIEW-- Updated Draft- Operational Update

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Ali Ahmad, Associate Director

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U.S. Census Bureau
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<212pm August 16 2020 Census Update DRAFT.pdf>

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) [ali.m.ahmad@census.gov]
Sent: 8/16/2020 11:16:26 AM
To: Cannon, Michael (Federal) [MCannon@doc.gov]
CC: Olson, Stephanie (Federal) [SOlson@doc.gov]
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Thanks. I will follow up with any questions.

b(5) - AC/WP/DP

On Aug 16, 2020, at 10:54 AM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

CUI//PRIVILEGE//FED ONLY

Ali, thanks for your time this morning. Per our conversation,

b(5) - AC/WP/DP

Please let me know if you have any questions, and thanks again for your time.

Best,

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
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From: Cannon, Michael (Federal)
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To: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Cc: Ahmad, Ali M <ali.m.ahmad@census.gov>; Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
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b(5) - AC/WP/DP

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Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike

Thank you, please see my comments

b(5) - AC/WP/DP

Al

Albert E. Fontenot Jr.
Associate Director, Decennial Census Programs
United States Department of Commerce
Bureau of the Census
Office b(6)
Office 301-763-4668
Cell b(6)

Sent from my iPhone

On Aug 15, 2020, at 3:21 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

b(5) - AC/WP/DP

Please let me know if you have any questions or concerns.

Thank you very much!

Best,

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
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Email: mcannon@doc.gov

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Friday, August 14, 2020 7:06 PM
To: Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Fontenot, Albert E <albert.e.fontenot@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Director: Thanks for chatting. Made the asterixed comments on slide 2 more grammatically friendly, per our discussion.

Ali Ahmad, Associate Director

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census.gov | @uscensusbureau

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Subject: FOR REVIEW-- Updated Draft- Operational Update

Looking toward releasing this Monday now. Only very minor updates from this afternoon on pages 2, 9, and 18. All updates in line with earlier edits.

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U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

<645 pm August 14 2020 Census Update DRAFT FOR REVIEW.pdf>

From: Olson, Stephanie (Federal) b(6)
b(6)
Sent: 8/19/2020 9:22:43 AM
To: Cannon, Michael (Federal) [MCannon@doc.gov]; Heller, Megan (Federal) [MHeller@doc.gov]; Kourkoumelis, Aristidis (Federal) [AKourkoumelis@doc.gov]
CC: Keller, Catherine (Federal) [CKeller@doc.gov]
Subject: FW: FOR REVIEW-- Updated Draft- Operational Update

Megan,

b(5) - AC/WP/DP

b(5) - AC/WP/DP Thanks.

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Monday, August 17, 2020 6:34 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Fontenot, Albert E <albert.e.fontenot@census.gov>; Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>; Risko, Daniel (Federal) <DRisko@doc.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Thank you all for the help- here it is up online- https://2020census.gov/content/dam/2020census/materials/news/2020-operational-plan-schedule-review.pdf

(In car shortly, can talk later)

On Aug 16, 2020, at 3:18 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

b(5) - AC/WP/DP Thank you Ali!

Mike

Sent from my iPhone

On Aug 16, 2020, at 2:21 PM, Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov> wrote:

Mike:

Thank you for the follow up conversations. Quoting your last email below for edification of the group. b(5) - AC/WP/DP

b(5) - AC/WP/DP

Ali, thanks for your time this morning. Per our conversation,

b(5) - AC/WP/DP

Please let me know if you have any questions, and thanks again for your time.

Best,

Mike

Ali Ahmad, Associate Director
Communications Directorate
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Subject: RE: FOR REVIEW-- Updated Draft- Operational Update

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP

b(5) - AC/WP/DP

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
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Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike

Thank you, please see my comments

b(5) - AC/WP/DP

Al

Albert E. Fontenot Jr.
Associate Director, Decennial Census Programs
United States Department of Commerce
Bureau of the Census
Office b(6)
Office 301-763-4668
Cell b(6)

Sent from my iPhone

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b(5) - AC/WP/DP

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Thank you very much!

Best,

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
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Director: Thanks for chatting. Made the asterixed comments on slide 2 more grammatically friendly, per our discussion.

Ali Ahmad, Associate Director

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Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

<212pm August 16 2020 Census Update DRAFT.pdf>

From: Cannon, Michael (Federal) [MCannon@doc.gov]
Sent: 8/15/2020 7:39:24 PM
To: Olson, Stephanie (Federal) [SOlson@doc.gov]
Subject: RE: ATTORNEY CLIENT / WORK PRODUCT / DELIBERATIVE PROCESS / WORK PRODUCT PRIVILEGED - RE: FOR REVIEW-- Updated Draft- Operational Update

done

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
Email: mcannon@doc.gov

From: Olson, Stephanie (Federal) <SOlson@doc.gov>
Sent: Saturday, August 15, 2020 7:11 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Keller, Catherine (Federal) <CKeller@doc.gov>
Subject: Re: ATTORNEY CLIENT / WORK PRODUCT / DELIBERATIVE PROCESS / WORK PRODUCT PRIVILEGED - RE: FOR REVIEW-- Updated Draft- Operational Update

Thanks very much Mike. A few tweaks below. If you're ok with it, let's get back to Al.

Sent from my iPhone

On Aug 15, 2020, at 6:44 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

CUI//PRIVILEGE/AWP//FED ONLY

Stephanie, per our conversation, what do you think about the following, pivoting off of what you drafted?

Mike

b(5) - AC/WP/DP

b(5) - AC/WP/DP

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
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From: Olson, Stephanie (Federal) <SOlson@doc.gov>
Sent: Saturday, August 15, 2020 5:46 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Keller, Catherine (Federal) <CKeller@doc.gov>
Subject: ATTORNEY CLIENT / WORK PRODUCT / DELIBERATIVE PROCESS / WORK PRODUCT PRIVILEGED - RE: FOR REVIEW-- Updated Draft- Operational Update
Importance: High

ATTORNEY CLIENT / DELIBERATIVE PROCESS / WORK PRODUCT PRIVILEGED

Please let me know any thoughts you have to the response below ASAP. Copying Catherine for awareness. Thanks!

b(5) - AC/WP/DP

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Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike

Thank you, please see my comments

b(5) - AC/WP/DP

b(5) - AC/WP/DP

Al

Albert E. Fontenot Jr.
Associate Director, Decennial Census Programs
United States Department of Commerce
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Thank you very much!

Best,

Mike

Michael A. Cannon
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Email: mcannon@doc.gov

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Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

<Operational and Processing Options to meet September 30 Final.pdf>
<645 pm August 14 2020 Census Update DRAFT FOR REVIEW.pdf>

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To: Olson, Stephanie (Federal) [SOlson@doc.gov]
CC: Keller, Catherine (Federal) [CKeller@doc.gov]
Subject: RE: ATTORNEY CLIENT / WORK PRODUCT / DELIBERATIVE PROCESS / WORK PRODUCT PRIVILEGED - RE: FOR REVIEW-- Updated Draft- Operational Update

Looks good. Thanks.

Michael A. Cannon
Chief Counsel for Economic Affairs
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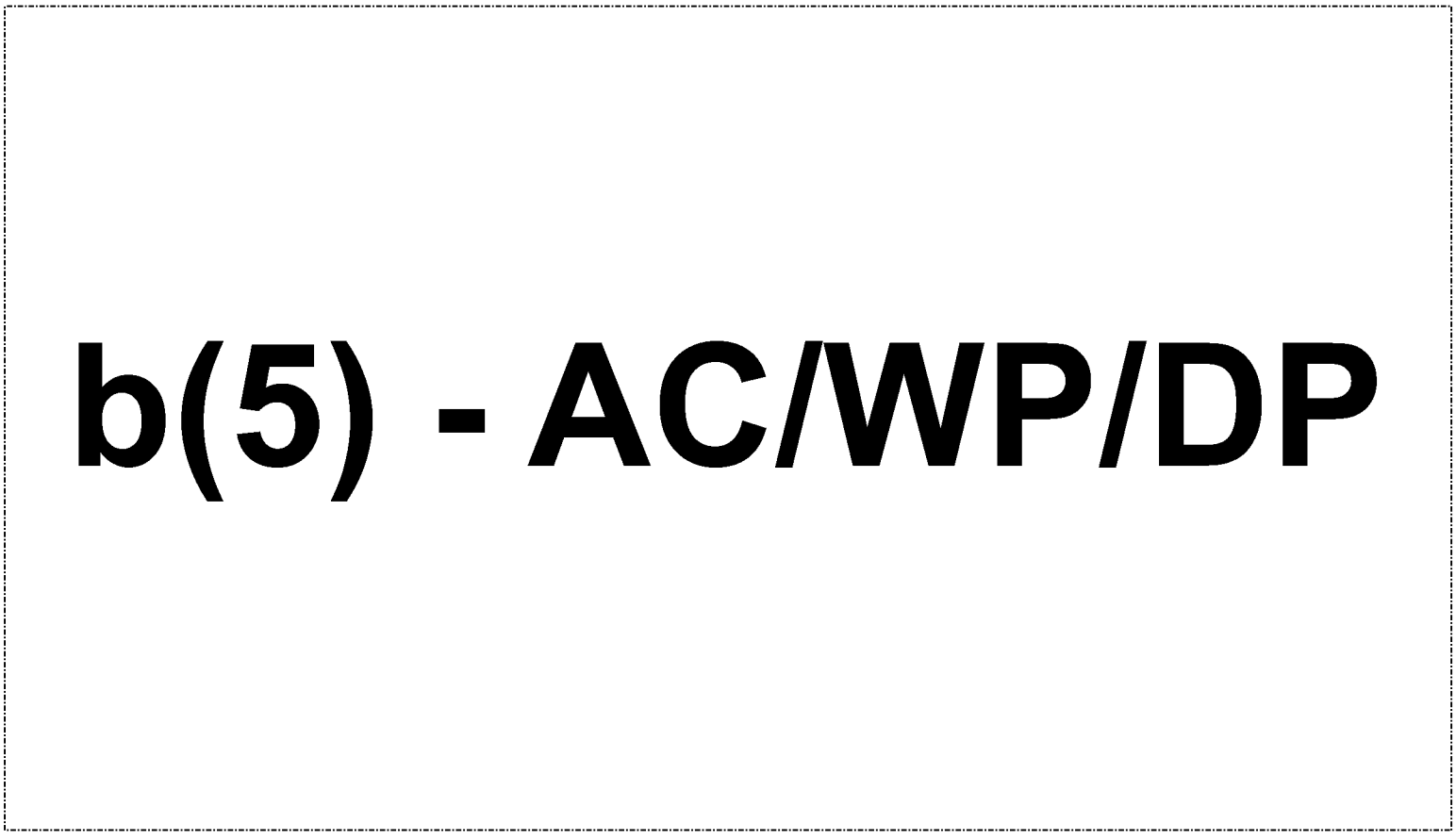
ATTORNEY CLIENT / DELIBERATIVE PROCESS / WORK PRODUCT PRIVILEGED

Please let me know any thoughts you have to the response below ASAP. Copying Catherine for awareness. Thanks!

Thanks Al.

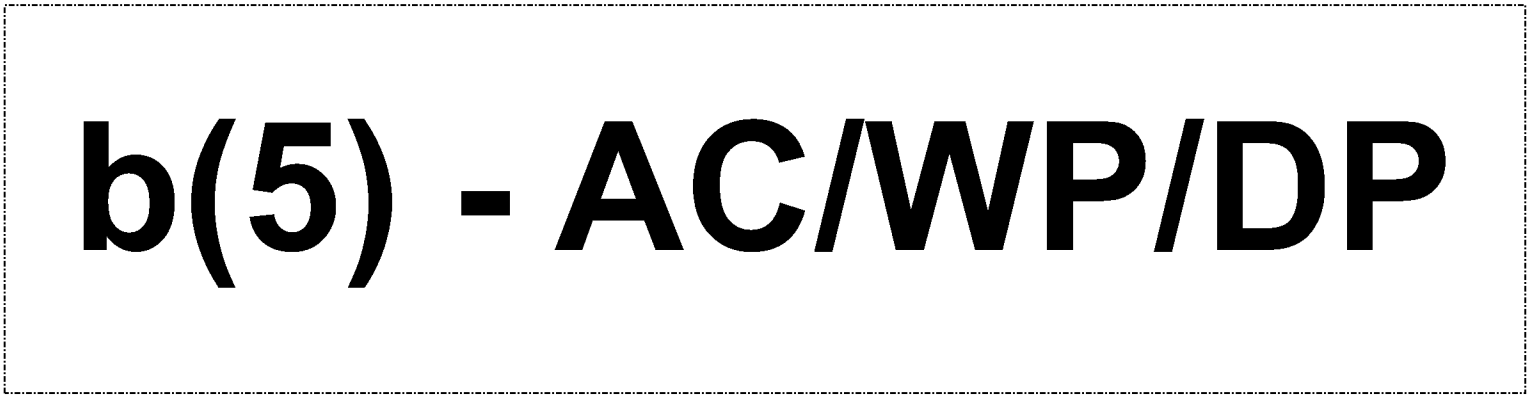


Thank you!

From: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Sent: Saturday, August 15, 2020 4:06 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Ahmad, Ali M <ali.m.ahmad@census.gov>; Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike

Thank you, please see my comments



b(5) - AC/WP/DP

Al

Albert E. Fontenot Jr.
Associate Director, Decennial Census Programs
United States Department of Commerce
Bureau of the Census
Office b(6)
Office 301-763-4668
Cell b(6)

Sent from my iPhone

On Aug 15, 2020, at 3:21 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP

Please let me know if you have any questions or concerns.

Thank you very much!

Best,

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
Email: mcannon@doc.gov

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Friday, August 14, 2020 7:06 PM
To: Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Fontenot, Albert E <albert.e.fontenot@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Director: Thanks for chatting. Made the asterixed comments on slide 2 more grammatically friendly, per our discussion.

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED)
Sent: Friday, August 14, 2020 5:24 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>
Subject: FOR REVIEW-- Updated Draft- Operational Update

Looking toward releasing this Monday now. Only very minor updates from this afternoon on pages 2, 9, and 18. All updates in line with earlier edits.

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
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<Operational and Processing Options to meet September 30 Final.pdf>
<645 pm August 14 2020 Census Update DRAFT FOR REVIEW.pdf>

From: Olson, Stephanie (Federal) b(6)
b(6)
Sent: 8/16/2020 3:17:02 PM
To: Cannon, Michael (Federal) [MCannon@doc.gov]
Subject: RE: FOR REVIEW-- Updated Draft- Operational Update

b(5) - AC/WP/DP

From: Cannon, Michael (Federal)
Sent: Sunday, August 16, 2020 2:30 PM
To: Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: FW: FOR REVIEW-- Updated Draft- Operational Update
Importance: High

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP Thoughts?

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
Email: mcannon@doc.gov

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Sunday, August 16, 2020 2:21 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>; Fontenot, Albert E <albert.e.fontenot@census.gov>
Cc: Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>; Risko, Daniel (Federal) <DRisko@doc.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike:

Thank you for the follow up conversations. Quoting your last email below for edification of the group b(5) - AC/WP/DP

b(5) - AC/WP/DP

Ali, thanks for your time this morning. Per our conversation,

b(5) - AC/WP/DP

b(5) - AC/WP/DP

Please let me know if you have any questions, and thanks again for your time.

Best,

Mike

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Cannon, Michael (Federal) <MCannon@doc.gov>
Sent: Saturday, August 15, 2020 7:38 PM
To: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Cc: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>; Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: RE: FOR REVIEW-- Updated Draft- Operational Update

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b(5) - AC/WP/DP

b(5) - AC/WP/DP

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
Email: mcannon@doc.gov

From: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>
Sent: Saturday, August 15, 2020 4:06 PM
To: Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Ahmad, Ali M <ali.m.ahmad@census.gov>; Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Olson, Stephanie (Federal) <SOlson@doc.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Mike

Thank you, please see my comments

b(5) - AC/WP/DP

b(5) - AC/WP/DP

Al

Albert E. Fontenot Jr.
Associate Director, Decennial Census Programs
United States Department of Commerce
Bureau of the Census
Office b(6)
Office 301-763-4668
Cell b(6)

Sent from my iPhone

On Aug 15, 2020, at 3:21 PM, Cannon, Michael (Federal) <MCannon@doc.gov> wrote:

CUI//PRIVILEGE/AWP//FED ONLY

b(5) - AC/WP/DP

Please let me know if you have any questions or concerns.

Thank you very much!

Best,

Mike

Michael A. Cannon
Chief Counsel for Economic Affairs
Office of the General Counsel
U.S. Department of Commerce
Telephone: (202) 482-5395
Cell: b(6)
Email: mcannon@doc.gov

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Friday, August 14, 2020 7:06 PM
To: Dillingham, Steven <steven.dillingham@census.gov>; Cogley, Nathaniel <nathaniel.cogley@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Fontenot, Albert E <albert.e.fontenot@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>
Subject: Re: FOR REVIEW-- Updated Draft- Operational Update

Director: Thanks for chatting. Made the asterixed comments on slide 2 more grammatically friendly, per our discussion.

Ali Ahmad, Associate Director

Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED)
Sent: Friday, August 14, 2020 5:24 PM
To: Steven Dillingham (CENSUS/DEPDIR FED) <steven.dillingham@census.gov>; Nathaniel Cogley (CENSUS/DEPDIR FED) <nathaniel.cogley@census.gov>; Enrique Lamas (CENSUS/DEPDIR FED) <Enrique.Lamas@census.gov>; Cannon, Michael (Federal) <MCannon@doc.gov>
Cc: Albert E Fontenot (CENSUS/ADDC FED) <Albert.E.Fontenot@census.gov>; Ron S Jarmin (CENSUS/DEPDIR FED) <Ron.S.Jarmin@census.gov>
Subject: FOR REVIEW-- Updated Draft- Operational Update

Looking toward releasing this Monday now. Only very minor updates from this afternoon on pages 2, 9, and 18. All updates in line with earlier edits.

Ali Ahmad, Associate Director

Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

To: Dewhirst, David (Federal)[DDewhirst@doc.gov]
From: Ali Mohammad Ahmad (CENSUS/ADCOM FED)[ali.m.ahmad@census.gov]
Sent: Tue 8/6/2019 2:26:58 PM (UTC-04:00)
Subject: Please Review - with edits
For DOC Review- EO and AdRec Statement and Talking Points v 2.docx

All of the edits look good. See if what I put in there addressed your other questions.

Ali Ahmad, Associate Director
Communications Directorate
U.S. Census Bureau
O: 301-763-8789| M: b(6)
Ali.M.Ahmad@census.gov
census.gov | @uscensusbureau

From: Tucker, Caroline (Federal) [CTucker@doc.gov]
Sent: 4/13/2020 7:07:47 PM
To: Ahmad, Ali M [ali.m.ahmad@census.gov]
CC: Gorey, Lauren (Federal) [LGorey@doc.gov]; Davis, Caitlin (Federal) [CDavis4@doc.gov]; Paranzino, Anthony (Federal) [AParanzino@doc.gov]; Risko, Daniel (Federal) [DRisko@doc.gov]; Walsh, Michael (Federal) [MWalsh@doc.gov]; Cook, Michael C [michael.c.cook@census.gov]; Quinley, Kevin [kevin.quinley@census.gov]; Stanley, Christopher J [christopher.j.stanley@census.gov]
Subject: NPR: Trump Officials Ask To Delay Census Data For Voting Districts, House Seats

Trump Officials Ask To Delay Census Data For Voting Districts, House Seats

By Hansi Lo Wang | April 13, 2020 6:57 PM

--

With the coronavirus pandemic disrupting plans for the ongoing 2020 census, the Trump administration is asking Congress to pass a new law that would change major deadlines that determine the distribution of political representation and federal funding for the next decade.

The Census Bureau is requesting that lawmakers extend the legal deadline for the bureau to deliver to the president new state population counts used to redistribute congressional seats and Electoral College votes among the states — by four months to April 30, 2021 from Dec. 31, according to a statement released Monday by Census Bureau Director Steven Dillingham and Commerce Secretary Wilbur Ross, who oversees the bureau.

The bureau is also asking Congress to give it four more months to provide census data to state redistricting officials in order to redraw voting districts around the country. That deadline would move from March 31, 2021 to July 31, 2021.

If approved, the request could throw a wrench into redistricting plans in many states. New Jersey and Virginia are set to redraw legislative districts next year before their filing deadline for elections in 2021, according to the National Conference of State Legislatures.

More than 70 million households across the U.S. have already participated in the constitutionally mandated head count, but that's only about half of those expected to respond on their own.

Others still may need to be counted by a census worker in person, but the bureau announced on Monday it's planning to further postpone census field operations until June 1 and to extend counting to Oct. 31, according to an updated schedule.

Michael Cook, the chief spokesperson for the bureau, tells NPR in an email that it is the agency's "assessment" that continuing to count the country's population through the end of October means it cannot meet the current legal deadlines for delivering the apportionment count to the president and redistricting data to the states.

The bureau's plans were first made public Monday by Rep. Carolyn Maloney (D-N.Y.), who chairs the House Oversight and Reform Committee.

In a press release describing a phone call Ross held with some members of Congress about the plans, Maloney says the committee "will carefully examine" the request to change the census deadlines, while also criticizing the administration for not providing more information and not allowing Dillingham, the bureau's director, to brief the committee about its plans in response to the pandemic.

"If the Administration is trying to avoid the perception of politicizing the Census, preventing the Census Director from briefing the Committee and then excluding him from a call organized by the White House are not encouraging moves," Maloney said in the written statement. "The Constitution charges Congress with determining how the Census is conducted, so we need the Administration to cooperate with our requests so we can make informed decisions on behalf of the American people."

According to the House oversight committee's press release, Ross "acknowledged that the Administration had not sought input from Congress about this request in advance of this call because of concerns about leaks to the press."

Asked by NPR why no Census Bureau officials participated in the call, Cook responded in an email that Dillingham now plans to speak with members of Congress "as soon as possible," noting: "The Secretary of Commerce is statutorily delegated responsibility to conduct the decennial census and took the role of calling key congressional leaders to continue the consultation process."

The bureau's changes for the 2020 census were supported by Vanita Gupta, president and CEO of The Leadership Conference on Civil and Human Rights, one of the main groups advocating for participation in the count.

"If it's not safe to have census takers visiting people's homes by June, then Congress has an obligation to consider other options to protect census workers and the communities they serve, and to ensure an equitable count," Gupta said in a statement. "We cannot afford to compromise the health of our communities or the fairness and accuracy of the census."

From: Tucker, Caroline (Federal)
Sent: Monday, April 13, 2020 6:55 PM
To: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Cc: Gorey, Lauren (Federal) <LGorey@doc.gov>; Davis, Caitlin (Federal) <CDavis4@doc.gov>; Paranzino, Anthony (Federal) <AParanzino@doc.gov>; Risko, Daniel (Federal) <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: RE: WSJ: Census Extends 2020 Count

Thank you! FYSA, AP story is on Drudge

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Monday, April 13, 2020 6:54 PM
To: Tucker, Caroline (Federal) <CTucker@doc.gov>
Cc: Gorey, Lauren (Federal) <LGorey@doc.gov>; Davis, Caitlin (Federal) <CDavis4@doc.gov>; Paranzino, Anthony (Federal) <AParanzino@doc.gov>; Risko, Daniel (Federal) <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: Re: WSJ: Census Extends 2020 Count

Remarks from President Trump about the 2020 Census during the administration's daily coronavirus briefing:

During this difficult time, we are also working to ensure that the 2020 Census is completed as safely and accurately. We may be asking for an extension because obviously they can't be doing very much right now. They wouldn't even be allowed to do it, so the census – we're going to be asking for a delay – a major delay, I think, how can you possibly be knocking on doors for a long period of time.

The Census Bureau recently made the decision to temporary suspend its field operation data collection activities to help stop the spread. In addition, while millions of Americans continue to complete their questionnaire online, the Census Bureau is asking Congress for a 120-day extension – I don't even know if you even have to ask them, this is called an Act of God, this is called a situation that has to be – they have to give it. I think 120 days isn't nearly enough.

Link: https://twitter.com/QuickTake/status/1249830218220613632

On Apr 13, 2020, at 6:39 PM, Tucker, Caroline (Federal) <CTucker@doc.gov> wrote:

Thanks, Ali! The president touched on this during his briefing just now so I will pass along any further mentions that spawn from that as well.

From: Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>
Sent: Monday, April 13, 2020 6:36 PM
To: Tucker, Caroline (Federal) <CTucker@doc.gov>
Cc: Gorey, Lauren (Federal) <LGorey@doc.gov>; Davis, Caitlin (Federal) <CDavis4@doc.gov>; Paranzino, Anthony (Federal) <AParanzino@doc.gov>; Risko, Daniel (Federal) <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: Re: WSJ: Census Extends 2020 Count

Michael Cook is sharing a comment which responds to the issue which Janet said DOC didn't comment on.

And just wanted to make sure you all had these-

Statements are posted at the links below. Operational timeline page is also updated at the link below.

https://2020census.gov/en/news-events/press-releases/statement-covid-19-2020.html

https://www.census.gov/newsroom/press-releases/2020/statement-covid-19-2020.html

https://2020census.gov/en/news-events/operational-adjustments-covid-19.html (May Need To Refresh yourCache)

On Apr 13, 2020, at 6:33 PM, Tucker, Caroline (Federal) <CTucker@doc.gov> wrote:

Census Extends 2020 Count
U.S. Census Bureau to ask Congress for extra 120 days to deliver apportionment figures
By Janet Adamy & Paul Overberg | April 13, 2020 5:57 PM
--
The U.S. Census Bureau said Monday it will further delay this year's decennial count and ask Congress for an extra 120 days to deliver final apportionment figures as the coronavirus pandemic impedes its field work.

The count that got under way in the middle of March was originally scheduled to end July 31. By law the bureau has to send state population totals to the president by Dec. 31.

Social-distancing restrictions forced the bureau to delay field operations, such as hand delivery of millions of invitations and hiring of certain temporary workers, starting in late March. The bureau had already stretched its completion date into the middle of August.

On Monday, it took those delays a step further. The bureau said it plans to extend the window for Americans to respond until Oct. 31, and will seek congressional approval to deliver the population totals to the president by April 30, 2021. Redistricting data would be delivered to the states no later than July 31, 2021.

Rep. Carolyn B. Maloney, the New York Democrat who chairs the House Committee on Oversight and Reform, said the committee will carefully examine the administration's request but that it needs information the administration has been unwilling to provide. She said the administration was preventing Census Bureau Director Steven Dillingham from briefing members of her committee.

The Commerce Department didn't immediately comment on her assertion.

Census results will determine which states gain and lose congressional seats and electoral votes after fall elections, and are used to distribute at least $675 billion annually in government funding. Experts said the delay puts the 2020 census in uncharted territory.

"Congress should do the deep dive necessary to determine whether the proposed extension of all major counting operations puts historically undercounted populations at even greater risk of inaccurate results," said Terri Ann Lowenthal, a private consultant on census issues in Stamford, Conn. "Then it can decide if delaying the reporting deadlines for the transfer of political power is the best option."

As of Sunday, 48.1% of more than 140 million households that had been invited to self-respond had done so. The bureau expected 60.5% would do so by the end of July.

Most Americans received their invitation to respond in mid-March, but some are still waiting for theirs. Census workers were pulled off the streets just as they began delivering census forms in person to more than 9 million homes. Many of the homes are in rural or tribal areas and don't receive mail at home.

The bureau also had just begun training hundreds of thousands of workers who will be needed this summer to visit tens of millions of households that haven't responded to the census.

The bureau said it hoped to restart field operations by June 1.

From: Tucker, Caroline (Federal)
Sent: Monday, April 13, 2020 6:31 PM
To: Gorey, Lauren <LGorey@doc.gov>; Davis, Caitlin <CDavis4@doc.gov>; Paranzino, Anthony <AParanzino@doc.gov>; Risko, Daniel <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; Ahmad, Ali M <ali.m.ahmad@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: New York Times: Knocked Off Track by Coronavirus, Census Announces Delay in 2020 Count

Knocked Off Track by Coronavirus, Census Announces Delay in 2020 Count
The Census Bureau said it would extend the deadlines for collecting census data and would ask Congress for a delay in providing final counts used for congressional redistricting.
By Michael Wines | April 13, 2020 5:59 PM
--
WASHINGTON — Conceding that its effort to count the nation's population has been hamstrung by the coronavirus pandemic, the Census Bureau said on Monday it would ask Congress for a four-month delay in delivering the census data used to reapportion the House of Representatives and political districts nationwide.

In a news release, the bureau said the new April deadline would mean that state legislatures would get final population figures for drawing new maps as late as July 31, 2021. Delivery of that data normally is completed by the end of March.

The bureau also said it would extend the deadline for collecting census data, now Aug. 15, to Oct. 31, and would begin reopening its field offices — which have been shuttered since mid-March — sometime after June 1.

Democrats who oversee census operations in the House Oversight and Reform Committee reacted cautiously to the news, which they said was relayed early Monday to a handful of members of Congress in a telephone call with officials from the White House and the Commerce Department. The director of the census, Steven Dillingham, apparently did not participate in the call.

"The oversight committee will carefully examine the administration's request, but we need more information than the administration has been willing to provide," the committee's chairwoman, Representative Carolyn B. Maloney of New York, said in a statement.

"If the administration is trying to avoid the perception of politicizing the census, preventing the census director from briefing the committee and then excluding him from a call organized by the White House are not encouraging moves."

The 2020 head count has been mired in controversy since 2017, when the administration tried to amend the census questionnaire to count the number of noncitizens, which was widely seen as an effort to give Republicans a political edge in next year's redistricting. Many experts also have expressed fears that the administration's harsh anti-immigrant policies and rhetoric would deter minorities from filling out census forms, leading to an undercount that also would work to Republicans' benefit.

Census officials have said that response to the census — the first to be conducted largely over the internet — had been meeting expectations. But the bureau already had been forced once to extend the shutdown of field operations that it first announced in March. Efforts to count millions of households in specialized segments of the population — homeless people and those without fixed addresses, such as Native Americans on reservations — have been in limbo, awaiting the bureau's decision when it would be safe to begin or resume them.

From: Tucker, Caroline (Federal)
Sent: Monday, April 13, 2020 6:27 PM
To: Gorey, Lauren <LGorey@doc.gov>; Davis, Caitlin <CDavis4@doc.gov>; Paranzino, Anthony <AParanzino@doc.gov>; Risko, Daniel <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; Ahmad, Ali M <ali.m.ahmad@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: Bloomberg: Census Count Delayed by Three Months Because of Coronavirus

Census Count Delayed by Three Months Because of Coronavirus
By Erik Wasson | April 13, 2020 5:21 PM
--
The once-per-decade U.S. census will be delayed by at least three months, the Commerce Department told Congress on Monday, as the coronavirus pandemic hinders in-person data collection from households.

Commerce Secretary Wilbur Ross announced field operations will be delayed until June 1, and that in turn would delay completion of the count until Oct. 31. He asked Congress Monday to grant his department a 120-day extension of statutory deadlines as a result of the outbreak. A leading House Democrat said Congress will consider the request.

The 2020 Census will be used to determine the apportionment of seats in the U.S. House of Representatives and the distribution of federal tax revenue to the states. The Census said in a statement that under its plan, apportionment counts would be finished by April 30, 2021, instead of Dec. 31 and redistricting data would be delivered to the states by July 31, 2021, instead of March 31, 2021.

"The Oversight Committee will carefully examine the administration's request, but we need more information that the administration has been unwilling to provide," House Oversight Chairwoman Carolyn Maloney, a New York Democrat, said in a statement. "The Constitution charges Congress with determining how the Census is conducted, so we need the administration to cooperate with our requests so we can make informed decisions on behalf of the American people."

The Census Bureau temporarily suspended field data collection activities in March because of the outbreak and said Monday that 70 million households, some 48% of the total, have already responded to the questionnaire.

This year's count was already the subject of a pitched battle over Ross's attempt to add a citizenship question to the form. Democrats said the Trump administration was attempting to intimidate undocumented immigrants into failing to respond to the census, which could lead to an undercount. The attempt was abandoned in the wake of court challenges.

From: Tucker, Caroline (Federal)
Sent: Monday, April 13, 2020 6:25 PM
To: Gorey, Lauren <LGorey@doc.gov>; Davis, Caitlin <CDavis4@doc.gov>; Paranzino, Anthony <AParanzino@doc.gov>; Risko, Daniel <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; Ahmad, Ali M <ali.m.ahmad@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: Reuters: U.S. Census will ramp up count June 1, results delayed four months due to coronavirus

U.S. Census will ramp up count June 1, results delayed four months due to coronavirus
By Diane Bartz | April 13, 2020 6:02 PM
--
The Census Bureau, which stopped some of its work last month because of the new coronavirus, said on Monday that it planned to ramp up again beginning on June 1 but would need more time to complete the count.

The Census Bureau, which is under the Commerce Department and counts all Americans every 10 years, suspended field collection in March but is planning to re-start on June 1, according to a statement from Commerce Secretary Wilbur Ross and Bureau Director Steven Dillingham.

The bureau also said that it would ask Congress for permission to delay its work by 120 days. This would mean that it would complete data collection by Oct. 31 and release state populations by April 30, 2021. Redistricting data would be given to states by July 31, 2021. The survey determines how the state legislatures draw voting districts during the next round of redistricting and guides the federal government in allocating $1.5 trillion a year in aid.

"In-person activities, including all interaction with the public, enumeration, office work and processing activities, will incorporate the most current guidance to promote the health and safety of staff and the public," the statement said.

The bureau also said that 70 million households have responded, or about 48%.

From: Tucker, Caroline (Federal)
Sent: Monday, April 13, 2020 6:22 PM
To: Gorey, Lauren <LGorey@doc.gov>; Davis, Caitlin <CDavis4@doc.gov>; Paranzino, Anthony <AParanzino@doc.gov>; Risko, Daniel <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; 'Ali Mohammad Ahmad (CENSUS/ADCOM FED)' <ali.m.ahmad@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: The Hill: Trump wants Congress to delay Census deadlines amid pandemic

Trump wants Congress to delay Census deadlines amid pandemic
By Olivia Beavers | April 13, 2020 5:52 PM
--
The Trump administration is asking Congress to push back statutory deadlines for the 2020 Census amid the coronavirus outbreak.

Rep. Carolyn Maloney (D-N.Y.), chairwoman of the House Oversight and Reform Committee, said Commerce Secretary Wilbur Ross told her in a phone call Monday that he wants Congress to pass legislation to delay by four months the deadline for providing the decennial count to the president, pushing it from Dec. 31 to April 30.

"In order to ensure the completeness and accuracy of the 2020 Census, the Census Bureau is seeking statutory relief from Congress of 120 additional calendar days to deliver final apportionment counts," the Commerce Department said in an announcement Monday.

The agency, which oversees the Census Bureau, is also asking Congress to delay the March 31 deadline for providing redistricting data to the states, with a new deadline of July 31.

If Congress agrees, Ross would need to notify states that may require their own legislation for postponement, according to Maloney's office.

The Census attempts to count every person living in the U.S. and its territories through questionnaires in order to provide key data to lawmakers, school districts and others about how many people live in certain areas. The count is mandated under the Constitution and helps to determine where federal funding for roads, schools, fire departments and more. It also determines the number of seats each state will have in the House.

The announcement comes after the Commerce Department said it has received responses from more than 70 million households, or 48 percent of all U.S. households.

Maloney, who emphasized that she is committed to a complete and accurate Census count, said her committee "will carefully" consider the deadline request. But she added that lawmakers "need more information that the Administration has been unwilling to provide."

In particular, she took issue with the White House arranging the Ross call without participation from any Census officials, including the director. She added that the Trump administration has declined repeated requests for him to brief members of the panel since they first asked for one on March 23.

"If the Administration is trying to avoid the perception of politicizing the Census, preventing the Census Director from briefing the Committee and then excluding him from a call organized by the White House are not encouraging moves," Maloney said in a statement. "The Constitution charges Congress with determining how the Census is conducted, so we need the Administration to cooperate with our requests so we can make informed decisions on behalf of the American people."

She said Monday's call included administration officials like Ross, Director of the White House Office of Legislative Affairs Eric Ueland, Deputy Director of the Office of Management and Budget Russ Vought and senior adviser to the White House Chief of Staff John Fleming.

From: Tucker, Caroline (Federal)
Sent: Monday, April 13, 2020 6:19 PM
To: Gorey, Lauren <LGorey@doc.gov>; Davis, Caitlin <CDavis4@doc.gov>; Paranzino, Anthony <AParanzino@doc.gov>; Risko, Daniel <DRisko@doc.gov>; Walsh, Michael (Federal) <MWalsh@doc.gov>; Cook, Michael C <michael.c.cook@census.gov>; Ali Mohammad Ahmad (CENSUS/ADCOM FED) <ali.m.ahmad@census.gov>; Quinley, Kevin <kevin.quinley@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: Politico: Trump admin requests delays in census deadlines

Trump admin requests delays in census deadlines
The coronavirus has made it difficult to conduct the decennial count.
By Matthew Choi | April 13, 2020 5:29 PM
--
The Trump administration is moving to delay some deadlines for the 2020 census due to coronavirus, including delivering data to states for congressional redistricting.

The Census Bureau is requesting Congress allow a 120-day delay on some data-reporting deadlines, according to a joint statement Monday by Commerce Secretary Wilbur Ross and Census Bureau Director Steven Dillingham. The delay would accommodate social distancing guidelines for workers to prevent the spread of the disease.

The bureau had already canceled field work in March as numerous states across the country ordered people to stay in their homes.

The lag in counting could lead to a delay in data necessary for forming congressional districts, the bureau argued. In response, the Trump administration requested to delay the deadline to deliver apportionment counts to President Donald Trump from December to April of next year.

Rep. Carolyn B. Maloney, chairwoman of the House Oversight Committee, said Monday that the committee would consider the request, but that the Trump administration was stonewalling in providing information vital in assessing the move.

Dillingham was not on the call to the committee requesting the deadline changes, Maloney (D-N.Y.) said in a statement. The committee has repeatedly requested a briefing with Dillingham but has not been able to secure one, Maloney said.

"If the Administration is trying to avoid the perception of politicizing the Census, preventing the Census Director from briefing the Committee and then excluding him from a call organized by the White House are not encouraging moves," Maloney said in the release.

This year's census has already been fraught with partisan drama after Ross pushed for a question asking respondents' citizenship. Critics argued that doing could discourage undocumented immigrants from responding, leading to under-representation in Congress. The Supreme Court deemed the citizenship question illegal last summer.

Over 70 million people, or 48 percent of American households, have already responded to the census, according to Ross' and Dillingham's statement.

Caroline Tucker
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b(6)

To: Dewhirst, David (Federal)[DDewhirst@doc.gov]; Foti, Anthony (Federal)[AFoti@doc.gov]; Hull, Cordell (Federal)[CHull@doc.gov]; O'Connor, Kasey (Federal)[KO'Connor@doc.gov]; Paranzino, Anthony (Federal)[AParanzino@doc.gov]
Sent: Wed 8/14/2019 7:40:15 PM (UTC-04:00)
Subject: FW: For Your Review: Secretary Memos on Admin Records
Alabama Gov Memo.docx
Arizona Gov Memo.docx
Iowa Gov Memo.docx
Kentucky Gov Memo.docx
Oklahoma Gov Memo.docx
South Carolina Gov Memo.docx
Texas Gov Memo.docx
West Virginia Gov Memo.docx
Wyoming Gov Memo.docx
Mississippi Gov Memov2.docx

b(5) - DP

Can we review tomorrow together?

Joe Semsar
b(6)

From: James B Treat (CENSUS/ADDC FED) <James.B.Treat@census.gov>
Sent: Wednesday, August 14, 2019 5:04 PM
To: Semsar, Joseph (Federal) <JSemsar@doc.gov>
Cc: Dillingham, Steven <steven.dillingham@census.gov>; Berning, Michael A <michael.a.berning@census.gov>; Smith, Steven K <steven.k.smith@census.gov>; lawrence, Van R <van.r.lawrence@census.gov>; Ahmad, Ali M <ali.m.ahmad@census.gov>; Lamas, Enrique <enrique.lamas@census.gov>; Jarmin, Ron S <ron.s.jarmin@census.gov>; Stanley, Christopher J <christopher.j.stanley@census.gov>
Subject: For Your Review: Secretary Memos on Admin Records

Joe,

In preparation for the Secretary's planned calls to Governors next week, we are providing the attached background materials for Karen's review, per her request. The attachments include memos for the 10 states that are suggested by Anthony Foti as being appropriate for the first wave of calls. The memos provide background information using the standard template/format approved for previous calls of this nature and was successful. Also attached is the full excel worksheet from which the status updates in the memo's were derived. This document is more for background and will be updated as we move forward. We are developing the memos for the remaining states.

Please let us know if you have any comments/suggestions. Also, could you please let us know if there is an expectation that a Census staff person should be present at these calls?

I believe the calls are scheduled starting on Tuesday next week, so feedback as soon as possible would be great. I would like to send them to Clark as soon as possible so they can get in front of the Secretary. Feel free to loop Clark into the review if you think that would help.

thanks - jim

James B. Treat

Assistant Director for Decennial Programs

U.S. Census Bureau

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census.gov

Connect with us on Social Media

From: Wilbur Ross [wlr@doc.gov]
Sent: 7/21/2020 1:39:56 PM
To: Burris, Meghan (Federal) [MBurris@doc.gov]
CC: Walsh, Michael (Federal) [MWalsh@doc.gov]; Risko, Daniel (Federal) [DRisko@doc.gov]
Subject: Re: Talking Points Memo on Census

Broke off at the pint indicated WLR

Sent from my iPhone

On Jul 17, 2020, at 3:39 PM, Burris, Meghan (Federal) <MBurris@doc.gov> wrote:

Report: Trump Likely To Ban Census From Counting Undocumented Immigrants

By Tierney Sneed | July 17, 2020

The White House is likely to unveil Friday an executive order by President Trump banning the Census Bureau from counting undocumented immigrants in its 2020 decennial survey, Politico reported.

The Politico report did not offer any more details on what this order would look like.

The ban, if announced, will certainly be litigated. The Constitution mandates a "actual Enumeration" every 10 years so that "all persons" can be counted for the purposes of allotting U.S. representatives among the states.

Some GOP anti-immigration hardliners, like former Kansas Secretary of State Kris Kobach, have argued that there was some legal wiggle room that would allow for undocumented immigrants to not be counted in congressional apportionment.

In fact, when Kobach was privately lobbying Commerce Secretary Wilbur Ross in 2017 for a citizenship question to be added the census, he urged also a question on legal status for that very purpose.

Once the emails became public, Ross distanced himself from Kobach's proposal by pointing out that the version of the citizenship question the administration has tried to put on the census did not include a legal status question.

The version of the question the administration had tried to add was blocked by the Supreme Court last year. The majority concluded that the administration's stated reason for adding it — to improve Justice Department enforcement of the Voting Rights Act — was bogus.

There has been some discussion in conservative circles of seeking to exclude non-citizens — with legal status or otherwise — from the count states use to draw their legislative districts. But any attempt to do that would also face a legal challenge.

After the citizenship question was blocked, President Trump ordered the Census Bureau to produce citizenship data based on existing government records. The order offered a rudimentary approach for using that data to determine the number of undocumented immigrants in the country.

It is not clear whether that approach is what the administration has in mind with the the order it is reportedly likely to issue.

Regardless of the form this new reported measure takes and whether it is allowed to go into effect, just the discussion of it will inject even more chaos in what has already been an extremely challenging decennial count for the Census Bureau.

The pandemic has forced the Census Bureau to delay many of its operations, including certain in-person enumeration activities, by months.

This latest news stands to sow more confusion, and could chill the census participation of not just undocumented immigrants, but their family members who are in the U.S. legally.

These chilling effects will skew the census to Republicans' advantage. The kind of undercount it would produce would shift government and political representation away from diverse, Democratic-leaning communities, in favor of red, rural parts of the countries.

An official policy — if allowed to stand by the courts — that undocumented immigrants not be included in apportionment or redistricting counts would further exacerbate those consequences.