

2020 CENSUS: EXAMINING COST OVERRUNS, INFORMATION SECURITY, AND ACCURACY

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
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2020 CENSUS: EXAMINING COST OVERRUNS, INFORMATION SECURITY, AND ACCURACY

TUESDAY, OCTOBER 31, 2017

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:36 p.m., in room SD-342, Dirksen Senate Office Building, Hon. Ron Johnson, Chairman of the Committee, presiding.

Present: Senators Johnson, Lankford, Daines, Carper, Tester, Heitkamp, Peters, Hassan, and Harris.

OPENING STATEMENT OF CHAIRMAN JOHNSON

Chairman JOHNSON. Good afternoon. This hearing will come to order. We are assembled here to review the 2020 Census: Examining Cost Overruns, Information Security, and Accuracy.

I want to thank our witnesses for their testimony and for their time appearing here before us.

We have two simple charts. I will keep my opening statement brief. I will ask consent to enter my written statement in the record.¹

The first chart—if we have somebody willing to put it up. It is basically the Census cost since 1970 where in inflated dollars, we spent about \$1.2 billion.² This year—and Secretary Ross will testify to this—we will spend about \$15.6 billion, which is an increase of \$3.4 billion over the estimate from October 2015, slightly less than the \$17.5 billion had we used the 2010 methodology. I guess you could say we are making progress.

If you just take the \$1.2 billion we spent in 1970—and, Secretary Ross, this is my business background; this is the way I would do it in a budget review session—and just grow the cost by population—we have gone from about 200 million to about 320 million people—it would be about a \$1.9 billion cost. If you grew it by an increase—because it is about a 56 percent increase in population. If you grew an increase of households, which has basically doubled, it would be \$2.4 billion, and we are looking at \$15.6 billion.

Another way of looking at that—next chart³—we are keeping him hopping—would be cost per household, and again, this is in-

¹ The prepared statement of Senator Johnson appears in the Appendix on page 33.

² The chart referenced by Senator Johnson appears in the Appendix on page 79.

³ The chart referenced by Senator Johnson appears in the Appendix on page 80.

flated dollars. It costs about \$17 per household in 1970. We are projecting about \$107 per household.

Now, I realize response rate is down. There are a host of explanations, you could use to explain that, but it still begs the question: What has changed so dramatically from 1970 that the costs have increased so dramatically?

As somebody who ran a business and got the incredibly voluminous business Census, I know I scratched my head and said, "Why does the Federal Government need this much information, and how is it potentially used?" Now, I think time is short. The U.S. Census was added to the high-risk list, and we will let General Dodaro really explain why that was, but I am just going to ask the question. What are we asking on this Census? Do we really need to ask this much? Can we pare this thing down kind of based on what we really need versus going way overboard? I have to believe some of the detail, some of the volume of the questions asked is certainly responsible for some of the cost overruns as well, but those are some of the issues I will be trying to explore during this hearing.

With that, I will turn it over to our Ranking Member who by the way—I know I mentioned this in our morning meeting. I am happy to have Senator Heitkamp be our Ranking Member, but Senator McCaskill is not here because her husband suffered a severe heart attack. He is in the intensive care unit, so I just want everybody to keep Senator McCaskill and Joe and their family in your thoughts and prayers.

OPENING STATEMENT OF SENATOR HEITKAMP¹

Senator HEITKAMP. Thank you, Chairman Johnson.

First, I would like to express my warmest wishes to Claire and her husband, Joseph. They are in our prayers, and we really are hoping for a swift and speedy recovery. I understand he is on the mend. We are getting good reports. I know Claire would be here if at all possible.

Secretary Ross, Comptroller General Dodaro, thank you again for joining us today. This needs to be the first, I think, in the series of hearings concerning the Census Bureau and its plans for the 2020 Census. Simply put, the 2020 Census is in trouble. Budget uncertainty, canceled tests, increasing cost projections, and no Senate-confirmed Director are all signs of an operation that is teetering.

We can still get it back on track, but we are running out of time. The lack of even a nominee for the Census Director position is very troubling, and I hope that lack does not indicate the priority that the Administration places on the constitutionally mandated Census.

A critical concern to me and to my constituents are the canceled tests in Indian Country. Indian reservations provide unique challenges for the Census Bureau, such as historic distrust of the Federal Government, a lower likelihood of deliverable mail, and sparse population centers.

As the 2020 effort began to ramp up, the effort looked good. Coupled with the goal of a tribal enrollment questions in 2020, the

¹ The prepared statement of Senator Heitkamp appears in the Appendix on page 34.

Census Bureau determined two tests were necessary to adequately prepare for potential road blocks on the reservations and how we could have a more successful Census effort on the reservation. However, both of those tests were canceled, and there are no plans, to which I am aware of, to replace them with any sort of tests related to the challenges the Census will face in Indian Country. I think this is a mistake and risks the success of the 2020 Census in States, especially in the western United States.

For too long, we have given Indian Country the leftovers. Members of these communities deserve to be counted where they reside, just like any other person. But, because of the choices made in Washington, it would be much more difficult to make sure that that happens.

These concerns go way beyond tribal issues. From what I have seen, I am not sure the Census Bureau is generally prepared to do a very effective job in rural America nationwide.

The planned tests focus more on urban and suburban regions. It is, of course, critical to get accurate counts there, but we have to make sure that the Census is prepared to meet the needs of rural America.

There are also questions regarding contracting decisions and information technology (IT) security as we move forward and enumerate these techniques and these challenges.

The integration and modernization of the IT systems of the Bureau and the mobile device bid protest are issues of particular interest and importance to our Ranking Member, Senator Claire McCaskill, and I know she would talk about them if she were here today.

With that, I look forward to hearing from the witnesses on how we are going to get this turned around and get the 2020 Census back on track.

Chairman JOHNSON. Thank you, Senator Heitkamp.

It is the tradition of this Committee to swear in witnesses, so if you all would stand and raise your right hand. Do you swear the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Secretary ROSS. I do.

Mr. DODARO. I do.

Chairman JOHNSON. Please be seated.

Our first witness is the Honorable Wilbur L. Ross Jr. He is the Secretary of Department of Commerce. Secretary Ross is accompanied by Dr. Ron Jarmin, who is the Acting Director for the U.S. Census Bureau. Secretary Ross will provide the oral testimony, and Dr. Jarmin is here to answer specific questions. Secretary Ross.

TESTIMONY OF THE HONORABLE WILBUR L. ROSS JR.,¹ SECRETARY, U.S. DEPARTMENT OF COMMERCE; ACCOMPANIED BY RON S. JARMIN, PH.D., ACTING DIRECTOR, U.S. CENSUS BUREAU

Secretary Ross. Thank you, Chairman Johnson. Thank you also, Ranking Member, and I give my best condolences and hope everything turns out for the McCaskill family. I thank the whole Committee for your continuing support and oversight of the 2020 Census, a critical constitutionally mandated endeavor.

An efficient 2020 Census that provides a full, fair, and accurate count has been one of my highest priorities since being confirmed in February. I myself was an enumerator as I worked my way through business school. I have a strong appreciation for the responsibilities and the unique challenges of counting everyone in the United States once every 10 years, and it has been clear from my first day that the Census would be one of the most challenging aspects of the entire Commerce portfolio.

I agree with the Members of this Committee. The Census is the bedrock upon which we construct our system of democratic representation. It provides for apportionment, redistricting, and the distribution of hundreds of billions of dollars of Federal funding.

Accordingly, some of my first meetings after confirmation were with the Census staff, and my early concerns were heightened when only 2 months into my tenure, the Census Bureau suddenly announced a 40 percent cost overrun in the Census Enterprise Data Collection and Processing (CEDCaP) program.

In terms of the broader Decennial Census, the prior Administration's last life-cycle cost estimate in October 2015 was \$12.5 billion. When testifying before Congress in June, I did not accept that figure. Instead, I vowed to return after a careful review with a newly vetted 2020 Census life-cycle cost that I could support. The results of that review bring me here today.

On the whole, we found that the prior Administration provided overly optimistic assessments of both the ease of implementing new technologies and the cost savings they would provide. Also, most of their key contracts are on a time and materials basis, which are the most dangerous forms of contract.

The prior Administration also failed to follow basic management practices, such as using certified cost estimators and checking estimates against actual cost. Their estimates, instead, were made by subject matter experts.

We are working today closely with the Government Accountability Office (GAO) to address those failures and correct the record. This had led us to now project a life-cycle cost estimate of \$15.6 billion. This increase includes contingency funding of \$1.2 billion to address potential risks and associated challenges, such as national disasters, potentially lower self-response rates, the difficulty in cost of hiring 500,000 temporary workers in a tight labor market, and the complexity of developing and integrating multiple information technology innovations. Our \$1.2 billion reserve, a contingency of 10 percent of the post-2018 budget, on top of the inde-

¹ The prepared statement of Mr. Ross appears in the Appendix on page 35.

pendent cost estimate level will be managed at the secretarial level.

Our new life-cycle cost estimate includes a request for a \$187 million adjustment for Fiscal Year (FY) 2018. These funds will allow us to make a significant course correction. The Census Bureau and the Department of Commerce will be held accountable.

Commerce now conducts weekly 2020 Census oversight reviews and will require metric tracking and program execution status on a real-time basis. The Under Secretary for Economic Affairs, Karen Dunn Kelley, has been in place since late August, and she will have direct oversight over the 2020 Census.

Seasoned senior management is also in place at the Census Bureau itself. Ron Jarmin, on my left, and Enrique Lamas are performing the nonexclusive duties and functions of the Director of the U.S. Census Bureau and the Deputy Director and Chief Operating Officer (COO), respectively. Each has nearly three decades of experience in Census.

We are now just 30 months away from the 2020 Census. Many challenges lie ahead, and these additional resources are urgently needed, but with the management changes we have detailed and with the additional resources requested, I am confident we will have a full, fair, and accurate Census.

I look forward to working with this Committee, your staff, and the rest of Congress over the months and years to come. I thank the Committee for the opportunity to come before you today, and I look forward to your questions.

Chairman JOHNSON. Thank you, Secretary Ross.

Our final testimony will be given by the Honorable Gene L. Dodaro. Mr. Dodaro has been the Comptroller General of the U.S. Government and Accountability Office since 2010 and has more than 40 years of experience at the agency, including as Acting Comptroller General, Chief Operating Officer and head of the Accounting and Information Management Division. General Dodaro.

TESTIMONY OF THE HONORABLE EUGENE L. DODARO,¹ COMPTROLLER GENERAL OF THE UNITED STATES, U.S. GOVERNMENT ACCOUNTABILITY OFFICE

Mr. DODARO. Thank you very much, Mr. Chairman, Ranking Member Heitkamp, Members of the Committee. I am very pleased to be here today, but first, I would like to express and add my best wishes to Senator McCaskill and her husband for a speedy recovery.

I am pleased to be able to talk about the preparations for the 2020 Census.

We consider the 2020 Census among the highest management risks in the Federal Government for three main reasons. One, the Bureau is trying a number of innovations, such as Internet response, use of administrative records, and reengineering its field operations, and unfortunately, they have had to cancel some of the field tests. Senator Heitkamp mentioned some of those tests were intended to be done in the Indian areas, tribal areas, and others.

¹ The prepared statement of Mr. Dodaro appears in the Appendix on page 40.

Reduction of these tests leads to limitations on the confidence that the Bureau and Congress can have regarding these innovations and heightens the risk. That is issue number one.

Issue number two is the difficulties, significant ones in implementing and securing IT systems. As of last August, for example, only 4 of the 43 systems Census was planning to use had completed development and testing. Now, there have been schedule delays. That results in a compressed schedule, and what we are really concerned about is that the main casualty of this will be not only potential problems in the operations but reduced testing for security. This is a particular concern because about 75 percent of the systems will contain sensitive information that needs to be safeguarded.

The third reason we put the 2020 Census on the high-risk list had to do with the cost estimates. We did not believe there was a comprehensive and reliable cost estimate to complete the Census successfully. We did not deem the last cost estimate in 2015 reliable for a number of reasons. As soon as we get the full documentation from Commerce Department and the Census Bureau, we will review it to determine whether we believe the current estimate is reliable.

Now, moving forward, there are a few things that are really important. One is sustained leadership attention. This is always the number one area that we look at in terms of getting off the high-risk list.

I am very pleased that Secretary Ross has been focused on this and applied some additional resources on management teams, and conducted an independent cost estimate. I think that was very appropriate. I think the fact that the Bureau has increased the estimate by \$3 billion shows that our prior assessment of the unreliability of the earlier estimate had merit.

But there needs to be an appointed, Senate-confirmed leader not only for the Director of the Census Bureau. Also a Deputy Director is needed as well. I think that is very important going forward. There are a lot of difficult issues that will need to be dealt with, and having permanent leadership in place there will be very important.

Second is the capacity. Right now, for example, the Government Program Management Office that is overseeing the contract integrator of all of the Census IT systems, has about 60 percent vacancies in the positions there at that Office, and so this is going to be very important going forward.

Also, I was pleased——

Senator CARPER. I am sorry. Would you just repeat that? Gene, would you just repeat that again? That is so alarming.

Mr. DODARO. There is a Government Program Management Office that is intended to oversee the contract integrator that was brought in to integrate these 43 systems for the operations. They have about 35 out of 58 positions unfilled. So, they have 60 percent unfilled positions that they need to get in place, and this is very important, given we have had concerns about their management of IT practices going back prior Censuses as well. We remain concerned about that for this Census preparation as well.

I was very pleased Secretary Ross has agreed to give high priority to implementing GAO's open recommendations. Over the last decade, we have made 84. Thirty-six have not been implemented. Fifteen, we consider priority recommendations, and they go to the heart of the reasons that we designated the Department high risk.

I think you need leadership capacity. I commend this Committee for holding this hearing. I think it is very important to have regular congressional oversight, particularly over the next year and a half, because that is basically the window that you have to lock down the procedures for the 2020 Census. Otherwise it will be too late to make last-minute changes.

Unless these high-risk areas are addressed, I am concerned about not only the cost effectiveness of the Census but the quality of the count and its usefulness to meet the constitutional requirements.

Thank you very much for the opportunity to be here today. I would be happy to answer questions.

Chairman JOHNSON. Thank you, General Dodaro.

Let me start with you. In terms of the three high-risk concerns, cost overrun, are you satisfied based on your dealings with Secretary Ross that we have a pretty good handle on the cost now?

Mr. DODARO. I will not be able to determine that until we see the documentation supporting the cost estimate. We had real concerns about the documentation with the 2015 estimate, and it did not meet best practices, any of the four practices that we test for. Also, some of the math could not be replicated, and supporting documentation was missing.

I am hopeful that this estimate, since the Secretary brought in an independent cost team and bolstered the team, will be in better shape, but we will not know that until we have received all the supporting documentation and had a chance to carefully review it.

I will commit to this Committee to get back to you once we have all the documentation and have reviewed it. We will give you our determination as to the reliability of the estimate.

Chairman JOHNSON. I will be asking all three of you the same question: What is the single biggest risk? What is the thing that you are most concerned about with the 2020 Census?

Mr. DODARO. In addition to the cost, I am concerned about the security of the IT systems, particularly with the use of the Internet response. I have been before this Committee many times talking about cybersecurity issues and the threat it passes to agencies and citizens. There is the potential for people to misuse the Internet response rate to make the count be skewed, or there could be other mischief associated with it. I am very concerned about that. That is why the proper testing and development of the IT systems is important.

I commend the Department for moving to use technology, and it has tremendous benefits to help them improve the count. But without proper security, I think there is a risk that would be unfortunate if it is exploited.

Chairman JOHNSON. Secretary Ross, I think we all appreciate how you have certainly put the 2020 Census at the top of your priority list. Do you have any timeline in terms of when you will ap-

point—or the Administration will appoint a Director and Deputy Director?

Secretary ROSS. We are working on it quite actively. We had had one candidate for Director who went very far through the process, and then eventually the vetting did not work. We are now back to the drawing board, but we recognize the need for day-to-day management. What we are doing as a temporary substitution is we have brought in four outside consultants, two of whom had prior experience with the Census for many years, two of whom recently retired, International Business Machines (IBM) executives, who have very good experience with technology rollouts.

Karen Dunn Kelley, who was confirmed in August, will be taking very direct charge of the Census. She is the new Under Secretary for Economic Affairs, and she is someone I have worked with for many years. She has managed very large and very complex organizations. Those are not obviously permanent substitutes for permanent management, but they are the best we can do, and I think they will work well.

Also, the level of attention being paid to things is quite different. We do have a schedule of weekly meetings. We do have very intense sessions with the contractors themselves. I have had a bunch of them in already, and we have had some very, as the diplomats would say, frank and open discussions about the situation.

But, I think it might be useful to give you a flavor, one for the technological evolution of the Census—and we have handed around these blue sheets, which will give you a feel for the complexity and the degree of change that is being inculcated from 2010 till the present. You can see virtually every aspect of the major functions in the Census is different from what it was. They all are trying to substitute technology for physical presence, and that is the whole theory that they had why they felt they could reduce the costs from what they otherwise would have been.

But the other thing that you should focus on is the horizontal chart, the one labeled “2020 Census.” This to me is one of the problems, which is the very complexity of the structure that they are imposing.

You will see here that there are about a dozen major contracts. Well, within each of those—take the Technical Integrator, which is one of the trickiest and most expensive functions.

There is a vendor called TREX who in turn has 17 subcontractors under it. Now, that is a pretty big task just to manage 17 subcontractors. If you look at the Census questionnaire Assistance function, the vendor there is GDIT, 10 subcontractors. As you go through the list, what is involved in a 100-some-odd contractors, subcontractors to the 10 or 12 general contractors.

Chairman JOHNSON. Do you think that number of contractors and subcontractors is warranted?

Secretary ROSS. Well, I think what it adds is complexity.

We, as you know, had nothing to do with the design of this whole thing, and we have examined the contracts. It is not easy to get out of any of these contracts, number one. Number two, many of them, even ones that are on a time and material basis, have very stiff cancellation penalties.

Chairman JOHNSON. Again, coming from the private sector, maybe you would want to consult your deputy, Deputy Kelley in back of you.

Is this how you would have designed it if you would have been in charge of trying to increase or improve the technology of the Census?

Secretary ROSS. No. I think complexity is the enemy of cost control.

Chairman JOHNSON. But, you are saying it is too late at this point in time to back away from that complexity.

Secretary ROSS. It is totally too late.

Chairman JOHNSON. Well, we ought to be looking ahead for the 2030 to do things—

Secretary ROSS. Yes. What we will do as we get through the 2020, I promise you there will be a very thick volume of lessons learned, so at least there will not be the replication of the same kinds of mistakes that were made here.

Chairman JOHNSON. OK. I am out of time. I want to stay within our 7 minutes, and I want Members and witnesses to stay within it. We can do several rounds.

But I will go to Senator Heitkamp.

Senator HEITKAMP. Thank you, Mr. Chairman.

I continue to be concerned, Secretary Ross, about the lack of public trust and government, and I think that it has a dramatic effect on your ability to do the Census. Breaches from the Securities and Exchange Commission (SEC) or breaches from Equifax or security breaches play a huge and critical role, I think, in building public confidence.

I share Gene's concern about cybersecurity and about whether people feel their data is, in fact, secure.

When you consider that in April 2017, only 20 percent of the respondents in a Pew poll said that they trust the Federal Government all or most of the time.

Considering the lack of public confidence, how can we convince anyone that they should turn information over to the Census Bureau, and what is the Census Bureau doing to overcome—you have identified a lot of tangible problems, structural problems, personnel problems.

Secretary ROSS. Right.

Senator HEITKAMP. The intangible problem that I am getting at is a lack of trust with the people that you are counting, and so how do we get over that intangible problem?

Secretary ROSS. Well, those are very good questions, and those are, frankly, questions that relate very much to why the costs are so high because the big cost is not the vast majority of the people, the easy-to-enumerate ones. Virtually all of the cost is dedicated toward the harder-to-enumerate people, harder to enumerate either because they are Native Americans on reservations, harder to enumerate because of language issues or harder to enumerate for a variety of cultural reasons.

What are we doing about it? First of all, we have increased the communications budget to \$500 million. That is way above the \$350 million that was spent on it before. They have contracted with Young & Rubicam (Y&R) to be the overall general contractor for

communications, and there are 20 different entities, some parts in Young & Rubicam, some outsiders, under that general rubric. Many of those are dedicated to very specific ethnic groups, very specific language groups, or very specific geographic groups.

In addition, we are increasing quite a lot the money being expended on the partnerships with faith-based organizations and others in the various regions. We will have over 300,000 such community organizations that we are working with.

Beyond that, we are experimenting with the idea of making better use of the U.S. postal system. The postal system historically has been the most reliable source of addresses and residences, but they have not historically used the postal system to actually do enumeration.

We are running a test in Providence, Rhode Island, this spring where one of the things we will be testing is working an arrangement with the postal system staff so that after hours, they will work for us on our payroll and go door to door.

Senator HEITKAMP. You are talking, Secretary, about actually engaging with the mail carriers?

Secretary ROSS. Absolutely.

Senator HEITKAMP. Because they know their route. They know the addresses. They are able to help you.

Secretary ROSS. Absolutely. Often they know the people, but they also have a pretty good idea what is a vacant property and what is an occupied property, so that is one thing we are doing.

Senator HEITKAMP. Fascinating. Yes.

Secretary ROSS. The other thing we are going to be experimenting with again in Providence is putting kiosks in the postal system offices around the country to make another form, another easy place for people to fill out the questionnaires.

We hope that better use of the postal system may also help to address the trust issue that you were talking about because nobody feels very threatened to have the mailman come to the door.

Senator HEITKAMP. This is probably a personal experience that maybe was not shared with everyone. I was a long form recipient, filled out the long form, mailed it in the last time. Then I started getting calls from a Census worker, and I was encouraged by a friend, said, "She needs to make a living. Be nice. You can visit with her." And so I did, and at that point, she was asking me a lot of questions about how many devices I had in my house—cell phones, iPads, and I have a lot of that. She was pretty impressed.

About halfway through, I thought, "What has that to do with the Census?" and she said, "Well, we are gathering this additional statistical information for other vendors." I was like—

Secretary ROSS. For other what?

Senator HEITKAMP. For other contractors, people who had contracted with Census to gather this information.

Secretary ROSS. I do not believe that to be the case.

Senator HEITKAMP. It was remarkable—yes. I think that might have happened. It might have been a way to actually help pay for the Census. I do not know. Yes.

Mr. JARMIN. It might have been a survey that we did for another agency on a reimbursable basis, so we do—

Senator HEITKAMP. Yes. That is my point, isn't it? My point is that under the guise of being a citizen, understanding a constitutional citizenship responsibility to actually participate in the Census, all of a sudden I am the data point in something that does not have do with counting.

Mr. JARMIN. Right.

Senator HEITKAMP. These are the kinds of things. I raise this because it is the kind of thing that makes me go, "What are you doing here?" and it builds up a lack of confidence that the public would have with Census workers.

I mean, she was just doing her job. I am not faulting her, but I was, quite honestly, struck. I think it is critically important that you think about these add-ons or these extras that you are doing in terms of data collection because it does negate the relationship that you have with the citizen.

We have lots of questions about how this goes, Secretary. We sit here willing to help and understand and appreciate especially with special populations, and I know we will probably get another round, so I want to ask some questions about special populations. But, I want to applaud your answer in understanding that the bulk of people, you are going to find pretty easily, and it is the marginalized population that we need to work very hard at getting to cooperate and counted.

I think he wants to comment.

Secretary ROSS. Two other things we are doing to try to build confidence, we will be trying to emphasize all the new things we are doing about cybersecurity. There are something like 39 upgrades of the cybersecurity from what had been done before, at least 24 of which are pretty strong improvements, and we have been working very actively with other parts of the Federal Government. We hope to communicate that to the public because people are very worried about personnel security.

It seems as though you cannot pick up a paper without somebody being hacked, so we recognize that is a very serious problem. We are doing our best, A, to deal with it and, B, to publicize that we have dealt with it.

The other thing I do not think they have done enough publicizing, the limitation on the use of the data, the Title 13 responsibilities. I think we are going to try to emphasize those quite a bit so that people know that it will not be used for law enforcement. It will not be used to deport them. It will not be used for anything. It would just be used for the proper purpose, which is enumeration.

Chairman JOHNSON. Senator Lankford.

OPENING STATEMENT OF SENATOR LANKFORD

Senator LANKFORD. Thank you. I appreciate all of you all on this. I am not going to surprise you all because we have had several conversations on this topic before.

But when you talk about going door to door, the people that are most efficient to do that being the United States Postal Service (USPS), obviously, that is a wonderful addition. I have advocated for a long time.

Around April 15th, there is also something that goes in the mail from almost every single American household. That would be their

taxes. My question is, Where is the conversation going? What has been tested, evaluated, on whether when people turn their taxes in, they can also submit their Census data at the same time?

Secretary ROSS. We are having some discussions with the Internal Revenue Service (IRS) about that topic.

Personally, I must confess I am not convinced that tying the Census to the tax form is going to improve the relationship between the Census Bureau and the American public.

Senator LANKFORD. Will it improve the cost of over \$100 per households to actually complete that in \$16 billion?

Secretary ROSS. Well, I do not know.

As I say, we are having discussions with the IRS about the feasibility of it. We will see.

I doubt that we would be able to do it in time for 2020 because we are too far along.

Senator LANKFORD. Right.

Secretary ROSS. But that is no reason not to explore it and try to make sure we have a good understanding of it for the next Decennial Census.

Senator LANKFORD. Do you have any thoughts on that? Have you all explored that as a possibility?

Mr. DODARO. We have not looked at that at all or studied that issue. I think it merits discussion.

The one thing I would note, there is a group called the Tax Policy Center, and they estimate that about 17 percent of tax units really do not fill out or send in the tax form at all, so you would have to deal with that aspect of it. But, I think it should be tested.

But, the one thing that I would urge the Congress to do, though, is to focus on the 2030 Census in 2021. I testified on preparations for the 1990 Census between 1985 and 1989 eight times, and every time this conversation comes up, about early focus on the next Census after the Decennial is over. But attention gets diverted toward other passing issues and the Administration and Congress lost that opportunity. Next thing you know, it is too late to make changes in the next round in the decennial cycle.

Senator LANKFORD. Right.

Mr. DODARO. Passing some legislation requiring some planning by the Census Bureau and have some guaranteed funding for them up front to test these things out like the IRS option early in the 10-year cycle would be, I think, a good investment.

Senator LANKFORD. I would say I share that. This is something I brought up to the Secretary of Commerce, obviously before you were here, 4 years ago, 3 years ago, 2 years ago, last year, and bring it up again.

My issue is, we are trying to do two things around April 15th, and if we want to increase the number of people responding by mail, almost every American files something in their taxes at that same time period. While there have been some questions about, well, we have to be able to hit it exactly on the same date and such, if there are legal issues that we need to address as a Congress to be able to help establish that—but I cannot imagine that we would not get over 100 million responses and get that checked off early and to be done with it and have fewer to be able to chase if it is connected to either their return—now they have a financial

incentive to be able to get that done and in—or to be able to file it under penalty of law.

It does not seem like it is as complicated as it is, but every year, I bring it up, and every year, I get we are either looking at it, or we are studying it, or it is too late. I am going to continue to bring it up because I think it is a multibillion-dollar question to be able to be resolved.

I do have a question as well on resolving the definition of usual residence and how that is coming. I know that there are a lot of questions about what that really means to people, so what is your usual residence when you deal with prison population, overseas military, or United States citizens that are living temporarily overseas. What is the conversation on that currently?

Secretary ROSS. Do you want to take that?

Mr. JARMIN. Thank you, Senator. I will take that.

Usual residence for most folks means where they typically reside. I think that is a pretty subtle question. I think most people understand that.

We do have some issues where folks with more than one house might respond multiple times, but we have some ways to address that.

But, with military, I think the plan as of right now is that if you are deployed in an active duty area, you will be enumerated as of the base you are deployed from. If you are based overseas, it will be your home of record.

Senator LANKFORD. OK.

Mr. JARMIN. Prisons, right now we are planning to do what we have always done. There was a Federal Register notice that was out. We received 78,000 comments. We are still going through that. Until we have made another decision, the way we have done it in the past is to record them where they are imprisoned at.

Senator LANKFORD. And for United States citizens living abroad?

Mr. JARMIN. I think typically for citizens living abroad, I am not sure what the—I think they are typically where they lived—where they live regularly in the United States, but if they are permanent residents abroad, we do not enumerate them.

Senator LANKFORD. Right.

On the cybersecurity and the technology side of it, obviously it is a prime spot for hacking and gathering data. That is what I am hearing from Gene Dodaro is one of the primary concerns there, not only dealing with security and being able to manage it.

I would also tell you on the flip side of it, it is a prime candidate for spearfishing campaigns for a hacker to be able to say, “Hey, I am the Census Bureau,” and to send you an email and say, “Click here to complete your Census.” If it looks just like your Census information and we are also doing Internet surveys, if there is any impression it will come through an email system, that is a very prime spot for people to be able to go gather information from a spearfishing campaign.

I would raise that and say that is a concern now. That is not something that you can solve immediately, but in your advertising campaigns and such, to be able to let people know, “We will not contact you by email unless you have contacted us first,” it would certainly be a big help. That will be an issue that I would assume

someone is paying attention to but wanted to just be able to raise it as well.

Thank you. I yield back.

Secretary ROSS. Perhaps it would be useful if I described some of the things that we are doing to try to ensure the security of the IT system. Would that be agreeable, Mr. Chairman?

The Census Bureau publicly facing systems were tested and validated by external cybersecurity experts in 2017, and no weaknesses were identified in that process.

Following best practice, though, to ensure ongoing security of our systems, we are conducting another security penetration test for the Internet self-response site, and this will be performed by the Department of Homeland Security (DHS) in 2018. We hope this will ensure that our security architecture is sound and that we are following our processes and procedures to minimize security threats by keeping the systems up to date.

From a cybersecurity perspective for 2020, there are a number of specific things we have done. We have engaged the Federal intelligence community (IC) directly for proactive assistance. We have engaged the Office of Management and Budget (OMB) and Department of Homeland Security to provide better secure Internet connections capable of scaling for the Census 2020, and we have worked with the Technical Integrator contractor to enhance the cybersecurity tools that the Census has at its disposal.

Specifically, of the items currently being tracked in the cybersecurity actions for 2020, not 39 total, 80 percent, which is 24 of the 39, are considered upgrades from the Census prior cybersecurity procedure. The cybersecurity actions have 8 nontechnical and 31 technical solutions. Seventy-five percent of the nontechnical and 60 percent of the technical ones are upgrades from previous actions, and we think that those will go a long way toward solving the problems. Nobody can guarantee 100 percent cybersecurity on anything, so we are doing the best we can.

Chairman JOHNSON. Senator Hassan.

OPENING STATEMENT OF SENATOR HASSAN

Senator HASSAN. Well, thank you, Mr. Chair, and thank you, witnesses, for being here today.

I want to talk in a moment about the particulars of the Census in rural areas and post disaster, but, Secretary Ross, I wanted to just start by clarifying a couple of things with you.

As you are aware, former Trump campaign chairman, Paul Manafort, and his associate, Rick Gates, were criminally indicted yesterday. According to the indictment, Mr. Manafort allegedly used companies based in Cyprus to launder millions of dollars into the United States that were hidden from the Department of Justice (DOJ), the IRS, and others.

It was also publicly reported that Mr. Manafort wired a million dollars to the United States from a mysterious firm through the Bank of Cyprus.

Until you were confirmed Secretary of Commerce, you were a major investor in and Vice Chair of the Bank of Cyprus, which is the same bank Mr. Manafort reportedly used to transfer undeclared income from these offshore entities.

Secretary Ross, did you have any knowledge of Mr. Manafort's transfers through the Bank of Cyprus?

Secretary ROSS. No.

Senator HASSAN. During your tenure at the Bank of Cyprus, did you ever discuss any financial matters with Mr. Manafort?

Secretary ROSS. No.

Senator HASSAN. Were you aware of any issues related to money laundering at the Bank of Cyprus when you were an investor there?

Secretary ROSS. We had procedures to try to monitor laundering and trying to prevent it. I am not aware of anything specific relating to Mr. Manafort.

Senator HASSAN. Thank you.

Have you been contacted by the Special Counsel's office regarding this or any other matter?

Secretary ROSS. No.

Senator HASSAN. If contacted, would you cooperate with the Special Counsel's office?

Secretary ROSS. I would have no reason not to.

Senator HASSAN. Thank you very much.

Now on to the Census issues. As you know, we all know how critical the Census count is for congressional apportionment and for States to access Federal funding. Therefore, this count is vitally important to people in the Granite State who rely on Federal funding for important projects and initiatives across the State.

Given the geographic diversity of my State but also around the country and the many rural communities across our country, could you please speak to how the Census Bureau plans to reach rural areas specifically?

Secretary ROSS. As I mentioned before, we are going to be doing a lot more advertising than before. Second, if the experiment with the postal system works as well as we hope it will, that probably will be a very effective way to get to the rural communities because the postal system does do a pretty good job covering even rural communities. We are hoping that a combination of those two mechanisms.

Plus, not everybody in rural areas lacks access to Internet. Given the Internet solution, may be another convenient tool to make it easier for those folks to reply. It is all of those things plus the faith-based and other community organizations cooperating with us.

I do not know if you were here when I mentioned we will have over 250,000 relationships, whether it is a storefront with a little sign in it reminding people about the Census or something else.

Finally, I mentioned about the experiment of putting kiosks in the post offices. Even rural areas have post offices.

Senator HASSAN. Right.

Secretary ROSS. A post office is probably a relatively frequently visited place in the rural communities.

Those are changes that we have initiated for this Census, which should improve the ability to cover the rural areas.

Senator HASSAN. I thank you for that, and I think working with the Postal Service is a very good idea.

I will say that it is becoming increasingly clear—we just had a field hearing in New Hampshire about broadband and Internet access. I think it is pretty clear that in rural areas, access to the Internet is over-counted in our current system because if one person has access in a Census block, it is considered that everybody does. The people in my home State would not want anybody to think that rural New Hampshire has adequate access to Internet.

I think the post office initiative is really important, which is another reason that we do not want to be closing post offices in rural areas around our country.

I wanted to move on to the issue of how we conduct the Census in light of the number of natural disasters that we have just been seeing and that we always have to be prepared for.

We have seen recent hurricanes and tropical storms devastating Florida, Texas, Puerto Rico, and the Virgin Islands, and I just want to make sure that we address how these disasters will impact the U.S. Census count and what the Census Bureau is doing to accommodate these areas. Can you speak to how the Bureau plans to count people in these populations?

Mr. JARMIN. Thank you for the questions, Senator.

We dealt with this in 2010 with Hurricane Katrina——

Senator HASSAN. Yes.

Mr. JARMIN [continuing]. And, Hurricane Rita, which displaced a large number of folks. We did work between the 2005 hurricanes and 2010 trying to understand where people had migrated to using the American Community Survey (ACS) as well as administrative records. That gave us a pretty good idea, but then in areas where the addresses are questionable due to structures being damaged or other sort of infrastructure-type issues, we can put more boots on the ground, and we have contingencies for that in these operations—or put more boots on the ground to hand-deliver questionnaires and stuff to folks. We have thought through these types of——

Senator HASSAN. Does your latest budget request reflect that?

Mr. JARMIN. Yes.

Senator HASSAN. Thank you very much.

I yield the remainder of my time.

Chairman JOHNSON. Senator Harris.

OPENING STATEMENT OF SENATOR HARRIS

Senator HARRIS. Thank you.

Secretary Ross, I think you agree—and I have heard your comments about the Census—that it is a very important process by which we count who is in our country, and the spirit behind it should be that everyone counts. No one should go uncounted, and no one should be invisible.

To that end, I have a series of questions in terms of the resources that have been put into our ability to make sure that everyone is counted.

In 2010, it is my understanding there were 3,800 partnership specialists, but the current plan only has a budget for 800 specialists. Can you explain that cut, which is pretty drastic?

Secretary ROSS. Yes. I believe that that is not quite accurate. I believe there were 800 of the partnership specialists, and we have

taken that number to 1,000. There were also some assistants that were brought in. Strangely, part of the stimulus package ended up going over to the Census and was used for some fairly junior people to support the partnership specialists.

Census management has concluded that that was a relatively ineffective program, certainly cost ineffective, because the people were not very well qualified.

Instead, what we are doing is increasing the number of more qualified people from 800 to 1,000. That is a 25 percent increase, and we think that will produce very good results.

Senator HARRIS. Can you have your Department follow up with this Committee on what metrics you have applied to that analysis of what the change would be in their abilities? Because it is a pretty drastic change in the overall numbers, and I do agree with you that there were additional bodies put in because of the 2009 stimulus, which of course will not repeat itself in this budget year.

Secretary ROSS. Right.

Now, remember, when we talk about the partnerships, the partnerships themselves do not do any enumerating. Their job is to encourage people to participate. It is not as though you are taking people away from being door knockers at all, and we believe that we will end up with the larger number of partnership relationships this year than we had before.

But, as I said, a lot of them, it would just be the guy puts a sign in his window or puts some pamphlets or something of that sort, so it does not involve very active ongoing participation by the partner.

Senator HARRIS. However, it is critically important that we put as many resources as possible into improving the confidence that people have about their relationship with their government and the importance of actually being counted.

We are in an environment now where there are a lot of folks who are very distrustful of our government, distrustful of institutions, distrustful of leadership in government, and our community partners are probably more important than ever in helping us create those relationships of trust or even repair those relationships of trust so we can count the folks who are in our neighborhoods.

Secretary ROSS. Yes. With that in mind, we have started earlier on putting the specialists in place. We have 43 in place already. At this point in 2007, they had none in place. We are trying—

Senator HARRIS. That is good news.

Secretary ROSS. It is not just a question of how many people. It is how long you have them in place—

Senator HARRIS. Absolutely.

Secretary ROSS [continuing]. And, how long they are helping. We are trying to get a bit earlier start.

Senator HARRIS. OK. Well, let us follow up on the metrics you have used to change the equation in terms of the numbers.

There is also a statement that was made by you to the House Oversight and Government Reform Committee relating to the distrust in government and what we need to do in terms of making sure that everyone is aware of what our purpose is in counting for the purposes of the Census. At that Committee, you said, quote, you believe it would be illegal for the data to be used for any other

purpose other than the purpose of the Census. Then, you went on to say, “So unless someone commits a crime, I do not think that is ever going to happen,” meaning you do not think that the data would be shared with anyone else.

Secretary ROSS. That is correct.

Senator HARRIS. Do you understand that it is illegal to use the individual-level Census data for any purpose besides the statistical purposes of the Census?

Secretary ROSS. Yes. I think that is what you just quoted me as saying.

Senator HARRIS. You said unless someone commits a crime.

Secretary ROSS. No, what I said is that if someone were to reveal the data for any other purpose, that would be a crime. If somebody becomes a criminal, there is not much we can do about that.

Senator HARRIS. OK. Can you clarify that? Because there are folks out in the world beyond this room who believe that what you may have meant is something other than what you are saying you did mean. They are under the belief that you may have meant that if they committed a crime, such as a violation of the penal code, that their information would be shared with agencies beyond the purpose of collecting the numbers from the Census.

Secretary ROSS. All right. Well, then for the record, it is illegal to use Census information, the personal information——

Senator HARRIS. I agree.

Secretary ROSS [continuing]. For any other purpose, and anyone who does so is a criminal. Is that clear enough?

Senator HARRIS. If you could restate the purpose of collecting the numbers and the information, it is not to share that information with any other agency, if the folks that you are speaking with had committed a crime. Maybe I can be a little bit more straightforward about it. Let us make sure that it is clear that everyone will be counted. Their information will not be shared with law enforcement. If the folks that we are speaking with have committed crimes in their community, that information will not be shared with law enforcement.

Secretary ROSS. No. That is absolutely the case.

Senator HARRIS. OK. I think we need to clear that up because I have received a lot of concern about that, statements of concern.

Secretary ROSS. Well, you have my testimony.

Senator HARRIS. Would you be willing to have your agency send out some kind of statement to make that clear that the agency will not share Census information with other Agencies?

Secretary ROSS. I am reasonably sure that in the material we distribute to the homeowners, to the residents, that is covered. If it is not covered in detail, we will make sure that it is.

Senator HARRIS. Senator Carper and I sent a letter to the Census on May 22nd asking information about why the Census decided not to include a question about sexual orientation or gender identity (SOGI).¹ We have not received a response. Can you please tell me the status of that?

Secretary ROSS. Sure. Ron.

¹ The letter referenced by Senator Harris appears in the Appendix on page 85.

Mr. JARMIN. I do not know the status of the response to that particular letter. I will certainly look into it, Senator.

Senator HARRIS. Can you respond by the end of next week, please?

Mr. JARMIN. We will do our best, yes.

Senator HARRIS. Thank you.

Chairman JOHNSON. Senator Carper.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Gentlemen, it is nice to see all of you.

I do not know, Secretary Ross, if you have ever testified with Gene Dodaro before. Have you? Is this the first time you have ever testified in the same panel with the Comptroller General?

Secretary ROSS. In this panel, I think it is the first time. Yes, sir.

Senator CARPER. He has been before this panel, in the years I have been here, dozens of times. He never uses a statement to read from, never does. I have noticed over the years, though, there is a woman who sits right behind him. Whenever he speaks and testifies, I can see her lips move, and so I will not ask her to raise her hand. But, you are testifying today with one of the most—

Secretary ROSS. I truly do not think it is a ventriloquist dummy.

Senator CARPER. I do not know. You never know. She is pretty good if she is. [Laughter.]

It is great to see you all.

I remember when you were kind enough to stop by during your confirmation process, and we talked about your experience in college, where you told me that you had been an enumerator.

Sometimes it is a little difficult. I remember in earlier Administrations, how hard it was to get that Administration, that President, that Secretary of Commerce, to actually focus on this as an issue. We ended up with a huge cost overrun, did not get especially good results, and it cost a lot more money.

Tom Coburn, former Senator from Oklahoma, and I spent a number of years, along with our staffs, trying to make sure that that did not happen again, but actually having your attention, your interest in this is hugely important.

We appreciate very much the help of GAO in helping the folks at the Department and folks in the Census Bureau to figure out how to do this well.

I think you may have mentioned before—I have been bouncing from place to place today, Mr. Secretary, but I understand that you may have mentioned while I was out of the room a potential partnerships between the Census and the Postal Service that might serve both our interest in getting a better Census for less money and also maybe would provide the Postal Service with some interesting and helpful, productive work to do.

I do not want you to go into it in great depth, but could you just give me the CliffsNotes version of that, what you said?

Secretary ROSS. Yes. We are in negotiations with the USPS to see if we can work an arrangement and work it in time for a test in Providence. We are doing an end-to-end test in Providence this spring.

What we hope the outcome would be is that when the postal system worker has finished the day's work, would become a temporary

employee of ours on our payroll and then conduct the enumeration process. Our feeling is, first of all, those are people with very good institutional knowledge of occupied and unoccupied residences. I do not think anybody views the postal worker as a threatening figure coming to their property, and we, therefore think it will help overcome some of the issues that Senator Harris and others have raised about people being reluctant to deal with the Federal Government. We think that could be a very good help.

In addition, we are planning an experiment as well putting kiosks with the Census forms in each post office. That was going to be especially helpful in rural communities, perhaps with the tribal reservation, things of that sort. We are trying to use additional systems for the interaction, and I am particularly intrigued, if we can make the postal thing work, it probably would be the most cost-efficient way to improve accuracy of the Census.

Senator CARPER. Good. Well, good for you, and I am pleased to hear those ideas and that partnership.

All right. Speaking of partnerships, one of the great partnerships that I witnessed from over the years between Cabinet Secretaries and GAO is about every 2 years, at the beginning of a Congress, GAO publishes their high-risk list, high-risk ways of wasting money. You may be familiar with it.

Some Cabinet Secretaries, some Deputy Cabinet Secretaries on a fairly—it could be monthly, could be quarterly basis, actually sit down with the Comptroller General and go through the items on the high-risk list that pertain to their Department and say, “What do we have to do to get off of your high-risk list?” It provides for a great collaboration and partnerships that some Departments take advantage of, I think to the benefit of taxpayers. Some do not. But, I just want to plant that seed. I know you are the kind of person who is interested in finding ways to save some money and get a better outcome in the end.

Secretary ROSS. We are trying to improve the quality of the relationship, both with the Inspector General (IG) office and with the GAO office.

Senator CARPER. That is great. Yes.

Secretary ROSS. I think we have made some tangible process in that regard.

There were a total of 84 recommendations that have been made earlier by the GAO, and of those 84, 48 have been closed, 36 are open, and of the 36 that are open, 7 have action plans, but the due date is in the future. That leaves 29, and as to those, we have submitted documents which the GAO is reviewing. They are pretty voluminous documents.

Some of them, for example, will be the new life-cycle cost estimate, which itself is a pretty huge document.

Senator CARPER. OK.

Secretary ROSS. It is going to take a little while for them to review.

Senator CARPER. Well, good. That is encouraging.

A question now here. One of the major goals I hope that we can achieve with this hearing is having both you, Mr. Secretary, and our Comptroller General, GAO, help us identify those milestones

that we and the Congress, at least for now, need to monitor so that we will know whether the Census is on track.

I would just ask first of the Comptroller General and then maybe of you, Mr. Secretary, or Ron, what do we need to be monitoring in terms of milestones?

Mr. DODARO. There are set milestones for the end-to-end test that is being conducted that started last August and will end in April 2019. There are milestones within that end-to-end test that I think are very important.

For example, the Bureau just finished the address canvassing part of it. They will be moving into other phases of it down the road, and I would think within those milestones that coincide with the end-to-end test would be the perfect opportunity to monitor progress. Then having the culmination of a progress check before the final decisions in April 2019 going into the 2020 Census would be appropriate.

I would suggest that we chart it with the already established milestones that the Commerce Department and Census have for the end-to-end test.

Senator CARPER. Dr. Jarmin.

Secretary ROSS. I agree with that.

Senator CARPER. You do? OK, good. Thank you.

Dr. Jarmin, anything you want to add?

Mr. JARMIN. No. I absolutely agree with that, and I think it is important for everyone to review the results of the end-to-end test and everyone be on board to what the final design decisions are going to be for the 2020 and to have partnership and outreach in place and be ready to hit the ground running once the clock turns over to 2020.

Senator CARPER. I want to say, Mr. Chairman, and to our acting Ranking Member, whose birthday was yesterday, one of the joys for me in the work that we do here is actually when we work together for a good purpose and also when, in this case—the Comptroller General is an independent watchdog, but to have the Administration work in collaboration with GAO and the Inspector General, that is all very encouraging. Only good things can come from that, so keep it up.

Thank you.

Chairman JOHNSON. Speaking of birthdays, Dr. Jarmin got the present of having his birthday today as well, getting to testify. [Laughter.]

Senator Peters.

OPENING STATEMENT OF SENATOR PETERS

Senator PETERS. Thank you, Mr. Chairman, and to the witnesses, thank you for your testimony today. It is a very important Census. This is an incredibly important program for the Federal Government. We have to get it right, and thank you for all of your efforts in that regard.

I have a few questions related to your work in the Census, but before I ask those questions, I have a couple of other issues that are very important to the folks in Michigan. Mr. Secretary, if I could just raise these with you briefly and then go to some Census questions.

The first one I want to address is something that you and I spoke about in my office prior to your confirmation. I also brought it up in the confirmation hearing, and that is the ability of the Commerce Department to engage in self-initiated investigations, trade practices, and enforce those trade agreements.

Currently, I am working on some bipartisan legislation, working with one of my Republican colleagues to help address this issue. It creates a self-initiation task force that would be directly under your purview as the Secretary to help track and identify cases for a referral for antidumping investigation. This is especially important, as I know you are well aware, for small businesses that face trade abuses but lack the resources to go after those folks because of a very lengthy and a very expensive process of petitioning the government.

I understand that our staffs are working. They are in touch. We are expecting some feedback from them, but I certainly hope to get your support. I know this is something you were interested in.

Secretary ROSS. As I think you know, I am a great proponent of self-initiation not only for the reason you mentioned, that in many industries where the companies are small, the \$2-million-or-so cost of their initiation can be a very daunting issue.

But, there is also another reason for it. Many of the companies that are victimized here also have operations in the countries of the perpetrators, and they are very concerned about retaliation by those host jurisdictions. Self-initiation also has the therapeutic effect of being Commerce Department as a buffer between the potential petitioner and the country who is the bad actor.

In aggregate figures, we have brought 48 percent more trade cases so far this year than was done during the same period under the prior Administration, and I think that speaks louder even than words about our determination to enforce proper trading rules.

I think you will also note that while it has become a little political controversial, we have also been imposing quite large tariffs where they are warranted by the facts, particularly where the offending company refuses to cooperate, and we have to rely on the adverse status applied by the petitioner or in the case of self-initiation by ourselves.

We are moving very hard to deal with the offenders. It is so hard getting trade cases, anyway, but it is very important that we enforce them and very important, too, that we collect them.

I think you are aware the President has issued an Executive Order (EO) that makes it much more likely that we will be able to collect the actual tariffs. When I came to office, I learned to my horror that there are literally billions of dollars of antidumping and countervailing duties that were never collected because they were letting the importers use shell companies, and by the time the case was concluded, there was nothing there. There was nobody to extract the fine from.

We are trying to tighten up every aspect of it, but on the narrower issue of self-initiation, I am 100 percent on board with that idea.

Senator PETERS. Right. That is great to hear, Mr. Secretary.

If you will indulge me, I have one other trade issue, and I appreciate all your comments on trade-related issues. But, I have one more that I must mention.

As I am sure you are aware, I sent a letter to you recently along with a number of my colleagues urging that you and the President come to a prompt conclusion on the steel and aluminum 232 reviews. I know the steel industry is something you know very well, Mr. Secretary, and I think you also know that delay is causing some real harm to American workers.

I think we are especially alarmed at comments that you made that suggested you may want to wait until after tax reform passes. It is a topic that I think is unrelated to this trade issue, and it may take some time to resolve that. I certainly hope that you are able to address this issue sooner rather than later. I am certainly hearing a great deal about it from both manufacturers and workers in Michigan.

Secretary ROSS. I think we recognize the full parameters of the steel situation, and I am eager to get things going. We have to conform, however, with Administration policies, and we are.

Senator PETERS. Very good.

Now to a Census-related question, Mr. Secretary. Michigan, as I know you know as well from your work in Michigan, has a very vibrant Middle Eastern-American community who have been advocating for decades for the addition of a Middle Eastern and North African (MENA), race and ethnicity category to the Census.

Earlier this year, the Census Bureau, I think, made a very positive step by approving the category for the 2020 Census. It now waits final approval by the Office of Management and Budget.

This category will allow for a more accurate representation of these communities in our country and economy, and I think it will also provide or I should say it will ensure that there is equitable allocation of government services for these communities, particularly such programs like English as a second language program.

However, some in the community have expressed concern, and we have heard other concerns, I think, from some of my colleagues here today about the potential use of this data for purposes other than statistical information. I would just like you to commit, Mr. Secretary, that the information that is going to be collected by the Census Bureau for the 2020 Census regarding Middle Eastern-American communities will be used for statistical purposes only and will fully adhere to the privacy protections under Title 13.

Secretary ROSS. That is the law, and I intend to uphold the law.

Senator PETERS. Thank you, Mr. Secretary.

Chairman JOHNSON. Senator Daines.

OPENING STATEMENT OF SENATOR DAINES

Senator DAINES. Thank you, Mr. Chairman.

Thank you for testifying here today.

The Census is something required by the Constitution, in fact, and so it is of critical national importance. It is necessary to have good data in order for equitable representation in Congress. In fact, if I asked a trivia question—and I will not ask it. It is rhetorical. But, which congressional district is the largest congressional district by population in the United States out of 435? The answer is

Montana, which usually is not the first answer by most, but we have 1,040,000 Montanans. We used to have two Members of Congress. We have one today like North Dakota.

It is important because this Census data is important, because it determines congressional representation but it is also important for government to efficiently use the taxpayer resources, which of course are very limited.

I understand the latest cost estimate for the 2020 Census is over \$15 billion. Even small inefficiencies can lead to a significant waste of taxpayer dollars.

Secretary Ross, it is good to see you again. Thank you for coming up to the Hill today. While there are years of unimplemented GAO and IG recommendations that are left over from the last Administration, one of my key concerns is the protection of Americans' personal information.

The Office of Personnel Management (OPM) hack compromised over 20 million Americans. In fact, I was in the private sector for 28 years and never received a letter from my human resources (HR) department until I became an employee of the Federal Government because I was elected to Congress, and I got my first letter saying my personally identifiable information (PII) had been compromised.

But the Census Bureau holds PII on nearly every American. I understand a Census contractor was compromised just this past January.

The question is, What are you doing to boost cybersecurity and ensure that Americans' data is protected and used as intended by the Constitution?

Mr. JARMIN. Thank you, Senator.

We take the cybersecurity and physical security, for that matter, of the data assets that are entrusted to us by the American public and the American business community very seriously. The support, while many of our surveys and Censuses are mandatory by law, it is largely the voluntary response of our citizens and our businesses that provide the data that we use for our purposes, and without their trust and their willingness to share that information with us, we are sort of in a pickle.

We have put cybersecurity sort of front and center for our preparations for the 2020 Census. The Secretary already discussed some of the things we have been doing earlier today, 39 new cybersecurity measures that are new to the Census Bureau. We tested our publicly facing systems earlier this year with the help of folks from the Department of Homeland Security. A clean bill of health, but we are staying on top of this constantly. This is something that we are going to be working on with other experts in the government and the private sector to ensure that we are doing everything that we can to ensure that the data are secure.

Senator DAINES. Thank you.

I remember when we had the compromise with the OPM a while back, and being involved in some of their briefings. I came out of a cloud computing business, and my jaw dropped as to how archaic, antiquated, slow-moving—it is typical Federal Government bureaucracy, but it is good to have some new leadership, truly.

Secretary Ross, I would like to shift gears and discuss softwood lumber and the dispute currently between the United States and Canada.

Our forests in Montana and our lumber mills create some of the highest-quality lumber in the world, and if they provide a level playing field, of course, there is great potential for economic growth in Montana.

We just came through a horrible fire season in Montana. We have lost a lot of our mills. When I was a kid growing up in Montana, we had 30 active sawmills. Today, we are down to eight.

I greatly appreciate your leadership on this issue, Secretary Ross, your Department's work on it, and its preliminary determination that Canadian producers have been dumping in the United States. But, I have heard concerns about some of the delays in finalizing these duties.

The question is, where do you see this going and would you commit to finalizing these duties as expeditiously as possible?

Secretary ROSS. As you are aware, our preliminary finding was that they would pay tariffs equal to about \$1.1 million per year, which is a pretty large tariff by anybody's imagination.

Then ensued some negotiations, which we helped to initiate between the American Lumber Coalition, which was the petitioner, and the Canadian producers and the Canadian government. Within the next day or two, we should find out whether those negotiations are going to actually bear fruit and have a permanent solution contractualized or whether we will simply revert to the tariff and go on as we had started out doing.

We are at the decisionmaking point in time, and as I say, it will be a matter of days, not weeks, before that gets resolved.

Senator DAINES. Right. Thank you. It is always refreshing to hear the word "days" expressed up here on Capitol Hill versus weeks or years or decades or millenniums, it seems like sometimes.

Secretary ROSS. No, days.

Senator DAINES. Thank you.

Secretary ROSS. Small number of days.

Senator DAINES. I appreciate it.

Secretary Ross, you are managing a number of other trade disputes and agreements. I realize your to-do list is quite long. We need to get more of President Trump's team in place to fight for this level playing field for American companies both at home as well as abroad.

I was very disappointed last week when Democratic leader Schumer was going to block nominees to the Department of Commerce, some of whom will focus on international trade. How have these critical vacancies impeded the Department's work on behalf of the American people?

Secretary ROSS. Of the nominees, one particularly, Gil Kaplan, is an extremely experienced party, and trade enforcement and international treaties would be the main thing he would be doing. That one alone has denied us a very senior person who could be very useful with all the things that are going on at present. I think it is unfortunate that for unrelated reasons, reasons having nothing to do with the qualifications of the nominees, they passed through

the Committee with very good results. I think they were both unanimously voted out of Committee, if I am not mistaken.

Senator DAINES. Yes. Secretary Ross, thank you. I am out of time.

The tragedy here is that the people that get hurt here are the hardworking American people, and the problem you have is when you have highly qualified individuals who are willing to do these jobs, you do not have all day to wait for them. They can go find other work.

And so, I want to thank the nominees for their patience and tell them to hang in there, and we will do all we can working with you to get these nominees through the U.S. Senate.

Secretary ROSS. Thank you because it is hard to have people be in a state of suspended animation month after month.

Senator DAINES. It is.

Secretary ROSS. I think we owe them a decision one way or the other.

Senator DAINES. We do. If we want to have the best and brightest in public service, we need to treat them, frankly, with more respect and move them through in a more timely manner.

Thank you.

Secretary ROSS. Thank you, Senator.

Chairman JOHNSON. Senator Heitkamp.

Senator HEITKAMP. Thank you.

Just a couple of points, Secretary Ross. You talked about kiosks in post offices. Frequently, the marginalized populations in our urban areas visit the library a lot, and working with libraries and communities can be very instrumental. They are trained to do outreach with a lot of populations. Have you developed any relationships with the public library system?

Secretary ROSS. Quite a few of the libraries are part of the 250,000-odd relationships that we have.

Senator HEITKAMP. Yes. I would just recommend that if you really want to look at a plus multiplier on marginalized and disenfranchised populations, homeless populations, chances are you are going to find a lot of those folks in the public library. It is where they have access to the Internet. They would not otherwise have it.

There are also folks there who if we were able to do some collaboration and some cooperation in terms of money, you could be very helpful to the public library system as well. I would just make that recommendation.

Secretary ROSS. We have been trying to do that.

Senator HEITKAMP. Yes. I think you will find them very willing. Frequently, the library staff spends a lot of time registering people to vote. It is where people go who feel like they do not know how to manipulate kind of government systems.

Gene, you testified that your office responsibility for overseeing the technical integration contractor is severely understaffed, that the office is understaffed. I am wondering what gets in the way of filling those critical positions, and I am concerned about, number one, whether the Federal hiring freeze delayed it unnecessarily and do we need to take a look at hiring systems for the Census.

I think we are all in a period of low unemployment. We are at that spot, and in changes in the workforce where you used to be able to hire temporary workers, that would be older, seniors, or women who worked outside the home or the second wage earner, which would be much more part-time. We do not have that workforce anymore. What do we need to do?

I guess this would be a question for both of you: What do we need to do in terms of recruiting workforce?

Secretary ROSS. One of the things we changed in the budget was we raised the amount that we think we will have to pay per hour.

Senator HEITKAMP. Mr. Secretary, right now what is that amount per hour?

Secretary ROSS. \$17.50, which I think for part-time work is a pretty good number, and it is certainly higher than what they were using.

Senator HEITKAMP. This is W-2 income, right? It is not 1099 income?

Secretary ROSS. Yes. Oh, sure. Census is not going to have people off the books.

Senator HEITKAMP. OK. Gene.

Mr. DODARO. One thing I would suggest that the Department consider as well, Secretary Ross mentioned that they were using off-duty Postal Service people—

Senator HEITKAMP. Yes.

Mr. DODARO [continuing]. And we should see how that works. But another possibility, would be to hire retired Postal Service employees because in using existing Postal Service employees, their salaries are three times the cost of a Census worker.

But, Congress would have to give or OPM could give a waiver authority to the Secretary to waive the offset for the retired worker's annuity. Right now, if you are a retired Federal employee, you are receiving an annuity. If you take another job, you get your annuity offset, but if that is waived, then potentially—

Senator HEITKAMP. Incentive.

Mr. DODARO [continuing]. You could bring in retired postal employees at a lower rate. You could pay them the Census rate to augment their retirement income, and, with an appropriate waiver, it would not affect their annuities. You would get the biggest benefit with the least cost.

Senator HEITKAMP. I do not want to be the head of the Census Bureau, but I want to offer a couple suggestions. In addition to postal workers, you have retired United Parcel Service (UPS) or off-duty UPS, Federal Express (FedEx) workers. Those folks know almost as much in North Dakota about—especially in rural areas, where people live because they deliver to all these places.

Mr. DODARO. Right.

Senator HEITKAMP. They could be a very helpful group as well in addition to the Postal Service.

Secretary ROSS. It could very well be. It is a little bit harder to find the retirees than it is to find the active employees because a lot of them no longer stay in the area where they were delivering mail.

Senator HEITKAMP. I would tell you that is probably not true in North Dakota. Not true in rural areas.

Secretary ROSS. I also think that making too many changes at one time can lead to a lot of confusion. If we can pull off the postal workers this time, I think that will be a very big achievement and something that one could build upon in the 2020 Census.

Senator HEITKAMP. OK.

I want to ask one question for Senator McCaskill, and it has to do with the Integrated Partnership and Communication Program. We were supposed to see the final plan delivered in June. We do not have it yet. When can we expect that we will receive that plan?

Mr. JARMIN. Senator, we released that Friday at our quarterly program management review.

Senator HEITKAMP. Well, I am going to tell Claire, do not give me a question there is already an answer. [Laughter.]

Mr. JARMIN. It is available online.

Senator HEITKAMP. OK.

Mr. JARMIN. Can I just add one more thing?

Senator HEITKAMP. Yes.

Mr. JARMIN. When we were talking about the staff shortage for managing the TI contracts, the additional request for \$187 million in this fiscal year, that is one of the areas we are trying to address, is some of that money was earmarked for, bolstering our program management office, and so that is something we are trying to address with this extra request.

This deep dive that we have done sort of exposed these things enough where we want to—

Senator HEITKAMP. I can just tell you in North Dakota, you are going to have a heck of a time hiring Census workers.

Chairman JOHNSON. Even though the retirees do not flee South? [Laughter.]

Thank you, Senator Heitkamp.

I asked Gene this question, and I want to ask Secretary Ross and Dr. Jarmin the same thing. What is your primary concern? Again, we have had a lot of really good questions, a lot of good input here. I appreciate it. What is the one thing you are primarily concerned about? What keeps you up, awake at night, based on the 2020 Census?

Secretary ROSS. It is actually two things. One is the task of hiring 500,000 people on a temporary basis. I was not here in 2010, obviously, but in that environment, it would have been a lot easier hiring people than now, particularly qualified people.

The other part is just the enormity of the task, the technological task, the changes, and the ramping up. This would be a major challenge for a huge well-run American company, let alone for a government agency that really only functions in this capacity once every 10 years. It is a very tough combination of things.

But, the only way we think we can respond is by intense attention to detail, intense attention to focus, and really leaning in on the process. That is what was not happening so much before. I promise you, it is happening right now.

Chairman JOHNSON. There is not one manufacturing company that I visited in 7 years traveling around the State of Wisconsin that could hire enough people. If you could get that word out to the rest of the members of the Administration, we have a real worker

shortage in this country, certainly in Wisconsin, probably North Dakota and elsewhere as well. I share your concern. Dr. Jarmin.

Mr. JARMIN. I would say my number one concern is to make sure that we have enough resources to finish the 2018 test and to make sure that everything is ready to go when we start hiring those 500,000 people, so just making sure that we are ready to go when it is time to hit the start button.

Chairman JOHNSON. Let me tell you one of my concerns, and I wrote to Secretary Ross on this on June 5th. In 2016, the Bureau awarded an advertising contract that included a subcontractor with close ties to partisan politics. The contract at the time was awarded, quote, “for services and multiple communication areas to support building awareness and promoting self-responses for the 2020 Census.

On August 24, 2016, the Bureau awarded the contract to Young and Rubicam and several named subcontractors, including Civis Analytics.” Civis describes itself, quote, “as a platform for hope and change,” that started, quote, “in a mission for President Obama’s reelection campaign.” The firm’s Chief Executive Officer (CEO) stated that, quote, “The Obama reelection campaign set the values of the company,” and that Civis would work exclusively on Democratic campaigns.

Civis’ clients included Organizing for Action, a group that grew out of President Obama’s campaign machine, and Rural Action, a group created to support Obamacare and President Obama’s 2012 election campaign.

I have heard word that the Census is going to potentially use statistics rather than count and use a more sophisticated campaign. We are talking about these partnership programs which make an awful lot of sense, but if we have already entered into contracts, awarded contracts with organizations that are allied with such partisan politics, that really concerns me.

Secretary Ross, again, I wrote this letter.¹ We have not received a formal response, but I will just ask you: What kind of controls are in place with these contractors that we are utilizing for the Census?

Secretary ROSS. OK. Well, that is quite a lot. This has been an area of very intense focus on our part. They were, as you point out, subcontractors to Young & Rubicam. Their function is simply to provide some data from bases that they have and merge those data streams into other data streams that Census already has.

Here is the way that we are having it work. It is called the Civis Household Database, and that is provided in support of the Integrated Communications Campaign. Their input is solely to help us figure out what kinds of advertising to use to try to reach different parts of the population.

Second, they contain data on approximately 240 million U.S. adult residents, and Civis estimates that their coverage of that data is somewhere between 85 and 95 percent of all adult individuals.

There are three primary ways to make sure that this information is not misused. One, no partisan information is used at all in any

¹ The letter referenced by Senator Johnson appears in the Appendix on page 81.

part of the Integrated Communications Campaign. Second, no Civis employees currently working on any political campaign are permitted to work on the Census project. Third, Title 13 obligations obviously extend to all employees, including the Civis employees, and we have made that very clear to them.

Neither the team, Young & Rubicam, nor the Census Bureau will have access to partisan information during the development, the planning, or execution of the Census campaign. Just as Civis now segregates their political team from the government team, Civis also segregates political and governmental data.

Once their information gets into our system, they really have no access to it, and they have no unfettered access to our systems and our data at any time. Their function is to supply some data and answer questions that arise from the Census team and from other parts of Young & Rubicam.

Their work is very largely completed at this point. We have had pretty much the data inputs from them. I do not think they will be all that present going forward, but those are the measures that we have taken to them.

Now, the sources of data that they use are interesting. One is called TargetSmart. One is model data that would derive mathematically from the Civis model itself. Third, they use a bunch of publicly available Federal data from the Center for Medicare and Medicaid Services; the Federal Aviation Administration (FAA) Pilot Certification Registry; Federal Data Center; the Census' own 2010 public data; the Public Use Microdata Sample, the PUMS from the 2011 Census; County Business Patterns, the U.S. Customs and Border Protection (CBP) from Census; the American Community Survey; Planning Database; County Health Rankings; IRS; and Bureau of Labor Statistics (BLS); as well as Social Security Administration (SSA) 2013 data; the Federal Bureau of Investigation (FBI) crime statistics from 2013; U.S. Department of Agriculture (USDA)——

Chairman JOHNSON. OK. We have a vote going on.

Secretary ROSS. OK.

Chairman JOHNSON. You can answer my letter. I am very pleased to hear that you are fully aware of this. We do not want partisanship on either side of the spectrum.

Secretary ROSS. We agree with that.

Chairman JOHNSON. I am comforted by your answer that you seem to be fully aware of it, on top of it, and I would just encourage you to do so.

Gene, I really do appreciate your suggestion on the postal workers. I have already leaned over to my staff and said that is a piece of legislation that we maybe want to propose, so I want to work with you on that.

I want to thank, again, Secretary Ross, Dr. Jarmin, and Gene on your excellent testimony. We will continue to work on this. This is incredibly important that we get the 2020 Census correct in a completely nonpartisan fashion for all the purposes the Federal Government uses it for.

With that, the hearing record will remain open for 15 days until November 15th, 5 p.m., for the submission of statements and questions for the record.

This hearing is adjourned.

[Whereupon, at 4:14 p.m., the Committee was adjourned.]

A P P E N D I X

Opening Statement of Chairman Ron Johnson
2020 Census: Examining Cost Overruns, Information Security, and Accuracy
Tuesday, October 31, 2017

As prepared for delivery:

Today's hearing will examine the serious challenges facing the 2020 Decennial Census. We will examine increasing costs, information technology (IT) security, and high-risk operations that could lead to an inaccurate Census count. In particular, I will be asking how and why did the Census morph into such a massive and seemingly out of control undertaking. I want to thank our witnesses for taking the time to discuss these important issues as we work together toward an accurate and cost-effective 2020 Census.

The Constitution mandates a decennial census in order to apportion congressional seats. The census is also used by policymakers to understand the demographic and geographic makeup of the U.S. population, and to allocate over \$700 billion in annual funds through nearly 300 different federal programs.

Although the census is constitutionally mandated, the cost to count our population is increasing faster than the population itself. The 1970 Census cost \$17 per household in inflation adjusted dollars. The Department of Commerce estimates that the 2020 Census will cost \$107 per household. At the direction of Congress, the Bureau created a plan to modernize the Census to avoid the costly mistakes of 2010. However, the ambitious plans – which include multiple self-response methods and new systems to store census data – bring additional risks that upgrades will not be delivered on time, or systems that are not fully secure could be manipulated or hacked.

In fact, the Department has already had to issue a new cost estimate—which is over \$3 billion more than the Census Bureau's original 2015 estimate. Commerce Secretary Wilbur Ross will testify today to explain the new estimate and the changes that his Department has already made to census operations and Bureau leadership, and the actions needed to keep census operations cost-efficient and accurate. We are pleased to have the Secretary with us today, and are grateful for his strong leadership on an issue with so many management challenges.

Secretary Ross is accompanied today by the Acting Census Bureau Director, Dr. Ron Jarmin. Dr. Jarmin, a 25-year veteran of the Census Bureau, can discuss the specific measures that the Bureau is taking to execute its new 2020 Census Operational Plan, which was released last Friday. As we head into the final years of 2020 Census preparations, we are grateful for Dr. Jarmin's interim leadership while we wait for the nomination of a permanent Census Director.

Finally, we welcome the Comptroller General, Gene Dodaro, who will explain how the 2020 Census could result in runaway costs or an inaccurate count of the U.S. population. In February, the Comptroller General testified that the Government Accountability Office added the 2020 Census to its "High Risk List." This is the third straight decennial census to be added to the list, and many of the GAO's current concerns are eerily similar to past warnings. Over half of the 68 GAO recommendations for improving the 2020 Census have not been implemented, the oldest of which goes back to 2007.

I thank all of our witnesses for being here today, and I look forward to your testimony.

October 31, 2017

**Opening Statement of Senator Heidi Heitkamp
U.S. Senate Homeland Security and Governmental Affairs Committee**

“2020 Census: Examining Cost Overruns, Information Security and Accuracy”

Thank you, Chairman Johnson.

First, I would like to express my warmest wishes to Claire and Joseph. They are in our prayers and we hope for a swift recovery.

Secretary Ross, Comptroller General Dodaro, Thank you for joining us today.

This needs to be the first in a series of hearings concerning the Census Bureau and its plans for the 2020 Census. Simply put, the 2020 Census is in trouble. Budget uncertainty, cancelled tests, increasing cost projections and no Senate confirmed Director are all signs of an operation that is teetering. We can still get back on track, but we’re running out of time.

The lack of even a nominee for the Census Director position is very troubling. I hope that lack doesn’t indicate the priority the Administration places on the Census.

A critical concern to me and my constituents are the cancelled tests in Indian Country. Indian reservations provide unique challenges for the Census Bureau, such as historic distrust of the federal government, a lower likelihood of deliverable mail, and sparse population centers.

As the 2020 effort began to ramp up the effort looked good. Coupled with the goal of a Tribal enrollment question in 2020, the Census Bureau determined two tests were necessary to adequately prepare for potential road blocks enumeration on reservations may pose and how to have a successful Census in Indian Country.

However, both of those tests were cancelled and there are no plans that I am aware of to replace them with any sort of tests related to the challenges the Census will face in Indian Country. This is a mistake and risks the success of the 2020 Census. For too long, we have given Indian Country the leftovers. Members of these communities deserve to be counted where they reside, just like any other person. But because of the choices made in Washington, it will be much more difficult to make sure that happens.

These concerns go beyond just tribal issues. From what I have seen, I am not sure the Census Bureau is generally prepared to do an effective job in counting residents in rural areas nationwide. The planned tests focus on more urban and suburban regions. It is, of course, critical to get accurate counts there, but we have to make sure the Census is prepared to meet the needs of rural America.

There are also questions regarding contracting decisions and Information Technology security as we move towards more technologically driven enumeration techniques. The integration and modernization of the IT systems of the Bureau and mobile device bid protest are issues of particular interest and importance to Ranking Member McCaskill and I know she would talk about them if she were here today.

With that, I look forward to hearing from the witnesses how we are going to turn this around and get the 2020 Census back on track.

WRITTEN STATEMENT

WILBUR ROSS

SECRETARY OF COMMERCE

Senate Homeland Security and Governmental Affairs Committee

U.S. Senate

31 October 2017

Chairman Johnson, Ranking Member McCaskill, and Members of the Committee, thank you for your continuing support and oversight of the 2020 Census, a critical, constitutionally mandated endeavor.

An efficient 2020 Census that provides a full, fair, and accurate count of everyone living in this country has been one of my highest priorities since being confirmed in February. I was an enumerator while working my way through business school, and so I have a strong appreciation for the responsibilities and the unique challenges of counting everyone in the United States once every 10 years.

We are now just 30 months away from the 2020 Census. Any operation that must hire and manage half a million temporary employees, with temporary offices across the nation, using new systems, and meet specific dates, is bound to be a difficult undertaking for even the most experienced managers. Moreover, this is the first Decennial that will extensively use Internet technologies to complete our work.

From the beginning of my tenure it has been clear that the 2020 Census would be one of the most challenging aspects of the entire Commerce portfolio. The Census is the bedrock upon which we construct our system of democratic representation. It provides for apportionment, redistricting, and the distribution of hundreds of billions of dollars of federal funding. Accordingly, some of my first meetings as the newly confirmed Secretary of Commerce were with Census Bureau staff.

In those meetings, I sought to identify and then address the key issues faced by the Decennial Census. My early concerns were heightened when only two months into my tenure, the Census Bureau suddenly announced a 40 percent cost overrun in one component, namely, the Census Enterprise Data Collection and Processing, (CEDCaP) program—a critical part of the technology infrastructure for the 2020 Census.

In terms of the broader Decennial Census, the prior administration's last lifecycle cost estimate, announced in October 2015 was \$12.5 billion. When testifying before Congress in June, I did

not accept that figure. Instead, I vowed to return to Congress after a thorough review, with a properly prepared and thoroughly vetted 2020 Census lifecycle cost that I could support. In conducting our review, we looked at the many concerns raised by the Government Accountability Office (GAO), our Inspector General (IG) and Members of Congress, including those on this Committee about the Census Bureau's cost estimates. The product of that review is what brings me here today.

As the 2020 Census currently transitions from a planning, research and methodology phase to implementation mode—with so much development still underway—our revised lifecycle cost estimate consists of both discrete program costs and contingency funding to address possible known and unknown risks. The 2020 Census operational plan includes many innovations. This will be the first Census to introduce and promote Internet response; to introduce telephone call centers as an additional mode of response; to use aerial imagery to update maps and addresses for the entire country; to automate field procedures and use algorithms to improve the efficiency of our field enumerators and, to use administrative records to increase accuracy and reduce workload. We are keenly aware of the challenges, risks and costs associated with this technology transition. However, we believe these technologies will improve efficiency while reducing costs that would be otherwise realized if investment in these technologies did not occur, and will serve as a solid foundation for future Decennial Censuses.

Where We Are

Our revised 2020 Census lifecycle cost estimate is \$15.6 billion, which consists of \$14.4 billion for program costs and \$1.2 billion in contingency funding for known and unknown risks. The basis for these numbers is an independent cost estimate of \$14.1 billion conducted this summer. I know this Committee is not responsible for providing this funding; however, your support is significant to ensuring the successful execution of the 2020 Census.

This estimate is the product of a rigorous deep dive by cost estimation and management experts, as well as a thorough review of Census programming. The estimation team was comprised of financial management experts from the Department of Commerce and the Office of Management and Budget, former Census employees, two former technology executives with experience in rolling out complex systems, and other experts with extensive private sector experience. We also had a group of outside experts review program integration, major contracts, and the budget.

This new, thorough cost estimate increase includes contingency funding of \$1.2 billion to address additional potential risks and associated challenges. These risks and challenges include natural disasters, the potential for even lower self-response rates, the difficulty and cost of hiring 500,000 temporary workers in a tight labor market, and the complexity of developing and integrating multiple information technology innovations.

In addition, the contingency funding will allow Commerce to address the unique challenges associated with a huge project with costs that are not evenly spread out over time. Instead, over 80 percent of the projected spending will occur post-2018. This is a very back-ended expenditure with a rapid ramp-up, which in the near future will bring its own challenges to both implementation and to cost control.

A 10 percent contingency is commonplace for complex private sector projects. Government tends not to set up reserves, instead funding overruns through subsequent appropriation requests. Recognizing its uniqueness, our \$1.2 billion reserve—a contingency of 10 percent of the post-FY 2018 budget, allocated on top of the independent cost estimate level—will be managed at the secretarial level and used only if unforeseen developments occur.

Both the GAO and the Commerce Inspector General are right to be concerned with the prior 2015 lifecycle cost estimate. On the whole, we found that the prior administration provided Congress and the public with overly optimistic assessments of both the ease of implementing new technologies and the cost savings they would provide. For example, the GAO estimated that the IT budget would be at least \$4.8 billion. Our estimate is \$4.96 billion, or \$160 million over the floor that the GAO estimated would be the correct number. In addition, there was a failure by the prior Administration to follow basic management practices like using certified cost estimators and checking estimates against actual cost.

We have addressed those failures and corrected the record with this new lifecycle cost estimate. In this estimate, we have identified key areas where Census programming would likely create cost above the 2015 estimate. These include a continued decline in self-response rates, increased public concerns about privacy and cybersecurity, high levels of mistrust of the federal government, a tightening labor market due to improvements by this Administration, development and integration of new technologies, and the complex array of contractors and subcontractors assembled by the prior Administration.

Our new \$15.6 billion 2020 Census lifecycle cost estimate includes a request for a \$187 million adjustment for fiscal year 2018. We are working with our House and Senate appropriators on this request.

These funds would allow us to make a significant course correction to keep crucial programs on track and provide much-needed financial oversight and better management at the Census Bureau. The Census Bureau and the Department of Commerce will be held accountable to manage the 2020 Census efficiently while maintaining the highest quality. With the exception of additional program management activities, this adjustment does not fund additional activities beyond those outlined in the previous FY 2018 request.

What We Are Doing Going Forward

I am staying closely involved in these areas going forward. I recently called a meeting with the executives and program managers for the Technical Integration contract, the major CEDCaP contract, and the Census Questionnaire Assistance contract to ensure their commitment to providing the highest quality of service and outcome for a successful 2020 Census operation. This is the first of a series of meetings I will have with the Census team and their contract partners to bring oversight and accountability into the Decennial operation. These meetings will help me ensure that we are on track, on time, and on budget.

The Census Bureau has a long-standing relationship with GAO. We have worked with them closely throughout the decade. We appreciate their input which improves our program. The GAO has made 84 recommendations about the 2020 Census program since 2008, mostly

regarding IT development and security, schedule, field operations and cost estimation. For each recommendation, the Census Bureau prepared a formal action plan. After the Census Bureau completed those plans and submitted documentation, GAO closed 48 of the 84 recommendations. Of the remaining 36 recommendations, seven have a due date of 2018 or later. Work has been completed on the other 28, and the Census Bureau is working with GAO to review the associated documentation. The Census Bureau and GAO meet quarterly to discuss open recommendations and the steps needed to close them. Since 2011, the OIG has also made 59 recommendations about the 2020 Census. All but 14 are closed.

The Under Secretary for Economic Affairs, Karen Dunn Kelley, has been in place since late August and has direct oversight over the 2020 Census, the Census Bureau itself, and the Bureau of Economic Analysis. She brings over three decades of management experience in the financial investment sector, with experience managing people, strategy, budgets, operations, public relations, and thought leadership across the globe.

Seasoned and experienced senior management is also in place at the Census Bureau itself. Ron Jarmin, performing the nonexclusive functions and duties of the Director of the U.S. Census Bureau and Enrique Lamas performing the nonexclusive functions and duties of the Deputy Director and Chief Operating Officer of the U.S. Census Bureau, are jointly leading the Census. Each has nearly three decades of experience in Census.

As the Census Bureau moves into the implementation phase of the 2020 Census operation with the 2018 Census End-to-End Test now underway, the Census Bureau is making changes by pulling in staff with decades of decennial and field operations experience into the Decennial Directorate. Al Fontenot will serve as the new Associate Director for Decennial Programs. He brings an operational and implementation focus for the 2020 Census needed during this critically important phase. Jim Treat will serve as the Assistant Director for Decennial Programs, having previously led all program and schedule management for the 2010 Census. Lisa Blumerman will serve in a new but crucially important role focused on the expanded use of administrative records in the Research and Methodology Directorate. The use of existing information already provided to the government by taxpayers, along with other third-party data, is immensely important for the 2020 Census and the future of all data collection activities for the federal statistical system. Lisa recently led the research, planning and development for the 2020 Census; and she will continue to serve as an important part of the team.

Commerce now conducts weekly 2020 Census oversight reviews and will require metric tracking and program execution status on a real-time basis. Commerce also has monthly meetings with the Office of Management and Budget, Census program managers, and Commerce's 2020 leadership team, headed by Under Secretary Kelley, to review issues related to the programs budget, scope, schedule, and risks.

These management meetings include detailed reviews of the evolving budget and lifecycle cost estimate for the 2020 Census. The results of these meetings are reported directly to me by Under Secretary Kelley and her staff so that I can personally oversee the progress of the Decennial Census.

The Census Bureau is making good progress in the development of systems for the 2020 Census. Currently, we are validating our systems by conducting the 2018 End-to-End Census Test. This test includes most of the operations in the 2020 Census, and we are deploying a total of 44 systems in support of these operations. Twenty-four of these systems have been deployed during the Address Canvassing Operations and the Field Enumeration recruiting for peak operations. These 24 systems have been developed and tested, fully integrated into 2020 operations, and have received their Authority to Operate. The remaining 20 systems are scheduled for deployment during further operations testing next spring.

Finally, we have taken corrective action to provide reliable oversight of the CEDCaP program. We are making a programmatic change by moving CEDCaP into the 2020 Decennial operation in order to provide a more focused, central location to more efficiently manage the program. The move will allow for better budget oversight with less overlapping layers of management. In addition, I have met with the contractor and subcontractors of the CEDCaP program to emphasize our support for and mutual interest in the success of their performance.

Conclusion

Many challenges still lie ahead for the 2020 Census. We are keenly aware of the challenges, risks, and costs associated with this new approach. However, we believe these innovations are promising and will serve as a solid foundation for future Decennial Censuses.

I look forward to working with this Committee, your staff, and the rest of Congress over the months and years to come. And I thank the Committee for the opportunity to come before you today. I look forward to your questions.



United States Government Accountability Office

Testimony

Before the Committee on Homeland
Security and Governmental Affairs,
U.S. Senate

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2020 CENSUS

Actions Needed to Mitigate Key Risks Jeopardizing a Cost-Effective Enumeration

Statement of Gene L. Dodaro,
Comptroller General of the United States

GAO Highlights

Highlights from GAO's report, "2020 Census: Actions Needed to Mitigate Key Risks Jeopardizing a Cost-Effective Enumeration," released in October 2017. GAO's report is available at <https://www.gao.gov/publications/2017/10-2017-2020-census>.

Why GAO Did This Study

One of the Census Bureau's most important missions is to conduct a complete and accurate decennial census of the U.S. population. The decennial census is mandated by the Constitution and provides vital data for the nation. A complete count of the nation's population is an enormous undertaking as the Bureau seeks to control the cost of the census, improve operational procedures, and use new and modified IT systems. In recent years, GAO has identified challenges that raise serious concerns about the Bureau's ability to conduct a cost-effective census. For these reasons, GAO added the 2020 Census to its High-Risk list in February 2017.

In light of these challenges, GAO was asked to testify about the reasons the 2020 Census was placed on the High-Risk List. To do so, GAO conducted fieldwork regarding the Bureau's planning efforts for the 2020 Census. GAO also reviewed observations from its ongoing work on the 2018 End-to-End Test. This information is needed to address other things, recent decisions on preparations for the 2020 Census, progress on key systems to be used for the 2018 End-to-End Test, including the status of IT security assessments, innovation of the address canvassing operation at the test sites, and efforts to update the life-cycle cost estimate.

What GAO Recommends

Over the past decade, we have made 54 recommendations specific to the 2020 Census to address the issues raised in this testimony and others. The Bureau generally has agreed with our recommendations. As of October 2017, 30 recommendations had not been implemented.

For more information, contact Robert Goldhamer at (202) 512-2757 or goldhamer@gao.gov or David A. Hawley at (202) 512-2795 or phawley@gao.gov.

October 31, 2017

2020 CENSUS

Actions Needed to Mitigate Key Risks Jeopardizing a Cost-Effective Enumeration

What GAO Found

GAO added the 2020 Census to its high-risk list because of challenges associated with (1) developing and testing key innovations; (2) implementing and securing IT systems; and (3) controlling any further cost growth and preparing reliable cost estimates. The Census Bureau (Bureau) is planning several innovations for the 2020 Decennial Census, including re-engineering field operations by relying on automation, using administrative records to supplement census data, verifying addresses in-office using on-screen imagery, and allowing the public to respond using the Internet. These innovations show promise for controlling costs, but they also introduce new risks, in part because they have not been used extensively in earlier enumerations, if at all. As a result, robust testing is needed to ensure that key systems and operations will function as planned. However, citing budgetary uncertainties, the Bureau canceled its 2017 field test and then scaled back its 2018 End-to-End Test. Without sufficient testing, operational problems can go undiscovered and the opportunity to improve operations will be lost, as key census-taking activities will not be tested across a range of geographic locations, housing types, and demographic groups.

The Bureau continues to face challenges in managing and overseeing the information technology (IT) programs, systems, and contracts supporting the 2020 Census. For example, GAO's ongoing work indicates that the system development schedule leading up to the 2018 End-to-End test has experienced several delays. Further, the Bureau has not addressed several security risks and challenges to secure its systems and data, including making certain that security assessments are completed in a timely manner and that risks are at an acceptable level. Given that certain operations for the 2018 End-to-End Test began in August 2017, it is important that the Bureau quickly address these challenges. GAO plans to monitor the Bureau's progress as part of its ongoing work.

In addition, the Bureau needs to control any further cost growth and develop cost estimates that reflect best practices. Earlier this month, the Department of Commerce (Department) announced that it had updated the October 2015 life-cycle cost-estimate and now projects the life-cycle cost of the 2020 Census will be \$15.6 billion, more than \$3 billion (27 percent) increase over its earlier estimate. The higher estimated life-cycle cost is due, in part, to the Bureau's failure to meet best practices for a quality cost-estimate. The Bureau and Department are still finalizing the documentation used to develop the \$15.6 billion cost-estimate. Until these documents are complete and made available for inspection, GAO cannot determine the reliability of the estimate.

The Decennial Census by the Numbers

Current Estimated Cost	Estimated	Estimated A	Estimated B
\$15.6	146	\$18,000	243
billions	percent	billions	percent

Source: GAO analysis of Census Bureau and Department of Commerce information. | GAO-18-215T

Chairman Johnson, Ranking Member McCaskill, and Members of the Committee:

I am pleased to be here today to discuss the U.S. Census Bureau's (Bureau) progress in preparing for the 2020 Decennial Census. Conducting the decennial census of the U.S. population is mandated by the Constitution and provides vital data for the nation. The information that the census collects is used to apportion the seats of the House of Representatives; redraw congressional districts; allocate billions of dollars each year in federal financial assistance; and provide a social, demographic, and economic profile of the nation's people to guide policy decisions at each level of government. Further, businesses use census data to market new services and products and to tailor existing ones to demographic changes.

For 2020, a complete count of the nation's population is an enormous undertaking as the Bureau seeks to control the cost of the census while it implements several innovations and manages the processes of acquiring and developing new and modified information technology (IT) systems. In recent years, we have identified challenges that raise serious concerns about the Bureau's ability to conduct a cost-effective count of the nation, including issues with the agency's research, testing, planning, scheduling, cost estimation, systems development, and IT security practices. Over the past decade, we have made 84 recommendations specific to the 2020 Census to help address these and other issues. The Bureau has generally agreed with those recommendations; however 36 of them had not been implemented as of October 2017. We also added the 2020 Decennial Census to GAO's High-Risk List in February 2017.¹ As preparations for 2020 ramp-up, addressing the risks jeopardizing the 2020 Census by implementing our recommendations is more critical than ever.

The Bureau is currently conducting the 2018 End-to-End Test, which began in August 2017 and runs through April 2019. It is the Bureau's final opportunity to test all key systems and operations to ensure readiness for the 2020 Census.

¹GAO, *High-Risk Series: Progress on Many High-Risk Areas, While Substantial Efforts Needed on Others*, GAO-17-317 (Washington, D.C.: Feb. 15, 2017). GAO maintains a high-risk program to focus attention on government operations that it identifies as high risk due to their greater vulnerabilities to fraud, waste, abuse, and mismanagement or the need for transformation to address economy, efficiency, or effectiveness challenges.

My testimony today will describe (1) why we added the decennial census to our high risk list, and (2) the steps the Department of Commerce and the Bureau need to take going forward to mitigate the risks jeopardizing a cost-effective census.

The information in this statement is based primarily on prior work regarding the Bureau's planning efforts for 2020.² For that body of work, we reviewed, among other things, relevant Bureau documentation, including the 2020 Census Operational Plan, recent decisions on preparations for the 2020 Census, and outcomes of key IT milestone reviews. Other details on the scope and methodology for our prior work are provided in each published report on which this testimony is based. We also discussed the status of recommendations with Department of Commerce and Bureau staff.

In addition, we included information in this statement from our ongoing work on the 2018 End-to-End Test. For our ongoing work examining the address canvassing operation, we reviewed plans for and the execution of the address canvassing portion of the 2018 End-to-End Test at each of the three test sites—in Pierce County, Washington; Providence County, Rhode Island; and Bluefield-Beckley-Oak Hill, West Virginia.³ Across the three test sites, we observed 18 census workers conduct address canvassing operations and interviewed local office staff at each location. These observations are not generalizable.

²For example, GAO, *2020 Census: Continued Management Attention Needed to Oversee Innovations, Develop and Secure IT Systems, and Improve Cost Estimation*, GAO-16-141T (Washington, D.C.: October 12, 2017); *2020 Census: Bureau Is Taking Steps to Address Limitations of Administrative Records*, GAO-17-664 (Washington, D.C.: July 26, 2017); *2020 Census: Bureau Needs to Better Leverage Information to Achieve Goals of Reengineered Address Canvassing*, GAO-17-622 (Washington, D.C.: July 20, 2017); *2020 Census: Sustained Attention to Innovations, IT Systems, and Cost Estimation Is Needed*, GAO-17-584T (Washington, D.C.: May 3, 2017); *2020 Census: Additional Actions Could Strengthen Field Data Collection Efforts*, GAO-17-191 (Washington, D.C.: Jan. 26, 2017); *Information Technology: Better Management of Interdependencies between Programs Supporting 2020 Census Is Needed*, GAO-16-623 (Washington, D.C.: Aug. 9, 2016); *2020 Census: Census Bureau Needs to Improve Its Life-Cycle Cost Estimating Process*, GAO-16-628 (Washington, D.C.: June 30, 2016); and *2020 Census: Additional Actions Would Help the Bureau Realize Potential Administrative Records Cost Savings*, GAO-16-48 (Washington, D.C.: Oct. 20, 2015).

³The purpose of address canvassing is to deliver a complete and accurate address list for enumeration purposes.

For our ongoing work on the readiness of the Bureau's IT systems, we collected and reviewed documentation on the status and plans for system development, testing, and security assessments for the 2018 End-to-End Test. This includes the Bureau's integration and implementation plan, solution architecture, and memorandums documenting outcomes of security assessments. We also interviewed agency officials.

We provided a copy of the new information we are reporting in this testimony to the Bureau for comment on October 19, 2017. The Bureau provided technical comments, which we addressed as appropriate.

We conducted the work on which this statement is based in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

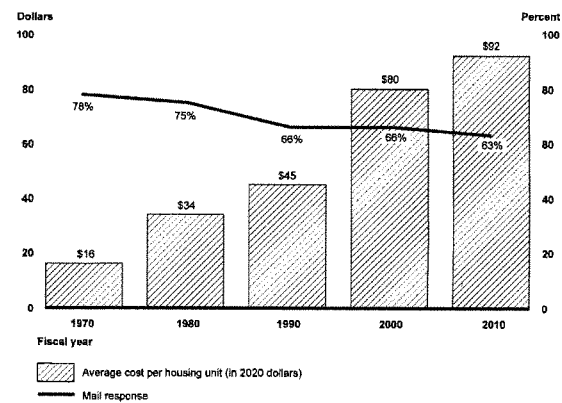
The cost of the census has been escalating over the last several decennials. The 2010 decennial was the costliest U.S. Census in history at about \$12.3 billion, and was about 31 percent more costly than the \$9.4 billion 2000 Census (in 2020 dollars).⁴ The average cost for counting a housing unit increased from about \$16 in 1970 to around \$92 in 2010 (in 2020 dollars). According to the Department of Commerce (Department), the total cost of the 2020 Census is now estimated to be approximately \$15.6 billion dollars, more than \$3 billion higher than previously reported by the Bureau.

Meanwhile, the return of census questionnaires by mail (the primary mode of data collection) declined over this period from 78 percent in 1970 to 63 percent in 2010 (see figure 1). Declining mail response rates—a key indicator in determining the cost-effectiveness of the census—are significant and lead to higher costs. This is because the Bureau sends temporary workers to each non-responding household to obtain census data. As a result, non-response follow-up is the Bureau's largest and

⁴According to the Bureau, these figures rely on fiscal year 2020 constant dollar factors derived from the Chained Price Index from "Gross Domestic Product and Deflators Used in the Historical Tables: 1940–2020" table from the Fiscal Year 2016 Budget of the United States Government.

most costly field operation. In many ways, the Bureau has had to invest substantially more resources each decade to conduct the enumeration.

Figure 1: The Average Cost of Counting Each Housing Unit (in 2020 Dollars) Has Escalated Each Decade, While the Percentage of Mail Response Rates Has Declined



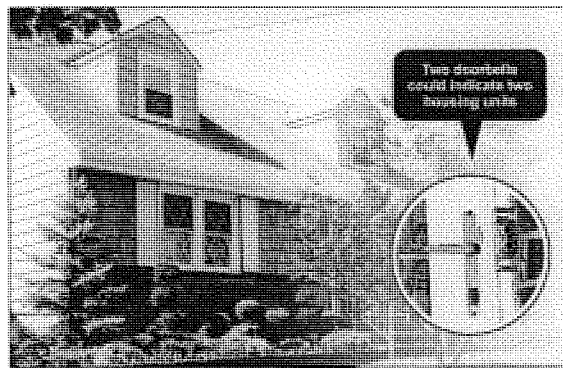
Source: GAO analysis of Census Bureau data. | GAO-18-215T

Achieving a complete and accurate census is becoming an increasingly daunting task, in part, because the nation's population is growing larger, more diverse, and more reluctant to participate. When the census misses a person who should have been included, it results in an undercount; conversely, an overcount occurs when an individual is counted more than once. Such errors are particularly problematic because of their impact on various subgroups. Minorities, renters, and children, for example, are more likely to be undercounted by the census.⁵

⁵GAO, 2010 Census: Key Efforts to Include Hard-to-Count Populations Went Generally as Planned; Improvements Could Make the Efforts More Effective for Next Census, GAO-11-45 (Washington, D.C.: Dec. 14, 2010).

The challenges to an accurate count can be seen, for example, in the difficulties associated with counting people residing in unconventional and hidden housing units, such as converted basements and attics. In figure 2, what appears to be a small, single-family house could contain an apartment, as suggested by its two doorbells. If an address is not in the Bureau's address file, its residents are less likely to be included in the census.

Figure 2: Single or Multi-Unit Housing?



Source: GAO. | GAO-18-215T

The Bureau Plans to Rely Heavily on IT for the 2020 Census

The Bureau plans to rely heavily on both new and legacy IT systems and infrastructure to support the 2018 End-to-End Test and the 2020 Census operations. For example, the Bureau plans to deploy and use 43 systems in the 2018 End-to-End Test. Eleven of these systems are being developed or modified as part of an enterprise-wide initiative called Census Enterprise Data Collection and Processing (CEDCaP), which is managed within the Bureau's IT Directorate.⁶ This initiative is a large and complex modernization program intended to deliver a system-of-systems

⁶The Bureau is pursuing enterprise-wide technology solutions intended to support other major surveys the Bureau conducts as well, such as the American Community Survey and the Economic Census.

to support all of the Bureau's survey data collection and processing functions, rather than continuing to rely on unique, survey-specific systems with redundant capabilities.⁷ According to Bureau officials, the remaining 32 IT systems are being developed or modified by the 2020 Census Directorate or other Bureau divisions.

To support the 2018 End-to-End Test, the Bureau plans to incrementally deploy and use the 43 systems for nine operations from December 2016 through the end of the test in April 2019. These nine operations are: (1) in-office address canvassing, (2) recruiting staff for address canvassing, (3) training for address canvassing, (4) in-field address canvassing, (5) recruiting staff for field enumeration, (6) training for field enumeration, (7) self-response (i.e., Internet, phone, or paper), (8) field enumeration, and (9) tabulation and dissemination.

Key Risks are Jeopardizing a Cost- Effective Enumeration

We added the 2020 Census to our list of high-risk programs in February, 2017, because (1) innovations never before used in prior enumerations will not be fully tested; (2) the Bureau continues to face challenges in implementing and securing IT systems; and (3) the Bureau needs to control any further cost growth and develop reliable cost estimates.⁸ Each of these key risks are discussed in greater detail below; if not sufficiently addressed, these risks could adversely impact the cost and/or quality of the enumeration. Moreover, they compound the inherent challenges of conducting a successful census such as the nation's increasingly diverse population and concerns over personal privacy.

Key Risk #1: Reduced Operational Testing Limits Confidence in 2020 Census Innovation Areas

The basic design of the enumeration—mail out and mail back of the census questionnaire with in-person follow-up for non-respondents—has been in use since 1970. However, a key lesson learned from the 2010 Census and earlier enumerations, is that this "traditional" design is no longer capable of cost-effectively counting the population.

In response to its own assessments, our recommendations, and studies by other organizations, the Bureau has fundamentally re-examined its

⁷Importantly, as a result of the Bureau's challenges in implementing key IT internal controls and its rapidly approaching deadline, we identified CEDCaP as an IT investment in need of attention in both our February 2015 and February 2017 high-risk reports.

⁸GAO-17-317.

approach for conducting the 2020 Census. Specifically, its plan for 2020 includes four broad innovation areas: re-engineering field operations, using administrative records, verifying addresses in-office, and developing an Internet self-response option (see table 1).

If they function as planned, the Bureau initially estimated that these innovations could result in savings of over \$5 billion (in 2020 dollars) when compared to its estimates of the cost for conducting the census with traditional methods. However, in June 2016, we reported that the Bureau's life-cycle cost estimate of \$12.5 billion,⁹ developed in October 2015, was not reliable and did not adequately account for risk.¹⁰ As discussed earlier in this statement, the Department has recently updated this figure and now estimates a life-cycle cost of \$15.6 billion. At this higher level, the cost savings would be reduced to around \$1.9 billion.

⁹The historical life-cycle cost figures for prior decennials provided by the Department differ slightly from those reported by the Bureau previously. According to Department documents, the Department's figures were "inflated to the current 2020 Census time frame (FY 2012-2023)." In October 2017 the Department reported that Oct 2015 estimate for the 2020 Census was \$12.3 billion; this is slightly different than the \$12.5 billion the Bureau had reported. We requested further information in order to better understand the differences. The Department has not provided us with that information.

¹⁰GAO-16-628.

Table 1: The Census Bureau (Bureau) Is Introducing Four Innovation Areas for the 2020 Census

Innovation area	Description
Re-engineered field operations	The Bureau intends to automate data collection methods, including its case management system.
Administrative records	In certain instances, the Bureau will reduce enumerator collection of data with administrative records (information already provided to federal and state governments as they administer other programs).
Verifying addresses in-office	To ensure the accuracy of its address list, the Bureau will use "in-office" procedures and on-screen imagery to verify addresses and reduce street-by-street field canvassing.
Internet self-response option	The Bureau will offer households the option of responding to the survey through the Internet. The Bureau has not previously offered such an option on a large scale.

Source: GAO analysis of Census Bureau data. | GAO-18-215T

While the planned innovations could help control costs, they also introduce new risks, in part, because they include new procedures and technology that have not been used extensively in earlier decennials, if at all. Our prior work has shown the importance of the Bureau conducting a robust testing program, including the 2018 End-to-End Test.¹¹ Rigorous testing is a critical risk mitigation strategy because it provides information on the feasibility and performance of individual census-taking activities, their potential for achieving desired results, and the extent to which they are able to function together under full operational conditions. To address some of these challenges we have made several recommendations aimed at improving reengineered field operations, using administrative records, verifying the accuracy of the address list, and securing census responses via the Internet.

The Bureau has held a series of operational tests since 2012, but according to the Bureau, has scaled back recent tests because of funding uncertainties. For example, the Bureau canceled the field components of the 2017 Census Test including non-response follow-up, a key census

¹¹GAO-17-622.

operation.¹² In November 2016, we reported that the cancellation of the 2017 field test was a lost opportunity to test, refine, and integrate operations and systems, and that it put more pressure on the 2018 End-to-End Test to demonstrate that enumeration activities will function under census-like conditions as needed for 2020. However, in May 2017, the Bureau scaled back the operational scope of the 2018 End-to-End and, of the three planned test sites; only the Rhode Island site would fully implement the 2018 End-to-End Test. The Washington and West Virginia state test sites would test just one field operation, address canvassing. In addition, due to budgetary concerns, the Bureau decided to remove three coverage measurement operations (and the technology that supports them) from the scope of the test.¹³

Without sufficient testing, operational problems can go undiscovered and the opportunity to improve operations will be lost, in part because the 2018 End-to-End Test is the last opportunity to demonstrate census technology and procedures across a range of geographic locations, housing types, and demographic groups.

**Operational Issues Observed
in the End-to-End Test Will
Need to Be Addressed**

On August 28, 2017, temporary census employees known as address listers began implementing the in-field component of address canvassing for the 2018 End-to-End Test. Listers walked the streets of designated census blocks at all three test sites to verify addresses and geographic locations. The operation ended on September 27, 2017. As part of our ongoing work, we visited all three test sites and observed 18 listers conduct address canvassing. Generally, we found that listers were able to conduct address canvassing as planned. However, we also noted several challenges. We shared the following preliminary observations from our site visits with the Bureau:

- Internet connectivity was problematic at the West Virginia test site. We spoke to four census field supervisors who described certain areas as dead spots where Internet and cell phone service were not available. We also were told by those same supervisors that only certain cell service providers worked in certain areas. In order to

¹²In non-response follow-up, if a household does not respond to the census by a certain date, the Bureau will conduct an in-person visit by an enumerator to collect census data using a mobile device provided by the Bureau.

¹³Coverage measurement evaluates the quality of the Census data by estimating the census coverage based on a post-enumeration survey.

access the Internet or cell service in those areas, census workers sometimes needed to drive several miles.

- The allocation of lister assignments was not always optimal. Listers were supposed to be provided assignments close to where they live in order to optimize their local knowledge and to limit the numbers of miles being driven by listers to and from their assignment area.¹⁴ Bureau officials told us this was a challenge at all three test sites. Moreover, at one site the area census manager told us that some listers were being assigned work in another county even though blocks were still unassigned closer to where they resided. Relying on local knowledge and limiting the number of miles can increase both the efficiency and effectiveness of address canvassing.
- The assignment of some of the large blocks early in the operations was not occurring as planned. At all three 2018 End-to-End Test sites Bureau managers had to manually assign some large blocks (some blocks had hundreds of housing units). It is important to assign large blocks early on because leaving the large blocks to be canvassed until the end of the operation could jeopardize the timely completion of address canvassing.
- According to Bureau officials, during the test, completed address and map updates for some blocks did not properly transmit. This happened at all three test sites, and included data on 11 laptops for 25 blocks. The address and map information on seven of the laptops was permanently deleted. However, data on four laptops were still available. The Bureau is examining those laptops to determine what occurred that prevented the data from being transmitted. In Providence, Rhode Island, where the full test will take place, the Bureau recanvassed those blocks where data were lost to ensure that the address and map information going forward was correct. It will be important for the Bureau to understand what happened and ensure all address and map data is properly transmitted for the 2020 Census.

We have discussed these challenges with Bureau officials who stated that overall they are satisfied with the implementation of address canvassing but also agreed that resolving challenges discovered during address canvassing, some of which can affect the operation's efficiency and effectiveness, will be important before the 2020 Census. We plan to issue a report early in 2018 on address canvassing at the three test sites.

¹⁴The Bureau pays listers for the time it takes to drive to and from assignment areas as well as reimbursing them for mileage.

Key Risk #2: The Bureau Continues to Face Challenges Implementing and Securing IT Systems

We have previously reported that the Bureau faced challenges in managing and overseeing IT programs, systems, and contractors supporting the 2020 Census. Specifically, it has been challenged in managing schedules, costs, contracts, governance and internal coordination, and security for its IT systems. As a result of these challenges, the Bureau is at risk of being unable to fully implement key IT systems necessary to support the 2020 Census and conduct a cost-effective enumeration. We have previously recommended that the Bureau take action to improve its implementation and management of IT in areas such as governance and internal coordination.¹⁵ We also have ongoing work reviewing each of these areas.

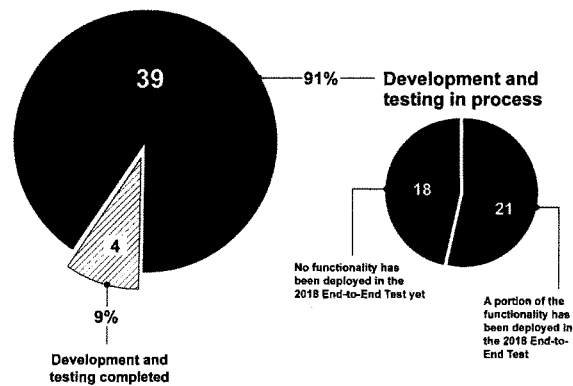
Schedule management

Our ongoing work has indicated that the Bureau faces significant challenges in managing the schedule for developing and testing systems for the 2018 End-to-End Test that began in August 2017. In this regard, the Bureau still has significant development and testing work that remains to be completed. As of August 2017, of the 43 systems in the test, the Bureau reported that 4 systems had completed development and integration testing, while the remaining 39 systems had not completed these activities.

Of these 39 systems, the Bureau reported that it had deployed a portion of the functionality for 21 systems to support address canvassing for the 2018 End-to-End Test; however, it had not yet deployed any functionality for the remaining 18 systems for the test. Figure 3 summarizes the development and testing status for the 43 systems planned for the 2018 End-to-End Test.

¹⁵GAO-16-623.

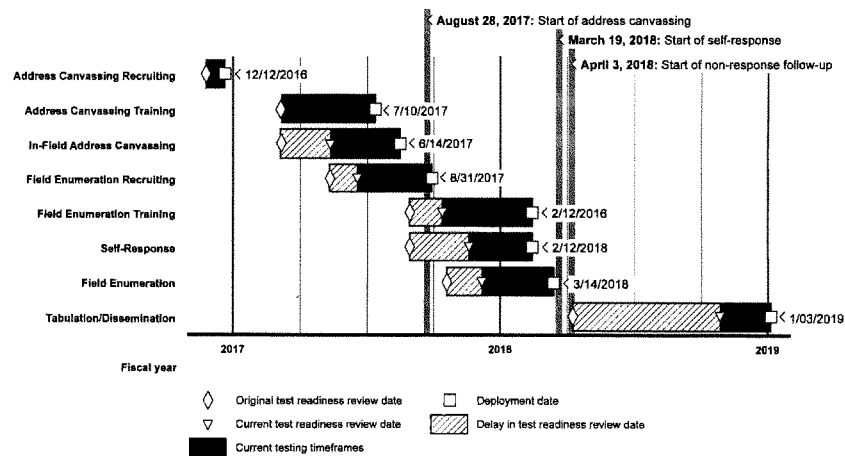
Figure 3: Development and Testing Status for the 43 Systems in the 2018 End-to-End Test, as of August 2017



Source: GAO analysis of Bureau data. | GAO-18-215T

Moreover, due to challenges experienced during systems development, the Bureau has delayed key IT milestone dates (e.g., dates to begin integration testing) by several months for several of the systems in the 2018 End-to-End Test. Figure 4 depicts the delays to the deployment dates for the operations in the 2018 End-to-End Test, as of August 2017.

Figure 4: Delays in Key Information Technology Milestone Dates for System Operations in the 2018 End-to-End Test, as of August 2017



Source: GAO analysis of Census Bureau data. | GAO-18-215T

Note: The Bureau's original plans for these operations were to include one test readiness review milestone and one deployment date for all systems in the operation. However, more recently the Bureau has been splitting the test readiness review and deployment milestones into multiple milestones dates. For the purposes of this graphic, we included the first test readiness review date and the final deployment date for each operation, to denote when all testing is expected to begin and end for that operation.

Our ongoing work also indicates that the Bureau is at risk of not meeting the updated milestone dates. For example, in June 2017 the Bureau reported that at least two of the systems expected to be used in the self-response operation (the Internet self-response system and the call center system) are at risk of not meeting the delayed milestone dates. In addition, in September 2017 the Bureau reported that at least two of the systems expected to be used in the field enumeration operation (the enumeration system and the operational control system) are at risk of not meeting their delayed dates.

Combined, these delays reduce the time available to conduct the security reviews and approvals for the systems being used in the 2018 End-to-End Test. We previously testified in May 2017 that the Bureau faced similar challenges leading up to the 2017 Census Test, including experiencing delays in system development that led to compressed time frames for security reviews and approvals.¹⁶ Specifically, we noted that the Bureau did not have time to thoroughly assess the low-impact components of one system and complete penetration testing¹⁷ for another system prior to the test, but accepted the security risks and uncertainty due to compressed time frames. We concluded that, for the 2018 End-to-End Test, it will be important that these security assessments are completed in a timely manner and that risks are at an acceptable level before the systems are deployed.

The Bureau noted that, if it continues to be behind schedule, key field operations for the 2018 End-to-End Test (such as non-response follow-up) could be delayed or canceled, which may affect the Bureau's ability to meet the test's objectives. As we stated earlier, without sufficient testing, operational problems can go undiscovered and the opportunity to improve operations will be lost. Bureau officials are evaluating options to decrease the impact of these delays on integration testing and security review activities by, for example, utilizing additional staff. We have ongoing work reviewing the Bureau's development and testing delays and the impacts of these delays on systems readiness for the 2018 End-to-End Test.

IT cost growth

The Bureau faces challenges in reporting and controlling IT cost growth. In April 2017, the Bureau briefed us on its efforts to estimate the costs for the 2020 Census, during which it presented IT costs of about \$2.4 billion from fiscal years 2018 through 2021. Based on this information and other corroborating IT contract information provided by the Bureau, we testified in May 2017 that the Bureau had identified at least \$2 billion in IT costs.¹⁸

¹⁶GAO, *2020 Census: Sustained Attention to Innovations, IT Systems, and Cost Estimation Is Needed*, GAO-17-584T (Washington, D.C.: May 3, 2017).

¹⁷NIST defines penetration testing as security testing in which evaluators mimic real-world attacks in an attempt to identify ways to circumvent the security features of an application, system, or network. Penetration testing often involves issuing real attacks on real systems and data, using the same tools and techniques used by actual attackers.

¹⁸GAO-17-584T.

However, in June 2017, Bureau officials in the 2020 Census Directorate told us that the data they provided in April 2017 did not reflect all IT costs for the 2020 program. The officials provided us with an analysis of the Bureau's October 2015 cost estimate that identified \$3.4 billion in total IT costs from fiscal years 2012 through 2023. These costs included, among other things, those associated with system engineering, test and evaluation, and infrastructure, as well as a portion of the costs for the CEDCaP program.¹⁹

Yet, our ongoing work determined the Bureau's \$3.4 billion cost estimate from October 2015 did not reflect its current plans for acquiring IT to be used during the 2020 Census and that the related costs are likely to increase:

- In August 2016, the Bureau awarded a technical integration contract for about \$886 million, a cost that was not reflected in the \$3.4 billion expected IT costs.²⁰ More recently, in May 2017, we testified that the scope of work for this contract had increased since the contract was awarded; thus, the corresponding contract costs were likely to rise above \$886 million, as well.
- In March 2017, the Bureau reported that the contract associated with the call center and IT system to support the collection of census data over the phone was projected to overrun its initial estimated cost by at least \$40 million.
- In May 2017, the Bureau reported that the CEDCaP program's cost estimate was increasing by more than \$400 million—from its original estimate of \$548 million in 2013 to a revised estimate of \$965 million in May 2017.
- In June 2017, the Bureau awarded a contract for mobile devices and associated services for about \$283 million, an amount that is about

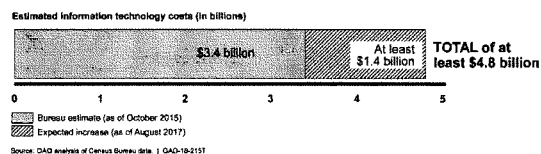
¹⁹The 2020 program pays for a portion of the costs for the CEDCaP program. According to the October 2015 estimate, the portion of CEDCaP costs associated with the 2020 Census was estimated at \$328 million of the \$548 million total program estimate.

²⁰In September 2017, Bureau officials told us that a portion of this integration work was included in the October 2015 cost estimate, but the Bureau assumed the work would be done in-house, rather than with contractors. However, the Bureau did not provide documentation to support this assertion.

\$137 million higher than the cost for these devices and services identified in its October 2015 estimate.²¹

As a result of these factors, the Bureau's \$3.4 billion estimate of IT costs is likely to be at least \$1.4 billion higher, thus increasing the total costs to at least \$4.8 billion. Figure 5 identifies the Bureau estimate of total IT costs associated with the 2020 program as of October 2015, as well as anticipated cost increases as of August 2017.

Figure 5: Total Information Technology Costs Estimated by the Census Bureau (Bureau) and Expected Cost Increases, as of August 2017



IT cost information that is accurately reported and clearly communicated is necessary so that Congress and the public have confidence that taxpayer funds are being spent in an appropriate manner. However, changes in the Bureau's reporting of these total costs, combined with cost growth since the October 2015 estimate, raise questions as to whether the Bureau has a complete understanding of the IT costs associated with the 2020 program. In early October 2017, the Secretary of Commerce testified that he expected the total IT costs for the 2020 Census to be about \$4.96 billion. This estimate of IT costs is approximately \$1.6 billion higher than the Bureau's October 2015 estimate and further confirms our analysis of expected IT cost increases discussed above. As of late October 2017, the Bureau and Department were still finalizing the documentation used to develop the new cost estimate. After these documents are complete and made available for inspection, as part of our ongoing work, we plan to evaluate whether this updated IT cost estimate includes the cost increases, discussed above, that were not included in the October 2015 estimate.

²¹This increase is due, in part, to the Bureau's decision to procure mobile devices for its enumerators, rather than have enumerators use their own personal devices for non-response follow-up activities.

Contract management

Our ongoing work also determined that the Bureau faces challenges in managing its significant contractor support. The Bureau is relying on contractor support in many key areas of the 2020 Census. For example, it is relying on contractors to develop a number of key systems and components of the IT infrastructure. These activities include (1) developing the IT platform that is intended to be used to collect data from those responding via the Internet, telephone, and non-response follow-up activities; (2) procuring the mobile devices and cellular service to be used for non-response follow-up;²² and (3) developing the infrastructure in the field offices. According to Bureau officials, contractors are also providing support in areas such as fraud detection, cloud computing services, and disaster recovery.

In addition to the development of key technology, the Bureau is relying on contractor support for integrating all of the key systems and infrastructure. The Bureau awarded a contract to integrate the 2020 Census systems and infrastructure in August 2016. The contractor's work was to include evaluating the systems and infrastructure and acquiring the infrastructure (e.g., cloud or data center) to meet the Bureau's scalability and performance needs. It was also to include integrating all of the systems, supporting technical testing activities, and developing plans for ensuring the continuity of operations. Since the contract was awarded, the Bureau has modified the scope to also include assisting with operational testing activities, conducting performance testing for two Internet self-response systems, and technical support for the implementation of the paper data capture system.

However, our ongoing work has indicated that the Bureau is facing staffing challenges that could impact its ability to manage and oversee the technical integration contractor. Specifically, the Bureau is managing the integration contractor through a government program management office, but this office is still filling vacancies. As of October 2017, the Bureau reported that 35 of the office's 58 federal employee positions were vacant. As a result, this program management office may not be able to

²²In non-response follow-up, if a household does not respond to the census by a certain date, the Bureau will send out employees to visit the home. The Bureau's plan is for these enumerators to use a census application, on a mobile device provided by the Bureau, to capture the information given to them by the in-person interviews.

provide adequate oversight of contractor cost, schedule, and performance.

The delays during the 2017 Test and preparations for the 2018 End-to-End Test raises concerns regarding the Bureau's ability to effectively perform contractor management. As we reported in November 2016, a greater reliance on contractors for these key components of the 2020 Census requires the Bureau to focus on sound management and oversight of the key contracts, projects, and systems.²³ As part of our ongoing work, we plan to monitor the Bureau's progress in managing its contractor support.

Governance and internal coordination

Effective IT governance can drive change, provide oversight, and ensure accountability for results. Further, effective IT governance was envisioned in the provisions referred to as the 2014 Federal Information Technology Acquisition Reform Act (FITARA),²⁴ which strengthened and reinforced the role of the departmental CIO. The component CIO also plays a role in effective IT governance as subject to the oversight and policies of the parent department or agency implementing FITARA.

To ensure executive-level oversight of the key systems and technology, the Bureau's CIO (or a representative) is a member of the governance boards that oversee all of the operations and technology for the 2020 Census. However, in August 2016 we reported on challenges the Bureau has had with IT governance and internal coordination, including weaknesses in its ability to monitor and control IT project costs, schedules, and performance.²⁵ We made several recommendations to the Department of Commerce to direct the Bureau to, among other things, better ensure that risks are adequately identified and schedules are aligned. The Department agreed with our recommendations. However, as of October 2017, the Bureau had only fully implemented one recommendation and had taken initial steps toward implementing others.

²³GAO, *Information Technology: Uncertainty Remains about the Bureau's Readiness for a Key Decennial Census Test*, GAO-17-221T (Washington, D.C.: Nov. 16, 2016).

²⁴Carl Levin and Howard P. 'Buck' McKeon *National Defense Authorization Act for Fiscal Year 2015*, Pub. L. No. 113-291, div. A, title VIII, subtitle D, 128 Stat. 3292, 3438-50 (Dec. 19, 2014).

²⁵GAO-16-623.

Further, given the schedule delays and cost increases previously mentioned, and the vast amount of development, testing, and security assessments left to be completed, we remain concerned about executive-level oversight of systems and security. Moving forward, it will be important that the CIO and other Bureau executives continue to use a collaborative governance approach to effectively manage risks and ensure that the IT solutions meet the needs of the agency within cost and schedule. As part of our ongoing work, we plan to monitor the steps the Bureau is taking to effectively oversee and manage the development and acquisition of its IT systems.

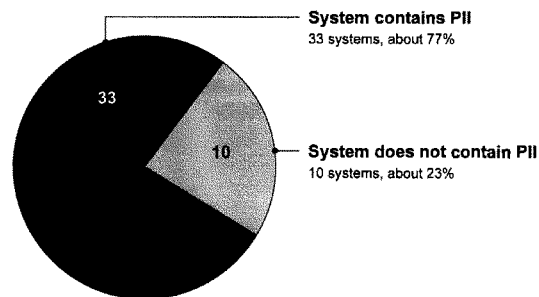
Information security

In November 2016, we described the significant challenges that the Bureau faced in securing systems and data for the 2020 Census, and we noted that tight time frames could exacerbate these challenges.²⁶ Two such challenges were (1) ensuring that individuals gain only limited and appropriate access to the 2020 Census data, including personally identifiable information (PII) (e.g., name, personal address, and date of birth), and (2) making certain that security assessments were completed in a timely manner and that risks were at an acceptable level.²⁷ Protecting PII, for example, is especially important because a majority of the 43 systems to be used in the 2018 End-to-End Test contain PII, as reflected in figure 6.

²⁶GAO-17-584T.

²⁷GAO-17-221T.

Figure 6: Personally Identifiable Information (PII) in Systems for the 2018 End-to-End Test, as of June 2017



Source: GAO analysis of Census Bureau data. | GAO-18-215T

To address these and other challenges, federal law and guidance specify requirements for protecting federal information and information systems, such as those to be used in the 2020 Census. Specifically, the Federal Information Security Management Act of 2002 and the Federal Information Security Modernization Act of 2014 (FISMA) require executive branch agencies to develop, document, and implement an agency-wide program to provide security for the information and information systems that support operations and assets of the agency.²⁸

Accordingly, the National Institute of Standards and Technology (NIST) developed risk management framework guidance for agencies to follow in developing information security programs.²⁹ Additionally, the Office of Management and Budget's (OMB) revised Circular A-130 on managing federal information resources required agencies to implement the NIST

²⁸The Federal Information Security Modernization Act of 2014, Pub. L. No. 113-283, 128 Stat. 3073 (Dec. 18, 2014) largely superseded the Federal Information Security Management Act of 2002, enacted as Title III, E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2946 (Dec. 17, 2002).

²⁹NIST, *Guide for Applying the Risk Management Framework to Federal Information Systems: A Security Life Cycle Approach*, SP 800-37, Revision 1 (Gaithersburg, Md.: February 2010).

risk management framework to integrate information security and risk management activities into the system development life cycle.³⁰

In accordance with FISMA, NIST guidance, and OMB guidance, the Office of the CIO established a risk management framework. This framework requires that system developers ensure that each of the systems undergoes a full security assessment, and that system developers remediate critical deficiencies. In addition, according to the Bureau's framework, system developers must ensure that each component of a system has its own system security plan, which documents how the Bureau plans to implement security controls. As a result, system developers for a single system might develop multiple system security plans which all have to be approved as part of the system's complete security documentation. We have ongoing work that is reviewing the extent to which the Bureau's framework meets the specific requirements of the NIST guidance.

According to the Bureau's framework, each of the 43 systems in the 2018 End-to-End Test will need to have complete security documentation (such as system security plans) and an approved authorization to operate³¹ prior to their use in the 2018 End-to-End Test. However, our ongoing work indicates that, while the Bureau is completing these steps for the 43 systems to be used in the 2018 End-to-End Test, significant work remains. Specifically, as we reported in October 2017:

- None of the 43 systems are fully authorized to operate through the completion of the 2018 End-to-End Test. Bureau officials from the CIO's Office of Information Security stated that these systems will need to be reauthorized because, among other things, they have additional development work planned that may require the systems to be reauthorized; are being moved to a different infrastructure environment (e.g., from a data center to a cloud-based environment);

³⁰OMB, Revision of OMB Circular A-130, *Managing Federal Information as a Strategic Resource* (Washington, D.C.: July 28, 2016).

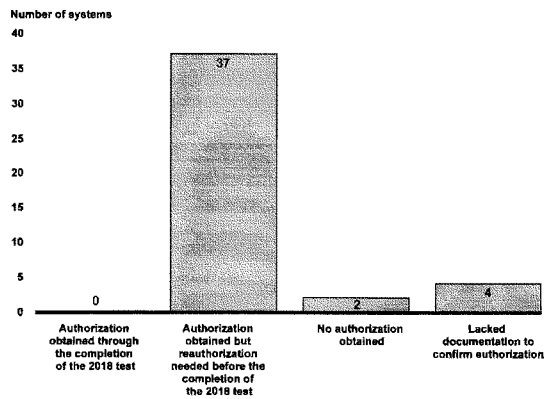
³¹According to the Bureau's framework, systems are to obtain security authorization approval from the authorizing official in order to operate. Specifically, the authorizing official evaluates the security authorization package and provides system authorization if the overall risk level is acceptable. In addition, according to the Bureau's information technology security program policy, the issuance of an authorization to operate for a system required support of both the technical authorizing official (i.e., the CIO) and the business authorizing official responsible for funding and managing the system (i.e., the Associate Director for Decennial Census Programs).

or have a current authorization that expires before the completion of the 2018 End-to-End Test. The amount of work remaining is concerning because the test has already begun and the delays experienced in system development and testing mentioned earlier reduce the time available for performing the security assessments needed to fully authorize these systems before the completion of the 2018 End-to-End test.

- Thirty-seven systems have a current authorization to operate, but the Bureau will need to reauthorize these systems before the completion of the 2018 End-to-End Test. This is due to the reasons mentioned previously, such as additional development work planned and changes to the infrastructure environments.
- Two systems have not yet obtained an authorization to operate.
- For the remaining four systems, the Bureau has not yet provided us with documentation about the current authorization status.

Figure 7 depicts the authorization to operate status for the systems being used in the 2018 End-to-End Test, as reported by the Bureau.

Figure 7: Authorization to Operate Status of 43 Systems for the 2018 End-to-End Test, as of September 2017



Source: GAO analysis of Census Bureau data. | GAO-18-215T

Because many of the systems that will be a part of the 2018 End-to-End Test are not yet fully developed, the Bureau has not finalized all of the security controls to be implemented; assessed those controls; developed plans to remediate control weaknesses; and determined whether there is time to fully remediate any deficiencies before the systems are needed for the test. In addition, as discussed earlier, the Bureau is facing system development challenges that are delaying the completion of milestones and compressing the time available for security testing activities.

While the large-scale technological changes (such as Internet self-response) increase the likelihood of efficiency and effectiveness gains, they also introduce many information security challenges. The 2018 End-to-End Test also involves collecting PII on hundreds of thousands of households across the country, which further increases the need to properly secure these systems. Thus, it will be important that the Bureau provides adequate time to perform these security assessments, completes them in a timely manner, and ensures that risks are at an acceptable level before the systems are deployed. We plan to continue monitoring the Bureau's progress in securing its IT systems and data as part of our ongoing work.

**Key Risk #3: Lack of
Reliable Costs Estimates
Limits Support for 2020
Census Funding**

Earlier this month, the Department announced that it had updated the October 2015 life-cycle cost estimate and now projects the life-cycle cost of the 2020 Census will be \$15.6 billion, more than a \$3 billion (27 percent) increase over the Bureau's earlier estimate. The higher estimated life-cycle cost is due, in part, as we reported in June 2016, to the Bureau's failure to meet best practices for a quality cost-estimate. Specifically, we reported that, although the Bureau had taken steps to improve its capacity to carry out an effective cost estimate, such as establishing an independent cost estimation office, its October 2015 version of the estimate for the 2020 Census only partially met the characteristics of two best practices (comprehensive and accurate) and minimally met the other two (well-documented and credible). We also reported that risks were not properly accounted for in the cost estimate.³²

We recommended that the Bureau take action to ensure its 2020 Census cost estimate meets all four characteristics of a reliable cost estimate, as well as properly account for risk to ensure there are appropriate levels for

³²GAO-16-628.

budgeted contingencies. The Bureau agreed with our recommendations. In response, the Department of Commerce reported that in May 2017, a multidisciplinary team was created to evaluate the 2020 Census program and to produce an independent cost estimate. Factors driving the increased cost-estimate include changes to assumptions relating to self-response rates, wage levels for temporary census workers, as well as the fact that major contracts and IT scale-up plans and procedures were not effectively planned, managed, and executed. The new estimate also includes a contingency of 10 percent of estimated costs per year as insurance against “unknown-unknowns”, such as a major cybersecurity event.

The Bureau and Department are still finalizing the documentation used to develop the \$15.6 billion cost-estimate. Until these documents are complete and made available for inspection, we cannot determine the reliability of the estimate. We will review the documentation when it is available. In order for the estimate to be deemed high quality, and thus the basis for any 2020 Census annual budgetary figures, the new cost-estimate will need to address the following four best practices, and do so as quickly as possible given the expected ramp-up in spending:

- **Comprehensive.** To be comprehensive an estimate should have enough detail to ensure that cost elements are neither omitted nor double-counted, and all cost-influencing assumptions are detailed in the estimate’s documentation, among other things, according to best practices. In June 2016, we reported that, while Bureau officials were able to provide us with several documents that included projections and assumptions that were used in the cost estimate, we found the estimate to be partially comprehensive because it was unclear if all life-cycle costs were included in the estimate or if the cost estimate completely defined the program.
- **Accurate.** Accurate estimates are unbiased and contain few mathematical mistakes. We reported in June 2016 that the estimate partially met best practices for this characteristic, in part because we could not independently verify the calculations the Bureau used within its cost model, which the Bureau did not have documented or explained.
- **Well-documented.** Cost estimates are considered valid if they are well-documented to the point they can be easily repeated or updated and can be traced to original sources through auditing, according to best practices. In June 2016, we reported that, while the Bureau

provided some documentation of supporting data, it did not describe how the source data were incorporated.

- **Credible.** Credible cost estimates must clearly identify limitations due to uncertainty or bias surrounding the data or assumptions, according to best practices. In June 2016, we reported that the estimate minimally met best practices for this characteristic in part because the Bureau carried out its risk and uncertainty analysis only for about \$4.6 billion (37 percent) of the \$12.5 billion total estimated life-cycle cost, excluding, for example, consideration of uncertainty over what the decennial census's estimated part will be of the total cost of CEDCaP.
-

Continued Management Attention Needed to Keep Preparations on Track and Help Ensure a Cost- Effective Enumeration

2020 Challenges Are Symptomatic of Deeper Long-Term Organizational Issues

The difficulties facing the Bureau's preparation for the decennial in such areas as planning and testing; managing and overseeing IT programs, systems, and contractors supporting the enumeration; developing reliable cost estimates; prioritizing decisions; managing schedules; and other challenges, are symptomatic of deeper organizational issues.

Following the 2010 Census, a key lesson learned for 2020 we identified was ensuring that the Bureau's organizational culture and structure, as well as its approach to strategic planning, human capital management, internal collaboration, knowledge sharing, capital decision-making, risk and change management, and other internal functions are aligned toward delivering more cost-effective outcomes.³³

³³GAO, *2010 Census: Preliminary Lesson Learned Highlight the Need for Fundamental Reforms*, GAO-11-496T (Washington, D.C.: Apr. 6, 2011).

The Bureau has made improvements over the last decade, and continued progress will depend in part on sustaining efforts to strengthen risk management activities, enhancing systems testing, bringing in experienced personnel to key positions, implementing our recommendations, and meeting regularly with officials from its parent agency, the Department of Commerce. Going forward, our experience has shown that the key elements needed to make progress in high-risk areas are top-level attention by the administration and agency officials to (1) leadership commitment, (2) ensuring capacity, (3) developing a corrective action plan, (4) regular monitoring, and (5) demonstrated progress. Although important steps have been taken in at least some of these areas, overall, far more work is needed.

On the one hand, the Secretary of Commerce has taken several actions towards demonstrating **leadership commitment**. For example, the previously noted multidisciplinary review team included members with Bureau leadership experience, as well as members with private sector technology management experience. Additional program evaluation and the independent cost estimate was produced by a team from the Commerce Secretary's Office of Acquisition Management that included a member detailed from OMB. Commerce also reports senior officials are now actively involved in the management and oversight of the decennial. Likewise, with respect to **monitoring**, the Commerce Secretary reports having weekly 2020 Census oversight reviews with senior Bureau staff and will require metric tracking and program execution status on a real-time basis.

On the other hand, demonstrating the **capacity** to address high risk concerns remains a challenge. For example, our ongoing work has indicated that the Bureau is facing staffing challenges that could impact its ability to manage and oversee the technical integration contractor. Specifically, the Bureau is managing the integration contractor through a government program management office, but this office is still filling vacancies. As of October 2017, the Bureau reported that 35 of 58, or 60 percent, of the office's federal employee positions were vacant. As a result, this program management office may not be able to provide adequate oversight of contractor cost, schedule, and performance.

In the months ahead, we will continue to monitor the Bureau's progress in addressing in each of the 5 elements essential for reducing the risk to a cost-effective enumeration.

**Leadership Continuity Will
Be Critical For Keeping
Efforts on Track**

At a time when strong Bureau management is needed, vacancies in the agency's two top positions—Director and Deputy Director—are not helpful for keeping 2020 preparations on-track. These vacancies are due to the previous director's retirement on June 30, 2017, and the previous deputy director's appointment to be the Chief Statistician of the United States within the Office of Management and Budget in January 2017. Although interim leadership has since been named, in our prior work we have noted how openings in the Bureau's top position makes it difficult to ensure accountability and continuity, as well as to develop and sustain efforts that foster change, produce results, mitigate risks, and control costs over the long term.

The census director is appointed by the President, by and with the advice and consent of the Senate, without regard to political affiliation. The director's term is a fixed 5-year term of office, and runs in 5-year increments.³⁴ An individual may be reappointed and serve 2 full terms as director.³⁵ The director's position was first filled this way beginning on January 1, 2012, and cycles every fifth year thereafter. Because the new term began on January 1, 2017, the time that elapses until a new director is confirmed counts against the 5-year term of office. As a result, the next director's tenure will be less than 5 years.

Going forward, filling these top two slots should be an important priority. On the basis of our prior work, key attributes of a census director, in addition to the obvious ones of technical expertise and the ability to lead large, long-term, and high risk programs, could include abilities in the following areas:

- **Strategic Vision.** The Director needs to build a long-term vision for the Bureau that extends beyond the current decennial census. Strategic planning, human-capital succession planning, and life-cycle cost estimates for the Bureau all span the decade.
- **Sustaining Stakeholder Relationships.** The Director needs to continually expand and develop working relationships and partnerships with governmental, political, and other professional officials in both the public and private sectors to obtain their input, support, and participation in the Bureau's activities.

³⁴13 U.S.C. § 21(a)-(b)(1).

³⁵*Id.*

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- **Accountability.** The life-cycle cost for a decennial census spans a decade, and decisions made early in the decade about the next decennial census guide the research, investments, and tests carried out throughout the decennial census. Institutionalizing accountability over an extended period may help long-term decennial initiatives provide meaningful and sustainable results.
-

Further Actions Needed on Our Recommendations

Over the past several years we have issued numerous reports that underscored the fact that if the Bureau was to successfully meet its cost savings goal for the 2020 Census, the Bureau needs to take significant actions to improve its research, testing, planning, scheduling, cost estimation, system development, and IT security practices. Over the past decade, we have made 84 recommendations specific to the 2020 Census to help address these and other issues. The Bureau has generally agreed with those recommendations; however 36 of them had not been implemented as of October 2017. We have designated 20 of these recommendations as a priority for the Department of Commerce and 5 have been implemented. In August 2017, we sent the Secretary of Commerce a letter that identified our open priority recommendations at the Department, 15 of which concern the 2020 Census.³⁶ We believe that attention to these recommendations is essential for a cost-effective enumeration. The recommendations included implementing reliable cost estimation and scheduling practices in order to establish better control over program costs, as well as taking steps to better position the Bureau to develop an Internet response option for the 2020 Census. Appendix I summarizes our priority recommendations related to the 2020 Census and the actions the Department has taken to address them.

On October 3, 2017, in response to our August 2017 letter, the Commerce Secretary noted that he shared our concerns about the 2020 Census and acknowledged that some of the programs had not worked as planned, and are not delivering the savings that were promised. The Commerce Secretary also stated that he intends to improve the timeliness for implementing our recommendations.

We meet quarterly with Bureau officials to discuss the progress and status of open recommendations related to the 2020 Census. We are encouraged by the actions taken by the Department and the Bureau in

³⁶The 15 priority recommendations for the 2020 Census cover the period from November 2009 to January 2017.

addressing our recommendations. Implementing our recommendations in a complete and timely manner is important because it would improve the management of the 2020 Census and help to mitigate continued risks.

In conclusion, while the Bureau has made progress in revamping its approach to the census, it faces considerable challenges and uncertainties in (1) implementing key cost-saving innovations and ensuring they function under operational conditions; (2) managing the development and security of key IT systems; and (3) developing a quality cost estimate for the 2020 Census and preventing further cost increases. Without timely and appropriate actions, these challenges could adversely affect the cost, accuracy, and schedule of the enumeration.

For these reasons, the 2020 Census is a GAO high risk area. Going forward, continued management and Congressional attention—such as hearings like this one—will be vital for ensuring risks are managed, preparations stay on-track, and the Bureau is held accountable for implementing the enumeration as planned.

We will continue to assess the Bureau's efforts to conduct a cost-effective enumeration and look forward to keeping Congress informed of the Bureau's progress. Chairman Johnson, Ranking Member McCaskill, and Members of the Committee, this completes my prepared statement. I would be pleased to respond to any questions that you may have.

GAO Contacts and Staff Acknowledgments

If you have any questions about this statement, please contact Robert Goldenkoff at (202) 512-2757 or by e-mail at goldenkoffr@gao.gov or David A. Powner at (202) 512-9286 or by e-mail at pownerd@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. Other key contributors to this testimony include Lisa Pearson (Assistant Director); Jon Ticehurst (Assistant Director); Katherine Wulff (Analyst in Charge); Mark Abraham; Brian Bothwell; Jeffrey DeMarco; Hoyt Lacy; Jason Lee; Ty Mitchell; LaSonya Roberts; Kate Sharkey; Andrea Starosciak; Umesh Thakkar; and Timothy Wexler.

Appendix I: Priority Recommendations from GAO's Work Related to the 2020 Census

The Department of Commerce and Census Bureau have taken some actions to address our recommendations related to implementation of the 2020 Census; however, a large number of recommendations remain open. Since just prior to the 2010 Census, we have made 84 recommendations in 23 reports to the Department of Commerce and Census Bureau aimed at helping the Bureau prepare for and implement a successful 2020 Census (table 1). Of those 84, the Department of Commerce and the Census Bureau have implemented 48 recommendations. Thirty-six recommendations require additional action.

Table 1: Status of GAO's Recommendations Related to the 2020 Census, as of October 2017

Fiscal Year	Census Bureau - Implemented	Census Bureau - Not Implemented	Total
2007	0	1	1
2008	1	0	1
2009	3	0	3
2010	5	1	6
2011	11	7	18
2012	15	4	19
2013	3	0	3
2014	4	4	8
2015	4	2	6
2016	2	11	13
2017	0	6	6
Total	48	36	84

Source: GAO analysis of past reports. | GAO-18-215T

Note: Recommendations are presented by the fiscal years in which they were made.

Of these 84 recommendations, we have designated 20 as priorities for Commerce to address. The Census Bureau has taken some action on our priority recommendations, implementing 5 of the 20 priority recommendations we have made.

The following table presents each of the 20 priority recommendations along with a summary of actions taken to address it.

Appendix I: Priority Recommendations from
GAO's Work Related to the 2020 Census

Table 2: 20 Priority Recommendations from GAO's Work Related to the 2020 Decennial Census

Recommendation	Implementation Status
GAO-17-191, 2020 Census: Additional Actions Could Strengthen Field Data Collection Efforts (Jan 26, 2017).	
1. The Secretary of Commerce and Under Secretary for Economic Affairs should direct the Census Bureau to determine the cause(s) for non-interviews experienced during the non-response follow-up operation and revise and test what, if any, changes need to be made to operational procedures, training, or both, including making contact with proxy respondents.	Not Implemented – Commerce agreed with this recommendation. Evaluation data and studies of the 2016 Census Test experience could provide insight on what operational procedures, training, business rules, or other circumstances resulted in the higher-than-expected number of non-interviews. Making changes as needed, if any, in advance of the 2018 End-to-End Test would provide an opportunity to test them and better ensure that high rates of non-interviews do not adversely affect 2020 Census data quality.
GAO-16-628, 2020 Census: Census Bureau Needs to Improve Its Life-Cycle Cost Estimating Process (Jun 30, 2016).	
2. To help ensure the Bureau produces a reliable cost estimate for the 2020 Census, the Secretary of Commerce and Under Secretary for Economic Affairs should direct the Census Bureau to take the following steps to meet the characteristics of a high-quality estimate: (1) Comprehensive—among other practices, ensure the estimate includes all life-cycle costs and documents all cost-influencing assumptions. (2) Well-documented—among other practices, ensure that its planned documentation plan captures the source data used; contains the calculations performed and the estimating methodologies used for each element; and describes step by step how the estimate was developed. (3) Accurate—among other practices, ensure the estimating technique for each cost element is used appropriately and that variances between planned and actual cost are documented, explained, and reviewed. (4) Credible—among other practices, ensure the estimate includes a sensitivity analysis, major cost elements are cross-checked to see whether results are similar, and an independent cost estimate is conducted to determine whether other estimating methods produce similar results.	Not Implemented – Commerce agreed with this recommendation. The Bureau needs to provide a cost estimate more current than the October 2015 estimate, and should ensure that the estimate is comprehensive, well-documented, accurate, and credible. In doing this the Bureau should consult GAO's cost assessment guide (GAO-09-3SP) and Standards for Internal Control in the Federal Government (GAO-14-704G). High-quality estimates will explicitly consider all life-cycle costs and assumptions, offer a clear step-by-step account of the methods and data sources used to compile the estimate, ensure the proper estimation techniques are used, reconcile any variances between actual and estimated costs, and allow cross-checking with independent cost estimates as verification of results.
3. To further ensure the credibility of data used in cost estimation, the Secretary of Commerce and Under Secretary for Economic Affairs should direct the Census Bureau to establish clear guidance on when information for cost assumptions can and should be changed as well as the procedures for documenting such changes and traceable sources for information being used.	Not Implemented – Commerce agreed with this recommendation. The Bureau should implement processes for controlling and changing cost assumptions. These processes should include methods for evaluating the justification for any changes and documentation requirements that clearly show the information changed and the basis for the change.

Appendix I: Priority Recommendations from
GAO's Work Related to the 2020 Census

Recommendation	Implementation Status
4. To ensure Bureau and congressional confidence that the Bureau's budgeted contingencies are at appropriate levels, the Secretary of Commerce and Under Secretary for Economic Affairs should direct the Census Bureau to improve control over how risk and uncertainty are accounted for and communicated with the Bureau's decennial cost estimation process, such as by implementing and institutionalizing processes or methods for doing so with clear guidance.	Not Implemented – Commerce agreed with this recommendation. The Bureau should ensure that its budget for contingencies reflects an accurate accounting of risk and uncertainty. In doing this, the Bureau should improve controls over risk and uncertainty accounting, ensure that risk accounting informs any relevant budgets and cost estimates, and institutionalize these controls by providing clear methods for their use.
GAO-16-48. 2020 Census: Additional Actions Would Help the Bureau Realize Potential Administrative Records Cost Savings (Oct 20, 2015).	
5. To help ensure the Bureau focuses its resources on those activities that show promise for substantially reducing enumeration cost, the Secretary of Commerce should direct the Under Secretary of the Economics and Statistics Administration and the Director of the U.S. Census Bureau to establish clearly documented deadlines for making final decisions about which records to use for what purposes, particularly for purposes not yet demonstrated as feasible or involving records it does not already have access to, such as the National Directory of New Hires and KidLink.	Implemented – In its October 2015 action plan the Bureau wrote that the decision points and dates for making final decisions about which records to use for what purposes, were included in the 2020 Census Operational Plan. In June 2017, the Bureau committed to operationally test most of these remaining uses in the 2018 End-to-End Test, and also to make final decisions on all of their uses in September 2018 following the test. After September 2018, the Census Bureau will not pursue the acquisition of further sources.
6. To help ensure the Bureau focuses its resources on those activities that show promise for substantially reducing enumeration cost, in advance of the 2016 Census Test and later tests, the Secretary of Commerce should direct the Under Secretary of the Economics and Statistics Administration and the Director of the U.S. Census Bureau to, ensure systematic capture of information about fieldwork cases that experience problems by including information in enumerator training about where to record the issues, who to contact, what details to include, and the importance of doing so.	Not Implemented – Commerce agreed with this recommendation. Bureau officials provided us with training documents used in its 2016 Census Test that they believe addressed the recommendation, but our observations during that test were similar to the ones we made initially that prompted the recommendation. To fully implement this recommendation, the Census Bureau needs to identify what information from tests on a case-by-case basis it finds valuable to have from its enumerators—such as the incidence of specific technical problems with the survey instrument or mobile device—and ensure that during tests enumerators and their first-line supervisors are made aware of the importance of recording such information and how to do so.
GAO-15-225. 2020 Census: Key Challenges Need to Be Addressed to Successfully Enable Internet Response (Mar 9, 2015).	
7. To ensure that the Bureau is better positioned to deliver an Internet response option for the 2020 Decennial Census, the Secretary of Commerce should direct the Under Secretary for Economic Affairs to direct the Director of the Census Bureau to ensure that the estimated costs associated with the Internet response option are updated to reflect significant changes in the program and to fully meet the characteristics of a reliable cost estimate.	Not Implemented – Commerce neither agreed nor disagreed with this recommendation. To fully implement this recommendation, the Bureau's updated cost estimate needs to reflect significant changes in the program as they relate to the Internet response option and fully meet the characteristics of a reliable cost estimate.

Appendix I: Priority Recommendations from
GAO's Work Related to the 2020 Census

Recommendation	Implementation Status
8. To ensure that the Bureau is better positioned to deliver an Internet response option for the 2020 Decennial Census, the Secretary of Commerce should direct the Under Secretary for Economic Affairs to direct the Director of the Census Bureau to ensure that the methodologies for answering the Internet response rate and IT infrastructure research questions are determined and documented in existing or future project plans in time to inform key design decisions.	Not Implemented – Commerce neither agreed nor disagreed with this recommendation. The Bureau has developed the methodologies for answering IT infrastructure research questions in its 2020 Census Enterprise Architecture and Infrastructure Transition Plan, which describes the Bureau's multiyear plan for evolving the IT infrastructure to support all 2020 Census operations. However, to fully implement this recommendation the Bureau needs to provide documentation that describes the methodology for determining the Internet response rate for the 2020 Census.
GAO-15-21. 2020 Census: Census Bureau Can Improve Use of Leading Practices When Choosing Address and Mapping Sources (Oct 2, 2014).	
9. To help ensure that the Bureau more rigorously considers data sources and remains on schedule to meet its address and mapping needs, in order to better ensure the Bureau meets its address and mapping needs for 2020 and stays on schedule, the Secretary of Commerce and Undersecretary of Economic Affairs should direct the Census Bureau to (1) develop a detailed integrated plan that includes items such as measurable goals (e.g., estimated numbers of addresses expected or needed from state, local, and tribal governments under GSS-I); schedules and deadlines; and progress monitoring and reporting, and (2) establish a timeline identifying when remaining data source decisions need to be made.	Implemented – The Bureau agreed with this recommendation stating it understood the importance of establishing a detailed plan to determine the amount of data needed and a schedule for the data source decisions. In April, 2017, the Bureau provided us with evidence that collectively represented an integrated plan. It included: the goals the Bureau tracks through its balanced scorecard and E-300 reporting; measurable goals for addresses and how they are reported; the data that are currently in-house and planned dates for data not yet acquired; and a schedule with the associated deadlines to detail a plan for measuring the progress of the data acquisition.
GAO-14-389. 2020 Census: Prioritized Information Technology Research and Testing Is Needed for Census Design Decisions (Apr 3, 2014).	
10. To ensure that the Bureau is better positioned to make a well-informed design decision for the 2020 Decennial Census, the Secretary of Commerce should direct the Under Secretary of Economic Affairs to direct the Director of the Census Bureau to prioritize the research and testing that the Bureau needs to complete in order to support the operational design decision by the end of fiscal year 2015.	Implemented – In response to our recommendation, in September 2014, the Census Bureau released a document referred to as the "Path to the 2020 Census Design Decision," which outlined four key design areas for the 2020 Census and the key research and testing priorities for each of those design areas. As a result, the Bureau is better positioned to focus its research and testing on high priority redesign areas.

Appendix I: Priority Recommendations from
GAO's Work Related to the 2020 Census

Recommendation	Implementation Status
GAO-14-59. 2020 Census: Bureau Needs to Improve Scheduling Practices to Enhance Ability to Meet Address List Development Deadlines (Dec 19, 2013).	
11. To help maintain a more thorough and insightful 2020 Census development schedule in order to better manage risks to a successful 2020 Census, the Secretary of Commerce and Undersecretary of Economic Affairs should direct the U.S. Census Bureau to improve the comprehensiveness of schedules, including ensuring that all relevant activities are included in the schedule.	Not Implemented – Commerce agreed with this recommendation. To fully implement this recommendation, the Bureau needs to include within its integrated master activity schedule at lower levels the activities and milestones it has already identified as needed throughout the 2020 Census lifecycle. We are beginning an audit of the Bureau's scheduling practices this summer and plan to review actions the Bureau may have taken to address this recommendation.
12. To help maintain a more thorough and insightful 2020 Census development schedule in order to better manage risks to a successful 2020 Census, the Secretary of Commerce and Undersecretary of Economic Affairs should direct the U.S. Census Bureau to improve the construction of schedules, including ensuring complete logic is in place to identify the preceding and subsequent activities as well as a critical path that can be used to make decisions.	Not Implemented – Commerce agreed with this recommendation. To fully implement this recommendation, the Bureau needs to ensure linkage between activities and the estimated resources needed to complete them. We are beginning an audit of the Bureau's scheduling practices this summer and plan to review actions the Bureau may have taken to address this recommendation.
13. To help maintain a more thorough and insightful 2020 Census development schedule in order to better manage risks to a successful 2020 Census, the Secretary of Commerce and Undersecretary of Economic Affairs should direct the U.S. Census Bureau to improve the credibility of schedules, including conducting a quantitative risk assessment.	Not Implemented – Commerce agreed with this recommendation. To fully implement this recommendation, the Bureau needs to conduct quantitative schedule risk analyses with the resulting schedule. We are beginning an audit of the Bureau's scheduling practices this summer and plan to review actions the Bureau may have taken to address this recommendation.
GAO-12-626. 2020 Census: Additional Steps Are Needed to Build on Early Planning (May 17, 2012).	
14. To improve the Bureau's process of organizational transformation, long-term planning, and strategic workforce planning for the 2020 Census, and thus better position the Bureau to carry out a cost-effective decennial census, the Secretary of Commerce should require the Under Secretary for Economic Affairs who oversees the Economics and Statistics Administration, as well as the Director of the U.S. Census Bureau to, in order to ensure prioritization and timely completion of all necessary research and testing efforts, as well as timely transition to later 2020 Census phases, develop and implement a long-term planning schedule that includes key milestones and deadlines, including (1) deadlines for decisions that directly affect activity in later 2020 Census phases; (2) a schedule for creating, revising, or updating governance, program management, and system engineering and architecture plans to be used in later 2020 Census phases beyond research and testing; and (3) expected times of delivery for Bureau-wide enterprise tools, processes, and standards that 2020 Census planning would be expected to use.	Not Implemented – Commerce agreed with this recommendation. To fully implement this recommendation, the Census Bureau needs to finalize program management and other governance documents applicable to the current and later phases of the decennial lifecycle, as well as finalizing schedules for delivery of Bureau-wide enterprise tools, processes, and standards. As of July 2017, Bureau officials reported they were working to provide artifacts they believe may address this recommendation.

Appendix I: Priority Recommendations from
GAO's Work Related to the 2020 Census

Recommendation	Implementation Status
<p>15. To improve the Bureau's process of organizational transformation, long-term planning, and strategic workforce planning for the 2020 Census, and thus better position the Bureau to carry out a cost-effective decennial census, the Secretary of Commerce should require the Under Secretary for Economic Affairs who oversees the Economics and Statistics Administration, as well as the Director of the U.S. Census Bureau to, in order to inform congressional decision-making related to the 2020 Census, develop and implement an effective congressional outreach strategy, particularly on new design elements the Bureau is researching and considering as well as on cost-quality trade-offs of potential design decisions.</p>	<p>Implemented – In November 2014 the Bureau provided us with a "congressional engagement plan" that describes many of the activities the Bureau undertakes to communicate externally, including with the Congress. For example, the plan describes regular briefings of oversight committee staff as well as the Bureau's public quarterly "program management reviews." The plan by itself did not describe strategies the Bureau might use to encourage productive public dialogue about issues the Bureau's design changes for 2020 Census raise, such as privacy or cost-quality tradeoffs. Yet in the interim, the Bureau has taken significant steps demonstrating a strategic approach to raising potentially sensitive issues externally. For example, the Bureau's October 2015 operational plan for 2020 Census included discussion of cost-quality tradeoffs for its design innovation areas. In June 2016 the Bureau took an unprecedented step by announcing in the federal Register its proposed criteria for determining residency status at different locations, such as prisons, college dormitories and military bases. In August 2016 the Bureau's Associate Director for Communications described to us internal documents the Bureau would prepare to better ensure that key issues were elevated internally for external communication. In September 2016 the Bureau provided us with an updated engagement plan. Such a strategic approach will help contribute to public understanding and acceptance of changes the Bureau is planning for its national headcount in 2020.</p>
<p>16. To improve the Bureau's process of organizational transformation, long-term planning, and strategic workforce planning for the 2020 Census, and thus better position the Bureau to carry out a cost-effective decennial census, the Secretary of Commerce should require the Under Secretary for Economic Affairs who oversees the Economics and Statistics Administration, as well as the Director of the U.S. Census Bureau to, in order to improve the Bureau's process for following up on Bureau and oversight agencies' recommendations to improve the 2020 Census, (1) assess the status of recommendation follow-up at regular intervals, such as every 12 months; and (2) periodically report on the status of recommendation follow-up—such as on the Bureau's intranet or Internet pages.</p>	<p>Not Implemented – Commerce agreed with this recommendation. To fully implement this recommendation, the Census Bureau needs to implement mechanisms to capture lessons learned from its ongoing research and testing experience for recommendations in its database, and periodically report on the status of all open recommendations. The Bureau has implemented an internal knowledge management system to help capture its internal lessons learned and has begun quarterly meetings with us to discuss open GAO recommendations. When the status of its own internal recommendations—such as from evaluations of its earlier tests—is more visible inside and outside the Bureau, the Bureau's knowledge management will be better positioned to help the Bureau achieve goals of a cost-effective census.</p>

Appendix I: Priority Recommendations from
GAO's Work Related to the 2020 Census

Recommendation	Implementation Status
GAO-12-80, Decennial Census: Additional Actions Could Improve the Census Bureau's Ability to Control Costs for the 2020 Census (Feb 23, 2012).	
17. To improve the Bureau's ability to control costs for the 2020 decennial and balance cost and quality, the Secretary of Commerce should direct the Under Secretary of the Economics and Statistics Administration, as well as the Director of the U.S. Census Bureau, to analyze data from key census-taking activities to determine their marginal costs and benefits, and use this information to inform decisions on developing more cost-effective methods.	Implemented – The Bureau released an Operational Plan for the 2020 Census in November 2015 that summarizes the potential lifecycle cost savings in each of several key innovation areas of its proposed redesign, compared to the estimated cost of a 2020 Census relying on traditional methods. The areas of innovation include reengineering address canvassing, optimizing self response to the census, increasing use of administrative records and third party data, and reengineering field operations. Additional detail we were able to obtain from the Bureau also demonstrated the specific changes in key assumptions within the Bureau's underlying cost model that led to the calculated savings in each of these areas. This comparison by the Bureau, and, specifically, the documentation of the underlying assumptions as they relate to the specific design decisions the Bureau is making, better positions the Bureau to understand where it can control cost.
18. GAO previously recommended that the Secretary of Commerce direct the Bureau to establish guidance, policies, and procedures for cost estimation that would meet best practice criteria. To help ensure that the Bureau produces a reliable and high-quality cost estimate for the 2020 Census, the Bureau should finalize guidance, policies, and procedures for cost estimation in accordance with best practices prior to developing the Bureau's initial 2020 life cycle cost estimate.	Not Implemented – Commerce neither agreed nor disagreed with this recommendation. To fully implement this recommendation, the Bureau needs to implement specific controls over its cost estimation process for the 2020 Census, such as guidance that documents who is responsible for what and when, and what information flows where and when. This effort needs to include clear guidance on what documentation is needed to enable independent tracing from cost estimates produced back to the assumptions used and their support or justification. Documentation needs to also include what risk and uncertainty is accounted for by whom and where in the cost estimation process, as well as comply with other leading practices documented in the GAO Cost Estimating and Assessment Guide. In a related audit in 2016 (GAO-16-628 above) we found that the Bureau still lacked adequate guidance.
GAO-11-45, 2010 Census: Key Efforts to Include Hard-to-Count Populations Went Generally as Planned; Improvements Could Make the Efforts More Effective for Next Census (Dec 14, 2010).	Populations Went Generally as Planned; Improvements Could Make
19. To help improve the effectiveness of the Bureau's outreach and enumeration efforts, especially for HTC populations, should they be used again in the 2020 Census, and to improve some of the Bureau's key efforts to enumerate HTC populations, the Secretary of Commerce should require the Under Secretary for Economic Affairs as well as the Director of the U.S. Census Bureau to evaluate the extent to which each special enumeration activity improved the count of traditionally hard-to-enumerate groups and use the results to help inform decision making on spending for these programs in 2020.	Not Implemented – Commerce generally agreed with this recommendation. To fully implement this recommendation, the Census Bureau needs to demonstrate how it is relying on how various special enumeration activities of historically hard-to-enumerate groups contributed to Census coverage in 2010 as it deliberates its approach for 2020. In April 2017 Bureau officials provided us with evaluation results of the Bureau's 2010 communication efforts and other documents related to ongoing efforts to reduce errors in the census. As of mid-July 2017, Bureau officials reported they were working to provide other artifacts they believe may demonstrate that recommendation has been addressed.

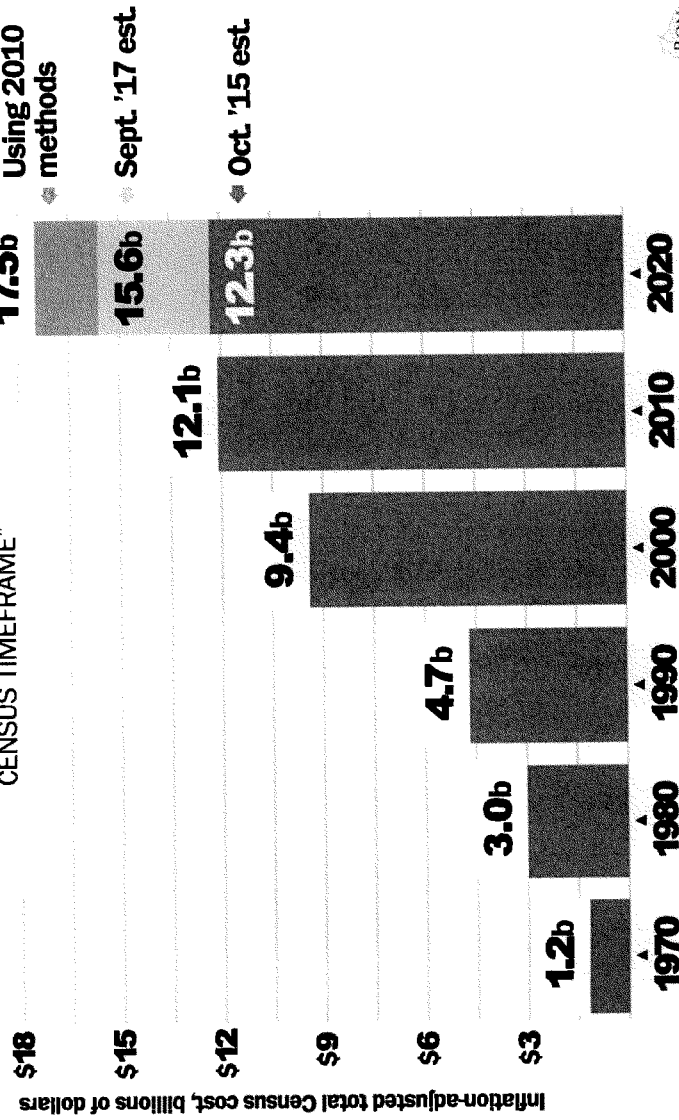
Appendix I: Priority Recommendations from
GAO's Work Related to the 2020 Census

Recommendation	Implementation Status
GAO-10-59, 2010 Census: Census Bureau Has Made Progress on Schedule and Operational Control Tools, but Needs to Prioritize Remaining System Requirements (Nov 13, 2009).	
20. To improve the Bureau's use of its master schedule to manage the 2020 decennial census, the Secretary of Commerce should require the Director of the U.S. Census Bureau to include estimates of the resources, such as labor, materials, and overhead costs, in the 2020 integrated schedule for each activity as the schedule is built, and prepare to carry out other steps as necessary to conduct systematic schedule risk analyses on the 2020 schedule.	Not Implemented – Commerce neither agreed nor disagreed with this recommendation. To fully implement this recommendation, the Bureau needs to include estimates of the resources needed to complete specific tasks within its master integrated schedule for the 2020 Census and carry out systematic analysis of the risk to cost and schedule. The Bureau has provided us with copies of its schedule, but not yet satisfactory evidence of having completed such an analysis. We are beginning an audit of the Bureau's scheduling practices this summer and plan to review actions the Bureau may have taken to address this recommendation.

Source: GAO. | GAO-18-215T

CENSUS COST

INFLATION-ADJUSTED "TO CURRENT
CENSUS TIMEFRAME"

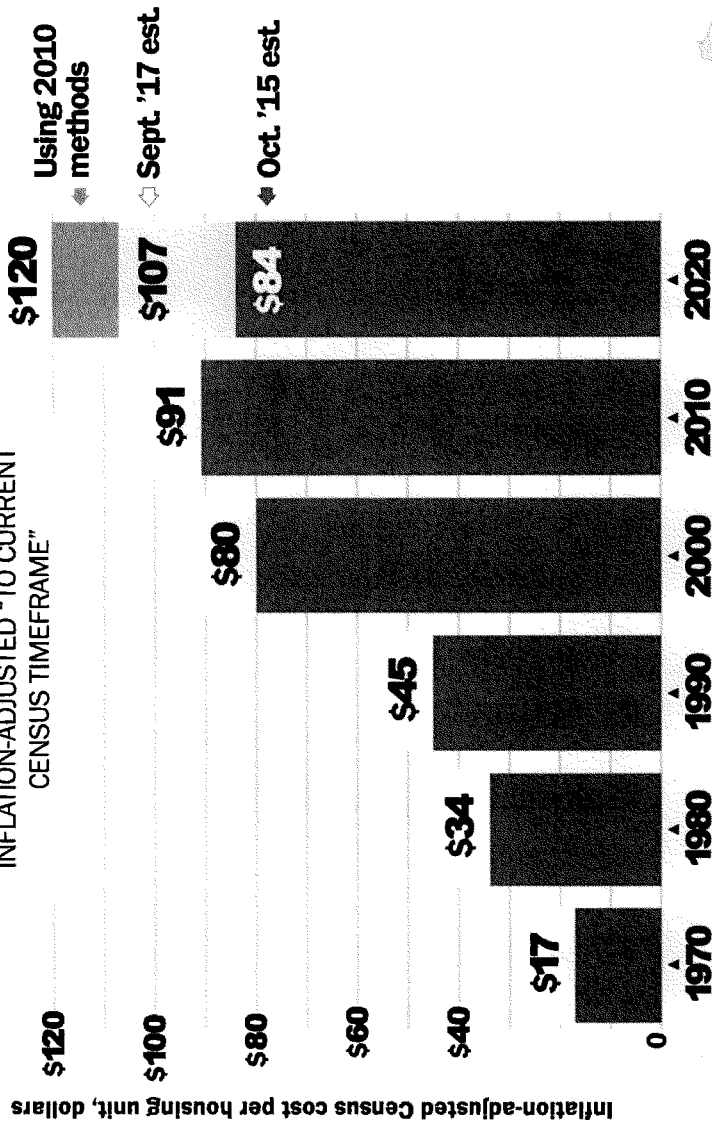


Department of Commerce



COST PER HOUSEHOLD

INFLATION-ADJUSTED "TO CURRENT
CENSUS TIMEFRAME"



Department of Commerce

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 MARGARET E. DAUM, MINORITY STAFF DIRECTOR

United States Senate

COMMITTEE ON
 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
 WASHINGTON, DC 20510-6250

June 5, 2017

The Honorable Wilbur L. Ross
 Secretary
 U.S. Department of Commerce
 1401 Constitution Ave., NW
 Washington, D.C. 20230

Dear Secretary Ross:

The Committee on Homeland Security and Governmental Affairs is conducting oversight of the U.S. Census Bureau's preparations for the 2020 Decennial Census. In 2016, the Bureau awarded an advertising contract that included a subcontractor with close ties to partisan politics that reportedly "spun out of" the reelection campaign of President Obama.¹ I respectfully request information about how the Bureau will ensure the integrity and impartiality of the 2020 Census.

In October 2014, the Bureau announced plans to award a contract for "services in multiple communications areas to support building awareness and promoting self-response for the 2020 Census."² On August 24, 2016, the Bureau awarded the contract to Y&R and several named subcontractors, including Civis Analytics.³ Although it does not specify the role of Civis, the contract calls the company a "national leader in developing predictive household models and optimizing civic engagement campaigns."⁴

Civis describes itself as "a platform for hope and change" that started "in a mission for President Obama's re-election campaign."⁵ The main analytical tool used by the Obama reelection campaign reportedly became the "cornerstone" of Civis's work.⁶ The firm's CEO

¹ Adam Pasick & Tim Fernholz, *The stealthy, Eric Schmidt-backed startup that's working to put Hillary Clinton in the White House*, Quartz (Oct. 9, 2015), <https://qz.com/520652/groundwork-eric-schmidt-startup-working-for-hillary-clinton-campaign/>; See also *The Civis History*, Civis Analytics, <https://www.civisanalytics.com/about/history/> (last visited May 18, 2017).

² U.S. Census Bureau, *2020 Census Integrated Communications Contract*, U.S. Census Bureau, <https://www.census.gov/about/business-opportunities/opportunities/vendor-opps/2014-10-15-2020-comm.html> (last visited May 18, 2017).

³ U.S. Census Bureau, *2020 Census Integrated Communications Contract*, U.S. Census Bureau, <https://www.census.gov/about/business-opportunities/opportunities/vendor-opps/2014-10-15-2020-comm.html> (last visited May 18, 2017); U.S. Census Bureau, *2020 Census Integrated Communications Contract*, YA1323-16-CQ-0003, Attachment J.4 Participation Plan (Aug. 24, 2016) (on file with the Committee).

⁴ *Id.* While the contract does not directly explain Civis's role, the company is likely to use its predictive modeling techniques to determine how advertising dollars are spent by Y&R and the Bureau.

⁵ *The Civis History*, Civis Analytics, <https://www.civisanalytics.com/about/history/> (last visited May 18, 2017).

⁶ Pasick & Fernholz, *supra* note 1.

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stated that “the [Obama reelection] campaign set the values of the company,”⁷ and that Civis would work exclusively for Democratic campaigns.⁸ Civis’s clients include Organizing for Action, a group that “grew out of [President] Obama’s campaign machine”;⁹ Enroll Action, a group created to support Obamacare;¹⁰ and President Obama’s 2012 reelection campaign.¹¹

This partisan lineage raises concern in light of a Democratic initiative to use the results of the 2020 Census to draw district lines in a manner favorable to Democratic candidates. The National Democratic Redistricting Committee (NDRC), chaired by former Attorney General Eric Holder, describes itself as a “an organization of Democratic leaders enacting a comprehensive, multi-cycle Democratic Party redistricting strategy” to “secure a stable federal majority for the decade to come.”¹² The effort was backed by David Simas, President Obama’s political director, who suggested that President Obama would have “an eye on redistricting after 2020.”¹³ In May 2016—just as the NDRC launched,¹⁴ and just after the Bureau conducted oral presentations on the advertising bids¹⁵—Simas met with two senior Civis officials in the White House.¹⁶

To assist the Committee’s oversight of the Bureau’s preparations for the 2020 Census, I respectfully request the following documents and information:

1. What protections exist in Census Bureau contracts to ensure that contractors and subcontractors cannot misdirect communications and advertising strategies for the 2020 Decennial Census?
2. What protections exist in Census Bureau contracts to ensure that contractors and subcontractors cannot use Census data in future business?
3. What protections does the Census Bureau take to ensure that a subcontractor does not knowingly or unknowingly misuse its position?

⁷ Amina Elahi, *Civis Analytics Takes Obama Data Lessons to Next Level*, Chicago Tribune (Jul. 16, 2015, 5:30 AM), <http://www.chicagotribune.com/bluesky/originals/ct-civis-analytics-dan-wagner-bsi-0716-story.html>.

⁸ Joshua Green, *Google’s Eric Schmidt Invests in Obama’s Big Data Brains*, Bloomberg (May 31, 2013), <https://www.bloomberg.com/news/articles/2013-05-30/googles-eric-schmidt-invests-in-obamas-big-data-brains>.

⁹ Sidney M. Milkis & John W. York, *If the Obama presidency is winding down, why is his group Organizing for Action ramping up?*, Wash. Post (July 29, 2015).

¹⁰ Josh Lederman & Ken Thomas, *Legacy in mind, Obama aides form web of influence*, U.S. News & World Rep. (Mar. 4, 2013).

¹¹ See Clients, Civis Analytics, <https://www.civisanalytics.com/clients/> (last visited May 15, 2017).

¹² The National Democratic Redistricting Committee, The National Democratic Redistricting Committee, <https://democraticredistricting.com/about/> (last visited May 18, 2016).

¹³ Edward-Isaac Dovere, *Obama, Holder to Lead Post-Trump Redistricting Campaign*, Politico (Oct. 17, 2016, 5:06 AM), <http://www.politico.com/story/2016/10/obama-holder-redistricting-gerrymandering-229868>.

¹⁴ Dovere, *supra* note 17.

¹⁵ U.S. Census Bureau, *2020 Census Integrated Communications Contract*, U.S. Census Bureau, <https://www.census.gov/about/business-opportunities/opportunities/vendor-opps/2014-10-15-2020-comm.html> (last visited May 18, 2017).

¹⁶ Inside Gov, White House Visitor Logs, Daniel R. Wagner, <http://white-house-logs.insidegov.com/1/69127483/Daniel-R-Wagner>.

The Honorable Wilbur L. Ross
June 5, 2017
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4. Were the subcontractors for Y&R's bid known before they were awarded the Integrated Communications Contract (ICC)?
 - a. If they were known before, to what extent did Census or the Department of Commerce evaluate each subcontractor before awarding the ICC to Y&R?
 - b. If they were not known before, to what extent did Census or the Department of Commerce evaluate each subcontractor after awarding the ICC to Y&R?
 - c. Was the Census Bureau aware of Civis Analytics's history, values, and clients when it awarded the ICC to Y&R?
 - d. Did Census Bureau officials meet with Civis Analytics prior to awarding the ICC to Y&R?
5. All documents and communications between or among any Census Bureau employee and any outside party referring or relating to Civis Analytics between January 1, 2014 and the present.

Please provide this information as soon as possible, but no later than 5:00 p.m. on June 19, 2017.

The Committee on Homeland Security and Governmental Affairs is authorized by Rule XXV of the Standing Rules of the Senate to investigate "the efficiency, economy, and effectiveness of all agencies and departments of the Government."¹⁷ Additionally, S. Res. 62 (115th Congress) authorizes the Committee to examine "the efficiency and economy of all branches and functions of Government the efficiency and economy of all branches of the Government including the possible existence of fraud, misfeasance, malfeasance, collusion, mismanagement, incompetence, corruption, or unethical practices, waste, extravagance, conflicts of interest, and the improper expenditure of Government funds"¹⁸

¹⁷ S. Rule XXV(k); *see also* S. Res. 445, 108th Cong. (2004).

¹⁸ S. Res. 62 § 12, 115th Cong. (2015).

The Honorable Wilbur L. Ross
June 5, 2017
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If you have any questions regarding this request, please contact me or have your staff contact Jennifer Scheaffer at (202) 224-4751. Thank you for your attention to this matter.

Sincerely,



Ron Johnson
Chairman

cc: The Honorable Claire McCaskill
Ranking Member

John Thompson
Director, U.S. Census Bureau

Enclosure

RON JOHNSON, WISCONSIN, CHAIRMAN
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United States Senate

COMMITTEE ON
 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
 WASHINGTON, DC 20510-6250

CHRISTOPHER R. HUXON, STAFF DIRECTOR
 MARGARET E. DALUM, MINORITY STAFF DIRECTOR

May 22, 2017

The Honorable John H. Thompson
 Director
 United States Census Bureau
 4600 Silver Hill Road
 Washington, DC 20233

Dear Director Thompson:

On March 28, 2017 the U.S. Census Bureau submitted "*Subjects Planned for the 2020 Census and American Community Survey*" to Congress. In the press release announcing the submission, the Census Bureau indicated that no new subject would be added to the 2020 Census or to the American Community Survey (ACS).¹ The copy of the "*Subjects Planned for the 2020 Census and American Community Survey*" submitted to Congress, however, did include a new subject in the appendix of the report: sexual orientation and gender identity (SOGI).² The Census Bureau subsequently corrected this error by sending out a new copy of the report that does not include SOGI and clarified that this error arose because the Census Bureau had earlier considered adding SOGI as a subject to the 2020 Census and ACS.³

In briefings with Senate staff⁴ after the release of the subjects, Census Bureau staff confirmed that the interagency process utilized by the Census Bureau and the Office of Management and Budget had considered adding SOGI as a subject to the 2020 Census and ACS, due to requests submitted by several federal agencies.

Enclosed are letters that detail the process by which SOGI was considered as a potential new subject to the Decennial Census and ACS. According to these letters, the Census Bureau

¹ U.S. Department of Commerce, Economics and Statistics Administration, U.S. Census Bureau, *Subjects Planned for the 2020 Census and American Community Survey: Federal Legislation and Program Uses* (March 2017).

² U.S. Census Bureau, *Census Bureau Submits Subjects for 2020 Census to Congress* (Mar. 28, 2017).

³ Email from U.S. Census Bureau to Minority Staff, Senate Committee on Homeland Security and Governmental Affairs Minority Staff (Mar. 28, 2017).

⁴ Briefing by the U.S. Census Bureau to U.S. Senate Staff (Mar. 31, 2017 and Apr. 10, 2017).

The Honorable John H. Thompson
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received requests in 2016 from the Department of Justice (DOJ), the Department of Housing and Development (HUD), the Department of Health and Human Services (HHS), and the Environmental Protection Agency (EPA) to include SOGI on the 2020 Census and ACS. In particular, DOJ's November 4, 2016 request to the Census Bureau to include SOGI outlined the legal authority that supports the necessity for DOJ to collect this information. Based on these requests, the Census Bureau began its evaluation of whether SOGI should be added as a new topic.⁵

On March 7, 2017, however, DOJ sent a letter to the U.S. Department of Commerce rescinding its request to include SOGI. Specifically, DOJ stated that "it was unable to reaffirm its request of November 4, 2016."⁶ As a result, the Census Bureau halted its evaluation of whether SOGI should be included in the 2020 Census and ACS, despite DOJ's previously clearly articulated need in November. These communications raise concerns about the role of the DOJ and its influence on government data collection.

As you have stated in the past, complete Census data is critical "to meet a wide range of federal needs—from providing apportionment and redistricting data as part of our representative democracy, to helping distribute more than \$400 billion in federal funds annually."⁷ This is why it is critical that the Census Bureau's process to include subjects to fairly and accurately count all Americans is impartial and free from undue interference. Therefore, in order to better understand all of the factors involved in this matter, I request that you provide the following information, as well as any supporting documentation:

1. All communications within the Census Bureau or between the Census Bureau and the following agencies that relate to the addition of SOGI as a new subject to the 2020 Census and ACS, including, but not limited to, emails, memoranda, and meeting minutes:
 - a. The Department of Justice
 - b. The Department of Commerce
 - c. The Office of Management and Budget
 - d. The Department of Health and Human Services
 - e. The Environmental Protection Agency
 - f. The Department of Housing and Urban Development

⁵ Letter from Arthur E. Gary, General Counsel, Justice Management Division, U.S. Department of Justice, to Director John H. Thompson, U.S. Census Bureau (Nov. 4, 2016).

⁶ Letter from Arthur E. Gary, General Counsel, Justice Management Division, U.S. Department of Justice, to Barry K. Robinson, Chief Counsel of Economic Affairs, U.S. Department of Commerce (Mar. 7, 2017).

⁷ John H. Thompson, *Planned Subjects for the 2020 Census and the American Community Survey* (Mar. 29, 2017) (https://www.census.gov/newsroom/blogs/director/2017/03/planned_subjects_2020.html).

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May 22, 2017
Page 3

2. An explanation of the process by which the Census Bureau accepts and reviews requests from federal agencies to include subject(s) in the Decennial Census and the ACS.
3. An explanation of the Census Bureau's process by which it accepts and reviews requests from Congress to include subject(s) on the Decennial Census and the ACS.
4. An explanation of the Census Bureau's threshold for subject inclusion in the Decennial Census and the ACS.

We request that you provide this information no later than June 19, 2017 and look forward to your prompt response to this inquiry.

Sincerely,



Tom Carper
Ranking Member
Permanent Subcommittee on Investigations



Kamala D. Harris
U.S. Senator

cc: The Honorable Rob Portman
Chairman
Permanent Subcommittee on Investigations

The Honorable Jeff Sessions
Attorney General
U.S. Department of Justice

The Honorable Ben Carson
Secretary
U.S. Department of Housing and Urban Development

The Honorable Thomas E. Price
Secretary
U.S. Department of Health and Human Services

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency

Enclosures



U. S. Department of Justice

Justice Management Division

Office of General Counsel

Washington, D.C. 20530

JUL 01 2016

Mr. John H. Thompson, Director
Economics and Statistics Administration
U.S. Census Bureau
United States Department of Commerce
Washington, D.C. 20233-0001

Re: Legal Authority for American Community Survey Questions

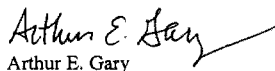
Dear Mr. Thompson:

I am responding to your letter of April 29, 2014, to Deputy Attorney General Yates, requesting any updates or proposals for new uses of existing content or needs for new content in the American Community Survey (ACS). As you noted in your letter, in response to the 2014 ACS Content Review, the Department of Justice (DOJ or Department) affirmed its continuing needs and legal justification for existing subjects and questions in the ACS.

I have consulted the Civil Rights Division and the Office of Justice Programs and confirm to you that there are no needs to alter or amend the current content and uses, nor any needs at this time for new content.

Please let me know if you have any questions about this letter. [REDACTED]

Sincerely yours,


Arthur E. Gary
General Counsel

cc: Civil Rights Division
Office of Justice Programs



U.S. Department of Justice

Justice Management Division

Office of General Counsel

Washington, D.C. 20530

November 4, 2016

John H. Thompson
Director
Economics and Statistics Administration
U.S. Census Bureau
United States Department of Commerce
Washington, D.C. 20233-0001

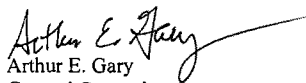
Re: Legal Authority for American Community Survey Questions

Dear Mr. Thompson:

This letter supplements my letter of July 1, 2016, in which I advised that, at that time, the Department of Justice had no needs to amend the current content and uses or to request new content in the American Community Survey (ACS) for the 2020 Census. In 2014, the Department affirmed its continuing needs and legal justification for existing subjects and questions in the ACS. I understand your office recently has been in communication with Department officials regarding new uses sought by the Department relating to LGBT populations. Consistent with those communications, this letter formally requests that the Census Bureau consider a new topic in the ACS relating to LGBT populations. The attached spreadsheet accurately reflects the legal authority supporting the necessity for the collection of this information.

Please let me know if you have any questions about this letter or wish to discuss this request. ■

Sincerely yours,


Arthur E. Gary
General Counsel

Attachment

Cc: Civil Rights Division
Office of the Deputy Attorney General

DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION
REQUIREMENTS FOR AMERICAN COMMUNITY SURVEY DATA

The following statutes enforced by the Department bar discrimination on the basis of sexual orientation, gender identity, or both.						
Statutory Requirement		Classification	Uses	Lowest geography	Frequency	
Title	Citations					
Violence Against Women Reauthorization Act of 2013	42 USC 13925(b)(13)	R	Would be used to enforce prohibitions against discrimination in programs or activities receiving financial assistance administered by the Office on Violence Against Women.	Place	Annual	
Violence Against Women Act of 1994, as amended, Victims of Trafficking and Violence Protection Act of 2000, Violence Against Women and Department of Justice Reauthorization Act of 2005, Violence Against Women Reauthorization Act of 2013	42 USC 3796gg(b)(5), 3796gg(b)(19), 3796gg-7(d), 10420(c)(1)(B), 13925(a)(39), 13971(b), 13971(d)(4), 13975(a), 13975(g)(3)(C)(ii), 14041(b)(1), 14041(b)(4), 14045(a)(1), 14045(c)-(d), 14045b(b)(10).	P	Would be used to help administer grants, and plan education about and enforcement of prohibitions against discrimination in programs or activities receiving financial assistance administered by OVC.	Census block group	Annual	
Title VII of the Civil Rights Act of 1964	42 USC 2000e et seq.; 42 USC 2000e-2(k); <i>Wards Cove Packing Co. v. Atonio</i> , 490 U.S. 642 (1989)	R	Would be used to enforce the prohibition against unlawful employment discrimination.	Place	Annual	
Title VII of the Civil Rights Act of 1964	42 USC 2000e et seq.	P	Would be used to help plan education and enforcement efforts concerning the prohibition against unlawful employment discrimination.	Census block group	Annual	
Title IX of the Education Amendments of 1972	20 USC 1701 et seq.; 34 CFR 106.21(b)(2), 106.23(b), 106.37(b)(1), 106.51(a)(3)-(4), 106.52, 106.53	R	Would be used to enforce the prohibition against unlawful discrimination in education programs and activities receiving federal financial assistance.	Place	Annual	

DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION
REQUIREMENTS FOR AMERICAN COMMUNITY SURVEY DATA

Statutory Requirement		Classification	Uses	Lowest geography	Frequency
Title	Citations				
Title IX of the Education Amendments of 1972	20 USC 1701 et seq.	P	Would be used to help plan education and enforcement efforts concerning the prohibition against unlawful discrimination in education programs and activities receiving federal financial assistance.	Census block group	Annual
Fair Housing Act of 1968	42 USC 3601 et seq. ; 24 CFR 100.500; Texas Dept. of Housing and Community Affairs v. Inclusive Communities Project, Inc., 135 S. Ct. 2507 (2015).	R	Would be used to enforce the prohibition against unlawful discrimination in housing.	place	Annual
Fair Housing Act of 1968	42 USC 3601 et seq. ; 24 CFR 100.500.	P	Would be used to help plan education, testing and enforcement efforts to eliminate unlawful discrimination in housing.	Census block group	Annual
Equal Credit Opportunity Act	15 USC 1691 et seq. ; 12 CFR 202.6 n.2	R	Would be used to enforce the prohibition against unlawful discrimination in lending.	place	Annual
Equal Credit Opportunity Act	15 USC 1691 et seq.	P	Would be used to help plan education and enforcement efforts to eliminate unlawful discrimination in lending.	Census block group	Annual
Omibus Crime Control and Safe Streets Act of 1968	42 USC 3789d(c); 28 CFR 42.203(c), (e)	R	Would be used to enforce the prohibition against unlawful discrimination in criminal justice programs receiving federal financial assistance.	place	Annual

**DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION
REQUIREMENTS FOR AMERICAN COMMUNITY SURVEY DATA**

Statutory Requirement		Classification	Uses	Lowest geography	Frequency
Title	Citations				
Omnibus Crime Control and Safe Streets Act of 1968	42 USC 3789d(c)	P	Would be used to help plan education and enforcement efforts to eliminate unlawful discrimination in criminal justice programs receiving federal financial assistance.	Census block group	Annual
Juvenile Justice and Delinquency Prevention Act of 1974	42 USC 5672(b)	R	Would be used to enforce the prohibition against unlawful discrimination in juvenile justice programs receiving federal financial assistance.	Place	Annual
Juvenile Justice and Delinquency Prevention Act of 1974	42 USC 5672(b)	P	Would be used to help plan education and enforcement efforts to eliminate unlawful discrimination in juvenile justice programs receiving federal financial assistance.	Census block group	Annual
Civil Rights of Institutionalized Persons Act	42 USC 1997 et seq.	R	Would be used to enforce the prohibition against egregious or flagrant violations of law for persons residing in or confined to covered institutions.	Census block group	Annual
Civil Rights of Institutionalized Persons Act	42 USC 1997 et seq.	P	Would be used to help plan education and enforcement efforts to eliminate egregious or flagrant violations of law for persons residing in or confined to covered institutions.	Census block group	Annual

DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION
REQUIREMENTS FOR AMERICAN COMMUNITY SURVEY DATA

Statutory Requirement		Classification	Uses	Lowest geography	Frequency
Title	Citations				
Violent Crime Control and Law Enforcement Act of 1994	42 USC 14141	R	Would be used to enforce the prohibition against patterns or practices of unlawful conduct by law enforcement or by officials in the juvenile justice system.	Place	Annual
Violent Crime Control and Law Enforcement Act of 1994	42 USC 14141	P	Would be used to help plan education and enforcement efforts to eliminate patterns or practices of unlawful conduct by law enforcement or by officials in the juvenile justice system.	Census block group	Annual
Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009	18 USC 249	P	Would be used to help plan education and enforcement efforts to prosecute and deter covered hate crimes against LGBT individuals.	Census block group	Annual
Victims of Crime Act of 1984	42 USC 10604(e)	P	Would be used to help plan education and enforcement efforts to eliminate unlawful discrimination in crime victim compensation programs receiving federal financial assistance.	Census block group	Annual



UNITED STATES DEPARTMENT OF COMMERCE
Office of the General Counsel
OFFICE OF THE CHIEF COUNSEL FOR ECONOMIC AFFAIRS
Washington, D.C. 20230

March 1, 2017

Mr. Arthur E. Gary
General Counsel
Justice Management Division
2Con 145 N. Street, NE 8E.500
Washington, DC 20530

Re: Legal Authority for American Community Survey Questions

Dear Mr. Gary:

This letter responds to your November 4, 2016 letter to John H. Thompson, Director of the United States Census Bureau ("Census"). The November 4, 2016 letter requests that Census consider new content on the American Community Survey related to LGBT populations. The letter included a spreadsheet listing civil rights statutes and case law in support of the collection of information the Department of Justice deemed necessary to meet its continuing needs and priorities at that time.

It has come to my attention that Department of Justice officials have recently contacted Census regarding the appropriateness of certain Sexual Orientation and Gender Identity ("SOGI") topics on the upcoming American Community Survey. As you know, it is the prerogative of the Department of Justice to determine which topics it wishes to propose for inclusion in the Survey. In order to meet certain statutory reporting deadlines, my client, Census, seeks to determine whether the Department of Justice continues to view the placement of new content related to LGBT populations in the American Community Survey as necessary to meet the Department of Justice's continuing needs and priorities. Please let me know whether the Department of Justice wishes to continue, modify, or withdraw the request made in your November 4, 2016 letter.

Please let me know if you have any questions about this letter or otherwise wish to discuss this matter.

Sincerely,

A handwritten signature in cursive script that reads "Barry K. Robinson".

Barry K. Robinson
Chief Counsel of Economic Affairs

Cc: John H. Thompson



U.S. Department of Justice

Justice Management Division

Office of General Counsel

Washington, D.C. 20530

March 7, 2017

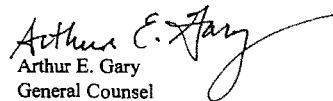
Barry K. Robinson
Chief Counsel of Economic Affairs
U.S. Department of Commerce
Office of the General Counsel
Washington, DC 20230

RE: Legal Authority for American Community Survey Questions

Dear Mr. Robinson:

This letter is in response to your letter of March 1, 2017, concerning proposed new content on the American Community Survey (ACS) for the 2020 Census. The Department of Justice (Department) officially advised you on July 1, 2016, that, consistent with recent practice, it had no need to amend the current content or to request new content in the ACS. A subsequent Department letter of November 4, 2016, suggested new topics for the ACS. Your March 1, 2017, letter asks if the Department still wishes to maintain that request, and you have further indicated that a response is needed immediately. Because such a request requires thorough analysis and careful consideration, the Department is unable to reaffirm its request of November 4, 2016. Accordingly, the Department stands by its earlier position articulated in the July 1, 2016 letter.

Sincerely,


Arthur E. Gary
General Counsel

Content requested: Sexual identity and gender identity

Agency: *Office of Minority Health
Center for Medicaid and CHIP Services
Federal Coordinated Health Care Office*

Centers for Medicare & Medicaid Services (CMS)
U.S. Department of Health and Human Services (HHS)

Use description: Data at the census block or individual level would help the above offices understand and improve care for the subpopulations of Medicare, Medicaid, and dual Medicare-Medicaid (federally-insured) enrollees who are lesbian, gay, bisexual, or transgender (LGBT). Collection of these data through Census programs would be beneficial to future data collection efforts by CMS. Given that the Census Bureau is a leader in developing innovative data collection methods, this activity would ostensibly lead to similar data collections by other federal agencies. This activity would enable CMS and other federal agencies to link critical demographic data and address important questions related to health equity.

The availability of nationally representative and quality data will be essential to improve the unique health and social challenges of federally insured LGBT populations. Despite LGBT people having a greater risk of being low income and having a disability, there are limited federal data sources available that demonstrate the existence of health disparities by sexual identity and gender identity.

The Affordable Care Act invests in the implementation of a new health data collection and analysis strategy for multiple demographic groups.

Section 1557 of the Affordable Care Act indicates that individuals “shall not ... be excluded from the participation in, be denied benefits of, or be subjected to discrimination under, any health program or activity, any part of which is receiving Federal financial assistance” based on race, color, national origin, sex,¹ or disability

¹ Recent [clarification](#) by the Departments of Education and Department of Justice have determined that Title IX of the Education Amendments of 1972 prohibition on sex discrimination encompasses discrimination based on gender identity. Recent [EEOC decisions](#) have held that discrimination against an individual because of that person’s sexual orientation is discrimination because of sex and therefore prohibited under Title VII of the Civil Rights Act of 1964.

status. To date, the lack of information on sexual and gender identity prevents the study of whether sexual and gender minorities are experiencing discrimination in the receipt of CMS services.

Section 2602 of the Affordable Care Act established the CMS Federal Coordinated Health Care Office (FCHCO). One of the statutory goals of FCHCO is to *“improve the quality of health care and long-term services for dual eligible individuals.”* Without information on sexual and gender identity, FCHCO will be disadvantaged in fulfilling this goal for federally insured LGBT individuals.

Section 4302 of the Affordable Care Act contains provisions to strengthen federal data collection efforts by requiring that all national federal data collection efforts collect information on race, ethnicity, sex, primary language, and disability status. Recent administrative actions have expanded sex to include gender identity. The law also provides the Department of Health and Human Services (HHS) the opportunity to collect additional demographic data to further improve our understanding of healthcare disparities. In the past, identifying disparities and effectively monitoring efforts to reduce them has been limited by a lack of specificity, uniformity, and quality in data collection and reporting procedures. Consistent methods for collecting and reporting health data will improve our understanding of the nature and extent of health disparities experienced by members of LGBT community.

- Legal citation:**
- Section 1557 of the Affordable Care Act (Pub. L. 111-148; 42 U.S. Code § 18116)
 - Section 2602 of the Affordable Care Act (Pub. L. 111-148; 42 U.S. Code § 1315b(c)(3))
 - Section 4302 of the Affordable Care Act (Pub. L. 111-148; 42 U.S. Code § 300kk (2)(e))

Lowest level of geography needed: Census block [Individual-level data preferred]

Frequency: Annually

Content requested: Tribal enrollment

Agency: *Office of Minority Health
Center for Medicaid and CHIP Services
Federal Coordinated Health Care Office*

Centers for Medicare & Medicaid Services (CMS)
U.S. Department of Health and Human Services (HHS)

Use description: Data at the Census block or individual level would help the above offices understand and improve care for Medicare, Medicaid, and dual Medicare-Medicaid (federally-insured) enrollees who are American Indian and Alaskan Native and affiliated with specific tribes. Collection of these data through Census programs would be beneficial to future data collection efforts by CMS. Given that the Census Bureau is a leader in developing innovative data collection methods, this activity would ostensibly lead to similar data collections by other federal agencies. Data from these agencies can then be linked to CMS data to address important questions related to health equity.

More than 1 million American Indians and Alaska Natives are enrolled in coverage through Medicaid and Children's Health Insurance Program (CHIP) and many more are eligible for coverage as a result of Medicaid expansion through the Affordable Care Act. Medicaid and CHIP can serve as a critical source of care for this community. The Indian Health Care Improvement Act amended the Social Security Act (SSA) to permit reimbursement by Medicare and Medicaid for services provided to American Indians and Alaska Natives through the Indian Health Service (IHS) and at tribal health care facilities. With this amendment, Congress recognized that many American Indian and Alaskan Natives, especially those residing in very remote and rural locations, were eligible for but could not access Medicaid and Medicare services without traveling long distances to Medicaid and Medicare providers. The Indian Health Care Improvement Act also provided states with a 100% Federal Medical Assistance Percentage (FMAP) for Medicaid services provided through an IHS or Tribal facility. The amendments to the SSA created a direct relationship between CMS and the IHS delivery system. These protections were further augmented by Section 5006 of the American Recovery and Reinvestment Act (ARRA) in 2009.

Considerable evidence has demonstrated that American Indians and Alaskan Natives experience persistently higher rates of disease and poorer health outcomes compared to non-Hispanic whites, however little is known about whether these health disparities differ by tribal enrollment.

The Affordable Care Act invests in the implementation of a new health data collection and analysis strategy.

Section 1557 of the Affordable Care Act dictates that individuals *"shall not ... be excluded from the participation in, be denied benefits of, or be subjected to discrimination under, any health program or activity, any part of which is receiving Federal financial assistance"* based on race, color, national origin, sex, or disability status. To date, the lack of information on tribal enrollment prevents the study of whether members of certain tribes experience discrimination in the receipt of CMS services.

Section 2602 establishes the CMS Federal Coordinated Health Care Office (FCHCO). One of the statutory goals of FCHCO is to *"improve the quality of health care and long-term services for dual eligible individuals."* Without information on tribal enrollment, FCHCO will be disadvantaged in fulfilling this goal for members of certain tribes.

Section 4302 of the Affordable Care Act contains provisions to strengthen federal data collection efforts by requiring that all national Federal data collection efforts collect information on race, ethnicity, sex, primary language, and disability status. The law also provides the Department of Health and Human Services (HHS) the opportunity to collect additional demographic data to further improve our understanding of healthcare disparities. In the past, identifying disparities and effectively monitoring efforts to reduce them has been limited by a lack of specificity, uniformity, and quality in data collection and reporting procedures. Consistent methods for collecting and reporting health data will help us better understand the nature and extent of health disparities experienced by members of individual tribes.

Legal citation:

- Indian Health Care Improvement Act (25 U.S. Code Chapter 18)
- American Recovery and Reinvestment Act of 2009 (Pub. L. 111-5; 42 U.S. Code § 1396o)

- Section 1557 of the Affordable Care Act (Pub. L. 111-148; 42 U.S. Code § 18116)
- Section 5006 American Recovery and Reinvestment Act (ARRA)
- Section 2602 of the Affordable Care Act (Pub. L. 111-148; 42 U.S. Code § 1315b(c)(3))
- Section 4302 of the Affordable Care Act (Pub. L. 111-148; 42 U.S. Code § 300kk (2)(e))

Lowest level of geography needed: Census block [Individual-level data preferred]

Frequency: Annually

Content requested: Sexual Orientation and Gender Identity

Agency: Environmental Protection Agency

Use description: Title VII of the Civil Rights Act prohibits discrimination based on "sex" and the EEOC interprets Title VII protections against sex discrimination to include gender identity; gender stereotyping; and sexual orientation. Used to monitor federal executive branch agencies' affirmative employment programs and identify barriers to employment opportunity in the federal sector.

Legal citation: Title VII of the Civil Rights Act of 1964 (Title VII); 42 U.S.C. § 2000e-16

Lowest level of geography needed: Place

Frequency: Every 5 years

Other data sources: N/A

Content requested: LGBT inclusive sexuality/gender categorization (sexual orientation categories of straight, lesbian, gay, bisexual, transgender [male to female, female to male, gender nonconforming])

Agency: U.S. Department of Health and Human Services (HHS), Indian Health Service, OPHS Division of Program Statistics

Use description: Used for determination of service delivery/access to care, disparity; provision of health services to all categories of individuals

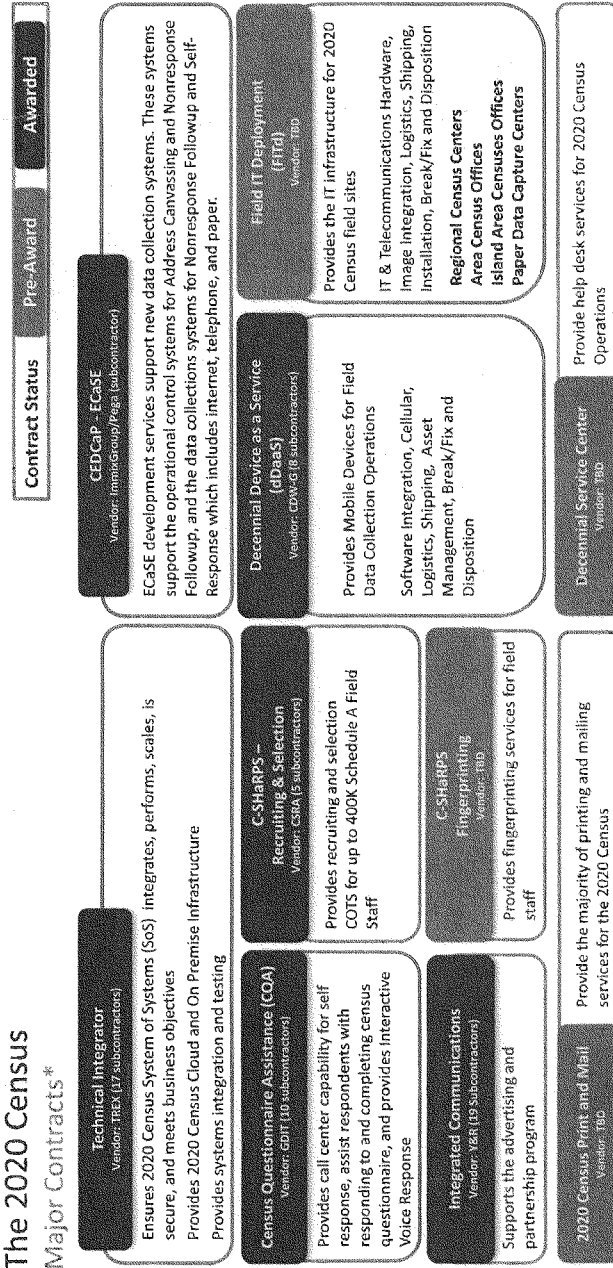
Legal citation: Affordable Care Act of 2010. Section 1557. Indian Health Care Improvement Act US Title 25 Chapter 18 Subchapter 1 Section 1621b, 1621q, and 1621v and Subchapter 3 Section 1647a.

Lowest level of geography needed: County OR [ideally] Tribal Census Tract\Oklahoma Tribal Statistical Areas/Alaska Native Regional Corporations /Alaska Native Village Statistical Areas/Hawaiian Home Lands\American Indian Reservations (state)\State Designated Tribal Statistical Areas

Frequency: Annually

Other data sources: ACS

The 2020 Census Major Contracts*



*This slide represents the status of major contracts for the 2020 Census and is not an exhaustive list of contracts or contract opportunities

Innovative Technologies Ensure a Complete and Accurate 2020 Census

Building on Established Technologies for the Most Advanced Solutions Today

The 2020 Census is the first decennial census with a full Internet option and the first to extensively use technology—instead of paper—to manage and conduct field work. We build on established technologies to use the most advanced and viable solutions today. We continually research and upgrade methods and technology to safeguard data and protect confidentiality of responses through secured systems.



Addresses & Maps

We've enhanced the integrated address and spatial data system (known as MAF/TIGER) with imagery and sophisticated geospatial technology. Using this imagery and technology allows us to verify 70 percent of addresses from our office instead of verifying all of them in the field as we did in the past. This greatly reduces operational costs. In 2020, we'll use tablets and laptops to verify addresses in the field, building on the use of handheld devices for address listing in the last census.



Outreach

We're building on the success of using paid advertising and audience segmentation in recent decades. We'll communicate about the 2020 Census based on advanced modeling techniques to increase awareness and self-response. For the first time, we'll reach specific audiences using digital advertising.



Self-Response

Previous censuses asked the public to respond primarily by mail, with limited options for phone. The 2020 Census will offer multiple ways to respond. For the first time, the Internet will be the primary response option, making it easy for the public to respond from any location at any time. New adaptive design techniques enable more flexible and seamless self-response options than for previous censuses.



Nonresponse Followup

Using administrative records (i.e., data from other government agencies) enables us to identify millions of vacant or nonexistent housing units and reduce the need and cost of knocking on doors to verify and/or enumerate. In 2010, these housing units accounted for nearly 30 percent of the 48 million total. For the first time, we'll use full-scale smartphone technology to capture responses in the field. We'll also take advantage of automation to efficiently manage and route on-the-ground field staff.



Data Capture

Handwritten responses to the census require labor-intensive data entry. In recent decades, while we made this data entry more efficient by using "optical character recognition" on a massive scale, the 2020 Census will be the first to capture a large percentage of responses electronically online, rather than through data entry or "optical character recognition."



Cybersecurity

We're implementing enhanced security architecture and technology based on the Department of Homeland Security (DHS) Continuous Diagnostic and Mitigation program to protect the confidentiality, integrity, and availability of the 2020 Census data, processes, and systems.



Response Processing

We're applying rigorous quality assurance methods to ensure complete and accurate census counts. The 2020 Census will use secure Cloud technology for the first time to rapidly scale up infrastructure to handle peak response periods.



Data Dissemination

Consistent with prior censuses, we'll deliver apportionment counts to the President and redistricting counts to the states. We'll also build upon efforts in recent decades to give the public greater access to the data. We'll provide flexible tools, allowing the public to view 2020 Census data any way they want. Improvements will include visualizations, easier search functionality, and improved access to data tables and data sets.

2020 Census

U.S. Department of Commerce
Bureau of Economic Analysis
census.gov

2020 Census

Technological Evolution of the Decennial Census Throughout the Decades

Building on Established Technologies for the Most Advanced Solutions Today

Components of the Census	2000	2010	2020
Addresses & Maps	<ul style="list-style-type: none"> Used TIGER (Topologically Integrated Geographic Encoding and Referencing System)—the first nationwide digital map of roads, boundaries, and other features. Created for the 1990 Census, TIGER was the foundation for today's GPS navigation systems. Used our Master Address File (MAF). Together, MAF and TIGER contain all of the spatial, geographic, and residential address data needed to conduct the census and produce results. 	<ul style="list-style-type: none"> Combined MAF and TIGER into one system. Used handheld devices to verify all addresses and pinpoint locations, eliminating paper maps and reducing errors. Proprietary hardware developed exclusively for the Census Bureau used in the operation. 	<ul style="list-style-type: none"> Using aerial and street-view imagery to review addresses from the office and updating most MAF/TIGER data remotely, substantially cutting in-person workload. Using commercially available laptops and tablets for address listing and mapping. Leverage workload models and technology to efficiently manage and route on-the-ground staff assignments for Address Canvassing.
Outreach	<ul style="list-style-type: none"> First use of paid advertising and Census in Schools Program. 	<ul style="list-style-type: none"> First integrated campaign approach across all outreach channels. First use of modeling techniques to segment audiences for outreach. First use of social media. Greatly expanded and enhanced partnership program. 	<ul style="list-style-type: none"> Adding digital advertising to target and tailor messages to various audiences.
Self-Response	<ul style="list-style-type: none"> Paper census forms by mail. Tested Internet response option on a small scale. 	<ul style="list-style-type: none"> Paper census forms by mail. No Internet response option. Added limited telephone response option. 	<ul style="list-style-type: none"> Paper census forms by mail. Full Internet response option. Full telephone response option.
Nonresponse Followup	<ul style="list-style-type: none"> Paper-based operations used by staff interviewing nonresponding households (i.e., paper maps, assignments, census forms, and payroll). 	<ul style="list-style-type: none"> Paper-based operations repeated. Vacant housing units identified; large households requiring coverage follow-up identified. 	<ul style="list-style-type: none"> Using handheld devices to capture interview data. Leveraging automation to efficiently manage and route on-the-ground field staff, as well as manage case assignment and the number of contact attempts. Using administrative records (i.e., data from other government agencies) to identify vacant and nonexistent housing units.
Data Capture	<ul style="list-style-type: none"> Relied on outside contractor to digitize paper forms—first use of "optical character recognition." 	<ul style="list-style-type: none"> Continued use of outside contractor for digital conversion. 	<ul style="list-style-type: none"> With new online response option, there will be less paper to process and most responses will be digital from the beginning. Digitizing paper responses in-house, not outsourcing.
Cybersecurity	<ul style="list-style-type: none"> Secure internal Census Bureau systems. Secure field data collection on laptops on mobile network. Secure self-response mode for paper with physical and technical security at processing sites and systems. 	<ul style="list-style-type: none"> Secure internal Census Bureau systems. Secure field data collection on mobile devices on mobile network (tablets). Secure self-response mode for paper with physical and technical security at processing sites and systems. 	<ul style="list-style-type: none"> Secure internal Census Bureau systems. Secure field data collection on mobile devices on mobile network (tablets and smartphones). Secure self-response mode for paper with physical and technical security at processing sites and systems. Secure self-response modes for public-facing Internet data collection (using Cloud-based security and performance) and Census Questionnaire Assistance.
Response Processing	<ul style="list-style-type: none"> Built and used a one-time-only, outside system to tabulate results for both "short" and "long" forms. 	<ul style="list-style-type: none"> Leveraged innovations in data processing and interfaces with other headquarters systems as short-form responses were edited and prepared for tabulation. 	<ul style="list-style-type: none"> Innovations in data processing and interfaces with other headquarters systems Include on-premises and Census Data Lake (Cloud resources) as short-form responses are edited and prepared for tabulation.
Data Dissemination	<ul style="list-style-type: none"> First census to release results online via new digital data tool on Census Bureau Web site (American Factfinder (AFF)), allowing the Census Bureau to combine traditional print media with a variety of digital media formats. 	<ul style="list-style-type: none"> Made further enhancements to AFF to standardize the enterprise data providers' interfaces to upload data. Expanded functionality for tables, mapping, and download of data sets. Moved away from traditional print media to always accessible Internet tables. 	<ul style="list-style-type: none"> Releasing results on a new, user-oriented Web platform featuring easier search, visualizations, and navigation to enhance dissemination and increase access to data through <data.census.gov>.



**Statement Of
Asian Americans Advancing Justice – AAJC**

**Hearing On
“2020 Census: Examining Cost Overruns,
Information Security, And Accuracy”**

**Senate Committee On Homeland Security
And Governmental Affairs**

October 31, 2017

INTRODUCTION

The 1990 Census count disproportionately missed ethnic minorities, children, and immigrants. Asian Americans were among the disproportionately undercounted because of obstacles, including cultural and linguistic barriers. For Census 2000 and Census 2010, with the hard work of the Census Bureau on outreach initiatives in collaboration with the national community education outreach projects by many community based organizations, the Census Bureau was able to improve its count of the American population. However, there were still issues of undercount for many of the same communities. As we approach the 2020 Census, it is clear that the undercount is again an issue that must be addressed, with even more challenges facing the Census Bureau. There are clearly many areas of improvement needed to achieve an even more accurate count of our population. This testimony will identify some of the challenges that the Census Bureau faces in achieving an accurate count in the 2020 Census and provide some solutions for addressing these challenges and ultimately reducing the undercount in hard-to-count populations.

ORGANIZATIONAL BACKGROUND

Asian Americans Advancing Justice – AAJC (Advancing Justice – AAJC) is a national nonprofit, non-partisan organization founded in 1991. Our mission is to advance the civil and human rights of Asian Americans and to build and promote a fair and equitable society for all. Our wide-ranging efforts include promoting civic engagement, forging strong and safe communities, and creating an inclusive society.

Advancing Justice – AAJC is part of Asian Americans Advancing Justice (Advancing Justice), a national affiliation of five independent nonprofit organizations dedicated to serving

our nation's most rapidly growing racial minority community. The Advancing Justice affiliation is comprised of our nation's oldest Asian American legal advocacy center located in San Francisco (Advancing Justice – Asian Law Caucus), our nation's largest Asian American advocacy service organization located in Los Angeles (Advancing Justice – Los Angeles), the largest national Asian American policy advocacy organization located in Washington D.C. (Advancing Justice – AAJC), the leading Midwest Asian American advocacy organization (Advancing Justice – Chicago), and the Atlanta-based Asian American advocacy organization that serves one of the largest and most rapidly growing Asian American communities in the South (Advancing Justice – Atlanta). Additionally, over 150 local organizations are involved in Advancing Justice – AAJC's Community Partners Network, serving communities in 32 states and the District of Columbia.

Advancing Justice – AAJC considers the census, including the American Community Survey (ACS), to be the backbone of its mission. Advancing Justice – AAJC has maintained a permanent census program monitoring census policy, educating policy makers, and conducting community outreach and education to encourage participation in the surveys conducted by the Census Bureau. Together with our Affiliates and our Community Partners, AAJC has been extensively involved in working to eliminate the problems that have historically resulted in undercounting and underreporting of Asian Americans in federal data collection and analysis efforts, and in particular, the decennial census count. Advancing Justice – AAJC conducted an extremely successful national outreach and educational project focused on the Asian American, Native Hawaiian and Pacific Islander communities for Census 2000 and Census 2010.

Advancing Justice – AAJC has served as a member to numerous advisory committees to the Census Bureau since 2000, including the Decennial Census Advisory Committee, the 2010 Census Advisory Committee, and, currently, the National Advisory Committee on Racial, Ethnic and Other Populations. In its advisory role, AAJC is able to assist the Census Bureau in understanding what research and programs would help the Bureau to effectively address the cultural differences and intricacies in various hard-to-reach communities, particularly in Asian American communities, in order to get the most accurate count possible.

Additionally, Advancing Justice – AAJC currently co-chairs the Leadership Conference on Civil and Human Rights' (Leadership Conference) Census Task Force. The Leadership Conference is the nation's oldest, largest, and most diverse civil and human rights coalition, with more than 200 member organizations working to build an America as good as its ideals. In its leadership capacity on the Leadership Conference's Census Task Force, AAJC helps keep Leadership Conference's members informed of important census policy issues and facilitates conversation among the groups to build consensus recommendations for census policy and outreach issues.

IMPORTANCE OF CENSUS TO ASIAN AMERICANS

Census data are critical for a functioning society as it allows for the monitoring of the well-being of children, families, and the elderly; proper planning, such as determining where to locate schools and hospitals or whether a town has the clientele and workforce needed for a

large corporation to invest there; and the determination of where language support is needed (and in what languages). Other examples of how census data are used that impact the lives of Asian Americans include the use of age, Hispanic/Latino ethnicity, and race data to combat discrimination through enforcement of civil rights laws by the Department of Justice; support research on service delivery for children, minorities, and the elderly by the Department of Health and Human Services; conduct studies, evaluations, and assessments of children of different racial and ethnic backgrounds by the Department of Education; and to reapportion political representation and to redistrict at all levels. Census data are also used to distribute federal, state, and local funds. In fact, census data is used by federal agencies to allocate over \$600 billion in federal funds each year for important and vital services such as hospitals, job training centers, schools, senior centers, bridges, tunnels and other-public works projects, and emergency services.¹ This is why it is so important for the census count to be fair and accurate – without an accurate count of Asian Americans, these decisions will not address the needs of growing Asian American communities.

Census data are even more important for Asian Americans as the most comprehensive set of socio-economic data points on Asian American communities, particularly for subgroups. Often viewed as homogenous, these communities include more than several dozen detailed racial and ethnic groups that can differ dramatically across key social and economic indicators. For example, while only 6% of Filipino Americans nationwide live below the poverty line, approximately 26% of Hmong Americans are poor.² Roughly 73% of Taiwanese Americans hold a bachelor's degree, yet only 12% of Laotian Americans do.³ With respect to pay equity, while Asian American and Pacific Islander women are paid an average of 86 cents for every dollar a white man is paid, disaggregated data demonstrates that, for example, Vietnamese and Laotian American women are paid 61 cents; Burmese American women 53 cents; and Bhutanese American women only 38 cents.⁴

Detailed data are also key to breaking down the invidious “model minority” stereotype used against Asian Americans to erase our history of exclusion and discrimination. By failing to acknowledge critical differences and priorities between Asian American subgroups, this stereotype is also used to excuse the lack of government resources and investments in our communities. Finally, the lack of disaggregated data and the “model minority” myth work to create a wedge between Asian Americans and other communities of color by pitting the so-called “model minority” against communities that are “not models.” Thus, census data are

¹ Andrew Reamer, George Washington University, *Counting for Dollars 2020: The Role of the Decennial Census in the Geographic Distribution of Federal Funds (2017)*, available at https://gwipp.gwu.edu/sites/gwipp.gwu.edu/files/downloads/Counting%20for%20Dollars%202020%2008-22-17_0.pdf.

² *A Community of Contrasts: Asian Americans in the United States: 2011*, Asian Pacific American Legal Center & Asian American Justice Center 36 (2011), available at http://www.advancingjustice.org/pdf/Community_of_Contrast.pdf. [hereinafter “Asian American Report”]

³ *Id.* at 31.

⁴ Miriam Yeung, American Association of University Women, *Overcoming the “Model Minority” Myth: AAPI Women Are Not Paid Equally* (Mar. 15, 2016), available at <http://www.aauw.org/2016/03/15/aapi-equal-pay-day/>.

critical to combat the “model minority” stereotype and to provide sufficient information for policymakers to address the priorities and concerns of the Asian American community. Only with disaggregated data can we build the solid foundation necessary for public policy, ensure that the right programs are reaching the right communities, and dismantle the conscious and unconscious beliefs that there is a racial hierarchy in our nation.

Exacerbating the situation is the fact that data sets or surveys developed by private, academic and other governmental entities often underrepresent Asian Americans. One way in which Asian Americans are underrepresented is by being lumped into the “Other” categories, making it impossible to determine the impact on Asian Americans for that particular topic, whether it is health care, educational drop-out rates, or some other important issue. Asian Americans are also underrepresented where only aggregated data is provided for the entire Asian American community. Because of the community’s diversity across cultures and languages, aggregated data often mask problems and concerns for particular sub-ethnic groups. For example, Asian Americans as a whole are often portrayed as wealthy and well-educated, but disaggregated data for subgroups reveals a wide range of incomes, poverty rates, and levels of educational attainment — from those doing very well to those struggling on multiple fronts. As one of the few entities that collect and report data at the disaggregated level for Asian American sub-ethnic groups, an inaccurate census count of Asian Americans would mean that many of our communities, and their attendant needs, would be rendered invisible and neglected.

HISTORY OF UNDERCOUNT OF ASIAN AMERICANS

While a fair and accurate count is recognized as a critical goal of the census, it is important to note that historically certain communities have been missed, or “undercounted,” from census to census. Since the Census Bureau started to measure its ability to accurately count people in America in 1940, first through Demographic Analysis and more recently with a separate coverage measurement survey, people of color were missed by the census more often than non-Hispanic whites (the “differential undercount”). Duplicate responses lead to overcounts, while omissions, or missed persons, lead to undercounts.⁵ Subtracting overcounts from undercounts results in a net undercount or overcount for each census. From 1940 to 1980, the national net undercount, the net undercount for specific population subgroups and the differential undercount were reduced for each decennial census. The 1990 Census was the first census that was less accurate than the one previous since the Bureau began scientific measurements of coverage, with the highest differential undercounts ever recorded. In 2000, while the results from the final coverage measurement, the Accuracy and Coverage Evaluation (Revision II) (“A.C.E. Revision II”), showed a net national overcount of about one-half a percent,

⁵ There are two ways to miss a person, thereby attributing to the undercount. First, the Census Bureau could miss a whole housing unit because they do not have the address or they have an incorrect address. Thus, none of the people at the housing unit will be counted. The second way to miss people is for the Census Bureau to fail to capture other people who are within a responding household. These people can be missed for a variety of reasons, including fear of government and outsiders, limited knowledge of English, mobile people and households, and irregular household members such as households with two or more separate families residing there.

the Census Bureau lacked confidence in its measures of census accuracy in 2000 due in part to concerns about its methodology.⁶ An expert National Academy of Sciences panel concluded that while undercounts among traditionally hard-to-count communities such as communities of color were likely lower in the 2000 Census than in previous censuses, there continued to be a differential undercount of racial minorities.⁷ Similarly, the 2010 Census saw a net overcount of 0.01 percent, which was not statistically different from zero, as well as the continued differential undercount of communities of color.⁸

Asian Americans are among those who have historically experienced a differential undercount. The undercount of the Asian American and Pacific Islander community⁹ in the 1990 Census was 2.36%.¹⁰ The 2000 Census yielded a slight overcount nationally for Asian Americans and a 2.12% undercount for the Native Hawaiian and Pacific Islander (NHPI) community.¹¹ Of course, even a net national overcount/undercount of around zero masks a much larger counting problem, with some AAPI subgroups believing they are undercounted. For example, the Cambodian population in Long Beach, California believes they have been undercounted over the last several decades.¹² The 2000 U.S. Census counted about 17,000 Cambodians in Long Beach, while informal estimates from local groups indicate a population closer to 50,000.¹³ The 2010 Census had a relatively "accurate" count for AAPIs, with a net undercount rate of 0.08% for Asian Americans and 1.34% for NHPIs.¹⁴ While statistically insignificant, the 2010 Census, in fact, missed hundreds of thousands of Asian Americans – a problem that was offset, at the national level, by double counting or other mistaken enumerations.¹⁵ The proportion of Asian Americans who should have been counted but were not during the last census was higher

⁶ See Committee on National Statistics, National Research Council, National Academy of Sciences, *The 2000 Census: Counting Under Adversity* 240-241, 253 (2004), available at <https://www.nap.edu/catalog/10907/the-2000-census-counting-under-adversity> (The A.C.E. Revision II estimated 33.1 million mistakes of all types, including 17.2 million erroneous overcounts (which primarily includes duplications and people counted in the wrong place) and 15.9 million undercounts (e.g. people missed). The report says there were a minimum of 9.8 million duplications).

⁷ *Id.*

⁸ Press Release, U.S. Census Bureau, "Census Bureau Releases Estimates of Undercount and Overcount in the 2010 Census" (May 22, 2012), available at https://www.census.gov/newsroom/releases/archives/2010_census/cb12-95.html.

⁹ Prior to the 2000 Census, Asian Americans and Native Hawaiian and Pacific Islanders were reported together as one category as required by the Office of Management and Budget at that time. U.S. Census Bureau, *The Asian Population: 2010* (2012), available at <https://www.census.gov/prod/cen2010/briefs/c2010br-11.pdf> (hereinafter "Asian 2010 Report").

¹⁰ U.S. Census Bureau, *2010 Census Coverage Measurement Estimation Report: Summary of Estimates of Coverage for Persons in the United States* 15 (2012), available at https://www.census.gov/coverage_measurement/pdfs/g01.pdf (hereinafter "2010 CCM Report").

¹¹ *Id.* The 2000 Census was the first census that separated Native Hawaiian and Pacific Islanders from Asian Americans, as required by the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicities. See Asian 2010 Report.

¹² Greg Mellen, Press-Telegram, "Long Beach Cambodians want to be counted" (Sept. 30, 2009, updated Sept. 1, 2017), available at <http://www.presstelegram.com/2009/09/30/long-beach-cambodians-want-to-be-counted/>.

¹³ *Id.*

¹⁴ 2010 CCM Report at 15.

¹⁵ *Id.* At 17.

than that of non-Hispanic Whites, with 5.3% of Asian Americans not counted as compared to 3.8% for non-Hispanic Whites.¹⁶

BARRIERS AND CHALLENGES TO A FAIR AND ACCURATE COUNT IN 2020

Cultural and Linguistic Barriers

The Asian American population in the United States is larger than it has ever been in our nation's history. There are currently 21.4 million Asian Americans in the U.S., increasing from 17.3 million in 2010 and 11.9 million in 2000.¹⁷ Asian Americans represented the fastest growing group in the 2010 Census, with a growth rate of 46 percent¹⁸ and continues to be the fastest growing during this decade.¹⁹ Of this rapidly growing segment of the population, about two-thirds are foreign-born,²⁰ and more than a third of the Asian American population, over 5.6 million people, is considered limited English proficient (LEP).²¹ The LEP rate of Asian Americans is almost 22 times more than that of non-Hispanic Whites (1.6%). Additionally, Asian American households are 25 times more likely to be limited English speaking households.²² This is important because it means all adults in the household are LEP, which makes participating in the census even more difficult. Together, these factors result in a significant portion of the population being both linguistically and culturally at a disadvantage when it comes to census participation.

Focus groups of Asian Americans conducted by the Census Bureau prior to the 2010 Census found many lacked awareness about the census and had not heard of the Census Bureau.²³ In fact, many focus group participants found the census confusing, invasive, and

¹⁶ 2010 CCM Report at 17.

¹⁷ In the six years following the 2010 Census, the country's Asian American population grew 21%; in contrast, the nation's total population grew less than 5% over the same period. Asian Americans Advancing Justice – Los Angeles, Press Release, Asian Americans Remain Fastest Growing Racial Group In Country, Growth Driven By New Immigrants (June 21, 2017), available at <https://advancingjustice-la.org/media-and-publications/press-releases/asian-americans-remain-fastest-growing-racial-group-country#.WbgZebKGNkg> (hereinafter "Fastest Growing Press Release"). See also, U.S. Census Bureau, *2010 Census Briefs: The Asian Population: 2010* (2012), available at <https://www.census.gov/content/dam/Census/library/publications/2012/dec/c2010br-11.pdf> (hereinafter "Asian Population Report").

¹⁸ See Asian Population Report.

¹⁹ See Fastest Growing Press Release.

²⁰ U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates, Table B05003d Sex By Age By Nativity and Citizenship Status (Asian Alone).

²¹ U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates, Table B16005d Nativity By Language Spoken At Home By Ability To Speak English For The Population 5 Years And Over (Asian Alone).

²² A "limited English speaking household" is one in which no member 14 years old and over (1) speaks only English or (2) speaks a non-English language and speaks English "very well." In other words, all members 14 years old and over have at least some difficulty with English. By definition, English-only households cannot belong to this group. U.S. Census Bureau, 2011-2015 American Community Survey Selected Population Tables, Table B16002: Household Language by Household Limited English Speaking Status.

²³ U.S. Census Bureau, *Ethnic and Racial Sub-Population Focus Group Research* (2007), available at <http://www.phila.gov/phillycounts/pdfs/Ethnic%20and%20Racial%20Sub->

potentially threatening, with the misguided belief that the census was linked to immigration enforcement or the IRS. Additionally, there was a lack of understanding about the purpose of the census, how the data are used, and how it directly benefited them and their families. Despite living in the U.S. during the 2000 Census, very few had previously participated in the census. Language barriers, lack of interest, and misunderstanding about who could participate (believing only citizens could participate) were cited as reasons for not participating.²⁴

Technological Barriers

The Census Bureau's heavy reliance on technology for the 2020 Census will compound this lack of awareness with the lack of access to a telephone or broadband internet at home, potentially leading to higher levels of being missed. Asian Americans were 1.5 times more likely to have no telephone service at home than non-Hispanic Whites (2.6%). And while Asian Americans overall have more broadband internet access than Whites, certain subgroups have less access, such as the Burmese and Cambodians. These communities with less access will need additional attention to ensure the move toward technology does not overlook them in the 2020 count.

Lack of Technology Access²⁵

Asian Subgroup	% of Households with no telephone service available	% of Households with no broadband internet at home
Asian	3.7%	10%
Asian Indian	3.4%	5.20%
Bangladeshi	4.5%	10.40%
Burmese	5.2%	21.80%
Cambodian	3.2%	20.10%
Chinese	4.2%	10.90%
Filipino	2.9%	9.00%
Hmong	2.6%	10.40%
Indonesian	4.2%	6.70%
Japanese	4.1%	15.40%
Korean	3.7%	12.30%
Laotian	2.7%	12.20%
Nepalese	7.5%	11.60%
Pakistani	2.6%	5.40%
Thai	5.2%	12.00%
Vietnamese	3.5%	12.40%

[Population%20Focus%20Group%20Research%20-%20Asian%20&%20Arab%20Americans.pdf](#) ("Asian Focus Groups Report").

²⁴ A number of participants mistakenly confused the census questionnaire with other telephone or mail surveys conducted by private businesses or government agencies. *Id.*

²⁵ U.S. Census Bureau, 2016 American Community Survey 1-Year Estimates, Table S0201: Selected Population Profile in the United States.

Address Canvassing

Another operational area where the Census Bureau's reliance on technology could negatively impact a fair and accurate count of Asian Americans is through the use of technology to replace on-the-ground, in-person address canvassing for 70-75% of the addresses in its database. In-office address canvassing, which relies on tools such as administrative records and satellite imagery, is less able to detect nontraditional, complex households than people in the field. The reality is that the traditional concept of a household – one that only includes a married couple with children under 18 – has been giving way to nontraditional, more complex households over the last several decades.²⁶ While three-fourths of all U.S. households in 1960 consisted of married couples with or without children, by 2000, just under 53 percent of all households in 2000 consisted of married couples with or without children.²⁷ The increase in nontraditional, complex households stems from “demographic trends such as: increases in immigration rates and the proportion of the population that is foreign born[...], and changing migration streams now coming predominantly from Asia and Latin America, rather than from Europe. Other factors include increases in cohabitation and blended families due to more divorces and remarriages; increases in the proportions of cohabitor households with children; and dramatic increases in grandparent-maintained households and nonrelative households.²⁸ In fact, multigenerational households – those that include two or more adult generations, or those that include grandparents and grandchildren – have been increasing, with a record 60.6 million people (or 19% of the U.S. population) living with multiple generations under one roof in 2014.²⁹

As previously noted, 67% percent of Asian Americans are immigrants,³⁰ and those that are foreign-born are more likely to live with multiple generations of family.³¹ In 2014, 28% of Asian Americans lived in multigenerational family households, among the highest of any group.³² Additionally, we've seen in recent years that young adults are the age group most likely to live in multigenerational households. In fact, for the first time in more than 130 years, young adults 18 to 34 are more likely to be living with parents than any other living arrangements in 2014.³³ Over 4.6 million Asian Americans are 18 to 34 years old, representing

²⁶ Laurie Schwede, U.S. Census Bureau, *Complex Households and Relationships in the Decennial Census and in Ethnographic Studies of Six Race/Ethnic Groups* (Aug. 27, 2003), *available at* <https://www.census.gov/pred/www/rpts/Complex%20Households%20Final%20Report.pdf>.

²⁷ *Id.*

²⁸ *Id.*

²⁹ D'Vera Cohn and Jeffrey S. Passel, “A record 60.6 million Americans live in multigenerational households,” Pew Research Center (Aug. 11, 2016), *available at* <http://www.pewresearch.org/fact-tank/2016/08/11/a-record-60-6-million-americans-live-in-multigenerational-households/> (hereinafter “Pew Multigenerational Report”).

³⁰ U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates, Table B05003D Sex By Age By Nativity and Citizenship Status (Asian Alone).

³¹ Pew Multigenerational Report.

³² Pew Multigenerational Report.

³³ Pew Multigenerational Report.

just over one in four Asian Americans.³⁴ Asian Americans are often more likely to live in crowded conditions. For example, in NY in 2009, Asian Americans had larger households than average (3.12 people v. 2.67) and more likely to live in a household with more than one occupant (14% v. 8%).³⁵ Asian Americans can also find themselves living in crowded housing with many unrelated individuals in an effort find affordable housing.³⁶ All these households are complex and can be more difficult to properly count in a decennial census.

Because In-Field Address Canvassing will be particularly important for identifying and noting nontraditional, complex households, we believe that the accuracy of the list should be the top priority and that the Bureau must take a hard look at what the appropriate percentage of households should be for In-Field Address Canvassing regardless of the cost factor. As part of this analysis, the Census Bureau must determine the accuracy of those 70-75% of the nation's addresses that are deemed "stable" and resolved by In-Office Canvassing. Because of the invisible nature of complex households, such as multiple families living in one dwelling, we have concerns that these types of households would be missed during In-Office Canvassing. And to the extent that these types of households often represent those traditionally hardest-to-count, we want to make sure that the In-Office Canvassing is not exacerbating the likelihood of missing them.

Confidentiality and Privacy Concerns

As the Asian American focus groups highlighted, census participation hinges not only on understanding the purpose and benefits of the census but also in understanding and trusting the confidentiality of the information shared with the Census Bureau. Confidence in the confidentiality of survey responses is critical to the Census Bureau's ability to conduct a fair and accurate census. As the Census Bureau itself notes, "[m]any of the most valuable Federal statistics come from surveys that ask for highly sensitive information.... Strong and trusted confidentiality and exclusively statistical use pledges under Title 13, U.S.C. and similar statistical confidentiality pledges are effective and necessary in honoring the trust that business, individuals, and institutions, by their responses, place in statistical agencies."³⁷

Title 13 requires confidentiality of data collected by the federal government and originally prohibited the Secretary of Commerce or any other officer or employee of the Department of Commerce from: a) using data collected for any purpose other than the

³⁴ U.S. Census Bureau, 2015 American Community Survey 1-Year Estimates, Table B01001D Sex By Age (Asian Alone).

³⁵ Asian American Federation, Profile of New York City's Asian Americans: 2005-2007, *available at* <http://www.aafny.org/cic/briefs/nycbrief2009.pdf>.

³⁶ See Michael Laris, "Raid Opens Door on a Crowded House," Washington Post (April 10, 2005), *available at* <http://www.washingtonpost.com/wp-dyn/articles/A40447-2005Apr9.html>; Kimberly Yam, "Asian-Americans Have Highest Poverty Rate In NYC, But Stereotypes Make The Issue Invisible," The Huffington Post (May 8, 2017), *available at* http://www.huffingtonpost.com/entry/asian-american-poverty-nyc_us_58ff7f40e4b0c46f0782a5b6.

³⁷ Department of Commerce, Census Bureau; Revision of the Confidentiality Pledge Under Title 13 United States Code, Section 9, 81 Fed. Reg. 94,321-22 (Dec. 23, 2016).

statistical purposes for which it is supplied; b) publicizing the data collected in any manner by which a particular establishment or individual can be identified; and c) permitting anyone other than the sworn officers and employees of the department/bureau/agency to examine the individual responses. It also requires the Census Bureau to disclose to individuals and businesses surveyed that the sole purpose to the data collected is for statistical use.

Additionally, in 2002, the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) expanded the confidentiality protection to all federal data collected for statistical purposes under a confidentiality pledge. CIPSEA places strict limitations on the disclosure of individually identifiable information, assures federal statistical survey respondents of the nature of the confidentiality, and requires informed consent from respondents before disclosure of their statistical information (and those who will have access to that information). Importantly, CIPSEA also provides penalties (up to 5 years in prison, up to \$250,000 in fines, or both) for employees or sworn agents of statistical agencies who knowingly and willfully disclose confidential information.

These legal protections have been in place for decades and have played an important role in encouraging people to participate in census surveys. Census Bureau testing has shown that assurances of confidentiality are effective at securing respondent participation in its surveys.³⁸ Testing for Census 2010 showed that anonymity was important to participants. In addition, participants responded well to assurances that their data would only be used for statistical purposes and responded negatively to the idea of two-way agency data sharing. As the Census Bureau acknowledges, “[t]hese acts protect such statistical information from administrative, law enforcement, taxation, regulatory, or any other non-statistical use and immunize the information submitted to statistical agencies from legal processes.”³⁹ Census Bureau staff has recommended against including information that evokes strong reactions, like “immigration agencies.”⁴⁰

However, any discussion about confidentiality and the census must be grounded in both the history of confidentiality of census data as well as today’s political climate and anti-immigrant rhetoric, especially for the Asian American community. Historically, it is important to remember the most notable case of disclosure of unpublished information to assist another Federal agency was the provision of tabulations of Japanese Americans, by county, county subdivision, and -- in some cases -- by census block -- to the Department of War to help enable the unjust mass incarceration of Japanese Americans during World War II.⁴¹ Furthermore, it was later disclosed that the Census Bureau provided specific identifying information on Japanese

³⁸ U.S. Census Bureau, Report of Cognitive Testing of Privacy and Confidentiality-Related Statements in Respondent Materials for the 2010 Decennial: Results from Cognitive Interview Pretesting with Volunteer Respondents (Mar. 28, 2008), available at <https://www.census.gov/srd/papers/pdf/rsm2008-04.pdf> (“Privacy Report”).

³⁹ Department of Commerce, Census Bureau; Revision of the Confidentiality Pledge Under Title 13 United States Code, Section 9, 81 Fed. Reg. 94321, 94322 (Dec. 23, 2016).

⁴⁰ See Privacy Report.

⁴¹ JR Minkel, *Confirmed: The U.S. Census Bureau Gave Up Names of Japanese-Americans in WW II*, Sci. Am. (Mar. 30, 2007), available at <https://www.scientificamerican.com/article/confirmed-the-us-census-b/>.

Americans to the Secret Service as well.⁴² Unfortunately, the legal protections in place at the time were not as strong as they are today, and the Census Bureau's actions did not violate the law. Nevertheless, the tragic outcome – the incarceration of Japanese Americans in internment camps – spurred Congress to strengthen the confidentiality protections in Title 13 to prohibit any disclosure of personally identifiable information for any purpose whatsoever.

We must also be mindful of today's political climate and the public's perception of the government and where its priorities lie because accuracy, a fundamental goal of a census, depends on broad participation by households and organizations. Immigrant⁴³ and Muslim⁴⁴ communities already have been shown to fear the census. As noted, assurances of confidentiality through the pledge has been a critical tool in allaying these fears and garnering responses.⁴⁵ The ability to assure these communities about the confidentiality of their response is even more critical today because of the increase in virulent anti-immigrant and anti-Muslim rhetoric. In fact, we have seen reports of immigrants shunning common activities out of fear of reprisal from the government. For example, journalists have noted stories of parents "keeping their children home from school [and] ... suspend[ing] after-school visits to the public library"⁴⁶ as well as immigrants avoiding attending church service.⁴⁷ This climate will exacerbate immigrants' fear of contact with government agencies, including the Census Bureau. Undocumented immigrants, legal permanent residents, and even U.S. citizens who live in households where family members have varying immigration status, will be discouraged from answering the Census.⁴⁸ The anti-immigrant climate today will harm confidence in the confidentiality of the Census and promote the belief among many residents that the Bureau will use the information they provide in a detrimental manner. This is a potentially significant barrier for many immigrant communities, including Latinos and Asian Americans.⁴⁹

⁴² William Seltzer & Margo Anderson, *Census Confidentiality Under the Second War Powers Act (1942-1947)* (2007) (paper prepared for presentation at the session on "Confidentiality, Privacy, and Ethical Issues in Demographic Data," Population Association of America Annual Meeting, March 29-31, 2007, New York, NY), available at <http://www.uwm.edu/~margo/govstat/Seltzer-AndersonPAA2007paper3-12-2007.doc>.

⁴³ Illinois Wesleyan University, *Observing Census Enumeration of Non-English Speaking Households in the 2010 Census: Spanish Report* (Aug. 10, 2012), available at <https://www.census.gov/srd/papers/pdf/rsm2012-06.pdf>.

⁴⁴ The Washington Post, *Some Muslims, fearing backlash, worry about intent of census*, (Mar. 10, 2010), available at <http://www.washingtonpost.com/wp-dyn/content/article/2010/03/09/AR2010030901688.html?sid=ST2010031600020>.

⁴⁵ CNN, *Census chief works to calm deportation fears* (Feb. 2, 2010), available at <http://www.cnn.com/2010/US/02/02/census.poor.communities/>.

⁴⁶ CNN, *After ICE arrests, fear spreads among undocumented immigrants* (Feb. 12, 2017), available at <http://www.cnn.com/2017/02/11/politics/immigration-roundups-community-fear/>.

⁴⁷ The Associated Press, *Immigrants wait in fear over raids; Trump takes credit* (Feb. 12, 2017), available at <http://www.cbsnews.com/news/immigrants-wait-in-fear-over-raids-trump-takes-credit/>.

⁴⁸ U.S. Census Bureau, *Preparation for the 2010 Census Hispanic Community Focus Group Qualitative Research Report* (2007), available at <http://www.phila.gov/phillycounts/pdfs/Hispanic%20Community%20Focus%20Groups%20Qualitative%20Research%20Report.pdf> ("Latino Focus Groups Report").

⁴⁹ See Asian Focus Groups Report, Latino Focus Groups Report.

As we found in the Census Bureau's focus group, there is already a perception of two-way agency data sharing between the Census Bureau and other agencies, especially law enforcement entities. This is likely to generate additional fear in disadvantaged and marginalized communities, resulting in disparate racial and ethnic impacts and undermining the validity of the data. Lower response rates result in less accurate and timely statistics that can only be summarized at highly aggregated levels and preclude detailed information at the geographic and subpopulation levels. This would likely exacerbate the effects of previous decreases in response rates, leading to unsustainable increases in costs and higher risks of bias in published results. Small and minority populations would likely be underrepresented by official statistics, including Asian Americans, particularly at the disaggregated levels.

CENSUS BUREAU CAN TAKE PROACTIVE STEPS TO ADDRESS THESE BARRIERS AND CHALLENGES

Language Support Program

The Census Bureau has been researching and developing a language assistance program for the 2020 Census, looking to optimize non-English questionnaire designs and response options for LEP populations and to ensure cultural appropriateness and relevance in all materials.⁵⁰ The Census Bureau's current plan would support the development of an Internet questionnaire in approximately 10 languages, Census Questionnaire Assistance interviews (that is, the telephone response option) in approximately 10 languages, and the development of video and paper Language Assistance Guides (LAGs) in approximately 60 languages, including a number of smaller language groups.⁵¹ Additionally, the 2020 Language Support Team and the Integrated Partnership and Communications team are already working together to ensure these languages are supported through the Integrated Partnership and Communications Plan. However, the Census Bureau must have adequate funding to finalize development of, and operationalize, its language program. Factoring in the development of appropriate materials for promotion and outreach – leaflets to distribute to individuals, posters and other promotional materials – and questionnaire aids in different languages, the Census Bureau needs to start the process as soon as possible and must have the appropriate funding to support such work.

To help ensure a successful language assistance program, we suggest the following considerations, which are not exhaustive but provide a good starting point. We believe that in order to reach hard-to-count groups who have high numbers of immigrants and persons with limited English proficiency, the internet interfaces must include as many languages as possible, with online forms potentially including more languages than the printed version. We also think it is important to prioritize language minority communities with a high incidence of LEP; that is,

⁵⁰ Language Working Group, National Advisory Committee on Racial, Ethnic, and Other Populations, U.S. Census Bureau, Language Working Group Report (2016), available at <https://www2.census.gov/cac/nac/reports/2016-11-language-wg-report.pdf>.

⁵¹ U.S. Census Bureau, Census Response to the NAC Recommendations from the Language Working Group (2017), available at <https://www2.census.gov/cac/nac/reports/2017-03-response-language-wg.pdf>.

the Census Bureau should consider not only the number of speakers, but also smaller language communities that can only respond in their own language. The Census Bureau should also incorporate trusted community-based organizations in reviewing all non-English materials, including, but not limited to, any glossaries, non-English mailing materials, and the Census Questionnaire, while allowing sufficient time and appropriate vehicles for organizations to provide input on cultural appropriateness and translation quality prior to finalizing translations and materials. Additionally, we believe the Census Bureau should develop educational and communications materials with simpler messages and plain-language translations. In 2010, community members found the Census-produced materials to be too dense and text-heavy, and in some cases, too complicated for those who may not be literate in their own native language.

Importance of the partnership program and the media to communicate with hard-to-count Asian American communities

The census partnership and outreach programs for both the 2000 Census and the 2010 Census were critical to achieving some of the most accurate counts for many of our hard-to-count communities. In addition to improving accuracy, partnerships with hard-to-count communities reduce non-response follow-up costs. This is achieved through government leaders, school leaders, faith-based leaders, and other community leaders directly communicating with their members about the importance of participating and how the community benefits. Respondents interacting with trusted leaders, rather than with a stranger representing the federal government, are more willing to participate. But to reap the benefits of a partnership program, advanced planning (and funding) is necessary to implement an effective partnership and outreach program. Time is needed for the Census Bureau to conduct the outreach to the organizations for the partnership program as well as to reach out to local governments and engage them in these efforts. Time is also needed for the CBOs, schools, churches, and other partner groups to gear up for their outreach campaign to their constituents and for them to raise the funds needed from local philanthropies and other sources for the outreach work. This time, the advanced planning is particularly important for minority communities to provide the outreach necessary for its constituents. The growing privacy concerns and distrust in the Census Bureau, the growing diversity, hostile climate to certain communities, and the general distrust of government make a strong and vibrant partnership and outreach program even more necessary and important for an accurate count in 2020.

In addition to the partnership program, the communications campaign played an important role in reaching hard-to-count communities in the 2000 and 2010 Censuses. Media is an important tool in communicating with hard-to-count Asian American communities. In particular, utilizing ethnic media⁵² is the most effective way to reach a substantial part of Asian

⁵² See New America Media, *National Study on the Penetration of Ethnic Media in America* (2009), available at http://media.namx.org/polls/2009/06/National_Study_of_the_Penetration_of_Ethnic_Media_June_5_2009_Presentation.pdf (media directed toward a specific ethnic group and often written or broadcast in a language native to the group (e.g., Chinese-language newspapers or Asian television stations)) (hereinafter “New American Media Study”).

American communities. A 2009 study on ethnic media penetration conducted by New American Media found that ethnic media reaches almost 3 in 4 Asian Americans, with 57 percent reached by ethnic television, 43 percent by ethnic newspapers, and 25 percent by ethnic radio.⁵³ Not surprisingly, there are differences across various ethnic groups with respect to reliance on ethnic media.⁵⁴

Online media is a particularly ripe opportunity for reaching Asian Americans. According to several studies, Asian Americans make up the largest online audience of any ethnic group in the country and are the heaviest and most experienced users. For example, Asian Americans in the age group of 25-54 spend on average 50% more time on the Internet than all other men in the same age group, and about 63% of Asian American Internet users are between the ages of 18 and 34.⁵⁵ Another study found that on average, Asian Americans spend a total of 19.1 hours online a week on a computer, smartphone, or tablet, which is 0.8 hours more than the total US population.⁵⁶ Additionally, Asian Americans have the highest adoption rate for new technologies.⁵⁷ In-language websites are also popular for the Asian American community. English accounts for just over a third of the total online population, with Chinese being the 2nd most popular language at 13.7%, Japanese the 4th most popular language at 8.4%, and Korean the 7th most popular language at 3.9%.⁵⁸ Social media can also be utilized to connect with Asian Americans. For example, 42% of Asian Americans communicate with friends in an Asian language half of the time or more on Facebook.⁵⁹

Despite these figures indicating online media's potential to reach many Asian Americans, it is equally important to note that many Asian Americans, particularly those in hard-to-count communities, are not internet proficient and lack access to computers. For

⁵³ *Id.* At 11, 19 (73 percent of Asian Americans are reached by ethnic media). A study of Asian American registered voters for the 2016 election showed that a third of registered voters relied on ethnic media for political information. The same study also showed that they were most likely to rely on the internet and social media as their news source, with two-thirds doing so. Karthick Ramakrishnan, Janelle Wong, Taeku Lee, and Jennifer Lee, *Asian American Voices In The 2016 Election Report On Registered Voters In The Fall 2016 National Asian American Survey* (2016), available at <http://naasurvey.com/wp-content/uploads/2016/10/NAAS2016-Oct5-report.pdf> (hereinafter "NAAS Report").

⁵⁴ The New American Media Study saw 59% of Chinese, 61% of Koreans, 83% of Vietnamese, 84% of Filipinos and 85% of Asian Indians relying on ethnic media. NAM Study. The NAAS Report also saw differences between groups: 52% of Vietnamese, 45% of Chinese and 43% of Korean relied on ethnic media as a news source for political information while only 11% of Asian Indians, 19% of Filipinos, and 8% of Japanese and do the same. See New American Media Study and NAAS Report.

⁵⁵ MediaMorphosis US, *Asia American Media Preferences*, available at <http://mediamorphosisinc.com/portfolios/asia-american/> (last visited Sept. 15, 2017) (hereinafter "Media Preferences Article").

⁵⁶ Facebook IQ, *Digital Diversity: A Closer Look at Asian Americans in the US* (Mar. 5, 2015), available at <https://www.facebook.com/iq/articles/digital-diversity-a-closer-look-at-asian-americans-in-the-us> ("Facebook Asian American Article").

⁵⁷ Nielsen, *How Asian-American Media Consumption Could Be a Glimpse into the Future* (May 24, 2017), available at <http://www.nielsen.com/us/en/insights/news/2017/how-asian-american-media-consumption-could-be-glimpse-into-future.html>.

⁵⁸ See Media Preferences Article.

⁵⁹ See Facebook Asian American Article.

example, for older Asian Americans, their internet consumption is lower than that of those in other groups.⁶⁰ Less than 10% of the Asian American online population are older than 55 years old.⁶¹

While these are channels by which Asian Americans can be reached, because Asian Americans vary generationally, spanning from recently arrived immigrants to those with roots in the community for more than one hundred years, any communications or marketing plan must be multi-faceted to address the needs of the various ethnic groups, various languages, and various generations. Each individual Asian American sub-ethnic group has intrinsic characteristics that require customization in messaging, treatment, and media vehicles based on particular nuances. In addition, there are multiple factors that pose additional challenges for reaching the especially hard-to-count Asian American communities. For example, while a majority of Asian Americans are concentrated in metropolitan areas, there are Asian-American segments located in remote rural and urban areas that are not known to be Asian-dominant. In addition, migrant communities often have cluster presence as opposed to a significant mass composition. Another factor is that there are limited media vehicles available for some Southeast Asian segments comprised mostly of migrants. This is partly because of high illiteracy levels amongst Hmong, Laotian, and Mien communities. In fact, a significant amount of migrant Asian American populations are categorized as oral or "preliterate" people (those who lack an alphabet and knowledge of basic literacy processes). For example, a majority of the Hmong community did not read and write as late as the 1950s, and many had never seen books or even held pencils. It has also been reported that in some provinces of Laos in the 1970s, the rate of Hmong who did not read or write was as high as 99 percent, while a 1986 study of Hmong refugee families in the U.S. indicated that 80 percent of those surveyed could not read or write Lao, and 70 percent could not read Hmong.⁶² Furthermore, urban and rural isolation insulates communities, and there can be little to no incentive to speak or learn English. This isolation is especially true with elderly and older-adults.

Proper Recruitment and Hiring Field staff

The Census Bureau plans to hire about half the number of temporary workers as it hired for the 2010 Census. With this decrease in staffing, it is even more critical that the Census Bureau recruit and hire people who are "indigenous" to the communities where they will be working because of the knowledge these workers bring – from local knowledge of language to local knowledge of neighborhood and culture. It will be important for the Census Bureau to promote its recruitment program through a multitude of avenues, such as job fairs, paid advertising, and partner organizations (including faith institutions), as well as utilizing more creative and unconventional methods to recruit and hire census workers for the 2020 Census,

⁶⁰ For example, only 8 percent of Asian Americans in the 45 to 54 age group are online, compared to 21 percent of white users in this age range and 15 percent of black users. See Media Preferences Article.

⁶¹ *Id.*

⁶² Center for Applied Linguistics, *The Hmong: An Introduction to Their History and Culture* (2004), available at <http://www.culturalorientation.net/content/download/1373/7978/version/1/file/The+Hmong%2C+Culture+Profile.pdf>.

including making better use of technology, removing financial disincentives to work for the Census Bureau, enhance the incentives, and increasing local advertising related to census job opportunities. Hiring protocol that prioritizes community experience and skills would significantly improve the staffing for the 2020 Census and the Census Bureau's ability to effectively engage hard-to-count communities.

ADDITIONAL ISSUES TO BE ADDRESSED

Sufficient and Timely Funding for Census 2020 Preparations and Implementation

The Census Bureau has been faced with inadequate funding over the entirety of its lifecycle (which runs from FY 2012 through FY 2021) with Congress failing every year so far to allocate the amount of money the Census Bureau requested, hampering its ability to properly prepare for the 2020 Census. 2020 Census peak operations will start in little more than two years. The Census Bureau must have a steady annual funding ramp-up between now and 2020 to maintain on-time, comprehensive planning and preparations for the next decennial census.

Unfortunately, the current Fiscal Year 2018 funding level not only makes it impossible to sustain thorough, timely preparations for the 2020 Census, it also threatens the Census Bureau's ability to preserve the collection of vital information about our population, communities, and economy through other surveys.⁶³ In fact, Congress' failure to pass FY 2017 appropriations bills on time, its underfunding in the final 2017 "omnibus" appropriations bill, and the prospect of insufficient funding in FY 2018 has forced the Census Bureau to eliminate, streamline, or delay vital planning activities, putting a fair and accurate 2020 Census in jeopardy. Significant program changes include: cancellation of two of three planned sites for the 2018 End-to-End Test, a dry-run of census operations that integrates all operations and IT systems for the first time⁶⁴; cancellation of the advertising campaign and Partnership Program for the 2018 End-to-End Census Test; delay in developing a full advertising campaign and Partnership Program⁶⁵; and reduced telephone follow-up (CATI) for unresponsive households in the monthly ACS sample, and possible elimination of CATI altogether starting in 2018.⁶⁶ These current and anticipated budget constraints are taking a toll on rigorous 2020 Census

⁶³ Another concern of the insufficient funding is the potential consequence of budget cuts for the ACS and other surveys, which face reductions in data quality, especially for smaller areas and smaller populations. Adequate funding for the Census Bureau affects not only rigorous preparations for the 2020 Census, but also the Bureau's ability to continue producing quality data from its other surveys.

⁶⁴ While pre-census address updating took place in all three original sites (in FY 2017), all other dress rehearsal operations were canceled in the Pierce County, WA, and the Bluefield-Beckley-Oak Hill area, WV, sites. Providence County, RI, will be the only full dress rehearsal site.

⁶⁵ These activities keep costs down by boosting self-response and increase accuracy by targeting messages to historically hard-to-count communities, thereby lowering the need to conduct non-response follow-up. Research into effective messaging is months behind schedule.

⁶⁶ More nonresponse follow-up will be done through door-to-door visits; however, the ACS collects information directly from only a sample of unresponsive households during the personal visit phase (CAPI). Because self-response rates for "hard-to-count" population groups are lower than average, data for those communities, as well as for smaller population groups such as persons with disabilities, could be of lower quality.

preparations and hobbling other important Census Bureau programs, such as the American Community Survey (ACS) and 2017 Economic Census (for which peak operations occur in FY 2018).

Congress must allocate enough resources to sustain a robust 2020 Census ramp-up, without undermining other core programs such as the ACS, by providing more funding for the Census Bureau than the administration requested. A higher funding level is needed to achieve a fair and accurate 2020 Census in all communities, while avoiding large cost increases in the final years of the decade, and to preserve the quality of other vital datasets. As Department of Commerce Secretary Ross recently noted in his testimony, the Census Bureau needs more funding, both over the lifecycle of the decennial census⁶⁷ as well as for Fiscal Year 2018. Acknowledging that the administration's original FY 2018 budget request for the Census Bureau was too low, Secretary Ross asked Congress for an additional \$187 million (the "adjusted" request) for FY 2018.

While we were heartened to hear Secretary Ross agree with our assessment that the Census Bureau is currently sorely underfunded, we believe that the Census Bureau needs even more than the \$187M requested by Secretary Ross. In fact, to put the 2020 Census back on track and preserve and strengthen other vital Census Bureau data, Congress should allocate at least \$1.935 billion for the U.S. Census Bureau in FY 2018, as proposed in a bill sponsored by Rep. Carolyn Maloney, D-NY (H.R. 4013) — \$438 million above the administration's original request and \$251 million above the administration's adjusted request. This larger increase would allow for the Census Bureau to: restore testing in rural and remote areas (which includes methods used on American Indian reservations and in Alaska Native villages); develop and pay for a plan to ensure an accurate census in communities devastated by recent hurricanes and wildfires; increase the number of Partnership Specialists engaged in outreach to states, localities, and community-based organizations; increase funding for communications, to put development of the advertising campaign back on track, address public fears about cyber-security, and expand targeting to diverse hard-to-count communities in both rural and urban areas; and expand the Census Bureau's "footprint" in the field, by increasing the number of local ("Area") census offices and census takers for peak census operations (2019-2020). Finally, looking forward to Fiscal Year 2019, it is critical that the administration and Congress recognize the need for a significant ramp-up in funding to support the final push to conduct a successful census.

Need for qualified and nonpartisan senior management at the Census Bureau

There is currently a leadership vacuum at the Census Bureau with the resignation of previous Census Bureau Director John Thompson this past summer less than three years before the start of the nation's largest, most complex peacetime mobilization. The Census Director

⁶⁷ Secretary Ross reported that the "lifecycle" (10-year) cost estimate for the 2020 Census would increase by \$3.3 billion, from \$12.3 billion to \$15.6 billion, based on a review of key assumptions, such as projected self-response rates and enumerator pay rates.

must also oversee the conduct of the 2017 Economic Census, the source of all baseline data for our economic indicators and national income accounts, as well as efforts to strengthen and streamline the American Community Survey (ACS), which updates the census throughout the decade with key socio-economic characteristics of our communities. The continued failure to fill this vacancy could delay final design decisions and impair preparations for the 2020 Census. The Census Bureau needs strong leadership now, not only in helping the ship to final preparations, but also to advocate for the necessary resources to ensure a fair and accurate census.

The Director needs to be a highly qualified and widely respected professional – a candidate that meets the qualifications set forth in the Presidential Appointment Efficiency and Streamlining Act of 2011. That law, which established a five-year renewable term for the director, envisions a nonpartisan candidate with “demonstrated ability in managing large organizations and experience in the collection, analysis, and use of statistical data.” Not only is it crucial that the Director is eminently qualified to lead the agency’s enumeration and data compilation efforts and is a skilled statistician with superior management expertise and experience, but her management team must also exemplify these qualifications, including being nonpartisan and experienced with statistical data and managing large organizations and projects. It is imperative that all members of Congress, state and local officials from both political parties, the Census Bureau’s professional staff, and — most importantly — the American people have full confidence in the objectivity, integrity, and capability of the next Census Director.

CONCLUSION

While the Census Bureau has taken important steps to improve the count in 2010, there are still many areas the Census Bureau needs to address in order to meet the challenges facing an accurate count in 2010 and ensure full participation by the American public. We ask that this statement be entered into the record and appreciate the opportunity to provide our concerns and recommendations on how our country can achieve a fair and accurate census in 2010.


AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

Joseph P. Flynn
National Secretary-Treasurer

J. David Cox, Sr.
National President

Augusta Y. Thomas
NVP for Women & Fair Practices

November 14, 2017

The Honorable Ron Johnson
Chairman, Senate Homeland Security
Committee
340 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Claire McCaskill
Ranking Member, Senate Homeland Security
Committee
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Johnson and Ranking Member McCaskill:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE) which represents nearly 700,000 federal and DC government employees and 1,380 Census Bureau employees across the country, we thank you for holding the 2020 Census: Examining Cost Overruns, Information Security, and Accuracy hearing on October 31, 2017 this year. As representatives of Census Bureau employees, we wanted to bring specific issues to the attention of the committee. Census Bureau employees are statisticians, data analysts, IT specialists, and the federal employees who collect data about public schools, hospitals, and economic growth. Our Census Bureau employees are vital to American advancement and prosperity. The decennial census is a constitutionally mandated count of the American public every ten years. Unfortunately, the 2020 decennial census has not received the funding or staffing needed to do its job. A critical 2018 dress rehearsal called the End-to-End Census Test has been limited due to a lack of funding. The Census Bureau cancelled two major portions of the 2017 Census Test: on-site tests in Puerto Rico and on two Native American reservations in North and South Dakota and Washington State. These were opportunities to test new enumeration technologies in rural areas. Now there will only be one test in Rhode Island with its specific geography that does not necessarily reflect many other parts of the country. This significant lack of funding will impact the final Census count, specifically in rural and highly dense urban areas with hard-to-count populations.

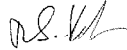
The Census Bureau conducts many surveys in addition to the Decennial Census. The Census Bureau has redirected funds, staffing and resources from other vital surveys to the decennial census. This hurts other important Census Bureau surveys like the Economic Census and the American Community Survey (ACS). Every five years the Census Bureau conducts the Economic Census (EC), which is the U.S. Government's official measure of American business and the economy. The Census Bureau also conducts the ACS, an ongoing survey that provides essential information about the population. Data collected by the ACS determines how federal and state funds are distributed each year. The ACS data helps us analyze trends in jobs and occupations, education, whether people own or rent their home, and other topics. ACS data helps to support school lunch programs, improve emergency services, and plan hospitals and schools. The attention and resources funneled into the decennial census have hurt the



Economic Survey and American Community Survey (ACS)'s ability to succeed. The Census Bureau needs adequate staffing and funding to successfully execute all surveys.

AFGE again wishes to thank the Committee for holding this important hearing and we look forward to working with you to address the important concerns raised in this letter. For questions or concerns please contact Fiona Kohrman at fiona.kohrman@afge.org.

Sincerely,

A handwritten signature in black ink, appearing to read "T.S. Kahn", written in a cursive style.

Thomas S. Kahn
Director, Legislative Affairs

**The Leadership Conference
on Civil and Human Rights**

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**STATEMENT OF
VANITA GUPTA, PRESIDENT & CEO
THE LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS**

**HEARING ON
"2020 CENSUS: EXAMINING COST OVERRUNS,
INFORMATION SECURITY, AND ACCURACY"**

**SENATE COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS**

October 31, 2017

Chairman Johnson, Ranking Member McCaskill, and Members of the Committee: I am Vanita Gupta, president & CEO of The Leadership Conference on Civil and Human Rights. Thank you for the opportunity to submit a statement for the hearing record about planning and preparations for the 2020 Census.

The Leadership Conference is a coalition charged by its diverse membership of more than 210 national organizations to promote and protect the civil and human rights of all persons in the United States. Founded in 1950 by A. Philip Randolph, Arnold Aronson, and Roy Wilkins, The Leadership Conference works in support of policies that further the goal of equality under law through legislative advocacy and public education.

The Leadership Conference provides a powerful unified voice for the many constituencies of the coalition: persons of color, women, children, individuals with disabilities, LGBTQ individuals, older Americans, labor unions, major religious groups, civil libertarians, and human rights organizations. Given the breadth of our coalition, The Leadership Conference is ideally positioned to address many of the most pressing issues affecting the successful implementation of Census Bureau programs, surveys, and initiatives. The Leadership Conference's coordinating role among so many diverse organizations allows for the sharing of different perspectives, as well as the development of broader strategies that occur within the purview of any individual organization. All of our work draws on the expertise of the cross-section of national organizations, and examines the impact of civil rights policy on a broad range of constituencies.

Our coalition views an accurate and fair census, and the collection of useful, objective data about our nation's people, housing, economy, and communities generally, to be among the most important civil rights issues of our day. We and the Leadership Conference Census Task Force co-chairs, NALEO Educational Fund and Asian Americans Advancing Justice-

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AAJC

Policy and Enforcement

Committee Chair
Michael Lieberman
Anti-Defamation League
President & CEO
Vanita Gupta



AJJC, have a long record of first-hand experience working in support of previous censuses. For the 2010 Census, we undertook the most comprehensive and extensive effort by a stakeholder organization to promote participation in historically hard-to-count communities and to mobilize local advocates in support of the census by highlighting the community benefits, civil rights implications, and constitutional imperative of an accurate count. We are now building upon our previous work to help ensure that no one is left out of the 2020 Census.

Under the Constitution, Congress bears responsibility for overseeing the census and, by extension, for ensuring a fair and accurate count that supports the 14th Amendment's guarantee of equal representation. That is why this oversight hearing is so important, and we commend the committee for focusing much-needed and welcome attention on preparations for our nation's largest, most complex peacetime activity.

The Leadership Conference shares this committee's interest in a modern and cost-effective census. Those are worthwhile goals and important considerations in the design of the 2020 Census. Technology undoubtedly can facilitate easy and quick participation in the census for many Americans, and administrative data maintained by other government agencies can help streamline and improve some census operations. But the primary and overarching goal of the census is a fair and accurate enumeration of all people living in the United States on Census Day. The goal of a census that is *equally successful in all communities* is non-negotiable.

The Importance of the Census

Article I, Section 2 of the United States Constitution places the census at the core of our democratic system of governance by calling for a count of the nation's population every ten years. The census provides information that is the cornerstone of knowledge about all people in the United States. It is the basis for virtually all demographic and socio-economic information used by businesses, policy makers, research institutions, and nonprofit organizations.

The decennial census has several important uses. First, decennial census data on state populations determine the number of seats in Congress each state receives and how those districts are drawn, through the reapportionment and redistricting processes. Second, the census provides the figures that determine the number of electors each state receives for presidential elections. Third, census numbers determine the allocation of hundreds of billions of federal program dollars annually to address important community needs, including schools, programs for veterans and seniors, modern transportation systems, and rural economic development. Fourth, census data are used to monitor compliance with civil rights laws and to determine where disparities exist and remediation is required. Finally, the private sector uses census data to make important business decisions, including investment strategies, hiring plans, location of facilities, and services offered.

All of these functions depend on a fair and accurate census. For all of these reasons, getting the census right is important to everyone.

Census Accuracy and the Problem of the Undercount

However, certain population groups—referred to as “hard-to-count”—are at a higher risk of not being fully counted in the decennial census. The differential undercount represents a disproportionate undercounting of these population groups, most notably people of color, young children, and renters (a proxy for low-income households), compared to non-Hispanic Whites, seniors, and homeowners. These groups have been historically underrepresented in the decennial census for decades. Now, however, additional populations — such as rural residents and older Americans—may experience new or increased vulnerability due to major changes in methodology, such as reliance on the Internet as the primary way for households to respond to the 2020 Census. Others may be reluctant to respond due to concerns about data confidentiality. Being hard-to-count can deprive people and their communities of equal political representation and their fair share of vital public and private resources.

Census tracts are considered hard-to-count, according to Census Bureau research, if they have certain population and housing characteristics associated with both low self-response and higher likelihood of being missed entirely in the census. There are hard-to-count communities in every state, and hard-to-count population groups in communities of all sizes, from large urban areas such as Denver, New York, and Omaha, to smaller cities such as Virginia Beach and Little Rock. These examples may be of particular interest to members of the Committee:

- Nearly 10 percent of census tracts in Wisconsin are considered hard-to-count. More than 60 percent of Milwaukee's young children live in neighborhoods that are at great risk of undercounting.
- More than 12 percent of Missouri's census tracts are hard-to-count. In St. Louis, almost half (48.8 percent) of young children live in hard-to-count neighborhoods.
- More than a quarter (28.5 percent) of Arizona's population lives in hard-to-count census tracts, the 8th highest proportion among the states.
- Roughly 10 percent of Kentucky's population lives in hard-to-count census tracts. Forty percent of Louisville's children under age 5 live in hard-to-count neighborhoods.
- One in three Oklahomans (34.5 percent) live in neighborhoods or communities that are considered more difficult to count and, therefore, are at greater risk of disproportionate undercounting.
- Almost 10 million Californians (a quarter of the population) live in neighborhoods or communities that are considered hard-to-count.
- Almost three-quarters of young children (under age 5) in Cleveland live in hard-to-count census tracts.
- More than 13 percent of New Hampshire's young children live in difficult to enumerate communities.
- One in ten Michigan census tracts face similar circumstances, with a staggering 65 percent of Detroit residents living in neighborhoods that are harder to count accurately.

Hard-to-count communities are not confined to urban areas. It may be less well known, but rural and remote communities, including American Indian tribal lands and reservations, are also vulnerable to disproportionate undercounting in the decennial census, with lower income households especially at risk.



In fact, 87 percent of the hardest-to-count counties in the 2010 Census were rural counties.¹

According to the Census Bureau's own scientific measurements, the 2010 Census undercount in areas counted using a modified method known as Update/Enumerate, was *nearly eight percent (7.87 percent)*. Update/Enumerate and the similar Update/Leave operations are deployed in areas without city-style addressing or that do not receive mail through city-style addressing, such as those where people receive their mail through a Post Office Box; in communities affected by significant natural disasters, such as areas still recovering from Hurricanes Katrina and Rita in the 2010 Census; are especially inaccessible; or have high seasonal vacancy rates.

The Census Bureau is planning new methods as part of the Update/Enumerate operation for the 2020 Census, *yet it was forced to cancel all pre-census testing of Update/Enumerate methods due to lack of sufficient funding*. The first such tests were scheduled for earlier this year, on two American Indian reservations and adjacent tribal lands on the North and South Dakota border and in Washington State, as well as in Puerto Rico. But the uncertainty of adequate full year funding for Fiscal Year (FY) 2017 led the Bureau to cancel all 2017 census site tests. Similarly, the Census Bureau canceled two of three dress rehearsal sites in 2018 (the 2018 End-to-End Census Test) due to uncertainty about timely and sufficient funding. The two eliminated sites — Pierce County, Washington, and the Bluefield-Beckley-Oak Hill area of West Virginia — offered the only opportunities to test, in a real-time census-like environment, special counting methods for rural areas.

With no testing opportunities on the horizon, the Census Bureau changed its counting plans for most rural areas originally slated for Update/Enumerate operations. Instead, the bureau will use an Update/Leave method, which it will test in a very limited way in 2018, but not in a rural area. The operational and cost implications of this recent design modification are, as yet, unknown. While the bureau has used Update/Leave methods in previous censuses, they have not addressed past problems of duplication, and potential new challenges of an Internet-focused enumeration, for the 2020 Census.

Failure to provide adequate resources before the once-a-decade population count will force the Census Bureau to shortchange 2020 Census operations designed to improve accuracy in historically undercounted communities. This would lead to a result that deprives population groups of equal political representation and access to their fair share of public and private resources. Equally important, failure to test all methods adequately — due to budget shortfalls — puts the 2020 Census at risk of cost overruns during peak census operations.

A Fair and Accurate Census is At Risk

The schedule for final census testing, preparations, and implementation over the next three years is unrelenting. At this point in the decennial cycle, the Census Bureau requires a sufficient funding ramp-up to keep 2020 Census planning and preparations on track. Funding for the decennial census is cyclical and traditionally increases significantly in the years ending in "6" through "0."



Unfortunately, the delay in passing FY 2017 appropriations bills, coupled with underfunding in the final “omnibus” measure, forced the Census Bureau to eliminate, streamline, or delay vital planning activities, putting a fair and accurate 2020 Census in jeopardy. Furthermore, the administration’s original FY 2018 budget request for the Census Bureau was *inadequate and unrealistic*.

These current and anticipated budget constraints are taking a toll on rigorous 2020 Census preparations. In addition to the cancellation of two of three planned sites for the 2018 End-to-End Test mentioned earlier (a dry run of all census operations that integrates all operations and IT systems for the first time), the Census Bureau eliminated the advertising campaign and Partnership Program for the 2018 dress rehearsal. Development of the full advertising campaign and Partnership Program, which helps keep costs down by boosting self-response and increase accuracy by targeting messages to historically hard-to-count communities, is well behind schedule. The original FY 2018 budget request did not include any funding for partnership specialists, who help state and local officials and trusted community leaders support census operations through focused outreach and promotion for their constituencies. In addition, uncertainties about funding have forced the bureau to “pause” planning for the Census Coverage Measurement program, which produces undercount and overcount estimates and tells us how accurate the census is. The Census Bureau will not test this operation in the 2018 dress rehearsal as originally planned.

Simply put, the Census Bureau needs a steady ramp-up in funding to support a critical dress rehearsal, deployment of the IT architecture and field infrastructure, and development of a massive communications campaign that will encourage people to participate and, therefore, help keep census costs in check. We are encouraged that Commerce Secretary Wilbur Ross recognizes the need for more resources for the 2020 Census and has released a revised lifecycle cost estimate. However, we are not confident that the proposed increased funding level for FY 2018 will allow the Census Bureau to restore comprehensive final testing and preparations and meet the stark challenges of changing cultural and technological environments.

Therefore, we support the proposal in Rep. Carolyn Maloney’s bill (H.R. 4013), to allocate \$1.935 billion for the Census Bureau in FY 2018. Of particular note is the proposed funding level of \$1.635 billion for Periodic Censuses and Programs — \$197 million more than the administration’s adjusted budget request for this account. The additional funding is necessary, we believe, for the following vital activities:

- Restore advertising and partnership activities to the 2018 End-to-End Census Test;
- Expand message research and testing, and develop a broader range of targeted advertising to address the nation’s cultural, geographic, linguistic, and philosophical diversity;
- Assess and implement modified census plans for communities devastated by recent natural disasters, including Hurricanes Harvey, Irma, and Maria and the wildfires in northern California;
- Increase the number of Partnership Specialists hired in FY 2018 to about 200;
- Plan a smaller, focused test of census operations in rural communities and on an American Indian reservation in advance of the 2020 Census; and
- Evaluate the need for a larger “footprint” in the field, including more local or satellite census offices and more enumerators, in light of the lower self-response rate estimate, the aftermath of



natural disasters in several states and U.S. territories, and growing climate of fear in some communities.

Internet Response and Technology

As this committee knows, the Census Bureau will conduct the first “high-tech” census in 2020. The Internet response option could help keep census costs in check by increasing initial response rates, or at least holding them steady compared to 2010, thereby saving resources that can be used to find and enumerate the hardest to count.

Congress must remember, however, that Internet response is not a silver bullet. The fact is, not everyone has the same connectivity, security, and comfort with the Internet. The Commerce Department’s own analyses show that communities of color, rural residents, adults with low educational attainment, low income individuals, people with disabilities, and older Americans lag behind younger, affluent, highly educated, urban, and White adults in both device and Internet penetration. Introducing Internet self-response without due care and consideration could lead to poor or uneven participation, technological infrastructure failings, or both. A lower-than-projected Internet response rate could strain the Bureau’s already limited resources by increasing mail or telephone response or, more worrisome, the number of households that require door-to-door follow-up.

Technology also brings cybersecurity threats, real or perceived. The security of the 2020 Census IT systems and personal census data is paramount, and the Census Bureau and its federal and private sector partners must do everything possible to ensure that security. This means there must be a comprehensive back-up plan to address any potential breaches and their consequences for the census process in real time. At the same time, the Census Bureau must have an effective communications plan to assure everyone in the United States that their personal information is secure - in other words, to build confidence in a high-tech census at a time when many people are wary. Lack of confidence in data security could depress Internet response rates (more so if a large business or another government agency suffers a cyber-attack near the time of the census), thus increasing costs and enumeration challenges considerably.

It is still possible that a streamlined state-of-the-art program could produce a fair and accurate census, while simultaneously meeting Congress’ challenging budget restrictions. However, to uphold its constitutional duty and ensure an accurate and fully inclusive count, Congress must allocate the resources for comprehensive risk management and preparations for real-time back-up methods and operations.

To address these and other concerns related to a high-tech census, we are pleased to offer for the record a new report from The Leadership Conference Education Fund and Georgetown’s Center on Poverty and Inequality, entitled “Counting Everyone in the Digital Age.” The report examines how proposed Internet and automation technologies will affect 2020 Census enumeration for groups at risk of being undercounted, and includes actionable recommendations for Congress, the administration, and community leaders.



Utilizing Administrative Records

The Census Bureau is evaluating the use of administrative records to obtain missing information about unresponsive households in lieu of in-person, door-to-door follow-up visits by census enumerators. However, the implications of this methodology for data quality and consistency and census accuracy are not clear. There are a number of questions that the Census Bureau must address and resolve before stakeholders have confidence that a broad use of these data will not compromise census accuracy or undermine the goals of eliminating the differential undercount and collecting more accurate race and ethnicity data for all communities. The Bureau will be hindered in resolving outstanding concerns about its potential use of administrative records if it conducts an End-to-End Census Test that is far less comprehensive than originally planned.

We would like to submit for the record a relevant report, Administrative Records in the 2020 U.S. Census: Civil Rights Considerations and Opportunities, which is the culmination of a project of the Urban Institute, The Leadership Conference on Civil and Human Rights, and the Georgetown Center on Poverty and Inequality, which examined, from the perspective of civil rights stakeholders, the benefits and risks of utilizing administrative data for the U.S. population in general and for specific vulnerable subpopulations such as communities of color, the impoverished, immigrants, homeless persons, those participating in government assistance programs, and others, in the upcoming census.

Other 2020 Census Challenges

Counting every person residing in the United States is a difficult endeavor. But even with careful planning, several other factors—many out of the Census Bureau’s control—pose significant threats to a fair and accurate census.

First, proposals to add untested and unnecessary questions – including about immigration status – to the census form at the 11th hour could derail eight years worth of research and testing and result in an expensive, yet ultimately failed, census.

Second, the reluctance of many individuals to provide personal information voluntarily to the government poses an additional barrier to a full count. The Census Bureau will face this challenge in many parts of the country and in many types of communities.

Third, there remains a leadership vacuum at the Bureau following the unexpected resignation of the Census Director in June, as well as other high-level vacancies at the Commerce Department and the Census Bureau.

Finally, we support the Census Bureau’s efforts to partner with the U.S. Postal Service (USPS) in several ways that can help ensure an accurate, cost-effective census. The USPS can make a significant contribution to a successful census through an ongoing exchange of address and geographic information for building and maintaining the Master Address File and TIGER digital mapping system. The address list establishes the universe for the enumeration and is, therefore, the foundation of an inclusive count.

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The USPS also is well-positioned to help the Census Bureau identify vacant housing units before operations shift to more expensive door-to-door visits, thereby saving millions of dollars in field operation costs. In addition, the Census Bureau is exploring the possibility of putting kiosks in post offices, to facilitate online response to the census for people who do not have reliable access to the Internet on their own.

However, we urge significant caution with respect to relying on actively employed letter carriers to serve as census enumerators for the Nonresponse Follow-up operation. Our concerns with this proposal include: (1) higher personnel costs for many letter carriers (at a time when the census budget already is strained); (2) potential restrictions in union contracts; (3) lack of familiarity with residents (as opposed to the housing stock) in many communities; (4) the potential for public confusion over the respective roles of the Census Bureau and USPS vis-à-vis the collection of confidential, statistical information; (5) public concern over sharing personal information with employees of another agency who visit their neighborhood on a daily basis; (6) no opportunity to test the proposal iteratively, to help ensure feasibility across types of communities and under various conditions; and (7) disappointment in some communities over a lack of opportunities to work temporarily for the Census Bureau during such an important national undertaking.

We know that the Census Bureau is planning to test the use of letter carriers as enumerators during the dress rehearsal in Providence County, RI, next year. We hope this committee will consider our concerns and monitor the pilot test closely before any final decisions are made with respect to this operational proposal.

Conclusion

Members of Congress are fully aware that the census has political consequences—in fact, the Constitution says as much, by basing congressional apportionment and equal representation on the population count. But the conduct of the census must be strictly nonpartisan and must strive to achieve an equally accurate count in all communities.

The Leadership Conference and its member organizations look forward to working with all members of this committee to ensure a cost-effective, secure, and above all, accurate and inclusive census in every one of the nation's communities. When people — *your constituents* — are not counted in the census, they remain invisible for the next ten years. And overcounts — that is, counting people twice or including them by mistake — do not benefit anyone either, because policymakers have a skewed picture of where to direct hard-earned, limited taxpayer dollars. There are no do-overs with the census. The Census Bureau must get it right the first time, and all of us — members of Congress, county officials and mayors, school principals, veterans advocates, businesses large and small, and, indeed, every person in the United States — must live with the results for the next ten years.

¹ Dr. William P. O'Hare, President, O'Hare Data and Demographic Services, LLC, tabulation for upcoming issue brief for the Carsey Institute, University of New Hampshire.



November 15, 2017

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
U.S. Senate
Washington, DC 20510

The Honorable Claire McCaskill
Ranking Member
Committee on Homeland Security
and Governmental Affairs
U.S. Senate
Washington, DC 20510

Dear Chairman Johnson and Ranking Member McCaskill:

On behalf of over 114,000 supporters of NETWORK Lobby for Catholic Social Justice, thank you for convening the October 31, 2017 hearing on the 2020 Census: Examining Cost Overruns, Information Security and Accuracy. I am writing to urge the Committee to increase investments in the 2020 Decennial Census to \$1.935 billion for FY 2018, in accordance with the 2020 American Census Investment Act (HR 4013). The census is an essential hallmark to our democracy and is vital to understanding who we serve and how best to serve them.

As a faith community, we are guided by the principles of Catholic social justice, which compel us to care for those most in need. In the Christian tradition, for example, the story of Jesus begins with his parents' journey to be counted. In the Hebrew Scriptures Moses also counted the Israelites. Today, many of our churches and congregations use the census to allocate future resources and define parish lines, or to understand where new churches are most needed. As a nation, an accurate census plays an important role in ensuring all people can live with dignity by increasing access to vital safety net support services. Adequate funding for an accurate 2020 Census is a crucial prerequisite for federal policies and programs to respond to the needs of everyone in the country, especially marginalized communities.

Current funding levels for the Census Bureau are woefully inadequate to perform a fair, accurate and modern 2020 Decennial Census. The \$1.507 billion approved by the House for FY 2018, is \$14 million below the recommendation by the Senate Appropriations Committee and does not reflect even the conservatively adjusted FY 2018 funding needs estimated by the Commerce Department¹. Funding shortfalls in FY 2017 have already impaired preparations and testing in the ramp-up to the 2020 Decennial which have, in turn, contributed to higher funding needs in FY 2018. Uncertainty about congressional appropriations in FY 2018 has already caused the Census Bureau to halt plans for important tests and is increasingly putting the success of the 2020 Census at risk.

An underfunded, inaccurate 2020 Census will skew the projections of needed resources and programs away from the communities that need them most. Historically, we have seen a disproportionate undercounting of people of color, young children, and renters, an indicator

for low-income households. These groups have been underrepresented in previous decennial censuses for decades; and for some populations—for example, young children—the undercount has been getting progressively worse. We know that, in 2010 for example, 2.2 million children under the age of five were not included in the census results.ⁱ Now, additional populations — such as rural residents and older Americans—may experience new or increased vulnerability to being undercounted due to major changes in methodology, such as relying on the Internet as the primary way for households to respond to the 2020 Censusⁱⁱ. Being hard-to-count can deprive people and their communities of equal political representation and their fair share of vital public and private resources.

If the Census Bureau does not receive increased funding to properly prepare and carry-out the 2020 Decennial count, I fear that the most vulnerable in our communities will be undercounted and under-supported.

I urge the Committee to support an equitable Census as a moral obligation. Our faith traditions teach that all humans possess inherent dignity—that everybody counts. No one should go uncouncted in our democracy. It is unacceptable that inadequate funding would render the Census Bureau unable to meet the requirement of conducting a decennial census that counts everyone. I urge you to fulfill your Constitutional and moral obligation for a fair and accurate 2020 Census by appropriating \$1.935 billion to fund the Census Bureau for FY 2018.

Sincerely,

S. Simone Campbell, SSS

Sister Simone Campbell, SSS
Executive Director
NETWORK Lobby for Catholic Social Justice

cc: The Honorable Richard Shelby, Chair, Commerce Justice and Science and Related
Agencies Subcommittee
The Honorable Jeanne Shaheen, Ranking Member, Commerce Justice and Science and
Related Agencies Subcommittee

i. Wilbur Ross, Secretary of Commerce; Committee on Oversight and Government Reform; U.S. House of Representatives; 12 October 2017. < <https://oversight.house.gov/wp-content/uploads/2017/10/Written-SWLR-HOGRTestimony-FINAL.pdf> >

ii. U.S. Census Bureau (2016). U.S. Census Bureau (2016b) Investigating the 2010 Undercount of Young Children—A New Look at 2010 Census Omissions by Age, July 26, 2016.

iii. Vanita Gupta, President and CEO of the Leadership Conference on Civil and Human Rights <https://civilrights.org/statement/vanita-gupta-house-committee-oversight-government-reform-hearing-2020-census/>

STATEMENT OF MARC H. MORIAL, PRESIDENT & CHIEF EXECUTIVE OFFICER
NATIONAL URBAN LEAGUE

HEARING ON:

2020 Census: Examining Cost Overruns, Information Security, and Accuracy

U.S. SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL
AFFAIRS

HEARING DATE: OCTOBER 31, 2017

Chairman Johnson, Ranking Member McCaskill, and Members of the Committee: I am Marc H. Morial, President and CEO of the **National Urban League (NUL)**. Thank you for the opportunity to submit a statement for the record, on your hearing to ascertain cost overruns for the 2020 Census, information security, and accuracy. The National Urban League applauds your effort to hold this hearing now, while there is still time to alter the course of a troubled 2020 Census. We further recognize that time is of the essence, as we are fast approaching a point where neither increased funding nor good intentions will help. The implications of a failed census are significant and dire, with heavy consequences for our society, economy and the Democratic underpinnings of the United States.

The National Urban League: Census Stakeholder and Advisor

The National Urban League (NUL) is a nonpartisan, historic civil rights organization dedicated to economic empowerment in order to elevate the standard of living in historically underserved urban communities. Founded in 1910 and headquartered in New York City, the National Urban League spearheads the efforts of its local affiliates through the development of programs, public policy research and advocacy. Today, the National Urban League has 88 affiliates serving 300 communities, in 36 states and the District of Columbia, providing direct services that impact and improve the lives of more than 2 million people nationwide.

Our statement on the 2020 Census coincides with a decades long history of National Urban League support of an accurate census count--particularly for urban and African American communities. For the record, the National Urban League served as a Census National Partner during Census 2000 and the 2010 Census. In doing so, our national network of affiliate offices provided a host of outreach and educational services to promote census participation and awareness at the local level.

Moreover, in preparation for the 2010 Census, former Department of Commerce Secretary, Gary Locke, asked me to Chair the Department's 2010 Census Advisory Committee. This advisory body, comprised of leaders from more than 25 national stakeholder organizations, was charged with reviewing decennial plans and policies, and developing strategies to ensure an accurate count. Currently, The National Urban League is a member of the Census Bureau's National Advisory Committee on Racial, Ethnic and Other Populations. Collectively, these roles have provided great insight and perspective relative to Census outreach, communications, and stakeholder mobilization. It is from this perspective the National Urban League submits this statement.

2020 Census Obstacles and Budget

The Census Bureau faces a number of unprecedented obstacles in preparing for the 2020 count. These include hiring and personnel gaps at the regional and headquarter levels, exacerbated by a three-month federal hiring freeze imposed in January 2017. In addition, this is the Bureau's first time to conduct an electronic, online decennial census, which has already suffered well documented risks and vulnerabilities including questions regarding IT security, lack of systems integration, cost overruns and concerns about overall IT readiness and band width.

Add to this list of risk exposure: severe budget reductions, gaps in agency leadership at the highest levels (Director and Deputy positions), recent changes in executive decennial management (both, Associate Director and Deputy Associate Director for Decennial positions), delayed, re-scoped and postponed 2018 End-to-End Test components (advertising campaign and partnerships), and key policies awaiting final decision, such as counting prisoners, the use of administrative and third party records, and race and ethnicity.

Census stakeholders have monitored and alerted Congress at every opportunity about the detrimental impacts Congressionally-imposed cost constraints and ill conceived Trump Administration Census budget requests would have on 2020 Census planning and execution. Fear of an unprecedented undercount of historically Hard to Count populations (including people in rural locations, children, and those caught in the digital divide), coupled with 2020 Census IT security uncertainty, require immediate redress and bi-partisan Senate and House support of the 2020 Census.

At an October 12, 2017 hearing of the Full House Committee on Oversight and Government Reform, The Secretary of the Department of Commerce provided a new decennial life-cycle estimate which projects the 2020 Census will cost \$15.6 billion--a \$3.3 billion increase in funding over the Bureau's earlier estimate. The Department's refreshed cost estimate for the 2020 Census while encouraging, comes *after* the Census Bureau has already made impactful 2020 Census planning and test decisions in response to budget shortfalls in FY17-FY18. It is critical that Senate (and House) Census Oversight Committees ensure that the Commerce Secretary's revised estimate accurately considers the level of funding the Census Bureau requires at this point in the decennial census life cycle—year eight, when significant budget increases are needed for 2020 Census ramp up, including, *full* dress rehearsal implementation and final preparations. It is not clear (nor likely), that the Secretary's request for additional funding will address this need.

The devil is in the details of the Commerce Secretary's request and must be examined thoroughly (and transparently), to ascertain the full impact of his revised budget request. Specifically, what 2020 Census programs and plans are *not* included in the Secretary's increased funding request? Will the communications campaign and outreach components remain unfunded and untested in the 2018 End-to-End test? Does the increase ensure IT security and integration needs are fully tested in the 2018 End-to-End test? Greater transparency and analysis is needed to ascertain continued (or new), risks and impacts associated with the Secretary's new funding request.

An Internet Based Census

As a recent appointee to the Federal Communications Commission's (FCC) *Advisory Committee on Diversity and Digital Empowerment*, the National Urban League is most concerned by the millions of Americans who are trapped in the digital divide. Most of these individuals live in rural (or tribal), areas, are low-income or only have access to the Internet via their mobile phones, which has its limitations.

It is important that the Census Bureau fully understand the opportunities *and* the implications of "going digital," during the 2020 Census—especially given the Bureau's recent budget decision to cancel 2018 testing of the Integrated Communications Campaign, and Partnerships and Outreach components designed to educate the public on Internet-based, self response options.

Congress' mandate (and expectation) that the Census Bureau save billions of dollars through Internet self-response to reduce costly Nonresponse Follow-up/door to door options should not overlook inherent, racial, demographic and geographic disparities in Internet and broadband access.

Congress must fully fund and restore Integrated Communications Campaign, partnership and outreach programs as key components of the 2018 End-to-End test. Doing so will enable Congress, the Administration and the Bureau to determine with accuracy, the level of outreach needed (if any), to motivate online self-response and ensure an accurate count of underserved populations, including the homeless, rural and poor.

A related observation is that the Administration should not rely on digital media to do the heavy lifting regarding outreach and education for Hard-to-Count populations. Census partnership efforts, communications, advertising and outreach are vital to ensuring a fair and accurate census especially with a significantly diminished 2020 Census Field presence. An early decade Census decision to halve the number of Census Regional Offices (from 12 to 6), in order to reduce costs and capitalize on anticipated 2020 Census technological efficiencies could have dire consequences for an accurate count, should the Bureau's technology plans not measure up.

Administrative Records

A substantial additional cost for the Census Bureau involves households that do not respond to the mail-out questionnaire, thus requiring a knock on the door, and often, return visits to the home to complete the questionnaire--or "Nonresponse Follow-up (NRFU)." Administrative records and third party data refer to any information collected by federal or state agencies for the purpose of administering programs or providing services; and third party data refers to, "private" or commercially collected information (i.e., credit cards and mailing lists).

The Census Bureau has researched, tested and is evaluating the use of administrative records for the purposes of obtaining missing respondent information from unresponsive households--in lieu of in-person, door-to-door follow-up visits by Census enumerators. The National Urban League finds there are many questions related to the use of these data that give stakeholders significant pause:

Groups that have typically been harder to reach and/or enumerate by mail-in response, include:

- Racial and ethnic minorities
- Persons who do not speak English fluently
- Lower income persons
- Homeless persons
- Undocumented immigrants
- Young mobile persons
- Children
- Persons who distrust the government
- LGBTQ persons

The reliability and accuracy of administrative data for Hard to Count populations, in particular, and all others, generally, is a question the Census Bureau must address and resolve prior to utilizing them wholesale, in the 2020 Census.

Respondent information such as age, race and ethnicity, sex, household characteristics, income may not be reliably (or accurately) assigned through the use of administrative data and third party records. A robust test on the use of administrative and third party records in a live census environment (via a fully scoped 2018 end-to-end test) would provide stakeholder communities greater comfort and support of their use. Most important, the use of administrative records cannot be the automatic default enumeration strategy for hard to reach populations. Research driven decisions regarding administrative records must ensure the use of these data do not compromise a fair and accurate census.

The Senate must do everything it can to fund and make whole the 2018 End-to-End Census test. If doesn't, we will lose an opportunity to learn valuable lessons toward achieving a cost efficient, accurate Census--at best.

Conclusion

The decennial census is the blueprint of our democracy. It ensures the allocation of seats in the House of Representatives and state legislative districts, underscores our voting rights—"one person, one vote," and is the basis for the distribution of hundreds of billions of dollars in federal aid to states, localities and tribes. At this point in the Census cycle, 2020 Census funding and operational decisions cannot be "walked back" or readjusted at some date in the future. There is no "later date." The time for action and responsible decision-making is now.

The National Urban League appreciates the opportunity to provide this statement to the Senate Committee on Homeland Security and Governmental Affairs regarding the 2020 Census.

We look forward to working with Committee members, the Department of Commerce, stakeholders, and the Census Bureau in the coming months to help ensure a fair and equitable 2020 Census.

**Post-Hearing Questions for the Record
Submitted to the Honorable Wilbur Ross
“2020 Census: Examining Cost Overruns, Information Security, and Accuracy”
October 31, 2017**

From Senator Claire McCaskill

Potential Risks and Their Costs

The recent disasters in Puerto Rico, Texas, Florida, and California could significantly impact and cause serious complications for the 2020 Census.

1. Please describe actions that the Census Bureau is taking to account for these complications in its revised 2020 Census Lifecycle Cost estimate.

The Department of Commerce’s revised lifecycle cost estimate of \$15.6 billion includes \$1.2 billion in unallocated contingency funding above the independence cost estimate of \$14.1 billion to address unknown risks. These unknown risks include the Census Bureau’s ability to respond to unforeseen circumstances such as impacts of natural disasters. The Census Bureau already is planning to conduct an additional round of in-office address canvassing in areas affected by recent natural disasters. The Census Bureau also will increase in-field address canvassing in these areas when necessary. Following Hurricanes Rita and Katrina, the Census Bureau increased some field operations for the 2010 Census.

The Census Bureau is conducting a complete address canvassing operation that covers the entire country. The important difference in the 2020 Census is that the Bureau is continually updating the address list and maps based on data from multiple sources, using a combination of aerial imagery, and administrative and programmatic data to help understand where change is occurring. This in-office address canvassing work allows the Census Bureau to reduce the amount of in-field address canvassing needed to ensure an accurate address list.

The Census Bureau has been updating its address list for Puerto Rico for the past decade as well. Nonetheless, because of the devastating impact of Hurricane Maria on the island, the Census Bureau has determined that it is in Puerto Rico’s best interest for the Census Bureau to conduct what they call “Update Leave” across the entire Commonwealth. As part of this “Update Leave” process, the complete inventory of addresses will be validated and updated where appropriate by Census Bureau staff walking every road and checking every housing unit. Census Bureau staff will leave a questionnaire package on every doorstep, and occupants will have the opportunity to respond via paper questionnaire, via telephone, or via Internet just like respondents across the country. Households that do not respond will be included in the nonresponse follow-up operation (“NRFU”).

2. How will the Census Bureau ensure accuracy in places where there has been significant displacement and devastation of homes?

On November 8, 2017, the Census Bureau extended the registration deadline for the Local Update of Census Addresses (LUCA) program to January 31, 2018 for governments that have experienced natural disasters, including the hurricane impacted areas of Puerto Rico and the Gulf/Atlantic coasts, as well as the wild fire areas. The Bureau is working closely with these communities throughout the LUCA program to ensure that the address list and spatial database in these areas are as accurate as possible.

LUCA offers an opportunity to tribal, state, and local governments to review and comment on the U.S.-Census Bureau's residential address list for their jurisdiction prior to the 2020 Census. The Census Bureau relies on a complete and accurate address list to reach every living quarters and associated population for inclusion in the census. The Census Bureau is required by the Census Address List Improvement Act of 1994 (Public Law 103-430) to allow governments the opportunity to review the Census Bureau's address list prior to the Census and the LUCA operation is how we implement that directive.

As the 2020 Census approaches, the Census Bureau will work with these communities, and others impacted by natural disasters, to make operational adjustments, such as increasing field operations like Update Leave.

The revised 2020 Census Lifecycle Cost Estimate assumes a lower self-response rate than originally projected. Self-response is now estimated to be 55%, whereas the original projection was 63.5%.

3. Please explain why the new projection for self-response is significantly lower than the original estimate.

The Census Bureau reduced the estimated self-response rate for the 2020 Census from 63.5% to 60.5% due to two changes made to increase the security of the online instrument and provide stronger privacy protections for the confidential data of all respondents. Stronger privacy protections create extra steps that may dissuade some respondents from responding online. It is a tradeoff that the Census Bureau considered to be worthwhile. One specific change is the potential for additional authentication steps at the point of log-in into the Internet instrument. The second change is the removal of the save and log-out functionality, meaning that respondents cannot save a partial response and return to complete it later. This latter factor could have a particular impact on large households.

The recent upper bound lifecycle cost estimate includes funding to address the risk that the response rate could be as low as 55%. The 2020 Census Program continues to project, and manage to, an estimated self-response rate of 60.5%, but now has contingency funding in place should it be needed.

4. How does the 55% breakdown by mode of response: Internet, telephone, and paper questionnaire?

As stated above, the Census Bureau is managing to the current projected self-response rate of 60.5%. We estimate that 45.0% will respond via the Internet, 11.2% by returning a paper questionnaire, and 4.3% by phone.

5. Has a further estimate been conducted that lowers the projected self-response rate? If so, please provide additional information on the downgrade of projected self-response rate and the reasons underpinning this revision.

See answer to Question #3.

The Bureau decided to reduce the number of regional offices from 13 to 6, in large part because it was expected that the new technology would reduce the need for regional office support.

6. Given the estimated decrease in self-response rates, should the Census Bureau consider opening additional regional offices?

The Census Bureau does not believe that opening additional regional offices is necessary. The Regional Census Centers serve primarily as administrative centers for the local offices that conduct data collection. Operational support and oversight of field data collection and outreach activities continue to come from local offices. With respect to operational oversight, the Census Bureau will adopt the same approach to managing staff as in past censuses. Census enumerators will work in the communities where they live, providing critical local knowledge that increases cooperation and response. Field Supervisors who also reside in these communities and work from home will directly supervise the enumerators.

a. Should the Census Bureau consider an increase in address canvassing, and hiring more enumerators for non-response follow up? Why or why not?

The Census Bureau is conducting a complete address canvassing operation that covers the entire country. The important difference in the 2020 Census is that the Census Bureau is continually updating the addresses list and maps based on data from multiple sources, such as: USPS Delivery Sequence File; state, county, local, and tribal government partner files, through the Census Bureau's Geographic Support System program; LUCA participants; and imagery files from National Geospatial-Intelligence Agency (NGA) and the United States Department of Agriculture. It also is using a combination of aerial imagery and administrative and programmatic data to help understand where change is occurring. This in-office address canvassing allows the Census Bureau to reduce the amount of in-field address canvassing needed while ensuring an accurate address list. In areas of the country that are experiencing change, the Census Bureau still intends to hire field staff to check and add addresses as necessary. It currently estimates that this will be required for 30% of addresses in the country, and the Bureau intends to hire the staff necessary to accomplish this.

With respect to the Nonresponse Followup Operation, the Census Bureau intends to hire the staff necessary to conduct field operations, in particular interviewing nonresponding households, to ensure a complete and accurate census. As in past decennial censuses, the Census Bureau will recruit and train up to three times the number of enumerators that we plan to deploy in order to expand the workforce as necessary should self-response rates be lower than anticipated, and additional households need to be interviewed after the self-response phase of the census.

b. What additional costs would be incurred should the Census Bureau need to open additional field offices?

The Census Bureau's current estimate is that each additional Local Census Office (LCO) would cost \$4 million.

It was raised in the course of the hearing that a position of the Director of the Census is vacant and the Government Program is operating with 60% vacancy rate.

7. How is the Commerce Department addressing any issues arising from the understaffing at the Government Program Office?

The Department sent a budget adjustment request to the Appropriations Committee that includes the resources necessary to expand the program management staff so that it has the capacity and the skills required to effectively manage a program of this size and complexity and it was included in the omnibus spending bill P.L. 115-141 that the President signed into law on March 23, 2018.

8. Please explain the responsibilities of the four outside consultants you discussed in your testimony and provide information on their relevant experience.

The team of experts from outside the Census Bureau identified and accounted for major potential risks and cost drivers beyond the assumptions in the 2020 Census program's original cost estimate. The team identified potential risks and associated challenges for the 2020 Census, which include declining self-response rates, cybersecurity concerns, recruitment size and wage rate, and field management staffing ratios.

The Independent Cost Estimation (ICE) team was comprised of financial management experts from the Department of Commerce and the Office of Management and Budget. The outside consultants who provided program management expertise and analysis on program integration, major contracts, and the budget included former Census employees, two former technology executives with experience in rolling out complex systems, and other experts with extensive private sector experience.

Arnold Jackson

Arnold Jackson is CEO of AJ Management Consulting LLC, Silver Spring Maryland. Prior to founding AJ Management Consulting, Arnold was Associate Director for Decennial Census at the U.S. Census Bureau serving as the Chief Operating Officer for the 2010 Decennial Census at

the U.S. Department of Commerce, Bureau of the Census. In that role, he exercised full oversight of the \$14 billion budget as he directed the management and administration of all decennial census and geographic support plans and operations of the 2010 Census. Arnold served on the Director's executive staff and on the newly established executive steering committee for the 2020 Decennial Census. After completing the operations of the 2010 Census, he contributed to emerging Bureau executive bodies for Diversity, Data Quality, and Internal Operating Efficiencies.

Previously, he was the President and a member of the Board of Directors of James Martin Government Intelligence (1998-2002), an information management consultancy that worked primarily with defense and civilian intelligence agencies. His work there included strategic planning, enterprise architecture, technology strategies and process reengineering. He implemented programs and practices in support of the Clinger-Cohen Act; a 1996 law that was designed to improve the way the federal government acquires and manages information technology. During an earlier tenure at the Census, he was the first Associate Director and Chief Information Officer (1991-1997) to serve on the Director's executive staff at the U.S. Census Bureau, where he was also the Chief of the former U.S. Census Bureau Decennial Operations Division (1984-1991). Arnold pioneered the use of highly distributed information-technology solutions and strategic outsourcing for the decennial census by executing nationwide support for the 1990 Census. He returned to private management consulting following that experience, becoming partner and director at Ferguson-Bryan and Associates, a minority-owned business consulting firm in Washington, DC (1980--1984).

Arnold is presently serving as a Special Advisor to the Secretary of Commerce and his immediate staff. As a seasoned executive with vast experience in all phases of Decennial Censuses he is advising the Secretary on a range of risk reduction, operational and organizational matters for the 2020 Census.

Arnold is a winner of a Hammer Award for leading the team that launched the Census Bureau website in the mid-1990s. The Hammer Award is presented to teams of federal employees who have made significant contributions in support of reinventing government principles. His senior management team was awarded the Department of Commerce Gold Medal in 2011 for their widely acclaimed contributions to a most successful 2010 Decennial Census. Arnold is a graduate of Hampton University, the Harvard Business School, and the Federal Executive's Institute. He is a frequent speaker on topics including program management, management of information technology projects, performance management, and large scale data collection and analysis.

Dave Abel

David Abel served as Vice President and managing partner for public sector systems integration at IBM's global business services organization, where he oversaw the development of solutions and systems for federal, state, local, healthcare and education customers. Before that position, Mr. Abel led the company's projects with the departments of Homeland Security, Justice and State; and state, local and education clients in the eastern U.S. In that role, he addressed some of government's toughest mission challenges by deploying emerging technologies to protect and prevent threats, enhance cybersecurity, improve program outcomes, and engage citizens.

Mr. Abel has successfully managed large scale implementation programs worldwide, including North America, Africa, Asia, and Europe. Some of the programs Mr. Abel led included Customs and Border Protection's modernization and automated customs environment, a transformation program for U.S. Citizenship and Immigration Services, and software development and platform management for the Federal Emergency Management Agency's flood mapping program. He also oversaw programs involving airport operations at the Raleigh-Durham and Indianapolis airports, the Transportation Security Administration's application support and information services, financial management system deployment at the Justice Department, and programs for the New York City police and fire departments.

Prior to IBM, Mr. Abel served as a partner with PricewaterhouseCoopers, where he focused on commercial and public sector transportation, airport safety and operations planning and the banking and finance industries. He also worked on the development and deployment of automated fingerprint identification systems for law enforcement agencies.

Mr. Abel holds a bachelor's degree from the University of Virginia's McIntire School of Commerce and is a graduate of the University of Virginia's McIntire School of Commerce. He has been a guest speaker at The University of North Carolina's Keenan School of Business and Witwatersrand University in Johannesburg, SA, and also co-hosted "The Business of Government Hour." Mr. Abel sits on the Advisory Board for American University Kogod School of Business and is a former member of the board of directors of the Homeland Security and Defense Business Council.

Johnny Barnes

Mr. Barnes is a retired IBM Vice President with more than four decades of experience as one of the company's top executives. He was appointed to several IBM corporate staff positions, including several critical strategy, product, and manufacturing task forces that established the foundation of IBM's current business and technical direction. He was a critical high-level manager and leader of IBM's mid-range and high performance RISC-based products which reestablished IBM's industry leadership, and led the re-engineering of IBM's internal hardware development, global computing and telephony environments. He also grew IBM's Manufacturing, Financial, Communication and Public Sector services businesses, serving as Director of Common Tools, Vice President of Global IT Infrastructure, and Vice President and Deputy CIO. Mr. Barnes' management responsibilities included business management, strategy, architecture, design, development and deployment of both IBM and customer business solutions utilizing advance technologies and standards.

Mr. Barnes' professional experience includes several years of business and technical management of products, customer solution contracts, and IBM worldwide organizations. He was responsible for the definition of IBM's Manufacturing Industries' Worldwide Technical Strategy and the development of key components of the strategy. As the Vice President and CTO of IBM's Public Sector, Mr. Barnes was responsible for successful recovery of a troubled strategic government agency infrastructure program and integration of advanced technology solutions into multiple agencies. Mr. Barnes is recognized worldwide as an accomplished executive leader and technologist. During his IBM career, he received eight patents, three IBM invention achievement awards, and an array of IBM awards for his technical and management

contributions. Mr. Barnes also has numerous publications on a wide variety of technical areas. He was recognized nationally by DOD Continuous Acquisition and Life-cycle Support (CALs), the National Eagle Leadership Institute (NELI) and National Society of Black Engineers (NSBE). NSBE awarded Mr. Barnes the Black Engineer of the Year award in 2011. In addition, he was a director on the board of SCRA Advance Technology International and is on the board of STEM Premier (Chairman).

Mr. Barnes holds a B.S. in Electrical Engineering from the University of Houston and attended graduate school at the University of Texas concentrating on software engineering and manufacturing automation. He is Project Management (PMP®) and IT Infrastructure Library (ITIL®) V3 certified. In addition, Mr. Barnes has a TS/SCI CI polygraph clearance level with the federal government. Currently, as the owner of an IT consulting and services company, Mr. Barnes provides leadership and consulting to companies and government agencies globally.

A. Mark Neuman

In addition to the three paid consultants, I have continued to seek advice from my advisor on Census issues during the presidential transition, A. Mark Neuman, who has worked on 1990, 2000, and 2010 Decennial Censuses.

Neuman also advised previous Secretaries of Commerce on Census issues, including Secretary Mosbacher, Secretary Daley, and Secretary Evans. Neuman also worked on the Census Executive Staff during the 1990 Decennial Census and worked closely with seven different directors of the Census. Neuman has worked with most of the stakeholders in the Decennial Census: The Bureau, the Department of Commerce, Congressional Oversight and Appropriations Committees, GAO, NAS, the Census Advisory Committees, and numerous other stakeholders including NALEO, MALDEF, and the Leadership Conference on Civil Rights.

Neuman has extensive experience in strategies to effectively count hard-to-count populations (including Spanish and other non-English speaking populations, as well as American Indians living on Reservations). He is focused on the need to further reduce and eliminate the black-white differential undercount and ensure that we count every person living in America one time and at the correct address.

Neuman's advisory capacity is modeled on the previous advisory role performed by John Thompson for Secretary Carlos Gutierrez during President George W. Bush's second term.

Revised 2020 Census Lifecycle Costs

The Commerce Department recently revised the 2020 Census Lifecycle Cost Estimate because of ineffective planning and problematic management that created significant cost overruns. The Department now estimates the costs will total \$15.6 billion, which is \$3 billion more than originally estimated. The Department is also requesting a \$187 million increased in funding for FY 2018.

9. What steps will the Census Bureau take to control any further cost growth?

My staff and I are closely involved with the planning and execution of the 2020 Census. We meet regularly with the Census Bureau team and their contract partners to bring oversight and accountability into the Decennial operation. These meetings help me ensure that we are on track, on time, and on budget.

My staff also conducts weekly 2020 Census oversight reviews, which include tracking metrics ~~and~~ program execution status on a real-time basis. In addition, they hold monthly meetings with the Office of Management and Budget, Census program managers, and Commerce's 2020 leadership team, headed by Under Secretary Karen Dunn Kelley, who is also performing the nonexclusive duties of the Deputy Secretary of Commerce, to review issues related to the programs budget, scope, schedule, and risks. These management meetings include detailed reviews of the evolving budget and lifecycle cost estimate for the 2020 Census. The results of these meetings are reported directly to me by Under Secretary Kelley and her staff so that I can personally oversee the progress of the Decennial Census.

10. What specific 2020 Census programs will benefit from the \$187 million in additional funding for FY 2017? Is the \$187 million sufficient to cover the expense of 2020 Census program requirements?

The additional \$187 million will be allocated to the critical activities necessary to keep the Census Bureau on track for a successful 2020 Census. The funding is primarily allocated to the major IT contracts, including the Technical Integrator contract and the Census Questionnaire Assistance contract, and program management, systems engineering and operational development. These funds allow us to make a significant course correction to keep crucial programs on track and provide much-needed financial oversight and better management at the Census Bureau. The Census Bureau and the Department of Commerce are accountable to manage the 2020 Census efficiently.

11. Please identify and list the qualifications of the experts who participated in the process to revise the 2020 Census Lifecycle cost estimate.

Several teams were involved in the process to revise the 2020 Lifecycle cost estimate. Each team was led by an individual who has decades of experience in the relevant fields, including acquisitions, management, cost analysis, engineering, public policy, and major systems development. Members included the Senior Procurement Executive and Director of Acquisition Management at the Office of Acquisition Management of the Department of Commerce, the Deputy Director for Acquisition, Grant and Risk Program Management at the Office of Acquisition Management of the Department of Commerce, the Senior Leader, Director for Cost Analysis at the Office of Acquisition Management of the Department of Commerce, and a Detailee and Presidential Management Fellow at the Office of Acquisition Management of the Department of Commerce.

Cancelled Tests

Earlier this year, the Census Bureau cancelled three important 2017 field tests—a Spanish language test in Puerto Rico, a test on the Colville Indian Reservation and Off-Reservation Trust Land in Washington State, and a test on Standing Rock Reservation in North and South Dakota. These tests would have provided data and best information for obtaining a more accurate count in important, historically undercounted minority, rural, and tribal communities.

12. Has the Census Bureau done an analysis to see if it could possibly restore funding for these cancelled tests to ensure that these populations and systems are tested prior to 2020? If not, why?

There are no plans to conduct testing in Puerto Rico. Systems that are critical to the 2020 Census, both in Puerto Rico and nationwide, are being tested in the 2018 End-to-End Test, including the Update Leave and Group Quarters operations. The Spanish language Internet Self-Response instrument is currently deployed for the peak operations in Providence, Rhode Island, where 19% of the population speaks Spanish. The Census Bureau has determined the results of the Providence End-to-End test of the Internet Self-Response instrument will be sufficient to understand any issues that arise. In addition, field staff in the End-To-End test will be using data collection instruments with both English and Spanish language functionality. The 2018 End-to-End Census Test began in August 2017 in Pierce County, Washington; Providence County, Rhode Island; and the Bluefield-Beckley-Oak Hill, West Virginia area with the implementation of an address canvassing operation. This operation allowed the Census Bureau to test systems in areas without internet connectivity and hone the critical address list development operations in a wide range of geographical situations similar to those in Puerto Rico and tribal areas. In addition, the Census Bureau was able to test management systems in areas without internet connectivity, which will be very important in rural and tribal areas. Census field staff were able to receive their assignments and submit their payroll and operational data at the beginning or end of their shifts when they could connect to the Internet, but they did not require Internet access while they were actually doing their work.

Finally, the Census Bureau selected Providence County, Rhode Island, for peak operations of the 2018 End-to-End Test for a multitude of factors, but primarily because its diverse population presents unique challenges that the Census Bureau will face in 2020. Providence County's demographics mirror those of the nation and therefore offer a microcosm of the 2020 Census experience. Its population of over 600,000 (626,667) includes historically hard-to-count populations, more than a quarter-million housing units (264,048) and 110,734 Spanish speakers.

13. If restoring funding to these cancelled tests is not feasible, what efforts will the Census Bureau make to mitigate this issue to ensure that these hard-to-count populations are fairly and accurately counted in the 2020 Census?

The Census Bureau is planning a robust communications and partnership program to help reach the hard-to-count populations for the 2020 census. Efforts include advertising in multiple languages and working with trusted voices in communities across the nation to encourage

responses to the 2020 Census. Census partners include national organizations, churches and other faith-based organizations, health clinics, legal aid centers, and other support organizations that traditionally undercounted populations rely on. The Census Bureau will also provide support and response options, including Internet and telephone response options, in up to 12 languages. All mail materials and paper questionnaires will be in both English and Spanish. In addition, Census enumerators will be well trained and provide support in multiple languages.

Contract Oversight: 43 IT Systems Integration

The redesign of the 2020 Census principally depends on the effectiveness of the Census Bureau plans to integrate new and legacy information technology (IT) systems and infrastructure. GAO has warned that the development of these systems is woefully behind schedule and that not all of the systems will be fully operational by for the 2018 End-to-End Census Test. According to GAO, development and testing is behind schedule for 39 of the 43 IT systems that must be in place for the 2020 Census.¹

14. How confident are you that these systems will be completed and fully tested before they are needed for the test? What actions are you taking to ensure that they are ready in time?

The Census Bureau has developed a robust schedule for developing and integrating the key systems for the 2018 End-to-End Census Test. Each system has its own well-defined scope, requirements, schedule, and costs, and each system is overseen by experienced project management teams. As they enter the peak operations of the Test, 40 out of the 44 systems supporting the test have been deployed, and a majority of them have completed integration testing. No system will be released without completing the necessary integration testing, and all 44 are on track to be fully integrated and deployed when they are needed to support the applicable operations.

GAO and the Census Bureau have been working closely together to ensure that they have a consistent understanding of the status of systems readiness, and they are monitoring final development and testing of the remaining systems needed for the 2018 End-to-End Test. They also are looking closely at the developmental work needed for the 2020 Census. Based on GAO's recommendations the Census Bureau has taken a closer look at operations that could reuse existing systems instead of developing new ones, such as the field component of the Post Enumeration Survey, where the decision has been made to use systems that are already supporting existing Census Bureau current survey operations.

My staff and I are in constant communication with both the Census Bureau and GAO. In fact, Under Secretary Karen Dunn Kelley (who is performing the duties of the Deputy Secretary) has met with both teams and encouraged them to work together to ensure that GAO best practices are being implemented by the Census Bureau.

¹ Government Accountability Office, *Continued Management Attention Needed to Oversee Innovations, Develop and Secure IT Systems, and Improve Cost Estimation* (GAO-18-141T) (Oct. 2017).

15. How is the Census Bureau holding contractors accountable for these delays?

Decennial Senior Leadership conducts a weekly contract review meeting to assess the contractors' performance against the technical and schedule milestones of each contract.

16. GAO reported that, during the 2017 Test, the Census Bureau assumed increased risk when systems were deployed before security assessments could be completed as planned. What is the status of the authorizations to operate for the 43 systems being used in the 2018 End-to-End Test given that 33 of them contain personally identifiable information?

The Census Bureau is following its Authority to Operate (ATO) process for systems involved in the 2018 End to End test, and the status of the authorizations as of March 23, 2018 is 86% (38 systems) complete with 14% (6 systems) in progress to obtaining an ATO. The Census Bureau is on schedule to ensure that all systems used in the 2018 End-to-End test are authorized prior to use. The authorizing officials are made aware of any risks identified in the ATO process and systems with ATOs will have their cybersecurity maintained through continuous monitoring.

Contract Oversight: Mobile Devices and Bid Protest

The Government Accountability Office (GAO) recently issued its decision on a bid protest of the \$283 million contract for mobile devices for the 2018 End-to-End test and the 2020 Census. GAO found that the Census Bureau, "conducted unequal and misleading discussions, and failed to adequately document its evaluation and selection decision." GAO recommended the Census Bureau reopen the competition, conduct discussion, accept and evaluate revised proposals, and make a new decision.

17. What is the status of the bid protest on the device-as-a-service contract? Does the Census Bureau still plan to test the devices in that contract during the 2018 End-to-End Test? If not, what plans do you have in place to test them prior to 2020?

GAO's October 5, 2017, decision sustaining the protest of the Decennial Device as a Service (dDaaS) contract award included recommendations for corrective action. The Census Bureau takes GAO's recommendations seriously and immediately began examining all potential paths forward to enable the Census Bureau to proceed with this important program without endangering the critical path for the 2020 Decennial Census. As part of that process, the Census Bureau began developing an action plan to implement GAO's recommended corrective action. The Census Bureau also convened a meeting with the awardee and the protestor to describe the steps it was taking and to facilitate a dialogue between the two. On November 7, the awardee notified the Census Bureau that it and the protestor had executed a subcontracting agreement. On November 8, the Census Bureau provided notice to GAO that, in light of the subcontracting agreement, the Census Bureau intended to lift the stop work order on the contract that had been in place since August. On November 9, the Census Bureau authorized the contractor to resume performance of the dDaaS contract. Work is underway and on track to successfully provide dDaaS services for the 2018 End-to-End Test and the 2020 Decennial Census, including testing the devices during the 2018 End-to End Census Test.

Internet Response: Users

18. For the first time this census count will heavily rely on Internet self-responses. The Census Bureau's goal is that 55% of the response rate will come from the Internet and budgeted based on that number. How will the Census Bureau meet the 55% Internet-self response rate goal?

Although the Census Bureau has estimated the cost of a potential 55% self-response rate as a lower-bound estimate, the Census Bureau continues to project, and manages to, an estimated self-response rate of 60.5%. It estimates that 45.0% will respond via the Internet, 11.2% by returning a paper questionnaire, and 4.3% by phone. These projections are based on the tests the Census Bureau has been conducting throughout the decade and on self-response rates in the 2010 Census, the American Community Survey, and other surveys.

Every household will receive multiple mailings from the Census Bureau encouraging response via the Internet. Households in areas without an Internet connection, or those that are not likely to respond via the Internet, will also receive a paper questionnaire in the first mailing. All households that do not initially respond to the Census will receive a paper questionnaire. The Census Bureau is prepared to expand paper processing and telephone response capacity if Internet response rates are lower than projected.

In addition, the Internet Self Response (ISR) operation works to make the application content accessible to a wide range of people with disabilities, including blindness and low vision, deafness and hearing loss, learning disabilities, cognitive limitations, limited movement, photosensitivity, and combinations of these. To maximize accessibility, the ISR application is being developed following Web Content Accessibility Guidelines 2.0 with a "AA" level of success. Each page of the application is assessed for conformance to the applicable guidelines.

The Census Bureau is committed to making all of its electronic and information technology accessible to all individuals. They leverage the knowledge and expertise of their Section 508 Coordination Council, the General Services Administration (GSA) Refresh Toolkit, and interagency best practices. All application systems, especially those supporting the 2020 Census, will be in compliance with the Section 508 standards. The 2020 Census Program has allocated Section 508 requirements to systems and continuously certifies and validates compliance through testing.

On January 18, 2018, revised Section 508 standards went into effect. The 2020 decennial census performed an analysis of these revised standards and is integrating them with the prior Section 508 guidance. This integration includes an assessment of each application system's level of compliance with the revised standards. Revised requirements will be allocated to each application system as applicable.

19. The federal government has a mixed record with developing and debuting online platforms. Please discuss whether the Census Bureau has conducted any testing to ensure that the site will be able to handle heavy response traffic.

The Census Bureau issued a technical directive to the Technical Integrator to perform scalability testing on the Internet Self Response (ISR) System that is built on the Pega Platform. The test results showed successful scaling of the ISR System, in the Cloud, to meet the number of concurrent users requirement defined by the external demand models. Based on the results, the Census Bureau believes that the ISR solution will be able to handle heavy response traffic. In addition, the Census Bureau's IT experts are working closely with other federal government experts and private sector experts to ensure that the Internet Self-Response system is as resilient as possible. The Census Bureau is testing the Internet self-response platform in numerous ways. It was successfully deployed in the 2017 Census Test, and it is now being utilized during the peak operations of the 2018 End-to-End test in Providence County, Rhode Island. The Census Bureau will continue to perform load tests based on demand models on the Internet self-response platform. They also are implementing enough redundancy to ensure continuity of operations (for example, every cluster of hardware in the system is duplicated and placed in two availability zones).

20. Please describe the contingency plans the Bureau has adopted, or intends to adopt in the event that the online system does not perform as intended.

The Census Bureau is designing all of its systems with failover capabilities to provide seamless operational readiness. By establishing multiple modes for the public to respond, the Census Bureau is creating a backup in case there are problems with any one particular response option. Self-response will be available by Internet, telephone, or paper. If problems arise in the Internet response option, the Census Questionnaire Assistance contract allows for collection of interviews via telephone. The Census Bureau also has the capability to scale up call centers and staff operations to meet increased demand. Finally, there is redundancy in the paper questionnaire self-response capabilities so that work can be shifted between the Census Bureau's two facilities, allowing the Census Bureau to accommodate a much higher volume of paper responses. In addition, if aggregate response rates are lower than expected, the Census Bureau can increase the staff conducting interviews with nonresponding households and extend the duration of the Nonresponse Follow-up operations as it has done in the past.

21. Will the online version require people to complete the questionnaire in one sitting or will it allow people to stop in the middle and come back to it? How will it account for "break-off," which is when people start filling something out but don't complete it?

Because the Census Bureau has increased the security of the online instrument to provide stronger privacy protections on the confidential data of all respondents, the Internet self-response system will not allow people to save a partial response and return to it at a later time. The Census Bureau expects and is planning an increase in telephone response.

22. How will the online platform accommodate non-English speakers?

The Census Bureau is planning to offer Internet response options in 12 languages covering over 80% of limited English speaking households.

Internet Response: Cybersecurity

23. What preventative measures is the Census Bureau taking to ensure that Americans do not fall victim to phishing attacks from emails and websites that appear authentic but instead are malicious when filling responding to the 2020 Census survey?

Phishing attacks are one example of the many cybersecurity threats facing the Census Bureau that target consumers. To help provide services to resolve these external threats, the Census Bureau plans to partner with industry and other federal agencies. Additionally, the Census Bureau will use proactive public communications to educate and reinforce typical cybersecurity measures (virus protection, keyloggers, phishing etc.) to protect respondent's own data and increase their confidence that they are using the websites and tools from the Census Bureau. In addition, the Census Bureau will proactively monitor for websites impersonating the Census Bureau and will not send emails directly to respondents.

24. Given the significant reduction in field operations for the 2018 End-to-End Census Test, what IT capabilities have been cut from the test? When will these capabilities be tested? For example, what fraud detection capabilities were originally planned for the 2018 End-to-End Test and what will actually be delivered?

The reduction from three sites to one site for the peak operations of the 2018 End-to-End Census Test did not have a significant impact on the IT capabilities being tested to support the operations. The planned fraud detection capabilities have not changed, except for the Post Enumeration Survey and the Integrated Partnership and Communications Program. The systems supporting these operations will be tested in late 2018 and 2019.

25. To date, has the Census Bureau developed a formal cybersecurity policy or plan to ensure the security of the system? If so, please provide. If not, when will the Census Bureau develop a formal cybersecurity policy or plan?

The Census Bureau has a formal cybersecurity policy to ensure Census systems are developed with the appropriate security requirements. The Bureau of Census Information Security Program and Policy (BOC ITSP) specifies the mandatory requirements for the Census Bureau IT security Program that implement Federal Requirements as outlined by FISMA. The policy also addresses the security requirements for authorization of information systems in accordance with federal best practices as outlined by DOC's National Institutes of Standards and Technology (NIST) in its NIST SP 800-37, Guide for Applying the Risk Management Framework to Federal Information Systems.

For the 2020 Census Program, the Technical Integrator (TI) contractors have developed an overall 2020 Census System of Systems Security Plan (current version 4.0) ensuring

confidentiality, integrity and availability of 2020 Census system boundaries (On-Premise, Cloud and Field) in accordance with the TD-008 security requirements and BOC ITSSP. The On-Premise, Cloud and Field references the various infrastructure that is supported by the 2020 Census System of Systems Security Plan. The On-Premise infrastructure is hardware/software and telecommunications that the Census Bureau purchased for the physical data center in the Bowie Computer Center. The Cloud refers to the Amazon GovCloud service that the Bureau procured. The Field infrastructure refers to equipment that was purchased and housed in the Regional Census Centers. TI will be developing NIST 800-53 Rev 4 based System Security Plan (SSPs) for each infrastructure/security component and specific security plans such as Incident Response Plan, Disaster Recovery Plan, Contingency Plan and Vulnerability Management Plan as part of the ATO process.

The Bureau's Office of Information Security (OIS) manages the ATO process within the Bureau, including contractor operated systems. The Census Bureau uses the same process for all systems; Decennial and non-Decennial systems follow this process.

26. Will the Census Bureau conduct risk-limiting audits to ensure that census responses are being accurately recorded and the system is maintaining its integrity? Please explain.

The Census Bureau takes the integrity of data and systems seriously. It has implemented checks on database schemas, service bus, applications, etc., that would trigger events indicating data inconsistencies in relation to the responses. It has these checks at various levels, such as client side, middleware, and backend components, and it is ensuring compliance with Risk Management Framework with the objective of data integrity in relation to response data. It also runs security scans regularly on all appropriate components of their systems.

Additionally, the Bureau is implementing a fraudulent response detection system and operation center. This system will be responsible for determining whether fraudulent returns have been submitted from internet self-response, telephone interviews conducted by Census Questionnaire Assistance staff, and paper self-response. In addition to establishing criteria and thresholds to identify potentially fraudulent responses, the operation is responsible for determining the appropriate follow-up action for investigating and resolving cases of suspected fraud.

Fraud detection will identify:

- Individual Fraud: A single person submits a small number of fraudulent responses
- Targeted Fraud: An individual or group submits a large number of fraudulent responses in a particular state or locality in an attempt to fraudulently inflate Census counts in a particular area
- Widespread Fraud: An individual or organization submits a large number of fraudulent responses—potentially by automated hacking techniques, and not concentrated in a particular locality—in an effort to affect the overall counts

Fraud detection components will include:

- Modeling/algorithms – a statistical approach to ferret out potential fraud, including individual response scoring, outlier detection, and trend analysis
- Spatial analysis – examination of the geographic distribution of responses as a component determining suspected fraud cases
- Social media monitoring strategy – analytics to identify suspicious patterns which will be ranked, sorted, and displayed on a dashboard to inform the analytical work
- Case management – a system to create workloads for analysts and potential follow-up
- Business intelligence (BI)/visualization strategy - approach for condensing the data points from the multiple fraud analysis modes into relevant key performance indicators (KPIs)
- Feedback loop activities – continuous improvement in the Fraud Detection System

Resolution of suspected fraudulent responses will include:

- Investigation by fraud detection analysts to determine whether suspected cases identified through automated detection methods can be deemed acceptable by the analyst based on established rules, or require field follow-up to determine final disposition.

For cases referred by fraud detection analysts, field follow-up will occur as a component of Nonresponse Follow-up work. In work similar to the quality control efforts for enumerators, the respondent will be asked a series of questions to determine the level of consistency between the original response data and their current response. If necessary (e.g., significant differences are noted in the initial questions, such as household count), a complete interview (i.e., all questions on the census questionnaire) can be conducted to ensure accuracy of the response data for a household.

27. Does the Census Bureau have dedicated cybersecurity staff in place, if so, what are their specific roles and responsibilities?

Yes, the Census Bureau has dedicated cybersecurity staff in place. The Office of Information Security is responsible for ensuring the IT/Cybersecurity posture of the Census Bureau in accordance with the Federal Information Security Management Act (FISMA) and is directly responsible for six areas:

- 1) Policy and Compliance
- 2) Security Engineering
- 3) Security Assessment and Continuous Monitoring
- 4) Providing Information System Security Officer (ISSO) support
- 5) Situational Awareness/Security Operations Center
- 6) Cybersecurity incident handling

Within the Census Bureau, IT system owners and business authorizing officials can be located in the program areas and outside of the IT Directorate. OIS works closely with those program areas

to make sure they understand security requirements and that they are trained for the roles in which they operate.

28. Securing people's personally identifiable information (PII) is essential as the Census Bureau moves to modernize the census.

a. Please discuss the federal partners the Census Bureau working with to ensure that its systems will be secure and ready to accept large amounts of data. Is the Census Bureau working with the Department of Homeland Security or any other executive agencies to monitor efforts to interfere with or undermine the Bureau's data collection efforts?

The Census Bureau has been working closely with the National Institute of Standards and Technology (NIST) and the Department of Homeland Security (DHS). With NIST, the Census Bureau has been collaborating on the following topics: Cloud Computing Architectures, IT security risk management framework, and the Derived Credential initiative allowing the Bureau to use HSPD-12 required authentication for its general field force. With DHS, the Census Bureau has been working on the following initiatives: 2020 Census System Architecture review, Strengthening Incident Management Capabilities: Federal Incident Response Evaluation (FIRE) assessment (Completed 11/2017); 2020 Census System Penetration testing (Planned first quarter CY 2018); and Obtaining classified threat information (First report planned for First Quarter CY 2018).

The Census Bureau is also working with DHS to coordinate a table top exercise that simulates a Census-related cyber incident. This exercise will give Census the opportunity to walk through their cyber incident response procedures as well as better understand what resources are available across government to assist in their response.

The Census Bureau will continue to work with DHS and the Office of Management and Budget (OMB), which were engaged through the Federal Cyberstat Process, to determine what additional federal cybersecurity assistance the Census Bureau can receive.

b. Please describe whether the Census Bureau's public education campaign will demonstrate to Americans that they can be confident their information will be collected and stored securely.

The Census Bureau has official messaging on this topic and plans to share it with the 2020 Census communications contractor, Young & Rubicam, NY (Y&R), to ensure that the messaging being used demonstrates to everyone in the United States and its territories (including Puerto Rico, American Samoa, the Commonwealth of Northern Mariana Islands, Guam, and the US Virgin Islands) that their information will be securely collected and stored. Additionally, the Census Bureau continues to directly communicate this to the public. Its extended network of trusted voices (e.g. State Data Centers (SDCs), Census Information Centers (CICs), Advisory Committee Members, etc.) also play an invaluable role in communicating these key messages to their audiences to help ensure public awareness. Under Secretary Kelley and I are also working very closely with the Census Bureau to leverage additional communications opportunities.

29. In the event of a data breach, what are the Census Bureau's data breach notification requirements?

The Census Bureau implements incident response within its environment following guidelines established by the United States Computer Emergency Readiness Team (US CERT), the NIST Computer Security Incident Handling Guide (NIST SP 800 – 61 rev. 2), DOC's Breach Response and Notification Plan, and supporting directives from OMB. These directives allow the Census Bureau to create an incident response policy, incident response plan, a response committee (the Census Bureau Data Breach Response Committee), and incident response procedures applicable to its environment. At the Census Bureau, the policy is reviewed and approved by the Data Stewardship Executive Policy Committee (DSEP) and signed by the DSEP Chair. Incidents follow an incident response framework, which includes preparation, detection, analysis, containment, eradication, recovery and post-incident activity. The Remedy Case Management (RCM) system is used for tracking and documenting incidents at the Census Bureau. Broadcast messages enterprise-wide from OIS are used when appropriate to notify all Census employees of potential security impacts. In addition, notification of security alerts to program areas are made through their respective Information System Security Officers (ISSOs). The Technical Security Staff collaborates with US CERT and the DOC Enterprise Security Operations Center (ESOC) and Computer Incident Response Team (CIRT) and its sub agencies commonly called FEDCIRT. Vendors supporting the Census Bureau are required to report incidents to the Bureau of Census Computer Incident Response Team (BOC CIRT) following procedures in the incident response policy and plan.

For Cybersecurity incidents and breaches that meet the criteria of a major incident, the Census Bureau, like all federal agencies, must notify the appropriate congressional committee and its Office of Inspector General (OIG) no later than seven days after the agency has reasonably concluded that a major incident has occurred. Pursuant to Presidential Policy Directive-41 (PPD-41), if an incident is a major incident, it is also a "significant cyber incident", which will trigger the interagency coordination mechanisms outlined in PPD-41 and potentially require participation and actions from a Cyber Unified Coordination Group. Privacy incidents are included in these procedures for responding to a data breach, including a breach of personally identifiable information (PII). In addition, in the event of a Federal Tax Information data breach, reporting requirements will be guided by the Internal Revenue Service (IRS) 1075, Tax Information Security Guidelines.

Administrative Records

In 2020, the Census Bureau plans to rely heavily on administrative records and third party data to reduce costs and to obtain missing information about unresponsive households in order to minimize field-canvassing operations.

30. Please discuss the specific administrative records and third party data the Census Bureau will use.

Throughout the decade, the Census Bureau has been planning and testing the use of administrative records for the enumeration of occupied nonresponding households.

Administrative records include data from the IRS, the Social Security Administration (SSA), Medicare and Medicaid, the Indian Health Service, and other data sources. Administrative records also include data from prior Decennial Censuses and the American Community Survey (ACS). The Secretary has also directed the Census Bureau to obtain as many additional Federal and state administrative records as possible to provide more comprehensive information for the population. Additionally, the Census Bureau uses private sector data, where applicable.

31. Also, please discuss the contingency plans the Census Bureau has to ensure that traditionally undercounted populations, who may not have the same body or quality of administrative records and third-party data as other groups, are counted in the 2020 Census.

Throughout the decade, the Census Bureau has been planning and testing the use of administrative records for the identification of vacant housing units and the enumeration of occupied nonresponding households. Administrative records include data from the IRS, the Social Security Administration (SSA), Medicare and Medicaid, the Indian Health Service, and other data sources. Administrative records also include data from prior Decennial Censuses and the American Community Survey (ACS). Additionally, the Census Bureau uses state, local and private sector data for well-defined purposes, such as establishing census block boundaries and supporting address list compilation. The Secretary has also directed the Census Bureau to obtain as many additional Federal and state administrative records as possible to provide more comprehensive information for the population.

In the case of households that do not respond after our repeated efforts, the Census Bureau expects to be able to enumerate up to six million households in the 2020 Decennial Census entirely with federal administrative records. This will be done only when the Census Bureau has a high level of confidence that the federal administrative records are of high quality, can corroborate the information with other high-quality records, and when the information can be accurately applied to the addresses and persons in question. One type of household that could be enumerated using administrative records is that of an elderly couple who have lived at the same address for many years, who file their taxes regularly, and who have signed up for Medicare. Where it does not have high quality and high confidence in the data, such as when the data in the federal administrative records is inconsistent or missing, the household will become part of the Census Bureau's Nonresponse Follow-up operation (NRFU) for a direct follow up by census enumerators. Moreover, to ensure the success of the NRFU Operation, the Census Bureau intends to support this operation through the Integrated Partnerships and Communications Program to reach those who do not self-respond and cannot be enumerated through federal administrative records.

Integrated Partnership and Communications Program

Earlier this year, the Census Bureau paused crucial advertising and partnership campaigns. Civil rights advocacy organizations have warned that the Census Bureau's decision to pause this campaign and delay the publishing of a comprehensive communication plan will adversely affect public outreach efforts, particularly with respect

to the hard-to-count populations. Moreover, this could cause self-response rates to decrease and potentially lead to increased costs.

32. What is the status of the advertising and partnership campaign effort?

The Census Bureau's approach to developing the Partnership Program staff is driven by their past experience. The 2010 Census initially planned for a total of 680 partnership specialists. When it received funding from the American Reinvestment and Recovery Act they invested an additional \$120 million in the Partnership Program. This primarily was used to increase partnership specialists to 786, and to add an additional 1,750 partnership assistants. These additional staff were added late in the process, and looking back the Census Bureau felt that the partnership assistants, in particular, were not as effective as the more seasoned partnership specialists. For the 2020 Census, the Census Bureau has increased the number of partnership specialists planned to 1,000, which is a significant increase relative to the base funding for the 2010 Census. The Census Bureau believes that this will allow for a strong Partnership Program.

The 2020 Partnership Program began in 2015 with eight partnership specialists to support the 18 tribal consultations and 2016 Census Test. This is the earliest the Census Bureau has started the partnership program. The 2010 Census did not begin to hire partnership specialists until 2008. Currently, there are over 40 Partnership Specialists across the country. The staff are now working with tribal, state and local governments to form State Complete Count Commissions and Complete Count Committees. These are formal partnerships with tribal, state and local governments that the Census Bureau can leverage the local trusted voices and expertise to extend the partnership staff reach to the hard-to-count populations.

The Census Bureau plans to ramp up to 1,000 Partnership Specialists beginning in October 2018.

An extensive communications and advertising campaign will also be launched, as was done in the prior two decennials. The 2020 Census Integrated Communications plan can be found here: https://www.census.gov/programs-surveys/decennial-census/2020-census/planning-management/planning-docs/integrated_com_plan.html.

There were nearly 3,000 partnership specialists for the 2010 Census, however, the Census Bureau only plans to hire 1,000 partnership specialists for the 2020 Census. According to a 2010 GAO report, "[t]he Bureau better positioned itself to reach out to and enumerate HTC populations in 2010 in part by . . . significantly expand[ing] the partnership program by hiring about 2,800 partnership staff in 2010 compared to around 600 in 2000. As a result, staff were not spread as thin. Also, the number of languages they spoke increased from 35 in 2000 to 145 for the 2010 Census."²

² Government Accountability Office, *Key Efforts to Include Hard-to-Count Populations Went Generally as Planned; Improvements Could Make the Efforts More Effective for Next Census* (GAO-11-45 2010) (Dec. 2010).

33. What steps will the Census Bureau take to ensure that the 1,000 partnership specialists will be able to replicate the broad outreach to hard-to-count populations that the partnership specialists achieved in 2010?

See answer to Question #32.

34. What additional resources will be available to the decreased number of partnership specialists?

The Census Bureau will be working closely with its communications contractor, Young and Rubicam, and its sub-contractors, collectively referred to as Team Y&R (TYR), to develop materials and tools for the partnership specialists. This will be based on TYR's research, including the Census Barriers, Attitudes and Motivators Survey (CBAMS). CBAMS will inform the messaging and support materials that partnership specialists will use in their work. TYR will also be launching an extensive advertising campaign, including online and targeted advertising. The Census Bureau also has a robust database of existing partner organizations, and is developing a partnership engagement platform which will provide a wide range of toolkits and models that will support the program.

In the hearing, you testified that the draft communication plan had finally been released four days prior to the hearing—five months behind schedule.

35. When will the Census Bureau release its final comprehensive communications plans?

The Census Bureau released the initial version of the Communications Plan last Fall. It can be found here: https://www.census.gov/programs-surveys/decennial-census/2020-census/planning-management/planning-docs/integrated_com_plan.html. The next iteration of the Communications Plan will be completed in the summer of 2019.

36. What role, if any, do the partnership specialists have in drafting the communication plan?

Partnership specialists, and staff with extensive partnership program experience were consulted in the development of the initial draft of the plan. They will continue to be involved as the plan further develops.

37. How does the Census Bureau intend to reach a variety of audiences?

The Census Bureau is planning a robust communications and partnership program. It will advertise in multiple languages, and work with the trusted voices in communities across the nation. Digital media will allow Census to reach hard-to-count populations. Census partners include national organizations, churches and other faith-based organizations, health clinics, legal aid centers, and other support organizations. The Census Bureau also will provide support and response options, including Internet and telephone response options for 12 languages. All mail materials and paper questionnaires will be in both English and Spanish. In addition, Census enumerators will provide support in multiple languages.

38. How will the Census Bureau engage with state and local officials to promote and encourage self-response efforts?

State and local governments play a key partnership role in educating and motivating residents to participate in the 2020 Census. When community members are informed they are more likely to respond to the census. Evaluations of the last two decennial census communications programs show a direct correlation between increased awareness and increased census participation. State and local officials are key to increasing awareness by engaging with their constituents about the importance of responding to the census. The Census Bureau has been meeting with state and local governments to discuss forming Complete Count Committees, which were instrumental in the success of the 2000 and 2010 Censuses. Complete Count Committees are comprised of a broad spectrum of government and community leaders from education, business, healthcare and other community organizations. These state and local trusted voices develop and implement 2020 Census awareness campaigns in coordination with the Census Bureau.

Census High Risks Status: Open GAO Recommendations

In February, GAO placed the 2020 Census on the 2017 High Risk List because the cost of the census has been escalating for the last few decades. The 2010 Census cost approximately \$12.3 billion, and resulted in several billion dollars in cost overruns. GAO has made 84 recommendations in 23 reports to the Department of Commerce and the Census Bureau regarding 2020 Census preparations. Though the Census Bureau agreed with these recommendations, to date, it has not implemented 36 of these recommendations.

39. When will the Census Bureau implement these recommendations?

2020 Census GAO Recommendations

Topics	Total Recommendations	Closed Recommendations	Open Recommendations	Recommendations with Action Plan Due Date in Future
Life Cycle Cost Estimate	14	10	4	-
Schedule	12	6	6	-
IT & IT Security	23	18	5	-
Field Training, Workforce & Recruitment/Integrated	18	5	13	4
Partnership and Communications	17	14	3	-
Other*	17	14	3	-
TOTAL	84	53	31	4

*Other includes the following topics: Project Management, Oversight, United States Postal Service, Nonresponse Follow-up, Address Canvassing, and Census Coverage Measurement.

GAO has made 84 recommendations since 2007 about the 2020 Census. Action plans are in place for all recommendations.

- 53 Have been closed by GAO.
- 4 Have due dates in the future (4 in 2018).
- 14 Relate to ongoing audits on the Lifecycle Cost Estimate, the Schedule and our efforts to enumerate Hard-to-Count populations. GAO will not close these until the ongoing audits are complete.
- 12 Artifacts have been provided to GAO, and we are working with GAO to identify the additional documentation they need to close these out. We expect progress on these in the near future.
- 1 This recommendation GAO is likely to close as "Not Fully Implemented" because, while artifacts have been provided, discussions with GAO clearly indicate our efforts to date, or planned, will not fulfill the recommendation.

40. How will the Census Bureau work with GAO to make sure that the remaining recommendations are implemented before Census Day 2020?

The Census Bureau's 2020 Census communications staff meets with GAO weekly to review the status of open recommendations and the progress being made to address them. The 2020 Executive leadership meets with GAO bi-weekly to address ongoing audits and issues of concern to both the Census Bureau and GAO. Open recommendations are periodically addressed in this meeting as well. Ron Jarmin and Enrique Lamas, performing the non-exclusive duties of the Director and Deputy Director respectively, meet with GAO regularly as well. Additionally, Under Secretary Kelley closely monitors the Census Bureau's work to address all GAO recommendations, and she updates me regularly on the progress the Census Bureau is making to address them.

From Senator Kamala Harris

Sexual Orientation and Gender Identity

On May 22, Sen. Carper and I sent a letter asking for information about why the Census Bureau decided not to include a question about sexual orientation or gender identity.

41. What is the status of the response to that letter?

A response to your letter was transmitted via email on Thursday, February 22, 2018, and a hard copy was hand delivered to your office on Friday, February 23, 2018.

42. You stated on October 12 before the House Oversight and Government Reform Committee that a question area around sexual orientation and gender identity would not be included on the 2020 Census because “it was concluded that that particular set of questions did not meet the requirements for being put in.” How specifically did this question area not meet the requirements to be included?

Federal agencies routinely request additional questions to be considered in the American Community Survey (ACS), and Census considers them pursuant to a longstanding process that involves the Office of Management and Budget (OMB). The Census Bureau received requests from the Department of Justice (DOJ), Environmental Protection Agency (EPA), the Department of Housing and Urban Development (HUD), and the Department of Health and Human Services (HHS) to consider a new question in the 2020 ACS that would collect sexual orientation and gender identity (SOGI) data. The Census Bureau and the Department evaluated the requests, working with the requesting agencies and OMB.

On March 7, 2017, DOJ withdrew its SOGI data request before the Department completed its analysis of the need for the content and the Census Bureau concluded that there was no independent basis to alter or amend the current content.

43. You also said that, “one of the problems with adding questions is it reduces response rates.” However, the Federal Interagency Working Group on Improving Measurement of Sexual Orientation and Gender Identity in Federal Surveys found that “most surveys incorporating SOGI (sexual orientation and gender identity) items have not found higher nonresponse rates than other ‘sensitive’ questions, such as personal or household income.” Please provide the data related to sexual orientation and gender identity on which your statement is based.

It is our understanding that the statement by the Federal Interagency Working Group has been quoted out of context. That statement does not reflect the views of the Census Bureau, and it was not used by the Census Bureau as the basis in making policy decisions.

As previously explained, following the Department of Justice's decision to withdraw its SOGI data request, the Census Bureau concluded that the topics to be included in the 2020 Census and the ACS should be unchanged from the 2010 Census. The proposal, which was delivered to the Congress on March 28, 2017, did not include sexual orientation or gender identity.

Partnership Program

During the hearing you testified that the Census will be hiring 1,000 partnership specialists. You noted that the Census hired “some fairly junior people” to support partnership specialists in 2010, and indicated that a decision has been made “to instead increase qualified people from 800 to 1,000” for 2020 efforts.

44. Please provide me with the metrics the Census Bureau used to determine the current workforce modeling for partnership program staff, including position descriptions, and

any cost benefit analysis and comparison related to a reduction in the partnership positions hired in 2010.

The Census Bureau's approach to developing the Partnership Program staff is driven by past experience. In the 2010 Census it initially planned for a total of 680 partnership specialists. Additional funding received in FY2009 allowed the Census Bureau to invest an additional \$120 million in the Partnership Program. This primarily was used to increase partnership specialists to 786, and to add an additional 1,750 partnership assistants. These staff were added late in the process, and looking back the Census Bureau felt that the partnership assistants, in particular, ~~were not~~ as effective as the more seasoned partnership specialists. For the 2020 Census, the Census Bureau has increased the number of partnership specialists to 1,000, which is a significant increase relative to the base funding for the 2010 Census. The Census Bureau believes that this will allow for a strong Partnership Program. The position descriptions you requested are attached.

2020 Census Advisory Committee

The previous Census Director was moving forward with the creation of a 2020 Census Advisory Committee to ensure stronger partnerships with stakeholders, greater transparency, and greater accountability. This effort stopped under this Administration.

45. Please explain why.

The Census Bureau believes that it can successfully accomplish the goals of reviewing and evaluating 2020 Census operations and programs (i.e. partnerships), and receive timely recommendations through the existing Census-focused advisory committees: the Census Bureau National Advisory Committee on Racial, Ethnic, and Other Populations and the Bureau of the Census Scientific Advisory Committee.

Combined Hispanic Origin and Ethnicity Question

The previous Census questionnaire had one question about whether the respondent was of Hispanic origin and another question about race. Following thorough testing, the Census has been moving forward to combine these questions to increase Latino response rates and ensure a more accurate count.

46. Is this still the case and is the Census still waiting on OMB review? If so, when does the Census expect an OMB determination?

On January 26, 2018, the Census Bureau announced the 2020 Census Program decision to continue to use the two separate question format for collecting data on race and ethnicity in the 2018 End-to-End Census Test and the 2020 Census.

The Census Bureau adheres to the Office of Management and Budget's *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, last revised in 1997, providing a minimum standard for maintaining, collecting, and presenting data on race and

ethnicity for all Federal reporting purposes. (<https://www.gpo.gov/fdsys/pkg/FR-1997-10-30/pdf/97-28653.pdf>)

47. During the FAQ portion of the last 2020 Census Quarterly Program Management Review, a Census Bureau representative said, while responding to a question, that if the Office of Budget and Management (OMB) did not approve the combined Hispanic Origin-Ethnicity question, that the 2020 Census Bureau would default to having two questions, as was done in during the 2010 Census. After the extensive testing that the Census Bureau has done on combining these two questions, why would the 2020 Census default to separate questions absent an adverse position or statement from OMB?

The Census Bureau adheres to the Office of Management and Budget's *Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*, last revised in 1997, providing a minimum standard for maintaining, collecting, and presenting data on race and ethnicity for all Federal reporting purposes. In keeping with these standards, the planned race and ethnicity questions for the 2020 Census will follow a two-question format for capturing race and ethnicity for both the 2018 End-to-End Census Test and the 2020 Census.

A similar question was raised at the January 2018 Program Management Review (<https://www.census.gov/programs-surveys/decennial-census/2020-census/planning-management/program-briefings/2018-01-26-pmr.html>).

Census Bureau Staffing

48. How many unfilled positions are at the Census Bureau?

There are approximately 600 appropriated vacant positions at the Census Bureau. We are working to fill these vacancies as quickly as possible and expect all vacancies to be filled prior to the 2020 Census.

49. What is the timeline for filling these positions?

The Census Bureau is prioritizing vacancies for the 2020 Census in line with the needs of the program, and they are working to fill the high priority positions as soon as possible. It also maintains continuous postings on USAJOBS for Survey Statisticians, Program Managers and IT Specialists, the most important positions for the 2020 Census Program, which helps with this process. We are seeking to fill all of the positions allocated to the 2020 Program by the end of FY 2019 so that the program will be fully staffed for the 2020 Census.

50. We have a tighter labor market than we did the last time the Census was done, what are the plans to recruit and hire the roughly 500,000 temporary workers for 2020?

a. How will the census ensure that they have a diverse and culturally competent workforce?

The Census Bureau will rely on innovative approaches and time-proven techniques to attract a skilled and diverse workforce throughout the nation.

An important consideration to recruiting is establishing a competitive and attractive pay rate. Through ongoing work with labor economists at the Census Bureau's Center for Economic Studies using wage data from the Bureau of Labor Statistics, the Census Bureau is developing a variable pay structure that reflects the local labor market in counties across the United States. It is also incorporating a strategy to quickly adjust pay rates, including considering increasing pay rates, to ensure that pay does not become an impediment to recruiting workers.

In addition, the Census Bureau is making it simpler for applicants to apply for jobs. Unlike the 2010 Census—where applicants completed onerous paper applications and took proctored tests in a classroom-like setting—the Census Bureau is using an online application and assessment system for the 2020 Census. Those interested can apply at their convenience.

Similarly, the Census Bureau is planning to promote the availability of Census jobs through a variety of means, including traditional advertising and social media. It also plans to engage partners and their established networks to communicate job opportunities. This will help the Census Bureau reach applicants from groups with special required competencies, including language skills and experience working with hard-to-count populations and groups, such as students, veterans, and seniors.

Fundamental to the recruiting and hiring effort will be an effort to “hire locally.” The Census Bureau wants Census takers to be familiar with the neighborhoods where they work and it wants the people living in those neighborhoods to be comfortable with the person that comes to their door. To enhance its ability to hire locally and to meet its recruiting targets, the Census Bureau will incorporate technology into its recruiting efforts for the 2020 Census. Automated tools will help closely monitoring recruiting at very small geographic levels. In late 2019 and early 2020, thousands of recruiting staff across the Nation will use mobile devices to assess and respond to any local recruiting challenges in their communities.

Communications Efforts

An effective communications plan is critical to ensure an accurate census through reaching hard-to-count populations such as African-Americans, Latinos, Asian-Americans, Native-Americans, and those in rural areas.

51. In 2010, much of the communications budget was dedicated to hard-to-count populations. What portion of your communications budget will go to these efforts?

The goal of the IPC is to reach everyone and encourage them to self-respond (see pages 22-24 of the 2020 Census Integrated Communications plan which can be found here: https://www.census.gov/programs-surveys/decennial-census/2020-census/planning-management/planning-docs/integrated_com_plan.html). The Census Bureau is currently revising its lifecycle budget to be in line with the increase in funds allocated to the communications contract. While the lifecycle budget will include an estimated amount for paid media in general, it will not contain details around allocations to specific media channels (tv, radio, print, digital) or for specific audiences, including those considered hard-to-count. This

level of detail is dependent upon research currently in progress, predictive modeling, and segmentation. These inputs will help define the target audiences on which we will focus, and the audiences will drive the media channels that will be used. The Census Bureau does not anticipate having this level of detail until later in FY19.

52. Minority and rural communities have less access to affordable broadband Internet connectivity, but have higher rates of participation on social media- particularly among millennials of color. How much of the communications budget will be focused on digital communications and is there a plan to reach these groups in particular?

See answer to question #51.

53. Using ethnic and local media is critical to reaching minority communities. How much of your budget will be focused on this area?

See answer to question #51.

54. Will you commit to providing me a detailed communications plan for hard-to-count populations within the next month?

The 2020 Census Integrated Communications Plan can be found here:
https://www.census.gov/programs-surveys/decennial-census/2020-census/planning-management/planning-docs/integrated_com_plan.html.

Cybersecurity

The Census involves collecting personal information from hundreds of millions of Americans. In order to get an accurate census, respondents need reasonable assurances that the information they submit will not be accessed through illegal intrusions. Studies by the GAO in August and November 2016 highlighted a number of cybersecurity challenges associated with the upcoming Census, including properly handling millions of web responses and hundreds of thousands of mobile devices. More recent work by the GAO warned that the Census Bureau is still building the IT systems that will be used for the 2020 Census, which is just 30 months from now.

55. What steps is the Census Bureau taking to address the legitimate concerns that the GAO has raised, and will those steps be implemented and validated in the 2018 End-to-End Test?

Cybersecurity is a paramount concern for the Census Bureau. The Census Bureau has protected personal information for previous decennial censuses and although data collection using an Internet Response mechanism is new, the Bureau is taking several steps to protect the information collected. The Census Bureau intentionally designed publicly facing systems, such as the Internet Self Response website, with many layers and levels of isolation to isolate data and systems from each other in the infrastructure, with monitoring that enables the Census Bureau to respond immediately to contain an issue if and when a threat is identified or detected. The

Census Bureau's approach has specific steps to detect and contain an issue before it becomes a breach. The Census Bureau's publicly facing systems for Internet Self Response have been tested by independent contractors and reviewed by our federal intelligence partners and no weaknesses have been identified. DHS conducted systems testing in February 2018 to further test portions of the Census Bureau's publicly facing systems and also found no significant issues. The Census Bureau's non-publicly facing systems are within data centers and cloud-provided infrastructure already secured through strict network and access controls (firewalls, routers, security software etc.) and continuously managed and maintained through the Federal Authority to Operate process ensure their security.

For additional information, please see the attached slides.

56. How many Census Bureau employees and contractors are working full-time on cybersecurity for the 2020 Census?

The Census Bureau's OIS has approximately eight government full-time employees (FTEs) and 39 support contractors working full time on cybersecurity for the 2020 Census.

In addition, the 2020 Census Program Technical Contract will have a total of 68 FTEs in the cybersecurity organization. Here is the breakdown based on the different groups.

Team	Filled	Open	Total
Security Operations Center (SOC)/Active Cyber Defense (ACD)	13	11	24
Security Engineering and Architecture	10	5	15
Risk Management (RMF) and Compliance	17	4	21
Security Testing	2	0	2
Governance and Management	5	1	6
Total	47	21	68

57. Which executive on your management team is responsible for the cybersecurity aspects of the Census data collection?

Rod Turk, the Acting Chief Information Officer (CIO) at the Department of Commerce, is responsible for the cybersecurity portion of the Census Bureau's data collection activities. Mr. Turk has years of experience in this field; prior to being named Acting CIO, he was the Chief Information Security Officer (CISO) and Deputy Chief Information Officer, responsible for the Department's compliance with the Federal Information Security Management Act (FISMA) and implementation of IT security best practices. Before his tenure at the Department of Commerce, he was the Associate Chief Information Officer for Cybersecurity at the Department of Energy.

58. Please provide auditing plans for every system that will handle personal information for the 2020 Census?

The Census Bureau takes the integrity of data and systems seriously. It has implemented checks on its database schemas, service bus, applications, etc., that would trigger events indicating data inconsistencies in relation to the responses. It also has these checks at various levels, such as client side, middleware, and backend components and is ensuring compliance with the Risk Management Framework with the objective of data integrity in relation to response data. Security scans are run regularly on all appropriate components of our systems. Additionally, the Census Bureau is implementing a fraudulent response detection system and operation center.

Audits of all information systems follow the Census Bureau ITSP policy, which is in alignment with the NIST 800-37 Risk Management Framework and is performed through continuous monitoring to ensure that appropriate security controls are being followed during system production operations. Security controls include areas such as ensuring systems have up to date configurations including, "patching," and are addressing known vulnerabilities.

59. Has the Census Bureau implemented a vulnerability reporting policy or a "bug bounty" program to enable independent security testing of the Bureau's systems?

The Census Bureau is in the process of identifying the requirements necessary to implement a "bug bounty" system. It is working closely with OMB in this process. OMB recently collaborated with the Department of Defense to establish the appropriate procedures for implementing this approach in the Federal Government, and DOD is advising the Census Bureau as it explores the options for adapting this approach to the 2020 Census Program.

From Senator Maggie Hassan

60. At the Committee's hearing on October 31st, you stated that you had no knowledge of any transactions Paul Manafort made through the Bank of Cyprus. A few days later on November 3rd, Bloomberg reported Mr. Manafort and his associate Rick Gates had at least 15 accounts with the Bank of Cyprus and a bank it acquired in 2013, the Cyprus Popular Bank. This information was provided by the Government of Cyprus in response to a June 7th request from investigators in the Office of Special Counsel Robert Mueller. Can you confirm that during your time as Vice Chairman of the Bank of Cyprus from September 2014 to March 2017 you were unaware of Mr. Manafort's transactions with the Bank?

As I stated during the hearing, I was not aware of any of Mr. Manafort's transactions with the Bank of Cyprus.

61. Several Democratic Senators wrote you various letters earlier this year regarding your involvement in the Bank of Cyprus, including possible ties to Russian investors and executives in the bank. Do you plan on providing timely written responses to these letters?

I have answered questions regarding my involvement in the Bank of Cyprus on multiple occasions. As I have previously stated, the Russians who invested in the Bank of Cyprus were

not my partners. The Bank of Cyprus is a publicly traded company listed on the London Stock Exchange. I had never had dealings with any of them prior to my investment in the Bank.

From Senator Heitkamp

62. In the 2010 census, on reservation American Indians were undercounted by 4.88%. This is after experiencing an over-count of 0.88% in the 2000 census. In preparation for 2020, former Director Thompson took steps to ensure accurate counts in Indian Country. This work was set to culminate with the 2017 tests at the Standing Rock Reservation and the Colville Indian Reservation and Off-Reservation Trust Land, which were cancelled for budgetary reasons. These tests would have examined the promoted tribal enrolment and self-identification questions, as well as the systems for the Update Enumerate operation.

a. The final questions that will appear on the 2020 Census are due to Congress in less than six months. How can you be sure that any new language utilized on census forms will not do more harm than good without substantial testing?

For the 2020 Census, the response category for American Indian or Alaska Native will not change. The only difference for 2020 is that the Census Bureau will list examples of tribes that can be entered on the questionnaire. The addition of examples and the wording of the question has been tested throughout the decade, including in the 2015 National Content Test.

In response to findings from the 2007 American Indian and Alaska Native Tribal Consultations and a 2014 request from the Department of Housing and Urban Development (which was subsequently rescinded), the Census Bureau explored the feasibility of collecting data on tribal enrollment in a Census environment. The Census Bureau received valuable input from the tribes at the tribal consultations both in favor and against collecting tribal enrollment data. However, a large majority of the tribes opposed the use of collecting tribal enrollment data and stated it was not the responsibility of the Federal Government. Some tribes expressed concern that collecting this information would tread on their tribal sovereignty.

During the 2016 National Congress of American Indian's (NCAI) midyear conference in Spokane, Washington, NCAI released a resolution opposing the use of a question on tribal enrollment in the 2020 Census or in the American Community Survey. Before it ended the 2020 Census tribal consultation meetings, the Census Bureau decided not to add a tribal enrollment question to the 2020 Census or in the American Community Survey, and this was conveyed during a few of the last meetings conducted in 2016.

Accordingly, there will be no changes to the language concerning response options available to the American Indian Alaskan Native populations.

b. As stated above, not only would these Indian country tests examine language choices, but they would have provided a useful opportunity to practice enumerating hard to count populations with unique characteristics. The Census' own materials recognize the lack of reliable Internet connectivity in Indian country. Now however, the ability to encounter and trouble shoot this issue is gone. What is the Census Bureau's plan to combat this

technological challenge, and will the provided alternative be tested before being put into the field in 2020?

The Census Bureau announced on July 1, 2015, that it would seek input from tribal leaders for the 2020 Census. The Census Bureau conducted 18 tribal consultation meetings that started two years earlier than those conducted for the 2010 Census. These meetings requested input on topics like geography, data collection operations, and tribal enrollment. Connectivity issues were discussed in these meetings, and the Census Bureau continues to explore ways to ensure that it has measures in place to address them. This includes opening up tribal offices, schools, and health facilities, all of which have designated computer areas with strong Internet connectivity that will allow for self-response, as well as working with designated tribal government liaisons. The Census Bureau also plans to partner with federal agencies, such as the Bureau of Indian Affairs and the Indian Health Service, to have a designated computer available to assist tribal citizens in filling out their questionnaire during their visits to those agency facilities.

However, it is important to stress that the Census Bureau works with officials from each tribe to implement the operation best suited to their situations, as it has done in previous censuses. In many cases, the Census Bureau will use the Update Leave Operation as it will do in rural areas across the country. Census questionnaires will be delivered directly to households in this operation, while the address list is checked and updated in the process. Households that do not respond will be included in the NRFU Operation. In other areas an Update Enumerate Operation will be used during which each household is interviewed directly.

The Census Bureau is sensitive to the fact that many households being contacted and encouraged to respond via mail do not have good Internet connectivity. Those households will receive a paper questionnaire on the first mailing. All nonresponding households will receive a paper questionnaire on the fourth mailing as well.

63. The public's general distrust of the government worries me. When the federal government's historic mistreatment of American Indians is taken into account, it is no wonder that Indian country suffers from undercounts. A program promoted during the Tribal Consultations was the Tribal Government Liaison. The Census Bureau has recognized that this position had been vital and has encouraged all tribal governments to designate a liaison to serve as a representative. In light of cost overruns and underfunding, will these liaisons remain a Census Bureau priority? What steps are being taken to effectively support these positions?

The tribal government liaison program will be continued for the 2020 Census and was promoted during the tribal consultation meetings in 2015/2016. Each region is conducting one-on-one meetings with the tribal leaders to update them on the 2020 Census, and how they can help with recruiting and other field operation programs, discussing tribal geography programs, discussing setting up a Tribal Complete Count Committee, and requesting that a tribal liaison be selected. If a tribal liaison is not identified by July 1, 2018, a letter will be sent by the regional director.

64. In your statements during the hearing, you noted the efforts of the Census Bureau to work in partnership with the United States Postal Service to improve response rates during the 2020 Census. Considering that postal carriers are members of the communities in which they work, and are not perceived through the same lens of most government employees, this is a novel concept worthy of consideration. However, there are many obstacles that must be overcome prior to moving forward with such a complex plan.

a. This would require considerable coordination and cooperation between the Census Bureau, the United States Postal Service, employee unions and the Office of Personnel Management. What types of actions are currently under way to assess the feasibility of such a program?

The Census Bureau and the U.S. Postal Service (USPS) already have established a partnership and have been actively working together to explore ways to increase efficiency. For example, there is the USPS-Census Bureau enterprise partnership that was established in November of 2016.

The USPS-Census Bureau enterprise partnership currently benefits from a permanent institutional structure and governance processes to ensure that it functions as a source of ongoing coordination and cooperation for both organizations. A central Coordination Team that is staffed by USPS and Census Bureau employees and contractors has been established for the key partnership. This Coordination Team is tasked with implementing and monitoring the new institutional structure and governance to ensure ongoing collaboration. In addition to the Coordination Team, five subject-matter themed Working Groups, co-chaired by Postal Service and Census Bureau staff, are regularly meeting and serving as permanent, visible forums for communication.

The Census Bureau looked into the feasibility of using postal carriers to assist with 2020 Census enumeration. The Bureau and DOC have requested a dual employment waiver from OPM in preparation for the 2020 Census. This waiver would allow current or retired USPS employees to perform work for the Census Bureau. In addition, we also worked with USPS to assess the feasibility of a pilot test of Postal Carriers as Census Enumerators, but there are legal obstacles that make this untenable at this time.

Title 13, United States Code, (Title 13) requires the Census Bureau to keep confidential all information collected from or on behalf of respondents. Specifically, 13 U.S.C. § 8(b) provides that the Secretary may only release statistical materials which “do not disclose the information reported by or on behalf of any particular respondent.” Under 13 U.S.C. § 9, no official or employee of the Department of Commerce (“Department”) may: (1) use the information furnished under the provision of Title 13 for any purpose other than the statistical purposes for which it is supplied; (2) make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or (3) permit anyone other than the sworn officers or employees of the Department or (or its bureaus and agencies) to examine the individual reports. Section 9 further states that census information is immune from legal process. 13 U.S.C. § 9(a). Finally, Title 13 provides that the information collected may not be used to the

detriment of any respondent or other person to whom such information relates, except in the prosecution of alleged violations of Title 13. 13 U.S.C. § 8(c).

In *Baldrige v. Shapiro*,³ the United States Supreme Court directly addressed the confidentiality provisions of Title 13. The Court held that respondent names and addresses, from whatever source obtained or compiled, are part of the raw census data intended by Congress to be protected from disclosure under Title 13.⁴ The Court also found that information not commonly considered to be traditional “responses,” such as vacancy status, are also confidential.⁵ The Court also held that the Census Bureau has no discretion to decide whether to disclose confidential data.⁶ Rather, data becomes confidential at collection by operation of law.⁷ If the Census Bureau acquires information from or on behalf of a respondent and makes that information available to an individual that is not sworn to uphold the confidentiality provisions of Title 13, such as a U.S. Postal worker, then that release is a wrongful disclosure under 13 U.S.C. § 214. Violations of 13 U.S.C. § 214 are punishable by criminal fine and imprisonment. In order to participate in the collection of data under Title 13, an individual must be either a Census Bureau employee or a temporary employee with Special Sworn Status (“SSS”). Specifically, 13 U.S.C. § 23(c) states:

The Secretary may utilize temporary staff, including employees of Federal, State, or local agencies or instrumentalities or employees of private organizations to assist the Bureau in performing the work authorized by this title, *but only if such temporary staff is sworn to observe the limitations imposed by section 9 of this title.* (Emphasis added).

Therefore, the Census Bureau can only engage postal carriers to assist the Census Bureau in conducting the End-to End test authorized by Title 13 if those postal carriers obtain SSS pursuant to 13 U.S.C. § 23(c). To do so, the postal carriers must take an oath of nondisclosure to protect the information they collect and to comply with the requirements set forth in Title 13.

While USPS did not object to the concept of participating postal carriers obtaining SSS, it became clear during the course of the Census Bureau’s discussions with USPS that its carriers would be unable to comply with that oath. USPS advised that participating postal carriers would remain USPS employees and therefore be required to comply with all USPS policies, even when the carriers were conducting enumeration activities for the Secretary of Commerce under Title 13. We understand that these USPS policies, which may be incorporated into USPS collective bargaining agreements, would require postal carriers to disclose name, address, and other information about census respondents in instances and for purposes determined by USPS, including law enforcement. These uses would be non-statistical and would advance activities unrelated to Title 13 and would therefore violate Title 13. The Department defers to USPS to provide any additional information about the specific policies at issue.

³ 455 U.S. 345 (1982).

⁴ *Id.* at 355.

⁵ *Id.* at 349.

⁶ *Id.* at 355.

⁷ 13 U.S.C. § 9.

Nonetheless, the Census Bureau and USPS are actively partnering in a number of ways to save money and increase efficiency as part of the 2018 End-to-End Census Test and 2020 Census. This includes:

1. Delivery of the USPS Delivery Sequence File to the Census Bureau, which adds 500,000 new addresses to the Census address list each year.
2. Delivery of the USPS "Undeliverable as Addressed" file to the Census Bureau, which allows questionnaires addressed to these undeliverable residences to be removed from the Nonresponse Followup workload.
3. Exploration of the installation of Internet kiosks within Post Office retail spaces to enable self-response.
4. Exploration of the use of the USPS Informed Delivery technology to increase and accelerate Internet self-response.
5. Installation of census messaging and advertisements within Post Office retail spaces.
6. Automation of census mail tracking through use of the USPS Informed Visibility technology.

b. Census field workers are, by nature, temporary employees of the federal government. Thus, their compensation and workplace protections are not commensurate with those of vested federal employees. What feedback have you received from the employee unions regarding expectations of carriers, as well as willingness of members, to sign up to take on these additional responsibilities?

Early USPS management conversations with leadership from the National Letter Carriers Association and National Rural Letter Carriers Association indicated that there will be significant interest from their members in volunteering for this Census work. The Census Bureau is open to hiring them as census enumerators as it has in the past. However, the Census Bureau is no longer exploring a pilot test of the feasibility of having postal carriers work as census enumerators in their capacity as USPS employees because there are legal obstacles that make this untenable at this time.

c. While I see a pathway for success in communities with door-to-door service, I am curious how much help such a plan would provide in areas where door-to-door service does not exist – such as on rural routes -- and where postal workers would have less direct interaction with people. Why does the Census Bureau believe a partnership with the Postal Service in such areas will improve non-response follow up? In these areas, will it make a difference if the person employed by the Census Bureau is a postal worker?

The Census Bureau always tries to hire people familiar with the areas where they are conducting field activities. In many areas, even where door-to-door service does not exist, retired postal workers can be very helpful.

d. The 2018 End-to-End test's address canvassing has already been completed, and the only testing remaining will take place in Rhode Island. How will you be able to test this proposition in a rural setting before 2020?

As mentioned above in question 12, the 2018 End-to-End Census Test began in August 2017 in Pierce County, Washington; Providence County, Rhode Island; and the Bluefield-Beckley-Oak Hill, West Virginia area with the implementation of an address canvassing operation. Address canvassing allowed the Census Bureau to test systems in areas without internet connectivity and hone the critical address list development operations in a wide range of geographical situations, including rural areas. The Census Bureau will continue to develop and conduct small scale testing of systems to ensure they function effectively in rural areas.

e. The option of outreach to retired postal employees was also discussed. Again, such an effort would require significant preparation. Ensuring the annuity offset rule is waived, was mentioned by Mr. Dodaro during the hearing is an impediment to this plan. While this is just one example, what other burdens would need to be addressed in order to ensure that retired carriers are not subject to potentially punitive measures?

The Census Bureau will engage with USPS human resource staff to identify what potentially punitive measures would need to be mitigated as part of an effort to recruit USPS retired annuitants as census enumerators.

From Senator Rand Paul

65. Secretary Ross, in March 2017, I wrote to you in support of the proposed changes to Rule 13(f) of the Residence Rules and Residence Situations that was originally published on June 30, 2016. As you are aware, Rule 13(f) would count deployed services members "at the U.S. residence where they live and sleep most of the time."

This rule change is very important to my constituents that live in the region surrounding Fort Campbell, Kentucky, and other military bases that have large amounts of deployable service members.

My constituents understand this first hand because starting in late 2009 and continuing through 2010, members of the 1st, 2nd, 3rd, and 4th Brigade Combat Teams of the 101st, the 101st Sustainment Brigade, the 159th and 101st Combat Aviation Brigades were all deployed to sustain the military "surge" in Afghanistan. It is estimated that at least 10,000 service members were deployed at the collection time of the 2010 Census. Those service members then returned to Fort Campbell at the end of their deployment, yet we counted in other regions of the country.

Will you be issuing the final rule and implement the proposed changes to Rule 13(f) of the "2020 Residence Rules and Residence Situations" as drafted?

Will you commit to having the rule finalized by Jan. 2018?

The Census Final 2020 Census Residency Criteria and Residence Situations Notice published on February 8, 2018 (83 R.F. 5525, <https://www.gpo.gov/fdsys/pkg/FR-2018-02-08/pdf/2018-02370.pdf>). Military personnel deployed overseas will be counted where they were living before they deployed.

From Senator Gary C. Peters

Census Bureau Funding

66. Secretary Ross: A few weeks ago, you told the House Oversight & Government Reform Committee that you now estimate that the decennial effort will cost \$15.6 billion — \$3.3 billion more than earlier estimates of the lifecycle cost by the Census Bureau. From my understanding, you have the ability to reprogram funding from other agencies in the Department of Commerce for the Census Bureau. Can you tell me where you plan that increase in funding to come from? Will it be reprogrammed within the Commerce Department budget from other agencies or will it come from Congress?

The additional funding requested and needed to support the 2020 Census in FY 2018 came from a mixture of offsets to other Commerce Department agencies and through the regular process of preparing the President's Budget. The Department's request for an adjustment to the FY 2018 President's Budget of \$187 million will provide funding particularly for large technology contracts that the Census Bureau needs this fiscal year to maintain critical path activities this year, all of which is offset by proposed reductions within the Commerce Department. The FY 2018 Omnibus P.L. 115-141 that was passed March 23, 2018 provides the funding that the Census Bureau needs for the 2020 Census. The report language accompanying the Omnibus describes the intended uses for this funding. To ensure that the Census Bureau has the necessary resources to immediately address any issues discovered during the 2018 End-to-End Census test and to provide a smoother transition between FY 2018 and FY 2019, the agreement provides half of the amount needed for those two years and includes the \$50 million contingency requested by the Secretary in FY 2018.

Cybersecurity and Information Protection

67. Secretary Ross: Over the last several years, we have seen an unprecedented level of cyberattacks and compromises targeting the nation's critical infrastructure, federal networks, and private companies. And because this is the first decennial census where the Internet will be leveraged on a large scale for the self-response option, ensuring adequate cybersecurity is of paramount importance. The 2016 Australian census, which was largely conducted online, experienced major denial-of-service attacks targeting the online form and was made unavailable for over 40 hours. If a similarly, highly-coordinated attack was perpetrated against our 2020 Census, it could have wide-ranging disrupting effects, not the least of which include the legal and constitutional deadlines associated with the Census. With the Bureau expecting to receive tens of millions of online responses beginning in just a

few days, can you tell me how the Bureau plans to ensure an uninterrupted Internet response period?

The Census Bureau has been in close contact with IT and program managers in Australia, Canada, and other countries that have moved to Internet Self-Response for their censuses and surveys. It has gained valuable information about the issues they faced, which included public concerns about privacy and phishing, and the problems they had to overcome, including denial of service attacks. Census also learned a great deal from the solutions they developed, particularly in Australia. The Census Bureau's IT experts are working closely with other federal government experts and private sector experts to ensure that the Internet Self-Response system is as resilient as possible to prolonged outages. Census is testing the self-response platform in numerous ways, including during the 2018 End-to-End test in Providence County, Rhode Island. It is performing load tests based on demand models on the self-response platform. It also is implementing enough redundancy to ensure continuity of operations (for example, every cluster of hardware in the system is duplicated and placed in different locations, and AWS maintains two data centers). The Census Bureau also has contingency plans in place should a prolonged outage occur including expanding NRFU or directing more responses to Census Questionnaire Assistance. If the Internet Self-Response platform becomes unavailable for a prolonged period, Census can add up to six surge call centers to allow for additional telephone response, and the paper data capture centers also can add shifts to process more paper questionnaires. Additionally, the Census Bureau can increase the staff conducting interviews during the nonresponse follow-up operation, and the operation itself can be extended to absorb a greater workload.

Local Offices

68. Secretary Ross: It is my understanding that the Census Bureau may not be opening as many local census offices for the 2020 Census as it has done historically for previous decennial censuses. Can you tell me the Census Bureau's plan for opening local census offices in Michigan and across the country for the 2020 Census? How many do you plan to open?

The Census Bureau will open an Area Census Office in Detroit and four additional ones in Michigan to support data collection and outreach efforts for the 2020 Census. Similar to the 2010 Census, these offices will be the primary management centers for most field data collection activities on the 2020 Census. The efficiencies gained with automation and the reduction in paper-based activities will allow us to reduce our footprint to support the work of census enumerators. The Census Bureau still plans to hire staff locally and in sufficient numbers to ensure it counts everyone.

Detroit Regional Office

69. Secretary Ross: After the 2010 Census, the Census Bureau closed its Detroit Regional Office, which played a critical role in improving participation in censuses and surveys, especially in some of historically undercounted populations that we have in southeast Michigan. However, I am concerned that with the closure of the Detroit office, many of these successful census partnership programs will cease and there will be an undercount in

communities in Southeast Michigan and across Michigan. Can you tell me how you plan to build-up a presence in states like Michigan that have reduced offices to ensure a full and accurate count?

The Census Bureau will open and operate an Area Census Office in Detroit. Regional offices serve primarily as administrative centers for the local offices that conduct data collection. Just as it will in cities across the nation, operational support and oversight of field data collection and outreach activities in Detroit will continue to come from local staff. With respect to operational oversight, the Census Bureau will adopt the same approach to managing staff as it has done in the past. Census enumerators will work in the neighborhoods where they live and are familiar with, providing a critical element of local knowledge that increases cooperation and response. The direct supervision of these enumerators is administered by Field Supervisors who also live in these communities and work from home. These supervisors will report to managers located in the five offices located throughout Michigan, which will report to the Regional Census Center located in Chicago, IL.

The Census Bureau has begun its outreach efforts earlier in the decade. For the 2020 Census, the Census Bureau began hiring partnership staff in Fiscal Year 2016—a full year earlier than it did for the 2010 Census. These staff have already begun engaging officials throughout Michigan on early planning activities for the 2020 Census, with a particular focus on participation in the L.U.C.A. program. The Census Bureau plans to hire a similar number of outreach staff overall for the 2020 Census as was planned for the 2010 Census.

From Senator Jon Tester

We always talk about leveraging existing government resources wherever we can in order to save money and increase efficiency. One of the efficiencies the Census Bureau could further utilize is the U.S. Postal Service. While Americans may be distrustful of other Federal government agencies, a majority of Americans trust their local letter carrier. Moreover, this labor force is already experienced and knowledgeable of the people they are delivering to. As I understand, the Census Bureau already utilizes Postal Service data.

70. What other ways is the Census Bureau looking to partner with the Postal Service to save money and increase efficiency?

See answer to Question #64.

When it comes to the Census, folks in rural states like Montana get concerned about not being counted. This kind of thing happens with limited access to rural broadband. Especially among Native American communities in my State.

71. What has the Census Bureau done to improve its outreach to Native American communities in the U.S. since you became Secretary?

The Census Bureau has partnership staff working directly with tribes, and it plans to expand this staff next year. The communications contractor, Young and Rubicam (Y&R), provides

extensive experience reaching American Indian and Alaska Native populations, and Census has increased funding for this contract in its lifecycle cost estimate.

72. Has this outreach improved since the 2010 Census? Do you still have concerns?

The Census Bureau announced on July 1, 2015, that it would seek input from tribal leaders for the 2020 Census. The Census Bureau conducted 18 tribal consultation meetings that started two years earlier than last decade. These meetings requested input on topics like geography, data collection operations, and tribal enrollment. This is an important priority and the Census Bureau has a robust program in place to ensure outreach to the American Indian populations.

To ensure continued dialogue following the tribal consultations, Census Bureau regions have been meeting with tribes individually and continue to conduct one-on-one tribal consultation meetings at the request of the tribe within their region. Our tribal partnership specialists have been keeping tribes apprised of programs that require input and participation such as the Local Update of Census Addresses and Type of Enumeration Area to be conducted for 2020.

We currently have 52 tribal government liaisons identified. These liaisons are the point of contact that work with our tribal partnership specialists. We are planning a number of activities in each state and would be happy to come brief your office on what we are doing for your constituents.

Position Description

AD-0303-00

MR#: SD0294

Title Partnership Assistant

Position Sensitivity: 1N

Cybersecurity Indicator:

Telework Eligibility: Not Eligible for Telework

NON-EXEMPT

INTRODUCTION

INTRODUCTION

This position is located in any one of Census Bureau's temporary offices established to conduct the decennial pretests and Decennial.

The purpose of this position is to support field staff that conduct partnership activities. This position is in support of the partnership and outreach efforts to minority communities and hard-to-reach populations.

This is a temporary Schedule A, Excepted Service position established in accordance with Title 13 provisions of the United States Code.

FLSA:

The incumbent is non-exempt from the minimum pay and overtime provisions of the Fair Labor Standards Act (as amended by P.L. 93-259) based on the absence of duties which are identified with exemption criteria.

MAJOR DUTIES

MAJOR DUTIES

The primary role and responsibility of the Partnership Assistant is to support the Partnership Specialist in the performance of their duties. The Partnership Assistant will primarily operate in an administrative support capacity. Some of the core duties of the Partnership Assistant will be to prepare presentation packets for the Partnership Specialist; distribute materials to partners, coworkers, and the public at events; schedule appointments on behalf of the Partnership Specialist; make various follow-up phone calls on behalf of the Partnership Specialist, and staff various activities such as workshops, festivals, fairs, etc.; and monitors activity due dates.

Maintains partner "tickler" file for the Partnership Specialist to ensure constant and consistent communication with partners. Makes initial (basic) presentations to individuals of the public at events or meetings. Enters information into the Customer Relationship Management (CRM) database. Provides assistance to complete count committees.

Orders materials at the request of the Partnership Specialist and manages inventory in the office. Provides support in linguistically isolated areas. Shadows the Partnership Specialist and assists in delivering Census message. Identifies testing and training space and schedules sessions with the assistance of the Partnership Specialist.

As appropriate to the geographic location and nature of assigned duties, the incumbent must

possess translation skills for a language indigenous to the area of assignment in addition to English.

Other duties as assigned.

Position Controls:

Supervision is provided by the Partnership Specialist or Senior Partnership Specialist. Supervisor's instructions are general in nature. Incumbent receives training and detailed guidelines by way of manuals, memoranda and briefing sessions.

GRADING CRITERIA

UNIQUE POSITION REQUIREMENTS

This position will be based at the employee's place of residence and will require commuting to sites within the area of assignment.

This position is in support of the partnership and outreach efforts to minority communities and hard-to-reach populations.

Position Description	
GG-0301-13	
MR#:	SD0312
Title:	Supervisory Partnership Specialist
Position Sensitivity:	1N
Cybersecurity Indicator:	Not Applicable
Telework Eligibility:	Not Eligible for Telework
EXEMPT	

INTRODUCTION

The official title for this position is Supervisory Partnership Specialist. The working title for this position is Partnership Coordinator.

This position is located in any of Field Division's six Regional Offices (ROs) or in the Regional Census Centers (RCCs) set up for decennial pretests or decennial. The incumbent of this position is responsible for coordinating and managing the Community Partnership and Engagement Program (CPEP) for the decennial pretests or decennial within the assigned regional office.

This position is a temporary position in the RO/RCC and is set up to manage operations for the decennial pretests or decennial.

FLSA

This position is exempt from coverage under the Fair Labor Standards Act.

MAJOR DUTIES

The incumbent of this position serves as a Partnership Coordinator. The Partnership Coordinator is responsible for the overall development, coordination and management of the Partnership Program within the assigned regional office. In this capacity, the incumbent will directly supervise approximately four Community Partnership and Engagement Program (CPEP) Team Leaders as well as other professional and clerical staff. The Partnership Coordinator will oversee all professional and clerical staff assigned to the Partnership Program in the regional office.

The incumbent will conduct research, analyze the regional office area, and develop the regional plan for the CPEP for the census. This plan will follow the goals and objectives, overall strategies, and major activities provided by Headquarters staff as well as adhere to the budget allocations for the regional office for the planning and implementation of the program. The incumbent will participate in the hiring and training of regional staff members who are hired to work on the CPEP in the regional office.

The incumbent will ensure that productive partnerships are developed with state, local, and tribal governments; community-based organizations; faith-based groups; schools; media outlets; businesses; and other grassroots entities in communities within the regional office area. The purpose of these regional and local partnerships will be to build awareness and motivate

participation in the decennial pretests or decennial as well as gain support for census outreach and promotional activities and census field operations. The emphasis of work will shift over the course of the census based on the phases and critical timing of outreach and promotional activities and census field operations. The incumbent must be able to perform effectively and efficiently under stringent time constraints and have the ability to deal effectively with a variety of individuals both inside and outside of the office.

The incumbent will ensure that partnership agreements are monitored and nurtured and that commitments are carried out and fulfilled by partners. This includes addressing questions and concerns, resolving problems, and renegotiating partnerships as needed. Suggests alternative approaches to obtaining cooperation that are specific to different categories of partners including governments, community-based organizations, faith-based groups, schools, media outlets, businesses, and others. Takes appropriate actions to meet the specific promotional needs of the communities in the regional office area.

The incumbent will ensure that all major programs and activities of the overall CPEP are implemented effectively and efficiently in the regional office. These include the Complete Count Committee Program, Faith-Based Program, Immigrant Program, Census in Schools Program, American Indian and Alaska Native Program, special initiatives, etc. Works closely with headquarters staff, other regional staff, and partners and stakeholders in ensuring the successful implementation of these programs and activities at the regional level. Ensures that the overall policies and guidelines provided by headquarters are followed in the implementation of the CPEP. Also, ensures the proper coordination with the Communications Campaign, and associated headquarters staff and contractors, in working with and providing support to the CPEP.

The incumbent will ensure that special attention is given to establishing a strong working relationship with traditionally hard-to-enumerate populations as well as to identify areas within the regional offices that will be hard-to-count. The incumbent must ensure the correct allocation of program resources aimed at obtaining support and participation in the census across all populations and areas in the region. In this capacity, the incumbent must ensure the effective customization of the CPEP to address the specific needs and challenges of the individual regional office and its communities. This includes the identification of unique populations and areas within the region, the development of targeted informational and promotional materials, and innovative strategies to best reach the partners, stakeholders, community leaders, and the public that reside in the regional office area.

The incumbent will ensure that the Partnership staff in the regional office works effectively and efficiently with the operational staff in providing support to census field operations including the Local Update of Census Addresses (LUCA), Recruitment, Address Canvassing, Group Quarters Enumeration, Address Canvassing, Non-Response Follow-up, and others. This will require integration with operational staff in the Early Area Census Offices (EACOs) and the Area Census Office (ACO) as well as the Regional Census Centers (RCCs). Keeps regional/local government officials and others in the communities informed of the decennial pretests or decennial activities and operations. Works effectively with local media to ensure comprehensive coverage of census promotional activities and census field operations in all areas of the regional office.

The incumbent must ensure that coordination and communication is maintained with regional office and headquarters staff regarding the planning and implementation of the Partnership Program in the regional office. This includes ensuring that all professional staff members use the Customer Relationship Management (CRM) database to enter all activities carried out in the course of a week relating to the development and nurturing of partnerships and the commitments that have been made by partners. This includes data entry of training and testing site location commitments that are obtained from partners organizations. This CRM database must be kept up-to-date and accurate on a continuing basis as it will serve as the oversight tool for headquarters when responding to daily internal and external inquiries about the progress of the program. Also, it will serve as a managerial tool in the regional office for monitoring and managing regional office activities relating to this program.

The incumbent is responsible for evaluating employees and recommending appropriate personnel actions including promotions, reassignments, individual performance problems, complaints, the need for training, and recommendations for disciplinary action when necessary. The incumbent is responsible for applying the principles of Equal Employment Opportunity (EEO) in the area supervised. Applies EEO principles in hiring, training, employee development and utilization, advancement, and other areas of employment.

The incumbent assists in the evaluation of the Partnership Program through formal evaluation activities, debriefings, etc. as directed by regional and headquarters staff.

The incumbent is required to travel overnight throughout the areas covered by the regional office, and in some cases outside the regional office area, to carry out the duties and responsibilities associated with this position.

The incumbent is responsible for performing other duties as assigned.

GRADING CRITERIA

Factor 1 – Program Scope and Effects Level 1 –4 775 pts.

The Incumbent, in the capacity of Partnership Coordinator for the region, provides direction to the regional partnership staff. The work involves a variety of duties and responsibilities that require the incumbent to assess diverse situations; determine the best approach to use with different governments, organizations, and levels of officials; and use persuasion skills to obtain participation in the decennial pretests or decennial. Solutions to problems encountered require a high level of technical and interpersonal skills, knowledge, and sound judgment. Circumstances relating to the Incumbent's work may change daily, so the Incumbent must make quick decisions on the appropriate course of action to take and implement the change in an expeditious and correct manner.

Factor 2 – Organizational Setting Level 2-1 100 pts.

The Incumbent reports to the Assistant Regional Census Manager or the Assistant Regional Director who assigns functional responsibilities and sets forth overall objectives, in conjunction with the HQ Partnership staff.

Factor 3 – Supervisory and Managerial Authority Exercised Level 3-3 775 pts.

The supervisor and Incumbent develop overall project objectives. The Incumbent is responsible for independently carrying out all the duties, programmatic and administrative, for the assigned regional office. Coordinates, manages and works with other staff members, interpreting policy in terms of established goals and objectives for the CPEP as well as the methods and techniques to be employed. Keeps the supervisor informed of progress, potential problems, or issues involving policy matters or situations beyond the Incumbent's control. Works closely with the Regional Director (as prescribed by the Regional Director) as well as CPEP headquarters staff.

Factor 4 – Personal Contacts 175 points

Subfactor 4A Nature of Contacts Level 4A-3 -- 75 points

The Incumbent maintains contacts with state, local, and tribal governments officials; leaders and members of community-based organizations; leaders and members of faith-based groups; school officials; business leaders and owners; media personnel; and other gatekeepers and stakeholders in communities in the regional office area. Contacts also include Regional Census Center managerial and supervisory staff and employees, Area Census Office managerial and supervisory staff and employees, and CPEP and other headquarters staff.

Subfactor 4B Purpose of Contacts Level 4B-3 -- 100 points

The purpose of the contacts is to influence and motivate governments' and organizations' leaders and members to form a partnership with the Census Bureau to facilitate the successful implementation of decennial pretests and decennial. The purpose is also to have an integrated and effective working relationship with the operations management staff in support of census field operations as well as working effectively with headquarters staff in the successful planning and implementation of the CPEP Program.

Factor 5 - Difficulty Of Typical Work Directed Level 5-7 930 points

The Incumbent is responsible for the direct supervision of employees who serve as Partnership Specialists in which the base level is grade 12. The scope of this responsibility includes successful

implementation of partnership agreements and other associated projects. The incumbent will delegate work to subordinates based on the difficulty of the assignments and each employee's capabilities. Coordinates, manages and works with other staff members, interpreting policy in terms of established goals and objectives for the CPEP as well as the methods and techniques to be employed.

FACTOR 6 - OTHER CONDITIONS Factor Level 6-5 -- 1225 points

Incumbent manages a diverse administrative and clerical staff. The work involves a variety of duties and responsibilities that require the incumbent to assess diverse situations; determine the best approach to use with different governments, organizations, and levels of officials; and use persuasion skills to obtain participation in the decennial pretests or decennial. Solutions to problems encountered require a high level of technical and interpersonal skills, knowledge, and sound judgment. Circumstances relating to the incumbent's work may change daily, so the incumbent must make quick decisions on the appropriate course of action to take and implement the change in an expeditious and correct manner.

Total Points 3980

The Full Performance Level of this position is a grade 13.

UNIQUE POSITION REQUIREMENTS

**FPL: GS-13
BUS Code 7777**

Position Description

GG-0301-09

MR#: SD0228

Title Partnership Specialist

Position Sensitivity: 1N

Cybersecurity Indicator:

Telework Eligibility: No determination has been made

NON-EXEMPT



INTRODUCTION

This position is located in any of Field Division's six Regional Offices (ROs) or in the Regional Census Centers (RCCs) set up for the decennial pretests and decennial census. The incumbent of this position serves as a Partnership Specialist. The incumbent is responsible for developing partnerships in support of the decennial pretests and decennial census within the assigned regional office.

This position is a Schedule A position in the RO/RCC and is set up to implement partnership and outreach activities for the decennial pretests and decennial census.

This position is non exempt from coverage under the Fair Labor Standards Act.



MAJOR DUTIES

The incumbent of this position serves as a Partnership Specialist. The Partnership Specialist is responsible for developing partnerships with state, local, and tribal governments; community-based organizations; faith-based groups; schools; media outlets; businesses; and other grassroots entities in communities within the regional office area. The Partnership Specialist also provides support to census field operations such as Recruitment, Be Counted, Questionnaire Assistance Centers, Non-Response Follow-Up, and others. The Partnership Specialist will work under the direct supervision of a Partnership Coordinator and/or the Partnership Coordinator.

The incumbent will assist in 1) conducting research; 2) analyzing the regional office area; and 3) developing the regional plan for the Partnership Program for the census. This plan will follow the goals and objectives, overall strategies, and major activities provided by headquarters staff as well as adhere to the budget allocations for the regional office for the planning and implementation of the program.

The incumbent will work with the Partnership Coordinator and other senior-level staff members to develop productive partnerships with state, local, and tribal governments; community-based organizations; faith-based groups; schools; media outlets; businesses; and other grassroots entities in communities within the regional office area. The purpose of these regional and local partnerships will be to build awareness and motivate participation in the decennial pretests and decennial census as well as gain support for census outreach and promotional activities and census field operations. The incumbent is responsible for assisting with conducting workshops, making presentations, conducting seminars, working at exhibits booths, etc. to support the building of partnerships for the decennial pretests and decennial census with the Partnership Coordinator and other senior-level staff members.

The emphasis of work will shift over the course of the census based on the phases and critical timing of outreach and promotional activities and census field operations. The incumbent must be able to work under tight time constraints and have the ability to deal in a professional manner with a variety of individuals both inside and outside of the office.

The incumbent will assist the Partnership Coordinator and other senior-level staff members to ensure partnership agreements are monitored and nurtured and that commitments are carried out and fulfilled by partners. This includes addressing questions and concerns. The incumbent goes to the Partnership Coordinator and other senior-level staff members to resolve problems and renegotiate partnerships as needed. Takes actions, under the direction of the Partnership Coordinator and other senior-level staff members, to meet the specific promotional needs of the communities in the regional office area.

The incumbent will assist the Partnership Coordinators to ensure that all major programs and activities of the overall Partnership Program are implemented effectively and efficiently in the regional office. These include the Complete Count Committee Program, Faith-Based Program, Immigrant Program, Census In Schools Program, American Indian and Alaska Native Program, special initiatives, etc.

The incumbent will assist the Partnership Coordinators to ensure that special attention is given to establishing a strong working relationship with traditionally hard-to-enumerate populations as well as to identify areas within the regional offices that will be hard-to-count. In this capacity, the incumbent will help to ensure the effective customization of the Partnership Program to address the specific needs and challenges of the individual regional office and its communities. This includes assisting the Partnership Coordinator and other senior-level staff members to 1) identify unique populations and areas within the region; 2) develop targeted informational and promotional materials; and 3) develop innovative strategies to best reach the partners, stakeholders, community leaders, and the public that reside in the regional office area. Specific language skills and experience working with racial and ethnic groups may be needed.

The incumbent will assist the Partnership Coordinators to work with the operational staff in providing support to census field operations including the Local Update of Census Addresses (LUCA) Program, Recruitment, Address Canvassing, Group Quarters Enumeration, Be Counted, Questionnaire Assistance Centers (QACs), Non-Response Follow-up, and others. This will require integration with operational staff in the Early Area Census Offices (EACO) and the Area Census Offices (ACOs) as well as the Regional Census Centers (RCCs).

The incumbent is responsible for using the Partnership Contact Database to enter all activities carried out in the course of a week relating to the development and nurturing of partnerships and the commitments that have been made by partners. This includes the entry of testing and training sites, Be Counted sites, and Questionnaire Assistance Center (QAC) sites that are obtained from partner organizations into the contact database. This contact database must be kept up-to-date and accurate on a continuing basis, as it will serve as the oversight tool for headquarters when responding to daily internal and external inquiries about the progress of program. Also, it will serve as a managerial tool in the regional office for monitoring and managing regional office activities relating to this program.

The incumbent is required to travel overnight throughout the areas covered by the regional office, and in some cases outside the regional office area, to carry out the duties and responsibilities associated with this position.

The Partnership Specialist may supervise or manage additional partnership staff. The supervision must be less than 25% of the Partnership Specialist's time. The Partnership Specialist will work under the direct supervision of the Senior Partnership Specialist or Partnership Coordinator. The incumbent is responsible for working in collaboration with the Senior Partnership Specialist or Partnership Coordinator in the supervision of the staff assigned to the Partnership Program.

The incumbent is responsible for performing other duties as assigned.



GRADING CRITERIA

Factor 1 - Knowledge Required by the Position FL 1-6 950 pts.

Limited knowledge of the organizational structures and functions of state, local, and tribal governments; community-based organizations; and other groups and businesses in order to develop and nurture productive partnerships with these groups in support of the decennial pretests and decennial census.

Some knowledge of presentation methods and techniques necessary to give briefings, conduct meetings and workshops, give formal presentations, and promote partnerships with state, local, and tribal governments and local community and business groups in order to persuade them to support the decennial pretests and decennial census through the establishment of partnerships.

Limited knowledge on how to effectively negotiate with sometimes reluctant governments, community groups, businesses, media outlets, and others in order to persuade them to support the decennial pretests and decennial census.

Some knowledge in seeking commitments for collaborative efforts; obtaining resources (i.e., materials, time, and space) to support organizational projects; working with volunteers; and initiating and maintaining relationships with and working with state, local, and tribal governments= high ranking officials; community-based organization leaders; local business leaders; and media outlets such as television, radio, newspapers, and journals.

Limited knowledge of the principles of public relations and outreach in order to establish and maintain good relationships and strong partnerships with state, local, and tribal government; community-based organizations; faith-based groups; schools; businesses; media outlets; and other grassroots entities.

Limited knowledge of the decennial census processes, operations, and activities to assist in communicating this information to potential and existing partners and the public and to recommend improvements to the program.

Basic knowledge of the theories and concepts of decennial census terminology, geography, data collection operations, outreach and promotional activities, census data and uses of census data to demonstrate how successful results from the decennial pretests and decennial census would

benefit governments, community groups, businesses, and others in order to gain their participation as partners.

Some knowledge on how to use technology efficiently and effectively to develop and deliver on-line presentations using PowerPoint or comparable presentation software as well as desktop publishing software in the development of promotional and outreach materials.

Knowledge on how to effectively write reports, memoranda, presentations, speeches, and training packages.

Factor 2 - Supervisory Controls FL 2-3 275 pts.

The supervisor and incumbent develop overall project objectives. The incumbent is responsible for carrying out all the duties, programmatic and administrative, for the assigned regional office with supervisory assistance. Assists other staff members, interpreting policy in terms of established goals and objectives for the Partnership Program as well as the methods and techniques to be employed. Keeps the supervisor continually informed of progress, potential problems, or issues involving policy matters or situations beyond the incumbent's control.

Factor 3 - Guidelines FL 3-3 275 pts.

Programmatic and administrative guidelines, including suggested partnership models and activities, are available but are generic in nature and apply to the nationwide Partnership Program. The incumbent uses initiative and limited knowledge when deviating from specified program guidelines when developing and implementing the Partnership Program in the assigned regional office with the assistance of the supervisor. The incumbent uses sound judgment in applying and adapting guidelines and policies to new and unique situations in the regional office area with the assistance of the supervisor.

Factor 4 - Complexity FL 4-3 150 pts.

The work involves a variety of duties and responsibilities that require the incumbent to assess diverse situations; determine the best approach to use with different governments, organizations, and levels of officials; and use persuasion skills to obtain participation in the decennial pretests and decennial census. Solutions to problems encountered require technical and interpersonal skills, knowledge, and sound judgment and are made with the assistance of the supervisor. Circumstances relating to the incumbent's work may change daily, so the incumbent must work with the supervisor on the appropriate course of action to take and implement the change in an expeditious and correct manner.

Factor 5 - Scope and Effect FL 5-3 150 pts.

The purpose of the work is to analyze the regional office area to set up partnership activities unique to state, local, and tribal governments; community-based organizations; faith-based groups; schools; businesses; media outlets; and other grassroots entities that will meet the needs of both the Census Bureau and the partner organizations. The work affects the successful implementation of the decennial pretests and decennial census in the incumbent's assigned regional office area. The incumbent's performance also will shape the community's image of the

Federal government, the Census Bureau and the decennial pretests and decennial census.

Factor 6 - Personal Contacts FL 6-2 25 pts.

The contacts are with state, local, and tribal governments officials; leaders and members of community-based organizations; leaders and members of faith-based groups; school officials; business leaders and owners; media personnel; and other gatekeepers and stakeholders in communities in the regional office area. Contacts also include Regional Census Center managerial and supervisory staff and employees, Local Census Office managerial and supervisory staff and employees, and Partnership and other headquarters staff.

Factor 7 - Purpose of Contacts FL 7-2 50 pts.

The purpose of the contacts is to influence and motivate government and organization leaders and members to form a partnership with the Census Bureau to facilitate the successful implementation of the decennial pretests and decennial census. The purpose is also to have an integrated and effective working relationship with the operations management staff in support of census field operations as well as working effectively with headquarters staff as directed by the supervisor.

Factor 8 - Physical Demands FL 8-2 20 pts.

The incumbent will occasionally be required to lift and carry objects weighing up to 25 pounds. The incumbent will also set up exhibit displays and arrange rooms for workshops and presentations. Frequent overnight travel throughout the assigned regional office area is required by either ground and/or air transportation.

Factor 9 - Work Environment FL 9-1 5 pts.

The work is performed in a variety of settings including an office setting (at a Census office or other office), at various partner locations (schools, churches/synagogues, businesses, town halls, etc.) and outside in the community in all weather conditions (at community events, festivals, parades, etc.) Overnight travel is required.

Total Points 1900

Full performance level of this position is Grade-12.



UNIQUE POSITION REQUIREMENTS

Position Description

GG-0301-11
 MR#: SD0229
 Title Partnership Specialist
 Position Sensitivity: 1N
 Cybersecurity Indicator:
 Telework Eligibility: No determination has been made
 NON-EXEMPT



INTRODUCTION

This position is located in any of Field Division's six Regional Offices (ROs) or in the Regional Census Centers (RCCs) set up for the decennial pretests and decennial census. The incumbent of this position serves as a Partnership Specialist. The incumbent is responsible for developing partnerships in support of the decennial pretests and decennial census within the assigned regional office.

This position is a Schedule A position in the RO/RCC and is set up to implement partnership and outreach activities for the decennial pretests and decennial census.

This position is non exempt from coverage under the Fair Labor Standards Act.



MAJOR DUTIES

The incumbent of this position serves as a Partnership Specialist. The Partnership Specialist is responsible for developing partnerships with state, local, and tribal governments; community-based organizations, faith-based groups; schools; media outlets; businesses; and other grassroots entities in communities within the regional office area. The Partnership Specialist also provides support to census field operations such as Recruitment, Be Counted, Questionnaire Assistance Centers, Non-Response Follow-Up, and others. The Partnership Specialist will work under the direct supervision of a Partnership Coordinator.

The incumbent will assist in 1) conducting research; 2) analyzing the regional office area; and 3) developing the regional plan for the Partnership Program for the census. This plan will follow the goals and objectives, overall strategies, and major activities provided by headquarters staff as well as adhere to the budget allocations for the regional office for the planning and implementation of the program.

The incumbent will ensure that productive partnerships are developed with state, local, and tribal governments; community-based organizations; faith-based groups; schools; media outlets; businesses; and other grassroots entities in communities within the regional office area. The purpose of these regional and local partnerships will be to build awareness and motivate participation in the decennial pretests and decennial census as well as gain support for census outreach and promotional activities and census field operations. The incumbent is responsible for conducting workshops, making presentations, conducting seminars, working at exhibits booths, etc. to support the building of partnerships for the decennial pretests and decennial census with the assistance, as needed, of the Partnership Coordinator and other senior-level staff members.

The emphasis of work will shift over the course of the census based on the phases and critical timing of outreach and promotional activities and census field operations. The incumbent must be able to perform effectively and efficiently under tight time constraints and have the ability to deal in a professional manner with a variety of individuals both inside and outside of the office.

The incumbent will ensure that partnership agreements are monitored and nurtured and that commitments are carried out and fulfilled by partners. This includes addressing questions and concerns and working with the Partnership Coordinator and other senior-level staff members in resolving problems and renegotiating partnerships as needed. Takes appropriate actions under the direction of the Partnership Coordinator and other senior-level staff members to meet the specific promotional needs of the communities in the regional office area.

The incumbent will work with the Partnership Coordinator to ensure that all major programs and activities of the overall Partnership Program are implemented effectively and efficiently in the regional office. These include the Complete Count Committee Program, Faith-Based Program, Immigrant Program, Census In Schools Program, American Indian and Alaska Native Program, special initiatives, etc.

The incumbent will work with the Partnership Coordinator to ensure that special attention is given to establishing a strong working relationship with traditionally hard-to-enumerate populations as well as to identify areas within the regional offices that will be hard-to-count. In this capacity, the incumbent will help to ensure the effective customization of the Partnership Program to address the specific needs and challenges of the individual regional office and its communities. This includes working with the Partnership Coordinator and other senior-level staff members to 1) identify unique populations and areas within the region; 2) develop targeted informational and promotional materials; and 3) develop innovative strategies to best reach the partners, stakeholders, community leaders, and the public that reside in the regional office area. Specific language skills and experience working with racial and ethnic groups may be needed.

The incumbent will work with the Partnership Coordinator to work effectively and efficiently with the operational staff in providing support to census field operations including the Local Update of Census Addresses (LUCA) Program, Recruitment, Address Canvassing, Group Quarters Enumeration, Be Counted, Questionnaire Assistance Centers (QACs), Non-Response Follow-up, and others. This will require integration with operational staff in the Area Census Offices (ACOs) as well as the Regional Census Centers (RCCs). As directed, keeps regional/local government officials and others in the communities informed of the decennial pretests and decennial census activities and operations.

The incumbent is responsible for using the Partnership Contact Database to enter all activities carried out in the course of a week relating to the development and nurturing of partnerships and the commitments that have been made by partners. This includes the entry of testing and training sites, Be Counted sites, and Questionnaire Assistance Center (QAC) sites that are obtained from partner organizations into the contact database. This contact database must be kept up-to-date and accurate on a continuing basis, as it will serve as the oversight tool for headquarters when responding to daily internal and external inquiries about the progress of program. Also, it will serve as a managerial tool in the regional office for monitoring and managing regional office activities relating to this program.

The incumbent is required to travel overnight throughout the areas covered by the regional office, and in some cases outside the regional office area, to carry out the duties and responsibilities associated with this position.

The Partnership Specialist may supervise or manage additional partnership staff. The supervision must be less than 25% of the Partnership Specialist's time. The Partnership Specialist will work under the direct supervision of the Senior Partnership Specialist or Partnership Coordinator. The incumbent is responsible for working in collaboration with the Senior Partnership Specialist or Partnership Coordinator in the supervision of the staff assigned to the Partnership Program.

The incumbent is responsible for performing other duties as assigned.



GRADING CRITERIA

Factor 1 - Knowledge Required by the Position FL 1-7 1250 pts.

Some knowledge of the organizational structures and functions of state, local, and tribal governments; community-based organizations; and other groups and businesses in order to develop and nurture productive partnerships with these groups in support of the decennial pretests and decennial census.

Knowledge of presentation methods and techniques necessary to give briefings, conduct meetings and workshops, give formal presentations, and promote partnerships with state, local, and tribal governments and local community and business groups in order to persuade them to support the decennial pretests and decennial census through the establishment of partnerships.

Some knowledge on how to effectively negotiate with sometimes reluctant governments, community groups, businesses, media outlets, and others in order to persuade them to support the decennial pretests and decennial census.

Knowledge in seeking commitments for collaborative efforts; obtaining resources (i.e., materials, time, and space) to support organizational projects; working with volunteers; and initiating and maintaining relationships with and working with state, local, and tribal government high ranking officials; community-based organization leaders; local business leaders; and media outlets such as television, radio, newspapers, and journals.

Some knowledge of the principles of public relations and outreach in order to establish and maintain good relationships and strong partnerships with state, local, and tribal government; community-based organizations; faith-based groups; schools; businesses; media outlets; and other grassroots entities.

Some knowledge of the decennial census processes, operations, and activities to assist in communicating this information to potential and existing partners and the public and to recommend improvements to the program.

Basic knowledge of the theories and concepts of decennial census terminology, geography, data collection operations, outreach and promotional activities, census data and uses of census data to demonstrate how successful results from the decennial pretests and decennial census would

benefit governments, community groups, businesses, and others in order to gain their participation as partners.

Knowledge on how to use technology efficiently and effectively to develop and deliver on-line presentations using PowerPoint or comparable presentation software as well as desktop publishing software in the development of promotional and outreach materials.

Knowledge on how to effectively write reports, memoranda, presentations, speeches, and training packages.

Factor 2 - Supervisory Controls FL 2-3 275 pts.

The supervisor and incumbent develop overall project objectives. The incumbent is responsible for carrying out all the duties, programmatic and administrative, for the assigned regional office with supervisory assistance. Assists other staff members, interpreting policy in terms of established goals and objectives for the Partnership Program as well as the methods and techniques to be employed. Keeps the supervisor continually informed of progress, potential problems, or issues involving policy matters or situations beyond the incumbent's control.

Factor 3 - Guidelines FL 3-4 450 pts.

Programmatic and administrative guidelines, including suggested partnership models and activities, are available but are generic in nature and apply to the nationwide Partnership Program. The incumbent uses initiative, resourcefulness, and knowledge of the regional office area when deviating from specified program guidelines when developing and implementing the Partnership Program in the assigned regional office with the assistance of the supervisor. The incumbent uses sound judgment in applying and adapting guidelines and policies to new and unique situations in the regional office area.

Factor 4 - Complexity FL 4-4 225 pts.

The work involves a variety of duties and responsibilities that require the incumbent to assess diverse situations; determine the best approach to use with different governments, organizations, and levels of officials; and use persuasion skills to obtain participation in the decennial pretests and decennial census. Solutions to problems encountered require a high level of technical and interpersonal skills, knowledge, and sound judgment and are made in collaboration with the supervisor. Circumstances relating to the incumbent's work may change daily, so the incumbent must make quick decisions on the appropriate course of action to take and implement the change in an expeditious and correct manner working with the supervisor.

Factor 5 - Scope and Effect FL 5-4 225 pts.

The purpose of the work is to analyze the regional office area to set up partnership activities unique to state, local, and tribal governments; community-based organizations; faith-based groups; schools; businesses; media outlets; and other grassroots entities that will meet the needs of both the Census Bureau and the partner organizations. The work affects the successful implementation of the decennial pretests and decennial census in the incumbent's assigned regional office area. The incumbent's performance also will shape the community's image of the

Federal government, the Census Bureau and the decennial pretests and decennial census.

Factor 6 - Personal Contacts FL 6-3 60 pts.

The contacts are with state, local, and tribal governments officials; leaders and members of community-based organizations; leaders and members of faith-based groups; school officials; business leaders and owners; media personnel; and other gatekeepers and stakeholders in communities in the regional office area. Contacts also include Regional Census Center managerial and supervisory staff and employees, Area Census Office managerial and supervisory staff and employees, and Partnership and other headquarters staff.

Factor 7 - Purpose of Contacts FL 7-3 120 pts.

The purpose of the contacts is to influence and motivate government and organization leaders and members to form a partnership with the Census Bureau to facilitate the successful implementation of the decennial pretests and decennial census. The purpose is also to have an integrated and effective working relationship with the operations management staff in support of census field operations as well as working effectively with headquarters staff as directed by the supervisor.

Factor 8 - Physical Demands FL 8-2 20 pts.

The incumbent will occasionally be required to lift and carry objects weighing up to 25 pounds. The incumbent will also set up exhibit displays and arrange rooms for workshops and presentations. Frequent overnight travel throughout the assigned regional office area is required by either ground and/or air transportation.

Factor 9 - Work Environment FL 9-1 5 pts.

The work is performed in a variety of settings including an office setting (at a Census office or other office), at various partner locations (schools, churches/synagogues, businesses, town halls, etc.) and outside in the community in all weather conditions (at community events, festivals, parades, etc.) Overnight travel is required.

Total Score = 2630 pts.

The Full Performance Level of this position is a grade 12.



UNIQUE POSITION REQUIREMENTS

Position Description	
GG-0301-12	
MR#:	SD0230
Title	Partnership Specialist
Position Sensitivity:	1N
Cybersecurity Indicator:	
Telework Eligibility:	No determination has been made
NON-EXEMPT	

INTRODUCTION

This position is located in any of Field Division's six Regional Offices (ROs) or Regional Census Centers (RCCs) established to conduct decennial pretests and decennial census. The incumbent of this position serves as a Partnership Specialist. The incumbent is responsible for developing partnerships in support of decennial pretests and decennial census within the assigned office.

This is a temporary, time-limited Excepted service position established to implement partnership and outreach activities in accordance with Title 13 provisions of the United States Code.

The incumbent is non exempt from coverage under the Fair Labor Standards Act (as amended by P.L. 93-29).

MAJOR DUTIES

The incumbent of this position serves as a Partnership Specialist. The Partnership Specialist is responsible for developing partnerships with state, local, and tribal governments; community-based organizations, faith-based groups; schools; media outlets; businesses; and other grassroots entities in communities within the regional office area. The Partnership Specialist also provides support to census field operations such as Recruitment, Be Counted, Questionnaire Assistance Centers, Non-Response Follow-Up, and others. The Partnership Specialist will work under the direct supervision of a Partnership Coordinator.

The incumbent will conduct research, analyze the regional office area, and assist in the development of the regional plan for the Partnership Program for the census. This plan will follow the goals and objectives, overall strategies, and major activities provided by headquarters staff as well as adhere to the budget allocations for the regional office for the planning and implementation of the program.

The incumbent will ensure that productive partnerships are developed with state, local, and tribal governments; community-based organizations; faith-based groups; schools; media outlets; businesses; and other grassroots entities in communities within the regional office area. The purpose of these regional and local partnerships will be to build awareness and motivate participation in decennial pretests and decennial census as well as gain support for census outreach and promotional activities and census field operations. The incumbent is responsible for conducting workshops, making presentations, conducting seminars, working at exhibits booths, etc. to support the building of partnerships for decennial pretests and decennial census.

The emphasis of work will shift over the course of the census based on the phases and critical timing of outreach and promotional activities and census field operations. The incumbent must be able to perform effectively and efficiently under stringent time constraints and have the ability to deal effectively with a variety of individuals both inside and outside of the office.

The incumbent will ensure that partnership agreements are monitored and nurtured and that commitments are carried out and fulfilled by partners. This includes addressing questions and concerns, resolving problems, and renegotiating partnerships as needed. Takes appropriate actions to meet the specific promotional needs of the communities in the regional office area.

The Incumbent will work with the Partnership Coordinator and Partnership Coordinator to ensure that all major programs and activities of the overall Partnership Program are implemented effectively and efficiently in the regional office. These include the Complete Count Committee Program, Faith-Based Program, Immigrant Program, Census In Schools Program, American Indian and Alaska Native Program, special initiatives, etc.

The Incumbent will work with the Partnership Coordinator and the Partnership Coordinator to ensure that special attention is given to establishing a strong working relationship with traditionally hard-to-enumerate populations as well as to identify areas within the regional offices that will be hard-to-count. In this capacity, the Incumbent will ensure the effective customization of the Partnership Program to address the specific needs and challenges of the individual regional office and its communities. This includes the identification of unique populations and areas within the region, the development of targeted informational and promotional materials, and innovative strategies to best reach the partners, stakeholders, community leaders, and the public that reside in the regional office area. Specific language skills and experience working with racial and ethnic groups may be needed.

The Incumbent will work with the Partnership Coordinator to work effectively and efficiently with the operational staff in providing support to census field operations including the Local Update of Census Addresses (LUCA) Program, Recruitment, Address Canvassing, Group Quarters Enumeration, Be Counted, Questionnaire Assistance Centers (QACs), Non-Response Follow-up, and others. This will require integration with operational staff in the Early Area Census Offices (EACOs) and the Area Census Offices (ACOs) as well as the Regional Census Centers (RCCs). As directed, keeps regional/local government officials and others in the communities informed of decennial pretests and decennial census activities and operations.

The Incumbent is responsible for using the Partnership Contact Database to enter all activities carried out in the course of a week relating to the development and nurturing of partnerships and the commitments that have been made by partners. This includes the entry of testing and training sites, Be Counted sites, and Questionnaire Assistance Center (QAC) sites that are obtained from partner organizations into the contact database. This contact database must be kept up-to-date and accurate on a continuing basis, as it will serve as the oversight tool for headquarters when responding to daily internal and external inquiries about the progress of program. Also, it will serve as a managerial tool in the regional office for monitoring and managing regional office activities relating to this program.

The Incumbent is required to travel overnight throughout the areas covered by the regional office, and in some cases outside the regional office area, to carry out the duties and responsibilities associated with this position.

The Partnership Specialist may supervise or manage additional partnership staff. The supervision must be less than 25% of the Partnership Specialist's time. The Partnership Specialist will work under the direct supervision of the Senior Partnership Specialist or Partnership Coordinator. The Incumbent is responsible for working in collaboration with the Senior Partnership Specialist or Partnership Coordinator in the supervision of the staff assigned to the Partnership Program.

The Incumbent is responsible for performing other duties as assigned.

GRADING CRITERIA

Factor 1 - Knowledge Required by the Position FL 1-7 1250 pts.

Knowledge of the organizational structures and functions of state, local, and tribal governments; community-based organizations; and other groups and businesses in order to develop and nurture productive partnerships with these groups in support of decennial pretests and decennial census.

Knowledge of presentation methods and techniques necessary to give briefings, conduct meetings and workshops, give formal presentations, and promote partnerships with state, local, and tribal governments and local community and business groups in order to persuade them to support decennial pretests and decennial census through the establishment of partnerships.

Knowledge on how to effectively negotiate with sometimes reluctant governments, community groups, businesses, media outlets, and others in order to persuade them to support decennial pretests and decennial census.

Knowledge in seeking commitments for collaborative efforts; obtaining resources (i.e., materials, time, and space) to support organizational projects; working with volunteers; and initiating and maintaining relationships with and working with state, local, and tribal governments; high ranking officials; community-based organization leaders; local business leaders; and media outlets such as television, radio, newspapers, and journals.

Knowledge of the principles of public relations and outreach in order to establish and maintain good relationships and strong partnerships with state, local, and tribal government; community-based organizations; faith-based groups; schools; businesses; media outlets; and other grassroots entities.

Knowledge of the decennial census processes, operations, and activities to assist in communicating this information to potential and existing partners and the public and to recommend improvements to the program.

Basic knowledge of the theories and concepts of decennial census terminology, geography, data collection operations, outreach and promotional activities, census data and uses of census data to demonstrate how successful results from decennial pretests and decennial census would benefit governments, community groups, businesses, and others in order to gain their participation as partners.

Knowledge on how to use technology efficiently and effectively to develop and deliver on-line presentations using PowerPoint or comparable presentation software as well as desktop publishing software in the development of promotional and outreach materials.

Knowledge on how to effectively write reports, memoranda, presentations, speeches, and training packages.

Factor 2 - Supervisory Controls FL 2-4 450 pts.

The supervisor and incumbent develop overall project objectives. The incumbent is responsible for independently carrying out all the duties, programmatic and administrative, for the assigned regional office. Coordinates, manages and works with other staff members, interpreting policy in terms of established goals and objectives for the Partnership Program as well as the methods and techniques to be employed. Keeps the supervisor informed of progress, potential problems, or issues involving policy matters or situations beyond the incumbent's control. Works closely with the Regional Director (as prescribed by the Regional Director) as well as Partnership headquarters staff.

Factor 3 - Guidelines FL 3-4 450 pts.

Programmatic and administrative guidelines, including suggested partnership models and activities, are available but are generic in nature and apply to the nationwide Partnership Program. The incumbent uses initiative, resourcefulness, and knowledge of the regional office area when deviating from specified program guidelines when developing and implementing the Partnership Program in the assigned regional office. The incumbent uses sound judgment in applying and adapting guidelines and policies to new and unique situations in the regional office area.

Factor 4 - Complexity FL 4-4 225 pts.

The work involves a variety of duties and responsibilities that require the incumbent to assess diverse situations; determine the best approach to use with different governments, organizations, and levels of officials; and use persuasion skills to obtain participation in decennial pretests and decennial census. Solutions to problems encountered require a high level of technical and interpersonal skills, knowledge, and sound judgment. Circumstances relating to the incumbent's work may change daily, so the incumbent must make quick decisions on the appropriate course of action to take and implement the change in an expeditious and correct manner.

Factor 5 - Scope and Effect FL 5-4 225 pts.

The purpose of the work is to analyze the regional office area to set up partnership activities unique to state, local, and tribal governments; community-based organizations; faith-based groups; schools; businesses; media outlets; and other grassroots entities that will meet the needs of both the Census Bureau and the partner organizations. When presenting information, it must be done in such a fashion that stresses the importance of decennial pretests and decennial census and persuades the listener that cooperation with the Census Bureau is in their locality's best interest. The work affects the successful implementation of decennial pretests and decennial census in the incumbent's assigned regional office area. The incumbent's performance also will shape the communities' image of the Federal government, the Census Bureau and decennial pretests and decennial census.

Factor 6 - Personal Contacts FL 6-3 60 pts.

The contacts are with state, local, and tribal governments officials; leaders and members of community-based organizations; leaders and members of faith-based groups; school officials; business leaders and owners; media personnel; and other gatekeepers and stakeholders in communities in the regional office area. Contacts also include Regional Census Center managerial and supervisory staff and employees, Area

Census Office managerial and supervisory staff and employees, and Partnership and other headquarters staff.

Factor 7 - Purpose of Contacts FL 7-3 120 pts.

The purpose of the contacts is to influence and motivate government and organization leaders and members to form a partnership with the Census Bureau to facilitate the successful implementation of decennial pretests and decennial census. The purpose is also to have an integrated and effective working relationship with the operations management staff in support of census field operations as well as working effectively with headquarters staff in the successful planning and implementation of the Partnership Program.

Factor 8 - Physical Demands FL 8-2 20 pts.

The incumbent will occasionally be required to lift and carry objects weighing up to 25 pounds. The incumbent will also set up exhibit displays and arrange rooms for workshops and presentations. Frequent overnight travel throughout the assigned regional office area is required by either ground and/or air transportation.

Factor 9 - Work Environment FL 9-1 5 pts.

The work is performed in a variety of settings including an office setting (at a Census office or other office), at various partner locations (schools, churches/synagogues, businesses, town halls, etc.) and outside in the community in all weather conditions (at community events, festivals, parades, etc.) Overnight travel is required.

Total Points 2805

The Full Performance Level of this position is a grade 12.

UNIQUE POSITION REQUIREMENTS

2020 Census Cybersecurity - Summary

★
Further
Detail
Follows

The Census Cybersecurity effort is to resolve these risks:

External Risks

- Compromising User Devices (Public)
- Compromising External Network Access
- Impersonating the Census
- Inserting Invalid Responses

Internal Risks

- Disrupting the Internet Self Service Website
- Data Breaches
- Compromising User Devices (Census)

The Census Bureau are taking actions to mitigate these risks through coordination with Federal partners by:

★ Creating a Scalable Secure Network for 2020 Census Respondents:

- Working with OMB, DHS, and Cloud Provider to develop scalable and secure network connection in the cloud.
- Federal Working Group with Cloud Provider (OMB, DHS, Cloud Provider, Network Providers)
- Current Solution is Network Provider Based; Future Solution will be Cloud Provider Based
- Federal CIO formalized approval for our approach for Future Solution* (working towards using during 2018 End-to-End Census Test)

Strengthening Our Incident Response Capabilities (DHS FIRE):

- Advance ability to continually identify, protect, detect, respond, and recover from possible cyber threats.
- Moving forward with creating Insider Threat capability plan with outside expertise
- Started Federal Monitoring "Continuous Diagnostics and Mitigation" (DHS CDM) Implementation with DOC
- Improving visibility of cybersecurity issues by implementing tools from private industry and federal government

Improving Our Cybersecurity Posture:

Improve knowledge, processes, procedures, and/or technology.

- Increasing knowledge resources
 - Collaboration with NIST Cybersecurity Center of Excellence (NCCoE) in Feb '18
 - Regular Cybersecurity briefings with Department of Homeland Security (DHS)
 - Cybersecurity Unified Coordination Group (Federal Intelligence Community) simulation for major incident in Summer '18 (table top)
- Testing Technology

- ★ Authorities to Operate (ATOs) for 2020 Systems are 75% Done for FY 18 End to End Test and On Schedule. Many Actions Remain.
- Internet Self Response system security tested by Private Industry (Done Jan '18). Federal DHS (Done in Feb '18; report in Mar '18)
- Engaging "Red Teams" from Industry and Federal (DHS) to conduct "slow and under the radar" cybersecurity attacks

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The Census Bureau is working on a scalable secure network and improving their ability to actively see, secure, and resolve cybersecurity risks for the 2020 census.

Cybersecurity – Scalable Secure Network for 2020 Census Respondents

Background

- **Secure Federal Network Connectivity through Trusted Internet Connection (TIC)**

- ### Problem

- Current Solution is Network Provider Based (AT&T Verizon Comcast Link)

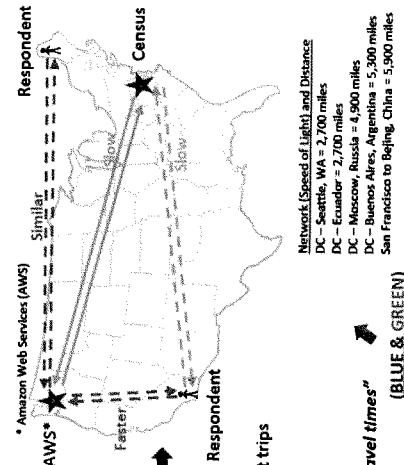
- ### Proposed Resolution

Future Solution will be Cloud Provider Based (Amazon Web Services, Microsoft, ...)

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The Census is “continuing outside of existing TIC policies” in support of validating approaches and informing OMB, DHS, and others on the Executive Order to “Strengthen the Cybersecurity of Federal Networks and Critical Infrastructure”



Network (Speed of Light) and Distance
 DC - Seattle, WA = 2,700 miles
 DC - Ecuador = 2,700 miles
 DC - Moscow, Russia = 4,900 miles
 DC - Buenos Aires, Argentina = 5,300 miles
 San Francisco to Beijing, China = 5,900 miles

2020 Census

CyberSecurity – Authority to Operate (ATO) Status

2018 End to End Test – 44 Systems

No Level of Effort (75%) (Green)

- 73% have obtained ATOs (done)
- 2% (1 system) does not require an ATO (NA)

Small Level of Effort (18%) (Grey)

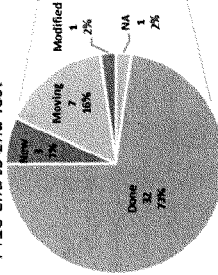
- 16% have ATOs and are moving to 2020 Infrastructure. These systems are moving from servers in the Census data center to the technical integrator
- 2% have ATOs and are being modified. These systems are already housed in the infrastructure and are developing additional capabilities.

High Level of Effort (7%) (Blue)

- 7% are new; Getting ATO before FY18 Test

ATO Status

FY18 End to End Test



Since Jan 18

Done +21% (+9)
New -2% (-1)
Modified -5% (-2)
Moving -14% (-6)

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The Authority to Operate (ATO) process is quality control for Cybersecurity done for all systems to continually reduce information technology security risks to an acceptable level.

2020 Census – 52 Systems

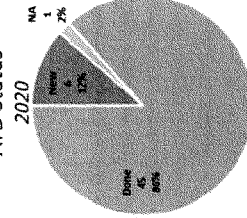
No Level of Effort (88%) (Green)

- 86% will have obtained ATOs from the FY18 End to End Test (done)
- These systems will be maintained annually
- 2% (1 system) does not require an ATO (NA)

High Level of Effort (TBD) (Blue)

- 12% are new;
- Post Enumeration Survey
- Customer Relationship Management and Experience
- Decennial Device as a Service

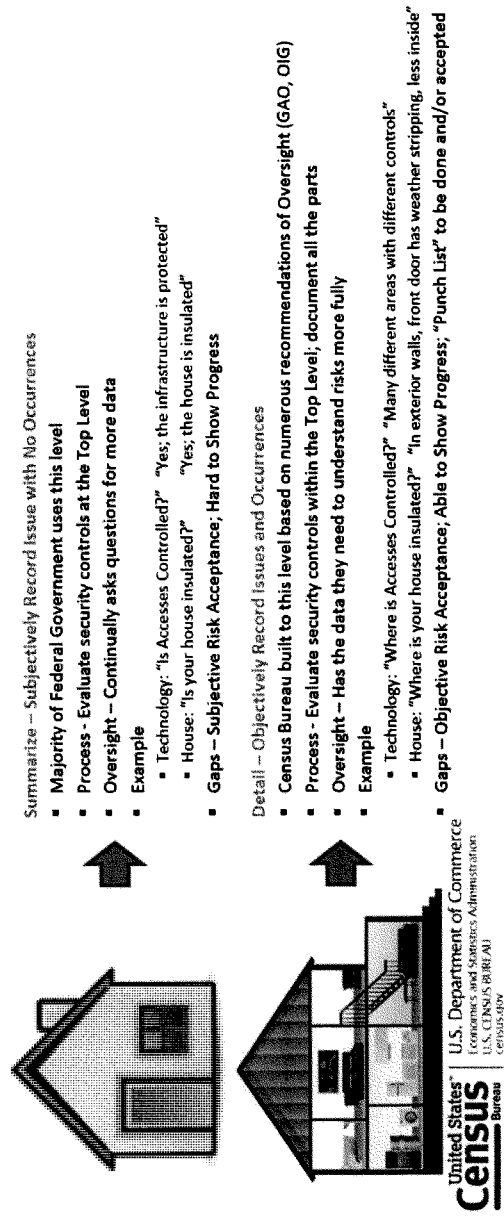
ATO Status



2020 Census

Cybersecurity – Actions Remain- Plan of Action and Milestones (POA&Ms)

After ATOs are Granted, POA&Ms are recorded and continuously managed for the life of the system. Continually identifying and tracking POA&Ms are healthy in Cybersecurity. Not fixing them as planned is unhealthy. Census has completed a large number of new ATOs for 2020 which naturally have POA&Ms recorded. Census chooses to have more POA&Ms being tracked at a detailed level to show progress and increased visibility for ourselves and oversight (Our “Punch List” is 10+ times more than other Federal entities; 1,000’s instead of 100’s) Focus on the progress to reduce POA&Ms. The number of POA&Ms themselves is the Census’ choice for visibility.



**Post-Hearing Questions for the Record
Submitted to Hon. Eugene Dodaro
From Senator Heitkamp**

**2020 Census: Examining Cost Overruns, Information Security and Accuracy
Tuesday, October 31, 2017**

- 1. During the discussion of utilizing United States Postal Employees as Census workers you brought up the issue of the annuity offset waiver. This waiver would be necessary for retired postal workers to lend a hand in 2020. While this is just one example of the obstacles facing this proposition, there are sure to be many more. Where else should Congress focus its oversight of this partnership if the Census Bureau moves forward with this plan?**

The U.S. Postal Service (USPS) and the Census Bureau (Bureau) are in the early phases of a possible partnership using United States Postal employees to help conduct census enumeration. Much is still unknown about what steps both parties have taken to explore such a partnership thus far. While there may be specific issues to address ultimately, Congress should focus its near term oversight on several critical high level areas:

- Clearly defined and agreed upon organizational roles and responsibilities: Working together to agree on roles and responsibilities will be needed to help USPS and the Bureau overcome the many barriers to working across agency boundaries. Key issues would include how the collaborative effort will be led and how leadership from both agencies will demonstrate their commitment to the partnership. The agencies should also consider how leadership will be sustained over the long-term.
- Clearly defined goals, performance measures, and monitoring mechanisms: USPS and the Bureau must have a clear and compelling rationale to work together and a consensus on how they define success. Key issues would include how they will define and articulate common outcomes or purposes they are seeking to achieve and how those outcomes are consistent with their respective agency goals and missions. Additionally, the agencies will need to establish mechanisms that create the means to monitor and evaluate their efforts and enable them to identify areas for improvement.
- Understanding the impact on the quality and cost of USPS and Census Bureau operations: USPS and the Bureau will need quality information about the costs and benefits of any proposed partnership to make informed decisions and to evaluate their performance in achieving key objectives and addressing risks. Inherent in this analysis would be a discussion of potential tradeoffs of different types of approaches. It is unclear

whether this partnership is solely to enhance Census operations, or whether USPS would receive a financial benefit as well. Key issues to address would include what impact different types of partnership models would have on USPS management and operations, including mail delivery performance, operational costs (e.g., vehicle costs) and other costs (e.g., management oversight, potential liability costs when postal workers are carrying out census activities). Additionally, different models would have various impacts on the Bureau's human capital costs (e.g., recruiting, onboarding, and pay rates). The agencies should also consider how the use of USPS personnel would affect response data quality and other system requirements (e.g., information technology).

2. The addition of the 2020 Census to the High-Risk list is not surprising. Moving forward, what steps can Congress take to ensure the Census Bureau is making appropriate progress toward an accurate count in 2020?

Continued management and Congressional attention—such as hearings like this one—will be vital for ensuring risks are managed, preparations stay on-track, and the Bureau is held accountable for implementing the enumeration as planned.¹

Moreover, we will continue to review the Bureau's efforts to conduct a cost-effective enumeration and keep Congress informed of our assessment of the Bureau's progress. Specifically, we will continue to monitor the Bureau's progress in (1) implementing key cost-saving innovations and ensuring they function under operational conditions; (2) managing the development and security of key IT systems; and (3) developing a quality cost estimate for the 2020 Census and preventing further cost increases. Without timely and appropriate actions, on these topics, the cost, accuracy, and schedule of the enumeration are at risk.

We will provide briefings to this Committee on the Bureau's progress in this high-risk area. Our experience has shown that the key elements needed to make progress in high-risk areas are top-level attention by the administration and agency leaders grounded in the five criteria for removal from the High-Risk List. The five criteria for removal that we issued in November 2000 are as follows: (1) leadership commitment, (2) ensuring capacity, (3) developing a corrective action plan, (4) regular monitoring, and (5) demonstrated progress.²

3. In your testimony, you stated that the lifecycle cost estimates of the previous administration seemed to be out of line with GAO estimates. What actions would have

¹GAO, *2020 Census: Actions Needed to Mitigate Key Risks Jeopardizing a Cost-Effective Enumeration*, [GAO-18-215T](#) (Washington, D.C.: Oct. 31, 2017).

²GAO, *High-Risk Series: Progress on Many High-Risk Areas, While Substantial Effort Needed on Others*, [GAO-17-317](#) (Washington, D.C.: Feb. 15, 2017).

led to a more realistic appraisal, and how can Congress ensure that the estimates for future decennial censuses are more in line with reality?

Since 2008, we have concluded the Bureau's approach to developing its life-cycle cost estimates is inconsistent with leading practices. For example, in 2008, we reported that for the 2010 Census, Bureau officials were unable to provide documentation that supported the assumptions for the initial 2001 life-cycle cost estimate as well as the updates.³ Moreover, weaknesses in the life-cycle cost estimate were one reason we designated the 2010 Census a High Risk Area in 2008.⁴

Likewise, in June 2016, we reported that the Bureau's cost estimate for the 2020 Census was unreliable. We reported that, although the Bureau had taken steps to improve its capacity to carry out an effective cost estimate, such as establishing an independent cost estimation office, its October 2015 version of the estimate for the 2020 Census only partially met the characteristics of two best practices GAO has identified⁵ (comprehensive and accurate) and minimally met the other two (well-documented and credible). We also reported that risks were not properly accounted for in the cost estimate.⁶ We recommended and the Bureau agreed to take action to ensure its 2020 Census cost estimate meets all four characteristics of a reliable cost estimate, as well as properly account for risk to ensure there are appropriate levels for budgeted contingencies.

Specifically the Bureau needs to take the following steps to meet the characteristics of a high-quality estimate:

- Comprehensive—among other practices, ensure the estimate includes all life-cycle costs and documents all cost-influencing assumptions.
- Well-documented—among other practices, ensure that its planned documentation plan captures the source data used; contains the calculations performed and the estimating methodologies used for each element; and describes step by step how the estimate was developed.
- Accurate—among other practices, ensure the estimating technique for each cost element is used appropriately and that variances between planned and actual cost are documented, explained, and reviewed.

³GAO, *2010 Census: Census Bureau Should Take Action to Improve the Credibility and Accuracy of Its Cost Estimate for the Decennial Census*, [GAO-08-554](#) (Washington, D.C.: June 16, 2008).

⁴GAO, *Information Technology: Significant Problems of Critical Automation Program Contribute to Risks Facing 2010 Census*, [GAO-08-550T](#) (Washington, D.C.: Mar. 5, 2008). Other factors contributing to the 2008 high risk designation included long-standing weaknesses in the Bureau's management of information technology and the fact that the Bureau delayed the dress rehearsal and dropped several operations.

⁵GAO, *GAO Cost Estimating and Assessment Guide: Best Practices for Developing and Managing Capital Program Costs* (Supersedes [GAO-07-1134SP](#)), [GAO-09-35P](#) (Washington, D.C.: Mar. 2, 2009).

⁶GAO, *2020 Census: Census Bureau Needs to Improve Its Life-Cycle Cost Estimating Process*, [GAO-16-628](#) (Washington, D.C.: June 30, 2016).

- Credible—among other practices, ensure the estimate includes a sensitivity analysis, major cost elements are cross-checked to see whether results are similar, and an independent cost estimate is conducted to determine whether other estimating methods produce similar results.

Additionally, the Bureau needs to further ensure the credibility of data used in cost estimation, and establish clear guidance on when information for cost assumptions can and should be changed as well as the procedures for documenting such changes and traceable sources for information being used.

In June 2016, we also recommend to ensure Bureau and congressional confidence that the Bureau's budgeted contingencies are at appropriate levels, the Bureau should improve control over how risk and uncertainty are accounted for and communicated with the Bureau's decennial cost estimation process, such as by implementing and institutionalizing processes or methods for doing so with clear guidance.

On December 11, 2017, we received documentation for the \$15.6 billion 2020 Census life-cycle cost estimate from the Bureau. After we review the documentation we will brief this Committee on the reliability of the estimate.

**Post-Hearing Questions for the Record
Submitted to the Honorable Gene Dodaro
From Senator Claire McCaskill**

“2020 Census: Examining Costs Overruns, Information Security, and Accuracy”

October 31, 2017

Potential Risks and Their Costs

- 1. The recent disasters in Puerto Rico, Texas, Florida, and California could significantly impact and cause serious complications for the 2020 Census. Given the number of people that were displaced and the houses that were destroyed, what efforts should the Census Bureau undertake to address these challenges?**

The Bureau has not yet developed procedures for counting people displaced by natural disaster for the 2020 Census. However for the 2010 Census after hurricanes Katrina and Rita hit the Gulf Coast region, we had reported that locating housing units and the people who reside in them was critical to counting the population of places hit by the hurricanes, especially since it was estimated that hundreds of thousands of people have—either temporarily or permanently—migrated to other areas of the country.⁷ Moreover, we reported to ensure an accurate count, it was important for the Bureau to have accurate maps and an updated address file.

For the 2010 Census a key question we raised, which is still relevant today as the Bureau prepares for the 2020 Census, is whether the Bureau’s existing operations are adequate for capturing the dramatic changes to roads and other geographic features, or whether the Bureau needs to develop enhanced or additional procedures. For example, new housing and street construction in the affected areas could require more frequent updates of the Bureau’s address file and maps.

Also, local governments’ participation in local update of census addresses (LUCA), where local, state, and tribal governments are given the opportunity to review and suggest changes to Census Bureau address lists and maps might be affected because of the loss of key personnel, information systems, or records needed to verify the Bureau’s address lists and maps.⁸ Therefore, the Bureau needs to begin assessing for the 2020 Census whether new procedures will

⁷GAO, *2010 Census: Census Bureau Needs to Take Prompt Actions to Resolve Long-standing and Emerging Address and Mapping Challenges*, GAO-06-272 (Wash. D.C.: June 15, 2006).

⁸In the Census Address List Improvement Act of 1994, Pub. L. No. 103-430, codified as 13 U.S.C. § 16, Congress required the Bureau to develop a local address review program to give local and tribal governments greater input into the Bureau’s address list development process.

be necessary, determining whether additional resources may be needed, and identifying whether local partners will be available to assist the Bureau in its effort to update address and map data, as well as in other census-taking activities.

2. Has the Government Accountability Office (GAO) assessed the Census Bureau's hiring efforts? What improvements could be made to hiring?

In April 2007 we issued a report on the Bureau's 2010 Census recruiting and hiring efforts and made several recommendations including: (1) using collected information to better target recruiting and hiring; (2) collecting performance data on workers to be used to re-hire for future census field operations; and (3) modifying recruiting and hiring tools, including the skills test and phone interview, to better differentiate applicants with the skills and competencies needed by field supervisors from those who would be better suited for other field positions.⁹ We believe these recommendations to improve the 2010 Census are relevant for the 2020 Census, as well.

While the Bureau implemented the first recommendation for the 2010 Census, it did not agree or implement the second recommendation to collect performance data to re-hire workers. We believe that the Bureau should collect performance data to determine whether workers should be re-hired. Moreover, while the Bureau agreed with the third recommendation to modify recruiting and hiring tools, this recommendation remains open. As part of the 2018 End-to-End Test, we will assess whether the Bureau has implemented this recommendation and modified its recruiting and hiring tools to better differentiate applicants' skills and competencies for supervisory and non-supervisory positions.

We have previously assessed the Bureau's overall IT workforce planning efforts. Specifically, in November 2015 we found that the Bureau had made progress in analyzing IT workforce gaps and establishing a strategic workforce planning process.¹⁰ However, we also reported that critical talent gaps existed that may affect the Bureau's ability to deliver IT capabilities for the 2020 Census. A number of these gaps still exist as of December 2017. For example, in its analysis of IT workforce gaps completed in 2013, the Bureau identified competency gaps in cloud computing, security integration and engineering, enterprise/mission engineering life-cycle, requirements development, and Internet data collection.

To assist in addressing these gaps, the Bureau has been supplementing its workforce with contractor staff. For example, in September 2015, the Bureau awarded an enterprise-wide IT services contract for systems engineering and integration support, and in 2016, it awarded a large scale contract that includes integration support for the roughly 50 systems it will use in 2020 Census operations. However, the Bureau is facing staffing challenges that could impact its ability to manage and oversee the technical integration contractor. Specifically, the Bureau is managing the integration contractor through a government program management office, but this office is still filling vacancies. As of October 2017, the Bureau reported that 35 of the office's

⁹GAO, *2010 Census: Census Bureau Should Refine Recruiting and Hiring Efforts and Enhance Training of Temporary Field Staff*, [GAO-07-361](#) (Washington, D.C.: Apr. 27, 2007).

¹⁰GAO, *2020 Census: Key Information Technology Decisions Must Be Made Soon*, [GAO-16-205T](#) (Washington, D.C.: Nov. 3, 2015).

58, or about 60 percent, of federal employee positions were vacant. As a result, this program management office may not be able to provide adequate oversight of contractor cost, schedule, and performance.

We have previously reported on improvements that agencies, such as the Bureau, should make to address weaknesses in their IT workforce planning efforts.¹¹ For example, we noted that agencies should analyze their IT workforce to identify skill gaps, develop and implement strategies to address the gaps, and monitor and report on progress. We concluded that not implementing these activities can limit an agency's ability to address gaps in IT knowledge and skills. It will be important for the Bureau to continue to monitor the IT skill gaps and quickly fill those gaps to help ensure that it can achieve its mission and strategic goals for the 2020 Census.

3. The Bureau decided to reduce the number of regional offices from 13 to 6, in large part because it expected that the new technology would reduce the need for regional office support. Given the estimated decrease in self-response rates, should the Census Bureau consider opening additional regional offices? What other steps could the Census take to ensure a complete and accurate count of the population?

We have not assessed whether additional regional offices would need to be opened to conduct the 2020 Census given the estimated decrease in self-response rates. The Bureau does plan to open 248 area census offices across the country to conduct the 2020 Census. The self-response rate directly impacts the workload for the non-response follow-up operation at those area census offices, and as such, the Bureau may need to increase the number of people it hires for non-response follow-up if self-response rates are low.

Moreover, the Bureau's decision to close the regional offices considered not only the decennial census but other factors and surveys conducted by the Bureau. In May 2012 we reported that in fiscal year 2011, the Census Bureau decided to consolidate a field structure that had remained substantially unchanged for 50 years by closing 6 of 12 regional offices.¹² The Census Bureau's overall goal for its regional office consolidation was creating a structure that would yield the highest quality data at the lowest possible cost. Census officials concluded that its structure did not reflect advances in survey methodology and technology made in recent decades, such as the ability for home-based workers to have access to confidential data in full compliance with information technology security and legal restrictions. As a consequence, the Bureau's method for conducting surveys was too costly, and survey sponsors, primarily other federal agencies, were demanding improved efficiency and increased responsiveness.

With regard to others steps the Bureau could take to help ensure a complete and accurate count of the population the Bureau needs to implement GAO's remaining 36 open recommendations

¹¹GAO, *IT Workforce: Key Practices Help Ensure Strong Integrated Program Teams; Selected Departments Need to Assess Skill Gaps*, [GAO-17-8](#) (Washington, D.C.: Nov. 30, 2016).

¹²GAO, *Streamlining Government: Questions to Consider When Evaluating Proposals to Consolidate Physical Infrastructure and Management Functions*, [GAO-12-542](#) (Washington, D.C.: May 23, 2012).

from our reports.¹³ Over the past several years we have issued numerous reports that underscored the fact that if the Bureau was to successfully meet its cost savings goal for the 2020 Census, the Bureau needs to take significant actions to improve its research, testing, planning, scheduling, cost estimation, system development, and IT security practices. Over the past decade, we have made 84 recommendations specific to the 2020 Census to help address these and other issues.

The Bureau has generally agreed with those recommendations; however 36 of them had not been implemented as of October 2017. We have designated 20 of these recommendations as a priority for the Department of Commerce and 5 have been implemented. In August 2017, we sent the Secretary of Commerce a letter that identified our open priority recommendations at the Department, 15 of which concern the 2020 Census. These 15 recommendations can be found in appendix I of our October 31, 2017 testimony before this Committee. We believe that attention to these recommendations is essential for a cost-effective enumeration.

On October 3, 2017, in response to our August 2017 letter, the Secretary of Commerce noted that he shared our concerns about the 2020 Census and acknowledged that some of the programs had not worked as planned, and are not delivering the savings that were promised. The Secretary also stated that he intends to improve the timeliness for implementing our recommendations.

In June 2017, we began meeting quarterly with Bureau officials to discuss the progress and status of open recommendations related to the 2020 Census. We are encouraged by the actions taken by the Department and the Bureau in addressing our recommendations. Implementing our recommendations in a complete and timely manner is important because it would improve the management of the 2020 Census and help to ensure a complete and accurate count of the population.

a. Should the Census Bureau consider an increase in address canvassing, and hiring more enumerators for non-response follow up? Why or why not?

On December 11, 2017 we received documentation for the \$15.6 billion 2020 Census life-cycle cost estimate from the Bureau. We will review the documentation's hiring and workload assumptions for address canvassing and non-response follow-up to determine whether those assumptions are fully supported and accurate.

The estimated number of people that need to be hired for an operation depends on the estimated workload. For example, in April 2007 we reported that for the 2010 Census, the Bureau expected to hire almost 75,000 temporary workers during address canvassing to verify and identify the addresses of an estimated 130 million living quarters over the course of about 6 weeks in 2009.¹⁴ During non-response follow-up, the Bureau expected

¹³GAO-18-215T.

¹⁴GAO-07-361.

to hire almost 525,000 temporary workers to visit an estimated 39 million housing units over the course of 12 weeks in 2010.

What additional costs would be incurred should the Census Bureau need to open additional field offices?

We have not assessed the cost of setting up office space for the 2020 Census. On December 11, 2017, we received the documentation for the \$15.6 billion 2020 Census cost estimate. We will review that documentation to determine whether it includes the estimated costs associated with the opening of 248 area census offices. For the 2020 Census, the Bureau is using GSA to find office space for its 248 area census offices it will open to conduct the 2020 Census. According to a 2010 Census Space Assessment Report, the Bureau incurred the following types of costs to open offices: rent, tenant improvements, Department of Homeland Security fees, operating expenses, and related cost of occupancy fees.¹⁵

Revised 2020 Census Lifecycle Costs

4. **The Commerce Department now estimates that the life-cycle cost estimate of the 2020 Census is \$15.6 billion, up from \$3 billion from its the original lifecycle cost estimate. In testimony, you stated that GAO will review the reliability of the revised cost estimate once documentation is received from the Commerce Department.**

- a. **Has the necessary documentation been received?**

Yes, on December 11, 2017, we received the revised cost estimate documentation.

- b. **What is the estimated timeframe for completion of the GAO review?**

We anticipate it will take us about 3 months to review the documentation, at which time we can brief the Committee on the preliminary results of our work. We plan to issue a report in 2018.

Contract Oversight

5. **What challenges does the Census Bureau face in developing, testing, and deploying the 43 systems planned to be used in the 2018 End-to-End Test? Can the Bureau ensure that the systems are properly tested in time? If so, how?**

In October 2017, we reported that the Bureau had been challenged in, among other things, managing the development and testing schedules and security for its information technology (IT) systems.¹⁶ For example, we determined that the Bureau still had significant development and

¹⁵U.S. Census Bureau, 2010 Census Space Acquisition Assessment Report, Feb. 29, 2012.

¹⁶GAO-18-215T.

testing work that remained to be completed for the 2018 End-to-End Test that began in August 2017. Of the 43 systems in the test, the Bureau reported that 4 systems had completed development and integration testing as of August 2017, while the remaining 39 systems had not completed these activities. In addition, we reported that, due to challenges experienced during systems development, the Bureau had delayed key IT milestone dates (e.g., dates to begin integration testing) by several months for several of the systems in the 2018 End-to-End Test.

In addition, regarding IT security, we reported that none of the 43 systems to be included in the 2018 test had completed security assessments and authorizations through the completion of the test. We noted that delays experienced in system development and testing reduced the time available for performing the security assessments needed to fully authorize these systems before the completion of the 2018 End-to-End Test.

To better ensure that its IT systems are developed and tested in time, the Bureau will need to take action to improve its implementation and management of IT, as we have previously recommended.¹⁷ In addition, it will need to address its schedule management challenges. In October 2017, we reported that Bureau officials were evaluating options to decrease the impact of its schedule delays on integration testing and security review activities by, for example, utilizing additional staff.¹⁸ However, we noted that, if the Bureau continues to fall behind schedule, key field operations for the 2018 End-to-End Test (such as non-response follow-up) could be delayed or canceled, which would likely affect the Bureau's ability to meet the test's objectives.

As we previously reported, without sufficiently testing the systems in an integrated fashion, operational problems can go undiscovered and the opportunity to improve operations would be lost. Importantly, the Bureau plans to deploy several key systems (including those related to collecting Internet and phone responses, and storing the related data) in February and March 2018 in order to test them operationally before the 2020 Census. If these systems are not developed and tested in time for the 2018 End-to-End Test, it will be essential for the Bureau to develop and execute a plan to test these systems under census-like conditions in the limited time that remains before the 2020 Census.

6. What are the risks and challenges to the Census Bureau using time and material contracts to carry out 2020 Census program operations? How can the Census Bureau best mitigate these risks?

There are several risks and challenges to the Bureau using time and material contracts to carry out 2020 Census program operations. We have previously reported that, under a time-and-

¹⁷GAO, *Information Technology: Better Management of Interdependencies between Programs Supporting 2020 Census Is Needed*, [GAO-16-623](#) (Washington, D.C.: Aug. 9, 2016).

¹⁸[GAO-18-215T](#).

materials contract, the government (not the contractor) assumes the risk of cost overruns.¹⁹ For example, the government pays fixed per-hour labor rates that include wages, overhead, general administrative costs, and profit; and the government might reimburse the contractor for other direct costs, such as travel and materials costs. In addition, although the contractor is expected to make a good faith effort to meet the government's needs, the government is not guaranteed a completed end item or service within the contract ceiling price. For these reasons, the Office of Management and Budget (OMB) considers time and material contracts high risk because they do not directly incentivize contractors to control costs and, thus, carry significant potential risk of overspending.

The Bureau can help mitigate the risk associated with time and materials contracts by implementing effective contract management and oversight. Although the Bureau is relying on contractor support in many areas of the 2020 Census, including developing a number of key systems and components of the IT infrastructure, it has faced staffing challenges that could impact its ability to manage and oversee its contractors. Specifically, in October 2017, we reported that the Bureau was performing contractor management through a government program management office, but that 35 of the office's 58 federal employee positions were vacant.²⁰ In addition, we noted that schedule delays experienced during a 2017 operational test and preparations for the 2018 End-to-End Test raised concerns regarding the Bureau's ability to effectively perform contractor management. We have previously reported that a greater reliance on contractors for key components of the 2020 Census required the Bureau to focus on sound management and oversight of the key contracts, projects, and systems.²¹

Cancelled Tests

Earlier this year, the Census Bureau cancelled three important 2017 field tests – a Spanish language test in Puerto Rico, a test on the Colville Indian Reservation and Off-Reservation Trust Land in Washington State, and a test on Standing Rock Reservation in North and South Dakota. These tests would have provided data and best information for obtaining a more accurate count in important, historically undercounted minority, rural, and tribal communities. These would have tested systems, software, mail-out strategy and Nonresponse Follow Up (NRFU). Additionally, the Census Bureau significantly reduced field operations in rural and tribal communities for its 2018 End-to-End Census Tests.

¹⁹GAO, *Centers for Medicare and Medicaid Services: Analysis of Contracting Data*, [GAO-17-735SP](#) (Washington, D.C.: Sept. 12, 2017).

²⁰[GAO-18-215T](#).

²¹GAO, *Information Technology: Uncertainty Remains about the Bureau's Readiness for a Key Decennial Census Test*, [GAO-17-221T](#) (Washington, D.C.: Nov. 16, 2016).

7. From a funding perspective, were these cancellations necessary? Has GAO assessed the decision made by the Census Bureau and are there any concerns about how this decision was made?

We did not conduct the audit work to determine if the cancellation of three 2017 field tests were necessary, from a funding perspective. Therefore, we cannot assess the decision made by the Bureau or how it was made. Moreover, prioritizing funds and allocating resources with regard to the cancelled tests were policy decisions made by the Department of Commerce and Bureau.

8. What risk does cancelling 2017 field tests and minimizing field operations for the 2018 End-To-End Census Test pose to the Census Bureau's efforts to obtain a fair and accurate count in 2020? How can the Census best mitigate these risks?

In November 2016, we reported that the cancelation of the 2017 field test was a lost opportunity to test, refine, and integrate operations and systems, and that it put more pressure on the 2018 End-to-End Test to demonstrate that enumeration activities will function under census-like conditions as needed for 2020. However, in May 2017, the Bureau scaled back the operational scope of the 2018 End-to-End and, of the three planned test sites; only the Rhode Island site would fully implement the 2018 End-to-End Test.

As we stated at the Committee's hearing, planned innovations introduce new risks, in part, because they include new procedures and technology that have not been used extensively in earlier decennials, if at all. Our prior work has shown the importance of the Bureau conducting a robust testing program, including the 2018 End-to-End Test.²² Rigorous testing is a critical risk mitigation strategy because it provides information on the feasibility and performance of individual census-taking activities, their potential for achieving desired results, and the extent to which they are able to function together under full operational conditions.

Without sufficient testing, operational problems can go undiscovered and the opportunity to improve operations will be lost, in part because the 2018 End-to-End Test is the last opportunity to demonstrate census technology and procedures across a range of geographic locations, housing types, and demographic groups. Further, technology and procedures that are not fully tested by the Bureau as part 2018 End-to-End Test will need to be tested under census-like conditions during the limited time remaining before the 2020 Census.

To best mitigate risk and ensure a complete and accurate count of the population, the Bureau needs to implement the remaining 36 open GAO recommendations. Over the past several years we have issued numerous reports that have underscored the Bureau's need to take significant

²²GAO, *2020 Census: Bureau Needs to Better Leverage Information to Achieve Goals of Reengineered Address Canvassing*, GAO-17-622 (Washington, D.C.: July 20, 2017).

actions to improve its research, testing, planning, scheduling, cost estimation, system development, and IT security practices for the 2020 Census.

9. What efforts can be made by the Census Bureau to conduct smaller scale field tests in order to ensure an accurate count of hard-to-count populations including rural, tribal, Spanish-speaking, and other traditionally underrepresented communities before the 2020 Census?

We recently initiated work on the Census Bureau's plans for enumerating hard-to-count populations in 2020 and we expect to issue a report in 2018. As for smaller scale field tests, we have previously reported on the need for the Bureau to rethink its approach to testing and evaluating the census.²³ The Bureau agreed, and its early plans for the 2020 Census called for the use of incremental, small-scale testing throughout the decade.²⁴ The Bureau followed through and conducted several small scale tests starting in 2012. That said, the cancellation of the 2017 field tests was a lost opportunity to test census procedures on hard to count populations including the Spanish-speaking and those living in rural areas and tribal lands.

Internet Response: Users

10. For the first time this census count will heavily rely on Internet self-responses. The Census Bureau's goal is that 45% of the response rate will come from the Internet and developed a budget based on that number. Does GAO view the Census Bureau's 45% Internet-self response rate estimate as reasonable? What remaining systems development and testing is required to best equip the Census Bureau to meet that goal?

The Bureau has not provided evidence that the expected Internet response rate is reasonable. In February 2015, we noted that Internet use among adults in the United States increased from 50 percent in 2000 to 87 percent in 2014.²⁵ This is a factor that could influence the potential Internet self-response rate for the 2020 Decennial Census. However, we also reported that the Bureau had not documented the methodology for how it would determine the estimated Internet self-response rate. Thus, we recommended that the Bureau ensure that the methodologies related to determining the Internet response rate are documented. However, as of November 2017, the Bureau had not yet taken action to implement our recommendation.

To best meet its Internet self-response rate goals, the Bureau will need to complete the development and testing of key systems to be used for self-response. As of August 2017, the Bureau still needed to complete development and testing activities for 39 of the 43 systems to be used in the 2018 End-to-End Test.²⁶ As previously mentioned, the Bureau plans to deploy several

²³GAO, *2010 Census: Data Collection Operations Were Generally Completed As Planned, but Long-standing Challenges Suggest Need for Fundamental Reforms*, GAO-11-193 (Washington, D.C.: Dec. 14, 2010).

²⁴U. S. Census Bureau, *2020 Census Program-Level Research and Testing Management Plan*, WBS 1.105, Version 1.0, Aug. 7, 2012.

²⁵GAO, *2020 Census: Key Challenges Need to Be Addressed to Successfully Enable Internet Response*, GAO-15-225 (Washington, D.C.: Feb. 5, 2015).

²⁶GAO-18-215T.

key systems supporting self-response (including the Internet self-response system and data repository) by February 2018 to test them operationally before the 2020 Census. If these systems are not developed and tested in time to be deployed for the 2018 End-to-End Test, it will be important for the Bureau to develop and execute a plan to test these systems under census-like conditions in the limited time that remains before the 2020 Census.

11. In the event that the new online system does not perform as intended, what type of contingency planning should the Census Bureau undertake to ensure a fair and accurate count?

We have previously reported on the importance of establishing contingency plans in the event that key systems, such as those related to Bureau's collection of online responses, do not perform as intended and lead to disruptions in normal operations.²⁷ In this regard, federal policy requires agencies to develop and document continuity of operations plans—a type of contingency plan—that provide, among other things, a description of the resources, staff roles, procedures, and timetables needed to ensure that mission-essential functions continue during and after a disruption in operations.²⁸ Effectively planning for the continuity of operations during such events can help to ensure that the Bureau can perform a fair and accurate count even if its online response systems are disrupted.

As we have previously reported, one of the challenges that the Bureau faces to ensure a fair and accurate count is in making certain that contingency plans are in place that encompass all of the IT systems to be used to support the 2020 Census.²⁹ Internet self-response, in particular, is critical to 2020 Census operations because it is one of the key innovation areas intended to increase response rate and decrease costs. However, as of November 2017, the Bureau had not yet fully developed its contingency plans for the IT systems expected to support the 2020 Census. Without such plans, the Bureau may not be able to fully meet its goal of providing an Internet self-response capability for respondents. In addition, because of the brief time frame for collecting data during the Decennial Census, it is especially important that self-response systems are available for respondents to ensure a high response rate.

Internet Response: Cybersecurity

12. Does GAO find as sufficient the efforts of the Census Bureau to strengthen cybersecurity efforts to prevent Americans from falling victim to phishing attacks from emails and websites that appear authentic but instead are malicious?

²⁷GAO-16-623.

²⁸National Institute of Standards and Technology, *Contingency Planning Guide for Federal Information Systems*, Special Publication 800-34, revision 1 (Gaithersburg, Md.: May 2010).

²⁹GAO-16-623.

The Bureau has taken initial steps to strengthen its cybersecurity efforts, but significant work remains to secure its IT systems and address the threat of phishing attacks. To its credit, the Bureau's Office of the Chief Information Officer (CIO) established a risk management framework that requires system developers to ensure that each IT system undergoes a full security assessment and that critical deficiencies are remediated. According to the Bureau's framework, each of the 43 systems in the 2018 End-to-End Test will need to undergo a comprehensive security assessment before being deployed. However, as we previously reported, because many of the systems were not yet fully developed, the Bureau had not finalized all of the security controls to be implemented; assessed those controls; developed plans to remediate control weaknesses; and determined whether there is time to fully remediate any deficiencies before the systems are needed for the test.³⁰

Our prior work has also described other significant challenges that the Bureau faces in securing systems and data for the 2020 Census, including minimizing the threat of phishing.³¹ Specifically, we previously reported that the Bureau's plan to allow households to respond via the Internet puts respondents at greater risk for phishing attacks. Phishing attacks could target not only respondents, but also Census employees and contractors. To minimize the threat of phishing, organizations such as the U.S. Computer Emergency Readiness Team and the National Institute of Standards and Technology (NIST) recommend several actions for organizations, including communicating with users.

As part of the Bureau's anti-phishing actions, officials stated that they plan to monitor the Internet for fraudulent sites pretending to be the Bureau. Continued focus by the Bureau's CIO and its Chief Information Security Officer on addressing information security challenges, such as completing of security assessments in a timely manner and minimizing the threat of phishing, will be important as the Bureau continues to develop and acquire the systems needed to support the 2020 Census.

13. What efforts does GAO recommend that the Census Bureau engage in to develop, administer, test, and secure the Census intake portal and supporting digital infrastructure? Should the Census Bureau develop a formal cybersecurity policy or plan to secure the system? If so, what considerations should the Census Bureau account for in developing that policy?

Safeguarding federal computer systems, such as the Bureau's data collection systems for the 2020 Census and the infrastructure supporting them, is critical to protecting personally identifiable information and is a key element in maintaining the public trust. In this regard, federal law and guidance specify requirements for protecting federal information and

³⁰GAO-18-215T.

³¹GAO-16-623.

information systems, including those to be used in the 2020 Census. Specifically, the Federal Information Security Management Act of 2002 and the Federal Information Security Modernization Act of 2014 (FISMA) require executive branch agencies to develop, document, and implement an agency-wide program to provide security for the information and information systems that support operations and assets of the agency.³²

Accordingly, NIST developed risk management framework guidance for agencies to follow in developing information security programs.³³ In addition, OMB's revised Circular A-130 on managing federal information resources required agencies to implement the NIST risk management framework to integrate information security and risk management activities into the system development life cycle.³⁴

In accordance with FISMA, NIST guidance, and OMB guidance, the Bureau established a cybersecurity policy and a risk management framework that requires system developers to ensure that each of the systems to be used in the 2018 End-to-End Test and the 2020 Census undergoes a full security assessment. However, substantial work remains in implementing the framework for the systems in the 2018 End-to-End Test. Specifically, in October 2017 we reported that none of the 43 systems to be included in the 2018 test were fully authorized to operate through the completion of the test. In addition, we noted that delays experienced in system development and testing reduced the time available for performing the security assessments needed to fully authorize these systems before the completion of the 2018 End-to-End Test.³⁵ Thus, we concluded that it will be critically important that the Bureau provides adequate time to perform such security assessments, completes them in a timely manner, and ensures that risks are at an acceptable level before the systems are deployed.

14. Should the Census Bureau conduct a risk-limiting audit to ensure that census responses are being accurately recorded and the system is maintaining its integrity?

The Bureau has existing contracts and processes to help ensure that 2020 Census systems that collect and store Census responses are reliable and secure. For example, the Bureau is relying extensively on contractor support to develop, test, and secure the systems to be used for the 2020 Census, including a technical integration contract awarded in August 2016. As we previously reported, the integrator's work was to include evaluating the systems and infrastructure and acquiring the infrastructure (e.g., cloud or data center) to meet the Bureau's scalability and

³²The Federal Information Security Modernization Act of 2014, Pub. L. No. 113-283, 128 Stat. 3073 (Dec. 18, 2014) largely superseded the Federal Information Security Management Act of 2002, enacted as Title III, E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2946 (Dec. 17, 2002).

³³NIST, *Guide for Applying the Risk Management Framework to Federal Information Systems: A Security Life Cycle Approach*, SP 800-37, Revision 1 (Gaithersburg, Md.: February 2010).

³⁴OMB, *Revision of OMB Circular A-130, Managing Federal Information as a Strategic Resource* (Washington, D.C.: July 28, 2016).

³⁵GAO-18-215T.

performance needs.³⁶ It was also to include integrating all of the systems, supporting technical testing activities, and developing plans for ensuring the continuity of operations. Since the contract was awarded, the Bureau has modified the scope to further include assisting with operational testing activities, conducting performance testing for two Internet self-response systems, implementing fraud detection capabilities, and technical support for the implementation of the paper data capture system.

In addition, in accordance with relevant federal security law and guidance, the Bureau established a risk management framework that requires system developers to make certain that each of the systems to be used in the 2018 End-to-End Test undergoes a full security assessment, which helps to ensure the confidentiality, integrity, and availability of systems before they are deployed. However, in October 2017, we reported that significant work remains to ensure that the framework is fully implemented for the 2018 End-to-End Test, including the completion of security assessments for each of the 43 systems being used in the test.³⁷ Given that certain operations for the 2018 End-to-End Test began in August 2017, it is critically important that the Bureau completes these security assessments in a timely manner and ensures that risks are at an acceptable level before the systems are deployed.

15. What efforts should the Census Bureau undertake to safeguard against, and respond to, a potential data breach?

To safeguard against a potential breach, the Bureau will need to ensure that each of the systems being used in the 2020 Census has complete security documentation (such as system security plans) and obtains a security authorization to operate prior to its use. We previously reported that, as of October 2017, significant work remained to ensure that the 43 systems that are to be used in the 2018 End-to-End Test are authorized to operate through the completion of the test. Timely approved authorization to operate is critical because a majority of the systems to be used in the test contain personally identifiable information or data that is protected by federal law.³⁸ Further, it is important for the Bureau to ensure that only respondents and Bureau officials are able to gain access to this information, and that enumerators and other employees only have access to the information needed to perform their jobs.

In order to respond to a potential breach, according to NIST guidance, agencies (including the Bureau) are to monitor their security controls on an ongoing basis after deployment, including

³⁶GAO-18-215T.

³⁷GAO-18-215T.

³⁸For example, 13 U.S.C. § 9 provides that all information collected from the public by the Census Bureau be maintained as confidential. The data may be seen only by persons sworn to uphold the confidentiality of Census Bureau's information, and may be used only for statistical purposes. The Internal Revenue Service is required to keep tax return information confidential but the Census Bureau may access that data pursuant to an exception in 26 U.S.C. § 6103(j) that permits the Internal Revenue Service to share it with the Census Bureau for statistical purposes only. These data must be protected against unauthorized disclosure.

assessing controls' effectiveness and reporting on the security state of the system.³⁹ NIST guidance specifies procedures for implementing FISMA incident-handling requirements, and includes guidelines on establishing an effective incident response program and detecting, analyzing, prioritizing, and handling an incident. As we have reported, protecting the information systems and the information that resides on them and effectively responding to cyber-incidents is critical to federal agencies because the unauthorized disclosure, alteration, and destruction of the information on those systems can result in great harm to those involved.⁴⁰ We have ongoing work reviewing the Bureau's implementation of the NIST guidance on continuous monitoring of security controls.

Administrative Records

In 2020, the Census Bureau plans to rely heavily on administrative records and third party data to reduce costs and to obtain missing information about unresponsive households in order to minimize field-canvassing operations. Some populations may not have the same body or quality of administrative records and third-party data as other groups.

16. Does GAO have recommendations on specific administrative records and third-party data the Census Bureau should rely upon for the 2020 Census? How will the Census Bureau's reliance on administrative records and third-party data affect the overall cost of the Census?

As we have previously reported, and according to the Census Bureau, its planned approach for using administrative records in the 2020 Census lets the Bureau confidently rely on records where they appear to be strongest, resolving in an objective manner what the administrative records may report for the housing units in question.⁴¹ While we have previously reported on steps the Bureau is taking to use administrative records,⁴² we have done no work on which specific administrative records or third-party data the Bureau should use for the 2020 Census.

The Census Bureau estimated in October 2015 that its planned use of administrative records for the 2020 Census could save about \$1.4 billion (constant 2020 dollars) compared to what the census would cost using traditional enumeration methods. We have not audited the Bureau's estimates of these cost savings, although we assessed the Bureau's 2015 total life-cycle cost

³⁹NIST, *Guide for Applying the Risk Management Framework to Federal Information Systems: A Security Life Cycle Approach*, SP 800-37, Revision 1 (Gaithersburg, Md.: February 2010).

⁴⁰See, for example, GAO, *Federal Information Security: Agencies Need to Correct Weaknesses and Fully Implement Security Programs*, [GAO-15-714](#) (Washington, D.C.: Sept. 29, 2015); *Information Security: Cyber Threats and Data Breaches Illustrate Need for Stronger Controls across Federal Agencies*, [GAO-15-758T](#) (Washington, D.C.: July 8, 2015); *Cybersecurity: Recent Data Breaches Illustrate Need for Strong Controls across Federal Agencies*, [GAO-15-725T](#) (Washington, D.C.: June 24, 2015); *Information Security: Agency Responses to Breaches of Personally Identifiable Information Need to Be More Consistent*, [GAO-14-34](#) (Washington, D.C.: Dec. 9, 2013); and *Information Security: Better Implementation of Controls for Mobile Devices Should Be Encouraged*, [GAO-12-757](#) (Washington, D.C.: Sept. 18, 2012).

⁴¹GAO, *2020 Census: Bureau Is Taking Steps to Address Limitations of Administrative Records*, [GAO-17-664](#) (Washington, D.C.: July 26, 2017).

⁴²[GAO-17-664](#).

estimate—the latest for which all information was available—and concluded it was unreliable.⁴³ On December 11, 2017, we received documentation for the revised \$15.6 billion 2020 Census life-cycle cost estimate from the Bureau. After we review the documentation we will brief this Committee on the reliability of the estimate.

17. Should the Census Bureau rely on administrative records and third-party data to address and remedy the historical undercount of traditionally “hard-to-count” populations?

To help minimize possible coverage problems with administrative records so that subpopulations are not miscounted, for example the Bureau introduced a business rule to include administrative records for consideration in its modeling only when a minimum amount of information is present for a given household. Specifically, the Bureau must have an age for and be able to uniquely identify each person within its administrative records sources in order for the records to be considered for enumeration for that household.

Bureau officials acknowledge that this business rule limits somewhat the extent to which it can rely on administrative records in place of more expensive door-to-door data collection methods for households that do not respond. Yet they also believe that their research has shown that the rule ensures that administrative records are used only in circumstances where research has shown them to be most accurate.

Additionally, as the former Bureau Director has testified, Bureau innovations, such its planned use of data the public has already provided to the government to count the part of the population that is easier to count, have the potential to free up resources that the Bureau could use to target counting those that it is harder and more expensive to count, such as minorities, renters, or those in unusual living situations.

18. How should the Census Bureau test the use of administrative records and third-party data to ensure that traditionally hard-to-count populations are accurately counted in the 2020 Census?

To position the agency to realize cost and quality improvements for the decennial, the Bureau has implemented steps to ensure that using administrative records is viable for 2020 and to address potential coverage limitations. In preparation for the 2020 Census, the Bureau has been testing the quality of administrative records it has access to and developing ways to ensure its use of records does not adversely affect census quality. We reported in 2015 on the Bureau’s readiness for these operations.⁴⁴ The operations include, for example, non-response follow-up, where the Bureau is to use records and statistical models to identify and remove vacant addresses from the follow-up workload. The Bureau’s modeling relies on over 20 different sources of linked records. In prior decennials, enumerators would have first made costly visits to each vacant house before they were deleted from the address list.

⁴³GAO, *2020 Census: Census Bureau Needs to Improve Its Life-Cycle Cost Estimating Process*, [GAO-16-628](#) (Washington, D.C.: June 30, 2016).

⁴⁴GAO, *2020 Census: Additional Actions Would Help the Bureau Realize Potential Administrative Records Cost Savings*, [GAO-16-48](#) (Washington, D.C.: Oct. 20, 2015).

The Bureau has tested plans also to use administrative records to identify which non-responding housing units are occupied. In cases where administrative records are sufficient and one follow-up visit has been unsuccessful, the Bureau plans to use the same records to determine the count of people living in the household as well as the race, sex, and other characteristics of each person as required by the census. The modelling procedures the Bureau plans to use with administrative records to do this have been demonstrated successfully by the Bureau in prior tests.

As we reported earlier this year, the Bureau is taking a number of steps to address known limitations with administrative records.⁴⁵ For example, as described in response to question 17 above, the Bureau introduced a business rule to include administrative records for consideration in its modeling only when a minimum amount of information is present for a given household. In addition, the Bureau modified its non-response follow-up contact strategy to help ensure better coverage of non-Hispanic black households.

During testing, the Bureau found in simulations of its initial administrative records approach that it was obtaining higher vacancy rates in areas of high concentration of non-Hispanic blacks than it did in those areas in the 2010 Census. The Bureau attributed this result to its administrative-records modeling of which households are vacant, and the Bureau determined that it could improve the modeling results by requiring two—instead of just one—notifications from the U. S. Postal Service (USPS) that mail could not be delivered to the addresses in question. So the Bureau added the step of an additional mailing to its contact strategy for households that USPS flagged as vacant. The Bureau acknowledged that this additional contact will cost more, but it will decrease the chance of a family being missed by the census, particularly where housing units turn out not to be vacant.

Integrated Partnership and Communications Program

Earlier this year, the Census Bureau paused crucial advertising and partnership campaigns. Civil rights advocacy organizations have warned that the Census Bureau's decision to pause this campaign and delay the publishing of a finalized, comprehensive communication plan will adversely affect public outreach efforts, particularly with respect to the hard-to-count populations. Moreover, this could cause self-response rates to decrease and potentially lead to increased costs.

- 19. Given the five-month delay in releasing a draft communication plan and the uncertainty surrounding the release of a final comprehensive plan – what efforts can the Census Bureau undertake to strengthen its outreach efforts in this crucial phase before the 2020 Census?**

The Census Bureau publicly released its 2020 Census Integrated Communications Plan (version 1.0, dated 6/2/2017) on October 27, 2017. According to the plan, this first draft lays out the foundational steps to develop a comprehensive communications campaign and provides a high-level overview of anticipated communications strategies. The plan states that future iterations of

⁴⁵GAO-17-664

the plan, scheduled to be produced in summer 2018 and 2019, will provide greater detail based on ongoing campaign research.

Although we have not conducted audit work on the 2020 Census Integrated Communications Plan, we have previously reported that the Bureau should strengthen aspects of its marketing and outreach efforts. For example, in 2010 we recommended that the Bureau improve the user-friendliness of its partnership database to help ensure more timely updates of contact information and evaluate the extent to which each special enumeration activity improved the count of traditionally hard-to-count groups and use the results to help inform decision making on spending for these programs in 2020.⁴⁶ The Bureau agreed with our recommendations; however these recommendations have not been implemented. We will monitor the Bureau's efforts to ensure our recommendations are effectively implemented.

Further, we recently initiated new work looking at the Census Bureau's plans for enumerating the hard-to-count populations in 2020 and we expect to issue a report in 2018. As part of that work, we plan to review the 2020 Census Integrated Communications Plan.

There were nearly 3,000 partnership specialists for the 2010 Census, however, the Census Bureau only plans to hire 1,000 partnership specialists for the 2020 Census. In a 2010 GAO report, "[t]he Bureau better positioned itself to reach out to and enumerate HTC populations in 2010 in part by . . . significantly expand[ing] the partnership program by hiring about 2,800 partnership staff in 2010 compared to around 600 in 2000. As a result, staff were not spread as thin. The number of languages they spoke increased from 35 in 2000 to 145 for the 2010 Census."

20. Did GAO analyze the cost implications of increasing the number of partnership specialists to 2,800 in 2010? Did GAO evaluate if increasing the number of partnership specialists impact the self-response rate in 2010? If so, what are those evaluative results?

We did not conduct work analyzing the cost implications of partnerships staff or their impact on the self-response rate for the 2010 Census.

21. Has GAO evaluated the impact on outreach efforts that the Census Bureau can conduct provided that it intends to engage approximately one-third of the number of partnership specialists that the Bureau used in 2010? What are the potential ramifications of limiting the number of partnership specialists to 1,000? How can the Census Bureau address these potential challenges?

We recently initiated new audit work looking at the Census Bureau's plans for enumerating the hard-to-count populations in 2020 and we expect to issue a report in 2018. As part of that work, we plan to review the Census Bureau's partnership staffing plan for 2020.

⁴⁶GAO, *2010 Census: Key Efforts to Include Hard-to-Count Populations Went Generally as Planned; Improvements Could Make the Efforts More Effective for Next Census*, [GAO-11-45](#) (Washington, D.C.: Dec. 14, 2010).

As we have previously reported, the Census Bureau hired around 2,800 partnership staff for 2010, which included both partnership specialists and partnership assistants.⁴⁷ As a point of comparison, we reported that the Bureau hired about 600 partnership staff, including mostly partnership specialists and a small number of support staff for the 2000 Census.⁴⁸ We reported in 2010 that the Bureau's expanded 2010 partnership program increased the ratio of partnership staff per county to almost one for every county, and as a result, staff were not spread as thin.⁴⁹ And as you noted, the number of languages these staff spoke increased from 35 in 2000 to 145 for the 2010 Census.

22. Has GAO conducted any analysis of the impact of the five-month delay in releasing a draft communication plan?

We recently initiated new work looking at the Census Bureau's plans for enumerating the hard-to-count populations in 2020 and we expect to issue a report in 2018. As part of that work, we plan to review the most recent communications plan.

23. Has GAO conducted any analysis or estimate of the necessity and amount of additional funding the Census Bureau will require for advertising and partnership campaign to ensure sufficient outreach and reduce costly NRFU activities?

We have not conducted audit work on the necessity and amount of additional funding the Census Bureau will require for advertising and partnership campaign for 2020. On December 11, 2017 we received the documentation for the Bureau's updated 2020 Census life-cycle cost estimate. We will review the documentation to determine the costs associated with and justifications for the advertising and partnership campaign.

24. Does GAO recommend additional resources that the Census Bureau make available to the decreased number of partnership specialists to strengthen the overall advertising and communications campaign?

As we have previously reported, the Census Bureau hired around 2,800 partnership staff for 2010, which included both partnership specialists and partnership assistants.⁵⁰

⁴⁷GAO-11-45.

⁴⁸GAO, *2000 Census: Review of Partnership Program Highlights Best Practices for Future Operations*, GAO-01-579 (Washington, D.C.: Aug. 20, 2001).

⁴⁹GAO-11-45.

⁵⁰GAO-11-45.

Additionally, as we previously reported, aligning the delivery of promotional materials with the hiring of partnership staff could foster more effective relationships with partner organizations.⁵¹ For example, the Census Bureau began hiring partnership specialists for the 2010 Census in January 2008. However, the delivery of the promotional materials did not start until April 2009, more than a year after partnership specialists first came on board. By not having promotional materials on hand when partnership staff first began work, the Bureau may have missed opportunities to develop and strengthen relationships with organizations that had the ability to influence census participation among hard-to-count groups. We recommended in 2010 that, to improve its marketing and outreach efforts, the Bureau ensure that promotional materials, including in-language materials for the partnership program, are available when partnership staff are first hired. The Bureau agreed with our recommendation, and we await the recommendation's implementation.

25. What challenges do you foresee to the continuous delay in the partnership program and the release of a final comprehensive communications plan? Is there still time for the Bureau address these challenges? If so, how should the Census Bureau proceed?

We previously reported the Bureau began hiring partnership specialists in January 2008 for the 2010 Census.⁵² According to the Secretary of Commerce's recent testimony, the Bureau has already hired some partnerships specialists for 2020. As part of our recently initiated work on the Census Bureau's plans for enumerating hard-to-count populations in 2020, we plan to review the Census Bureau's most recent partnership and communications plans. We expect to issue a report in 2018.

Based on our prior work, forming partnerships is labor intensive—it takes time to identify potential partnership organizations, develop relationships, and plan and implement outreach activities.⁵³ To the extent there are delays, the Bureau could find itself behind where it needs to be in terms of rolling out its partnership efforts.

Census High Risks Status: Open GAO Recommendations

In February, GAO placed the 2020 Decennial Census on the 2017 High Risk List because the cost of the census has been escalating for the last few decades. The 2010 Census cost approximately \$12.3 billion, and resulted in several billion dollars in cost overruns. GAO has made 84 recommendations in 23 reports to the Department of Commerce and the Census Bureau regarding 2020 Census preparations. Though the Census Bureau agreed with these recommendations, to date, it has not implemented 36 of these recommendations.

⁵¹GAO-11-45.

⁵²GAO-11-45.

⁵³GAO-01-579.

26. To what extent is the Census Bureau making progress in addressing these remaining recommendations aimed at mitigating the risks to a cost-effective 2020 Census?

From FY 2007 to FY 2017 the Bureau has implemented 48 of the 84 GAO recommendations related to the 2020 Census. We meet quarterly with Bureau officials to discuss the progress and status of the remaining 36 open recommendations related to the 2020 Census—the next quarterly meeting is scheduled for January 30, 2018. We are encouraged by the actions taken by the Department and the Bureau in addressing our recommendations. Implementing our recommendations in a complete and timely manner is important because it would improve the management of the 2020 Census and help to mitigate continued risks.