

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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August 14, 2019

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

Dear Dr. Dillingham:

Enclosed are questions that have been directed to you and submitted for the official record for the hearing on Wednesday, July 24, 2019, "Beyond the Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

Please return your written responses to these questions by August 28, 2019. Your responses should be addressed to the Committee office at 2157 Rayburn House Office Building, Washington, D.C. 20515. Please also send an electronic version of your response by email to Amy Stratton, Clerk, at Amy.Stratton@mail.house.gov.

If you need additional information or have other questions, please contact Elisa LaNier, Chief Clerk, at (202) 225-5051.

Sincerely,


Jamie Raskin
Chairman

Enclosure

cc: The Honorable Chip Roy, Ranking Member

Dr. Steven Dillingham
Director
United States Census Bureau

Questions from Chairman Jamie Raskin

July 24, 2019, Subcommittee on Civil Rights and Civil Liberties Hearing "Beyond the Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

1. For what purpose does the Bureau intend to use the citizenship question field test currently in the field?
2. The Bureau's website has a Frequently Asked Questions page for foreign-born respondents that includes the following question and answer:

Q: Does the Does the Census Bureau collect immigration data?

A: No. The U.S. Census Bureau collects and publishes survey data on the characteristics of foreign-born residents of the United States, such as country of birth, U.S citizenship status, and year of entry into the United States. By comparison, the Department of Homeland Security Office of Immigration Statistics publishes statistics and reports based on administrative data, such as the numbers of persons obtaining legal permanent resident status, refugees and asylees, naturalizations, nonimmigrant admissions, and enforcement actions.¹

Is that answer still accurate? Will the implementation of the Executive Order change that answer?

3. The Bureau's website has a Frequently Asked Questions page for foreign-born respondents that includes the following question and answer:

Q: Does the Census Bureau collect data on the legal status of the foreign born?

A: No. The Census Bureau does not collect data on the legal status of the foreign born. The Department of Homeland Security Office of Immigration Statistics publishes statistics and reports based on administrative data, such as the numbers of persons obtaining legal permanent resident status, refugees and asylees, naturalizations,

¹U.S. Census Bureau, *Foreign Born Frequently Asked Questions (FAQ)* (accessed July 17, 2019) (online at www.census.gov/topics/population/foreign-born/about/faq.html).

nonimmigrant admissions, and enforcement actions. It also provides estimates of the unauthorized immigrant population in the United States.

Is that answer still accurate? Will the implementation of the Executive Order change that answer?

4. The Bureau's website includes the following statement regarding the 2020 Census: "No law enforcement agency (not the DHS, ICE, FBI, or CIA) can access or use your personal information at any time." Is that still the case? Will the implementation of the Executive Order change that answer?
5. What is the Bureau's communication plan to counteract the negative impact of the citizenship question? This includes, for example:
 - a. What specific messaging is the Bureau doing in immigrant and minority communities that are afraid of responding due to the citizenship question?
 - b. How will the Census ensure that its staffers are not confused with Immigrations and Customs Enforcement or other law enforcement?
 - c. What will Census workers say if a respondent asks about the citizenship question?
 - d. What will Census workers say if a respondent asks whether the Bureau is collecting information on their citizenship or legal status?
 - e. What will Census workers say if a respondent says they are afraid to respond?
 - f. What will Census workers say if a respondent asks if they can refuse to answer?
 - g. What will Census workers say if a respondent asks what the penalty is for not answering?
 - h. What will Census workers say if a respondent asks if they will be prosecuted or fined for not answering?
6. The Bureau has an information sharing agreement with the Department of Homeland Security.
 - a. What is the purpose of that agreement?
 - b. What specific data will DHS be sharing with the Bureau, and what will the Bureau use it for?
 - c. Will DHS be providing citizenship or immigration status data to the Bureau? If so, will that data be anonymized such that the Bureau will not be able to identify the citizenship or immigration status of any individuals or households?

Dr. Steven Dillingham
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Questions from Congressman Wm. Lacy Clay

July 24, 2019, Subcommittee on Civil Rights and Civil Liberties Hearing "Beyond the Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

1. What are the names of the minority-owned subcontractors and minority-owned suppliers participating in the Census 2020 marketing and advertising efforts for African Americans? For each subcontractor or supplier, please identify:
 - a. The areas of the country they are responsible for covering;
 - b. The value of their contracts;
 - c. When each contract was executed and when they expire; and
 - d. How each contractor was selected.

2. How much money is Census Bureau allocating for African American media advertising, and how that compares to the overall advertising budget.

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Questions from Congresswoman Debbie Wasserman Schultz

July 24, 2019, Subcommittee on Civil Rights and Civil Liberties Hearing "Beyond the Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

1. The Bureau currently plans to carry over \$1 billion in funding to 2020. Will the Bureau commit to using some of those funds to open Questionnaire Assistance Centers?
2. If the Bureau will not open Questionnaire Assistance Centers, will it commit to assigning Census staffers in hard-to-count communities to stationary locations at predictable times during hours most likely to get foot traffic from the communities?

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Questions from Congressman Jimmy Gomez

July 24, 2019, Subcommittee on Civil Rights and Civil Liberties Hearing "Beyond the
Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

1. Which neighborhoods are receiving a paper questionnaire form in the initial mailing, and which will be receiving a post-card directing them online?

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Questions from Congresswoman Ayanna Pressley

July 24, 2019, Subcommittee on Civil Rights and Civil Liberties Hearing "Beyond the Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

1. Will citizenship data collected pursuant to President Trump's July 11, 2019 Executive Order on the Census be used in the Bureau's redistricting file?
 - a. Will it be included automatically in the files given to all states?
 - b. Will states who do not want to use citizenship data in redistricting be able to obtain a redistricting file that does not include that data?
2. Will the Bureau's redistricting file include breakdowns by Citizen Voting Age Population (CVAP)?
 - a. Will it be included automatically in the files given to all states?
 - b. Will states who do not want to use citizenship data in redistricting be able to obtain a redistricting file that does not include that data?
3. Has anyone in the Administration indicated to you that block-level data produced by the Bureau may be used to identify neighborhoods for immigration enforcement?
4. Will citizenship data collected pursuant to the Executive Order be used in the Bureau's congressional apportionment counts? In a statement send to Congresswoman Pressley on August 9, 2019, the Bureau stated:

"The issue you asked about it currently in litigation and we do not comment on ongoing litigation, but the Census Bureau will fulfill its constitutional mandate to conduct a complete and accurate 2020 Census and enumerate all persons living in the United States of America."

As the Bureau is aware, the Supreme Court has clearly and repeatedly ruled that parallel litigation does not preclude Congress from investigating an issue and is not a valid reason to withhold information from Congress.² Please clearly state

² *Hutcheson v. United States*, 369 U.S. 599 (1962); *Sinclair v. United States*, 279 U.S. 263 (1929).

whether citizenship data will be used in the Bureau's congressional apportionment counts.

5. How should a member of the public report something they suspect is a fraudulent Census document? Is there a number, email, website, or social media account people can contact right now?
6. How can someone contact the Bureau to determine if something is a legitimate document or contact from the 2020 Census? Is there a mechanism in place that people can contact right now?

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Question from Congresswoman Carolyn Maloney

July 24, 2019, Subcommittee on Civil Rights and Civil Liberties Hearing "Beyond the
Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

1. What is the Bureau's detailed plan to improve its background check process and ensure its hiring for the 2020 Census stays on schedule?

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Questions from Congresswoman Carol Miller

July 24, 2019, Subcommittee on Civil Rights and Civil Liberties Hearing "Beyond the Citizenship Question: Repairing the Damage and Preparing to Count 'We the People' in 2020."

1. According to Census Bureau data, 51 percent of my district in southern West Virginia is considered "hard to count." How does the Census Bureau plan to count rural hard-to-count communities?
 - a. How has the 2020 Census rural hard-to-count strategy changed since the 2010 Census?
 - b. What steps is the Census Bureau taking to ensure an accurate enumeration in WV-03?
2. Rural children under five years old are particularly difficult to count. How does plan to increase awareness to accurately count rural children?
3. My district also has low internet connectivity. How does the Census Bureau plan to reach those in my district without reliable internet access?
4. What portion of the integrated communications contract is allocated to rural media, partnership and outreach?
5. How many partnership specialists will be hired in West Virginia, including WV-3?
6. Address canvassing in the 2018 Test revealed device connectivity issues in very rural areas. What changes has the Census Bureau made in response to these problems in the 2018 Test?