Congress of the United States
Washington, DC 20515

November 19, 2013

The Honorable John H. Thompson
Director
U.S. Census Bureau
4600 Silver Hill Road
Suitland, MD 20746

Dear Mr. Thompson:

Today, the *New York Post* published a story by John Crudele that contained allegations from at least two sources who claim that employment data collected by the U.S. Census Bureau was fabricated. According to the story, the fabricated data was "collected" by Census Bureau employees working on the Current Population Survey (CPS). The U.S. Department of Labor uses the CPS to generate national and regional unemployment rates. The U.S. Congress uses the CPS to make crucial policy decisions, and the private sector uses the CPS to make important business decisions. Crudele's sources allege that fabrication of employment data has been occurring for years, and that it is ongoing. Crudele wrote:

> [T]he Census Bureau had caught an employee fabricating data that went into the unemployment report, which is one of the most closely watched measures of the economy. And a knowledgeable source says the deception went beyond that one employee—that it escalated at the time President Obama was seeking reelection in 2012 and continues today.[1]

These allegations are shocking. If true, there may be a systemic problem at the Philadelphia Regional Census Office, where the alleged data fabrication occurred. These allegations also raise the prospect that the use of fabricated data is a widespread problem. The Philadelphia Regional Census Office is just one of six offices nationwide that collect the data on which the unemployment rate is based. The implications of an unreliable unemployment figure are serious and far-reaching. The national unemployment rate affects everything from legislation on Capitol Hill, to Federal Reserve policy, to stock prices on Wall Street.

Crudele also spoke with the Philadelphia Regional Census Office employee who was caught fabricating data. That employee, Julius Buckmon, claimed that a supervisor instructed him to do so. Crudele wrote:

> The Census employee caught faking the results is Julius Buckmon, according to confidential Census documents obtained by *The Post*.

[1] John Crudele, *Census 'Faked' 2012 Election Jobs Report*, N.Y. POST, Nov. 18, 2013, *available at* http://nypost.com/2013/11/18/census-faked-2012-election-jobs-report/ [hereinafter Crudele].

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> Buckmon told me in an interview this past weekend that he was told to make up information by higher-ups at Census. . . . [The Department of] Labor requires Census to achieve a 90 percent success rate on its interviews—meaning it needed to reach 9 out of 10 households targeted and report back on their jobs status. Census currently has six regions from which surveys are conducted. The New York and Philadelphia regions, I'm told, had been coming up short of the 90 percent. Philadelphia filled the gap with fake interviews. 'It was a phone conversation—I forget the exact words—but it was, 'Go ahead and fabricate it' to make it what it was,' Buckmon told me.[2]

The fact that senior Census Bureau officials may have urged subordinate employees to fabricate data heightens our concern about these allegations. The Census Bureau's mission "is to serve as the leading source of quality data about the nation's people and economy."[3] If true, these allegations raise concerns that the Census Bureau is not fulfilling its mission. We need to better understand whether the Current Population Survey and other important Census Bureau data are reliable, and if not, whether Census Bureau officials knowingly and intentionally fabricated the data on which they are based.

It is also alleged that the Census Bureau never publicly disclosed the data fabrication or notified the Department of Labor.[4] Since the Bureau relies on the American public for its data, it is important that the Census Bureau cooperate with all investigations into this matter. Any erosion of trust by the Census Bureau would have an immediate impact on other important Census surveys such as the American Community Survey or the planning and implementation of the 2020 Decennial Census.

To assist the congressional investigation into this matter, please provide the following documents and information in unredacted form, covering the time period from January 1, 2010 through January 1, 2013, as soon as possible, but by no later than noon on December 3, 2013:

1. All documents and communications, including e-mails, between and among Census Bureau employees referring or relating to the collection of the Current Population Survey.

2. All e-mails listing Mr. Julius Buckmon as a to, from or cc.

3. A list of Mr. Buckmon's chain of command, including all supervisors.

4. All e-mails to or from Joal Crosby referring or relating to data falsification or the Current Population Survey.

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[2] *Id.*
[3] U.S. Census Bureau, Mission Statement, *available at* http://www.census.gov/aboutus/# (last visited Nov. 19, 2013).
[4] Crudele.

5. All documents and communications, including e-mails, provided to the Office of Inspector General relating to any investigation of Julius Buckmon.

6. All documents and communications, including e-mails, between and among Philadelphia Regional Census Office employees and U.S. Census Bureau headquarters staff referring or relating to the collection of unemployment data.

7. A list of Census Bureau officials with supervisory responsibility for the Current Population Survey.

It is reasonably foreseeable that Congress will request documents from additional U.S. Census Bureau employees in the Philadelphia Regional Office and in headquarters. Therefore, so that a full and complete record of relevant communications can be produced to Congress in response to an additional document request, please preserve all communications in all official and non-official e-mail accounts created since January 1, 2010, that can be reasonably anticipated to be subject to a request for production. Please instruct all U.S. Census Bureau employees and contractors who can reasonably be expected to have relevant documents to do the same.

For the purposes of this request, "preserve" means taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, or mutation of electronic records, as well as negligent or intentional handling that would make such records incomplete or inaccessible.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at "any time" investigate "any matter" as set forth in House Rule X. The Joint Economic Committee is an advisory panel tasked with reviewing economic conditions and recommending improvements to economic policy. An attachment to this letter provides additional information about responding to this request.

When producing documents to the House Committee on Oversight and Government Reform, please deliver production sets to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building. The Oversight Committee prefers, if possible, to receive all documents in electronic format.

If you have any questions about this request, please contact Jonathan Skladany or Jessica Donlon of the House Committee on Oversight and Government Reform staff at (202) 225-5074. Thank you for your attention to this matter.

Sincerely,

Darrell Issa
Chairman
Committee on Oversight
and Government Reform
U.S. House of Representatives

Blake Farenthold
Chairman
Subcommittee on Federal Workforce,
U.S. Postal Service and the Census
Committee on Oversight
And Government Reform
U.S. House of Representatives

Kevin Brady
Chairman
Joint Economic Committee
U.S. Congress

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Minority Member
Committee on Oversight and Government Reform
U.S. House of Representatives

The Honorable Stephen Lynch, Ranking Minority Member
Subcommittee on Federal Workforce, U.S. Postal Service, and the Census
Committee on Oversight and Government Reform
U.S. House of Representatives

The Honorable Amy Klobuchar, Vice Chair
Joint Economic Committee
U.S. Congress

DARRELL E. ISSA, CALIFORNIA
CHAIRMAN

ELIJAH E. CUMMINGS, MARYLAND
RANKING MINORITY MEMBER

ONE HUNDRED THIRTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143

Majority (202) 225–5074
Minority (202) 225–5051

Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.

2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.

3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.

4. Documents produced in electronic format should also be organized, identified, and indexed electronically.

5. Electronic document productions should be prepared according to the following standards:

   (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.

   (b) Document numbers in the load file should match document Bates numbers and TIF file names.

   (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.

   (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document;

   BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT,CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,

CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD, INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION, BEGATTACH.

6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.

8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.

9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.

10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.

11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.

12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.

13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.

14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.

15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.

16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been

located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.

17. All documents shall be Bates-stamped sequentially and produced sequentially.

18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Schedule Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.

3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.

4. The terms "person" or "persons" mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term "identify," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.

6. The term "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.

7. The term "employee" means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.