

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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September 24, 2020

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

Dear Dr. Dillingham:

The Committee has obtained new documents from a whistleblower that demonstrate that the Census Bureau is taking shortcuts in order to end field operations early and that the Census Bureau instructed its employees to advise administrators of homeless shelters that enumerators would be asking their populations questions about citizenship. These actions create the risk of the 2020 Census undercounting hard-to-count and vulnerable communities. Neither the Census Bureau nor the Department of Commerce produced this information to the Committee.

Homeless Populations

The Committee has obtained Census Bureau handouts outlining operational changes to “service based enumeration” (SBE)—which is when the Census Bureau counts people who do not live in conventional housing or are experiencing homelessness. The locations for service-based enumeration include emergency and transitional shelters, domestic violence shelters, soup kitchens, regularly scheduled mobile food vans, and certain non-sheltered outdoor locations.

The handout obtained by the Committee explains: “There are some operational updates since your manual was printed and Lesson 9 on SBEs was recorded.” The handout instructs Census Bureau enumerators not to identify any more SBE locations or count any additional populations they observe while in the field because the “deadline for adding” them to the enumeration plan “has already passed.” The handout states:

Only enumerate the location in your workload. The deadline for adding potential SBE locations to the workload has already passed. Complete the work you are assigned and do not look for additional SBE locations.

Victims of Domestic Violence

The handout obtained by the Committee also shows that the Census Bureau is now apparently directing enumerators without specialized training to proceed immediately with

counting domestic violence shelters, contrary to its own policy. The Census Bureau's existing policy requires domestic violence shelters and anti-human trafficking shelters to be "counted using special, confidential, and ad hoc procedures." The policy states:

Additional safeguards are utilized in this enumeration to ensure the confidentiality of victims/survivors of DV/IPV. Only census enumerators with specialized training in safeguarding the privacy and security of these respondents will engage with the shelters.¹

However, the new handout directs enumerators who may not have this specialized training to proceed immediately with counting people at domestic violence shelters:

If you discover that an SBE location assigned to you is a DVS [domestic violence shelter], you will continue to enumerate the residents at the DVS.

The handout then instructs enumerators not to disclose that they have enumerated domestic violence shelters: "Under no circumstances indicate on any form that this location is a DVS. Do not change the type code either. Keep it as a regular shelter, GQ Type Code 701."

Immigrants at Group Quarters

Another new document obtained by the Committee shows that the Census Bureau directed enumerators to tell homeless shelter administrators that they would be asking about the citizenship of their residents—a question that the Supreme Court banned from being asked on the current Census.

Group Quarters include college dormitories, treatment centers, hospitals, nursing facilities, group homes, and correctional facilities. The Census Bureau provided scripts for supervisors to contact Group Quarter administrators in or around March 2020. The script directs enumerators to state:

We are currently conducting the 2020 Census and would like to set up an enumeration appointment for your facility. By enumeration, I mean we will come to your facility to count your residents/clients. I have some questions to ask you about (say GQ NAME printed on the ACR) at (say the ADDRESS NUMBER and STREET NAME or LOCATION DESCRIPTION printed in the ACR).

The Supreme Court ruled in 2019 that the Census Bureau could not ask about citizenship status in the 2020 Census.² Yet, in a script for administrators of emergency and transitional homeless shelters, the Bureau directed its employees to state:

¹ Census Bureau, *Group Quarters Operation 2020 Fact Sheet* (Nov. 2019) (online at www.census.indiana.edu/documents/2020/GCPI-ESOI-Crisis-and-Interim-Housing-GQ-Fact-Sheet-20191203.pdf).

² *Department of Commerce v. New York*, 139 S. Ct. 2551 (2019).

The census response data that we ask for each person are name, sex, date of birth, age on Census Day (April 1, 2020), Hispanic origin, race, **citizenship**, and an alternative address where they live or stay when not at this location. We will send a Census Bureau worker to your location to conduct an in-person interview for each person who was living or staying at this location on Census Day. (emphasis added)

The first sentence did not appear in another script obtained by the Committee for other Group Quarters, which stated only: “We will send a Census Bureau worker to your location to conduct an in-person interview for each person who was living or staying at this location on Census Day.”

Based on the Census Bureau’s own findings, asking questions about citizenship could greatly reduce the participation of Hispanic and Latinx people regardless of their individual citizenship status.³ In turn, chilling response rates among Hispanic and Latinx populations could negatively impact states across the country. In 2010, the cities with the highest populations in emergency and transitional shelters including New York City, Los Angeles, Chicago, Philadelphia, Boston, Atlanta, Seattle, San Francisco, Houston, and Washington DC.⁴

Request for Briefing

These new documents raise significant concerns about the Census Bureau’s actions, and the Committee requests a briefing by September 29, 2020, on how the Census Bureau has conducted SBE to date and how it could supplement SBE if the Census Bureau continued field operations beyond September 30, 2020.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. In addition, the Committee has jurisdiction over “Population and demography generally, including the Census.”⁵

Sincerely,



Carolyn B. Maloney
Chairwoman

cc: The Honorable James R. Comer, Ranking Member

³ Census Bureau, *Census Barriers, Attitudes, and Motivators Study Survey and Focus Groups Report Findings Presentation* (Feb. 1, 2019) (online at www2.census.gov/programs-surveys/decennial/2020/program-management/pmr-materials/02-01-2019/pmr-cbams-comm-2019-02-01.pdf?#).

⁴ Census Bureau, *The Emergency and Transitional Shelter Population: 2010* (Sept. 2012) (online at www.census.gov/content/dam/Census/library/publications/2012/dec/c2010sr-02.pdf).

⁵ House rule X, clause 1(n)(8).