

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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Opening Statement Chairwoman Carolyn B. Maloney Committee on Oversight and Reform “Ensuring the 2020 Census Count is Complete and Accurate” December 3, 2020

Good morning, and thank you all for being here. Today’s hearing comes at a perilous time for the 2020 Census.

Last month, there were troubling press reports indicating that career officials at the Census Bureau warned the Trump Administration about significant problems that will delay the delivery of Census data to late January or early February.

For example, the *New York Times* [reported](#) that the Census Bureau informed the Department of Commerce that “a growing number of snags in the massive data-processing operation that generates population totals had delayed the completion of population calculations at least until Jan. 26, and perhaps to mid-February.”

After these reports became public, the Director of the Census, Dr. Steven Dillingham, issued a public statement confirming that problems were found, but he provided few details.

These developments were particularly troubling because they were not reported to our Committee before we read about them in the press or before the Census Director made his public statement. Our Committee has direct jurisdiction over the Census, but nobody from the Trump Administration informed us about any of these problems or delays.

For these reasons, the Committee wrote a [letter](#) to the Census Bureau on November 19. We asked for documents that career officials prepared describing these data problems and the resulting delays. We also requested documents that were prepared for the Department of Commerce—including Commerce Secretary Wilbur Ross.

But in response to our request, they gave us nothing. Absolutely nothing. Not even a single page. These documents were due a week ago, and the Census is in its most critical stage. Yet, the Trump Administration seems to believe they owe Congress nothing—no documents whatsoever.

Last week, we held a bipartisan staff briefing with the Census Director and his top aides. We asked them why they hadn’t turned over any of the documents we were seeking. In response, they pointed to Secretary Ross’ office at the Commerce Department. They

explained that they collected documents and sent them to Secretary Ross' General Counsel, but that they were "not cleared for release." When our staff asked why not, they indicated that Secretary Ross' office is withholding these documents due to concerns about "ongoing litigation."

This is entirely unacceptable. The existence of separate litigation is not a valid reason to withhold documents from Congress. In addition, the Administration's claim that they are withholding these documents because of ongoing litigation raises serious questions about whether they are seeking to conceal information not just from Congress, but from the Judiciary. Just this week, on Monday, the Supreme Court heard oral arguments in a case involving the President's order to exclude undocumented immigrants from the Census count—at the same time the Trump Administration was blocking these documents from coming out.

Nevertheless, despite the Trump Administration's obstruction, our Committee has now been able to [obtain](#) three of these internal documents from another source.

These internal documents not only confirm that the Census Bureau will take until at least late January to resolve these data problems and produce a complete and accurate count, but that these problems are more serious than first reported. These internal documents show that, rather than getting better, these problems may be getting worse.

Written by career professionals, these documents describe 15 different data errors, impacting more than a million records, in every state in our nation. These problems could affect state population counts, impact representation in Congress, and reduce funding states are due under a host of federal programs.

These internal documents describe an intensive 11-step process to fix the errors. They also warn that taking shortcuts and trying to rush this process could aggravate the situation further and lead to even more problems.

As I said, the Trump Administration tried to block our Committee from seeing these documents. We had to get them from another source. The Administration has claimed publicly that they are addressing these problems by bringing in more resources. But we do not have the information we need to check these claims. **The Trump Administration is preventing our Committee from verifying the scope of these data problems, their impact on the accuracy of the Census, and the time career professionals need to fix them.**

For these reasons, the Committee sent a [letter](#) yesterday to Wilbur Ross, the Secretary of Commerce. We gave him until next Wednesday to produce a complete and unredacted set of the documents we requested last month. I ask unanimous consent that our letter be made part of the hearing record. So ordered.

These documents should be made available to Congress, to the Judiciary, and if necessary, to the American people so that we all have confidence in the Census numbers going forward. But so far, the Trump Administration has tried to keep this information secret from everyone.

As our letter explains, if Secretary Ross fails to comply with our request voluntarily, he will receive a friendly subpoena. The Constitution charges Congress with key responsibilities over the Census, and we need these documents to ensure that it is complete and accurate.

Our witnesses today are experts in the fields of data science, Census operations, and the use of Census data by cities and states to provide services and improve the lives of the American people. I look forward to hearing their expert opinions about the new documents we obtained, as well as the other significant challenges faced by the Census.

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