



STATE OF MICHIGAN

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GOVERNOR

DEPARTMENT OF TECHNOLOGY, MANAGEMENT & BUDGET
LANSING

BROM STIBITZ
ACTING DIRECTOR

October 2, 2020

Robin A. Pennington
Decennial Census Management Division
Program Management Office
U.S. Census Bureau
4600 Silver Hill Road
Washington, DC 20233

Dear Dr. Pennington:

I am responding to your request for comment on Census Bureau Docket Identification Number USBC-2020-0005 on the topic of the 2020 Census Count Question Resolution Operation (CQR) in my capacity as Michigan's State Demographer.

The Michigan Department of Technology, Management, and Budget, through its Bureau of Labor Market Information and Strategic Initiatives, has been working with the Census Bureau for many years leading up to the 2020 Census with cooperation through the Federal State Cooperative for Population Estimates (FSCPE), Federal State Cooperative for Population Projections (FSCPP), and the Michigan Census State Data Center (SDC). Specifically, for the 2020 Census, Michigan has participated in the Local Update of Census Addresses (LUCA), New Construction, Participant Statistical Areas Program (PSAP), and the identification of blocks to be part of what was supposed to be early Non-Response Follow-Up (NRFU) around college campuses. Other areas of state government have also participated in programs to further the goal of a complete count such as GSS and the BAS. Given this participation and the commitment the State of Michigan has shown to arrive at an accurate and complete count of the population, I am writing today to express my concerns about the Count Question Resolution Operation and the count in general.

The 2020 Census has experienced challenges that make this count unique and uniquely subject to problems that may need to be addressed. Rather than the overly restrictive scope of the planned CQR, to only include housing units missed or geographically misallocated, the Bureau should be opening up this process to allow for the submission of cases based on a wider variety of observable problems. Similarly, the opportunity to submit challenges should be open to more than just the highest elected official for a governmental unit.

The list of challenges the 2020 Census has faced is long and not worth exhaustively delineating here, but it is vital that some of the largest problems are illuminated to demonstrate the need for an expanded CQR. There are the controversies that have dominated news cycles, which have worried experts for quite some time, and that had to ultimately be settled in court:

- The blocked addition of a citizenship question, which Census Bureau experts have expressed concerns regarding the potential for depressing the count. The fact that the attempt to add a citizenship question was unsuccessful does not negate the detrimental impacts on the count. The full extent of this impact will not be known for some time.
- The executive order to define the population to be considered for apportionment also potentially led to fears in some of the same communities impacted by the failed effort at adding the citizenship question.
- The attempt to adjust the census timeline to stop the count ahead of the October 31st end date that was imposed by court order. As of the writing of this letter, there is still uncertainty as to when the count will cease as the Secretary of Commerce has been reported to have expressed his intention to end the count by October 5th, in apparent defiance of that order.

The above is certainly not an exhaustive list of the losses this administration has seen in court regarding its attempts to affect the 2020 count, but taken together demonstrate the need for the Bureau to make every attempt to assure the American public broadly that it is committed to execute a full and complete count of the population.

In addition to the issues that have been argued in court, the 2020 Census will be the first to use the new Disclosure Avoidance System (DAS) that will be implementing Differential Privacy (DP) to protect respondent privacy. This system has yet to demonstrate that it can produce data that is acceptable and fit for use. Multiple stakeholder and advisory groups, including the FSCPE steering committee and the Census Scientific Advisory Committee, have recommended more study and testing prior to implementation.

This issue is problematic for several reasons and the Bureau has received significant feedback, but the one that concerns me most in relation to CQR is the ability of small areas to effectively make challenges and to see those challenges reflected in the data. There are extremely capable people that work in small area governments, but this operation will likely challenge the ability of small areas to respond effectively on multiple fronts:

- Small local governments may not have the resources (both technological and human) to fully engage CQR.
- Small, sparsely populated areas have seen some of the largest data shifts when the iterations of the sample DAS products have been released.
- The application of DP to the Census results will make it especially hard for small, local governments to know whether a documentable inconsistency is the result of missed housing units or noise injection.
- The application of DP to the results of CQR will make it impossible for a small area to know if a successful case affected their count, as any additional population may be added to a different local governmental unit after the noise injection process.
- The breaking of the link of household to resident population through DP will create problems that will exist everywhere, but will likely be most readily apparent in the small areas under the new DAS.

Given that the implementation of DP has been rife with the work-group's stunning unawareness of basic census concepts such as the geographic hierarchy and the ways that sex is recorded through GQ enumeration, the process of reporting GQ population is also of concern and should be more readily addressable in CQR.

This census has been met with unprecedented challenges, so the response should be unprecedented transparency to allow for the public to be confident in the results of the 2020 Census. Specifically, I am recommending:

1. The group allowed to submit challenges through CQR should be expanded to include other interested and capable parties. Specifically, the members of the FSCPE and the SDC should be able to coordinate and submit challenges. These groups have had decades of history working with the Census Bureau to improve federal statistics. They are composed of experts with training specific to the analysis of population statistics and can provide valuable input to the process.
2. In addition to members of federal-state cooperatives, stakeholders that represent large data providers should also be allowed to submit challenges. An example of this type of stakeholder would be colleges and universities or the umbrella groups that represent their concerns. These groups have provided data and are in a position to allow for the examination of the data in a way that others are not. While these groups may have provided data to the Bureau, there were limits on their ability to share given the Federal Educational Rights and Privacy Act (FERPA). After enumeration, the representatives of these groups would be in the

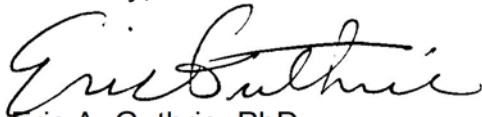
best position to provide insight as to whether their areas were enumerated properly. Councils of government and other super-governmental organizations would also be able to provide valuable input.

3. The population count and characteristics should also be available for challenge through this process given the unprecedented nature of the issues with this census. This could be accomplished through allowing special sworn status to be given to challengers or through a process similar to that used to conduct the LUCA program.

Other than the challenges to the Census timeline, the above descriptions of concerns and the recommendations do not explicitly address the significant operational disruptions to the 2020 Census presented by the COVID-19 pandemic. These disruptions and the issues outlined above should be enough to convince any reasonable person that the CQR should be expanded to include more stakeholders and challengeable items. This is the only way to attempt to build public confidence in a vital data collection process such as the decennial census. Without a trusted CQR process, the decennial census may be viewed as a process marred by operational disruptions and political interference.

Thank you for the opportunity to express the concerns listed above and for the opportunity to provide recommendations. I am available to clarify any of the above concerns or recommendations, should that be necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Guthrie". The signature is fluid and cursive, with a large initial "E" and "G".

Eric A. Guthrie, PhD

Michigan's State Demographer