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January 18, 2022

Ms. Sheleen Dumas
Department PRA Clearance Officer
Office of the Chief Information Officer
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

Submitted via email: DCMD.PCGQR@census.gov

RE: Comments on 2020 Post-Census Group Quarters Review

Dear Ms. Dumas:

On behalf of The Leadership Conference on Civil and Human Rights and its Census Task Force co-chairs, Asian Americans Advancing Justice | AAJC and NALEO Educational Fund, we appreciate this opportunity to comment on the new Post-Census Group Quarters Review (PCGQR) program as set forth in the *Federal Register* Notice published by the U.S. Census Bureau on November 19, 2021 (86 FR 64896; Document Number USBC-2021-0025).

The Leadership Conference provides a powerful unified voice for the many constituencies of the coalition: persons of color, women, children, individuals with disabilities, LGBTQ individuals, older Americans, labor unions, major religious groups, civil libertarians, and human rights organizations. Our coalition views an accurate and fair census, and the collection of useful, objective data about our nation's people, housing, economy, and communities generally, to be among the most important civil rights issues of our day.

Since the end of the enumeration period of the 2020 Census, there have been growing concerns, and increasing reports, that the Group Quarters (GQ) enumeration was lacking in many areas throughout the country. While the GQ enumeration process has historically been problematic, the many challenges of the 2020 Census exacerbated the problem. The onset of the COVID-19 pandemic led to the displacement of, or lack of access to, residents, particularly with regard to college dormitories and nursing homes. The opportunity for state demographers to do a final check of Group Quarters enumeration through Count Review II was lost when that operation was cancelled.

In the lead-up to the 2020 Census and during enumeration, our coalition worked tirelessly to ensure that historically undercounted and vulnerable communities were more accurately reflected in decennial census data. Post-enumeration, our focus has been on ensuring that the data produced are as accurate and usable as possible. Due to the location and demographics

of many Group Quarters, inaccuracies in GQ data have the potential to further distort the data reported for vulnerable communities and affect funding allocations for the rest of the decade.

Given these circumstances, we applaud the Census Bureau for opening the door to state, local, and tribal governments to improve the base for calculating population estimates over this decade, an action that can result in a more equitable distribution of federal resources to localities and more accurate data for important planning purposes at all levels of government. As discussed in these comments, there are also certain elements of the program that are not yet fully specified or that could be improved to remedy more completely the inequities that this program is designed to address.

Suggestions for improving the scope and effectiveness of PCGQR

In light of the unprecedented disruption to the 2020 Census Group Quarters Operation, resulting in incomplete and inaccurate 2020 Census data for many localities throughout the nation, we urge the Census Bureau to expand the scope of PCGQR and consider other program improvements in the following ways:

1. **Include all Group Quarters types.** The *Federal Register* Notice does not specify the types of Group Quarters that will be in-scope for the program. The Census Bureau should include *all* GQ types, based on the availability of official administrative records, provided that the administrative records are of high quality and demonstrate “usual residence” as of April 1, 2020 (or the date closest to April 1 for instances of student housing closed early due to the pandemic).
2. **Adopt consistent usual residence definitions and standards.** The COVID-19 pandemic led to the departure of many college students from their college residences (whether dormitories or private housing) prior to April 1st. As a result: 1) students were not present in their dorms on or around April 1; and 2) the definition of “usual residence” as of April 1, 2020 in dormitories needed to be clarified to make sure that it was applied correctly. In an effort to ensure that this was the case, the Census Bureau director sent a letter to college and university administrators in the spring of 2020, with instructions that read:

*“Students are to be counted at the address they reside while attending college rather than back home with their families. The census counts people—including college students—where they usually live as of April 1, 2020, **even if they left town early** because of a school closure or shift to distance learning.”* (Emphasis added)

<https://www.census.gov/newsroom/press-releases/2020/2020-college-students.html>

Further, the director requested administrative records that indicated students’ “usual residence” as of April 1, meaning that administrative records could be supplied for a time point immediately prior to the onset of the pandemic (i.e. before students left campus due to the pandemic). The Census Bureau should follow its own precedent and adopt these same definitions and standards in the PCGQR program for state, local, and tribal governments for the submission of all administrative records with regard to the determination of “usual residence.”

3. **Permit the fulfillment of electronic data requests through other mechanisms.** The Census Bureau requested the electronic transfer of student data at a time when colleges and universities were focused on how to address the pandemic with appropriate guidance for staying on campus safely and remote learning procedures. Administrators at other types of GQ facilities, including nursing homes, had similar concerns about caring for residents and keeping employees safe. Overall, many GQ administrators did not have the staff and time to respond to the Bureau's request for electronic transfer of data in the midst of a public health crisis. Thus, the uniformity and timing of responses from administrators varied greatly across the nation. State, local, and tribal governments should be given an opportunity to help fill these gaps if they have access to high-quality, reliable administrative data to demonstrate April 1, 2020 residency (according to "usual residence" criteria).
4. **Expand PCGQR to include off-campus housing.** Cancellation of Early Nonresponse Followup and the early departure of students from college/university communities affected residents of off-campus housing just as much as it affected those living on-campus. In addition to the request for administrative records for students residing in dormitories on campus, the Census director also requested that college and university administrators provide records for enrolled students living off-campus:

"Today, I write to request your assistance in ensuring a complete and accurate count of the off-campus students enrolled at your school. Local Census Bureau staff will begin reaching out to your institution starting June 16 to discuss the collection of basic information about students who live off-campus, including local address information."

Just as the Census Bureau deemed these records useful for enumeration in the closing weeks of the census, it should ask state, local, and tribal governments to use their networks to gain access to records from college and university administrators, to improve the population estimates in a way that was not possible during the frenetic pace of the census, especially at the height of a pandemic. Although not formally part of the GQ universe, the unique issues that have surfaced about difficulties in the enumeration of college and university students in off-campus housing warrant special attention, as the Census Bureau itself acknowledged in the spring of 2020, at the height of census operations. Thus, the Census Bureau should investigate the feasibility of allowing state, local, and tribal governments to submit high quality administrative records for the purpose of improving the count of students residing off campus in the 2020 Census base used to develop intercensal population estimates for the next decade.

5. **Determine quality standards for the admissibility of administrative records.** The Census Bureau should work with the members of the Federal-State Cooperative for Population Estimates (FSCPE) to determine acceptable standards that should be applied for admissible administrative records. This would result in more high-quality, successful submissions and a reduction in the number of submissions based on data and/or considerations that are out-of-scope. The Census Bureau should also reach out to State Data Centers (SDC) and stakeholder associations, such as the Association of Public Data Users (APDU), National League of Cities, and National

Association of Counties for guidance in setting the quality standards for acceptable administrative records in order to mitigate the effect of these standards on states with underfunded or lower capacity FSCPE members, and to avoid inequitable outcomes. Additionally, the Census Bureau should engage with groups such as those signing this letter, to help ensure that the standards set are not such that would tend to disproportionately harm vulnerable populations.

Capacity building

To improve the likelihood of effective participation in the PCGQR program, we also urge the Census Bureau to consider the following recommendations:

1. **Provide a technical assistance curriculum to state, local, and tribal governments.** A fundamental concern for stakeholders is the capacity of all eligible participants to participate meaningfully in any new program. Local governments must review block-level data to ensure the most accurate counts possible. This will be a particular challenge for many local and tribal governments with limited staff and expertise. Limited capacity to participate in census review opportunities is not a new problem and should be addressed in concert with data user groups and local government associations. The Census Bureau should work closely with key stakeholder groups to provide guidance on how governments can best navigate the requirements of this new program and maximize their opportunities for a successful review. This outreach and consultation should include the Federal–State Cooperative for Population Estimates (FSCPE) agencies, the State Data Centers (SDC), and stakeholder associations such as the Association of Public Data Users (APDU), National League of Cities, and National Association of Counties, to ensure that all governments can seek review of their 2020 Census results if they so choose.
2. **Empower FSCPE/SDC/state representatives to assist and/or submit inquiries on behalf of eligible governments, with appropriate authorization.** Any new program should allow representatives of FSCPE, SDC, state governments, and other similar entities to submit challenges or requests for review of 2020 Census results on behalf of state, local, and tribal governments, with appropriate authorization from the jurisdiction affected by the review. State governments, regional councils of governments (COGs), members of the FSCPE, and SDCs can help ensure equity in program participation and offer much-needed technical assistance and expertise to smaller governments.

Engaging in increased outreach, providing technical assistance, and offering flexibility with respect to submissions would demonstrate the Census Bureau’s commitment to maximizing participation and remedying any deficiencies of the GQ count and its attendant inequities.

Thank you for the opportunity to offer comments on the proposed PCGQR program and for your consideration of the voices of the civil and human right community in continuing to seek fair and accurate census data and population estimates. If you have any questions about the issues raised in this letter, please feel free to contact Census Task Force Co-Chairs Arturo Vargas, chief executive officer of NALEO Educational Fund, at avargas@naleo.org; Terry Ao Minnis, senior director of census and voting programs at Asian Americans Advancing Justice | AAJC, at tminnis@advancingjustice-aaajc.org; or Meeta



Anand, senior program director of census and data equity at The Leadership Conference, at anand@civilrights.org.

Sincerely,

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