

May 3, 2022

Sheleen Dumas
Departmental PRA Officer
Office of the Chief Information Officer
Commerce Department
14th and Constitution Avenue NW
Washington, DC 20230

Submitted via the following website: www.reginfo.gov/public/do/PRAMain

RE: Comments on Proposed Information Collection on Ask U.S. Panel

Dear Ms. Dumas:

The National Opinion Research Center at the University of Chicago (NORC) is an objective non-partisan research institution that delivers reliable data and rigorous analysis to guide critical programmatic, business, and policy decisions. Utilizing our well-established surveys, we have been successful in collecting reliable data for federal agencies, private sector clients, and others for over 75 years. This includes the “AmeriSpeak” online probability-based panel for rapid turnaround studies, which has been in place since 2016.

The U.S. Census Bureau (Bureau) is soliciting public comments on the Pilot for its proposed “Ask U.S. Panel,” which is being developed by the Bureau through a cooperative agreement to track public opinion on topics of interest to federal agencies and their partners, and to conduct experimentation on question wording and methodological approaches. The goal of the Federal Register Notice (FRN) is to allow for an additional 30-day comment period on the topical survey questionnaire; this follows the previous additional 30-day comment period on March 1, 2022 and earlier provided 60-day comment period on December 7, 2021 required under the Paperwork Reduction Act (PRA).

NORC appreciates the opportunity to comment on this proposed collection. However, we continue to have concerns on several levels regarding the development of this Pilot panel and are disappointed that the Bureau has been largely unresponsive to our previously provided comments submitted on February 4, 2022, and March 29, 2022. ***The lack of consideration by the Census Bureau of public comments calls into question its commitment to the consultative process established by the PRA and the transparency of the Bureau in its actions.***

We note that in a recent Director’s Blog post¹ Director Santos stated, “An important aspect of that is cultivating trust with all our nation’s communities, be they urban or rural, low-income or high-

¹ See, <https://www.census.gov/newsroom/blogs/director/2022/02/thinking-differently-perpetuating-excellence.html>, February 14, 2022.

income, and regardless of race or ethnicity or other socio-demographic groups. That is why seeking, listening to and incorporating feedback is critical to garnering trust from the full range of our nation's communities. It also promotes the production of relevant, quality data and therefore facilitates excellence at the Census Bureau." NORC agrees with this perspective and believes meaningful engagement with the Bureau's stakeholders and transparency in the Bureau's operations are essential factors in engendering trust and confidence in the Bureau's programs and products. In the case of inquiry and feedback regarding the Ask U.S. Pilot and Panel, we do not believe the Bureau's actions to date, both through the PRA process and other channels, meets the standard laid out in the Director's blog post.

The Pilot project described in the FRN is unnecessary and a misuse of taxpayer dollars as it is duplicative of surveys already existing in the private sector. The Pilot project described in the FRN is duplicative of surveys that already exist in the private sector. The Bureau, the public, and the stakeholder community are not well-served by the Bureau's lack of meaningful engagement with and inaccurate characterizations of the capacity and quality of existing private-sector online panels. As we have previously commented, the planning and design of the Pilot misjudges the methodological complexity of a robust panel design (as demonstrated in the materials provided in previous comments) on existing panel collections and underestimates the associated costs and burden on the public. These concerns call into question the need for the Pilot project and the potential Ask U.S. Panel as a government-developed program and its associated increase to respondent burden.

As the Bureau has not addressed our previously submitted comments, we ask that they be considered as part of this response. Additionally, we draw to your attention three specific areas: duplication with the private sector, an incorrect assertion on existing commercial online panels, and an unnecessary increase in burden on the public. These concerns are described in more detail below.

As proposed, the Pilot project of the Ask U.S. Panel is duplicative of multiple similar products already available in the marketplace. Similar products and services could be obtained at a significantly lower cost, on a more immediate timeframe, and without the significant increase in burden the establishment of a Pilot panel would create. We note that the Pilot and the topical modules Bureau is developing through its cooperative agreement could readily be implemented by multiple companies – including the probability-based panels developed and maintained by Ipsos, Gallup, and NORC. These products are fully tested, well documented, and readily available at a significantly lower cost (as the government would pay only for the marginal costs associated with the specific studies and not the costs associated with the development, maintenance, and support of a Pilot project or panel). Accordingly, the Bureau is investing resources to acquire access to services already available at a competitive price in the commercial marketplace.

We note that the Bureau attempts to address this concern on pages 8,9, and 10 of Supporting Statement A, referencing consultations with the Office of Management and Budget (OMB) (page 8-9): "According to OMB, existing commercial online panel alternatives typically fail to meet OMB's standards for transparency, which require sufficient detail on data quality and representativeness to enable OMB to evaluate the fitness for purpose." The Bureau further states (pages 8-9): "Several commenters suggested that the current effort is duplicative of existing products in the marketplace. According to OMB, existing commercial online panel alternatives typically fail to meet OMB's standards for transparency, which require sufficient detail on data collection and estimation methods to allow reproducibility, and sufficient detail on data quality and

representativeness to enable OMB to evaluate the fitness for purpose. This panel is not duplicative of existing commercial online panel alternatives, since it is being designed in a manner that will meet OMB's standards for transparency by providing sufficient detail on data quality and representativeness to enable OMB to evaluate fitness for purpose." The Bureau's lack of engagement with the comments is illustrated again, where on page 5 of Supporting Statement A, the Bureau attempts to address the issue of duplication by stating: "This research does not duplicate any other data collection or research being done by the Bureau or other federal agencies. The purpose of this clearance is to stimulate research, which would not be done under other circumstances due to time constraints."

We note these explanations are the same explanation the Bureau provided in their March 30, 2022, PRA package and do not respond to the comments previously submitted. As stated previously, NORC contends the development of the Ask U.S. Pilot and Panel *is* duplicative with similar products already developed and available in the marketplace and which meet the necessary fit-for-purpose quality standards. **The NORC AmeriSpeak panel has been specifically designed to meet the needs of federal agencies. It has been successfully used for more than a dozen data collections, in eleven federal agencies, across nine Departments over the past five years – all with approval by OMB.** Our products, methodological statements, and documentation all meet or exceed the transparency requirements and are released with a co-branding by the American Association for Public Opinion Research's (AAPOR) Transparency Initiative.

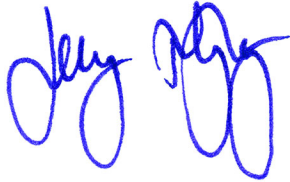
A similar concern stems from the use of a cooperative agreement to fulfill this work. By using a cooperative agreement, under which the intellectual property developed is owned not by the federal government but by the awardee, the Bureau is using taxpayer funds to establish a panel that can be used by a company in the private sector for its own commercial use long after the work of the government is complete. As described in the Department of Commerce Financial Assistance Standard Terms and Conditions (December 26, 2014, § D.03.a), the awardee "owns any work produced or purchased under a federal award." Thus, any company entering into this agreement is free to continue to utilize the intellectual property developed under the cooperative agreement after the agreement expires. *As such, it is unclear to us whether the goals of the PRA to minimize the public's reporting burden are in fact being upheld throughout the existence of the Pilot panel proposed by the Bureau, particularly when, as discussed above, similar probability-based panels are already available to the government at reasonable cost. The costs of developing the Pilot project of the Ask U.S. Panel are unnecessary as this product exists in the private sector and the development of this new Pilot panel creates an increased burden on the public through the recruitment phase of standing up a new Pilot panel.* As with many of our previous comments, the Bureau did not address this significant concern in the posted PRA package.

Conclusion. This Federal Register Notices raises what NORC believes are serious concerns regarding the duplication of surveys that already exist in the private sector; undervaluation of the methodological complexity; and underestimation of the associated costs and burden on the public. These concerns question the need for the Pilot project and the potential Ask U.S. Panel as a government-developed program. In line with the Bureau's stated goal of "seeking, listening to and incorporating feedback," we respectfully encourage the Bureau to reconsider carefully the comments above and the previously submitted comments on February 4, 2022, and March 29, 2022. We contend that with proper consideration the Bureau will discover that existing products

in the marketplace meet the needs of the Bureau and its partners making this Pilot and the potential future panel unnecessary and wasteful.

Thank you for the opportunity to offer comments on the Pilot project of the Ask U.S. Panel. If you have any questions about these comments, please contact me at 301-634-9413 or telgarsky-jeffrey@norc.org.

Sincerely,



Jeffrey Telgarsky
Executive Vice President for Research