



June 20, 2024

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

Dear Ms. Dumas:

On behalf of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, the leading Latino organization in the area of Census policy development and public education, I write to submit these comments in response to the U.S. Census Bureau's proposed information collection, as announced in the notice published on May 22, 2024, at 89 Fed. Reg. 446958 (the "FRN"), regarding the Bureau's acquisition and use of state administrative records.

NALEO Educational Fund is the nation's leading nonprofit organization that facilitates the full participation of Latinos in the American political process, from citizenship to public service. Our Board members and constituency encompass the nation's more than 7,000 Latino elected and appointed officials, representing Republicans, Democrats, and Independents. Since the 1990 Census, NALEO Educational Fund has been a national leader in Census outreach, community education, and policy development. Our organization has spearheaded outreach campaigns, including the iHAGASE CONTAR! ("Make Yourself Count!") and iHAZME CONTAR! ("Make Me Count!") initiatives, to promote a full and accurate count of the Latino community. Collaborating with media and community-based organizational partners, we disseminate community education materials, operate a toll-free Census information hotline staffed by bilingual operators, provide technical assistance for community groups, and conduct robust social media and advertising campaigns.

Additionally, NALEO Educational Fund is a leading expert on Census policy development, with extensive experience serving on the Bureau's National Advisory Committees; on April 25, the Bureau announced the appointment CEO Arturo Vargas as the chair of the Census 2030 National Advisory Committee. We co-chair the Leadership Conference on Civil and Human Rights' Census Task Force, serve as a Steering Committee member of the Census Counts Campaign, and co-chair the National Hispanic Leadership Agenda's Census Task Force. Collaborating closely with Latino elected and appointed officials and community partners on Census policy and outreach, we are intimately familiar with how they utilize Census data and the challenges they have encountered in Census 2020 and previous Census enumerations.

One component of our comments is the attached letter that we submitted in response to the February 16, 2024 notice (89 Fed. Reg. 12305) regarding the Bureau's collection and use of state administrative records data, because we believe the perspectives and concerns in the attached also apply to the Bureau's proposed acquisition and use of administrative records set forth in the May FRN. Additionally, in this letter we wish to highlight some concerns and recommendations about transparency and data equity.

Transparency and Trust

We urge the Bureau to be transparent and inclusive in its process of using administrative records. This transparency will enhance data quality by fostering public trust and promoting collaboration with key stakeholders. Transparency goes beyond the mere publication of the documentation used by the Bureau as it acquires and uses the records. The Bureau must also provide accessible information about the methodologies it uses, the origins of data, and accuracy metrics. In addition to fostering trust in the Bureau's process, this information will also enable stakeholders to meaningfully engage with the Bureau to help ensure the integrity of the data, and ensure it is used ethically and effectively.

Therefore, we urge the Census Bureau to:

- **Adopt a robust framework for transparency** that includes detailed documentation, regular public updates, and opportunities for stakeholder engagement and consultation.
- **Publish data sharing agreements** between states and the Census Bureau. These agreements should be made public and accessible in a centralized repository. Detailed public documentation on the collection process, the specific data elements being collected, and the agreed-upon uses of the shared data are crucial. This transparency will help the public better understand the necessity of data sharing and how administrative data contribute to the sound collection of accurate data by the Bureau.
- **Safeguard the privacy of state administrative records and the Bureau's use of them.** The Bureau will not be able to secure the public's trust in the confidentiality of the data it collects and uses unless its policies and practices safeguard data privacy. Thus, data sharing agreements must include a clear articulation of these safeguards and how they are enforced. The Bureau must also ensure that such administrative records are used solely for statistical purposes, and never to the detriment of the communities it serves.

Data Equity and Quality

Furthermore, as noted in the attached, there are significant limitations on the completeness and accuracy of information in state administrative records about historically undercounted population groups. Thus, the Bureau must ensure that its policies and practices mitigate potential biases which may arise in data linkage and utilization. This commitment to data equity and quality must be the cornerstone of the Census Bureau's approach to administrative records data.

Therefore, we urge the Census Bureau to:

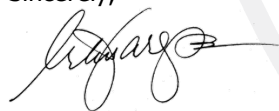
- **Conduct rigorous evaluations of state administrative data sources** for accuracy, potential biases, and quality, including assessments of underreporting and coverage bias.
- **Provide meaningful opportunities for engagement and consultation with community-based organizations, civil rights advocates, and other stakeholders who work closely with historically undercounted populations.** This will help ensure their perspectives and expertise are incorporated into decisions around data acquisition and utilization.

Conclusion

In conclusion, we support the Census Bureau's efforts to use state administrative records to promote operational efficiency and achieve cost-savings. We look forward to continuing to collaborate with the Bureau to help ensure that it carries out these activities in a manner that also promotes transparency and data equity, and makes confidentiality of administrative records data a top priority. The Bureau's pursuit of these goals will ultimately enhance public trust in its work and the quality of its data.

Thank you for the opportunity to submit comments on the proposed information collection, and please do not hesitate to contact Rosalind Gold, Chief Public Policy Officer, rgold@naleo.org, if you have any questions about this letter.

Sincerely,



Arturo Vargas
Chief Executive Officer

NALAO
Educational Fund



April 16, 2024

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

Dear Ms. Dumas:

On behalf of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, the leading Latino organization in the area of Census policy development and public education, I write to comment on the U.S. Census Bureau's proposed information collection, as announced in the notice published on February 16, 2024, at 89 Fed. Reg. 12305 (the "FRN"), regarding the Bureau's collection of state level administrative records data.

NALEO Educational Fund is the nation's leading nonprofit organization that facilitates the full participation of Latinos in the American political process, from citizenship to public service. Our Board members and constituency encompass the nation's more than 7,000 Latino elected and appointed officials, representing Republicans, Democrats, and Independents. Since the 1990 Census, NALEO Educational Fund has been a national leader in Census outreach, community education, and policy development. Our organization has spearheaded outreach campaigns, including the iHAGASE CONTAR! ("Make Yourself Count!") and iHAZME CONTAR! ("Make Me Count!") initiatives, to promote a full and accurate count of the Latino community. Collaborating with media and community-based organizational partners, we disseminate community education materials, operate a toll-free Census information hotline staffed by bilingual operators, provide technical assistance for community groups, and conduct robust social media and advertising campaigns.

Additionally, NALEO Educational Fund is a leading expert on Census policy development, with extensive experience serving on the Bureau's National Advisory Committees; on March 26, the Bureau announced the appointment CEO Arturo Vargas to the Census 2030 National Advisory Committee. We co-chair the Leadership Conference on Civil and Human Rights' Census Task Force, serve as a Steering Committee member of the Census Counts Campaign, and co-chair the National Hispanic Leadership Agenda's Census Task Force. Collaborating closely with Latino elected and appointed officials and community partners on Census policy and outreach, we are intimately familiar with how they utilize Census data and the challenges they have encountered in Census 2020 and previous Census enumerations.

The FRN requests comments on the proposed extension of the Census Bureau's collection of state administrative records as a generic clearance for the collection. This provides us with an opportunity to highlight several important issues regarding the Bureau's collection and use of administrative records, and the potential impact on the quality of data compiled on the Latino community. Our comments are particularly salient given the increasing use administrative records by the Bureau, and expansion in the type of records and scope of data the Bureau collects (for example, in a March 29 [Federal Register Notice](#), the Internal Revenue Service is proposing to amend regulations to provide the Census Bureau with additional information from federal tax returns).

We acknowledge the important role of the use of administrative records in the operational innovations the Census Bureau is pursuing to modernize its approach to data products, particularly given the challenges it faces in data collection through surveys and direct contact with community members. For example, we recognize the potential benefits of integrating administrative records data, including state

administrative data, as an alternative to costly non-response follow-up calls and in-person visits for enumerating households that do not volunteer information about their members. However, we urge the Bureau to make data quality a top priority at all times, when assessing how to use administrative records, particularly given the limitations of those records with respect to information regarding Latinos and other historically undercounted populations.¹ As described in more detail below, we are concerned that many potential sources of administrative data may not include a significant share of undercounted populations or may omit key information about them. Thus, overreliance on administrative records may result in data products that do not accurately reflect the size or diversity of our population.

Limitations of State Administrative Records

Many types of state administrative data lack detailed information about race, ethnicity, and household relationships. For example, most states do not collect any information about the race or ethnicity of applicants for driver's licenses, state identification cards, or voter registration. In a minority of states, residents may volunteer, but they are not universally required to provide that information. Moreover, information in administrative records about harder-to-count populations may be less complete, accurate, and up-to-date than information about other populations. This results in part from the fact that many residents in harder-to-count populations are extremely mobile, live in non-traditional housing, and have lower incomes than the overall population.

Additionally, some undercounted groups may not be able to access the benefits and services for the purpose of which administrative records are created. For example, very young Latino children are unlikely to appear in the types of administrative records the Bureau requests from states. This is of particular concern given that the Bureau's Post-Enumeration Survey for Census 2020 revealed a high national net undercount of all very young children (2.79 percent), as well as an [analysis](#) showing that in Census 2010, there was a net undercount of nearly 400,000 very young Latino children, with those children accounting for a disproportionate share (more than 36 percent) of the total Census 2010 national net undercount of all very young children. Moreover, the release of [net coverage error rates data](#) by the Census Bureau, which provides another indicator of the undercount of population groups based on demographic analysis, reveals that in Census 2020, nearly 60 percent of very young Latino children lived in counties where the net undercount of all very young children surpassed the national net coverage error for young children (-5.46%).

Before Census 2020, we opposed any attempts to replace the information gathered from door-to-door visits to non-responding households with data from administrative records if the use of those records would diminish the quality or accuracy of data on the Latino population. We understand that in Census 2020, the Bureau used administrative records as one of its "last resorts" for securing information about a household, and used those records only after it could not obtain the information from self-response, non-response follow-up, or from a proxy respondent like a neighbor or landlord.

As the Bureau continues to move forward with its use of state administrative records, the Bureau must determine the source of any race and ethnicity data contained therein and evaluate carefully the extent to which these data are included in those records. This evaluation must also include a more thorough examination of the quality of state administrative records with respect to traditionally undercounted communities. We also strongly urge the Bureau to use state administrative records to supplement

¹ The March 2024 report by Asian Americans Advancing Justice, ["Assessing Availability and Quality of Administrative Records for Asian Americans and Native Hawaiians, and Pacific Islanders,"](#) which includes an analysis of the coverage of Asian American and Native Hawaiian and Pacific Islanders in federal administrative records, lays one foundation for considering the broader implications of these data quality issues across diverse communities, with a view to developing the need for comprehensive solutions to ensure accurate and equitable representation.

firsthand data collection only if their incorporation into its data products does not create disparate results for traditionally hard-to-count communities.

Evaluation of Specific Issues Requested by the FRN

The FRN specifically requests comments to help the Bureau evaluate several specific issues, and we present our analysis of these issues below.

(a) Evaluation of Necessity and Practical Utility:

We believe that the Census Bureau's collection of information from state administrative records is important for the proper functions of the Bureau. As noted above, these records help the Bureau obtain data on households that they may not be able to obtain from other sources, and the Bureau has developed practical approaches to compiling information from them. The Bureau also notes that the records are used for such purposes as model-based estimates, improved edits and allocations, and studies of program participation. However, we again highlight the need to ensure that the collection methods make ensuring the accuracy and inclusivity of these records a top priority, particularly with respect to traditionally undercounted populations such as Latinos. Without this assessment, the collection of records will not serve its intended function of providing more accurate data for the Bureau's data products.

(b) Evaluation of Time and Cost Burden, Including the Validity of the Methodology and Assumptions Used:

As the Bureau moves forward with its collection and use of administrative records, we urge the agency to continue to evaluate the time and cost burden involved in these activities. This evaluation should encompass activities related to assessing the potential gaps in coverage of the records, and the other limitations of the records with respect to historically undercounted populations. The Bureau should continue to consider the resources needed to effectively assess the quality of information in records, and how the records should be used. These resources should be included in estimates the Bureau prepares of the cost of its operations, for internal budgeting and for appropriations requests.

(c) Evaluation of Quality, Utility, and Clarity:

Enhancing the quality, utility, and clarity of the collection and use of administrative records is paramount for ensuring their sound use for Bureau data products. The Bureau has conducted several studies on administrative records. For example, in 2023, it [compared](#) information in administrative records to Census 2020 information from self-response and NRFU responses. Another [study](#) involved a "real time" simulation involving the use of 31 types of administrative records and data sources to produce 2020 population estimates within the same time frame of the 2020 Census. The Bureau intends to use these studies to identify improvements critical to developing the Census Bureau's administrative record infrastructure, and in some cases, the studies identify gaps in coverage of the records. As the Bureau moves forward with its research, it must conduct rigorous evaluation of how the potential gaps in coverage affect the quality of data on the Latino community, and it must develop its administrative records infrastructure in a manner that takes this issue into account.

Furthermore, stakeholders play an important role in assessing the impact on the use of administrative records on data quality, and providing feedback to the Bureau to help it improve its efforts. The Bureau must use transparent data sharing agreements and engage in clear communication about data protection measures to enhance the ability of stakeholders to work with the Bureau in making data quality assessments. The use of transparent data sharing agreements and clear communication about data protection will also help maintain public confidence in Census Bureau operations.

(d) Minimization of Reporting Burden:

While the FRN may envision that "minimization of reporting burden" applies to the burden on the Bureau to collect administrative records, we believe the discussion of this issue should also encompass the

burden on state agencies to provide the records, and any burden involved for community members who provide the information included in the records. We agree that the Bureau should continue to assess how automated collection techniques and other forms of information technology enhance the efficiency of obtaining the records. As is the case with other components of its use of administrative records, we urge the Bureau to ensure that the use of these techniques does not inadvertently exacerbate existing disparities in the quality of data collected about the Latino community, and the ultimate quality of the data produced by the Bureau. As noted above, the Bureau should also provide clear guidelines on technology tools and privacy protections, accompanied by transparent communication as it proceeds with burden reduction measures.

We appreciate the opportunity to provide feedback on the proposed information collection. We remain committed to collaborating with the Census Bureau to ensure that collection and use of state administrative records promote operational efficiency, equity, transparency, and public trust while effectively enhancing the quality of data on Latinos and other undercounted communities.

Sincerely,



Arturo Vargas
Chief Executive Officer



NALEO
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