

United States Senate

July 28, 2020

The Honorable Wilbur L. Ross, Jr.
Secretary
U.S. Department of Commerce
101 Constitution Ave, NW
Washington, DC 20230

The Honorable Dr. Steven Dillingham
Director
U.S. Census Bureau
4600 Silver Hill Road
Washington, DC 20233

Dear Secretary Ross and Director Dillingham:

We write to raise concerns about two recent political appointments at the Census Bureau: Nathaniel Cogley as deputy director for policy and Adam Korzeniewski as a senior advisor to Mr. Cogley. We also require additional information from the Census Bureau given conflicting reports about the scope of these new roles and their specific duties in relation to the 2020 Census.

At a time when the 2020 Census operations have been delayed by the novel coronavirus (COVID-19) pandemic, impacting the production of sensitive political data sets for apportionment redistricting, the Census Bureau should not be further hindered by the appearance of political interference. At the same time, the Census Bureau is working to ensure a full, fair, and accurate 2020 Census, boosting efforts to increase self-response rates and modifying operations including non-response follow up and service-based enumeration. Even an appearance of political interference could impact the willingness to respond to the decennial census, depressing the count in hard-to-count communities across the country—such as immigrant, non-English speaking, Native American, and urban communities.

These concerns have been raised by a number of nonpartisan economic and statistical organizations that rely on the decennial census data sets as the cornerstone of not only social scientific analysis, but also public policy for the subsequent decade.¹ Both the appointments themselves, as well as their timing, call into question the purpose of these new positions and their role in shaping the Census Bureau's policies.

At address these concerns, we ask that you respond to the following:

- 1) Provide a detailed justification for the appointment of Mr. Cogley and Mr. Korzeniewski, including information about each of their job functions and duties.
- 2) Provide an explanation of the involvement of these two appointments in 2020 Census operations, including non-response follow up operations, the development and publication of decennial census data products, interactions with staff, and participation in meetings.
- 3) Provide an explanation of the involvement of these two appointments in the implementation of the president's memorandum regarding "Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census."

¹ These include the American Statistical Association, Population Association of America, Association of Population Centers, American Economic Association, and Council of Professional Associations on Federal Statistics.

- 4) Provide an outline of what access either or both of these appointees individually will have to internal census controlled access systems and processes, and answer the following questions:
- a) Will Mr. Cogley and Mr. Korzeniewski be sworn Census Bureau employees with access to protected Title 13 data?
 - b) Will Mr. Cogley and Mr. Korzeniewski participate in meetings of the Census Bureau's Operating Committee, the Data Stewardship Executive Committee, any of the Research Data Centers, the Working Group on the President's Executive Order on Citizenship Status, or the Working Group on Citizen Voting Age Population?
 - c) Will Mr. Cogley and Mr. Korzeniewski have access to any preliminary work products of any of these committees or working groups?
 - d) Will Mr. Cogley and Mr. Korzeniewski have access to the Decennial Census Unedited File or the Decennial Census Edited File?
 - e) Will Mr. Cogley and Mr. Korzeniewski have access to any Title 26-protected material, Internal Revenue Service (IRS) data, or combined IRS/Census data?
 - f) Will Mr. Cogley and Mr. Korzeniewski have access to any preliminary Administrative Record Data provided to the Census Bureau for use in compiling an estimate of non-citizens or to comply with Executive Order 13880?
 - g) Will Mr. Cogley and Mr. Korzeniewski have access to the methodology used to provide either item imputation or household imputation for non-responses?

The Census Bureau has long been the gold standard among federal agencies for its apolitical work. And decennial census data have been the cornerstone of federal data used to apportion political representation, and direct over \$1.5 trillion annually in federal funding for healthcare, education, roads and bridges, first responders, rural businesses, and other vital services. It is, therefore, essential that we achieve a full, fair, and accurate decennial census without the appearance of political interference.

Thank you for your attention to this matter, and we look forward to your written response.

Sincerely,



BRIAN SCHATZ
United States Senator



RON WYDEN
United States Senator



SHERROD BROWN
United States Senator