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Governmental Affairs, Subcommittee on Energy, Nuclear Proliferation, and Federal
Services.

UNDERCOUNT AND THE 1980 DECENNIAL CENSUS



HEARING
BEFORE THE
SUBCOMMITTEE ON ENERGY, NUCLEAR
PROLIFERATION AND FEDERAL SERVICES
OF THE
COMMITTEE ON
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
NINETY-SIXTH CONGRESS
SECOND SESSION

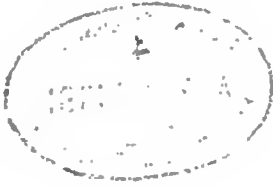
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UNDERCOUNT AND THE 1980 DECENNIAL CENSUS

TUESDAY, NOVEMBER 18, 1980

U.S. SENATE,
SUBCOMMITTEE ON ENERGY, NUCLEAR PROLIFERATION,
AND FEDERAL SERVICES,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, D.C.

The subcommittee met at 10:08 a.m., in room 3302, Dirksen Senate Office Building, Hon. John Glenn (chairman of the subcommittee) presiding.

Present: Senators Eagleton, Glenn, and Levin.

OPENING STATEMENT OF SENATOR GLENN

Senator GLENN. The hearings will be in order.

Decennial censuses have always occasioned some controversy. Because of the enormous growth in Federal dollar programs dependent on the numbers generated by the census, the magnitude of population shifts over the past decade, and the rise of the problem of illegal aliens, the 1980 census is probably the most controversial in our 204-year history.

From the experience of the 1970 census, we drew the conclusion that the Census Bureau would have to do a better job of counting blacks and members of other minority groups.

Ironically, the 1980 count itself, with massive efforts to improve coverage, appears to be turning out better than previous ones in some respects. But better than before isn't good enough for the towns, cities, counties, and States whose economic survival may depend upon a completely accurate count.

We were all pleasantly surprised when the mail return rate for census questionnaires exceeded expectations. And the Census Bureau is to be commended for an imaginative advertising and community services program which helped to produce that result in most parts of the country. But that mail return rate in itself generated a mass of paper and a type of workload not anticipated by census planners.

Minimum wages and high employment in some areas of the country made it difficult to find enough qualified people to complete the leg-work of the census. Some local officials have charged incompetence, mismanagement, and poor planning, putting grave doubts in their minds about the completeness of the counts they were receiving. Severe problems with geographic work had a ripple effect which hampered the effort at every turn.

Cities which are losing population seek Federal funds to compensate for lost tax revenues. Cities which are gaining population seek Federal funds to keep up with growing demands for services. Cities with stable populations seek Federal funds to stave off the effects of inflation.

Whatever its situation, every jurisdiction in this country has come to look upon the Census Bureau as its savior or its foe—and this is a very weighty load to carry.

No matter if the count is the best ever or the worst ever, some people were missed. Just when most of us had come to accept the notion that, at least for purposes of Federal funding programs, there should be some sort of adjustment, the Bureau has stated that it does not possess the tools to reliably estimate the undercount for the 1980 census. In fact, said the Bureau, standard techniques may well produce an overcount.

I hope Mr. Barabba, the Census Bureau's Director, will talk about that claim today. Whether or not it is the case, there is a court order which directs the Census Bureau to do just what it says it cannot do reliably: adjust for undercount. Meanwhile, lawsuits and legislation are pending which would require the Census Bureau to subtract illegal aliens from its count, another calculation the Bureau says it cannot perform in any meaningful way.

So we are here today to talk about the embattled Census Bureau, the status of its legal and legislative battles and how they are affecting day-to-day operations. We are also going to talk with representatives of several major U.S. cities to get their perspective on how the census was taken. Most important, our discussions must address the seemingly opposing notions of adding some people who may not have been counted and subtracting others who apparently were. We are obviously anxious to hear what our witnesses have to say.

Mr. Barabba, you were indeed brave to take on this thankless task, and I want to commend you for your endless dedication and good humor. We have very much enjoyed working with you and your excellent staff, Mark Ferber, Dan Levine, Ted Clemence, George Hall, and Marshall Turner, to name just a few of them.

But we do have some very, very grave problems. Congressional redistricting is going to depend on the numbers you come up with when the final counts are tallied by December 31. We are interested in knowing whether that timetable will be met and what the status of the lawsuits will be by that date.

We would also like to talk about what happens in the next census. If we can look a little bit ahead, what would you recommend? If we do not have an adequate system now—after all it is being challenged in the courts—what system would be more adequate? Would a statistical survey do the job better? There are some statisticians who claim that might be the case.

As a result of pending legislation, it is even conceivable that we could add to the total number of Congressmen, not just their distribution among the States.

If there is a recount in one area, must we recount all places or major urban areas? Or could we find congressional numbers actually being changed with no change in a local count but a change being occasioned by a recount in another area across the country someplace?

We are talking today about some of the most fundamental items concerning how our Government operates. We look forward to getting the information from you today. We will hear Mr. Barabba's testimony first, and then we will hear from three other gentlemen: Hon. James Conway, mayor, city of St. Louis, Mo.; Mr. James Young, chief counsel, city of Cleveland, Ohio; and Mr. David Jones, assistant to the mayor, city of New York.

I would point out also, just so everyone knows who the players are, here in the front of the room, we do have two court reporters from New York who are here transcribing our hearing today. I don't know whether they didn't trust our reporters to give an accurate transcript here. We are glad to welcome them. Anyone is free to make whatever records they see fit—tapes, films, or whatever.

So, Mr. Barabba, with that introduction, we would be glad to hear your testimony on these very vital questions.

TESTIMONY OF VINCENT P. BARABBA, DIRECTOR, BUREAU OF THE CENSUS, DEPARTMENT OF COMMERCE, ACCOMPANIED BY REX PULLIN, ASSOCIATE DIRECTOR FOR FIELD OPERATIONS, BUREAU OF THE CENSUS; DANIEL B. LEVINE, ASSOCIATE DIRECTOR FOR DEMOGRAPHIC FIELDS; AND HENRY SMITH, PUBLIC INFORMATION OFFICER

Mr. BARABBA. Thank you, Senator Glenn.

Before we get into dealing with some of the important questions that you raised, I thought it might be appropriate with this perhaps hopefully being my last appearance in front of this committee—

Senator GLENN. Don't bet on it.

Mr. BARABBA [continuing]. Before entering the private sector, that I wanted to go on record as thanking you for, I think, a fair oversight of the Census Bureau. I think you raised the right issues at each instance, and at the same time we welcomed your thoughtful reaction to our responses, and your vigorous support when warranted was certainly appreciated.

We also appreciated the efforts and support by your staff, especially Martha Volner, and Jackie Abelman of the minority staff.

I do recall that one of your predecessors in oversight of the census, Senator McGee, used to ask me to be benevolently brief in my comments, and I will try to do so. I will read from just sections of the prepared testimony.

Senator GLENN. Fine. Are copies of your full statement available?

Mr. BARABBA. Yes, sir.

Senator GLENN. All right.

Mr. BARABBA. It is with considerable pride in the fine work already done by all those who have participated in the 1980 census effort that we can report today, Mr. Chairman, that the census is succeeding to an extent that fulfills our great hopes and rewards our years of preparatory effort. Except for one district in New York City, the enumeration is concluded and, when the final processing is behind us, I am confident that we will have as complete and accurate a count of the population as is possible in a society as open and mobile as ours.

The Census Bureau is now close enough to completion of the 1980 census counts to gain a clear indication of how well we will have done when the counts are final. It appears that we will have taken by far the most complete census in our history, brought about by several major improvements in our coverage techniques, an intensive, sustained publicity program, and the dedicated efforts of many thousands of workers—ours as well as locally involved persons.

There are many bases for our optimism.

First, we have recorded many more housing units than we had anticipated when the census began. At that time we expected a count of about 86 million housing units, based on our planning estimates. This number was based on the unadjusted 1970 census counts but was updated for growth throughout the decade through intercensal survey and estimates programs. It appears now that the final housing unit count will be close to 88 million, or about 2 million over and above the expected, but unadjusted, total.

This increased coverage of housing units deals directly with one of the great problems of 1970, persons not counted because entire housing units were missed.

Our optimism is bolstered further through the results of an internal review procedure under which we are comparing our most recent population estimates for individual places with the preliminary counts from the census for those places. We have now put more than 98 percent of the overall U.S. population through this comparison procedure. The actual field counts—including a conservative allowance for a few enumeration districts that have not yet been tallied—are running about 2 percent above the precensus estimates for the same areas.

Should this increase hold steady for the remaining areas—and we have no reason to believe it will not—we will have counted about 4 million more persons than would be expected on the basis of the 1970 counts and subsequent estimates.

I believe you have a paper in front of you, Senator, which indicates how we built up to that count.

On April 1 of this year—Census Day—the national estimate stood at 221,673,000. This figure was derived by taking the 1970 census count of 203,235,298 and applying relevant vital statistics as they changed over the decade. Specifically, the Census Day 1980 estimate reflected the 10-year totals of the number of births—33,238,000—the number of deaths—19,275,000—and net immigration—4,475,000.

In both 1960 and 1970 we found that the total population estimates on Census Day were quite close to the final count.

If the 2-percent increase in counts over estimates holds for the remaining areas, we should end up with a count of around 226 million persons. Although we cannot be certain to what extent the increased counts include illegal aliens, the added count would nearly equal the 1970 census revised undercount estimate based on demographic analysis.

What does appear certain, Mr. Chairman, is the fact that as the actual count approaches our estimate of the true population, our ability to adjust figures for any real undercount disappears. It is crucial, I believe, for the Congress and yourself to be aware of this fact that, at this moment, it is our judgment that there is no statistically defensible method available to us for adjusting census figures.

Now, as you indicated, we had a very successful public service advertising program. It was coordinated by the Advertising Council on behalf of the Bureau, and it had, we think, a very positive effect on the improved count. You may recall, Mr. Chairman, at hearings we had here and on the other side of Congress, that some mayors felt that paid advertising was essential to insure that census ads would be carried without fail at effective viewing times.

We have had an evaluation of that program and, suffice it to say, after it was all done during the 6-month period of January to June 1980, the "Census 80" advertising program could be classified as the third largest brand advertisers in America, exceeded only by McDonalds and Ford, and we think that is incredible.

Many local officials were quite properly concerned about the effect of declining populations upon their communities, as you have indicated, and some were convinced that the losses they experienced were a result of our inability to count everyone. Although I certainly can sympathize deeply with these officials in their struggle to manage the affairs of communities where population losses are occurring—coming from one of those communities—I would like to point out these facts:

One, many other local officials are entirely satisfied with the census counts and have said so. One such example is Mayor Wilson of San Diego, Calif., who said in a letter:

During the local review program there has been daily contact between the census offices and our liaison and every problem to this point has been resolved to our satisfaction. I am firmly convinced that the local review program and the highly cooperative attitude of your district managers has made it possible for the city of San Diego to have an accurate and complete census count.

In San Diego, the Bureau's early count was 1 percent higher than the city's estimate which was based on a planning department computerized system that continuously records and updates population and housing data. San Diego's estimate of the population per household compared exactly to the Census Bureau count.

Still others, initially shocked by the rough initial tallies we provided during the local review process, eventually changed their minds after examining their own records and talking to our census field officials, and expressed the conviction that we had done a good job.

For example, Mayor Richard Berkley, of Kansas City, told a House of Representatives subcommittee that the census had failed miserably by producing undercounts for some major cities. More recently, he told the Kansas City Times, "but we have not had any serious problems with the Census Bureau here in Kansas City." An official in the Kansas City Development Department added:

There is no need for a lawsuit here. Our relations with the Census Bureau have been excellent.

There has been no evidence of massive undercounts here. We have found some discrepancies, but those will add up to, at most, 1 percent of the city's total population.

These are the good signs—I can list many more for you—news that we have been generally successful in carrying out our carefully prepared plan for taking the census; that many communities are satisfied with, and even complimentary of, our efforts, and that still others eventually find that we are careful and highly professional workers.

There are a few cities in which local officials, while generally satisfied, have expressed concern about some specific aspect of the count. In this group I would include Boston, where local officials had doubts about the average population per household. However, working closely with the city's local review group we were able to allay such doubts so that by September 4, 1980, Mr. Alexander Ganz wrote us indicating that the city was "very satisfied with the response in nearly all cases, and is pleased to see that our work was seriously used and evidently contributed to improving the census in Boston."

In that regard, the 1980 count reflects one of the most dramatic trends of the 1970's—it has already been documented to this committee as we presented some of our intercensal estimate and surveys—and that is a sharp decline in the average household size. In 1970, there were 3.1 persons in the average household; in 1980, that figure is estimated to be 2.8 persons—a drop of 11.5 percent. Other things being equal, the average community would have to increase its housing units by 11.5 percent just to maintain its 1970 population. Not many cities have had such growth.

My final category is small; it is comprised of cities whose officials are distinctly and vocally not satisfied, and, in most cases, have filed suit seeking, among other things, an adjustment of the census counts. I am somewhat concerned that their continuing concerns represent an unwillingness to face the facts and begin the arduous work of deciding on proper policies and programs to correct the underlying causes of population declines. Certainly, Mr. Chairman, it was not helpful to the spirit of cooperative or partnership to have, as in the case of New York, the mayor's key census spokesman suggesting publicly that perhaps the Bureau was responsible for starting the fire in Bedford-Stuyvesant. We were not aided, Mr. Chairman, when our efforts—supported by both the Congress and local officials—to attract indigenous workers in Harlem and the South Bronx, were characterized by this same spokesman as racist and as a chauvinist attitude that—and I have to quote—"the fuzzy-wuzzies like their own." In this connection, a review of past history as described by one of my most distinguished predecessors, Francis A. Walker, is of some contemporary interest.

In one of the early censuses, the Ninth Census, in his report to the President, he said,

The severest test of the general accuracy of the Ninth Census that could possibly have been applied, was through the reenumeration of the cities of New York and Philadelphia, under the provisions of an Executive order.

What happened here, Senator, was that there was a great outcry in the Ninth Census that it was taken at the wrong time, that many of the people were out of the cities of Philadelphia and New York when it was taken, and an Executive order was written to conduct the census some 6 months later.

In New York, the vindication of the census was even more complete. The city authorities there had committed themselves to the deepest hostility against the census; and both the original enumeration and the reenumeration under Executive order were followed with eager and vindictive criticism, while every obstacle, short of actual physical resistance, was thrown in the way of the agents of the General Government. Yet the gain upon reenumeration after a most searching and comprehensive canvass, which I do not hesitate to pronounce a masterpiece of

executive function, reflecting the highest credit on the distinguished officer who conducted it in person, was but 18,348, on an original return of 923,944, being, as nearly as possible, 2 percent.

Senator GLENN. Mr. Barabba, that is still a quote of Mr. Walker?
Mr. BARABBA. Yes.

I would point out, at that point New York was growing at about 3 percent a year in its population.

I would be remiss, Mr. Chairman, if I did not report that in recent months a very large share of the time of the senior managers of the census has been given over to the preparation of materials for the numerous and, I believe, premature lawsuits that have been filed against us. An even larger share of senior staff time has been devoted to hearings, meetings, and investigations of alleged shortcomings of the census effort.

It is abundantly clear to me that the Congress will face very difficult decisions in providing for the 1990 census. One crucial issue will involve whether Congress may wish to make more specific the confidentiality provisions of title XIII in the light of legal challenges demanding certain census records which we view as confidential and already covered by title XIII.

Generally, the cases against the Bureau fall into three categories: Plaintiffs demanding that statistical adjustments be made to adjust for any undercount; plaintiffs alleging mismanagement and ineffective census procedures; and plaintiffs seeking access to information which is confidential in accordance with title XIII, United States Code. In several instances, the particular suit deals with all three issues.

Although several cases concerned with undercount adjustment will go to trial between now and the end of the year, thus far the Detroit lawsuit is the only one which actually has been argued and in which a judgment has been rendered. Judge Gilmore's decision in that case, which requires the 1980 census figures to be adjusted for undercount, now has been appealed by the Justice Department. Given a count approaching 226 million, we have informed the court that there is no statistically defensible way to adjust the actual census figures but inasmuch as the judge has insisted that we do so, we have forwarded to Judge Gilmore a plan for adjustment. A copy of that plan is attached to our testimony.¹

Other cases are in various stages of litigation. Many dealing solely with the undercount adjustment issues are pending, awaiting the outcome of the Detroit case. Several involving the release of confidential information which were decided in favor of the plaintiffs in district courts are now before the appellate judges about to be argued.

In virtually all instances, the suits challenge the accuracy of the census, either directly or indirectly. When direct allegations have been made, and the Bureau has had the opportunity to present its case, the Census Bureau has been generally successful in defending the census procedures and personnel in court. For example, the State of New Mexico charged that the counts provided to local officials were substantially inaccurate and incomplete, and further that the local review program was not properly conducted. After hearing the facts, the court

¹ See p. 46.

concluded that the Census Bureau's plans for taking the census in New Mexico were reasonable and had been executed responsibly. The court specifically determined that the local review program and the related guidelines established by the Bureau were "rationally based on the principle that limited resources must be allocated according to reasonable guidelines." Based on the court's finding, the motion filed by the State of New Mexico alleging inadequate census procedures and management was denied. A separate claim relating to the issue of adjustment of the census results for any undercount is still pending.

In a similar case in Pontiac, Mich., the court, in considering a motion for a preliminary injunction, denied the city's request that a recount be made and concluded that the city "cannot demonstrate that defendants' final population count is inaccurate for even one enumeration district within Pontiac."

Cook County, Ill., also filed a lawsuit alleging problems in the conduct of the census and calling for undercount adjustment. The county was successful in obtaining a court order directing the Bureau to keep district offices open and to extend census operations for more than a month. When the county requested an extension of that order, the court, with a different district judge presiding, found that although "it would be inappropriate for this court to conduct a de novo hearing of the question of whether the preliminary injunction was properly issued in the first instance," the request for an extension was denied.

The most publicized of the suits challenging the manner in which the census was conducted is the New York case. Because that trial is currently in process it would be inappropriate for me to respond directly to the merits of the allegations made by the plaintiffs.

The plaintiffs in the New York suit allege that the Bureau did not develop and implement an adequate plan to conduct the census. The sworn affidavits of our census managers in response to charges in the New York suit set forth in detail the procedures planned and implemented by the Bureau, and established the rational basis for the Bureau's conduct of the 1980 census. As you know, Mr. Chairman, every significant aspect of our program has been reviewed and approved by committees of the Congress and the same procedures were evidently satisfactory for the many areas of the Nation in which the counts have been completed and accepted by local officials.

Our 1980 census plan provided for innovative procedures designed to insure that "hard to enumerate" groups would be included in the final tabulation; and that plan has been vigorously implemented in New York. Our sworn affidavits refute New York's charges of mismanagement and show that in those instances where there were problems in implementing the plan, corrective steps were taken.

Another aspect of the New York suit was the plaintiffs' demand for certain census records which are covered by the confidentiality provisions of title XIII. When the judge concurred with the plaintiffs, we found ourselves faced with the choice of breaking our promise of confidentiality or increasing the likelihood that we would lose the case. Since there would, in our judgment, be no recovery from breaking our promise of confidentiality, we refused to turn over the records and Judge Werker signed an order against us which, in essence, pre-

cludes the Census Bureau from, among other things, offering any evidence or testimony to prove any fact that "would be reflected in or could be derived from the documents required to be produced."

At this point it is difficult to anticipate the final outcome of this and the other suits pending. Nevertheless, we are proceeding according to our plans to tabulate the data and, assuming success in our appeal of Judge Gilmore's decision in the Detroit suit, we will report official counts to the President by the end of the year. Naturally a final resolution of any of the lawsuits in favor of the plaintiffs could affect our ability to meet this schedule.

There are many more things we could talk about, Senator, but in conclusion I would like to restate my fundamental views. This will prove to be the best census ever conducted in the United States. It has been carried out by some of the hardest working and most dedicated workers I have known. Although many census workers have been subject to severe, and I believe undeserved, criticism, they have steadfastly and competently carried out their duties. I urge we all pledge to use the fruits of their labors fully and effectively to better the Nation's policies and programs.

I would be happy to answer any questions you have.

Senator GLENN. Yes; you mentioned the judgment against you and how you would adjust for undercount. Would you care to summarize how you would go about that? You didn't really cover it in detail, although it is in your written testimony. But I thought maybe you could summarize that to indicate how you would go about it.

Mr. BARABBA. Yes, sir. There are two fundamental parts of the plan. One is the determination of whether a differential net undercount exists which is measurable, and then assuming that there is a differential net undercount existing which can be measured, we have to decide a way of distributing that undercount to the various places.

Senator GLENN. How do you make that estimate of undercount to begin with?

Mr. BARABBA. Well, there are three procedures that we indicated to Judge Gilmore that we would recommend using under his order. The first would be a demographic analysis technique, which is a procedure we used in 1970 as an evaluation tool when we estimated we missed 5.3 million people in the 1970 census. I would point out that further review of the data of that analysis indicates that number should probably have been more likely 4.3 million people. But we would use that method. One of the difficulties of it in this instance is that as we get closer in our count to the expected population that you would develop using the demographic analytic technique, you run into some difficulties about the precision of that measurement. One of the difficulties is the amount of people who live in this country illegally, now residing in the United States, that we cannot pinpoint demographically, and the other is the number of people who emigrate from the United States. One of the things we believe we can do with the demographic analytic technique is determine the undercoverage of the black population, under the assumptions that, (1) there is a very low proportion of black people who are here illegally, and (2) that the black population tends to emigrate from the United States far less than all other populations.

The other procedure that we will use——

Senator GLENN. If demographic analysis is more accurate, why aren't we using it all the time?

Mr. BARABBA. Well, it allows us to get an estimate of population at the national level because it is limited to access to records which we can generate at the national level.

Senator GLENN. What type of records do you mean?

Mr. BARABBA. We have very good vital statistics in the United States starting in about the midthirties, so we have a pretty good indication of the number of people who have died, who have been born since that period of time. So we can talk with some degree of assurance about the population who would be 55 and younger. In addition to that, because of medicare and medicaid and social security we have a pretty good indication of the number of people in this country over 65. So then using other procedures we can determine the amount in between. Then we get the net immigration into the United States, and that allows us, in essence, to build a population of what the count ought to be. But that is at the national level so we use it as an evaluation tool, not as a counting tool.

The other procedure that we will use is a match between our current population survey and the Internal Revenue Service records to find out the extent to which the current population survey identifies a count or undercounts a proportion of the population against an administrative record. Now the value of this over the demographic analysis is in the demographic analysis you can only distinguish differentially between the black race and all others because our vital statistics only make that distinction. In the census' current population survey and IRS match we can get an estimate of the count of the Hispanic population.

Then, finally, we had built into the census our postenumeration program where we will actually take and compare two waves of population surveys against the census. So we will use these three procedures to come up with an estimate of undercoverage both of the total population and of the differential among the Hispanic, the black and all other populations.

We make it fairly clear to the judge that these procedures must be combined because neither of them, in our judgment, are statistically defensible, nor are we sure in combining them we will come up with a statistically defensible measure of the undercoverage, particularly the differential.

Senator GLENN. If you can use these for a more accurate estimate, why aren't we using them on a continuing revolving basis all along rather than going through an every 10-year census?

Mr. BARABBA. Well, first of all, we have a constitutional problem because the Constitution——

Senator GLENN. I know, but outside of that.

Mr. BARABBA. Second, these are only estimates, but whenever the census count does not reach the estimate, a lot of people are of the opinion that the estimate is best. These estimates, however, cannot give you the characteristics of the population other than on the basis of race, and in the case of an IRS match some estimate of income.

In addition—and this is where we get into the problem of Judge Gilmore's order—we have just discussed the difficulty of measuring the undercount. Now we have to find a way of distributing it throughout the Nation. In Judge Gilmore's order it has to be down to a very small area, so you could do redistricting as well as reapportionment. We have made it clear to Judge Gilmore we have no straightforward method available to us. One could use a simple synthetic adjustment or regression analytic technique. At this point we are absolutely convinced there is no statistically defensible procedure for doing that, but after we had informed the judge in our first reply that a lot had happened since the trial, he still insisted we develop a plan of adjustment, so we then brought forth this plan.

Senator GLENN. Do I understand the Census figures are about 95 percent complete?

Mr. BARABBA. Well, do you mean the tabulation or the field work, Senator? The tabulation itself or the field work? The field work for all but one district is complete. The estimates that we provided you this morning are based on in excess of 99 percent tabulation.

Senator GLENN. What do your results so far indicate about the shift from North and North Central States to the South and Southwest?

Mr. BARABBA. It appears there actually has been more migration to the West and South than our estimates had earlier indicated.

Senator GLENN. How many congressional seats will change hands as a result of the census?

Mr. BARABBA. We have not calculated the apportionment on the basis of these most recent numbers because we felt it would be best to get all States in and tabulated. But the number of seats changing hands would probably exceed the number we estimated on the basis of the 1979 estimates, which at that time were 14.

Senator GLENN. You think it will exceed that number?

Mr. BARABBA. We think it will exceed, yes.

Senator GLENN. That could indicate that, over the past few years, prior to the census there has probably been an unfair distribution of Federal funds. I know we can't run a census every year.

Mr. BARABBA. We have tried to measure that through our estimates. This is another example. We tried to understand why our estimates did not pick up as much of a change as the count seems to be identifying, and we think it could be for about three reasons, at least three reasons. One, when we evaluated the 1970 count, and by all the procedures we used in the demographic analysis technique and matching study we did, there tended to be far more undercoverage in the South and in the West than there was in other parts of the country, although there is some debate about, in the two procedures we used, whether the West was as high an undercoverage in one particular method as it was in another. So, therefore, if you have coverage improvement you would expect to be beyond your estimates in at least the South.

Second, there is no question that, with the exception of some activity in New Jersey and New York, more undocumented workers probably reside in the South and in the West, and if any of our coverage improvement is identified in counting that population, it would be picked up there.

And, last, our estimating programs, which included the vital statistics as well as school enrollment, has a tendency to lag behind the actual movement. In this instance where you have areas that are growing more rapidly, our estimates would tend to lag somewhat behind that movement, and areas that are declining in population they would lag as well. Therefore, the estimate would be higher in an area in which the population was declining and it would be lower in an area where the population was growing.

Senator GLENN. If we get to the end of this year, December 31, without legal resolutions on a number of these court suits, will you go ahead and transmit the figures?

Mr. BARABBA. Yes, sir, we are prepared to do so.

Senator GLENN. Could you address the problem of illegal aliens? We have undercount suits in our Northern cities which will probably be backed up by testimony from the mayors or representatives of mayors from Cleveland, St. Louis, and New York. On the other end, we have this illegal alien business.

Mr. BARABBA. As you know, there was some difference of opinion as to whether we should actually be counting that population. I would point out that yesterday or the day before the court of appeals upheld the district court decision on the Bureau's legal position on counting all people resident in the United States regardless of citizenship or documentation.

Senator GLENN. Congress does need the figures. It is up to Congress to decide whether illegal aliens should receive all the benefits that citizens receive or not. We need to decide how much help local communities need for schools or whatever. The first thing is to find out the size of the problem.

Mr. BARABBA. There is at this time, in my judgment, no accepted count of people living in this country in less than a legal status—and I use that phrase for a reason because we even have difficulty in getting a definition of what “undocumented” or “illegal” is today. At the request of the President's Advisory Commission on Immigration Reform, we reviewed all the studies that have been done in this area which came up with estimates of the illegal population. I think, as you are aware, Senator, that those estimates ranged anywhere from 1 million to 20 million. In reviewing the study the Bureau did not, in any way, say that any of them were correct, but of all the studies that seemed to be in a systematic manner and whose assumptions seemed to have some reliability to us, all of those studies fell around 5 million or less. That doesn't mean we know there are 5 million illegal aliens or less. It just seemed the studies reviewed seemed to indicate this.

As we took the 1980 census, we made a significant outreach into many local communities where they expected to have a high proportion of the undocumented workers, and asked for support for the census program. In my discussions with district managers and local community leaders in East Los Angeles and San Antonio and a few other cities, they believe they made some progress, but they themselves had no way of trying to estimate what percentage of the undocumented workers in their community were actually counted.

So we are very soft in our understanding of this issue. We wish we were able to more precisely measure it for everyone because we know the importance of it. We have put into place a research program where we are trying to find ways of addressing it more effectively. But that is going to be a long haul and in the immediate future we just don't have much more to tell you.

Senator GLENN. Will you have recommendations, because this is something we can't just leave hanging there? We have to have some way of measuring this, if there is a way devised to do so. I have no suggestion of my own, but you are an expert. In other words, how do you measure people who don't want to be measured? They are afraid of their illegal status. It makes them subject to being booted out of the country if they are counted, so they avoid it as much as possible. Do you have any new ideas on how you do this? I gather you feel the undercount problem with blacks, which has been talked about quite a lot, and the undercount problem with Hispanics along our southwest boarder area are two quite separate problems and should be treated completely separately.

Mr. BARABBA. Yes, and we designed our program with that difference in mind. The issue of the undocumented, I think, has two parts. One is measuring the extent of the problem. The other is reaching out to encourage those people to be counted. I think most of our critics from 1970 that I have had an opportunity to talk to indicate to me we made progress in 1980. We certainly did not solve the problem, but I think even our most severest critics will agree the manner we addressed that problem in 1980 was significantly improved over 1970. We are preparing within the Bureau a research plan—and I want to emphasize it is only a research plan—on how to measure this phenomenon because we are far away from the actual measurement of it. We will submit that plan, as we have been requested to do, to the Congress.

Senator GLENN. It gets into a problem right now because the law doesn't differentiate between illegal aliens and residents. It just says, in effect, to count the people who are there on that date, which has been the subject of court cases also.

Mr. BARABBA. We took the position, as we read our statute and the history of our statute, that it was the intent of Congress that we count all people resident in the United States regardless of citizenship. That was, as you know, contested in the courts, and our position has been upheld at least at the appeals court level, and we believe we must continue along that line, unless, of course, the Congress would instruct us differently—I would just point out there is a great difficulty in implementing at this point a procedure from excluding those people who are in the count.

Senator GLENN. I know, and that gives me concern. Let's say we have 5 million illegal aliens in the country at any time, most of them in the Southwest. If you counted them all, that would mean 10 congressional seats that are being taken from Michigan, Ohio, and up North where we have lost some people. It is certainly possible that there is a grave imbalance in congressional representation. I am very much concerned about it. I don't have an idea what we would do about it. We are sure going to need any guidance you can give us in that area.

Mr. BARABBA. We have certainly reviewed the problem, and it certainly has been our understanding of it, as has been brought out in the legal procedures that we have gone through on this very significant case, that at this point we know of no procedure where we could back-track for the 1980 census and identify with any degree of certainty the number of people in that count who are here illegally.

Senator GLENN. How about out-migration, emigrants, in the 1970 computation. I am told there was an error to the tune of about 900,000 people from the 1970 computation. This meant the 1970 undercount was significantly lower than previously estimated and also contributed to the notion that the 1980 undercount is probably negligible. This could give rise to lowering of confidence in these estimates. What have we done about that to make sure this type of error doesn't happen again?

Mr. BARABBA. Normally the Bureau does not come out with revisions of its estimate of population until after the census, but because of the lawsuits we have been in and because of the importance of informing the courts of the status of the count we have expedited this evaluation. And I would have to point out when we released the evaluation of the 1970 census in 1973, we made the point that this was not a precise measuring tool for allocation purposes; it was an evaluation tool. Indeed, we attempted to emphasize this point by indicating there were five estimates of undercoverage that were presented, and we had a preferred estimate within that range of five. Then we listed all the assumptions. One of the assumptions listed was there was relatively soft data available about the number of people living in this country, illegally in 1970 and there was relatively soft data about emigration from the country because the immigration and Naturalization Service focuses on immigration rather than emigration, so that we in essence let those two counts wash out. We said they netted out to a zero.

In further evaluation of that and in looking at social security checks being sent overseas and doing some demographic analysis, during the census, of people who came to this country, it is now our opinion that there was far greater emigration than we had anticipated, and it is because of that that we issued that report. And I think it focuses on the point we made earlier, Senator, that these estimates are only as good as the assumptions you are willing to live with at the time they are made.

Senator GLENN. One further question, then Senator Levin can ask questions.

You reported in the Detroit case that you didn't think there was a statistically defensible way to adjust the census figures for purposes of apportionments, and you have repeated that here this morning. I have not read the case myself, but did the judge suggest any methods he thought should be used? It looks like an impasse. He states there has to be a better count, and you say there isn't any way of doing a better count. What does the judge say? Does he give you any suggestions how you should go about this when you don't have a method for doing it?

Mr. BARABBA. Well, the judge heard from expert witnesses for the plaintiffs who brought forward their version of what would be statis-

tically defensible procedures. Their criterion was a notion that any time that you could get closer to truth using an adjustment procedure, one should. The Census Bureau accepts that criterion. Indeed, we have done it for some time.

Senator GLENN. We can't very well be for untruth.

Mr. BARABBA. That is certainly correct, Senator.

Now at one point—this is my own personal judgment—if the count for 1980 approached the amount of undercoverage that could be measured that we had in 1970, it is my judgment we had in place procedures that would have allowed us to make an adjustment at the State level for the counts. And the reason I say that is because to do some of these studies one calculates a variance of error around your estimates of what the population ought to be, and generally our calculation of error around that estimate would have been around 1 percent. Now as the actual differences that we measure become 1 percent or less, then we could be, in essence, adding or subtracting people from the State counts solely on the basis of statistical error rather than actual difference between the estimate procedures and actual procedures. That is what the Census Bureau tried to point out to the judge. Most of the discussion that took place at the trial worked under the assumption that undercoverage in 1980 would be very similar to what it was in 1979, and even our ability to measure it in 1980 would be similar to our ability in 1970, but that assumption does not hold up.

Senator GLENN. Are any of the city officials coming up with different formulas? I know they have come to the number of water hook ups, the number of phones, the number of various things like that that show there are more people than you have counted. Are there any of those formulas they have been putting together you think have any validity and do show an undercount that is valid and unacceptable, or are they griping because they are losing residents?

Mr. BARABBA. One of the difficulties in developing an estimating procedure in any community is insuring that the administrative records reflect what the Census Bureau does in its definitions, and the one data item that I am not aware of many communities having is the population found in Atlanta when this procedure was recommended, many of those utilities were hooked up to swimming pools, to small garages where they had small cottage-type industries, and that is not reflecting people. In addition, no utility hookup is going to tell you how many people live in a particular house. Also, administrative records tend to get old very quickly, particularly in rapidly increasing or decreasing populations. Our experience in reviewing administrative records is that they do serve the purpose of pinpointing where problems are likely to be occurring, and that was the whole purpose of the local review program, for us to learn from communities where they felt a problem was and then the best way of solving that problem is to go back to recanvass to determine whether people were actually there.

Senator GLENN. Senator Levin.

Senator LEVIN. Thank you, Mr. Chairman. I want to commend you for holding these hearings.

Mr. Barabba, you have cited a number of letters in your testimony, and I am sorry I missed it. I am sorry I am going to have to miss the

balance of the testimony from others. But you have recited a number of letters commending the Census Bureau basically on your procedures and your results and accuracy. Were any of these letters that you received, that you know of, from jurisdictions that had a large minority population, say, 25 percent or more?

Mr. BARABBA. Certainly the city of San Antonio, Tex., which is well over 70 percent minority.

Senator LEVIN. How about large minority black population?

Mr. BARABBA. The city of San Francisco has certainly responded that they were pleased with the count we came forward with.

Senator LEVIN. Do you know what their black population is?

Mr. BARABBA. No, I don't, Senator. There were communities in around the Boston area. I just don't know each of those communities.

Senator LEVIN. Do you know for a fact whether any community with 25 percent or more black population sent you such a letter?

Mr. BARABBA. I don't know that here, but I could certainly find that out.

Senator LEVIN. It would be very helpful if you would.

Does the undercount which you identified or estimated in some way in 1970? Did that undercount include assessment of undercount between city, suburban and rural, or was it just a racial differential that was looked at?

Mr. BARABBA. There was an attempt made to try to make that evaluation, but the data again was a little bit soft. But there was an indication—and I would ask Mr. Levine to respond—there was some indication it was just as bad in the rural areas, particularly when you consider the South, as it was in the urban area.

Senator LEVIN. Have you submitted those figures to the committee?

Mr. LEVINE. Yes; I believe we have.

Senator LEVIN. Of all 50 States?

Mr. LEVINE. Yes. That report has been submitted to the committee in previous testimony.

Senator LEVIN. I am talking about the differential on the geography as well as the race.

Mr. LEVINE. I believe we have submitted all that material to the committee, but we will give you additional copies.

Senator LEVIN. Can you remember whether the differential was between suburban, city and rural?

Mr. BARABBA. I don't understand—

Senator LEVIN. As I understand the figure, the best estimate was 7.7 percent undercount for blacks, 1.9 for whites.

Mr. BARABBA. Yes, sir.

Senator LEVIN. Do you remember whether the differential was as great between suburban, urban and rural as it was between whites and blacks?

Mr. BARABBA. It was not the same. I just don't know how great the difference was.

Senator LEVIN. You can't remember whether it was as great?

Mr. BARABBA. It was not as great. I just don't know how close it was.

[Information submitted by Mr. Barabba follows:]

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, D.C., December 23, 1980.

HON. CARL LEVIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LEVIN: This is in response to the requests for information you made at the Senate subcommittee hearing on November 18, 1980.

For 1970, the Bureau found that the undercount rate for rural areas was greater than for urban areas; similarly, the undercount rate was greater in nonmetropolitan areas than in metropolitan areas. Within the metropolitan areas, there was little or no difference between central city and the area outside the central city. Furthermore, the size of the metropolitan area made no difference in the coverage rate. None of these differences were nearly as great as the Black-White difference.

These data are from the 1970 Current Population Survey-Census Match Study. This study was conducted for evaluative purposes rather than for use in adjustment and consequently the results, as I characterized them in my testimony, are generally considered "soft." The results are discussed on pages 8-10 of the enclosed report, "Coverage of Population in the 1970 Census and Some Implications for Public Programs," P-23, No. 56, with other relevant results on pages 5-6.

As I testified, none of the coverage differences for age groups alone in 1970 (ignoring race and sex) are as large as the Black-White difference. The smallest undercount, for ages 15-19 years, is 1.2 percent; and the largest, for ages 25-34 years, is 4.3 percent. (See Table 6, page 31, of the enclosed report, "Estimates of Coverage of Population by Sex, Race, and Age: Demographic Analysis," PHC(E)-4.)

It should be noted, however, that the coverage rates for Whites and Blacks are not uniform across the country; that is, there is geographic variation in coverage within each of the races. The CPS-Census Match Study found that the omission rates for Whites and other races varied from 1.5 percent in the North Central States to 3.6 percent in the South, while the rates for Blacks varied from 4.1 percent to 8.5 percent for the same areas. (See page 6 of P-23, No. 56.) Another study, which produced estimates characterized as "developmental" ("Developmental Estimates of the Coverage of the Population of States in the 1970 Census: Demographic Analysis," P-23, No. 65, enclosed) found underenumeration rates for Whites varying from 0.7 percent in the Northeast to 3.1 percent in the South and 3.4 percent in the West (page 97). This same study found rates for Blacks varying from a low of 3.9 percent in the North Central States to 8.8 percent in the South and 11.2 percent in the West (page 98).

With this degree of variation, some of the differences between States may have been as large as the Black-White differences, however. Although no definitive estimates of undercount for States were produced following the 1970 Census, the "developmental" estimates mentioned above included a range of estimates for States (P-23, No. 65, especially table VII-D, p. 99). For some States, notably Wisconsin, Minnesota, and Utah, the estimated undercounts were essentially zero. Estimates for some States were in the range of 5.5-6.5 percent (e.g., South Carolina, West Virginia, Nevada, Alaska) and the estimated undercount in New Mexico was as high as 7.8-9.2 percent.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

VINCENT P. BARABBA,
Director, Bureau of the Census.

Senator LEVIN. Do you expect that the Bureau will announce these same kind of estimates following the 1980 census?

Mr. BARABBA. Yes, sir.

Senator LEVIN. How long after?

Mr. BARABBA. We believe, as we indicated to Judge Gilmore, that we would have most of the evaluation before the fourth quarter of 1981.

Senator LEVIN. 1981?

Mr. BARABBA. Yes, sir.

Senator LEVIN. Was there an estimate made following the 1970 census of the differentials between regions of the country, too?

Mr. BARABBA. Yes.

Senator LEVIN. What other differentials were studied besides suburban, rural, race, and region?

Mr. BARABBA. Age.

Senator LEVIN. Were any of the differentials that you can remember as large as they were between white and black?

Mr. LEVINE. In the case of some of the age groups the undercount was greater than what you have just indicated. Young black males, I believe the undercount rate was quite a bit larger than 7.7.

Senator LEVIN. Factoring out the race and just looking at the age without a racial component.

Mr. LEVINE. I don't remember any others that would have come close to that, but I am not sure, Senator.

Senator LEVIN. So it is likely at least that the greatest differential that you estimated would be the white/black differential.

Mr. LEVINE. Yes, sir, based on 1970.

Senator LEVIN. Yes.

Mr. LEVINE. Yes, sir.

Senator LEVIN. Do you have any reason to believe one way or another that it is different this time around?

Mr. BARABBA. Yes.

Senator LEVIN. Which will be the largest differential this time?

Mr. BARABBA. I can't tell you that.

Senator LEVIN. But you have reason to believe some other differential will be greater than race?

Mr. BARABBA. I have no way of knowing which will be greatest, but I believe it will be significantly different. In other words, race could still be the largest, but it could be very much smaller than in the past.

Senator LEVIN. My question is, do you have any reason to believe one way or another some other factor besides race will have a greater differential this time than race?

Mr. BARABBA. I can't think of any right now.

Senator LEVIN. Assuming a differential and range of 7.7 to 1.9, that that's reasonably accurate, do you consider that that represents an injustice?

Mr. BARABBA. You would have to put that in a context for me. Does it create an inequity? Yes, it does.

Senator LEVIN. I have a number of concerns that I have written out, Mr. Chairman. They are not quite in the form of questions. They are long statements of concern which I would like to submit to the Census Bureau for the record and perhaps they could comment on them although they are not in the form of questions. I also would have some questions for some of the other witnesses, if the Chair will indulge me.

Senator GLENN. Certainly.

Senator LEVIN. Thank you, Mr. Chairman.

[The information referred to follows:]

U.S. SENATE,
 COMMITTEE ON GOVERNMENTAL AFFAIRS,
 SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT,
Washington, D.C., December 2, 1980.

Mr. VINCENT P. BARABBA,
Director, Bureau of the Census,
Washington, D.C.

DEAR Mr. BARABBA: Attached, for your written response, are the questions which I inserted in the record at the November 18, 1980, hearing of the Subcommittee on Energy, Nuclear Proliferation and Federal Services, Committee on Governmental Affairs.

These questions were sent to me in October by the City of Detroit. Although the questions may be untimely, your comments will assist us in our evaluation of present and future census procedures.

We will look forward to receiving your response at your earliest convenience.

Sincerely,

CARL LEVIN.

Attachment.

U.S. DEPARTMENT OF COMMERCE,
 BUREAU OF THE CENSUS,
Washington, D.C., January 21, 1981.

Hon. CARL LEVIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LEVIN: Enclosed are the responses of the Bureau of the Census to the concerns you forwarded to us in your letter of December 2 which we understand will be included in the record of the hearing of the Subcommittee on Energy, Nuclear Proliferation and Federal Services on November 18, 1980. I apologize for the delay in responding to you.

If you have any further questions on these matters, please do not hesitate to contact me.

Sincerely,

DANIEL B. LEVINE,
Acting Director,
Bureau of the Census.

Enclosures.

CONCERN I

(Submitted by Senator Levin)

The Census Bureau Local Review Process allows the City only 10 days to respond to 1980 preliminary Census figures. The Bureau used the rationale that it would then have sufficient time to resolve the differences which may exist between the City and Census Bureau figures. The City of Detroit's key concern is the timely resolution of these significant differences for as nearly accurate census count as possible. However, the City questions whether the Bureau has exhausted every recourse in arriving at the same. Specifically, what is the Bureau doing in regard to the number of cases (no just limited to Detroit) in which the differences have been identified and prior to their resolution, the District Office records in question are forwarded to the national record facility at Jeffersonville. Wouldn't it produce a more accurate census, which is in the best interest of all concerned, if: (1) the District Office records were kept within the City until the differences are resolved, and (2) an effort was made on behalf of the Census Bureau to resolve these differences in an efficient and practical manner by deputizing a select number of city technicians (which was done for the 1970 Census) to be employed at the task of reviewing actual address registers used in the conduct of the Census, indicating where evident, address omissions from their register. (Presently, staff review and compare only the number of housing units in a given enumeration district.) The value of address register comparisons is obvious.

(Based on a New York Court's findings, the Census Bureau address registers are not considered as confidential material.)

Census Bureau response to Concern I

The Local Review Program was designed to allow sufficient time to check reported problems before the offices closed. The officials were given 2 weeks to review the counts and begin reporting to the Census Bureau. Recognizing that for many areas a considerable amount of data was involved, the Bureau adopted a flexible policy which permitted officials to continue the review beyond the normal 2-week period. In addition, in cities like Detroit having more than one district office, the local review counts were received by the City on a flow basis depending on the progress of census work in each particular office. The Bureau allowed itself 4 weeks to check the reported problems. Offices did not close until the census work was completed. For example, the last office in Detroit did not close until October 14, 1980.

In the census there are a number of actions which could be taken to improve the accuracy. The final plan represents a balance between accuracy, timeliness, and cost-effectiveness. We believe that the additional quality potentially added from an extended and more extensive local review did not justify the cost and time which would have been sacrificed.

Because this Program involving approximately 39,500 governments was tried for the first time in the 1980 census, it was inevitable that there would be real as well as perceived problems in implementation. If this Program is repeated in the next census, we will benefit from the 1980 experience.

CONCERN II

Question on housing unit definition

In the 1960 and 1970 censuses, a housing unit was defined as separate if the occupants (or intended occupants, if vacant) lived and ate separately from any other unit and if there was either direct access to the unit or separate cooking equipment for exclusive use of the occupants. For 1980, the cooking equipment portion of the definition has been deleted, thus leaving the definition of a separate unit to ride on direct access alone.

In Detroit, some of its suburbs, and many other midwestern cities, there are large numbers of structures known locally as income bungalows. These buildings look like single family homes from the outside. They have one front door and, usually, one street address, however, upon entry to the inside, one finds a stairway leading to an upstairs unit which has a door that can be locked and which has a separate kitchen as well as living room, bath, and one or more bedrooms. These structures are named "income bungalows" because they were designed to have the owner living downstairs and to have rental income from the upstairs unit.

It has come to our attention that in the Detroit Regional Census Center, the 1980 housing unit definition is being interpreted to treat the two units in an income bungalow as one, on the argument that access to the upstairs unit is through the living quarters of the downstairs unit rather than direct through what is called a common hall—i.e., space used equally by the occupants of both units. If allowed to stand, the following consequences ensue:

1. At worst, the upstairs occupants are missed altogether. One questionnaire arrived at the structure and was filled out by the owner; he responded incorrectly to question H4 regarding the number of living units in the structure, and the second unit is not identified.
2. If the occupants upstairs are identified, they are included on the questionnaire with the downstairs occupants. This results in a household that looks like it is "doubled up"—i.e., it will have more than one family in it—a traditional criterion of defining a shortage of housing stock which is not the case here. There are further implications for the statistics reported on tenure (own/rent distributions), vacancy rates, income, crowding and a host of other variables.

We are not talking about an insignificant number of units here. In Detroit, it is estimated that there are nearly 19,000 income bungalow structures; some of these are truly combined units where one family is living in both parts of the structure, but most are separate and represent in excess of 35,000 housing units. Through application of this definition, it is likely that as many as 10,000 units will be arbitrarily eliminated from Detroit's housing stock, and that 10,000 will have distorted data for the reasons mentioned above. Further, these structures

are concentrated in areas of the city that were built up in a narrow period of time; thus, some census tracts will have their data substantially distorted.

In the opinion of technical staff in Detroit working on the local review, the regional office has made this interpretation because to do otherwise would mean substantial additional work to obtain full questionnaire information from the occupants of the second unit in these structures.

Census Bureau response to Concern II

The Detroit Regional Census Center or any other regional office does not have the option of applying and interpreting census enumeration rules differently from the rest of the country. Whether it is the definition of a housing unit or residency rules, the purpose of the census is to apply a uniform measure at a given point in time across the entire country according to standard criteria.

The definition of a housing unit used in the 1980 census was modified since 1970 to exclude any requirement for separate kitchen facilities. In 1960 and 1970, housing units with cooking or complete kitchen facilities, but without direct access, accounted for .1 percent of the Nation's housing stock (43,000 and 52,000 units, respectively). The decision to delete the criterion of separate kitchen facilities was based on a) the small number of units involved; b) the desire to make the United States definition of a housing unit consistent with the United Nation's recommended definition used by developed countries; and c) the conceptual question of whether living quarters without direct access were actually separate from other living quarters.

The proposed definitional change was presented and discussed at a meeting of the Census Advisory Committee on Housing for the 1980 Census. This Committee unanimously approved the deletion of the complete kitchen criterion from the definition. Furthermore, the Federal Agency Council on Demographic Census, a group of more than 90 Federal agencies with an interest in the census, was made aware of and approved the suggestion. The proposed change was a major agenda item discussed at 73 local public meetings held throughout all the 50 United States, and there was no recorded opposition or criticism of this definitional change. Thus, in 1980 the only physical aspect of the housing unit definition consists of the direct access requirement.

The staff of the Detroit Regional Census Center was aware of the unique housing situation relating to income bungalows and took special steps to assure that the 1980 housing unit definition was properly applied. Working closely with the Detroit Planning Department, Bureau supervisory staff in Detroit visited areas identified by the City as having concentrations of income bungalows. Substantial additional work was undertaken in investigating the situation. It is our belief that the housing unit definition was generally applied correctly.

Senator GLENN. Will the December 31 information that you send to Congress indicate the difference between citizens and aliens?

Mr. BARABBA. No, sir.

Senator GLENN. It will not?

Mr. BARABBA. No, sir.

Senator GLENN. Will you be able to make any estimates as to percentage of aliens? That is going to pose a very difficult problem for Congress. We seem to be saddled with decisions on what Federal programs apply to citizens; what apply to aliens. But it appears that we can't differentiate.

Mr. BARABBA. Later in the period 1981 and perhaps going into 1982, there is a question on the sample, the one that went out to one in five people, where we asked people to identify whether they were citizens of the United States, and that tabulation will be available, but that comes later in the processing flow.

Senator GLENN. Yes; but I think that is normally to pick up people who are legally here from abroad.

Mr. BARABBA. In responding to that we would not distinguish whether legal or illegal but whether they were a citizen or not.

Senator GLENN. Let's say we are off by the 5 million figure on the number of people in this country illegally. Estimates run from 1 to 20 million, as you said. A figure that seems to be bandied about is 4 or 5 million illegal aliens in this country at one time. If it is off by that amount, that is a big amount. How can we go about addressing that problem? You have no way of estimating from the data gathered from the districts. If they were all counted, that would mean a difference of 10 congressional seats approximately.

Mr. BARABBA. When you get into a allocation formula, it gets dampened down. One of our evaluation procedures where we make a comparison of administrative records from, say, the social security system and Internal Revenue Service may identify to some extent the number of people who would be here illegally, because if they do have a social security card or file an IRS form, we may be able to get some of that. But those numbers will be very, very soft. I think it would just help us perhaps narrow the range or estimates rather than give you a precise number.

Senator GLENN. Well, I would ask you that your people continue working on how to make estimates. I realize it is difficult to come up with facts. The illegal population moves back and forth across the border. Yet there are very problems with both services and congressional representation. These are very tough problems we are going to have to grapple with and we are going to need your help.

Mr. BARABBA. Yes, sir.

Senator GLENN. Will the Census Bureau have to request additional funds to pay for a new census where the census office burned down in Brooklyn?

Mr. BARABBA. I would like Mr. Levine to deal with that.

Mr. LEVINE. We are not exactly sure at this point. We have a request for a 1981 supplemental that is being considered now before the Office of Management and Budget and that is being reviewed. We estimate the cost of that activity will approximate between \$3 and \$4 million, and inevitably it will be reflected in a request to Congress; I am sure of that, Senator.

Senator GLENN. I was a little surprised at your statement quoting the Census Director for the city of New York?

Mr. BARABBA. New York City, sir.

Senator GLENN. Was that an actual charge against you, that arson was involved and it was your fault?

Mr. BARABBA. Well, we have the transcript of the radio interview in which he made that statement, Senator. And he is a witness following.

Senator GLENN. Well, we will be glad to ask him about that. But was it directed at you?

Mr. BARABBA. If I could read it—

Senator GLENN. Or was it just an allegation that somebody may have burned the place down, which is not too infrequent in the Brooklyn area?

Well, that is all right, we can ask him to testify on his own behalf.

Mr. BARABBA. This was a broadcast on station WCBS in New York. Somebody asking about it says:

Now Bedford-Stuyvesant—

This is not quoting Mr. Jones, but the reporter—

where the fire occurred in the district office, is one of the most highly undercounted. And David Jones, the Mayors aide, was there and he was asked about the suspicious fire. He said he begins to wonder if the Census Bureau really has something to hide.

Then he is quoted :

I think what it warrants is an investigation at this point. It's just too strange to allow. I have been a lawyer for many years, and any time a client suddenly comes into a courtroom and says, "I'm sorry, Your Honor, all my records have been destroyed, you know, accidentally," you have to start to question and just to clear the air. Because there has been so much heated debate about this, there should be an independent investigation of some sort if there is any indication that arson was involved.

Senator GLENN. There have been allegations that the piece rate method of paying census enumerators created situations where enumerators recorded many more empty houses than actually existed because it could be done more easily, generating a bigger paycheck. Do you think this was a problem of major magnitude, and would you recommend an hourly rate for enumerators in the future?

Mr. BARABBA. Maybe Mr. Pullin, responsible for our field division, and who has served as regional director for several years, could respond to that activity.

Mr. PULLIN. Possibly we should take another look at it, but basically when you have to hire a large group of people to do a job very quickly the best way to control the completion of that job is through a piece rate enumeration.

Senator GLENN. Did you do any monitoring? Did you have people checking up on the enumerators to make sure this was not occurring?

Mr. BARABBA. Yes, sir.

Senator GLENN. Did you have to dismiss many people for this cause?

Mr. BARABBA. We had to dismiss people because they weren't doing it properly, but I am not sure whether, proportionately, it was many. We did dismiss some people because they were not doing the work properly.

Senator GLENN. Did you go back and resurvey those areas?

Mr. BARABBA. We certainly did. We resurveyed some very large areas because of problems that were discovered.

Senator GLENN. Do you have figures on the number of people you actually had to let go who were not doing an adequate job in the counting?

Mr. BARABBA. I don't think so, but I will have a review made. We had, over time, approaching half a million people that we eventually hired at one time or another. I just don't know whether we would have a record of why they were fired, if they indeed were fired.

Senator GLENN. I have to go to another hearing. I appreciate Senator Eagleton coming to take over. I will try and get back over if I can. But I would like to have, either by letter back to the committee or your own oral testimony here this morning, any recommendations you might make about how future censuses should be conducted. Is there any way to make a continuing, rolling census so we wouldn't be faced with a cataclysmic operations every 10 years, or so that it could happen on a more orderly basis? It might require a constitutional amendment. But if we could streamline this procedure to yield a more

accurate census in a shorter time, I think we should consider it seriously.

Before the census was taken, a lot of people were critical about the number of questions asked, particularly on the long form. I would also like your views on whether either the content or number of questions had any effect on your ability to count people.

Apparently, we are going to be subject to a request from you for additional funding. We have gone somewhere over \$1 billion on the budget so far. I would like an estimate from you.

[The information referred to follows:]

DECEMBER 29, 1980.

HON. JOHN H. GLENN,
*Chairman, Subcommittee on Energy, Nuclear Proliferation, and Federal Services,
Committee of Government Affairs, U.S. Senate, Washington, D.C.*

DEAR SENATOR GLENN: During the recent census hearing, you suggested that I provide my views on the future implications of some of the challenges and controversies that have arisen from the 1980 census, particularly with reference to the extensive litigation taking place and whether there are feasible alternatives to the massive and complex operations required by the census to produce statistics for apportionment and other purposes.

The 1980 census is, of course, a long way off, and I believe strongly that the content and scope of the next census should be determined during the decade in the light of emerging information needs, technological advances, and other aspects of the planning process that I should not try to anticipate today.

Nonetheless, it will soon be time to begin a new round of census planning, and some of our experience does suggest new approaches to certain problems. There are three elements of the current litigation, for example, that I believe Congress should examine thoroughly in the near future.

First, the intent of Congress with regard to the confidentiality of information obtained during the census needs to be articulated more clearly in the census code, title 13. The wording of title 13 was fashioned before the mail-out, mail-back census procedures were developed, along with the minor utilization of address registers, which contain information which I believe should be kept confidential. The prospect of treating the same and/or address listings of a decennial census as a record system available either to the general public or to local officials throughout the country is disturbing. I believe the disclosure of these lists, even if names were deleted, would violate the reasonable expectation of confidentiality on the part of the American people, not to mention the potential exploitation of such lists for commercial purposes. Most importantly, the protection provided by law must be defined well in advance so that the scope of the promise of confidentiality does not appear to be shifting during the execution of the census.

Second, as you know, section 23(c) of the census code provides authority for utilizing sworn individuals to assist in census work. The limited use of this authority, primarily to make available to the Bureau technical expertise when needed, is quite different from the situation in which thousands of local officials might be sworn to examine address lists. The intended scope of this discretionary authority should be more clearly defined by law. It is difficult to operate in an environment in which this discretion is committed by law to executive decision, and the courts then determine when and how that discretion must be exercised. Clarifications of these aspects of title 13 might lessen the prospect of future litigation.

A third aspect of the litigation is its timing. The Bureau anticipated that some communities would bring challenges against the census, but it was frustrating to have to respond to lawsuits concerning undercount while field operations were in progress and before any current evidence of undercount was in hand. This was illustrated in the Detroit case, tried in August, when speculations that the 1970 undercount experience would be repeated could not be countered with firm evidence to the contrary. The failure to show injury before the fact was an element in the dismissal of the suit brought by the Federation for American Immigration Reform; whereas in the Detroit case, speculations of a similar nature appeared to be acceptable to the court.

I would not presume to suggest that either population figures or census operations should be immune from judicial review. However, it would be desirable if legislation could address this problem, at least partially, perhaps through standards of proof for lawsuits against statistical activities, and perhaps some direction as to the circumstances and timing when judicial review becomes appropriate.

With regard to the question of whether there is any alternative to a census, I am quite dubious, at least in the short run. Over the past two decades, the Bureau has been able to improve the quality of annual population estimates as well as to expand the number of geographic areas for which such estimates are compiled. There are substantial limitations, however, to any quick and major further improvements. The accuracy of population estimates depends in large part on the accuracy and coverage of record systems independent of the census, and deficiencies in these data sources will generally be reflected in the estimates derived from them. Some of these data sources lie beyond direct Federal control, and quality improvements come gradually through cooperative efforts with State and local governments or other providers of information.

A further limitation of population estimates, even at the State level, is that they tend to lag in reflecting actual population shifts. This has been confirmed by the preliminary 1980 census results which show population increases of approximately 4 million more in the South and the West than we had estimated this spring.

The quality of population estimates is, accordingly, maintained through the availability of the census itself, which permits comparisons of estimates and census counts, and evaluations of the differences. Similarly, the design of household sample surveys depends heavily on the census as a sampling frame. Without the census, the design of samples representative of the population and its characteristics would be much more difficult, more time-consuming, and sometimes more costly.

These are all areas in which the Bureau conducts ongoing research, but I cannot envision any breakthroughs in the near term that would yield a data base better than the decennial census.

Another major consideration is that the census is so much more than a set of population counts. As long as society's information needs are as demanding and important as they are, the wide array of detailed statistics obtained through the census will continue to be perceived as a cost-effective investment. This is not to say that the 1990 census should be a repetition of the 1980 census in all respects. In fact, prior to the time when proposals for 1990 census questions are considered actively, I believe Congress and the Administration should conduct a review of the utility of the information obtained in the 1980 census. As census tabulations become available in 1981 and 1982, Federal agencies should be canvassed and asked to demonstrate the societal benefits that flow from their specific uses of census statistics.

I should also like to offer a personal perspective on congressional oversight of census planning and execution. Based on my experience in the past 18 months, as well as from 1973-1976, I believe a substantial burden is placed on the subcommittee chairs and their staffs assigned to the census to keep the rest of Congress informed on developments. In spite of the consistency of attention at the subcommittee level, information exchange throughout Congress has appeared to be somewhat erratic and inefficient. In consequence, we found ourselves preparing for hearings, the content of which overlapped previous hearings; answering the same questions repeatedly; and dealing with criticisms that were not based on available facts.

I know there are no easy solutions to such difficulties, and they are probably not unique to the census. Since almost every Member eventually takes an interest in the census, however, some effort to provide a broader base of continuing interest and attention would better serve both congressional and agency interests.

In the past few years, limited use has been made of seminars and other informal forums in which congressional staff and Bureau staff can exchange views without the formalities of hearings. This kind of activity, if carried out more systematically, has the potential to broaden interest and knowledge about the census before the actual conduct of the census is started. Timing is important in planning as well. Many aspects of census planning, and choices among alter-

native procedures, are highly technical. Technical understanding needs to be effectively incorporated into timely recommendations and proposals that arise during the oversight process. Some of the GAO studies during the last decade and some of the proposals made in subcommittees were the subject of discussions in 1978 and 1979, when it was too late to consider significant changes in plans. Discussions of this kind in the third and fourth years of the decade could clearly receive more thorough joint consideration. On a broader note, I believe you are aware of the findings of the President's Statistical Reorganization Project, which called attention to the highly strengthened coordination of such work in the Executive Office of the President. Perhaps a similar review of the fragmented nature of congressional oversight of statistical work would be desirable.

Finally, I am not sure we are in agreement that the 1980 census and the lawsuits have raised very basic questions about the nature of the decennial census and its use for apportionment and redistricting. The Constitution provides that the enumeration shall be made in such manner as Congress directs by law, yet it almost appears that the courts are performing this function. The Bureau's ability to prepare for and carry out the next census will be improved by early resolution of issues such as whether all residents of the United States are to be represented in the House of Representatives, regardless of their legal status or citizenship; whether the enumeration results should comprise the sole basis for apportionment, or whether the data base for apportionment should include figures derived by some method of adjustment for undercount; and whether the census must achieve virtually perfect results regardless of cost.

I very much appreciate your interest in and support of the census and your expressions of confidence in the professional competence of the Bureau.

Sincerely,

VINCENT P. BABABBA,
Director, Bureau of the Census.

Senator GLENN. I appreciate your being here this morning, and I will get back if I possibly can in a little while. I appreciate Senator Eagleton coming over this morning.

OPENING STATEMENT OF SENATOR EAGLETON

Senator EAGLETON [presiding]. Thank you, Mr. Chairman.

All of us in Congress are acutely aware of the public concern about the accuracy of the 1980 census. In a series of meetings which I held around Missouri in late July and early August, I found widespread belief that the preliminary census had produced substantial undercounts and numerous specific examples to support those beliefs.

The concerns were not limited to the larger cities like St. Louis and Kansas City. There were serious concerns about undercounts in Jefferson County. Moreover, a similar feeling existed in some of the communities in the outstate areas such as Chillicothe, Rolla, and Kirksville, Mo.

Since I held my meetings, of course, the census process had continued. Census Bureau representatives have met with local officials to review the concerns and objections of the localities. In many areas these meetings have produced substantial agreement and public reassurance. For example, the mayor of Kansas City was initially very critical of census undercounts in that city. More recently, however, he told the Kansas City Star that, "it appears the figures are pretty accurate; I would guess there would not be many changes." In other cities, problems and concerns have remained.

Other complicating factors have entered the picture. A Detroit Federal judge declared recently that the 1980 census is unconstitutional in view of the presumed undercount of the city's minority citizens.

The judge gave the Bureau of the Census 30 days to present "statistically defensible" scheme for adjusting the undercount. The Census Bureau has responded to the court by arguing that their present projections show that the undercount will be insignificant.

Challenges to the census are proceeding in other courts around the country.

In addition, the House of Representatives has already passed, and the Senate will soon consider, legislation which would bar the President from transmitting the final census numbers to Congress in the traditional manner. This throws into question the 1981 reappointment of the House, which is required by the Constitution.

Congress must make some tough decisions about the census soon. This hearing can help, either by underlining problems with the census or by reassuring the public that the census is indeed being conducted capably. It should also help provide some perspective on the effect of the court decisions and the wisdom of the legislation now before Congress.

That concludes my opening statement. In addition to that opening statement, I will put in the record, but not read, a letter I wrote to Mr. Barabba, dated August 11, 1980, raising in greater particularity and greater specificity some of the Missouri-type problems that we had learned of by that date of August 11, and I will put in the record Mr. Barabba's response thereto, dated October 16, 1980.

[The letters referred to follow:]

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D.C., August 11, 1980.

Mr. VINCENT P. BARABBA,
*Director, Bureau of Census,
Suitland, Md.*

DEAR MR. BARABBA: I am writing to express my grave concern about a series of recent meetings that I held in Missouri about the preliminary figures compiled for the 1980 Census.

In the three largest metropolitan areas of Missouri—St. Louis and St. Louis County; Kansas City and Jefferson County—there is a widely-shared belief that the preliminary Census figures substantially undercount the local population. The preliminary numbers depart dramatically from local estimates which were based on a variety of sources, including the rolls of registered voters. Moreover, a similar feeling exists in some of the communities in the out-state areas such as Chillicothe, Rolla, and Kirksville.

I realize that these numbers are preliminary, and that it was always expected that local officials could question the numbers as part of the process of insuring that the final census figures were as accurate as possible. But the magnitude of the undercounts alleged—coupled with the growing belief that such undercounts exist—is serious, even if the numbers are preliminary. Moreover, I have received reports of Census Bureau decisions and practices which have contributed to the undercounts and have certainly created the perception that the census is being handled ineptly. If not remedied promptly, these problems could plague the remainder of the process, threatening the credibility of the final figures.

Let me itemize some of the reports I have received:

In Jefferson County, Ralph Kroedinger, Presiding Judge of the Administrative Jefferson County Court; Jack Craig, who had led a census crew in that area; and other local officials told me that the preliminary 1980 census figures were "inaccurate" and "ridiculous." Mr. Craig stated his view that "the undercounting was aggravated by constant changes and patchwork efforts rather than being done right all along." Craig said that 90 to 100 people assigned by the Census Bureau to Jefferson County were replaced two weeks before their work would be completed, without being told why. In their place, the Census Bureau sent out a 10-12 person "blitz"

team, completely new to the area. Craig estimated that an undercount of 5,000 to 14,000 persons resulted from the change. He reported similar complaints from census workers in other areas. I heard a similar complaint that census takers were pulled off the job before it was finished in St. Louis.

Judge Krodinger expressed concern that while many residents receive their mail at post offices, instead of at their residences, the census takers do not put census forms in the mail boxes at post offices, because census rules prohibit it. Similarly, in rural areas, as many as 12 families sometimes share one mailbox. The concern was expressed that in many cases, such mailboxes received only one census form. Both practices could obviously lead to substantial undercounting.

Charles Bussey, Jr., Director of the St. Louis Agency on Training and Unemployment (SLATE) contended that census workers failed to get correct addresses for many city residents. Consequently, many of the census forms ended up in the wrong mailboxes. Further, he noted that out of 126,000 forms mailed to a section of residents on the north side of St. Louis, only 17,000 were returned on time. Mr. Bussey contended that this extremely poor return did not trigger the careful follow-up by census workers which should have resulted to determine what happened. His "conservative guess" was that 50,000 to 60,000 residents were missed, and he estimated that the city would have to spend at least \$25,000 for its own survey to prove the preliminary figures wrong.

I believe that the American people understand that, however painstakingly a census is planned and executed, some people still will be missed. In a society as vast, free and mobile as ours, there simply is no absolutely airtight way to guarantee that every head will be counted.

I am sure we agree, nonetheless, on the overriding importance of coming as close to a complete headcount as we can. Representation in government and distribution of many billions of dollars in federal programs are determined on the basis of census data. It is vital to us all that these determinations be fair, and that the public have reason to perceive them as such. Attainment of both goals rests squarely on obtaining the most accurate and complete count we can.

It was in recognition of this fact that the Congress chose not to stint in budgeting for the 1980 Census. Of the nation's \$1 billion investment in the survey, fully \$200 million was earmarked to improve its coverage; to ensure that, although some degree of undercount would have to be tolerated, it would at least be as small a margin of error as could be managed.

To much rides on the Census to permit it to fail, or seem to fail, due to careless administration or even the appearance of it. For that reason, it seems to me that complaints of the kind brought to my notice merit serious consideration. The difficulties which have arisen in Missouri may be isolated occurrences. If, however, they instead are part of a pattern of incidents undermining public confidence in the count, as well as the accuracy of the count itself, I believe that we should face these problems through public hearings and move quickly to remedy them. If difficulties have been widespread, it would be valuable for you to issue a statement reiterating that the figures are preliminary, and setting forth in detail the various steps which the Census will take between now and the computation of final figures to insure that the count is as complete and accurate as possible. Enumeration of the ways in which the Census Bureau receives and assesses challenges by local officials to the preliminary figure would also be very helpful.

Sincerely,

THOMAS F. EAGLETON.

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF THE CENSUS,
Washington, D.C., October 16, 1980.

HON. THOMAS F. EAGLETON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR EAGLETON: This is in further reply to your letter of August 11, 1980, expressing concern about the 1980 census counts for the three largest metropolitan areas of Missouri. I apologize for the delay in responding to you.

I will respond to the specific points you raised for each of the areas.

St. Louis City.—Staff members from our St. Louis district offices and the Kansas City regional office have had a continuing dialog on the alleged undercount for St. Louis since the local review counts were released. The following contacts are particularly noteworthy:

July 29—The local review counts were released.

August 15—The city responded to these counts but did not give specific documentation of problem areas for us to follow up on.

August 27—A meeting was held with Mr. Bussey with the understanding that he would provide specific evidence to support the undercount complaint. However, he did not have the specific data available.

September 2—The Kansas City regional office received the local review response forms from the city noting specific problems in four census tracts. These are the only specific problem areas that have been identified to date and they are now being checked by our field staff.

The mail-return rate that Mr. Bussey quoted of 17,000 out of 126,000 for the north side of St. Louis appears to be the number of forms received in the St. Louis central office by April 1, 1980. The followup of nonresponses was not started until 2 weeks after Census Day to allow enough time to receive returns that were mailed after April 1. The actual response rate for that office was over 80 percent at the time followup enumeration began.

St. Louis County.—The county has replied to the local review counts and identified a few problem areas. Our office has responded to their questions but there has been no further correspondence with the county since that time.

Kansas City.—Our Kansas City regional office has had an excellent relationship with Kansas City officials. The city has responded to our local review counts and identified problems in 55 census tracts. Our office has reviewed these areas and answered their specific questions to their satisfaction. The Kansas City Times quoted Mayor Richard L. Berkley as saying: "It appears the figures are probably pretty accurate. I would guess there would not be major changes."

Jefferson County.—The mailing list used to mail the questionnaires to the residents of Jefferson County was created by the Census Bureau in an operation called "prelist," which was conducted during the summer of 1979. Census enumerators canvassed all streets and roads in the county to list the mailing addresses of all housing units, and to plot their physical locations on a census map. The census questionnaires were mailed to the addresses obtained during prelist. If a person's address was a post office box number, the questionnaire was mailed to that box number. If several families shared the same rural box, a questionnaire was sent to each family.

The post office also conducted two checks of our list for accuracy before the questionnaires were delivered. Any addresses that did not appear on the list were identified and added to the list.

Jefferson County was one of several counties in the St. Charles, Missouri, district office area. The progress for followup enumeration in Jefferson County was far behind that of the other counties in the district office area. The district manager for the office had several conversations with the Field Operations Assistant (FOA), who was in charge of the enumeration for Jefferson County, in an attempt to get the enumeration completed on schedule; when no progress was made and the closeout deadline came near, the FOA, several crew leaders, and a majority of the enumerators were released. Mr. Craig was one of those crew leaders who were released. The enumeration was completed by a crew of about 50 experienced enumerators who had completed their assignments in other, surrounding areas.

This county was also one of several rural area counties designated for re-canvass. Enumerators canvassed the entire area for one final time, looking for housing units that were not listed in the master address register. Missing units were added to the register and enumerated.

In early May we received a letter from Judge Ralph Krodinger expressing his concern for an accurate count in Jefferson County. In our response, we assured him that the count would be complete in every area and that our enumerators would be given enough time to finish their work.

You can be assured that we have taken every precaution to insure a complete count in each of these areas as well as all other areas of the country. The local review operation is a part of our effort to get the local communities to critique our counts, and we have been eager to doublecheck those areas where concern is expressed and supported by factual, documented evidence.

Although the census district offices are closing, the Bureau will continue to address problems raised by local officials both in our regional offices and here in Washington. As in the local review, only those complaints supported by factual, documented evidence can be examined; i.e., we cannot respond to a complaint that the overall population of a municipality is too low.

We appreciate your concern for accurate census counts. If we can be of further assistance, please let us know.

Sincerely,

VINCENT P. BARABBA,
Director, Bureau of the Census.

Senator EAGLETON. Mr. Barabba, is the enumeration of the population and the compilation of the results now on time or will you have numbers for the President in time for him to meet the requirements of the law?

Mr. BARABBA. Yes, sir.

Senator EAGLETON. The answer is yes to both?

Mr. BARABBA. Yes, we will. When you say on time, we are not at the schedule that we had originally planned, but we are not that far behind that we cannot deliver the count to the President on December 31.

Senator EAGLETON. You will be able to deliver the count on December 31 as the law requires?

Mr. BARABBA. Yes, sir, assuming the courts allow us to do it.

Senator EAGLETON. Yes; unless you are enjoined or otherwise restrained by the courts.

Will you be able then to issue the various summary tapes and microdata in a timely fashion?

Mr. BARABBA. Yes, sir. We will probably be running anywhere from 2 to 3 months behind our originally planned schedule, but I think that would be considered technical.

Senator EAGLETON. You are 2 to 3 months behind your planned schedule. That's not a statutorily proscribed deadline?

Mr. BARABBA. We are only required, by statute, to provide the count to the President on the 31st of the States, and by April 1 to provide the detailed distribution of that count for each State for redistricting purposes. Both of these deadlines will be met.

Senator EAGLETON. So the two statutory requirements—perhaps this has been gone into on the record and I apologize.

Mr. BARABBA. The April 1 part has not been discussed, but the December 31 has.

Senator EAGLETON. The two statutory deadlines are to report to the President by December 31, and that will be met?

Mr. BARABBA. Yes, sir.

Senator EAGLETON. The only other statutory deadline is the April 1 deadline to give the breakdown data to the States, and that, in your opinion, will likewise be met?

Mr. BARABBA. Yes, sir.

Senator EAGLETON. When had you hoped to release to the public and everyone the summary tapes and microdata?

Mr. BARABBA. We release this information on a flow basis State by State, depending on when the count was completed in a particular State. So we looked at ranges of distribution. In each instance, as I review our original plan versus our revised plan, for the first, say,

five or six released, they generally run 2 to 3 months behind the schedule. For example, in the preliminary—I am getting into more detailed statistics—census block statistics data we had originally planned to release between January and July of 1981. Our current plan is February to August of 1981. So we are very close to our original plan.

Senator EAGLETON. Are the terms summary tapes and microdata terms of art? I take it they are.

Mr. BARABBA. Yes, they are.

Senator EAGLETON. When had you hoped to release the summary tapes and microdata to the public at large?

Mr. BARABBA. The summary tape files were originally scheduled to be released between November 1980 and July 1981. Now that looks to be February to December of 1981.

Senator EAGLETON. How about what is referred to as microdata?

Mr. BARABBA. Well, that would be summary tape file No. 1, which provides 321 cells of complete population counts, housing data, and which certainly would be considered microdata.

Senator EAGLETON. Would you provide for the record then a calendar showing when the products of the Census Bureau, including the summary tapes and microdata, will be available to the public?

Mr. BARABBA. Yes, sir.

[The information referred to follows:]

1980 Census of Population and Housing

Publication and Computer Tape Program (revised September 1980)

The results of the 1980 census will be released as soon as they are tabulated and assembled. In this data dissemination program three major media will be utilized: printed reports, computer tapes, and microfiche.

The publications of the 1980 census are released under three subject titles, *1980 Census of Population and Housing*, *1980 Census of Population*, and *1980 Census of Housing*. Therefore, the description of the publication program below is organized into three sections, one for each census title, followed by the reports published under that title. It should be noted that a number of the population census reports contain some housing data and a number of the housing census reports contain some population data.

Following the description of the publication program are sections on computer tapes, maps, and microfiche, and a section listing the subject items included in the 1980 census.

The data product descriptions include listings of geographic areas for which data are summarized in that product. Note that the

term "place" refers to incorporated places and census-designated (or unincorporated) places, as well as towns and townships in 11 States (the 5 New England States, the 3 mid-Atlantic States, Michigan, and Wisconsin).

Order forms for these materials are available in most cases, subject to availability of the data product, from: Customer Services, Data User Services Division, Bureau of the Census, Washington, D.C. 20233; Census Bureau Regional Offices, U.S. Department of Commerce District Offices; and State Data Centers. Inquiries concerning any phase of the data dissemination program may be addressed to Customer Services, Data User Services Division, Bureau of the Census, Washington, D.C. 20233. After publication, census reports are on file in many libraries and also will be available for examination at any Department of Commerce District Office or Census Regional Office.

The content and timing of the program as outlined in this leaflet are subject to change. Revised versions of this leaflet will be issued as necessary.

PRINTED REPDRTS

1980 Census of Population and Housing

Preliminary Reports

Series PHC80-P Preliminary Population and Housing Unit Counts

- * Aug-Oct. 1980 These reports present preliminary population and housing unit counts as compiled in the census district offices. Counts are shown for the following areas or their equivalents: States, counties, county subdivisions, incorporated places, standard metropolitan statistical areas (SMSA's) as designated prior to the census, and congressional districts as delineated for the 96th Congress. There is one report for each State, Puerto Rico, Guam, Virgin Islands, and American Samoa, and a U.S. Summary report showing counts for the United States, regions, divisions, and States.
- **Oct-Dec 1980

Advance Reports

Series PHC80-V Final Population and Housing Unit Counts

- *Nov. 1980-
Feb. 1981 These reports present final population and housing unit counts prior to their publication in the final reports. These figures supersede the preliminary counts published in the PHC80-P series. Final counts are shown for the following areas or their equivalents: States, counties, county subdivisions, incorporated places, census-designated places, SMSA's, and congressional districts as delineated.
- **Jan.-May, 1981

*Date established in Aug. 1979 publication.

**Date established as a result of Sept. 1980 review.

U.S. Department of Commerce
BUREAU OF THE CENSUS

ated for the 96th Congress. There is one report for each State, the District of Columbia, Puerto Rico, Guam, Virgin Islands, and American Samoa, and a U.S. Summary Report showing counts for the United States, regions, divisions, States, SMSA's, and congressional districts.

Final Reports

Series PHC80-1 BLOCK STATISTICS

*Jan.-July 1981

**Feb.-Aug. 1981

These reports present population and housing unit totals and selected characteristics which are derived from complete-count data. Statistics are shown for individual blocks in each urbanized area, for blocks adjacent to urbanized areas, for blocks in places of 10,000 or more inhabitants, and for blocks in areas which contracted with the Census Bureau to provide block statistics. There is one report for each Standard Metropolitan Statistical Area (SMSA), showing blocked areas within the SMSA, and one report for each State and for Puerto Rico, showing blocked areas outside SMSA's which are designated as selected areas. The U.S. Summary report is an index to the set.

Series PHC80-2 CENSUS TRACTS

*Sept. 1981-
April 1982

**no revised
date yet

Statistics for most of the population and housing subject included in the 1980 census are presented for census tracts in SMSA's and in other areas which are tracted. Some tables show complete-count data and others, sample estimate data. Most statistics are presented by race and Spanish origin for areas with at least a specified number of persons in the relevant population groups. There is one report for each SMSA, as well as one for each State and Puerto Rico covering the tracted areas outside SMSA's (designated as selected areas). The U.S. Summary report presents national, regional, divisional, and State summaries of the same characteristics and in the same format as is shown for individual tracts in the SMSA and State reports.

Note that copies of tables containing complete-count data can be purchased at the cost of reproduction as they are completed, beginning around

Series PHC80-3

*Sept. 1981-
April 1982

**no revised
date yet

SUMMARY CHARACTERISTICS FOR GOVERNMENTAL UNITS

Statistics are presented on total population and population characteristics such as age, race, education, disability, ability to speak English, employment, and income, and on total housing units and housing characteristics such as value, age of structure, and rent. These are shown for the following areas or their equivalents: States, SMSA's, counties, county subdivisions (those which are functioning general-purpose local governments), and incorporated places. There is one report for each State, the District of Columbia, and Puerto Rico. This series does not include a U.S. Summary.

Note that copies of tables containing complete-count data can be purchased at the cost of reproduction as they are completed, beginning around

Evaluation and Reference Reports

Series PHC80-E EVALUATION AND RESEARCH REPORTS

no date

These reports present the results of the extensive evaluation program conducted as an integral part of the 1980 census. This program relates to such matters as completeness of enumeration and quality of the data on characteristics.

Series PHC80-R REFERENCE REPORTS

no date

These reports present information on the various administrative and methodological aspects of the 1980 census. The series includes:

Series PHC80-R1 1980 Census of Population and Housing Users' Guide.

no date

This report covers subject content, procedures, geography, statistical products, limitations of the data, sources of user assistance, notes on data use, a glossary of terms, and facsimiles of actual publication tables and summary tape files. The guide is issued in loose-leaf form and sold on a subscription basis, with purchasers receiving the basic document initially and updates or supplements through 1983.

Series PHC80-R2 History of the 1980 Census of Population and Housing.

no date

This report describes in detail all phases of the census, from the earliest planning through all stages to the dissemination of data and evaluation of results. It contains detailed discussions of 1980 census questions and their use in previous decennial censuses.

2

*Date established in Aug. 1979 publication

**Date established as a result of Sept. 1980 review

- Series PHC80-R3 **Alphabetical Index of Industries and Occupations.**
 no date This report was developed primarily for use in classifying responses to certain census questions relating to an employer's kind of business and an employee's kind of work. The index lists approximately 20,000 industry and 29,000 occupation titles in alphabetical order.
- Series PHC80-R4 **Classified Index of Industries and Occupations.**
 no date This report is the same as PHC80-R3, except that the organization is by category instead of alphabetical order.
- Series PHC80-R5 **Geographic Identification Code Scheme.**
 no date This report presents the names of political and statistical subdivisions, and related geographic codes, for which the Census Bureau tabulated data from the 1980 census.

1980 Census of Population

Final Reports

Volume 1.

CHARACTERISTICS OF THE POPULATION

This volume presents final population counts and statistics on population characteristics. It consists of reports for the following 57 areas: the United States, each of the 50 States, the District of Columbia, Puerto Rico, and the outlying Areas of Guam, Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands. The volume consists of four chapters for each area, chapters A, B, C, and D. Chapters A and B present data collected on a complete count basis, and chapters C and D present estimates based on sample information, except for outlying areas where all data are collected on a complete-count basis. Chapters B, C, and D present most statistics by race and Spanish origin for areas with at least a specified number of the relevant population group.

The U.S. Summary report presents statistics for the United States, regions, divisions, States, and selected areas below the State level. The State or equivalent area reports (which include the District of Columbia, Puerto Rico, and outlying areas) present statistics for the State or equivalent area and its subdivisions.

Statistics for each of the 57 areas are issued first in four separate paperbound editions of chapters A, B, C, and D. The four chapters for each area are then assembled and issued in hardbound editions, designated Volume 1, parts 1-57. A hardbound edition of all 57 chapters A, *Number of Inhabitants* also is issued.

- Series PC80-1-A Chapter A
NUMBER OF INHABITANTS
 *Dec. 1980- April, 1981 Final population counts are shown for the following areas or their equivalents: States, counties, county subdivisions, incorporated places, and census designated places, towns and townships in selected States, standard consolidated statistical areas (SCSA's), SMSA's, and urbanized areas.
 **Feb.-Dec. 1981 Selected tables contain population counts by urban and rural residence.
- Series PC80-1-B Chapter B
GENERAL POPULATION CHARACTERISTICS
 *Feb.-Aug. 1981 Statistics on household relationship, age, race, sex, and marital status are shown for the following areas or their equivalents: States, counties, county subdivisions, places (and towns and townships in selected States) of 1,000 or more inhabitants, SCSA's, SMSA's, urbanized areas, American Indian reservations, and Alaska Native villages. Selected tables show characteristics by urban and rural residence at the State and county level.
 **May-Dec. 1981
- Series PC80-1-C Chapter C
GENERAL SOCIAL AND ECONOMIC CHARACTERISTICS
 Additional data for subjects which are shown in the PC80-1-B reports are presented in PC80-1-C. Also shown are statistics on nativity, State or country of birth, citizenship and year of immigration for the foreign-born population, language usage and ability to speak English, ancestry, fertility, family composition, type of group quarter, residence in 1975, journey to work, school enrollment, years of school completed, disability, veteran status, employment status, occupation, industry, class of worker, work and unemployment in 1979, income in 1979, and poverty status
 *Sept. 1981- April 1982
 **no revised date yet
- *Date established in Aug. 1979 publication
 **Date established as a result of Sept. 1980 review

in 1979. Each subject is shown for some or all of the following areas or their equivalents: States, counties, places (and towns and townships in selected States) of 2,500 or more inhabitants, SCSA's, SMSA's, American Indian reservations, and Alaska Native villages. Selected tables show characteristics by urban and/or rural and farm residence for States and counties.

- Series PC80-1-D Chapter D
DETAILED POPULATION CHARACTERISTICS
- *Dec. 1981-
Sept. 1982
**no revised
date yet
- Statistics on population characteristics are presented in considerable detail and cross-classified by age, race, Spanish origin, and other characteristics. Each subject is shown for the State or equivalent area, and some subjects are also shown for rural residence at the State level. Most subjects are shown for SMSA's of 250,000 or more inhabitants, and a few are shown for central cities of these SMSA's.

- Series PC80-2 Volume 2
SUBJECT REPORTS
- *1982
**no revised
date yet
- Each of the reports in this volume focuses on a particular subject. Cross-tabulations of population characteristics are shown on a national, regional, and divisional level. A few reports show statistics for States, large cities SMSA's, American Indian reservations, and/or Alaska Native villages. Separate reports are issued on racial and ethnic groups, type of residence, fertility, families, marital status, migration, education, employment, occupation, industry, journey to work, income, poverty status, and other subjects.

1980 Census of Housing

Final Reports

Volume 1. CHARACTERISTICS OF HOUSING UNITS

This volume presents final housing unit counts and statistics on housing characteristics. It consists of reports for the following 57 areas: the United States, each of the 50 States, the District of Columbia, Puerto Rico, and the outlying areas of Guam, Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands. The volume consists of two chapters for each area, chapters A and B. Chapter A presents data collected on a complete-count basis. Chapter B presents estimates based on sample information, except for outlying areas where all data are collected on a complete-count basis. Both chapters present most statistics by race and Spanish origin for areas with at least a specified number of the relevant population groups.

The U.S. Summary report presents statistics for the United States, regions, divisions, States, and selected areas below the State level. The State or equivalent area reports (which include the District of Columbia, Puerto Rico, and outlying areas) present statistics for the State or equivalent area and its subdivisions.

Statistics for each of the 57 areas are issued first in two separate paperbound editions of chapters A and B. The two chapters for each area are then assembled and issued in hardbound editions designated Volume 1, parts 1-57.

- Series HC80-1-A Chapter A
GENERAL HOUSING CHARACTERISTICS
- *Feb. -Aug. 1981
**Apr. -Dec. 1981
- Statistics on units at address, tenure, condominium status, number of rooms, persons per room, plumbing facilities, value, contract rent, and vacancy status are shown for some or all of the following areas or their equivalents: States, counties, county subdivisions, places (and towns and townships in selected States) of 1,000 or more inhabitants, SCSA's, SMSA's, urbanized areas, American Indian reservations, and Alaska Native villages. Selected tables contain housing characteristics for urban and rural areas.

- Series HC80-1-B Chapter B
DETAILED HOUSING CHARACTERISTICS
- *Sept. 1981-
Apr. 1982
**no revised
date yet.
- Some subjects included in the HC80-1-A reports are also shown in this report. Additional subjects include units in structure, year moved into unit, year structure built, heating equipment, fuels, air conditioning, water and sewage, gross rent, and selected monthly ownership costs. The statistics are shown for some or all of the following areas or their equivalents: States, counties, places (and towns and townships in selected States) of 2,500 or more inhabitants, SCSA's, SMSA's, urbanized areas, American Indian reservations, and Alaska Native villages. Selected tables show housing characteristics for rural and rural-farm residence at the State and county level.

*Date established in Aug. 1979 publication

**Date established as a result of Sept. 1980 review

- Series HC80-2 Volume 2.
METROPOLITAN HOUSING CHARACTERISTICS
- *Déc. 1981-
Sept. 1982 This volume presents statistics for most of the 1980 housing census subjects in considerable detail and cross-classification. Most statistics are presented by race and Spanish origin for areas with at least a specified number of the relevant population groups. Data are shown for States or equivalent areas, SMSA's and their central cities, and other cities of 50,000 or more inhabitants. There is one report for each SMSA, and one report for each State, the District of Columbia, and Puerto Rico. The set includes a U.S. Summary report showing these statistics for the United States and regions.
- **no revised
date yet
- Series HC80-3 Volume 3.
SUBJECT REPORTS
- *1982 Each of the reports in this volume focuses on a particular subject. Detailed sample estimates and cross tabulations of housing characteristics are provided on a national, regional, and divisional level. Separate reports are issued on housing characteristics by household composition, housing of the elderly, space utilization, mover households, mobile homes, and other subjects.
- **no revised date yet
- Series HC80-4 Volume 4.
COMPONENTS OF INVENTORY CHANGE
- *1982 This volume consists of one report presenting statistics at the national level on the characteristics of housing units which also existed in 1973, as well as on newly constructed units, conversions, mergers, demolitions, and other additions and losses to the housing inventory between 1973 and 1980. The report presents data derived from a sample survey conducted in the fall of 1980.
- **no revised date yet
- Series HC80-5 Volume 5.
RESIDENTIAL FINANCE
- *1982 This volume consists of one report presenting statistics on the financing of nonfarm homeowner and rental and vacant properties, including characteristics of the mortgage, property, and owner. The statistics are based on a sample survey conducted in the spring of 1981. Data are presented for the United States and the four census geographic regions.
- **no revised date yet

COMPUTER TAPES

SUMMARY TAPE FILES - General

In addition to the printed reports, results of the 1980 census also are provided on computer tape for the United States and Puerto Rico in the form of summary tape files (STF's). These data products have been designed to provide statistics with greater subject and geographic detail than is feasible or desirable to publish in printed reports. The STF data are made available, subject to suppression of certain detail where necessary to protect confidentiality, at nominal cost.

There are five STF's (STF's 1-5), and the amount of geographic and subject detail presented varies by STF. STF's 1 and 2 contain

complete-count data, and STF's 3, 4, and 5 contain sample estimate data. Note that the term "cells" used below refers to the number of subject statistics provided for each geographic area, and the number of cells is indicative of the complexity of the subject content of the file.

Additionally, each of the STF's consists of a set of tapes with geographic coverage varying by file within the set. These are issued a State at a time, followed by the national level tapes. More complete descriptions of the STF's than given in the summaries below can be found in the technical documentation for the specific file and in the *1980 Census of Population and Housing Users' Guide*.

Summary Tape Files

- STF 1
- *Nov. 1980-
July 1981 Provides 321 cells of complete-count population and housing data. Data are summarized for the United States, regions, divisions, States, SCSA's, SMSA's urbanized areas, congressional districts, counties, county subdivisions, places, census tracts, enumeration districts in unblocked areas, and blocks and block groups in blocked areas. The file set includes data shown in the PHC80-1, PHC80-3, and PC80-1-A reports.
- **Feb.-Dec.
1981
- STF 2
- *Jan.-Aug. 1981 Contains approximately 2,200 cells of detailed complete count population and housing data, of which some are repeated for each race and/or Spanish origin group. Data are summarized for the United States, regions, divisions, States, SCSA's, SMSA's urbanized areas, counties, county subdivisions, places of 1,000 or more inhabitants, census tracts, Alaska Native villages, and American Indian reservations. This file set includes data shown in the PHC80-2, PC80-1-B, and HC80-1-A reports.
- **May-Dec. 1981
- *Date established in Aug. 1979 publication
- **Date established as a result of Sept. 1980 review

- STF 3**
 *Sept. 1981-
 * Nov. 1982
 **no revised
 date
- Contains approximately 1,100 cells of population and housing data estimated from the sample for the same areas as in STF 1, excluding blocks. In addition, data are presented for five-digit ZIP Code areas. This file set includes data shown in the PHC80-3 reports.
- STF 4**
 *Sept. 1981-
 April 1982
 **no revised
 date
- This file set is the geographic counterpart of STF 2, but the number of cells of data is approximately 3 times greater. STF 4 provides detailed population and housing data estimated from the sample, some of which are repeated for race, Spanish origin, and ancestry groups. Data are summarized for areas similar to those shown for STF 2, except that data for places are limited to those with 2,500 or more inhabitants. This file set includes data shown in the PHC80-2, PC80-1-C, and HC80-1-B reports.

- STF 5**
 *April 1982-
 Sept. 1982
 **no revised
 date
- Contains over 100,000 cells of population and housing data estimated from the sample and provides highly detailed tabulations and cross-classifications for States, SMSA's, large counties, and large cities. All subjects are classified by race and Spanish origin. This file set includes data shown in the PC80-1-D and HC80-2 reports.

Other 1980 Census Computer Tape Files

- P.L. 94-171 Counts**
 *Nov. 1980-
 Apr. 1981
 **Jan.-Mar. 1981
- In accordance with Public Law (P.L.) 94-171, the Census Bureau is providing population tabulations to all States for the purpose of legislative reapportionment/redistricting. The file is issued on a State-by-State basis. The file contains the final population counts classified by race and Spanish origin. The data are tabulated for the following levels of geography as applicable: State, counties, county subdivisions, places, census tracts, block groups, and blocks or enumeration districts. For States participating in the voluntary program to define election precincts in conjunction with the Census Bureau, the data are also tabulated for election precincts.

- 1980 Master Area Reference File (MARF)**
 *Nov. 1980-
 April 1981
 **Feb.-June 1981
- This geographic reference file is an extract of STF 1 designed for those who require a master list of geographic codes and areas, along with basic census counts arranged hierarchically from the State down to the block group and enumeration district level. The file is issued on a State-by-State basis in two versions. The first version contains records for States, counties, county subdivisions, places, census tracts, enumeration districts in unblocked areas, and block groups in blocked areas. Each record shows the total population by five race groups, population of Spanish origin, number of housing units, number of households, number of families, and a few other items. The second version shows the same items described above but also includes latitude and longitude coordinates for the population centroid for each area, as well as land area measurements for counties, places of 2,500 or more inhabitants, and census tracts.

- GBF/DIME Files**
 *July 1980
 **no revised
 date
- These files are computerized versions of the Metropolitan Map Series, including address ranges and ZIP Codes, which generally cover the urbanized portions of SMSA's. GBF/DIME files are used to assign census geographic codes to addresses (geocoding). The files are issued by SMSA.

- Public-Use Microdata Samples**
 *May -Aug. 1982
 **no revised
 date
- Public-use microdata samples are computerized files containing most population and housing characteristics as shown on a sample of individual census records. These files contain no names or addresses, and geographic identification is sufficiently broad to protect confidentiality.

There are several mutually exclusive 1-percent samples of persons and housing units. States and most large SMSA's will be identifiable on one or more of the files. Microdata files allow the user to prepare customized tabulations.

MAPS

Maps necessary to define areas are generally published as part of (PHC80-1) may be purchased separately from the publication.
 the corresponding reports. Map packages which accompany the 1980 Census of Population and Housing Block Statistics reports
 Maps necessary to define enumeration districts are available on a cost-of-reproduction basis.

*Date established in Aug. 1979 publication

**Date established as a result of Sept. 1980 review

MICROFICHE

All final 1980 census publications are available on microfiche as well as in print. In addition several of the computer tape products are also available on microfiche. These include:

STF 1 Microfiche—Data from the STF 1 file set are presented in tabular form for all STF 1 summarization levels except blocks.

STF 3 Microfiche—Data from the STF 3 file set are presented in tabular form for all STF 3 summarization levels. Like the

summary tape file sets, the STF microfiche are issued a State at a time, followed by the national level microfiche.

Master Area Reference File Microfiche—The contents of the first version of the MARF are available in listing format on microfiche. The microfiche are issued on a State by State basis.

P.L. 94-171 Counts Microfiche—Data from the P.L. 94-171 file are presented in a listing format on microfiche. The microfiche are based on a State-by-State basis.

Subject Items Included in the 1980 Census
100-Percent Items¹

Population
Household relationship
Sex
Race
Age
Marital status
Spanish/Hispanic origin or descent

Housing
Number of units at address
Access to unit
Completes plumbing facilities
Number of rooms
Tenure (whether unit is owned or rented)
Condominium identification
Value of home (owner-occupied units and condominiums)
Contract rent (renter-occupied units)
Vacant for rent, for sale, etc.; and duration of vacancy

Sample Items²

Population
School enrollment
Educational attainment
State or foreign country of birth
Citizenship and year of immigration
Current language and English proficiency
Ancestry
Place of residence five years ago
Activity five years ago
Veteran status and period of service
Presence of disability or handicap
Children ever born
Marital history
Employment status last week
Hours worked last week
Place of work
Travel time to work
Means of transportation to work
Number of persons in car pool
Year last worked
Industry
Occupation
Type of employment
Number of weeks worked in 1979
Usual hours worked per week in 1979

Number of weeks looking for work in 1979
Amount of income in 1979 by source

Housing
Type of unit and units in structure
Stories in building and presence of elevator
Year built
Year moved into this house
Acreage and crop sales
Source of water
Sewage disposal
Heating equipment
Fuels used for house heating, water heating, and cooking
Costs of utilities and fuels
Complete kitchen facilities
Number of bedrooms
Number of bathrooms
Telephone
Air conditioning
Number of automobiles
Number of light trucks and vans
Homeowner shelter costs for mortgage, real estate taxes, and hazard insurance.

¹ Counts which are similar in subject content to those of the United States were also taken in Puerto Rico, Virgin Islands of the United States, American Samoa, Guam, Northern Mariana Islands, and the Federated States of Micronesia. Territory of the Pacific Islands. Subjects were added or deleted as necessary to make the census content appropriate to the area. The questionnaires for Puerto Rico had complete count items, and sample items out in the other areas, all

questions were complete-count items.

² For most areas of the country in 1980, one out of every 100 households was selected for a complete count. The areas estimated to contain 2,500 or fewer persons in 1980 will have a 3-out-of-every-6 sampling rate, which is required in order to obtain reliable statistics needed for participation in certain Federal programs.

Senator EAGLETON. In your testimony you noted that you expected to find 86 million housing units but ended up closer to 88 million. Could you explain more fully how the housing estimate fell 2 million units short and what procedures one uses to make those estimates more accurate?

Mr. BARABBA. I would rather explain how we exceeded the estimate.

The estimate was built on the count we had for 1979, which was not adjusted for undercoverage. Then to that count we take all the growth that took place in the country based on the intercensal census. Any time you exceed the estimate you would likely be getting housing units that you perhaps missed in 1970 or to which your estimated procedure identified correctly in the growth period. We believe it was a combination of the two.

Senator EAGLETON. All right, thank you very much, Mr. Barabba.

Mr. BARABBA. Senator, Mr. Pullin, who is responsible for our field and processing operations, will remain here should there be any question your witnesses bring forward relative to questions about the processing.

Senator EAGLETON. Very good. Thank you, gentlemen.

Mr. BARABBA. Thank you, Senator.

[The prepared statement of Mr. Barabba, with attachments, follows:]

STATEMENT OF VINCENT P. BARABBA, DIRECTOR, BUREAU OF THE CENSUS

Mr. Chairman, if I may, I would like to begin with a few personal remarks, since this may be my final appearance before this Subcommittee before I leave public service at the beginning of next year.

First, I want to thank you personally, Senator Glenn, for your cordial and thoughtful reactions to everything we have said here, and your vigorous support of the census itself. Second, I want to express appreciation to Martha Volner of your staff, and Jackie Abelman of the minority staff, who have handled the relationship to the Census Bureau in a friendly, professional, and impartial manner, reflecting the best interests of the Congress and understanding our problems as well.

Finally, I want to leave on the record my personal gratitude for the strong support given us by many individual Members of Congress as we carried out the census program. Many of them made special efforts to encourage support and cooperation. Some, though critical of our plans and operations, have supported the Bureau anyway. Others have had strong reservations about some aspects of the work, and have reserved judgment and trusted our ability to do the best we could. I am personally very grateful for this experience. I am certain that Congress has helped get the job done.

It goes without saying that I have very strong feelings of pride in my own staff, for their professionalism, and dedication, in preserving the integrity of the institution through an enormously complex and difficult undertaking.

At the outset, I wish to give you an assessment of the current status of our efforts including a recently completed, independent assessment of the coverage and quality of our public-service advertising program. In that context, I also will include some brief remarks about our current legal activities and the Mc-Dade Amendment.

I would then like to bring you up to date on the status of the Bureau's process for reaching a decision on whether to make adjustments for the undercount that remains despite the apparent success of the count.

STATUS OF THE CENSUS

It is with considerable pride in the fine work already done by all those who have participated in the 1980 census effort that I can report today, Mr. Chairman, that the census is succeeding to an extent that fulfills our great hopes and

rewards our years of preparatory effort. Except for one district in New York City, the enumeration is concluded and, when the final processing is behind us, I am confident that we will have as complete and accurate a count of the population as is possible in a society as open and mobile as ours.

The Census Bureau is now close enough to completion of the 1980 census counts to gain a clear indication of how well we will have done when the counts are final. It appears that we will have taken by far the most complete census in our history, brought about by several major improvements in our coverage techniques, an intensive, sustained publicity program, and the dedicated efforts of many thousands of workers—ours as well as locally involved persons.

Here is the basis for our optimism:

First, we have recorded many more housing units than we had anticipated when the census began. At that time we expected a count of about 86 million housing units, based on our planning estimates. This number was based on the unadjusted 1970 census counts but was updated for growth throughout the decade through intercensal survey and estimates programs. It appears now that the final housing unit count will be close to 88 million, or about 2 million over and above the expected, but unadjusted total.

This increased coverage of housing units deals directly with one of the great problems of 1970; persons not counted because entire housing units were missed.

Our optimism is bolstered further through the results of an internal review procedure under which we are comparing our most recent population estimates for individual places with the preliminary counts from the census for those places. We have now put more than 98 percent of the overall U.S. population through this comparison procedure. The actual field counts (including a conservative allowance for a few enumeration districts that have not yet been tallied) are running about 2 percent above the precensus estimates for the same areas.

Should this increase hold steady for the remaining areas, we will have counted about 4 million more persons than would be expected on the basis of the 1970 counts and subsequent estimates.

On April 1 of this year (Census Day), the national estimate stood at 221,673,000. This figure was derived by taking the 1970 census count of 203,235,298 and applying relevant vital statistics as they changed over the decade. Specifically the Census Day 1980 estimate reflected the 10-year totals of the number of births (33,238,000), the number of deaths (19,275,000), and net immigration (4,475,000).

In both 1960 and 1970 we found that the total population estimates on Census Day were quite close to the final count.

If the 2.0 percent increase in counts over estimates holds for the remaining areas, we should end up with a count of around 226 million persons. Although we cannot be certain to what extent the increased counts include illegal aliens, the added count would nearly equal the 1970 census revised undercount estimate based on demographic analysis.

What does appear certain, Mr. Chairman, is the fact that as the actual count approaches our estimate of the true population, our ability to adjust figures for any real undercount disappears. I will touch on this later in my testimony in conjunction with our legal problems but it is crucial for you to be aware of the fact that, at this moment, it is our judgment that there is no statistically defensible method available to us for adjusting census figures.

THE MEDIA CAMPAIGN

The public-service advertising campaign coordinated by the Advertising Council on behalf of the Bureau had a salutary effect on improved count. You may recall, Mr. Chairman, that some Mayors had felt that paid advertising was essential to ensure that census ads would be carried without fail at effective viewing times.

In early September we received a report from Vltt Media International, a well-known independent evaluation firm that specializes in media planning, buying, measurement and analysis. To quote from their report, "From a media standpoint, the 'Census 80' public-service program can be considered an unqualified success.

Advertising generated was at a saturation level (99 percent). By saturation the report means, "... this \$37,990,000 worth of advertising resulted in virtually every man, woman, teenager and child in the United States being exposed to an average of 100 census advertising messages in one medium or another between January and June 1980." Compared to the largest national brand name adver-

isers during the same time period, this program of free public-service advertising would have placed 'Census 80' in third place, behind Ford and McDonalds and ahead of Purina, Kellogg, Chevrolet, and Bell Telephone.

I would like to add that we have early suggestions from another independent evaluation designed to assess the coverage of the media effort for minority audiences, that the reach was strong; penetration in minority households was about nine-tenths of that for majority households as majority and minority media penetrated all sectors of the society.

We are, of course, deeply indebted to the persons who participated in the creation of this campaign and to the majority and minority media for its support, which was given at no small cost in forgone advertising revenues. Their support is in the very finest public service tradition, and should not be denigrated by assertions that the campaign was ineffectual because of a supposed "unwillingness" of the industry to provide public service time during key viewing hours or at key locations in the print media.

LOCAL REVIEW AND PUBLIC RECEPTION OF THE COUNTS

Many local officials were quite properly concerned about the effect of declining populations upon their communities, and some were convinced that the losses they experienced were a result of our inability to count everyone. Although I sympathize deeply with these officials in their struggle to manage the affairs of communities where population losses are occurring, I would like to point out these facts:

1. Many other local officials are entirely satisfied with the census counts and have said so. One such example is Mayor Wilson of San Diego, California, who said in a letter, "During the Local Review Program there has been daily contact between the Census offices and our Liaison and every problem to this point has been resolved to our satisfaction. I am firmly convinced that the Local Review Program and the highly cooperative attitude of your district managers has made it possible for the City of San Diego to have an accurate and complete census count."

In San Diego, the Bureau's early count was 1 percent higher than the city's estimate which was based on a planning department computerized system that continuously records and updates population and housing data. San Diego's estimate of the population per household compared exactly to the Census Bureau count.

2. Still others, initially shocked by the rough initial tallies we provided during the local review process, eventually changed their minds after examining their own records and talking to our census field officials, and expressed the conviction that we had done a good job.

For example, Mayor Richard Berkley of Kansas City told a House of Representatives subcommittee that the census had failed miserably by producing undercounts for some major cities. More recently, he told the Kansas City Times, "but we have not had any serious problems with the Census Bureau here in Kansas City." An official in the Kansas City Development Department added: "There is no need for a lawsuit here. Our relations with the Census Bureau have been excellent.

"There has been no evidence of massive undercounts here. We have found some discrepancies, but those will add up to at most 1 percent of the city's total population."

Buffalo, New York, officials were disturbed when local review showed that their population had declined from 463,000 in 1970 to 348,000. However, following door-to-door canvassing by local officials, together with checks of buildings and utility records, they were unable to increase the local review counts significantly. The Buffalo Evening News reported early in the summer, "the end result seems to be that now officials not only know the news is bad—they think it's right."

These are the good signs—news that we have been generally successful in carrying out our carefully-prepared plan for taking the census; that many communities are satisfied with, and even complimentary of, our efforts, and that still others eventually find that we are careful and highly professional workers.

3. There are a few cities in which local officials while generally satisfied, have expressed concern about some specific aspect of the count. In this group, I would include Boston, where local officials had doubts about the average population per household. However, working closely with the city's local review group we were

able to allay such doubts so that by September 4, 1980, Mr. Alexander Ganz wrote us indicating that the city was "very satisfied with the response in nearly all cases, and are pleased to see that our work was servlously used and evidently contributed to improving the census in Boston."

In that regard the 1980 count reflects one of the most dramatic trends of the 1970's (already documented in the Bureau's intercensal estimates and surveys)—a sharp decline in the average household size. In 1970, there were 3.1 persons in the average household; in 1980, that figure is estimated to be 2.8 persons—a drop of 11.5 percent. Other things being equal, the average community would have to increase its housing units by 11½ percent just to maintain its 1970 population. Not many cities have had such growth.

4. My final category is small; it is comprised of cities whose officials are distinctly and vocally not satisfied, and, in most cases, have filed suit seeking, among other things, an adjustment of the census counts. I am concerned that their continuing concerns represent an unwillingness to face the facts and begin the arduous work of deciding on proper policies and programs to correct the underlying causes of population declines. Certainly, Mr. Chairman, it was not helpful to the spirit of cooperation or partnership to have, as in the case of New York, the Mayor's key Census spokesman suggesting publicly that perhaps the Bureau was responsible for starting the fire in Bedford Stuyvesant. We were not aided, Mr. Chairman, when our efforts—supported by both the Congress and local officials—to attract indigenous workers in Harlem and the South Bronx, was characterized by this same spokesman as racist and as a chauvinist attitude that "the fuzzy-wuzzles like their own." In this connection, a review of past history as described by one of my most distinguished predecessors, Francis A. Walker, is of some contemporary interest.

"The severest test of the general accuracy of the Ninth Census that could possibly have been applied, was through the re-enumeration of the cities of New York and Philadelphia, under the provisions of an executive order.

* * * * *

"In New York the vindication of the census was even more complete. The city authorities had three committed themselves to the deepest hostility against the census; and both the original enumeration and the re-enumeration under executive order were followed with eager and vindictive criticism, while every obstacle, short of actual physical resistance, was thrown in the way of the agents of the General Government. Yet the gain upon re-enumeration after a most searching and comprehensive canvass, which I do not hesitate to pronounce a masterpiece of executives function, reflecting the highest credit on the distinguished officer who conducted it in person, was but 18,348, on an original return of 923,944, being, as nearly as possible, 2 percent."

STATUS OF CENSUS LITIGATION

Mr. Chairman, I do not have to elaborate for this Committee the enhanced importance and high visibility that attaches to the 1980 census. While political representation has always ridden upon the results of our once-in-a-decade activity, the linking of billion of dollars, during the past decade, to Census data has made the 1980 census the most visible, contentious, and controversial in history. With the outcome so important to so many localities, concern about the quality of the count is intense. In this environment, lawsuits against the Census Bureau have become more common than during past censuses. Suing us became the "in" thing for locales across the nation. We now have 19 lawsuits pending which deal with various aspects of the census.

I would be remiss, Mr. Chairman, if I did not report that in recent months a very large share of the time of the senior managers of the census has been given over to the preparation of materials for the numerous, and I believe, premature law suits that have been filed against us. An even larger share of senior staff time has been devoted to hearings, meetings, and investigations of alleged shortcomings of the census effort.

It is abundantly clear to me that the Congress will face very difficult decisions in providing for the 1990 Census. One crucial issue will involve whether Congress may wish to make more specific the confidentiality provisions of title 13 in the light of legal challenges demanding certain census records which we view as confidential and already covered by title 13.

Generally the cases against the Bureau fall into three categories: plaintiffs demanding that statistical adjustments be made to adjust for any undercount; plaintiffs alleging mismanagement and ineffective census procedures; and plaintiffs alleging mismanagement and ineffective census procedures; and plaintiffs seeking access to information which is confidential in accordance with Title 13, United States Code. In several instances, the particular suit deals with all three issues.

Although several cases concerned with undercount adjustment will go to trial between now and the end of the year, thus far the Detroit lawsuit is the only one which actually has been argued and in which a judgment has been rendered. Judge Gilmore's decision in that case, which requires the 1980 census figures to be adjusted for undercount, now has been appealed. Given a count approaching 226 million, we have informed the court that there is no statistically defensible way to adjust the actual census figures but inasmuch as the judge has insisted that we do so, we have forwarded to Judge Gilmore a plan for adjustment. A copy of that plan is attached.

Other cases are in various stages of litigation. Many dealing solely with the undercount adjustment issue are pending, awaiting the outcome of the Detroit case. Several involving the release of confidential information which were decided in favor of the Plaintiffs in district courts are now before the appellate judges about to be argued.

In virtually all instances the suit challenge the accuracy of the census, either directly or indirectly. When direct allegations have been made, and the Bureau has had the opportunity to present its case, the Census Bureau has been generally successful in defending the census procedures and personnel in court. For example, the State of New Mexico charged that the counts provided to local officials were substantially inaccurate and incomplete, and further that the Local Review Program was not properly conducted. After hearing the facts, the court concluded that the Census Bureau's plans for taking the census in New Mexico were reasonable and had been executed responsibly. The court specifically determined that the Local Review Program and the related guidelines established by the Bureau were "rationally based on the principle that limited resources must be allocated according to reasonable guidelines." Based on the court's finding, the motion filed by the State of New Mexico alleging inadequate census procedures and management was denied. A separate claim relating to the issue of adjustment of the census results for any undercount is still pending. In a similar case in Pontiac, Michigan, the court, in considering a motion for a preliminary injunction, denied the city's request that a recount be made and concluded that the city "cannot demonstrate that defendants' final population count is inaccurate for even one enumeration district within Pontiac."

Cook County, Illinois also filed a lawsuit alleging problems in the conduct of the census and calling for undercount adjustment. The County was successful in obtaining a court order directing the Bureau to keep district offices open and to extend census operations for more than a month. When the County requested an extension of that order, the court, with a different district judge presiding, found that although "it would be inappropriate for this court to conduct a de novo hearing of the question of whether the preliminary injunction was properly issued in the first instance," the request for an extension was denied.

The most publicized of the suits challenging the manner in which the census was conducted is the New York case. Because that trial is currently in process it would be inappropriate for me to respond directly to the merits of the allegations made by the plaintiffs.

The plaintiffs in the New York suit allege that the Bureau did not develop and implement an adequate plan to conduct the census. The sworn affidavits of our census managers in response to the charges in the New York suit set forth in detail the procedures planned and implemented by the Bureau, and establish the rational basis for the Bureau's conduct of the 1980 census. As you know, Mr. Chairman, every significant aspect of our program has been reviewed and approved by committees of the Congress and the same procedures were evidently satisfactory for the many areas of the Nation in which the counts have been completed and accepted by local officials.

Our 1980 census plan provided for innovative procedures designed to ensure that "hard to enumerate" groups would be included in the final tabulation; and that plan has been vigorously implemented in New York. Our sworn affidavits re-

fute New York's charges of mismanagement and show that in those instances where there were problems in implementing the plan, corrective steps were taken.

Another aspect of the New York suit was the plaintiffs demand for certain Census records which are covered by the confidentiality provisions of title 13. When the Judge concurred with the plaintiffs we found ourselves faced with the choice of breaking our promise of confidentiality or increasing the likelihood that we would lose the case. Since there would, in our judgment, be no recovery from breaking our promise of confidentiality, we refused to turn over the records and Judge Werker signed an order against us which in essence precludes the Census Bureau from, among other things, offering any evidence or testimony to prove any fact that "would be reflected in or could be derived from the documents required to be produced."

At this point it is difficult to anticipate the final outcome of this and the other suits pending. Nevertheless, we are proceeding according to our plans to tabulate the data and, assuming success in our appeal of Judge Gilmore's decision in the Detroit suit, we will report official counts to the President by the end of the year. Naturally a final resolution of any of the lawsuits in favor of the plaintiffs could affect our ability to meet this schedule.

THE M'DADE AMENDMENT

In your letter of invitation, Mr. Chairman, I was asked to comment about the McDade Amendment to the Treasury, Post Office, and General Government Appropriations Act for Fiscal Year 1981.

As you know, Mr. Chairman, the Administration has taken a strong position in opposition to this measure. The Director of OMB has indicated in a letter to the Chairman of the Senate Appropriations Committee that the inclusion of the McDade Amendment would cause OMB to consider recommending a veto to the President. Objections to the amendment are twofold:

First, if the language of the McDade Amendment is interpreted literally, the amendment apparently would prohibit the President from carrying out one of the two ministerial duties called for by Sec. 2A of Title 2 to the United States Code; namely, calculating and transmitting the actual number of representatives to which each State would be entitled in the House of Representatives under the 20th Decennial Census. Of course, we would process the data already collected, tabulate aggregate numbers by State and provide this to the President. He, in turn, under the nonamended section of Sec. 2 of Title 2 would then transmit the data, aggregated by States, to the Congress. At that point, a process which has been fully automatic since 1929 would become open to the array of forces-political and other—that caused the Congress to establish the current mode of apportionment.

If an impasse occurred, as was the case in 1920, it could mean that seats in the 98th Congress would be apportioned according to the lines that had been drawn in 1970. In such a case, none of the significant population shifts that have taken place in the country during the past decade would be reflected.

The second objection is equally serious. In the House debate the chief sponsor of the measure indicated that he intended the amendment to result in the elimination of aliens from the census count for reapportionment purposes. It is the position of the Administration that this interpretation would violate Article 1, Sec. 2 of the Constitution as well as the 14th Amendment. Both speak clearly to an apportionment based on "the whole number of persons" residing in each State. Both the framers of the Constitution and the drafters of the 14th Amendment debated alternatives and opted for the "whole number of persons". The apportionment of the House of Representatives has, from our inception as a nation, been based on this concept. Thus, this would appear to be an effort to amend the Constitution via an amendment to an Appropriations Bill on which no hearings were held and on which only limited discussion has taken place.

The issue here, Mr. Chairman, is one that has been before the Congress on earlier occasions. In 1940 the House was discussing the amendment to an apportionment bill that would have excluded aliens from population totals utilized for apportionment. Perhaps the most eloquent testimony with regards to this issue was made by the then Chairman of the Judiciary Committee, Congressman Emanuel Celler who noted that "For 150 years we have included aliens in the count. We cannot, by mere resolution of this body or the adjoining body, change that Constitutional requirement. If you strike out aliens you have parted with

a principle of government upon which the fathers agreed some 150 years ago, which they thought a reasonable adjustment of the whole problem."

Celler went on to note with regard to "aliens who are in this country in violation of law" that "The Constitution says that all persons shall be counted. I cannot quarrel with the founding fathers. They said that all should be counted. We count the convicts who are just as dangerous and just as bad as the Communists or as the Nazis, as those aliens who are here illegally, and I would not have the temerity to come here to say that the convicts shall be excluded if the founding fathers say they shall be included. The only way we can exclude them would be to pass a Constitutional amendment."

The House, Mr. Chairman, sustained Congressman Celler's position by a vote of 209 to 23. It is my feeling that that position is as valid today as it was in 1940. There is no question in my mind that the entire subject of political representation is a matter of serious concern to the Congress and to the American people. Our position, however, is that the most appropriate vehicle for addressing this problem is a Constitutional amendment rather than statute law.

At a more practical level, if the amendment is interpreted as defined by its chief sponsors, it would put the Bureau in a position of being unable to comply with a law duly passed Congress since we do not have adequate data, procedures and methods for excluding aliens—legal or illegal—from the census count.

The format of the 1980 census and the specific questions asked—matters which were brought before the Congress 2 years ago—do not provide the data necessary to arrive at any accurate conclusion on these questions. The single question dealing with non-citizens is found only on the long form portion of the 1980 census and, since this represents a 20-percent sample of the population as a whole, we believe that Section 195 of Title 13 would preclude the use of material generated from this for apportionment purposes.

UNDERCOUNT ADJUSTMENT

As I have previously announced, the Bureau has consistently held the position that it would not adjust the figures for apportionment purposes. As you know, we have been reviewing the issues and assumptions surrounding the question of undercount adjustment for other purposes for more than a year. Beginning with a Workshop in September 1979, proceeding to the major Undercount Conference in February this year, and in a second Workshop earlier this month, we have examined assumptions, outside views, and factual information, in a way that has surfaced contrasting viewpoints and permitted us to assess the strengths and weakness of each. This process is in its final phase of public comment; our interim Workshop findings have been distributed widely, including to this committee.

The purpose of the report is to present the most critical assumptions that we believe provide the basis for decisions. A period of reaction and comment extending into this month will be followed by the decisions we believe are appropriate for us to make as to whether, when, and how to adjust census data for undercount.

To illustrate how this report will deal with the issues, one critical assumption is that "no currently available adjustment procedure will provide more accurate numbers than the actual counts for all units of government or down to the block level; therefore, adjustments to relevant geographic levels must be made over time as procedures are refined geographically." The basis for this assumption is that none of the currently known procedures have been tested for their capability to measure the undercount at all levels for all units of government. Additional points that support this assumption include:

There is a stated concern within the professional statistical community that the work being developed is still in the experimental stage and is not yet ready for implementation.

Comparisons of demographic estimates for States with estimates for States computed by synthetic methods also raise doubts about the accuracy of synthetic adjustment for small areas and demographic estimates are available only for the Nation and are still developmental for the States; and, standards against which to measure and evaluate adjustment procedures are not yet available for the smallest geographic areas, and to make estimates for every unit of government involves an assumption that undercount rates from the sample area apply to areas not in the sample.

Rebuttals are also presented in the report, and they will sometimes represent viewpoints of those who have major stakes in the outcome of the decisions. For example, one rebuttal to the stated assumption is the view that adjustments for smaller geographic areas could be made using various synthetic or regression techniques. Though the data might be of unknown accuracy, at least a complete set of "official" data would be available for program administration. Also, the Census Bureau may not be capable of handling the workload required to produce multiple sets of printed and tape census figures and, in any event, multiple series of adjusted census data may be unacceptable to users of census data.

In conclusion, I would like to restate my fundamental views. This will prove to be the best census ever conducted in the United States. It has been carried out by some of the hardest-working and most dedicated workers I have known. Although many census workers have been subject to severe, undeserved criticism, they have steadfastly and competently carried out their duties. I urge that we all pledge to use the fruits of their labors fully and effectively to better the Nation's policies and programs.

Thank you.

U.S. DISTRICT COURT, EASTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION

Civil Action No. 80-71330

COLEMAN A. YOUNG, INDIVIDUALLY AND AS MAYOR, CITY OF DETROIT, AND CITY OF DETROIT, A MUNICIPAL CORPORATION, PLAINTIFFS,

v.

PHILIP M. KLUTZNICK, SECRETARY OF COMMERCE OF THE UNITED STATES, AND VINCENT P. BARABBA, DIRECTOR OF THE UNITED STATES BUREAU OF THE CENSUS, DEFENDANTS

SECOND REPORT OF THE U.S. BUREAU OF THE CENSUS IN RESPONSE TO THE JUDGMENT OF THE COURT ENTERED SEPTEMBER 30, 1980

I. INTRODUCTION

This report comprises the official response of the U.S. Bureau of the Census ("Bureau") to the Order of this Court filed October 31, 1980 and further responds to the Judgment of the Court entered September 30, 1980. It incorporates by reference the Report filed with the Court on October 27, 1980 and all related material filed therewith.

II. THE PLAN

The Bureau's plan consists of two parts:

1. A determination of whether a differential net undercount exists which is measurable.
2. If a differential net undercount exists which can be measured, the distribution of that net undercount on all geographic levels.

To accomplish this plan, the Bureau will use the data it is developing from its three evaluation studies. There will be no data available on the differential net undercount before January 1, 1981.

1. Demographic Analysis

In order to adjust census counts for the differential among Blacks, Hispanics, and all other groups combined, the Bureau must estimate net undercount rates for these three populations.

The Bureau will produce estimates of net undercount rates for Blacks and for all other races as a combined group by the method of demographic analysis. These rates will be available in February 1981.

2. CPS-IRS Match

The next information on net undercounts at the national level will become available in March 1981. This information is based on the results of the match of the February 1978 Current Population Survey (CPS) to Internal Revenue Service (IRS) records. Estimates of the net undercount in the 1978 CPS-IRS for Blacks, Hispanics, and all other groups combined can be made using dual-system estimation.

The estimates of net undercounts will be applied to the March 1980 population as measured by the CPS. These population estimates will then be compared with the 1980 census counts for the same populations to develop net undercount rates for the three populations.

3. Post-Enumeration Program

The final source of information on net undercount will be from the Post Enumeration Program (PEP). Estimates at the national level for Blacks, Hispanics, and all other groups combined are expected to be available in September 1981. These estimates are prepared by using an estimate of erroneous enumerations and an estimate of persons not found in the census. A dual-system estimate of the net undercount will be produced.

Thus, in September 1981, the Bureau will have the following net undercount rates:

	Blacks	Hispanics	All others combined
Demographic analysis.....	X	-----	X ¹
CPS-IRS match.....	X	X	X
Post enumeration program.....	X	X	X

¹ Includes Hispanics.

The Bureau will make all of the information on the differential net undercount rates available to the Court in September 1981 together with an assessment of its precision and accuracy. The Bureau will also provide information on which of these rates or which combination of rates are sufficiently precise and accurate on which to base an adjustment of population counts.

Accordingly, the Bureau intends to proceed as follows:

1. In September 1981, the Bureau will report to the Court all of the information, at the national level, on differential net undercount as measured by the method of demographic analysis, the 1978 CPS-Census match, and the Post Enumeration Program. The report will contain the Bureau's assessment of the precision and accuracy of these data.

2. The Bureau will recommend in September 1981 which of the estimated net undercount rates or which combination, if any, are sufficiently precise and accurate on which to base an adjustment of census data. If none of the rates or no combination meet the Bureau's standards for precision and accuracy, it will still provide detailed information on the rates or combination of rates which it will utilize to implement the Court-ordered adjustments.

3. Based on the rates selected at the national level for Blacks, Hispanics, and all other groups combined, and employing synthetic or other techniques, the Bureau will compute sub-national adjustments. The Bureau will advise the Court in September 1981 of the precise method of adjustment to be utilized.

4. Adjusted State population counts will be available in September 1981.

5. Adjusted population counts for all places below the State level, down to the block level, will be available in November 1981.

6. The adjustments are for population counts only and do not correct for the characteristics of the adjusted population other than for Blacks, Hispanics, and all other groups combined.

III. LIMITATIONS

The plan described herein does not reflect any change in the conclusion of the Bureau as set forth in the October 27 Report that the Bureau knows of no statistically defensible method of measuring or adjusting for an undercount in the 1980 Census.

Though national estimates of net undercount rates for Blacks and all other races as a combined group can be developed by the method of demographic analysis and national net undercount rates can be developed for Blacks, Hispanics, and all other groups combined by match studies, these net undercount rates may be so small and their biases and standard errors may be so large that adjusted population counts based on these rates would be less precise and accurate than the unadjusted counts.

The rates available for each population group based on the three estimation methods mentioned, are not expected to be the same since they are based on different sources. It is possible that the estimates available may show net overcounts as well as net undercounts. It is highly likely that the errors in some of these estimates will be greater than the net undercount estimates themselves. Thus, it is possible that these estimates would not meet the Bureau's standards of precision and accuracy.

The Court has determined that a statistically defensible method is one that produces more accurate figures than those based on the raw, unadjusted census counts. Without knowing the accuracy of the estimated net undercount rates, the Bureau cannot state that adjustments based on these estimated net undercount rates will produce more accurate figures than the unadjusted counts. If the errors in the estimated rates are larger than the rates themselves, then any adjustment based on them is likely to produce figures less accurate than the unadjusted counts.

U.S. BUREAU OF THE CENSUS,
VINCENT P. BARABBA, *Director*.

Subscribed and sworn to before me this 13th day of November, 1980.

IRENE C. STEWART

Notary, Public.

My Commission expires July 1, 1982.

Derivation of Resident Population Estimates for April 1, 1980

(In thousands)

Starting Census count.....	203, 235
Plus: Births over the decade.....	+ 33, 238
Plus: Net immigration over the decade.....	+ 4, 475
Minus: Deaths over the decade.....	- 19, 275
Equals planning estimates for next census.....	221, 673

*Likely range*¹

Census count.....	225, 000 to 226, 000
Difference.....	+ 3, 327 to + 4, 327

¹ The likely range of the final 1980 Census count was estimated on the basis of preliminary field counts for areas with about 97 percent of the nation's population.

LITIGATION AND LEGISLATION SUMMARY PROGRAM AND POLICY DEVELOPMENT OFFICE

Litigation: Plaintiff	Issue	Status
Denver, Colo.....	Accuracy of vacancy rate; ordered to release list of vacant units.	On appeal.
Donna Ana, N. Mex.....	Accuracy of vacancy rate.....	Pending.
New Mexico State.....	Adjustment.....	Do.
Hobbs, N. Mex.....	Census procedures.....	Do.
Essex County, N.J.....	FOIA request for address lists; ordered to turn over lists.	On appeal.
Cook County, Ill.....	Adjustment.....	Pending.
Pontac, Mich.....	do.....	Do.
Duluth, Minn.....	do.....	Do.
Newark, N.J.....	do.....	Do.
Philadelphia, Pa.....	Census procedures; adjustment.....	Do.
New York City and State.....	do.....	Do.
Massachusetts State.....	Ordered to turn over address registers.....	On appeal.
Atlanta, Ga.....	Census procedures; adjustment.....	Pending.
Miami, Fla.....	Adjustment.....	Do.
Spanish Coalition for Jobs.....	do.....	Do.
Chester, Pa.....	Census procedures; adjustment.....	Do.
Detroit, Mich.....	Adjustment ordered; report filed presenting Census Bureau's plan.	On appeal.
Baltimore, Md.....	Local review counts.....	Case dismissed.
Cincinnati, Ohio.....	do.....	Do.
Federation of Americans for Immigration Reform.....	Inclusion of illegal aliens in census.....	On appeal.
Riely v. IRS/Census.....	Invasion of privacy; Privacy Act violation.....	Pending.

Senator EAGLETON. Our next witness is the Honorable James Conway, mayor, city of St. Louis.

We welcome you, Mr. Mayor, and you may proceed.

TESTIMONY OF JAMES F. CONWAY, MAYOR, ST. LOUIS, MO.

Mayor CONWAY. Good morning, Senator. It is a real pleasure to be here today.

Let me just state for the record that I have a prepared statement that deals with a great number of specific problems that I previously submitted for the record.

I would like to take the opportunity this morning, Senator, to just kind of give you an overview of the perception of the census activity from the mayor's office and what I perceive as some of the problems with regard to the present census and how we might make some changes in improving the way we count people for the purposes of reapportionment and distribution of funds or whatever.

First of all, the prec canvass local involvement I think has to be more intensive than it has in this past year. As mayor of the city of St. Louis, I probably recognize more than most people the importance of getting an accurate count and the role it has in the extent to participate as actively as possible in making sure we get an accurate count in the city. In addition to that, I assigned staff to be a liaison with the directors that were operating from the Census Bureau within my city. In addition to that, we actually hired full-time staff to work on a day-to-day basis with the various representatives of the Census Bureau. On top of that, we actually appropriated money to make sure as much publicity could be given to the need to be counted during the course of the census.

The dilemma we were faced with, oftentimes, was that many of the elements of local review and local involvement with the Census Bureau began to be nonoperable the closer we got to the actual time that the census was made. That posed real problems for us because it limited the amount of actual direction that local officials could actually give to the carrying out of the census activity. As a matter of fact, it almost became a one-directional type of activity.

During the course of the census I was requested, personally, on a number of occasions, by the local directors to make calls, for example, to owners of the apartment houses and other similar types of facilities to even let their people in so they could count. And, of course, we were more than willing to participate in that particular process.

On the other hand, when there was a need for us to get information that we needed to assure ourselves that all the people were being counted, and that practices were being implemented to make sure they were counted was oftentimes not coming unless we went to the original office and leaned on personnel at that level.

Another major problem that I see, Senator, with regard to the way we count people, is the use of the mail canvass. Unquestionably that is a development that has grown out of some experimentation in 1960 and again in 1970, and, of course, in 1980 we used it almost exclusively. I am satisfied that a mail canvass in many areas is going to be a very successful tool, but when you have high incidences of population with

limited education and you are mailing forms to them that are somewhat foreign, the chances of your getting responses is low. As a matter of fact, in the north area of the city of St. Louis, by the initial deadline only about 25 percent of the people had actually responded in terms of the mail canvass. As a matter of fact, the deadline, as you are probably aware, was extended and there, with a lot more effort, that percentage was kicked up appreciably. I think the system was set up, Senator, so that you could expect about an 80-percent response from a mail canvass, and then, of course, you would follow up with the various phone calls and enumerators visiting the persons who had not responded by mail. As a matter of fact, we had just the reverse of that in the north area, and that posed, we think, some insurmountable problems for the personnel in that particular district.

Now all the indexes that we have, Senator, as they relate to the actual population in the city of St. Louis would indicate that the population is about 500,000. The population in St. Louis in 1950 was about 870,000; in 1960 was 750,000; in 1970 it was 622,000.

Senator EAGLETON. Are those the official census figures of those years?

Mayor CONWAY. Approximately, Senator.

And in 1980 we received our preliminary—I shouldn't say preliminary, that is what they used initially, then changed that, of course. Our working figures were submitted to us at about 425,000. Needless to say, and I can only back up to 1970 just to give you the number of other indexes we used. In 1970 we had 220,000 registered voters and we had 622,000 residents. In 1980, with 425,000, we actually had 211,000 registered voters, and the way we register voters today is very accurate because we have regular mail canvasses before every election so we have a pretty accurate count. As a matter of fact, that 211,000 was increased to just under 230,000 for the election just held.

We have a lot of other indexes as well, Senator, including our own State's bureau of vital statistics that indicates that the population of the city of St. Louis is somewhere in the vicinity of 500,000 plus or minus a few percentages.

Now when we received the working figures from the Census Bureau, needless to say we were really dismayed because all the other indexes had indicated we were at about 500,000. As we started to review the specific enumeration districts within the census tracts, we began to find some very interesting examples.

We have in the city of St. Louis a number of public housing projects where other agencies of the Federal Government, for example, HUD, require very specific detail as to who lives in those units, what their names, sexes, and ages, and so forth are. For example, Senator, you are familiar with Cochran Gardens. That is within one census tract. Actually when we looked at the working figures—and we have an absolute count. We can walk to a computer and get a printout of everybody in public housing any day within the city of St. Louis and they are accurate—they were over 50 percent undercounted in Cochran Gardens.

Senator EAGLETON. I am familiar with Cochran Gardens, and I have been there with you on more than one occasion in recent months. Are you talking about the total complex?

Mayor CONWAY. The total complex.

Senator EAGLETON. Not just the one building that has been renovated.

Mayor CONWAY. The total complex.

Senator EAGLETON. And your computer numbers show what, do you have those figures?

Mayor CONWAY. I don't have the specific figures, but the figure of the Census Bureau that is in the working figures initially presented; that is all we have. We have received no other information other than those initial working figures.

Senator EAGLETON. Those so-called working figures are 50 percent off?

Mayor CONWAY. Indicated less than 50 percent in that particular project. But understand I have 10,000 units of public housing in my city, and if you could extrapolate that, you can see in a hurry we would be substantially undercounted just within the public housing projects in my city.

Senator EAGLETON. But your city of St. Louis figures, or wherever you get them, can be broken down enough to give a very accurate count of what we call Cochran Gardens.

Mayor CONWAY. Absolutely.

Senator EAGLETON. And the census working figures can be broken out?

Mayor CONWAY. Correct.

Senator EAGLETON. And they are 50 percent off.

Mayor CONWAY. Yes; in that one instance alone.

Senator EAGLETON. Have you done any other tests or cross-checks?

Mayor CONWAY. I was just getting to that point.

Senator EAGLETON. I beg your pardon.

Mayor CONWAY. As a matter of fact, we were so concerned we did get the breakdown by census tracts, and we selected five census tracts for the purpose of conducting our own door-to-door canvass. We felt this was important because if you get into an allegation and counter-allegation, somewhat subjective charges between the Bureau and local unit of government, that is all right for the headlines and media, but generally speaking it doesn't stand up in the courthouse. In fact, the last person I talked to on this point was a city councilor on this matter. In fact, we were part of the initiation of the Conference of Mayors' participation in the Detroit suit. But in this case we selected—

Senator EAGLETON. You just mentioned Detroit.

Mayor CONWAY. That is correct.

Senator EAGLETON. Are the mayors going to use the Detroit case as the major test case?

Mayor CONWAY. That is correct.

Senator EAGLETON. So you do not contemplate as of this time any independent litigation?

Mayor CONWAY. Oh, yes, I do, Senator. As a matter of fact, as soon as I get the next set of figures, if they are not adjusted—now I am led to believe they may be adjusted and I may not have a problem. I appeared on a local television show with the area director, and that is when I found out that they had changed the terminology of the figures that I received initially and indicated too that they would probably be

adjusted upward from 8 to 15 percent. Well, if they are adjusted up to 15 percent, I am not going to argue because that puts me approximately where I think we should be and all the other indexes have indicated where we are. But we don't, right at this time, know what we are going to get from the Census Bureau. I understand we may have some figures in the mail today or shortly, and we should have something within our hands within a few days.

Senator EAGLETON. Your understanding is you will get something. Will these be called final figures?

Mayor CONWAY. No; these will be preliminary, to my knowledge. We have no preliminary figures. We have what are known as working figures.

Senator EAGLETON. What do you think you are going to get in the mail?

Mayor CONWAY. Well, I don't know what I am going to get, except I was just advised by one of the staffers from the National League of Cities he understood within a day or two preliminary figures were going to be mailed.

Senator EAGLETON. Mr. Pullin is still here. Mr. Pullin, what is your title?

Mr. PULLIN. Associate Director for Field Operations.

Senator EAGLETON. Why don't you come back up to the table. You have been listening to the testimony of Mayor Conway, of St. Louis. He has told us about some working figures that he had, and that he obtained those from the Census folks. Now he is telling us about some figures he thinks he will get in the mail in the next several days. What might Mayor Conway receive in the next day or so?

Mr. PULLIN. They will be called the preliminary census figures. The ones he referred to first as the working numbers were the local review numbers. Local review numbers are taken at a time when the census is not complete. We still have to check out the vacant units as unclassified. The numbers he will get now, the preliminary figures—which you will get a copy of, Senator—are precomputer figures. They are hand tabulations.

Senator EAGLETON. Will he get those in the next few days? Are we on the threshold of that?

Mr. PULLIN. I checked this morning and they did not know when they would be available.

Senator EAGLETON. Do they go to different cities at different times?

Mr. PULLIN. Yes, they do. They go through a review process in the Population and Census Division, and St. Louis' was not ready this morning and they didn't know when it would be.

Senator EAGLETON. Some time in the future he will get something called preliminary census figures?

Mr. PULLIN. Correct.

Senator EAGLETON. How may they differ—by the way, what is the technical term of art of the final figures?

Mr. PULLIN. The final figures.

Senator EAGLETON. Is that what they are called?

Mr. PULLIN. Yes, sir.

Senator EAGLETON. First time in Government they had a proper label.

What might happen between Mayor Conway getting preliminary census figures and the final figures?

Mr. PULLIN. I doubt there would be very much variation between the preliminary and final figures.

Senator EAGLETON. What right of protest does Mayor Conway, or any other mayor, have if he gets preliminary census figures and still feels aggrieved? What remedies under existing law does the mayor or any other comparable official have at his disposal?

Mr. PULLIN. You have to realize at some point in time we have to have a "lock in," and we are getting close to "locking in." However, we are committed to do the best job we can, and we are also committed to recognizing error if we find it. If a serious error was found, we would actually footnote those final counts.

Senator EAGLETON. Suppose, hypothetically, you gave Mayor Conway these preliminary census figures in the next week, and he looked at Cochran Gardens—that has been referred to previously in the testimony—and his computer shows a gross undercount according to the data he has at his disposal in Cochran Gardens—let's focus on one example—and he comes running on down to Washington, and maybe he has got two or three other examples as well, and he shows you these disparities. What do you say to do?

Mr. PULLIN. If his disparities to us appear to be a problem, I would direct Marvin Postma in Kansas City to go over and look at the problem.

Senator EAGLETON. And that person would have the legal wherewithal, if convinced, to make appropriate upward adjustment?

Mr. PULLIN. No; it would have to come back to Washington for that decision.

Senator EAGLETON. Does Washington have the inherent authority to recount, as it were, or to enlarge the number of figures on good cause shown by a mayor or some other official or some other person?

Mr. PULLIN. We will publish the final figures for States on December 31 to the best of our ability and knowledge. If we find an error of any extent to those final published figures, we will footnote the correction in subsequent publications. Now if your question is—well, I am not sure I know what your question is.

Senator EAGLETON. How can Mayor Conway remedy his figures prior to December 31? Let's focus on that for a moment.

Mr. PULLIN. Well, the first thing we would have to do is to recognize there was indeed an error, and then we would have to decide whether or not there was time to do something about that. We did go through the local review process. We did give for every ED in the city of St. Louis our population prefollowup estimate and our housing estimate. Now the housing estimate was fairly accurate. And St. Louis did provide that some feedback on that and we did investigate the feedback that they gave us.

Senator EAGLETON. Did you find any of their complaints or objections to be warranted or substantiated?

Mr. PULLIN. I am not close enough to all the cities to know if we did in St. Louis or not because I am more familiar with Kansas City because I lived there up until last winter.

Senator EAGLETON. Is it fair to say that in terms of adjusting figures, that that kind of work is done between the working figures and the preliminary census figures and once the preliminary census figures are dispatched to the various locales that is more or less the ball game, that is more or less final at that point when we get preliminary census figures?

Mr. PULLIN. Our procedures at that time have been completed except for some computer work, and it is fair to say that, to the best of the ability of the U.S. Government to take a census, at that point in time it is pretty well completed; yes, sir.

Senator EAGLETON. Stay there if you will, Mr. Pullin.

Mayor, had you completed?

Mayor CONWAY. Not really. Let me just say we conducted a canvass after we got the working figures, and I, personally, went out and knocked on doors for at least one afternoon and I recruited about 50 percent within City Service, people who are involved on a day-to-day basis for knowing where property is—for example, sanitation officers, building inspectors, assessors of the property and so forth. So that we had as much talent on the street as we possibly could to actually knock on every door within the enumeration districts within the census tracts, and we did that and we did a followup for every house or unit in which we got no response. As a matter of fact, we not only went back once but as many as three times, leaving messages for the person to call and respond. We got a fairly good response. On the basis of those five census tracts which we did very complete—and understand the only thing we asked for when we knocked on doors, of course, we asked them if they got a form. Many people indicated they didn't. Of course, you have to appreciate if they did and didn't send it in they would be subject to a fine. But in any case the only thing we actually asked for was the name, the number of persons in the household and, of course, the address of the unit. And what we found out on the basis of those five census tracts is that we were somewhere approximately 10, 16 percent undercounted just in those five census tracts.

So what we have, Senator, is what we consider is hard, objective evidence. So we didn't want to be in a position of eventually having to go to the point of litigation without having hard, objective data as opposed to just some feeling as it relates to the population within the city, and based on the other indexes which also might be subject to challenge. We used the same enumeration districts and census tract boundaries and information for comparative purposes. We did submit that, I might add, to the Census Bureau, and we have not yet received any response. We are just anxiously awaiting to get the preliminary figures.

But, Senator, there are some other real problems. I don't know if you had the good fortune in getting the long form. I did. I have five children between the ages of 18 and 25, most of which are in college and one in his last year of high school, all of whom have had full- or part-time jobs during the course of the previous year, and I can tell you it is not an easy task, even for a person who has a reasonable level of education, to put that form together with that many constituents in the same household very quickly. The thing that I hope you can

appreciate, many persons in my city receiving that form are going to be intimidated, first of all because of the extensiveness of it, and are not going to send it in. I think, quite frankly, in the future we have got to concern ourselves about how we get the counts and how much information that we actually collect. Remember the way we used to do it, we used to have an enumerator come around and he or she used to pose questions to us and we responded and forms were filled out, and it was a lot easier. A person didn't have to have a certain level of education to respond and to get the information, and I don't think we had the problems to the extent that we are having now in terms of the undercount.

So my feeling is, in developing a plan for the count in the future, especially of areas like the city of St. Louis where we happen to have a high incidence of persons on the lower end of the economic totem pole who oftentimes have a limited amount of formal education and desire, in many cases, to even begin to respond, that we have got to have a different combination of the way we make the count. Certainly a combination of the mail and enumeration, I think, can give us better results than we have had. I think, too, the local involvement should be more than just a kind of responding. I think that, as the plan is developed in advance, there ought to be some level of signoff by the local officials that feel satisfied that what the Bureau is going to do is really going to produce those kinds of results, I think it could go a long way to eliminating the kinds of problems that you are experiencing at the present time.

All in all, Senator, I don't know what I am going to be able to do once I get the figures. Obviously my leadtime is being very rapidly eaten up because we are getting very close to December 31. We have yet to get our preliminary figures so we can respond either affirmatively or negatively. They may come back and be in agreement with what we have found based on sample census tracts. All I know, when I get a number like 425,000, we know we have a serious problem because all other indexes that we used to measure the population in the city of St. Louis were around 500,000.

Senator EAGLETON. Mr. Pullin, have preliminary census figures, using that as a term of art, gone forward to any locals in the country?

Mr. PULLIN. To many of them, yes, sir.

Senator EAGLETON. Many of them?

Mr. PULLIN. Yes, sir.

Senator EAGLETON. Have they gone forward to any major older cities? Have they gone forward to New York, Cleveland, Buffalo, Detroit, Boston, or any cities in those aforementioned geographical areas?

Mr. PULLIN. I am sure. Boston I think has, and I am sure others have. I am not prepared to say now. I can get it for you if you like.

Senator EAGLETON. All right, let's have that for the record.

What is the biggest increase in any of those figures that have gone forward comparing the initial working figures, using that as a term of art, and the preliminary census figures, using that as a term of art, that did go forward to jurisdiction X?

Mr. PULLIN. Here again I am sorry I can't answer that. I can get it. There is quite a little variation. Three percent.

Senator EAGLETON. About 3 percent?

Mr. PULLIN. Yes.

Senator EAGLETON. Has anyone, to your knowledge, been as big as 15 percent?

Mr. PULLIN. I don't think so. However, I am not certain.

Senator EAGLETON. Typically then, drawing just from your general recollection, typically if there is an upward recomputation, it is in the area of 3 percent?

Mr. PULLIN. I think Mr. Smith could answer that better.

Senator EAGLETON. Come up, sir, because we have to get your name for the record. Would you please come forward and give us your name and title and have a chair.

Mr. SMITH. I am Henry Smith. I am the information officer of the Bureau.

Senator EAGLETON. Give us your exact title.

Mr. SMITH. Public Information Officer at the Bureau.

Senator EAGLETON. You heard the questions I have asked Mr. Pullin. Now, in the interest of time, I ask them of you.

Mr. SMITH. I don't have any certain knowledge, like Mr. Pullin, of the difference between the local review count and the preliminary count. My understanding is that nationally it was running about a little better than 3 percent, but it could be a good deal of variation in an individual place. But I have never heard anything as high as 15 percent or anything like that.

Senator EAGLETON. What is the highest you ever heard of as public information officer?

Mr. SMITH. Looking at a lot of documents over a period of weeks, I would not think higher than 4 to 5 percent. I just don't know, sir. I wish I could answer your question. We certainly would get it for you.

Senator EAGLETON. I ticked off a bunch of older cities. Of your own independent recollection, have the preliminary census figures gone forward for the cities of Cleveland, Buffalo, New York City, and Boston?

Mr. SMITH. They have gone forward for Philadelphia, Baltimore, and Boston.

Mr. PULLIN. I do believe Cleveland's will be ready in the next day or so.

Mr. SMITH. Chicago and Los Angeles. Those are the ones that come to my mind.

Senator EAGLETON. Could you supply us for the record this afternoon the difference between the working figures and preliminary census figures for Philadelphia, Baltimore, Boston, Chicago, and Los Angeles?

Mr. SMITH. I could do that by going back to the Bureau. I don't have it in my possession now.

Senator EAGLETON. Would this be an elaborate undertaking?

Mr. PULLIN. No; we can do that.

[The information referred to follows:]

POPULATION DATA FOR SELECTED CITIES—BUREAU OF THE CENSUS, NOV. 18, 1980

City	Local review interim count	Preliminary population count	Increase expressed in—	
			People	Percent
Baltimore.....	737,248	783,320	46,072	6
Chicago.....	2,725,304	2,969,570	244,266	9
Los Angeles.....	2,578,783	2,949,697	370,914	14
Boston.....	496,617	562,118	65,501	13
Philadelphia.....	1,606,205	1,680,235	74,030	5

Senator EAGLETON. And Cleveland is about to be unveiled.

Mr. SMITH. That is my understanding.

Senator EAGLETON. Do you know when St. Louis is to be unveiled?

Mr. SMITH. I don't know that.

Senator EAGLETON. Could you ascertain when we might expect St. Louis?

Mr. SMITH. We can try.

Senator EAGLETON. I am not going to hold you to the minute or day. Could you tell us this afternoon if St. Louis is a week away or what?

Mr. SMITH. I have been informed that preliminary figures for Cleveland and St. Louis will be available and will be released to local officials by the end of next week.

Senator EAGLETON. Mr. Mayor, the Census Bureau changed the local review program a very short time before the census was to begin. Do you feel a major part of the lack of confidence in the conduct of the census stemmed from that event?

Mayor CONWAY. Well, it certainly had some impact on that, but I think it was just generally our feeling about the response to inquiries that we made and our constant work with the agency in trying to get information and assessing what they were doing and raising what we felt were some fairly discerning questions about how they were operating. And we knew, too, they had a number of personnel problems, which apparently were similar in other areas.

Senator EAGLETON. Thank you, Mr. Mayor.

[The prepared statement of Mayor Conway follows:]

PREPARED STATEMENT OF JAMES F. CONWAY, MAYOR, ST. LOUIS, MO.

Mr. Chairman, members of the Subcommittee. I am James F. Conway, Mayor of the City of Saint Louis. It is my pleasure to appear before you today on a subject of critical importance . . . the 1980 Census undercount. Mayors of major cities across the country with large non-white populations are seriously concerned that the count be as accurate as possible. As mayor of the City of Saint Louis, I strongly endorse the inclusion of adjusted population figures in the official population count. At this time I would like to share some of the problems historically associated with enumerating urban areas with large minority populations, and the problems the City of Saint Louis encountered in the 1980 Census.

It has long been recognized by the Bureau that the procedures utilized in conducting the Census will fail and in the past have failed to contact and record every person residing in the United States. The 1970 Census projected that there were approximately 10.2 million persons residing in the United States who were not contacted. 4.9 million of these persons were included in the official census figures by a statistical method. The remaining 5.3 million persons were not included, thus constituting the 1970 undercount. The Census Bureau acknowledges that non-whites comprise a disproportionate share of the undercounted population and that a disproportionate share reside in large urban cities like Saint Louis. This is particularly true of blacks. In 1970, 7.7% of all blacks residing in the United States were undercounted. The City of Saint Louis, which has a

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black population of approximately 45%, estimates that loss of state and federal funds due to the undercount has been approximately \$40,000,000.

The Census Bureau in 1970 began to develop procedures which would include active participation by local governments in the 1980 Census. By involving local governments in this effort, Census officials hoped to avoid the problems associated with the 1970 Census. But we feel their efforts were grossly inadequate and therefore unsuccessful.

We have now reviewed the unofficial working figures for population and housing units and are extremely concerned. We are concerned because in monitoring the Census activities, we found slipshod adherence to prescribed procedural policy. We found an operation suffering from high turnover, lack of training, and lack of leadership. We were also displeased with the timing and quality of the Local Review process, supposedly designed to involve local government in a review process. It is my opinion that failure to develop and to follow an effective procedure both internally and in the Local Review process has been a contributing factor in the undercount.

Census Bureau's Adherence to Prescribed Procedure

Our concern about the local Census Office's lack of adherence to prescribed procedure as it affects the final outcome of the Census count cannot be understated. The following are but a few of our individual concerns and how apparent disregard for proper procedure has had a negative effect on an accurate count.

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Census Pre-Canvas Process

The purpose of the pre-canvas process was designed to assist the local Census Office in the correct identification of addresses of housing units and an accurate number of forms to be sent to single housing units. This process was not completed. It is our understanding that instead of the pre-canvas being completed, a relatively inaccurate commercial directory was purchased and used by the local office. Utilization of this process resulted in the local Census Office initially determining that there were fifty-four (54) enumeration districts that were categorized as zero ED's, and therefore, residents of these areas did not receive forms.

It was subsequently revealed that thirty-eight(38) of these fifty-four (54) enumeration districts did in fact have habitable dwelling units and population. This failed process has complicated all the subsequent processes and began the poor foundation for information regarding the Census.

The City attempted to minimize problems by cooperating fully with the Census Bureau, recognizing that it was in our best interest to have as complete a count as possible.

In an effort to monitor and assist the Bureau, a full-time staff person was assigned to coordinate operations between the Census Bureau and other City departments.

I personally wrote letters, made telephone calls, and personal appearances to open doors that had been previously closed and would have remained closed had it not been for Saint Louis' total commitment to a complete count.

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In Saint Louis we took another step. We appropriated funds to compliment the national promotional Census campaign. Initially these promotional items were to be provided by the Census Bureau. However, they were not provided for until the Saint Louis Census campaign was well underway.

The implementation of the Local Review process in Saint Louis was fraught with changes, miscues, and non-performance with regard to the Census Bureau. Case in point, a list of housing units and addresses broken down by City Block was to be supplied to governments by January, 1980. On March 3, 1980, we received correspondence that this was no longer possible. This step would have been extremely important in developing the necessary tools for the Local Review process.

The few tools for Local Review which were made available by the Census Bureau were very shoddy. Maps that were to be used in defining the boundaries of the enumeration districts so that the housing units and population figures could be reconciled were unreadable. We did not receive readable maps until the Local Review process was near completion, and it was only after persistent verbal and written requests and a visit by my staff to the regional offices.

The block groups within the enumeration districts were inaccurate, in that we received the same information twice. Only upon repeated request did we receive the needed information.

The Bureau has also made what we feel to be unauthorized subjective judgments, disallowing the City to furnish information previously defined as acceptable "hard evidence" in the Bureau's own printed technical guide. The guide states that the City

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may submit hard evidence and goes on to define acceptable sources of hard evidence as special census counts, field housing visits, records kept on the basis of permits issued and demolition records. When meeting with regional office staff we were informed that our Special Census data was not acceptable because it was not reconcilable. Later we received correspondence that it was not acceptable because the district offices were closed. This is but another example of the confusion surrounding communication with Bureau staff.

The process of calling for a local review and local involvement is, in reality, cruel, when there is no real intent to use the information thus generated. It is impossible for an effective local process to take place when there is no administrative appeal from the final figures.

The Census Bureau had made much ado about the fact that the information consisted of unofficial working figures, as opposed to official preliminary figures. However, when reviewing the appeals process, it is only at this point that we may question our population figures. Once the official preliminary figures are released, there is no administrative recourse.

We would suggest that the following recommendations be given consideration to provide relief from the problems that plagued the 1980 Census and to avoid similar problems in the 1990 Census.

1. That the total Census undercount be determined in time for inclusion in the Census enumeration and, further, that the undercount be adjusted and allocated among the states' cities, and such other geographic units of the United States as may

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be necessary for purposes of Congressional reapportionment and distribution of federal funds.

2. That Census be a much more simplified process given the prevailing attitudes of our citizens on the question of government interference in every aspect of their lives. The first step in simplifying the form and soliciting only information necessary to fulfill the constitutional intentions of the Census-tabulation of the population of the United States. It appears that the original intent of the Constitution has taken a back seat to the needs of businesses, researchers, and planners for demographic information. Much of this information could be acquired by extrapolation or scientific techniques as opposed to bastardizing the intent of our Constitution.

3. That the Census process should require real and sincere involvement on the part of all local elected officials and operations staff of the Bureau, and that the Census should be an ongoing activity.

The planning of the Census should be an ongoing effort as opposed to the current short term complicated activity. This would afford local officials, as well as the Bureau's staff, an opportunity to become more familiar with the policies and procedures necessary for a successful Census. Ongoing operations would allow for the Bureau to select and train a more qualified staff and would allow the cities to implement special training programs in the area of Census. The dollars that are being expended on promotional campaigns and patronage jobs could be utilized more effectively in an ongoing local Census operation.

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In conclusion, it is our belief that the Census of the City of Saint Louis suffers from the same essential defects as the Census of the City of Detroit. We believe that the circumstances surrounding the 1980 Census count have left the City of Saint Louis subject to current and continuing substantial and irreparable harm.

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Senator EAGLETON. We will take a 1-minute recess. Would the Census people remain, please.

[Brief recess.]

Senator EAGLETON. The committee will once again be in session.

We have called jointly Mr. James Young, chief counsel, city of Cleveland, and Mr. David Jones, assistant to the mayor, city of New York.

Are you Mr. Jones?

Mr. DUFFY. No, sir.

Senator EAGLETON. Who are you?

Mr. DUFFY. I am Mr. Duffy, Washington assistant to Mayor Voinovich.

Senator EAGLETON. You are accompanying Mr. Young. We will start with Mr. Young. You may proceed.

TESTIMONY OF JAMES E. YOUNG, CHIEF COUNSEL, CITY OF CLEVELAND, CLEVELAND, OHIO, ACCOMPANIED BY THOMAS DUFFY, WASHINGTON ASSISTANT TO MAYOR VOINOVICH

Mr. YOUNG. Good morning, Senator. My name is James E. Young, and I am chief counsel to the city of Cleveland, Ohio. With me is Thomas Duffy, Washington assistant to Mayor Voinovich.

Mayor Voinovich has asked me to express his personal regrets for not being able to be here today. The city of Cleveland is attempting to close out a financial transaction today which will take it out of default, and Mayor Voinovich's presence in Cleveland is essential.

Initially, I would like to express our appreciation for allowing us to send a representative to present our concerns about the 1980 decennial census. I also want to express appreciation for this committee's diligent oversight and its insistence that the 1980 count be conducted accurately.

Senator EAGLETON. Are you going to highlight your statement? How long is your statement and do you intend to read it verbatim?

Mr. YOUNG. I had intended to read a statement with attached appendix not being read. The reading would take about 10 to 15 minutes.

Senator EAGLETON. If you could give us the highlights it would be helpful. Go ahead, Mr. Young.

Mr. YOUNG. Well, I have set forth, as I said, in a separate document some of the particular details with respect to our experience in the 1980 decennial census, and I would ask that that document merely be incorporated in the record.

Senator EAGLETON. So ordered. It will be inserted in the record at the conclusion of your testimony.

Mr. YOUNG. Suffice it to say, when the preliminary housing count was released last summer—and by that term I mean preliminary population and housing count—

Senator EAGLETON. Would those be what we are calling for the moment working figures.

Mr. YOUNG. Yes.

Senator EAGLETON. It will help my comprehension of the thing—I don't know what preceded in the record as far as Senator Glenn is concerned, but let's, if we can, call those working figures.

Mr. YOUNG. All right. When the city of Cleveland received its working figures last summer, it was obvious to us we were the victim of a severe undercount. The preliminary housing count was well below the figures available to the city from its internal sources and from private external sources. Moreover, the vacancy rate reported for some ED's was grossly in excess of any reasonable estimate of those of us familiar with the neighborhoods involved. As a result, the city was compelled to undertake a massive campaign designed to overcome that undercount. My best estimate is that city employees were required to spend over 3,000 man-hours—that is equivalent to 1½ years of employee time—and thousands of dollars in our effort to overcome this undercount. At one point we were convinced that we would have to file suit. Ultimately, I think the final preliminary figures which we apparently are going to be receiving in the next few days will reflect a reasonably accurate count, at least as accurately as can be expected, given the inherent deficiencies in the Bureau's methodology. But obtaining that count was not very easy.

I am here today in the hope that corrective action can be taken before the next census so that Cleveland and other cities do not have to undertake such extensive review efforts in the future. We do have some very definite suggestions as to how we think the census can be improved.

First, we think the final enumeration of the Bureau of Census must be statistically adjusted to offset the undercount which is inherent in the methodology employed by the Bureau. It is quite clear to us that the Bureau is not capable of counting the "whole number of persons" in the United States and that the undercount has a disparate effect upon minorities. As you are aware, many of these people live at poverty levels in our central cities, and on numerous occasions Congress has developed programs to assist these people, yet the funding levels for such programs are almost always premised upon Bureau of Census data. As a result, these programs are never going to achieve their full potential until the inherent undercount is corrected.

Second, as you know, the Bureau either buys or prepares a base address register for each district, which it then updates during a precensus field check. The Bureau had initially planned for local review of the updated address register before Census Day but abandoned that early data check when it began running out of time. During the later local review program, it became very clear that many of the disputes between the city and Bureau could have been avoided if a precensus address register review by the city had occurred. Moreover, each inaccuracy which was not caught during precanvass had a multiplier effect on inaccuracy during the rest of the census count. It seems elementary that in 1990, the Bureau should give high priority to obtaining local review of its preliminary address register. As an ideal solution, I would suggest that after precanvass, the Bureau provide to each city a summary of the number of housing units located on each block. I wish to emphasize that block level, rather than the much larger ED, summaries are essentially to allow cities to pinpoint the precise geographic area of any errors. If a city chooses to contest the Bureau's housing unit count for a particular block, and the Bureau is unable to account for the discrepancy, then the Bureau should be required to

submit an actual address list to the city for review. Some legislation may be required to authorize this deviation from the Bureau's traditional interpretation of the confidentiality requirement, but I consider such a detailed check at a preliminary stage to be quite worthwhile.

As a third major reform, all workers should be paid on an hourly basis, provided, of course, they complete a certain number of forms per day. The Bureau's present piece rate method of compensation encourages workers to fraudulently declare housing units as vacant rather than take the time to conduct a census interview. For example, in Cleveland, field enumerators were paid \$4.50 for every long form they assisted a family in filling out, \$2.90 for every short form, and \$2.20 for every vacancy they listed. Unscrupulous enumerators quickly discerned that it was far more profitable to simply list a long series of buildings as vacant than to take the time to sit down and assist each family in filling out the form.

Fourth, as presently designed, the local review program is of little value. The following two changes are essential if local communities are to be persuaded that their protests have truly been considered. First, housing and population counts prepared by the Bureau must be broken down to the block level. Discrepancies which can be pinpointed to a block level of approximately 50 housing units per block are far easier to verify than discrepancies at the ED level, with several hundred housing units. Second, legislation must be passed to require the Bureau to provide local communities with an address list of those housing units which have been either deleted on the grounds of uninhabitability, declared vacant, or left in an unclassified status. Clearly, there is no personal information regarded as confidential if a housing unit is uninhabitable or vacant. Cities have no direct way of gauging the reliability of the Bureau's preliminary housing and population counts, as the Bureau will not disclose which units it regards as vacant or uninhabitable.

The fifth major need is a systematic reliability check. As the census procedures were originally described, there was to be a flag system under which preliminary population and housing counts would be checked, by computer, against 1970 census information. All unexplained deviations were then to be rechecked by the local census office. As the Bureau ran out of time during the 1980 census count, it abandoned the described flag system. The Bureau has contended it substituted a more reliable system, but we have not been able to substantiate that claim. Because of the critical importance to the Bureau's credibility, we think reliability checks such as the flag system should be continued.

Sixth, at the time of closing each local district office, the Bureau should be required to provide up-to-date housing and population counts to the local community. Otherwise, cities may be compelled to file suit simply to preserve their options until they know whether an inaccurate preliminary count, or working figure, has been corrected.

Seventh, even if the final, gross headcount in Cleveland is reasonably accurate, I am by no means confident that the more detailed information covered by the questionnaires is accurate. Specifically, information about Cleveland's housing stock, employment and income levels

are critical determinants of the city's funding levels under many Federal grant programs such as revenue sharing, CETA and community development block grants. The Bureau neither measured this information in a way which would be most relevant to poverty programs nor did it carefully check the reliability of final results.

While I am on the subject of Federal programs, I wish to challenge Congress to specify more equitable the funding formulas under Federal programs. At present, Clevelanders pay out far more in taxes to the Federal Government than they receive in expenditures. This imbalance must stop. We cannot afford to provide subsidies for the rest of the country when our own needs are so great. As you develop the funding formulas, I ask you to choose variables which better reflect the level of distress in cities like Cleveland, such as the level of unemployment, per capita and family income, the rate of population decline, adequacy of housing stock, and the age and condition of the city's infrastructure should be stressed.

I cannot express strongly enough the need for a more open, verified census count in 1990. Thank you again for your contributions to that end.

If there are any questions, I would be glad to answer them.

Senator EAGLETON. Did you say thousands of person-hours that the city of Cleveland employees utilized in surveys and rechecking and what have you?

Mr. YOUNG. Yes, sir.

Senator EAGLETON. Were you here when Mayor Conway of St. Louis testified?

Mr. YOUNG. Yes, sir.

Senator EAGLETON. He testified as to a housing project in St. Louis called Cochran Gardens. Did you do some specific, in-depth comparisons similar to what Mayor Conway testified to?

Mr. YOUNG. Yes; we did, Senator. As a matter of fact, the 3,000 hours I referred to is 3,000 hours which are basically office hours, because the field work which we used we paid for and that is not included in the 3,000 hours.

Senator EAGLETON. Did you specifically check some housing projects in Cleveland?

Mr. YOUNG. Not specifically housing projects in the sense of low-income projects. We are fortunate in the city of Cleveland in that there is a private, not-for-profit corporation that is in existence in Cleveland, has been in existence since 1932, and every summer they conduct an annual field survey of all the housing units in the city of Cleveland. For every year except one since 1932 they have walked every sidewalk in Cleveland, looked at every structure, added on every new addition and subtracted out every demolition or fire destruction. We have then a very hard count as to what the housing count is in the city of Cleveland. We used their data, corroborated with our own internal city records in connection with our protests which we filed with the Bureau of Census.

Senator EAGLETON. Well, a housing count counts a house, an edifice, or a dwelling place. That doesn't per se tell you how many people are inside that dwelling place.

Mr. YOUNG. No, and we simply could not count the exact number of people.

Senator EAGLETON. But query, if he has to file a lawsuit, and query, if they do hold up the count, and query if he is sufficiently sophisticated from the Bureau's point of view, nevertheless Mayor Conway has come up with some people figures where he thought, for instance, in this Cochran Gardens example there was a 50-percent undercount. Have you come up with some horror stories of undercounts in terms of people in an identifiable census tract in the city of Cleveland?

Mr. YOUNG. The biggest horror stories of undercount of people in the city of Cleveland can be demonstrated by the very evidence of the Bureau itself. The Bureau itself, as a result of our activities, conducted a special check in one district within the city of Cleveland where we had been arguing for quite some time that there was a substantial undercount resulting from fraudulent entries by enumerators. At the conclusion of the traditional procedures the Bureau used, which allegedly included two checks on every unit listed as vacant, the Bureau then conducted a special vacancy check. This special check disclosed that of those housing units twice listed by the Bureau as vacant, approximately 12 percent were, in fact, occupied.

Senator EAGLETON. Now you heard Mr. Pullin, or perhaps it was Mr. Smith, state that the Cleveland figures are about ready, the preliminary census figures are about ready to be dispatched to Cleveland, and you are the council chief?

Mr. YOUNG. Chief counsel.

Senator EAGLETON. How are you prepared, as the chief counsel of the city of Cleveland, to attack those figures, those preliminary census figures, in court, if your mayor and your council or whoever would make a judgment like that in Cleveland instructing you to do so? Suppose the mayor said, "I think we was robbed and I think they have undercounted Cleveland by maybe as much as 15 percent." Mayor Conway thinks St. Louis is 15 percent or higher. What kind of factual evidence have you already marshaled or can you marshal to substantiate your claim in court?

Mr. YOUNG. First of all, let me say we have received the district office updates for about half of the enumeration districts in the city of Cleveland. Based upon those reports, we have made a projection, and if that projection holds true we don't believe it will be essential that we do file suit. We think the Bureau will have a reasonably accurate count as far as its methodology will go. We think there will still be the minority undercount existent.

Senator EAGLETON. Then you are not as dissatisfied with the working figures that you received as Mayor Conway was dissatisfied with the ones he received.

Mr. YOUNG. No; the update of the working figures we think are reasonably accurate. The initial working figures we thought were grossly inaccurate.

Senator EAGLETON. But you have gotten wind of something in the interim, you have gotten wind of a something now called an update that gives you greater cause for comfort?

Mr. YOUNG. Yes. The working figures came out first; then there was a local review program. At the conclusion of the local review program, the local offices gave us their own internal calculations of what they thought Washington was going to come out with as its preliminary figures for about half the city. That update showed a high enough percentage increase which if it carries through for the city will mean that we have a reasonably accurate count.

Senator EAGLETON. Mr. Pullin, was such an update given to Mayor Conway or anyone in the city of St. Louis?

Mr. PULLIN. I am not sure. They did have an opportunity to participate in the local review. The city of St. Louis did not participate to the degree some of the other cities in the country did.

Senator EAGLETON. Thank you, Mr. Young, for a very thoughtful presentation, and our best wishes to the mayor. I hope the day is a successful day for him in the city of Cleveland. Thank you for coming.

Mr. YOUNG. Thank you, Senator.

[The prepared statement of Mr. Young, with an appendix, follows:]

PREPARED STATEMENT OF JAMES E. YOUNG, CHIEF COUNSEL TO THE CITY
OF CLEVELAND, OHIO

GOOD MORNING MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. MY NAME IS JAMES YOUNG AND I AM CHIEF COUNSEL TO THE CITY OF CLEVELAND, OHIO. MAYOR VOINOVICH HAS ASKED ME TO EXPRESS HIS PERSONAL REGRETS FOR NOT BEING ABLE TO TESTIFY TODAY. THE CITY OF CLEVELAND IS ATTEMPTING TO CLOSE A FINANCIAL TRANSACTION TODAY WHICH WILL TAKE IT OUT OF DEFAULT, AND MAYOR VOINOVICH'S PRESENCE IN CLEVELAND IS ESSENTIAL.

INITIALLY, I WOULD LIKE TO EXPRESS OUR APPRECIATION FOR ALLOWING US TO SEND A REPRESENTATIVE TO PRESENT OUR CONCERNS ABOUT THE 1980 DECENNIAL CENSUS. I ALSO WANT TO EXPRESS APPRECIATION FOR THIS COMMITTEE'S DILIGENT OVERSIGHT AND ITS INSISTENCE THAT THE 1980 COUNT BE CONDUCTED ACCURATELY.

LOCAL RESPONSE TO THE 1980 CENSUS HAS DRAMATICALLY SHOWN THAT THE CENSUS COUNT IS NO LONGER A QUIET, ACADEMIC MATTER, OF INTEREST ONLY TO STATISTICIANS AND CIVIL SERVANTS. RATHER, THE LIFEblood OF OUR CITIES DEPENDS ON THE CENSUS COUNT. AS A RESULT, LOCAL COMMUNITIES ARE JUSTIFIABLY INSISTENT ON SCRUPULOUSLY ACCURATE CENSUS OPERATIONS.

UNFORTUNATELY, IN 1980 THE WIDESPREAD PERCEPTION IS THAT THE CENSUS COUNT IS INACCURATE. OBVIOUSLY, SUCH A PERCEPTION SERIOUSLY UNDERMINES THE BUREAU'S LONGSTANDING PRESTIGE AND AUTHORITY. IT ALSO PUTS CITIES IN A VERY FRUSTRATING POSITION SINCE LOCAL COMMUNITIES CANNOT MEASURE THE BUREAU'S ACCURACY OR INACCURACY WITHOUT ACCESS TO THE BUREAU'S DATA. THUS, COMMUNITIES ALL OVER THE NATION HAVE BEEN FORCED TO SUE THE BUREAU SIMPLY TO OBTAIN ACCESS TO INFORMATION WHICH WILL ALLOW A MEANINGFUL REVIEW OF THE BUREAU'S OPERATIONS.

IN COMPLETE FAIRNESS, I WANT TO COMMEND THE BUREAU FOR CERTAIN STEPS WHICH IT HAS TAKEN TO INCREASE ACCURACY AND UTILIZE LOCAL STATISTICAL DATA. AS YOU KNOW, IN 1980, THE BUREAU INSTITUTED A LOCAL REVIEW PROGRAM. PURSUANT TO THAT PROGRAM, CITIES WERE GIVEN PRELIMINARY POPULATION AND HOUSING COUNTS ON AN ENUMERATION DISTRICT ("E.D.") AND TRACT BASIS. THE CITIES WERE ALSO GIVEN AN OPPORTUNITY TO PRESENT HARD DATA TO SUPPORT A HIGHER HOUSING COUNT IF THE PRELIMINARY DATA APPEARED TO BE INACCURATE.

I HAVE SET FORTH IN A SEPARATE DOCUMENT MANY OF THE PROBLEMS WHICH THE CITY OF CLEVELAND ENCOUNTERED WITH THE 1980 DECENNIAL CENSUS. I SEE NO REASON TO GO INTO SUCH DETAIL WITH THE SUBCOMMITTEE HERE TODAY SO I WOULD ASK THAT SUCH DOCUMENT MERELY BE INCORPORATED INTO THE RECORD.

SUFFICE IT TO SAY THAT WHEN THE PRELIMINARY POPULATION AND HOUSING COUNT WAS RELEASED LAST SUMMER, IT WAS OBVIOUS THAT THE CITY OF CLEVELAND WAS THE VICTIM OF A SEVERE UNDERCOUNT. THE PRELIMINARY HOUSING COUNT WAS WELL BELOW THE FIGURES AVAILABLE TO THE CITY FROM ITS INTERNAL SOURCES AND FROM PRIVATE EXTERNAL SOURCES. MOREOVER, THE VACANCY RATE REPORTED FOR SOME E.D.'S WAS GROSSLY IN EXCESS OF ANY REASONABLE ESTIMATE OF THOSE OF US FAMILIAR WITH THE NEIGHBORHOODS INVOLVED. AS A RESULT, THE CITY WAS COMPELLED TO UNDERTAKE A MASSIVE CAMPAIGN DESIGNED TO OVERCOME SUCH UNDERCOUNT. MY BEST ESTIMATE IS THAT CITY EMPLOYEES WERE REQUIRED TO SPEND OVER 3,000 MAN-HOURS (1-1/2 MAN YEARS) AND THOUSANDS OF DOLLARS IN THIS EFFORT. AT ONE POINT, I WAS CONVINCED THAT WE WOULD HAVE TO FILE SUIT. ULTIMATELY, I THINK WE OBTAINED A COUNT WHICH WAS AS ACCURATE AS COULD BE EXPECTED GIVEN THE DEFICIENCIES INHERENT IN THE BUREAU'S

METHODOLOGY. OBTAINING EVEN A REASONABLY ACCURATE COUNT WAS, HOWEVER, FAR FROM EASY.

I AM HERE TODAY IN THE HOPE THAT CORRECTIVE ACTION CAN BE TAKEN BEFORE THE NEXT CENSUS SO THAT CLEVELAND AND OTHER CITIES DO NOT HAVE TO UNDERTAKE SUCH EXTENSIVE REVIEW EFFORTS IN THE FUTURE. NOT SURPRISINGLY, I AND OTHER CITY OFFICIALS WHO HAVE WORKED ON THE CENSUS COUNT HAVE VERY DEFINITE SUGGESTIONS ABOUT HOW TO IMPROVE CENSUS COUNTS.

FIRST, THE FINAL ENUMERATION OF THE BUREAU OF CENSUS MUST BE STATISTICALLY ADJUSTED TO OFFSET THE UNDERCOUNT WHICH IS INHERENT IN THE METHODOLOGY PRESENTLY EMPLOYED BY THE BUREAU. IT IS QUITE CLEAR THAT THE BUREAU IS NOT CAPABLE OF COUNTING THE "WHOLE NUMBER OF PERSONS" IN THE COUNTRY AND THAT SUCH UNDERCOUNT HAS A DISPARATE AFFECT UPON MINORITIES. AS YOU ARE AWARE, MANY OF THESE PEOPLE LIVE AT POVERTY LEVELS IN OUR CENTRAL CITIES. ON NUMEROUS OCCASIONS, CONGRESS HAS DEVELOPED PROGRAMS TO ASSIST THESE PEOPLE, YET FUNDING LEVELS FOR SUCH PROGRAMS ARE ALMOST ALWAYS PREMISED UPON BUREAU OF CENSUS DATA. AS A RESULT, THESE PROGRAMS ARE NEVER GOING TO ACHIEVE THEIR FULL POTENTIAL UNTIL THE INHERENT UNDERCOUNT IS CORRECTED.

SECOND, AS YOU KNOW, THE BUREAU EITHER BUYS OR PREPARES A BASE ADDRESS REGISTER FOR EACH DISTRICT, WHICH IT THEN UPDATES DURING A PRECENSUS FIELD CHECK. THE BUREAU HAD INITIALLY PLANNED FOR LOCAL REVIEW OF THE UPDATED ADDRESS REGISTER BEFORE CENSUS DAY BUT ABANDONED THAT EARLY DATA CHECK WHEN IT BEGAN RUNNING OUT OF TIME. DURING THE LATER LOCAL REVIEW PROGRAM, IT BECAME VERY CLEAR THAT MANY OF THE DISPUTES BETWEEN THE CITY AND BUREAU COULD HAVE

BEEN AVOIDED IF A PRE-CENSUS ADDRESS REVIEW BY THE CITY HAD OCCURRED. MOREOVER, EACH INACCURACY WHICH WAS NOT CAUGHT DURING PRE-CANVASS HAD A MULTIPLIER EFFECT ON INACCURACY DURING THE REST OF THE CENSUS COUNT. IT SEEMS ELEMENTARY THAT IN 1990, THE BUREAU SHOULD GIVE HIGH PRIORITY TO OBTAINING LOCAL REVIEW OF ITS PRELIMINARY ADDRESS REGISTER. AS AN IDEAL SOLUTION, I WOULD SUGGEST THAT AFTER PRECANVASS, THE BUREAU PROVIDE TO EACH CITY A SUMMARY OF THE NUMBER OF HOUSING UNITS LOCATED ON EACH BLOCK. I WISH TO EMPHASIZE THAT BLOCK LEVEL (RATHER THAN THE MUCH LARGER E.D.) SUMMARIES ARE ESSENTIAL TO ALLOW CITIES TO PINPOINT THE PRECISE GEOGRAPHIC AREA OF ANY ERRORS. IF A CITY CHOOSES TO CONTEST THE BUREAU'S HOUSING UNIT COUNT FOR A PARTICULAR BLOCK, AND THE BUREAU IS UNABLE TO ACCOUNT FOR THE DISCREPANCY, THEN THE BUREAU SHOULD BE REQUIRED TO SUBMIT AN ACTUAL ADDRESS LIST TO THE CITY FOR REVIEW. SOME LEGISLATION MAY BE REQUIRED TO AUTHORIZE THIS DEVIATION FROM THE BUREAU'S TRADITIONAL INTERPRETATION OF THE CONFIDENTIALITY REQUIREMENT, BUT I CONSIDER SUCH A DETAILED CHECK AT A PRELIMINARY STAGE TO BE WORTHWHILE.

AS A THIRD MAJOR REFORM, ALL WORKERS SHOULD BE PAID ON AN HOURLY BASIS, PROVIDED THEY COMPLETE A CERTAIN NUMBER OF FORMS PER DAY. THE BUREAU'S PRESENT, PIECE-RATE METHOD OF COMPENSATION ENCOURAGES WORKERS TO FRAUDULENTLY DECLARE HOUSING UNITS AS VACANT RATHER THAN TAKE THE TIME TO CONDUCT A CENSUS INTERVIEW. FOR EXAMPLE IN CLEVELAND, FIELD ENUMERATORS WERE PAID \$4.50 FOR EVERY LONG FORM THEY ASSISTED A FAMILY IN FILLING OUT, \$2.90 FOR EVERY SHORT FORM AND \$2.20 FOR EVERY VACANCY THEY LISTED. UNSCRUPULOUS

ENUMERATORS QUICKLY DISCERNED THAT IT WAS FAR MORE PROFITABLE TO SIMPLY LIST A LONG SERIES OF BUILDINGS AS VACANT THAN TO TAKE THE TIME TO ASSIST EACH FAMILY IN PREPARING CENSUS FORMS.

FOURTH, AS PRESENTLY DESIGNED, THE LOCAL REVIEW PROGRAM IS OF LITTLE VALUE. THE FOLLOWING TWO CHANGES ARE ESSENTIAL IF LOCAL COMMUNITIES ARE TO BE PERSUADED THAT THEIR PROTESTS HAVE TRULY BEEN CONSIDERED. FIRST, HOUSING AND POPULATION COUNTS PREPARED BY THE BUREAU MUST BE BROKEN DOWN TO THE BLOCK LEVEL. DISCREPANCIES WHICH CAN BE PINPOINTED TO A BLOCK LEVEL (WITH 50 HOUSING UNITS PER BLOCK) ARE FAR EASIER TO VERIFY THAN DISCREPANCIES AT THE E.D. LEVEL (WITH SEVERAL HUNDRED HOUSING UNITS). SECONDLY, LEGISLATION MUST BE PASSED TO REQUIRE THE BUREAU TO PROVIDE LOCAL COMMUNITIES WITH A LIST OF THOSE HOUSING UNITS WHICH HAVE BEEN EITHER DELETED (ON THE GROUNDS OF UNHABITABILITY), DECLARED VACANT OR LEFT IN AN UNCLASSIFIED STATUS. CLEARLY, THERE IS NO PERSONAL INFORMATION TO BE REGARDED AS CONFIDENTIAL IF A HOUSING UNIT IS UNINHABITABLE OR VACANT. CITIES HAVE NO DIRECT WAY OF GAUGING THE RELIABILITY OF THE BUREAU'S PRELIMINARY HOUSING AND POPULATION COUNTS, AS THE BUREAU WILL NOT DISCLOSE WHICH UNITS IT REGARDS AS VACANT OR UNINHABITABLE.

THE FIFTH MAJOR NEED IS A SYSTEMATIC RELIABILITY CHECK. AS THE CENSUS PROCEDURES WERE ORIGINALLY DESCRIBED, THERE WAS TO BE A "FLAG SYSTEM" UNDER WHICH PRELIMINARY POPULATION AND HOUSING COUNTS WOULD BE CHECKED, BY COMPUTER, AGAINST 1970 CENSUS INFORMATION. ALL UNEXPLAINED DEVIATIONS WERE THEN TO BE RECHECKED BY THE LOCAL CENSUS OFFICE. AS THE BUREAU RAN OUT OF TIME DURING THE 1980 CENSUS COUNT, IT ABANDONED THE DESCRIBED "FLAG SYSTEM." BUREAU EMPLOYEES CLAIM

THAT A MORE RELIABLE SYSTEM WAS SUBSTITUTED, BUT THE CITY HAS NOT BEEN ABLE TO SUBSTANTIATE SUCH A CLAIM. BECAUSE OF THE CRITICAL IMPORTANCE OF THE BUREAU'S CREDIBILITY, RELIABILITY CHECKS SUCH AS THE "FLAG SYSTEM" ARE ESSENTIAL.

SIXTH, AT THE TIME OF CLOSING EACH LOCAL DISTRICT OFFICE, THE BUREAU SHOULD BE REQUIRED TO PROVIDE UP-TO-DATE HOUSING AND POPULATION COUNTS TO THE LOCAL COMMUNITY. OTHERWISE, CITIES MAY BE COMPELLED TO FILE SUIT SIMPLY TO PRESERVE THEIR OPTIONS UNTIL THEY KNOW WHETHER AN INACCURATE PRELIMINARY COUNT HAS BEEN CORRECTED.

SEVENTH, EVEN IF THE FINAL, GROSS HEADCOUNT IN CLEVELAND IS REASONABLY ACCURATE, I AM BY NO MEANS CONFIDENT THAT THE MORE DETAILED INFORMATION COVERED BY THE QUESTIONNAIRES IS ACCURATE. SPECIFICALLY, INFORMATION ABOUT CLEVELAND'S HOUSING STOCK, EMPLOYMENT AND INCOME LEVELS ARE CRITICAL DETERMINANTS OF CLEVELAND'S FUNDING LEVELS UNDER MANY FEDERAL GRANT PROGRAMS, INCLUDING REVENUE SHARING, CETA AND COMMUNITY DEVELOPMENT BLOCK GRANT. SADLY, THE BUREAU NEITHER MEASURED THIS INFORMATION IN A WAY WHICH WOULD BE MOST RELEVANT TO POVERTY PROGRAMS NOR DID IT CAREFULLY CHECK THE RELIABILITY OF FINAL RESULTS.

WHILE I AM ON THE SUBJECT OF FEDERAL PROGRAMS, I WISH TO CHALLENGE CONGRESS TO SPECIFY MORE EQUITABLY THE FUNDING FORMULAS UNDER FEDERAL PROGRAMS. AT PRESENT, CLEVELANDERS PAY OUT FAR MORE IN TAXES TO THE FEDERAL GOVERNMENT THAN THEY RECEIVE IN FEDERAL EXPENDITURES. THIS IMBALANCE MUST STOP. WE CANNOT AFFORD TO PROVIDE SUBSIDIES FOR THE REST OF THE COUNTRY WHEN OUR OWN NEEDS ARE SO GREAT. AS YOU DEVELOP THE FUNDING FORMULAS FOR FEDERAL PROGRAMS

I ASK YOU TO CHOOSE VARIABLES WHICH BETTER REFLECT THE LEVEL OF DISTRESS IN CITIES LIKE CLEVELAND. FOR EXAMPLE: THE LEVEL OF UNEMPLOYMENT, PER CAPITA AND FAMILY INCOME, THE RATE OF POPULATION DECLINE, ADEQUACY OF HOUSING STOCK, AND THE AGE AND CONDITION OF THE CITY'S INFRASTRUCTURE SHOULD BE STRESSED.

I CANNOT EXPRESS STRONGLY ENOUGH THE NEED FOR A MORE OPEN, VERIFIED CENSUS COUNT IN 1990. THANK YOU AGAIN FOR YOUR CONTRIBUTIONS TO THAT END.

APPENDIX TO TESTIMONY OF
JAMES E. YOUNG
CITY OF CLEVELAND, OHIO

THE CITY OF CLEVELAND WAS CANVASSED BY THREE DISTRICT OFFICES OF THE BUREAU: THE BROOKPARK OFFICE; THE CLEVELAND-SOUTH OFFICE; AND THE CLEVELAND-NORTH OFFICE. IN PREPARATION FOR THE LOCAL REVIEW PROGRAM, THE CITY ESTIMATED THE NUMBER OF HOUSING UNITS IN EACH E.D., BASED ON AN UPDATE OF INTERNAL CITY RECORDS. IT ALSO PURCHASED A HOUSING COUNT BASED ON FIELD SURVEYS FROM A LOCAL NON-PROFIT RESEARCH GROUP. THIS NON-PROFIT ASSOCIATION HAS BEEN CONDUCTING FIELD SURVEYS SINCE 1932 AND HAS GENERALLY BEEN REGARDED AS AN ACCURATE, AND IN FACT A SOMEWHAT CONSERVATIVE GROUP. ITS DATA HAS BEEN USED IN THE PAST BY THE DEPARTMENT OF COMMERCE AND THE BUREAU OF THE CENSUS.

THE CITY RECEIVED THE PRELIMINARY HOUSING COUNT FROM THE BROOKPARK OFFICE FIRST. THE CITY NOTIFIED THE BROOKPARK OFFICE THAT 32 HOUSING UNITS HAD BEEN MISSED. AFTER RECANVASS, THE BROOKPARK OFFICE NOTIFIED THE CITY THAT IT HAD FOUND NOT ONLY THE 32 HOUSING UNITS IDENTIFIED BY THE CITY BUT TWO ADDITIONAL UNITS. THUS, THE CITY'S DATA WAS PROVEN TO BE ACCURATE AND CONSERVATIVE.

ON JULY 28, 1980 THE CITY RECEIVED THE BUREAU'S PRELIMINARY COUNT FROM THE CLEVELAND-SOUTH OFFICE. AFTER CAREFUL ANALYSIS, THE CITY SUBMITTED ITS PROTEST TO THE BUREAU INDICATING THAT APPROXIMATELY 6,500 HOUSING UNITS HAD BEEN MISSED. BASED UPON THE CITY'S PROTEST, THE CLEVELAND-SOUTH OFFICE FIRST RECANVASSED TWELVE ENUMERATION DISTRICTS. ACCORDING TO THE DISTRICT MANAGER OF THE

CLEVELAND-SOUTH OFFICE, VERY FEW ADDITIONAL UNITS WERE FOUND AS A RESULT OF THE RECANVASS. THE BUREAU'S ONLY EXPLANATION FOR THE HUGE DISCREPANCY WAS "DEFINITIONAL DIFFERENCES" BETWEEN THE CITY AND THE BUREAU AS TO WHAT IS AND WHAT IS NOT AN INHABITABLE STRUCTURE.

UNSATISFIED AND STILL SKEPTICAL, THE CITY THEN PURCHASED THE ADDRESS LISTS FOR THREE OF THE TWELVE ENUMERATION DISTRICTS IN QUESTION AND PROVIDED THEM TO THE CLEVELAND-SOUTH OFFICE. AFTER THESE SPECIFIC ADDRESS LISTS HAD BEEN MADE AVAILABLE, THE BUREAU ADVISED US THAT IT HAD LOCATED 78 OUT OF THE 126 HOUSING UNITS IDENTIFIED BY THE CITY -- A 62% DISCOVERY RATE.

THUS, THE BUREAU'S OWN PROCEDURES VERIFIED THE RELIABILITY OF THE CITY'S DATA. NONETHELESS, THE BUREAU REFUSED TO PURCHASE THE ADDRESS LISTS OF THE NON-PROFIT ASSOCIATION FOR PRECISE COMPARISONS IN ALL E.D.'S, REFUSED TO RECANVASS 154 OUT OF THE 263 E.D.'S WHICH THE CITY HAD PROTESTED, AND DECLINED TO MAKE RAW DATA AVAILABLE WHICH WOULD ENABLE THE CITY TO DOUBLE CHECK THE ADDRESS LISTS FOR THE REMAINING CONTESTED E.D.'S.

AT THE FINAL MEETING WITH OFFICIALS FROM THE CLEVELAND-SOUTH OFFICE, THE CITY WAS INFORMED THAT SINCE PRESENTATION OF ITS PRELIMINARY FIGURES, THE BUREAU HAD FOUND 1,000 ADDITIONAL HOUSING UNITS AND 9,000 ADDITIONAL PERSONS IN THE PROTESTED E.D.'S IN THE CLEVELAND-SOUTH DISTRICT. FRANKLY, THE CITY WAS FAR FROM SATISFIED WITH THIS RESULT. HOWEVER, SHORT OF FILING A LAWSUIT, THERE WAS NO WAY FOR THE CITY TO COMPEL THE BUREAU TO CONDUCT FURTHER CHECKS OR TO PROVIDE AN INDEPENDENT CHECK OF THE BUREAU'S DATA. IN VIEW OF THE EXPENSE OF A LAWSUIT, I DECIDED TO DELAY LEGAL ACTION UNTIL WE HAD OBTAINED RESULTS FOR THE ENTIRE CITY.

ON AUGUST 25, 1980, THE BUREAU MAILED ITS PRELIMINARY CENSUS COUNT FOR THE CLEVELAND-NORTH OFFICE TO THE CITY. THE CITY DULY FILED A PROTEST NOTING THAT 6,380 HOUSING UNITS HAD BEEN MISSED. I WAS PARTICULARLY SKEPTICAL ABOUT THE VALIDITY OF THE HOUSING COUNT IN CLEVELAND-NORTH BECAUSE NUMEROUS CENSUS EMPLOYEES HAD VOLUNTARILY CONTACTED THE CITY'S LAW DEPARTMENT TO REPORT REPEATED INSTANCES OF FRAUD IN THE NORTH OFFICE. WITHOUT EVEN REACHING THE ISSUE OF FRAUD, THE CITY DOCUMENTED A SHOCKING STATE OF CHAOS IN THE CLEVELAND-NORTH OFFICE THROUGHOUT THE ENTIRE CENSUS COUNT. FOR INSTANCE, THE BUREAU MISSED AT LEAST ONE E.D. ENTIRELY -- AND FOUND IT ONLY AFTER INSISTENT QUESTIONING BY THE CITY. EQUALLY STARTLING, THE NORTH OFFICE REPORTEDLY LOST OVER 52,000 COMPLETED CENSUS QUESTIONNAIRES! IT IS DIFFICULT TO IMAGINE HOW THEY ACHIEVED THAT MONUMENTAL FEAT.

THE BUREAU ITSELF BECAME SO CONCERNED ABOUT THE REPEATED EVIDENCE OF ERRORS THAT IN JUNE IT TOOK TIME AND STAFF AWAY FROM REGULAR CENSUS WORK FOR A SPECIAL CORRECTIVE PROCEDURE. JUDGING FROM THE INFORMAL NAME OF THIS PROCEDURE -- "FOLLOW-UP FOREVER" -- THE BUREAU WAS NOT ENTIRELY OPTIMISTIC ABOUT EVER CORRECTING ALL THE ERRORS. NOR SHOULD IT HAVE BEEN SINCE ALL THE CENSUS FORMS HAD ALREADY BEEN MAILED OUT, BASED ON AN ADMITTEDLY INCORRECT MAILING LIST.

IN SEPTEMBER, WHEN THE BUREAU ORIGINALLY INTENDED TO CLOSE ITS CLEVELAND-NORTH OFFICE, DISGRUNTLED BUREAU EMPLOYEES BEGAN PUBLICLY DISCLOSING EXAMPLES OF THE PROCEDURAL ABUSE AND FRAUD WHICH HAD GONE UNCHECKED DURING CENSUS OPERATIONS. FOR INSTANCE, ONE

EVENING NEWS PROGRAM REVISITED AN APARTMENT BUILDING WHICH HAD BEEN REPORTED VACANT, ONLY TO FIND THAT NINE FAMILIES WERE LIVING IN THE BUILDING. AROUND THAT SAME TIME, I DIRECTED OUR ATTORNEYS TO BE PREPARED TO FILE SUIT.

WHILE LOCAL BUREAU OFFICIALS APPEARED TO BE MORE CONCERNED WITH DEFENDING THEIR OWN ACTIONS THAN IN ACHIEVING AN ACCURATE COUNT, EXECUTIVES FROM THE BUREAU'S DETROIT REGIONAL OFFICE FINALLY HEEDED THE CITY'S PLEAS AND THE PUBLIC'S OUTRAGE IN LATE SEPTEMBER. WHEN SUCH EXECUTIVES BECAME PERSONALLY INVOLVED, THEY FOUND THAT CLEVELAND HAD INDEED BEEN THE VICTIM OF AN UNDERCOUNT AND THAT THERE WAS SUBSTANTIAL EVIDENCE TO SUPPORT THE ALLEGATIONS OF FRAUD. AS A RESULT, THE DEPARTMENT OF COMMERCE INSPECTOR GENERAL WAS CALLED IN TO REVIEW EVIDENCE OF FRAUD, AND THE ENTIRE CLEVELAND-NORTH DISTRICT WAS RECANVASSED. MANY PREVIOUSLY UNLISTED HOUSING UNITS WERE LOCATED. THOUSANDS OF HOUSING UNITS WHICH HAD BEEN LISTED AS VACANT AFTER THE LOCAL OFFICE HAD ALLEGEDLY MADE TWO SEPARATE CHECKS, WERE CHECKED FOR A THIRD TIME. APPROXIMATELY TWELVE PERCENT OF THESE UNITS WERE FOUND TO BE OCCUPIED. AS A RESULT OF THIS EXTRAORDINARY PROCEDURE, THE BUREAU FOUND MORE THAN 22,000 PEOPLE IN THE CLEVELAND-NORTH DISTRICT ALONE! IT IS NOW CLEAR THAT IF THE CITY, NEWS MEDIA AND ELECTED OFFICIALS HAD NOT OBJECTED SO PERSISTENTLY TO INITIAL CENSUS ESTIMATES, THOUSANDS OF CLEVELANDERS WOULD HAVE BEEN MISSED AND COUNTLESS FEDERAL DOLLARS WOULD HAVE BEEN LOST.

Senator EAGLETON. Our final witness is Mr. David Jones, assistant to the mayor, city of New York.

TESTIMONY OF DAVID R. JONES, ASSISTANT TO THE MAYOR, CITY OF NEW YORK

Senator EAGLETON. Do you have a prepared statement, Mr. Jones?

Mr. JONES. Yes, it has been submitted.

Senator EAGLETON. Are you going to highlight it?

Mr. JONES. Yes.

I think first I want to take up the questions that were raised by the Census Director, Mr. Vincent Barabba. I think that it calls for some response.

The suggestion was, I believe, that New York City hadn't done enough in supporting the census, and I would like to point out to the committee that it is my belief that New York City has perhaps done more in publicizing this 1980 census than any other municipality in the Nation. We started our Complete Count Committee earlier. We raised substantial amounts of money. We supplied census employees with much of their material that went into the minority communities of our city, and we supplied them with sound trucks for I think almost 8 weeks. But be that as it may, I want to also say I, at no point, in any press report, though I think the CBS radio commentary and transcript speaks for itself, accused Mr. Barabba of setting fire to the Brooklyn census office.

Now I will go to a general statement.

I think, as many of the members of this committee know, the city and State of New York have already filed suit against the Bureau of Census alleging a disproportionate undercount of the city and State's population and demanding a court-ordered adjustment be made by census to reflect those missed persons. In the course of that litigation the city and State have been forced to go beyond merely alleging an undercount based on the various testimony before prior commissions and hearings and has sought to prove the existence of such an undercount.

Now the proofs submitted in that case are relevant here not to show that the city and State should prevail necessarily, for there are other elements of proof which must be met to do that, but rather to indicate to members of the committee that despite census disclaimers—and I read in the New York Times one of Vincent Barabba's most recent ones—that a significant undercount persists in the inner cities of America, and particularly in the State of New York.

For example, in September of this year, New York City, in preparing for litigation, began a program whereby each person who entered a welfare office for a federally mandated, face-to-face interview with a welfare caseworker was asked whether or not he or she had been counted by the census. As of November 5, 1980, in excess of 10 percent of the persons queried stated that they had not been counted, and at that point were given a form. The city's welfare and SSI population easily exceeds 1 million persons, so the very real possibility exists 100,000 or more persons in that category alone were not counted in the traditional procedures in the 1980 census. This is especially frightening

for the city of New York and the State because the welfare list had been submitted in its totality to census to do what is called a non-household check, which means, in my knowledge—the nonexpert knowledge—that the entire computer listing of persons receiving public assistance in New York City were to be cross-checked against the records held by census. And that nonhousehold check was unique, I believe, for New York City, and we had great hopes for it. But the fact that we are still now, as we go along from day to day in checking our welfare population, still receiving response rates that hover between 10 to 12 percent, means that something is wrong in terms of the count at least of these persons. That, of course, would take into account certain people who may have forgotten they had been counted, but we are convinced, because of the extent of the questioning we put together, it is obvious that a substantial portion of at least this population was missed.

Similarly, in the same vein, in order to prepare evidence for trial, the city authorized a carefully prepared telephone survey by a highly respected polling organization. The results of that survey were that some 6 percent of the general population in the State of New York had been missed by census, in New York City, 8 percent across the board. In the black community, in both the city and State, 10 percent reported they had not been counted and 9 percent of the Hispanic population statewide and 10 percent in the city of New York, again of the Hispanic population.

Even earlier than that we had done work with trying to help people who had not been counted as of July 1980. We set up a hotline telephone number in the city and received between 3,000 and 4,000 telephone calls from persons who hadn't been counted at this stage. In conjunction with the census we put together lists with names, addresses, and telephone numbers of these persons who had called into this city number and shipped them over in bulk to the census process.

As we neared this litigation we decided perhaps we should call back and see if this particular population had been handled, since we had done much to highlight their particular problem. In our callback, of those we called back who claimed in July and before that they hadn't been counted we found that some 400 of some 1,500 called had still not been reached by census. We saw again that something was going wrong and something was amiss in the census procedures at least in the city of New York.

Many reasons have been given for why persons are missed by the census count. For the minority poor and foreign-born of New York City, the reasons for avoiding census enumeration are fear and distrust of government, which I think was reported in the papers throughout the country, and an inability to see how the census benefits them personally, and finally the very real problem of language and comprehension. These problems of essentially the urban poor are exacerbated in New York City for a number of reasons.

The levels of conflict and distress of New York probably surpass most other cities in the Nation. The attitude among the very poor in the Harlems, the Bedford-Stuyvesants and South Bronxes of New York City have made them very wary of any kind of government intrusion. I think the prime example one can use of this is the fact that

the welfare grant has not been increased since 1974 anywhere in the Nation. It has meant that poor people, particularly people on welfare, have seen a 60-percent drop in that real income, and it has led to what can only be described as alternate means of obtaining money, whether that is an AFDC mother who has a husband in the household she shouldn't or someone in a public assistance household or housing authority apartment who takes a boarder from the islands. All those little techniques, not quite illegal, not quite legal, tend to leave this population very much in fear of any oversight and intrusion by a government bureaucracy and a government employee.

The undocumented aliens I don't think we have to talk about other than to say, in my own specific knowledge, I have been approached by a man who is the head of one of the larger Haitian ministries in New York City who told me bluntly that he had instructed his parishioners, both legal aliens and illegal, not to answer the census form because the risks were too high for them and their families. I don't think that attitude is unique, and I think the attitude could only have been changed—and I am talking now about legal aliens and minorities—by a massive influx of advertising dollars directed toward those populations, an influx of dollars which was never seen in the city of New York and which we repeatedly asked for. Instead, what we did get is what Mr. Barabba said. We got a McDonald's advertising campaign which had so little relation and conviction for poor people that I think it literally fell on its face. The fact that they failed to use paid advertising not only generally but also more specifically in the minority media—I am talking about 60 percent of little newspapers that come out once a month or once a week; I am talking about the Amsterdam News, these small papers and not nationally known; they cannot do public advertising because you are talking about them giving a one-page advertisement free which is going to significantly cut into their advertising revenues. The census was on notice of this when the National Academy of Sciences said in its report that the only way to reach out to the poorer communities of the Nation was through paid advertising of this sort. That is one problem.

You have the problem of people who are frightened and not coming forward because of fear and misunderstanding and problems of literacy and lack of comprehension.

The city has seen something else, though, something I didn't envision when we started our complete count committee, and we poured in our effort, and that was what can only be described as mismanagement in the conduct of the census in the city of New York and State of New York.

Some of the other speakers have mentioned some of the things that led to this mismanagement, but it led off with a failure in providing their employees with an appropriate master-address register, a data base whereby the mailout and followup by enumerators could have been an accurate and complete process for New York.

In a GAO report that was issued in May of this year, the GAO reported that the commercial mailer who provided a list for New York City was a commercial mailer who generally worked for Sears, Roebuck, and this commercial mailer said in sworn testimony that he had not updated his list for the south Bronx for 10 years or more. Quite

frankly, the reason, he said this was because the population of the south Bronx is not of particular interest to commercial mailers. They don't believe, though I think they are wrong in some cases, that there are very many potential buyers in the south Bronxes and Harlems and Bedford-Stuyvesants. So they started with a data base out of date, particularly for those communities they had the greater problem with undercount.

They said they were going to improve that data base and they gave us a long list of improvement techniques that was going to bring this data base up to snuff. Then, as one of the earlier witnesses alluded to, the different improvement steps started to drop out, some, quite frankly, because they ran behind by 2 or 3 months, as Mr. Barabba said also. Also, and the chief one of that category was the earlier prec canvass check which was supposed to be done by the localities, but there were other steps we learned that were left out.

For example, in many census district offices in New York we find that the enumerators themselves, according to the census plans for census 1980, were supposed to go out before they started any kind of counting and before April to check the household and check their list to see if they were complete. We are finding from reports this step was left out because there was a delay in sending out the mailing lists, the address register to the city of New York, which meant that enumerators had no time to engage in this kind of technique. As a result, the mail return rate for the city of New York ran well behind the rest of the Nation an average of 70 percent. In some districts, in Bedford-Stuyvesant, for example, the district that had the enormous fire, the mail return dropped as low as 40 percent, this against a national average of 85 percent that the census told us was all right.

Senator EAGLETON. On what page are you of your prepared statement?

Mr. JONES. I am moving around.

Senator EAGLETON. Are you highlighting it?

Mr. JONES. I am highlighting. I am going to page 5 and 6. I will cut it short.

The census told us they cashed these deficits in the mail out by sending enumerators out to knock on every door. We find again from a GAO report in New York, the staffing of enumerators trailed the rest of the Nation. We were only 59.5 percent staffed at least in those dates when the GAO was looking at it. Again we found this process whereby first you have a bad data base, then you don't put the manpower in to cure the defects that arise from that, and finally we find—and this is highlighted I think most effectively by a recent CBS television report which did sort of a panel truck behind a mirror check of what census enumerators were doing in the followup procedures, and we found in a 3-day report that appeared throughout all the city that for the Brownsville area at least, which is contiguous to Bedford-Stuyvesant, there was a pattern of census neglect in followups, whereby census workers were not being supervised, were curbstoning or filling out forms without going into buildings, were putting down vacant units, vacant addresses just so they could collect the \$2.29 amount they were to receive if they found a vacant unit. And they were doing this kind of

abuse and not working on the projects right in the census district office, right in front of their supervisors.

This report and this television report has never been refuted, to my hearing, by census.

Finally, and something that Mr. Barabba mentioned, there was a fire in the Bedford-Stuyvesant census office. This fire occurred a few weeks ago now. It totally destroyed all the record of that office. There were no duplicate records it seems. It totally destroyed all the forms in that office. And it left this community of almost 320,000—at least that is what it was in 1970—completely without record. Census' response to that was that they were going to have to meet the deadline no matter what and that a recount was going to begin in that district. We held meetings on the issue. They said the recount was going to have to be at least 3½ to 4 weeks. The process had originally taken 6 months. This is a neighborhood that is 87-percent black and the remainder Hispanic, with the lowest return-mail rate in the city of New York, which has been the source already of many community complaints as to the hiring and treatment of census workers, and this is the community they promise to recount in 4 weeks. What they did to do this is they brought in between 400 and 500 workers, as opposed to the 300 they had during the process before. But what they refused to do once again was put in an advertising budget to cope with trying to convince people now for the third or fourth time why they should fill out these forms and convince them with some kind of veracity and depth.

I think I can open myself to questions. I just wanted to give these statements to explain first why we brought the lawsuit, second, why we are so adamantly in support of adjustment of the census figures to reflect the undercount we see from all ends, and finally in support of Senator Moynihan's bill, S. 3003, and the companion piece by Congressman Rosenthal, which would require an adjustment for the undercount both for funding and reapportionment. We similarly object to the so-called McDade amendment which would prohibit the count, at least to my understanding, of legal and illegal aliens. We think that would devastate the city of New York and the State of New York, and we think it is clearly unconstitutional. If you read the Constitution, it is obvious that the draftsmen were talking about whole people, whether they were citizens or not. For instance, they counted three-fifths of slaves. That is the entirety. Thank you.

Senator EAGLETON. Thank you, Mr. Jones.

I want to stick, if I may, just for a question or two to the terminology we have used in the latter part of this hearing. Did the city of New York get what has been referred to as working figures?

Mr. JONES. Yes, it did. Let me qualify that. We got that for most districts. We have 20 census districts in the city of New York. We were supposed to get our working figures in June. We ended up getting them about 1 month, maybe 1½ months late. Now for the Bedford-Stuyvesant District Office we have no working figures.

Senator EAGLETON. Eliminate Bedford-Stuyvesant because of the intervention of the fire. But eliminating Bedford-Stuyvesant from the discussion, you now have working figures at least for the rest of the city of New York?

Mr. JONES. That is true, Senator.

Senator EAGLETON. Did you get any update figures? That term crept in, in the testimony of Mr. Young from Cleveland.

Mr. JONES. We have been getting some update, but there are still districts outstanding that haven't responded to our local review challenges. The local review process only allows us to shove figures of housing units at census. It doesn't let us put forward any other evidence. As a matter of fact, I asked that Mr. Barabba give me some information on what we could present to them in terms of missed population, in household population on a block basis. In other words, we wanted to do an intensive survey of two or three blocks in an enumeration district and if we could show there has been an undercount of the population, would that be sufficient for followup procedures being instituted. They said "No" to that request.

Senator EAGLETON. And you have not yet received what has been referred to as preliminary census figures?

Mr. JONES. Well, I must admit in the terms I have been calling preliminary figures what I think you are referring to as working figures. Before our local review program went into action, we received what was called working figures. We have submitted all our challenges to those working figures in terms of missed housing units and we are awaiting at least for some districts—I am not sure—a response to our challenge. So we haven't received our final preliminary figures yet.

Senator EAGLETON. Mr. Pullin, or Mr. Smith, when will New York City receive its preliminary census figures?

Mr. PULLIN. The first think we have to do is finish reenumeration of the Bedford-Stuyvesant area.

Senator EAGLETON. When might that be complete?

Mr. PULLIN. Probably the end of November.

Senator EAGLETON. Will New York City then get preliminary census figures before December 31, 1980?

Mr. PULLIN. I would be reluctant to say. I can't hazard a guess on that.

Senator EAGLETON. What might you transmit to the President of the United States with respect to New York City on December 31, 1980?

Mr. PULLIN. We will make that date. For Bedford-Stuyvesant, we will not use computerized figures. For the district office where the fire occurred, we will have to use hand counts; we will not use computer figures.

I understand Mr. Jones to say he had not gotten local review for Bedford-Stuyvesant. I don't think that is true.

Mr. JONES. It is true because all the background data for the documents were destroyed.

Mr. PULLIN. It is true they were destroyed, but Evelyn Mann did have a chance to review Bedford-Stuyvesant local review material.

Mr. JONES. But all local review materials held in census were destroyed.

Mr. PULLIN. Unless Evelyn Mann kept a copy of what we indicated.

Mr. JONES. We are supposed to have another shot at local review.

Mr. PULLIN. You will; you will get it on an ED-by-ED basis.

Senator EAGLETON. When you transmit the figure to the President on December 31, Mr. Barabba said that date would be met.

Mr. PULLIN. Yes, sir.

Senator EAGLETON. Is there going to be a footnote for New York City by reason of the Bedford-Stuyvesant fire?

Mr. PULLIN. I would expect so, but I am not sure.

Senator EAGLETON. Will you transmit to New York City preliminary census figures for everything other than Bedford-Stuyvesant before December 31?

Mr. PULLIN. I don't know, sir. I could get that for you.

Senator EAGLETON. Well, you have already transmitted Philadelphia, Baltimore, Boston, Chicago, and Los Angeles preliminary census figures. You are about to transmit, in the near future, to Cleveland, preliminary census figures. Some time later, at a date as yet undetermined, you are going to transmit to St. Louis preliminary census figures. Aren't you going to transmit to New York at some time preliminary census figures, that some time being before December 31?

Mr. PULLIN. I am not sure, Senator.

Senator EAGLETON. Are there other cities in the country that you are not sure of insofar as transmission of preliminary census figures before December 31?

Mr. PULLIN. No, sir; only where there is a unique circumstance, where the fire occurred.

Senator EAGLETON. Isn't New York City entitled to preliminary census figures for all those areas other than Bedford-Stuyvesant, other than this unique aberration, this act of God or act of individuals or whatever, aren't they entitled to get their preliminary census figures for everything else but that in a reasonably timely way so they can look at it, challenge it, litigate it, argue about it or something?

Mr. PULLIN. I am sure they are entitled to it, sir, but I don't know the answer to that question. They have had an opportunity all the way through this local review program to look at, inspect, comment, influence us, and they have done that to some extent.

Senator EAGLETON. Well, I am a layman in this and I know this is a gargantuan undertaking, the taking of a national census, and I don't take lightly the difficulty of the task, the enormity of the task. It is truly gargantuan in scope.

Mr. PULLIN. Yes.

Senator EAGLETON. And I don't minimize the effect of the Bedford-Stuyvesant fire. As Mr. Jones said, in the last census there were 320,000 people in the 1970 census who lived in the Bedford-Stuyvesant area. I don't blame you for the fire or intervention of that act, but it just seems to me, as a layman, if every other city in the country and every other local in the country is going to get before December 31 preliminary census figures, it seems to me that New York ought to get them for all areas other than Bedford-Stuyvesant—

Mr. PULLIN. We are doing it as fast as we possibly can.

Senator EAGLETON [continuing]. So they can take what action their lawyers and elected officials deem appropriate.

Mr. PULLIN. The lawyers are talking a lot of action, and we are working as hard as we can, sir.

Senator EAGLETON. The prepared statement of Mr. Jones will be inserted at this point and we also have a statement from Congressman Derwinski for the record.

[The prepared statements of Mr. Jones and Congressman Derwinski follow:]

PREPARED STATEMENT OF DAVID R. JONES, SPECIAL ADVISOR TO THE MAYOR OF THE
CITY OF NEW YORK

Senator Glenn, Senator Javits, Members and Staff of the Subcommittee on Energy Nuclear Proliferation and Federal Services, my name is David R. Jones. I am Special Advisor to the Mayor of the City of New York, Edward I. Koch and Director of New York City's 1980 Census Effort.

Before providing the Committee with a long litany of the problems New York has seen in the conduct of the 1980 Census, I would like the opportunity to put this Census in its proper historical perspective. As the members of this body know, the Constitution and laws of the United States require that a Census of the population be taken as a basis for apportionment of Representatives in Congress. Each state is entitled to a number of Representatives proportional to the whole number of persons in that state. More generally, the Constitution requires that, as nearly as is practicable, there should be equal representation in Congress for equal "whole" numbers of persons. This apparently innocuous requirement was one of the hardest fought political questions for the draftsmen of the Constitution. It was and is the heart of the "Great Compromise" which provided for equal weight for each State in the Senate, and a weight dependent upon the whole numbers of persons for the Congress. Persons then as now, were considered irrespective of their status as citizens, or noncitizens, young or old. This intent is made obvious by the fact that, until the passage of the 14th Amendment, slaves were to count for only three-fifths of a person.

This 1980 Census, if left uncorrected, will do much to subvert the intent of the founding fathers. For, in order for the Constitutional requirement to be met, the Census must be uniformly accurate from state to state and locality to locality. If a state or locality's population is sufficiently understated relative to other states, then that state and its residents are deprived of the degree of representation to which they are entitled. Moreover, when population is understated, a state or subdivision is deprived of its fair share of Federal funds allocated on the basis of population—from General Revenue Sharing to Mass Transit Aid—107 categorical grant programs in all.

The Bureau has admitted in past that it has undercounted significant numbers of persons. It estimates that it missed 5.3 million persons, or 2.5 percent of the national population in 1970. Of more significance for New York City and State was the fact that the undercount for minorities was more than three times the national average—7.7 percent for blacks alone.¹ For black young men between the ages of 18 and 44 the undercount estimates soar to nearly 20 percent. Similar statistics are thought to apply to the nation's Hispanic and Asian-American population.

I have heard reports from another of today's speakers, Vincent Barabba, Director of the Bureau of the Census, claiming that there is no measurable undercount for the 1980 Census. I can only speak for New York City and State in stating that we are convinced that the undercount for the State and City exceeds a million persons. It is our view that the Census apparently wishes to juggle figures rather than to come to grips with a "clear and present" undercount of many persons living in this nation.

As many members of this Committee may know, the City and State of New York have filed suit against the Bureau of the Census, alleging a significant undercount of population and demanding court ordered adjustment of the Census figures to reflect those missed persons. In the course of that litigation, the City and State have been forced to go beyond merely alleging an undercount of persons and have sought to prove its existence. The proofs submitted in that case are relevant here not to show that City and State should prevail, for there are other elements of proof which must be met, but rather to indicate to members of this Committee that despite Census disclaimers, significant undercounts persist in the inner cities of America.

For example, in September of this year, New York City, in preparing for litigation, began a program whereby each person who entered a welfare office for a federally mandated, face to face interview with a welfare case worker was asked whether or not he or she had been counted by the Census. As of November 5, 1980, in excess of 10 percent of the persons queried stated they had not been counted. The City's welfare and SSI population easily exceeds a million persons,

¹"Counting the People in 1980," National Academy of Sciences, Washington, D.C., 1973, at p. 3.

so the very real possibility exists that 100,000 or more persons in that category alone were not counted in the 1980 Census.

Similarly, the City authorized a carefully prepared telephone survey by a highly respected pollstering organization. The results of that survey were that some 6 percent of the general population in New York State were missed, in New York City 8 percent; 10 percent of the black population both in City and State were missed and 9 percent of the hispanic population statewide and 10 percent in New York City. This would mean that at the very minimum, using the survey results, 1 million persons or more could have been missed by the 1980 Census procedure in New York.

Many reasons have been posited to account for the fact that large numbers of Americans are overlooked in the Census. For the minority poor and foreign born of our City, the reasons for avoiding Census enumeration are plain—fear and distrust of government—the inability to see how the Census benefits them personally and problems of language and comprehension.

If New York City were merely confronted with trying to make sure that its population of minority poor and foreign born were counted, its problem would be particularly difficult. But New York City has an additional burden, one that may drive its population figures well below what they really are, in 1980. A problem which is especially relevant at this hearing. It is estimated that there are between 500,000 and 1,000,000 undocumented aliens in New York City.² There has never been an accurate estimate of how many of these individuals are missed in the Census, but guesses have run as high as 75 percent—because these individuals are tremendously frightened of contact with any government instrumentality. The fear of discovery and the threat of deportation is a major deterrent to participation and compliance.

If the problem for the State and City were simply one of persons avoiding being counted, a significant undercount would obviously exist, but the problem has been exacerbated by the manner in which the Census was carried out in New York.

The Census Bureau knew from its own experience in a 1978 Lower Manhattan Test Census, had been warned by its minority advisory committees and a National Academy of Science Report, entitled "Counting the People 1980"—that unless extraordinary efforts were taken the Census would have difficulty "just to keep up past levels of quality and completeness."³

Instead what the City, State and nation received was a fairly dismal record of mistake and delay:

(i) a G.A.O. Report documented that the Census used a Master Address register purchase from a commercial mailer, who admitted in sworn testimony that he had not updated his lists for poorer neighborhoods of the City for 10 to 15 years—the procedures designed to improve their quality, including a precensus local review and canvass were not carried out at all in some Census districts, or were so poorly carried out that the deficiencies of the initial list were not adequately remedied;

(ii) as a result of problems with the Address list, and difficulties in the mail delivery of the forms to each housing unit, New York City trailed the nation in the mail return of forms with barely 70 percent of the households returning their forms, and some districts, Bedford-Stuyvesant, Brooklyn, in particular, coming in as low as 48 percent as compared with a national average of 85 percent or more;

(iii) those missed by the mail-out should have been caught by an enumerator, but again based on a May report of the G.A.O., New York City trailed the rest of the nation in the staffing of Census district Offices, with the City only 59 percent staffed, and finally

(iv) the entire followup procedure (I, II, & III) was characterized by bungling and mistake—it began months late, enumerators lacked accurate address registers, the turnover of employees remained at unprecedented levels and the level of supervision was low. The entire problem was thrown into high relief when the entire Bedford-Stuyvesant Census Office, lacking security, was burned, destroying almost all records, and causing Census to attempt to recount the area's entire population of 320,000 persons in less than four weeks, without paid ads and with no significant increase in manpower.

² New York Times, Mar. 19, 1979 at p. 6, col. 3.

³ "Counting the People in 1980" at 30.

I have alluded to the foregoing not to denigrate the Census Bureau, but rather to explain why New York is so adamantly in favor of an adjustment of the final Census figure—an adjustment to reflect the undercount of residents produced both by the problems in the conduct of the Census in 1980, and because of large numbers of persons who avoid being counted.

The City is thus strongly in support of Senator Moynihan's bill S. 3003 and its companion, Congressman Rosenthal's legislation, which would require an adjustment for the undercount both for funding and reapportionment. Without such an adjustment, the large urban centers of the nation are doomed to still further losses of essential services and increased suffering for their residents.

The City of New York is also firmly against the so-called McDade Amendment or any similar progeny, which would attempt to remove undocumented aliens from the count and may result in the removal of all legal aliens from the count, as well. This kind of jingoistic approach is both unconstitutional and would cause states and cities to suffer for what is exclusively a federal failure—such efforts must be defeated.

Thank you.

PREPARED STATEMENT OF THE HONORABLE EDWARD J. DERWINSKI

I would like to express my gratitude to you and the Subcommittee for allowing me to testify today on a subject of great importance, the 1980 Census.

The 1980 Census which is the 20th in the Nation's history and which employed over 200,000 workers at a cost of \$1 billion to the American taxpayer is in jeopardy of being publicly maligned, statistically suspect, and politically devastating should any of the lawsuits or proposals in Congress prevail.

Federal law—Title 2 of the United States Code—requires the President of the United States within one week after the 97th Congress convenes to transmit to the Congress the total population count for the Nation as a whole, as well as the number of representatives to which each state is entitled in the U.S. House of Representatives. Similarly, the counts ultimately influence the composition of almost every state legislature in the country.

Already 15 major cities in this country have filed lawsuits against the government. Congress is also considering proposals that could delay the Census Bureau's statutory mandate to report population figures to the President, or force the Administration to exclude illegal aliens from the Census.

As the ranking Minority member of the House Post Office and Civil Service Committee which has oversight of the Census Bureau, I am deeply concerned about the McDade amendment which passed the House and has been adopted in the Senate Appropriation Committee's appropriation bill on Treasury, Post Office and General Government for FY 1981. Minimally, the amendment could have a profound impact on apportionment by the state legislatures.

The McDade amendment would prevent the President from transmitting the apportionment results to the Congress of the United States. This, in itself, is likely to create a delay at the state level in redistricting seats in the House of Representatives. If, however, we examine the intent of the maker, it is clear that Mr. McDade desires to exclude aliens from the apportionment figures reported by the Bureau of the Census. Our studies during the past two years indicate that the results of the census do not allow us to reach a conclusion about the number of illegal aliens residing in this country, and, therefore, make compliance with the intent of the amendment impractical.

The issue involved here is of vital importance to the basic premises on which our democratic system is based. We may disagree about the basis for apportioning seats in the House of Representatives, but it should not be decided by an amendment to an irrelevant appropriations bill where there has been no hearing and no serious discussion.

The issue of illegal aliens and the census is complex and emotional. It has been argued in the courts as well as in Congress. I believe that the entire question of our immigration policy and the nature of representation in the halls of Congress are topics worthy of serious and extended debate.

Personally, I am convinced that adopting this amendment would be a serious mistake. The Census Bureau merely followed its constitutional mandate to count the whole numbers of "persons". Undocumented persons are "persons"

and the courts have ruled they may not be excluded from the reapportionment base.

The Census Bureau and other experts have made absolutely clear that no reliable estimates of illegal aliens exist. Thus, support of the amendment would not produce the desired results and would, at the same time, bring the Decennial Census process to a complete halt, incur extra costs, and would discredit the Census Bureau generally.

Realistically, illegal aliens avoid the census taker just as they evade other government officials. The very nature of their status is such that they would tend to be non-cooperative with a special census count effort.

Taking early court decisions—coupled with a pending Congressional proposal directing the Census Bureau not to report its figures for reapportionment purposes because illegal aliens had been counted—complicates the validity of the 1980 Census beyond reason.

I ask you Mr. Chairman and your subcommittee to help defeat any effort in the Senate which would prevent the President from transmitting decennial figures for Congressional reapportionment.

Again Mr. Chairman, I appreciate the opportunity to express my views and commend the subcommittee for its concerns on this important matter.

Senator EAGLETON. If there is no one else desiring to be heard, that will conclude today's hearing.

[Whereupon, at 12:55 p.m., the subcommittee recessed, to reconvene subject to call of the Chair.]



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