




EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D. C. 20503

June 26, 2012

ADMINISTRATOR
OFFICE OF
INFORMATION AND
REGULATORY AFFAIRS

MEMORANDUM FOR THE HEADS OF SELECTED EXECUTIVE DEPARTMENTS
AND AGENCIES

FROM:

Cass R. Sunstein 
Administrator

SUBJECT:

Statutory and Regulatory Authority for Questions Asked in the
American Community Survey

As part of its regular review of all Federal information collections, as required under the Paperwork Reduction Act (PRA), the Office of Management and Budget (OMB) has been reviewing the American Community Survey (ACS). Obtaining high quality information from the public is vital for Federal agencies' efforts to deliver effective, evidence-based programs and to allocate scarce Federal resources wisely. The American Community Survey is a critical source of data for Federal agencies to use in implementing ongoing programs and may also be used to identify problems and opportunities needing attention and to assess the impact of agency actions. In order to ensure that the ACS contains only those questions necessary for agencies to accomplish their missions, OMB and the Census Bureau have launched an initiative to examine and confirm the value of each question that the ACS asks and to understand better which specific programs use the information collected by each question. This initiative will require the participation of each Federal agency or bureau that sponsors and uses ACS questions.

To implement this initiative, I am asking your agency to update the attached table of legal (statutory or regulatory) authorities for ACS questions by September 14, 2012. To ensure the timely completion of this critical task, please identify a senior official to serve as your Agency Sponsor. This official should have the responsibility for identifying and overseeing managers within the participating bureaus and agencies to ensure that the information provided is accurate, current, and complete. Each agency should:

- Review the attached table of legal authorities;
- Make any necessary revisions, including adding citations to the legislation, if any, that is the basis for the legal authority;
- In the absence of any specific legislative mandate, provide the explicit regulatory or agency policy citation(s), if any, directing the use of data collected as part of the ACS; and,
- Affirm that the information in the table, either as revised, amended, or as it currently stands, is accurate and complete. Information provided should be current as of September 14, 2012.

On the basis of past efforts, we think that it is most efficient when a mix of policy, legal, and program experts reviews this material.

In addition, the Director of the Census Bureau has initiated an ACS Program Review and will be reporting back to the Congress this fall on the results. Your response to this request no later than September 14, 2012, will enable the Census Bureau to include information for your agency in the report to Congress. In the absence of updated information, we will be unable to cite your agency's continued need for and use of these data as a justification for retaining the questions, which could lead to their removal from the ACS.

Should you have any questions or concerns, please contact Brian Harris-Kojetin of my office via e-mail at bharrisk@omb.eop.gov or at 202-395-7314.

Thank you for your attention to this request. We look forward to working with you on this important undertaking.

Attachment