

IS BROOKLYN BEING COUNTED? PROBLEMS WITH THE 2010 CENSUS

HEARING

BEFORE THE

COMMITTEE ON OVERSIGHT
AND GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

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IS BROOKLYN BEING COUNTED? PROBLEMS WITH THE 2010 CENSUS

MONDAY, JULY 19, 2010

HOUSE OF REPRESENTATIVES,
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Brooklyn, NY.

The committee met, pursuant to notice, at 10:06 a.m. at Brooklyn Borough Hall, 209 Joralemon Street, Brooklyn, NY, Hon. Edolphus Towns (chairman of the committee) presiding.

Present: Representatives Towns, Clarke, Clay, and Rangel.

Staff present: Carla Hultberg, chief clerk; Bill Jusino, Phyllis Love, and Ryshelle McCadney, professional staff members; Shrita Sterlin, deputy director of communications; and Ron Stroman, staff director.

Chairman TOWNS. The committee will come to order.

Good morning. Thank you for coming. Today we will examine an event that occurred June 12th and June 13, 2010, which resulted in whistleblower allegations against two former managers at the Brooklyn Northeast Census Office, who ordered census forms to be completed fraudulently using information from an online data source instead of personal interviews.

We want to understand what happened, how much damage was done, and what is being done to insure the accuracy of the Brooklyn census count. I want each and every resident of Brooklyn to know how important it is for them to be counted in this census.

This committee has made the 2010 census a top priority; and I don't have to tell you how troubled I am about this incident. Anything that compromises the integrity of the 2010 census is unacceptable. There is too much at stake here. We must do everything in our power to make sure the final count is accurate and complete.

As a co-sponsor of the Whistleblower Protection Enhancement Act, I am gratified to know that the problems in the Brooklyn Northeast Local Census Office came to light because of a whistleblower complaint. These complaints initiated an investigation by the Census Bureau Headquarters and the New York Regional Center, which resulted in the swift termination of the two people who were responsible.

We need to know what has happened since that occurred, because I'm concerned that a couple of bad apples may have undermined the public's faith in the census. An accurate census is essential to insure integrity and in redrawing congressional districts. In addition, billions of dollars in the Federal, State, and local funds are distributed based on the Census Bureau's report on our Nation's population. The census helps policymakers better understand

where vital services are needed most. I represent a district that is comprised of a number of so-called hard to count communities; senior citizens, recent immigrants, undocumented workers and people who don't trust a stranger knocking on their door.

I recognize that these communities present challenges to the Census Bureau; but these challenges must be met. With so many in our communities in need of help, we need to get this census count right.

I look forward to hearing from our witnesses today. I hope they will tell us how they have responded to this incident that occurred on June 12th and June 13th, and to make sure we have an accurate and complete count of Brooklyn's residents. Once again, I want to let the Census Bureau know that this committee is eager to work with you to make that happen.

At this time I would like to yield to the subcommittee chair, the gentleman from St. Louis, MO, Congressman Clay; the person who has the oversight responsibility at the subcommittee level.

Congressman Clay.

Mr. CLAY. Thank you, Mr. Chairman. Let me first thank you and your staff for facilitating this hearing. And thank you for your hospitality, and I'm always happy to return to Kings County—no offense, Congressman Rangel—and this impressive, historical Brooklyn Borough Hall.

Chairman Towns has provided significant help and support to me personally in my capacity as chairman of the Information Policy, Census, and National Archives Subcommittee.

Further, the subcommittee has long recognized the significance of an accurate count in Brooklyn. A subcommittee field hearing was held here in February with a positive dialog on reducing the census undercount in group quarters.

Today, however, we seek to glean information on the problems brought to light via the inspector general's hotline. The falsification of documents and fraudulent completion of census forms are serious issues and have far-reaching implications. I'm hopeful that Dr. Groves and Inspector General Zinser will provide the oversight committee, the evidence to insure that census 2010 enumeration is on the correct track; and that effective measures were taken to mitigate the damage done by a few.

Kings County is one of the hardest counties to count in the United States. And it is crucial that the count here and, of course, all across the Nation is accurate and substantiated. So much is at stake; Federal funds, national prominence and legislative position.

Mr. Chairman, I share your concerns and look forward to today's hearings. I yield back.

Chairman TOWNS. Thank you to the gentleman from St. Louis for his comments at this time.

I would like to yield to Congressman Rangel from Manhattan. Of course, I want you to know that the fact that he is in Brooklyn from Manhattan, it's a very serious hearing. [Laughter.]

Congressman Rangel.

Mr. RANGEL. Thank you, Mr. Chairman, and thank you for inviting me to share with you this hearing. I want to thank Congressman Clay. He's done a terrific job in terms of the 2010 census, and

all of his staff. He was able to put together this hearing so that we can have a search for the truth.

I want to thank Mr. Farthing especially for the amount of time he spent in my congressional district and especially in the borough. My congressional district like yours, has a lot of obstacles that census takers had to overcome. And all the work that's been invested to make certain the process maintains its integrity is so important, that if we find something going wrong, we do exactly what you are doing; have hearings, find out what went wrong, and make certain it doesn't happen again.

And of course, it's good to see my friend Dr. Groves, who's worked with us in Harlem and the city all together. Of course, we can't say Brooklyn without talking about the borough president. And so it's very exciting to be here, and thank you once again for the invitation.

Chairman TOWNS. Thank you, Congressman Rangel.

At this time, we'd like to hear from the borough president of Brooklyn; a person who's provided leadership in this borough for the past 9 years, borough president, Marty Markowitz.

Mr. MARKOWITZ. Thank you, Mr. Chairman. Thank you very much.

First of all, Congressman Clay, welcome to the 4th largest city in America, which is Brooklyn, U.S.A. After the census, I'm confident we'll still be the fourth, if not the third.

Certainly, Congressman Rangel, it's always a good day when we see you here in Brooklyn. Which, by the way, Congressman Rangel comes here quite regularly. I'll tell you something. In fact, if he wasn't a Congressman in Manhattan, in Harlem, he might relocate to Brooklyn, if he had his choice.

So thank you for your outstanding leadership nationally, as well as here in New York; and of course to our chair, Ed Towns. I always call myself Marty "Towns" Markowitz, and I say so with a lot of pride. He started here, right in this building, as deputy borough president.

Today he went right past me, and that's for sure. We're very proud of you, Congressman. Thank you for holding this important hearing here in city hall of the city of Brooklyn. Thank you very, very much.

Let me, if I may, give a special welcome to Todd Zinser, Inspector General from the U.S. Department of Commerce, and from the Census Bureau, the Director, Dr. Robert Groves; and of course, thank you for allowing Lester, who we know as Tony Farthing, as being such an outstanding leader as your New York regional director.

There's no doubt that, over all, the Census Bureau did an incredible job with census 2010. The borough initiated broader outreach efforts throughout Brooklyn's many communities.

This is a large county, as you know. Trying to count every person living within its borders is a mammoth undertaking. I'm confident that the Bureau understands the gravity of what occurred at one of your Brooklyn locations.

I applaud them for listening to the whistleblowers who knew what their superiors were asking them to do. What these important employees did is a real act of courage. Even in this tough job mar-

ket, they believed enough in the census to risk their jobs and do what is right.

Thanks to the Census Bureau, we know we are one of the fastest growing parts of New York City. Historically, Brooklyn has always been undercounted in the census. That's why for much of this year our office here at Borough Hall initiated the Complete Count Committee, reaching out to communities borough-wide, and urging them to spread the word about the importance of the census.

Brooklyn deserves an accurate count, and we can't be satisfied with anything less. And we have to remember, having an impact on the count isn't just detrimental to Brooklyn. If Brooklyn were its own city—which of course I wish we could correct the great mistake of 1898—we still would be the 4th largest city in the Nation, putting us ahead of Houston, TX.

So getting the census right in Brooklyn isn't just a local issue, Mr. Chairman, it's a national one. Today it's about making sure what happened at the Brooklyn bureau never happens again; because when it comes to the census, we have just one request. We want to be counted accurately.

Thank you very, very much.

Chairman TOWNS. Thank you, Marty Markowitz. We appreciate your involvement and your leadership in this record, as well.

Now, we would like to have the deputy secretary of the New York State Senate 2010 census coordinator for New York, a person who has lived this for a long time. He was here when the census office was burned down. We always have seen a lot of problems in this area. Of course, Mr. John Flateau has been there down through the years. So at this time, we would like to ask him to give his statement.

**STATEMENT OF JOHN FLATEAU, DEPUTY SECRETARY OF THE
NEW YORK STATE SENATE, CENSUS COORDINATOR FOR
NEW YORK**

Mr. FLATEAU. Good morning and welcome to Brooklyn, our historical gateway city, premier urban community in America. I'm a long-time resident of Central Brooklyn. I'm a Medger Evers College CUNY professor; and I currently work for the Senate, coordinating the 2010 census efforts on behalf of Conference Leader Senator John Samson, and Census Chair, Senator Martin Dilan.

I also had the honor of serving as chair of the U.S. Census Advisory Committee on the African-American Population, for census 2000.

Thank you, Congressman Towns, our distinguished people's Congressman, and Members of Congress, for conducting this important hearing on the 2010 census.

One might ask the question, Why is Brooklyn important to the 2010 census? Here are a few reasons why. If Brooklyn were a city, it would be the 4th largest city in America. Second, Brooklyn, or Kings County, is the largest county in the State of New York. It is the largest of its 62 counties. And one-eighth of all residents of New York State reside in Brooklyn, where we now sit. There are 17 counties throughout the State with less than 50,000 people. We have neighborhoods larger than that in Brooklyn. Bedford-Stuyvesant, my home community, has twice that population. And

it is one of America's hardest to count neighborhoods, a locale of consistent minority population undercounts in previous censuses.

Third, approximately 15 percent of the State's entire congressional, State Senate and Assembly delegations come from just one county and borough; you guessed it, Brooklyn U.S.A. Thus, Brooklyn's voice in Washington, Albany, and city hall will be determined by legislative redistricting based on the 2010 census. Senator Dilan is the co-chair, and I'm a member of the legislative Task Force on Demographic Research and Reapportionment. They provided the major mapping and data support for our 2010 census efforts, along with several other census offices.

Another very important reason why we should pay attention to Brooklyn: Brooklyn is just one of three counties in New York State which is covered by Section 5 of the U.S. Voting Rights Act, which requires preclearance from the Justice Department or D.C. Federal courts before making any changes in election policy or practice.

As the Congressman mentioned, Brooklyn's fair share of our national \$445 billion in Federal programs and services will be determined by Brooklyn's 2010 census data. Civil rights and anti-discrimination enforcement in employment, housing, education, as well as voting rights enforcement for Brooklyn's racial minorities, will be based on statistical analyses using 2010 census data.

Finally, Brooklyn and its 2.6 million people are one of the most diverse counties in America, in terms of immigration, race, ethnicity, religion, socioeconomic statistics, etc. There are nearly 1 million diverse housing units throughout Brooklyn; and Brooklyn is an epicenter for mortgage foreclosure crises.

These are some of the major reasons why it is critical to achieve a 100 percent count in the 2010 census. Brooklyn, with its diversity and demographic change, is America's ultimate laboratory for getting the census count right.

The State Senate played a major role in helping to bring that about, with our outreach efforts, mailings, targeted robo calls, media advertising to hard to count areas, and low mail response areas. The results are that the mail participation rates in New York City and in Brooklyn are on the rise. Congressman Towns' district, Congresswoman Clarke's district in Brooklyn, and our Senate districts in Brooklyn all had increases in their mail participation rates from 2000 to 2010. You have before you a brief historical table of all of the censuses that have taken place in Brooklyn since 1790.

Currently, the Bureau estimates that there are 2.6 million people in Brooklyn: Over 1 million Whites, 1 million Blacks, almost 400,000 Hispanics, and over a quarter of a million Asians reside in Brooklyn right now. Brooklyn's diverse communities must all be counted.

Thank you, Congressman Towns and Members of Congress, for this honor to bring remarks, which hopefully frame a Brooklyn context for this important hearing on the 2010 census. Your leadership on this issue is vital to defining America's people and future. Much is at stake. Please do all in your power to insure that all of Brooklyn, New York State, and indeed, all of America, is counted in the 2010 census.

Thank you.

[The prepared statement of Mr. Flateau follows:]

US Congressman Edolphus Towns, Chairman

Committee on Oversight and Government Reform
US House Of Representatives

Brooklyn Field Hearing on 2010 Census Operations

Remarks

John L. Flateau, Ph.D.
Deputy Secretary for Intergovernmental Relations
2010 Census Coordinator
New York State Senate

Monday, July 19, 2010
10:00am
Courtroom
Brooklyn Borough Hall

Good morning and welcome to Brooklyn, our historical gateway city and premier urban community in America. My name is Dr. John Flateau. I am a long time Central Brooklyn resident; and Medgar Evers College, CUNY Professor of Public Administration on leave; serving as Deputy Secretary of the New York State Senate for Intergovernmental Relations. In this role, I coordinate 2010 Census initiatives and other matters for Conference Leader Senator John Sampson, Census Chair Senator Martin Dilan, and the Senate Majority Conference. During Census 2000, I served as Chair of the US Census Advisory Committee on the African American Population; Co-Chair of the NYC Black Advisory Committee; and Director of the Census Information Center at Medgar Evers College. I have also worked on several previous Censuses.

Thank you Congressman Towns, our distinguished, hard working, people's Congressman (I am a constituent) and Members of Congress, for conducting this important Hearing on 2010 Census operations. One might ask the question, "Why is Brooklyn important to the 2010 Census?" Here are a few reasons why.

- 1) If Brooklyn were a city (and it was from 1834-1898), with its 2.6 million people, according to 2009 American Community Survey estimates, it would be the fourth largest city in America, after New York City, Los Angeles and Chicago;
- 2) Brooklyn, also known as Kings County is the largest of New York State's 62 counties; one-eighth of all New Yorkers live in just this one County; 17 Counties in New York have less than 50,000 persons each; just one Brooklyn neighborhood, my

home, Bedford-Stuyvesant, has more than double that 50,000 population; and it is one of America's "hardest to count" areas, the locale of consistent minority population undercounts in previous Censuses;

- 3) Approximately 15 % of New York State's entire Congressional, State Senate and State Assembly Delegations come from just one County and Borough in the Empire State: Brooklyn USA; and Brooklyn's voice in Washington, Albany and City Hall will be determined by legislative redistricting based on the 2010 Census. Sen. Dilan is Co-Chair and I am a Member of the NYS Legislative Task Force On Demographic Research and Reapportionment, which provides major GIS mapping and data support; in collaboration with several Senate offices who assist the 2010 Census project;
- 4) Brooklyn, Kings County is one of just three counties in New York State (the Bronx and Manhattan are the other two Boroughs/Counties) which is a covered county under Section 5 of the US Voting Rights Act, requiring preclearance from the US Dept. Of Justice or DC federal court, before making any changes in election policy or practice;
- 5) Brooklyn's fair share of \$445 billion annually in federal programs, services and grants will be significantly determined by Brooklyn's 2010 Census data;
- 6) civil rights and anti-discrimination enforcement in employment, housing, education etc.; as well as voting rights enforcement for Brooklyn's "protected class" racial minorities will be based on statistical analyses using 2010 Census data;

7) Brooklyn and its 2.6 million people are one of the most diverse counties in America, in terms of immigration, race, ethnicity, religion, socioeconomic and demographic factors, mobility and gentrification; it has nearly 1 million diverse housing units including public housing, apartment buildings, 1-2 family homes, coops and condos; -- and Brooklyn is an epicenter of the mortgage foreclosure crisis.

These are some of the major challenges, and reasons why it is critical to achieve a 100% count of Brooklyn residents in the 2010 Census. With its deep diversity and demographic trends, Brooklyn is America's ultimate laboratory for getting the Census right. The Census Bureau works most effectively when it partners with the public, private and voluntary sectors. But most of all, it is Brooklyn's people, conscientiously fulfilling their civic duty, and the Census Bureau fulfilling theirs, that will make Brooklyn's 2010 Census an American success story.

The State Senate Majority with its 2010 Census Complete Count Committee appropriated major funding for local Census outreach; produced research, analysis and GIS mapping; held briefings and town hall meetings; generated media and advertising; used new technologies; and produced major literature, direct mail and robocall messaging, targeted to "hard to count" (HTC) areas and low response "mail participation rate" (MPR) areas. The Senate has worked with both New York and Boston Regional Census Offices, their Partnership Specialists, our Congressional

Delegation, State and local governments, faith communities, civic and immigrant groups, labor unions and others to ensure a complete count in the 2010 Census.

The Senate's 2010 Census initiative helped to achieve measurable improvements throughout the State. From 2000 to 2010, New York City's MPR increased from 57% to 60%; Brooklyn went from 52% to 55%; CD 10 (Towns), from 47% to 52%; CD 11 (Clarke), from 49% to 55%; SD 17 (Dilan), from 48% to 52%; SD 18 (Montgomery), from 46% to 54%; et.al. In 2010, 81% of Senate Majority Districts met or exceeded their Census 2000 survey mail back response rates.

For historical context, below is a table of Brooklyn Censuses; attached are Senate HTC and MPR maps; and displayed are Congressional HTC and Brooklyn MPR maps.

Year	Brooklyn/ Kings County	Black Population	Black %
1698	2,017	296	14.7%
1790	4,495	1,478	32.9%
1830	20,535	2,007	9.8%
1860	279,122	4,999	1.8%
1900	1,166,582	18,367	1.6%
1910	1,634,351	22,708	1.4%
1920	2,018,356	31,912	1.6%
1930	2,560,401	68,921	2.7%
1940	2,698,285	107,263	4.0%
1950	2,738,175	208,478	7.6%
1960	2,627,319	371,405	14.1%
1970	2,602,012	656,194	25.2%
1980	2,230,936	723,748	32.4%
1990	2,300,644	873,620	38.0%
2000	2,465,326	991,583	40.4%
2009	2,567,098	968,617	37.7%

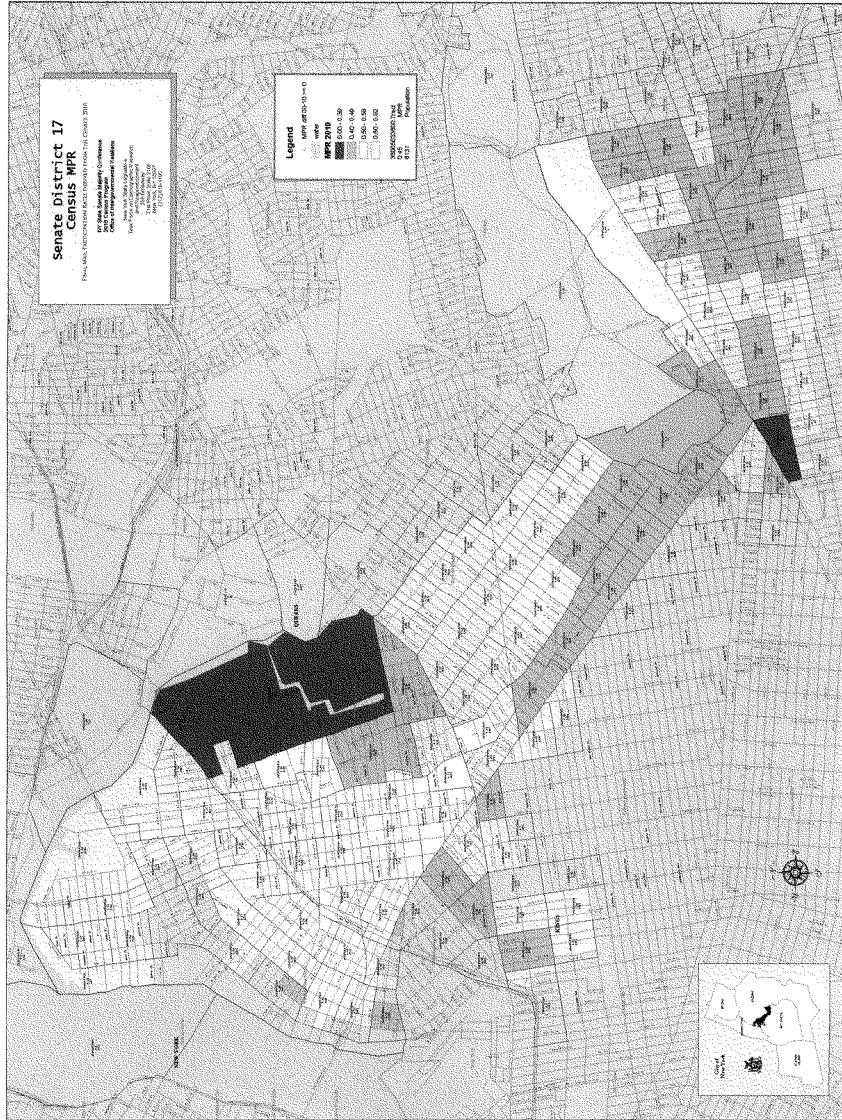
Sources: Craig Wilder. 2000. *A Covenant with Color...* Tables 2.1, 4.1, 9.1;
US Census Bureau: 2000, SF1 and ACS 2009 Estimates;
John Flateau. 2005. *Black Brooklyn...*, Table 2.01

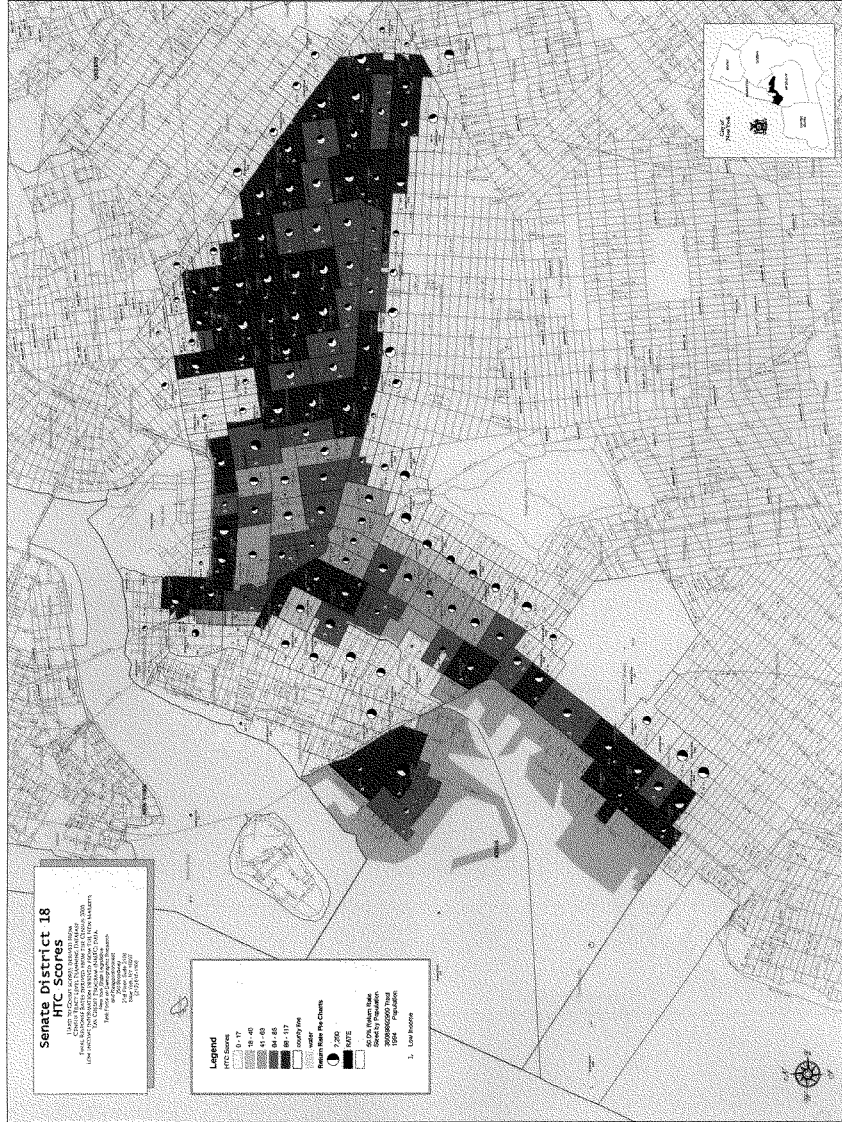
With the first US Census in 1790, one-third of Brooklyn's population was Black, and most were African slaves. The Black population has dramatically increased, but their percent of Brooklyn's population was less than 10% until 1960, due to massive European, and more recently, Hispanic, Asian and Afro-Caribbean immigration to Brooklyn. According to ACS 2009 estimates, there were each nearly one million Blacks and whites, 383,000 Hispanics and 260,000 Asians. Brooklyn's diverse communities must all be counted.

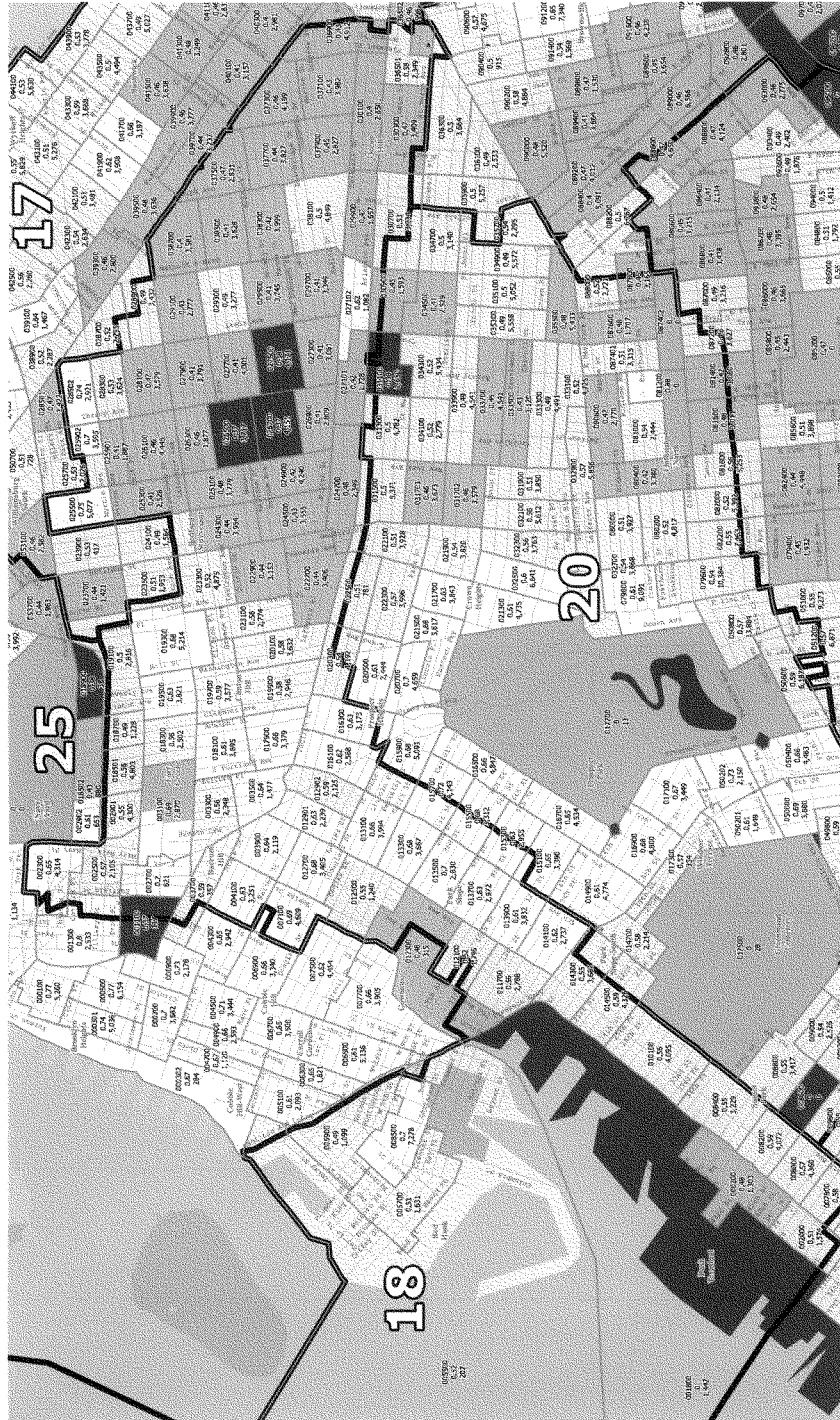
Thank you Congressman Towns, for this honor and opportunity to bring remarks which hopefully frame a "Brooklyn context" for this important hearing on the 2010 Census. Thank you Members of Congress for your leadership on this issue so vital to defining America, its people, and its future. Much is at stake. Please do all in your power to ensure that all of Brooklyn, New York State, and indeed all of America is counted in the 2010 Census. Thank you.

Encls. HTC and MPR Maps of New York Senate Districts in Brooklyn (SD 17 and SD 18).









Chairman TOWNS. I'd like to thank you, Dr. Flateau, for your statement. Of course we look forward to working with you as we continue to get it right. And we appreciate all you've done in the past, not only this census, but in the years past.

Thank you so much for your statement.

Mr. FLATEAU. Thank you, Congressman.

Chairman TOWNS. I request unanimous consent that visiting Members who do not serve on the committee be allowed to attend the hearing and question witnesses. Without objection, so ordered.

Let me ask the next panel to come forward, please? Before you take your seats, I'll swear you in.

Raise your right hands.

[Witnesses sworn.]

Chairman TOWNS. Let the record reflect that they all answered in the affirmative.

You may be seated.

Dr. Groves, it's good to see you. And with so many in our communities in need of help, we need to get this census count right. And we have had some problems in this same area before. Ten years ago we had problems, 20 years ago we had problems. And of course here we are again, with problems.

So we want to make certain that we do everything that we can this time around to get it right. We want to work with you to make certain that occurs. So what we would like to hear from you now is what happened on June 12th, June 13th and what you've done since that incident on June 12th and June 13th. And of course, as you know, we have had conversations in the past, and I have tried to convey to you how serious this issue is for us, because there are so many things riding on this.

When you look at reapportionment, when you look at housing dollars, when you look at food stamps; when you look at all of the things that you get as a result of the census count, it is important that we get it right. Because here again, it is about fairness.

On that note, let me describe how we work; 5 minutes, of course, for your statement, and the lights will go—first it's on green and then it will go on yellow for caution, and then it will go on red. I want you to know red, everywhere in the United States of America, means stop.

Dr. Groves.

STATEMENT OF DR. ROBERT M. GROVES, DIRECTOR, U.S. CENSUS BUREAU, ACCOMPANIED BY LESTER A. FARTHING, REGIONAL DIRECTOR, U.S. CENSUS BUREAU NY REGIONAL CENSUS CENTER

Mr. GROVES. Thank you, Mr. Chairman. I'm happy to be here. Subcommittee Chairman Clay, Congressman Rangel, Congresswoman Clarke, I appreciate the opportunity to provide this testimony and to clarify and describe the problems we discovered in the local census office in Brooklyn just about a month ago.

In recent weeks, our colleagues in the Brooklyn Northeast local census office contacted Census Bureau senior staff, as well as the Office of Inspector General, alleging that management staff members in that office were using an Internet data base called FastData, a software package installed on office computers to sub-

stitute information about households they were supposed to be interviewing.

A second set of allegations that I'll speak to later indicated staff in two Brooklyn offices also falsified population counts for households, for which they were unable to determine the population count at point of interview. We investigated this. We confirmed that in both instances, staff members acted in clear violation of our procedures and we are now reworking the affected cases to insure that data are accurate.

Mr. Chairman, this is deeply troubling. I find it abhorrent to the principles, all principles underlying the work of the Census Bureau. It undermines the outstanding work of hundreds of thousands of our enumerators around the country.

We cannot and we do not tolerate such behavior. When we find such behavior we terminate the personnel and redo the affected work. The ethical violations that we have in this case are at the managerial level, and those are particularly troubling to me. Nonetheless, I think it's important to stress that the events of this nature unfortunately have occurred in prior censuses.

During training, therefore, we instruct our staff to contact both senior Census Bureau staff and the Office of the Inspector General if they see anything, if they suspect procedures aren't being followed.

We train them to do this, we've established mechanisms that we employ to correct those problems; and indeed, that's what occurred in this case.

The quality assurance mechanism we employ routinely is a re-interviewing, following up on some of the nonresponsive followup interviews. We systematically reinterview a random 4 percent of each person's, each census taker's cases, and sample enumerator's initial completed interviews at a much higher rate.

We then examine data beyond that, looking for what we call "outliers," unusual patterns of responses that may indicate falsification or fabrication. In total, about 5 percent of the work nationally and here locally in Brooklyn are completely redone through this reinterview process, and we compare the reinterviews with the initial interview data, looking for cases that appear to not to have followed our training guidelines.

In this case, an office clerk in field operations contacted our regional office staff leaving a phone message, alerting them to what they thought was unusual activity, this activity taking place on Sunday, June 13th. The charge was inappropriate use of this Internet data base to complete enumerator questionnaires. This same clerk and an office operations supervisor reported this activity to the Inspector General's office hotline on Monday, June 14th. The regional census office began their internal investigation on that following Monday, June 14th, based on the phone message left at the regional office the day before.

The office was instructed to cease using FastData, this Internet data base, immediately, for nonresponse followup data collection. The Inspector General complaint was transmitted to the chief of the field division in D.C. at the Census Bureau on Monday evening, June 14th.

Then headquarters officials conducted an independent investigation of the allegations on Thursday, June 17th, that included interviews in the office, with office and some field staff personnel. We also reviewed various reports on re-interview and other quality control procedures, and then we looked at FastData usage reports.

One of the important things to note is this Internet data base, unbeknownst to the user, generates a log file. So nationally we know every user's query into this data base, the date, and the user name. This is a great piece of evidence to investigate this kind of problem. Headquarters officials completed the investigation on June 18th and provided preliminary results the same day. The local office manager and the assistant manager for field operations in that office were terminated later that same day. The primary finding here was that the inappropriate use of this FastData Internet data base did occur at the direction of the office manager and the assistant manager. The information was transcribed onto incomplete enumerator questionnaires between June 12th and June 13th. And then a secondary finding is that the manager and the assistant manager attempted to cover up this activity. In these cases, our job is to determine what cases are affected by the bad behavior and then to do essentially a redo process, going over the work, make sure we get good data.

A group from the central office, from headquarters, traveled to New York on Monday the 21st. As a result of their findings, that investigation, a decision was made to proceed with re-enumerating of all the cases completed on or after June 12th that were not yet checked in at all; and to direct the office management team to have all rework conducted by enumerators or crew leaders who did not do the original work in question. We wanted to make sure this was an independent effort.

To insure that the questionable activity didn't spill over to other census offices, we did a complete independent investigation of other offices in the area.

We also picked up a second allegation that was e-mailed to both me and the Office of the Inspector General, about putting into place population counts that were not clearly observable. We're in the middle of the investigation of that. This has generated proxy data that we believe is not accurate.

We are in the midst of a national review of that, looking at the data as returned from offices throughout the country, to make sure that we repair this when found, and that we find it whenever it occurs.

In conclusion, I want to say how troubled I am that this occurred. These are not the standards we seek to attain at the Census Bureau. The vast majority of our employees are following the procedures as laid out by us and do excellent work. Thankfully, we have procedures in place to address the problems when they occur. I'm also thankful for the efforts of the Office of the Inspector General in helping us identify and respond to the issues.

I'm joined today by New York Regional Director Tony Farthing, and we're happy to take your questions.

[The prepared statement of Mr. Groves follows:]



PREPARED STATEMENT OF
ROBERT M. GROVES
DIRECTOR
US CENSUS BUREAU

*Is Brooklyn Being Counted?
Problems With the 2010 Census*

Field Hearing – Brooklyn, New York

**Before the Committee on Oversight and Government Reform
U.S. House of Representatives**

19 July, 2010

Chairman Towns, Ranking Member Issa, Members of the Committee, I appreciate this opportunity to provide testimony on the problems discovered in our Local Census Offices (LCO) in Brooklyn, New York, and the steps we have taken to resolve them.

In recent weeks our colleagues in the Brooklyn North East Local Census Office (LCO 2225) contacted Census Bureau senior staff and the Office of Inspector General (OIG) alleging that management staff members in the LCO were using an Internet data base called "Fast Data," a software package installed on LCO office computers, to obtain information about households they were supposed to be interviewing. A second set of allegations indicated that staff in two Brooklyn LCOs falsified the population counts for households for which they were unable to determine the household population count. Our investigations confirmed that in both instances staff members acted in clear violation of our procedures, and we are now re-working the affected cases to ensure the data are accurate.

This is deeply troubling; I find it abhorrent to all the principles underlying the work of the Census Bureau. It undermines the outstanding work of hundreds of thousands of our enumerators. Nonetheless, I think it is important to stress that

events of this nature occur in every census in spite of our best efforts. During training we instruct our enumerators to contact senior staff and the OIG if they suspect that procedures are not followed, and we have established mechanisms that we employ to correct any problems that surface.

I would remind the Committee that in Census 2000 we worked with the OIG to investigate allegations of fraud in our Local Census Office in Hialeah, Florida. That investigation found that Hialeah-trained enumerators did not make the required number of visits and telephone calls before contacting a proxy for information, and did not properly implement quality control procedures designed to detect data falsification. We responded to these findings by, among other actions, reworking over 70,996 questionnaires from the Hialeah and Homestead offices.

We also are confident that our quality control operations will identify instances where enumerator data are falsified or procedures are not being followed. We systematically re-interview four percent of each census taker's cases, and sample enumerators' initial completed interviews at a much higher rate. Statistical outlier tests identify additional cases for re-interview for interviewers whose work has different characteristics than the work of other interviewers in their area. This is the most robust re-interview process we have ever implemented – In total, about five percent of the total non-response follow-up workload, or about 2 million addresses, will be re-interviewed. When we identify problems we have procedures in place to correct the data, and we re-work all of the assignments of the enumerators we suspect of falsifying data. This quality assurance process had not yet identified the problems in Brooklyn when our colleagues reported them.

This is not to say that the problems in Brooklyn are insignificant, rather it is to stress that our operations and our close work with the OIG reflect our commitment to collecting data that are as accurate and complete as possible.

Initial Investigation in Brooklyn

The OIG received two complaints on June 14, 2010 alleging fraudulent activity in the Brooklyn Northeast Local Census Office (LCO 2225). Specific allegations focused on completing 2010 Census enumerator questionnaires through the use of a Field Division data source ("Fast Data") without conducting actual respondent or proxy interviews.

During the week of June 14, the New York Regional Census Center conducted their investigation of the complaints. In addition, staff members from the Field Directorate Headquarters in Suitland, Maryland, conducted an additional, independent investigation. Both interviewed various office and field staff. These investigations discovered the following:

During the week of May 30th, the Local Census Office Manager and Assistant Manager for Field Operations in the Brooklyn Northeast office (LCO 2225) conducted meetings with Nonresponse Followup Field Operations Supervisors (FOS) and instructed them to return all enumerator questionnaires that had not yet been completed so that close-out procedures could commence. The supervisors were instructed to sort all questionnaires into two categories: 1) completed questionnaires with respondent information; and, 2) questionnaires with no information or a non-interview status. Those questionnaires with completed respondent information were to be delivered to the office through normal procedures and placed into Office Review. Those questionnaires with a non-interview status were to be placed specifically on the Manager's or Assistant Manager's (Field Operations) desk in a "special pile."

During the week of June 7th, the LCO Assistant Manager for Field Operations recommended to the LCO Manager that Fast Data information be used to fill in missing information on non-interview cases. This Assistant Manager had previously been the Assistant Manager for Quality Assurance (AMQA) and was familiar with Fast Data. The Manager concurred with this recommendation. Between June 9th and 11th, the Assistant Manager printed Fast Data records for approximately 1,000 addresses associated with non-interview status and instructed a handful of select office clerks to transcribe information on questionnaires in the Manager's office on Saturday and Sunday, June 12-13th. A few questionnaires with inserted Fast Data sheets were mistakenly sent to the field for rework on Saturday, June 12th. The Office Operations Supervisor (OOS) who worked on Saturday night refused to follow this procedure and instructed her clerks to not do this either. The OOS resigned at the end of her shift on Sunday morning. It is clear from Fast Data usage logs that the Assistant Manager did not access the system in any substantial manner until June 9th.

An office clerk in field operations contacted the Regional Office via phone message alerting them to this activity on Sunday, June 13th. This same clerk and an Office Operations Supervisor reported this activity to the Office of Inspector General (OIG) Hotline on Monday, June 14th. The Regional Census Center

began their internal investigation on Monday, June 14th based on the anonymous phone message left at the New York Regional Office the day before. The LCO was instructed to cease using Fast Data for Nonresponse Followup data collection immediately. The OIG complaint was transmitted to the Chief of Field Division on Monday evening, June 14th.

Headquarters officials conducted an independent investigation of the allegations on Thursday, June 17th that included nine interviews with office and field staff from the office (LCO 2225), a review of D-948 Nonresponse Followup production and reinterview reports, and Fast Data usage reports provided by the New York Regional Census Center. Headquarters officials completed this investigation on Friday, June 18th and provided preliminary results to the Regional Director that same day. The Local Census Office Manager and Assistant Manager (Field Operations) were terminated later that same day.

The primary finding was that inappropriate use of Fast Data did occur at the direction of the LCO Manager and Assistant Manager. Fast Data information was transcribed on incomplete enumerator questionnaires between June 12 and June 13. A secondary finding is that the LCO Manager and Assistant Manager attempted to cover up this activity.

In order to determine what re-work was appropriate, additional headquarters officials traveled to New York on Monday June 21. As a result of their findings, the decision was made to proceed with re-enumeration of all cases completed on or after June 12 (or not yet checked-in at all) and to direct the office management team to have all re-work conducted by enumerators or crew leaders that did not do the original work in question. It was also decided that additional research should be done on all addresses that were looked up using Fast Data in this Local Census Office. In particular, any address looked up in Fast Data on a date prior to the production case being checked-in would be re-worked.

To ensure that this questionable activity did not spill over into nearby Local Census Offices, headquarters officials conducted an independent investigation of Fast Data usage in adjacent offices in Brooklyn during week of June 21. Fast Data maintains a log of all queries to their data base. We are examining that log for all offices to ensure this problem has not occurred elsewhere. No further evidence of using Fast Data to complete questionnaires has been found.

The total workload that needs to be re-worked is 4,221 cases. To assist with the re-work and additional work in the affected office (LCO 2225), staff members

were transferred from an adjacent Brooklyn Local Census Office (LCO 2223), which had already completed its work. The re-work continues and is nearing completion.

Additional Allegations in Brooklyn

A second allegation was e-mailed to the OIG and me on July 7th by an office supervisor in LCO 2225 stating that a different type of data falsification was occurring in this office subsequent to the actions just described. The allegation was that in some situations enumerators were entering estimated counts for households that appeared inhabited but for which they could not obtain information. This too is a clear violation of procedures.

Headquarters officials conducted an onsite investigation on July 8-9 and 11 that included interviews with staff from LCO 2225, as well as the staff from a nearby office, LCO 2223, that had been brought in to assist with the re-work in LCO 2225. Officials also reviewed questionnaires received from the field in LCO 2225. Simultaneous to the onsite investigation in Brooklyn, headquarters staff analyzed questionnaire data from LCO 2223 and 2225 to determine if data falsification patterns were present.

Results from the investigation indicate that improper procedures were used in both LCO 2223 and 2225. The problem is with cases where households appear to be inhabited but for which enumerators have difficulty obtaining information. In these situations, enumerators are instructed to attempt to obtain information from knowledgeable sources such as neighbors or building managers. We call these "proxy interviews." It appears that when faced with situations where enumerators were unsuccessful in completing proxy interviews they were entering a count of "1" or "2" based on observable information at the housing unit (for example, the presence of pets or names entered on the address plates).

To address this problem we have initiated re-work of all affected cases in LCO 2225 since the enumerators arrived from LCO 2223 to conduct the work, as well as all affected cases worked in LCO 2223. We also conducted additional training to ensure that procedures for completing enumerator proxy forms are better understood. We are now proceeding with analyses of our other LCOs to see if these problems occurred elsewhere. We will report back to the Committee as we learn more.

Conclusion

I want to say again how troubled I am that this occurred. The vast majority of our employees are following procedures and doing excellent work. Thankfully we have procedures in place to address the problems that inevitably occur. I am also thankful for the efforts of the OIG in helping us identify and respond to the issues that surface through their investigations and the whistle-blowing process.

I am joined today by New York Regional Director Tony Farthing, and we are happy to take your questions.

Chairman TOWNS. Thank you very much, Dr. Groves.
At this time, we'll hear from you, Mr. Zinser.

**STATEMENT OF TODD J. ZINSER, INSPECTOR GENERAL, U.S.
DEPARTMENT OF COMMERCE**

Mr. ZINSER. Chairman Towns, Representative Clay, Representative Rangel and Representative Clarke, I appreciate the opportunity to be here today to testify on whistleblower allegations we received concerning census operations here in Brooklyn, and the steps being taken to insure the accuracy of the 2010 decennial counts.

We have submitted a written statement that briefly summarizes the results of recent investigations and the serious allegations that managers in the Brooklyn Northeast local census office directed employees to falsify census questionnaires during non-response followup, using information from a proprietary online data base.

My written statement also addresses the corrective actions taken by Census to insure the fraudulent questionnaires are redone and completed correctly.

On June 14th, upon receiving two whistleblower complaints alleging irregularities with the nonresponse followup operation in the Brooklyn Northeast local census office, my staff took the following actions: That same day, we promptly alerted the Census Bureau headquarters of the alleged irregularities, emphasizing that the allegations were extremely serious and that they warranted investigation. We alerted the Census Bureau right away, based on protocols established between my office and the Census Bureau, aimed at identifying and reporting problems with the operations as soon as possible, to enable the Census Bureau to initiate corrective action. That was done in this case.

Some questions have been raised by the committee about this process, specifically whether in sharing this complaint information with the Census Bureau, we also shared the identity of the whistleblower with them.

I want to give the committee complete assurance that we did not share the whistleblowers' identities with the Census Bureau. We protected the identity of the whistleblowers by redacting any identifying information from their complaints before the allegations were forwarded by my office. Second, my office has remained actively involved in this matter. We monitor census actions to assess the complaints. And on June 28th, based on the facts coming to light, we converted these complaints from the hotline case to a criminal investigation, and we've assigned Special Agents to the matter.

Since that time, my office has taken the following actions: OIG Special Agents have secured evidence of suspected enumerator questionnaires. The OIG Special Agents have interviewed census workers who were directed to carry out the improper orders of local census office managers.

The OIG special agents recently obtained a sworn confession from a former manager, and are working to secure the cooperation of others involved. We are continuing to coordinate our investigative efforts with the U.S. Attorney's Office of the Eastern District of New York. We are also overseeing remediation efforts with re-

spect to the fraudulent questionnaires. As indicated in my written statement, there have been problems with the remediation effort the census must address.

To correct the fraudulent questionnaires at the Brooklyn Northeast office, the Census Bureau initiated a re-enumeration of those addresses. There are established guidelines for conducting re-enumerations.

However, during the course of this re-enumeration, we received additional hotline calls that there were irregularities in the way the re-enumeration activities were being carried out. These irregularities appear to have been the results of an interpretation of the re-enumeration guidelines.

As a result of this mis-interpretation, census workers may have entered incorrect information on the questionnaires, based on assumptions about the number of people who resided at the address; for example, based on the number of names on the mailbox.

When it was reported to us that this was happening, we asked the Census Bureau to address the allegations and the Census Bureau's assessment to what extent the re-enumeration must be done over. We will continue to closely oversee the remediation efforts of the Census Bureau with respect to the Brooklyn count.

Finally, Mr. Chairman, I would like to give credit to the Census Bureau and how they responded to the whistleblower allegations we received concerning the Brooklyn Northeast office. They took the issue seriously, they took prompt, corrective actions.

We've established what I view as an effective working relationship for addressing those problems that arise during the decennial, whether those problems have come to light from our hotline or through the observations our OIG staff has made through their hundreds of field visits across the country.

That concludes my statement, Mr. Chairman. I'm happy to respond to any questions you may have.

[The prepared statement of Mr. Zinser follows:]

Testimony of
THE HONORABLE TODD J. ZINSER
INSPECTOR GENERAL
U.S. DEPARTMENT OF COMMERCE
before a field hearing of the
Committee on Oversight and Government Reform,
House of Representatives
Monday, July 19, 2010
Brooklyn, New York

Whistleblower Allegations
Concerning Census Operations in Brooklyn, New York

Chairman Towns, Ranking Member Issa, and Members of the Committee:

I appreciate the opportunity to be here today to testify on the whistleblower allegations we received concerning Census operations in Brooklyn, New York, and the steps being taken to ensure the accuracy of the 2010 count. My testimony today will briefly summarize the results of recent investigations into serious allegations that local Census office (LCO) management directed employees to falsify Census questionnaires during Nonresponse Follow-up (NRFU), the Census operation in which enumerators visit and conduct interviews at addresses where the households did not respond to the original Census questionnaires. I will also address how Census has responded to these allegations.

WHISTLEBLOWER ALLEGATIONS

We became aware of the allegations concerning the Brooklyn Northeast LCO on June 14, 2010, when our hotline center received two e-mailed complaints alleging improprieties by the LCO manager and assistant manager for field operations. (Organizationally, each LCO has a manager and two assistant managers who oversee enumerations: the assistant manager for field operations

and the assistant manager for quality assurance). The complaints specifically alleged that the LCO manager and assistant manager for field operations had directed employees to falsify enumeration questionnaires using information from an Internet database rather than attempting to conduct in-person interviews as required by Census procedures. Within hours of receiving these complaints, we reviewed and forwarded the information to senior management at Census headquarters requesting an immediate investigation.

Our hotline center received a third e-mail on June 16, repeating the same allegations as the earlier complaints, but also indicating that an LCO operations supervisor resigned rather than comply with the managers' orders. The information from this e-mail was also promptly provided to Census headquarters with a follow-up request for immediate investigation. A chronology of the events surrounding the initial and subsequent allegations is included as an appendix to this testimony.

FINDINGS TO DATE

In short, based on Census's internal findings and our own independent investigative efforts, the initial allegations have been confirmed. According to interviews with Brooklyn Northeast LCO employees, the assistant manager for field operations recommended to the LCO manager during the week of June 7 that blank Census questionnaires be filled in using information from FastData®, a proprietary Internet database.

The Census Bureau maintains a subscription to FastData and uses the service as part of its quality assurance process. Census has internal controls to guard against the misuse of FastData, such as restricted access and written guidance on the database's appropriate use. However, in the Brooklyn case, LCO management improperly directed office clerks to use FastData information to complete the questionnaires, thereby defeating Census's internal controls. Based on our investigation, we have ruled out the possibility that the LCO manager and the assistant manager were directed by either headquarters or the regional Census center that oversees the LCOs in the area to take this improper action.

Between June 9 and 11, the assistant manager for field operations and two office clerks printed out FastData records for approximately 1,000 blank questionnaires. In her current position, the assistant manager for field operations should not have had access to FastData. However, because she had previously been the assistant manager for quality assurance, she retained her FastData access privileges. This alone violates Census practice governing the use of FastData.

On June 12 and 13, the LCO manager distributed these questionnaires and the associated FastData printouts to several clerks, who then worked in shifts of two in his private office to complete the task. Specifically, the LCO manager instructed two clerks to fill out the questionnaires using the supplied FastData printouts, and, in the sections that were not covered by the FastData information, to falsely record that the resident had refused to respond. Finally, these two clerks relayed the LCO manager's instructions to other clerks in the office, who in turn completed questionnaires in the same improper manner. For instance, some clerks told us they filled out their questionnaires using information from FastData—e.g., a list of several names associated with a single address—to infer the number of residents, while other witnesses we interviewed stated that they had been instructed to simply enter “1” as the number of residents at a particular address.

CENSUS'S RESPONSE TO THE BROOKLYN ALLEGATIONS

To its credit, the Census Bureau acted quickly to investigate the allegations and took corrective action. Census immediately dispatched an internal investigative team to Brooklyn, and the Census Director personally visited the Brooklyn Northeast LCO. Personnel actions were promptly taken and remediation efforts planned or initiated. However, as we will discuss, additional allegations have been raised with respect to the remediation efforts.

On June 22, Census notified the Office of Inspector General (OIG) that it had terminated both the LCO manager and the assistant manager for field operations and ordered the re-enumeration of all questionnaires completed on or after June 12, bringing in staff from nearby LCOs to conduct the re-enumerations. This work was to be carried out pursuant to established Census procedures requiring re-enumeration under certain circumstances, primarily to address quality assurance findings. Initially, it was reported in the press that there were approximately

10,000 cases of potential falsification. However, this was Census's rough estimate given the information available at the time. Our current understanding, from Census's analysis of the incident, is that 4,221 household records required re-enumeration as a result of the whistleblower allegations. The revised estimate seems reasonable based on our review of Census's approach; however, we will continue to evaluate its methodology and results in our investigation.

As a result of the Brooklyn incident, Census developed a process for identifying cases where FastData was used improperly. It has applied this model to other LCOs in Brooklyn, and has not found evidence that FastData was misused. The bureau is now analyzing how its methodology can be applied nationwide to detect anomalies indicative of similar abuses.

Census's remediation efforts have included assigning employees from other Brooklyn LCOs to re-enumerate all questionnaires logged between June 12 and June 22. But two subsequent complaints to OIG and Census allege that these efforts have caused additional problems. On July 7 and 8, we received allegations that during remediation efforts, some of the employees assigned from the other Brooklyn LCOs to perform the re-enumeration were inferring the number of household residents through improper means.

OIG and Census have each independently substantiated this allegation, and concluded that one of the causes may be the interpretation of Census directives made by field staff enumerating "last-resort" cases (addresses that could not be enumerated directly or by proxy interview after numerous attempts). Census issued directives for enumerators to follow in last-resort cases. These directives state in part that enumerators, together with their crew leaders, "may make the determination about the status of the address based on their best judgment." Census defines "status" as whether the housing unit at a given address is considered occupied, vacant, or nonexistent—but it did not intend for its instructions to direct enumerators to make assumptions about and enter the number of residents on the questionnaire. As a result of this ambiguity, some enumerators resorted to counting the names on mailboxes while others based their assumptions on other visible evidence. Census is reviewing the matter and deciding on corrective actions, which may include further re-enumeration. In the future, Census needs to ensure that its written

guidance clearly prescribes both acceptable and unacceptable last-resort enumeration actions for determining the occupancy status of a housing unit and the number of its residents.

CENSUS'S QUALITY ASSURANCE AND FRAUD DETECTION PROCESSES

The Census Bureau employs a number of quality control measures across all operations, many of which rely on crew leaders. Crew leaders are first-line supervisors who conduct initial observations of new enumerators, perform on-the-job training, and review completed enumerator work. Essentially, crew leaders have primary responsibility for the day-to-day monitoring and supervising of the enumerators assigned to them and the quality of their work.

In addition to the crew leaders' efforts, quality assurance staff verify that enumerators actually interviewed the original respondents, by calling or visiting randomly selected housing units and conducting re-interviews. The captured data from the initial enumeration questionnaire and the re-interview questionnaire are sent through a matching process to determine if the enumerator conducted the interview correctly and followed proper procedures. The Matching, Review and Coding System (MaRCS) performs this function. MaRCS is a software application whose functions include comparing production and re-interview results, identifying situations of possible data falsification, and referring those cases to the LCO quality assurance staff for investigation.

Census developed its quality assurance procedures in response to erroneous and false enumerations it experienced in prior censuses. In the 2010 Census, these procedures have detected and remediated instances of falsification as well as serious enumerator error in LCOs across the country. As Census nears the end of its decennial operations, the more difficult-to-enumerate housing units call for "last-resort" procedures, which tend to generate a greater incidence of falsification. Recent Census MaRCS reports reflect a substantial rise in the number of identified false enumerations occurring at the end of NRFU, where last-resort cases are encountered, suggesting that quality assurance procedures are actually working, but also that Census's procedures for last-resort cases—for instance, the need to eliminate any ambiguity in its operations directives—require improvement for future censuses.

Finally, an important quality assurance process is the OIG hotline, which in this case was used by Brooklyn Northeast LCO employees to blow the whistle on what they believed were improper enumeration activities. We credit the Census Bureau with actively informing its employees about how to contact our hotline center. Census employees and supervisors, as well as the American public, are among our most important sources of information about whether Census procedures are being adhered to. OIG works closely with the Census Bureau to ensure hotline complaints are addressed promptly and investigated thoroughly. We have been monitoring, and will continue to monitor, 2010 Census enumeration quality assurance operations such as supervisory controls, the NRFU re-interview process, and the output from MaRCS.

OIG'S CONTINUING EFFORTS

Under the Inspector General Act of 1978, I am required to report promptly to the Attorney General whenever I have reasonable grounds to believe there has been a violation of federal criminal law. Accordingly, on July 7, my office contacted the U.S. Attorney's Office for the Eastern District of New York about the whistleblower allegations we received concerning the Brooklyn Northeast LCO. Only the Department of Justice can determine whether criminal prosecution is warranted in this case. Also, beginning the week of July 12, OIG investigators and auditors visited Brooklyn to review documents and conduct interviews as part of our ongoing investigation. We will report the results of our investigation to the U.S. Attorney's Office as expeditiously as possible and keep the Census Director, the Secretary, and Congress informed of the status of our investigation.

Our actions concerning the Brooklyn LCO represent only one element of our oversight of the 2010 Census. Our work has included a comprehensive nationwide review of Census field operations. This has included extensive field visits by over 100 OIG staff to Census offices in every state. During our field work, we monitored multiple 2010 Census operations, observed management practices, and reviewed information technology systems. In so doing, we collected data that enabled us to conduct a continuous, national-level review of decennial census finances, schedule, and risk assessment and mitigation activities. Further, our oversight was instrumental in determining whether operations, including quality control checks, were being conducted in

accordance with Census procedures and generated multiple reports and recommendations for Census Bureau corrective actions.

The Brooklyn incident differs from other cases of falsification we have seen because it involves LCO management improprieties rather than individual enumerator misconduct. The Census Bureau is taking steps to assess whether the inappropriate use of FastData and falsification of the type seen in Brooklyn could be more widespread and whether additional remediation is needed. We plan to review Census's actions to evaluate their effectiveness.

This concludes my prepared statement, and I would be pleased to respond to any questions you may have.

Appendix

**Commerce OIG 30-Day Chronology of Whistleblower Allegations
Concerning the Brooklyn Northeast LCO as of July 14, 2010**

- **June 14, 2010**
 - The Commerce OIG hotline receives two complaints alleging that the management at the Brooklyn Northeast LCO directed employees to falsify as many as 4,000 questionnaires using information from an address history list obtained from the Internet. Commerce OIG notifies Census the same day per established procedures and requests an immediate investigation.
- **June 16, 2010**
 - The Commerce OIG hotline receives a third complaint about the same incident. The complaint indicates that one office operations supervisor resigned rather than comply with upper management's directive. This complaint was also forwarded to Census officials immediately.
- **June 22, 2010**
 - Census officials notify Commerce OIG that their investigation of the incident at the Brooklyn Northeast LCO had confirmed the allegations. Census outlines immediate actions, including termination of two managers and plans to re-work approximately 10,000 questionnaires.
- **June 28, 2010**
 - Commerce OIG opens a criminal investigation.
- **July 7, 2010**
 - Commerce OIG contacts the U.S. Attorney's Office for the Eastern District of New York. OIG and the Census Director receive a fourth complaint, alleging irregularities in Census's remediation efforts in the Brooklyn Northeast LCO. Commerce OIG notifies Census that auditors are being sent to the Brooklyn Northeast LCO to review Census's remediation process.
- **July 8, 2010**
 - Commerce OIG requires the Brooklyn Northeast LCO to hold all remaining enumeration questionnaires in its office for OIG review. That evening, the Commerce OIG hotline receives an anonymous voice mail, making similar allegations about irregularities in the remediation efforts in the Brooklyn Northeast LCO.
- **July 12, 2010**
 - The anonymous complaint from July 8 is forwarded to Census officials.
- **July 14, 2010**
 - Census remediation efforts and Commerce OIG audit and investigation efforts continue.

Chairman TOWNS. Thank you very much, Mr. Zinser, for your comments.

Let me begin with you, Doctor. As I indicated, this has been an area with a lot of problems in the past. I'm sure you are aware of all the problems that happened back then, where the census office was burned down, and other problems.

This has been an area that in every census, we have encountered difficulties. And of course, a time to bring people from all over the country to finish the count.

My question to you is, do we have enough time to do an accurate count?

Mr. GROVES. Thank you, Mr. Chairman. We in this census, in terms of the operations nationally, and I can say locally here, have finished all of the various operations, about 11 in number, on schedule and under budget.

We are now at a period where we are doing a lot of quality assurance work, and we still have people on the streets knocking on doors for that purpose. I can assure you that all of the operations we need to do the followup on any rework that we will discover, we have discovered or will discover, we will finish those up at a professional level, taking the time to do it right. We have the time.

Chairman TOWNS. I'm referring, actually, to the Brooklyn one.

Mr. GROVES. Yes, we have the time. The reworking on the first problem that we encountered, the use of that Internet data, is already in progress. We're really getting toward the end of that work. That's about 4,200 households, about 2 percent of the population covered by this office; and we are really close to finishing that.

Chairman TOWNS. Mr. Zinser, how did you become informed that there was a problem.

Mr. ZINSER. Sir, we maintain a hotline that is manned by OIG staff. And calls came in to the hotline, they spoke to our agents that this was happening. We have an established procedure for recording complaints that come in. And for the decennial census, once we've recorded the complaints and our analysts have reviewed what the callers were complaining about and identified it as a serious issue, through protocols we have established with the Census Bureau, we forwarded that information to them and asked them to investigate those allegations.

Chairman TOWNS. Let me ask this: When you know that an area has had problems in the past, do you look to see if you can find an experienced person to go in there? Better than that, how did you get these people that created this problem? I'm talking to you, Dr. Groves, and to Mr. Farthing.

Mr. GROVES. The personnel in question went through precisely the same procedures that are done nationally. We advertise for managerial positions in a lot of different ways, both in newspapers and community meetings, fliers and job fairs, and also on USA Jobs.

If I'm an applicant for a managerial position, I would complete one of our application forms, I would take a test. I have to perform on that test. I go through other evaluations and then we get a pool of people qualified under those rules. Then we have staff interviewed by permanent Census Bureau staff and select a candidate

based on that. That's how these two individuals came to us. This hiring progress was followed as we do throughout other offices.

Chairman TOWNS. There's no system in place that would give you an experienced person to go into an area that's hard to count, had the problems we've had the past? There's no system in place?

Mr. GROVES. That's part of the interview process. Maybe Tony could mention in these cases how this was handled in these offices that we are talking about.

Mr. FARTHING. One of the things that we do is, we look for individuals that meet the qualifications, No. 1. They can come in, they have knowledge of the area. We look for individuals that actually know the area enough to know what they are getting into in terms of conducting a census.

We also look for individuals which we're very fortunate to have at times worked for us in the past, who understand the operations and we feel they can come in, and actually perform at a level better than someone new to the process. In the case for this particular office, we had an individual who actually worked for us before.

Chairman TOWNS. You are aware that this area had a lot of problems in the past. Are you aware of that.

Mr. FARTHING. I live in the area, so I know; and I've worked there for three decades. I know.

Chairman TOWNS. At this time I yield to the subcommittee chair, the gentleman from Missouri, Mr. Clay.

Mr. CLAY. I'll start with Dr. Groves. You mentioned that population counts that are not verifiable, that are popping up around the country. And apparently you have a system in place that alarms you or alerts you that some data is tainted or of some systemic glitch. And apparently, that system worked in this instance also, where it came to you that, while I guess the whistleblower system worked. Once you got into the data you also figured out that it was contaminated.

Share with us how that worked.

Mr. GROVES. The first alert on this did come from office staff members, and I share the borough president's note that these are courageous people that came forward, and we thank them for what they did. They saw irregularities going on in the office. That kicked off our internal investigation.

The irregularities they picked up were on cases that had not yet been forwarded to the processing centers; we have three around the country. It is our belief that if the whistleblower had not come forward, we would have caught some of those cases in the reinterviewing process. But I can't prove that, since that isn't how this unfolded.

We have design procedures built in for quality assurance that happen every time. Essentially, 100 percent of our enumerators have had some of their work redone and checked, a double checking. This gives us some comfort nationally.

By the way, if you are asking what portion of those are we finding involved in some falsifications, it is 0.14 percent. It is a very small percentage of the enumerators that we're finding not following our training guidelines, and that's some comfort nationally.

Nonetheless, this happened. We found out about it through the courage of an office staff member who saw bad things happening and reported it.

Mr. CLAY. What is the status of the two employees, the supervisor and assistant supervisor? Have they broken any laws?

Mr. ZINSER. Sir, the Census Bureau terminated those employees on June 22nd, I believe. And they were able to do that promptly because the census workers are temporary employees, and that gives the Census Bureau the flexibility to make those determinations without the difficulty associated with personnel practices and processes; so they were immediately terminated.

In terms of whether or not any laws were violated, we certainly know that census procedures were violated. I think the question of whether laws were violated should be left up to the U.S. Attorney's Office. I have satisfied my legal requirement to refer matters to the U.S. Attorney's Office. I have reasonable grounds to believe that laws have been violated. So since I have reasonable grounds to believe they have been violated, I leave it up to the U.S. Attorney's Office to make that final call.

Mr. CLAY. Dr. Groves, anything to add to that?

Mr. GROVES. We at the Census Bureau are in full support of the Inspector General's actions in this matter.

Mr. CLAY. In comparison to the 2000 census for here in Brooklyn, how does it compare to this year, as far as completion rates, mail-in rates?

Mr. GROVES. I think Mr. Farthing is the best to answer.

Mr. FARTHING. In the Borough of Brooklyn alone, we've been, at least this census, we've been very happy to see that the actual completion rate—we're looking at two things. One is the participation rate; and in the Borough of Brooklyn it did increase. And if you look at some of the statistics that we have on our Web site, you can see we track the areas that showed tremendous increase from 2000. We are very happy about that.

What that means, of course, we have to knock on fewer doors, and have better data because people willingly respond to the census.

Mr. CLAY. If I looked on the Web site today, what percentage would be counted in Brooklyn?

Mr. FARTHING. If you looked at the Web site today for Brooklyn, the participation rate in 2005 was 52 percent; and for 2010, it went up to 55 percent. The significance of that is that we've been really—in the past 10 years—in an environment where it's been very difficult to do survey type work and get the public to respond.

And so for the past 10 years, looking at the Borough of Brooklyn, there have been many changes. I'm preaching to the choir, to our representatives from Brooklyn. But we have a lot of immigrants in Brooklyn, a lot of change, a lot of new housing; and a lot of folks, of course, who are fearful about their status, of the environment. To actually have people respond willingly would really indicate a lower rate that we're able to increase.

Mr. CLAY. Thank you.

Chairman TOWNS. The time has expired.

And now the chairman of the New York delegation, Charles B. Rangel.

Mr. RANGEL. Thank you, Mr. Chairman.

Exactly what law is it, Mr. Zinser, that you referred this case to the U.S. Attorney's Office, that you believe was violated?

Mr. ZINSER. Sir, there are actually provisions in Title 13, a statute governing the Census Bureau. There are provisions in Title 13 that make it a felony to falsify census records.

Mr. RANGEL. Exactly how was this done? What was the actual activity that had been violated under the law.

Mr. ZINSER. The Census Bureau procedures for recording census information includes actually going out and interviewing respondents. And if they can't get responses, then they have procedures for what's called "entering proxy information." Those procedures do not include the actions that were taken by the local census office manager and the assistant manager for field operations.

What we found, what the Census Bureau found, is that those managers, instead of actually getting information from the residents or using proxy information according to their procedures, directed their employees to take data that was contained in a proprietary online data base and enter that on the census forms instead of following procedures.

In my view, that provides me a reasonable grounds to believe that provision of Title 13 was violated.

Mr. RANGEL. How many instances do you recall we've had in the city of that nature, Mr. Farthing? In other words, just putting in any information instead of getting the accurate information?

Mr. FARTHING. In this case, using a data base. Again, using a data base that was not provided in our provision of procedures to actually get the count. We wanted them to go out and knock on the door and get information.

Mr. RANGEL. So they didn't go out to get information themselves. How many cases have been brought to your attention for the city of New York? I want to get a feel for how widespread this is.

Mr. FARTHING. In my three decades of working here, I've never had managers take that step, to order employees to actually do what they ordered them to do. For me, this is the first time in my working here that I've seen that.

Mr. RANGEL. This is the first time you've heard of the director or the manager actually using arbitrary information instead of going out and getting it.

Mr. FARTHING. Yes; first time.

Mr. RANGEL. We haven't checked petitions yet, in terms of signatures people have gotten. [Laughter.]

You have done a better job, if this is the first time you have heard of that. Let me say this. You've done an outstanding job. This is a Constitutional requirement, and as the chairman pointed out, it is so necessary that we preserve the integrity of this system, so that others will avoid the temptation of avoiding doing the right thing. I think you've done a great job.

I want to thank you on behalf of all of the community leaders and elected officials, party officials, who you partnered with, in order to get the accurate information in my borough.

Thank you.

And thank you, Mr. Chairman.

Chairman TOWNS. Thank you very much.

Let me recognize the Congresswoman from the Borough of Brooklyn, who's part of the district affected by this, Congresswoman Yvette Clarke.

Ms. CLARKE. Thank you, Chairman Towns, Subcommittee Chairman Clay, for inviting me to sit in on this hearing regarding this very pressing and important issue, which is affecting my district, the Brooklyn community and the greater New York area.

I'd like to acknowledge my colleague Congressman Rangel, and all the special guests joining us here today.

As the representative of the 11th Congressional District, I have been diligently rallying with my constituents and my colleagues at the State and local levels, so we can get fuller participation in the census process. That's why I'm very concerned about the recent incidents of fraud that have been discussed here this morning.

Like many of my colleagues in the New York congressional delegation, I represent a diverse constituency. According to the census of 2005, and 2007, the American community surveyed, the year to date estimates, the total population of my district is roughly 700,000 people.

Approximately 39 percent of this population are foreign born immigrants from all over the world. Approximately 47 percent of the immigrant population settled in the community between 1980 and 2008, and has yet to obtain natural citizenship. They are legal permanent residents. Some have legal visa designation or are simply undocumented.

This extremely vulnerable population is already concerned with sharing private information with government entities, for fear of compromising their immigration status.

Therefore, when incidents of fraud arise regarding census information, it is deeply troubling to both myself and my constituents, because of the potential impact it has on fragile participation rates altogether.

As a result, an accurate count of the residents in our district, the integrity of the process and the direly needed resources to our districts become further compromised.

Moreover, since the incidents of fraud were exposed by an honest employee, I'm concerned about the unknown rate of fraud that is yet to be exposed.

It is my hope that this hearing, and it is my understanding, that we are gaining insight in ways to mitigate the occurrence of fraud for future censuses. The people of my district and Brooklyn heavily rely on it.

So my first question is, one thing that I stressed in my community is the cost associated with not filling out a census form, or when filled out indirectly or fraudulently.

Inspector General Zinser, do you have any knowledge of the cost estimation associated with the re-enumeration process and that of the approximate 4,221 cases that need to be reworked? And now that there are issues with the re-enumeration, what are the compounds costs?

Mr. ZINSER. Thank you, Representative Clarke.

We have a rough estimate of how much it would cost to do a re-enumeration; \$16 a case, 4,221 cases identified, so roughly about \$50,000 that the fraud is actually going to cost the taxpayer.

On the re-enumeration, on the problems with respect re-enumeration, I would probably let Dr. Groves discuss that; because I don't think the Census Bureau settled on exactly how it is going to address that issue.

Mr. GROVES. I think it would be good first to describe how we identify what cases needed to be redone; because we tried to do—actually, what you said, Congresswoman, is exactly what we said in our meeting. How do we know how widespread this is? How are we going to find out what actually happened? And then, when we find the cases that are damaged, how are we going to rework them?

And we did this—the one benefit of modern technology is that we have large computer files that processed data already, and we're using those to try to find other cases. The fact that we had computer logs that listed every inquiry, every query to this data base, allowed us to zoom in on the cases queried. And we are redoing every one of those.

And then we're redoing others around there that are suspicious. So we are actually redoing more work than we think was actually affected, but we ought to make double sure that we got it right; and that sums up to the 4,200 number of cases. And we used an independent set of interviewers. I think that's very important; people that were not involved with the original work at all, and sent them out.

Ms. CLARKE. What do you estimate the cost to be?

Mr. GROVES. My estimates are a little higher than my colleagues. So we don't know exactly, first of all. We've been using the figures of roughly doing an interview cost, about \$57 per household. We have about 4,000 cases; and I'm getting something closer to a quarter million dollars for this repair effort.

Ms. CLARKE. Thank you, Mr. Chairman. I yield back.

Chairman TOWNS. Thank you very much, Congresswoman Clarke. First of all, if not for the whistleblowers, would your policy control pick up this?

Mr. GROVES. To be absolutely honest, we won't know; because we caught it early. My professional judgment is that we would have seen irregularities through our normal quality control procedures. It would have taken a couple of weeks, and then we would have caught it.

Chairman TOWNS. I listened very carefully this morning. I notice, in terms of the question raised by Chairman Clay, about the participation rate. And you indicated that it increased from 52 to 55. I'm trying to be impressed, but I'm having difficulty, because that still leaves 45 percent of our residents that are not being counted. Help me. I'm trying to find a positive thing here.

Mr. GROVES. It is very important to understand what that number means.

Chairman TOWNS. Please help me.

Mr. GROVES. We mailed out to large numbers of households the paper mail questionnaire. Our best estimate at this point in the borough, is that 55 percent of the occupied units returned that form. What all that means is that we are going to knock on 45 percent of the doors. And we followed up on every one of those addresses that didn't fill out the form and mail it back.

To be good stewards of the taxpayer's money, we thought that 100 percent would have returned the form. But we don't stop at the mail portion; that's just the beginning of the process we are still finishing up here in Brooklyn, of knocking on every door that did not return it.

Chairman TOWNS. Let me turn to you, Mr. Zinser. Have you seen any complaints on whistleblowers, in terms of repercussions in any way in your years of experience? Any retaliation.

Mr. ZINSER. In this case, we haven't seen retaliation. We spoke to the folks who filed the complaints. They were appreciative of our actions, the Census Bureau's actions. They didn't indicate any type of retaliation.

One thing that's happening with the census right now, we're starting to reduce staffing levels. So people are getting laid off, and that's going to, in our view, probably increase the number of complaints that come in; because people who aren't going to be afraid of retaliation will blow the whistle.

At the same time, we have our antennae up for allegations coming, in that people may claim to have been retaliated against to try to save their jobs.

Chairman TOWNS. How many whistleblower complaints do you get nationally.

Mr. ZINSER. From the start, October 1, 2009, we've gotten between 650 and 700.

Chairman TOWNS. How many followups, and what happened.

Mr. ZINSER. All of them have been paid attention to. We sent probably 400 or so to the Census Bureau for action. We are investigating or have investigated about 40 of those, and probably there are 100 to 150 that, after we have reviewed them, the information wasn't specific enough or the issues they were complaining about wasn't substantial enough to initiate a review. We did what we call "zero file," keep them on file in case we get information in the future of the same nature.

Chairman TOWNS. On that same line of questions, how many would you just send to the Census Bureau and how many send to the U.S. attorney.

Mr. ZINSER. The issue of sending to the U.S. attorney, I believe this is the first case we have actually referred in 2010 to the U.S. Attorney's Office. There was a case in 2000 that was referred to the U.S. attorney down in Florida.

Chairman TOWNS. My time has expired. I yield to the gentleman from St. Louis, Mr. Clay, Chairman of the subcommittee.

Mr. CLAY. Thank you so much.

Dr. Groves, do you think that the local census offices' deadlines are so strict that they increase the chances that other employees will take unacceptable shortcuts like this.

Mr. GROVES. That's a great question, and it's one I think about a lot. One of the things that managers face mobilizing about 600,000 enumerators is, who are temporary employees, is to balance the desire to finish the work expeditiously and thoroughly, and then to avoid cutting corners.

This is a tough management job with temporary employees, because many of them, when they finish the job, they lose that source

of income. And it requires great wisdom to balance between deadlines and cutting corners appropriately.

One technique some offices use, and was used here I know, is that at a certain point in the completion of the work, to gather the work back up into the central office to redistribute it to be done effectively by a smaller work force.

I have looked for rushing, evidence of rushing. I can't find it systematically. We're worried about it, we talk about it a lot in the central office to make sure we're not rushing. And I haven't found the evidence that we are pushing people so hard that they are cutting corners.

Mr. CLAY. So you have not seen, Mr. Farthing, any evidence of pressure to meet deadlines? Cases like this to occur.

Mr. FARTHING. Keeping in mind that, as Dr. Groves said, the number of people we have to hire, the infrastructure and various layers, our managers are responsible for, again, making sure that everyone that we give work to is working effectively with what we call good time management.

For some, they may feel rushed. Some folks maybe aren't as well in time management. We have to take action if that's the case. And then we have others who seem to work fine within the timeframe we allow everybody to get the work done.

As Dr. Groves said, the process of bringing the work in and back in after a certain period of time, everybody we feel has a comfortable cushion to get their initial assignment done. We have to bring work back in at some point to make sure that those still out there working are making effective use of the time by going out to visit households at an appropriate time.

I think it's well known that our community, especially in Brooklyn, everybody's not out of the home from 9 a.m. to 5 p.m. We have a lot of folks who don't come home until 8 or 9 p.m., who are working more than one job. So we have to make sure that the employees that we have get out of that mindset, that they are actually going out to get very difficult cases at a time that we think people will be at home.

Mr. CLAY. I want to ask about Brooklyn in particular. Is it difficult to get into these large apartment complexes, with the doors locked and getting access to these high rises.

Mr. FARTHING. I would tell you that Brooklyn and Manhattan, closely followed by Queens, are the toughest places to do the census in the country. They always are difficult.

Congresswoman Clarke, your office has helped me. For example, we have buildings, some are wealthy buildings, where the management will not allow us in for the census. By law, they're supposed to let us in. Congresswoman, I don't know what you did, but we got in there; a phone call or what.

Mr. CLAY. She's awfully persuasive.

Mr. FARTHING. I appreciate it. We have other issues where Congressman Towns knows, in Bedford-Stuyvesant, we have the famous apartments above the store. And there's no doorbell, there's nothing. The only way is to stand outside and wait until somebody might come home, or maybe the store owner below comes home; a very, very difficult place to conduct a census.

Aside from that, Congresswoman, I appreciate what you said. The reality we have to face in Brooklyn, especially immigrants and those that are undocumented, pose a lot of problems for us.

Mr. CLAY. Thank you.

Mr. Zinser, last question. These managers used an online information resource called "Fast Data" to complete questionnaires instead of conducting personal interviews. Can you describe how to use this data, this FastData online? You or Dr. Groves?

Mr. ZINSER. Yes, sir. Basically, what we looked at was its use in the local census offices. And there is a division in the office between those who are actually overseeing the operations and actually going out and knocking on doors.

For those doing quality assurance with FastData access, or having access to the FastData, it was supposed to have been limited to the quality assurance staffer; so that the quality assurance staffer, they go through the work done on the other side of the house, and have some information to match that against locally.

What happened in this case is that the area manager of field operations switched from the quality assurance side of the house, where they had access to FastData, over to the operations side; and they maintained or kept their password to data and used it for this purpose.

Mr. CLAY. Thank you.

Dr. Groves.

Mr. GROVES. Let me just add one note. You might ask, why use it at all? And there's a very narrow use prescribed. On these cases that are designated to be reinterviewed for quality control purposes, we've found it efficient to sometimes do those by telephone. We save the taxpayers a lot of money.

So the only prescribed use of this data is that—let's say there's a house to reinterview on 123 Main Street, Apartment 1; I would type that into FastData. If there's a phone number there for that address, then we conduct the reinterview by telephone, saving everybody some money.

That's the only use it's prescribed for under the training guidelines. This office and these managers violated that.

Chairman TOWNS. I recognize the gentlewoman from Brooklyn.

Ms. CLARKE. Thank you, Mr. Chairman.

One problem was a question raised by Congressman Clay. My question is, what other information can be found on the system, on the FastData system, other than addresses and telephone numbers?

Mr. GROVES. This is a data base that resembles a lot of commercially assembled data bases this year. It has a list of names of people, and then an estimated set of years that they may have lived at that address. For some of the people, there's a phone number attached to it.

In my prior life before being a Census Bureau Director, I examined these types of data bases. They are filled with erroneous data and sometimes helpful data. It isn't clear how the year—these data are obtained from a lot of different sources, driver's licenses all sorts of things.

Ms. CLARKE. Are you saying that you can get someone's driver's license number.

Mr. GROVES. No, you can't. All you can get is a sense of names attached to this address from some record system; and that's all that was there. About every 10th person you have a date of birth on the person's record. It's filled with a lot of missing data, too.

Ms. CLARKE. No Social Security number.

Mr. GROVES. No Social Security numbers.

Ms. CLARKE. Dr. Groves, my followup question is: What is the procedure when employees who work in quality assurance are promoted or transferred out of the division? Are passwords supposed to be changed and access restricted? And how was it that the former AMQA in question was able to retain her access privileges?

Mr. GROVES. I think Tony should best answer that.

Mr. FARTHING. There's two things: Why have you taken the action taken? We felt it's a very serious matter. Whenever anyone accesses FastData on our computers, or is given access in the first place, we actually have the rules and regulations and also the penalties behind it. It clearly instructs them they're not to use it for any other purposes but for quality assurance and administrative action to be taken. If they violate that, which was the case was here. The error on our part was that we did not—when this person was moved over, she continued to have her password, and her password rights were not taken away.

Ms. CLARKE. Is that typically what happens, though. Is there an expiration on an individual's password? They're no longer in that division, transferred, promoted moved to another division of the census? Is there an expiration on the password? What happens?

Mr. FARTHING. Based on our findings, Congresswoman, nationally, all of our offices get a very thorough review of who has access, who should have access, who should not have access. And so we have lots of people now who no longer have access to this, based on the findings of what happened, taking corrective action.

Mr. GROVES. It's clear that going forward we can tighten this. We tightened it now. In retrospect, we have to clamp down.

Mr. ZINSER. Congressman, I haven't done that at the Commerce Department, though we did it at a former department where I worked. The idea of people—whether they're employees or contractors or temporary employees—having access to computer systems through their passwords, after they leave employment is a big issue, and one that we probably need to look at governmentwide, because people keep access when they shouldn't.

Ms. CLARKE. I hope that we will.

My final question to you, Inspector General Zinser, in your testimony you mentioned the need to clarify the census definition of "status," with regard to last resort cases.

Has the Census Bureau taken any steps to clarify the ambiguity surrounding this for the 2010 census? And if so, has it been standardized in order to mitigate any further misunderstanding by enumerators across the country?

Mr. ZINSER. Congresswoman, I don't know the specific answer. I know that except for here in Brooklyn, the enumeration is virtually completed. I don't know if the re-enumeration guidelines are really being used anywhere else, but I'll have to let Dr. Groves respond.

Mr. GROVES. As soon as we diagnose this—our regional directors have a conference call every day about 2 p.m., I think. The word

went out quickly to redouble the instructions about how to handle these sorts of cases.

We also did queries back about whether there were any other pockets that people knew about of these abuses; and then we're doing a computer search to find them. We are able—the good thing this is, we're able to diagnose and identify these cases. Given our data files, that's what we're doing very actively. I don't have the results yet, but we're on it.

Ms. CLARKE. Thank you very much.

I yield back the balance of my time.

Chairman TOWNS. Thank you very much, Congresswoman Clarke.

Let me ask the question: You indicated that Brooklyn was one of the hardest areas to count. Is there any extra compensation or additional workers be put in an area like that? I'm just wondering if there's pressure to make them do the funny things they've done over the years in this particular region?

Mr. GROVES. Tony can comment on the salary and the operations and how the operations are designed. That might be the best way to address your question.

Mr. FARTHING. In Brooklyn, actually all of New York City, we pay among the highest pay rates for the census in the country. And that's for not only our census takers, but also for the managers that we hire in all of our offices.

It does take on my part and my staff, we really do have to go out and do very heavy recruiting, specialized recruiting to find the right type of individuals. I've been to all of your offices to ask help for us. Congresswoman Clarke, you answered our call. We came to find out good people to take this job and describe what the job was, and just how difficult it was going to be. We do pay, I think, well. But it's just a very tough place to conduct the census.

Chairman TOWNS. Now that we have this problem, will they need extra time to do the count, or can we still meet the schedule in the end of July?

Mr. GROVES. I am quite confident that the scheduling for the next operations and the ability to react to anything we haven't found for redo work is sufficient to do a great job over the coming weeks.

Chairman TOWNS. The way it is structured, you think this creates a problem for you? For instance, if a person knows that "Once I finish this count I'm unemployed." That sort of, "I'm working myself out of a job."

It reminds me of what the lady at the airport the other day said to me when I asked questions about bags being checked. She said, "Why would I help you? If you learn how to do this, then I'll lose my job."

So the point is, I'm thinking in terms of, if they finish counting, then they're unemployed. That's not an incentive to finish.

Mr. GROVES. That's correct. I've tried to express the same managerial challenge in the earlier question. This, Mr. Chairman, is endemic to how surveys and censuses work. We often rely on temporary staff. Our management procedures have built in ways of addressing that as best we can, but we cannot deny the emotional re-

action of one of our workers, knowing that upon completion they will lose a source of income.

We try to address that by gathering up work and redistributing and so on; but the fact of the matter cannot be denied. That is a tension in managing these operations.

Chairman TOWNS. Dr. Groves, I must admit I have great admiration and respect for you. This is a tough job. This is not an easy job. When you see how it's structured and what you called upon a person to do within a certain timeframe—you too, Mr. Farthing—the fact that you have one of the toughest areas in the country to count.

And of course, I want to let you know that I recognize it's not easy. That's the reason why we want to have this hearing, to try to do whatever we can to help you.

I yield again to the committee chair, the gentleman from St. Louis, MO, Mr. Clay.

Mr. CLAY. Thank you, Mr. Chairman. Again, I want to say how honored I am to come to a hearing here in Brooklyn and to engage with my colleagues, Congresswoman Clarke, as well, and Congressman Towns and Congressman Rangel in this hearing.

You know, it seems as though we struggle so every 10 years with the census. People in the audience indicate that they are not as pleased as they could be with the results of the census. But from my perch, I'm confident that this will be one of the most accurate censuses that we conduct in the history of this country, because of the leadership.

Let me ask Dr. Groves or Mr. Farthing, How has the re-enumeration of these 10,000 forms gone? Is it pretty much complete, or—

Mr. FARTHING. As of the end of the weekend, we're about 80 percent complete on that work. Just to kind of reassure you of what we have done; we've broadened the team from my office and offices nearby, some of our best workers to oversee this and make sure it's done right.

If we see irregularities, again, as Dr. Groves said, in our processes, checking and reviewing work, then we basically take care of the problem and go back out to make sure it's done properly. But I would say it's such a small amount of work we're working on compared to what we had initially when we started out on this; so it's just a matter of getting the right people who are very experienced to get out there and get the job done.

Mr. CLAY. In a related question or concern: How are the clerks that were instructed or ordered by the manager or assistant manager to taint this data, how are they doing? Are they pretty much readjusted or still in place.

Mr. FARTHING. Yes. There's no retaliation. I think as Dr. Groves said, we're very grateful to them for speaking up. As Dr. Groves said, if they didn't speak up, we would have had to detect this work much later in the process. But they spoke up quickly, and that enabled us to take care of problem right when the work was in the office and we could really address it right then and there. So we are very happy with those individuals and there was no retaliation by any means.

Mr. CLAY. As Chairman Towns mentioned at the beginning of the hearing, Brooklyn has had a history of difficulties when it comes to the census. We know it only occurs every 10 years. I was not aware that there was an office that was burned 20 years ago.

Apparently, it must be somewhat unique for Brooklyn, and I guess you have to prepare for that at the beginning of each census. And I assume you were ready for instances like this or something similar?

Mr. FARTHING. Our motto in my office is "Prepare for the unexpected," and Brooklyn seems to always put us in that position. I'm happy that in 2000 we had a very good census in Brooklyn. We didn't have a lot of issues or anything come up like we've had right now and the 1980 census, for example.

But as I said earlier, it's a very difficult job and you're dealing with all walks of life; and you have to be prepared for a very diverse community here in Brooklyn. You have to actually have great knowledge behind the neighborhoods, your hires you're bringing into the office. And you have to have a lot of cultural sensitivity. It's a very tough job to blend the elements together and deploy workers and make sure that everybody is doing what they are asked to do, and so the challenges are great. To be up for the task, my job is to find people who can actually go out and help manage in the effort.

Mr. CLAY. Thank you, Mr. Farthing for your response and Dr. Groves and their responses. I yield back.

Chairman TOWNS. Thank you.

I yield to the Brooklyn Congresswoman.

Any additional questions?

Ms. CLARKE. Just a final statement, Mr. Chairman.

Mr. Farthing, I think I concur with the chairman when he talks about just incremental changes in the response rate here in Brooklyn. I understand why you would find it to be a great thing.

On the other hand, those of us who live in Brooklyn and who rely on the resource that is important to bear as a result of enumerating the population, it still remains disappointing.

My question to you is, how does Brooklyn rate in its response rate to other similar environments across the Nation? Other urban, heavily populated areas?

Mr. FARTHING. The Borough of Queens had a 56 percent response rate in 2000; and they went up 3 percentage points to 59 percent. Queens has much more difficulty now with the increase of the immigrant population.

The Bronx is about 57 percent. It went up in 2000 up to 62 percent. Manhattan, typically, is a little bit higher. They were 62 percent in 2000 and went up to 67 percent. Staten Island was 64 percent in 2000, 64 percent again.

Staten Island has become more difficult now, as folks from Brooklyn moved over to the North Shore. It's unfortunate for the census that you have to understand what happens over 10 years to your communities.

And for Brooklyn, what you don't get like in other communities where you have folks born in this country and they understand the census and there's a lot of civic pride—I'd probably yield to the

Congressman from Missouri. I'd love to have the same characteristics, it would be easy to do a census.

But the city of New York is the greatest challenge of all to do the census. I am pleased when I see that there are increases in response rates. What's disturbing is when I see response rates go down. That's most alarming.

Ms. CLARKE. Dr. Groves, is it at all possible to provide us information about how we rate with other urban environments around the Nation? I would be very interested in finding that out; simply, because I think you put your finger on the pulse of it, Mr. Farthing.

We need a strategy to deal with immigrant populations, a very examined strategy for the 2020 census. New York City is the gateway for immigrants; and it has been since the beginning of time. I think it will be for many generations to come. And I don't think it is acceptable for us not to look at this, knowing it's indicative of this particular area and not come up with a very specific remedy and strategy to address it.

It may need an awareness campaign that begins even before—before we get to the point of even discussing the next census. But I think that our city suffers because we don't get as accurate a count as we need to. And by extension, our State suffers, because the heaviest population of individuals in the State of New York reside in the city of New York.

I just wanted to put that on your radar. I'd love to get that information. I think you've got a lot of work to do going forward. I am pleased to see that there has been an increase. My district in 2000 had an abysmal 33 percent response rate. I applaud my colleagues at the State and local level who stayed the course, and we worked together to make sure that we raised the numbers. But I'm not satisfied yet.

And so Mr. Chairman, and Mr. Subcommittee Chairman, I want to thank you for holding this hearing right here in Brooklyn so we can put a lot of our concerns to rest; but also looking for what we need to do going forward, strengthen our ability here in Brooklyn.

Thank you.

Chairman TOWNS. Thank you very much, Congresswoman Yvette Clarke.

I'm delighted to see we have with us District Leader Brown, who's working very hard to help get information out to communities. And State Senator Velmanette Montgomery, who worked very hard with us in terms of getting the message out to people about how important it is to be counted.

Let me say in closing to Dr. Groves and Mr. Farthing in particular: Please do not rush through and go to the FastData. Let's try to make certain that we get extra people in here to continue this count. We want to make this as accurate as possible. This is something we won't see again for another 10 years. And, of course, that's a lot of suffering of people if we don't get an accurate count.

So whatever is necessary to get out a response rate and to be able to get an accurate count, if it requires elected officials going door to door and knocking on doors to help you get in, we are prepared to make that kind of commitment to you, that's how important it is.

Because there are so many things riding on this accurate count; in terms of money for housing, money for food stamps, money for education. All of these things are riding on this count. So this is something that we do not take lightly.

This is very, very important to us, and I want you to know the commitment across the board with elected officials discussing it over and over again, that is the reason why we want to have this hearing here, to let you know we stand ready to work with you, to do whatever is necessary to be able to get it right.

I know that we're running out of time. The point is that instead of running out of time, it's about running out to see how many people we can get to come in from wherever to be able to make this an accurate count.

Thank you so much for your work, and I realize it's not easy. The point is it's just so important.

And Dr. Groves, I want to thank you and I know you've been out of the office on several occasions. I want you to know you might have to come back again.

Thank you for being here, Mr. Zinser, and I want to thank you for all of the work you have done.

And I want to thank my colleagues, Representative Clay, who came all the way from Missouri to be here, to be able to take it back to the committee he chairs, to be able to help us and be able to do whatever is necessary to get an accurate count.

And my colleague who comes from the same district that I have, who recognizes how important it is to be able to get an accurate count. So I want to thank Congresswoman Yvette Clarke for her work and, of course, effort.

And I want to thank Congressman B. Rangel, who came across the bridge to be over here today. [Laughter.]

It's a long trip from Harlem to Brooklyn. Also, to try to point out how important it is to get an accurate count. Thank you so much for your participation. We look forward to working with you to make certain that we get it right.

Thank you, Mr. Farthing, Mr. Zinser, Dr. Groves.

At this time the committee stands adjourned.

[Whereupon, at 11:40 a.m., the committee was adjourned.]

