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Executive Director

Mr. Arturo Vargas

† deceased

May 1, 2010

The Honorable Carolyn B. Maloney
U.S. House of Representatives
2332 Rayburn House Office Building
Washington, DC 20515

Dear Representative Maloney:

On behalf of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, I am writing to express our support for your legislation, the *Census Oversight Efficiency and Management Reform Act (H.R. 4945)*. The NALEO Educational Fund is one of the nation's leading organizations in the area of Census policy development and public education, and we are deeply committed to ensuring that the Census Bureau provides our nation with the most accurate count possible of its population.

We believe that H.R.4945 would provide greater stability for the leadership of the Census Bureau and its operations by enhancing the continuity of the Bureau's overall operations. For example, the bill would establish a fixed five-year term of office for the Director of the Census Bureau, instead of the current practice, where the Director is generally appointed at the beginning of new Presidential Administrations.

The fixed five-year term established in H.R. 4945 is more consistent with the constitutionally mandated ten-year cycle of the Census enumeration, and would enable the Director to manage operations in a manner that would minimize the disruptions caused by leadership changes. From our experiences working with the Census Bureau on its efforts to reach and enumerate Latinos and other "hard to count" communities, we have learned that minor changes in the operations of the decennial Census can significantly impair the ability of the Bureau to effectively carry out its enumeration tasks. Seven former Census Directors, appointed by Presidents from both political parties, support H.R. 4945 because they believe it would enhance the ability of the agency to focus on its mission to conduct the Census in a timely and accurate manner.

As H.R. 4945 moves forward through the legislative process, we hope that there will be clarification of certain issues regarding the provisions of Section 3, which envisions the development and implementation of a plan for an Internet Response Option for the 2020 Census and the American Community Survey. First, it is critical to address how the Internet Response Option will affect residents in hard-to-count communities, many of whom do not yet have access to the technology needed to access the Internet effectively. In addition, Section 3 appears to contemplate an Internet Response Option for both the 2020 Census and the American Community Survey, regardless of whether this can be feasibly accomplished in a manner that would preserve the Census Bureau's Title 13 obligations.

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In addition, the legislation does not allow for or contemplate alternatives to the Internet, nor for advanced technologies that could be developed in the next decade and in place for the 2020 Census.

We are also concerned that the timeline for the development and implementation of the Internet Response Option does not leave sufficient time for the careful planning such an undertaking requires, particularly since the bill requires a description of the data to be collected. Section 3 envisions that this will occur not later than 180 days after the date of the enactment of the legislation. Should the legislation be enacted this session, the Bureau would be required to develop the Internet Response Option at a time when it may be compiling decennial Census data and releasing key reports and products (such as the P.L. 94-171 redistricting data), which could divert Census Bureau attention from the more pressing tasks. In this connection, we also note that there are no existing legal requirements that would mandate the identification of data content by Section 3's Internet Response Option deadline.

In addition, if this legislation becomes law during the 111th Congress, we ask for greater clarification on how its term limits will affect the current Director of the Census.

Finally, because this legislation will make significant changes to the Census Bureau and its operations, we request that the Committees of jurisdiction hold a hearing on the proposal before moving it forward.

Overall, we believe that H.R. 4945 takes positive steps toward providing greater stability for the decennial census and diminishing operational problems for Census 2020 and the decennial enumerations that will follow. We look forward to working with you to address our concerns with the legislation so that we achieve a solution that enables the Census Bureau to perform its essential function more effectively. If you have any questions or need further information regarding this issue, please contact Gloria Montañó-Greene of the NALEO Educational Fund at (202) 546-2536, or gmontanogreene@naleo.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arturo Vargas', with a stylized flourish at the end.

Arturo Vargas
Executive Director

Cc: The Honorable Charles W. Dent