EXHIBIT 11

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United States Senate
COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510-6025
http://appropriations.senate.gov

August 10, 2020

Inspector General Peggy E. Gustafson
U.S. Department of Commerce
Office of the Inspector General
1401 Constitution Ave. NW
Washington, DC 20230

Dear Inspector General Gustafson:

I write to express my concerns about the U.S. Census Bureau's expedited schedule for 2020 Decennial Census data collection and processing operations announced in an August 3, 2020, statement.[1] I am very worried that the rushed schedule will lead to a significant undercount in hard-to-count communities, which puts the accuracy and quality of the Constitutionally-mandated count at risk. Further, I believe that this deviation in schedule is driven not by expert opinions of career Census Bureau employees but by external pressure from the White House and the Department of Commerce for perceived political gain. I request that you investigate whether the decision to expedite operations comports with the statutory requirements under title 13, U.S. Code. I also ask that as the data collection and processing operations unfold, you continue to monitor and assess changes from both the original and April 2020 pandemic-adjusted Decennial Census operational plans and schedules that might impact data quality and, ultimately, the accuracy of the results.

The COVID-19 pandemic has understandably necessitated modification of the original 2020 Decennial Census schedule. The largest and most important field data collection operation, nonresponse followup, was originally scheduled to take place from May 13 to July 31, 2020. However, due to the pandemic, Census Bureau Director Steven Dillingham and Secretary of Commerce Wilbur Ross released a joint statement on April 13, 2020, announcing that the Census Bureau would delay field operations, including nonresponse followup, by three months to protect public health. The release states: "The Census Bureau would extend the window for field data collection and self-response to October 31, 2020."[2] As part of the statement, Secretary Ross and Director Dillingham also requested a four-month delay in the statutory deadlines for reporting apportionment and redistricting counts to no later than April 30, 2021, and July 31, 2021, respectively.

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[1] "Statement from U.S. Census Bureau Director Steven Dillingham: Delivering a Complete and Accurate 2020 Census Count," U.S. Census Bureau, 3 August 2020, https://www.census.gov/newsroom/press-releases/2020/delivering-complete-accurate-count.html.

[2] "U.S. Department of Commerce Secretary Wilbur Ross and U.S. Census Bureau Director Steven Dillingham Statement on 2020 Census Operational Adjustments Due to COVID-19," U.S. Census Bureau, 13 April 2020, https://2020census.gov/en/news-events/press-releases/statement-covid-19-2020.

However, over the past several weeks it was widely reported in the press that the Trump Administration was looking to rush 2020 Decennial Census operations in order to allow the Secretary of Commerce to transmit the apportionment counts to the president by December 31, 2020.[3] Then, on August 3, 2020, Director Dillingham announced that field data collection and self-response operations will be shortened by a month, ending on September 30, 2020. I fear that compressing these critical operations will force the Census Bureau to reduce the number of attempts to enumerate households and significantly increase the use of administrative records, proxy interviews and whole household imputations. The greater use of enumeration methods that are known to produce less reliable data could lead to a substantial undercount, especially in historically hard-to-count communities.

Director Dillingham also announced that data processing operations will be "streamlined." This clearly suggests that quality check, data processing and external review operations, which were originally expected to take about five months, will have to be compressed by several months and curtailed to meet the December 31, 2020, deadline. Given that most data collection operations will occur long after the April 1, 2020, Census Day due to pandemic-related disruptions and delay, careful quality check and data processing activities will be particularly important to ensure that individuals are counted in the correct location and duplicates are removed.

Previous statements from career Census Bureau leadership lead me to believe that this new, rushed schedule is not based on the need to execute a complete and accurate count, but instead on external pressure. For the past several months, Census Bureau experts consistently have made clear that additional time provided by delaying the statutory deadlines is needed for a successful count. In May, Tim Olson, director of field operations for the 2020 Decennial, stated, "We have passed the point where we could even meet the current legislative requirement of Dec. 31…We can't do that anymore."[4] In July, Albert Fontenot, Jr., associate director for Decennial Census Programs, said in reference to the statutory deadlines, "We are past the window of being able to get those counts by those dates at this point."[5] Further, Bureau experts believe that the results of accelerating the data collection operations under current conditions could be disastrous. An unnamed career official stated, "I'm very fearful we're going to have a massive undercount."[6]

It is critical that the Census Bureau execute a complete and accurate 2020 Decennial Census for the purposes of apportionment of the House of Representatives, as well as distribution of $1.5 trillion annually in Federal funding to States, localities, individuals and businesses. I request that the Department of Commerce (DOC) Office of Inspector General

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[3] Wines, M. (2020, July 28). New Census Worry: A Rushed Count Could Mean a Botched One. *New York Times*, https://www.nytimes.com/2020/07/28/us/trump-census.html

[4] Lo Wang, H. (2020, May 27). 'We're Running Out Of Time': Census Turns To Congress To Push Deadlines. *National Public Radio*, https://www.npr.org/sections/coronavirus-live-updates/2020/05/27/863290458/we-re-running-out-of-time-census-turns-to-congress-to-push-deadlines

[5] Lo Wang, H. (2020, July 28) Republicans Signal They're Willing To Cut Census Counting Short, *National Public Radio*, https://www.npr.org/2020/07/28/895744449/republicans-signal-theyre-willing-to-cut-short-census-counting

[6] Lo Wang, H. (2020, July 30). Census Door Knocking Cut A Month Short Amid Pressure To Finish Count. *National Public Radio*, https://www.npr.org/2020/07/30/896656747/when-does-census-counting-end-bureau-sends-alarming-mixed-signals

(OIG) investigate whether compressing data collection and processing operations comports with the relevant statutory requirements, as well as traditional lines of authority for making relevant decisions governing the execution of the Decennial Census. Further, I request that the OIG continue to closely monitor and assess the implications of operational "streamlining" and changes to the April 13, 2020, Decennial Census operational plan for data quality and accuracy. I ask that you report periodically on your findings to the Senate and House Committees on Appropriations, the House Committee on Oversight and Reform and the Senate Committee on Homeland Security and Governmental Affairs.

The OIG plays a crucial role in informing Congress and the public of Census Bureau operations. The OIG has received $3,556,000 in each of fiscal years 2019 and 2020 by transfer from the Census Bureau to carry out investigations and audits related to the 2020 Decennial Census. I appreciate the work of the OIG thus far to help improve the planning, execution and outcome of the Census. I expect DOC employees to fully cooperate and assist the OIG, in this, and all other investigative matters. I request that you keep me and my staff informed of any attempts to prevent you from completing your work in direct contravention of the Inspector General Act of 1978. I look forward to the results of your investigation.

Sincerely,

Jeanne Shaheen

Jeanne Shaheen
Vice Chair
Subcommittee on Commerce,
Justice, Science and Related Agencies