

US Census Bureau
National Advisory Committee
on Racial, Ethnic, and Other
Populations

Standard Operating Procedures – October 21, 2016

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CHAPTER ONE – SCOPE AND POLICIES

Section A – Scope

1. **Committee’s Official Designation.** U. S. Census Bureau National Advisory Committee on Racial, Ethnic, and Other Populations.

2. **Authority.** The Secretary of Commerce establishes the Census Bureau National Advisory Committee on Racial, Ethnic and Other Populations (NAC), in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 United States Code (U.S.C.) App.2, and with the concurrence of the General Services Administration.

3. **Objectives, Role, and Scope of Activities.** The committee will advise the Director of the Census Bureau (the Director) on the full range of economic, housing, demographic, socioeconomic, linguistic, technological, methodological, geographic, behavioral and operational variables affecting the cost, accuracy and implementation of Census Bureau programs and surveys, including the decennial census.
 - The committee will advise the Census Bureau on the identification of new strategies for improved census operations, survey and data collection methods, including identifying cost efficient ways to increase census participation.

 - The committee will address census policies, research and methodology, tests, operations, communications/messaging and other activities to ascertain needs and best practices to improve censuses, surveys, operations and programs.

 - The committee will provide formal review and feedback on working papers, reports, and other documents related to the design and implementation of census programs and surveys. The committee will use formal advisory committee meetings, webinars, conference calls, and other means of review to accomplish its goals, consistent with the requirements of FACA.

 - The committee will utilize technology, such as virtual collaboration and social media, as well as regional working groups to broaden grass roots participation in advisory committee issues and concerns and increase transparency.

 - The committee will function solely as an advisory body and shall fully comply with the provisions of FACA.

Section B – Policies

1. **Agency or Official to Whom the Committee Reports.** The NAC will report to the Director.
2. **Charter and Duration of Committee.** In accordance with FACA, the NAC charter must be renewed every two years. Members will serve a three-year term. The NAC may not operate, meet or take any action until its charter has been filed. When its charter expires, the NAC must cease all activity. In most instances, a committee is terminated when its charter expires.
3. **Span of Control.** In addition to the creation of an advisory committee and the selection of its members, all critical facets of committee activities such as the approval of agenda, the calling, conduct, and adjournment of meetings, and the establishment of working groups shall be the responsibility of the Census Bureau.

Whenever possible, the Census Bureau Director will consult with the committee Chair on these matters.

4. **Designated Federal Officer.** The Director will appoint a full-time or permanent part-time employee to serve as Designated Federal Officer (DFO). The DFO will convene all advisory committee meetings, adjourn and chair meetings when directed to do so by the Director, and serve as the point of contact to Department of Commerce and General Service Administration. The DFO will also assist the Director in the development of the meeting agenda.
5. **Availability of Records.** Detailed minutes of each NAC meeting will be provided to the NAC and posted to the NAC web site following each meeting. Minutes will contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued or approved by the committee.

-The accuracy of all minutes shall be certified by the NAC Chair within 30 days of receipt.

-Committee recommendations and any dissenting comments will be posted on the NAC web site upon receipt.

CHAPTER TWO—OPERATIONS

1. **Open Meetings.** NAC meetings will be open to the public and whenever possible these meetings will be made available via conference calls, webinars, social collaboration, or other tools that ease the burden of travel in person as well as provide an opportunity for the public to view the meetings.
2. **Meeting Definition.** A meeting is the gathering of the entire NAC where a *Federal Register Notice* is published by the Census Bureau and members of the public are invited to attend.
3. **Meeting Frequency.** The Census Bureau will convene at least two face-to-face NAC meetings per year, budget permitting. Additional virtual meetings may be convened as necessary.
4. **Meeting Dates.** The Census Bureau will establish NAC meeting dates three years in advance.
5. **Meeting Length.** Face-to-face meetings will normally be held over a period of two days.
6. **Public Notice.** A notice of each NAC meeting, including virtual NAC meetings, must be published in the *Federal Register* at least 15 days prior to the meeting date.
7. **Virtual / Teleconference Meetings.** The same rules that apply to face-to face meetings shall apply to virtual meetings specifically ensuring:
 - the public’s ability to “attend” virtual meetings and provide public comment on proceedings;
 - the availability of a Designated Federal Officer to convene, chair/monitor, adjourn the virtual meeting;
 - public notification through the Federal Register process to ensure the public’s awareness of the meeting, and meeting content;
 - an opportunity for the virtual “public” to provide written statements at any time before or after the virtual meeting;
 - specific time on the virtual agenda for oral public comment;
 - additional capability (.i.e., such as designated number of public call-in lines) to ensure access to online and/or video conference deliberations, and

-identification of Census staff and technical support contacts to assist the public in accessing virtual NAC meetings.

8. Agenda Development. Meeting agendas will be developed by the Census Bureau in consultation with the NAC members as follows:

-At the end of each meeting, the NAC Chair and Vice Chair will seek suggestions for topics for future meetings.

-The Census Bureau Director and DFO will consult with the NAC Chair and Vice Chair on potential meeting topics and presentations prior to the meeting date.

-The NAC Chair will request input from the full NAC membership on potential agenda topics prior to and in preparation for the discussion with the Census Director.

-Final agendas will be approved by the Census Director before the meeting date to ensure adequate public participation, discussant selection, etc.

-Agendas will incorporate adequate time for NAC working group reports, if necessary.

-Agenda topics will emphasize issues that need resolution by the Census Bureau, for which final decisions have not yet been made. Agendas will also include updates on activities subject to prior NAC recommendations.

-The Census Bureau will email meeting notifications and agendas to diverse Census stakeholders prior to each meeting.

9. Invited Guests. The Census Bureau may invite special guests and/or members of the public to participate in meetings as Subject Matter Experts, present research, provide comments and/or feedback on agenda topics. Special/invited guests do not have the authority to participate in the deliberation of NAC recommendations.

-Provisions for accommodations and travel for invited guests will be considered on a case-by-case basis, budget permitting.

10. Discussants. The role of a discussant is to provide feedback for a meeting presentation and stimulating committee interest in the presentation. The Census Bureau in consultation with the NAC Chair will identify at least one discussant for each NAC meeting presentation.

-Meeting discussants will be identified three weeks prior to the meeting.

- Discussant selection shall not be limited to NAC membership. Outside experts with relevant expertise or perspectives may be invited by the Census Bureau Director in consultation with the Chair to serve as “guest” discussants.
- Provisions for accommodations and travel for guest discussants will be considered on a case-by-case basis, budget permitting.
- Discussants are asked to make a 5-10 minute presentation.
- Discussants must prepare and submit a written presentation (i.e., PowerPoint slides or paper) to the Census Bureau at least one week in advance of the NAC meeting.
- Discussants may convene a conference call two weeks prior to the meeting to clarify issues with the Census Bureau presenter(s).

11. Census Presentations.

A “white” paper framing the agenda issues may be prepared by Census Bureau staff. These papers will be delivered to NAC members at least two weeks before the meeting. In addition, the author(s) of the paper will present a PowerPoint presentation (5-8 slides) at the meeting.

Census presentations should be designed for 15 minutes, summarizing the paper and ending with three specific questions to the NAC. These questions should be directly related to the decisions that must be made by the Census Bureau in order to make progress of the issue of interest.

12. Public Comment. The public shall be permitted to file written statements with the Census Bureau before or after a face-to-face or virtual meeting.

-Every effort shall be made to set aside a portion of every meeting (face-to-face or virtual), for public comment.

-The Census Bureau as well as NAC members may invite special guests to provide comments on specific agenda topics or Census proposals as long as it was included in the agenda.

13. New Member Orientation. The Census Bureau shall conduct an orientation for newly appointed NAC members.

- The new member orientation may be conducted before the scheduled meeting date(s) if new members are scheduled to attend.
- New member orientation will be in-person or virtual.
- NAC Chair and Vice Chair will brief new members on their role and responsibilities.
- A FACA overview and ethics briefing will be conducted during orientation (in-person or virtual).
- Attendees may include the Designated Federal Officer, Census Bureau Director or Deputy Director, NAC Chair and Vice Chair, and new members.

CHAPTER THREE—MEMBERSHIP

Composition

- 1. Membership and Designation.** The committee will consist of up to 32 members who will be appointed by and serve at the discretion of the Director.

Members will be selected on a standardized basis, in accordance with applicable Department of Commerce guidance.

Members will serve for a three-year term. All members will be reevaluated at the conclusion of each term with the prospect of renewal, pending advisory committee needs. Active attendance and participation in meetings and activities (e.g., conference calls and assignments) will be factors considered when determining term renewal or membership continuance. Members may be appointed for a second three-year term at the discretion of the Director.

The Director will appoint the Committee Chair and Vice Chair from among the membership to one-year terms. The Chair and Vice Chair may be appointed for additional one-year terms. Appointment as the Committee Chair and Vice Chair will not exceed membership term limitations. Upon completion of appointment as Committee Chair or Vice Chair, the member may fulfill any remaining membership term(s).

Should a committee member be unable to complete a three-year term, a new member may be selected to complete that term for the duration of the time remaining for that term. If the time remaining on the vacated seat exceeds 1.5 years, then the new member may serve only one additional three-year term after completing the remaining term of the

vacancy at the discretion of the Director. If the time remaining on the vacated seat is less than 1.5 years, then the new member may serve two additional three-year terms after completing the remaining term of the vacancy at the discretion of the Director.

The committee aims to have a balanced representation among its members, considering such factors as geography, age, gender, race, ethnicity, technical expertise, community involvement and knowledge of census programs and/or activities.

Members will be selected from the public and private sectors. Members may serve as Special Government Employees (SGEs) or Representatives who are selected to represent specific organizations. SGEs and Representatives will be selected based on their expertise in or representation of specific areas to include: diverse populations, (including race and ethnic populations); national, state, local and tribal interest organizations serving hard-to-count populations; researchers; community-based organizations; academicians; business interests; marketing and media professionals; researchers; and members of professional associations. Members will be individually advised of the capacity in which they will serve through their appointment letters.

Membership is open to persons who are not seated on other Census Bureau stakeholder entities (i.e., State Data Centers, Census Information Centers, Federal State Cooperative on Populations Estimates program, other Census Advisory Committees, etc.).

People who have served a full-term on one Census Bureau Advisory Committee may not be reappointed or serve on any other Census Bureau Advisory Committee until at least three years have passed from the termination of previous service.

2. **Balanced Representation.** In addition to expertise and qualifications, balanced representation also includes diversity of viewpoints, experiences and perspectives. The Census Bureau will also seek to achieve NAC membership balance, considering such factors as geography, age, gender, race, ethnicity, technical expertise, community involvement and knowledge of census programs and/or activities.

-Committee membership shall similarly include individuals and/or representatives of organizations reflecting diverse populations, (including race and ethnic populations), national, state, local and tribal interests, organizations serving hard to count populations, researchers, community-based organizations, faith-based organizations, academicians, business interests, marketing and media professionals, researchers, and members of professional associations.

3. **NAC Appointments.** The Census Bureau shall issue a standard Federal Register Notice each Spring/Summer inviting the public to nominate new NAC members.

-The Census Bureau shall create a list of prospective new NAC members for committee vacancies.

-The Census Bureau Director will consult with the NAC Chair and Vice Chair regarding new NAC member appointments.

-The Census Bureau will conduct a vetting process for new NAC member appointments in accordance with DOC guidelines.

-New NAC member appointments may be based on working group needs.

-The Census Bureau Director may appoint new NAC members as soon as possible following an unscheduled committee vacancy.

-“*Special Government Employees*” (SGE) must submit all required documentation (i.e., Financial Disclosure Forms and Certifications) within the mandatory timeframe for completing such documents. Failure to submit required documents within the required period will affect member’s ability to formally join the committee and participate in NAC activities.

-The Census Bureau Director shall send letters of appreciation to committee members for services rendered.

- 4. Members vs. Alternates.** NAC members, or SGEs, serving as individuals are selected and cleared based on their individual qualifications. As a matter of policy, alternates shall not be designated to serve in an individual member’s place or to represent an individual member in meetings or other committee activities.

Organizational members serving in a “representative” capacity may designate alternates at the discretion of the Census Bureau Director.

- 5. Member Responsibility.** NAC members have the following responsibility:

-Review summary of ethics rules on a yearly basis.

-Submits financial disclosure documentation on a yearly basis (SGEs).

-Attend meetings on a regular basis and come prepared (i.e, review of presentation materials).

-Arrange travel with CWTSato at least two weeks in advance of meeting and respond to travel inquiries in a timely fashion.

-Be willing to accept assignments on the committee and working groups.

-Listens and considers the opinions of other committee members.

-Acts as a key link between the Census Bureau and stakeholder communities by engaging researchers, policy makers, partners, academics, community leaders, and etc. on issues impacting the Census Bureau.

6. Role of Chair and Vice Chair.

Chair Responsibilities

- a. Consults with the Census Bureau Director on meeting agendas.
- b. Assists the Designated Federal Officer in presiding over meetings.
- c. Keep committee focused and involve all members in tasks.
- d. Submit recommendations of the committee to the Census Bureau Director.
- e. Follow-up on committee recommendations or actions.

Vice Chair responsibilities:

- a. Acts as the Chair when he/she is not present.
- b. Assists the Chair during meetings.

In addition, the Vice Chair may also take on the following responsibilities:

- a. Serve as liaison to the working groups and ensures the work is completed as planned in the working group guidelines.
- b. Attends working group conference calls/activities on an as needed basis.
- c. Assists in identifying external experts for the working groups.

CHAPTER FOUR—WORKING GROUPS

1. **Objectives and Scope of Activity:** The NAC will conduct temporary working groups to obtain outside perspectives and analysis and provide suggestions to the full NAC for further discussion and deliberation which may result in final recommendations to the Census Bureau.

Working group participation will be at the invitation of the Census Bureau. Working group formation and procedures will follow FACA guidelines. It is ideal that the broadest set of membership be sought for working groups. Working group members must remain active participants (e.g., conference calls and assignments) for continued inclusion in a working group.

2. **FACA Guidelines Regarding Working Groups**

- a. Working group membership may contain only a portion of the full committee.
- b. Working group reports to the full committee and not the Census Bureau.
- c. Working group calls or gatherings with Census Bureau staff participation are designed for the subject matter experts to share information or answer questions regarding Census Bureau research and materials.
- d. Working group members may conduct calls or gatherings on their own to formulate suggestions that will then be shared before the full committee for deliberation, which may result in final recommendations to the Census Bureau.
- e. It is not permissible for working group members to offer advice and suggestions to the subject matter experts during the course of a working group call or gathering.
- f. It is not permissible for a member to request a meeting (outside a formal meeting) with subject matter experts to offer advice and suggestions.
- g. It is not permissible for subject matter experts to solicit feedback from members outside a formal meeting where a *Federal Register Notice* is published and members of the public are invited to attend.
- h. Working group calls or gatherings are not considered as NAC ‘meetings.’
- i. Working groups shall terminate once the assigned tasks are completed.

3. NAC Activities Regarding Working Groups

- a. Each working group will have guidelines defining scope of work.
- b. A working group convener will be appointed by the Director.
- c. Working group convener may be asked to present findings or an update at a meeting.
- d. The working group may invite special guests and/or members of the public as external experts on working group conference calls.
- e. Working group convener submits report to NAC for committee review and deliberation, which may result in final recommendations to the Census Bureau.

Convener responsibilities:

- a. Contact Advisory Committee staff should it be necessary to meet with Census Subject Matter Experts (SMEs) to obtain more information about the purpose and scope of the working group.
- b. The working group convener will reach out to Committee members to invite members to volunteer as members of the working group.
- c. Work through Advisory Committee staff to develop deliverable targets, working group focus, and timeline.
- d. Identify external experts, as needed, for the working group.
- e. Follow-up with working group members who miss more than two consecutive meetings to determine a member's ability to continue serving on the working group.
- f. Inform the NAC Chair and Vice Chair if a member misses more than three consecutive meetings.
- g. Meet periodically with Advisory Committee staff to determine progress on working group deliverables and objectives.
- h. Work with NAC Chair and Vice Chair to determine whether new working group members may be added once the working group is formed.

Census advisory committee staff will assist working group conveners with the following:

- a. Coordinate an initial meeting with the convener to provide information about the purpose and scope of the working group.
- b. Organize meeting times and logistics.
- c. Maintain high-level notes and attendance during meetings.
- d. Record working group calls, upon request.
- e. Maintain working group documents.
- f. Coordinate fact-gathering opportunities with Census SMEs.

Working group reports will be archived on the NAC website following the submission of the final report. Working group reports will also be sent to all NAC members.

After the completion and presentation of a working group report, the NAC and the Census Bureau will send formal letters of appreciation to the working group members.

4. NAC Role in Generating Ideas for New Working Groups

Some working group reports or Committee recommendations may suggest new working group issues. Working group formation will launch based on Census Bureau needs, budget considerations, and at the Director's discretion.

CHAPTER FIVE—COMMITTEE RECOMMENDATIONS

1. Objectives and Scope of Activity: The NAC may submit recommendations to the Census Bureau. Recommendations should follow the steps outlined below:

- a. There are typically two avenues to submitting suggestions, which may result in final recommendations: (1) via formal suggestions documented in a written working group report or (2) more informal suggestions entered by individual committee members. The former are introduced during discussions set aside for “Working

Group Reports.” The latter may be introduced during a time set aside during “Committee Discussion” at a public meeting.

- b. The Committee will deliberate and vote on the suggestions, which may result in final recommendations to the Census Bureau. The Committee may approve, reject or alter a recommendation. The Committee may use ‘Committee Discussion’ time that is normally allocated on the public meeting agenda for deliberations.
- c. In order for the Committee to submit consensus recommendations, there must be a quorum. A quorum is defined as more than half of the current membership in attendance. If less than half of the membership are present, the committee may submit individual remarks.
- d. If the Committee does not have sufficient time during the public meeting to finalize suggestions and recommendations, a subsequent public meeting will be scheduled to finalize.
- e. Final recommendations are sent to Census Bureau Director via the NAC Chair within 30 days after a meeting.
- f. Dissenting votes and views may be attached to the final recommendations.
- g. Committee recommendations and dissenting vote and views will be posted on the NAC web site upon receipt.
- h. Committee recommendations resulting from the deliberations may be responded to by the Census Bureau.

2. FACA Guidelines Regarding Recommendations

- a. Advisory committee members must not develop and finalize recommendations outside a public forum.
- b. Advisory committee members should not discuss substantive issues or make substantive changes/additions to recommendations outside a public meeting.
- c. The final recommendations submitted at the end of the 30-day period after a public meeting should be substantively the same as those discussed during the open meeting.

- d. What is discussed outside a public meeting during the 30-day recommendation period must *only be administrative topics*, not substantive topics, new ideas, new recommendations or debate on recommendations.

- e. Should committee members need to have substantive discussions about its consensus recommendations, another meeting should be scheduled to have those discussions in an open meeting.