

**American Community Survey  
Fiscal Year 2014 Content Review  
Federal Data Collection**

FINAL REPORT

*Gary Chappell, American Community Survey Office  
Cathy Rosol, American Community Survey Office/ERIMAX*



U.S. Department of Commerce  
Economics and Statistics Administration  
U.S. CENSUS BUREAU  
census.gov

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## Executive Summary

### Objective

The overall objective of the American Community Survey (ACS) Federal Data Collection effort was to systematically collect uses of ACS questions by federal agencies, identify the level of geography needed for each use, and provide legal citations supporting each use. The specific objective was to identify potential candidate questions for removal from the ACS using pre-specified criteria.

### Scope

The scope of the data collection effort included 23 federal agencies and two congressional agencies:<sup>1</sup>

1.	Bureau of Economic Analysis (BEA)
2.	Census Bureau
3.	Centers for Disease Control and Prevention (CDC)
4.	Department of Agriculture (USDA)
5.	Department of Education (DoED)
6.	Department of Energy (DOE)
7.	Department of Health and Human Services (HHS)
8.	Department of Homeland Security (DHS)
9.	Department of Housing and Urban Development (HUD)
10.	Department of Justice (DOJ)
11.	Department of Labor (DOL)
12.	Department of the Interior (DOI)
13.	Department of Transportation (DOT)
14.	Department of Veteran's Affairs (VA)
15.	Environmental Protection Agency (EPA)
16.	Equal Employment Opportunity Commission (EEOC)
17.	Federal Communications Commission (FCC)
18.	Federal Reserve Board (FRS)
19.	National Institutes of Health (NIH)
20.	National Science Foundation (NSF)
21.	National Telecommunications and Information Administration (NTIA)
22.	Office of Management and Budget
23.	Social Security Administration (SSA)

<sup>1</sup> The two congressional agencies, the Congressional Budget Office and (CBO) and the Library of Congress (LOC) were not part of the federal use analysis.

## Methodology

In March 2014, the Department of Commerce transmitted letters to federal agencies asking that an appropriate senior official be designated to serve as a point of contact in support of the Content Review in order to coordinate a response back to the Census Bureau regarding the details of their respective agency data uses for ACS questions.

In April 2014, the Census Bureau hosted an ACS Content Review Summit at the Department of Commerce (DOC) Main Auditorium for agency points of contact identified to the DOC for this effort, as well as subject matter experts familiar with the technical and programmatic uses of ACS topics and the legal basis for these uses. The summit emerged from an executive requirement to bring together federal agencies in order to provide a consistent message regarding the purpose of the ACS Content Review, a standard data collection tool, and a timelines for agency data submissions.

The one-day event consisted of morning sessions that provided basic information about the ACS and the Content Review as well as an overview of the process for collecting and analyzing federal agency Mandatory, Required, and Programmatic uses of ACS data<sup>2</sup>. The afternoon session was a detailed walk-through of the data collection submission tool and the timelines for agency data submissions. The summit was well attended. Of the original 22 letters transmitted, 19 of the corresponding agencies were present, as well as the Under Secretary of Commerce for Economic Affairs, the Director and other top officials of the Census Bureau, the Social Security Administration, the Office of Management and Budget, the Government Accountability Office, and the Director of the Committee on National Statistics.

Following the summit, the Census Bureau provided each agency a Data Collection Tool populated with information the agency had previously provided in response to the Office of Management and Budget's data collection process conducted in 2012 (Cass Sunstein memorandum), if available. The tool was provided in spreadsheet format in order to allow agencies to provide detailed information for each use described. This was a significant enhancement from previous exercises, enabling the Census Bureau to collect normalized inputs across all federal agencies and thus analyze responses more efficiently. For each use, agencies were asked to provide any public laws, federal statutes, regulations, or other decisions that require the use of American Community Survey or Census Bureau data and work with their General Counsel's office (OGC) to ensure the citations were accurate. Their General Counsel was asked to confirm in writing that their office reviewed the submission completed by their program contact

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<sup>2</sup> Mandatory – a federal law explicitly calls for use of decennial census or ACS data on that question

Required – a federal law (or implementing regulation) explicitly requires the use of data and the decennial or the ACS is the historical source; or the data are needed for case law requirements imposed by the U.S. federal court system

Programmatic – the data are needed for program planning, implementation, or evaluation and there is no explicit mandate or requirement

and certified that the submission completely and accurately cited the laws corresponding to the agency's uses of the ACS.

Agencies were further asked to provide the geographic level at which the data are needed, the frequency of use, whether or not other data sources exist, and further comments to provide contextual information. Once the agency submission was complete and verification of the legal review by the agency's General Counsel was received, the Department of Commerce General Counsel began their review of the data uses and citations to determine if the uses were Mandatory (i.e., statutory), Required, or Programmatic.

This report directly supports the findings described in the American Community Survey (ACS) Fiscal Year 2014 Content Review Results Final Report. For more information on the ACS Content Review, see the Content Review web page:

[http://www.census.gov/acs/www/about\\_the\\_survey/acs\\_content\\_review/](http://www.census.gov/acs/www/about_the_survey/acs_content_review/)

## 1 Introduction

The purpose of the American Community Survey (ACS) Content Review was to obtain a comprehensive understanding of the usages, justification, and merit of each question on the ACS. The goal was to minimize the reporting burden imposed on a subset of households while providing quality information to federal, state, local and tribal governments along with business decision-makers.

The overall objective of the American Community Survey (ACS) Federal Data Collection effort was to systematically collect uses of ACS questions by federal agencies, identify the level of geography needed for each use, and provide legal citations supporting each use. The specific objective was to identify potential candidate questions for removal from the ACS using pre-specified criteria.

In March 2014, the Department of Commerce (DOC) transmitted letters to 22 federal agencies asking that an appropriate senior official be designated to serve as a point of contact in support of the Content Review in order to coordinate a response back to the Census Bureau regarding the details of their respective agency data uses for ACS questions.

Following receipt of the designated agency point of contact, the original approach to collect federal agency responses was to hold individual meetings with agencies using an open-ended interviewing tool. Instead, the ACS Content Review Summit held in April emerged from an executive requirement to bring together federal agencies in order to provide a consistent message regarding the purpose of the ACS Content Review, a standard data collection tool, and a timelines for agency data submissions.

The Census Bureau hosted the ACS Content Review Summit on April 29, 2014, at the Department of Commerce Main Auditorium for agency points of contact identified to the DOC for this effort, as well as subject matter experts familiar with the technical and programmatic uses of ACS topics and the legal basis for these uses.

The one-day event consisted of morning presentations by Department of Commerce executives, Census Bureau staff, and federal agency representatives who provided basic information about the ACS and the Content Review as well as an overview of the process for collecting and analyzing federal agency Mandatory, Required, and Programmatic uses of ACS data. In the initial planning for the summit, the agenda for the afternoon was a series of four breakout sessions with panel discussions on the four ACS topics that were considered as the highest visibility/burden: Income; Journey to Work; Disability; and, Plumbing Facilities. However, as planning for the summit continued, the goal was to ensure that discussion was not limited to just four topics and ensure that all summit attendees received the same information regarding the data collection effort. This goal could not be met with individual breakout sessions. Thus, the final agenda for the afternoon evolved into a detailed walk-through of the data collection submission tool and the timelines for agency data submissions.

The summit was well attended. Of the original 22 letters transmitted, 19 of the corresponding agencies were present, as well as the Under Secretary of Commerce for Economic Affairs, the Director and other top officials of the Census Bureau, the Social Security Administration, the Office of Management and Budget, the Government Accountability Office, and the director of the Committee on National Statistics. While they were not one of the original agencies who received the March 2014 letter from the Department of Commerce, the Social Security Administration (SSA) requested to participate in the data collection effort.

Following the summit, the Census Bureau provided each agency a Data Collection Tool populated with information the agency had previously provided in response to the Office of Management and Budget's data collection process conducted in 2012 (Cass Sunstein memorandum), if available. The tool was provided in spreadsheet format in order to allow agencies to provide detailed information for each use described. This was a significant enhancement from previous exercises, enabling the Census Bureau to collect normalized inputs across all federal agencies and thus analyze responses more efficiently. For each use, agencies were asked to provide any public laws, federal statutes, regulations, or other decisions that require the use of American Community Survey or Census Bureau data and work with their General Counsel's office (OGC) to ensure the citations were accurate. Their General Counsel was asked to confirm in writing that their office reviewed the submission completed by their program contact and certified that the submission completely and accurately cited the laws corresponding to the agency's uses of the ACS.

Agencies were further asked to provide the geographic level at which the data are needed, the frequency of use, whether or not other data sources exist, and further comments to provide contextual information. Once the agency submission was complete and verification of the legal review by the agency's General Counsel was received, the Department of Commerce General Counsel began their review of the data uses and citations to determine if the uses were Mandatory (i.e., statutory), Required or Programmatic. Then, using pre-specified criteria, a project team began analyzing the data to identify potential candidate questions for removal from the ACS.

Details regarding the summit and data collection are outlined in the methodology below.

## **2 Methodology**

### **2.1 Pre-Summit Emails and Federal Agency Contacts**

Prior to the summit, the Project Lead and sub-team transmitted the following emails:

- Summit invitation with a registration form and preliminary agenda
- Registration confirmation
- Summit reminder with three attachments: (1) Logistics; (2) Agenda; and, (3) ACS Content Review Extranet Guide

Additionally, the sub-team did regular telephone follow-up with agencies that had not provided a point of contact and/or had not registered for the summit.

## **2.2 Participant Folders**

Each summit attendee received an information packet with the following items. The materials that are available electronically are included as attachments to this report.

- Summit Agenda
- ACS Content Review FAQs
- ACS Content Review Extranet Guide
- ACS Content Review Data Collection Tool Guide
- Sample Data Collection Tool tailored to their agency
- ACS Topic Information for Disability, Income, Journey to Work, and Plumbing Facilities
- Summit presentation slides
- ACS Data Wheel
- ACS Information Guide
- Sample American Community Survey

## **2.3 Post-Summit Activities**

The summit sub-team employed a variety of activities to assist and encourage federal agencies to submit their data uses. The activities are outlined below.

### **2.3.1 One-on-One Direct Agency Support**

Following the summit, sub-team members devoted many hours and a high level of effort providing the following customized direct agency support:

- Responding to federal agency questions regarding access to the data collection tool and data submission requirements via phone calls and emails
- Follow-up phone contact and emails to agencies who had not yet completed their submission
- Follow-up phone contact and emails to agencies who had not provided an official letter from their General Counsel's office certifying their legal review
- Follow-up emails tailored to each agency with reminder submission deadlines
- Participating in a twice-weekly chat line with federal agencies
- Designing a multitude of tailored tools for sub-agencies
- Designing tailored templates for the agency's Office of General Counsel (OGC) review
- Designing tailored tools and templates for Census Bureau legal team review of agency OGC submissions

- Participating in twice-weekly meetings with the Census Bureau's legal team to review the status of receipt of letters from agency General Counsels, as well as the status of the Department of Commerce's legal review.
- Daily status tracking of the data collection tool submission and the agency's OGC review

This customized level of support represented a paradigm shift from the original concept of conducting many site visits and follow up visits to individual agencies.

### **2.3.2 Twice Weekly Chat Line**

Beginning May 1, 2014 and continuing through the June 19, 2014 data submission deadline, the project team facilitated a twice-weekly ACS Content Review chat line to provide an opportunity for federal agencies to consult with ACSO subject matter experts and ask questions about the Content Review and the Data Collection Tool. Census Bureau representation included the summit project team, ACSO subject matter experts, and the Census Bureau's legal team. Approximately three to five federal agencies participated in each chat line session.

### **2.3.3 Extranet Discussion Board and Team Mailbox**

The project team set up a discussion board on the SharePoint extranet site where federal agencies could post questions/discussions about the ACS Content Review. Additionally, the team established an option to email questions to the ACS Content Review team. The discussion board and mail box were monitored by the ACS Content Review team, and responses were provided either via email or phone contact.

### **2.3.4 Update/Reminder Emails**

Following the summit, the Project Manager and project team transmitted the following emails:

- Thank you email with final presentation slide deck and information about the options for assistance: (1) twice-weekly chat line; (2) extranet discussion board; and, (3) team mailbox
- Update email with a copy of the Commerce General Counsel letter sent to the federal agency Counsel's Office supporting the legal review of citations linked to the uses of ACS topics the agency documented as part of the Content Review, as well as recommended language federal agencies could use for corresponding with their General Counsel's Office. The email also included updated deadlines and a reminder of the options for assistance.
- Reminder email for the June 5th deadline
- Reminder email for the June 19th deadline
- Email to agencies who had not yet completed their submission that the final date to submit or make revisions to their submission was July 18

## 2.4 Data Collection Submission Tool and General Counsel Legal Review

Each of the federal agencies was provided a Data Collection Tool populated with information the agency had previously provided in response to the Office of Management and Budget's data collection process conducted in 2012 (Cass Sunstein memorandum), if available. If that information was not available, they were given a blank tool with examples. The Data Collection Tool for each agency was uploaded to an extranet site, and the program contact had the option of completing the spreadsheet online or downloading it to complete offline, providing the following information:

- Step 1: Describe your agency's use of ACS statistics, with an emphasis on whether the use affects small communities.
- Step 2: For each use, list any public laws, federal statutes, regulations, or other decisions that require the use of American Community Survey or Census Bureau data.
- Step 3: For each use, list whether it can or cannot be accomplished without the ACS.
- Step 4: Provide detailed justification to explain why the ACS is essential for this data use.
- Step 5: List the lowest level geography needed for this data use.
- Step 6: List the size and scope of the stakeholder groups involved in each use.
- Step 7: Review the information provided for completeness.
- Step 8: Provide any additional information about this use that should be considered.

For each ACS use, agencies were asked to provide any public laws, federal statutes, regulations, or other decisions that require the use of American Community Survey or Census Bureau data and work with their General Counsel to ensure the citations were accurate. Their General Counsel was asked to confirm in writing that their office reviewed the submission completed by their program contact and certified that the submission completely and accurately cited the laws corresponding to the agency's uses of the ACS.

Agencies were given three submission deadlines:

- Agency uses involving the Plumbing Facilities, Disability, Journey to Work Topics
- Agency uses involving the Income Topic
- Agency uses involving all other Topics

The original deadlines were extended based on feedback from the agencies, that in order to adequately respond to the Census Bureau's ACS Content Review, they needed additional time.

As the Data Collection Tools were received, ACSO staff performed an initial quality control check to ensure the agency had provided: (1) the lowest level of geography needed; (2) citations for each ACS data use; and, (3) detailed justification by ACS topic. If the Data Collection Tool was not complete, the project team contacted the agency via email or phone to provide assistance in completing the submission. Once the submission was complete and verification of the legal review by the agency's General Counsel was received, the Department of Commerce (DOC)

Office of General Counsel (OGC) began their review of the data uses and citations to determine if the uses were Mandatory (i.e., statutory), Required or Programmatic.

The legal definitions used in the DOC OGC validation process included:

- Mandatory – a federal law explicitly calls for use of decennial census or ACS data on that question
- Required – a federal law (or implementing regulation) explicitly requires the use of data and the decennial census or the ACS is the historical source; or the data are needed for case law requirements imposed by the U.S. federal court system
- Programmatic – the data are needed for program planning, implementation, or evaluation and there is no explicit mandate or requirement

The required minimum threshold of information considered necessary for the DOC OGC to review and adjudicate each agency use included: (1) clear statement of the federal use; (2) complete legal citation; and, (3) identification of questions connected to the use and citation. Until validated by the DOC OGC, each federal data use was considered Programmatic. If a statute explicitly stated to use the ACS or the decennial census as the data source, then the use was deemed Mandatory. If a statute did not explicitly state to use the ACS or the decennial census as the data source, but the decennial census or the ACS is the historic source, then the use is Required.

### **3 Assumptions and Limitations**

#### **3.1 Assumptions**

- The Sunstein-responding Agencies would form the core of the federal responses.
- The Census Bureau would work with federal agencies to identify a Point of Contact (POC) and Subject Matter Experts (SMEs) at each agency.
- The Census Bureau would issue a formal invitation to agencies to attend a 1-day American Community Survey Content Review Summit on April 29, 2014 to kick off the Content Review.
- After the Summit, the Census Bureau would continue the process of gathering information, scheduling meetings with individual agencies as needed.
- Beginning May 1, 2014 federal agencies would provide documentation of their known uses of ACS data.
- As information from federal agencies was received, the Census Bureau would work with the Department of Commerce (DOC) Office of General Counsel (OGC) to review the legal basis for each use of ACS data cited by a federal agency.

#### **3.2 Limitations**

- Because the letter from Department of Commerce Deputy Secretary asking that federal agencies designate a point of contact was not mailed until March 14, ensuring that

appropriate representatives from each federal agency attended the summit was very challenging.

- The decision to hold the summit was made less than two months prior to the event, which made planning and preparation challenging.
- The workload for the DOC OGC precluded validating all uses prior to the results deadline. As a result, we prioritized DOC OGC work to ensure they reviewed all questions where a Mandatory or Required use for the three geographic levels was identified by the federal agencies.

## 4 Results

The table below shows the number of uses of ACS data for each federal agency participating in the Content Review.

**Table 1: Summary of Data Collection Results**

Federal Agency		Number of ACS Uses
1.	Bureau of Economic Analysis (BEA)	5
2.	CDC Centers for Disease Control and Prevention (CDC)	Included with HHS
3.	Census Bureau	4
4.	Department of Education (DoED)	19
5.	Department of Energy (DOE)	10
6.	Department of Health and Human Services (HHS)	78
7.	Department of Homeland Security (DHS)	0
8.	Department of Housing and Urban Development (HUD)	26
9.	Department of Justice (DOJ)	17
10.	Department of Labor (DOL)	21
11.	Department of the Interior (DOI)	3
12.	Department of Transportation (DOT)	34
13.	Department of Veteran's Affairs (VA)	9
14.	Environmental Protection Agency (EPA)	27
15.	Equal Employment Opportunity Commission (EEOC)	15
16.	Federal Communications Commission (FCC)	2
17.	Federal Reserve Board (FRS)	6
18.	National Institutes of Health (NIH)	Included with HHS
19.	National Science Foundation (NSF)	3
20.	National Telecommunications and Information Administration (NTIA)	1
21.	Office of Management and Budget (OMB)	1
22.	SSA (Social Security Administration)	3
23.	USDA (Department of Agriculture)	25
<b>Total</b>		<b>309</b>

## **5 Summary**

This report summarizes the steps followed to gather input from federal agencies participating in the ACS Fiscal Year 2014 Content Review. Given the complexity and level of effort for this endeavor, the Census Bureau is taking into consideration lessons learned from this project and developing guidelines to provide a repeatable, efficient process for future content reviews.