

2000 CENSUS COMMUNITY PARTICIPATION ENHANCEMENT
ACT

APRIL 13, 1999.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. BURTON of Indiana, from the Committee on Government
Reform, submitted the following

REPORT

together with

MINORITY VIEWS

[To accompany H.R. 1009]

[Including cost estimate of the Congressional Budget Office]

The Committee on Government Reform, to whom was referred
the bill (H.R. 1009) to authorize the awarding of grants to cities,
counties, tribal organizations, and certain other entities for the
purpose of improving public participation in the 2000 decennial
census, having considered the same, report favorably thereon with
an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
I. Summary of Legislation	2
II. Background and Need for the Legislation	2
III. Legislative Hearings and Committee Actions	2
IV. Committee Hearings and Written Testimony	3
V. Explanation of the Bill	3
VI. Compliance with Rule XIII	3
VII. Budget Analysis and Projections	3
VIII. Cost Estimate of the Congressional Budget Office	4
IX. Specific Constitutional Authority for This Legislation	4
X. Committee Recommendation	5
XI. Congressional Accountability Act; Public Law 104-1	5
XII. Unfunded Mandates Reform Act; Public Law 104-4, Section 423	5
XIII. Federal Advisory Committee Act (5 U.S.C. App.) Section 5(b)	5

The amendment (stated in terms of the page and line number of the introduced bill) is as follows:

Page 4, line 6, strike "subsection" and insert "section".

I. SUMMARY OF LEGISLATION

H.R. 1009 authorizes the Secretary of Commerce to administer grants to units of local government, tribal organizations, and non-profit organizations to promote the census within their communities. The bill requires the Secretary of Commerce to prescribe regulations to carry out the Act within 60 days. Applicants are required to submit their applications to the Census Bureau regional centers and the Secretary has 60 days to notify the applicant whether the application has been approved or disapproved. The grant program will match \$2 in Federal funds for every \$1 of non-Federal contribution. Non-Federal contributions may be made in-kind. The total Federal funds available is \$26,000,000.

II. BACKGROUND AND NEED FOR LEGISLATION

More local and outreach and promotion programs by the stakeholders in the affected communities will be an effective tool to reach the undercounted. The Commerce Secretary's 2000 Census Advisory Committee final report dated January 22, 1999, recommends increased funding for partnerships as a necessary way to increase participation among hard to reach populations. Community groups participating during the 1998 Dress Rehearsal stated that they have only limited resources to conduct outreach and that funding is necessary to be able to assist in outreach activities.

III. LEGISLATIVE HEARINGS AND COMMITTEE ACTIONS

H.R. 1009 was introduced on March 4, 1999 by the Honorable Dan Miller (R-FL), Chairman of the Subcommittee on the Census, Government Reform Committee. The bill was referred to the Committee on Government Reform on March 4, 1999 and then to the Subcommittee on the Census on March 11, 1999. The subcommittee held a legislative hearing on March 2, 1999. A markup was held by the subcommittee on March 11, 1999. Mrs. Maloney (D-NY) offered an amendment to the bill to restrict grants to communities with a population undercount of 2 percent or greater. This amendment makes available sums as may be necessary and requires the Secretary of Commerce to select a nonprofit organization(s) to administer the grants program. Mrs. Maloney's amendment failed on voice vote. The measure was ordered favorably reported to the full Committee by a voice vote.

On March 17, 1999, the full Committee met to consider the bill. Mrs. Maloney (D-NY) offered an amendment to the bill to restrict grants to communities with a population undercount of 2 percent or greater. This amendment makes available sums as may be necessary and requires the Secretary of Commerce to select a nonprofit organization(s) to administer the grants program. Mrs. Maloney's amendment failed on voice vote. Mr. Miller (R-FL) offered a technical amendment which passed by voice vote. The committee approved bill, as amended, by voice vote. The committee

then favorably reported the bill, as amended, to the House by voice vote.

IV. COMMITTEE HEARINGS AND WRITTEN TESTIMONY

The committee held no hearings and received no written testimony on H.R. 1009.

V. EXPLANATION OF THE BILL

Sec. 1.—The short title is the “2000 Census Community Participation Enhancement Act.”

Sec. 2.—This section authorizes the Secretary of Commerce to administer grants to units of general local government, tribal organizations, and public or private nonprofit organizations.

Sec. 3.—Subsection (a) requires each entity that wishes to receive a grant to submit an application, which must include program objectives and activities and other information required by the Secretary.

Subsection (b) requires the Secretary to notify applicants in writing within 60 days of receipt of the application whether the application has been approved or disapproved.

Sec. 4.—This section requires each entity receiving a grant to provide at least 50 percent of the Federal funds provided. Non-Federal contributions may be in-kind contributions.

Sec. 5.—This section requires the Secretary to allocate funds equally among the Census Bureau’s regional centers.

Sec. 6.—This section lists the uses of grant funds. These include training volunteers to assist individuals to complete and return census questionnaires, educating the public about the importance of participating in the 2000 census, educating the public about the confidentiality that will be accorded to information collected in the 2000 census, recruiting candidates to apply for census and field enumerator positions, sponsoring community events to promote the 2000 census, producing community-tailored promotional materials, or renting space to provide training.

Sec. 7.—This section requires the Secretary to prescribe regulations to carry out this Act within 60 days after enactment. The regulations must include a provision requiring that applications must be made to the Census Bureau regional centers or area offices and that the heads of such offices will approve or disapprove applications in acceptance with guidelines set forth in the regulations.

Sec. 8.—This section authorizes \$26,000,000 to be appropriated for fiscal year 2000.

Sec. 9.—This section defines terms used for purposes of this Act.

VI. COMPLIANCE WITH RULE XIII

Pursuant to rule XIII, clause 3(c)(1) of the Rules of the House of Representatives, under the authority of rule X, clause 2(b)(1) and clause 3(e), the results and findings from this committee oversight activities are incorporated in the bill and this report.

VII. BUDGET ANALYSIS AND PROJECTIONS

The budget analysis and projections required by section 308(a) of the Congressional Budget Act of 1974 are contained in the estimate

of the Congressional Budget Office. H.R. 1009 provides for \$26,000,000 in new authorization.

VIII. COST ESTIMATE OF THE CONGRESSIONAL BUDGET OFFICE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, March 22, 1999.

Hon. DAN BURTON,
*Chairman, Committee on Government Reform,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1009, the 2000 Census Community Participation Enhancement Act.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contacts are Mark Hadley (for federal costs) and Susan Sieg (for the state and local impact).

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1009—2000 Census Community Participation Enhancement Act

Assuming appropriation of the authorized amount, CBO estimates that implementing H.R. 1009 would cost \$26 million in 2000. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

For the 2000 decennial census, the Bureau of the Census has entered into partnership agreements with more than 10,000 local governments and other organizations to promote the census among groups that are difficult to enumerate. Under these agreements, the bureau prints locally designed promotional materials for the census. H.R. 1009 would authorize the appropriation of \$26 million in fiscal year 2000 for grants to local governments, tribal organizations, and public or private nonprofit organizations for the purpose of improving public participation in the 2000 census.

H.R. 1009 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act. Any costs incurred by state, local, or tribal governments as a result of participation in this program would be voluntary. Local or tribal governments accepting the grants made available by H.R. 1009 would be required to provide matching funds at least equal to 50 percent of the federal funds they receive.

The CBO staff contacts are Mark Hadley (for federal costs) and Susan Sieg (for the state and local impact). This estimate was approved by Paul N. Van de Water, Assistant Director for Budget Analysis.

IX. SPECIFIC CONSTITUTIONAL AUTHORITY FOR THIS LEGISLATION

Clause 3 of Article 1, section 2 and clauses 1 and 18 of Article 1, section 8 of the Constitution grant Congress the power to enact this law.

X. COMMITTEE RECOMMENDATION

On March 17, 1999, a quorum being present, the Committee on Government Reform ordered the bill favorably reported to the House for consideration by voice vote.

XI. CONGRESSIONAL ACCOUNTABILITY ACT; PUBLIC LAW 104-1

The original Act does not apply to the House of Representatives or to the Senate, thus H.R. 1010 does not apply to Congress.

XII. UNFUNDED MANDATES REFORM ACT; PUBLIC LAW 104-4, SECTION
423

The Committee finds that the legislation does not impose any Federal mandates within the meaning of section 423 of the Unfunded Mandates Reform Act (PL 104-4).

XIII. FEDERAL ADVISORY COMMITTEE ACT (5 U.S.C. APP.) SECTION 5(B)

The Committee finds that section 5(b) of Title 5 App., United States Code, is not applicable because this legislation does not authorize the establishment of any advisory committee.

MINORITY VIEWS

H.R. 1009 establishes a \$26 million matching grant program to local governments, tribal organizations, and public or private non-profit organizations. Grant recipients would be required to contribute \$1 for every \$2 from the federal government. Recipients can include "in-kind" contributions as part of their share, as prescribed by the Secretary of Commerce through regulations. Grant applications are required to include a statement of the objectives for which the grant is sought, and a description of the types of programs and activities to be conducted under the grant.

Although we support providing local government grants, we are concerned that the \$26 million allocated for this program is insufficient. If the 39,000 eligible local governmental entities participated in this program, each would get only \$667. This does not even begin to take into consideration the thousands of private and public nonprofit entities which might be eligible. That small amount might provide some meaningful help in small, geographically compact communities, but it would do almost nothing to address the undercount problems in major urban areas or remote rural areas. As Dr. Prewitt points out in a memorandum to the Secretary of Commerce dated March 16, 1999, providing such little funding would cause local organizations to question the sincerity of the Census Bureau's commitment to the program:

* * * there could be tens of thousands of applications. Either the amount of funds available per awardee would be so low as to raise questions about the sincerity of this effort, or there would be many more losers than winners. Either outcome places the Bureau in an untenable position. We will need strong partnerships even with those governments and local organizations that were not successful in the competition, but disappointment on their part could easily undermine what has become a very healthy partnership.¹

In addition, as Dr. Prewitt points out, administering a grants program is a specialized and complicated undertaking with which the Census Bureau has no experience:

* * * the Census Bureau is not equipped to manage a competitive grant program at this late stage in the decennial cycle. All of our human and financial resources are properly focused on the sequence of activities set forth in our Operational Plan, as submitted to the Census Subcommittee in January 1999 and updated on February 23, 1999. * * * It takes expertise to design, manage, monitor,

¹ Kenneth Prewitt, Director of the Census Bureau, Memorandum for the Secretary, 3 (March 16, 1999).

and assess such programs, and it would be imprudent for the Congress to presume that the Census Bureau has or could quickly acquire that expertise.²

Finally, this bill provides for no targeting of grants to reach the difficult to enumerate. Indeed, the bill pushes in the opposite direction, requiring that funds be distributed equally across the 12 census regions. People missed in the census are typically minorities and the poor. A targeted grants program to reduce the undercount would focus on the South and Southwest, the urban and rural poor, and minority groups. Even the limited funding provided by this bill, if targeted in this way, might produce some reduction in the undercount.

Rep. Maloney offered an amendment both at the Subcommittee and full Committee which would have addressed these three issues by (1) authorizing such sums as are necessary for the program; (2) designating private foundations with “experience in administering grants programs for census community outreach” to administer the program; and (3) targeting the grants to communities with a population undercount of 2% or greater, as measured by the 1990 Post Enumeration Survey. Unfortunately, this amendment was defeated on a party-line vote.

HENRY A. WAXMAN.
 TOM LANTOS.
 BOB WISE.
 MAJOR R. OWENS.
 EDOLPHUS TOWNS.
 PAUL E. KANJORSKI.
 PATSY T. MINK.
 BERNARD SANDERS.
 CAROLYN B. MALONEY.
 ELEANOR HOLMES NORTON.
 CHAKA FATTAH.
 ELIJAH E. CUMMINGS.
 DENNIS J. KUCINICH.
 ROD R. BLAGOJEVICH.
 DANNY K. DAVIS.
 JOHN F. TIERNEY.
 JIM TURNER.
 TOM ALLEN.
 HAROLD E. FORD, Jr.
 JAN SCHAKOWSKY.

○

²Id.