



The Leadership  
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***Misinformation Nation II:  
A Deeper Dive into Threats  
to Federal Civil Rights  
Data Collection***

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## *Executive Summary*

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Having good data is often the first step toward good policy. In the civil rights context, good data are critical not only for policy development, but also to identify and remedy disparities that undermine equal opportunity and harm vulnerable communities. As identified in The Leadership Conference Education Fund’s December 2017 policy brief, *Misinformation Nation: The Threat to America’s Federal Data and Civil Rights*, the integrity of many federal data collection efforts is now at risk. This paper catalogs threats to the 2020 Census, as well as to data regarding LGBTQ individuals, crime and criminal justice, labor and employment, education, health and human services, and housing. They include an ill-advised question on citizenship being added to the 2020 Census, purging of LGBTQ questions from surveys on older Americans, late and unqualified appointments to key statistical positions, delays in data on police-involved deaths, and removal of preschool suspension and expulsion questions from a national survey on children.

The threats are significant, but thanks to strong watchdogging and advocacy, some good news has emerged since *Misinformation Nation* was published: the 2020 Census received a significant funding boost over the president’s inadequate request, data on same-sex relationships will be collected on the 2020 Census, an unqualified candidate for Census Deputy Director withdrew his name from consideration, the FBI restored criminal justice statistics it had previously obscured from the 2016 “Crime in the United States” report, and a federal court found that the Trump administration broke the law when it stopped pay data collection.

This paper concludes by proposing a set of civil rights principles that should inform federal statistical activities going forward.

## *Introduction*

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Having good data is often the first step toward good policy.<sup>1</sup> In the civil rights context, good data are critical not only for policy development, but also to identify and remedy disparities that undermine equal opportunity and harm vulnerable communities.

The federal government maintains an extensive data collection and statistical system that is central to policy development and enforcement efforts regarding a wide range of civil rights protections, including equitable access to housing, education, employment, health care, political representation, and other societal institutions. These data support advocacy for fairer and more effective criminal justice policies; assist civic leaders in promoting equality of opportunity; allow for the evaluation of public programs to measure their effectiveness; and form the basis for allocating some \$800 billion in public spending every year.

Civil and human rights advocates have long supported the federal government's collection and analysis of data in a way that enhances the enforcement of civil rights laws and facilitates a better understanding of barriers to opportunity for diverse communities throughout the country. Rigorous collection of reliable and meaningful data for civil rights purposes must therefore remain a core activity of federal agencies.

However, as identified in The Leadership Conference Education Fund's December 2017 policy brief, *Misinformation Nation: The Threat to America's Federal Data and Civil Rights*,<sup>2</sup> the integrity of many federal data collection efforts is now at risk. This paper catalogs these threats, identifies the key sources of federal data for civil rights policy and enforcement, and proposes a set of civil rights principles that should inform federal statistical efforts going forward.

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# *Threats to collection of civil rights data*

Two years into the current administration, a clear pattern of disregard for the collection and dissemination of data related to civil rights policy and enforcement has emerged. This pattern runs the gamut from dramatically underfunding key statistical efforts (made worse by the passage of a massive tax cut and the unsurprising corresponding budget cuts) to canceling planned or expanded data collections, to reducing transparency regarding government data sources. The threats to data essential for protecting and promoting civil rights fall into a larger pattern of attacks on science and evidence-based decision making: failure to appoint a director of the White House Office of Science and Technology Policy for more than 18 months, an anti-science approach to climate change, withholding government-funded research from public view, and preventing scientists from attending conferences and speaking about their work.

## **A. The 2020 Census**

Fair, proportionate electoral representation in our democracy depends on valid census data. That's why the Constitution requires a decennial census for the purpose of apportioning seats in the U.S. House of Representatives among the states.<sup>3</sup> And the importance of census data goes far beyond this constitutional mandate: federal agencies rely on census and related American Community Survey (ACS) data to monitor discrimination and implement civil rights laws that protect voting rights, equal employment opportunity, and more. Census and ACS data also guide the annual allocation of more than \$800 billion in federal resources, along with countless policy and investment decisions by government agencies, nonprofit organizations, and private enterprise.

Historically, some groups of people have been more challenging to count accurately. Communities of color,

low-income households, immigrants, homeless persons, limited English proficient households, and young children are all at risk of being missed at disproportionately high rates. Enumerating these communities fully takes a focused effort. And being undercounted deprives already vulnerable communities of fair representation and vital public and private resources. Because the census is conducted only once every 10 years, undercounts affect the accuracy of census data and all other census-derived statistics for a decade.

For these reasons, a fair and accurate census is among the most important civil rights issues of the day. It is also one of the largest, most complicated, and technical activities that the government administers. Counting every person in the United States is a massive and complex undertaking even under the best conditions. Ensuring a fair, inclusive, and accurate count requires careful research and planning, continual updating of address information, advance testing of procedures and technology, and the hiring, training, and oversight of a large temporary workforce to gather and process the data. Apart from logistical and other challenges that always accompany the decennial census, there are additional challenges facing the 2020 effort in particular.

### ***1. Budget shortfalls and uncertainty have affected 2020 Census tests and preparations.***

Every decade, the Census Bureau requires a steady ramp-up in funding as it moves from research and testing, to operational and systems development, to preparations and, finally, to the actual count. Unfortunately, the delay in passing FY 2017 appropriations bills, coupled with underfunding in the final "omnibus" measure, forced the Census Bureau to eliminate, streamline, or delay vital planning activities, putting a fair and accurate 2020 Census in jeopardy. Furthermore, the Trump administration's proposed budget for Fiscal Year 2018

requested only a two percent increase over the previous year, a woefully inadequate ramp-up to accommodate a full “dress rehearsal” of census operations (the 2018 End-to-End Census Test). By comparison, the Census Bureau’s funding increased by 60 percent between 2007 and 2008 in advance of the 2010 Census.

Such irresponsible budget restraints threaten the accuracy and completeness of the 2020 Census. The Census Bureau has implemented new procedures and first-time uses of technology for the 2020 Census, including an online option for people to respond to the questionnaire and the introduction of electronic data collection by census workers. These technologies could dramatically reduce paperwork and staff time, potentially saving several billion dollars over the cost of repeating 2010 Census methods. But they need to be fully tested, debugged, and refined in the field during the lead up to the 2020 Census. And that effort needs funding. Though strong advocacy helped secure a dramatic increase,<sup>4</sup> concerns remained, especially given the partial government shutdown resulting from the president’s refusal to sign any spending bill without a big increase for a border wall. However, stakeholders were ultimately successful in elevating the importance of sufficient census funding in final negotiations over remaining FY 2019 appropriations bills, so that the total amount of money available to the Census Bureau for 2020 Census preparations in FY 2019 is about \$1 billion over the president’s request.

## ***2. The Census Bureau had lacked permanent, qualified, independent leadership.***

The Census Bureau has also been at risk of being politicized by the appointment of unqualified, partisan actors to key leadership positions. The unexpected resignation in June 2017 of the Census Bureau’s director left a leadership vacuum at a critical time. The administration prioritized partisanship over professionalism and expertise by considering appointing Thomas Brunell, a political science professor with no significant executive branch or management experience, as the Census Bureau’s Deputy Director, a position that does not require Senate confirmation. Brunell is a frequent witness for the Republican Party in redistricting and gerrymandering lawsuits and has written a book titled “Redistricting and Representation: Why Competitive Elections are Bad for America.”<sup>5</sup> The consideration of Brunell suggested a troubling effort to politicize the Census. The Census Bureau is not a partisan agency, and it must be led by highly qualified and experienced individuals who can provide the stability, expertise, and integrity the bureau needs during these final years of preparation for a successful 2020 Census.

Amid widespread criticism, Brunell withdrew from consideration in February 2018.<sup>6</sup> For months, the Census Bureau has been without permanent leadership and the top two jobs at the Census Bureau have been held by career government employees under the awkward titles of “Performing the Nonexclusive Functions and Duties of the Director” and “Performing the Nonexclusive Functions and Duties of the Deputy Director and Chief Operating Officer.”<sup>7</sup>

On July 18, 2018, President Trump announced his intention to nominate Steven Dillingham to be the Census Director. Dillingham joined the Trump administration as associate general counsel in the Office of Personnel Management and currently serves as the director of the Office of Strategic Information, Research and Planning for the Peace Corps. He was director of the Bureau of Justice Statistics in the George H.W. Bush administration and director of the Bureau of Transportation Statistics in the George W. Bush administration. Dr. Dillingham was an associate registrar at George Mason University, where he taught a course on the economics of the sports industry. He was also an aide to the Senate Judiciary Committee under Strom Thurmond’s leadership.<sup>8</sup> The Senate Homeland Security and Governmental Affairs Committee considered his nomination during an October 3, 2018 hearing, his nomination advanced out of committee in November 2018, and he was confirmed on January 2, 2019. Stakeholders had urged senators to fully and thoroughly vet Dr. Dillingham to ensure that he is committed to overseeing a fair and accurate 2020 Census. The bureau needs a leader who can provide the stability, expertise, and independence the Census Bureau needs during these final years of preparation for a successful 2020 Census, not a partisan operative or someone who is beholden to this president’s political staff.

## ***3. Stakeholders are alarmed that the administration undermined years of testing and research that would have improved the collection of race and ethnicity data.***

By virtue of apparently deliberate inaction on the part of the U.S. Office of Management and Budget (OMB), the administration has undercut the Census Bureau’s intent to improve the collection of race and ethnicity data in the 2020 Census to the fullest extent possible.

OMB, which is responsible for federal statistical policy overall, defines the race and ethnicity categories that federal agencies must use to collect data. The Census Bureau may – and does – collect and publish more detailed data, as long as it can aggregate the results to fit the official categories. In the description of its current classification protocols, OMB notes that it first devel-

oped standards for race and ethnicity data collection in the late 1970s, largely because of new government responsibilities to enforce civil rights laws.

In February 2017, following years of extensive research, testing, and stakeholder consultation, Census Bureau experts recommended several significant improvements to the race and ethnicity questions for the 2020 Census.<sup>9</sup> Studies showed, for example, that nearly half of Hispanic or Latino respondents do not identify within any of the current race categories on the census questionnaire; in the 2000 and 2010 Censuses, “some other race” was the third largest race group selected – primarily because of reporting by Hispanics.<sup>10</sup> In addition, the bureau found that other population groups, including people of Middle Eastern and North African origin, did not identify with the current race and ethnicity categories and were therefore likely being undercounted.<sup>11</sup> In light of this research, Census Bureau staff recommended combining the race and Hispanic origin questions and adding a new “Middle Eastern or North African” response category, in order to improve the accuracy of race and ethnicity data collected in the census.<sup>12</sup> Other recommended updates to the questions included allowing Hispanic/Latino respondents to select more than one subgroup and offering check-boxes for the larger national origins under each race group, along with write-in boxes for origins not listed.

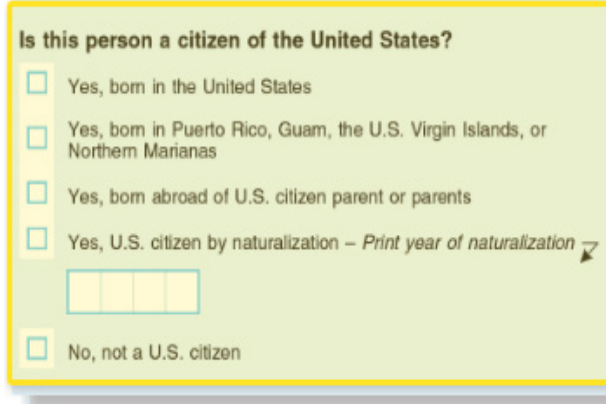
However, the 2020 Census will not use a combined question format for collecting race and ethnicity or a separate “Middle Eastern or North African” category on the census form, thus setting aside years of painstaking research, testing, and stakeholder consultation.<sup>13</sup> These improvements were subject to concurrent revisions to the official OMB Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity, a process that was well underway by the time President Trump took office in January 2017, including two highly anticipated *Federal Register* notices inviting comment on proposed changes to the Standards that were publicly discussed for several years.

Despite receiving thousands of comments and announcing that a final decision on updates to the Standards would be made by December 2017, the Office of Management and Budget failed to issue final revised Standards; worse, it has said nothing publicly about why it halted the review process or whether it intends to consider improving the Standards in the future.<sup>14</sup> Revisions to the current Standards were necessary to allow the Census Bureau to proceed with the most significant changes it hoped to incorporate in the 2020 Census race and ethnicity questions. The Census Bureau’s inability to adopt the full range of improvements it sought for the 2020 Census will perpetuate inaccuracies in race

and ethnicity data and unfairly inflate data on the non-Hispanic White population.<sup>15</sup>

#### ***4. The administration has decided to add an ill-advised, untested question on citizenship to the 2020 Census.***

On March 26, 2018, Commerce Secretary Wilbur Ross announced that a citizenship question would be added to the 2020 Census<sup>16</sup> in response to a December 2017 letter<sup>17</sup> to Acting Census Director Ron Jarmin from the Department of Justice (DOJ). The stated reason for the request was to improve enforcement of section 2 of the Voting Rights Act (VRA), despite the fact that DOJ has implemented and enforced VRA protections using data collected from a representative sample of households through a longer census questionnaire (now called the American Community Survey) since enactment of the VRA in 1965.<sup>18</sup> The misguided decision to reverse 70 years of consistent census practice and add an untested citizenship question to the 2020 Census undermines the public’s perception of the count’s objectivity, subjects communities across the country to the consequences of a likely undercount, and violates the Census Bureau’s constitutional and statutory duties to conduct a full enumeration of the U.S. population by creating a climate of fear that will reduce participation. Adding the new question so late in the decade disrupts census preparations, undermines years of painstaking preparation, and, according to the bureau’s own experts, will increase costs significantly. A citizenship question is unnecessarily intrusive and will raise concerns in all households – native and foreign born, citizen and non-citizen – about the confidentiality of information provided to the government and how government authorities might use those data. In modern times, the Census Bureau itself has resisted including a citizenship question on the form sent to all households, precisely because it would reduce response rates and lead to an undercount, which would “impact hard-to-count populations disproportionately.”<sup>19</sup> Instead of enhancing VRA enforcement, collecting citizenship data from every person will undermine enforcement of the Act because it will exacerbate the disproportionate undercount of minority populations who rely on census data to bring VRA claims.




**Is this person a citizen of the United States?**

Yes, born in the United States

Yes, born in Puerto Rico, Guam, the U.S. Virgin Islands, or Northern Marianas

Yes, born abroad of U.S. citizen parent or parents

Yes, U.S. citizen by naturalization – *Print year of naturalization* 

No, not a U.S. citizen

*Citizenship question on 2020 Census.<sup>20</sup>*

On April 3, 2018, the State of New York – joined by 17 states, Washington D.C., nine cities, four counties, and the bipartisan U.S. Conference of Mayors – challenged the decision to add the citizenship question in federal court.<sup>21</sup> Six additional lawsuits have been filed in New York, California, Maryland and D.C. federal district courts. Documents released through the lawsuits show that although Secretary Ross testified under oath to Congress that the Justice Department initiated the request for the citizenship question in December 2017, the secretary himself actually launched the process for adding the citizenship question soon after his February 2017 confirmation.<sup>22</sup> In fact, he and his staff asked the Department of Justice if it would submit a request for the question. Other documents show that Kansas Secretary of State Kris Kobach, former co-chair of Trump’s now-defunct commission on voter fraud, spoke with Ross about adding a citizenship question, with former White House strategist Steve Bannon facilitating the conversation.<sup>23</sup>

When John Gore, Acting Assistant Attorney General for the Civil Rights Division at the Department of Justice, testified before Congress in May 2018 about DOJ’s request, he offered no evidence of support for the request from career staff who enforce the VRA, no examples of any cases the Justice Department lost or was unable to pursue under the VRA because it didn’t have more granular data on citizenship, and no explanation of what types of new cases the department might be able to pursue with block level citizenship data.<sup>24</sup> Moreover, during his deposition for the lawsuits, Gore conceded that adding the citizenship question was “not necessary” for VRA enforcement.<sup>25</sup>

Trial for the New York lawsuits began on November 5 with testimony concluding on November 15, and trials for lawsuits in California and Maryland federal district court took place in January. On January 15, U.S. District Judge Furman rendered his 277-page opinion

in the NY cases, finding several violations of both the Census Act (which specifies what the Commerce Department can do in developing the census form) and the Administrative Procedures Act. The court found that Secretary Ross’ rationale was pretextual; the real reason for adding the citizenship question was something other than enhancement of DOJ’s VRA enforcement. The court concluded that Ross made the decision to add the citizenship question well before he received the DOJ letter and for reasons unrelated to the VRA. The decision vacates Secretary Ross’ decision to add the citizenship question and enjoins defendants from implementing Ross’ decision or from adding a question to the 2020 Census form without the curing the legal defects identified in the opinion. The Justice Department has appealed the decision to the U.S. Supreme Court, bypassing the intermediate appellate court. On February 15, the Supreme Court announced it would be taking up the disputes, with oral argument scheduled for April 23.

On March 6, a second federal court (in California) blocked the administration’s plans to add a citizenship question to the 2020 Census. This decision goes beyond the NY decision and holds the administration’s actions to be unconstitutional.

## **B. Data regarding the LGBTQ community**

The Trump administration has been particularly aggressive in its efforts to limit data collection regarding the health, economic, housing, and other circumstances of LGBTQ individuals. Discontinuing these data collection activities will weaken important efforts to protect vulnerable communities.

### ***1. Census Bureau refuses to include LGBTQ questions in the American Community Survey, despite federal agency data needs.***

The American Community Survey (ACS) is an ongoing part of the decennial census that collects detailed socioeconomic data from a large, representative sample of households each month and produces annually updated profiles of our communities. As part of its decennial review of data the ACS should collect, the Census Bureau asks all federal agencies to document their data needs related to implementation and evaluation of federal policies and programs. In 2016, the Departments of Housing and Urban Development, Health and Human Services, and Justice, as well as the Environmental Protection Agency, informed the Census Bureau of a significant need for data on sexual orientation and gender identity to support implementation and enforcement of programs within their respective jurisdictions and efficient allocation of resources.<sup>26</sup> To meet these data needs, stakeholders urged the bureau to begin test-



ing sexual orientation and gender identity questions for inclusion on the ACS.<sup>27</sup>

Yet in March 2017, the Department of Justice changed course, telling the Census Bureau that it was “unable to reaffirm” its earlier request for sexual orientation and gender identity data. At roughly the same time, the Census Bureau was preparing to submit to Congress the topics it planned to include in the 2020 Census and the ACS, as required by law. Its original submission included a table suggesting that it planned to collect data on sexual orientation and gender identity in the ACS starting in the next iteration of the survey; by the end of the day, the bureau had hastily removed any reference to these topics in a revised submission. It subsequently asserted that there was “no federal data need” to justify the collection of sexual orientation and gender identity data in the ACS.<sup>28</sup> In light of the earlier requests from four federal agencies, documenting a federal statutory need for data on the LGBTQ population, the Census Bureau’s decision and explanation are puzzling, dubious, and extremely disappointing.<sup>29</sup>

In July 2018, Senators Kamala Harris (D-CA) and Tom Carper (D-DE) introduced the Census Equality Act, legislation that would require the Census Bureau to move forward with testing of sexual orientation and gender identity questions for inclusion on the American Community Survey and eventually the decennial census.<sup>30</sup> Supported by scores of social justice organizations and 15 other senators at introduction, the bill would set the bureau back on the research path it abandoned last year.

## ***2. HHS reverses itself and includes Older Americans Act sexual orientation question but leaves transgender seniors invisible.***

In March 2017, the Department of Health and Human Services released a draft of the annual National Survey of Older Americans Act Participants, which gathers data on people who receive services funded through the Older Americans Act.<sup>31</sup> Survey results not only inform public understanding of the Older Americans Act, but also support HHS evaluations of the effectiveness of Older Americans Act programs, including who has access – and who doesn’t – to programs like home care services, caregiver support, congregant meals, and senior centers. Despite stating in a *Federal Register* notice that it was proposing “no changes” to the existing survey, HHS’s draft collection instrument omitted the questions on sexual orientation and gender identity asked on the previous year’s survey. After receiving nearly 14,000 comments on the data collection proposal – a majority of which expressed the need to retain questions on sexual orientation and gender identity – and after facing bipartisan opposition from Congress,<sup>32</sup> HHS

restored the question on sexual orientation.<sup>33</sup> The final survey, however, omits a question that yielded information on gender identity, leaving transgender individuals vulnerable to exclusion from key Older Americans Act programs.

## ***3. HHS proposed ending data collection of LGBTQ individuals with disabilities.***

HHS also has proposed ending the collection of data on LGBTQ individuals with disabilities, removing questions on LGBTQ demographics from the Centers for Independent Living Annual Program Performance Report survey.<sup>34</sup> This survey evaluates the effectiveness of programs that serve people with disabilities, including skills training, counseling, and other programs that support the rights of people with disabilities to live independently in their communities. Eliminating demographic data on LGBTQ populations from this survey would make it much harder, if not impossible, for HHS and the advocacy community to ensure equitable funding of the programs HHS supports. And because recent research shows both higher rates of disability and greater difficulty obtaining community-based services among LGBTQ adults compared to their heterosexual peers,<sup>35</sup> elimination of this data collection effort poses the risk of serious harm to LGBTQ people with disabilities. A final decision has not been announced.<sup>36</sup>

## ***4. HUD withdrew a survey on LGBTQ homelessness programs but reinstated it after strong advocacy.***

Similarly, the Department of Housing and Urban Development has taken severe steps to weaken efforts to address housing vulnerabilities among the LGBTQ community. On March 10, 2017 – just a week after Ben Carson’s confirmation as HUD Secretary – the department withdrew a survey proposed in the *Federal Register* meant to assess the efficacy and replicability of HUD-funded programs to address LGBTQ youth homelessness.<sup>37</sup> According to its own data, 40 percent of young people experiencing homelessness identify as LGBTQ, so ensuring that its programs are adequately meeting the needs of young LGBTQ people is critical to HUD meeting its own mission. After significant public outcry, the assessment survey was eventually reinstated.<sup>38</sup>

## ***5. A bit of good news: The 2020 Census will collect some new LGBTQ data.***

There are a few positive developments in LGBTQ data collection. The Census Bureau has been testing new response options to its household relationship questions for many years. In the 2010 Census, respondents could check boxes for “husband or wife” or “unmarried partner” in addition to a number of other options indicating relationship to the primary householder. By

cross-tabulating these responses with data from the gender question, the bureau was able to publish estimates of the number of same-sex couples. Unfortunately, evaluations showed that response error rates to the relevant questions adversely affected the accuracy of those estimates, leading the bureau to test alternative relationship categories that would allow respondents to more explicitly identify themselves as part of a same-sex couple. As a result, the 2020 Census and ACS household relationship question will offer response options for “same-sex husband/wife/spouse” and “same-sex unmarried partner.” The expanded choices will improve the quality and inclusiveness of census and ACS data and facilitate useful research on the well-being of the LGBTQ population.

In addition, the *Census Barriers, Attitudes and Motivators Survey* (CBAMS) fielded in preparation for the 2020 Census included a sexual orientation question, even though the Census Bureau’s executive staff discussed removing the question.<sup>39</sup> The CBAMS measures public knowledge, awareness, and perceptions about the decennial census, as well as behaviors and attitudes related to participating in the census. The perceptions of LGBTQ individuals about the census are an important factor in developing effective messaging for harder-to-count population groups, leading members of the Bureau’s National Advisory Committee on Racial, Ethnic and Other Populations to raise concerns about the possible removal of the sexual orientation question. Fortunately, the Census Bureau announced in a September 2017 press release that the question would remain on the survey.<sup>40</sup>

#### ***6. National Crime Victimization Survey will stop asking 16- and 17-year olds about sexual orientation and gender identity.***

On April 11, 2018, the Bureau of Justice Statistics announced that it will stop asking 16- and 17-year-olds to disclose voluntarily and confidentially their gender identity and sexual orientation on the National Crime Victimization Survey (NCVS).<sup>41</sup> The NCVS is one of the two main sources of data on crime in the United States and is a vital source of national data on hate crimes, intimate-partner violence, and other crime victimization subjects. Since July 2016, the NCVS has asked all respondents aged 16 and older about their sexual orientation and gender identity. The BJS cited the “potential sensitivity of these questions for adolescents” as the reason for dropping the topics. However, elimination of these questions is a true head-in-the-sand action. Research reveals that people are coming out as gay, lesbian, or bisexual at an earlier age than ever before<sup>42</sup>; for those who say they now know with certainty they are lesbian, gay, bisexual, or transgender, that

realization came at the median age of 17.<sup>43</sup> In fact, the sexual orientation and gender identity questions on the NCVS were tested on 16- and 17-year-olds and worked well.<sup>44</sup> And youth have been answering questions about their sexual orientation for years, including on federal surveys. According to the Williams Institute at the UCLA School of Law, LGBTQ youth are more likely to be victimized, sometimes by their own families. Researchers, policymakers, and service providers need data from the NCVS to understand the extent to which crimes against LGBTQ youth are reported and how the criminal justice system is responding to young LGBTQ victims.<sup>45</sup>

#### ***7. Department of Education will continue to collect data on sexual orientation harassment and bullying, but not gender identity.***

To the relief of advocates, following a slew of comments, the Department of Education will continue to collect data on harassment and bullying in schools on the basis of sexual orientation (as well as religion).<sup>46</sup> Unfortunately, however, the department will not expand the Civil Rights Data Collection (a survey of the nation’s schools on a range of issues) to capture gender identity.<sup>47</sup> The department justified the latter decision by saying that, “Under Title IX, schools already must respond to harassment on the basis of a student’s failure to conform to stereotyped notions of masculinity and femininity as a form of sex discrimination.”<sup>48</sup>

#### **C. Crime and criminal justice data.**

The Trump administration’s disregard for neutral dissemination of statistical data extends to the collection and analysis of crime data, as well.

#### ***1. The FBI withheld criminal justice statistics but restored them thanks to advocacy.***

For decades, the FBI has published an annual “Crime in the United States” report, prepared using statistics collected through the Uniform Crime Reporting (UCR) Program.<sup>49</sup> The UCR Program compiles statistics reported to the FBI and has long been a critical tool for understanding a wide array of criminal justice developments and trends. More than 18,000 law enforcement agencies around the country are surveyed and most, but not all, report crime data to the UCR Program. In October 2017, however, the FBI published the first Crime in the United States report to be issued during the Trump administration and omitted nearly 70 percent of the data tables that were included in prior annual reports.<sup>50</sup> Among the data excluded from the 2017 report were statistics regarding the relationship between victims and offenders; the age, sex, race, and ethnicity of victims and offenders; and data used to identify the number of

women murdered by their partners.<sup>51</sup>

An analysis by Human Rights Watch showed that most of the data that the FBI did not publish were related to arrests.<sup>52</sup> The omission of these data sets made it harder to identify how police practices vary between urban and rural communities; obscured trends in arrest rates that shed light on how police departments are exercising their discretion when it comes to drug-related offenses; and hindered analysis of the relationship between police practices and public safety.

Because the publication of these data tables is largely automated, there was no cost-related justification for declining to tabulate and publish the full historical set.<sup>53</sup> The omission of data tables such as the number of children murdered with a firearm clearly suggests that the FBI wanted to suppress information that could undermine the Trump administration's policy positions. The administration claimed that removal of the tables had been in the works for years, but there was no evidence to back up that assertion.<sup>54</sup> Following public pressure and congressional scrutiny, the FBI made public all of the withheld data in April 2018.<sup>55</sup>

It should be noted that the UCR hate crimes statistics continue to be inadequate. In 2016, 88 percent of law enforcement agencies participating in the federal hate crime survey reported zero hate crimes, yet a recent investigation by ProPublica showed that many of these departments had, in fact, experienced hate crimes in their jurisdictions.<sup>56</sup>

## **2. Unqualified appointment at Bureau of Justice Statistics.**

In addition, as with the questionable staffing decisions being considered at the Census Bureau, the administration is undermining the management of statistical agencies in the criminal justice area by appointing unqualified partisans to key leadership roles. In November 2017, the president announced his intention to appoint Jeffrey Anderson, a fellow at the conservative Hudson Institute, as director of the Justice Department's Bureau of Justice Statistics (BJS).<sup>57</sup> The BJS director has been a presidentially appointed position since 2012. Before that, it required Senate confirmation. BJS is one of the principal agencies of the federal statistical system and is the primary agency responsible for collecting and analyzing crime data. Nevertheless, Anderson has no prior criminal justice experience, and his sole statistical experience appears to be the creation of a college football strength-of-schedule ranking system.<sup>58</sup> The nonpartisan Center on Media, Crime, and Justice at John Jay College described Anderson as having "no apparent experience in the field."<sup>59</sup>

As one observer noted, "[it] is hard to overstate the essential role BJS plays in informing broader policy conversations around the U.S. criminal justice system. . . . Incomplete data makes it impossible to truly understand – and, in turn, address – the scope of racial bias in law enforcement."<sup>60</sup> In appointing Anderson to lead this critical agency, the administration rejected the appeal of a bipartisan group of criminologists and former BJS directors to "keep science in the Department of Justice" by appointing a "bona fide research scientist with knowledge of crime and justice" who would maintain "rigorous standards of scientific integrity, objectivity, and transparency."<sup>61</sup>

## **3. FBI Use-of-Force Data Collection launch is lagging.**

The National Use-of-Force Data Collection will be an FBI repository of information reported by local police departments on use-of-force incidents, including police-involved deaths. The data to be collected focus on information that is readily known and can be reported within the first few days after a use-of-force occurrence. The data collected will include the age, race, ethnicity, and sex of the subject and officer.<sup>62</sup> The FBI will periodically release statistics to the public and publish descriptive information on trends and characteristics of the data.<sup>63</sup> The effort began in 2014 following the fatal police shooting of Michael Brown in Ferguson, Missouri. Yet the FBI still does not have a precise timetable for beginning this data collection or for releasing public reports on the results. The FBI tested the system with 100 police agencies in 2017 and is analyzing the results. The chair of the FBI committee overseeing the effort said that data collection could begin as soon as 2019 depending on internal government approvals and the ability to recruit enough police departments to participate in the voluntary effort: 1,600 of the country's 18,000 agencies have agreed to take part.<sup>64</sup>

## **4. Death in Custody Reporting Act arrest-related death collection pushed back to 2020 – five years after law passed.**

The Department of Justice must ensure implementation and compliance with the Death in Custody Reporting Act (DCRA) with respect to deaths during arrest. There continues to be an unreliable national accounting of custodial and arrest-related deaths, including national statistics on mortality rates, demographic impact, circumstances of these deaths, and implicated law enforcement agencies.<sup>65</sup> The Bureau of Justice Statistics suspended collection and publication of Arrest-Related Death information in 2014 because the data did not meet BJS quality standards.<sup>66</sup> In 2015, the agency said it would establish a permanent program for collecting information on arrest-related deaths beginning

in 2016.<sup>67</sup> In December 2016, DOJ did publish compliance guidelines reflecting comprehensive deliberation and public engagement.<sup>68</sup> However, in March 2018, a spokesperson for the Department of Justice’s Bureau of Justice Assistance (which is now taking the lead on the data collection) said that DOJ was still “working with stakeholders to develop the arrest-related deaths data collection process” and would outline what it proposed to do in the near future.<sup>69</sup> On June 11, 2018, DOJ announced that it would delay implementation of the program until Fiscal Year 2020, a full five years after the Act was signed into law and two years after DOJ last published its near-final compliance guidelines.<sup>70</sup> Congress spoke decisively on the importance of death-in-custody data when it passed the DCRA. In the years since, thousands of people have been killed by police in the United States. The December 2016 guidelines should be adopted immediately.

### ***5. Budget cuts threaten Census of Juveniles in Residential Placement.***

The Census of Juveniles in Residential Placement provides a detailed picture of minor children in residential placement programs, including race and gender data. This important data collection activity may be at risk of elimination because the agency that collects and publishes the data – the Department of Justice’s Office of Juvenile Justice and Delinquency Prevention – had its budget cut by 13 percent<sup>71</sup> in Fiscal Year 2018 (compared to a 31 percent proposed cut in the president’s budget).<sup>72</sup>

### **D. Labor and employment data.**

The administration is taking a number of additional steps that will undermine civil rights and safety protections in the workplace.

#### ***1. Pay data transparency that could help address the wage gap eliminated.***

Although our country has made progress toward fairer pay in the workplace since enactment of the Equal Pay Act in 1963, women still earn only 80 cents for every dollar a man earns.<sup>73</sup> For African-American women and Latinas, this gap is even larger: compared to White men, African-American women and Latinas earn only 61 cents and 53 cents on the dollar respectively.<sup>74</sup>

Nonpartisan analyses and respected scholars have long recognized that one critical tool to begin addressing the pay gap is the comprehensive collection of compensation data by sex and race.<sup>75</sup> This information would serve not only to help identify unjustified pay disparities for possible enforcement efforts, but – more importantly, given limited resources for either federal

or private enforcement – would allow employers to identify disparities in their own compensation systems and take steps toward voluntary compliance.<sup>76</sup> After several years of analysis, interagency coordination, and careful planning, the Equal Employment Opportunity Commission (EEOC) finalized an effort in September 2016 to collect just this kind of summary pay data by sex and race from businesses with 100 or more employees.<sup>77</sup> To minimize the burden on employers, the EEOC implemented this effort through changes to its long-standing EEO-1 form, a data collection mechanism that was already familiar to most businesses.

In August 2017, however, the White House abruptly announced that it was ending this critical data effort.<sup>78</sup> The White House’s unjustified action overturns years of evaluation by the EEOC and other federal agencies, and eliminates a critical tool that government agencies and workers alike were counting on to help remedy the persistent wage gap. The decision was made shortly after political pressure on the White House from industry lobbyists at the U.S. Chamber of Commerce,<sup>79</sup> but without any public notice or opportunity for comment by advocates of equal pay. The administration’s process for rescinding the EEOC’s planned data collection was so flawed that the National Women’s Law Center and the Labor Council for Latin American Advancement filed a lawsuit in federal court to stop the illegal rollback of this equal pay rule.<sup>80</sup> On March 4, 2019, the court in that case ruled in plaintiffs’ favor and reinstated the pay data collection.

#### ***2. Requirement to disclose labor violations eliminated.***

An estimated 24,000 businesses in America – employing 28 million workers – receive federal contracts to perform work on behalf of the federal government.<sup>81</sup> Although the majority of federal contractors play by the rules, some do not: every year, thousands of workers in America are denied overtime pay, subjected to unsafe working conditions, or denied a job or a promotion because of their race, sex, age, or disability.<sup>82</sup> To confront this problem, President Obama issued the Fair Pay and Safe Workplaces Executive Order in 2014, based on the simple premise that taxpayer dollars should not reward companies that break the law.<sup>83</sup> A key provision of this Executive Order and its implementing regulations was the requirement that federal contractors publicly report violations of labor rights, employment non-discrimination, wage & hour, and worker safety laws.<sup>84</sup>

In March 2017, President Trump revoked the Fair Pay and Safe Workplaces Executive Order and signed a Congressional Review Act resolution rescinding its implementing regulations. These decisions not only

ensure that the federal government will continue doing business with repeat discriminators and workplace safety violators, but also undermine the collection of useful data regarding the civil rights and fair employment practices of companies receiving federal contracts.

### ***3. Data scrubbed from Department of Labor report on tipped workers.***

On December 5, 2017, the Department of Labor published a proposed rule to undo tipped worker regulations issued by the Obama administration.<sup>85</sup> Such proposed rules generally are accompanied by an economic analysis.<sup>86</sup> Economists at the Department of Labor prepared such an analysis, which showed that tipped workers could lose billions of dollars if the regulation was rescinded. According to *Bloomberg Law*, Secretary of Labor Alexander Acosta asked the economists to revise their evaluation methodology, which then showed less of an impact on tipped workers; the secretary and his aides then sought and received White House approval to publish the rule without the data related to the impact on tipped workers.<sup>87</sup> In March 2018, in response to these revelations, Congress passed a provision as part of the FY18 omnibus spending bill that renders portions of the revised Department of Labor rule invalid and retains some pro-worker provisions.<sup>88</sup> This incident shows that shining a light on efforts to withhold data from public view can result in substantive policy wins.

## **E. Education, Health and Human Service, and Housing data**

### ***1. Civil Rights Data Collection won't collect Advanced Placement test performance data but will allow analysis of internet equity.***

The Department of Education is moving forward with a plan to stop collecting data from schools on how students perform on Advanced Placement tests.<sup>89</sup> The Civil Rights Data Collection (CRDC) will continue to ask about student enrollment in Advanced Placement courses, but will no longer collect data on student test scores. The loss of these data would make it more difficult to assess the quality of school programs to prepare students of different backgrounds for college and career success. Achieving a certain score on an AP test, not mere enrollment in an AP course, allows a student to earn college credit. The CRDC will, however, include new questions about access to computer science classes and student access to the internet in learning spaces that will provide important data about equity in these areas.<sup>90</sup>

### ***2. Preschool suspension and expulsion question removed from National Survey of Children's Health***

The administration removed a question from the

National Survey of Children's Health (NSCH) regarding preschool suspension and expulsion, citing "funding constraints" and "lack of sponsorship for the item from the federal partner that initially requested the item be placed on the NSCH."<sup>91</sup> Data clearly show that expulsions and suspensions regularly occur in preschool settings and have a negative impact on child development, health, and education. Children of color, especially Black girls and boys, are disproportionately subject to suspension and expulsion.<sup>92</sup> Recent research makes clear that these disparities cannot be attributed to different child behavior and are more likely the result of adult bias and differences in adult responses based on a child's race.<sup>93</sup> The data marked for elimination are of particular importance because the survey design – directly speaking with parents about their child's experiences – allows for the collection of data about the treatment of children in center- and home-based child care – children who are not included in school-based data collections.

### ***3. Enhanced Home Mortgage Disclosure Act data no longer required from 85 percent of banks and credit unions***

The Home Mortgage Disclosure Act (HMDA) was passed in 1975 and requires banks to publicly disclose data on their mortgage lending practices, including race, ethnicity, and zip code<sup>94</sup> to determine whether banks are serving their communities or engaging in prohibited race-based practices such as redlining.<sup>95</sup> In 2010, following the financial and foreclosure crises, the Dodd-Frank Act increased the amount of data banks were required to report, to include the total points and fees charged on each mortgage and the credit score of mortgage applicants,<sup>96</sup> resulting in 14 new data points in addition to the nine already required by the Act.<sup>97</sup> In 2015, the CFPB, under then-Director Richard Cordray, used its regulatory power to add 25 more data points, to become effective January 1, 2018.<sup>98</sup> In 2018, however, Congress passed a new law rolling back more expansive HMDA data requirements for banks that generate fewer than 500 loans or lines of credit each year,<sup>99</sup> thereby exempting 85 percent of banks and credit unions.<sup>100</sup> When he was serving as acting CFPB Director, Mick Mulvaney announced his intention to rescind the additional 25 data requirements through the regulatory process.<sup>101</sup>

## *Principles for the collection of civil rights data*

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Federal statistical agencies are expected to adhere to four key principles developed by the Committee on National Statistics, a standing unit of the National Academies of Sciences, Engineering, and Medicine. Agencies should collect data that are relevant to policy issues, be transparent about data sources and limitations, protect sensitive data from harmful disclosure or unwarranted uses, and maintain independence from political influence.<sup>102</sup> These four fundamental principles help federal statistical agencies maintain their standing as credible sources of objective, relevant, accurate, and timely information.

The Leadership Conference Education Fund's December 2017 Policy Brief demonstrated the ongoing threat posed by the current administration to each of these principles.<sup>103</sup> That report identified ways the Trump administration is undermining professional standards that have remained in place through both Republican and Democratic presidential administrations, causing distinct harm to the collection and maintenance of civil rights-related data. This administration's assault on objective data has gone so far as to include instructions to federal agencies not to use the terms "evidence-based" or "science-based" in official documents being prepared for the upcoming budget.<sup>104</sup>

In light of the special need to maintain objective and reliable civil rights data, and given the many ways that data efforts are now being undermined, we propose a supplemental set of principles that will ensure the continued availability and value of federal data for civil rights policy and enforcement purposes.

### **1. Prioritize public input for civil rights data.**

Federal statistical agencies exist for the purpose of providing objective, accurate information that is relevant for policy and public use by a wide range of stakehold-

ers.<sup>105</sup> As both end-users of federal government data and, often, as representatives of vulnerable communities, civil rights organizations and leaders offer a perspective on the value and importance of specific data collections that federal agencies themselves do not always have. That perspective is lost when federal agencies or the White House make decisions about data collections without seeking the perspective of external advocates, as was the case with OMB's cancellation of the EEOC's equal pay data collection. Federal agencies should consistently provide notice and an opportunity for public comment by all affected stakeholders when any change in a current data collection would affect civil rights policy or enforcement.

### **2. Maintain public accessibility of civil rights data.**

The public not only pays for federal data collection, processing, and analysis through tax dollars, but also is the source for a significant portion of federal data through its role as respondents, directly or indirectly.<sup>106</sup> Federal statistical agencies, therefore, should recognize the public's "ownership" of data products and should scrupulously uphold their public availability. This administration has nonetheless taken unprecedented steps to remove federal data from the public domain, as with the drastic reduction in data tables in the 2017 Crime in the United States report. Civil rights-related data and other information that could help policymakers, advocates, and litigators address the distinct needs of vulnerable populations should always be made publicly available, subject only to constraints necessary to protect confidentiality or personal privacy.

### **3. Collect data that enhances the visibility of all communities.**

Inclusion in federal data collection programs is a critical way to ensure the visibility of and attention to diverse marginalized communities. Whether the disag-

gregation of data about Asian Americans and Pacific Islanders, cross-tabulation that describes the experiences of African American women, or data about recent immigrants in the labor force, information about *all* people is critical to ensuring that communities are seen, and their needs are addressed. LGBTQ individuals and families face heightened levels of poverty, economic vulnerability, and discrimination across all areas of civic life (including in employment, housing, education, and health care), with accompanying difficulty accessing federal programs.<sup>107</sup> The specific attacks by this administration on data about the LGBTQ community make it considerably more difficult to address these problems, by withholding from legislators, policymakers, and advocates the tools they need to comprehensively assess LGBTQ-related policies, estimate the impact of those policies, and advocate for the fair treatment of LGBTQ people.<sup>108</sup> An attack on data about one community undermines our understanding of *all* communities.

#### ***4. Adopt civil rights protections for the era of “big data.”***

New technologies and computing techniques for analyzing large and complex data sets have been essential for documenting persistent inequality and discrimination. The same tools, however, can be used in ways that undermine equal opportunity. In 2014, The Leadership Conference, with 13 signatories, published *Civil Rights Principles for the Era of Big Data*, proposing a set of civil rights protections that reflect this new technological reality, including:

- Ending high-tech profiling;
- Greater scrutiny of computerized decision-making that shapes government decisions like access to credit;
- Continued protection of constitutional rights to privacy and free association;
- Greater individual control over personal information collected by the government; and
- Protection of disadvantaged groups from harms that may follow from inaccurate data.<sup>109</sup>

These protections are even more necessary now than when they were proposed several years ago. Therefore, we urge federal statistical agencies to adopt civil rights protections for the era of big data.

#### ***5. Appoint nonpartisan professionals to leadership positions.***

Finally, this administration’s staffing approaches for key leadership positions at the Bureau of Justice Statistics and elsewhere demonstrate disregard for the longstand-

ing norm that federal statistical agencies should be led by qualified, nonpartisan professionals with relevant subject-matter expertise and management experience. Even worse than lacking relevant qualifications, this administration’s appointees appear in some cases to be hostile to the imperative that federal data allow for the ongoing implementation and monitoring of civil rights laws and policies. Statistical agencies that collect data for civil rights purposes should be insulated from partisan efforts to divert or curtail their agendas, and the norm of nonpartisan, professional, and experienced leadership should be restored.



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## Endnotes

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1. See Remarks of Shaun Donovan, Director, Office of Mgmt. & Budget, at the Williams Institute Spring Reception (May 20, 2015), at <https://obamawhitehouse.archives.gov/blog/2015/06/18/prepared-remarks-omb-director-shaun-donovan-williams-institute-spring-reception>.
  2. See The Leadership Conference Education Fund, *Misinformation Nation: The Threat to America's Federal Data and Civil Rights* (Dec. 2017), at <http://civilrightsdocs.info/pdf/policy/Data-Policy-Brief.pdf>.
  3. See U.S. Const., Art. I, § 2, cl. 3.
  4. The final amount was \$2.81 billion, \$1.36 billion more than the president's request. Steve Pierson, Census, NIH, NSF among Winners in FY18 Federal Budget, *Amstat News* (May 1, 2018), at <http://magazine.amstat.org/blog/2018/05/01/fy18fedbudget>.
  5. See Danny Vinik & Andrew Restuccia, *Leading Trump Census pick causes alarm*, *Politico* (Nov. 21, 2017), <https://www.politico.com/story/2017/11/21/trump-census-pick-causes-alarm-252571>.
  6. Andrew Restuccia, Controversial professor withdraws from consideration for top Census job, *Politico* (Feb. 12, 2018), at <https://www.politico.com/story/2018/02/12/census-commerce-department-brunell-405991>.
  7. U.S. Census Bureau, About the Bureau: Our Leadership at <https://www.census.gov/about/leadership.html>.
  8. Jeffrey Mervis, *Census Bureau nominee becomes lightning rod for debate over 2020 census*, *Science* (Jul. 20, 2018), at <http://www.sciencemag.org/news/2018/07/census-bureau-nominee-becomes-lightning-rod-debate-over-2020-census>.
  9. See U.S. Census Bureau, *2015 National Content Test, Race and Ethnicity Analysis Report: A New Design for the 21st Century* (Feb. 28, 2017), at <https://www2.census.gov/programs-surveys/decennial/2020/program-management/final-analysis-reports/2015nct-race-ethnicity-analysis.pdf>.
  10. See *id.* at ix.
  11. See *id.*
  12. See *id.* at xiii.
  13. Memorandum from Albert E. Fontenot, Jr., Associate Director for Decennial Census Programs, Using Two Separate Questions for Race and Ethnicity in 2018 End-to-End Census Test and 2020 Census (Jan. 26, 2018), at [https://www2.census.gov/programs-surveys/decennial/2020/program-management/memo-series/2020-memo-2018\\_02.pdf](https://www2.census.gov/programs-surveys/decennial/2020/program-management/memo-series/2020-memo-2018_02.pdf).
  14. See Hansi Lo Wang, *Trump Administration Delays Decision on Race, Ethnicity Data for Census* (Dec. 2, 2017), at <https://www.npr.org/2017/12/02/567843266/trump-administration-delays-decision-on-race-ethnicity-data-for-census>.
  15. See Hansi Lo Wang, *How the U.S. Defines Race and Ethnicity May Change under Trump* (Nov. 23, 2017), at <https://www.npr.org/2017/11/22/564426420/how-the-u-s->
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- [defines-race-and-ethnicity-may-change-under-trump](#).
16. Memorandum from Wilber Ross, Secretary of Commerce to Karen Dunn Kelley, Commerce Under Secretary for Economic Affairs, *Reinstatement of a Citizenship Question on the 2020 Decennial Census Questionnaire* (Mar. 26, 2018), at [https://www.commerce.gov/sites/commerce.gov/files/2018-03-26\\_2.pdf](https://www.commerce.gov/sites/commerce.gov/files/2018-03-26_2.pdf).
  17. Letter from Arthur E. Gary, General Counsel, Justice Management Division to Rom Jarmin, Acting Director of the U.S. Census Bureau, *Request to Reinstate Citizenship Question on the 2020 Census Questionnaire*, (Dec. 12, 2018), at <https://www.documentcloud.org/documents/4340651-Text-of-Dec-2017-DOJ-letter-to-Census.html> (uploaded by ProPublica).
  18. Vanita Gupta letter to Secretary of Commerce, *Reject a new citizenship question on the 2020 Census* (Jan. 4, 2018), at <https://civilrights.org/letter-commerce-secretary-wilbur-ross-reject-new-citizenship-question-2020-census/>.
  19. Memorandum from Center for Survey Measurement, U.S. Census Bureau to Associate Directorate for Research and Methodology, *Respondent Confidentiality Concerns* (Sept. 20, 2017), at <https://www2.census.gov/cac/nac/meetings/2017-11/Memo-Regarding-Respondent-Confidentiality-Concerns.pdf>.
  20. U.S. Census Bureau, *Questions Planned for the 2020 Census and American Community Survey*, 7 at <https://www2.census.gov/library/publications/decennial/2020/operations/planned-questions-2020-ac-s.pdf>.
  21. For updates on the case, see Brennan Center for Justice, *New York v. United States Dep't of Commerce* at <https://www.brennancenter.org/legal-work/new-york-v-united-states-dept-commerce>.
  22. Hansi Lo Wang, *Commerce Secretary Grew Impatient over Census Citizenship Question, Emails Reveal*, NPR (Jul. 24, 2018), at <https://www.npr.org/2018/07/24/631537992/commerce-secretary-grew-impatient-over-census-citizenship-question-emails-reveal>.
  23. *See id.*
  24. The Leadership Conference on Civil and Human Rights, *Justice Department Fails to Alleviate Serious Concerns about Census Citizenship Question*, (May 18, 2018), at <https://civilrights.org/justice-department-fails-alleviate-serious-concerns-census-citizenship-question/>.
  25. Hansi Lo Wang, November 4, 2018, citing transcript of John Gore's deposition, October 16, 2018, at <https://twitter.com/hansilowang/status/1059218731233132544>.
  26. *See* Letter from Senator Tom Carper and Senator Kamala Harris to John H. Thompson, Director, United States Census Bureau (May 22, 2017), at <https://www.carper.senate.gov/public/cache/files/de7e0915-ca9f-4c51-a2d5-f3ee4abe0bf3/2017-05-22-carper-harris-letter-to-census-bureau-re-new-subjects-press-.pdf> (the letters from the agencies to the Census Bureau are attachments to the letter from the Senators); Hansi Lo Wang, *Census Bureau Found No Need for LGBT Data Despite 4 Agencies Requesting It*, (July 18, 2017), at <http://www.npr.org/2017/07/18/536484467/census-bureau-found-no-need-for-lgbt-data-despite-4-agencies-requesting-it>.
  27. *See*, Hansi Lo Wang, *Census Bureau Caught in Political Mess over LGBT Data*, NPR.org (Jul. 18, 2017, updated Sep. 5, 2017), at <https://www.npr.org/2017/07/18/536484467/census-bureau-found-no-need-for-lgbt-data-despite-4-agencies-requesting-it>.
  28. John H. Thompson, *Director's Blog: Planned Subjects for the 2020 Census and the American Community Survey* (Mar. 29, 2017), at [https://www.census.gov/newsroom/blogs/director/2017/03/planned\\_subjects\\_2020.html](https://www.census.gov/newsroom/blogs/director/2017/03/planned_subjects_2020.html).
  29. *See* Section A4, above.
  30. S.3314 Census Equality Act (Jul. 31, 2018), at <https://www.congress.gov/bill/115th-congress/senate-bill/3314/text>.
  31. *See* U.S. Dep't of Health & Human Services, *Proposed Extension With No Changes of a Currently Approved Collection; National Survey of Older Americans Act Participants*; 82 Fed. Reg. 13,457 (Mar. 13, 2017), at <https://www.gpo.gov/fdsys/pkg/FR-2017-03-13/pdf/2017-04843.pdf>.
  32. *See* Letter from Senator Susan M. Collins,



- et al., to Thomas E. Price, Secretary of Health & Human Services (Apr. 27, 2017), at [https://www.aging.senate.gov/imo/media/doc/Letter%20to%20HHS%20-%20Surveys%20\(4.27.17\).pdf](https://www.aging.senate.gov/imo/media/doc/Letter%20to%20HHS%20-%20Surveys%20(4.27.17).pdf); Letter from Representative Ted Deutch, et al., to Heather Menne, Administration for Community Living, HHS (May 11, 2017), at <http://www.washingtonblade.com/content/files/2017/05/nsoap-letter001.pdf>.
33. See, e.g., U.S. Dep't of Health & Human Services, *Revision of a Currently Approved Collection, National Survey of Older Americans Act Participants*, 82 Fed. Reg. 28,491 (June 22, 2017).
34. See Matt Sedensky, *Federal Surveys Trim LGBT Questions, Alarming Advocates* (Mar. 20, 2017), at <https://www.usnews.com/news/us/articles/2017-03-20/federal-surveys-trim-lgbt-questions-alarming-advocates>; *Revision of a Currently Approved Information Collection - Centers for Independent Living Performance Report (CILPPR)*, 82 Fed. Reg. 11,471 (Feb. 23, 2017) (see also Correction 82 Fed. Reg. 12,610 (Mar. 6, 2017)).
35. See Services & Advocacy for GLBT Elders, *Issues: Disability*, at <https://www.sageusa.org/issues/disability.cfm>.
36. Comments were due May 5, 2017 and no new Federal Register notices have been posted regarding the CILPPR between then and July 26, 2018.
37. U.S. Department of Housing and Urban Development, *Notice of Proposed Information Collection: Implementation Phase Review of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Youth Homelessness Prevention Initiative, Withdrawal*, 82 Fed. Reg. 13,359 (Mar. 10, 2017), at <https://www.gpo.gov/fdsys/pkg/FR-2017-03-10/pdf/2017-04787.pdf>.
38. U.S. Department of Housing and Urban Development, *60-Day Notice of Proposed Information Collection: Implementation Phase Evaluation of LGBTQ Youth Homelessness Prevention Initiative*, 82 Fed. Reg. 55,389 (Nov. 21, 2017), at <https://www.federalregister.gov/documents/2017/11/21/2017-25119/60-day-notice-of-proposed-information-collection-implementation-phase-evaluation-of-lgbtq-youth>.
39. U.S. Census Bureau NAC Integrated Partnership and Communications Agenda, *Minutes* (Sept. 26, 2017), p. 2 at <https://www.documentcloud.org/documents/4063220-NAC-IPC-WG-CBAMS-MM-9-26-17.html#document/p2/a378644>.
40. U.S. Census Bureau, *Statement on Asking Sexual Orientation Question on Census Barriers, Attitudes and Motivators Study* (Sept. 28, 2017), at <https://www.census.gov/newsroom/press-releases/2017/sexual-orientation.html>.
41. U.S. Department of Justice Bureau of Justice Statistics, *Agency Information Collection Activities: Proposed eCollection eComments Requested; Revision of a Currently Approved Collection; Comments Requested: National Crime Victimization Survey (NCVS)*, 83 Fed. Reg. 15,634 (Apr. 11, 2018), at <https://www.federalregister.gov/documents/2018/04/11/2018-07448/agency-information-collection-activities-proposed-e-collection-ecomments-requested-revision-of-a>.
42. Rachel Williams, *People coming out as gay at younger age, research shows*, *Guardian* (Nov. 15, 2010), at <https://www.theguardian.com/world/2010/nov/15/gay-people-coming-out-younger-age>.
43. Pew Research Center, *A Survey of LGBT Americans* (Jun. 13, 2013), at <http://www.pewsocialtrends.org/2013/06/13/a-survey-of-lgbt-americans>.
44. *Testing Sexual Orientation and Gender Identity Questions for the National Crime Victimization Survey*, at [https://paa.confex.com/paa/2016/mediafile/ExtendedAbstract/Paper9224/PAA%202016%20extended%20abstract\\_Truman.pdf](https://paa.confex.com/paa/2016/mediafile/ExtendedAbstract/Paper9224/PAA%202016%20extended%20abstract_Truman.pdf) (“It appears from this cognitive test that teens ages 16 to 17 are able to understand and answer these questions without difficulty”).
45. Williams Institute, *DOJ proposes roll back of data collection on crime victimization of LGBT youth* (Apr. 11, 2018), at <https://williamsinstitute.law.ucla.edu/press/press-releases/doj-proposes-roll-back-of-data-collection-on-crime-victimization-of-lgbt-youth>.



- 
46. Benjamin Wermund, *Trump Administration will keep up civil rights data collection*, Politico Morning Education (Oct. 20, 2017), at <https://www.politico.com/tipsheets/morning-education/2017/10/20/trump-administration-will-keep-up-civil-rights-data-collection-222912>.
47. *See id.*
48. *See id.*
49. *See* Clare Malone & Jeff Asher, *The First FBI Crime Report Issued Under Trump is Missing a Ton of Info*, FiveThirtyEight.com (Oct. 27, 2017), at <https://fivethirtyeight.com/features/the-first-fbi-crime-report-issued-under-trump-is-missing-a-ton-of-info/>.
50. *See id.*
51. *See id.*
52. *See* Brian Root, *New FBI Report on U.S. Crime Notable for What's Missing: Worrying Lack of Data Linked to Police Accountability*, Human Rights Watch (Oct. 31, 2017), at <https://www.hrw.org/news/2017/10/31/new-fbi-report-us-crime-notable-whats-missing>.
53. *See id.*
54. Clare Malone, *The FBI's Explanation for Why it Released Less Crime Data Doesn't Add Up*, FiveThirtyEight.com (Nov. 15, 2017), at <https://fivethirtyeight.com/features/the-fbis-explanation-for-why-it-released-less-crime-data-doesnt-add-up/>.
55. Clare Malone, *The FBI Restored Its Missing Crime Data*, FiveThirtyEight.com (Apr. 19, 2018), at <https://fivethirtyeight.com/features/the-fbi-restored-its-missing-crime-data/>.
56. *See, e.g.* Ken Schwencke, *Why America Fails at Gathering Hate Crime Statistics*, ProPublica (Dec. 4, 2017), at <https://www.propublica.org/article/why-america-fails-at-gathering-hate-crime-statistics>.
57. *See* White House Press Office, *President Donald J. Trump Announces Key Additions to his Administration* (Nov. 21, 2017), at <https://www.whitehouse.gov/presidential-actions/president-donald-j-trump-announces-key-additions-administration-25/>.
58. *See* Hanna Kozłowska, *Trump's Man in Charge of U.S. Crime Data is Known for his Football Rankings*, Quartz (Dec. 1, 2017), at <https://qz.com/1144259/jeffrey-h-anderson-trump-appointee-to-bureau-of-justice-statistics-is-known-for-college-football-rankings>.
59. *See* Ted Gest, *Trump Names Ex-Hudson Institute's Anderson to Head BJS*, The Crime Report (Nov. 29, 2017), at <https://thecrimereport.org/2017/11/29/trump-names-ex-hudson-institutes-anderson-to-head-bjs>.
60. *See* Jared Keller, *How One Quiet DOJ Appointment Could Undermine the Push for Meaningful Police Reform*, Pacific Standard (Nov. 30, 2017), at <https://psmag.com/news/jeffrey-anderson-doj-police-reform>.
61. *See* Tom Jackman, *Criminologists urge Trump administration not to cut science from crime policy*, Washington Post (Mar. 23, 2017), at <https://www.washingtonpost.com/news/true-crime/wp/2017/03/23/criminologists-urge-trump-administration-not-to-cut-science-from-crime-policy>.
62. Federal Bureau of Investigation Uniform Crime Reporting, *National Use-of-Force Data Collection: What Data will be Collected?* at <https://ucr.fbi.gov/use-of-force-data>.
63. Federal Bureau of Investigation Uniform Crime Reporting, *National Use-of-Force Data Collection* at <https://ucr.fbi.gov/use-of-force>.
64. Zusha Elinson, *Federal Count of Deadly Police Shootings is Slow to Get Going; FBI tracking number of fatal incidents, which could begin in 2019, has no timetable*, Wall Street Journal (Mar. 31, 2018), at <https://www.wsj.com/articles/federal-count-of-deadly-police-shootings-is-slow-to-get-going-1522494001>.
65. Letter from American Civil Liberties Union, Leadership Conference on Civil and Human Rights et al to Attorney General Jeff Sessions et al, *Comments in Response to Notice Regarding "Agency Information Collection Activities; Proposed eCollection eComments Requested; New Collection; Death in Custody Reporting Act Collection"* 83 Fed. Reg. 27023 (June 11, 2018), at [https://civilrights.org/comments-on-the-death-in-custody-reporting-act-of-2013-dcra/#\\_edn1](https://civilrights.org/comments-on-the-death-in-custody-reporting-act-of-2013-dcra/#_edn1).
-



- 
66. Bureau of Justice Statistics, *Arrest-Related Deaths* at <https://www.bjs.gov/index.cfm?tid=82&ty=tp>.
67. Zusha Elinson, *Number of Police Killings in U.S. Still Unclear, but Effort Under Way; A year after Ferguson Justice Department researchers comb through media reports for clues; aim is to have a permanent program for collecting data by 2016*, Wall Street Journal (Aug. 6, 2015), at <https://www.wsj.com/articles/number-of-police-killings-in-u-s-still-unclear-but-effort-under-way-1438895762>.
68. U.S. Department of Justice, *Agency Information Collection Activities; Proposed Collection; Comments Requested; New Collection: Death in Custody Reporting Act Collection*, 81 Fed. Reg. 91948 (Dec. 19, 2016), at <https://www.federalregister.gov/documents/2016/12/19/2016-30396/agency-information-collection-activities-proposed-collection-comments-requested-new-collection-death>.
69. Elinson, *Federal Count of Deadly Police Shootings is Slow to Get Going*, *infra*.
70. U.S. Department of Justice, *Agency Information Collection Activities; Proposed eCollection eComments Requested; New Collection; Death in Custody Reporting Act Collection*, 83 Fed. Reg. 27,023, 27,024 (Jun. 11, 2018), at <https://www.gpo.gov/fdsys/pkg/FR-2018-06-11/pdf/2018-12503.pdf>.
71. *Division B- Commerce, Justice, Science and Related Agencies Appropriations Act, 2018*, p 27 at <https://docs.house.gov/billsthisweek/20180319/DIV%20B%20CJS%20SOM-%20FY18-OMNI.OCR.pdf>
72. House Report 115-231 - Commerce, Justice, Science, and Related Agencies Appropriations Bill, 2018 (Jul. 17, 2017), at <https://www.congress.gov/congressional-report/115th-congress/house-report/231/1>
73. See National Partnership for Women & Families, *Fact Sheet: America's Women & the Wage Gap* (Sept. 2018), at <http://www.nationalpartnership.org/our-work/resources/workplace/fair-pay/americas-women-and-the-wage-gap.pdf>.
74. See *id.*
75. See, e.g., National Academy of Sciences, *Collecting Compensation Data from Employers: Panel on Measuring and Collecting Pay Information from U.S. Employers by Gender, Race, and National Origin* (2012), at <https://www.nap.edu/read/13496/chapter/1>; White House Council of Economic Advisers, *The Gender Pay Gap on the Anniversary of the Lilly Ledbetter Fair Pay Act* (Jan. 2016), at [http://obamawhitehouse.archives.gov/sites/default/files/docs/20160201\\_cea\\_gender\\_pay\\_gap\\_issue\\_brief\\_final.pdf](http://obamawhitehouse.archives.gov/sites/default/files/docs/20160201_cea_gender_pay_gap_issue_brief_final.pdf).
76. The Supreme Court has long recognized that “Congress intended voluntary compliance to be the preferred means of achieving the objectives of Title VII,” *Local No. 93, Int’l Ass’n of Firefighters v. City of Cleveland*, 478 U.S. 501, 515 (1986); and the EEOC’s regulations have similarly made clear its understanding that “Congress strongly encouraged employers . . . to act on a voluntary basis to modify employment practices and systems which constituted barriers to equal employment opportunity, without awaiting litigation or formal government action.” 29 C.F.R. § 1608.1(b).
77. See Press Release, *EEOC to Collect Summary Pay Data* (Sept. 29, 2016), at <https://www.eeoc.gov/eeoc/newsroom/release/9-29-16.cfm> OMB Approval of EEOC Information Collection Revision (Sept. 29, 2016), at <https://www.reginfo.gov/public/do/DownloadNOA?requestID=275763>.
78. See Letter from Neomi Rao, Administrator, Office of Information & Regulatory Affairs, Office of Management & Budget, to Victoria Lipnic, Acting Chair, Equal Employment Opportunity Commission (Aug. 29, 2017), at [https://www.reginfo.gov/public/jsp/Utilities/Review\\_and\\_Stay\\_Memo\\_for\\_EEOC.pdf](https://www.reginfo.gov/public/jsp/Utilities/Review_and_Stay_Memo_for_EEOC.pdf).
79. Letter from U.S. Chamber of Commerce to John M. Mulvaney, Director, Office of Management & Budget (Feb. 27, 2017), at [www.uschamber.com/letter/letter-omb-requesting-review-the-eeocs-revisions-the-eco-1-form](http://www.uschamber.com/letter/letter-omb-requesting-review-the-eeocs-revisions-the-eco-1-form).
80. See Complaint, *National Women’s Law Center v. Office of Management & Budget*, No. 1:17-cv-02458 (filed Nov. 15, 2017 in U.S. District Court for the District of Columbia),
-



- available at <https://nwlc.org/wp-content/uploads/2017/11/1-Complaint.pdf>.
81. See White House, Office of the Press Secretary, *Fact Sheet: Fair Pay and Safe Workplaces Executive Order* (July 31, 2014), at <https://obamawhitehouse.archives.gov/the-press-office/2014/07/31/fact-sheet-fair-pay-and-safe-workplaces-executive-order>.
82. See U.S. Gov't Accountability Office, *Federal Contracting: Assessments and Citations of Federal Labor Law Violations by Selected Federal Contractors* (Sept. 2010), at <http://www.gao.gov/assets/310/309785.pdf>.
83. See Exec. Order 13,673, *Fair Pay and Safe Workplaces*, 79 Fed. Reg. 45,309 (Aug. 5, 2014), available at <https://www.gpo.gov/fdsys/pkg/FR-2014-08-05/pdf/2014-18561.pdf>.
84. See U.S. Dep't of Labor, *Guidance for Executive Order 13,673, "Fair Pay and Safe Workplaces"*, 81 Fed. Reg. 58,654 (Aug. 25, 2016), at <https://www.gpo.gov/fdsys/pkg/FR-2016-08-25/pdf/2016-19678.pdf>; Dep't of Defense, General Servs. Admin., & Nat'l Aeronautics & Space Admin., *Federal Acquisition Regulation; Fair Pay and Safe Workplaces – Final Rule*, 81 Fed. Reg. 58,562 (Aug. 25, 2016), at <https://www.gpo.gov/fdsys/pkg/FR-2016-08-25/pdf/2016-19676.pdf>.
85. U.S. Department of Labor Wage and Hour Division, *Tip Regulations under the Fair Labor Standards Act (FLSA)*, 82 Fed. Reg. 57395 (Dec. 5, 2017), at <https://www.federalregister.gov/documents/2017/12/05/2017-25802/tip-regulations-under-the-fair-labor-standards-act-flsa>.
86. See Executive Order 12866, *Regulatory Planning and Review*, 58 Fed. Reg. 190 (Oct. 4, 1993), at <https://www.archives.gov/files/federal-register/executive-orders/pdf/12866.pdf>.
87. Ben Penn, *Labor Dept. Ditches Data Showing Bosses Could Skim Waiters' Tips*, Bloomberg Law (Feb. 1, 2018), at <https://bna.com/daily-labor-report/labor-dept-ditches-data-on-worker-tips-retained-by-businesses>.
88. Noam Scheiber, *Trump Administration Retreats on Tip-Sharing Plan in Compromise*, New York Times (Mar. 23, 2018), at <https://www.nytimes.com/2018/03/23/business/economy/tipping-workers.html>.
89. Alyson Klein, "Ed. Dept's Pitch to Scale Back Collection of AP Test Data Raises Eyebrows," August 30, 2017. Available at [http://blogs.edweek.org/edweek/campaign-k-12/2017/08/civil\\_rights\\_groups\\_educators.html](http://blogs.edweek.org/edweek/campaign-k-12/2017/08/civil_rights_groups_educators.html) (Last accessed July 9, 2018). Citing U.S. Department of Education, Paperwork Reduction Act Submission Supporting Statement, Mandatory Civil Rights Data Collection, Attachment B: CRDC Data Set for School Year 2017-18: Response to First Round Public Comment, Attachment B, at B-20, July 2017. Available at <http://blogs.edweek.org/edweek/campaign-k-12/July%202017/Response%20to%2060%20Day%20Public%20Comment/FINAL%20%281%29.pdf> (Last Accessed July 3, 2018).
90. See *id.*
91. U.S. Health and Human Services Department, *Request for Non-Substantive Change: National Survey of Children's Health, OMB Control No. 0607-0990* p. 5 at <https://www.reginfo.gov/public/do/DownloadDocument?objectID=79106401> (Dec. 6, 2017).
92. Valerie Strauss, *250 preschoolers suspended or expelled every school day, according to new analysis*, Washington Post (Nov. 7, 2017), at <https://www.washingtonpost.com/news/answer-sheet/wp/2017/11/07/250-preschoolers-suspended-or-expelled-every-school-day-new-analysis/>.
93. See Russell J. Skiba and Natasha T. Williams, *Are Black Kids Worse? Myths and Facts about Racial Differences in Behavior*, The Equity Project at Indiana University (Mar. 2014), at [http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/African-American-Differential-Behavior\\_031214.pdf](http://www.indiana.edu/~atlantic/wp-content/uploads/2014/03/African-American-Differential-Behavior_031214.pdf).
94. 12 U.S. Code Section 2803 (2018).
95. Tracy Jan, *The Senate rolls back rules meant to root out discrimination by mortgage lenders*, Washington Post - Blogs (Mar. 15, 2018), at <https://www.washingtonpost.com/news/wonk/wp/2018/03/14/the-senate-rolls-back-rules-meant-to-root-out-discrimination-by-mortgage-lenders/>.



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96. 12 U.S. Code Section 2803(b)(5)-(6) (2018).
97. Kate Berry, *CFPB's Mulvaney plots HMDA rollback, but it may not matter*, American Banker (May 25, 2018), at <https://www.americanbanker.com/news/cfpbs-mulvaney-plots-hmda-rollback-but-it-may-not-matter>.
98. Consumer Financial Protection Bureau, *Final Rule: Home Mortgage Disclosure Act (Regulation C)*, 80 Fed. Reg 66,127 (Oct. 28, 2015), at <https://www.consumerfinance.gov/policy-compliance/rulemaking/final-rules/regulation-c-home-mortgage-disclosure-act/> (Note that the effective date of this regulation was January 1, 2018).
99. Consumer Financial Protection Bureau, *CFPB Issues Statement on the Implementation of the Economic Growth, Regulatory Relief, and Consumer Protection Act Amendments to the Home Mortgage Disclosure Act* (Jul. 5, 2018), at <https://www.consumerfinance.gov/about-us/newsroom/bureau-consumer-financial-protection-issues-statement-implementation-economic-growth-regulatory-relief-and-consumer-protection-act-amendments-home-mortgage-disclosure-act/>.
100. Tracy Jan, *The Senate rolls back*, *infra* (citing Consumer Financial Protection Bureau analysis of 2013 data)
101. Kate Berry, *Mulvaney plots*, *infra*.
102. National Research Council, National Academy of Sciences, *Principles and Practices for a Federal Statistical Agency* 2-3 (6th ed. 2017).
103. *See* The Leadership Conference Education Fund, *Misinformation Nation: The Threat to America's Federal Data and Civil Rights* (Dec. 2017), at <http://civilrightsdocs.info/pdf/policy/Data-Policy-Brief.pdf>.
104. *See* Lena H. Sun & Juliet Eilperin, *CDC gets list of forbidden words: Fetus, transgender, diversity*, Washington Post (Dec. 15, 2017), at [https://www.washingtonpost.com/national/health-science/cdc-gets-list-of-forbidden-words-fetus-transgender-diversity/2017/12/15/f503837a-e1cf-11e7-89e8-edec16379010\\_story.html](https://www.washingtonpost.com/national/health-science/cdc-gets-list-of-forbidden-words-fetus-transgender-diversity/2017/12/15/f503837a-e1cf-11e7-89e8-edec16379010_story.html).
105. National Research Council, National Academy of Sciences, *Principles and Practices for a Federal Statistical Agency* 41 (6th ed. 2017).
106. *See id.*
107. *E.g.*, M.V. Lee Badgett, Laura E. Durso, & Alyssa Schneebaum, *New Patterns of Poverty in the Lesbian, Gay, and Bisexual Community* (June 2013), at <https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGB-Poverty-Update-Jun-2013.pdf>; Jaime M. Grant, Lisa A. Mottet, & Justin Tanis, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* (2011), at [http://endtransdiscrimination.org/PDFs/NTDS\\_Report.pdf](http://endtransdiscrimination.org/PDFs/NTDS_Report.pdf).
108. *See* Federal Interagency Working Group on Improving Measurement of Sexual Orientation and Gender Identity in Federal Surveys, *Current Measures of Sexual Orientation and Gender Identity in Federal Surveys* 3 (Aug. 2016), at [https://s3.amazonaws.com/sitesusa/wp-content/uploads/sites/242/2014/04/WorkingGroupPaper1\\_CurrentMeasures\\_08-16.pdf](https://s3.amazonaws.com/sitesusa/wp-content/uploads/sites/242/2014/04/WorkingGroupPaper1_CurrentMeasures_08-16.pdf).
109. *See* The Leadership Conference on Civil and Human Rights, *Civil Rights Principles for the Era of Big Data*, at <http://archives.civilrights.org/press/2014/civil-rights-principles-big-data.html>.
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