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Wednesday  
June 30, 1999

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**Part V**

**Office of  
Management and  
Budget**

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**Department of  
Commerce**

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Bureau of the Census

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**Procedures for Participating in the  
Census Bureau Reconciliation and the  
OMB Appeal Processes for the  
Development of the Census 2000  
Address List; Notice**

**OFFICE OF MANAGEMENT AND BUDGET****DEPARTMENT OF COMMERCE****Bureau of the Census****Procedures for Participating in the Census Bureau Reconciliation and the OMB Appeal Processes for the Development of the Census 2000 Address List**

**AGENCY:** Office of Information and Regulatory Affairs, Office of Management and Budget, and Bureau of the Census, U.S. Department of Commerce.

**ACTION:** Final notice.

**SUMMARY:** As part of their implementation of the Census Address List Improvement Act of 1994 (Pub. L. 103-430), the Office of Management and Budget (OMB) and the Bureau of the Census (Bureau) requested in a March 27, 1998, **Federal Register** Notice (63 FR 14978-14981) public comment on proposed processes for developing the address list information that will be used in conducting the 2000 Decennial Census of Population and Housing (Census 2000). In that Notice, the Bureau proposed a Reconciliation process that would seek to resolve disagreements between the Bureau and participating local or tribal governments, or their designated representatives, regarding specific addresses or groups of addresses. For any disagreements that could not be resolved, OMB proposed an Appeal process that would be available to local and tribal governments, or their designated representatives, that wish to appeal the decisions made by the Bureau with respect to their suggestions for the Census 2000 address list. No public comments were received in response to the March 1998 Notice.

This Notice provides information about the final procedures and schedule for the timely completion of the Local Update of Census Addresses (LUCA) program (Exhibit 1) and the Appeal process for the development of the Census 2000 address list. This Notice also announces the establishment of the Census Address List Appeals Office outside the Department of Commerce. This temporary Federal office, rather than a consortium of Federal agencies as originally proposed in the March 1998 Notice, will administer the Appeal process described in Exhibit 2.

**ADDRESSES:** Any correspondence about the final Reconciliation procedures should be sent to: John H. Thompson, Associate Director for Decennial Census,

Bureau of the Census, Washington, DC 20233. Any correspondence about the final Appeal procedures should be sent to: Katherine K. Wallman, Chief Statistician, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

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**FOR FURTHER INFORMATION CONTACT:** For information about the Bureau's Reconciliation process, contact Robert W. Marx, Chief, Geography Division, Bureau of the Census, Washington, DC 20233; telephone: (301) 457-2131; fax (301) 457-4710. For information about the Appeal process, contact Dr. Philip N. Fulton, Director, Census Address List Appeals Office, 1730 K Street, NW, Suite 418, Washington, DC 20006; telephone (202) 208-4613.

**SUPPLEMENTARY INFORMATION:****The Census Address List Improvement Act of 1994**

The Census Address List Improvement Act of 1994 (Pub. L. 103-430) changed the Bureau's decennial census address list development procedures. The intent of the Act is threefold: (1) to improve the overall completeness and locational accuracy of the Bureau's housing unit address information; (2) to ensure a complete Census 2000; and (3) to resolve disagreements that local and tribal governments have concerning the completeness and locational accuracy of the Bureau's housing unit address information for their jurisdictions prior to taking Census 2000. (The term "housing unit," as used in this Notice, conforms with the definition of this term adopted for Census 2000, as follows: "A house, an apartment, a mobile home or trailer, a group of rooms or a single room occupied as a separate living quarters or, if vacant, intended for occupancy as a separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in this building and which have direct access from outside the building or through a

common hall. For vacant units, the criteria of separateness and direct access are applied to the intended occupants whenever possible. If that information cannot be obtained, the criteria are applied to the previous occupants.")

The Act changed the Bureau's procedures in three significant ways: First, to develop the Census address list for the most numerous type of addresses (city-style, used for mail delivery), Section 4 requires that the United States Postal Service (Postal Service) provide to the Bureau the address information it collects and updates to operate its mail delivery service. Second, to increase the role of local and tribal governments in the development of the Bureau's list of housing unit addresses, Section 2 requires that the Bureau develop a process under which it will provide to participating governments their respective portions of the Bureau's housing unit address list and then receive, review, and respond to suggestions regarding needed additions and corrections. Third, to ensure that participating governments have a means to appeal the Bureau's determinations, Section 3 requires that the Administrator of OMB's Office of Information and Regulatory Affairs (OIRA), acting through the Chief Statistician and in consultation with the Bureau, develop an Appeal process to resolve any disagreements that may remain after participating governments receive the Bureau's Detailed Feedback/Final Determination materials.

On March 27, 1998, OMB and the Bureau requested comment on proposed address list procedures (63 FR 14978-14981). No comments were received on the proposals. This Notice issues final procedures, which reflect changes resulting from subsequent experience and further consideration of the issues. This Notice also announces the establishment of the Census Address List Appeals Office outside the Department of Commerce to administer the Appeal process described in Exhibit 2.

**The Bureau's Address List Review Processes**

As part of implementing the Census Address List Improvement Act of 1994, the Bureau developed specific components of an address list review process, known as the Local Update of Census Addresses (LUCA) program. The Bureau is using the LUCA program to help develop the housing unit address information that it needs to conduct Census 2000. The Bureau made the LUCA program available to all local and tribal governments (or their designated representatives) in areas for which it

develops a housing unit address list in advance of Census 2000. In early 1998, the Bureau mailed letters and related information inviting local and tribal governments to participate. For the 17,540 governments that have chosen to participate (as of March 26, 1999), the LUCA program provides an opportunity for them to review the Bureau-compiled housing unit address list for their respective jurisdictions.

During the past year, the Bureau reviewed the LUCA process originally proposed in the March 1998 Notice in light of experience in the Census 2000 Dress Rehearsal and other factors. This review of the Dress Rehearsal experiences provided information about how the LUCA process might work in areas with different types of mail delivery and address numbering systems, and how the Bureau could most effectively use these different types of addresses and delivery systems in its various Census 2000 enumeration methodologies. Based on experience to date, the Bureau identified several operations that required modification of the LUCA Review, Detailed Feedback, Reconciliation, and Final Determination processes originally proposed. These modifications are described below.

(1) The Bureau decided that the LUCA Review process for areas that use predominantly house-number and street-name (city-style) addresses for mail delivery should be separate from the LUCA Review process for areas that use predominantly other types of addresses, such as rural route, post office box number, or general delivery addresses for mail delivery. The Bureau made this decision based on the procedural complexity, and resulting participant confusion, of trying to implement review procedures for both types of areas simultaneously. In addition, the time required for the creation of the Census 2000 address list for the two types of areas precluded simultaneous review without seriously delaying the review process for the vast majority of addresses.

(2) Based on the experience gained during the Census 2000 Dress Rehearsal, as indicated in item (1) above, the Bureau determined that it should implement the LUCA program using two different procedures, depending on the Census 2000 enumeration methodology planned for specific census blocks. These differing enumeration methodologies frequently do not conform to the boundaries of individual jurisdictions (the enumeration methodologies are determined on a census block-by-census block basis). Approximately 2,560 of the 17,540 local and tribal governments in

the United States that chose to participate in the LUCA program as of March 26, 1999, will need to use two different review procedures for their territory. The two distinct LUCA procedures for Census 2000—LUCA 1998 and LUCA 1999—will operate on separate schedules. Both procedures are described in more detail below.

(3) The Bureau realized that it is not be possible to provide a separate review process for areas in which the Census 2000 address list will not be compiled in advance of Census 2000 (List/Enumerate and Remote Alaska areas). The Bureau made this decision because it will not have any address list to provide to local or tribal governments in these areas before Census 2000. As of March 26, 1999, there were 669 functioning governments that are completely in this category and an additional 546 governments that are partially in this category that also contain territory eligible for either the LUCA 1998 or LUCA 1999 program (or both). Thus, approximately 1,200 governments will be affected by this situation.

(4) The Bureau learned that neither participants nor Bureau staff could make determinations about the accuracy of individual housing unit addresses in areas where the Census 2000 address list uses descriptive addresses plus map spot location annotations on the accompanying maps, in contrast to participant records that use other forms of housing unit identification, such as tax lot numbers or E-911 emergency service addresses. For these areas, the Bureau has decided that the most effective review process would be for the governments to review only the count (total number) of housing unit addresses in each census block. The Bureau will continue to provide the detailed Census 2000 address list and related maps to participating governments, solely as a reference. (See LUCA 1999 below.)

(5) The Bureau determined, after two thorough and detailed operational reviews, that it could not complete the full range of operations related to all components of the Census 2000 address list development process, incorporate LUCA responses from participants, complete the required field checks of differences, process those results, and provide the Final Determination materials on the schedule originally outlined in the March 1998 Notice. This analysis resulted in the revised, but more realistic, schedule for the operational steps described below. In light of the simpler (or streamlined) LUCA 1999 review process, the Bureau decided to limit the address list review

period for participants in LUCA 1999 to 42 calendar days rather than the 3 months allocated for participants in LUCA 1998. This change is necessary to ensure that participant suggestions and the subsequent review activities can be completed in time to meet the questionnaire printing and address labeling schedule for Census 2000. To streamline the process for LUCA 1998 areas, where the review began much earlier, the Bureau determined that it would eliminate a very time-constrained review burden on local and tribal participants (a separate process formerly called Detailed Feedback) and include that Detailed Feedback information with the Final Determination materials. Thus, the Bureau will routinely recheck all differences between participant suggestions and its initial field check, rather than only the limited set of differences disputed by participants.

During 1998, the Bureau worked on developing the Census 2000 address list in cooperation with the Postal Service and through various field operations. As governments notified the Bureau of their desire to participate in one or both of the LUCA programs, the Bureau generated and delivered appropriate address lists and other review materials, along with procedural information to help participants understand and complete the review process. The review materials provide each participating local and tribal government (or their designated representative) information documenting the number of housing unit addresses in each census block within the jurisdiction, a list of the individual housing unit addresses recorded in the Census 2000 address list for each of these census blocks, a copy of the Bureau maps that display the streets and census block numbers within and near the jurisdiction, and other related materials.

The list used for questionnaire address labeling and delivery will reflect additions, deletions, and corrections to housing unit addresses that were suggested by LUCA participants once those addresses are confirmed by the field check component of the Reconciliation process or mandated by the Appeal process. Inclusion of an address on the Census 2000 address list at this stage does not mean that a housing unit will be found at the time of Census 2000, that any inhabitants will be found at the address, or that the address will be included in the final Census 2000 data summaries. The census-taking process, including the update/leave operation (in LUCA 1999 areas), rural update/enumerate, and the nonresponse follow-up and

other coverage improvement operations (in both LUCA 1998 and LUCA 1999 areas), will determine the final inclusion status of each address; i.e., whether or not there is actually a housing unit at the address as of April 1, 2000, and the number of people, if any, residing at each address existing on that date.

#### *LUCA 1998*

The LUCA 1998 program is for jurisdictions or portions of jurisdictions in which the Postal Service uses house-number and street-name (city-style) addresses for most mail delivery. There were more than 9,000 local and tribal governments participating in LUCA 1998 as of March 26, 1999. These governments include more than 90 percent of the housing unit addresses eligible for review during LUCA 1998. Most performed their review of the appropriate portion of the Census 2000 address list and related Bureau maps during late 1998 and early 1999. Under the LUCA 1998 procedures, they provided to the Bureau specific, detailed housing unit address suggestions, including corrections, additions, deletions, and address location changes.

Although most housing units in LUCA 1998 areas use city-style addresses for mail delivery, there may be a few housing units with other types of addresses or other types of mail delivery, such as rural route and box number. The Bureau issued its standards for city-style addresses in a November 27, 1995, **Federal Register** Notice (60 FR 58326—58329). These standards describe the components of acceptable city-style addresses, including apartment designations for each housing unit in a multi-unit building, current 5-digit ZIP Codes, and distinction between residential and commercial addresses.

In Census 2000, the Bureau will use the mail-out/mail-back methodology to enumerate most housing units and their occupants in areas eligible for LUCA 1998. (The Bureau may enumerate some housing units in areas eligible for LUCA 1998 using other methodologies, based on operational determinations made during various Census 2000 preparatory activities.) To ensure a uniformly complete Census 2000 address list in areas eligible for LUCA 1998, to ensure that each housing unit address in these areas is assigned to the correct census block regardless of whether a local or tribal government agreed to review its portion of the Census 2000 address list (or equivalent computer-readable file), and to ensure that all locatable housing unit addresses in these areas are

included on the Census 2000 address list, temporary Bureau staff will update and verify the existence and census block location of every housing unit address that exists in early 1999 as part of a field check operation called block canvassing. This field check will cover approximately 94 million housing units and will be conducted in three waves, each lasting approximately 6 weeks. The first wave began in mid-January 1999, and the third wave was completed in late May 1999.

Each government that notified the Bureau by November 28, 1998, of its intent to participate in LUCA 1998 had 3 months during which to conduct its Census 2000 housing unit address list and related Bureau map review once it received its review materials. Under this review schedule, the Bureau received most of the completed LUCA 1998 review materials by March 15, 1999. (An exception to the March 15, 1999, receipt date was made only when the Bureau did not deliver review materials in a timely fashion to participants who entered the program by November 28, 1998. For approximately 600 of these governments, the Bureau determined that its Census 2000 address list would not be suitable for review until after completion of its field check operation.) Governments that entered the LUCA 1998 program after November 28, 1998, were not allowed 3 months for their review. Since they, also, were required to return their completed LUCA 1998 review materials on a schedule that ensured receipt by the Bureau by no later than March 15, 1999, the time allowed for their review was determined by the date they notified the Bureau of their intent to participate. Governments participating in LUCA 1998 were notified that the Bureau would not accept any LUCA 1998 address additions, deletions, or corrections after March 15, 1999, except as noted above. Adhering to this deadline will ensure that the Bureau can complete all subsequent LUCA and other Census 2000 address list development steps in a timely manner.

#### Reconciliation Process

The Bureau will provide timely, written, Detailed Feedback/Final Determination materials to each local or tribal government that returned address additions, deletions, and/or corrections during the LUCA 1998 review phase. The Bureau will provide these materials after the following two processes have been completed. First, all participant-suggested address additions, deletions, and/or corrections will be reviewed and evaluated against the results of the early 1999 field check (block canvassing). To

perform this evaluation, the Bureau will computer-match each participant-suggested addition, deletion, and correction to the addresses Bureau staff observed during the early 1999 field check. Second, for all participant-suggested addresses not accepted by the Bureau based on the initial field check (block canvassing), the Bureau will send staff into the field to conduct a second on-site check (Reconciliation) to determine which housing units actually exist at the time of this second field check and to ensure that each is assigned to the correct census block in the evolving Census 2000 address list. (The Bureau's procedure for the LUCA 1998 Reconciliation process follows as Exhibit 1A.) The goal of the LUCA 1998 Reconciliation process is to ensure accurate information when participating governments have identified specific addresses or groups of addresses that they believe are missing, incorrect, and/or not properly located, and to reach concurrence between the Bureau and each participating government regarding those addresses. This concurrence relates both to the existence and to the census block location of each such address.

Using the wave approach to the field check operation in all mail-out/mail-back areas during the period from mid-January to late May 1999 means that the Reconciliation process will begin in June 1999 for the first LUCA 1998 governments, and some LUCA 1998 governments will begin to receive their Detailed Feedback/Final Determination materials in August 1999. All participating LUCA 1998 governments will have received their Detailed Feedback/Final Determination materials by November 1999.

The Detailed Feedback/Final Determination materials will tell each participating government which of its additions, deletions, and/or corrections the Bureau found and which it did not find. These materials will include: (1) a Detailed Feedback/Final Determination Processing Report containing tallies of recommendations submitted by the participating government and tallies of actions taken by the Bureau for that government; (2) a Detailed Feedback/Final Determination list covering the specific address additions, deletions, and/or corrections submitted by the participant; (3) updated information documenting the number of housing unit addresses in each census block within the jurisdiction; (4) an updated list of all individual housing unit addresses in every census block within the jurisdiction, as recorded in the evolving Census 2000 address list; and

(5) a copy of the updated Bureau maps covering the jurisdiction.

The second on-site check (Reconciliation), described above, will conclude with delivery by the Bureau of written Detailed Feedback/Final Determination materials regarding the existence and the census block location of each disputed address. For each participating government, the Bureau's LUCA 1998 program for Census 2000 will be officially completed at the time the Bureau provides its Detailed Feedback/Final Determination materials.

#### Appeal Process

If, at the end of the Detailed Feedback/Final Determination processes, a participating government still disagrees with the Bureau's Final Determination regarding the existence or location of a specific address or group of addresses, the participating government may seek a formal review of the Bureau's Final Determination through the Appeal process described in Exhibit 2A of this Notice.

Only those local or tribal governments that participated in the LUCA 1998 review program and completed a review of the Detailed Feedback/Final Determination materials are eligible to file an Appeal. Appeals must be filed within 30 calendar days after receiving the Detailed Feedback/Final Determination materials. Appeals filed after the deadline will be denied.

To file an Appeal, each eligible government must provide the specific address(es) it believes to be missing or misrepresented, including for each address, the Census 2000 block number and the LUCA tracking number, as provided by the Bureau in the Detailed Feedback/Final Determination materials. Eligible governments may appeal only those addresses they submitted as additions or corrections as part of the LUCA review process that they still believe to be incorrectly represented on the Census 2000 address list when they receive their Detailed Feedback/Final Determination materials; they may not appeal other addresses that were not submitted previously as additions or corrections.

An eligible LUCA 1998 government may appeal to the Census Address List Appeals Office and must submit a duplicate copy of any additional evidence it provides at that time to the Bureau's Regional Census Center responsible for the jurisdiction. (After notification from the Appeals Office to the Bureau, the Bureau will have 15 calendar days to submit the evidence it has compiled concerning the Census 2000 address list for the area served by

the appealing government to the Census Address List Appeals Office.) The Appeal process will be concluded by January 14, 2000.

#### Postal Service Updates

To ensure further that the Census 2000 address list is uniformly complete in all areas eligible to participate in LUCA 1998, the Bureau will use address information provided by the Postal Service in two separate operations. First, it will use address information provided in computer-readable format during the last quarter of 1999 to update the Census 2000 address list with addresses added after the Detailed Feedback/Final Determination process. Second, it will pay the Postal Service to have Postal Service letter carriers check the completeness of the Census 2000 address list in early 2000 in an operation called the Postal Service Address Validation Check. The Postal Service also will be responsible for delivering a Census 2000 questionnaire to each housing unit address on the resulting address list in March 2000 (the mail-out process). The occupants of each housing unit will be asked to complete the questionnaire and return it by mail (the mail-back process).

#### New Construction Program

The Bureau has developed a New Construction Program to ensure that addresses resulting from new construction that occurs between the completion of the Postal Service Address Validation Check and Census Day are included in Census 2000. All new construction addresses identified as a result of this program will be matched against the Census 2000 address list. Submissions that duplicate addresses that are already included in the Census 2000 address list will be removed. Enumerators will visit each remaining address during the Census 2000 Coverage Improvement Follow-up Operation and complete a questionnaire for each housing unit that exists at each new address as of Census Day. (The term "new construction" refers to housing units that have been built and occupied between January 2000 and Census Day, or to housing units being built, for which basic construction has been completed, closing the structure from the elements, but not occupied.)

The Bureau will offer the New Construction Program to all entities eligible to participate in LUCA 1998 (mainly the area in which the Postal Service uses house-number and street-name addresses for most mail delivery) regardless of whether they participated. In the remaining areas, the Bureau has developed enhanced procedures

(update/leave, rural update/enumerate, and list/enumerate) to identify new construction.

New Construction Program participants that also participated in the LUCA 1998 program may not submit any addresses that they disputed during the LUCA program with the exception of those that were not found to exist during the LUCA program but have since completed basic construction, closing the structure from the elements.

The Bureau will provide copies of the Census 2000 address list and related maps as of late 1999 to New Construction Program participants. The Census 2000 address list provided will show only Basic Street Addresses (BSA) and will not contain individual housing unit addresses within multi-unit structures, but it will contain the number of housing units within a BSA.

New Construction Program participants must submit new addresses on a Census Bureau "add" worksheet (or in a computer-readable format specified by the Census Bureau). The worksheet will require participants to provide the census block number for each new address. If the new BSA address includes two or more housing units, then the full address for each housing unit, including the internal designation (apartment or unit number), must be submitted individually on the "add" worksheet (or in computer-readable format). If an existing multi-unit BSA has been remodeled or renovated to change the number of housing units at that BSA, then all of the housing units at that BSA must be supplied on the "add" worksheet (or in computer-readable format) with the full address for each housing unit, including the internal designation (apartment or unit number) of each. Additionally, the participants must draw the location of every new street along which new housing units are located, and label each with its street name, on the Bureau maps.

#### LUCA 1999

The LUCA 1999 program is for those jurisdictions and portions of jurisdictions in which the Postal Service uses rural route, post office box number, or general delivery addresses for most mail delivery, although these areas may include some housing units with city-style addresses. There were approximately 10,800 local and tribal governments participating in the LUCA 1999 program as of March 26, 1999. These governments include more than 60 percent of the housing unit addresses and/or location descriptions (addresses) eligible for review in LUCA 1999. They will perform their review of the

appropriate portion of the Census 2000 address list and related Bureau maps during January through mid-June 1999. In LUCA 1999 areas, participants may respond only by identifying those census blocks on the Census 2000 Block Housing Unit Summary List that appear to have too few or too many housing unit addresses and/or location descriptions in the Census 2000 address list (disputed blocks). Since the LUCA 1999 process is one of reviewing only housing unit address counts, the Bureau will not accept individual specific housing unit address additions and/or corrections from LUCA 1999 participants.

In Census 2000, the Bureau will use the update/leave methodology to enumerate most housing units and their occupants in areas eligible for LUCA 1999. (The Bureau may enumerate some housing units in areas eligible for LUCA 1999 using other methodologies, based on operational determinations made during various Census 2000 preparatory activities.) To ensure a uniformly complete Census 2000 address list in areas eligible for LUCA 1999, to ensure that each address is assigned to the correct census block regardless of whether a local or tribal government agreed to review its portion of the Census 2000 address list, and to ensure that all locatable addresses in these areas are included on the Census 2000 address list, temporary Bureau employees will verify the completeness and locational accuracy of each address on the list as they deliver a Census 2000 questionnaire to it in March 2000 (update/leave methodology). At that time, they will add to the Census 2000 address list any additional addresses they find, and make other needed corrections to the Census 2000 address list and related Bureau maps.

Each address in the portions of the Census 2000 address list covering areas eligible for LUCA 1999 will include a map spot number that is linked to a specific (approximate) housing unit location on the maps that the Bureau provides to governments participating in LUCA 1999. These "other addresses" on the Census 2000 address list will provide the most recent address available for each housing unit. The Bureau completed housing unit address listing activities to prepare the Census 2000 address list for these areas in early 1999. Because of the extensive area this address listing activity covered, the Bureau implemented this operation in three waves. This resulted in three waves of delivery for the review materials to governments participating in LUCA 1999. The Bureau began providing review materials to

governments participating in LUCA 1999 in January 1999, and most remaining LUCA 1999 review materials were provided by the end of May 1999.

Each jurisdiction or portion of a jurisdiction with predominantly non-city-style addresses conducted its review of the address counts in its portion of the Census 2000 address list and related Bureau maps, from January through May 1999. Each government that notified the Bureau by March 12, 1999, of its intent to participate in LUCA 1999 had 42 calendar days to conduct its review once it received the materials. This review schedule ensured receipt by the Bureau of most of the completed LUCA 1999 review materials by May 12, 1999. (An exception to the May 12, 1999, receipt date was made only if the Bureau did not deliver review materials by March 31, 1999, to participants who entered the LUCA program by March 12, 1999; these participants still were allowed the full 42 calendar days for their review process.) Governments that entered the LUCA 1999 program after March 12, 1999, were not allowed 42 calendar days for their review. Since they, also, were required to return their completed LUCA 1999 review materials on a schedule that ensured receipt by the Bureau by no later than May 12, 1999, the time allowed for their review was determined by the date they notified the Bureau of their intent to participate. Governments participating in LUCA 1999 were notified that the Bureau would not accept any LUCA 1999 disputed address counts after May 12, 1999, except as noted above. Adhering to this deadline ensured that the Bureau could complete all subsequent LUCA and other Census 2000 address list development steps in a timely manner.

The review period was shortened from 3 months to 42 calendar days for the following three reasons: First, the total number of addresses for most of these jurisdictions is much smaller than for most LUCA 1998 jurisdictions. Second, the process of reviewing only counts of housing unit addresses in census blocks is a much simpler process than the detailed housing unit address reviews for LUCA 1998. Third, the Bureau plans to relist (Reconciliation process) all housing unit addresses and/or location descriptions in census blocks for which participants identify housing unit address count discrepancies (disputed blocks).

#### Reconciliation Process

After receiving from each participating local and tribal government the completed Census 2000 Block Housing Unit Summary List that

identifies census blocks with housing unit address count discrepancies, the Bureau will update its maps with participant-supplied corrections and send staff into the field to recompile the Census 2000 address list in each disputed census block (Reconciliation process). Bureau staff will verify the existence and location of every housing unit in each disputed block, ensure that there is a complete address and/or location description for each, and enter a map spot for each on the Bureau maps for the disputed blocks. During this relisting (Reconciliation), they will determine which housing units actually exist at the time of this second field check and ensure that the address for each is assigned to the correct census block in the evolving Census 2000 address list. (The Bureau's procedure for the LUCA 1999 Reconciliation process follows as Exhibit 1B.) The goal of the LUCA 1999 Reconciliation process is to resolve disagreements regarding specific disputed housing unit address and/or location description counts, and to reach concurrence between the Bureau and each participating government regarding those housing unit address and/or location description counts in each census block.

The Bureau intends to complete all housing unit relisting (Reconciliation) field work for each jurisdiction within 21 calendar days, plus an additional 30 calendar days to process the results and produce the Detailed Feedback/Final Determination materials. The relisting (Reconciliation) process will conclude with delivery by the Bureau of written Detailed Feedback/Final Determination materials regarding the number of housing unit addresses and/or location descriptions in each disputed census block.

The Bureau will provide timely, written, Detailed Feedback/Final Determination materials to each government that returns a Census 2000 Block Housing Unit Summary List (or equivalent computer-readable file) with housing unit address and/or location description count corrections during the LUCA 1999 review phase. The Bureau will provide these materials after participant-disputed blocks have been relisted (the Reconciliation process) and the resulting housing unit address and/or location description information have/had been added to the evolving Census 2000 address list.

The wave approach to the housing unit relisting operation in LUCA 1999 areas will result in three waves of delivery for the Detailed Feedback/Final Determination materials to governments participating in LUCA 1999. These materials will include: (1) a report

covering the specific disputed census blocks identified by the participant and updated with information documenting the final number of addresses in each census block within the jurisdiction; (2) an updated list of all individual addresses for every housing unit in the disputed census blocks within the jurisdiction, as recorded in the evolving Census 2000 address list; and (3) a copy of updated Bureau maps covering the jurisdiction.

According to the LUCA 1999 timetable, the relisting (Reconciliation) process began in May 1999 for the first LUCA 1999 governments, and some LUCA 1999 governments will begin to receive their Detailed Feedback/Final Determination materials in June 1999. All participating LUCA 1999 governments will have received their Detailed Feedback/Final Determination materials by October 1999. For each participating government, the Bureau's LUCA 1999 program for Census 2000 will be officially completed at the time the Bureau provides its Detailed Feedback/Final Determination materials.

#### Appeal Process

If, at the end of the Detailed Feedback/Final Determination process, a participating government still disagrees with the Bureau's Final Determination regarding the number of housing unit addresses in one or more specific census blocks, the participating government may seek a formal review through the Appeal process described in Exhibit 2B of this Notice.

Only those local or tribal governments that participated in the LUCA 1999 review program, submitted their annotated Census 2000 Block Housing Unit Summary List with count discrepancies, and completed a review of the Detailed Feedback/Final Determination materials are eligible to file an Appeal. The Appeal may be filed only after the eligible government receives the Detailed Feedback/Final Determination materials from the Bureau, and the Appeal must be filed within 30 calendar days after that date. Appeals filed after the deadline will be denied.

An eligible government may Appeal the Detailed Feedback/Final Determination address count. To do so, each eligible government must provide the following two items of information for each specific address it believes is missing from the Census 2000 address list: (1) the specific address(es) or location description(s) of the housing unit(s) the participant believes to be missing, including for each address, the Census 2000 block number, and (2) the

specific location of each "missing" address by adding a "map spot" in relation to the other map spots and an accompanying map spot number on the map that the Bureau provided with the Detailed Feedback/Final Determination materials. Eligible governments may not appeal address counts for other blocks included in their initial review that they did not dispute previously.

An eligible LUCA 1999 government may appeal to the Census Address List Appeals Office, and must submit a duplicate copy of its additional evidence to the Bureau's Regional Census Center responsible for the jurisdiction. (After notification from the Appeals Office to the Bureau, the Bureau will have 15 calendar days to submit its evidence concerning the appealing government to the Census Address List Appeals Office.) The Appeal process will be concluded by January 14, 2000.

**Donald R. Arbuckle,**

*Acting Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.*

**Kenneth Prewitt,**

*Director, Bureau of the Census, Department of Commerce.*

#### **Exhibit 1—Census Bureau's Procedures for the Reconciliation Process**

This exhibit describes the Reconciliation component of the Local Update of Census Addresses (LUCA) program. The goal of the Reconciliation process is to ensure accurate information when participating governments have identified specific addresses that they believe are missing, incorrect, or not properly located (in LUCA 1998 areas) or specific census blocks in which they dispute the counts of housing units (LUCA 1999 areas), and to reach concurrence between the Bureau of the Census (Bureau) and the participating government. This concurrence relates both to the existence and to the census block location of such housing unit addresses and housing unit counts.

#### **A. Reconciliation Process for LUCA 1998 Areas—Areas in Which the Bureau Will Use the Mail-out/Mail-back Enumeration Methodology for Most Housing Units**

This section provides information on how local and tribal governments that returned their annotated review materials participate in the Reconciliation process for LUCA 1998 areas.

#### 1. What Governments Are Eligible for the Reconciliation Process in LUCA 1998?

Local and tribal governments that participate in the Bureau's 1998 Local Update of Census Addresses (LUCA 1998) program are eligible for the Reconciliation process if they returned review materials with specific address additions, deletions, or corrections. A second on-site check (Reconciliation) of all disputed addresses will be conducted by the Bureau for differences identified by the participating local or tribal government (or its designated representative).

#### 2. What Is the Deadline for Submitting Materials for LUCA 1998 Reconciliation?

Participating local or tribal governments are eligible for the Reconciliation process if the Bureau was in receipt of their annotated review materials by the date specified by the Bureau. Eligibility for Reconciliation was determined by the date the annotated materials were postmarked or received by an overnight delivery service. The term "receipt," as used herein, shall be defined as the date the Bureau transmits the Detailed Feedback/Final Determination materials to the participating government plus 3 calendar days.

#### 3. What Must a Participating Government Submit To Be Eligible for LUCA 1998 Reconciliation?

Participating governments must provide the annotated Census 2000 address list (or equivalent computer-readable file) from their review process showing the address(es) that they wish to dispute. The participating government must use Bureau procedures to identify addresses that: (a) the participating government believes exist but are not included on the Census 2000 address list; (b) the participating government believes do not exist but are included on the Census 2000 address list; (c) the participating government believes exist but are not correct as included on the Census 2000 address list; (d) the participating government believes exist but are not residential addresses as indicated on the Census 2000 address list, or (e) the participating government believes exist but are not located within its jurisdiction as indicated on the Census 2000 address list. The annotated Census 2000 address list (or equivalent computer-readable file) also must provide the specific missing, corrected, or deleted addresses and their Census 2000 block numbers.

#### 4. Where Must a Participating Government Submit Its LUCA 1998 Review Materials?

Completed review materials must be submitted to the Bureau's Regional Census Center for the region in which the participating government is located. The Bureau will provide detailed procedures when it transmits the review materials to each participating government.

#### 5. What Is the Bureau's Reconciliation Process for LUCA 1998 Areas?

The Bureau will attempt to computer-match all participant-suggested address additions, deletions, and/or corrections against the results of the early 1999 field check (block canvassing). For each address that does not match the results of the early 1999 field check, the Bureau will send staff into the field to conduct a second on-site check (the Reconciliation process) to determine which housing units actually exist at the time of this second field check and to ensure that each address is assigned to the correct census block in the evolving Census 2000 address list. Following this second field check, the participating government will be notified, in writing, of the Bureau's Detailed Feedback/Final Determination and the basis for it. The Census 2000 address list will be updated with additions, deletions, and corrections resulting from the LUCA review. The participating government also will be informed of its right to file an Appeal, notified of the procedure for when and where to file that Appeal, and what the Appeal must include, and may proceed to the Appeal stage if it is not satisfied with the resolution provided by the Bureau during the Reconciliation phase.

In conducting the Census 2000 enumeration, the Bureau will include all addresses added to, and/or corrected in, the Census 2000 address list as a result of the second field check (Reconciliation) and/or Appeal processes, using the same procedures it will use for all other addresses on the list. Inclusion of an address in the list does not mean that a housing unit will in fact be found to exist, that any inhabitants will actually be found at the address, or that the housing unit will be included in the final Census 2000 data summaries. The census-taking process will determine the inclusion status of the address—whether or not it actually is a housing unit, and the population total at that address.

#### 6. How Much Time Is Allowed for the Completion of the LUCA 1998 Reconciliation Process?

The Census Bureau expects to begin the second field check (Reconciliation) process in June 1999 and complete the process in August 1999. Thus, it should begin providing Detailed Feedback/Final Determination materials in July 1999. All participating governments will be notified in writing of the Bureau's Detailed Feedback/Final Determination by no later than October 1999. From the date a participating government receives the Bureau's Detailed Feedback/Final Determination materials, it will have 30 calendar days in which it may file an Appeal regarding any or all of the address corrections not accepted by the Bureau (see Exhibit 2A for the Appeal process).

#### *B. Reconciliation Process for LUCA 1999 Areas—Areas in Which the Bureau Will Use the Update/Leave Enumeration Methodology for Most Housing Units*

This section provides information on how local and tribal governments that returned their annotated review materials participate in the Reconciliation process for LUCA 1999 areas.

##### 1. What Governments Are Eligible for the Reconciliation Process in LUCA 1999?

Local and tribal governments that participate in the Bureau's 1999 Local Update of Census Addresses (LUCA 1999) program are eligible for the Reconciliation process if they returned their Census 2000 Block Housing Unit Summary List (or equivalent computer-readable file) and they disputed the housing unit address and/or location description count for one or more census blocks. Relisting (Reconciliation) of census blocks with disputed housing unit address counts will be conducted by the Bureau for blocks identified by the participating local or tribal government (or its designated representative).

##### 2. What Is the Deadline for Submitting Materials for LUCA 1999 Reconciliation?

Each participating local or tribal government must submit its annotated Census 2000 Block Housing Unit Summary List within 42 calendar days after the receipt of the LUCA 1999 review materials from the Bureau to be eligible for the Reconciliation process. Eligibility for Reconciliation will be determined by the date the annotated materials are postmarked or received by an overnight delivery service. The Census 2000 Block Housing Unit

Summary List identifying disputed census blocks must be in the form of a paper listing or a computer file, as requested by the participating government for the initial review. The term "receipt," as used herein, shall be defined as the date the Bureau transmits the Detailed Feedback/Final Determination materials to the participating government plus 3 calendar days. The participating government may transmit documents via Express mail or overnight delivery service, and must keep an accurate record of the date it transmits these materials.

#### 3. What Must a Participating Government Submit To Be Eligible for LUCA 1999 Reconciliation?

Participating governments that wish to dispute the count of housing unit addresses for a specified census block must provide the annotated Census 2000 Block Housing Unit Summary List (or equivalent computer-readable file) for which the Census 2000 housing unit address and/or location description count is being disputed.

#### 4. Where Must a Participating Government Submit Its LUCA 1999 Review Materials?

Completed review materials must be submitted to the Bureau's Regional Census Center for the region in which the participating government is located. The Bureau will provide detailed procedures when it transmits the review materials to each participating government.

#### 5. What Is the Bureau's Reconciliation Process for LUCA 1999 Areas?

The Bureau will review the materials submitted by the participating government and prepare the detailed maps and address listings needed to perform a relisting (second field check) in each census block with a disputed housing unit address and/or location description count. Addresses and/or location descriptions for housing units will be added to, deleted from, and/or corrected in the evolving Census 2000 address list.

Following this relisting, the participating government will be notified, in writing, of the Bureau's Detailed Feedback/Final Determination for each disputed block. At this time, the participating government also will be informed of its right to file an Appeal, notified of the procedure for when and where to file that Appeal, and what the Appeal must include, and may proceed to the Appeal stage if it is not satisfied with the resolution provided



by the Bureau during the Reconciliation phase.

In conducting the Census 2000 enumeration, the Bureau will include all housing unit addresses and/or location descriptions added to and/or corrected in the evolving Census 2000 address list as a result of the relisting (Reconciliation) and/or Appeal processes, using the same procedures it will use for all other addresses on the list. Inclusion of a housing unit address and/or location description in the list does not mean that a housing unit will in fact be found to exist, that any inhabitants will actually be found at the address, or that the housing unit will be included in the final Census 2000 data summaries. The census-taking process will determine the inclusion status of the address—whether or not it actually is a housing unit, and the population total at that address.

#### 6. How Much Time Is Allowed for the Completion of the LUCA 1999 Reconciliation Process?

The Census Bureau is using 21 calendar days as its standard for completing the relisting (Reconciliation) field check for a jurisdiction, plus an additional 30 calendar days to process the results and produce the Detailed Feedback/Final Determination materials. The standard should be achievable for all jurisdictions except those with a large number of blocks with disputed counts. The relisting (Reconciliation) operation will be completed and a participating government will be notified in writing of the Bureau's Detailed Feedback/Final Determination by August 1999. From the date a participating government is in receipt of the Bureau's Detailed Feedback/Final Determination materials, it will have 30 calendar days in which it may file an Appeal regarding any or all of the housing unit address corrections not accepted by the Bureau (see Exhibit 2B for the Appeal process).

#### **Exhibit 2—OIRA Administrator's Procedure for the Appeal Process**

This exhibit describes the procedures for the OIRA Administrator's Appeal process. Following receipt of the Census Bureau's (the Bureau) Detailed Feedback/Final Determination materials from the Reconciliation process, the participating local or tribal government, or its designated agent, may file an Appeal if it disagrees with the Bureau's Final Determination. The Appeal process will be based solely on a review of written documentation provided by the participating government and the Bureau.

#### *A. Appeal Process for LUCA 1998 Areas B Areas in Which the Bureau Will Use the Mail-Out/Mail-Back Enumeration Methodology for Most Housing Units*

This section provides information on how local and tribal governments that participated in LUCA 1998 can formally Appeal decisions provided in the Bureau's Detailed Feedback/Final Determination materials to the Census Address List Appeals Office.

##### 1. What LUCA 1998 Governments Are Eligible To File an Appeal?

All local and tribal governments that participated in the Reconciliation process and have received their Detailed Feedback/Final Determination materials are eligible to file an Appeal.

##### 2. What Is the Deadline for an Eligible Government To File an Appeal?

An Appeal must be filed by the eligible government within 30 calendar days after that government's receipt of the Bureau's Detailed Feedback/Final Determination materials from the Reconciliation process (see 5, below, regarding what documentation the participating government must file within 30 days). "Receipt" as used herein shall be defined as the date the Bureau transmits the Detailed Feedback/Final Determination materials to the eligible government plus 3 calendar days. The eligible government may transmit materials via Express mail or overnight delivery service, and must keep an accurate record of the date it transmits these materials. All Appeals filed after the deadline will be denied as untimely.

##### 3. Who Will Review the Appeal?

The Appeal process will be administered by the Census Address List Appeals Office (Appeals Office), a temporary Federal office established outside the Department of Commerce. The Appeals Office will be directed by a senior executive on detail from a Federal agency that is not part of the Department of Commerce. The Office will be staffed by Appeal Officers who may be Federal employees on detail from other agencies outside the Department of Commerce, temporary Federal employees, or contractors. The Appeal Officers will be trained in the procedures for processing an Appeal and in the examination and analysis of address list information, locations of addresses and housing units, and supporting materials. For additional information on the review and decision process, see 8 below.

#### 4. What Types of Final Determinations May Be Appealed?

An Appeal may be filed only with respect to addresses for which the eligible government had previously sought Bureau review during the LUCA 1998 Reconciliation process, which is described in Exhibit 1A of this Notice. Further, the eligible government may appeal only those Reconciliation determinations made by the Bureau that pertain to:

- a. Addresses that the eligible government believes exist but are not included on the Census 2000 address list; and
- b. Addresses that the eligible government believes exist but are not correct as included on the Census 2000 address list.

#### 5. What Documentation Must an Eligible Government File with an Appeal?

The Appeal process will be based solely on a review of written documentation provided by the eligible government and the Bureau. Each Appeal submitted to the Appeals Office must be printed or typed. The Appeal documentation must include:

- a. The name of the eligible government.
- b. The name, mailing address, telephone number, fax number, and electronic mail address (if any), of that government's contact person.
- c. The following information:
  - (1) A separate list of the addresses that the eligible government believes exist but are not *included* on the Census 2000 address list; for each address, identify the Census 2000 block number, the LUCA tracking number, the participant action code, and the Bureau's action code as provided by the Bureau in its Detailed Feedback/Final Determination materials; and
  - (2) A separate list of the addresses that the eligible government believes exist but are not *correct* as included on the Census 2000 address list; for each address, identify the Census 2000 block number, the LUCA tracking number, the participant action code, and the Bureau action code as provided by the Bureau in its Detailed Feedback/Final Determination materials.
- d. An annotated copy of the Bureau's Detailed Feedback/Final Determination materials from the second on-site check (Reconciliation), with the portion(s) marked that specifically pertain(s) to the lists in item 5c above.
- e. A written explanation that gives the eligible government's specific recommendations for how the address(es) and location(s) being appealed should appear on the Census 2000 address list.

f. A written statement that outlines the eligible government's position for why the Appeals Office should adopt its recommendations. The statement must specifically respond to the explanation that accompanied the Bureau's Detailed Feedback/Final Determination materials. This specific response to the Bureau's explanation is a critical part of the Appeal process; an Appeal is likely to be more persuasive to the extent that it provides a more pointed and evidence-based response to the Bureau's explanation, and is likely to be less persuasive to the extent that it provides a general and unfocused response.

g. For each housing unit address or group of addresses, or each location description of a housing unit being appealed, a reference to the location in the supporting documentation where the Appeal Officer can find specific evidence supporting the eligible government's position with respect to that housing unit address, or group of addresses, or location description, believed missing or incorrect.

h. Any other supporting documentary evidence for the position taken by the eligible government in its Appeal.

Two types of supporting evidence are recommended below. The first specifically reflects the validity of any address or map reference sources, and the second describes other useful sources of supporting evidence. The eligible government may submit any documentation it deems relevant in support of its Appeal.

a. Evidence supporting the quality of address or map reference sources.

- (1) The date of the address source.
- (2) How often the address source is updated.
- (3) The methods used to update the source.
- (4) Quality assurance procedure(s) that are used in maintaining the address source.
- (5) How the address source is used by the eligible government and/or by the originator of the source.

b. Other useful supporting evidence.

- (1) On-site inspection and/or interview of residents and/or neighbors.
- (2) Issuance of recent occupancy permit for unit. (Building permits are not acceptable as they do not ensure that the units have been built and/or are occupied.)
- (3) Provision of utilities (electricity, gas, sewer, water, telephone, etc.) to the residence. The utility record should show that this is not service to a commercial unit, or an additional service to an existing residence (such as a second telephone line).

(4) Provision of other governmental services (housing assistance, welfare, etc.) to residents of the unit.

(5) Aerial photography and/or standard photography.

(6) Land use maps.

(7) Local 911 emergency lists, if they distinguish residential from commercial units.

(8) Tax assessment records, if they distinguish residential from commercial units.

All Appeal documentation must be filed with the Appeals Office within 30 calendar days after the Bureau transmits its Detailed Feedback/Final Determination materials to the eligible government. At the same time, the eligible government must send a duplicate copy of all Appeal documentation to the Bureau's Regional Census Center responsible for the jurisdiction. The eligible government may not submit any materials to the Appeals Office after the 30-day period has lapsed.

#### 6. Where Must Eligible Governments File an Appeal?

Appeals must be sent to: Dr. Philip N. Fulton, Director, Census Address List Appeals Office, 1730 K Street, NW, Suite 418, Washington, DC 20006; telephone (202) 208-4613. At the same time, a duplicate copy of all Appeal documentation must be filed with the Bureau's Regional Census Center responsible for the jurisdiction.

Upon receipt of an Appeal, the Appeals Office will send a written confirmation to the eligible government that its Appeal has been received. The Appeals Office also will notify the Bureau, in writing, that the Appeal has been filed.

#### 7. What Written Documentation and Supporting Evidence May Be Submitted by the Bureau During the Appeal Process?

The Bureau does not need to respond to the Appeal or to provide any materials in support of its Reconciliation determination. Upon receipt of notification that an Appeal has been filed, the Bureau will have 15 calendar days in which it may (if the Bureau so chooses):

- a. Submit to the Appeals Office written documentation briefly summarizing its position as well as any supporting evidence concerning the appealed addresses, or
- b. Submit to the Appeals Office a written acceptance statement agreeing to the recommendation(s) in the Appeal.

If the Bureau submits any written documentation to the Appeals Office to support its position, the Bureau at the

same time must send a copy of its submission to the eligible government. The Bureau may not submit any materials to the Appeals Office after the 15-day period has lapsed.

#### 8. What Is the Appeal Review and Final Decision Process?

An Appeal Officer will review the Bureau's Detailed Feedback/Final Determination and the written documentation and supporting evidence submitted by the eligible government and the Bureau. No testimony or oral argument will be received by the Appeal Officer. Appeal Officers will apply the following principles in conducting their review:

a. The Appeal Officer shall consider the quality of the map or address reference source as the basis for determining the validity of an address (or group of addresses) and its (their) location(s).

b. For any address for which the Appeal Officer determines that the quality of the supporting evidence submitted by both parties is of equal weight, the Appeal Officer shall decide in favor of the eligible government.

At the conclusion of reviewing an appealed address (or group of addresses), the Appeal Officer will prepare a draft written determination. The draft written determination will be reviewed by a higher level official in the Appeals Office. The Director of the Appeals Office (or his designee) will then issue a final written determination to both the eligible government and the Bureau. The final written determination will include a brief explanation of the Appeals Office's decision, and will specify how the appealed address(es) or its (their) location(s) should appear on the Census 2000 address list. Each final written determination shall become part of the administrative record of the Appeal process.

The Appeals Office's decision is final. In conducting the Census 2000 enumeration, the Bureau will include all addresses added to, or corrected in, the Census 2000 address list as a result of the Appeal process, according to the same procedures used for all other addresses on the list. Inclusion of an address on the list does not mean that a housing unit or its inhabitants are actually at the address, or that the address will be included in the final Census 2000 data summaries. The census-taking process will determine the inclusion status of the address—whether or not it is actually a housing unit—and the final population and housing unit status for each address.

### 9. When Will the Appeal Process Be Completed?

Appeal reviews shall be completed and written determinations issued to the concerned parties as soon as possible, and in any event no later than January 14, 2000.

#### *B. Appeal Process for LUCA 1999 Areas—Areas in Which the Bureau Will Use the Update/Leave Enumeration Methodology for Most Housing Units*

This section provides information on how local and tribal governments that participated in LUCA 1999 can formally Appeal decisions provided in the Bureau's Detailed Feedback/Final Determination materials to the Census Address List Appeals Office.

#### 1. What LUCA 1999 Governments Are Eligible To File an Appeal?

Local and tribal governments that notified the Bureau about the need to reconsider the count of all housing unit addresses in disputed blocks and have received their Detailed Feedback/Final Determination materials are eligible to file an Appeal.

#### 2. What Is the Deadline for an Eligible Government To File an Appeal?

An Appeal must be filed by the eligible government within 30 calendar days after that government's receipt of the Bureau's Detailed Feedback/Final Determination materials (see 5, below, regarding what the eligible government must file within 30 days). "Receipt" as used herein shall be defined as the date the Bureau transmits the Detailed Feedback/Final Determination materials to the participating government plus 3 calendar days. The eligible government may transmit materials via Express mail or overnight delivery service and must keep an accurate record of the date it transmits these materials. All Appeals filed after the deadline will be denied as untimely.

#### 3. Who Will Review the Appeal?

The Appeal process will be administered by the Census Address List Appeals Office (Appeals Office), a temporary Federal office established outside the Department of Commerce. The Appeals Office will be directed by a senior executive on detail from a Federal agency that is not a part of the Department of Commerce. The Office will be staffed by Appeal Officers who may be Federal employees on detail from other agencies outside the Department of Commerce, temporary Federal employees, or contractors. The Appeal Officers will be trained in the procedures for processing an Appeal and in the examination and analysis of

address list information, locations of addresses and housing units, and supporting materials. For additional information on the review and decision process, see 8 below.

#### 4. What Types of Final Determinations May Be Appealed?

An Appeal may be filed only with respect to the count of housing unit addresses in one or more specific census blocks for which the eligible government had previously sought Bureau review during the LUCA 1999 Reconciliation process, which is described in Exhibit 1B of this notice.

#### 5. What Documentation Must the Eligible Government File With an Appeal?

The Appeal process will be based solely on a review of written documentation provided by the eligible government and the Bureau. Each Appeal submitted to the Appeals Office must be printed or typed. The Appeal documentation must include:

- a. The name of the eligible government.
- b. The name, mailing address, telephone number, fax number, and electronic mail address (if any) of that government's contact person.
- c. The following information for each specific address being appealed:
  - (1) The specific address or location description of the housing unit the eligible government believes is missing; for each address, identify the Census 2000 block number; and
  - (2) The specific location of the missing address by adding a "map spot" in relation to the other map spots and an accompanying map spot number on the map that the Bureau provided with its Detailed Feedback/Final Determination materials.
- d. An annotated copy of the Bureau's Detailed Feedback/Final Determination materials from the Reconciliation process, with those portions marked that specifically pertain to the information in item 5c above.
- e. A written explanation that gives the eligible government's specific recommendations for how the address(es) and location(s) being appealed should appear on the Census 2000 address list.
- f. A written statement that outlines the eligible government's position for why the Appeals Office should adopt its recommendations. The statement must specifically respond to the explanation that accompanied the Bureau's Detailed Feedback/Final Determination materials. This specific response to the Bureau's explanation is a critical part of the appeal process; an appeal is likely

to be more persuasive to the extent that it provides a more pointed and evidence-based response to the Bureau's explanation, and is likely to be less persuasive to the extent that it provides a general and unfocused response.

g. For each housing unit address or group of addresses, or each location description of a housing unit being appealed, a reference to the location in the supporting documentation where the Appeal Officer can find specific evidence supporting the eligible government's position with respect to that housing unit address, or group of addresses, or location description, believed missing or incorrect.

h. Any other supporting documentary evidence for the position taken by the eligible government in its Appeal.

Two types of supporting evidence are recommended below. The first specifically reflects the validity of any address or map reference sources, and the second describes other useful sources of supporting evidence. The eligible government may submit any documentation it deems relevant in support of its Appeal.

- a. Evidence supporting the quality of address or map reference sources.
  - (1) The date of the address source.
  - (2) How often the address source is updated.
  - (3) The methods used to update the source.
  - (4) Quality assurance procedure(s) that are used in maintaining the address source.
  - (5) How the address source is used by the eligible government and/or by the originator of the source.
- b. Other useful supporting evidence.
  - (1) On-site inspection and/or interview of residents and/or neighbors.
  - (2) Issuance of recent occupancy permit for unit. (Building permits are not acceptable as they do not ensure that the units have been built and/or are occupied.)
  - (3) Provision of utilities (electricity, gas, sewer, water, telephone, etc.) to the residence. The utility record should show that this is not service to a commercial unit, or an additional service to an existing residence (such as a second telephone line).
  - (4) Provision of other governmental services (housing assistance, welfare, etc.) to residents of the unit.
  - (5) Aerial photography and/or standard photography.
  - (6) Land use maps.
  - (7) Local 911 emergency lists, if they distinguish residential from commercial units.
  - (8) Tax assessment records if they distinguish residential from commercial units.

All Appeal documentation must be filed with the Appeals Office within 30 calendar days after the Bureau transmits its Detailed Feedback/Final Determination materials to the eligible government. At the same time, the eligible government must send a duplicate copy of all Appeal documentation to the Bureau's Regional Census Center responsible for the jurisdiction. The eligible government may not submit any materials to the Appeals Office after the 30-day period has lapsed.

#### 6. Where Must Eligible Governments File an Appeal?

Appeals must be sent to: Dr. Philip N. Fulton, Director, Census Address List Appeals Office, 1730 K Street, NW—Suite 418, Washington, DC 20006; telephone (202) 208-4613. At the same time, a duplicate copy of all Appeal documentation must be sent to the Bureau's Regional Census Center responsible for the jurisdiction.

Upon receipt of an Appeal, the Appeals Office will send a written confirmation to the eligible government that its Appeal has been received. The Appeals Office also will notify the Bureau, in writing, that the Appeal has been filed.

#### 7. What Written Documentation and Supporting Evidence May Be Submitted by the Bureau During the Appeal Process?

The Bureau does not need to respond to the Appeal or to provide any materials in support of its Reconciliation determination. Upon receipt of notification that an Appeal has been filed, the Bureau will have 15

calendar days in which it may (if the Bureau so chooses):

a. Submit to the Appeals Office written documentation briefly summarizing its position as well as any supporting evidence concerning the appealed addresses, or

b. Submit to the Appeals Office a written statement agreeing to the recommendation(s) in the Appeal.

If the Bureau submits any written documentation to the Appeals Office to support its position, the Bureau at the same time must send a copy of its submission to the eligible government. The Bureau may not submit any materials to the Appeals Office after the 15-day period has lapsed.

#### 8. What is the Appeal Review and Final Decision Process?

An Appeal Officer will review the Bureau's Detailed Feedback/Final Determination and the written documentation and supporting evidence submitted by the eligible government and the Bureau. No testimony or oral argument will be received by the Appeal Officer. Appeal Officers will apply the following principles in conducting their review:

a. The Appeal Officer shall consider the quality of the map or address reference source as the basis for determining the validity of an address (or group of addresses) and its (their) location(s).

b. For any address for which the Appeal Officer determines that the quality of the supporting evidence submitted by both parties is of equal weight, the Appeal Officer shall decide in favor of the eligible government.

At the conclusion of reviewing an appealed address (or group of addresses), the Appeal Officer will

prepare a draft written determination. The draft written determination will be reviewed by a higher level official in the Appeals Office. The Director of the Appeals Office (or his designee) will then issue a final written determination to both the eligible government and the Bureau. The final written determination will include a brief explanation of the Appeals Office's decision, and will specify how the appealed address(es) or its (their) location(s) should appear on the Census 2000 address list. Each final written determination shall become part of the administrative record of the Appeal process.

The Appeals Office's decision is final. In conducting the Census 2000 enumeration, the Bureau will include all addresses added to, or corrected in, the Census 2000 address list as a result of the Appeal process, according to the same procedures used for all other addresses on the list. Inclusion of an address on the list does not mean that a housing unit or its inhabitants are actually at the address, or that the address will be included in the final Census 2000 data summaries. The census-taking process will determine the inclusion status of the address—whether or not it is actually a housing unit—and the final population and housing unit status for each address.

#### 9. When Will the Appeal Process be Completed?

Appeal reviews shall be completed and written determinations issued to the concerned parties as soon as possible, and in any event no later than January 14, 2000.

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