



The Ask U.S. Panel: Preventing the U.S. Census Bureau from Competing with the Private Sector

The U.S. Census Bureau plan to develop its own probability-based research panel would be duplicative, at best; numerous private sector insights companies and organizations already provide well-established high-quality online panels, including probability-based ones. The plan is also anti-competitive, given these existing panels and the Bureau's intent to fund an additional insights firm to build one that will be used to compete against the rest of the insights industry using intellectual property funded directly by federal taxpayers.

The Ask U.S. Panel: The U.S. Census Bureau has proposed to develop and run the Ask U.S. Panel, "a nationally representative survey panel for tracking public opinion on a variety of topics of interest to numerous federal agencies and their partners, and for conducting experimentation on alternative question wording and methodological approaches." It may also be used "to collect national-representative rapid-response data, as a complement to that currently collected by the Household Pulse Survey."

Federal agencies can (and already do) purchase such market research services from the private sector: Insights providers such as Ipsos, NORC at the University of Chicago, Dynata, SSRS, Gallup, the University of Southern California, and others maintain probability-based research panels that could meet any needs of the Bureau or other federal agencies at significantly lower cost and on a more immediate timeframe than the Bureau developing its own panel. Plenty of other insights companies and organizations with panels could provide probability-based panels if requested. Since these insights providers offer their services commercially on the open market, the Census Bureau and other federal agencies already purchase such services regularly.

An unnecessary financial burden on federal taxpayers: Besides just the cost and expertise involved in establishing this duplicative service, the Census Bureau has not considered the immense expertise in data quality, incentive management and delivery, fraud detection, and privacy and permissions management required to successfully maintain this kind of panel. The Bureau mentioned no planned procedures to monitor and mitigate attrition of panelists and how it would refresh the pool of available respondents. The multi-year pilot plan suggests they just hope to learn on the fly.

NORC estimates it would cost at least \$25 million to build the kind of online panel sought by the Bureau, with annual maintenance being similarly expensive (as much as \$2 million per year).

Government competing against the private sector: Since [1955](#), the federal government has been prohibited from providing "services or products for its own use which could be procured from private enterprise through ordinary business channels," reiterated regularly by every Administration since, including in OMB Circular A-76 requiring competitive sourcing. The Ask U.S. Panel might instead insource a pre-existing commercial activity.

Government subsidizing a private entity to develop (and keep for its own use) intellectual property: By using a cooperative agreement, under which the IP developed is owned not by the federal government but by the awardee, the Bureau is using taxpayer funds to establish a panel that can be used by a private entity for its own work long after the contracted work is complete. As described in the Department of Commerce Financial Assistance Standard Terms and Conditions (December 26, 2014, § D.03.a), the awardee "owns any work produced or purchased under a Federal award."

POSITION: The Census Bureau would be better served using the competitive marketplace of available insights services to acquire pre-existing research services on an as-needed basis, which would reduce public burden and ultimately cost taxpayers less money.

Proposed CJS appropriations language: *No funds in this bill may be spent in support or development of the Ask U.S. Panel or any similar effort to develop a survey, opinion or market research service duplicative of private sector offerings.*

Proposed CJS report alternative: Require a report providing transparency to Congress on the Ask U.S. Panel

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