

REPORT ON INFORMATION COLLECTED CONCERNING APPLICANT

Under section 60835 of title 2 of the California Code of Regulations, the Bureau of State Audits is responsible for collecting information concerning applicants for the Citizens Redistricting Commission that is needed by the Applicant Review Panel to perform its responsibilities. This is a report by Bureau staff in compliance with that responsibility.

Name of Applicant: Vincent Barabba .

Information: Staff research revealed that, according to his application and various sources on the Internet, Applicant has engaged in the following activities:

- On March 25, 2010, Applicant and six other former census directors submitted to Congress a letter expressing their support for the Census Oversight, Efficient and Management Reform Act.
- Applicant and his spouse are listed as Community Leaders who endorsed of John Gallagher for Superior Court Judge in Santa Cruz, CA in the 2010 election. They also endorsed Daniel Kriege for Director of the Soquel Creek Water District in Santa Cruz, CA and endorsed Vote Yes on R, a 2008 sales tax funding measure for the Santa Cruz Library.
- In the “Activities” section of his supplemental application, Applicant states that he is the chairman of The State of the USA (SUSA). According its website, the SUSA’s mission “is to help all Americans assess national progress for themselves, with the best quality measures and data on the most important issues facing the nation. To do this, SUSA has designed a scientifically credible and participatory process to frame issues using relevant national indicators, or measures, and reliable supporting data sources.”
- Applicant has also served on the following boards and commissions: Board of Directors, Marketing Science Institute; Board of Directors, National Opinion Research Center, University of Chicago; Board of Directors, American Institutes for Research; Vice President, American Marketing Association; Chairman, National Research Council panel to review the statistical program of the National Center for Education Statistics; Past President, American Statistical Association.
- Also in the “Activities” section of his supplemental application, Applicant notes his appointments by former United States Presidents Ronald Reagan and George HW Bush to the Population Commission of the United Nations. The Population Commission was established in 1946 by the United Nations Economic and Social Council to assist the Council by arranging for studies and advising the Council on population matters. The commission consists of representatives from 47 member states (as of 2004) elected by the Economic and Social Council for a period of four years.
- Applicant has authored or co-authored several books. Their titles include “Surviving Transformation”, “Meeting of the Minds”, “The 1980 Census, Policymaking Amid Turbulence”, and “Hearing the Voice of the Market”. Generally, these books appear to be related to business management issues.

- Applicant currently serves on the Board of Directors of the California State University at Northridge Foundation.

In addition to the aforementioned activities, staff located an interview that is posted on the Internet wherein Applicant discussed the two businesses he started. According to that interview, Applicant founded two companies, Communication Associates and Datamatics. These companies provided analysis and management for Republican congressional campaigns throughout the country and were involved with the 1966 California Republican Primary, including work for Ronald Reagan's gubernatorial campaign. In 1968, Applicant's company was hired by some Republican organizations to act as purchasing agent for 20 to 30 congressional races and 8 or 9 Senate races.

In 1970, President Nixon appointed Applicant as the Director of the U.S. Census. Applicant has indicated that he was appointed because of a recommendation from a contact he had made while performing statistical analysis and polling for political campaigns during the late 1960's.

In his answers to essay questions two and four of the supplemental application, Applicant references litigation and criticism that resulted from the 1980 Census count. During its research, staff discovered a paper by a professor of statistics at San Diego State University on the 1980 Census, which described a total of 54 lawsuits filed as a result of the 1980 census. Most of the lawsuits involved claims relating to undercounting and adjustment. Prominent among these were cases filed by the cities of Detroit (*Young v. Klutznick*) and New York (*Cuomo v. Baldrige*) before the census field operations were completed. Thirty-nine of the other lawsuits, many of which resembled those filed by Detroit and New York, were ultimately referred to one federal court for consolidation in a case that never came to trial.

In their August 1980 lawsuit, New York City officials sought to keep the census district offices open past scheduled closing dates to continue enumeration follow-up efforts and to compel the Census Bureau to perform a statistical adjustment of the population counts. New York won a temporary injunction that prevented the Census Bureau from closing its field offices for several weeks. Concerning the undercount, the plaintiffs argued, as had the city of Detroit, that the failure to correct for differentials in census coverage violated the Constitutional principle of equal representation for equal numbers of people. The Census Bureau's position was upheld in December 1987 when a court ruled in the New York case. The judge, applying a basic principle of administrative law and noting the existence of disagreement within the scientific community, ruled in favor of the government on the grounds that plaintiffs had not demonstrated that the actions of census officials were arbitrary and capricious, which he found to be the appropriate legal standard for review. All other lawsuits were also unsuccessful in their attempts to force adjustment of the census.

Financial Contributions, Sources of Income and Family Relationships: According to his website, the Applicant has donated to the Decision Education Foundation (DEF), a non-profit organization launched in 2001 by a group of professional and academic decision analysts with ties to Stanford University. The DEF's stated mission is to improve the lives of young people by empowering them with effective decision skills.

Staff research also revealed that Applicant made the following financial contributions, which, because of either the amount or timing of the donation, Applicant was not required to report in the “Financial Contributions” section of his supplemental application:

May 7, 1999, \$1000, Spencer Abraham for U.S. Senate, (R-MI);

May 16, 2000, \$1000, Bush for President;

Second Harvest Food Bank of Santa Cruz and San Benito Counties, 2005-2006, \$100-\$249;

Susan G. Komen Race for the Cure, Central New York, 2010, \$100.

Applicant has listed two businesses as sources of income on his Form 700 and application. The first, Market Insight, advertises on its website that it has a “sophisticated engine for processing consumer preference data into critical market intelligence.” It lists General Motors, AutoNation, CarMax, Samsung Electronics and Toshiba Electronics among its clients. The second, Vincent Barabba Consultancy, is an entity through which Applicant functions as a consultant for Diamond Management and Technology Consultants and Corner Loft Partners. Corner Loft Partners <http://www.manta.com/c/mm8kvvj/corner-loft-partners-llc> appears to be a consulting firm founded by Chunka Mui who, along with the Applicant, is an independent consultant working with Diamond Management and Technology Consultants.

Staff noticed that Applicant had not indicated on his supplemental application whether he has a special relationship with Jeannene Barabba. Applicant stated that he does not have a special relationship with her.

Bureau staff contacted Dr. Ian Mitroff, the author of one of the Applicant’s letters of recommendation, to confirm the information provided in the letter and receive any additional information that may be relevant. Dr. Mitroff confirmed the information in the letter and added that despite having very different political viewpoints from the applicant, they have worked together and been friends for nearly 30-years. He gives the applicant his highest recommendation and stated that the Applicant is an excellent leader and manager, extremely smart, and very good at recognizing and examining underlying assumptions. He related that as Director of the Census Bureau, the Applicant would often hold weeklong sessions with various groups, including those involved in litigation against the department, as a way of improving the process and the systems. Dr. Mitroff stated that when the Applicant returned as Director of the US Census in 1980, the department was happy to have him once again because of his ability to manage and lead. Dr. Mitroff also pointed out that the Applicant is unique in that he is one of the few outsiders ever brought in to run a major department at General Motors. Dr. Mitroff believes that the applicant could have transformed that company had he been given the opportunity.

Recommendation: None.

Name and Title of Person Submitting Report: Sharon Reilly, Chief Counsel, Bureau of State Audits

Report Date: September 20, 2010