

BEFORE THE
CALIFORNIA BUREAU OF STATE AUDITS (BSA)

In the matter of

Citizens Redistricting Commission (CRC)
Applicant Review Panel (ARP) Public Meeting

555 Capitol Mall, Suite 300
Sacramento, CA 95814

TUESDAY, August 10, 2010
9:15 A.M.

AM SESSION

Reported by:
Peter Petty

APPEARANCES

Members Present

Nasir Ahmadi, Chair

Mary Camacho, Vice Chair

Kerri Spano

Staff Present

Stephanie Ramirez-Ridgeway, Panel Counsel

Diane Hamel, Executive Secretary

Candidates

Vincent P. Barabba

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1 P R O C E E D I N G S

2 AUGUST 10, 2010

9:18 A.M.

3 MS. RAMIREZ-RIDGEWAY: As I indicated yesterday,
4 our 11:00 interviewee, Edward N. Duran, has requested to
5 withdraw from the Applicant pool, and so we will not have
6 an interview beginning at 11:00 a.m. today, which is
7 probably a good thing since we are starting a little bit
8 late with Mr. Barabba. I wanted to just recap for the
9 public quickly our process, Mr. Barabba has already been
10 told, we spend 20 minutes on these five standard
11 questions, each panelist then has 20 minutes, in turn, to
12 ask you questions, and then there is a brief period of
13 about 10 minutes for follow-up questions and maybe an
14 opportunity for you to make a closing statement if you
15 care to do so. And with that, are you ready to begin?

16 MR. BARABBA: Yes, I am.

17 MS. RAMIREZ-RIDGEWAY: Secretary, please start the
18 clock. What specific skills do you believe a good
19 Commissioner should possess? Of those skills, which do
20 you possess? Which do you not possess? And how will you
21 compensate for it? Is there anything in your life that
22 would prohibit or impair your ability to perform all of
23 the duties of a Commissioner?

24 MR. BARABBA: Thank you. Well, I think there are
25 six skills that I thought about, one is the ability to

1 listen with an open mind, which includes being open to
2 alternative points of view, the ability to communicate with
3 clarity, and in a demeanor which engenders confidence in
4 those with whom you need to communicate the ability to
5 decide and take responsibility for your decisions, having
6 persistence in the face of adversity, knowing when and how
7 to choose people with expertise to complement the skills
8 of the group with which you are working, and knowledge and
9 experience in using decision support tools. Relative to
10 those to which I possess, I think my career, which started
11 out in gathering information, and eventually led to using
12 information in decision-making, demonstrates that I have
13 had the ability to use those skills throughout my career,
14 and I think I will be able to apply them if chosen as a
15 Commissioner. As to the ones I do not possess, I think I,
16 over the years, have demonstrated the ability in all those
17 skills. I am conscious, however, there is always room for
18 improvement, and there is nothing of which I am aware that
19 would preclude my taking on this responsibility.

20 MS. RAMIREZ-RIDGEWAY: Describe a circumstance
21 from your personal experience where you had to work with
22 others to resolve a conflict or difference of opinion.
23 Please describe the issue, and explain your role in
24 addressing and resolving the conflict. If you are
25 selected to serve on the Citizens Redistricting

1 Commission, tell us how you would resolve conflicts that
2 may arise among the Commissioners.

3 MR. BARABBA: Well, in my application, I think I
4 provided an example of the 1980 Census when there was some
5 controversy around whether it should be adjusted or not.
6 Some 25 years later, the Census Bureau asked me to come
7 back and deal with another issue that they had, and this
8 time I did it as an interested citizen. And the issue was
9 is that the Homeland Security Administration, it asked the
10 Bureau to run a tab of areas of high concentrations of
11 Arab-Americans, and that data, by the way, is all public
12 record and the Homeland Security could have done it
13 themselves, but they just happened to ask the Bureau. And
14 the fact that the Bureau did it on behalf of the Homeland
15 Security Administration raised some questions in many
16 people's minds about whether this data was being used that
17 would be harmful to any individual Arab-American. And it
18 could cause a wee bit of a controversy, and so they said,
19 "You know, we really have to address how we handle
20 questions like this." And so they asked me if I would
21 conduct a process similar to what we did relative to the
22 1980 Census decision on adjustment. So, to do this, we
23 invited people of differing points of view on this issue,
24 that included companies and government agencies that used
25 Census information, and some who actually processed it and

1 sold it, there were representatives from minority
2 organizations concerning the inappropriate use of Census
3 information that might be used to target minorities, the
4 Census Bureau employees who had the responsibility to
5 distribute the information, as well as those Census
6 employees who had a responsibility to make sure that no
7 identifiable information would be released. We also had a
8 representative from the American Civil Liberties Union,
9 which had always raised concerns about the questions that
10 the Bureau asked and how they were released, and the
11 Census Bureau Director also participated. In that
12 process, which I mentioned in my application, we tried to
13 form groups that would have differing opinions and, in
14 this case, one of the groups was called "Publish or
15 Perish," that said if you don't publish what you collect,
16 then society suffers because it doesn't have knowledge of
17 what's going on in the country. And if there is a concern
18 over the perception of a violation of individual
19 information, that is a small price to pay for knowing
20 what's going on. There was another group that said, if
21 you don't ask some of these questions, you can't tell
22 them, and the concern over the perception was just as the
23 old saying, "When things are perceived as real, they're
24 real in their consequences," and they said, you know, if
25 the Census Bureau doesn't get more concerned about this,

1 you're going to lose the ability to ask questions because
2 the American population will not participate if they feel
3 they are going to be harmed by it. And then, there was a
4 third group which was pretty much Census Bureau which
5 says, you know, "We're the ultimate stewards of this and
6 we spend a lot of time making sure that there is no
7 violation of the law." Well, in that process, then, each
8 of those groups is asked to take an extreme point of view
9 on those three positions, and then they're asked to
10 identify the stakeholders who would have a point of view
11 on that position, and then list the assumptions that would
12 have to be true for that point of view to prevail in the
13 public arena. And that process went through and it was
14 interesting in that you had the Executive Director of the
15 Arab-American Foundation as a participant, and she found
16 herself conflicted in the sense that she was using the
17 information for her foundation to find out where they were
18 and how that particular group of people was doing; on the
19 other hand, she was concerned that if it was perceived
20 that they were being targeted, then they would not
21 participate. And so she was in the position of the group
22 that was saying be very careful. So, they went through
23 the whole list, and out of it came an understanding by all
24 parties, including the person from the American Civil
25 Liberties Union, that the collection of this information

1 was quite critical and important to society, and that the
2 Bureau had procedures in place to make sure that no
3 identifiable information could be released. The problem
4 was is how people use the information. And they felt that
5 it wasn't the Census Bureau's responsibility to attempt to
6 find out who or what was going to use the information, and
7 how they were going to use it, so the Bureau listened to
8 that very carefully and then they, as we did in the 1980
9 Census, they published a document which described the
10 process that they went through, and indicated the
11 procedures that they would put in place to ensure that
12 both the perception and the reality was taken into
13 consideration in the release of information. That is, I
14 think, an example of a process that I have become very
15 familiar with, and I found it very interesting because it
16 reinforces this information of being open to alternative
17 points of view before locking in on a decision, and
18 understanding what would have to be true of the different
19 stakeholders for a particular point of view that
20 prevailed.

21 I think, as far as my participation and
22 contribution to the Commission, I think there is a full
23 range of decisions and support tools that I have spent the
24 last 50 years sometimes developing, sometimes using, and I
25 think I could be of help to the Commission in applying

1 some of those techniques to the really complex set of
2 decisions that will be faced. Relative to how the
3 Commission's work will impact the state, my feeling is
4 that, if conducted properly, this effort will provide an
5 opportunity for citizens with more common interests in
6 proximity to each other to select individuals to represent
7 them on governmental matters. And I think the elected
8 legislatures are less likely to rely on political make-up
9 of their districts and stay more focused on the specific
10 interests and the needs of their constituency, and it
11 provides an opportunity for both direct and indirect
12 communication between the Legislature and their
13 constituency. I think only time will tell how well the
14 Commission performs its assignment to determine which of
15 these will have the ultimate impact. There is a - if the
16 Commission does not do its work properly, I think we could
17 have a really serious negative effect because this is a -
18 there is never a last opportunity, but this is one of the
19 really serious opportunities as the State finds itself in
20 the kind of situation in which the public perception of
21 its ineffectiveness in being representative, I think it
22 would be a very devastating thing for the attitude of the
23 public.

24 MS. RAMIREZ-RIDGEWAY: I think you hit question 3,
25 so -

1 MR. BARABBA: Yes, I did!

2 MS. RAMIREZ-RIDGEWAY: So I will go ahead to 4.
3 Describe a situation where you have had to work as part of
4 a group to achieve a common goal. Tell us about the goal;
5 describe your role within the group. And tell us how the
6 group worked or did not work collaboratively to achieve
7 this goal. If you are selected to serve on the Citizens
8 Redistricting Commission, tell us what you would do to
9 foster collaboration among the Commissioners, and ensure
10 the Commission meets its legal deadlines.

11 MR. BARABBA: Well, I thought I would use an
12 example from the private sector when I worked at General
13 Motors Corporation. The group that I was responsible for
14 was responsible for collecting all the customer
15 information about the products General Motors developed
16 and its competition, and we also provided decision support
17 services to the groups that made the decisions. And in
18 this example I am talking about, it is a product
19 development decision. And it was kind of a fun one
20 because it was about the design of the next Corvette. And
21 if you ever - if you are an engineer and you work at
22 General Motors, if you ever get your choice of
23 assignments, that assignment is to work on the next
24 Corvette. And these gentlemen are just really incredibly
25 competent, but they have very strongly held points of view

1 and how they drive is how they feel everybody should
2 drive. And so, in this instance, the goal was set that we
3 would produce the best Corvette yet. And the Engineers
4 took that to mean that they would make the most powerful
5 car ever created on earth, and that if you were capable of
6 driving it, you should buy it, and if you weren't capable
7 of driving it, you know, they were going to make it
8 capable of doing what it could do. The process we used
9 was - and the action of some work that Professor Ron
10 Howard of Stanford University developed, called decision
11 analysis, and in this process you identify the policies
12 that you are restricted to follow, in this case, the
13 policies were that the Corvette would be distributed by
14 the Chevrolet brand, that it would be manufactured at the
15 Bowling Green Plant and things of that nature, so those
16 were not discussions as in the case of the Commission,
17 there are going to be rules that are locked in, so those
18 are policies. The other thing, then, is what can you talk
19 about and what could you look at alternatives on. And in
20 this case, we talked about what kind of power train it
21 would be, the styling concept, the body material, the
22 vehicle technology, and there is a lot of range of
23 alternatives when you get this in. Well, the engineers
24 had it pretty much mocked out in their own minds, but the
25 marketing organization said, "You know, we have to sell

1 this to more than people who drive like you guys do." And
2 so they were saying, "Wouldn't it be nice if it had a
3 trunk so you could actually put things in it?" "And
4 wouldn't it be easier if we could actually get in and out
5 of it without a struggle?" And so they went and listed
6 that. And then you had the finance organization, and they
7 said, "You know, we have to make money on this thing, as
8 well." And the Corvette has always been a profitable
9 vehicle for the company, but what the Engineers wanted to
10 do was put some horsepower in there that was going to be
11 very expensive, and then to modify it as the marketing
12 group was also going to realize some cost, and so they
13 were very concerned about the cost. So, what we did,
14 then, is for each of the alternatives that these groups
15 had, we ran a full analysis and said, "Let's assume that
16 you get your way, so what's it going to look like? And
17 are we going to make any money on it?" Then, after each
18 group saw the other group's analysis, they started to see
19 the value of what the other group was pointing out. And
20 they really were able to work out a situation, and I have
21 always been most proud of that one because, in March of
22 2000, the Society of Automotive Engineers selected the C4
23 Corvette as the best engineered car of the 20th Century.
24 And so it was a really good example of strongly held
25 points of view coming together and finding a commonality,

1 and we always felt that a consensus is complete agreement,
2 not in principle, but in action. And this was a good
3 example of that. If selected to serve on the Commission,
4 I think I would apprise my fellow Commissioners of the
5 value of these types of decision support tools and
6 encourage them to use them in consideration when we run
7 into these differing opinions about how the operation
8 ought to go.

9 MS. RAMIREZ-RIDGEWAY: A considerable amount of
10 the Commission's work will involve meeting with people
11 from all over California who are from very different
12 backgrounds and very different perspectives. If you were
13 selected to serve on the Commission, tell us about the
14 specific skills you possess that will make you an
15 effective in interacting with the public.

16 MR. BARABBA: Well, having served twice as the
17 Director of the Census Bureau, I have been to virtually
18 every state in this country and met every group of people
19 there is out there, and that experience was really quite
20 revealing to me about the richness, of the depth of
21 capability that exists when you look across the people
22 that make up our country. I have lived in California most
23 of my life, other than when I was working at both the
24 Bureau and in private business, but in that period of time
25 when I lived here first, I actually collected information

1 about political campaigns and things of that nature.

2 MS. HAMEL: Five minutes.

3 MR. BARABBA: And it gave me a deep appreciation
4 of the manner in which there is this great diversity in
5 our country, and that diversity is a richness, I think,
6 that we should learn how to take advantage of. So, I
7 would say that, to the best of my knowledge, I have been
8 able to engage in a positive way with everyone with whom I
9 have come into contact with in that experience.

10 MS. RAMIREZ-RIDGEWAY: Mr. Ahmadi, would you like
11 to begin your 20-minute question period?

12 CHAIR AHMADI: Yes, thank you. Good morning, Mr.
13 Barabba.

14 MR. BARABBA: Yes.

15 CHAIR AHMADI: Let's talk about the Corvette.

16 MR. BARABBA: I thought that might get your
17 attention.

18 CHAIR AHMADI: Well, a follow-up question on that,
19 and I am just curious, this was not one of the questions I
20 was planning to ask, but since you brought it up, to what
21 extent did the state laws concerning the speed limits and
22 all that was considered in that decision-making process?
23 I am just curious to know.

24 MR. BARABBA: Well, through the - I mean, the
25 Corvette is used in a lot of ways, and it has to meet all

1 the requirements of the laws, including safety and
2 everything else. But, for the people who buy it for using
3 it for sport, I mean, they will bring it on a track and,
4 then, when you're on a track, it has got to really perform
5 and I think the engineers had the track in mind relative
6 to the performance. And GM has always taken a position
7 that the Corvette would be competitive to any sports car
8 out there, but at a price that many people could afford.
9 And I think most people would distinguish it as probably
10 the best sports car out there that you could afford.

11 CHAIR AHMADI: Yeah, I agree. It's a nice car.
12 Thank you. That helps me. You have had a unique
13 opportunity of directing the Census Bureau under two
14 different Administrations -

15 MR. BARABBA: Yes.

16 CHAIR AHMADI: -- a Republican Administration and
17 a Democratic Administration. That seems like a rare
18 opportunity, a unique opportunity. What are some of the
19 main reasons you think you were hired under two different
20 party affiliations.

21 MR. BARABBA: Well, when I first became the
22 director, it was in a Republican Administration, and I was
23 nominated by the Nixon Administration, and I came in to
24 the Bureau at a time when there was a wee bit of
25 controversy around the Nixon Administration and the

1 Watergate affair, and there was some concern of the
2 statistical community, as well as the people at the
3 Bureau, whether they were bringing a political hack into
4 it, around the Census Bureau, on behalf of the President.
5 So, as President Nixon then resigned and President Ford
6 came in, I was asked to stay on. And I really gained an
7 appreciation for the capabilities of the individuals at
8 the Census Bureau and their commitment to do the job
9 right, and we, in essence, had a chance to bond because it
10 was a very controversial time to be in government and to
11 be a Presidential appointee, and the career people at the
12 Bureau, I think, once they saw that I was really serious
13 about getting the job done, it kind of opened up the door,
14 and we really got a good relationship going. In 1976 -
15 and I worked pretty well with the entire statistical
16 community of the federal agencies, which the Bureau tends
17 to be a general purpose statistical agency, as well as
18 conducting the Census, it does work for a lot of other
19 departments. When I left in '76, I went to work at the
20 Xerox Corporation and the person who replaced me was
21 having some difficulty in maintaining a good relationship
22 with the Congress and with the Department of Commerce, and
23 as it got closer and closer to Census time, there was a
24 need to replace that individual, and I think, by the fact
25 that - and in that period, I worked with the Carter

1 Administration on looking into ways of improving the
2 entire statistical system, and we had a commission that we
3 developed and worked on that, and so when the opportunity
4 came that they needed a new Director, I was asked by the
5 Carter Administration to go back, and I did. It was one
6 of the better decisions I made.

7 CHAIR AHMADI: Thank you, sir. So, could you tell
8 me about some of the similarities or differences working
9 under two different Administrations, in terms of your
10 responsibilities and decision-making?

11 MR. BARABBA: Well, the differences were really in
12 the periods of time. In the first exercise, I was really
13 planning the Census, and when I came back the second time,
14 you were doing the Census. And it was - those are quite
15 different experiences. I would say that the thing that
16 helped was the fact that I was brought back as a known
17 Republican into a Democratic Administration. There was
18 very little question about whether there was Politization
19 [sic] going on at the Bureau because that is always an
20 issue, and I could just tell you that anybody ever tried
21 to do anything wrong at the Census Bureau, it would be
22 known in 10 seconds because the Bureau's reputation and
23 the Bureau people there will not tolerate any abuse of the
24 attitude, as well as the laws under which the Bureau
25 operates. So, I think the fact that - I could not say

1 there was a difference in the Administrations because it
2 is really so much the people. I mean, during when I was
3 with President Ford's, I mean, you had people like Elliott
4 Richardson as the Secretary of Commerce, and Rogers
5 Morton, and these are really quite principled people, and
6 so it is the individuals. And during the Carter
7 Administration, the Secretary Klutznik was just, he could
8 not have asked for a better boss. So I don't think it is
9 so much which party you work for as the quality of the
10 people that you report to.

11 CHAIR AHMADI: Okay, thank you, sir. So, what
12 would be the most valuable information you get from the
13 Census data for the Commission's work?

14 MR. BARABBA: Well, obviously the count, and this
15 year, of course, the data you get at the small area level
16 is much reduced from what it's been in the past, all the
17 racial and ethnic make-up in the count, and the
18 characteristics, but that it is a limited count because
19 what the Bureau, I think, wisely did is they instituted
20 this American Community Survey, which they conduct on a
21 monthly basis with the more detailed information, but that
22 is at a much higher level of aggregation that it can be
23 released. So, given the law in the Supreme Court, getting
24 that count right is really important. And then, I think
25 probably the least known contribution the Bureau makes is

1 all the geographic and digital information relative to the
2 boundary lines that is really critical, and I don't think
3 most people know that most of that was actually developed
4 at the Census Bureau, and so all the things that we use
5 today all came out of a program called the Tiger Files,
6 including the mathematics behind it.

7 CHAIR AHMADI: Okay, thank you. You mentioned a
8 minute earlier that, in your position as the Director of
9 the Census Bureau, you had a relationship with the
10 Congress. Could you elaborate on that, please? What kind
11 of relationship is that? And to what extent that impacts
12 the decisions or opinions of your position?

13 MR. BARABBA: Well, again, it is really more the
14 individual than it is the job. It is like Senator
15 Moynihan was more of a - it was a collegial relationship
16 is he really understood the importance of the Bureau, and
17 he wanted to talk about how you were doing your job in the
18 sense of improving things, and if you ever had a problem
19 that, you know, required somebody to understand the
20 complexity of the problem, you always went to Senator
21 Moynihan first. And Congressman Leach was another
22 Congressman I remember you could always go to because he
23 was always looking at the role of the Bureau and not the
24 role of the party in the Bureau. And then there are some
25 Congressmen whose job it was to find out how could I make

1 sure the Bureau was doing something that was going to
2 benefit me, and your job was to listen and to carefully be
3 attentive, and make sure that whatever you agreed to was
4 going to be public, and so your job was to be responsive
5 as best you could. But it is a very complex set of
6 relationships and the extent to which you got to balance
7 what could be done is really hard. I remember one
8 hearing, the Mayor from Atlanta was there, Mayor Jackson,
9 he said, "There are two itty bitty things at stake here,
10 money and power." So that's the environment in which you
11 were working.

12 CHAIR AHMADI: Thank you, again. So, I am going
13 to take you away a minute from your Census
14 responsibilities or work related to Census, to your
15 marketing career.

16 MR. BARABBA: Yes.

17 CHAIR AHMADI: What values in your mind, does that
18 experience and that knowledge bring to the Commission's
19 work, should you be selected as a Commissioner?

20 MR. BARABBA: Well, you know, Peter Drucker
21 described the role of Marketing as created a customer.
22 And he always said you really had to understand who your
23 customer was, and so a major portion of my career was
24 spent time trying to understand people. And that has
25 given me an appreciation for what you could measure and

1 what you can't measure. And unfortunately sometimes I
2 think most of these studies believe that, when you get a
3 response, that's actually what the person meant, and there
4 are a lot of questions that are hard for people to answer
5 in a meaningful way, and they change their mind. So I
6 have a deep appreciation for what can be collected and how
7 to interpret it, and what its limitations are. And so, I
8 would say that background gives me - has provided me the
9 ability to be insightful in trying to understand what the
10 mood and the attitude of the general public is.

11 CHAIR AHMADI: So, let me just kind of follow-up
12 question. Hypothetical: Let's say that your perception or
13 your opinion on some of those perceptions were different
14 than another Commissioner on the Commission. How could
15 you approach that?

16 MR. BARABBA: My experience is that - there is an
17 argumentation scheme that was developed by a distinguished
18 Philosopher by the name of Stephen Toulmin, and in his
19 argument he would say there was a claim and there was the
20 data to support the claim, and then, in between those, he
21 would have a warrant. He said the warrant would say,
22 "What allows me to apply that data to that claim?" And
23 many people skip the warrant because, if you check and
24 say, "Why can I apply that data to that claim," sometimes
25 you can't justify it. So I always look for the warrant.

1 And when I present information, I would say, "Here is some
2 information related to this claim, and by the way, the
3 reason I believe that this data is appropriate is
4 because..." And it is that "because" that becomes really
5 important.

6 CHAIR AHMADI: Okay, thank you.

7 MR. BARABBA: And I would ask my fellow
8 Commissioners to provide the warrants, as well.

9 CHAIR AHMADI: Thank you so much. So do you think
10 that effective participation in the political process by
11 under-represented groups who have lacked opportunities to
12 participate because of their shear demographics is
13 important? Why or why not?

14 MR. BARABBA: The question was -

15 CHAIR AHMADI: Let me repeat that, I am sorry. Do
16 you think effective participation in the political process
17 by under-represented groups who have lacked opportunities
18 to participate because of their shear demographic
19 characteristics is important? Why or why not?

20 MR. BARABBA: The answer is I do believe that it
21 is very important and the reason is that, if they are not,
22 if they do not feel they are being properly represented,
23 then they seek alternative ways of being heard. And in a
24 free and open society, you would like to avoid that if you
25 could, and I think there are examples of where people have

1 had to speak up and it is not always easy. So one of the
2 reasons I want to be on this Commission is just for that
3 reason. You know, I live in Santa Cruz County and I have
4 not lived there all my life, but for the last 15 or so
5 years, and it's a very diverse community. But I found,
6 for example, in dealing with the agricultural aspects of
7 that county, they go across racial interests, and they
8 have a common interest in agriculture, and if you sit down
9 and meet with these groups, you don't hear too much about
10 their racial differences, you hear about agriculture and
11 what needs to be done with it. And I think that's the
12 kind of attitude you want to create among people.

13 CHAIR AHMADI: Okay, thank you very much. I have
14 to be honest with you, I haven't read your book, *Census*
15 *Policy*?

16 MR. BARABBA: Okay. Don't feel alone.

17 CHAIR AHMADI: I will probably read it at one
18 point, I am interested. But can you tell us about what is
19 your message in that book?

20 MR. BARABBA: Well, the book grew out of the legal
21 situation that we found ourselves in in 1980. We had a
22 situation where there were differing points of view of
23 interpretation of the law. There was the Judge in
24 Detroit, Judge Gilmore, who said that he wanted us to
25 adjust the count based on the fact that we had

1 demonstrated there was an undercount in the previous
2 Census, and he said, "So be prepared to adjust the count
3 under any circumstance." And the Judge in Philadelphia
4 said, "You know, you're the most qualified people to make
5 that decision of whether it could be adjusted, so I'm
6 going to leave it up to you to make that decision."

7 MS. HAMEL: Five minutes.

8 MR. BARABBA: And so that was really interesting
9 to us, so we spent a lot of time, as I mentioned in my
10 application, trying to understand how could we meet the
11 requirements of these differing points of view from
12 Judges, both Federal Judges. And as we went through that,
13 we found out that there was a simplistic view of
14 statistics and their application, and people didn't
15 appreciate the complexity of counting the population of
16 this country. And, by the way, it's a Census of the
17 inhabitants of the country, not a Census of the citizens
18 of the country. And the fact that we did a really good
19 job in 1980 on counting everyone and the administrative
20 records which you use to kind of check and see if you've
21 come close to what the actual count is, people who are
22 undocumented status weren't in the administrative records.
23 So we actually looked like we had an over-count because we
24 did a good job, and we went back to the Judge and said,
25 "We don't know how to do the adjustment given the effect

1 of this particular Census, it was quite different from any
2 other. He said, "Adjust it anyway." And at that point,
3 God bless the Justice Department, we won on the appeal.

4 CHAIR AHMADI: All right.

5 MR. BARABBA: That book was about the complexity
6 of counting the population and the conflict between
7 science, the law, and the actual administration of an
8 activity.

9 CHAIR AHMADI: Okay, thank you. Thank you so
10 much, very insightful. I wish I had more time to chat
11 with you, but I think my time is almost running out, so I
12 do not have any questions at this point, thank you.

13 MS. RAMIREZ-RIDGEWAY: Ms. Camacho.

14 VICE CHAIR CAMACHO: Hello, Mr. Barabba.

15 MR. BARABBA: Barabba, yes.

16 VICE CHAIR CAMACHO: You talked about the under-
17 counting of the populations. Can you explain what under-
18 counted populations mean and why would this matter in
19 redistricting?

20 MR. BARABBA: Well, if your role is to have every
21 inhabitant represented, then obviously you want to make
22 sure you have counted them. The problem in the count and
23 the other count issue is really two-fold, there are some
24 people who would not like to be counted, and for whatever
25 their reasons, they choose not to be. Then, there are

1 some households in which there are people who don't mind
2 being counted, but they may have people in that household
3 that don't want to be identified with that household, and
4 so that's an under-count, as well. And then there's just
5 missing of a particular household. And then you run into
6 the homeless situation and things of that nature. So the
7 under-count, I mean, I remember I was being chastised one
8 time at a Congressional hearing and he said, "Well, how
9 come it costs so much money? And why does it take so
10 long?" And I said, "Well, you know, we could change that
11 quite quickly, I mean like in Turkey, to conduct a Census,
12 everything stops on Census day. You are not allowed to
13 leave your home from early in the morning until late in
14 the evening and it's real easy to do the count." Now,
15 that would reduce the budget at the Census Bureau. I
16 don't know what effect that would have had on the economy
17 of our country if everybody had to stay home one day. So
18 that's the complex issue, is how do you do a full count in
19 a free society where people can make up their own minds?
20 And so, what you do is you do your best job of
21 communicating and I think the Census Bureau this year has
22 done a really good job of doing that with outreach groups,
23 and you get people who are not likely to want to be
24 counted to have some confidence to participate in the
25 process. And one of the examples I recall, in 1970, the

1 Muslim community chose not to participate in the 1970
2 census, so we asked a member of that community to be on
3 one of our Advisory Committees, Lonny Shabazz. And he was
4 one of these people that listened very carefully, and you
5 never knew what was coming out, but you had a sense he was
6 listening, and finally we agreed that we would have a
7 presentation to Wallace D. Muhammed at the Mosque to ask
8 his willingness to participate, and by the time I got
9 there, I was prepared to make a full presentation, and he
10 said, "Well, Mr. Shabazz has explained everything you have
11 done and what you plan to do, and we will make sure that
12 our school system encourages everybody to be counted."
13 And that was the end of the meeting. But, if you didn't
14 have Mr. Shabazz sitting and listening to everything that
15 we were talking about, and then he, having the credibility
16 with Wallace D. Muhammed to convey that we were being
17 serious, there was no presentation I could have made that
18 would have had the same effect as his willingness to take
19 the responsibility to attend the meetings, and then report
20 back to them. So, it's a really complex process and I
21 always felt that the job of the Director was to make sure
22 everybody had an opportunity to be counted. And if they
23 chose not to, I don't know how to force it. By the way,
24 there's a law that says you have to, or you could be
25 fined, but the likelihood of doing that would be remote,

1 at best.

2 VICE CHAIR CAMACHO: Okay, thank you. Did your
3 Census work deal in any way with the Voting Rights Act?
4 If so, how or what did you learn from it? And how will it
5 be applicable to your Commission work if you are part of
6 the Commission?

7 MR. BARABBA: Well, the key issue was is that,
8 from the Voting Rights Act, to make sure that you have a
9 rough idea of how many people there are out there and what
10 their characteristics are. So, to that extent, the
11 Bureau's studies in those days provided an opportunity to
12 do that. And, in addition to the Census, the Bureau also
13 does regular surveys and there were surveys involved, the
14 extent to which people voted, not voted, and so that
15 information was made available to the various agencies in
16 government that were trying to enforce the Voting Rights
17 Act.

18 VICE CHAIR CAMACHO: So you have some involvement
19 with that -

20 MR. BARABBA: Not in the legislation, I was more a
21 provider of information and understand of what the status
22 of things were in the country.

23 VICE CHAIR CAMACHO: In any of your work, did you
24 deal with the Voting Rights Act?

25 MR. BARABBA: I don't believe so.

1 VICE CHAIR CAMACHO: Okay. You met with some
2 Advisory Committees. And that was brought up because you
3 had some discussions with people. What were the arguments
4 for and against adjusting the numbers for the under-
5 counted populations? Why did you decide against the
6 adjustment? Oh, sorry - with those Advisory Committees,
7 what did you learn from them? How did you pull them
8 together? And what was the outcome that you determined
9 from those Advisory Committees?

10 MR. BARABBA: Relative to the Census, the
11 decennial census, the Bureau had never had advisory
12 committees representing different racial and ethnic
13 groups, and the more I was out talking to people, they
14 were saying, you know, "How do we get in touch with you?
15 How do we communicate with you?" And so I went back to
16 the Bureau and I asked the people responsible for the
17 Outreach Program, "Why don't we have an Advisory
18 Committee?" And they said, "Well, it's kind of hard to
19 get it past the Administration. It's a cost and they have
20 to get everybody approved, and all this other stuff." And
21 I said, "Well, you know, it sounds to me like we probably
22 could use not so much just having a committee, but having
23 a committee that would serve as an outreach to the
24 communities they represent," at which point one of the
25 wiser Bureau employees said, "Well, you better get people

1 who are not likely to be friendly to us because, if it
2 looks like we brought some really friendly people in
3 there, they're not going to be able to do the outreach."
4 In the case of, at that time, we called it the Black
5 Advisory Committee, the first person we talked to was
6 Bobby Seale of the Black Panther Group because we said,
7 "If we get Bobby Seale to be on the Advisory Committee,
8 everybody is going to say, 'You guys are really serious.'"
9 And so we talked to him and he actually participated in
10 the initial meetings, and I remember one instance, in
11 particular, they were having trouble deciding whether they
12 were actually going to participate or not, and he wanted
13 to have a little subgroup meeting, and the rules of the
14 Advisory Commission are that you can't have a sub-meeting
15 without the Bureau people there. And he said, "Could we
16 take a break?" And he said, "And you guys take your break
17 out there, and we'll take our break in here." So we took
18 the break. And by the time we got done, he had convinced
19 them that, you know, "If this person is really serious and
20 we don't take advantage of it, we're going to miss an
21 opportunity. If he's fooling us, we'll be able to
22 demonstrate it and we'll embarrass him, so why don't we
23 take the risk and create this committee?" And they
24 accepted his advice. He unfortunately couldn't
25 participate in the committee because he had other things

1 going on, but he played a very critical role in
2 establishing that, and we did the same thing with the
3 Hispanic community, Asian-Americans, and the Pacific
4 Island peoples, as well.

5 VICE CHAIR CAMACHO: How would that experience
6 that you gave from these Advisory Committees during the
7 1980 Census help with being on the Commission?

8 MR. BARABBA: Well, it gave me great insight into,
9 first of all, everybody always refers to the Hispanic
10 community or the whatever community, and there is as much
11 diversity in any of those communities as there is in the
12 country, and so I really gained an appreciation for the
13 need to really accept the fact that there is no one person
14 that is going to represent any group in this country, that
15 I am aware of, and be truly reflective of those interests,
16 and being able to deal with that diversity within those
17 groups, it was great, it was very insightful to me, and so
18 if anybody starts talking to me, it's like saying, "What
19 are things like in California?" And you go, "What part of
20 California?" There is no average California that I'm
21 aware of. So I think there was the gaining of an
22 appreciation of the diversity and, when you're seeking out
23 people who are trying to represent various points of view,
24 to make sure that you understand the extent to which they
25 fully appreciate the diversity of the group they're trying

1 to represent.

2 VICE CHAIR CAMACHO: From all this life experience
3 that you have and this vast and extraordinary life that
4 you've lived, working at Kodak and GM, and at the Census
5 Bureau, all that knowledge, what unique skills do you
6 think that you would bring to the Commission?

7 MR. BARABBA: I would say I have - I really
8 appreciate seeking out alternative points of view because
9 my experience is that, in understanding alternative points
10 of view, it usually reveals something that I didn't
11 understand before, and the ability to make sure that that
12 dialogue takes place in a way that is constructive, and
13 encourages people to feel that, by expressing their point
14 of view, that they are really being heard and not just
15 placating them, that's something that I've really - I've
16 honed a skill in that to the point where some people say,
17 "How come you always take the other point of view in a
18 conversation?" And I say, "Well, because that's how I
19 find out about my own point of view, as well as the extent
20 to which somebody else's point of view might be superior."

21 VICE CHAIR CAMACHO: Okay. In your application,
22 you have lived in both Northern and Southern California.
23 What are some of the geographical similarities and
24 differences between them, and how do those similarities
25 and differences impact voter representational preferences?

1 MR. BARABBA: Well, again, if you say "Southern
2 California," that is a really diverse place. There are
3 people in Southern California who have some of the very
4 same feelings and beliefs as people in Northern
5 California, and so I've always had a hard time
6 distinguishing between Southern - you know, where would
7 you draw the line? I've often asked that question as,
8 "How are you going to be bipartisan?" And I say, well,
9 there is no such thing as being - you can be bipartisan,
10 but if somebody said, "Okay, draw a nonpartisan line
11 across the State of California," where would you draw it?
12 Would you draw it vertically? Would you draw it
13 horizontally? So, I have a hard time - I want to know
14 more about the diversity within that area than I would
15 about the average attitude of that area, and it is in that
16 diversity that I think we find the richness of what those
17 districts should look like.

18 VICE CHAIR CAMACHO: So, you are saying that, in
19 those areas that you lived, you found out that there were
20 some similarities between Northern and Southern
21 California, so it is not just a Southern California issue
22 or a Northern California issue in geographics, they have
23 the same types of issues. So, when you're going out to
24 the various areas, because, as a Commissioner, you're
25 going to be going out to the communities of interest and

1 gaining information, would you go about discussing various
2 concerns or understanding the concerns? Would those be
3 different, do you think, in Southern California than
4 Northern California?

5 MR. BARABBA: I think you might find some
6 differences, but I think they would be gradients of
7 differences, not great differences, if you get the right
8 community of interest in the discussion. If you look at
9 the averages of these two areas, you would find
10 differences, but the averages could be very misleading.
11 And the goal would be to find those common interests that
12 bring people together, no matter whether in Northern or
13 Southern California.

14 VICE CHAIR CAMACHO: Thank you. That's all the
15 questions I have right now.

16 MR. RAMIREZ-RIDGEWAY: Ms. Spano.

17 MS. SPANO: Okay. Good morning.

18 MR. BARABBA: Good morning.

19 MS. SPANO: I know you touched earlier on about
20 your appointments to the various Administrations and I
21 imagine you don't just post a bulletin for Director of
22 Census Bureau and everybody applies and they select from a
23 poll. Were you well known in the statistical committee?
24 And how did they get to you and get you to apply for this?

25 MR. BARABBA: Well, actually, from 1964 through

1 1970, I was involved in providing information for
2 political campaigns, and most of those were with the
3 Republican Party. And after the '72 elections, we had
4 actually done some work in President Nixon's campaign, and
5 one of the individuals we worked with, who was at the time
6 working - got a job at the Census Bureau, and he put my
7 name in and submitted my name to be nominated, and that is
8 how it was started. There was some controversy about the
9 fact that I was not actively involved in the Professional
10 Statistical Societies, but we overcame those.

11 MS. SPANO: I see.

12 MR. BARABBA: And I would add, I eventually became
13 the President of the American Statistical Association.

14 MS. SPANO: After that.

15 MR. BARABBA: After the fact.

16 MS. SPANO: That's a good thing you took that job.
17 Do you - and I imagine over the years you've built some
18 strong relationships with political officials of the
19 various Administrations, and I was curious if you keep in
20 contact with them, socially, professionally, or if they
21 reach out to you for any advice that you can give them, or
22 help them out with.

23 MR. BARABBA: I have really not been too involved
24 in the political scene the last 10-15 years. I have
25 stayed deeply involved with the Statistical Community, at

1 the Federal level, and I engage in a lot of their
2 activities. But most of my involvement has been around
3 the Federal Statistical System, I have not been engaged in
4 any political campaigns.

5 MS. SPANO: Okay, no political aspirations
6 whatsoever?

7 MR. BARABBA: No, I have seen enough, thank you.

8 MS. SPANO: Currently, you've had a distinguished
9 career and at this stage of your career, what is it that
10 drives you to continue instead of reaping your laurels?

11 MR. BARABBA: Well, one of the nice things about
12 my career is I got to meet a lot of interesting people and
13 one of them was Peter Drucker, and he became a mentor of
14 mine and, as he was approaching his '90s, I said, "Peter,
15 don't you ever slow down?" And he said, "No, I've slowed
16 down, but I try not to let my mind slow down," because if
17 you lose the activity of your mind, everything else goes
18 pretty quickly. And I recall that, at the commemoration
19 of the Library for him at the Claremont College, they had
20 all these books on the table, it was probably as wide as
21 the table you're sitting at, and in the middle of it was a
22 little piece of paper and it says, "To the left are the
23 books he wrote before he was 65, and to the right are the
24 books he wrote after he was 65." And that caught my
25 attention. So, I've always tried to keep my mind active

1 and it was interesting that, relative to this assignment
2 in 1970, my company submitted a proposal to the Senate
3 Redistricting Committee, and we said, "We ought to apply
4 computers to the use of the redistricting process," and
5 our application was not accepted, but I figured, you know,
6 after all these years, maybe it was time to come back and
7 see if I could apply again, because it's been an interest,
8 in my mind, about the process of politics and how to
9 improve it for a long time. Besides, I had the chance to
10 see it from the inside and always felt there was room for
11 improvement.

12 MS. SPANO: What prompted you to develop that
13 redistricting -

14 MR. BARABBA: Well, we had done a lot of work in
15 designing campaign tools using computers, which we found
16 to be very very helpful, in improving the manner in which
17 a candidate could communicate with his constituencies, and
18 we said, you know, at that time things like the IBM360
19 were really sophisticated pieces of equipment and we said,
20 "Why aren't we using something like that for the contact
21 of the redistricting process?" And so that is what
22 encouraged us to do it.

23 MS. SPANO: Okay. Currently, you are Chairman of
24 the State of USA. How active are you in this organization
25 and how active are you in the Market Insight Corporation?

1 MR. BARABBA: The State of the USA is a nonprofit,
2 it is a subject for which I've had a keen interest, which
3 is how to develop a set of national indicators that would
4 be developed and presented in a nonpartisan way, so that
5 society would have a chance to give an assessment of what
6 is the status of this country. And my involvement of
7 Chairman, you know, I participate and we do most
8 everything on the phone, and then, from time to time, I'm
9 asked to go to Washington to participate in meetings. I
10 would say it is a minimal amount of time. We have an
11 excellent CEO of the enterprise, who keeps us fully
12 informed, but it's something that has been really fun to
13 do and it's kind of a fulfillment of a long term goal to
14 make sure that society was fully apprised of the status of
15 things in this country. Market Insight Corporation is a
16 company that I founded and we have a CEO who pretty much
17 manages it, I just serve on the Board.

18 MS. SPANO: It doesn't take up a lot of your time?

19 MR. BARABBA: No.

20 MS. SPANO: Okay. You obviously have participated
21 in many groups, wearing many different hats. What role do
22 you prefer? And if selected, what role do you see
23 yourself in the Citizens Redistricting Commission?

24 MR. BARABBA: I would hope that my contribution
25 would be in helping resolve differences and make sure that

1 whatever differences they were, were surfaced, and truly
2 understood and appreciated, so my goal would be to make
3 sure that the complete capabilities of the Commission and
4 the resources that are made at our disposal are fully
5 understood, appreciated, and brought together in a
6 consensus that leads to action and I would like to play a
7 role in seeing if that could happen.

8 MS. SPANO: Okay. Do you see any critical
9 challenges in the Commission's work as you have learned
10 about it so far?

11 MR. BARABBA: Well, I think there's going to be a
12 timing issue and because of the availability of the
13 information and then whether or not there is the
14 Proposition that the Congressional districts comes in,
15 timing will be the biggest problem, I think. The skills,
16 if they are not on the Commission to get this done, I
17 think there is a lot of capable resources out there, and
18 the State of California itself has some really outstanding
19 demographers and databases that we could take advantage
20 of. In fact, I thought about, that even before the data
21 arrives, there is no reason why we couldn't get
22 approximations of what the data is likely to show and kind
23 of work through several iterations of that to get the
24 issues out on the table, and then, when the data does
25 arrive, we don't have to start from scratch.

1 MS. SPANO: What other - I know it is data driven,
2 a lot of this information that applies to the
3 redistricting effort, how important is it to you to get a
4 head start on going out to the communities and trying to
5 determine what their common interests are and how it
6 impacts your districting?

7 MR. BARABBA: Yeah, in this case, I think the data
8 will complement what the ideas are. Because this is a
9 very complex discussion that's going to be held. I mean,
10 I've listened to the other Commissioner Applicants who
11 have come forward and there are some strongly held points
12 of view as to what the criteria should be, and I think we
13 could address a lot of that prior to the data showing up,
14 and that will be probably more important than the data
15 itself, so the appreciation for what we want to accomplish
16 is going to be, I think, far more important than anything
17 else that's going to be done by this Commission.

18 MS. SPANO: What do you believe is the important
19 criteria?

20 MR. BARABBA: My current position is that I think
21 communities of interest and proximity should be deeply
22 considered. By that, I mean having areas where a group of
23 people come together and say, "This is what we'd like to
24 have done," or, "This is how I'd like to be represented."
25 Now that may require some areas be bigger than others, but

1 on the other hand, you do not want them so big that no one
2 representative can find a way to reach out to everybody,
3 so balancing the proximity of the population to its
4 interest, I think, is something I'd like to really spend
5 some time on.

6 MS. SPANO: Okay, thank you. You mentioned in
7 your application response that you're working on a new
8 book.

9 MR. BARABBA: Yes.

10 MS. SPANO: And actually titled *The 21st Century*
11 *Decision-Making*. And I imagine you're going to include a
12 lot about your decision support tools that are very
13 important to you, that you mentioned earlier, how you're
14 going to apply that to the Commission.

15 MR. BARABBA: Yes.

16 MS. SPANO: How important would the redistricting
17 experience be as material for that book, if you were
18 selected as a Commissioner?

19 MR. BARABBA: Well, with a little bit of luck, the
20 book will be out before the decisions are made. The book
21 that I'm working on now, I don't think that would add a
22 lot. Several people have asked me to do a more
23 retrospective book, and it might show up in there, but the
24 one I'm working on now, I hope to get it done before the
25 Commission gets started.

1 MS. SPANO: That is one less thing on your plate.

2 MR. BARABBA: I would say it is about 80 percent
3 done now.

4 MS. SPANO: Did anyone ask you to apply for the
5 Commission?

6 MR. BARABBA: No, no.

7 MS. SPANO: Okay. When you have started new
8 appointments during your unique career, what do you first
9 do to become familiar with the organization and staff?
10 And describe what you would do when you first start on the
11 Commission.

12 MR. BARABBA: To me, I've always found it valuable
13 to seek out the history of the organization that you're
14 going into and see what caused it to operate the way in
15 which it operates, and gain an appreciation for the
16 environment in which the entity exists. That's been very
17 helpful. And then, spend a lot of time with the people
18 that you're going to work with, but be sufficiently
19 intelligent about the history of the organization so you
20 get asked good questions as to why people do what they do.
21 What they do is important, but why they do it, in my mind,
22 is the more important question. And in this case, there's
23 a rich history of the redistricting process that's gone on
24 in this state and in other places, and there's a lot of
25 literature that I think will require a significant review.

1 And I'd like to gain a greater appreciation of that and
2 bring that understanding and share that with whatever
3 understanding the fellow Commissioners would have, but try
4 use techniques and processes to see if we can come to a
5 common set of reference points.

6 MS. SPANO: Thank you. How do you see the role of
7 Commissioner impacting your current lifestyle?

8 MR. BARABBA: Trips to Sacramento will be
9 interesting. It's not too bad, it's about 150 miles. And
10 I may have to get a Corvette to really enjoy the ride.
11 But my hobby is woodworking and I've not had enough time
12 for my hobby lately, this will add to my concerns about
13 not doing woodworking, but I stay active and, to me, it's
14 more fun being active when you're working on something
15 important.

16 MS. SPANO: Thank you. Do you like traveling
17 throughout the state?

18 MR. BARABBA: Yes, I've traveled quite a bit. The
19 Airlines love me.

20 MS. SPANO: I am sorry?

21 MR. BARABBA: The Airlines love me.

22 MS. SPANO: They do. Got that Frequent Flyer
23 mileage going. You mentioned the work of Ackoff and
24 Churchman in your application.

25 MR. BARABBA: Yes.

1 MS. SPANO: Could you give us an overview of this
2 work and what aspects of this work led you to use it with
3 the Census? And do you see their methods being useful to
4 the Commission?

5 MS. HAMEL: Five minutes.

6 MR. BARABBA: Well, these gentlemen were, I think,
7 the first academics to challenge a lot of the science of
8 Management and they kept asking "why" questions. And they
9 kept asking questions about, you know, we've been trained
10 in most academic disciplines, so if you have a problem,
11 you break the problem down into its component parts, and
12 you've tried to fix each of the parts so that they work
13 better. Ackoff and Churchman said, you know, the purpose
14 of an analysis is to find how the parts interact. And
15 Russ* says that the role of a manager is to manage the
16 interaction of the parts and not the management of the
17 parts taken separately. And so the goal is to create a
18 whole that is greater than the sum of the parts, and
19 sometimes, to do that, as we did in the case of the
20 engineers, they didn't get everything they wanted, but
21 what they gave up was less valuable than the things that
22 they accepted. So, the goal is, how do I create a whole
23 that is greater than the sum of the parts. That was the
24 major contribution of both Churchman and Ackoff. How I
25 got started is I had no knowledge at all of either

1 individual, and I was being nominated for the Census
2 Bureau job. Ackoff was one of the people who was opposing
3 my nomination.

4 MS. SPANO: Really?

5 MR. BARABBA: Opposed strongly. And at the first
6 meeting of the Statistical Advisory Committee, we got a
7 chance to talk and I got a really great appreciation of
8 what he was doing, and so he then observed my behavior at
9 my retirement from General Motors, he made the comment
10 that I was his greatest mistake in that he opposed my
11 nomination. But when we prepared for dealing with him,
12 what I thought was going to be a problem, I gained an
13 appreciation for what he was talking about, and that he
14 played a major role in all my activities in learning how
15 to be much more appreciative of getting underneath and
16 understanding the assumptions, and looking at the total
17 system, and then the containing system in which you do
18 your job. And in the case of the Census, it is a very
19 complex system, but the society in which we work is even
20 more complex, and if you don't appreciate that as you're
21 trying to fix your job, you made a big mistake. So, I
22 would say that both he and, then, the project we did on
23 the Census, that came about because I said, "Well, why
24 don't you help us?" He said, "Well, I can't criticize you
25 and then be an advisor," and that's when he introduced me

1 to Ian Mitroff, who was a student of C. West Churchman,
2 and then Mitroff and I became colleagues over a long
3 period of time.

4 MS. SPANO: Thank you. That will be it for me.

5 MS. RAMIREZ-RIDGEWAY: I have several questions.
6 I imagine you may have follow-up questions, too, so would
7 the panelists like to ask questions first?

8 CHAIR AHMADI: I don't have follow-up questions,
9 but may I ask a quick question?

10 MS. RAMIREZ-RIDGEWAY: Sure. As long as it's not
11 about the Corvette.

12 CHAIR AHMADI: No, it's about the Census data. I
13 forgot to ask you, and you don't have to respond to this,
14 by the way, but I'm just curious, in your expert opinion,
15 when will the data show up?

16 MR. BARABBA: I really don't know. Knowing the
17 Director reasonably well, he'll meet his deadlines. He's
18 a very competent individual.

19 CHAIR AHMADI: All right, thank you.

20 VICE CHAIR CAMACHO: I have a few follow-up
21 questions. When you were talking about the use of
22 computers, I see that you have a document that you
23 prepared. Was that for the 1970 Census?

24 MR. BARABBA: Yes, it is.

25 VICE CHAIR CAMACHO: Okay. Do you feel that

1 computers can be used for redistricting? If so, what do
2 you think their use can be? And is there any limitations
3 that you see with the use of computers for redistricting?

4 MR. BARABBA: Well, I always felt that computers
5 don't make decisions, they support decisions. And the
6 value of the computer, one is keeping tabs of what you've
7 done, and so you can go back and check things out, and do
8 the calculations that you're required to do. There are
9 other aspects of it like running simulations, so if we
10 have alternative points of view, there's no reason why we
11 couldn't use some dynamic modeling that would say, "You
12 know, let's run this and what happens if we change it this
13 much? Or what happens if we change it this much?" And
14 you see the consequences of your decision. And, in this
15 case, it might be kind of interesting to put in some
16 assessments of what changes we could expect over the
17 decade and determine whether we might want to consider
18 that over the 10-year period in which the districts are
19 being drawn. Now, I'm not saying that we would do that,
20 but, I mean, it's those kinds of things that the computers
21 allow you to think about and to take full advantage of
22 incredible capabilities, particularly the ones that we
23 have these days.

24 VICE CHAIR CAMACHO: Do you think, like you were
25 saying, there are obviously some limitations to it, would

1 you have to, if you put those computer simulations in
2 there, would there be any downfalls to that, where you'd
3 have to understand that there is certain information, or
4 certain criteria that cannot really look at and identify?

5 MR. BARABBA: Yeah, there is a Barabba's Law, and
6 it says, "Never say the model says..." You say what you
7 want to say based on what you saw in the model. And it's
8 important that, when you do that, you understand the
9 limitations of the model and make those explicit. I
10 think, too many times people take a computer run and
11 accept it as being correct. There are limitations to any
12 analysis that is ever done, and it is the responsibility
13 of the person conducting that analysis to make those
14 limitations explicit, and that is something that I - we
15 spent a lot of time on. So I would say that you try to
16 avoid the issue that you've raised by saying, "Here's what
17 we've done, here's the limitations of what we've done, but
18 here's the finding."

19 VICE CHAIR CAMACHO: Okay, I have another
20 question, a follow-up question. When Kerri was talking
21 about, you know, some important criteria, you were
22 bringing up communities of interest and the proximity of
23 keeping the districts. Would there be any other criteria
24 that you feel would be important and you can't really
25 overlook it?

1 MR. BARABBA: I think ethnic and racial
2 composition will be something that needs to be looked at,
3 but, again, I'll always be cautious in that because there
4 are differences of opinion within racial and ethnic
5 groups. So, having an appreciation for what those
6 differences are will be an important part of the
7 consideration.

8 VICE CHAIR CAMACHO: There are also some federal
9 laws, state laws, that have to be followed, and one of
10 them is the Voting Rights Act.

11 MR. BARABBA: Yes.

12 VICE CHAIR CAMACHO: How do you think that would
13 impact your decisions when it conflicts with maybe
14 communities of interest and the proximity issue?

15 MR. BARABBA: Well, I would make sure that our
16 General Counsel was aware of the issue and I would try to
17 get an assessment as to whether we were walking into a
18 territory we shouldn't be walking into because we could
19 find ourselves spending more time in court than in getting
20 the job done. But, you just have to - you should stress
21 test the law, as well, and if it looks like it is getting
22 in the way of a good decision, but eventually you follow
23 the law.

24 VICE CHAIR CAMACHO: Okay, that was my last
25 question.

1 MS. SPANO: Stephanie, can I ask one.

2 MS. RAMIREZ-RIDGEWAY: Sure.

3 MS. SPANO: During the 1980 Census and the
4 challenges you faced reducing the under-count, describe to
5 me how - or to us - how you maintained a transparent
6 process, how difficult that was.

7 MR. BARABBA: Okay, well, relative to the
8 adjustment issue, we went through this process and we had
9 all these assumptions that would have to be true before
10 you could make the adjustment. And we published those
11 assumptions in the Federal Register well before the
12 decision was made, and before the data came. And then, as
13 the data came in, and told everybody about what was in the
14 Federal Register, as the data came in, we then applied the
15 data to the assumptions that were made, and then we made
16 the decision that it would not be possible to adjust the
17 count, and that whole decision process then was published
18 in the Federal Register. And it was available to
19 everyone.

20 MS. SPANO: Okay, thank you.

21 MS. RAMIREZ-RIDGEWAY: I actually have several
22 questions for you. I wasn't clear from reading your
23 application whether the only source of litigation as a
24 result of the 1980 count was the under-count issue, or
25 whether there were other challenges.

1 MR. BARABBA: I believe there were other
2 challenges, but that one dominated the dialogue.

3 MS. RAMIREZ-RIDGEWAY: And do you have a
4 recollection, generally, of just sort of what those other
5 challenges involved?

6 MR. BARABBA: Well, I'm not sure they all went to
7 trial, but there was the issue of Spanish language
8 questionnaires, and that was the first Census in which we
9 actually had a Spanish language questionnaire, and that
10 was an experience all by itself because we retained the
11 services of a distinguished academic to work on it, a
12 Hispanic academic, and he came back and he said, "This is
13 going to be very hard to do because there's five different
14 ways to say 'farm,' depending on whether you are Cubano or
15 Puerto Rican, or from Texas, Mexican, or a California
16 Mexican. They all have different words." And he said
17 there was no way you could have six different versions of
18 a Spanish questionnaire, so those were the kind of issues
19 that you ran into. And our Advisory Committee eventually
20 accepted the final version of it and not with great joy
21 because each of the groups wanted their language
22 represented, but once they understood the complexity of
23 doing that, they accepted that this was probably closer.

24 MS. RAMIREZ-RIDGEWAY: Anything else that you
25 recall?

1 MR. BARABBA: I can't recall any others. It's
2 been a while.

3 MS. RAMIREZ-RIDGEWAY: I understand. In fact,
4 it's been 30 years since that count. So - I wondered,
5 what have you learned in those 30 years that you could
6 apply to the task of redistricting? And specifically, if
7 at all, have minorities advanced in our society since that
8 time? And what approach would you bring to redistricting
9 as a result of those advancements or non-advancements?

10 MR. BARABBA: Well, you know, all the schools I
11 went to were really diverse populations in them, and I
12 look at some of the people I went to Junior High School
13 with, like Herman Sillas, he became a distinguished lawyer
14 and headed up the Department of Motor Vehicles, Leo
15 Estrada, and others, and you see that the ability to move
16 forward may be difficult, but it is doable, and so the
17 question is, what could you do to make it less difficult,
18 and if representation in government could be a part of
19 that, then I'd like to work on that because, when I have
20 grown up with these people who have taken on these
21 challenges and made major contributions, you want to see
22 more of that in our society. And to some extent, my
23 father was born in Italy and my mother was born here, but
24 raised in Italy, so I have an appreciation of the value of
25 what immigrants have done for this country, and I'd like

1 to see that maintained.

2 MS. RAMIREZ-RIDGEWAY: It's not often, as Kerri
3 alluded, that a person has the opportunity to work for or
4 be appointed by the President of the United States, and I
5 think in reading your application, I see that's happened
6 to you five times.

7 MR. BARABBA: Five different Presidents, yes.

8 MS. RAMIREZ-RIDGEWAY: Five different Presidents.
9 One, that's extraordinary, congratulations, I guess there
10 will be people who may question whether or not you're
11 subject to or vulnerable to influence as a result of a
12 pretty extensive set of connections to some of the most
13 powerful people in our country's history, and so I'm just
14 wondering what you would say to those individuals to
15 reassure them.

16 MR. BARABBA: Well, the last one was the senior
17 Mr. Bush, and so that was quite a while ago. And I have
18 not been actively involved in activity, and the jobs I was
19 nominated for were the Census, which is a really
20 nonpartisan activity, and then representing the U.S. at
21 the Population Commission of the United Nations, it's not
22 a political job. So, I would say the purpose of the
23 nomination was my ability to bring an understanding of
24 information and information use to the job, not
25 necessarily which political party I was representing. So,

1 I feel and, for the last decade or so, I've just not been
2 involved in any political activity.

3 MS. RAMIREZ-RIDGEWAY: So we don't have to worry
4 that you'll - I mean, particularly if this Commission ends
5 up drawing Congressional lines, I think there could be a
6 concern that someone may reach out to you, and so what
7 would you do in that circumstance if you got a phone call?

8 MR. BARABBA: I would say, "You can't talk to me
9 because this is against the rules." And I think that's
10 really a smart thing to have done because you would be
11 vulnerable to people who know people who know people who
12 know you, and you don't want to be impolite or anything,
13 but if you could say, "Look it, the rules are I cannot
14 talk to you, that makes it a heck of a lot easier, and I'm
15 capable of doing that."

16 MS. RAMIREZ-RIDGEWAY: I assume you would also
17 disclose the fact you were contacted?

18 MR. BARABBA: If that's the requirement of the
19 law, I would, yes.

20 MS. RAMIREZ-RIDGEWAY: I don't know if it's a
21 requirement. I guess in the interest of transparency,
22 would you do it even if it wasn't a requirement?

23 MR. BARABBA: Yes, I probably would.

24 MS. RAMIREZ-RIDGEWAY: I noticed that there were a
25 couple of consulting businesses in your Form 700. Who

1 were the clients, generally - well, I don't want to ask
2 you to list all of your clients - do you have clients who
3 are either part of the Executive Branch or the Legislative
4 Branch? Either on the State or Federal level?

5 MR. BARABBA: No. No. Mostly businesses. We did
6 some work for the American Medical Association in
7 improving the use of electronic data systems, to improve
8 the delivery of healthcare.

9 MS. RAMIREZ-RIDGEWAY: So the Commission will be
10 comprised of subgroups that are chosen, in part, on the
11 basis of their partisanship. What are your thoughts about
12 the way in which partisanship will either benefit or
13 impair the Commission's work?

14 MR. BARABBA: Well, I mean, that was - I must
15 admit, I thought about why do you have to be a Republican
16 or a Democrat to be into a particular pool if you wanted
17 to do this in a nonpartisan way. And so I don't - the
18 fact that I happened to have spent most of my life being a
19 Republican, that will not - I don't see that that brings
20 anything to the discussion of the importance of what we're
21 working on.

22 MS. RAMIREZ-RIDGEWAY: Are you concerned that if
23 your fellow Commissioners have a different approach that
24 you could end up with problems? Or do you think that will
25 benefit the Commission?

1 MR. BARABBA: Well, it's always important to get
2 all the points of view on the table and if they are
3 representing a point of view that is prevalent, then it
4 should be on the table, and as long as we are allowed in
5 the Commission to challenge those points of view by, not
6 in any acrimonious way, but in identifying the underlying
7 assumptions that support them, then I don't have any
8 problem with that at all.

9 MS. RAMIREZ-RIDGEWAY: In the Census litigation
10 regarding the under-counted populations, I'm assuming, and
11 you can correct me if I'm wrong, that one of the concerns
12 about an undercount is that it could impact certain
13 minority communities or under-represented groups from
14 having an opportunity to elect their candidate of choice,
15 and I'm just wondering whether that was an issue that was
16 in your mindset, or was raised in the litigation.

17 MR. BARABBA: Well, you know, I always found it
18 interesting that the Census Bureau is one of the few
19 agencies of government that estimates the extent to which
20 it made a mistake and then publishes it. Not too many
21 agencies that do that. But the reason it does that is
22 that is how you improve the next time, is you learn from
23 your mistakes. Through that, the analyses show that there
24 was a differential undercount in 1980, it was, I think,
25 like three times as many African-Americans not counted

1 percentage-wise as were non-African-Americans. And
2 because the funds are allocated based on counts, and as
3 well as the representation of the districts, you know,
4 that's not right. And so the goal is to - anyway, once
5 you get into the reality of the conduct of the Census, you
6 just learn to appreciate the fact that the best you could
7 do is give everybody a fair chance at being counted, and
8 so you work on those things, and that means you spend a
9 differential amount of funds reaching some groups than you
10 do on others. But you have to do that if you're going to
11 get as complete a count as possible. And in the 1980
12 Census, we actually had community services representatives
13 who worked in the community, finding people who would be
14 influential in getting people to be counted, and by
15 talking about how the information would be used to help
16 the area, and that is an approach that has been followed
17 ever since.

18 MS. RAMIREZ-RIDGEWAY: So then you went back to
19 the Census sometime around the next count? I'm a little
20 fuzzy on -

21 MR. BARABBA: No, wait, I was there from '73 to
22 '76, and then I went back in 1979 for the actual count.

23 MS. RAMIREZ-RIDGEWAY: I see. Do you know whether
24 some of the changes that were put in place with regard to
25 the differential expenditures have improved the counts -

1 MR. BARABBA: Census 1980?

2 MS. RAMIREZ-RIDGEWAY: Uh huh.

3 MR. BARABBA: Oh, I think they have improved, but
4 they're always conducting the analysis and people focus on
5 how many you missed, not how many you counted, and
6 sometimes it's getting tougher because they were having,
7 you know, more immigration into the country, and the kind
8 of politics we are getting into, then it's getting harder
9 and harder to get people to say, you know, it's okay to be
10 counted in the Census.

11 MS. RAMIREZ-RIDGEWAY: Do you anticipate that
12 you'll encounter some of the same reluctance on the part
13 of certain communities to participate in the Citizens
14 Redistricting Commission's work? And if so, how will you
15 address those issues?

16 MR. BARABBA: My guess is within any of the
17 communities of interest, there will be some people who
18 want to participate and be involved in the discussion, and
19 it will be our job to find those people. And if we do a
20 good job of being open and make sure people know we're
21 serious about listening, I don't think that will be a big
22 problem

23 MS. RAMIREZ-RIDGEWAY: So, how would you go about
24 letting them know you're serious about the problem?

25 MR. BARABBA: Well, I think we would make our

1 procedures known and we would find people who could
2 communicate on our behalf that this is something really
3 serious, and the organizations that helped pass this
4 referendum could be very very helpful in that, I think.
5 And then we would just go out and we would find people who
6 are known in their communities, and spend time with them,
7 and ask them what's the most effective way of reaching out
8 to that particular community.

9 MS. RAMIREZ-RIDGEWAY: Let me just make sure I
10 don't have another question for you. I think the panel
11 stole some of mine. So, forgive me if this has been
12 asked. You talked a little bit about hearing some of the
13 strongly held philosophies of some of the other applicants
14 who have interviewed thus far, and we've only had a few,
15 but I wondered generally what philosophies would you apply
16 to the Commission's work?

17 MR. BARABBA: My going in position is that we
18 really should focus on identifying the communities of
19 interest and finding a way in which to create districts
20 that are in close proximity to those interests, so that
21 it's set up that, when they decide on who is going to
22 represent them, it's also easier for the elected
23 representative to reach out to that community. So, I
24 would be trying to take into consideration what are the
25 methods that would be available to an elected official to

1 reach out to these communities. Is it - what are the
2 channels of communicating? Are there barriers, I mean,
3 physical barriers -

4 MS. HAMEL: Five minutes.

5 MR. BARABBA: -- that would make it difficult to
6 get around? So, all those things, I think, are important,
7 but I think the focus should be on - at least my going in
8 position, until proven otherwise, is to find communities
9 of interest that are in close proximity, that would allow
10 them to seek out somebody who could represent them and be
11 comfortable with that, and then allow that representative
12 to demonstrate that he or she is willing to do it.

13 MS. RAMIREZ-RIDGEWAY: Okay, you had answered that
14 question, actually. I am sorry. Are there further
15 questions?

16 CHAIR AHMADI: Not from me.

17 VICE CHAIR CAMACHO: I have one. Mr. Barabba, in
18 the sense of when you have done all this work, you have
19 been the planner. As a Commissioner, there is going to be
20 different roles. What do you see yourself, with your
21 experience, and the other Applicants, or other
22 Commissioners that might be out there, what do you see
23 your role being as one of the 14 Commissioners?

24 MR. BARABBA: Well, I would say one is a person
25 who can help coalesce the Commission to focus on what we

1 can agree on that needs to be done. And by providing
2 processes that help identify the differences and what
3 makes us different in our process solving this problem.
4 And I have also had the ability to communicate with broad
5 audiences, and I think I could be effective in carrying
6 the message of the Commission out to these different
7 audiences that need to be communicated with. Those would
8 be the two things I think I could do quite well.

9 VICE CHAIR CAMACHO: Okay, thank you.

10 MS. RAMIREZ-RIDGEWAY: So, if there are no final
11 questions from the panel, you have got just under three
12 minutes if you would care to make a closing statement.

13 MR. BARABBA: Oh, yes, I would. When this issue
14 came up as a referendum, I spent a lot of time thinking
15 about it before I voted for it, and the more I looked into
16 it, the more I became really serious about the importance
17 of doing it, so I've given this a lot of thought as I
18 reflected and I thought filling out the application form
19 was a really good exercise because it made me think about
20 why I was doing this. And the more I thought about it, is
21 I really have spent the last 50 years preparing for this
22 assignment. And I hadn't thought about it that way, but
23 as I look back on the things that I've done, all of them
24 have contributed in some way to being a contributing
25 member of this Commission. So, I look forward to the

1 opportunity of having that opportunity.

2 MS. RAMIREZ-RIDGEWAY: Wonderful. Thank you so
3 much for coming to see us today.

4 MR. BARABBA: Thank you.

5 MS. SPANO: Thank you.

6 CHAIR AHMADI: Thank you, sir.

7 VICE CHAIR CAMACHO: Thank you.

8 MS. RAMIREZ-RIDGEWAY: We will be in recess until
9 12:59.

10 (Whereupon the morning session was recessed)

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