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Educational Fund

# Last Minute Addition of Citizenship Question Puts Census 2020 at Serious Risk

On March 26, 2018, the Secretary of Commerce agreed to a Department of Justice request, and announced a last minute decision to add an untested and unnecessary citizenship question to the 2020 Census questionnaire. On March 29, the Census Bureau submitted the questionnaire to Congress with the citizenship question.

By adopting a major change to the Census form without any sound advance testing, the Department has violated settled Census Bureau policy. **The addition of any question at this moment in time will have catastrophic consequences for Latinos and all Americans, sabotaging the fundamental Constitutional mandate that the Census obtain a complete count of all the nation's residents.**

## Administration's actions to add citizenship question are **flawed and specious**

- The Department of Justice and the Secretary of Commerce justified the addition by citing the need for better voting rights enforcement. However, data from the American Community Survey, and the census "long" form before that, are sufficiently robust for civil rights and Voting Rights Act enforcement.
- The Secretary of Commerce claims that we lack evidence that the citizenship question will depress response rates, but the question has not been tested in the current political climate, in a form sent to 100% of the population.
  - The decennial census has not included a citizenship question since 1950, prior to the enactment of the Voting Rights Act in 1965.
  - The "End to End" Providence County test does not include a citizenship question.
  - Census Bureau representatives have already reported widespread and unprecedented fear among respondents to other surveys; they are reluctant to participate fully and provide accurate information.

## Adoption of a citizenship question is **untimely**

- The Census Bureau conducts careful and costly testing over many years to develop census questions.
- The Census Bureau was required to submit topics for 2020 Census to Congress by March 31, 2017; citizenship was not submitted at that time.
- This decision has been made too late in time to allow testing of the question's impact, or for planning approaches to minimize a decrease in response rates.

## **Inclusion of the citizenship question will **reduce the accuracy** of 2020 Census data**

- The citizenship question will raise concerns in all households – native- and foreign-born- about the confidentiality of information provided to the government. The addition of a citizenship question will deter participation in the 2020 Census, particularly among households whose members believe that information will be used to harm their families.

## **Asking every household about citizenship will be **costly****

- The Census Bureau expects that every one percent decrease in the self-response rate that it has budgeted will increase the cost of the census by \$55 million.
- This estimate is based on optimistic assumptions about new, more efficient methodologies that the Bureau is not yet certain it can use.

## **Understanding the Implications of Adding the Citizenship Question**

In the current political climate, there is a robust public dialogue about the addition of the citizenship question to Census 2020, which has generated misinformation.

*Inclusion of the citizenship question does not diminish the confidentiality of Census responses.*

Just like any other information the Census Bureau collects, data about residents' citizenship may only be used for statistical purposes, according to federal law.

Census Bureau staff who have access to personal information are sworn for life to protect confidentiality, and they are subject to a \$250,000 fine and/or up to five years in prison for wrongful disclosure of information.

*Asking every American household about residents' citizenship will hurt both "red" and "blue" communities.*

Cities, counties, and states throughout the nation lose representation, funding, and the ability to attract private investment when their residents are not counted. The places most likely to be severely undercounted by a Census with a citizenship question include jurisdictions represented by both majority-Republican elected officials, such as Texas and Arizona, and majority-Democratic elected officials, such as California and New York.

*The federal courts or Congress may yet reverse this decision*

States, cities, organizations, and individuals likely to be harmed by inclusion of the citizenship question have filed at least three legal challenges to the Secretary of Commerce's decision; any of these suits could result in a court order prohibiting the use of the question in 2020. In addition, Congress may enact a law that prevents inclusion of the question.

# Policymakers, Advocates and other Stakeholders are Vigorously Challenging the Citizenship Question

A broad cross-section of stakeholders have undertaken legal, legislative, administrative, and public opinion advocacy in opposition to the Secretary of Commerce's decision, including:

- More than 60 Members of Congress;
- 161 Democratic and Republican mayors;
- Latino elected and appointed officials at all levels of government;
- Two former Commerce Secretaries and six former Census Directors who served in Republican and Democratic administrations;
- 19 State Attorneys General;
- Scientific organizations such as the American Sociological Association, the Consortium of Social Science Associations, the Council for Community and Economic Research, the Council of Professional Associations on Federal Statistics, and the National Latino/a Psychological Association; and
- Business leaders from across the country concerned about undermining the validity of census data, and ultimately harming economic growth and development opportunities.

## You can learn more about the fight for a fair and accurate Census 2020 by:



### Subscribing to our **email list**:

Send an email to [censusGOTC@naleo.org](mailto:censusGOTC@naleo.org) with “**Subscribe**” in the subject line to join our Census email list.

We will keep you informed about future policy developments and actions you can take to oppose the citizenship question.



### Subscribing to our **text campaign**:

Text **CENSUS** to **97779** to opt-in and subscribe to our SMS/Census Get Out the Count Campaign (*standard messaging rates apply*).

For further information about NALEO Educational Fund's policy work on Census issues, please contact

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