



January 10, 2018

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Asian Americans Advancing Justice |
AAJC

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Anti-Defamation League

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Protect the Census: Oppose DOJ Request to Add a Citizenship Question to the 2020 Census

Dear Secretary Ross:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States, and the undersigned 167 organizations, we urge you to reject the Department of Justice's untimely and unnecessary request for a new citizenship question on the 2020 Census, which would threaten a fair and accurate decennial census. Adding a new citizenship question to the 2020 Census would destroy any chance for an accurate count, discard years of careful research, and increase costs significantly.

You and your staff have made clear that you share our goal of a full, fair, and accurate census. A fair and accurate census, and the collection of useful, objective data about our nation's people, housing, economy, and communities generally, are among the most significant civil rights issues facing the country today. Every census since the first enumeration in 1790 has included citizens and non-citizens alike. Adding a new question on citizenship to the 2020 Census undoubtedly would affect response rates, outreach, and advertising strategies, and other important elements of the nation's largest, most complex peacetime activity, calling into question the results of many years of costly, painstaking research and testing.

Adding a citizenship question to the 2020 Census would disrupt preparations at a pivotal point in the decade, undermining years of research and testing and increasing census costs significantly at a time when Congress has directed a less expensive enumeration. The Justice Department's request would literally would add billions of dollars to the life-cycle cost of this census, without improving accuracy.

Questionnaire design and testing began nearly eight years ago during the 2010 Census. Requiring this new topic this late in the decade would threaten the success of the 2020 Census because robust testing in a census-like environment is essential, given the probable chilling effect of adding these questions to the form. There simply is no time to redesign the census form, craft scientifically sound questions to collect the information the Justice Department requests, and evaluate the impact of this new question on census participation and operations before the census starts, in any responsible way. Given the constitutional requirement to conduct the census in 2020, final planning and preparations for the census would be haphazard, at best, leaving the nation with a deeply flawed foundation for our

democratic ideals, informed decision-making, and prudent allocation of precious taxpayer dollars.

In addition, adding this question would jeopardize the accuracy of the 2020 Census *in every state and every community* by deterring many people from responding. The question is unnecessarily intrusive and will raise concerns in all households – native- and foreign-born, citizens and non-citizens – about the confidentiality of information provided to the government and how that information might be used. Moreover, there are many mixed status households in the United States, which include members who are both citizens and non-citizens with various legal statuses. Mixed-status and immigrant households will be especially fearful of providing information to the federal government in 2020, given the heightened climate of fear that anti-immigrant rhetoric and policies have created. In short, any effort to determine citizenship through the constitutionally required census would jeopardize the accuracy of the entire count, leaving public, private, and nonprofit decision-makers with bad information for all purposes, for the next 10 years. Further, such an effort is likely to shake public confidence in the narrow (though vital) statistical objectives of the Census Bureau’s work, damaging ongoing data collection efforts well into the future.

Finally, in addition to being untimely, the request is unnecessary. The Justice Department has never needed to add this new question to the decennial census to enforce the Voting Rights Act before, so there is no reason it would need to do so now. Contrary to the Justice Department’s letter, the Census Bureau has not included a citizenship question on the modern census “short form,” sent to every household. In fact, no such question has appeared on the census “short form” since enactment of the Voting Rights Act in 1965. Estimates of the citizen voting-age population derived from the ongoing American Community Survey, and the so-called census “long” or sample form before that, have been and continue to be suitable for purposes of civil rights and Voting Rights Act enforcement. Whether utilizing such data for Section 2 enforcement actions, Section 203 determinations, or other voting rights enforcement efforts, courts and the Justice Department have accepted census data as currently collected since enactment of the Voting Rights Act. Given these plain facts, the entire justification for the request should be viewed skeptically as an attempt to throw a wrench into final planning and preparations for an enumeration that already faces enormous challenges, including inadequate and delayed funding, cyber-security risks, and a climate of fear fanned by anti-immigrant rhetoric.

For these reasons, we urge you to reject the Justice Department’s request to add a citizenship question to the 2020 Census. If you have any questions about these comments, please contact Leadership Conference Census Task Force Co-chairs Terry Ao Minnis, Asian Americans Advancing Justice|AAJC, at 202-296-2300 x0127, or Arturo Vargas, NALEO Educational Fund, at 213-747-7606, or Chris Harley, Census Campaign Director at 202-466-3311.

Sincerely,

The Leadership Conference on Civil and Human Rights
18MillionRising.org
ACCESS
ACLU

Advancement Project California
Alliance for Strong Families and Communities
American Association of University Women (AAUW)
American Educational Research Association
American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers
American Library Association
American Sociological Association
American Statistical Association
American-Arab Anti-Discrimination Committee
APACEvotes
Arab American Institute
Arkansas Advocates for Children and Families
Asian & Pacific Islander American Health Forum
Asian American Legal Defense and Education Fund (AALDEF)
Asian Americans Advancing Justice - AAJC
Asian Americans Advancing Justice - Asian Law Caucus
Asian Americans Advancing Justice - Atlanta
Asian and Pacific Islander American Vote
Asian Counseling and Referral Service
Asian Pacific Islander Americans for Civic Empowerment (APACE)
Association of Population Centers
Association of Public Data Users
Autistic Self Advocacy Network
Black Women's Roundtable
Black Youth Vote!
Bread for the World
Brennan Center for Justice
California Calls
Campaign Legal Center
Casa de Esperanza: National Latin@ Network for Healthy Families and Communities
Casa Latina
Center for American Progress
Center for Law and Social Policy (CLASP)
CenterLink: The Community of LGBT Centers
Children Now
Children's Advocacy Alliance
Church World Service
Claritas
Coalition for Disability Health Equity
Coalition on Human Needs
Common Cause
Congregation Beth Shalom

Congregation of Our Lady of Charity of the Good Shepherd, US Provinces
Consortium of Social Science Associations
Council for Community and Economic Research
Council of Professional Associations on Federal Statistics
Council on American-Islamic Relations (CAIR)
Council on American-Islamic Relations, California
Defending Rights & Dissent
Detention Watch Network
Education Law Center-PA
Emgage Foundation
Empowering Pacific Islander Communities
Equal Justice Society
Equality California
Faith in Public Life
Family Equality Council
Farmworker Justice
FORGE, Inc.
Franciscan Action Network
Friends Committee on National Legislation
Friends of the Earth US
Government Accountability Project
Government Information Watch
Hispanic Federation
Human Rights Campaign
Human Rights Watch
In the Public Interest
Indivisible
Insights Association
Interfaith Worker Justice
Irish Immigration Center of Philadelphia
Irish International Immigrant Center
Islamic Society of North America, Office for Interfaith and Community Alliances
Jacobs Institute of Women's Health
Japanese American Citizens League
KIDS COUNT in Delaware
Lambda Legal
LatinoJustice PRLDEF
League of United Latin American Citizens
League of Women Voters of the United States
Legal Aid at Work
Los Angeles LGBT Center
Maine Children's Alliance
MALDEF

Massachusetts Voter Table
Mi Familia Vota
Muslim Justice League
NAACP
NAACP Legal Defense & Educational Fund, Inc.
NALEO Educational Fund
National Advocacy Center of the Sisters of the Good Shepherd
National Alliance for Partnerships in Equity (NAPE)
National Association of Social Workers
National CAPACD
National Center for Lesbian Rights
National Center for Transgender Equality
National Coalition on Black Civic Participation
National Council of Asian Pacific Americans (NCAPA)
National Council of Jewish Women
National Council on Independent Living
National Disability Rights Network
National Education Association
National Employment Law Project
National Health Law Program
National Immigrant Justice Center
National Immigration Law Center
National Institute for Latino Policy (NiLP)
National Justice for Our Neighbors
National Korean American Service & Education Consortium (NAKASEC)
National Latina Institute for Reproductive Health
National Latina/o Psychological Association
National LGBTQ Task Force Action Fund
National Low Income Housing Coalition
National Network for Arab American Communities
National Partnership for Women & Families
National Youth Employment Coalition
Natural Resources Defense Council
NC Child
NC Counts Coalition
Neighborhood Action Coalition
NETWORK Lobby for Catholic Social Justice
New Mexico Voices for Children
Northern California Grantmakers
OCA - Asian Pacific American Advocates
OneAmerica
OpenTheGovernment
People For the American Way

PFLAG National
PICO California
Pierce County Labor Community Services Agency
Planned Parenthood Federation of America
PolicyLink
Population Association of America
Presente.org
Prison Policy Initiative
Public Citizen
Research Advisory Services, Inc.
Senior Executives Association
Service Employees International Union (SEIU)
Sikh Coalition
SiX Action
Society of American Archivists
Southeast Michigan Census Council
Southern California Grantmakers
Southern Coalition for Social Justice
Southern Echo Inc.
State Voices
Sunlight Foundation
The Children's Partnership
The United Methodist Church - General Board of Church and Society
The Voter Participation Center
UnidosUS (formerly NCLR)
Union for Reform Judaism
Union of Concerned Scientists
Voces Verdes
Voices for Progress
Voices for Vermont's Children
Voto Latino
Wallingford Indivisible
Washington Immigrant Solidarity Network
Win/Win Network
Women's Voices Women Vote Action Fund