



January 10, 2018

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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 168 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 Americans Advancing Justice – LA  
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  
Engage 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