



# THE COUNT STARTS NOW: Taking Action to Avoid a Census 2020 Crisis

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ENDORSED BY:



New York Civic  
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## Executive Summary

Every ten years, the United States conducts a “Decennial Census” with the goal of determining the distribution of resources and political representation by counting every person in the country where they live. The census is a complex operation to collect important demographic, social, and economic information, but serves as the country’s only source for reliable nationwide and community-level data. The census is mandated under the Constitution and it is required by law that all people respond, regardless of age or citizenship status. Getting the next census count right is critical, as it will shape our nation’s democracy, public policy and economy moving forward. Key decisions about how the 2020 Census will launch are being made right now, and poor choices could have enormous impacts for all of us in the years to come.

Traditionally, every household receives a census form by mail and is asked to provide information about all members of that household. For residents who do not fill out and submit the census form, census workers or “enumerators” are hired to visit the home and ask for the information directly. When there are a large number of households that do not fill out and submit the census form themselves, the area is considered “Hard To Count (HTC).”

Several major challenges of the 2020 Census lie in the Census Bureau’s heightened responsibility to ensure that people are accurately counted. Many groups have been disproportionately underrepresented in the decennial census for decades, including rural households, immigrants, renters, low income households and young children.<sup>1</sup> People of color, particularly Black and Latino communities, in both urban and rural communities, are at an especially high risk of being undercounted by the census at higher rates than other population groups. Failure to address the trend of undercounting will ultimately deprive historically marginalized communities of vital public and private resources over the next decade.

These factors can have a very significant impact on the accuracy of the census count of New York residents. New York has a high proportion of historically undercounted populations. In fact, analyzing census tracts considered Hard To Count on a comparative state-by-state basis shows that New York has the second largest population in HTC tracts and the third largest population percent in HTC tracts.<sup>2</sup>

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For the first time in history, the Census Bureau will ask households to fill out 2020 Census information both by mail and online in an attempt to reduce outreach costs. The Bureau's goal is to have 55% of responses be submitted online for 2020, despite indications that they are significantly underestimating the number households who do not have internet access necessary to complete the form – a phenomenon commonly referred to as the digital divide. According to a 2016 study by the Federal Communications Commission about 12.6 million American households do not have access to broadband.<sup>3</sup> Overreliance on collecting Census information online means that a large proportion of people may be missed.

Additionally, there is serious concern that the current level of federal funding for the Census Bureau will compromise the fairness and accuracy of the 2020 Census. In 2013, Congress established that funding for the 2020 Census should not exceed the amount spent on the 2010 Census.<sup>4</sup> In addition, the Trump administration's unrealistic funding request of \$1.5 billion for fiscal year 2018 is well below the budget needed to ensure that new technologies and procedures to support internet response options are properly tested. The underfunding of key preparations has a potential to result in a crisis of under-performance, particularly in at-risk communities.

Gathering a complete and accurate count for the 2020 Census has wide ranging long term impacts throughout New York State. Census-derived data is the basis for equal political representation under the United States Constitution, which directly controls the number of New York representatives in the U.S. Congress. Policymakers use census data to identify community needs and to distribute federal program dollars to states and localities based on population numbers or other community characteristics that the census and related American Community Survey measure. In New York for example, the distribution of \$53 billion in federal funding for programs relies on data derived from the decennial census. Businesses and industry decide where to locate new plants and services based on census data, creating new jobs and promoting economic growth. A complete count not only helps ensure fair and accurate congressional, state, and local redistricting but determines whether communities receive funding for local infrastructure and social service that reflect true population levels. The distribution of political power, economic investment and government funding for at risk communities relies heavily on a fair and accurate 2020 Census count.

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Given the significant issues regarding funding at the federal level, local governments, activists, community organizations, and everyday citizens can play a critical role in ensuring an accurate 2020 Census by supporting state-based efforts to fill the resource gap left by the federal government. While continued advocacy for adequate federal funding is essential, local activists and organizations must focus their immediate attention on participation by counties, cities and towns in the Local Update of Census Addresses (LUCA) program. The LUCA is one of the primary opportunities for state and local governments to ensure the accuracy of the Census. LUCA gives state, local and tribal governments the opportunity to review and update the Census Bureau's address list and digital maps for their areas, reflecting their knowledge of non-traditional and low-visibility housing in their communities. Through LUCA, communities can help ensure that the census counts the residents of all housing units and puts them in the right place.

The LUCA program is voluntary and only approximately 30 percent of eligible state, local, and tribal governments participated in 2010 Census LUCA activities. During the 2010 Census, 45% of New York cities participated in LUCA, while slightly more than 25% of towns and villages did. Local governments have until December 2017 to inform the Census Bureau of their participation. From September through November, getting local government involved in LUCA and engaging in census education and promotion should be the priority for activists and concerned citizens.

Through this white paper, we seek to alert activists, community organizations, and everyday citizens to the importance of knowing the status of their county, city and/or town's participation in LUCA. As of September 27, only 14 counties - Steuben, Tioga, St. Lawrence, Cayuga, Clinton, Montgomery, Saratoga, Greene and Ulster, plus the 5 counties in New York City - have registered to participate in LUCA. Of the remaining counties, we are particularly concerned for the LUCA participation of the following counties, based on factors which we will discuss later in this white paper:

- Erie
- Niagara
- Schenectady
- Nassau
- Suffolk
- Westchester
- Delaware
- Schuyler
- Tompkins
- Lewis
- Washington
- Monroe

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## What is the decennial census?

The Constitution requires that the nation's population be counted once every ten years in a decennial census.<sup>5</sup> Congress has delegated responsibility for conducting the decennial census to the Department of Commerce and its Census Bureau.<sup>6</sup> The goal of the decennial census is to “count everyone once, only once, and in the right place”<sup>7</sup> with a focus on minimizing undercounting. The official date of the 24th census is April 1, 2020.

The Constitution created a system where the number of Congressional Representatives and Electoral College votes each state has is based on that state's total population compared to the nation's total population. After Congress sets the number of seats and approves the apportionment of districts among states, census data is used to redraw state and congressional districts' boundary lines. The census data is also used to draw state, county and municipal district lines in many states, heavily influencing the political power which any community is able to wield. The Constitution stipulates that the decennial census must count all people regardless of their citizenship status or ability to vote, a standard that was expanded by the 14th Amendment's Equal Protection clause.<sup>8</sup>

The decennial census data is used for economic analysis and growth, and to set government projects and spending,<sup>9</sup> as well as public policy decisions for the following ten years. Census data is used for the allocation of 75% of all federal grant funding and 31% of domestic assistance program funding.<sup>10</sup> Information collected by the census is also essential for gathering information crucial to public health decisions<sup>11</sup> as well as transportation policy.<sup>12</sup> Practically speaking, this means that the census controls how nearly three-quarters of a trillion dollars are distributed to states and localities (i.e., ~ \$750,000,000,000). For both public and private actors of all sizes across the country, an accurate census is essential for identifying and helping to meet community and business needs.

Given the size and importance of the census and the federal government's long experience with it, one would think that the census is a major government program that Americans would not have to be worried about. Unfortunately, the success of the upcoming census is far from certain. The federal government is falling behind on its commitment to the 2020 Census by failing to increase funding to modernize data collection for the census, leaving several appointed leadership positions unfilled, and planning to reduce census spending by reducing the number of people hired to conduct census interviews. This raises the question of who can and will step in to fill the gap. Participation by individuals, activists, as well as state and local officials, will ensure that the 2020 Census is as accurate and efficient as possible. Whether rural or urban, rich or poor, newly immigrated or a member of the Mayflower Society, everyone counts.

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## Legal framework of the census

The decennial census has been conducted every ten years since 1790, but the process of the census and the use of census data has been debated for hundreds of years. Today, many critical questions on governance and fair representation remain unanswered: How should the census be conducted? How should the results be used to determine representation? What can or should be done if the census is inaccurate?

### Census operation

Title 13 of the U.S. Code grants the Census Bureau the legal authority to conduct the census.<sup>13</sup> The Constitution requires Congress to use decennial census data to determine the allocation of electoral votes and Representatives to Congress, but states are not required to use census data for intrastate redistricting. In *Kirkpatrick v. Preisler* (1969), the Supreme Court held that states must use the best quality data for redistricting plans regardless of whether or not it is census data. However, New York<sup>14</sup>, as well as some other states, require the use of census data for redistricting.

### Opportunities for states and localities

In 1994, the Decennial Census Address List Improvement Act was passed to improve the accuracy of the census by sharing the responsibility of conducting the census with state, local, and tribal officials. The Act created a voluntary program called the Local Update of Census Addresses (LUCA) program to partner with nonfederal officials to update the residential addresses in their area. The Act also established an appeals process for participants so they may contest the results of the census address list if they believe their community was undercounted.<sup>15</sup> LUCA is the only way that individuals, organizations, and nonfederal governments can be directly involved in conducting and certifying the results of the census.<sup>16</sup>

### Current legal situation

What will happen if the federal government fails to conduct an accurate census? The laws do not address this dilemma and the courts have not provided any guidance. The laws were written under the assumption that those in office would take the responsibility of the census seriously.<sup>17</sup> There is no legal penalty provision if the census is not completed effectively and courts have not provided guidance.

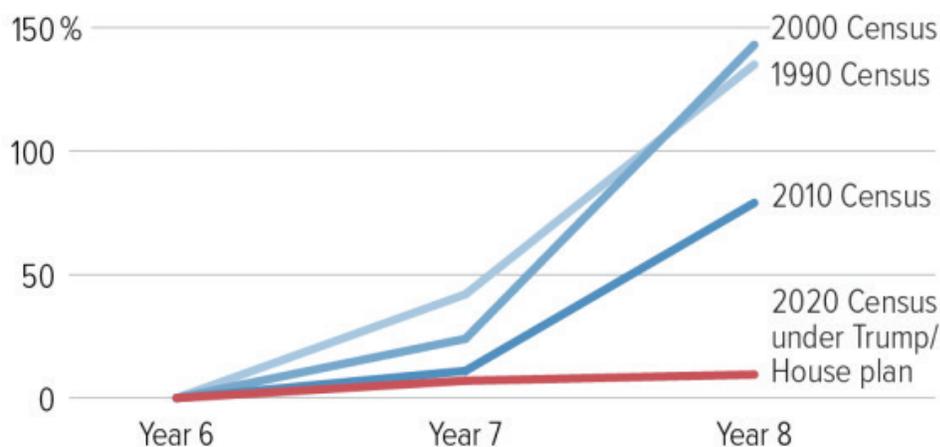
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## Federalism

The census is undeniably an important issue at the national, statewide, and local level, but the current political climate has resulted in the 2020 Census not being adequately funded by Congress. There is a shocking shortfall in the necessary funding for the Census Bureau to adequately prepare for the 2020 census, as the following chart illustrates:

### Proposed Increase in 2018 Census Bureau Funding Far Less Than in Previous Decennial Census Cycles

Change in Census Bureau budget relative to year 6 of each decade



Note: All years are fiscal years. Figures show discretionary budget authority in each year of the decade relative to that in the sixth year, not adjusted for inflation.

Source: CBPP based on Office of Management and Budget, enacted appropriations, and draft legislation from the House Appropriations Committee

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The unequal commitment between state governments and the federal government exposes the weaknesses of federalism. The Constitution provides broad requirements for the decennial census with no specifics on how it should be conducted, leaving it at the mercy of the administration in office at the time. There is a lengthy ramp up process for the Census that begins immediately after the previous Census is completed. The planning, testing, design, and implementation process for 2020 Census began in 2011 and should increase steadily, ramping up significantly over the next two years.

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State and local government must take the lead when the federal government is not fully committed. Communities can improve census accuracy by participating in LUCA. After the census is complete, states and localities will have more equitable federal funding, fairer political representation, and vital data for a decade of economic planning and informed public policy. States and localities that rely solely on the federal government to conduct the census are at risk of undercounting, and they will have no opportunity to correct the count after it has been completed.

## **Long-term impact**

By shirking the responsibility of an accurate decennial census, the federal government could, potentially, effectively ignore hundreds of thousands (if not millions) of Americans. An inaccurate census opens the door for the federal government to begin ignoring problems simply because they would not have the data to identify the issues.<sup>18</sup> Without the data, the federal government will not provide the same amount of federal funding; the political voice of the undercounted will be reduced; and government, businesses, and organizations will not have the information they need to be the most effective. Congress and the White House have made it abundantly clear that they are eager to reduce federal spending and responsibilities even if it means hurting states. Allowing the 2020 Census to go underfunded is the first step towards this goal with ramifications for the next decade. With billions of dollars, fair representation, and quality data at stake, states, localities, and individuals must take responsibility for securing the census.

## **Holding power accountable**

New Yorkers must hold the federal government accountable, and the first step will be local. LUCA is the first step towards accountability. Through a LUCA partnership, local/state government officials can work with the Census Bureau to update the national address list: the Master Address File (MAF). LUCA partners have exclusive access to the tools and databases used by the Census Bureau to improve the accuracy of the census in their community.<sup>19</sup> Using local knowledge, officials are able to identify households that the Census Bureau may miss. Participation in LUCA is one of the ways to ensure a proper count.

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## Why does the census matter?

### Representation and redistricting

The decennial census determines how the 435 congressional districts will be apportioned among the states, Electoral College votes, and the population basis for state and local legislative bodies for the next decade. Beginning with *Baker v. Carr* (1962) and subsequent series of cases, the U.S. Supreme Court established the “one person, one vote” standard requiring the use of the decennial census to account for changes in population at the national, state, and district level and to modify the number of congressional and Electoral College seats to reflect changes in population.<sup>20</sup> Without an accurate count, “one person, one vote” cannot be achieved. Undercounting affects how the new political district will be made that can result in unequal representation. For example, an urban undercount can change the balance of rural-urban representation, and a rural undercount cedes power to the city by creating districts that are more urban.<sup>21</sup>

In 2010, New York State enacted a law to reallocate prisoners incarcerated in state prisons back to their “homes of record” before imprisonment. This law helps eliminate “prison gerrymandering” where prison populations were often used to artificially inflate state legislative district populations for redistricting population equality purposes. A 2014 state constitutional amendment creating an advisory state redistricting commission did not include prisoner reallocation as a criteria for future redistricting, leaving the 2010 law in doubt.

The districts must have roughly equal population size and must not discriminate based on race or ethnicity to ensure fair representation. Every individual - regardless of their age, race, citizenship status, or ability to vote - must be counted so Congress can allocate seats based on each state’s total population.<sup>22</sup> The Supreme Court has left an open question as to whether a state should use total population, voting-age population, noncitizen voting-age population, eligible voters, or some other variation to determine what population is appropriate for redistricting within the state.<sup>23</sup>

### Allocation of funds

Each year, the federal government allocates billions of dollars across 26 agencies for use by tribal, state, and local governments. Population size and distribution, demographic data, and location data derived from the census determines the allocation of federal funds to communities across America for healthcare (58% of census-related funding is for Medicaid)<sup>24</sup>, education, social services, job training programs, affordable housing, and infrastructure projects such as schools, highways, hospitals, police stations, fire departments, and more.<sup>25</sup>

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There's a lot at risk. A proper count assures that every state and locality receives a fair and equitable share of federal funding.

- According to Counting For Dollars: The Role of the Decennial Census in the Geographic Distribution of Federal Funds project, in 2015, \$589.7 billion was directed to the states from the 16 largest census-guided programs. 300 census-guided federal programs had approximately \$700 billion in outlays.<sup>26</sup>
- In 2015, New York had a federal allocation of \$53,194,672,345, or \$2,687 per capita.<sup>27</sup>
- New York received \$32,147,147,368 for Medicaid reimbursement in 2015,<sup>28</sup> the third highest reimbursement amount in the country.<sup>29</sup>
- The federal government allocates to New York state \$2.4 billion for education, \$4.1 billion for housing, \$6.8 billion for human services, and \$1.7 billion for transportation.<sup>30</sup>
- Among the 100 largest metro areas in the country, Albany, New York received \$5,217 per capita.<sup>31</sup>

## **Total state population determines allocation**

Many federal programs use formulas, one of the most important being Medicaid,<sup>32</sup> to determine allocation based on each state's total population. States with larger populations are therefore entitled to a larger portion of federal monies for many programs. Every person should care about the total count, not just the count in their county. For example, the Community Service Block Grant from the U.S. Department of Health and Human Services (HHS) annually distributes roughly \$1.5 billion across all states to fund social services such as child care, foster care, and special services for the disabled.<sup>33</sup> Once the state has received the grant, it is divided across the state to cities that meet the eligibility criteria of having 50,000 or 200,000 residents.<sup>34</sup>

The Census Bureau provides an overview of the amount of money each state receives from the federal government on the basis of census-guided data which can be found online.<sup>35</sup> The report is from 2010 - the most recently published year.

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## **Undercounting**

While the accuracy of the census count has improved over the last several decades, it is not completely accurate. Various populations are most frequently undercounted. While overcounting occurs much less frequently, continued undercounting disproportionately affects people of color, low-income households, and immigrants while non-Hispanic whites are typically overcounted by almost 1%. This disparity deprives underserved communities of political power, government resources, and private sector investment.<sup>36</sup> Undercounted individuals are essentially not seen by the government. Current events have also amplified an atmosphere of mistrust in marginalized communities that may worsen the undercount. Some people may fear that their participation in the census can be used against them for deportation. However, the Census Bureau cannot share personal information with police, tax, or any enforcement agency.<sup>37</sup>

## **The effects of undercounting differ at the state and local level**

Undercounting at the state level changes the distribution among states by reducing the share of federal funds to states with high undercounts and depriving them of adequate resources. With less money overall, the state has less to distribute to local governments. Historically, the census count has been subject to what is now called the differential undercount — a disproportionate undercounting of some population subgroups. In other words, some populations are much more likely to be undercounted, while other groups may be overcounted or not subject to much undercounting at all. If one subgroup is accurately counted while another subgroup is undercounted, the accuracy and fairness of the entire count is skewed.

The undercount from the 2000 Census reduced federal funding in 31 states and the District of Columbia by \$4.1 billion over the 2002-2012 period.<sup>38</sup>

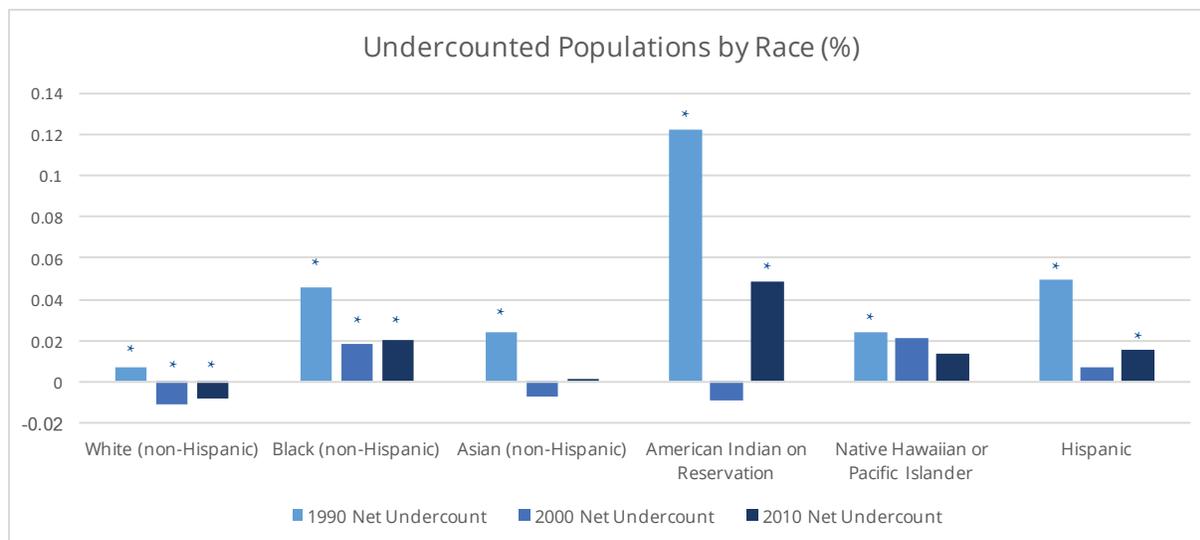
In 2010, 95% of census tracts considered Hard to Count (“HTC tracts”) in Kings County had under 50% participation rate. Undercount costs in Bronx County were over \$300 million between 2000 and 2010.<sup>39</sup>

Four (4) out of the top 10 census tracts in New York State outside of NYC with the worst 2010 census mail return rates are in Westchester County, while Orange County contains two (2).<sup>40</sup>

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## Undercounting facts:

Historically, communities of color are most subject to being undercounted. Undercount by race according to the Census Bureau: Black (non-Hispanic): 2.04%; Native Hawaiian or Pacific Islander: 1.34%; Hispanic: 1.54%; American Indian: 4.88% (2010 Census)<sup>41</sup>



\*INDICATES STATISTICALLY SIGNIFICANT RESULT. NEGATIVE NUMBERS REPRESENT OVERCOUNTS.  
SOURCE: U.S. CENSUS BUREAU

Children under the age of five are also more likely to be missed (4.6% rate of undercount).<sup>42</sup> In New York state, there are 503,626 children under the age of five (42.8%) living in HTC tracts.<sup>43</sup> This is the third-highest amount in the nation.<sup>44</sup>

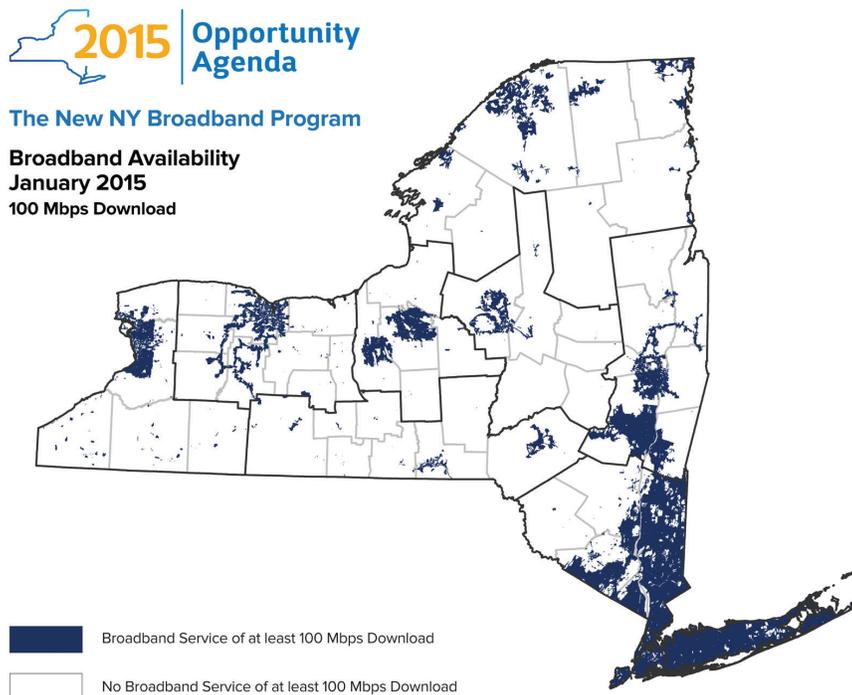
Farmworkers are another population which has historically been undercounted.<sup>45</sup> Agriculture is an important part of New York's economy and farmworkers can be found, for at least a portion of the year, in Western, Central and Northern New York, with the largest concentration of farmworkers found in the Finger Lakes Region.<sup>46</sup> While the National Center for Farmworker Health reported over 100,000 farmworkers and their families in New York State in 2011, a state publication in 2012 estimated the number of farmworkers in New York State at 60,000.

In the 2010 census, renters were undercounted by 1.1%, while homeowners were overcounted by .06%<sup>47</sup>

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## The Digital Divide

The Census Bureau expects to have 55% of responses submitted online for 2020 Census. The online response system is intended to lower costs and improve participation, but is unlikely to benefit groups that are already typically undercounted. In fact, many hard-to-count populations may even experience new or increased vulnerability due to the over reliance of online census participation. Internet access has long been uneven between densely populated areas and rural areas across the country, as well as limited in poorer urban neighborhoods. Households with no computer or adequate internet access are therefore at serious risk of being undercounted for 2020. For example in 2015, 5.4 million New Yorkers and 55,000 businesses that did not have access to 25 Mbps broadband internet service.<sup>48</sup>



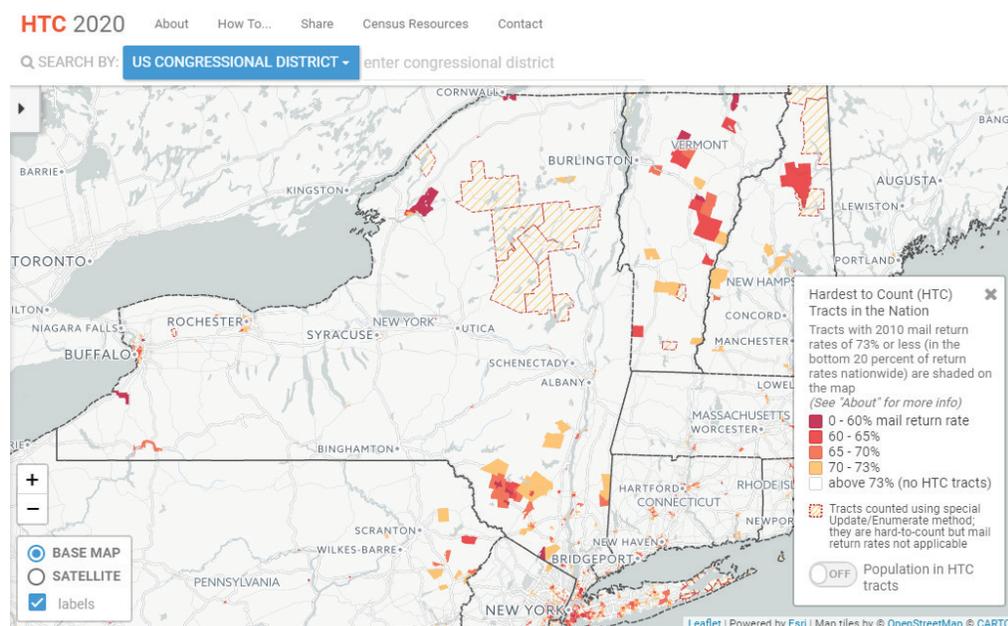
The Census 2020 HTC map also highlights several areas across the state where more than 80% of households did not meet the FCC's minimum threshold of having Internet connectivity of 200 kbps for uploads or downloads. There is a clear gap between the

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Census Bureau's expectations of internet response by the majority of Americans and the probability of internet response considering the lack of capability, especially in rural areas, poorer urban neighborhoods, and on Tribal lands. Encouraging people to complete census questionnaires online also leads to concerns about data privacy, which for many might be a disincentive to participate. Relying on the Internet as the primary way for households to respond to the 2020 Census without providing adequate funding or resources to prepare and fully conduct a count will only worsen an already alarming undercounting problem for 2020. The Census Bureau needs more funding to hire enumerators and census workers who can engage hard to count areas.

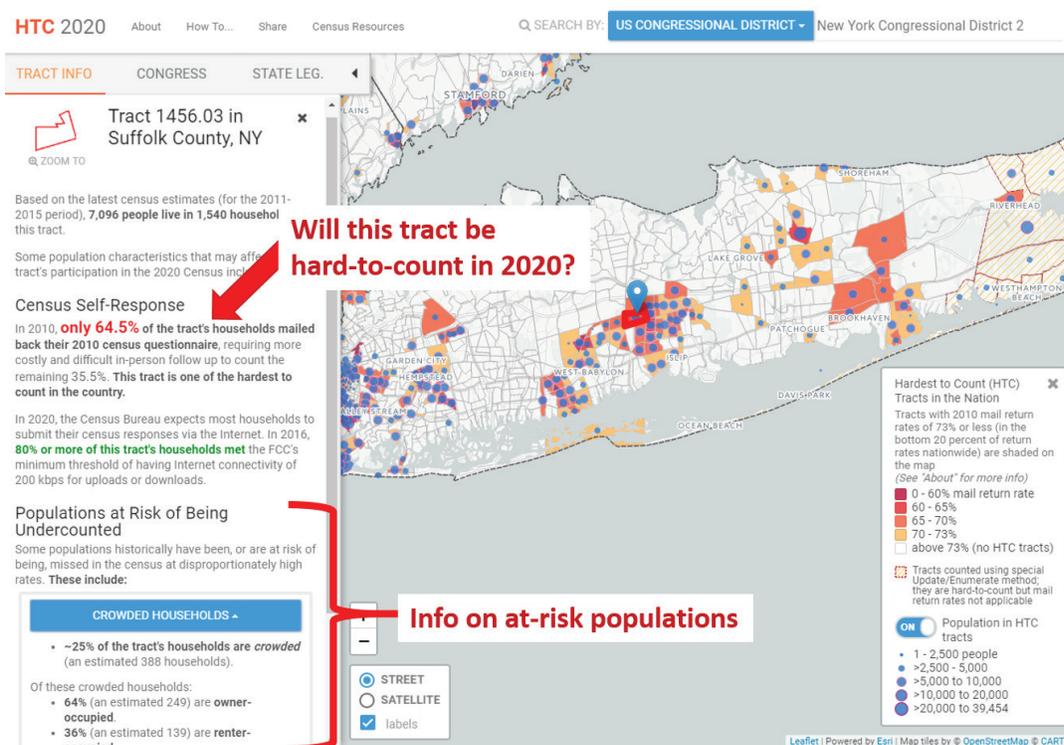
## Mapping Hard-To-Count Communities

All of these factors can be hard to synthesize. Activists and community leaders need to be able to determine the likelihood that their neighborhood and community might not be accurately counted. An excellent resource in this regard is the [Census Hard to Count Maps](#), prepared by the CUNY Mapping Center. The map pulls together and graphically illustrates information about how well a specific census tract, congressional or state legislative district responded to the 2010 census, the measure used to determine whether an area is likely to be hard to count, as well as providing information regarding the percent of households in the tract which have acceptable internet access.



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The map shows how challenging it will be to obtain an accurate count in various diverse communities across the state. For example, hard to count census tracts are found in counties as different as Jefferson, Dutchess, and Suffolk Counties, as well as in virtually every city, large or small, within the state. Through the Hard to Count Map, we can see that in The Bronx, in New York City, and in Cattaraugus County, less than 50% of the residents in some census tracts mailed back their 2010 census questionnaires, requiring special outreach and follow-up contact. In those same census tracts, in Cattaraugus County, fewer than 80% of the households had adequate internet access.



An analysis of the data on which the map is based shows that no one county has a monopoly on Hard-To-Count census tracts. As the following chart shows, HTC census tracts are found throughout New York State.

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Rank	County	Tract	Congressional district	2010 Mail Return Rate
1	Westchester	11.0	NY16	44.9
2	Franklin	9400	NY21	45.8
3	Westchester	30	NY16	48.4
4	Westchester	35	NY16	49.8
5	Dutchess	2211	NY18	50.4
6	Albany	6	NY20	52.9
7	Suffolk	1224.1	NY02	54.0
8	Orange	148	NY18	54.5
8	Westchester	33	NY16	54.5
9	Orange	5.0	NY18	54.8
10	Oneida	211.0	NY22	55.2

HTC CENSUS TRACTS ARE FOUND THROUGHOUT NEW YORK STATE<sup>49</sup>

## Quality of data

Census data is the backbone of all economic data for the country. It is the basis for calculating poverty, unemployment, per capita income, and countless economic and demographic trends that provide the most comprehensive understanding of the nation. Policymakers, businesses, communities, and nonprofits rely on high quality data for informed decision making. With all of the challenges facing our state, and the number of government programs which seek to direct taxpayer money to address those problems, accurate information is crucial to insure that the resources are directed where the need is greatest and the programs can be most effective.

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## Policy

Good policy results from good data. When the Great Recession occurred, the federal government had poor data and lacked an understanding of the crisis. Congress chose not to fund more detailed data collection in the previous years despite numerous requests from the White House. Policymakers were forced to use inferior private data that showed economic contraction to be less severe than it actually was. Relying on data that seemed to show minor contraction, Congress passed the stimulus package with half of the requested \$1.8 trillion. By 2009, the inferior data suggested that the economy was improving and the White House and Congress shifted towards austerity, unaware of the full extent of the recession because of the lack of accurate census-derived data.<sup>50</sup> Beyond the federal level, census data is essential to the efforts of state and local governments, chambers of commerce, and public-private partnerships to attract businesses which lead to job creation and a larger tax base. For example, census-derived data was used by officials in Tulsa, Oklahoma to convince Macy's to build a \$180 million distribution center and creating 3,500 jobs.<sup>51</sup> Census data is also used when making decisions such as expanding a school district, creating transit systems, and building new residences to accommodate community needs.<sup>52</sup> The government also relies on census data to ensure the enforcement of laws such as the Voting Rights Act and the Civil Rights Act.<sup>53</sup>

## Businesses and nonprofits

In an increasingly data-driven economy, census data is becoming more important to the private sector as well. Businesses and organizations in New York rely on this data to understand the diversity and change across the state.<sup>54</sup> A report from the U.S. Department of Commerce estimated that census data was used to generate \$221 billion in revenue for private businesses thanks to the unparalleled insight it provides.<sup>55</sup> Without reliable census data businesses and organizations are forced to use inferior data, make a best guess decision, or procure their own data which is costly and less accurate.<sup>56</sup> Census-derived data ensures that businesses are able to identify markets, select business locations, make proper investments, determine goods and services to offer/ forecasting demand, and to understand the labor market. For example, hospitals need to understand a community's needs. A hospital built in an area with healthy, young, and highly transient people rather than around an elderly community would fail to operate effectively. A foreign language newspaper wanting to increase circulation in a place like Queens - with hundreds of languages spoken in a relatively small area - needs to know what languages are prevalent.<sup>57</sup>

Information about how policymakers and businesses use census-derived data can be found [here](#) and [here](#).

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## The census process begins in 2017

The census is an ongoing ten-year process that requires diligent and massive preparation, accurate information from local authorities, field tests, the opening of regional and local Census Bureau offices, the hiring of hundreds of thousands of temporary staff, and annually increasing funding from Congress over the ten-year period.

In 2010, the Census Bureau mailed a form to each household with instructions to mail the completed form back by April 1st. In 2010, 120 million households received their census form in the mail, and 74% mailed it back. With one of the highest portion of hard-to-count tracts in the nation, New York City's response rate was just 59% in 2010.<sup>58</sup> Those who did not mail back their census form were visited by enumerators in the months following the Census Day. In 2010, the Census Bureau contacted 47 million nonrespondent households to collect information. This year, for the first time, the census expects large numbers of people to respond to the census survey on-line. It is unclear what incentive hard to count communities would have for responding to the census online or even if a significant percentage of the households would have internet access in order to be able to so respond. Accurate information about household addresses as well as sufficient resources to not only mail the forms but follow-up in person with those who didn't mail the form back were essential to this process.

The first step for the Census Bureau is to determine where to count. The Bureau relies on the accuracy and completeness of the Master Address File (MAF) and the Topologically Integrated Geographic Encoding and Referencing (TIGER) spatial (map) digital database. The MAF has every mailing address in the U.S., and the TIGER spatial maps showing the location of each address in the MAF. This address system and geographic map provides the Bureau with the directory for mailing the forms as well as the map for reaching households of non-respondents.<sup>59</sup> A 2020 Census report by the Leadership Conference Education Fund describes the importance of the MAF:

“The Census Bureau will not know that it has missed people who live in housing units that are not included on the MAF. In developing the address file and maps that guide census-taking, the Bureau can easily overlook commercial buildings that have been converted to residential units, people living in non-traditional housing (such as garages), illegally subdivided living quarters, and multiple households living in one structure.

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*Local officials are better informed about their housing stock, especially in low-income neighborhoods and rural areas where difficult-to-spot or purposely “hidden” living quarters are more prevalent, and can help ensure the accuracy of the MAF and TIGER maps.”* (emphasis added)<sup>60</sup> Ensuring the accuracy of the MAF is difficult not only in New York City and urban areas with high population density, renters,<sup>61</sup> and many foreign-born residents, low-income households, and marginalized communities,<sup>62</sup> but also in rural communities where “extreme low-visibility housing units do not have postal addresses”.<sup>63</sup>

The Census Bureau compiles and continuously updates the MAF and TIGER databases with assistance from the U.S. Postal service; tribal, state, and local governments; satellite imagery; and third-party data providers.<sup>64</sup> The Census Bureau also extends an opportunity to tribal, state, and local governments to partner with the Census Bureau to update the MAF and TIGER databases through the Local Update of Census Addresses Operation (LUCA) program. The LUCA Program is the only way for local and state officials to be involved in the decennial census.<sup>65</sup>

Local and county participation in LUCA is especially important for the 2020 Census because the Census Bureau will not be validating all national residential addresses with in-field canvassing operations as they have in the past, heightening the risk of missing households.<sup>66</sup> LUCA is the only opportunity to verify addresses that the Census Bureau may not. More info on LUCA is found [here](#).

## **Through LUCA, Communities can improve accuracy**

Is your local government ready for the 2020 Census? Now, in late 2017, is the time to press local officials to prepare. The Census Bureau recommends that, “[i]f your government lacks the resources to participate in LUCA, you can arrange for a higher level of government, such as county, or an organization, such as regional planning agency or council of governments, to conduct your review.”<sup>67</sup>

LUCA is especially important in New York to help the Census reach the state’s high number of marginal communities that are often missed. For the 2000 Census, New York City added almost half of the half million addresses submitted through the LUCA program.<sup>68</sup>

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## Why your local government needs to participate in LUCA

According to David Kraiker, a data dissemination specialist at the New York Regional Census Office, many communities try to contest the results of the census after it is over. However, there is no way to recount once the census is complete. LUCA gives communities the ability to contest the census results and challenge an undercount. LUCA participants receive feedback after their submissions, and they can crosscheck their own address records that they compiled for LUCA to the material they received from the Census Bureau. Jurisdictions may also prepare data they have readily available such as tax records for comparison with the LUCA file they will receive from the Census Bureau in February 2018. If they spot errors they can contest the results through the Office of Management and Budget up to six months before Census Day.

Learn about LUCA internship opportunities, requirements, and community participation information [here](#).

Connect to the Cornell University and New York State Data Center project for regional planning councils and local municipalities [here](#). Both websites will be continuously updated.

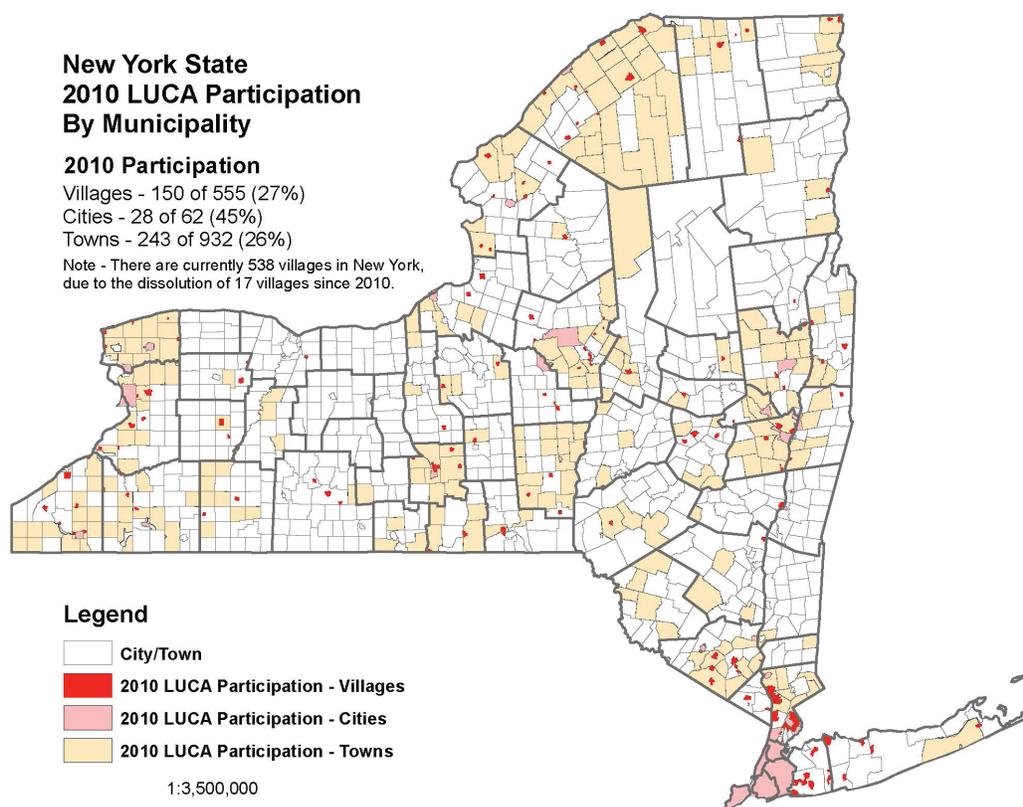
## What You Can Do<sup>69</sup>

If there are concerns that your community officials are not ready for the census, local advocates can have a role in preparing their community:

- Encourage and ensure that your locality accepts the invitation to participate in the 2020 Census LUCA program;
- Ascertain whether your locality has allocated sufficient resources to thoroughly review and update address and map information for your area;
- Help local government identify hard-to-find, converted and hidden housing units (while being sure that strict confidentiality requirements are followed).
- Support efforts to create a state panel to plan for the 2020 census to minimize undercounting throughout the state

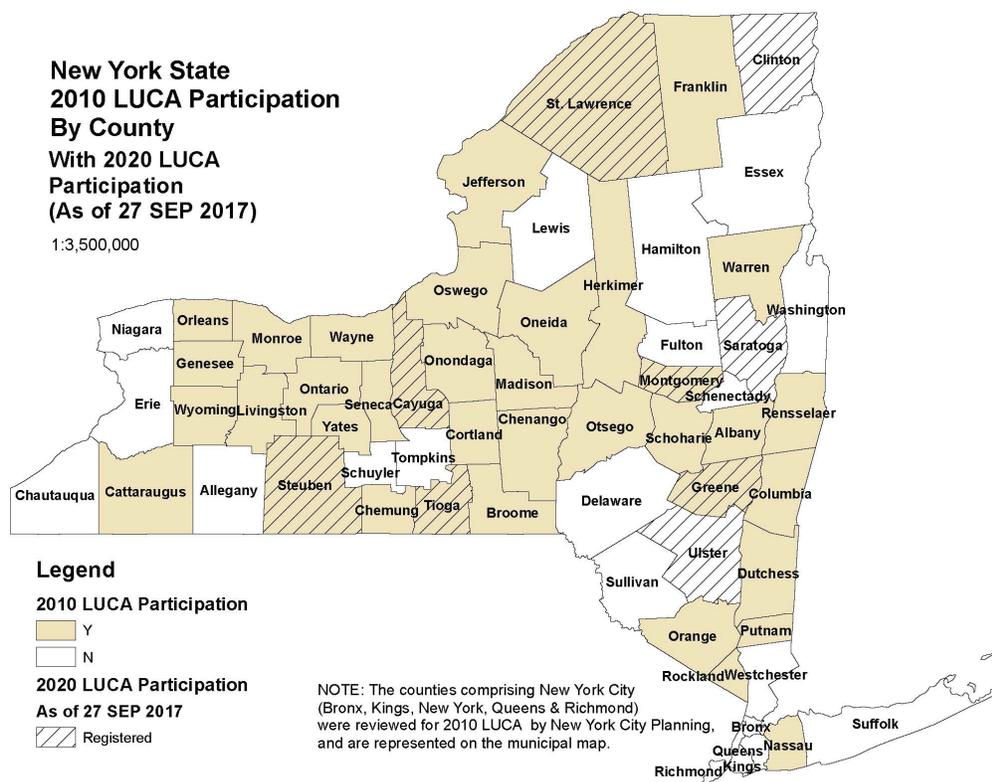
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The following map shows the percent of New York cities, towns and villages that participated in LUCA in 2010. The low level of participation by towns and villages leaves much room for improvement.



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Information recently released by the Census Bureau can help activists, organizations and concerned citizens focus their efforts. The following map shows which counties participated in LUCA in 2010 and which counties have registered to participate in LUCA as of September 27, 2017.



We are concerned that the following counties which contain historically hard to count populations may not participate in 2020 LUCA because they did not participate in LUCA in 2010:

- Erie
- Niagara
- Schenectady
- Suffolk
- Westchester

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Similarly, we are concerned that these counties with agricultural populations which may be hard to count, did not participate in LUCA in 2010 and so may sit out the 2020 LUCA opportunity as well:

- Delaware
- Schuyler
- Tompkins
- Lewis
- Washington

Additionally, because of political turmoil and electoral events in Nassau County, we are concerned that Nassau has not yet indicated that it will be participating in LUCA this cycle.

## **LUCA schedule:**<sup>70</sup>

- July to September, 2017: eligible governments receive LUCA invitations with registration and procedural information. The packets are mailed to the highest elected official (HEO).
- October, 2017: the Census Bureau will begin a series of LUCA workshops to help officials understand the digital tools such as the TIGER spatial database and the MAF.
- Self-training aids and webinars will also be available on the LUCA website for those who cannot attend the workshop events.
- December 15, 2017 is the deadline to register to participate in LUCA.
- February, 2018 to May, 2018: 120 days after registered participating governments receive their LUCA materials, they will begin submitting addresses and spatial updates which can include additions, deletions, and corrections.
- August, 2019 to October, 2019: LUCA participants will be given feedback from the Census Bureau, and they have the opportunity to check their records against MAF

## **What can states & localities do to prepare for the census?**

Fears about the lack of leadership and adequate funding for the Census Bureau has led some cities and states to prepare for the census so they will not have to rely solely on the federal government.

- The New York State Association of Counties (NYSAC) requested \$1.25 million from the state legislature to provide funding for regions, counties, and municipalities that want to participate in LUCA. The request was not included in the 2017-2018 budget.<sup>71</sup> In 2009-2010, the state made \$2 million in grants available to improve participation.<sup>72</sup>

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- Minnesota may be within a few thousand people of keeping or losing one of its congressional seats, so accurate reporting is essential. Governor Mark Dayton would like to hire two more statisticians, but the Republican-controlled legislature believe the statistics office has enough resources as is.<sup>73</sup> Minnesota must count the state's large Native American population - a group that is typically the hardest-to-count in the nation.<sup>74</sup>
- California has taken steps to ensure an accurate count by allocating \$3 million for Census 2020 HTC outreach planning, and \$7 million in grants to local governments to encourage LUCA participation in the 2017-2018 budget.<sup>75</sup> California is the hardest-to-count state in America with a majority-minority population and the highest portion of foreign-born residents.<sup>76</sup> LUCA participation and additional outreach funding to HTC communities is essential for securing California's fair share of federal funding for the next decade.<sup>77</sup>
- Last year, Assemblyman Marcos Crespo introduced a bill to create a panel to plan for the 2020 Census that would include local, state, and nonprofit agencies to assure an accurate count. Supporters of the bill say that undercounts in 2000 and 2010 led to New York's loss of two congressional seats, and projections of another lost seat in 2020. Furthermore, each person not counted costs New York state \$3,054 in lost federal funding.<sup>78</sup> The bill did not pass.<sup>79</sup>

## Conducting a modern census

The 2020 Census is aiming to have a majority of U.S. households (55%)<sup>80</sup> submit their response securely online and over the phone through the Census Enterprise Data Collection and Processing Program (CEDCaP). The goal of CEDCaP is to modernize data collection and reduce the cost of the census.<sup>81</sup> CEDCaP could reduce the cost of the census by \$5 billion to a total cost of \$12.5 billion, if it performed up to the stated goal.<sup>82</sup> The successful implementation of the CEDCaP will require increased funding and rounds of tests before it is complete.

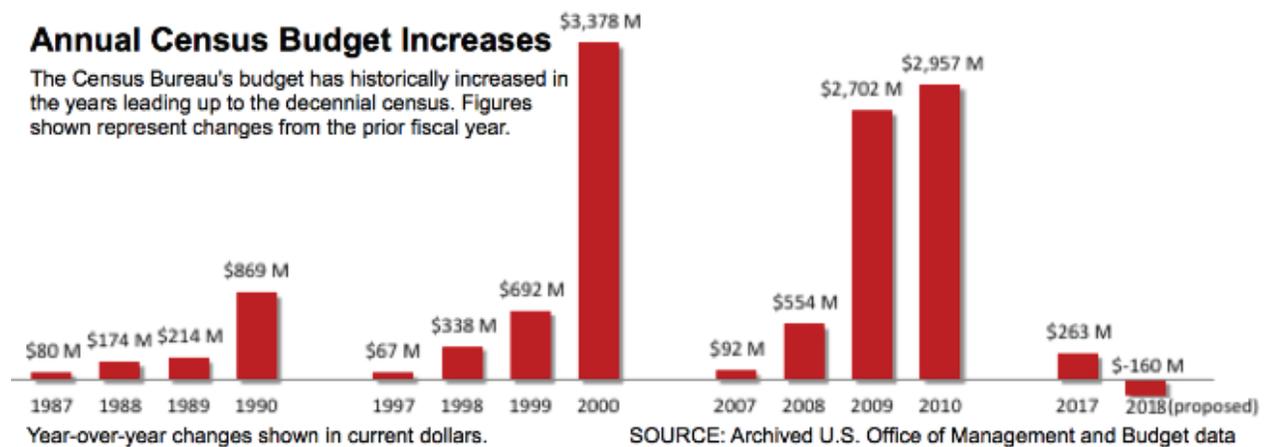
### Barriers to a modern & accurate census

As of May, 2017, CEDCaP is \$309 million over the original cost estimate of \$656 million. The first tests began last year,<sup>83</sup> but inadequate funding led to the cancellation of several planned tests for 2017.<sup>84</sup> Like Like any large and ambitious online technology

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project, CEDCaP can only be implemented if the Bureau has enough time and money to test and refine the technologies and operations. If not, the Bureau will have to use outdated, more costly methods: pen-and-paper surveys, funded by massive emergency appropriations.<sup>85</sup> Using the same methods as the 2010 Census would cost \$17.8 billion.<sup>86</sup>

In February, 2017, the Government Accountability Office added the census to a list of programs at “high risk”.<sup>87</sup> In the past, the Census Bureau has received more funding each year leading up to Census Day to create the groundwork for census operations. The White House’s 2018 budget request of \$1.5 billion for the Bureau is woefully inadequate. Based on prior Census Bureau projections, the 2018 request should be well over \$1.8 billion.<sup>88</sup> The Bureau received about the same amount for 2017 which was \$160 million below the original request. In comparison, the budget increased 60% between 2007 and 2008, and nearly doubled between 1997 and 1998.<sup>89</sup>



Without the money to hire enumerators, marginalized, rural, poor, and/or minority communities, young children, and single-family households are more likely to be undercounted. As of now, in addition, there is not enough money for advertising. In the past advertising was conducted in several languages, increasing the census participation rate, especially for minority communities.<sup>90</sup>

The Census Bureau Director, John Thompson, resigned in May.<sup>91</sup> Thompson hoped that the timing of his resignation would give the Trump Administration enough time to find a replacement. The position remains unfilled. The U.S. Department of Commerce also lacks a political appointee to oversee the Census Bureau.<sup>92</sup> The impact of this neglect threatens the accuracy of the entire census.

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## Conclusion

The decennial census must be accurate to ensure equal and fair representation; the equitable allocation of \$700 billion of federal funds to support education, health, social services, and more; the creation and dissemination of high quality data for policymakers, businesses, and nonprofit organizations; and providing an unparalleled snapshot of America.

The Census Enterprise Data Collection and Processing Program is bringing us closer to a modern and cost-effective census. However, without the Congressional funds and Bureau leadership needed to complete CEDCaP in time, the 2020 Census will be forced to take emergency actions to hire hundreds of thousands of enumerators who will fall back on the old system of paper-and-pen, costing upwards of \$5 billion. If Congress does not allocate the funds, countless Americans won't be counted.

Online and over the phone responses will help millions of Americans but will not be an option for many hard-to-count populations without regular telecommunication or internet access. The current political climate and anti-immigrant rhetoric has further marginalized millions of people who may fear that responding accurately to the census can be used against them.

Activists, community organizations, and everyday citizens all have a part to play in the success of the 2020 Census. It is vital to continue to advocate for adequate federal funding for the Census. Public awareness of the importance of the census will increase the response rate, and working with trusted organizations will create connections to New York's diverse communities for census awareness. Ensuring that local officials are participating in the LUCA program is also an essential and active step towards an accurate census. In localities with municipal elections, the campaign season affords activists an opportunity to question elected officials regarding preparation for, and participation in, LUCA.

The success of the 2020 Census will likely fall to state and local governments as the federal government falters on its commitment to ensure accuracy of the 2020 Census. For the first time in U.S. history, the next census may actually be less accurate than the one before it. To prevent the federal government from renegeing on its Constitutional duty, LUCA participation and building awareness will be essential for every American. The next ten years of political representation, federal funding, quality data, community development, and the enforcement of fundamental rights will be dependent on the initiative of activists, community organizations, and state and local officials. We can ensure that everyone counts.

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