

August 7, 2018

Ms. Jennifer Jessup  
Departmental Paperwork Clearance Officer  
Department of Commerce  
Room 6616  
14th and Constitution Avenue, NW  
Washington, DC 20230

Submitted via <http://www.regulations.gov> (Docket # USBC-2018-0005)  
RE: Comments on Proposed Information Collection on 2020 Census

Dear Ms. Jessup,

On behalf of Common Cause, and our 1.2 million members and supporters, we appreciate the opportunity to provide comments in response to the Census Bureau's *Federal Register* notice on Proposed Information Collection, 83 Fed. Reg. 26643 (June 8, 2018).

Common Cause is a good government watchdog organization with 48 years of experience in forming innovative, pragmatic, and comprehensive pro-democracy policy. As a nonpartisan, grassroots group, we promote solutions that shift power to the people.

Because Common Cause represents a broad set of communities across all 50 states, we are particularly well-positioned to offer perspective on an issue presented for comment in the *Federal Register* notice. The notice states:

The Census Bureau submitted the subjects planned for the 2020 Census to Congress on March 28, 2017, and the questions planned for the 2020 Census on March 29, 2018. The proposed questions for the 2020 Census questionnaire include age, **citizenship**, Hispanic origin, race, relationship, sex, and tenure.

83 Fed. Reg. at 26646 (emphasis added). And the notice invites comment on “[w]hether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility” and on the

“accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information.” 83 Fed. Reg. at 26652-53.

**Common Cause strongly believes that the inclusion of a question on citizenship on the 2020 Census form is unnecessary for the proper performance of the functions of the Census Bureau, will undermine the accuracy of the Census Bureau's count, and will unnecessarily and significantly increase the burden (including hours and cost) of the 2020 Census beyond the agency's estimate.**

The decennial census has a long and infamous history of undercounting communities of color, beginning with the Three-Fifths Compromise. The addition of a citizenship question for blatantly nefarious reasons will continue the tradition of undercounting minorities; silencing voices and votes in the process. Adding a citizenship question will weaponize the census against the communities that need the most support, robbing them of the nearly 800 billion dollars in federal funding that the most vulnerable depend on.

The census is vital to having a representative democracy. In this comment we will discuss how the citizenship question burdens respondents as well as the Census Bureau, and how it contradicts the essential purpose of the Census Bureau to accurately count the American people.

*The addition of a citizenship question on the 2020 Census will result in the systematic exclusion of large communities from being counted.*

It is imperative to the Census Bureau's mission that participants feel safe sharing their personal information and are confident that the census data will not be used to target their family or community. Mistrust of the Census Bureau has the potential to diminish census responsiveness for generations to come. Including the question on citizenship will aggravate existing concerns, ultimately resulting in a significant number of nonresponders.

Unfortunately, the Trump administration's aggressive approach to immigration policy has created a hostile environment for census participants who may be concerned about how the government will leverage census citizenship data. During pretesting of the 2020 Census, Bureau researchers found an “increase in respondents spontaneously expressing concerns about confidentiality” due to anti-immigrant rhetoric expressed by the current administration. Studies have also shown that if a citizenship question is included on the census, nonresidents who do submit responses are more likely to incorrectly classify

themselves as citizens, resulting in inaccurate counts. Removing the question on citizenship, which is causing unrest in immigrant and minority communities, will increase the likelihood that individuals will not only respond to the census, but that they will respond accurately.

*The citizenship question will create obstacles for the Census Bureau and increase the cost of the 2020 Census.*

John Abowd, chief scientist and associate director for research and methodology at the Census Bureau, concluded that the citizenship question will place three main burdens on the bureau. First, increased non-response rates will force the bureau to perform greater numbers of Non-Response Follow-Up (NRFU) visits to the many households that have not filed their census forms. Second, the NRFU visits would cost the Census Bureau an additional \$27.5 million in public funds, creating financial strains and draining funds provided by the American taxpayers. Third, and most importantly, the influx of non-response rates will decrease the accuracy of the census, undermining its primary goal of gathering accurate population data for widespread use.

*A citizenship question on the census survey will undermine the Constitution's census mandate.*

Not only does the citizenship question place burdens on respondents and the Bureau, but its inclusion is contrary to the survey's constitutional purpose. A citizenship question will undermine the Founders' basic and simple instructions for the intended census operation. Article 1, Section 2 of the Constitution clearly states that census should collect an "actual Enumeration" of those living in the United States. Because the question will likely result in an inaccurate enumeration of the American population, its inclusion demonstrates disregard for the census and Census Bureau's founding purpose.

Those who support the addition of a citizenship question claim that states have an interest in collecting exact population data to prohibit discrimination when performing redistricting, as outlined in the Voting Rights Act of 1965. While states have a legitimate interest in enforcing this provision, adding a question on citizenship is an ineffective strategy for doing so. Although citizen voting age population (CVAP) data may be useful in vote dilution cases, in the 53 years that the Department of Justice (DOJ) and private plaintiffs have enforced § 2 of the VRA, they have never tried to obtain CVAP data from the decennial census. That is because such data can be reliably obtained from other sources—without the numerous negative effects of including a citizenship question on the census.

By removing the citizenship question and opting for more efficient strategies of collecting citizenship data, the census will collect higher quality information with greater ease. More efficient strategies for collecting citizenship data are readily available and already in use, such as the American Community Survey, which provides adequate samples of population data and includes a question on citizenship status.

For these reasons Common Cause is adamantly against including a citizenship question on the short form of the 2020 Census. Inclusion of a citizenship question on the 2020 Census form is unnecessary for the proper performance of the functions of the Census Bureau, will undermine the accuracy of the Census Bureau's count, and will unnecessarily and significantly increase the burden (including hours and cost) of the 2020 Census beyond the agency's estimate. Thank you for the opportunity to comment on these issues.

Sincerely,



Karen Hobert Flynn

President of Common Cause on behalf of our 1.2 million members and supporters