

**GETTING COUNTED:  
THE IMPORTANCE  
OF THE CENSUS  
TO STATE AND LOCAL COMMUNITIES  
FIELD HEARING**

---

---

**HEARING**

BEFORE THE  
SUBCOMMITTEE ON CIVIL RIGHTS AND CIVIL  
LIBERTIES

OF THE

**COMMITTEE ON OVERSIGHT  
AND REFORM**

**HOUSE OF REPRESENTATIVES**

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

MAY 28, 2019

**Serial No. 116-30**

Printed for the use of the Committee on Oversight and Reform



Available on: <http://www.govinfo.gov>  
<http://www.oversight.house.gov> or  
<http://www.docs.house.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

COMMITTEE ON OVERSIGHT AND REFORM

ELIJAH E. CUMMINGS, Maryland, *Chairman*

CAROLYN B. MALONEY, New York	JIM JORDAN, Ohio, <i>Ranking Minority Member</i>
ELEANOR HOLMES NORTON, District of Columbia	JUSTIN AMASH, Michigan
WM. LACY CLAY, Missouri	PAUL A. GOSAR, Arizona
STEPHEN F. LYNCH, Massachusetts	VIRGINIA FOXX, North Carolina
JIM COOPER, Tennessee	THOMAS MASSIE, Kentucky
GERALD E. CONNOLLY, Virginia	MARK MEADOWS, North Carolina
RAJA KRISHNAMOORTHY, Illinois	JODY B. HICE, Georgia
JAMIE RASKIN, Maryland	GLENN GROTHMAN, Wisconsin
HARLEY ROUDA, California	JAMES COMER, Kentucky
KATIE HILL, California	MICHAEL CLOUD, Texas
DEBBIE WASSERMAN SCHULTZ, Florida	BOB GIBBS, Ohio
JOHN P. SARBANES, Maryland	RALPH NORMAN, South Carolina
PETER WELCH, Vermont	CLAY HIGGINS, Louisiana
JACKIE SPEIER, California	CHIP ROY, Texas
ROBIN L. KELLY, Illinois	CAROL D. MILLER, West Virginia
MARK DESAULNIER, California	MARK E. GREEN, Tennessee
BRENDA L. LAWRENCE, Michigan	KELLY ARMSTRONG, North Dakota
STACEY E. PLASKETT, Virgin Islands	W. GREGORY STEUBE, Florida
RO KHANNA, California	
JIMMY GOMEZ, California	
ALEXANDRIA OCASIO-CORTEZ, New York	
AYANNA PRESSLEY, Massachusetts	
RASHIDA TLAIB, Michigan	

DAVID RAPALLO, *Staff Director*  
CANDYCE PHOENIX, *Subcommittee Staff Director*  
VALERIE SHEN, *Chief Counsel and Senior Policy Advisor*  
AMY STRATTON, *Clerk*  
CHRISTOPHER HIXON, *Minority Staff Director*  
CONTACT NUMBER: 202-225-5051

---

SUBCOMMITTEE ON CIVIL RIGHTS AND CIVIL LIBERTIES

JAMIE RASKIN, Maryland, *Chairman*

CAROLYN MALONEY, New York	CHIP ROY, Texas, <i>Ranking Minority Member</i>
WM. LACY CLAY, Missouri	JUSTIN AMISH, Michigan
DEBBIE WASSERMAN SCHULTZ, Florida	THOMAS MASSIE, Kentucky
ROBIN KELLY, Illinois	MARK MEADOWS, North Carolina
JIMMY GOMEZ, California	JODY HICE, Georgia
ALEXANDRIA OCASIO-CORTEZ, New York	MICHAEL CLOUD, Texas
ELEANOR HOLMES NORTON, District of Columbia	CAROL MILLER, West Virginia

# C O N T E N T S

Hearing held on May 28, 2019 .....	Page 1
WITNESSES	
Gail Mellow, President, LaGuardia Community College Oral Statement .....	11
Carlos Menchaca, Councilmember, New York City Council Oral Statement .....	12
Julie Menin, Census Director, City of New York Oral Statement .....	14
Joseph Salvo, Chief Demographer, Population Division, NYC Department of City Planning Oral Statement .....	16
Melva Miller, Executive Vice President, Association for a Better New York Oral Statement .....	18
Steven Choi, Executive Director, New York Immigration Coalition Oral Statement .....	20
Marc Morial, President and CEO, National Urban League Oral Statement .....	31
Greta Byrum, Co-Director, New School Digital Equity Laboratory Oral Statement .....	33
Elizabeth OuYang, Civil Rights Attorney, Educator, and Community Advocate Oral Statement .....	35
Jorge Luis Vasquez, Jr., Associate Counsel, Latino Justice PRLDF Oral Statement .....	37
Lurie Daniel Favors, Esq., General Counsel, Center for Law & Social Justice Oral Statement .....	38
Kazi Fouzia, Desis Rising Up and Moving Oral Statement .....	41
<i>Written opening statements and witness' written statements are available at the U.S. House of Representatives Repository: <a href="https://docs.house.gov">https:// docs.house.gov</a>.</i>	

## INDEX OF DOCUMENTS

*The documents entered into the record for this hearing are listed below/  
available at: [https:// docs.house.gov](https://docs.house.gov).*

\* National Association of Latino Elected and Appointed Officials  
(NALEAO) Report and written statement; submitted by Chairman Raskin.



**GETTING COUNTED:  
THE IMPORTANCE  
OF THE CENSUS  
TO STATE AND LOCAL COMMUNITIES  
FIELD HEARING**

---

**Tuesday, May 28, 2019**

HOUSE OF REPRESENTATIVES  
COMMITTEE ON OVERSIGHT AND REFORM  
*Washington, D.C.*

The subcommittee met, pursuant to notice, at 2:17 p.m., in The Little Theater, LaGuardia Community College, 31-10 Thomson Avenue, Long Island City, New York, Hon. Jamie Raskin, (chairman of the subcommittee) presiding.

Present: Representatives Raskin, Maloney, Ocasio-Cortez, and Meeks.

Mr. RASKIN. Good afternoon. The subcommittee will come to order. Without objection, the chair is authorized to declare a recess of the committee at any time.

This hearing is entitled "Getting Counted: The Importance of the Census to State and Local Communities." I want to thank LaGuardia Community College and the people of Long Island, city of New York, for welcoming us here today, and I will now recognize myself for five minutes to give an opening statement.

I want to thank all of you for being here for this exciting and historic meeting of the Civil Rights and Civil Liberties Subcommittee of the Oversight Committee.

I want to extend a special thanks to LaGuardia Community College and to President Gail Mellow for your wonderful hospitality.

This college, which has 57,000 students with roots from all over the world, is a great instrument of educational opportunity and advancement for the young people who come here and it is the perfect place for us to come to publicize the importance of the Census for getting every person counted in America.

So I wanted to also begin by saluting my wonderful colleagues from the New York delegation who are members of this subcommittee: Carolyn Maloney, from the 12th District, which we are in today, and Alexandria Ocasio-Cortez from the 14th District.

Representative Maloney has fought like a tiger for an additional billion dollars for Census outreach in 2020 and she co-founded the House Census Caucus.

Ms. Ocasio-Cortez has been a passionate champion of making sure everyone in New York City and across the United States gets

counted in the Census and counts in the formulation of our public policy.

We will also be joined shortly by Congressman Gregg Meeks of the 5th District of New York, and we are going—I will move upon his arrival to waive him onto the committee today for the purposes of his participating in the proceedings.

So I am a representative from the 8th District of Maryland, which is Montgomery, Frederick, and Carroll County in Maryland, and I want to begin by telling you a story about my youngest daughter, Tabitha, who when she was in 1st grade was involved in a—I guess they were doing their class project about diversity and multiculturalism, and she came home one day and she said, “Dad, in my class we have nine African Americans, seven white people, six Hispanic Americans, five Asian Americans, and three absent Americans.”

Okay. And I said, “Tabitha, you can be any kind of American you want but don’t be an absent American. Be a present American. Be engaged, be active, and stand up,” and I think that will be the theme of our hearing today: how can we make sure that everybody is a present American on the day when the Census is conducted.

How do we make sure everybody, every person in the country, is counted pursuant to the vision of the Founders, which is that every person, whether or not they could vote—because women couldn’t vote when the country started but they were counted in the Census, and children couldn’t vote but they were counted in the Census, and noncitizens could vote in a lot of places if they were property-owning white men noncitizens—but noncitizens, whether or not they could vote, they were counted. The purpose of the Census was to make sure that everybody was counted.

And I want to invoke a Republican president who made America truly great, Abraham Lincoln, who spoke of government of the people, by the people, and for the people, and that has been the tantalizing dream of America.

The Constitution begins with the three magic words “We, the people,” and it flows very quickly into Article I, which grounds the apportionment of the House of Representatives in the decennial enumeration—the actual enumeration of the people.

So the Census is the central and recurring mandate for American constitutional democracy. It is as important to us as elections and it is indeed critical to the success of the electoral process itself.

Now, we have to concede that games have been played with who “the people” are from the very beginning. The infamous three-fifths clause provided that African Americans would be counted only 60 percent for the awarding of U.S. House seats and Federal funding.

Of course, the Northern states argued that African Americans, since they could not vote and could not run for office, should not be counted at all to inflate the size of the Southern House delegations.

The Southern delegations, for these purposes, said that the—that the slave population should be counted 100 percent and it was that controversy that led to the infamous three-fifths compromise.

The politics of the Census and reapportionment have always been controversial and fascinating, and sometimes heated, in our history.

Today, we are embroiled in controversy over the decision to add a citizenship question to the Census outside of the normal administrative process, and if it—if it proceeds in this way, this will be the first time in 60 years that the citizenship question will be part of the whole Census process.

What will the implications of this decision be? Will it have a chilling effect—negative consequences for the accuracy of the Census?

We will try to determine that today through the testimony of our expert witnesses. Census information is used to distribute more than \$675 billion of funding to local, state, county, and tribal governments.

This includes funding for Medicaid, Medicare Part B, the SNAP program, Head Start, highway planning and construction, the Pell Grant program, the national school lunch program.

That is just a small sampling of the 132 Federal programs that rely on Census data for the distribution and allocation of Federal money.

In my home state of Maryland, we received \$234 million in 2015 to support the Maryland Children's Health Program. In 2016, we received \$116 million for the Women, Infant, and Children—WIC—program, and one study found that Maryland received \$16 billion in Federal funding for 55 programs in 2016.

But the Census is not just important for the distribution of Federal funding. It is also critical to how state and local governments make all manner of policy decisions that affect the distribution of funds and the commitment of funds locally, such as deciding whether a neighborhood needs more schools or not, determining where to focus funding for public housing, choosing where to put bus routes and highway transportation and so on.

Local politicians rely on Census data just as Federal programs rely on it as well. So we have to make every effort to prevent an undercount in 2020. The Census has identified hard-to-count communities across America.

They include young children, people of color, low-income households, foreign-born residents, and households with limited or no internet access.

Communities that have been historically under served by our government and are at risk of being under served even more if we don't guarantee that everybody is counted in the Census.

I want to note that some positive strides have been made to modernize the 2020 Census. For the first time, people will be able to complete the Census online.

The Bureau is streamlining and digitizing its address, canvassing and making use of existing government data bases to ensure no one is missed.

But these innovations, obviously, have risks as well. We know there are large segments of the population that have limited internet access both in rural areas and in dense urban cores.

We know that seniors may have less capability to respond and foreign-born residents may have less familiarity with the U.S. Census, and we also know that our rich diverse nation speaks a vast array of languages.

So, in sum, we are having this hearing because there are problems in the Census that we want to try to address. But we also want to use New York as an example of how one local community is getting the word out to its people about the importance of everybody being counted and we want to talk about the public education efforts that are taking place here and can be taking place across the country involving county, city, local governments as well as community-based organizations and advocacy groups to make sure that everyone participates in the Census.

We would like to see similar efforts from every level of government all across the country in 2020.

All right. With that, I am inviting my colleagues to give opening statements of their own and let me acknowledge the arrival of our distinguished colleague, Gregory Meeks, here from New York, and without objection I will move that he be waived onto the committee so he can participate in today's proceedings.

Mrs. Maloney, let us start with you.

Mrs. MALONEY. Well, thank you so very much for being here today, all of you, and I am delighted to welcome my colleague into my district and I especially am grateful to Chairman Raskin for organizing and really permitting this hearing and bringing the subcommittee here to New York, and to Congresswoman Alexandra Ocasio-Cortez for advocating and working incredibly hard to secure this hearing and supporting all of the efforts for a more accurate count for the Census.

And I am very pleased that our new county leader, who is also my colleague and friend from Congress, is here and he will be leading the efforts for the count in the borough—the great borough of Queens. Thank you so much for joining us, too.

And a very, very deep appreciation to Dr. Mellow and the LaGuardia Community College not only for hosting us today but for their incredible work all year long.

As a former teacher, I can tell you after very close observation, Dr. Mellow is one of the most talented and dedicated educators I have ever met and I—one award after another after another after another.

And a true story—every time I went to bat for this school it always won based on merit and based on what the school does, and I want to add my voice to those of the students that we regret that you will be retiring this year.

And I really am so glad that so many of the leaders not only of major organizations and the city are here today with us and I hope that your knowledge and with Julie Menin and the Mayor and others we can come up with a toolkit that we can take back to Congress on how to reach out, how to get everybody counted because we are going to have to rely on ourselves in many instances.

This is a very, very critical time for the Census cycle. Next month the Census forms must be printed. Just over one year from now the forms will start being sent out to every single person living in the United States.

They will be mailed to people's homes, dropped off at senior centers, at other programs. They will be distributed by Census outreach people.



Information will be collected electronically and digitally for the first time and they will have an app where we can look and see how different neighborhoods are progressing or not progressing so that we can get more resources to them.

It is an enormous undertaking. It is the largest peacetime national mobilization by our great country and we have only one chance to get it right.

The requirement as set forth in our Constitution is that every person must be counted. Every single person in the United States, living in the United States, visiting the United States, everyone must be counted. Not just citizens, not just legal residents, but everyone—everyone has got to be counted.

And the witnesses here today are dedicated to making sure that that happens for our city, for our state, and indeed for every community across our country.

The importance of counting every person cannot be overstated. We are all supposed to be counted precisely because we are all in this together.

And, simply put, if you are not counted you are not represented. If you are not counted, then you and your community do not receive the just amount of Federal funding which is due you as a resident of our city.

Census data drives nearly \$73 billion— as in B 09 dollars to New York City and state every single year. That is almost \$2,700 per New Yorker.

This is money for everything from Medicare, Medicaid, infrastructure, children's health insurance, school lunches, heating assistance, and much, much more.

And if we aren't counted then the just amount of money will not come to us, and as New Yorkers we know we are going to provide the services whether the person is counted or not. So we might as well get the money that we need to support them.

States and cities also use Census data for nearly every planning decision they make like projecting where schools should be built, designing transportation routes. If our data are not correct, then our planning and our policies are not correct.

Businesses of every size and in every sector rely on Census data for nearly every strategic decision they make. Whether to open a new store and where, whether to launch a new product or how to advertise and reach people for their businesses.

And probably most importantly, the Census forms the very foundation for our democracy, for our representation. Census numbers determine how many electoral votes and seats in the House of Representatives each state is allotted.

Also, our city representation and our state representation is based on Census numbers.

So, simply put, and I underscore this, if you are not counted you are not represented. So it is the responsibility for everyone to be counted and represented.

Despite the critical importance of an accurate Census count, we have an administration in Washington that seemingly wants to manipulate the count.

They are taking steps that experts agree will result in a severe undercount. They have starved the Census Bureau of much-needed funding. We have fought to increase that funding.

They have installed hyper-partisan operatives in important Census positions that are supposed to be held by experts and professionals, and they have chosen to really sow fear and distrust through adding an unnecessary question on the Census form on citizenship.

So far, three Federal judges in New York, in Maryland, and California have unanimously ruled that adding this citizenship question violates Federal law and the Constitution, or both.

Judge Furman in the Southern District of New York even cited Appellate Court decisions, saying Federal agencies and departments cannot disregard Federal law when making decisions, and all three judges ruled that adding a citizenship question would violate the Administrative Procedures Act.

If Commerce Secretary Wilbur Ross genuinely wanted to gather more information about U.S. citizens, he would have tried to get this information from government records.

Instead, he went straight to adding the citizenship question. It is why I believe that this is not only a violation of Federal law but also a deliberate attempt to suppress participation.

Everyone agrees that a citizenship question will depress turnout, including six former Census directors who were both Republican and Democratic, and also the current chief scientist for the Census Bureau, who estimates that adding this question will decrease participation by at least 5.8 percent, which is, roughly, 6 million people—roughly, the size of the state of Rhode Island.

The administration's appeal has gone up to the courts and we will see. I say that the—that this is—I want to make clear that we cannot rely on this administration to do what is best for an accurate count.

Once again, New Yorkers must lead when the Federal Government has not been fair to us and we, as a community, have to rely on ourselves to fight for an accurate Census.

We have already begun to combat this sabotage and ensure that every person in this country is counted next year, especially for New York.

Congress, of course, also has a responsibility to protect the Census. So in January I introduced H.R. 732, the 2020 Census Idea Act, which would protect the integrity of the Census by prohibiting any question that hasn't been thoroughly tested and researched for a period of three years prior to the Census day, which is required by law and laid out already in the Administrative Procedures Act.

Passing this legislation would remove the citizenship question from the Census once and for all and block future attempts to illegitimately undermine the count.

We are fighting against a coordinated effort to rig our democracy for the next decade. The numbers that come in on this count will be the numbers that we will use for everything for the next 10 years.

So the real work in preventing that unthinkable outcome will be done at the community level by our dedicated witnesses here today.

I particularly want to thank the Mayor and the Governor and the New York state legislature for setting aside a combined allotment of \$46 million to support community-based Census outreach.

All experts say this is one of the best ways to address an undercount or to prevent one.

I look forward to hearing from all of our witnesses and my colleagues in government and representatives of government and education and the city about how we can safeguard our Census and ensure an accurate count.

And I yield back and, again, Jamie, I am deeply, deeply grateful for your bringing a subcommittee to our—my district. I am very honored to be able to do this and it is only because of you. So thank you.

Mr. RASKIN. Mrs. Maloney, thank you so much for your wonderful opening statement and for blowing the whistle on efforts to undermine the integrity and accuracy of the Census count in 2020 and we thank you for your hospitality in bringing us here.

Your neighbor is here, Congresswoman Alexandria Ocasio-Cortez, who represents the 12th District—is that right?

Ms. OCASIO-CORTEZ. Fourteenth.

Mr. RASKIN. The 14th. You are the 12th.

Ms. OCASIO-CORTEZ. She is the—right.

Mr. RASKIN. You are the 14th District and we are so delighted to have you here as the representative of the neighboring district and also as the vice chair of the committee.

I yield to you.

Ms. OCASIO-CORTEZ. Thank you. Thank you so much, Chairman Raskin. Thank you for bringing a congressional hearing outside of the actual halls of Congress and into the communities that we seek to serve.

I think it is a—one of those routine practices that we do that we don't appreciate how radical it actually is, and I am grateful for it and grateful to have a hearing on an issue that is going to impact our community, that is going to impact New York City, that is going to impact the entirety of the United States.

And, you know, I would like to thank my colleague, Congresswoman Maloney, for leading on this issue for so very long, and my colleague, Congressman Meeks, for joining us today to amplify the importance of this issue.

I think sometimes speaking of radicalism we don't fully appreciate how radical our Founding Fathers were, and although we had incorporated gross injustices in the original founding that you alluded to in the three-fifths compromise, but I think that the idea, the notion, that every single person who rests, who has their feet on the ground of the United States, in the land of the United States of America is to be counted, and that is written into our Constitution.

Rich or poor, documented or undocumented, land owning or not, whether you have been convicted of a crime, whether you have food on your table, no matter who you are you count and you should be counted in the United States of America.

And it is an incredibly radical principle and we correct for it and we continue to make our efforts to correct for the original injustices to meet that original ideal at the same time.

And I think that what the Census is about is really about choosing to count everybody. But it is important, and I think what this hearing is about, is how we administer the Census determines who gets counted.

Everyone is supposed to be counted. But not everyone does get counted, and that leads to certain communities having their schools underfunded, having their infrastructure underfunded, and ensuring that some communities don't get also the health care that they need.

So we need to make sure that this hearing is not just about next year's Census but also the Censuses to come, and I think there are some core questions that we have.

How we make an effort and how we organize to make sure that immigrant communities are counted, that low-income communities are counted, and also how incarcerated communities are counted as well can also contribute to compounding injustices.

So I am greatly looking forward to our hearing. I am greatly looking forward to hearing from our expert witnesses and also from our community to see how we can be a more perfect union, particularly in the administration of our Census.

Thank you very much.

Mr. RASKIN. Thank you for your wonderful opening statement, and now, Mr. Meeks, we have been delighted to waive you on to the subcommittee for the purposes of participating in today's hearing.

I congratulate you on your—I understand you have ascended to the county chairmanship. Is that right?

Mr. MEEKS. Yes.

Mr. RASKIN. According to Mrs. Maloney. So congratulations on that. Thank you for being such a great leader for the people of New York and in Congress.

I yield to you now.

Mr. MEEKS. Thank you, Mr. Chairman, and thank you for your focus, your dedication, your consistency, your tenacity to try to make sure that this issue is raised all across the United States of America.

It is tremendously important, and I am delighted to join both of my colleagues, Carolyn Maloney and Alexandria Cortez-Ocasio—Ocasio-Cortez—because of their advocacy.

Carolyn has been doing it for a long period of time. Carolyn has inspired us to make sure that we are staying focused on issues that are of prime importance to our city, state, and nation, and I want to thank you for your consistency here.

And Alexandria has really stepped up to the plate from the very beginning, from day one that she walked into the U.S. House of Representatives, bringing issues and talking truth to power, stirring things up, and making a difference and staying focused on what is important to her, which is what being an elected official is all about—being true to thyself.

And so I thank you for the energy and the education that you are bringing forth in Washington, DC.

I am going to be very brief, because—and the reason why I wanted to make sure that I was here today is probably the most important time in the history of the United States of America since the

passing of the Voting Rights Act and the Civil Rights Act of 1963, 1964, 1965.

That is what is at stake here. And given the gravity of the scenario, because we know that Wilbur Ross is looking and straining to find a reason to add this statement about citizenship really has no merit.

Justice Kagan said you cannot read the evidence without coming to the conclusion that Secretary Ross was shopping for a need of the question, so that is not even an issue.

But I have deep concerns that, because it probably will end up in the Supreme Court of the United States. Our history has shown that sometimes you can depend upon the Supreme Court and sometimes you can't.

People forget. If you take the history particularly in relationship to African Americans, it was Supreme Court decisions that caused us to have segregation and Jim Crowism for almost a century. Made it legal, and there was voices that were silent at the time.

So we should be wide awake today because when you look at the hijacked Supreme Court, and I say it is hijacked because remember there was a justice that was held and prevented from taking the bench for over a year—

Mr. RASKIN. That is my constituent, Mr. Meeks—

[Laughter.]

Mr. MEEKS. That is right. So we can't forget what we are dealing with here. And so I think that we go and start from the bases and the presumption that can be rebutted, but I go from the presumption that the Supreme Court is not going to rule the way that I want them to rule.

So, therefore, the power really rests with the people. It is us that have to get into the streets and make sure, irrespective of what they are trying to do, we are going to make sure that everybody is counted.

And that is why I am delighted to have these witnesses, and I give a special shout out to Melva Miller, who comes from the 5th congressional District. But it is every one of us.

If there is anything that is more—there should not be one other thing that is more uniting to those of us in New York than being sure that everybody is counted in New York.

And this is true if you are a New Yorker and a Republican because this will affect your constituents. It will affect Republicans and Democrats and independents. It will affect both business and labor.

It will affect the rich and the poor. It will affect black, white, Asian, Hispanic. It will affect every human being in our city. It should unite us so that we are focused to saying no matter what you do, Mr. President—no matter what you do, Supreme Court, we are going to come together to make sure that justice and liberty continues in our land because we are going to knock on every door with people and get everybody counted.

So I close just saying by this—by saying this. You know, when I was growing up there was a group that always talked about power to the people.

The power does rest with the people, and we are going to show—that is what our mission should be—everybody in this room, every-

body that is listening to our voice, everybody that is watching television, everybody in this city and in this borough—that the people ultimately have the power and we will show that power by making sure that everyone is counted even though they are trying to stack the decks against us.

Let us get out there and win. I look forward to hearing from our witnesses, and I yield back.

Mr. RASKIN. Mr. Meeks, thank you very much for your opening statement. And just before I introduce our distinguished first panel here, I want to make just a couple remarks.

One is that the House of Representatives is involved in litigation relating to the citizenship question and so we don't want to do anything to impair the progress of that case. So, you know, we have made our opening statements but we are going to try to veer away from the specifics of the case and talk generally about the Census. You can talk about the citizenship question if you want to.

But we are not going to talk about the specific state of the litigation, which our lawyers have asked us not to do.

The second point I want to make, picking up on something Mr. Meeks just said, is that this is a—not a partisan issue. It is transpartisan or nonpartisan or multipartisan. It affects people not on a partisan basis.

It affects people on a geographic basis, because if there is an undercount in our community, if there is an undercount in your state, you are hurt regardless of what your partisan affiliation is.

And, finally, I just want to say, picking up on something I think that all of my colleagues have said, that this is the Census where it is not going to be enough, if ever it was, but certainly it is not going to be enough to rely on the Federal Government. We are going to need every level of government involved.

And just like we encourage people to go out and register to vote and just like we tell people to go participate to vote, we got to tell people to go participate in the Census and to make sure that they get counted.

Okay. So who is with us today? We have got the pivotal actors in New York. All of my colleagues seem to know everybody who is here. I haven't met anybody yet.

But I am impressed by everybody's CV. So I am going to just read through very quickly who they are. Their bios are available for anybody here or the press who wants to see them.

And we will go in this order. First, it will be Gail Mellow, who is the aforementioned president of LaGuardia Community College; Carlos Menchaca, council member from New York City Council. Am I pronouncing that correctly?

Mr. MENCHACA. Yes.

Mr. RASKIN. Julie Menin is the Census Director for the city, and thank you for joining us. Joseph Salvo is the Director of the Population Division for the New York City Department of City Planning. He is the Chief Demographer for the city of New York.

Melva Miller is the executive vice president of the Association for a Better New York and Steven Choi is the executive director of the New York Immigration Coalition.

Please welcome all of them, if you would, for participating today.  
[Applause.]

Mr. RASKIN. We have a tiny little timer in front, which is—we may have brought from Washington with us.

[Laughter.]

Mr. RASKIN. That is—that is—it tells you you have got five minutes and it goes off, and just like we get cutoff at five minutes, you guys have the privilege of being cutoff at five minutes today.

So, Ms. Mellow, we begin with you.

**STATEMENT OF GAIL MELLOW, PRESIDENT, LAGUARDIA  
COMMUNITY COLLEGE**

Ms. MELLOW. Well, it is such a pleasure and an honor to have Members of Congress here at LaGuardia Community College. On behalf of our over 50,000 students, faculty, and staff I want to welcome you.

We are honored to host you and I especially have to thank our amazing fantastic representative, Congresswoman Carolyn Maloney, and our newer—newest Congresswoman, Congresswoman Ocasio-Cortez, and our county leader, Congressman Gregory Meeks, who you just were here recently.

So it is great to hold this meeting at LaGuardia Community. It is interesting and appropriate because of what is unique and gorgeous about America is here at our community college and at any community college in the country.

As a community of students and scholars, we really live up to our motto, which is "dare to do more", and because we are located in Queens I always say we're lucky, not smart—that we have the most, arguably—the most diverse community college in the country. Students from over 160 countries; they speak more than 96 different languages.

When you enter our classrooms you will talk to people from Ecuador and Colombia and China and Bangladesh, and from these other foreign sort of states—Staten Island, the Bronx, Buffalo—those are all here.

[Laughter.]

Ms. MELLOW. It is unprecedented in the history of the world to see this kind of collection of humanity—thank you—this collection of humanity at a single college, and what happens is it fuels us.

It fuels the creative entrepreneurial aspect of everyone who is here and community college students go on to be nurses and teachers and accountants and small business owners as well as medical doctors and cybersecurity professionals.

Our work here really provides America what it needs to grow the next generation of employees and informed citizens of a democracy.

So I speak only from the perspective of a community college president, not an expert on the Census. But I have three recommendations for your consideration.

One, and first, is do no harm. The Census has to achieve its primary objective of obtaining an accurate count of all people living for all the ways you have just spoken about.

It is a snapshot in time. But we have to ensure that we do not adopt approaches that will undermine our ability to gain an accurate account.

It has to be carefully crafted and tested and disseminated in a way that reassures Census takers as well as communities like my

community of students who have historically come from under represented communities that it is a good thing to fill out the Census and that it is something we want to do. It is a privilege to do as people living in America.

So making a priority of an accurate and comprehensive count has got to be what we dedicate ourselves to and what I want to personally dedicate myself to as president of this college.

The second is to really—you have to empower communities. We know that access to information and the willingness to use that information to complete government forms is not equal across all communities and we can all imagine many groups—rural residents, homeless, recent immigrants—who might be hesitant at filling out a government form.

Yet, government resources have been, in New York City, I think, have to continue to be mobilized so that we have that comprehensive and accurate count.

And therefore, you must know your community partners. You must engage deeply with the community and be able to include those community partners so that the messengers about “this is a good thing to do” are really connected.

And the last thing, and you will see a bias here, is that if you tap community colleges you will get those things. You will get them across the country. You will get them here in Queens.

Our students are ready and willing and actually often under employed and therefore able to really help create an accurate Census. They are individuals who speak the languages across this great borough.

They understand and live in these communities and they understand the religious institutions, the human services, the housing organizations, the libraries.

They are throughout this community and what can happen with the Census, particularly nationally, if we partner with community colleges, which are—there is one in every congressional district in this country and they educate most, more than half of all students in America.

You will be able to create an accurate Census. So use us.

Thank you very much for allowing my testimony.

Mr. RASKIN. Thank you very much.

Councilmember Menchaca, you are recognized for five minutes.

**STATEMENT OF CARLOS MENCHACA, COUNCIL MEMBER, NEW YORK CITY COUNCIL**

Mr. MENCHACA. Thank you so much, and

[Speaking foreign language.] everyone. My name is Carlos Menchaca and I am the immigration chair and also come here not just as a city council member representing District 38 in Brooklyn but also as the Co-Chair on the Council’s 2020 Census Task Force.

And I want to thank Chair Raskin and the rest of the subcommittee for being here today to continue this very important discussion. We need a well-funded and well-executed Federal Census operation free from political interference. This is vital.

Now, so much is at stake here. The Census determines how the Federal Government allocates more than \$700 billion for vital pro-



grams like Medicaid, Section 8, SNAP, Title I, education grants, and more.

In Fiscal Year 2016, New York State received about \$73 billion of that money. New York City's \$90.6 billion Fiscal Year 2019 budget included about \$8.2 billion in Federal funds.

To give just one example of the local impact right here in Queens, there were 297,159 SNAP beneficiaries whose combined benefits totaled \$518.7 million. That is half of a billion dollars coming in one borough in New York City in 2018, just for SNAP benefits alone.

The Census also determines political representation and New York is at risk of losing up to two congressional seats. The White House is no friend and the administration—Federal administration is no friend to New York and we need congressional delegation—like folks like you who are fighting every day for us up in—or down in Washington.

New York City faces challenges in getting the full count out and that is what I am here to talk a little bit about. The city has high concentrations of historically hard-to-count populations, including people of color, immigrants, renters, and people with limited English proficiency.

More than half of the Bronx and Brooklyn and Queens residents live in so-called hard-to-count neighborhoods where the self-response rate was below 73 percent in the last Census.

Numerous neighborhoods in Manhattan and Staten Island face challenges as well. In 2000 and 2010 Censuses, the reports—the response rates in New York City were well below the national response rates of 67 and 74 percent, respectively.

In 2010, then Mayor Bloomberg's administration estimated that we suffered an undercount of one to 2.6 percent of the population, or up to 225,000 people.

The city is home to 3.1 million immigrants. That is nearly 40 percent of the population of the city and that is 44 percent of the work force. The potential inclusion of the citizenship question, and you know and we all have to say it every time we get the opportunity, is a direct attack on the city and what we believe in.

A resulting undercount would run contrary to the Census constitutional mandate, and you have all spoken very eloquently about that.

And then, finally, the Census is bringing an online component, not just online but less resources to get the word out. For the first time this poses a unique challenge as residents of Queens and Brooklyn and the Bronx have less internet access than the state-wide average.

And these are the things that we are thinking and posing as we think about. While the City Council here in New York is committed to ensuring that we get a complete count, our Census Task Force is mobilizing councilmembers to work exclusively with their CBOs in their neighborhoods that they know and trust to get the word out to get these undercounted populations connected, and we are partnering with the mayoral agencies and the Federal Census Bureau and the Census 2020 Counts Coalition and the Association for a Better New York and the Ford Foundation and so many others to get this right.

The Census is also a major job opportunity and that is what a lot of the council members are thinking about—how do we get our people in our neighborhoods hired.

Well, we need to make sure that the Census enumerators go to New Yorkers in our neighborhoods to reflect the communities that they want to get counted. That requires us to have multi-language multilingual people at the doors talking to our New Yorkers.

With these jobs we are calling on the Federal Government to allow noncitizens to be eligible for these jobs. And so I know you have all called for it but we need to ensure that we can get that okay.

The Bush and the Obama Administrations both did this in 2000 and 2010. We deserve that as well.

Now, the Census faces grave challenges and I am not sure yet that we are ready as a city. I am not. When you look at \$150 million that was put in in California and we have just—we are still negotiating money right now, it just begs us to think on how we can look together to join forces to bring more money.

And we are in the middle of a congressional—council negotiation. I ask that you join us in this effort to bring more money. Twenty-six million is not enough that the city is putting in right now.

Thank you so much.

Mr. RASKIN. Thank you very much.

We are going to turn now to Julie Menin, and let me just remind all the witnesses please speak directly in your microphone because we are live casting this so everybody across the country can hear from you.

So please lean in, Ms. Menin, and five minutes is yours.

**STATEMENT OF JULIE MENIN, CENSUS DIRECTOR, CITY OF  
NEW YORK**

Ms. MENIN. Thank you so much, Chairman Raskin, and I also want to thank members of the committee, Congresswomen Maloney, Ocasio-Cortez, and Congress Member Meeks.

I think we can all agree that the Census is among the most important issues facing our Nation. So I serve as both the New York City Census Director and also as Executive Assistant Corporation Counsel at the City Law Department.

Given that the decennial Census determines so many critical matters, from the apportionment of congressional seats to how Federal funds for vital programs are distributed fairly across the country, ensuring a complete and accurate count of who we are and where we are is the very foundation of our democracy.

As such, any threats to this foundation must be taken seriously. While we, of course, honor the good work of many of the dedicated public servants of the U.S. Census Bureau, who we know are committed to ensuring a complete and accurate count, we also know that the integrity of such a count is under threat as a result of the White House and Secretary Ross's flagrant attempt to frighten immigrant communities into not participating in the Census with the potential inclusion of the citizenship question.

The de Blasio administration, along with our many partners from advocates to elected officials to community and faith-based leaders, stands ready to meet this threat head on, which is why the Mayor

has proposed an investment of an unprecedented \$26 million in outreach, organizing, and public awareness efforts.

As New Yorkers, we will not be intimidated while performing our civic duties and exercising our civil rights. Simply put, we will not allow the Trump administration to use its constitutional obligation to count us as a tool to harm us.

To that end, I really want to thank the committee for holding this hearing. As members of the subcommittee can appreciate, counting all of New York City's 8.5 million residents can be an arduous and complex task at best.

The high concentration of apartment buildings, the prevalence of new or transient populations, as well as the rich diversity of our population with close to 40 percent of our residents being foreign born and more than 200 languages spoken all make New York City an incredibly unique place.

It should, therefore, come as no surprise that the city has historically been undercounted relative to the rest of the United States.

In fact, in 2010, the average self-response rate in New York City was 61.9 percent while the national average was 76 percent. Among both native-born African-American and foreign-born black communities as well as Orthodox Jewish communities across, I might add, socioeconomic lines, the self-response rates hovered at just 50 percent, demonstrating that there are many communities that have not felt empowered to participate in this critically important function.

Children are also frequently undercounted. In fact, children under the age of five have the highest net undercount rate compared to any other age group.

Some Census Bureau estimates suggest that as many as 2 million children in this category or, literally, one out of every 10 children under five nationwide were not counted in the 2010 Census.

For states like New York, which, according to population change estimates, could lose up to two congressional seats following the 2020 Census, having a complete and accurate count is critical to ensuring that we continue to maintain our fair share of political representation at every level of government.

Emphasizing this message to all New Yorkers is a key part of our strategy in engaging New Yorkers to participate. I know a lot has been said about the Federal funds that have been allocated so I will be very brief on that.

As Congresswoman Maloney mentioned, \$73 billion go directly to New York State for everything from public education, public housing, senior centers, Medicaid, Head Start.

So given all that is at stake, we are actively preparing to confront the challenges that we face in terms of ensuring a complete and accurate count.

As we all know, the mere specter of the possible inclusion of a citizenship question has already begun to cause fear and spread misinformation, rattling communities from coast to coast.

Several cities and States including New York City remain a plaintiff on the citizenship litigation. The Mayor, our administration, and all of our partners stand ready to combat the fear and misinformation tied to this question should it be included.

We are also committed to doing all that we can to ensure that all New Yorkers participate in the Census despite the White House's attempt to sow confusion and fear among communities we represent.

The potential inclusion of the question, however worrisome, is just one of several challenges that we face. In a further effort to discourage full participation, the Trump administration has also significantly underfunded Census planning, outreach, and public engagement.

I want to thank members of the committee who have worked very hard to counteract that. Additionally, while we believe that the Census being online for the first time presents key opportunities in terms of accessibility for many, given that approximately one in three households in New York City lacks a broadband connection, we are concerned about the ability for all households in our city to easily participate in the Census.

These households frequently appear in low-income areas and often overlap with hard-to-count communities. For context, one-third of our city's population is equivalent to the size of Houston.

One can imagine the severe undercount that could occur should these households be expected to fill the Census out online when not having internet access.

We have further concerns pertaining to potentially not receiving important information sufficiently in advance from the Census Bureau.

Next March, 80 percent of households will receive a letter in the mail from the Bureau directing them to complete the form online while the remaining 20 percent will receive the traditional paper version.

At this moment, it is unknown to us which Census tracks in New York City will be directed to the online form and which will receive the traditional paper form.

This information is critical for us to know in advance as it will help us determine which communities we need to be working directly with to ensure that they are participating in the Census as easily as possible.

I see I am out of time so I will stop.

Mr. RASKIN. Well, I am sure we will come to you for questions.

Ms. MENIN. Great. Thank you.

Mr. RASKIN. Thank you, Ms. Menin.

Mr. Salvo, to you for five minutes.

**STATEMENT OF JOSEPH SALVO, CHIEF DEMOGRAPHER, POPULATION DIVISION, NYC DEPARTMENT OF CITY PLANNING**

Mr. SALVO. Good afternoon, Chairman Raskin, members of the Subcommittee on Civil Rights and Civil Liberties.

My name is Joseph Salvo and I am the Chief Demographer for New York City on behalf of Mayor Bill de Blasio. I am pleased to testify before your subcommittee today to discuss the profound impact that the accuracy of the Census counting would have on New York City.

Let me begin by saying self-response is the gold standard in the decennial Census. The past has shown us that self-response is the most accurate and efficient way to collect data in the Census and

a decrease in self-response gives rise to numerous issues regarding Census counts and data quality.

Therefore, encouraging self-response is the best way to ensure an accurate count. When communities fail to self-respond they are subject to the Census Bureau's nonresponse, or NRFU, followup operations, all of which contain error in various forms.

For example, the Census Bureau imputes characteristics of persons who fail to respond or fail to respond even in nonresponse followup. In other words, they just fail to respond.

This is what happened in areas of central Brooklyn in 2010 when the Census Bureau engaged in what is called large-scale imputation of data for persons in households. As many as one in six persons in Census tracts and communities in and around Brownsville, east New York, and Canarsie were imputed, meaning that they had—they had to have their data created by a statistical algorithm based on the characteristics of their neighbors.

While these statistical algorithms have come a long way, it is a maxim in statistical science that populations which fail to respond are inherently different from those that do respond, leading to errors in the characteristics data and to wholesale inaccuracy in population counts.

I would like to present you with a couple of examples on the ground for how the local government, my division, uses Census data and talk about what happens if a decennial Census fails to produce accurate counts of the population.

It is important to say at the outset that the Census is more than a simple count. It also contains other information that allows us to engage, as Congressman Meeks referred to, into—engage in intelligent planning.

Let us begin with the dissemination of Census data to the Department of Health and Mental Hygiene, or DOHMH. The data forms a basis for their calculation of rates.

In 2010, problems in NRFU—nonresponse followup—in Astoria, in northwest Queens, and in the corridor from Bay Ridge to Graves End on the southern perimeter of Brooklyn led to an undercount of population, especially among young children, making the calculation of rates of disease suspect.

DOHMH was unable to use the data in many of these neighborhoods. We were required to adjust for undercount to allow DOHMH to make a proper assessment of public health risks.

We regularly provide data in consultation to New York City Department of Education. The DOE relies on our analysis of recent changes in the composition of population in neighborhoods to inform decisions on how to change the zones around schools.

Are there new entrants to these neighborhoods? What about the characteristics of the population? How are those characteristics changing, especially regarding the number of children?

We use data from the ACS, American Community Survey, in order to inform their decisions on boundary changes. And then our population that is 65 and over, as everyone knows, is projected to grow substantially.

As part of the age-friendly New York initiative, a partnership between the city of New York and the New York Academy of Medicine, as something that is underway in an effort at the neighbor-

hood level to project the population 65 and over but in order to create these programs and provide services going forward we need to know how many people are likely to be in these neighborhoods in the coming years.

Finally, New York City relies on demographic data from the Census and the ACS to make determinations about vulnerable populations in coastal flood zones around the city, pre and post Sandy.

Key to this effort are estimates of persons with mobility limitations and other disabilities, especially older populations requiring special assistance.

Our teams at the New York City Emergency—at New York City Emergency Management evaluate these numbers on a continuous basis.

I believe these examples of how New York City uses Census data puts into clear perspective why we cannot afford a failed Census, which can happen if the nonresponse followup door opens too wide.

Now, I hope the citizenship question doesn't make it to the questionnaire but I believe that a lot of damage has already been done. Unfortunately, the Census Bureau may be ill equipped to deal with these problems because of cuts in the staff for nonresponse followup.

So this is my fourth decennial Census and I could say without hesitation that outreach in the interest of promoting self-response has never been more important than it is in the 2020 Census.

Motivating all New Yorkers to stand up for who they are and to understand at a personal basis what is at stake is the goal of the outreach plan.

I want to thank you for the opportunity today to testify and I would be happy to answer any questions.

Mr. RASKIN. All right. Thank you for your excellent testimony.

We come now to you, Ms. Miller, for five minutes.

**STATEMENT OF MELVA MILLER, EXECUTIVE VICE PRESIDENT,  
ASSOCIATION FOR A BETTER NEW YORK**

Ms. MILLER. Thank you.

Good afternoon, and I would like to thank the committee for allowing me to testify today.

My name is Melva Miller and I am the executive vice president at the Association for a Better New York, a business and civic organization that for nearly 50 years has advocated for the policies and initiatives that make New York City a better place to live, work, and play.

On behalf of our members, I am here to represent our deep commitment to obtaining an accurate Census count in 2020.

Now, as already discussed today, there is a lot at risk. Here in New York City, we recognize that the challenges we face in 2020 requires a series of coordinated efforts not seen in years past—an all hands on deck response.

To that end, there has been some clear leadership that has emerged to ensure the highest possible participation rate and that can serve as a model for other cities.

You have heard about some of these already from City Hall, the City Council, our five borough presidents, philanthropy, and New York Counts 2020 that you will hear from in a minute, and, of

course, our New York congressional delegation has been with us every step of the way.

And then there is ABNY, the Association for a Better New York. We entered the effort for one reason: to support the work that was just mentioned. We are here to achieve three simple goals.

One, maximize the self-response rate in 2020; two, help New Yorkers complete the Census form; and three, work to ensure that the confidentiality and private protections under Title 13 while exploring local protections that can augment these Federal laws.

The ABNY Census 2020 work is based on the understanding that our role is simply to support and supplement the work that is being done by the Census Bureau, the state of New York, the city of New York, and the advocacy and organizing work from New York Counts 2020 in coordination with all of the Census 2020 stakeholders.

We see that there are three unique opportunities for ABNY. One, help provide a coordinated Census effort for New York City; two, organize, facilitate, and support a Census campaign for nontraditional Census actors, and I will talk about that in a minute; and three, provide support and resources to community-based nonprofit organizations.

A coordinated Census 2020 effort for New York City is essential to maximize resources and assess to the most up-to-date and accurate information and include activities like working together to understand the gaps in resources of the effort, working from one Census operational time line to ensure that we are hitting important benchmarks and doing the work necessary to reach those milestones, making sure that we all mobilize our external networks for the cause, and simply meeting regularly to share information and best practices.

The second unique opportunity is maximizing the participation of nontraditional sectors like labor, health care, and the business community.

Many segments of the population have been more difficult to count including young children, urban areas, immigrants, and communities of colors, and these sectors have a unique ability to reach these hard-to-count individuals and efficiently communicate with those who are hesitant to respond.

Members of New York's strongest unions represent our most vulnerable communities. Businesses interact with these populations as employees and customers, and health care institutions are located in the communities where we need to reach our most vulnerable populations.

And why should these sectors care? The business sector uses Census data to make decisions about what products to make, who to make them for, where to make them, and how to sell them.

These strategic operational decisions are based on the highest quality of data and billions of dollars and thousands of jobs are at stake.

Now more than ever businesses must reflect a changing America and requires the best possible data to make those decisions.

An inclusive Census count is also important for organized labor because historically union membership has been comprised of the most marginalized members in our society—the same individuals

who are at risk of losing funding and political power if undercounted.

Labor can help get a complete count in 2020 by leveraging with diverse partners and commit to ensuring members and their families participate and activate for an accurate Census.

And how does a fair and accurate Census benefit health care sector? Health care providers, health insurance companies, government agencies, and beneficiaries need accurate information to make decisions regarding health-related products and services that they provide and utilize.

An inaccurate measurement of U.S. population and its characteristics could deprive the health care sector of vital resources needed to ensure in its meeting each community's needs.

In addition, hospitals and medical facilities that service our most vulnerable populations rely on hundreds of billions of dollars in Federal funding.

I see that I am out of time.

Mr. RASKIN. Thank you very much and for your self-discipline. I appreciate it.

[Laughter.]

Mr. RASKIN. And Mr. Choi, you are up for five minutes.

**STATEMENT OF STEVEN CHOI, EXECUTIVE DIRECTOR, NEW YORK IMMIGRATION COALITION**

Mr. CHOI. Good afternoon. Thank you, Chairman Raskin and the members of the committee, for holding this hearing. Thank you to Congresswoman Maloney and also to Congress Members Ocasio-Cortez and Meeks for your leadership around the Census.

My name is Steven Choi. I am the Executive Director of the New York Immigration Coalition, which serves as the convener for New York Counts 2020.

New York Counts 2020 is a statewide coalition made up of more than 200 organizations across New York state, and I want to note that our membership doesn't just include immigrant communities.

It also includes African-American communities, rural communities, Orthodox Jewish communities, and more, and we are proud to call ABNY and the organizations testifying on the second panel as our members.

My phone went blank. Okay.

The reason we have come together as a coalition is because we recognize the tremendous stakes for Census 2020. This includes a huge amount of funding and resources and, you know, you all and our panelists have talked about the \$73 billion in critical and vital programs.

And so the consequences for New York City and New York state of a lesser Census count would be simply catastrophic.

New York, as a state, will be sicker, hungrier, less well educated, and less successful as a result. But a more important consequence, in our minds, is political power and representation, particularly for communities of color and immigrant communities who have historically been undercounted and are at risk of being undercounted again.

This is a particularly acute problem for New York City with huge communities of color, immigrants, renters, and others. New York



City has been undercounted before. We have lost congressional seats and we have lost power as a result.

So given what is at stake, how can we assure there is a full count of New Yorkers for Census 2020?

First, we must build trust to ensure that the climate of fear and intimidation does not spoil the Census effort before it starts. This is an especially hard task, given the rhetoric and actions of the Trump administration.

The sad reality is that the administration has no credibility with many communities in this country and that goes for New York as well. And so there are real concerns about this administration's motives and what they plan to do.

So we ask all of you, our congressional representatives, to push and advocate the Census Bureau to do a couple things. Explain what information is being shared and what the Bureau plans to do with it, commit that any data received will not be shared with ICE and DHS and not be used for immigration enforcement, and make public a comprehensive plan for how they are going to safeguard all Census information.

Second, funding will be critical to overcome these monumental obstacles. On a Federal level, we need a fully funded Census Bureau with \$8.45 billion to fund 2020 Census operations.

At the state level, New York Counts 2020 has advocated for the state to invest \$40 million for community-based organizations—CBOs—for Census outreach and we were disappointed that the state only allocated \$20 million with no amount allocated for CBOs.

We were further disappointed that now, after two months after the budget was finalized, Governor Cuomo has released no details about where and how the \$20 million will be spent.

That confusion leaves each level of government, including the city, at a disadvantage when trying to plan out their scope of the work through the next year.

The city of New York has taken Census 2020 more seriously. The Mayor has already committed to investing \$26 million. That is a significant first step and, notably, much more than what the Governor has committed for all of the state.

But it looks like the city is indicating that only \$8 million has been set aside for CBOs. That is not nearly enough to achieve a fair and accurate count.

The City Council has proposed \$40 million with \$20 million for CBOs. That is a much stronger place to be.

Finally, it is vital that CBOs and grassroots community organizations are at the forefront of this fight. CBOs are best—in the best position to reach hard-to-count communities. They are already on the ground.

They have the language and the cultural diversity needed to reach our diverse community and they have the earned trust that comes with years and decades of working within communities. But they need funding to do that work.

We at New York Counts 2020 are trying our best to organize these CBOs. But it is vital that as much of the funding as possible go toward CBOs. I cannot stress this enough.

Census 2020 is going to be a monumental undertaking and there are no do-overs. If we make mistakes we will have to live with them for the next 10 years. We have to get this right.

New York Counts 2020 remains dedicated to achieving a fair and accurate count for every New Yorker.

Thank you.

Mr. RASKIN. Mr. Choi, thank you very much.

We now will move to our questions. There will be 20 minutes of questions. Each of us will have five minutes, and Mrs. Maloney, I am going to start with you.

Mrs. MALONEY. First of all, a very big thank you again, Chairman, and I would like to start with Ms. Menin, and one of the biggest threats to the count is the inclusion of the citizenship question, which we have all discussed.

And a recent Harvard study found that the question could lead to 5 million Hispanics missing from the count, and that is a larger population than 30 of our states.

So this underscores the need for a really robust outreach that reassures New Yorkers of the safety of their information so that they will willingly respond and be part of it.

So what efforts is the city taking to reassure people of their Title 13 protections, protections that prohibit the Census Bureau from sharing identifiable information with law enforcement?

And also, do you have any sense—Mr. Choi talked about it—do you have any sense of where the \$20 million from the state is going to be going in the city or have they given you any indication of how much of the \$20 million will go to trying to get an accurate count in the city?

Thank you.

Ms. MENIN. Okay. Sure. So I am happy to answer both of those questions. In terms of the state funding, the state has not given the city information as to where the funding will go, how much will go to the city of New York, and what exactly the funding will be utilized for.

We are in constant conversations with the state. We look forward very much to partnering with them and we fully expect them to be sharing that information with us shortly.

With regard to Title 13, it is imperative that we get the message out about Title 13. Title 13, obviously, imposes up to five-year prison sentence, up to \$250,000 fine on any Federal employee who disseminates that data and, as you know, that is a lifetime ban.

We have to make sure people understand that and people feel that their information is safe. Title 13 Census enactment has never been broken. So we—and I will put on my hat at the City Law Department—we have done tremendous legal research around that.

It has not been broken since its enactment. We have to make sure that people understand that and feel that their information is safe. And so we will be really focused on messaging that out and also working very closely with community organizations on that.

Mrs. MALONEY. I would like to ask Mr. Choi and Mr. Menchaca—the Census will see almost 1,000 less field staff than were seen in 2010, and how is the city working to supplement the enumeration efforts with less personnel in the field?

And all of us talk about the digital and the internet. Most of my constituents don't use the digital and they don't use the internet, and I am wondering how this coordinates and are we going to really get everybody counted.

Mr. CHOI. Thank you, Congresswoman.

I would just first say that the Census Bureau is looking at slashing their enumerator work force by 40 percent. It was never enough to begin with.

And so what that means is they are going to have to be an incredibly coordinated effort, working with the city government, the Council, business, labor, community-based organizations all at the table.

I do think that there are opportunities as well, given that this is a digital Census. But, really, what we see is that there are a couple of key opportunities.

No. 1, how can we make sure that place-based institutions everywhere, at LaGuardia Community College and elsewhere, have a Census kiosk where folks can fill it out.

No. 2, we are going to need a grassroots army of canvassers going door to door, potentially armed with tools that they didn't have 10 years ago. That is absolutely going to have to be key, given the kind of trust that community-based organizations and grassroots groups have built.

And then third, we are going to have to think about how to use technology, how we are going to use peer-to-peer texting, social media, and more efforts in a way that simply did not exist in 2020. It is going to require that level of coordination and investment.

Mr. MENCHACA. And in the last few seconds what I will say is what we are focused on right now in budget negotiations is to get that \$40 million—\$20 million to CBOs as the reasons explained by Mr. Choi.

I think the other things that we are doing is trying to figure out how we get more grassroots organizing happening in our community boards. We are asking our community boards to create subcommittees within the community boards to do Census outreach and in Sunset Park we have a really robust example of that.

And so that is an idea that we want to get out. But at the end of the day we can't allow for us to just ask our CBOs to take on this responsibility on top of everything that they are doing right now.

If they are working with these hard-to-count populations they are already overtaxed and so this is why we are pushing for CBO infrastructure.

Mrs. MALONEY. Well, my time has expired. But I just want to say that it is clear in the law that Congress can dictate to the Census Bureau of how it is supposed to be run and I certainly will take this back.

We have had five hearings that I have organized and all of the testimony has said the best outreach is through community-based organizations. Yet, they are slashing specifically that area that contributes the most.

And so I will take that back and legislate and have meetings with the Census Bureau to try to get it directed back to CBOs.

Thank you.

Mr. RASKIN. Thank you.  
Congresswoman Ocasio-Cortez?

Ms. OCASIO-CORTEZ. Thank you.

Just so we can kind of really clarify for the public, Ms. Menin, will a Census undercount reduce or threaten funding for our public schools?

Ms. MENIN. Yes, absolutely.

Ms. OCASIO-CORTEZ. Will it threaten funding for our infrastructure?

Ms. MENIN. Yes.

Ms. OCASIO-CORTEZ. Will it threaten funding for Medicare and Medicaid?

Ms. MENIN. Yes.

Ms. OCASIO-CORTEZ. SNAP, WIC, EBT?

Ms. MENIN. Yes.

Ms. OCASIO-CORTEZ. So this—so an undercount in the Census at its core equates to an existential crisis for almost all of our public Federal systems. Is that correct?

Ms. MENIN. That is absolutely correct.

Ms. OCASIO-CORTEZ. And do you believe that the administration is trying to undercount certain communities for the 2020 Census?

Ms. MENIN. We do. We believe that the inclusion of the citizenship question is a clear attempt to intimidate both immigrant communities and, quite frankly, communities of color and that is why the city of New York is a plaintiff, along with the attorney general's office and many other cities and states and advocates groups on the lawsuit.

Ms. OCASIO-CORTEZ. So we have on the record that the—that the Census is under attack and that it is a targeted attack of specific communities by the Federal administration.

And, you know, why we are here today is to figure out what we do in the midst of that attack—how do we defend ourselves? What programs will the city provide for people who do not have access to the internet to ensure that they are counted?

Ms. MENIN. So one of the things we are going to do is we are going to set up pop-up centers all throughout the city housed in community organizations, housed in the 219 public library branches throughout the city, housed in places of worship.

We really want New Yorkers to go into a trusted place to fill out the Census. And so we are going to set up these pop-up centers with internet access.

Ms. OCASIO-CORTEZ. And will people or institutions be able to request paper ballots if—I mean, sorry—paper questionnaires if they want or need them?

Ms. MENIN. So this is an outstanding question that we have not, to be very clear, had clarity on. We know that the Federal Census Bureau will send 80 percent of New Yorkers a form that will have a computer code where you can go and fill it out using that code. If you lose a code, you could go into the public library—one of the pop-up centers.

What is not entirely clear, and we have received somewhat differing answers on this issue, is the 20 percent of New Yorkers that receive the paper ballot, if someone on the first attempt says, I don't want to fill this out online—I want a paper ballot imme-

diately, what happens to that person, because we believe that people should be able to get the paper ballot if they want to.

Ms. OCASIO-CORTEZ. Mm-hmm. And from—you know, this is our third hearing in—you know, in relation to the Census. The first time that this really came up was with the GAO, whose job is to essentially be an agency that is a government watchdog.

And they brought this up initially. They were the ones who set up the first red alerts back in 2017 saying, we are not on pace to administer the Census in a full, whole, and responsible way.

Then we brought in Secretary Ross on the Census question and the citizenship question in particular, and we did not get a straight answer as to why or how the inclusion of the citizenship question was appropriate, particularly because it takes about five years typically for one of these questions to come in.

Ms. MILLER, I have one question about incarcerated populations. Currently, individuals who are incarcerated are counted at the place they are incarcerated, correct?

Ms. MILLER. Correct.

Ms. OCASIO-CORTEZ. So I—my congressional district includes Rikers Island, for example. All of the individuals held in Rikers Island, many held without being found guilty of a crime, are counted at Rikers and not counted in the communities that they actually live in. Is that correct?

Ms. MILLER. That is correct.

Ms. OCASIO-CORTEZ. How does that impact the amount of resources that are available to communities and, A, do you believe that that can make certain aspects of inequality worse, and B, if so, how?

Ms. MILLER. Sure. So, I mean, there is differences between the city jails and the Federal penitentiaries. I know that there has been some legislation that was passed in prior Census that if there is a record of address of the inmate prior to going in then that person could be counted for where they live.

But, unfortunately, that information isn't always available. We do feel that this will make significant undercount in certain communities for those individuals who are incarcerated, and as stated today, what is at risk between representation and as well as funding, there are many communities, obviously, of color will be disproportionately disadvantaged by incarcerated populations being counted in the jails and prisons where they are.

Ms. OCASIO-CORTEZ. Thank you. I yield my time to the chair.

Mr. RASKIN. Thank you, and Mr. Meeks, you are up for five.

Mr. MEEKS. Thank you, Mr. Chair.

You know, in the 2010 Census, New York City's enumerated population was over 8.1 million people and actually that was the largest enumerated Census population in our history.

However, the borough of Queens had the lowest growth in the city with its population virtually unchanged between 2000 and 2010.

Now, the Department of City Planning attributed this low growth to shortfalls in the Census enumeration process. So my first question is to Ms. Miller and Mr. Salvo.

Can you detail some of the characteristics of Queens that make it much more challenging for enumerators and what we should be doing to improve that this time?

Mr. SALVO. Two major points. One is Queens has a very large number of housing units that have been subdivided. That subdivision does not generally—will not, in many cases, yield exact apartment numbers. Those apartment numbers don't exist in many of those basements.

At the Department of City Planning, we work very hard to make sure those apartments get on the address list. This time around, we added 122,000 apartments to the Census Bureau's address list citywide.

Those apartments, though, remember I mentioned earlier that when people do not self-respond, the Census Bureau has to go out and has to talk to people in those apartments.

So the Census Bureau will rely on what we call proxy respondents because they can't find anybody in those apartments. People don't answer the door.

So they ask the landlord how many people live in that basement and the landlord says, what basement.

[Laughter.]

Mr. SALVO. Then they ask a neighbor how many people live in that basement. The neighbor may or may not know. It leads to inaccuracy.

But in 2010, what happened in northwest Queens was that many of the Census workers went out and essentially said, no, this apartment is vacant.

So we had extraordinary increases in the number of vacant housing units in Astoria and parts of Jackson Heights, which anyone—I work in the planning department—we would know if Jackson Heights or Astoria was experiencing abandonment.

And that is the increase that was occurring would imply that obviously was incorrect. So Queens paid a heavy price. Easily, 20,000 or 30,000 people were not enumerated in that—in that part of the city.

Ms. MILLER. And just to add also, too, one of the lowest undercounted communities was southeast Queens, your congressional district, and as we know, there were—there are a lot of single family houses, and to Joe Salvo's point, that many of those houses are subdivided and have illegal basement apartments and have been difficult to count. We believe that that is one of the reasons Queens', as a whole, numbers fell because of southeast Queens.

Another reason is, as you know, Queens is probably the most diverse county in the world. I am going to claim it—the world. And, you know, in order to do competent outreach you need community-based organizations that have the language competency, the cultural competency to do the outreach and speak to individuals on a level that connects to them.

And in 2010, where we had some communities that did better than others, I think there was a real deficit in support to community-based organizations to do the type of outreach that will warrant an accurate count of the borough Queens.

Mr. MEEKS. Thank you. Now, let me ask the councilman. You know, I feel that we need a movement. We need a movement. And

so in spending money and trying to figure it out, you know, I can recall that when we wanted everybody to use seatbelts we had an advertisement in every public facility. So if someone goes to school, because children help lead their parents. They say, "Dad, Mom, buckle up."

Is there a focus we can look at, whether it is high school, even if it is elementary schools, that we could put something up because this is not political—that every child is told make sure your parents is counted—it is important of you, so they can go back home? Every building, every—if it is a state office or a city office?

Is there any movement afoot so that we can make sure that in every public facility we are talking about the importance of people being counted?

Mr. MENCHACA. First of all, I would say amen to that. We do need a movement, and we are already looking at how to create that movement and that movement really, at the end of the day, has to come from the people themselves.

You are in government. We are both legislators. Government cannot be the movement. The movement has to come from the people and we ought to resource them adequately, and the plan from the city of New York right now is not enough.

And I hope that you can join us and put pressure. If you know—have the mayor's—if you have the mayor's cell phone number give him a call and really ask him to rethink how he is presenting his operations.

The budget is a \$92 billion budget. We can put more money in this.

Mr. MEEKS. Let me just conclude by saying what I am pledging to do with my little bit, and I—as the chair of the Queens Democratic organization, we are going to treat this like it is a campaign and we are going to talk to our Republican, Democratic organizations—

Mr. MENCHACA. I have some ideas.

Mr. MEEKS [continuing]. the independent organizations. But I will pledge that the Queens Democratic Party is going to treat this just like it is a regular election day and like we are supporting a candidate, and we are going to be out front and I am going to talk to my colleagues throughout the borough. But definitely Democrats, Republicans, independents, all of us—this should be a political movement.

Mr. MENCHACA. We should all be doing that, and I have some ideas and we will talk about that afterwards.

Mr. RASKIN. All right. Thank you, Mr. Meeks.

Ms. Menin, let me followup on that.

When I was a kid, I think we used to think that the Census was one day. At one moment every—the Census takers would go in and see who was where. Is it one day and if it is not, how do you tell people even in this room, the most educated people we have got, how do you make sure that you get counted?

Ms. MENIN. Yes. I am so glad you are asking that question because that is one of the misconceptions. So in 2010 one of the reasons we believe that the city had a woefully inadequate 61.9 percent response rate is because the Federal Census Bureau was the

one doing the messaging and the messaging was it is in the Constitution, it is your civic duty, fill the form out. It is the law.

Well, people didn't pay attention to that. The advertising and messaging was never around the funding piece. So to answer your question, there is an eight-week self-response window.

The Federal Census Bureau will send, and I will just talk about New York City but it applies across the country—in New York City, every New Yorker will receive a piece of mail from the Federal Census Bureau that is being sent out on March 12.

Eighty percent of New Yorkers will have a computer code that you can fill it out online. We have reached an agreement with the Federal Census Bureau to get real-time data every single day during this eight-week self-response period. We are going to publish that data on our website by Census Tract.

So every single Census tract in New York City is going to know exactly how they did.

Mr. RASKIN. You can have like a Census telethon going on each day, too.

Ms. MENIN. Right. So we are going to create a competition in New York City. We are not trying to pit neighborhoods against neighborhoods. We are trying to beat our 2010 number and we are trying to not let what the Trump administration is trying to do to us affect our count.

So that is really what we are going to do and we are going to beat our 2010 number. And so our plan is we are going to work with every single elected official and community group across the city.

We are going to be in touch with them every single day during this eight-week sprint to tell them exactly how their neighborhood is doing.

Mr. RASKIN. Well, the people on this panel give me a lot of hope and encouragement.

Mr. SALVO, let me ask you, how many jurisdictions actually have a Census Director, a Chief Demographer, all of these wonderful positions? I mean, is that a New York thing or is that—is that something that we would find across the country?

Mr. SALVO. There are not many governments that have—states have chief demographers and, frequently, localities rely on the state demographer. There is something called the State Data Center Program the Census Bureau has, and universities pitch in.

But in terms of the kind of structure we have here in New York, it is not very common.

Mr. RASKIN. Okay. Is there a national association of state and local demographers for—

Mr. SALVO. Yes. The Population Association of America is the professional association for demographers.

Mr. RASKIN. Okay. All right. A high burden of hope is placed on that group, I think, to do what you are doing.

Ms. Miller, let me ask you. People—a lot of people who are in America in these wonderfully diverse communities come from nations where the populace is afraid of the government, okay?

So how do we overcome that ingrained fear that people have of the government, especially at the time when people are growing afraid of our government?



In other words, how do you deal with that fear question?

Ms. MILLER. Sure. So it is not easy. But we believe messaging is the key. What we did at the Association for a Better New York is we held 12 focus groups in communities that have been identified as hard to count or potentially hard to count to really understand what people know about the Census, how they feel about the Census, how they feel about the quality of life in their communities, all for the purpose of coming up with messaging that hits home.

Like Julie said, it is not just good enough to say it is your civic duty. You have to be specific to cultural groups, to geographic communities about what underfunded Census funding means for your community or your neighborhood.

So we believe that coming up with micro-targeted messaging to specific communities will be the key to helping people overcome their fear of government.

Mr. RASKIN. Very good.

Mr. Choi, let me come to you. People have different complaints about what has taken place in the Department of Commerce and the Census Bureau.

You have heard some of it articulated today. You have articulated some of it. But how do we articulate a constructive critique of what is going on to try to put the Federal Government to the task of doing the job they are supposed to do at the same time that we don't spread more fear?

How do we actually promote participation in the Census while we are identifying some of the problems that are taking place at the national level?

Mr. CHOI. So that is a great question, and what I would say is we are faced—because of the actions of the Trump administration, we are faced with walking an incredibly fine line, which is essentially to say this administration has tried to deport you, marginalize you, and otherwise hold you down.

But you know what? You should work with them on the Census, and think about how incredibly difficult that line of messaging is going to be.

I go back to thinking, though, and I think it is critical for us to talk about civic empowerment, civic engagement in the long run.

I worked on the Census in 2010 in Flushing, Queens, that happens to have a very significant Asian-American community that historically have been divided and cut, and that community had always been politically disempowered.

And so what happened, though, in 2010 was we launched an all-out effort to make sure that those folks got counted, and when they were counted so much so that when Census was followed by redistricting, they had to create several Asian-American majority districts on the Assembly and the first ever Asian-American majority state senate district and the first even Asian-American plurality congressional district, and that led directly—I would say directly to the election of Congresswoman Grace Meng.

So I think that is the promise that we have to engage our constituents on.

Mr. RASKIN. It might make more sense not to talk about it just as a constitutional duty but as a constitutional right to participate.

Mr. CHOI. It makes sense to talk about this as the Census is the foundation of empowering our communities politically. If you engage in Census you will get more political power.

You will get representatives that look like you and are responsive to your concerns, and I think if we characterize it as that, then I think we will have success.

Mr. RASKIN. All right. I have got 30 seconds left. I am going to yield it to my friend, AOC.

Ms. OCASIO-CORTEZ. Oh, I just, quickly, wanted to ask about a unique reality of New York City counting, which is that we move a lot and especially as rent goes up we are moving much more rapidly. We will be living in a place for two years, have to move again.

So I am interested in this process of mailing people, whether it is a code or a paper questionnaire. How do we make sure that—you know, how are we accommodating or changing our process to really be adaptive to that reality?

And for those kind of undercounted units, when a landlord says, what basement, how do we make sure that people get counted in those situations?

Ms. MENIN. So it is a great question and that is, again, why I think we are lucky to have the resources and the city government we have here in New York City because the Department of City Planning has for the past couple of years been working on this very issue to make sure that new addresses and incorrect addresses had been rectified and they have turned them over to the Federal Census Bureau.

Mr. SALVO. Yes. We—what drives the process is the address list. You have to have a recognized address that is on the Census Bureau's master list in order to be enumerated.

If you do not have a recognized address you can't be enumerated. So our job—

Mr. RASKIN. Wait. But our homeless people are not counted?

Mr. SALVO. Oh. No. No. I am sorry. Yes. Yes, of course, they are. But I am talking about housing units now.

Mr. RASKIN. Okay.

Mr. SALVO. The addresses of housing units, which is why I want to emphasize that code that Julie referred to, that code locks you into an address on the Census Bureau's master address file.

For three years now, building up to the 2020 Census, we have been working in the field to verify addresses in difficult neighborhoods to make sure that those addresses make it.

Those people in the addresses, in those—in those—excuse me, in those housing units, that is what you are referring to when you think about mobility if the question will be where do you live most of the year most of the time.

Okay. And if you live at that location most of the time, you will be enumerated, and the Census Bureau also has questions to pick up people who might have second, you know, addresses so they can sort it out, for example.

Ms. OCASIO-CORTEZ. And if their address is not recognized?

Mr. SALVO. If their address is not recognized, the Census Bureau will send somebody out at the address that is listed and they will undergo a process, and there is a possibility that you will not be enumerated.

That is certainly—so you have to take that into account, and you can also take into account that—what was mentioned earlier. The Census Bureau has fewer people going in the field. They are overburdened.

I just want to say that the Census Bureau professional staff has been fabulous. Okay. They work very closely with us.

But they are limited because the preparation hasn't been there in terms of budget and in terms of the number of people that they are going to be able to mobilize.

Ms. OCASIO-CORTEZ. Thank you.

Mr. RASKIN. Thank you very much.

I will—let us thank this wonderful first panel for their terrific presentations.

[Applause.]

Mr. RASKIN. We are going to take a five-minute break but I want to call up the next panel. We will resume in five minutes.

But I would like to call up Marc Morial and Greta Byrum, Jorge Luis Vasquez, Elizabeth OuYang, Lurie Daniel Favors, Kazi Fouzia, and that is it.

So please have them come back and we invite you all to come back in five minutes.

[Recess.]

Mr. RASKIN. All right. Welcome back, everybody.

Again, I want to thank the first panel for their excellent testimony, and welcome, our second panel of witnesses, beginning with the president and CEO of the National Urban League, Marc Morial, the former mayor of New Orleans, right?

Mr. MORIAL. Yes. Right. Thank you.

Mr. RASKIN. Greta Byrum, who is the Co-Director of the New School Digital Equity Laboratory; Elizabeth OuYang, who is a civil rights attorney, educator, and community advocate and professor at Columbia; Jorge Luis Vasquez, who is the associate counsel of Latino Justice, the Puerto Rican Legal Defense Fund; Lurie Daniel Favors, the general counsel for the Center for Law and Social Justice; and Kazi Fouzia, who is the Organizing Director for DRUM, Desis Rising Up and Moving.

Thank you all for joining us, and each of you is going to be allotted five minutes for your opening statement and if there is something you can't get in I am sure we will get back to it when we do the questioning.

So Mayor Morial, we will begin with you.

**STATEMENT OF MARC MORIAL, PRESIDENT AND CEO,  
NATIONAL URBAN LEAGUE**

Mr. MORIAL. Thank you. Thank you very much.

First of all, good afternoon. Chairman Raskin and members of the committee, I am Marc Morial. I serve as the president and CEO of the National Urban League.

We are headquartered in New York City and we lead a network of 90 Urban League affiliates across the Nation. Importantly, this is my fourth Census.

I previously served as mayor of New Orleans for eight years, president of the United States Conference of Mayors, a member of the Louisiana state legislature.

In 2010, I served as Chairman appointed by President Obama of the Census Advisory Council. Currently, the National Urban League leads the Black Census Roundtable. The Black Census Roundtable is a coalition or network of some 100 African-American, Caribbean-American, African immigrant, and Afro-Latino organizations that are focused on ensuring a complete and full count.

Let me say this. Never before in the four times that I have done the Census have I been more concerned that the possibility of an undercount is real.

The Census is about money and power. The prospect of an undercount could affect the political dynamics of the United States throughout the next decade.

It could be the precursor for gerrymandering and under-representation by urban communities and communities of color nationwide. Nowhere is that problem more possible than here in New York City.

What I want to do with the time that I have is help everyone focus on a few things and that is where historically has the undercount been. The undercount—for example, in 2010 the black population had the highest net undercount and omission rate of any major race in the United States.

Based on the Census Bureau's own post-2010 Census demographic analysis, the net undercount for black people was 2.5 percent and the net over count for non-African Americans was one half of 1 percent.

Black males in their 20's, 30's, and 40's had exceptionally high net undercount rates and high omission rates. The net undercount rate for black males age 18 to 49 was very high, 7.6 percent, based on the Census Bureau's own demographic information.

The net omission rate for black male renters ages 30 to 49 was almost 20 percent of all black men who rented housing in 2010.

These figures should alarm each and everyone but, more importantly, should focus the efforts of the state of New York, the city of New York, community-based organizations on where the emphasis in a get-out-the-count effort ought to be, where the emphasis in any investment in resources ought to be.

Very importantly, in 2010, young black children ages zero to four were undercounted at twice the rate as young nonblack children. The omission rate for the black alone or in combination population in 2010 was 9.3 percent.

Non-Hispanic white communities are very likely to be over counted, meaning wealthier white communities receive more than their fair share of resources and representation. This information is the Census's own information.

No. 2, I want to offer this observation. There is a lot of talk about the form and the online initiative that the Census will undertake this year. It is expected that people will have four options to participate in the Census: No. 1, the online option; No. 2, a telephone option; No. 3, a traditional mail-in form option; and fourth, an enumerator option.

But what does the Census Bureau's own research say about which of those options is going to be preferred by American citizens? The Census Bureau's own pre-2020 Census testing says that

some 40 percent of white Americans and 50 percent of Americans of color are going to wait until the enumerator comes to the door.

That is why it is absolutely unacceptable, and this committee has to stand strong in saying to the Census, you cannot reduce the number of enumerators by 40 percent, you cannot reduce the number of local offices by 50 percent and expect that there is not going to be an undercount.

I am asking this committee, based on my many years of experience with this, to take whatever steps are necessary to elevate this issue. If there are no enumerators, the Census Bureau's own information—I want to emphasize this—suggests that the online option is not going to increase the number of respondents or decrease the number of respondents who are going to wait for the enumerator—that all it will mean is that those that might historically choose to send in the form may choose to go online.

This is a critical component, which is why a lot of the din and the noise would suggest that because of technology, quote, unquote, we don't need as many enumerators.

Because of technology, we don't need as many local offices as we have had in the past. Their own research suggests absolutely contrary is the case.

We have to encourage our communities and we have to do what we can to increase the response rates whether it is online or to the mailed form.

How can we do this? Historically, the Census Bureau had local offices and placed additional forms in libraries, public schools, community centers, and local offices.

I have not heard a commitment by the Census Bureau to make additional forms available to those people who may not get a form through the mail or those people for whom the form may get lost or misplaced.

Tremendous efforts must be made and I would say that that this committee and the Congress of the United States and the House of the United States can be and provide the only protection available against an undercount in the 2020 Census.

Mr. RASKIN. Thank you, Mayor Morial, for those excellent points and I am sure we will pick up on them in the questioning.

Ms. Byrum, let me come to you for five minutes.

**STATEMENT OF GRETA BYRUM, CO-DIRECTOR, NEW SCHOOL  
DIGITAL EQUITY LABORATORY**

Ms. BYRUM. Thank you, and thank you so much for holding this hearing.

I wanted to just start with a statement of the value that we are looking for, which is that we need a fair and accurate representation and functional governance, and for that we need an accessible, accurate, and confidential Census. Everybody so far that has spoken has underlined this.

The problem is that the current system is optimized for digital participation and that means that people who are under connected or unconnected face a challenge and the bar is higher for those people to participate.

The overwhelming public focus on the high-stakes citizenship question has taken priority in our national conversation and, as a

result, we are behind in addressing safety and security and functionality concerns surrounding the digital transition.

So just to underline what this means in terms of the digital divide, what the stats look like is that whereas 72 percent of white people have internet at home, there are 35 percent of adults nationwide who do not have internet at home and, of those, 53 percent of Latinx people do not have internet at home, 43 percent of black people do not have internet at home, 42 percent of rural people do not have internet at home, and 50 percent of those who are 65 and older.

So that is a big problem, and what we saw in the Providence end-to-end test was that whereas among the general population 70 percent of those who participated online and 30 percent participated via forms or 6 percent via the phone system, in the Latinx population, 20 percent participated online as compared to 80 percent who participated by other means.

So that is a huge disparity, and we are likely to see this disparity, you know, have a huge impact in terms of the numbers that come back.

And I want to underline also that digital inclusion is not just a question of access. It is a question of digital literacy and a feeling of safety and support when people do engage online.

So in my opinion, it is not enough to tell people that we will have hot spots or that they will be able to find access. We actually have to think about the safety and security and trust of people who are choosing to engage digitally.

And there is another question, which is what happens if online response rates are lower than expected and, as a result, the costs of paper and pencil canvassing operations or canvassing operations exceed the budget that is allocated? We have not heard an answer from this from the Census Department, is there a possibility that we would not have enough funding to actually close that gap on paper forms and enumeration?

I think there is a possibility, given that the Providence end to end test ran out of money and therefore were going into the count with some major systems untested because the second and third field tests were canceled.

Furthermore, as Mr. Salvo pointed out, what we are looking at is, essentially, a count that is end to end technological process that is going to use advanced statistical modeling and geographic modeling.

And what that means is that if we get bad data into this Census we could be looking at a predictive decennial Census that is fed with biased information, meaning that it prioritizes those who are digitally privileged—that is, those who are able to get online to fill it out.

So, again, we are asking are CBOs, libraries, and community anchors prepared to offer safe secure internet access as well as digital literacy support for a public who is nervous about political targeting, hacking, surveillance, and data security?

Those are real questions that impact what people are willing to do. And while hot spots and get-out-the-count outreach apps are useful, could they also create a data trail that endangers targeted populations if data is not well-managed by the folks that are han-

dling that data or, for example, third party advertisers who gain access to it?

As an answer to all of this, I want to say that public libraries are a huge resource that have not been fully mentioned today. We talk about CBOs.

Does that include libraries? Libraries have not been specifically resourced to provide the critical public digital infrastructure that they provide every day for the Census.

Ninety-nine percent of New York's hard-to-count communities are within five miles of a public library and 76 percent of the hard-to-count communities are within one mile of a public library.

Libraries are critical digital infrastructure. So I believe that in order to create a fair and accurate count what we need to do is think about libraries and CBOs as critical infrastructure and, as such, we need to resource them to create safety.

Now, the Digital Equity Laboratory is issuing some guidelines and suggested recommendations for how to improve public safety at hot spots and public libraries.

However, that will take planning and resourcing, and in order to make that happen, we need, No. 1, transparency from the Census Bureau and that includes information such as which browser extensions are going to work well with the Census; are they going to allow for add-ons for privacy protection—browser add-ons?

We need to know that there is infrastructure support and that this infrastructure is protected, and finally, we need to know that Title 13 will be honored by all workers and does Title 13 apply to, for example, library staff who are helping fill the survey out.

These are all questions that we don't have answers to and we also don't have answers to the full terms of the data sharing agreement between the Census Bureau and DHS.

Mr. RASKIN. Thank you very much, and we will followup on a number of those.

Ms. OuYang, I am coming to you. Five minutes.

**STATEMENT OF ELIZABETH OUYANG, CIVIL RIGHTS ATTORNEY, EDUCATOR, AND COMMUNITY ADVOCATE**

Ms. OUYANG. I just want to reiterate that the Census is the heart of democracy. For more than two centuries it has been a constitutionally mandated Federal program that requires full participation of all persons.

This intent was clear. James Madison, one of the Constitution's framers, believed allocations of seats must be founded on the aggregate number of inhabitants. Not citizens—number of inhabitants.

And any manipulation of apolitical scientific data for partisan politics can infringe not only on this constitutional mandate but also the right to vote, the Electoral College, as we saw the significance of that in the 2000 and 2016 elections, and redistricting—indeed, your very existence in Congress.

And another area of constitutional concern is the ability of Federal agencies to safeguard data collected by the Census. The Census has a documented checkered past with respect to violating the confidentiality of respondents' information and public trust.

In 1943, the U.S. Treasury secretary requested the names and whereabouts of Washington, DC. residents of Japanese ancestry

from the Census Bureau. The bureau released the data, along with block level data of neighborhoods more heavily populated with Japanese Americans in eight states, aiding the government's internment of people of Japanese ancestry.

In 2002 and 2003, the Census Bureau divulged neighborhood data on Arab Americans to the U.S. Department of Homeland Security, including detailed info on how many people of Arab background lived in certain zip codes.

The Executive Branch's efforts to repeal DACA and temporary protective status for Haiti, Nepal, and Central American countries who are still recovering from natural disasters and facing civil unrest, imposing a Muslim ban, and separating children from families has led to great distrust by immigrant communities of the Federal Government and its intentions.

This distrust has been further fueled with Immigration Customs & Enforcement making arrests at local courthouses, a respected venue where residents are trying to comply with state law.

I do want to answer Congresswoman Maloney's questions about whether just simply enforcing or simply making it known the protections of Title 13 is enough, I do not think it is, and would love to address that further later.

The subcommittee knows well the important role of community-based organizations doing grassroots organizing. These efforts have propelled monumental, historical, and present-day civil rights legislation and mobilized masses to apply for affordable health care, respond to natural disasters, and participate in government research on health, transportation, and housing.

I want to address Julie Menin's response as to the proposed \$8 million for community-based outreach and pop-up centers in community-based centers.

I respectfully would argue that that is woefully inadequate. The Fiscal Policy Institute did a report upon which they based \$40 million for the state of New York for community outreach efforts.

Half of that \$40 million was to be for New York City. If you take half of that—\$20 million—and not even half, 8 million—you are talking of an upwards of 1 million and more undercounted hard-to-count communities that won't be reached.

And when you talk about pop-up centers in community-based centers, it is imperative that community-based organizations be compensated. You are talking about hours of mobilization, interpreters, education and training before hand.

If you take one day, an eight-hour day, just one day of community outreach as an assistance center and you staff that with just 10 people, you are talking—if you are averaging a half hour for each person to complete the Census because you are taking into consideration language needs, you are talking about reaching 320 people in one day.

And you talk about a Census that is going to be live for eight weeks and you talk about staffing a pop-up center at a community-based organization. At best, you may be only able to reach 9,000 people in that, you know, eight weeks at one center.

And so, you know, it is just not possible and that money needs to be appropriately allocated.

Mr. RASKIN. Thank you very much, Ms. OuYang.



Mr. Vasquez, to you for five minutes.

**STATEMENT OF JORGE LUIS VASQUEZ, ASSOCIATE COUNSEL,  
LATINO JUSTICE, PRLDF**

Mr. VASQUEZ. Thank you, and good afternoon. Greetings on behalf of Latino Justice PRLDF, a national civil rights institution in the Latinx community headquartered here in New York with offices in New York City, Long Island, New York, and Orlando, Florida.

I thank you for the invitation to share our views on the upcoming decennial Census and its effect on the Latinx community, the Nation's largest racial and ethnic minority.

For purposes of my testimony, I would like to outline three points on how the Census will impact the United States and the Latino community, and the threat of an undercount.

First, it will cause communities in which Latinos live in to lose Federal funding in critical areas such as education, health care, and other social services.

Second, it will dilute political power in the Latino community and may actually prevent non-English speaking Latino citizens from exercising their right to vote.

Finally, it will reduce capital investments in the Latino community and may hinder emergency responders from adequately preparing to deal with natural disasters in the Latino community.

Mr. Chairman, as you noted earlier, there are several hundred Federal-funded assistance programs that are dependent on government money and subsidies. But I would like to highlight how those affect Latinos specifically.

Currently, there are 13.9 billion Title 1 grants to local education agencies. Between 2014 and the 2015 school year, Title 1 served more than 24 million children. Over one-third of those children were Latinos.

Eleven point two billion dollars goes to special education grants of which 1.3 million infants and toddlers of Latino origin receive assistance. Eight point three billion dollars go toward Head Start programs.

In 2015 to 2016, Latinos comprise over 37 percent of those children. Any undercount of the Latino population, even a small one, will result in an artificial low allocation of Federal funding to the Latino community and the communities in which Latinos live in.

As it relates to the dilution of political power, as it was stated earlier, an undercount of anyone will likely affect the amount of congressional representatives that is afforded to their community.

But an undercount in the Latino population may also have an adverse consequence on the right to a Spanish ballot for the citizens with limited English proficiency as Census data is used to determine whether a minority citizen is entitled to voting language assistance under Section 203 of the Voting Rights Act.

Last, I would like to talk about reduction in capital investments and the destabilization of the Latino community. Private businesses depend on reliable Census data in their economics and strategy planning decisions.

As a financial force in the economy, Latinos spent over \$1.3 trillion in Fiscal Year 2015 and it is expected to reach over \$1.7 trillion by 2020.

Approximately 4.4 million Latino-owned businesses in the U.S. contribute more than \$700 billion annually to the U.S. economy and depend on the Census information to be accurate.

I would like to quote Alexander Hamilton: "There can be no truer principle than this, that every individual of the community at large has an equal right to the protection of government. An undercount of any community will compromise this."

And last, to echo what Mr. Morial said earlier, and just to add one addition, the Census is about money, power, and respect. We are talking about the money that our people pump into this country.

We are talking about the money that the government allocates. We are talking about political power, buying power, and we are talking about respecting data so that way we could continue to prosper as a community and as a government.

Thank you.

Mr. RASKIN. Thank you very much.

Ms. Favors, you are recognized for five minutes.

**STATEMENT OF LURIE DANIEL FAVORS, ESQ., GENERAL  
COUNSEL, CENTER FOR LAW & SOCIAL JUSTICE**

Ms. FAVORS. Greetings, Chairman Raskin and members of the subcommittee. My name is Lurie Daniel Favors and I serve as the General Counsel for the Center for Law and Social Justice.

I am a civil rights attorney with 15 years of experience advocating for the protection of racial justice and civil rights of black New Yorkers.

The Center for Law and Social Justice mission is to provide quality advocacy and community legal services to New Yorkers of African descent and to the disenfranchised.

This is why in 2017 we convened the New York City Black Leadership Advisory Coalition for Census 2020, a Pan-African coalition designed to ensure that all New Yorkers of African descent are fully counted on the 2020 Census.

Despite political protestations to the contrary, accurate data, like accurate facts, are vitally important to arrive at the proper outcome.

In the case of the Census, the proper outcome is the correct and proportionate distribution of electoral power and fiscal resources regardless of community, zip code, or race.

The inclusion of the citizenship question on the 2020 Census threatens to negatively impact the Nation's ability to reach that goal and the resulting inaccuracy will unnecessarily lock some of our country's most vulnerable communities into a political and economic underclass.

The negative impacts of a flawed Census data set are myriad and they are particularly troublesome for New Yorkers of African descent.

New York City, which has the highest population of people with Pan-African descent in the United States, had one of the lowest response rates during the 2010 Census.

These populations, all of African descent, include African Americans, Caribbean Americans and Caribbean immigrants, African immigrants and Afro-Latinx communities.

Racial disparities in Census enumeration are not new, however, and low Census counts in black communities are an outgrowth of continuing patterns of racial oppression that date back to the time when Africans were first enslaved on these shores.

When government or community groups engage in Census outreach or education in African descendant communities without considering the role of race and racism and how those two have historically shaped black community Census participation, we essentially undermine our efforts before they begin.

As noted, one of the earliest references to counting people of African descent in the American Census was in the three-fifths clause of the United States Constitution.

This early instance of racially manipulating the Census count was for the consolidation of political power in the hands of white supremacist slave owners.

They misused Census data to protect and perpetuate the economic system of slavery and in the 70 years that followed the passage of the three-fifths clause, Congress was able to pass additional racist laws like the Missouri Compromise, the annexation in 1845 of Texas, which was intended to be an empire for slavery, the passage of the Fugitive Slave Act, also known as the Bloodhound Law, the law that allowed slavery to flourish in Utah and New Mexico, and the passage of the Kansas-Nebraska Act, which ensured slavery could continue to thrive.

Not a single one of these laws, which were designed to keep black people enslaved, oppressed, and locked into the bottom of society, could have passed without the three-fifths clause decades-old manipulation of Census data.

To see how this plays out in modern life I would like you to consider two families. The first is the Jackson family and the Johnson family.

The Jacksons are a family of African descent and they come from a community that is traditionally undercounted on the Census. This family's history of interaction with the government is one that has been scarred by government-sponsored racial discrimination and the denial of equitable civic and societal engagement opportunities. This family knows that when the government typically asks for information, the end result is rarely one that benefits their black family or community.

In the 1600 and 1700's, a demand for government information might mean that family members were sold into slavery, sent to parts unknown, tortured, raped, or killed, in not necessarily that order.

In the 1800's, a government demand for information might result in escaped enslaved family members being returned to brutal slave owners under the Fugitive Slave Act, and in the 1900's and 2000's, it might mean that ACS would show up at your door to take your family away from you.

It might mean that banks were going to issue your formerly red-lined community fraudulent bank loans, assuming you got a loan at all, and these loans, which would be riddled with such toxic rac-

ist loan products that entire black communities lost and continue to lose more than half of our collective wealth through the foreclosure crisis.

As a result of this history, this black family is justifiably reluctant to deal with the Federal Government and might fill out one Census form, though they could qualify for three or four.

On the other hand, the Johnsons, who are white, have a history that is marked by racial privilege and the over distribution of societal engagement and benefit opportunities. They have a positive history of civic engagement. This family knows that when the government asks for information, once they turn it over good things will follow.

This family benefits from racist policies and legislation like the Homestead Acts where the government forcibly removed Native Americans and opened up those lands to white families like the Johnsons.

It means they became landowners and homeowners nearly overnight practically free of charge. When their grandfather came home from the war, he was able to participate in the GI Bill.

Unlike the grandfather in the Jackson family, he received preferential rates for student aid loan and mortgages and, as a result, the Johnson family was able to grow the wealth they received in the form of free land and housing and increased this with education and housing benefits that were racially distributed to whites and often whites only.

So when this white family is asked to turn over information on the Census, they have a history that encourages them to do so. And in the end, they may have three or four Census forms submitted and they will live in a community that is going to receive more than their fair share of resources and political representation, all of which means that when it comes to the 2020 Census participation in black communities must have a culturally responsive approach to Census outreach and education.

Black community organizations and faith-based groups must be funded for Census work so that they, the trusted voices, can continue to educate and empower the community.

Members of Congress and this community must exercise any and all oversight powers to ensure the Census Bureau is conducting the Census in a manner that will produce an accurate count and this means rejecting the use of policies and questions on the Census that are likely to reduce that participation.

Funding for the Census, which remains woefully underfunded, must be met in a way that is going to ensure that pop-up centers, complete count community associations, black associations, community boards, school districts, and other areas of civic engagement are going to have the funding that they need in order to do the work that is required.

Thank you.

Mr. RASKIN. Thank you very much, Ms. Favors.

And Ms. Fouzia, we will come to you.

**STATEMENT OF KAZI FOUZIA, DESIS RISING UP AND MOVING**

Ms. FOUZIA. Honorable Representative, my name is Kazi Fouzia and I am the Organizing Director of DRUM, Desis Rising Up and Moving.

DRUM is a 19-years-old civil rights organization of nearly 4,000 low-income South Asian and Caribbeans fighting for our rights, immigrants, and youth.

Working in communities of color, our member are low-income people. They are cab drivers, restaurant workers, retail workers, domestic workers, and their children who may be citizens.

The 2020 Census, the question that is asked and the method in which it is rolled out will have immense impact only for our communities but also for our city, our state, and fundamentally our society and our democracy.

Before I go to the details of my testimony, I want to highlight our current context. We have an administration that has openly expressed anti-immigrant views.

High-ranking members of the administration have expressed to have—force that want to get rid of all marginalized immigrants from our country, all of this evidence in statements from the administration as well as aggressive policies being implemented every day.

And impacts of this statement and policies are very real. Over the last nine months, we have engaged over 5,000 people in person about the 2020 Census, the citizenship question, the safety and use of personal data—misused personal data and the impacts on funding and representation.

We have held public education workshops in public squares and at community events, and I want to—I want you to know that the fear is very, very high, not only among those that are immigrants but also among those who are citizen—citizens whether their non-citizen family member would be at risk. But they are also worried their data will be misused to target them and their communities, this fear is not unfounded.

We already know about turning over the data related to Japanese internments in the—after World War II. But those references presume that was last time data was misused and there are now protection in place.

But in—after 9/11 Census data about Arab communities down to—was also done over U.S. Customs Service through 2002 and the CBP 2003.

We need to be ensured the data of individuals are aggregate will be secured that also include the elimination of question related to the citizenship or immigration on the Census—that a step will be taken to ensure protection of data—a step will be taken to communicate and then secretly to the communities.

We have years of experience in this case. We have nine month of experience specific of Census as well experience from the PBS Census.

We need the on-the-ground people with experts in our communities to be able to effectively address caution and concern that so many people have. This cannot be done by just printing ads on the media or making announcement.

People need to be engaged and that recourse, familiarity, expertise, time and all of the request funding and resource. If we do not commit the resources, it will lead to severe undercounting with material and political impacts.

We know that Census data is used to determine funding for almost all of our basic needs, from basic infrastructure, public benefits, preschool, education, to transit, to hospitals, to health.

All parts of Queens have the most overcrowded school in the city and in the country. Elmhurst Hospital and Jamaica Hospital are also among the most overcrowded and under resourced in the city.

This impact of undercounting cannot be understated and consequences will be borne by our society as a whole. We have seen how measles outbreak did not just impact people who choose not to vaccinate their children.

We live in the communities. Impact one of us, impact all of us. New York state lost one or two congressional seats as a result of undercounting. That means that this is an issue of democracy. The question related to citizenship and immigration and the lack of resources or substantive outreach efforts directly undermine our democracy.

I wish I had more time to share our experiences and the content of our conversation with community members with you. But I want to know that this is issue critical and how we implement Census 2020 will have long-lasting impact on our communities, our society, and our democracy.

Mr. RASKIN. Thank you very much, Ms. Fouzia, for your excellent testimony.

I am moving into the record the NALEAO report from last week and a written statement as well from the National Association of Latino Elected and Appointed Officials, and without objection, those will be entered into the record.

Mr. RASKIN. We will give each of the members five minutes before we close.

Mrs. Maloney?

Mrs. MALONEY. Thank you so much, Mr. Chairman, and I would like to say an important part of the Census is hiring good people to get the count.

So we need to get our neighborhood people hired and they are having job openings now and I am sponsoring with Community Board 8, with other community leaders, to jobs fairs. One is next week, June 6, from 5 to 8 at the Stanley Isaac Neighborhood Center on 93d Street and the river.

People can come, fill out forms. The Census Board will be there. Encourage everyone to come. The jobs are very good jobs. They start at \$25 an hour and go up to managing offices, and on June 11th here in Queens we are having a Queensbridge jobs fair from 3 to 8 to make people aware of all these jobs.

I want to really reference our county leader, Greg Meeks, who pointed out that we have found—finally found one issue that Republicans and Democrats are united on, and that is getting an accurate count.

And it is one of these issues that pulls us all together, all of our 160 countries that are here in Queens, the 96 languages. I would

say to the imam to the priest, the rabbis, the ministers, they are all united, even the cab drivers and their riders.

Rarely in government do we have something that we all agree on that we know needs to be done and that we are united on.

So let us take advantage of having this positive program to work on.

I would like to ask the mayor how he was able to use proper counts of people in New Orleans to bring services that they need in education and health care and how were you used—how did you use the data to really measure the progress that you had in New Orleans and measure what needed to be focused on and areas that you needed to work on?

And in case I am cutoff, because I know you are going to have a lot to say about the positive things that needs getting an accurate count, I wanted to respond to Ms. Yang and ask her and Mr. Velasquez and Ms. Favors and others how you respond to this incredibly high level of fear in New York.

I will confess, for the first time in my entire life I have not been successful in keeping families together. I had two families I went all the way up to the top of government, and they deported the father of five children, the father of three children, married to an American. Their children were American. Yet, they were deported.

So there is a lot of fear of mistreatment in the counting process and in status, and even though it is the law that you are going to protect this information, how do you overcome really the challenge that people live under—the fear, actually, they live under in New York, like I have never seen before?

But first, I want to hear the positive ways with you, Mr. Mayor.

Mr. MORIAL. Yes, I—yes. So—

Mrs. MALONEY. And used by the Urban League also to boost economic opportunities for neighborhoods that need more help.

Mr. MORIAL. So thank you very much for a great question, and I think the testimony earlier was that there were 132 Federal programs whose formula funding was based on information in the Census, and that rolled up to some \$670 billion, which is a substantial portion of the overall domestic budget of the United States.

I think for community-based leaders who might be here at the hearing or listening, if you think of the community development block grant program, which is one of the most crucial dynamics of rebuilding urban communities, the allocations in that program are based entirely on the Census information.

If you think about the Workforce Investment Opportunity Act program, which is a fundamental job training program, and I could continue to go on.

I think what people in the community could mean—you know, a difference of just a few percentages can mean millions of dollars or tens of millions of dollars for a city like New York or for boroughs like Queens and Brooklyn and the Bronx—that an undercount can impact the ability of community leaders to do the work that they have to do with public dollars.

And so it is crucial. Now, here is what is also important. A miss on the Census affects you the entire decade. It is not like you get a re-do the following year.

It affects the entire decade, unless there is some adjustments along the way. So I really hope people will understand on the research side the decennial Census and the American Community Survey are foundational, for example, to the report we issue every year at the National Urban League, which is the state of black America report, which is referenced in congressional testimony, which is used by resources, which is a baseline report.

So those are just some examples. I want to say that we have work to do to educate people that the Census matters in their day-to-day lives and I think that is the unifying message.

It matters. It matters to money. It matters to power, while we work on all of the things that are necessary to ensure a complete count.

Mr. RASKIN. That is great.

Ms. Ocasio-Cortez?

Ms. OCASIO-CORTEZ. Thank you.

Thank you all so much again for coming to testify.

And Ms. Fouzia, your work in organizing with DRUM is particularly critical in our community in New York 14 and Jackson Heights and Parkchester, in so many different areas of the city.

And I am interested in learning and hearing from your insight, and what type of messaging and what types of organizing techniques do you think would be most effective to get our communities filling out the Census?

We have heard so much about all of the deterring aspects and I am interested in hearing from an organizer and a leader in the community what would be most—what are some of the most effective messages that we can give?

Ms. FOUZIA. So I am part of a little bit campaign 2010 Census, just door knocking stuff with DRUM back when I was the only member and I was undocumented at that time, and I saw how much fear people have when we knocked their door at that time.

And as an undocumented person also, I have also fear that—talk with communities and say I am also undocumented—don't feel like that, like that kind of—so now the situation changed. I am part of organizing and also we held a couple of community events which show people, like, a hospital, park—all resources.

Visually we are showing the community plaza and talk with people about how we lost resources and also a congressional seat.

But people have a question: how about safety?

Ms. OCASIO-CORTEZ. Yes.

Ms. FOUZIA. We—person undocumented population from South Asian low-income communities. People have fear and fear is real—

Ms. OCASIO-CORTEZ. Absolutely.

Ms. FOUZIA [continuing]. and in my experiences I saw when we work with New York City ID we taught people of power.

There is power your information will be protected. Your physical hard copy will be destroyed after three months from mailed off, so and so. Then we give them hope for the safety and they sign up. They go to library and pop-up center, get their ID.

But when is that kind of protections in Census? I just heard today about—yes, what about parking. As an organizer, if heard



today about parking, community don't know. We need sorely something. Then we can say to people don't worry—feel better.

Ms. OCASIO-CORTEZ. Thank you, Ms. Fouzia.

Yes, and even just from an organizing perspective, all of us, whenever we are up for reelection we need to count who is going to show up and cast a ballot on Election Day.

And I remember walking oftentimes in Corona, in Jackson Heights, knocking on doors and the fear that was so palpable, because we understand that for so many of our families you are one door knock away from your life being completely up-ended.

And so to that end, Ms. OuYang, if the citizenship question does appear on the Census, what are some of the most effective techniques that we can implement in protecting the identities and of protecting the information, the confidentiality of the information, on all of the returned questions?

Ms. OUYANG. First of all, I applaud Congresswoman Maloney and her leadership in introducing the Census IDEA Act. I think particularly this committee, focused on civil rights and civil protections must aggressively pursue the passage and immediately of the Census IDEA Act, which mandates a three-year review for each question proposed to the decennial Census and that would effectively deal with the citizenship question, which was not vetted and should be excluded from the Census.

Second, I do feel it is an issue of will here. If what is primary and what constitutionally is mandated for an accurate and complete count, then no person should have to decide between getting basic benefits and fearing the complete uprooting that you are talking about, and the government must send that message.

We saw at the city, Congressman Menchaca—City Councilman Menchaca's leadership, the protections that Fouzia talked about. We saw with the Immigration Act of 1986 and amnesty—do you remember that? I lived through that. I helped many people get legalization.

There were protections in place that allowed people to come forward, that didn't go after their employers because, remember, you had to show that you could support yourself if you came before 1982 and remained consistently.

Well, our laws don't allow you to work. How do you do that? And so people had to come forward with records, had to divulge things, and the government had the right spirit and did not go after employers or other who hired people, you know, off the books and things like that.

If the true intent is to get a complete count in which this whole country is dependent on accurate data, then the government must send the message.

And so I would propose that the government must make it very clear that any person who is undocumented, who is required to complete the Census will not be deported. There will be amnesty.

It doesn't mean a legal status. It just means not being deported. If they can show that they completed the Census and so forth and so on that they will not be deported, you know, and it is that protection that Fouzia is talking about.

It is not enough, given all that has happened, to say oh, we got Title 13 and there is a penalty for anybody who discloses. You

know what I mean? Because there is a thousand and two different ways to get around that penalty, you know what I mean, if the government wants that information.

So the government must make it unequivocally clear that no one will be deported.

Mr. RASKIN. All right. Thank you very much for that powerful closing statement and I want to thank all of our witnesses for their sensational testimony today.

Without objection, all members will have five legislative days within which to submit additional written questions for any of the witnesses to the chair and we will forward it to you for a response.

And I would just ask if you could return with any statements you have as quickly as you are able to do so.

Again, I want to thank all of you for participating. I want to thank our terrific audience here and our friends at LaGuardia Community College and to the members for participating.

Thanks so much.

[Applause.]

Mrs. MALONEY. Thank you, Mr. Chairman. Thank you. There would be no hearing without you. You are the hero.

[Whereupon, at 4:48 p.m., the subcommittee was adjourned.]

