

# Trump administration to add citizenship question to US census

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29 March 2018

The US Department of Commerce announced late Monday that the 2020 Census will include a question for respondents asking whether or not they are US citizens. Commerce Secretary Wilbur Ross said the action was taken in response to a request made by the Justice Department, which claimed it needed data on that question in order to better enforce the Voting Rights Act.

The pretext insults the intelligence, given that the Trump Justice Department and the Republican Party generally have sought to undermine and abolish the Voting Rights Act, rather than enforce it. But identifying the Justice Department as the source of the request is significant, since Attorney General Jeff Sessions is one of the leading advocates of stepped-up persecution of immigrants.

Asking about citizenship status serves the anti-immigrant witch-hunt in two ways: just posing the question will intimidate millions of immigrant families, whatever their own immigration status, if they have undocumented family members; and to the extent that any immigrants do respond, the information will be used as a blueprint for future enforcement actions, highlighting the neighborhoods and communities to be targeted for raids by the Immigration and Customs Enforcement.

This move has been widely criticized by immigrant rights advocates, demographers and experts including several former directors of the census, all of whom have warned of reduced response rates, and inaccurate answers, particularly given the climate of fear and mistrust pervading migrant communities.

A group of 14 states, led by the state of California, nearly all under Democratic control, immediately challenged the plan, filing a lawsuit in federal court on Tuesday. In an op-ed published in the *San Francisco Chronicle*, Xavier Becerra and Alex Padilla, the attorney general and secretary of state for the state of California, claimed that including a citizenship question in the

Census is in fact illegal since that US Constitution “requires the government to conduct an “actual enumeration” of the total population, regardless of citizenship status.” The Census Bureau has to “count each person in our country—whether citizen or noncitizen—‘once, only once, and in the right place’.”

Defending its decision, the Commerce Department released a statement insisting, “Citizenship questions have also been included on prior decennial censuses. Between 1820 and 1950, almost every decennial census asked a question on citizenship in some form.” This long precedent makes it unlikely that courts will block the Census question as unconstitutional, barring some further demonstration of the discriminatory intent on the part of the Trump administration.

It would not difficult to demonstrate that intent. The Campaign to Re-elect Donald Trump has already sought to raise funds by hyping the new Census question as an integral part of Trump’s ongoing war against immigrants, as well as vindicating his claims that “millions” of illegal immigrants voted against him in the 2016 presidential election. The fundraising message warned, “19 attorneys general said they will fight the President if he dares to ask people if they are citizens. The President wants to know if you’re on his side.”

For their part, Democratic Party officials are mainly concerned that the citizenship question, by depressing responses to the Census, could harm their own narrow political interests by reducing the population count in Democratic-dominated congressional and state legislative districts in heavily immigrant areas. This would mean the loss of seats in Congress after 2020 for California, New York, and Illinois, all controlled by the Democrats, as well as in Democratic-controlled enclaves in Texas and Florida, among other states. It would also reduce the allocation of federal funds for state and local government programs distributed on the basis of population.

No Democratic official has issued a serious warning about the genuine threat that the Trump administration represents to the democratic rights of all immigrants, documented and undocumented. The Census question is only part of a much broader anti-immigrant campaign.

That is not surprising, given the record of the Obama administration, which deported more undocumented immigrants than any other in US history. The Democrats seek to make electoral gains at the expense of the Republicans by posing as the friends of immigrants, but they are just as committed to enforcing the brutally repressive US immigration laws.

The inclusion of the citizenship question would undoubtedly lead to a significant section of the population, comprised of non-citizens and their families (even if they have legal status) not responding to the census. As Kristen Clarke, president and executive director of the Lawyers' Committee for Civil Rights Under Law, told CNN, "This is an arbitrary and untested decision that all but guarantees that the Census will not produce a full and accurate count of the population as the constitution requires."

The undercount in turn will have a serious effect on questions ranging from congressional representation to allocation of federal funding for infrastructure projects and also provide a completely skewed set of data for innumerable research projects over the next decade. In his memo defending the decision, Commerce Secretary Wilbur Ross stated, "While there is widespread belief among many parties that adding a citizenship question could reduce response rates, the Census Bureau's analysis did not provide definitive, empirical support for that belief." At a superficial level, this claim is true since there really has been no time to carry out the necessary studies to arrive at a "definitive" response.

Most questions on a census survey go through years of pretesting. This question has been added at the last minute, after the Census Bureau has already begun conducting its sole "full dress rehearsal" for the 2020 census in Providence, Rhode Island. Given the fact that there has been enough evidence to show the growing fear amongst migrant communities, and their justifiable lack of trust in government institutions, it does not seem to require much imagination to foresee the consequences of such an insidious measure.

The brazen lying by the Trump administration about the real goals of the Census change is an ominous indication of the stepped-up repression being planned by the Department of Homeland Security and the Department of

Justice.

The pervasive threat of surveillance and potential deportation that hangs like a cloud over migrant communities has already had an effect on their attitude towards participation in government surveys. Even before the citizenship question was added, a Census researcher drew the attention of the bureau's advisory committee to the fact that focus groups and field tests were having a difficult time having immigrants complete surveys.

A report in *Vox* reveals that respondents fled their homes, lied or halted the conversation as they started getting worried about the questions. One respondent told an interviewer, "The possibility that the Census could give my information to internal security and immigration could come and arrest me for not having documents terrifies me."

This is not at all unrealistic. The Census Bureau supplied the names of draft-age American men to the military when Democratic President Woodrow Wilson instituted the draft during World War I. It supplied information to the administration of Democratic President Franklin Roosevelt to assist in the round-up of Japanese-Americans during World War II. In 1978, such information transfers from the Census were made illegal by Congress, but in a future "national emergency," it would take Congress only days to reverse that ban.

Immigrant youth have already gone through the experience of supplying personal information to the Department of Homeland Security to qualify for work permits and exemption from deportation under the Obama executive order establishing Deferred Action for Child Arrivals (DACA), only to see that information now being used by Immigration and Customs Enforcement to prepare deportation lists now that Trump has rescinded the DACA program.

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