

## 2020 Census Community Group Workshop

# Will Census 2020 Have a “Citizenship Question”?

The Commerce Department announced the addition of a citizenship question to the decennial census for the first time since 1950. The Department stated that citizenship information is needed to enforce the Voting Rights Act. Skeptics say that the addition is meant to suppress participation in the 2020 Census by immigrants and that the Census Bureau can already gather the information needed to assist in Voting Rights Act enforcement more easily and cheaply by other methods. The Census Bureau has estimated that about 6.5 million people nationwide would skip filling out the 2020 Census if a citizenship question is included.

Three lower court rulings against adding a citizenship question have been issued:

- January 2019: Judge Jesse M. Furman of the United States District Court in Manhattan ruled that the Commerce Secretary broke federal rules when he ordered the citizenship question added to the 2020 Census (citation: New York Times).
- March 2019: Judge Richard Seeborg in the Northern District of California blocked the citizenship question from being included in the 2020 Census, stating that the Commerce Secretary “‘ignored’ federal law when he ‘insisted upon adding the citizenship question to the census’” (citation: CNN).
- April 2019: U.S. District Judge George Hazel issued a decision that Commerce Secretary Wilbur Ross “‘repeatedly ignored the advice of researchers and career staff at the Census Bureau, who concluded that citizenship data could best be obtained through other means’” and “‘illegally ‘manufactured’ a false reason to add the question’” (citation: USA Today).

The Trump Administration appealed the lower court rulings to the US Supreme Court, which heard arguments in April. Media reports have indicated that the majority of Supreme Court justices appeared to be open to allowing the citizenship question on the 2020 Census. A final ruling is expected in June. If the court approves, the question would be as follows:

**Is this person a citizen of the United States?**

Yes, born in the United States

Yes, born in Puerto Rico, Guam, the U.S. Virgin Islands, or Northern Marianas

Yes, born abroad of U.S. citizen parent or parents

Yes, U.S. citizen by naturalization – *Print year of naturalization*

No, not a U.S. citizen

### Background

- In 1790 the framers of U.S. Constitution intended that House of Representatives be the “people’s house,” so Article I of the Constitution mandates that representatives be awarded to states based on their respective population, and that an “actual enumeration of everyone” (not just citizens or voters) must be conducted every 10 years.
- A citizenship question was included on the decennial census from 1820-1950. 1960 only included a question on place of birth. Decennial census long forms (which were distributed to 1 in 6 households) included a citizenship question from 1970-2000. The Census Bureau started the yearly American Community Survey (ACS) in 2005, which is undertaken by about three percent of households per year in the U.S. The ACS replaced the decennial census’s long form and has included a citizenship question.
- 1950 was the last time a citizenship question was asked of all households as part of the decennial census.



### Questions or comments?

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