

Immigrants and the 2010 U.S. Census: Q & A

What is the Census?

The Census is a constitutionally mandated survey to count every person residing in the United States. The constitution requires that everyone, citizens and non-citizens, be counted. It has to be done once every 10 years. Although only those who hold U.S. citizenship can vote and be candidates in elections to federal, state and local government, the census count will determine the number of congressional representatives assigned to each state for the next 10 years based on the total population (citizens and non-citizens). Some states will gain and some will lose seats. New Jersey is one of the states at risk of losing a seat. State electoral districts will also be affected. The Census Bureau also claims that the distribution of \$400 billion in federal aid for hospitals, schools and public works is impacted. The decennial census data is updated annually through other surveys conducted among small samples representative of the general population. About 1 in 15 U.S. residents, or some 21 million people, are foreign-born non-citizens. Half of these are estimated to be unauthorized immigrants. Through their decision to participate in, or abstain from, the Census process, non-citizens will have a rare opportunity to have some influence in the future political structure of the United States and the distribution of resources.

What questions are asked in the Census survey?

The survey asks for the name, age, date of birth, gender, a phone number for the household, whether the occupants are of "Hispanic, Latino, or Spanish" origin, and the race of every person in the home. Occupants of "Hispanic, Latino or Spanish" origin are asked to disclose their specific national origin (Cuban, Mexican, Puerto Rican, Argentinean, etc.). Respondents of Asian origin are also asked to disclose their national origin in a subsequent question about race. Respondents who do not identify themselves as Hispanic or Asian are not required to disclose their national origin. The Census Bureau explains that the reasons for the questions about ethnicity and race are "to monitor compliance with anti-discrimination provisions, help plan and administer bilingual programs, determine voting districts, assess employment practices, monitor racial disparities in health and education and plan and obtain public funds". It is not clear why data about the specific national origin of Hispanic and Asian respondents (but not those who identify themselves as White, Black or "Other race") is used for these purposes. A person who does not identify with the terms "Latino, Hispanic or Spanish" may check "No" even if he or she may have been born, or is a descendent of people born, in a majority Spanish-speaking country. A respondent may want to answer "other" to the questions of race and national origin, if he or she is of mixed parentage, does not identify with the demographic categories used in the survey, or prefers not to disclose this information. The survey also asks whether the home is rented or owned, with or without a mortgage loan. The reason for these questions is "to serve as an economic indicator and administer housing programs".

How is the Census data used?

The non-personal data collected by the Census is used for statistical purposes. The data is publicly available and used by many other government, academic and business organizations for a number of statistical studies for purposes that range from forecasting school construction, to building new housing, conducting sociological studies, or designing marketing campaigns for commercial purposes. Census data has been used in ways that have helped better understand and plan for the needs of the nation's population, but there have been past and recent instances of misuse of this data in ways that raise serious concerns about the potential for abuse by certain branches of government and private interests. Recently, in 2002-2003, the Census shared with the Department of Homeland Security data to identify areas with large concentrations of individuals born in certain Islamic countries to enforce a discriminatory immigrant registration requirement. Census data has also been used to develop a system of profiling airline passengers as possible terrorists. During WW II the Census provided names and addresses of Japanese American to the government who were subsequently arrested and detained in internment camps. Some local governments use the data to enforce housing codes and occupancy limits. Knowledge about the national origin of residents can be used by foreign governments with large expatriate populations in the U.S. to conduct voter registration and electoral campaigns. It could also be used by federal and local law enforcement agencies to target certain segments of foreign-born residents. Census data has also been used by businesses to "red-line" or identify certain economically depressed areas to exclude them from extending certain services, or target them to locate facilities such as jails, casinos or waste management centers.

When and how will the Census be conducted?

A ten-question survey (with several sub-questions) will be mailed to all households in mid-March. The form is available in English and Spanish. The Census website (<http://2010.census.gov>) offers instructions on completing the form in many other languages. The Census estimates that it would take 10 minutes, on average, to complete the form. Each household has to complete the survey based on the occupants in the residence on April 1, 2010, and mail the form back. Census takers will visit some homes between April and July. Homes that do not return the forms may be visited by Census takers to complete the survey. Census takers may also visit homes that already sent in their form, for verification and quality control. Census takers may make up to 3 visits to a home. Failure to complete the Census questionnaire, or refusal to do so, may result in a fine of up to \$100 per household. Knowingly providing false information can result in a fine of up to \$500. There appear to be no evidence that these fines have been enforced since 1960. Census takers will show identification and will not ask to come into the home. If no one is home, the Census taker will leave a note with a phone number to call to set up a time to come back. Upon request, the Census Bureau will assign a Census taker who speaks the language of the occupants. Census takers do not have to be allowed in the home, will not ask for any documentation, and are only authorized to ask the questions in the survey. Census takers, employees and contractors are sworn to keep all information private. Heavy penalties and jail time face those who would be found breaching this obligation.

How secure is the confidentiality of the data collected?

The original constitutional mandate “to enumerate” or count people has been expanded by subsequent Congressional acts to collecting a lot more information, some of which is personal and private in nature. Personal questions in the current Census include name, date of birth, and phone number. The electronic management of this information is handled by government contractors such as Lockheed Martin which is the major contractor for this year’s Census. By law, the Census is prohibited from publishing any data that allows any individual to be identified. However, current technology makes the process of “re-identification” (linking anonymous data to specific individuals) possible under certain circumstances and in combination with other publicly available databases such as phone directories and public records. Although legislative protection of the privacy of Census data exists, the practical ability to do so is a constant challenge, given the continuous change in technological tools for data access and storage.

What are the consequences of participating, or not, in the Census?

Participation in the Census will increase the accuracy of the statistical results, increase the likelihood that representation in Congress and state legislatures is more closely aligned with the size and makeup of the population, and help analysts and scientists better understand who lives in the United States, and the characteristics and needs of the population. It is also a legal obligation. Willful abstention from the Census or falsification of the information provided may result in the fines described above. Beyond the political and social, the Census has an economic impact as some government programs are based on the size, age, race and ethnicity of the population in a given area. Economically depressed areas may continue to see government neglect, even if residents actively participate, but an accurate count will likely bring more attention to their needs. On the other hand, unauthorized immigrants who have experienced hostility from their communities may seek to deflect such attention, by not participating. However, not mailing back the form may increase the probability of receiving a visit from a census taker. Another motivation for non-participation is to use it as a form of civil disobedience in protest for the failure of government to provide avenues for the legalization of unauthorized immigrants. In cases where pockets of population cannot be surveyed, the Census uses a statistical technique called “imputation” which assigns a number of occupants and characteristics to housing units that have not responded, similar to those of nearby units. That may or may not be a correct reflection of the actual population. Abstention, therefore, may distort the statistical value of the results, and increase the undercount of people who are traditionally bypassed, such as the homeless, migrant workers, residents of poor neighborhoods, and the largest group of all, unauthorized immigrants. This undercount may deprive certain districts with high proportions of poor, marginalized populations from having adequate representation in government, and their fair share of economic assistance.

THIS REPORT HAS BEEN PREPARED TO ASSIST THE IMMIGRANT COMMUNITY MAKE AN EDUCATED DECISION AS TO THEIR PARTICIPATION IN THE 2010 CENSUS.

THE LATIN AMERICAN LEGAL DEFENSE AND EDUCATION FUND, INC.

PO BOX 80, PRINCETON NJ 08542

609.688.0881 WWW.LALDEF.ORG INFO@LALDEF.ORG

IMPORTANT RECOMMENDATIONS!

IF A CENSUS TAKER COMES TO YOUR HOME, YOU SHOULD:

- 1) ASK HIM/HER FOR IDENTIFICATION
- 2) KEEP HIM AT THE DOOR AND NOT LET HIM/HER INTO THE HOUSE
- 3) ANSWER ONLY THE QUESTIONS ON THE FORM, TO THE BEST OF YOUR ABILITY
- 4) ASK FOR A LATER APPOINTMENT, IF YOU DON'T HAVE TIME TO COMPLETE THE SURVEY
- 5) IF YOU DON'T UNDERSTAND THE CENSUS TAKER WHO VISITS YOU, ASK TO SPEAK TO ANOTHER CENSUS TAKER WHO SPEAKS YOUR LANGUAGE,

DO NOT DISCLOSE SOCIAL SECURITY NUMBERS, OR BANK ACCOUNT NUMBERS, OR ANY OTHER PERSONAL OR CONFIDENTIAL INFORMATION, OTHER THAN NAME, AGE, DATE OF BIRTH, AND A TELEPHONE NUMBER, TO A CENSUS TAKER.

DO NOT SHOW OR HAND OVER ANY DOCUMENTS TO A CENSUS TAKER, SUCH AS PASSPORTS, GREEN CARDS, OR CREDIT CARDS.

IF A SOMEONE WHO CLAIMS TO BE A CENSUS TAKER COMES TO YOUR HOME AND TRIES TO GET INFORMATION NOT ON THE CENSUS FORM, OR ASKS YOU TO SHOW ANY DOCUMENTS, ASK HIM TO LEAVE AND CALL THE POLICE.