

New York Counts 2020 Responds to Federal Judge's Hearing on Census Citizenship Question



Trump attempts to dismiss NY AG's lawsuit challenging the citizenship question

NEW YORK, NY – Today, New York Counts 2020 responded immediately after federal Judge Jesse Furman's hearing on the Trump administration's motion to dismiss the New York Attorney General's lawsuit. The Attorney General's lawsuit challenges the Trump administration's efforts to add a citizenship question on the upcoming 2020 census.

On April 3, the New York Attorney General's office filed a lawsuit– New York v. Dept of Commerce– in the Southern District of New York to stop the Commerce Department from adding the citizenship question to the 2020 Census. Additionally, 16 states, the District of Columbia, several cities, and the U.S. Conference of Mayors joined the New York Attorney General's lawsuit. The lawsuit argues that adding the citizenship question violates the Constitution, which requires an actual count of every person, and violates the Administrative Procedure Act because it is arbitrary and capricious, and reverses seven decades of precedent without a factual basis. On May 25, the U.S. Department of Justice filed a motion to dismiss the lawsuit.

After hearing the arguments today, Judge Furman orally stated it is "unlikely" that he will dismiss the case in its entirety. He will issue an official written decision within the next couple weeks.

"A citizenship question on the U.S. Census is toxic to New York's four million immigrants, and all New Yorkers, who stand to lose millions of dollars in federal aide and political power in Congress. Today's hearing is not the end of our fight to ensure a fair and accurate count of all New Yorkers. This is our New York and we're not going to lose a dime, or our voices, to Washington D.C.," said **Steven Choi, Executive Director of the New York Immigration Coalition.**

"The Trump Administration is trying block the NY Attorney General's legal fight against the inclusion of a citizenship question in the 2020 Census. This is unconscionable and I hope the judge allows this lawsuit to proceed. Adding a question that asks respondents if they are citizens will decrease response rates and result in an inaccurate and incomplete count, which will result in a decade's worth of consequences for New York and other communities throughout the nation. It will have a devastating impact on the billions of dollars in federal aid that is distributed for schools, infrastructure, social services and other critical resources. I personally urged Commerce Secretary Ross to not add this question to the upcoming census, and I warned him about the consequences of doing so. But my requests fell on deaf ears. It is critical that this lawsuit be allowed to move forward, and in addition to supporting this legal action, we will continue to do all we can to stop the Administration from including this question on the census. We don't need a citizenship question; we need an accurate census count," said **United States Representative Grace Meng.**

"AALDEF will fight this politically motivated effort to suppress the accurate reporting of immigrant communities. The harm to immigrant communities is real, and we will use all legal options at our disposal," said **Margaret Fung, AALDEF Executive Director.**

"It is imperative to continue calling attention to the serious consequences of the citizenship question on an accurate and fair census. Census data impacts federal funds allocation and citywide master plans, as well as seemingly simple considerations like where businesses should locate their next storefront. ABNY is proud to join this coalition and we will continue to work with our partners, the city and state to do all we can to protect our fellow New Yorkers and fight for the right count," said **Steven Rubenstein, Chairman of the Association for a Better New York.**

"The citizenship question will adversely affect the Bangladeshi community's participation in the census. Majority of them are with limited education and understanding of political and bureaucratic processes. Given they are one of the most underserved and hard to reach communities of New York, they are less likely to participate in the census," said **Rajju Malla Dhakal, Executive Director of BACDYS.**

"The Center for Law and Social Justice stands with the New York State Attorney General's Office in opposition to the inclusion of a question regarding citizenship on the Census. The Constitution requires an accurate Census count of all persons - regardless of citizenship - to ensure the proper allocation of resources and representatives in government for each of our communities. It is imperative that people and organizations across the country unite to protect the Census and secure

our children's future." said **Lurie Favors, General Counsel at the Center for Law and Social Justice.**

"CPC urges Judge Furman not to dismiss the lawsuit against the Department of Commerce, said **Carlyn Cowen, Chief Policy and Public Affairs Officer at the Chinese-American Planning Council,** "This lawsuit is critical to determining why the citizenship question was included and what the effect will be. As an organization that works directly with the individuals that will be most harmed by an undercount, and has already heard fears of filling out the census from the community members we serve, it is critical that we continue calling attention to the far-reaching consequences that the citizenship question will have if it's allowed in the 2020 Census."

"The census is supposed to be an accurate count of every person living in the United States. The Chinese Progressive Association is based in Manhattan Chinatown where the majority of residents are foreign born. The addition of the citizenship question will only create confusion about the duty of every person to answer the census. It will make it more costly and more difficult to get an accurate count of every resident living in our neighborhood." said **Mae Lee, executive director of the Chinese Progressive Association.**

"Citizens' Committee for Children urges Judge Furman not to dismiss the Attorney General's lawsuit," said **Jennifer March, Executive Director of Citizens' Committee for Children of New York.** "Inaccurate data on children and families has tangible and far-reaching consequences, including unfair allocation of resources, inadequate congressional apportionment, and misinformed political decision-making. New York

already has the third highest number of children under age 5 who are in hard-to-count areas, and adding an untested Census question will mean even more children will go uncounted. Adding the citizenship question to the Census will hurt some of New York's most vulnerable children and families, jeopardizing funding for life-saving programs like Medicaid, CHIP, foster/adoption care, and Head Start.”

“Today, a federal court will determine whether it is lawful to ask about citizenship status on the decennial census and, consequently, whether millions of immigrant Americans will have to answer in fear or not answer at all. The fact that an administration opposed to the Voting Rights Act claims this question is necessary to enforce it, is suspicious and deeply troubling,” said **Betsy Gotbaum, Executive Director of Citizens Union.**

“I am anxious that our communities will have to worry about potentially facing the added fear of the citizenship question. And I hope that this matter that violates our communities right to be safe is resolved in the near future, to give us the reassurance we need to get our communities counted,” said **Will Depoo, Organizer of Desis Rising Up & Moving.**

“With close to 10,000 immigrant children joining our communities on Long Island over the past few years, an accurate Census count is particularly critical for Nassau and Suffolk Counties, where recently arrived families are supported by schools and agencies that rely on the resources determined by an accurate Census count. It is critical for the health of our local economy and the vitality of Long Island’s future.” said **Rebecca Sanin, President/CEO of Health and Welfare Council of Long Island.**

“The MinKwon Center for Community Action categorically opposes inclusion of the citizenship question. Secretary Ross makes the argumentative fallacy that a lack of data pointing to harm of a citizenship question is evidence there will be no harm, and falsely places the burden of proof on the public, when that burden is squarely on him which he has failed to provide. Since inclusion of the citizenship question was announced, the MinKwon Center has already heard directly from several members of our community who have stated they are fearful of the Census and do not plan on participating. The evidence that the citizenship question will cause harm is already emerging, and it is real, and therefore must be removed from the 2020 Census,” said **John Park, Executive Director of the MinKwon Center for Community Action.**

“We urge the U.S. District Court to allow the lawsuit filed by New York and a dozen other states to move forward,” said Roberto Frugone, northeast director of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund. “There are no do-overs in Census 2020. We cannot risk having a failed count of the nation’s second largest population group given the important role census data play in the allocation of billions of dollars in federal funds and the apportionment of political power. The fight is not over, and we will not stop until we have exhausted all avenues to provide the Census Bureau with the fix and certainty it needs to tackle its most ambitious task yet, counting the largest American population in history.” said **Amanda Bosquez, Director of Media Relations, NALEO Educational Fund.**

"In New York, immigrants make up the backbone of our workforce and are essential to our growing economy and healthy communities," said Jesse Laymon, Director of Policy at the NYC Employment and Training Coalition.

"If the Census in 2020 includes an unnecessary and fear-inducing citizenship question, it will fail to accurately count these communities of our City, it will fall short of its Constitutional responsibility to enumerate the true population of the United States, and it will inevitably hurt our economy and society."

"OCA-New York Asian Pacific American Advocates (OCA-NY) is disappointed to see the Secretary of Commerce's Motion to Dismiss the Attorney General's lawsuit challenging the addition of citizenship question. This motion goes against the constitution that requires the government to conduct a full and accurate count of the population when the census is implemented. We'll fight to make sure that the citizenship question is not included in the Census." said **Chi Loek, President of OCA-NY.**

"Judge Jesse Furman, on behalf of OBT, I urge you to consider the negative implications of adding the citizenship question to the US Census. It is important for us, as community providers that accurate data be collected. We need your help in order to accomplish that. Please consider denying the motion to dismiss." said **Mary Cosme, Director of Immigration Services at Opportunities for a Better Tomorrow.**

"Asking about citizenship in the 2020 Census will reduce participation and could lead to a dangerous reduction in federal resources for New Yorkers," said **Sharon Greenberger, President & CEO of the YMCA of Greater New York.** "The YMCA's youth, health, and community programming serves all New Yorkers, regardless of immigration status. We stand with our partners of New York Counts 2020 in denouncing the citizenship status question and working toward a fair count in 2020."

Background

The New York Immigration Coalition, together with sixty partners, has formed New York Counts 2020, a coalition to counter the expected impact of the citizenship question on the 2020 census. The addition of a citizenship question will stoke unnecessary fear in immigrant communities and could result in a significant undercount, particularly already undercounted racial and ethnic minority groups. With immigrants constituting nearly 1 out of 4 New Yorkers, an undercount in the 2020 Census will have catastrophic consequences – costing all New Yorkers political power and billions of dollars in federal funding for key services.

The New York Counts 2020 coalition includes:

New York Immigration Coalition

Rockefeller Institute of Government

32BJ SEIU

ACCESS WNY

African Services Committee

American Immigration Lawyers Association

Arab American Association of New York

Asian American Federation

Asian American Legal Defense and Education Fund

Association for a Better New York

Association for Neighborhood and Housing Development

Bangladeshi American Community Development and Youth Services

Catholic Migration Services

Center for Law and Social Justice, Medgar Evers College

Charles B. Wang Community Health Center

CHHAYA CDC

Chinese-American Planning Council

Chinese Progressive Association

Citizens' Committee for Children of New York

Citizens Union

Community Legal Advocates of New York

Community Voices Heard

Desis Rising Up & Moving

Digital Equity Laboratory, The New School

Emerald Isle Immigration Center

Fiscal Policy Institute

Forestdale

Garifuna Coalition USA, Inc.

Health and Welfare Council of Long Island

Indivisible Nation BK

Japanese American Social Services, Inc.

Jewish Community Relations Council

Korean Community Services of Metropolitan New York

LatinoJustice PRLDEF

Literary Assistance Center

LiUNA Local 78

Masa

MinKwon Center for Community Action

NAACP, New York State Conference

NALEO Educational Fund

New America

New York City Employment and Training Coalition

New York City Mayor's Office of Workforce Development

New York Legal Assistance Group

New York State Council on Children and Families

Nobody Leaves Mid-Hudson

Northern Manhattan Improvement Corporation

OCA-NY

Opportunities for a Better Tomorrow

Phi Beta Sigma Fraternity Incorporated (Harlem, NY Chapter)

Queens College CUNY and Social Explorer

Queens Library

Russian-speaking Community Council of Manhattan and the Bronx, Inc.

SEIU 32BJ

Sunnyside Community Services

Treatment Action Group

UJA-Federation of New York

United Neighborhood Houses

Vision Urbana, Inc.

Volunteer Lawyers Project of Onondaga County

Wayne Action for Racial Justice

Workers Center of Central New York

YMCA of Greater New York

Young Invincibles