

Testimony

by

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before

**the United States Senate Committee on Commerce, Science and
Transportation
on the decision to release unadjusted Census 2000 data**

**Washington, D.C.
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Chairman McCain, Ranking member Senator Hollings and members of the Committee: I am Arturo Vargas, Executive Director of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund. Thank you for the invitation to appear before you today on behalf of the NALEO Educational Fund to discuss the full impact on the Latino community of the recent decision by Commerce Secretary Don Evans to release Census 2000 data for redistricting that has not been adjusted to correct for the differential undercount.

The NALEO Educational Fund is the leading national organization that empowers Latinos to participate fully in the American political process, from citizenship to public service. The NALEO Educational Fund carries out this mission by developing and implementing programs that promote the integration of Latino immigrants into American society, developing future leaders among Latino youth, providing assistance and training to the nation's Latino elected and appointed officials; and by conducting research on issues important to the Latino population. The NALEO Educational Fund is a 501(c)(3) non-profit, non-partisan organization. Our constituency includes the more than 5,400 Latino elected and appointed officials nationwide.

As a member of the Commerce Secretary's Decennial Census Advisory Committee, I am pleased to be able to discuss with you the decision to release unadjusted Census 2000 data as the official data for the purposes of redistricting.

The NALEO Educational Fund is committed to ensuring that our nation will be able to rely on

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the most accurate data possible from the 2000 Census. Our organization, like hundreds of others across the country, mobilized to encourage all U.S. residents to answer the census. We are particularly proud of the mail back response rates in several Latino majority communities which demonstrated the sincere desire among millions of Latinos to make themselves count in 2000. We commend the Census Bureau for the many elements of Census 2000 which made it such an operational success, including its partnership program and commitment to work closely with community institutions, its high quality outreach and advertising program, and its efforts to hire an enumeration force that had the skills and capacity to carry out this monumental task. We would be happy to share with this Committee at another appropriate time our views on the elements of the census which were particularly successful and those areas in which we would recommend improvements for 2010. Our focus today, however, concerns the most basic element of the census, the accuracy of the data on which we will rely upon for an entire decade.

As we all now know, the preliminary estimates released from the Bureau indicate that the differential undercount was not eliminated. While the Census 2000 was an operational success, there was a net undercount of 3.3 million Americans. And many of those missed were Latinos - over one million.

That, Mr. Chairman, is more than the entire state of Wyoming.

When the career statisticians at the Bureau initially announced their recommendation against release of

the adjusted data, they based that decision on their examination of three different methodologies used to determine our nation's population: the traditional "headcount," the

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statistically-adjusted data based on the Accuracy and Coverage Evaluation (A.C.E.), and the Bureau's separate demographic analysis. These professionals unequivocally concluded that "there is considerable evidence to support the use of adjusted data;" however, they were troubled by discrepancies between the adjusted data and results obtained by the demographic analysis. They had to meet a deadline to make a recommendation regarding the release of the adjusted data, and they simply ran out of time to examine and explain those inconsistencies.

It is critical that we permit the Bureau to take the time it needs to resolve this issue. We should not be forced to live with a 10-year error because of a three-month deadline. If the Bureau determines that the adjusted numbers are more accurate, the Bureau should release them for redistricting and other purposes. The connection between redistricting and the Census goes back to the founding of our nation. The redistricting process plays a key role in ensuring that our democratic process provides fair representation for our nation's residents. The use of unadjusted data for this process will result in inherently mal-apportioned districts. Because the undercount occurred predominately among minority populations, Congressional and state legislative districts with substantial numbers of minority residents will in fact contain a much larger population than what the unadjusted data indicate. Thus, those

districts would in reality be comprised of a larger number of residents than districts which are predominately non-minority. The differences between the size of the actual population in such districts could exceed the deviation permitted under the “one person, one vote” principles of current law.

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We are also concerned about the negative impact unadjusted data could have on voter participation in communities with language barriers. Section 203 of the Voting Rights Act requires jurisdictions that meet certain criteria to provide language voting assistance to their residents. Jurisdictions qualify if a) they include at least 10,000 voting-age citizens who belong to a single language community with limited English-language abilities, or b) such citizens comprise more than 5% of their voting-age citizen population. This is determined by census data.

For the Latino community and the nation as a whole, the repercussions of not releasing data adjusted to correct the undercount will extend far beyond our political system. In general, accurate, corrected data are vital for all types of programs and services. As you know, Mr. Chairman, there has been much discussion about the dramatic growth of the Latino community, and its implications for this country’s economic, social and political institutions. This is an important discussion, because as a result of this growth, our community and nation will face many challenges. Moreover, community providers, urban and rural planners and policy makers must be equipped with the most accurate baseline data available to make the comparisons and assessments that are critical for their work.

A census undercount also drastically undermines access to quality education, a particularly important issue for Latino families. The Census Bureau's most recent Current Population Survey data reveal that 36% of the Latino population is under the age of 18. Decisions about the

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allocation of resources in school districts are based on census data. We know very well who was actually missed in the 2000 census. In low-income communities, it was immigrants and children. What this means to many Latino communities across this nation is that when school administrators are determining where to build new facilities, the number of teachers they need, or the number of school books to buy, they may mistakenly plan for 10,000 children, instead of the 12,000 who actually reside and attend school in the district. Given the extraordinary crisis in our public schools today, and their inability to adequately educate the nation's Latino children, this is an extremely critical juncture for our nation's future success.

So there is much at stake for the Latino community, not just politically, but also economically. If the Latino population is not fully counted, the communities in which they reside will likely lose funding for schools, hospitals and other vital social programs. These communities will, in effect, be disenfranchised for the next ten years.

What is even more pressing now, Mr. Chairman, is the recent revelation that the Census Bureau has, using scientifically approved methods to correct the undercount, produced a corrected set of numbers

down to the block level for the 2000 census in all 50 states. Today perhaps, Mr. Chairman, in this committee which has a tradition of openness and full disclosure, we can receive a commitment from the Census Bureau and the Commerce Secretary to release the corrected data if the Bureau determines they are indeed more accurate than the traditional "headcount." Our government may have spent as much as \$400 million to pay for the A.C.E..

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If the A.C.E. has produced the best numbers available, Congress and the American taxpayers should be entitled to this important information.

Mr. Chairman, we urge Secretary Evans to direct the Bureau to complete an analysis of the accuracy of the adjusted data as quickly as possible. If that analysis reveals that the adjusted numbers are more accurate than the unadjusted count, the Bureau should immediately release the data for redistricting and other purposes. If the analysis is completed after the data can be feasibly used for redistricting, the adjusted numbers should still be released, for public policy planning purposes and to assist us in improving the way we conduct future census efforts. If the analysis reveals the adjusted numbers are less accurate than the unadjusted count, the adjusted data should still be released to enhance our understanding of census enumeration methodology.

I thank the Chairman, the Ranking Member, and the Committee once again for providing the NALEO

Educational Fund with the opportunity to share our views today on the release of the Census 2000 data.