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REPS. WAXMAN, CLAY, AND MALONEY FILE SUIT TO FORCE THE BUSH ADMINISTRATION TO RELINQUISH CENSUS DATA

Today 16 members of the House Government Reform Committee, led by Reps. Henry A. Waxman (D-CA), Wm. Lacy Clay (D-MO), and Carolyn B. Maloney (D-NY), are filing suit in federal court in Los Angeles against the Secretary of Commerce. The purpose of the lawsuit is to compel the Bush Administration to release the adjusted data from the 2000 census.

“The adjusted census data should have been released months ago,” said Rep. Waxman. “There is no valid reason for the Bush Administration to withhold this data from members of Congress or the public.”

“The current Bush Administration is playing politics with the census data, just as his father did in 1990,” said Rep. Clay. “However, I am confident the federal court will reject this Administration’s position and order that the data be released.”

“It is outrageous that the Bush Administration refuses to release the detailed information on where over six million Americans mostly Black, Hispanic, Asian, and American Indians were missed in the 2000 Census,” said Rep. Maloney. “The American taxpayers paid for it, they deserve to see it.”

The raw census data that the Commerce Department has released missed over 6 million Americans. For that reason, the Census Bureau prepared a second set of “adjusted” data that used statistical techniques to correct for errors. Unfortunately, the Commerce Department has refused to release the adjusted data for political reasons. When the Commerce Department used similar techniques as part of the 1990 census, federal courts ordered the data released and rejected claims that the information was in any way confidential.

“This decision to withhold data has enormous implications,” said Rep. Waxman. “That’s why we’ve been forced to sue.”

Release of the adjusted data could affect the allocation of more than \$185 billion in federal grants. According to the General Accounting Office, the failure to adjust the 1990 census cost California and other states \$4.5 billion in federal grant funds. Moreover, the adjusted data could be used by states to increase the accuracy of state and congressional redistricting.

The lawsuit has additional significance beyond the immediate census case. Rep. Waxman and his colleagues are seeking the adjusted data under the “Seven Member Rule,” a federal statute enacted in 1928 that gives any seven members of the House Committee on Government Reform special access to federal records. This is the first suit to seek documents under this federal law.