



A D V A N C I N G E Q U A L I T Y

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**Statement of  
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**Before the  
Subcommittee on Federal Financial Management, Government Information, Federal Services,  
and International Security  
Committee on Homeland Security and Governmental Affairs  
United States Senate**

**Hearing on Reducing the Undercount in the 2010 Census  
September 23, 2008**

**Introductory Statement**

In 1990, the U.S. Census Bureau conducted its decennial count of individuals residing in the United States. The count disproportionately missed ethnic minorities, children, and immigrants. Asian Americans were among the disproportionately undercounted due to obstacles including cultural and linguistic barriers. For Census 2000, with the hard work of the Census Bureau on outreach initiatives in collaboration with the national community education outreach projects by many community based organizations, the Census Bureau was able to improve its count of the American population. However, there were still issues of undercount for many of the same communities. As we approach the 2010 Census, it is clear that the undercount is again an issue that must be address, with even more challenges facing the Census Bureau.

The demographics of 2010 have changed drastically from 2000. Some communities, such as the Latino American and Asian American communities, have experienced high growth rates of many ethnic communities. There is an increase in African and Caribbean immigrants. There are more languages being spoken and more people speaking them. There are generally high levels of mobility for many who move from state to state, city to city. Additionally, recent natural disasters have displaced many people from their homes and have created a more complex, less traditional or static sense of household for many people. The Census Bureau must be able to understand these communities and situations and the unique barriers to an accurate count that may exist for them.

The Census Bureau also has to account for the fact that people are reluctant to voluntarily provide personal information to the government in an age of identity theft and in the wake of immigration raids and other dragnets that post-9/11 policies have created. Combined with the growing privacy concerns that have arisen from disclosures this decade that the Census Bureau has inappropriately shared information with government agencies, an increasing number of people, particularly minorities, are fearful of providing even the most basic of information asked on the

census. The Census Bureau must overcome the many obstacles created by these factors in order to get an accurate count.

As we look towards Census 2010, there are many areas of improvement needed to achieve an even more accurate count of our population. This written testimony will identify some of the challenges that the Census Bureau faces in achieving an accurate count in the 2010 Census and provide some feedback on the Bureau's plan for addressing these challenges and ultimately reducing the undercount in hard-to-enumerate populations, including discussing the importance of culturally appropriate outreach and the significance of partnerships with CBOs and the Bureau's plan to utilize these tools.

### **Organizational Background**

The Asian American Justice Center (AAJC), formerly known as the National Asian Pacific American Legal Consortium (NAPALC), is a national non-profit, non-partisan organization that works to advance the human and civil rights of Asian Americans through advocacy, public policy, public education, and litigation.

AAJC has three affiliates: The Asian American Institute (AAI) in Chicago; the Asian Law Caucus (ALC) in San Francisco and; the Asian Pacific American Legal Center (APALC) in Los Angeles, all of which have been engaged in working with their communities to ensure an accurate count during past decennial census. APALC is a Census Information Center and established a Demographic Research Unit to make Census 2000 and other relevant research more accessible to the growing Asian American and Pacific Islander community and the organizations that serve it. APALC also led the California statewide collaborative effort on census outreach and education in 2000. AAJC also has over 100 Community Partners serving their communities in 24 states and the District of Columbia.

Together with our Affiliates and our Community Partners, AAJC has been extensively involved in working to eliminate the problems that have historically resulted in undercounting and underreporting of Asian Americans in federal data collection and analysis efforts, and in particular the decennial census count. AAJC conducted an extremely successful national Census 2000 outreach and educational project focused on the Asian American community. Through this project, AAJC and its Affiliates distributed over 750,000 linguistically and culturally appropriate community education materials and hosted or participated in over 865 community education activities, including panel discussions, presentations and press conferences.

Since the 2000 Census, AAJC has not paused in its efforts to ensure accurate and appropriate federal data collection and reporting on Asian Americans. AAJC has been a member of the Decennial Census Advisory Committee since the beginning of 2000. In 2005, AAJC became a member of the reconstituted and downsized 2010 Census Advisory Committee. In its advisory role, AAJC is able to assist the Census Bureau in understanding what research and programs would help the Bureau to effectively address the cultural differences and intricacies in various hard-to-reach communities, particularly in the Asian American communities, in order to get the most accurate count possible.

Additionally, AAJC currently co-chairs the Leadership Conference on Civil Rights' (LCCR) Census Task Force. LCCR is the nation's oldest, largest, and most diverse civil and human rights

coalition, with nearly 200 member organizations working to build an America as good as its ideals. In its leadership capacity on LCCR's Census Task Force, AAJC has kept LCCR members informed of important census policy issues and has facilitated conversation among the groups to build consensus recommendations for various census policy and outreach issues.

Through its various leadership roles, AAJC worked with numerous supportive Congressional members to ensure that additional funding was appropriated last year for the Census Bureau's Partnership Program in FY08 after the Administration failed to provide any funding for the program in its budget request. AAJC appreciates the Chairman's support for an accurate census and interest in ensuring that the census process is efficient and fair, which takes adequate funding.

AAJC is pleased to provide comments on reducing the undercount in the 2010 census. AAJC would like to request that this written statement, and the attached appendix, be formally entered into the hearing record.

### **Undercount Concerns**

Since 1940, the Census Bureau has attempted to measure its ability to accurately count the people in America whether it was through Demographic Analysis or the use of a separate coverage measurement survey. Duplicate responses lead to overcounts, while omissions, or missed persons, lead to undercount.<sup>1</sup> Subtracting overcounts from undercounts results in a net undercount or overcount for each census. It is important for the Census Bureau to check its ability to achieve an accurate count through a coverage management program.

For each decennial census from 1940 to 1980, the national net undercount went down, as did the net undercount for specific population subgroups. However, since 1940, there has always existed a differential undercount – that is, non-Hispanic whites had lower undercount rates than people of color, or, stated another way, people of color were missed by the census more often than non-Hispanic whites. The differential undercount was also reduced each decennial census since 1940, until the 1990 census.

The 1990 census was a watershed moment for the Census Bureau. It was the first census that was less accurate than the one previous. The differential undercounts were the highest the Census Bureau had ever recorded. We also learned from 1990 that it was not only African Americans who suffered significant differential undercounts but also Latino Americans and Asian Americans.<sup>2</sup> American Indians on reservations had the highest undercount of any groups in the 1990 census, with an undercount rate over 12 percent.<sup>3</sup> The undercount of children was generally

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<sup>1</sup> There are two ways to miss a person, thereby attributing to the undercount. First, the Census Bureau could miss the whole housing unit because they do not have the address or they have an incorrect address. Thus none of the people at the housing unit will be counted. The second way to miss people is for the Census Bureau to fail to capture other people who are within a responding household. These people can be missed for a variety of reasons, including fear of government and outsiders, limited knowledge of English, mobile people and households, and irregular household members such as households with two or more separate families residing there.

<sup>2</sup> The 1990 census provided the first measurements on the undercounts for Latino Americans, Asian Americans, American Indians and Alaska Natives. In the previous decennial censuses, the only coverage measurements made were for "black" and "non-black."

<sup>3</sup> Howard Hogan And Gregg Robinson, What The Census Bureau's Coverage Evaluation Programs Tell Us About

disproportionate. Children made up a quarter of the overall population in 1990, but accounted for slightly more than half of all persons missed by the Census Bureau.<sup>4</sup> The undercount of children of color was even more disproportionate. For example, the undercount for African American children was twice as high as that for non-Hispanic white children.<sup>5</sup>

In 2000, the Census Bureau worked to improve the accuracy of the count. Unfortunately, it was unclear how well the Census Bureau was able to count people. The final coverage measurement, the Accuracy and Coverage Evaluation (Revision II) (“A.C.E. Revision II”), results showed a net national overcount of about one-half a percent.<sup>6</sup> However, a net national overcount/undercount of around zero masks a much larger counting problem. While it appeared that the net undercount for the entire population and the net undercount for some race groups were reduced, the results did not fit historical patterns for these race groups.

For example, the A.C.E. Revision II showed that Asian Americans nationally had a slight overcount. However, several Asian American subgroups believed that they were actually undercounted. This was particularly true for Southeast Asian communities. For example, many community leaders in Long Beach, California believed that the Cambodian population was undercounted in the 2000 census. As evidence, they cite the fact that local school enrollment data were considerably disparate to the data provided by the 2000 census. During that year, school enrollment data showed a population of Cambodian children that was nearly as large as the entire Cambodian population counted by the Census Bureau, while the 2000 census data showed that the Cambodian school-age population accounted for much less than 50% of all Cambodians in California. It is clear that the Census Bureau missed a significant number of Cambodian children in their 2000 census, and it is equally likely that the census missed adult Cambodians as well in California. There was a relatively high rate of duplication for Asian Americans in college living away from home, which potentially offset any undercount of Asian Americans.<sup>7</sup> This duplication would likely distort accuracy in terms of place and ethnicity data, that is where we are being counted or missed and which of our communities are being counted or missed.

Despite the fact that in the end, the Census Bureau did not have confidence in the detailed findings and decided not to adjust the census numbers, the National Academy of Sciences' National Research Council did conclude with a fair amount of confidence that the net undercount and differential undercount by race/ethnicity were reduced from 1990. However, the panel also concluded that there existed a differential undercount of racial minorities in the 2000 census.<sup>8</sup>

### **Challenges to achieving an accurate count in the 2010 Census**

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Differential Undercount, Paper developed by U.S. Census Bureau Population Division for the 1993 Research Conference on Undercounted Ethnic Populations (1993), *available at* <http://www.census.gov/population/www/documentation/1993/conference.html>.

<sup>4</sup> Barry Edmonston, The Undercount in the 2000 Census, *available at* [http://www.prb.org/pdf/undercount\\_paper.pdf](http://www.prb.org/pdf/undercount_paper.pdf).

<sup>5</sup> *Id.*

<sup>6</sup> The A.C.E. Revision II estimated 33.1 million mistakes of all types, including 17.2 million erroneous overcounts (which primarily includes duplications and people counted in the wrong place) and 15.9 undercounts (e.g. people missed). The report says there were a minimum of 9.8 million duplications. Committee on National Statistics, National Research Council, National Academy of Sciences, *The 2000 Census: Counting Under Adversity* (2004), 240-241, 253.

<sup>7</sup> Committee on National Statistics, National Research Council, National Academy of Sciences, *The 2000 Census: Counting Under Adversity* (2004), 241.

<sup>8</sup> For example, Black men appeared to have one of the most significant subgroup undercounts: 4.2 percent according to A.C.E. Revision II. *Id.*

While the ideal for a census is to achieve a complete count of all persons in the country, perfection in this context is impossible. The pragmatic reality is that the Census Bureau constantly strives to achieve the most accurate count possible and one that is better than counts achieved previously. The 2010 census will provide the Census Bureau with even more challenges in achieving an accurate count. While this testimony is not exhaustive of all the challenges that face the Bureau, here are some challenges most pertinent to some of the traditionally harder to count communities, such as Asian American communities and immigrant communities.

### *Language Barriers to Census Participation*

In 2006, almost 55 million persons spoke a language other than English at home.<sup>9</sup> Almost half of these language minorities had difficulty speaking English and are classified as Limited English Proficient (LEP).<sup>10</sup> Lack of English fluency is a significant barrier to participation of many immigrant households. The Census Bureau's own focus group research found that Asian Americans and Africans believed that lack of in-language questionnaires and lack of English-language fluency were among the major barriers to having greater participation in the census among their communities.<sup>11</sup> The focus group research also noted that some in the Arab American community are not comfortable enough speaking or reading English to complete the census forms and that the availability of in-language communications and assistance is equally important for the Latino community.<sup>12</sup> The Census Bureau must develop a language assistance program that addresses the language barrier to census participation. As discussed later, while the Census Bureau has done work on Spanish language assistance, more needs to be done for other languages.

### *Impact of Immigration Debate, Raids, and Anti-Immigrant Rhetoric*

Our nation's current debate about the future of its immigration policy is creating additional challenges that the Bureau must address in reaching the newcomer population. Some policymakers have adopted a divisive tone and tenor during this discussion, and several states and localities have implemented or are considering harsh and hostile measures intended to target immigrants. Some of these measures require local law enforcement agencies to enforce federal immigration laws; others would require apartment owners to check the immigration status of potential renters. There has been an increase in immigration raids of homes as well as businesses. This has created a climate which will exacerbate immigrants' fear of contact with government agencies, including the Census Bureau.

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<sup>9</sup> U.S. Census Bureau, Table S1601. Language Spoken at Home, 2006 American Community Survey.

<sup>10</sup> *Id.* The current definition of LEP is persons who speak English less than very well. The Census Bureau has determined that most respondents over-estimate their English proficiency and therefore, those who answer other than "very well" are deemed LEP.

<sup>11</sup> See Image Media Services, Inc., *on behalf of* U.S. Census Bureau, Ethnic and Racial Sub-Population Focus Group Research (2007), available at <http://www.census.gov/procur/www/2010communications/final%20report%20-%20asian%20&%20arab-american.pdf> (results from focus groups with Asian, Arab, multi-racial, and white participants) ("Asian Focus Groups Report"). See also, M. Davis & Company, *on behalf of* U.S. Census Bureau, An Exploration of Attitudes and Perceptions Concerning the US Census Among Black Populations (2007), available at [http://www.census.gov/procur/www/2010communications/final\\_report.pdf](http://www.census.gov/procur/www/2010communications/final_report.pdf) (results from focus groups with African-American, Caribbean, and African participants) ("African American Focus Groups Report").

<sup>12</sup> See Asian Focus Groups Report. See also, Maya Advertising & Communications, *on behalf of* U.S. Census Bureau, Preparation for the 2010 Census Hispanic Community Focus Groups Qualitative Research Report (2007), available at <http://www.census.gov/procur/www/2010communications/final%20report%20-%20hispanic.pdf> (results from focus groups with Latino participants) ("Latino Focus Groups Report").

Undocumented immigrants, legal permanent residents, and even U.S. citizens who live in households where family members have varying status of immigration, will be discouraged from answering the Census.<sup>13</sup> The anti-immigrant climate today will harm confidence in the confidentiality of the Census, and promote the belief that among many residents the Bureau will use the information they provide in a detrimental manner. This is a potentially significant barrier for many immigrant communities, including Latinos, Africans, and Asian Americans.<sup>14</sup> It is critical that the administration take measures that will ensure a non-hostile and inclusive environment in which immigrants and U.S. citizens alike are comfortable and confident in filling out their census forms.

As they did during the 2000 census<sup>15</sup>, the Census Bureau must begin working with the U.S. Immigration & Customs Enforcement (“ICE”) to limit their enforcement activity during the 2010 Census process. Additionally, they must begin working with them earlier than they did during the 2000 census. Unfortunately, some enforcement efforts by the Immigration and Naturalization Service (INS), ICE’s predecessor, despite a commitment to limit activity during the census, may have caused many immigrants to avoid participating in Census 2000.<sup>16</sup> The INS was slow to come out with guidance to its regional offices concerning enforcement during the census and failed to adequately communicate policy early in the process resulting in raids conducted in Arizona, Oklahoma, Washington State and Texas even after the release of guidance requesting offices to limit highly visible enforcement activities. Many immigrants, who had initially been convinced that they could safely participate in the census, were frightened because of the raids that took place.<sup>17</sup> The Census Bureau can ill afford this chilling effect, especially in light of data sharing and privacy concerns that have surface this decade. The Census Bureau must take proactive steps to reinvigorate efforts to work with ICE as they did with ICE’s predecessor during past censuses and produce documentation for such policy, and they must do so well in advance of the 2010 Census.<sup>18</sup>

### *Confidentiality and Privacy of Census Data & Breaches in Public Confidence*

It is important to address the widely reported discovery in 2007 that during World War II the Census Bureau turned over confidential information including names and addresses to help the government identify Japanese Americans in preparation for their internment.<sup>19</sup> While it had been known that the Census Bureau shared general aggregated data about where Japanese Americans lived with the government in 1942, new documents in these past few years reveal that the Census Bureau also shared information about individuals with the government during that period. This information included individuals’ names, addresses and data on the age, sex, citizenship status and occupation of Japanese Americans in the area. This recent discovery highlights a significant

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<sup>13</sup> See Latino Focus Groups Report.

<sup>14</sup> See Asian Focus Groups Report, Latino Focus Groups Report, and African American Focus Groups Report.

<sup>15</sup> Jack Norman, INS promises to defer some raids during census, Milwaukee Journal Sentinel, *available at* <http://www2.jsonline.com/news/nat/mar00/census20031900.asp> (last updated March 19, 2000).

<sup>16</sup> Asian American Justice Center, Asian Pacific Americans And Census 2000: Findings And Recommendations For Census 2010 (2001) (on file with the author) (“AAJC Census 2000 Findings and Recommendations”).

<sup>17</sup> *Id.*

<sup>18</sup> Such actions would not be novel. Not only did the Census Bureau work with the INS to suspend immigration enforcement during the 2000 census, during the 1980 Census then-President Jimmy Carter issued an order for the INS not to interfere with the census count. Also, during the 1990 census, INS publicly promised not to interfere with the census. See, Terry Greene, Down for the Count, Phoenix New Times (April 11, 1990), *available at* <http://www.phoenixnewtimes.com/1990-04-11/news/down-for-the-count/>.

<sup>19</sup> Haya El Nasser, Papers show Census role in WWII camps, USA Today, March 30, 2007, *available at* [http://www.usatoday.com/news/nation/2007-03-30-census-role\\_N.htm?esp=36](http://www.usatoday.com/news/nation/2007-03-30-census-role_N.htm?esp=36).

concern for immigrants and minorities, particularly South Asians, Arab Americans, and Muslims Americans in this post 9/11 environment.

While the Census Bureau contends its actions were legal at the time due to the laws in place in the 1940s, many today question the ethical correctness of their actions. Moreover, most Americans are not aware that since that time “important safeguards to protect against the misuse of census tabulations have been instituted, notably stronger legal provisions to protect data confidentiality and the Census Bureau’s introduction of disclosure avoidance techniques” in order to safeguard the confidentiality of the data.<sup>20</sup>

For example, following a LA Times article discussing the recent discovery of the individual level data sharing of Japanese Americans during World War II elicited the following response from its readers:

“I can guarantee you that what information the census of 2010 wishes to have will not be forthcoming from me. A broken oath is a broken oath; there is no trust anymore.”<sup>21</sup>

A more recent data sharing incident occurred in 2004 when the Census Bureau turned over data regarding Arab Americans at the ZIP code level. While there was no sharing of individual information in this case and the information was technically publicly available, concerns were raised by civil rights organizations about the impact such disclosure would have on the ability of the Census Bureau to accurately count people. The Census Bureau was responsive to these concerns that such disclosure could have a chilling effect on the willingness of people to fill out their forms, especially those of persecuted or discriminated classes. While the Census Bureau established the position of Chief Privacy Officer and now puts all requests for sensitive data through a rigorous approval process and makes all special releases of data available to the public, damage has been done in the public eye due to this latest revelation, particularly in light of the discovery of the involvement of the Census Bureau in the interment of Japanese Americans during WWII.

The Census Bureau cannot afford for these concerns of distrust and fear to prevail and will need to work even harder to ensure that these attitudes do not result in a less accurate count. Couple this attitude with a fear of government and outsiders, and the Census Bureau faces the very real possibility that people will refuse to fill out and mail back their census forms. The Census Bureau must make all efforts to boost public confidence in the census.

### *Katrina & Other Natural Disasters*

Although Hurricanes Katrina, Rita and Wilma hit several years ago, those impacted by these storms are still experiencing the fallout. While tourists are slowly returning, many residents need only look around their neighborhoods for a vivid reminder of the impact of one of the most destructive natural disasters in U.S. history. The region struggles with neighborhood redevelopment,

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<sup>20</sup> U.S. Census Bureau, *Census Confidentiality and Privacy: 1790-2002*, 16, available at <http://www.census.gov/prod/2003pubs/conmono2.pdf> (comments from then-Director of the Census Bureau Kenneth Prewitt in an e-mail to Census Bureau staff in 2000).

<sup>21</sup> Letters to the Editor, *Census questions*, LA Times, April 5, 2007, available at <http://www.latimes.com/news/opinion/letters/la-lew-census5apr05,1,1746876.story?ctrack=1&csset=true>.

and there are increased healthcare challenges. It is more important than ever that the Gulf region get quality, accurate data about its population in order to work towards rebuilding the community.

The census counts people at their usual place of residence on Census Day. Therefore, people displaced by the hurricanes who are living elsewhere on April 1, 2010, even if they intend to move back to the Gulf Coast as soon as acceptable housing becomes available, will not be counted in their original home communities. Demographers already are predicting that Louisiana will not regain enough of its pre-Katrina population to avert the loss of one of the state's seven seats in the U.S. House of Representatives.<sup>22</sup> In addition, Louisiana will lose out on federal funding based on this counting method for those who are attempting to back it back to Louisiana.

Additionally, the Census Bureau faces other challenges in counting those affected by these hurricanes, as well as other natural disasters even under its current counting plans. There is a lack of trust in the government resulting from the aftermath of these hurricanes, particularly Hurricane Katrina, that may impact residents' willingness to participate in the government-sponsored census. The Bureau faces difficulties with locating all the households in the impacted areas due to the rebuilding efforts, making address canvassing even more important in those regions. Finally, there will be confusion for displaced residents who intend to return home but who have yet to finish transitioning back home as to where they should respond as their usual place of residence come Census Day. All these problems will be exacerbated for immigrant communities from the impacted areas who also have to contend with cultural and linguistic barriers.

The Bureau has done work around the effects of Hurricanes Katrina and Rita such as special reports and the Bureau has acknowledged the unique concerns facing the Bureau in enumerating those who have been displaced. However, their current policy on how to count these displaced persons during the 2010 census fails to accommodate the unique situation faced by those displaced. At a minimum, the Census Bureau should issue a report that details the impact of this counting method on displaced persons in the Gulf region and Louisiana during the 2010 census. The Census Bureau should also consider reassessing the counting policy for those displaced by Hurricanes Katrina and Rita for the 2010 census, particularly in light of the role the federal government has played in creating some of the fallout from these hurricanes.

### **Evaluation of Census Bureau's Plans for Dealing with Challenges**

The following Census Bureau programs and activities are critical to help reduce the undercount. These programs and activities focus on providing culturally appropriate outreach and materials to traditionally hard-to-reach communities, including Asian American and immigrant communities, and relying on partnerships with local and national community-based organizations to act as a conduit for this information and the census message. Also key to the success of these programs and activities in helping to reduce the undercount is ensuring that they are fully funded and properly implemented.

#### *2010 Census Communications Plan*

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<sup>22</sup> Jeremy Alford, Population Loss Alters Louisiana Politics, The New York Times, October 4, 2005, *available at* <http://www.nytimes.com/2005/10/04/national/nationalspecial/04census.html>.



Building on the success of the Census 2000 partnership and marketing campaign, which helped reverse a two decade-long decline in the national mail response rate, the Census Bureau is taking an integrated approach to goes beyond advertising to include public relations, partnerships, grassroots marketing, special events, Census in the Schools, and more thought its 2010 Census Communications Campaign.<sup>23</sup>

By integrating these different components of outreach, education, and advertising, the campaign intends to reach all people in the most efficient and effective manner by supporting the 2010 Census goals of:

- Increase mail response
- Improve cooperation with enumerators
- Improve overall accuracy and reduce the differential undercount

The Communications Campaign is intended to run from mid-2008 through June 2010; the prime contractor for the campaign is DraftFCB. Working with DraftFCB are subcontractors, some of whom will be focusing on specific, traditionally hard-to-count communities:

*Public relations:* Weber Shandwick

*Media buyer:* Initiative

*African-American:* Global Hue

*Latino:* Global Hue, A to Si

*Asian-American:* IW Group\*

*American Indian / Alaska Native / Native Hawaiian and Pacific Islander:* G&G\*

*Emerging markets:* Allied Media\*

*Experiential marketing:* Jack Morton

*Management and integration:* Booz Allen Hamilton

*Recruitment:* Marcom Group\*

*Design:* Zona Design\*

*Puerto Rico:* Draftfcb Puerto Rico

\* *small businesses*

DraftFCB developed a plan that was shared with Census Advisory committee members and all of the Bureau's regional office staff but it has not yet been finalized. The two components of the media and outreach efforts are mounting a national media campaign in every broadcast medium to advertise the Bureau's messaging for 2010, which will be developed based on research conducted by DraftFCB and a media campaign focused on specific minority groups. The plan is to have the national media campaign kick off in January 2010 and continue through each phase of the census. Ethnic media advertising will complement the national campaign in an effort to reach the hard to count populations. The Census Bureau anticipates that the efforts of each of DraftFCB's sub contractors along with their proven track record of reaching their target communities will be instrumental in addressing the differential undercount.<sup>24</sup> The integration is particularly important

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<sup>23</sup> Hearing on Census 2010: Using the Communications Campaign to Effectively Reduce the Undercount, Before the Subcomm. on Information Policy, Census and National Archives of the H. Comm. on Oversight and Government Reform, 110th Congress, July 10, 2008 (prepared statement of Census Bureau Director Steve Murdock), *available at* <http://informationpolicy.oversight.house.gov/documents/20080711101648.pdf> ("Director Murdock's Statement").

<sup>24</sup> *Id.*

because we saw during the 2000 census that there were differing messages coming from different offices of the Census Bureau, causing confusion for partnership program partners and ultimately those community members that those partners served.

While the Bureau should be commended for learning from its Census 2000 experience and moving toward an integrated communications strategy, other lessons learned from 2000 must also be addressed. For example, we learned from the 2000 census that significant amounts of money is needed for advertising in language and to target language minority communities as well as a comprehensive strategy about the language component of its paid advertising campaign. It is important to note that not only must the Census Bureau request sufficient funds in their budget to accomplish these tasks, it must also actually spend the necessary funds to effectively accomplish these tasks. That is, the Census Bureau cannot allow these funds to be diverted to other activities or programs because they are critical to achieving an accurate count.

During the 2000 Census, AAJC heard from local CBOs that the Census Bureau's innovative advertising campaign did not reach many ethnic groups who needed in-language media the most. The 2000 campaign targeted the Asian American groups with the highest number of LEP individuals, but unfortunately, did not also target the smaller ethnic groups who have the highest LEP rates and the highest percentage of linguistically isolated households. With a limited budget the advertising campaign failed to cover an adequate number of Asian languages and cultures, and the advertising agency was forced to make generalizations based on sometimes inadequate research.<sup>25</sup>

In advertising, it is important to have as much consistency as possible to increase the effectiveness of the message and to reduce potential confusion inherent in the use of more than one slogan. There is a possibility for much greater leverage and synergy by incorporating involvement of the CBO community in the advertising and outreach campaign. Advertising research needs to be done in the targeted language as well as in English where possible.

Another lesson learned from the 2000 Census is that the Census Bureau must make better use of its partners and advisory committee members. While the advisory committee had input into the outreach campaign for the 2000 census, it had less information about the advertising campaign which was being handled by a separate team. As a result, the slogan chosen for the advertising campaign used a concept that was clever in English but did not translate well into many of the languages. Some of the CBOs had to choose different slogans that would make sense in the various languages for their communities. So far during this 2010 Census Integrated Communications Plan process, there has been more consultation of interested stakeholders, which will hopefully lead to a more effective outreach campaign for our communities.

CBO input into the choice of images for posters and print is also important, given the diversity of the hard-to-count communities. Such input in the 2000 Census effort helped to avoid costly mistakes. Input for 2010 should be formalized and occur earlier in the process.

It also took too long for Census 2000 to develop a protocol and make available images and video footage that could be incorporated into major campaigns run by CBOs working in close partnership with the Census Bureau during the 2000 census. It is critical for CBOs to have access to

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<sup>25</sup> *Id.*

these images and video footage in order for them to implement their outreach and education plans. CBOs generally do not have the resources available to purchase such images and must rely on taking pictures of people that they know. This is a more cumbersome and time consuming manner for getting usable images and footage. The Census Bureau should help leverage these images for their partners.

The Census Bureau must strategize about how much free/earned media to aim for versus how much paid media. The Census Bureau must plan how it will get earned media in all different types of media (from mainstream to ethnic, from urban to rural, and so forth). While a fully supported paid advertising campaign in ethnic media is critical for Census 2010, it is equally important to fully fund a strategic earned media campaign. Quite simply, paid advertising is seen as something that is bought. Therefore paid advertising is good to heighten awareness of the Census, but is not always the best method to get across some messages.

For example, earned media discussing the confidentiality and security of census data would go much further in reassuring the American public that their response is indeed safe than a paid advertisement proclaiming the same sentiment. Similarly, earned media in ethnic media will ease concerns of hard to enumerate minority respondents in a way that can very much leverage the Census Bureau's paid advertisement effort. A variety of voices stating the same messages will be stronger than one voice saying it alone. Trusted journalists and media outlets should be utilized through working with them to get earned media on the importance of the census and other message points.

While the Bureau through DraftFCB and its subcontractors has made strides toward ensuring that all communities are reached through its communications campaign and have at some level addressed many of these issues in their proposed plans, without a finalized plan or a sense of how much will be allocated for what pieces of the communications plan, it is unclear how well the communications campaign will deliver on its potential to truly reach all persons, particularly those who have been traditionally hard to count.

### *Partnership Program*

The 2000 census partnership and outreach program was credited by many in the civil rights community and in the Census Bureau for helping to achieve one of the most accurate counts for many of our hard to count communities by relying on culturally appropriate outreach and partnerships with CBOs. Establishing partnerships with hard-to-count communities has been shown to reduce non-response follow-up costs and improve accuracy. As noted above, while the 2000 count was better than in the previous year, there is still a ways to go and improvements to be made to help achieve an even more accurate count in the face of growing privacy fears and concerns about potential government misuse. We believe that a partnership and outreach program that builds upon the successes in 2000 is a critical step towards a more accurate count.

The partnership program promotes a more accurate count by having government leaders, school leaders, faith-based leaders, corporate leaders, and other kinds of community leaders communicate with their constituents about the importance of filling out their census form to the success of the economy and their community – their neighbors, their kids, their schools and so forth. This has proven to be a great success as respondents are interacting with leaders that they trust, rather than with a stranger representing the federal government, and have been more willing to

participate in the census program.<sup>26</sup> The growing privacy concerns and distrust in the Census Bureau, the growing diversity, hostile climate to certain communities, and the general distrust of government makes a strong and vibrant partnership and outreach program even more necessary and important for an accurate count in 2010.

The Census Bureau itself has noted the value of a strong partnership program, particularly important for those in areas isolated by language or geography. In fact, Director Murdock has indicated that the 2010 Partnership Program will be even more “robust” than in 2000. The Census Bureau will provide partnership materials in at least 20 languages, all of which will be customizable so that partners can tailor the message to their specific communities. Additionally, 2010 materials will be easily accessed through the Internet or as printed copy, unlike the 2000 census when one had to go through a Census Bureau partnership specialist in order to obtain promotional materials. The Bureau will also provide resources such as specially printed promotional materials, customized banners, special event promotional items that encourage participation in the census, and in-language materials that help reach the hardest-to-count populations.

The Community Partnership Specialists were an important innovation for Census 2000, but the program’s quality varied significantly across regions. Specialists were not always hired early enough and were sometimes not provided adequate training. For the 2010 Census, the regional offices have hired and trained 120 partnership specialists as of May 2008 who are now actively developing local partnerships with key stakeholders. In January of 2009 the regions will add 560 more partnership specialists, for a total of 680 partnership specialists, which is comparable to the numbers from the 2000 census. While the Bureau is planning on hiring a comparable number of partnership specialists, these numbers will not be sufficient to cover the various communities or whether they will be allocated in a manner that allows for sufficient coverage. In the 2000 census, not enough specialists were hired to cover the various communities in any given region. More partnership specialists need to be hired and they need to be hired earlier in order to effectively work with all the various communities.

Another problem was that regional and local offices did not make consistent efforts to reach out to leaders in different communities. For example, in many of the areas, the Community Partnership Specialists did not meet with all of the various Asian American groups, resulting in overly generic outreach plans that were not appropriately tailored to specific ethnic and neighborhood communities. While outreach has occurred at the national level to different communities, it is less clear from a national level what is occurring at the local levels. For the 2010 Census, regionally offices must consult with one another to learn best practices and share resources that offices develop.

It is clear that time is needed for the Census Bureau to do the outreach to the organizations, as well as reach out to local governments and engage them in these efforts. It is important the Census Bureau achieve, at a minimum, the depth and breadth of partner organizations that it did in Census 2000, all of which requires time. Time is also needed for CBOs, schools, churches,

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<sup>26</sup> *Id.* In fact, Director Murdock noted:

Partnership has been a vital part of the census since 1990, and it is the foundation of our outreach efforts. In Census 2000 more than 140,000 organizations partnered with the Census Bureau. These included state, local and tribal governments, community and faith - based organizations, schools, media and businesses.

corporations, and other partner groups to gear up for their outreach campaign to their constituents. These partner groups need to raise funds from local philanthropists and other sources to do the outreach work. Advance planning is particularly important for minority communities to adequately provide necessary outreach to its constituents.

Inadequate partnership and outreach programs will result in high and differential undercounts. We applaud Congress for recognizing and appreciating the importance and significance of partnership to the ability of the Bureau to get a more accurate count, particularly for harder-to-count communities, in providing additional funding in FY 08 that allowed the Census Bureau to start its Partnership Program a year earlier than anticipated (yet was the comparable year in which the 2000 program started). However, we are concerned that it was not as much as originally requested by the Census Bureau and hope that Congress continues to place a priority on the Partnership Program by adequately funding it.

Finally, it is important to note that while the Partnership Program is incredibly important to CBOs in getting the word out to their communities, it is often not enough on its own – while the Census Bureau does provide in-kind assistance, it does not provide direct monetary assistance. This is particularly important for community organizations which have limited resources and extensive workloads. In order for these community organizations to most effectively assist the census education and outreach efforts, they must receive funding to help support their work.

In Census 2000, we saw that the count proved to be more accurate where resources for CBOs were available to support census outreach activities. For example, in California where state and local government, as well as foundation resources, were made available to CBOs, the outreach and count went more smoothly in hard-to-count neighborhoods than in New York where there were no additional government resources. Unfortunately, few states and cities made support available, and those that did, were very late doing so. As a result, already overloaded CBOs had to depend on discretionary funds from regional Census Bureau offices or on private funding. It is important for the Census Bureau to plan and budget for CBOs who are assisting the Bureau with its outreach.

### *Language Assistance Program*

The Census Bureau made strides to address respondents' language ability issues during the 2000 census by implementing a more aggressive language outreach program that included translating census materials into a variety of languages, toll-free phone assistance and questionnaire assistance centers. The translation of the questionnaire into five non-English languages (Spanish, Chinese, Tagalog, Vietnamese, and Korean) and the creation of Language Assistance Guides in 49 different languages were critical to reaching limited English proficient respondents.

While the Census Bureau is to be commended for undertaking a variety of language assistance initiatives, the expansion of which was a significant improvement over the effort in 1990, there was still more that needed to be done. For example, the Census Bureau did not provide enough translated materials and questionnaires to meet the need and the demand. The Census Bureau also did not produce materials in a timely manner whereby the translated materials that were shared were shared so late in the process that they were not useful. There was no consistency in the translations used across Census Bureau materials, as there was no consistency in the language assistance provided from region to region, and locality to locality.

Finally, there was inadequate publicity and coordination with CBOs to get what materials they did have as well as no centralized clearinghouse of translated materials so that regional offices and NGOs could share them on a local level. The language assistance guides, toll-free phone assistance, and questionnaire assistance centers did not always effectively reach members of the LEP community due to the lack of sufficient publicity and coordination with CBOs. The advertising campaign was not well coordinated with the outreach campaign. The Census Bureau did not appear to have coherent national or regional publicity plans to inform LEP households about the existence or location of the various language assistance alternatives. Many community leaders were unaware of what was available or were not told where to access them. The Census Bureau must learn from these problems to build upon the successes of the 2000 program to make a more effective program in 2010.

The Bureau is looking to its 2010 Census Language Program as another means to ensure that they reach as many people as possible. The primary goal for the 2010 Census Language Program is “to improve coverage and achieve efficiencies by developing effective methods to meet the language needs of our Nation’s diverse population” and is to be integrated with major Census Operations, including content, census forms design, response processing, communications, and telephone.<sup>27</sup>

For the first time, the Census Bureau will mail about 13 million bilingual Spanish/English questionnaires targeted to areas with concentrations of Latino populations.<sup>28</sup> Questionnaires will be available in five languages in addition to English: Spanish, Chinese, Korean, Vietnamese, and Russian. Telephone Assistance will also be provided in these five languages, including the ability to mail materials to respondents who request them, such as the questionnaires in the five primary languages, Language Guides, and the English Questionnaire. The Census Bureau will also provide single sheet language assistance guides in more than 50 languages that will be available on the Internet and at approximately 30,000 Questionnaire Assistance Centers located throughout the country, which will be staffed by people fluent in the languages spoken in their communities.<sup>29</sup> The 2010 Census Language Program also includes translation guidelines, a language reference dictionary, testing translation, translation review (internal and external) and a centralized translation contract.

While the Census Bureau should be commended for the work that they have done to ensure that Spanish speakers are adequately assisted, we are concerned that the Census Bureau has not done enough for the other languages that must be assisted during the 2010 Census. Due to the growing diversity in this county, we are concerned that there are only five priority languages for primary language assistance (that is, translated questionnaires, telephone assistance, and so forth). We believe that more resources need to be put towards adding more languages than the number done in the 2000 census.

Additionally, the Bureau’s plan to provide numbers that people can call to receive language assistance is a good starting point but, as they say, the devil is in the details. There is the real question of whether or not there will be enough time to recruit non-response follow up interviewers

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<sup>27</sup> U.S. Census Bureau, 2010 Decennial Census Language Program PowerPoint (2007), *available at* [http://www.census.gov/clo/www/cic/10-10\\_Language\\_Program\\_for\\_the\\_2010\\_Census-Kathleen\\_Styles.ppt](http://www.census.gov/clo/www/cic/10-10_Language_Program_for_the_2010_Census-Kathleen_Styles.ppt).

<sup>28</sup> Director Murdock’s Statement.

<sup>29</sup> *Id.*

and bilingual operators to man telephone assistance centers from communities so that the languages spoken in those communities are represented and to develop a translated glossary of terms for them to use. While it appears from their planning that this will be done, the question is has it been done and if not, then when.

It is also clear that the 2010 Census Language Plan contemplates a glossary or dictionary of census terms but the same questions of has it been completed and if not, then when also apply. It is important to have a glossary of census related terms for each language that has been fully vetted by communities and experts in advance of their distribution. For some languages, a comparable term may not exist. For others, there may be a variety of possible translations, some being more appropriate than others. These glossaries need to be completed early and widely disseminated so that CBOs and others generating education materials are using consistent terms.

In fact, two key factors for a successful language outreach program are consistency and timeliness. The translations must be consistent across the board and speak with the same voice and promote the same message. Confusion created by poor translations will create more work for both the Bureau and the CBOs on the back end as they try to work with respondents in filling out their questionnaires.

Some languages are simply more difficult to work with, such as some of the Asian languages. From the translations to the hiring of linguistically competent workers, more time will be needed to ensure that these communities actually receive assistance for the 2010 Census. One of the common complaints AAJC received following the 2000 census from local Asian American community-based organizations was that the Bureau was late in making critical decisions on the translations materials and there was no centralized clearinghouse of translated materials. Because of the lateness of the Bureau's decisions, CBOs did not have sufficient time to determine what needed to be produced to supplement the offerings nor were they able to adequately utilize the materials produced by the Census Bureau.<sup>30</sup>

On the positive side, the Census Bureau has translated some documents and has begun to circulate them to community members and community based organizations for feedback on the quality of the translations. On the negative side, there have already been concerns raised by the Vietnamese community about the translation of the Vietnamese questionnaire. Some of these concerns include using a different translation than what has been traditionally used for "U.S. Census Bureau." The new translation actually sounds like the FBI and has the connotation of "criminal investigations." The Vietnamese translation also has a big bold title of the problematic translation of U.S. Census Bureau (that is not on the English version of the questionnaire) that looks very threatening. Those reviewing the quality of the translation actually proposed that the translation be redone by someone more competent.<sup>31</sup> It is unclear what protocol the Bureau has in place to deal with such problems with translation quality.

Finally, the availability of translated materials on the Internet certainly goes toward having a clearinghouse of translated materials that was missing in the 2000 Census. This will help to ensure that Census participants that speak languages other than English do not need to call multiple phone

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<sup>30</sup> AAJC Census 2000 Findings and Recommendations.

<sup>31</sup> Email from Vietnamese community leaders to the U.S. Census Bureau in response to request to review quality of Vietnamese translation of Census form (on file with author).

numbers to receive different brochures or information in the same language. However, the Census Bureau must be mindful of the digital divide for some communities and plan to have another means available for those persons to get the information that they need.

### *Recruitment and Hiring*

The Census Bureau needs to recruit about 3 million temporary workers to get the hundreds of thousands of temporary workers around the nation needed to conduct the 2010 Census. One hundred fifty Local Census Offices (LCOs) will open in Fall 2008 and the remaining 344 LCOs will open by Fall 2009. While the LCOs will begin hiring in early 2009, peak hiring will take place in March through June of 2010 with the opening of the remaining LCOs. Address canvassing will require 150,000 workers in 2009, and the Non-Response Follow-Up effort will require 700,000 in 2010.<sup>32</sup>

It is important that the Census Bureau recruit and hire people who are “indigenous” to the communities where they will be working because of the knowledge these workers bring – from the local knowledge of language to the local knowledge of neighborhood and culture. CBOs can help identify potential candidates for these positions from traditionally hard-to-count communities, including those with language skills, as well as advertise these job postings to their members and constituents. Furthermore, CBOs can help train them to pass the test for these positions.

Awareness of the Census 2000 recruitment program was high. For the first time, the Census Bureau hired local private contractors for dissemination of paid advertisement of recruiting needs to the local media. Job fairs held by the Census Bureau were excellent. The Welfare-to-Work program provided opportunities for employment without penalty for federally assisted citizens, resulting in a good number of Welfare-to-Work workers to be hired. The ability to pay prevailing local wages allowed the Census Bureau to obtain and retain more qualified people. Also, partnerships with CBOs helped with visibility within our communities.

Removing the hiring priority for U.S. citizens was a success because the Census Bureau could hire local legal residents who were representative of their communities. This is particularly useful in collecting complete information from immigrant respondents, where they are more likely to be mobile, have complex household arrangements, and lack English-language skills and thus harder to count. People are more likely to respond to enumerators who share their same cultural background, language, and other such factors. Because of the heightened challenges facing the Census Bureau this census, it is even more important that removing the citizenship requirement occurs earlier than last time.

Another exemption utilized by the Census Bureau in 2000 was an exemption for federal retirees to work as a temporary worker for the census that ensured that their retirement/pension was not impacted by their work with the Census Bureau. This is particularly relevant as we now see a huge wave of new retirees leaving the work force, which provides the Census Bureau an opportunity to recruit these new retirees so that the Bureau’s temporary work force better reflects the population in this county.

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<sup>32</sup> Ken Hodges, Association of Public Data Users, May 15-16 2008 Meeting Of The Census Advisory Committee, available at <http://www.apdu.org/advocacy/docs/DCAC2008-05-15.htm> (APDU is a member of the 2010 Census Advisory Committee and Ken Hodges is the APDU representative).



The Census Bureau should use even more creative and unconventional methods to recruit and hire Census workers for the 2010 census, including making better use of technology, removing financial disincentives to work for the Census Bureau, enhance the incentives, and increasing local advertising related to Census job opportunities. Potential candidates for the Welfare-to-Work program should be more informed regarding the benefits of income exclusions. Recruiting in senior communities should be increased. The Census Bureau should hire recruiters specific to minority communities. Recruitment should take place at the natural gathering areas for minority communities (churches, stores, ballroom dances, karaoke bars, restaurants, and conferences).

The decision to continue policies allowing waivers of Census income and citizenship requirements for census workforce, thereby opening Bureau positions to U.S. citizens or legal residents and encouraging the hiring of legal residents to meet the need for bilingual personnel, must happen earlier. During Census 2000, the policy guidance came out too late to be helpful and was arbitrarily applied. This highlighted one of the problems prevalent during Census 2000: the insufficient coordination between the national headquarters in Washington and regional and local offices. This led to some regional offices not fully understanding official Census Bureau policy, which resulted in inconsistent or inaccurate application of policies across regions. It caused confusion in the community over policies covering the hiring of noncitizens and the publicity of language assistance options.

Finally, the Census Bureau should constantly strive to achieve a more diverse full time workforce. Many of the groups have met with the Census Bureau to discuss their concerns that the Bureau's workforce, particularly at the senior management level, is not as diverse as it could be. We believe that the Census Bureau must implement a hiring policy that recognizes the importance of having experts on various hard-to-count communities, including the Asian American, Pacific Islander and other minority communities, throughout the Bureau's operations. In particular, it is important for the Census Bureau to recruit and hire qualified persons of these communities in senior positions. These positions are particularly important for those programs and offices that are charged with ensuring that Census Bureau programs are adequately and appropriately addressing the outreach and data generated for these communities.

### **Additional Areas of Concern to be Addressed**

#### *Sufficient and Timely Funding for Census 2010 Preparations and Implementation*

The Census Bureau must receive sufficient funding to accommodate the significant funding ramp-up required in the final year of preparations for the 2010 decennial census and to enable the Census Bureau to perform its essential operations and constitutional requirements. The Census budget is cyclical and must increase dramatically in the years preceding the census to pay for necessary preparations. These preparations include opening early local offices, hiring temporary headquarters and regional staff, printing hundreds of millions of forms, verifying local addresses across the country, and conducting promotional activities. The groundwork done in the final year before the census will, to a large extent, determine the success of the 2010 Census. The Census Bureau must receive sufficient funding, and in a timely manner, to ensure that vital preparations are thorough and timely. Additionally, it is important that the Census Bureau receives adequate funding for its Partnership Program.

### *Need for immediate and decisive decision about Census Director by incoming president*

There will be a new incoming president in the year right before the 2010 Census, during which the Census Bureau will begin address canvassing, a key operation to ensuring an accurate census (in Spring 2009) and its main publicity campaign (in October 2009). These efforts will be followed up by census taking activities beginning in the field in January 2010, one year after the new president enters office. Because of this timeline, it is imperative that a decision be made about the Census Bureau director immediately. One option is for the incoming president to decide to retain the current director for the duration of the decennial census, thereby maintaining continuity and expertise in that position and minimizing disruption to census preparations and implementation. However, if the incoming president decides to go another route and not retain the current director, it is critical to an accurate census that the incoming president nominates a new Census Bureau director immediately so that enough time is given to accommodate the confirmation process yet still keep the decennial census preparations and implementation on track. Which ever route the incoming president decides to take, it is crucial that the Director is eminently qualified to the lead the agency's enumeration and data compilation efforts and must be a skilled statistician with superior management expertise and experience, especially with respect to the operational components of the decennial Census, the ACS and other Bureau data activities.

### *American Community Survey*

Finally, while this hearing is focused on the 2010 Census, AAJC would be remiss if we failed to mention that another key component that requires oversight is the implementation of the American Community Survey (ACS). While the 2010 Census is important for reapportionment and redistricting purposes, ACS data is equally important for other purposes, such as governmental planning, appropriations and work done by non-governmental agencies. Because the ACS replaces the long form of the decennial census, it is important that the quality of data captured by the ACS is at a minimum the same as the long form. Ideally, the quality of data would be better, since the move to the ACS was designed to improve our ability to capture more current data.

While 2005 was the first year of full implementation of the ACS, there remain issues regarding the implementation of the ACS and its ability to capture data, particularly for hard-to-count communities, including smaller population groups. Concerns include whether there is adequate language outreach to languages other than Spanish, the quality of data generally and specifically with regards to smaller populations, and the inclusion or exclusion of group quarters, such as dorms, prisons, and nursing homes. In particular, AAJC is concerned about whether the ACS will in fact provide the same quality of data as provided from the long form for small geographic and small group populations. We urge the subcommittee to hold a future hearing that delves deeper into the implementation of the American Community Survey.

### **Conclusion**

On behalf of AAJC, I want to thank the Committee for the opportunity to provide a written statement on reducing the undercount in the 2010 Decennial Census. While the Census Bureau has taken important steps to improve the count in 2010, there are still many areas where the Census Bureau needs to address in order to meet the challenges facing an accurate count in 2010 and ensure full participation by the American public.