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House of Representatives

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Opening Statement

Subcommittee Chairman Jamie Raskin

Hearing on “Getting Counted: The Importance of the Census to State and Local Communities”

Subcommittee on Civil Rights and Civil Liberties

May 28, 2019

Good afternoon. Thank you all for being here today. I would like to thank LaGuardia Community College and President Gail Mellow for their gracious hospitality. This wonderful college, which has 57,000 pupils with roots from all over the world, is a great instrument of educational opportunity and advancement for its students. This is the perfect place to publicize the importance of the Census for every person in America.

I salute my fantastic colleagues from the New York City delegation who are members of the Civil Rights and Civil Liberties Subcommittee: Carolyn Maloney from the 12th District and Alexandria Ocasio-Cortez from the 14th District. Representative Maloney co-founded our House Census Caucus and has fought like a tiger for an additional \$1 billion in funding for 2020 Census outreach. Representative Ocasio-Cortez has been a passionate champion for ensuring everyone in New York City and across the United States gets counted. I'm also pleased to be joined here today by a visitor to our Committee, Congressman Greg Meeks from the 5th District of New York. He will be waived on to the Subcommittee today and will participate as a full Member.

I am a Representative from the 8th District of Maryland, and I'm delighted to be here today. This is a hearing of immense importance, not just for New York City, but for our nation. When my youngest daughter was in the first grade, she was involved in a class project on diversity. One day she came home and said: “Daddy, in my class, we have 9 African Americans, 7 white Americans, 6 Hispanic Americans, 5 Asian Americans, and 3 ‘absent’ Americans.” I told her she could not let herself be an “absent” American. She should be a “present” American, one who is engaged and active in our democracy and stands up to be heard.

That is the theme of our hearing today. How can we make sure that everybody is a “present” American when the 2020 Census is conducted? How do we make sure that every person in the country, pursuant to the intention of the Founders, is counted? At our nation's founding, citizenship and the right to vote were not required in order to be counted in the Census. Women couldn't vote, but they were counted. Children couldn't vote, but they were counted. Non-citizen landowners were counted, whether or not they could vote. The purpose of the Census was - and remains today - to count everyone.

The words of Abraham Lincoln in the Gettysburg Address are ingrained in our collective memory: ours is a "government of the people, by the people, [and] for the people." That has been the tantalizing dream of America.

The Constitution begins with three magic words: "We the People." Article I grounds the apportionment of the House of Representatives in the decennial enumeration of the people. The Census is the central and recurring mandate for American constitutional democracy. It is critical to the success of the electoral process.

We must concede that games have been played with who "the People" are from the very beginning. The infamous three-fifths clause said that African Americans would be counted only at 60% for the awarding of House seats and federal funding. The northern states argued that African Americans, since they could not vote or run for office, should not be counted at all, lest they be used to inflate the size of the southern House delegations. The southern delegations, for these purposes, said that the slave population should be counted 100%. It was that controversy that led to the infamous three-fifths compromise.

The politics of the Census and reapportionment have always been controversial and fascinating, and, sometimes, heated. Today, we are embroiled in controversy over the decision to add a citizenship question to the Census outside of the normal administrative process. If the question remains on the Census, this will be the first time in 60 years that the citizenship question will be part of the decennial Census. What will the ramifications of this question be? Will it have a chilling effect or negative consequences for the accuracy of the Census? We will try to determine that today through the testimony.

Census information is used to distribute more than \$675 billion of funding to local, state, and tribal governments each year. This includes funding for Medicaid, Medicare Part B, the Supplemental Nutrition Assistance Program (SNAP), Head Start, Highway Planning and Construction, the Federal Pell Grant Program, and the National School Lunch Program. That is just a small sampling of the 132 federal programs that rely on Census data for the distribution and allocation of federal money.

In my home state of Maryland, we received \$234 million in 2015 to support the Maryland Children's Health Program. In 2016, we received \$116.2 million for the Women, Infants, and Children (WIC) program. One study found that Maryland received over \$16 billion in federal funding for 55 programs in 2016.

But the Census is not just important for federal funding. It is also critical to how state and local governments make all manner of decisions that affect the distribution of funds locally, such as deciding whether a neighborhood needs more schools, determining where to focus funds for public housing, or choosing where to designate new bus routes or build a new highway. Local governments rely on Census data just as the federal government does.

We have to make every effort to prevent an undercount in 2020. The Census Bureau has identified "hard to count" communities across America. They include young children, people of color, low-income households, foreign-born residents, and households with limited or

no Internet access. Those are communities that have been historically underserved by our government. If they are undercounted in the 2020 Census, we risk compounding that problem.

The Bureau is making commendable strides to modernize the 2020 Census. For the first time, people will be able to complete the Census online. The Bureau is streamlining and digitizing its address canvassing, and making use of existing government databases to ensure no one is missed. But these innovations have risks. We know there are large segments of the population – both in rural areas and dense urban cores – that have limited internet access. We know seniors may have less technical capabilities to respond, and foreign-born residents may have less familiarity with the U.S. Census. We know that our rich, diverse nation speaks a vast array of languages.

We are, therefore, having this hearing to examine how one local community is addressing those risks and working to ensure that everyone is counted. I look forward to hearing about New York City's public education efforts and highlighting practices that can be mirrored in other jurisdictions across the country.

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