

Founder Hon. Edward R. Roybal (Ret.) *

Board of Directors Hon. Rafael Anchía, Chair

John P. Bueno, Treasurer Ivelisse R. Estrada, Secretary

Hon. Hector Balderas

Andrew Baldonado

Hon. Rita DiMartino New York, NY

José (Pepe) Estrada

Hon. Henry L. Fernández, Ed.D.

Hon. Anitere Flores

Hon. Sylvia Garcia, NALEO President

Hon. Pauline Medrano Councilmember, City of Dallas, TX

Hon. Cynthia Matus-Morriss

Hon. Lucille Roybal-Allard Member of Congress, CA

Art Ruiz State Farm Insurance Companies

Peter Villegas JP Morgan Chase Special Advisor for Financial Affairs to the Board of Directors

Board of Advisors

Hon. Maria L. Alegria Former Mayor, City of Pinole, CA Hon. Carol Alvarado Texas State Representative Hon. Maria Calix Los Angeles County School Districts Organization, CA Hon. Pedro Colón Wisconsin State Representative Hon. Rey Colón Alderman, City of Chicago, IL Hon. John J. Duran Councilmember, City of West Hollywood, CA Hon. Luis Fortuño Governor, Commonwealth of Puerto Rico Hon. Steve Gallardo Former Arizona State Representative Hon. Pete Gallego Hon. Ron Garcia Mayor Pro Tem, City of Brea, CA Hon. Gerri Guzman School Board Member, Montebello, CA Hon. Paul Lopez Councilmember, City of Denver, CO Hon. Ray Martinez Chair, Governor's Minority Business Council, CO Hon. Joseph E. Miro Delaware State Representative President, National Hispanic Caucus of State Legislators Hon. Ana Rivas Logan School Board Member Miami-Dade County Public Schools Hon. Sergio Rodriguez Alderman, City of New Haven, CT Hon. Carlos Silva President, Hispanic Elected Local Officials National League of Cities

Hon. Fernando Treviño School Board Member, East Chicago, IN

Hon. Don Francisco Trujillo II Deputy Secretary of State, NM Hon. Lorraine Cortés-Vázquez

Secretary of State, N

Hon. Nydia M. Velázquez Member of Congress Chair, Congressional Hispanic Caucus Hon. Luz Urbáez Weinberg Commissioner, City of Aventura, FL

Executive Director Arturo Vargas

1122 W. Washington Blvd., 3rd Floor Los Angeles, CA 90015 Tel (213) 747-7606 Fax (213) 747-7664

600 Pennsylvania Ave., SE, Suite 230 Washington, DC 20003 Tel (202) 546-2536 Fax (202) 546-4121

Partnership Council Members

Chairman's Council Members State Farm Insurance Companies Advance America

AT&T Comcast ING Southwest Airlines Univision Communications, Inc. Wal-Mart Stores, Inc. The Walt Disney Company

Associate Council Members

PG&E

Testimony

by

Arturo Vargas, Executive Director National Association of Latino Elected and Appointed Officials (NALEO) **Educational Fund**

before

the United States House of Representatives Oversight and Government **Reform Committee** Subcommittee on Information Policy, Census, and National Archives On Census Data and its Use in Federal Formula Funding

> Washington, DC July 9, 2009

> > -www.naleo.org-

1314 Texas Avenue, Suite 410 Houston, TX 77002 Tel (713) 228-6400 Fax (713) 228-0606

110 Wall Street, 16th Floor New York, NY 10005 Tel (212) 480-1918 Fax (212) 480-1697

Chairman Clay, Ranking member Representative McHenry and members of the Subcommittee: 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 Census data and its use in federal formula funding.

The NALEO Educational Fund is a non-profit, non-partisan organization that facilitates full Latino participation in the American political process, from citizenship to public service. Our constituency includes the more than 6,000 Latino elected and appointed officials nationwide. We are one of the nation's leading organizations in the area of Census policy development and public education, and we are deeply committed to ensuring that the Census Bureau provides our nation with the most accurate count of its population.

The NALEO Educational Fund was actively involved in outreach to the Latino community for the decennial enumerations in 1990 and 2000. In 2007, we launched the "*ya es hora*" (It's Time) campaign, a comprehensive, multi-year effort to integrate Latinos into American civic life. When we launched the campaign, our Spanish-language media partners included Univision Communications Inc., Entravision, and ImpreMedia, and our national partners were the National Council of La Raza, the Service Employees International Union on citizenship promotion and Mi Familia Vota Educational Fund on voter engagement. The first two phases of this effort involved mobilizing eligible Latino legal permanent residents to apply for U.S. citizenship, and then mobilizing Latino U.S. citizens to vote.

We have now launched the third phase of the *ya es hora* campaign, *¡HAGASE CONTAR!* (Make Yourself Count!), which focuses on promoting the importance of the Census, educating individuals about filling out their Census forms and encouraging households to mail back their responses once they complete their forms. This campaign is working to inform and motivate the nearly 50 million U.S. Latinos to fully participate in the 2010 Census. The national organizations and Spanish-language media leaders for this effort are the same as those for the previous two phases of the *ya es hora* campaign. Currently, there are also nearly 40 other

national and local partners for *¡HAGASE CONTAR!*, and we anticipate that number reaching into the hundreds as the campaign proceeds.

In addition, since 2000, we have served on the Secretary of Commerce's 2010 Census Advisory Committee, or its predecessor, the Decennial Census Advisory Committee, and we have participated in the Committee's discussions surrounding the planning for the 2010 enumeration. We also serve on the Joint Advisory Advertising Review Panel (JAARP), which the Census Bureau created to review its advertising and communications efforts. In addition, through our strong relationship with our Latino leadership constituency, we have also become very familiar with the types of challenges that public officials face as a result of the undercount of the Latino population and its impact on federal formula funding. We have also learned about Latino elected officials' experiences with the Census Challenge program, which allows jurisdictions to challenge the population estimates developed by the Census Bureau.

Mr. Chairman, we need the 2010 Census to produce the most accurate count of our nation's population as possible. Census data are the fundamental building blocks of our representative democracy; Census data are the basis for reapportionment and redistricting. Policymakers at all levels of government also rely on Census data to make important decisions that affect the lives of all Americans. These data help make such determinations as the number of teachers that are needed in classrooms, the best places to build roads and highways, and the best way to provide health and public safety services to our neighborhoods and communities. The accuracy of Census data is also critical for the effective allocation of government funding for schools, hospitals and other vital social programs. In addition, Census data are used to monitor compliance with civil rights laws and to document incidents of illegal discrimination based on race or gender. The first immediate use of the 2010 Census data for this purpose will be determining whether the 2011 redistricting of Congressional, state legislative and other single-member electoral districts comply with the Voting Rights Act of 1965.

To secure an accurate count of our nation's population, it is imperative to have an accurate count of the estimated 46.9 million Latinos who are now the nation's second-largest and

fastest-growing population. An undercount of such a large segment of the U.S. population means a failed Census. An accurate count of the Latino community is necessary if we are to make sound policies for the economic, social and political well-being of the entire country.

In our testimony, we will examine the impact of an undercount of the Latino community on the distribution of federal resources, with particular attention to the states and metropolitan areas with large Latino populations. We will also provide the perspectives of Latino elected officials on this issue, and their recommendations for the Census Challenge program. Finally, we will present policy recommendations to ensure a complete and accurate count of the Latino community in Census 2010.

I. The Overall Impact of an Undercount of the Latino Community on Federal Resources

An undercount of the Latino population in Census 2010 will have a serious detrimental impact on the federal resources available to states and localities with large Latino communities. According to Census Bureau estimates, in Census 2000, the enumeration may have missed as many as 1 million Latinos. According to estimates based on this undercount, Los Angeles County alone – home to 4.7 million Latinos – lost \$600,000,000 in federal funding since the last Census. It is estimated that Bronx County, New York lost more than \$350,000,000 due to the undercount of its Latino population.¹

Over the next 10 years, Census data will determine the allocation of more than \$3 trillion in federal monies for funding essential programs such as public transportation, road construction, programs for the elderly and children, schools, and emergency food and shelter. An analysis by The Brookings Institution authored by Andrew Reamer, a Fellow in the Metropolitan Policy Program, demonstrates the broad range of federal assistance programs that rely in whole or in part on decennial Census statistics to distribute funds. Using FY 2007 population and funding data, the Brookings analysis indicates that nationally, the distribution of \$376.8 billion in federal assistance program funding – or

¹ Effect of Census 2000 Undercount on Federal Funding to States and Selected Counties, 2002-2012, prepared by PricewaterhouseCoopers, at the request of U.S. Census Monitoring Board: Released August 7, 2001.

about \$1,249 per capita – relies on decennial Census statistics.² The programs with the highest national expenditures include a wide range of public services that affect the daily lives of all of our nation's residents, including the Department of Health and Human Services' Medical Assistance Program (\$197.3 billion); the Department of Transportation's Federal Aid Highway Program (\$57.0 billion); and the Department of Housing and Urban Development's Section 8 Housing Choice Vouchers (\$16.1 billion). Some of the foregoing programs are particularly critical for the education and health of Latino families and their children. The top 10 programs reliant on Census data with the highest expenditures include the Department of Education's Title 1 Grants to Local Educational Agencies (\$7.737 billion, ranked 5th), and the Department of Health and Human Service's Head Start program (\$6.181 billion, ranked 7th) and State Children's Health Insurance Program (\$5.511 billion, ranked 8th).

The Title 1 Grants program provides financial assistance to local educational agencies and schools with high numbers or high percentages of poor children to help ensure that all children meet challenging state academic standards. A significant share of these children in poverty are Latino. Similarly, according to the Department of Health and Human Services, more than one out of three (35%) of the children enrolled in Head Start are Latino - Head Start has been demonstrated to be effective in promoting the educational success of Latinos and increasing high school completion rates. The State Children's Health Insurance Program helps states expand health care coverage to our nation's uninsured children. According to U.S. Census data, Latinos are the most uninsured population group among U.S. children, and one out of five Latino children are not insured.³ For all of these programs, an undercount of Latino children, which has occurred

² Reamer, Andrew, "Federal Assistance Programs Reliant in Whole or Part on Decennial Statistics to Distribute Funds, United States, FY 2007," The Brookings Institution, Washington, DC, preliminary analysis, June 15, 2009. The federal programs covered in this analysis include those which rely in whole or in part on data collected through the decennial census of population; Census Bureau estimates (particularly annual population estimates and the American Community Survey) derived from the decennial Census data; and data produced by other federal agencies that rely on Census Bureau statistics based on the decennial Census. All data in this testimony that presents distribution of program funds by geography is based on The Brookings Institution analyses, and the distribution is drawn from the Consolidated Federal Funds Report (CFFR) database, maintained by the Census Bureau. The dollar amounts presented for federal assistance funding in this testimony are the **total** expenditures provided by the CFFR, and not just the portion of the total that is allocated on the basis on Census data. No attempt was made to determine the portion of the total so allocated, and this should be taken into account when interpreting the data provided herein. ³ DeNavas-Walt, Carmen, Bernadette D. Proctor, and Jessica C. Smith, U.S. Census Bureau, Current Population Reports, P60-235, *Income, Poverty, and Health Insurance Coverage in the United States: 2007*, U.S. Government Printing Office, Washington, DC, 2008.

historically, will diminish the resources available to address some of the most pressing challenges facing Latino families. We know that currently, many Latinos who are eligible for the foregoing programs are not enrolled in them. For example, the National Council of La Raza estimates that only 3% of eligible Latino infants and toddlers are enrolled in the Early Head Start program. Without accurate 2010 Census data, we will not be able to adequately assess the number of children who need these programs, and we will not allocate sufficient resources for them. Thus, the number of children who are not served by these programs will be even greater if the undercount of Latino children persists.

An undercount of the Latino population will also have a significant impact on the fair distribution of federal funding in states with large Latino populations. Table 1 presents the amount of federal assistance program expenditures for nine selected states. These are the states with the highest Latino populations in the nation, which together comprise 79% of the nation's total Latino population.

Table 1

Federal Assistance Programs Reliant in Whole or In Part on Decennial Census Statistics to Distribute Funds for Selected States, FY 2007

G		State's Share of Total	State's Share of U.S.
State	Federal Assistance Expenditures	U.S. Expenditures	Latino Population
Arizona	\$7,259,012,436	1.9%	4.1%
California	\$41,852,815,348	11.1%	29.4%
Colorado	\$4,271,972,122	1.1%	2.1%
Florida	\$17,402,265,204	4.6%	8.2%
Illinois	\$14,317,759,069	3.8%	4.2%
New Jersey	\$10,153,603,728	2.7%	3.1%
New Mexico	\$3,471,873,921	0.9%	1.9%
New York	\$38,211,064,767	10.1%	7.1%
Texas	\$23,148,081,490	6.1%	18.9%
Total	\$160,088,448,085	42.5%	79.0%

Sources: For federal assistance expenditures, see Andrew Reamer, "Federal Domestic Assistance Allocated on the Basis of Statistics Based on the Decennial Census, U.S. and States, FY 2007," The Brookings Institution, Washington, DC, preliminary analysis, March 4, 2009. Share of Latino population derived from the U.S. Census Bureau's 2005-2007 American Community Survey

3-Year Estimates.

As Table 1 indicates, the amount of federal funding which relies on decennial Census data distributed to states with large Latino populations ranges from about \$3.5 billion in New Mexico to \$41.9 billion in California. Nearly half of the nation's federal funding which relies on decennial Census data (42.5%) is distributed to the nine states where most of the nation's Latinos reside.

An undercount of the Latino population will also have a severe impact on some of the nation's largest urban areas, which have high concentrations of Latino residents. Table 2 presents the amount of federal assistance program expenditures that rely on decennial statistics to distribute funds for five metropolitan areas.

Table 2

Federal Assistance Programs Reliant in Whole or In Part on Decennial Census Statistics to Allocate Funds for Selected Metropolitan Areas, FY 2007

	Federal Assistance	Area's Share of Total U.S.	Area's Share of U.S.
Metropolitan Area	Expenditures	Expenditures	Latino Population
Cook County, Illinois	\$5,971,525,525	1.6%	2.7%
Harris County, Texas	\$2,133,557,254	0.6%	3.3%
Los Angeles County, California	\$10,136,378,654	2.7%	10.6%
Miami-Dade County, Florida	\$2,283,638,372	0.6%	3.3%
New York City, New York	\$22,603,244,823	6.0%	5.1%
Total	\$43,128,344,628	11.4%	25.0%

Sources: For federal assistance expenditures, see Andrew Reamer, "Federal Assistance Programs Reliant in Whole or Part on Decennial Statistics to Allocate Funds," for selected counties and New York City, FY 2007, The Brookings Institution, Washington, DC, preliminary analysis, June 30, 2009. Share of Latino population derived from the U.S. Census Bureau's 2005-2007 American Community Survey 3-Year Estimates.

According to Table 2, \$43.1 billion in federal assistance program expenditures that are reliant on Census decennial data are distributed to five metropolitan areas with large Latino communities. These metropolitan areas are home to one out of four of the nation's Latinos, and their federal program assistance expenditures reliant on Census decennial data comprise 11.4% of the nation's total.

II. Latino Elected Officials' Perspectives on Census Funding and the Census Challenge Program Latino elected officials from throughout the country, particularly those in urban areas, are keenly aware of the need for an accurate decennial enumeration to ensure the fair and effective distribution of federal monies.⁴ They generally agree that an undercount will mean that their jurisdictions will not receive adequate resources to meet their residents' needs. For example, Representative Juan Zapata, a member of the Florida State Legislature who represents a district in Miami-Dade County, notes that Community Development Block Grants are particularly important for his jurisdiction, and the amount of those grants are directly affected by the decennial Census count.

In addition, while Latino elected officials know the important role that accurate Census data play in determining the proper geographic and social allocation of services, by both the public sector and private businesses, they often realize that the undercount of Latinos leads to flawed data and potentially flawed decisions. For example, Harris County, Texas Commissioner Sylvia Garcia notes that when Harris County was hoping to place a child development center within the jurisdiction, the census data available suggested that there was no need for such a center. However, policymakers who are familiar with the population of the jurisdiction felt it was quite evident that there were a large number of children residing in the area who could use the services of the center.

Latino elected officials are also extremely concerned about the impact of an undercount on the resources required to meet the needs of "hard-to-count" populations – those Latinos who are least likely to be reached during enumeration efforts or to participate in the Census count. The officials noted that many of the "hard-to-count" Latinos are those who would best be served by the federal assistance programs whose funding relies on an accurate count. The "hard-to-count" Latinos mentioned by officials included recent immigrants, both documented and undocumented, those with limited English proficiency, and those with lower levels of education. For example, Denver City Councilmember Paul Lopez notes that approximately half of the Latino adults in

⁴ The perspectives presented herein are based on interviews with NALEO Board President and Harris County Commissioner Sylvia Garcia; NALEO Board Member and Denver City Councilmember Paul Lopez; Utah State Senator Ross Romero; and NALEO Board Member and Florida State Representative Juan Zapata.

Denver over 25 years old have less than a high school education, yet the amount of funding available for adult education and vocational training is not adequate for this population's needs.

Utah State Senator Ross Romero also understands the challenges that his state faces in reaching "hard-to-count" Latinos. Utah is a state which has not been a traditional center of Latino population concentration, and has an "emerging Latino population" with residents who are generally new to the state. Moreover, because many of the Latinos living in the state work in the construction or hospitality industries, they are highly mobile. Thus, they may not be in Utah on April 1st for the Census enumeration, but they may return frequently during the decade, and often need the education and health service resources that rely on decennial Census data.

Latino elected officials also believe that there need to be some changes to the Census Bureau's Census Challenge program to ensure that the yearly population estimates produced by the Bureau accurately reflect their jurisdictions' populations. Under the Census Challenge program, jurisdictions can submit a challenge to the Bureau contesting those estimates, and requesting an upward revision. As part of the process, local governments use local data as evidence of the actual population change in their jurisdictions.

Latino elected officials whom we have surveyed recommend that the Census Bureau formalize the Census Challenge program in a manner that would allow jurisdictions to more clearly understand the type of data and evidence required for a successful challenge, and the criteria used by the Bureau in accepting challenges. They suggested that the Bureau should be more proactive in providing technical assistance to jurisdictions in preparing challenges, and more careful and attentive in its review of the data and evidence presented. Because jurisdictions need to expend a fair amount of time and resources in contesting estimates, Latino elected officials also believe that the Bureau needs to help jurisdictions make a preliminary assessment of whether their challenge will be accepted. The officials generally agree that the Census Bureau would be better positioned to implement the foregoing recommendations if more funding was available for the Challenge program.

9

III. Policy Recommendations

Through our broad range of Census activities, including our work with Latino elected officials and the Latino community, our research and data analysis, and our efforts to shape public policy, we have gained a deep understanding of the serious consequences that will result from an undercount of the nation's Latino population in Census 2010. An undercount will distort the distribution of federal funds, and deprive many jurisdictions of the resources required to meet their residents' needs for a broad range of services, including education, health, housing, community development, transportation, and public safety. An undercount will also skew the effective geographic and demographic allocation of such services, and jeopardize jurisdictions' ability to ensure that resources reach the communities and neighborhoods that need them the most. Our nation's future prosperity and well-being depends on the strength of the Latino community, and an undercount of Latinos in the 2010 Census will seriously impair the nation's social and economic progress. We offer the following recommendations to ensure that Latinos are fully counted in the 2010 Census:

A. <u>Congress must provide the Census Bureau with sufficient funding to effectively implement</u> <u>the 2010 enumeration.</u> With Census 2010 fast approaching, it is critical that the Census Bureau receive the resources needed in the FY 2010 budget to carry out the decennial enumeration effectively. A decade of preparations for Census 2010 will culminate officially on Census Day, April 1, 2010, and the Census Bureau must obtain the funding required for what is the largest peacetime mobilization of America's federal personnel and resources. In 2010, the Census Bureau will:

- open and staff remaining Local Census Offices (for a total of almost 500);
- recruit 3.8 million and hire 1.4 million temporary employees to conduct the census;
- finalize data capture, data processing and telecommunications systems;
- print 140+ million census questionnaires and other materials;
- launch a national advertising campaign;
- hire additional national and regional staff to oversee field operations;

- collect census information from every residential housing unit and group quarters in the country, using the mail, telephone and door-to door visits; and
- conduct an accuracy-check survey (Census Coverage Measurement).

As of this writing, the House of Representatives has approved the FY 2010 Commerce, Justice, and Science (CJS) appropriations bill that includes funding for the U.S. Census Bureau at a level of \$206 million less than requested by President Obama. This appears to have occurred as a result of a misunderstanding between House appropriators and the Department of Commerce over the availability of certain carry-over funds. During the House consideration of the CJS appropriations bill, there were several unsuccessful efforts to make more substantive reductions in the funding for the Census Bureau by diverting those funds to other uses.

The Senate Appropriations Committee has approved Census funding at a level that is much closer to the President's FY 2010 \$7.375 billion request. To ensure that the Bureau can implement the 2010 Census effectively, we urge the full Senate to reject any amendments that would reduce appropriations to the Census Bureau to boost funding for other programs. We also urge Congressional appropriators during conference to restore the \$206 million that appears to have been inadvertently cut by the House from the Census Bureau's FY 2010 budget.

As noted earlier, the Administration should also examine the resources needed for the Census Challenge program, to determine whether additional funding would enable the Bureau to provide more effective technical assistance to local jurisdictions, and to provide a more adequate review of challenges that are submitted.

B. <u>The U.S. Senate must move forward expeditiously to confirm the appointment of the Director</u> of the Census Bureau. In mid-May 2009, the Senate Homeland Security and Governmental Affairs Committee reported out the nomination of Dr. Robert M. Groves to serve as Director of the Census Bureau. As of this writing, the confirmation of Dr. Groves remains in limbo, because the Senate Republicans do not have the consent of all of their members to move forward with a vote. We believe that Dr. Groves is a skilled professional who understands the science and substance of the Census and the Census Bureau, and who is fully committed to a process that counts everyone. The delay that has resulted from the hold placed on Dr. Groves' confirmation is seriously impairing the ability of the Bureau to keep its 2010 operations on track. We urge the Senate to move forward to confirm his appointment as soon as Congress returns from its recess.

C. <u>The Census Bureau must implement a communications and outreach plan that takes into</u> <u>account the current economic and social realities confronting residents of our nation</u>. Since the last decennial Census, our nation's residents have experienced several challenges that will have a significant impact on the ability of the Census Bureau to reach them and engage them in the 2010 count. For some, the heightened government security measures implemented after the tragic events of 9-11, including provisions of The Patriot Act, have raised concerns about the confidentiality of the information provided during the enumeration. Hurricane Katrina and other natural disasters have displaced thousands of residents and have wiped whole neighborhoods off the map. Most importantly, we are now facing the greatest economic crisis since the Great Depression. Our country's residents have lost homes through foreclosures or are experiencing other housing problems. Many feel disengaged from society and participation in our country's civic life.

Thus, it is critical that the paid advertising campaign conducted by the Census Bureau connects with Americans most likely to be missed in the census and reflects their contemporary experiences. As a member of the JAARP, I joined with my fellow members in raising serious concerns about the proposed advertising campaign initially developed by the general communications contractor overseeing the entire campaign, including the advertising for the African American, Asian, Native American and Latino population segments.⁵

Our concerns about the proposed paid advertising developed by the Bureau's general communications contractor cover several areas. First, the campaign did not appear to take into account the current economic and social realities of our nation's residents, and we do not believe the message and tone of the advertising would resonate with them. We believed there was

⁵ The JAARP did note that some of the proposed paid advertising seemed to be effective, specifically the ads produced for Spanish-speaking Latinos by one of the advertising sub-contractors, and the ads developed in Asian languages and for Arab Americans.

insufficient advertising that assures Americans about the confidentiality of the information provided during the enumeration.

We are heartened to see that the communications vendors have taken into consideration the views of the JAARP and have retooled the messaging of the paid advertising campaign. At the second meeting of the JAARP, the communications vendors and the Census Bureau held last week, we were presented with a plan that demonstrated much more cohesive message integration and greater attention to promoting public confidence in the confidentiality and safety of the census, as well as reflecting the troubled economic times during which the 2010 Census will be conducted. This retooled campaign will need further testing and refinement, and time is of the essence. We encourage Congress to continue its vigilance over this crucial component of the 2010 Census promotion campaign.

Despite the improvements in the campaign, for the Latino population, there continues to be no English-language paid media strategy. The majority of Latinos speak English exclusively, or very well, yet the campaign does not appear to have developed messages for Latinos who are native-English language speakers and listen to radio and watch television and other media in English. The Census Bureau will fail to reach a large segment of the "hard-to-count" population if it believes that its strategy for reaching all of the nation's Latinos can be achieved by exclusively relying on Spanish-language advertising.

D. <u>Special strategies and preparations will be required to enumerate the nation's immigrant</u> <u>population.</u> Our nation's current debate about the future of its immigration policy has created 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 measures intended to create hostile environments for 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. This has created a climate which exacerbates immigrants' distrust of contact with government agencies, including the Census Bureau. Undocumented immigrants, legal permanent residents, and even U.S. citizens who live in households where family members have varying immigration statuses, are being discouraged from answering the Census. The anti-immigrant climate today harms confidence in the confidentiality of the Census, and raises concerns among many residents that the Bureau will use the information they provide in a detrimental manner.

Thus, it is critical that the Bureau develop messages and strategies that effectively communicate the confidentiality of information provided by Census respondents. The Bureau itself must ensure that it reinforces public trust in this confidentiality by strictly adhering to its own privacy principles and mandates, including Title 13 – the Protection of Confidential Information; the Confidential Information Protection and Statistical Efficiency Act, and the Privacy Act of 1974, on the release of data on "sensitive populations" to law enforcement agencies.

In addition, the Bureau must work with agencies at all levels of government – federal, state and local – to promote public trust in the confidentiality of the Census. It is critical that the Bureau work with these agencies and educate them about the kinds of activities which will undermine public confidence and deter hard-to-count populations from participating in the 2010 enumeration.

E. <u>The Census Bureau must ensure that its Census 2010 workforce reflects the diversity of the</u> <u>nation's population</u>. In order to accurately reach and count our nation's Latino residents in 2010, the Census Bureau must employ a diverse workforce, from its highest managerial positions to its field enumerators. First, the Bureau must strengthen its existing efforts to implement a well-designed and effective recruitment, retention and promotion plan to increase the overall number of Latinos at the Census Bureau. Latinos are the most under-represented segment of the Bureau's permanent workforce, comprising less than 6%. In addition, as the Bureau continues to open and staff its temporary regional offices, it must hire a diverse group of top managers to lead its regional operations.

To effectively reach "hard-to-count" populations, the Bureau must hire enumerators who are familiar with their local communities and their residents. For many Latino neighborhoods, these

workers must be bilingual in English and Spanish. We have heard reports from some of the Bureau's regional offices that sufficient bilingual and local enumerators may not be available for hire, particularly in areas with emerging Latino populations.

It is also likely that some individuals who possess the best skills to work as enumerators in the Latino community may not be U.S. citizens. The Bureau has been able to hire some work-authorized non-citizens when Spanish-language skills are needed, but it cannot hire work-authorized non-citizens from Mexico because Mexico has not been an "allied" nation of the United States since 2004. This could hamper recruitment and employment efforts in areas where the Mexican immigrant population has grown over the past decade, such as in the South and in Texas. We urge the Census Bureau to further explore options available to address this challenge.

F. Congress should closely monitor the implementation of the Census in Schools program, which provides educators with teaching tools, resource materials, workshops, and other professional development opportunities about the importance of being counted in the decennial enumeration, and the value of Census data. As noted above, an undercount of Latino children would have a significant detrimental impact on services that are vital for the well-being of Latino families. During Census 2000, the Census in Schools program helped educators effectively reach children and their families to encourage them to participate in the Census. For the 2010 Census, the Bureau should proactively promote the use of the Census in Schools curriculum by teachers and not rely solely on school administrators to get the materials to every classroom.

G. <u>Congress must reject any proposals which would prevent the full enumeration of every</u> <u>U.S. resident in the Census.</u> As 2010 approaches, there have been legislative and policy efforts to exclude the undocumented from the Census enumeration. These proposals are contrary to one of the fundamental precepts of our Constitution, which calls for a full count of every person residing in the nation. In addition, they would result in an incomplete and inaccurate Census, which would deprive policymakers, businesses, researchers and the public of the accurate data needed to ensure our nation's future well-being and prosperity. We urge the Administration and all members of Congress to reject these flawed and dangerous proposals. In this connection, we also note that together with our *ya es hora !HAGASE CONTAR!* partners, we strongly condemn the efforts of a small group of organizations with extremist views, and even of a member of this legislative body, calling for a boycott of the enumeration. A boycott would only exacerbate the undercount, which would hurt neighborhoods and communities. Encouraging anyone not to participate in the Census is simply wrong.

The NALEO Educational Fund remains committed to being an active and thoughtful partner to this Subcommittee, Congress, the White House and the Census Bureau, in ensuring the success of the 2010 Census, so that our nation can rely on the most accurate data possible. I thank the Chairman, the Ranking Member, and the Subcommittee once again for providing us with the opportunity to share our views today on Census data and its use in federal formula funding.