



BOARD/COMMISSION RECOMMENDATION

Commission on Immigrant Affairs

Recommendation Number: 20180409-006A3

Regarding: Recommendation that the City of Austin Join Ongoing Lawsuits Regarding the 2020 Census

WHEREAS, the United States Constitution requires the federal government to conduct an “actual Enumeration” of the national population every ten years by determining the “whole number of persons” in the United States; and

WHEREAS, the decennial census directly determines the apportionment of Representatives to Congress among the states, the allocation of electors to the Electoral College, and the distribution of federal funds to states, other grantees, and local governments including the City of Austin; and

WHEREAS, the United States Department of Commerce and the Bureau of the Census have elected to ask whether the respondents are U.S. citizens on the 2020 Census questionnaire¹; and

WHEREAS, the City of Austin currently has a population of approximately 113,445² of foreign born, non-citizen residents; and

WHEREAS, including the citizenship question in the Census questionnaire will serve as a deterrent to participation of these foreign born non-citizen residents and their families, many of whom are U.S. citizens, and depress the response to the census by noncitizens and their relatives; and

WHEREAS, the Department of Commerce has not provided evidence that including this question will not impact responsiveness³; and

¹ Please see Addendum 1, the proposed citizenship question intended for the 2020 U.S. Census questionnaire

² U.S. Census Bureau, American Community Survey data provided by the Texas Demographic Center
<https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk>

³ Memorandum from Sec’y of Commerce Wilbur Ross to Under Sec’y of Commerce for Econ. Affairs Karen Dunn Kelley, Reinstatement of a Citizenship Question on the 2020 Decennial Census Questionnaire 7 (Mar. 26, 2018), https://www.commerce.gov/sites/commerce.gov/files/2018-03-26_2.pdf

WHEREAS, an inaccurate or undercount of the city's population will result in a reduction of representation at the federal level, a loss in federal funding, and other losses of public resources⁴; and

WHEREAS, to date, a growing number of states, cities, and counties, including Hidalgo County, El Paso, and Cameron in Texas, as well as the U.S. Conference of Mayors, have joined three currently pending lawsuits to enforce the government's constitutional obligation to conduct an "actual Enumeration" of the nation's population; and

WHEREAS, it is in the interest of the City of Austin to join these efforts to protect residents access to representation and federal resources;

THEREFORE, be it:

RECOMMENDED, in order to protect residents of the City of Austin's rights to representation and federal resources the City should immediately direct its attorneys to join the federal lawsuit most appropriate for the City to prevent the addition of the citizenship question on the 2020 Census questionnaire.

PASSED by the Commission on Immigrant Affairs on May 14, 2018.

Unanimously approved by the Commission on Immigrant Affairs on an 8-0 vote with Samuel, Nasario, Elisse, and Aditya absent.

Attest:

Connie H. Gonzales

Staff Liaison

⁴ Please see Addendum 2, cost estimate for undercount in the U.S. Census per undercounted resident according to the Austin City Manager.