



October 12, 2009

Dear Senator:

We are writing to you as members of the Census Project, a collaboration of state and local governments, civil rights and labor groups, housing and child advocates, businesses, professional societies, and research organizations interested in a fair and accurate Census 2010.

As you know, Senators Vitter and Bennett have offered an amendment to the Fiscal Year 2010 Commerce, Justice, and Science Appropriations bill, which would have the effect of excluding undocumented residents and possibly all non-citizens from being counted for purposes of congressional apportionment. Since our first decennial census was taken in 1790 under the direction of Thomas Jefferson, we have counted all residents of the United States. The consequence of the Vitter/Bennett amendment would end this practice for purposes of congressional apportionment, even though all previous Republican and Democratic Administrations have concluded that excluding non-citizens from the apportionment base would be unconstitutional.

In addition, the amendment would seriously impede the next decennial census:

- The Census Bureau could not conduct the 2010 census on its current schedule, thus delaying not only the constitutionally and legally required (Title 13, U.S.C.) population count, but apportionment of seats in the U.S. House of Representatives, and congressional and state legislative redistricting.
- The 2010 census would include a question that is untested, which is scientifically and operationally irresponsible and risky.
- The cost of adding a question at this juncture goes well beyond reprinting 2010 census forms or adding an addendum to the form. A new question would require new promotional and informational materials, advance letters, data capture and processing systems, instructional materials for all census workers, and assistance guides in 59 languages. The ongoing American Community Survey would need to be changed to conform to the census questionnaire. The mailing packages for census forms would be affected.

All of the consequences listed above would add significant costs and delays to the 2010 census. In the interests of fairness and cost, and in light of the clear constitutional violation suggested by the sponsors, we urge you to vote against this amendment.

Sincerely,

Louis Kincannon, former director, U.S. Census Bureau  
American Federation of Labor-Congress of Industrial Organizations  
(AFL-CIO)  
American Statistical Association  
Americans for Democratic Action  
Arab American Institute Foundation  
Asian American Justice Center  
Association of Population Centers  
Coalition on Human Needs  
Community Action Partnership  
Consortium of Social Science Associations  
Council of Professional Associations on Federal Statistics (COPAFS)  
Demos  
Japanese American Citizens League  
Korean American Resource & Cultural Center  
Korean Resource Center  
Leadership Conference on Civil Rights  
Linda Loubert, Ph.D., Assistant Professor, Morgan State University  
Marketing Research Association  
NAACP  
National Association of Human Rights Workers  
National Coalition on Black Civic Participation  
National Congress of Black Women, Inc.  
National Korean American Service & Education Consortium  
National Low Income Housing Coalition  
Nonprofit Voter Engagement Network - Nonprofits Count! Campaign  
OCA  
Population Association of America  
Population Resource Center  
Prison Policy Initiative  
Project Vote  
South Asian Americans Leading Together (SAALT)  
Southeast Michigan Census Council  
Southern Poverty Law Center