



Mayor's Office of
Immigrant Affairs
Bitta Mostofi
Commissioner

October 29, 2019

Testimony of Commissioner Bitta Mostofi
NYC Mayor's Office of Immigrant Affairs

Before a hearing of the New York City Council Committees on Governmental Operations,
Immigration, and State and Federal Legislation:

“Oversight - Preparations for a Complete Count in the 2020 Census”



Thank you to Chair Cabrera, Chair Cohen, Chair Menchaca, and the members of the Committees. My name is Bitta Mostofi and I am the Commissioner of the Mayor's Office of Immigrant Affairs. I appreciate the opportunity to testify today alongside my colleagues from across the administration, as we work together to ensure that every New Yorker is counted during the 2020 Census.

In this testimony I will briefly touch on the context of the Census work in this federal climate and highlight the partnership we have with Director Menin and NYC Census 2020 to reach immigrant New Yorkers with the message about the importance of a complete count.

Federal context

The Census, an enumeration enshrined in our constitution, is the instrument used to effectively denote resources and representation to our states and localities and for our communities. Through it, every person has a chance to be counted as a New Yorker, regardless of immigration status, or language, or any other demographic characteristic. Ultimately, this count will be used to plan for the future of our City and to receive our fair share of the taxes we pay and the representation we receive in Congress. As such, this count recognizes the power we wield as individuals and as members of the biggest city in the nation.

For that reason, the Trump Administration's attempts to undermine the accuracy of the Census count is concerning. Over the past few years, the federal government has deliberately attempted to instill fear and confusion in our immigrant communities. The Trump Administration attempt to add a question about citizenship that they knew could chill participation by immigrant communities is reflective of that broader, anti-democratic effort to silence our immigrant communities and push immigrants into the shadows.

In a city like New York City, the ultimate city of immigrants, excluding immigrants and their households from the Census count would be devastating. Almost 40 percent of our residents are immigrants, and 60 percent of City residents are either immigrants or children of immigrants. That includes nearly 500,000 undocumented New Yorkers. Looking at households, we know that one million New Yorkers live in "mixed-status" households where at least one member is undocumented. This includes 277,000 children, a majority of whom (77.8%) are U.S.-born citizens. To attempt to erase these New Yorkers from the official count is a naked attack on the city as a whole.

But we will not be pushed down and ignored by the federal government. We know that an undercount of immigrants is not inevitable. To the contrary, in 2010, some immigrant-dense neighborhoods, including Washington Heights and Jackson Heights, had self-response rates that were significantly higher than the average response rate of the city as a whole. We know that this is because of the work done in the community and with community organizations to do outreach. Through our work with NYC Census 2020, we can improve on the work of 2010 and collaborate with the community to ensure that everyone is counted.



Partnerships with the NYC Census 2020

With the creation of the NYC Census 2020 campaign and the appointment of Director Menin, the City is well on its way as we prepare for 2020.

We recognize that the federal government's efforts to sow fear and confusion must be countered with easy-to-understand information and outreach, including language access for our immigrant population. With that in mind, MOIA is partnering with NYC Census 2020 and other leaders in a few different ways – on community engagement, on inclusive and accessible funding strategies, and in communications and national advocacy.

I have spoken at numerous community events about the Census, starting as early as the spring of 2018. For example, in April of 2018, I participated in a community and ethnic media roundtable with Deputy Mayor Thompson and Director Lago of the Department of City Planning about the Census and how the media could help ease fears about the citizenship question—a question that now thanks to the State and City, among other partners will NOT be on the census. MOIA has participated in many other events since then, with partners across the administration, in order to provide the most up to date information about the Census. We have also shared best practices and strategies with cities across the nation through our Cities 4 Action (C4A) coalition. This is particularly useful because many of our sister offices in different cities are also tasked with implementation of Census outreach. In May of 2018, for example, C4A met in Boston for a best practices conference, with Census 2020 serving as one of the main topics. Joe Salvo from the Department of City Planning spoke about the importance of an accurate count, creating a city outreach office, and how to contextualize the importance of the Census for individuals. Since then, C4A held another best practices convening in Seattle just a month ago, where I shared a brief overview of Census 2020's work, including their outreach campaign pillars, and shared key findings from focus groups that Census 2020 held with several immigrant groups about the Census.

We know that a complete count depends on activation of all stakeholders, and that in particular we must work with community based organizations in order to reach each and every New Yorker. Given the special vulnerability of immigrant New Yorkers in this political climate, MOIA has consulted on Census 2020's RFP process to ensure that groups with deep ties to immigrant communities, including hard-to-reach immigrants can navigate the process and apply for funding.

Finally, we will be supporting NYC Census 2020 with communications around the Census. Part of that work involves engaging with community and ethnic media outlets, as they are the main source of information for many immigrant populations. Working with NYC Census 2020, we will ensure that we are communicating with hard to count immigrant populations, through the best medium and in the most effective ways.

Conclusion

I want to thank Director Menin, Deputy Director Bagga and the Census 2020 team, as well as the Department for City Planning for the work they are doing to ensure every New Yorker is counted.



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Immigrant Affairs
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I will end with this: the central goal of the Trump Administration has been to marginalize our immigrant families and to silence their voices by attempting to deny them the resources and representation they are entitled to—a make-up of America that is at once dishonest and insidious in nature. We know that the Census provides some of the strongest legal confidentiality protections available under this country's laws and further we know and have demonstrated as a city that we are committed to ensuring those laws are upheld.

If we have a census that results in our communities' undercount and a pervasive chilling of immigrant and other voices, the Trump Administration has achieved its goal.

While the Trump Administration continues to push for the exclusion of immigrant New Yorkers and other vulnerable populations from our civic life, we, alongside many others, are working to connect immigrants to information about their rights and services they need. And we look forward to continuing this work with the Census and the Council.

Thank you again to the Chairs for calling this important hearing. I look forward to any questions you might have.

**Testimony of Julie Menin
New York City Census 2020
Office of the Mayor**

**Before the Committees on
Immigration, Governmental Operations, and State & Federal Affairs**

**Hearing on
Preparations Towards Achieving a Complete Count in the 2020 Census**

October 29, 2019

Introduction

Good afternoon, Chairs Menchaca, Cabrera, and Cohen, and all members of the committees. My name is Julie Menin and I am proud to serve as Director of NYC Census 2020 (“NYC Census”), as well as Executive Assistant Corporation Counsel at the New York City Law Department. I am joined today by Amit S. Bagga, Deputy Director, as well as by several other members of our team, including Kathleen Daniel, our Field Director, and Kavita Pawria-Sanchez, Advisor to NYC Census 2020.

I would like to thank the Council’s Census Task Force and the three committees for providing us the opportunity to submit testimony today. I want to also recognize the historic and unprecedented partnership between the de Blasio Administration and the New York City Council with respect to the development of the New York City Complete Count Fund, a first-of-its-kind, \$19 million grants program that will resource community-based organizations across the city to engage in census-related education, outreach, and organizing. In particular, we thank Council Members Menchaca and Rivera, as well as the staff of the Council’s Finance Division, Governmental Operations Committee, the Legal Division, and others, for their dedication to this effort.

Background

As we can all agree, the 2020 Census is arguably one of the most important civil rights issues facing New York City. Our fair share of approximately \$650 billion in federal funds distributed annually nationwide for public schools, public housing, infrastructure, and more, is at stake, and another undercount in the state of New York could result in the loss of up to two congressional seats statewide. Such a loss would not only deprive us of our rightful representation in the House of Representatives, but also of representation in the Electoral College, which determines the presidency.

Given all that is at stake, and given New York City’s historically low self-response rates, it is imperative that we achieve a complete and accurate count in the 2020 Census. We must surpass

our 2010 initial self-response rate, which, at just 61.9 percent, was significantly lower than the national average of 76 percent. The self-response rate for many communities, including the African-American, Afro-Caribbean and African immigrant, as well as Orthodox Jewish communities, hovered at just 50 percent, with some neighborhoods having self-response rates in the 35-to-40-percent range. Areas with low self-response are much more likely to experience an undercount and be denied critical resources and political representation at the city, state, and federal levels.

This is precisely why Mayor de Blasio created NYC Census 2020 earlier this year. Our goal is to ensure that in partnership with community leaders, grassroots advocates, elected leaders, the media, libraries, hospitals, and others, New York City is able to fight for our rightful share of both resources and representation. With a focus on census-related education, organizing, and messaging, NYC Census is the first such initiative of its kind in New York City. Our budget of \$40 million represents the largest such investment by any city in the country, and stands in stark contrast to 2010 when the City made a very small investment in the form of two staff. The de Blasio Administration has committed \$26 million of the total, with the remaining \$14 million being contributed by Speaker Corey Johnson and the New York City Council. We are deeply grateful to the Speaker, the Council, and Census Task Force Chairs Menchaca and Rivera for their support and commitment, and we are proud to be leading this unprecedented partnership between the Council and the Administration.

I will now provide a brief overview of the importance of the census and the unique landscape of the 2020 Census.

The Decennial Census: Impact and 2020 Landscape

The decennial census, which is mandated by the U.S. Constitution, requires that a census of all persons in the United States be conducted every 10 years, and such a count has been conducted every 10 years since 1790.

Since its earliest days, the census has determined the number of seats that each state is allocated in the House of Representatives (and therefore the Electoral College, as well). Additionally, census data are also used to determine the shapes and relative sizes of congressional districts within each state. Given that there is significant overlap between those populations that have been historically undercounted and populations that have been forced to live on the political or socioeconomic margins of society, achieving a complete and accurate count in every census is critical to ensure that every person in the United States has full access to the representation they deserve.

In addition to determining relevant political representation, the census is now also used to determine how \$650 billion in federal dollars are allocated for critical programs, including those that support public education, public housing, infrastructure, and much more.

Turning specifically to the 2020 Census, it is worth noting that next year's census differs from past censuses in two key ways:

- it will be accessible online and via phone for the first time; *and*
- the fear and disinformation tied to the nearly two-year-long conversation about the citizenship question has created enormous challenges to participation.

Additionally, here in New York City, we face some specific challenges that exacerbate some of the issues created by the 2020 Census. These include:

- historical barriers to census participation;
- our immense demographic, cultural, and linguistic diversity;
- the unique and complex nature of our built environment; *and*
- the digital divide that has prevented many New Yorkers from having easy access to broadband.

Before I provide a more detailed overview of our plan, I would like to take a moment to outline the process that the U.S. Census Bureau ("Bureau") has shared that they will engage in next year to conduct the census.

The first phase of the 2020 Census will take place from mid-March through mid-May of next year in which households across the United States will have the opportunity to self-respond to the Census either online or via phone. According to the Bureau, no door-to-door enumeration will take place during this time.

In March, approximately 80 percent of households will receive a mailing with a personalized code inviting them to participate in the census online, and the remaining 20 percent will receive the traditional paper form. Several reminders will be sent to households to complete the form between March and May, and households that have not responded online will then receive a visit from an enumerator starting in mid-May.

Because self-responding significantly decreases the likelihood that a household will get a knock on its door and because self-response data is vastly more accurate, our citywide plan is focused on ensuring that as many New Yorkers as possible participate during the self-response-only period. I should note that households can continue to self-respond through the end of the census period, which is currently slated to end in late July or early August.

NYC Census 2020: The Four Pillars

At NYC Census, we have built and are continuing to build an approach that we believe, in partnership with hundreds of organizations, community leaders, elected officials, business leaders,

libraries, hospitals, and thousands of everyday New Yorkers, will enable us to successfully address key issues facing New York City with respect to the 2020 Census.

Our program is built on **four main pillars**:

- 1) **First-of-its-kind grants program to community-based organizations** to engage in census-related education, outreach, organizing, and messaging via the New York City Complete Count Fund (“Complete Count Fund”);
- 2) **A sophisticated “Get Out the Count” and neighborhood organizing field program** that seeks to directly engage and organize tens of thousands of everyday New Yorkers on the importance of the census;
- 3) **Multi-faceted partnerships with government, business, and major community institutions, including the library systems**, to leverage their vast, existing reaches to ensure that the value of census participation can be communicated to New Yorkers at scale; *and*
- 4) **An innovative, multi-lingual, multimedia advertising and marketing campaign** that seeks to convey the importance of obtaining our rightful share of representation and resources to all New Yorkers.

Pillar One: New York City Complete Count Fund

The first pillar of our program is the distribution of \$19 million in grants to local, community-based organizations via the **Complete Count Fund**, a historic and unprecedented partnership between the New York City Council, the City University of New York (CUNY), and the de Blasio Administration to ensure that organizations that are most trusted voices in their communities are the ones that are empowered to deliver the message of the importance of the census and organize locally to ensure participation.

We are grateful to the New York City Council not only for their significant investment in this fund, but also for the diligence of Council staff, who were deeply involved in the development of this program at every single stage, including the selection framework. It is only with their partnership and with the approval of the Council that this program could have been developed, and we are proud to have built it in close collaboration with the Council Finance Committee, the Governmental Operations Committee, the Policy Division, the Legal Division, and others, including our partners at CUNY.

The Complete Count Fund represents, both in dollar terms and the scale of on-the-ground operations, the lion’s share of NYC Census’ investment. To ensure that funds are invested in communities as quickly as possible and that the necessary programmatic support is also available to grantees, Complete Count Fund grants to community-based organizations will be issued by CUNY’s Research Foundation, with whom NYC Census is also partnering to make determinations regarding selections. CUNY is one of New York City’s most well-respected public institutions,

and it has had a long history as a programmatic partner with the City, making it ideally positioned to serve as the Complete Count Fund's administrative hub.

Regarding the allocation of grants, community-based organizations will be evaluated based on a rigorous and thoughtful analysis of five primary criteria (with several sub-criteria within each):

- The demographic groups an organization serves;
- Geographies within New York City that an organization serves;
- An organization's current overall reach;
- An organization's current capacity and the strength and nature of its proposal; *and*
- An organization's track record serving its target communities well to date.

Grant allocations will range from \$20,000 to \$250,000, and organizations will be prioritized based on the extent to which they serve the communities most at risk of being undercounted in 2020. These organizations will be uniquely set up to combat the fear resulting from the conversations regarding the now-defunct citizenship question, convey the importance of the census, and help bridge the digital divide that might prevent New Yorkers from participating in the 2020 Census.

Selection criteria for the New York City Complete Count Fund have been designed to be transparent and easy to understand, and our selection process is tiered to ensure that organizations applying will be evaluated against only those of a similar size.

Selected organizations will be required to produce detailed planning documents, as well as detailed plans for operationalizing education and organizing efforts in 2020. At each organization, or at a consortium of organizations, these efforts will be overseen by a Census Manager, a dedicated individual working at least part-time solely on census matters. From January through the end of May of 2020, we will work closely with organizations to identify specific deliverables and metrics against which they can track their progress. CUNY and NYC Census will monitor metrics and progress made by each organization, and will provide organizations with relevant technical assistance, particularly in partnership with our Citywide Partners, the group of organizations funded discretionarily by the Council.

As we announced earlier today, the Complete Count Fund RFP has received nearly 500 applications, and these applications are from an incredibly wide range of organizations that serve many different communities in all five boroughs. Applicant organizations include social service groups, issue-based advocacy groups, business development organizations, disability advocacy groups, and many more. To the extent permitted by the rules of the RFP, we look forward to keeping the Council abreast of the progress of the New York City Complete Count Fund process. We anticipate being able to announce our grantees at the end of November or beginning of December.

In addition to the New York City Complete Count Fund, many of you are aware that the organizations the Council chose to fund discretionarily have been constituted as the group of “Citywide Partners.” Together, we are collectively responsible for ensuring that there is alignment, collaboration, and convergence of what ultimately will be the citywide Census plan.

We have already begun the process of convening this group on a regular basis. These conversations, which we feel have been very productive, are driven by the need to ensure that there is clear alignment on messaging, organizing, data privacy and security, and more. We are working in close collaboration to devise and implement a citywide census plan that will ensure that every stakeholder’s strengths are leveraged, and that duplication of efforts is at a minimum. We thank all of our partners in this effort, and in particular, we extend thanks to United Way, the New York Immigration Coalition, Hester Street, Make the Road, Medger Evers, and Community Resources Exchange, among others, for their support and leadership to date.

One of the main ways in which we’re aligning our efforts with these partners is with respect to on-the-ground organizing, which brings me to our second pillar – our Field Program.

Pillar Two: Field Program – Neighborhood Organizing Census Committees

Our Field Program is centered around the **New York City Neighborhood Organizing Census Committees** (“NOCCs”) apparatus. As part of the NOCCs program, NYC Census has organized the city into 245 neighborhoods across all five boroughs. Each NOCC contains a group of census tracts, and the NOCC neighborhood boundary lines are drawn along the relevant census tract boundaries. This is particularly important, as the Bureau will provide daily data starting next March about the self-response rate in each census tract. New Yorkers will be able to see an average self-response rate for their neighborhood on NYC Census 2020’s website in real time and compare that rate to the 2010 self-response rate. Given New York City’s overall low self-response rate in 2010, this comparison creates an incentive for neighborhoods to improve on their 2010 performance.

As of late September, any New Yorker interested in joining a local NOCC has been able to access an interactive map that allows one to simply type in an address and see the average 2010 self-response rate for their neighborhood and, with just a few clicks, allows them to sign up for their local NOCC. Once a volunteer signs up, they will receive an e-mail informing them of upcoming Census 101 trainings and census-related events across the city. All interested volunteers will be required to attend a Census 101 training and commit to engaging in a certain number of outreach activities.

We are thrilled to share with you that as of this morning, we’ve had more than 500 New Yorkers express interest in our efforts, and we are well on our way to meeting our goal of recruiting 2,500 NOCC volunteers.

Pillar Three: Agency and Partnership Engagement

NYC Census's third pillar is an in-depth City agency and Partnerships engagement plan that seeks to leverage the networks of City agencies, as well as major public institutions, with the goal of expanding our reach about the importance of census participation.

To date, NYC Census has engaged and begun working with more than 50 City agencies around census awareness and outreach. For instance, our City agency partners played a critical role in providing us with thousands of community-based organizations with whom we shared the Complete Count Fund RFP.

We are currently working on a multi-faceted, in-depth engagement strategy with a number of agencies that have the ability to serve those New Yorkers we need to especially reach, including the Department of Education, the New York City Public Housing Authority, the Department of Social Services, the Mayor's Office of People with Disabilities, the Department for the Aging, Health + Hospitals, and many more. We believe that through these partnerships, we will be able to leverage the reach of our 350,000-strong workforce that serves millions of New Yorkers every day.

In addition to City agencies, our partnership with the three library systems is crucial, especially in terms of helping us to bridge New York City's digital divide. As announced earlier this year, we have provided \$1.4 million to support activities across the three library systems, with priority given to the approximately 90 branches that serve historically undercounted communities. We know that libraries are where New Yorkers of all stripes go to get trusted information, and our investment in the libraries will cover investments in technology, training, and translations, operational support, as well as marketing and personnel support to widen our census messaging. The library systems will serve as local hubs where New Yorkers can go to learn more about the census, and, importantly, complete the survey online if they lack access to broadband, which, according to some estimates, as many as one-third of New Yorkers do.

In addition to these public-sector partnerships, we are also forging relationships with philanthropic funders, who play an important role in ensuring that New York City is prepared for the 2020 Census. To date, we've been in close touch with the New York Community Trust and the Census Equity Fund, as well as Robin Hood, the Ford Foundation, and the Brooklyn Community Foundation, among others, regarding their efforts. Specifically, we are working with philanthropy to identify any gaps that might exist following the disbursement of City funds to community-based organizations, and we are confident that our collaboration with philanthropy will ensure that such gaps are filled.

Our partnership plans also include working closely with private and public hospitals, as well as the private sector, which has also expressed great interest in achieving a complete and accurate count. As we work to build out a robust private-sector engagement strategy, we would like to

acknowledge the Association for a Better New York (ABNY) and, in particular, Steven Rubenstein and Melva Miller for their leadership over the past few years in helping to prepare New York City for the 2020 Census. ABNY has been and will remain a close partner of ours on a variety of fronts, including on messaging and communications, which brings me to our fourth pillar: messaging and marketing.

Pillar Four: Messaging and Marketing Campaign

The central goals of our messaging and marketing efforts are ensuring that all New Yorkers understand what the census is, why it's important, how their information is protected, and how easy it is to participate.

The most important message we must continue to send – especially since fear and confusion remain regarding this issue – is that the citizenship question is **not** on the Census. This insidious effort by the Trump Administration to utilize its constitutional obligation to count us as a tool to harm us was unsuccessful, and that's thanks to organizations, states, and cities across the country, including New York City, that won at the Supreme Court earlier this year. We cannot emphasize enough the importance of communicating this clearly, and this message will be prioritized throughout our communications.

We believe one of the most effective ways to combat the fear, misinformation, and disinformation tied to the citizenship question is also to simply state the truth: not only will the Census not feature this question, but also that all personally identifying information submitted to the Bureau is protected by Title XIII. Title XIII makes sharing any personally identifying information with anyone, including law enforcement and immigration enforcement, a very serious crime, punishable by a fine of up to \$250,000 and a five-year prison sentence. Given such penalties, Bureau employees have a powerful incentive to comply.

Conveying the basic facts about the census and its importance are also central to our efforts. Most New Yorkers aren't aware that the census determines our rightful share of representation in Washington – and our fair share of resources that support our schools, healthcare, senior care, job training programs, roads and bridges, and so much more. Emphasizing that an undercount will result in a loss of these vital resources is a powerful message, and one that we know will resonate with New Yorkers.

Key to our success will be conveying these messages via the right surrogates and media platforms for different audiences. We know, for example, that how the growing West African communities in the Southwest Bronx will respond to these messages and how they consume information is different than, for example, how Bangladeshi communities in Ozone Park will. As such, in close collaboration with our Citywide Partners and the Complete Count Fund grantees, as well as relying on significant message testing done by ABNY, NALEO, and our own operation, we will devise a messaging and media strategy that will rely heavily on local and community media in all its forms

to ensure that all New Yorkers, no matter their backgrounds or what languages they speak, understand why the census matters for them. Currently, we expect to advertise on television, radio, in print media, as well online digital ads.

Lastly, while we know the conversation around the citizenship question has resulted in fear across the board, the conversation also sparked a level of interest in the census that we know has previously not been seen. Ensuring that we can leverage this interest to convey the truth and the importance about the census – including how easy it will be to fill out – is our most important task, and we look forward to working closely with all of our partners to achieve this goal.

Conclusion

I would like to close by acknowledging that we have all gathered for today's discussion because we collectively understand the critical role that the census plays in determining our city's future, and because we are all dedicated to ensuring that it is a bright one.

It is rare in public life that we have such an opportunity to strive, in a focused and collaborative way, to achieve a singular, shared goal, and it is with this guiding principle that we do our work at NYC Census.

On behalf of the Mayor and my colleagues, thank you for the opportunity to testify today. Together, as New Yorkers, we're going to make it count.

TESTIMONY OF POPULATION DIRECTOR PETER LOBO

NEW YORK CITY DEPARTMENT OF CITY PLANNING

BEFORE A HEARING OF THE NEW YORK CITY COUNCIL COMMITTEES ON
GOVERNMENTAL OPERATIONS, IMMIGRATION, AND STATE AND FEDERAL

LEGISLATION:

“OVERSIGHT - PREPARATIONS FOR A COMPLETE COUNT IN THE 2020 CENSUS”

OCT. 29, 2019

Thank you, Chair Cabrera, Chair Cohen, Chair Menchaca, and members of the committee.

My name is Peter Lobo and I am the Director of the Population Division at the Department of City Planning. The Department of City Planning (DCP) is New York City’s primary land use agency and is instrumental in designing the City’s physical and socioeconomic framework.

Within the Department, the Population Division provides data for a variety of local and citywide planning studies, environmental review analyses, and capital planning strategies. The Population Division also serves as the city’s in-house demographic consultant. It is responsible for the compilation, analysis and dissemination of census and related federal, state and local data for city agencies to address questions involving needs assessment, program planning and targeting, and policy formulation. The Division works closely with the longtime professionals of the U.S. Census Bureau (“Census Bureau”) on all technical matters related to the inventory of the city’s housing stock and population, and on the local evaluation of national surveys. My testimony this afternoon will deal primarily with the Population Division’s role in preparing for the 2020 decennial census.

Technical Lead with the U.S. Census Bureau

The Population Division's most important task is to ensure that the U.S. Census Bureau has a complete list of housing units in New York City. This list, called the Master Address File (MAF), should contain a record for every housing unit in the country and, to be counted, every person must have an address that is acknowledged by the U.S. Census Bureau. If a person's address is not on the MAF, that person cannot be counted in the census. The primary purpose of the census is to reapportion Congress, which requires that respondents be tied to an address. This information is also crucial for the purposes of drawing various electoral districts. Essentially, for most of the population, the census is a count of people *in housing units*.

Since an accurate MAF is fundamental for a complete enumeration, Congress created the Local Update of Census Addresses (LUCA) program through the Address List Improvement Act of 1994. This law gives local governments an opportunity to review, comment on, and ultimately update the MAF so that any changes in a jurisdiction are reflected in the MAF. Two years in advance of the decennial census, local governments are given 120 days to review the MAF and submit their address changes to the U.S. Census Bureau. The Census Bureau takes a year to review and decide whether to accept or reject each address change submitted by local governments. Local governments then have 45 days to appeal any changes the Census Bureau did not accept by providing additional documentation of the addresses to an independent review board. Several months before Census Day, which is April 1, local governments also have a 45-day window to update the MAF with any new construction built or projected to be complete in time for the census.

Since the start of this program, DCP has been the city's technical lead on LUCA, and has updated the MAF to ensure that every housing unit in the city is included. In this regard, we have

had a long-standing and cooperative relationship with the professional staff at the U.S. Census Bureau. In 2000, the first time the LUCA program was used in the census, DCP added over 400,000 housing units to the MAF. Partly as a result of this work, the City's population topped 8 million for the first time in 2000. For the 2010 census, DCP added nearly 200,000 addresses through the LUCA program. These are New Yorkers who likely would not have been counted otherwise.

DCP began preparations for the 2020 LUCA process in 2016, which involved 2 years of field work and in-office address research to come up with a complete count of housing units in the city. DCP received the MAF from the U.S. Census Bureau in 2018 and conducted a thorough review, culminating in the submission of nearly 123,000 added addresses, 59,000 corrections (relating to spelling or inaccurate geographic coordinates), and 3,200 deletions of erroneous or duplicate addresses. DCP received feedback at the end of the summer of 2019. The U.S. Census Bureau accepted all but 6 of the 123,000 added addresses submitted by NYC, or 99.9% of the submission. The Census Bureau also accepted all address corrections, and 1,602 out of 3,200 of NYC's deletions. City Planning submitted an appeal for 2 of the rejected additions related to a boundary error with Nassau county.

Following the LUCA appeal, DCP is preparing a submission of newly constructed housing units that will be sent to the U.S. Census Bureau on October 30th, 2019. DCP has worked in conjunction with the Mayor's Public Engagement Unit, the Queens Borough President's Office, and private partners StreetEasy and REBNY, to finalize the list of new apartments at risk of being left off the MAF. The final number of addresses submitted as new construction will top 100,000.

Working Closely with the NYC 2020 Census Office and the Regional Census Office

Given our role as the technical experts on the census, we have been advising the NYC 2020 Census Office on a regular basis, since the appointment of Director Menin by the Mayor in January of this year. This includes periodic briefings on census operations, especially those aimed at obtaining information from persons who fail to respond, and weekly phone calls to address technical issues that arise. DCP has trained staff at the NYC 2020 Census Office on census operations and procedures, and on the changing demographic characteristics of the city's neighborhoods. DCP has also helped the NYC Census Office identify neighborhoods that have had low response rates in the past and that are likely to need more outreach in 2020. For each of the city's Area Census Offices and for neighborhoods within these offices, we have produced detailed information on the characteristics of these populations, including languages spoken in these neighborhoods.

In addition, we have been assisting the U.S. Census Bureau's Regional Census office by providing comments on their fieldworker training manuals and doing workshops to train their field staff using information we have gathered from almost three years of LUCA fieldwork. At present, we are planning a workshop for their Area Census Office staff and their Field Operations Supervisors and Managers, to help them better train the field enumerators who will be working in Nonresponse Follow-up operations. Finally, given the widespread availability of data files on the population, the U.S. Census Bureau has determined that the measures used in 2010 to protect confidentiality of data products need to be replaced. We are working with the Census Bureau, as part of a national effort led by the National Academy of Sciences, on how best to balance the need for useful data with requirements to keep individual responses confidential in the products that will be released once the 2020 Census is completed.



**ADVANCING OUR
COMMUNITY**

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Committee on Governmental Operations

jointly with the

Committee on Immigration

and the

Committee on State and Federal Legislation

Tuesday, October 29th, 2019

Thank you Honorable Chairs Caberara, Menchaca, Cohen, and members of the Committees on Governmental Operations, Immigration, and State and Federal Legislation for calling today's oversight hearing. My name is Amy Torres, Director of Policy and Advocacy at the Chinese-American Planning Council (CPC). Thank you for the opportunity to testify.

CPC is the nation's largest social services organization for Asian Americans, bridging social services to social change for 60,000 low-income, immigrant, and Asian American and Pacific Islander (AAPI) New Yorkers each year. Every day, CPC promotes social and economic empowerment with nearly 10,000 people in all five boroughs of New York City. CPC's community members come from more than 40 countries, speaking 25 distinct languages and commute to our sites from all 51 City Council Districts. CPC has been active in the fight against the citizenship question and in raising the urgency for a fair, accurate, complete count of all New Yorkers. We sit with several Census coalitions and conveners including New York Counts 2020, the APA Complete Count Committee, and several of the borough-based Complete Count Committees. For these reasons, CPC is well-poised to deliver testimony today and thanks the Council for today's oversight hearing in preparation for a 2020 complete count.

AAPIs and The Need for Coordinated Census Outreach

AAPIs were the fastest growing racial group nationally¹ and in New York State² between the 2000 and 2010 Census. According to the 2018 population estimates just released by the U.S. Census Bureau, the Asian American population in the U.S. grew by 28 percent from 17,676,507 in 2010 to 22,613,335 in 2018³. New York remains one of the top states with the highest number of Asian Americans, second only to California.⁴ Over 70% of the state's AAPI population resides here in New York City.⁵

This fast growth rate means that many of New York City's AAPIs are recent arrivals and are thus less familiar with major civic operations like the Census. Further, CPC serves communities that at times harbor hold-over anxieties from repressive regimes at home. When paired with anti-immigrant rhetoric at the federal level, and an increase in hate crimes closer to home, this makes AAPIs particularly unlikely to fill out the Census. In recent national surveys, AAPIs were 55% likely to fill out the census, 38% unfamiliar with the Census, and 41%

¹ US Census Bureau: Projections of the Size and Composition of the United States 2014 - 2060

² Office of the State Comptroller: Asian Community in New York State

³ US Census Bureau 2018 Estimates

⁴ US Census Bureau 2018 Estimates

⁵ Office of the State Comptroller: Asian Community in New York State

concerned that the Census would be used against them⁶. These indicators make AAPIs the least likely of all immigrant groups to respond to a Census.

NYC's AAPIs community sits at several intersections which the Census Bureau deems "hard-to-count" -- low-income, recent arrivals, Limited English Proficiency, mixed status families, non traditional housing, and limited access to broadband. Children ages 0-5 are historically the most likely to be missed by the Census. Here in NYC, 96 percent of Asian children in poverty were living with at least one immigrant parent.⁷

CPC applauds the City Council for being a Census 2020 champion, by both playing a lead role in securing a historically and nationally unprecedented level of funding in the budget and by raising the urgency and awareness with community members and stakeholders. We are proud to provide testimony today and partner with the Council and the NYC Census Office to ensure this investment is well-spent. In particular, we believe an investment of this kind will advance and preserve the political power of neighborhoods and communities that historically been undercounted and underrepresented, and provides a unique opportunity for the City to develop partnerships with organizations, civic leaders, and community partners who may not have otherwise been able to access public dollars and form relationships with City agencies or the City Council.

Recommendations

Distribute CUNY "Get Counted 2020 NYC" Awards Equitably

New York City has long been the premier choice for immigrants looking to move to the United States and is home to some of the fastest growing and newest emerging immigrant and refugee communities. However, by nature of being small, emergent, and newly arrived, many of the community-based and civic organizations serving these communities are unable to access public funds and City dollars in the same way as larger, established partners. We were pleased that the CUNY "Get Counted 2020 NYC" Awards application removed many of the fiscal barriers that could prevent small organizations from applying. However, we further recommend that in its selection process, the City and NYC Census Office consider groups who engage hard-to-reach communities, even if they have a shorter tenure, portfolio, or track record. For example, in Coalition for Asian Children and Families' most recent 15% and Growing Report, we found that the overall discretionary investment in AAPI-led community organizations grew, but the number of organization's funded has fallen. Administrative and fiscal burdens constrain smaller organizations' ability to apply and access new funds. We encourage the City and NYC Census Office to review applications, and rather than select a single organization to represent an entire neighborhood or community, offer opportunities for applicants to form collaborations, partnerships, and potentially access shared funds across applications post-award.

Urge New York State to Release the \$20 Million in Census Funding

The NYS Complete Count Commission wrapped its public hearing schedule in early summer and issued its recommendations just earlier this month. CPC, alongside New York Counts 2020, has urged the State to release the funds, especially in anticipation of the earliest Census operations in January 2020. We are concerned that without additional pressure, funds will be rushed out the door or spent on state agencies that do not actually touch the hardest-to-count New Yorkers. Low-income, immigrant, and AAPI communities have

⁶ [Census Barriers, Attitudes, and Motivators - US Census Bureau](#)

⁷ [Hidden in Plain Sight: Asian American Poverty in NYC 2018](#)

historically been prone to displacement and gentrification, and when paired with growing refugee resettlement and asylee communities in other parts of the state, we fear that community-based organizations and institutions may not receive the same benefit or investment if the State does not release its funds expeditiously. We urge the City Council to join advocates in pressuring the State to disburse its \$20 million in Census funding.

Advocate for Income Waivers for Temporary Census Positions

Whether in our workforce development programs or in our benefits enrollment services, CPC community members and families often face the edge of the “benefits cliff.” A temporary and fixed-term boost in wages may be enough to disqualify families from federal assistance programs like SNAP, TANF, Medicaid, or CHIP. We know that hard-to-count communities are more likely to engage with and respond to other members of their own community, but the benefits cliff may prevent many of these members from pursuing Census jobs, whether with the Bureau, or in Outreach Workers positions funded by the City.

We urge the City Council and the NYC Census Office to lobby the State to ensure that 1) Federally funded Census Bureau jobs receive an income waiver 2) Jobs provided through the NYC's own Census efforts are waived. CPC has seen similar success with income waivers for the Summer Youth Employment Program, and urge the Council and NYC Census Office in ensuring these positions empower families to get counted while still able to access their benefits.

CPC appreciates the opportunity to testify on the issues that advance our communities. We look forward to working toward Census 2020 together with you.

*For further questions or comment on this testimony, please contact Amy Torres,
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Gale A. Brewer, Borough President

October 29, 2019

Gale A. Brewer, Manhattan Borough President
Testimony before the New York City Council Committees on Governmental
Operations Joint with Committees on Immigration and State & Federal
Legislation
Oversight Hearing: Preparations For a Complete Count in the 2020 Census

My name is Gale A. Brewer and I am the Manhattan Borough President. Thank you to Chairs Cabrera, Menchaca, and Cohen, as well as the members of the Committees on Governmental Operations, Immigration, and State & Federal Legislation, for the opportunity to testify today.

Ensuring a complete count in next year's census is beyond essential. Under normal circumstances pulling off a decennial census in the United States requires a herculean civic effort.

To get it done and done right requires a rare American all-hands-on-deck we're-in-this-together everyone-counts type national trust.

But we are NOT living under normal circumstances. Our national civic trust levels are at modern-day lows while the scapegoating and targeting of vulnerable and marginalized communities are at record highs.

As the elected president of the Borough of Manhattan, I represent roughly 1.7 million residents, of whom an estimated 28 percent are foreign-born. Manhattan has numerous hard-to-count census tracts, particularly in low-income and immigrant communities, as well as in areas with concentrations of public housing.

In Manhattan in 2010, the hardest count areas were Central Harlem and East Harlem, but also Midtown and Chinatown. Since 9/11/2001, the Financial District has grown from 20,000 to almost 70,000 residents and Hudson Yard is a city in a city.

There's a constant risk of an undercount of immigrant populations especially in cities like ours. An undercount could hurt everything from our federal funding allocations to our distribution of seats in the House of Representatives, not to mention lock many of those changes in for a decade until the 2030 census.

With these concerns in mind, last year I responded to the Commerce Department's request for comments on the citizenship question, the inclusion of which would have undermined the goal of an accurate and complete count in these already hard-to-count neighborhoods by spreading fear and anxiety among residents, leading to decreased response and participation rates.

Last year, I led the City's delegation to Providence, Rhode Island, the site of the Census Bureau's only nationally-representative "dry run" end-to-end rehearsal for the 2020 Census. I was proud to work with Providence Mayor Jorge O. Elorza, and to be joined by representatives from all parts of city government and civil society: from members and staff from the City Council, to officials from CUNY, the Department of City Planning, and other sectors of city- and state-level government, to representatives of several Community Boards; to leaders from non-profit organizations like LatinoJustice, the NYC Central Labor Council, the Asian American Foundation, and the Northern Manhattan Coalition for Immigrant Rights; and business groups such as ABNY.

The Providence trip was one of many actions taken by my office's Complete Count Committee, which first convened last summer, with the goal of uniting representatives of a wide span of organizations – from universities; to the offices of the Mayor and Governor, to community boards, to non-profits, to religious organizations, to resident associations.

The message here is clear.

While the necessary consensus, the necessary effort and resolve to get this done isn't coming from Washington, New York City is stepping up to the plate.

While, of course, City government has a big role to play in ensuring a proper census count, communities and organizations on the ground are those most capable of reaching people in hard-to-count census tracts.

That's why my office started the "Manhattan Counts" initiative, which has worked to fund and support NYC-based culturally competent initiatives that help communicate the importance of the census, and make sure everyone is counted.

With our expense monies, we funded 12 trusted organizations, with proven track records, who serve thousands of residents and have robust knowledge and connections in communities that are disproportionately undercounted in decennial Censuses.

This has led to an outpour of innovative and wide-ranging solutions, efforts we have been thrilled to support. One such effort is that of the Interfaith Center of New York, which in partnership with several faith groups like the Catholic Charities and the UJA Federation, for instance, has conducted outreach and provided faith leaders Census related sermon notes for religious services in order to communicate the importance of the Census.

Another partnership we have pursued has been that of Uptown Grand Central, whose launch of their East 125th Street Counts Initiative promises to blanket this busy commercial corridor with Census merchandise, messaging, pop-up tents and tabling so as to mobilize and raise awareness

among the local small businesses community to the importance of Census data, for them and their consumers.

In addition, we funded non-profit organizations that work with the Muslim, Chinese, Korean and Latinx communities, as well as groups that will produce theatre and art that focus on the census. We are going to bring all of the art institutions in Manhattan together to produce edgy and relevant to the census art!

We also plan to support training of the individuals who deliver food to the homebound, as these are often the most trusted people in the senior and disabled person's life, and with an iPad or laptop they can help to fill out the census questions.

Additionally, we have co-sponsored lots of census recruitment fairs; we participated in two with US Census at Google's Training Center and one more at our office at 1 Centre Street, and I have spoken at many more. On November 13, 2019 we are co-sponsoring Harlem Census Recruitment at our storefront office at 431 West 125 Street, as well as sites at a Community Board, a library, a university and various nonprofits, to help individuals fill out employment applications.

The Manhattan Complete Count Committee will meet again on November 18th at 2pm at the Municipal Building, and we will discuss how we will work with every possible partner to count all Manhattanites on April 1, 2020.

Thank you again for your time and consideration. I look forward to working with you to ensure a complete count and defend New Yorkers from the many perils that underrepresentation will bring.



NEW YORK CITY COUNCIL

**COMMITTEE ON GOVERNMENTAL OPERATIONS JOINTLY WITH THE COMMITTEE ON
IMMIGRATION AND THE COMMITTEE ON STATE AND FEDERAL LEGISLATION**

OVERSIGHT – Preparation for a Complete Count in the 2020 Census

Tuesday, October 29, 2019

Good morning. I am Brian Bannon, the Merryl and James Tisch Director of the New York Public Library (NYPL). I am joined on this panel by Nick Buron, Chief Librarian of Queens Public Library (QPL) and Nick Higgins, Chief Librarian of Brooklyn Public Library (BPL). We would like to thank City Council Speaker Corey Johnson, Chairs Cohen, Cabrera and Menchaca, the members of the committees and the entire City Council for holding this important hearing today and for your strong support of libraries. I would also like to thank NYC Census Director Julie Menin and New York City Council Members Carlina Rivera and Carlos Menchaca for their leadership in this effort. We thank you for the opportunity to testify on the library's role in helping the City prepare for a complete count in the 2020 census.

The Library Plan for the 2020 Census

The City's three public library systems are essential providers of education and information in more than 200 neighborhoods across the five boroughs. In FY 2019, the city's 217 library locations received more than 35 million in-person visits and another 46 million visits online.

Serving as community cornerstones and pillars of literacy and knowledge for more than a century, public libraries are uniquely situated to help the city's efforts for an accurate census count and to reach hard-to-count communities.

With the 2020 Census fast approaching, BPL, QPL and NYPL have collectively developed plans that build upon our strengths as community conveners, public computer centers and trusted, safe spaces. As community conveners, public libraries are in every neighborhood. We are an integral part of the community's fabric. We can leverage existing relationships and partnerships with local organizations, businesses and community leaders. As free public computing centers, technology and internet access will be more important than ever, since this will be the first census conducted primarily online. And as trusted, safe spaces, the libraries role will again be more important than ever, especially with individual concerns about privacy. As partners with city and state government on numerous critical initiatives, such as IDNYC, MyLibraryNYC, annual tax prep, early childhood literacy and ESOL the city's libraries have a proven track record as trusted and effective partners in helping government achieve its goals.

The Library Plan for the 2020 census is comprehensive with the primary goals of connecting with the city's most hard-to-reach residents, providing technical resources and helping to answer questions. In order to achieve these goals the libraries plan to provide targeted census training of over 1,000 public service staff members. We will also add dedicated technology at locations in communities at risk of being undercounted, including census kiosks and mobile devices to ensure secure public access to the online census. We will enhance our translation services to better communicate with hard-to-count populations. Finally, we will work with our

partners in government and in the community to provide targeted outreach in those neighborhoods.

We are grateful that the City has agreed to support the library systems census efforts by providing \$1.4 million in funding. We look forward to working with the City Council, the Mayor's Census Office and key community stakeholders on this critical initiative.

IT, Data and Privacy

QPL, NYPL, and BPL are taking immediate steps to serve as safe and secure digital access points for 2020 Census self-response. Tri-Li will provide dedicated tech devices to customers for census completion at branches, particularly in our hardest-to-count communities. The devices will be configured to limit access to only the official Census website, preventing customers from visiting malicious URLs and cloned sites looking to harvest personally identifiable information from patrons. These devices will have secure, up-to-date web browsers and ports will be disabled, preventing the installation of malware. Additionally, Tri-Li has implemented an automated security solution called Quad9, part of the City's NYC Secure Initiative, which protects New Yorkers from malicious cyber activity by leveraging the domain name system, known as the DNS, to block known malicious and bad websites when accessed on our public Wi-Fi. This added layer of security complements existing spyware, malware and firewall solutions currently implemented at all our branches. No personal information is ever collected or stored on our public computers.

In addition to enhanced IT infrastructure, the three systems will conduct trainings and programs for staff and customers around the threats and opportunities of a digital census. We will educate customers on an array of topics, why the census matters, digital privacy and security and employment opportunities with the census. Based on recommendations from the Census Bureau, Tri-Li is aiming to provide a secure and private census experience. Staff will receive training on the privacy safeguards in place to protect respondents' data and will be available to assist and answer questions.

Conclusion

NYC libraries are acutely aware of what's at stake in the 2020 census. Ten years ago, the city's response rate was less than 62 percent, compared to the national average of 76 percent. In my home borough of Brooklyn, we had the lowest mail in return rate of any US county of more than 500,000 people. Another undercount in 2020 would have devastating consequences. Potential losses in political representation and billions in funding for public education, housing and health services, Medicaid, senior centers, libraries, and other critical infrastructure would be keenly felt by every New Yorker, particularly in communities that have historically been underrepresented.

We are grateful that the City has recognized the important role libraries play in the lives of all New Yorkers by supporting our efforts in achieving a complete count. Libraries are anchors of educational, cultural and civic life in each and every neighborhood across the city. We have developed trusting and supportive relationships with generations of New Yorkers. We continue to build connections with our City's newest residents by offering services, programs and collections in a variety of languages and across a multitude of ages and generations.

Libraries have worked hard to earn our place as one of the most trusted public institutions in our communities. Our commitment to our diverse and changing neighborhoods is never-ending. That commitment is reflected in our services, programs, policies, and collections. We are leveraging our staff, our infrastructure (both physical and technological), and our expertise about each NYC neighborhood to ensure that our communities come into our branches and complete their Census forms. Frontline staff across all NYC Libraries will be trained to support census takers, they will be prepared to answer tough questions, and provide assistance for language support as needed. Through community partnerships, built over the years, we will amplify our message and reach the city's hardest to count residents in multiple languages. We're mobilizing to educate and inform our communities by removing barriers, fighting scams and misinformation, and improving access to the resources they will need to fulfill their civic duty.

Regardless of what our current political climate may be signaling, inside the library, everyone is welcome. We're committed to being a trusted community partner that will be available to provide assistance to all New Yorkers looking to complete the census. The substantial support and trust we've received from our partners at the City Census Office will only help to reinforce the library's commitment to leveraging the full extent of our knowledge, tools and resources to engage our communities in this critical count.

Thank you for the opportunity to testify on this important topic. We remain available to answer any questions you may have.

**Testimony of John Mollenkopf
Director, Center for Urban Research
at the Graduate Center of the City University of New York**

**before the New York City Council Committee on Governmental Operations
jointly with the Committee on Immigration and the Committee on State and
Federal Legislation**

**on the topic of
Oversight - Preparations for a Complete Count in the 2020 Census**

Tuesday, October 29, 2019

Thank you for allowing me to share some thoughts about how best to promote a full count in the 2020 Census in New York City.

My name is John Mollenkopf and I am director of the Center for Urban Research at the CUNY Graduate Center and distinguished professor of political science and sociology. I have been working with Census data on New York City since serving as the director of the Economic Development Division of the New York City Department of City Planning in 1980 and 1981 and have had the pleasure of working the City Council staff on a number of projects over the years that draw on Census data.

It goes without saying that it is monumentally important for us to achieve a complete and accurate count on the 2020 Census in New York City. This Census will both be one of the most important moments of civic engagement in the city's history and also a giant data collection experiment, because it will deploy a brand new, largely web-based methodology for gathering Census responses.

The New York City Council and the de Blasio administration deserve great credit for putting substantial resources into funding community organizations to help in the effort to deliver a full and accurate count. Our budget of \$19 million dollars far exceeds what is being invested in Los Angeles County – about \$7 million in state funds through the California Community Foundation – or Chicago, where the State of Illinois allocating \$8.9 million to Chicago metro area groups and Cook County

another \$1 million. Colleagues in LA and Chicago are joining me in an effort to monitor the effectiveness of the community mobilization in all three areas in order to determine how effective our efforts have been. All the complete count partners in New York City will be doing a variety of outreach activities to encourage each and every New York City household to file its report.

My central take-away point today is that we must build a strong reporting system into our New York City effort in order to learn what has worked well and what has not. Our Center is working with the CUNY Census Office to develop ideas about how to do this, but we would also like to partner with the City Census Office. The RFP which closed a few days ago has a general reporting requirement, we need to spell out what this means in a way that is both user-friendly for the reporting groups and also tracks the specific information that will help us understand what impacts of various efforts have had. This system should make it easy for grantees to report the times, places, and types of activities they have undertaken, to the extent possible at the Census tract level, which is also the level at which the Census will report progress in completing the Census from mid-March through the beginning of the Non Response Follow Up period.

We at the Center and the CUNY Mapping Service will provide everyone access to these daily progress reports from the Census through our Hard to Count Map. It would be great to be able to match this outcome with equally detailed reports on what community groups are doing to produce that result. I am happy to share with you in greater detail what we suggest for this system and am of course happy to have your ideas, suggestions, and questions.

Thank you for the opportunity to be here today.

**Testimony of Steven Romalewski
Director, CUNY Mapping Service at the Center for Urban Research,
Graduate Center of the City University of New York**

**before the New York City Council Committee on Governmental Operations
jointly with the Committee on Immigration and the Committee on State and Federal
Legislation**

**on the topic of
Oversight - Preparations for a Complete Count in the 2020 Census**

Tuesday, October 29, 2019

My name is Steven Romalewski and I direct the Center for Urban Research's Mapping Service at the Graduate Center of the City University of New York (CUNY). Thank you for the opportunity to testify before the New York City Council about our work to help ensure a fair and accurate 2020 Census count.

Mapping Hard to Count Communities with the **HTC 2020 Map**

In 2010 and again for the 2020 Census, the Mapping Service was asked by a coalition of national civil rights organizations and philanthropic foundations supporting a fair and accurate count to map "hard to count" areas across the country to help census stakeholders prioritize their Get Out the Count efforts. In my testimony below I describe how our mapping efforts can assist organizations here in New York as well as elected officials at all levels, the media, business associations, and other census supporters.

Our Center launched the Census 2020 Hard-to-Count online map in October 2017 in partnership with the Leadership Conference on Civil and Human Rights, which is coordinating the effort nationwide to provide essential information and support to groups working on the 2020 Census.

The map is available online at www.CensusHardtoCountMaps2020.us. It is being used every day by organizations large and small across the country, including the Census Bureau itself, Congress and local and state elected officials, philanthropic foundations, nonprofit groups, academic institutions, media outlets, and businesses and industry associations. In 2018 the mapping website won an award for data visualization from the Association of

Public Data Users. The site has been visited more than 60,000 times since October 2017, and recent usage has increased, with almost 2,000 visits per week in recent months.

Our map and related data is being used at the highest levels of census discussions and planning. The Census Bureau has cited the map in its educational materials. The map is referenced regularly in media reports nationally and in local publications about the importance of counting hard-to-count populations. Statewide Complete Count Committees highlight our map and rely on the data we have helped prepare regarding hard-to-count communities. A profile earlier this month in *Government Technology* magazine ([online here](#); printed version attached with this testimony) described our map as “the single most-used source of data and information” for 2020 Census planning by “members of public agencies at the state and local levels, nonprofits, grassroots community groups and other support bodies.”

In New York City, we have given presentations on the map to Complete Count Committees in Brooklyn, Manhattan, and Queens. We have provided customized versions of our maps to the Council’s Task Force on the 2020 Census, co-chaired by Councilmembers Carlos Menchaca and Carlina Rivera (see attached maps with City Council district overlays). We collaborate regularly on census data analysis with the NYC Department of City Planning’s Population Division and have given presentations alongside the NYC Census Office. And we are working closely with organizations such as New York Counts 2020, the Census Equity Fund, the CUNY Journalism School’s Center for Community and Ethnic Media, and others to provide local data to prioritize census outreach for neighborhoods in greatest need.

Our efforts have been successful because they are part of a larger program spearheaded by philanthropic foundations, civil rights groups, and others to shape the planning for the 2020 Census and provide helpful data for census stakeholders. But our work has been essential in defining not only how local communities but also the Census Bureau itself should be preparing for a fair and accurate count in 2020. We look forward to continuing and strengthening that work nationally and here in New York City between now and the actual 2020 enumeration.

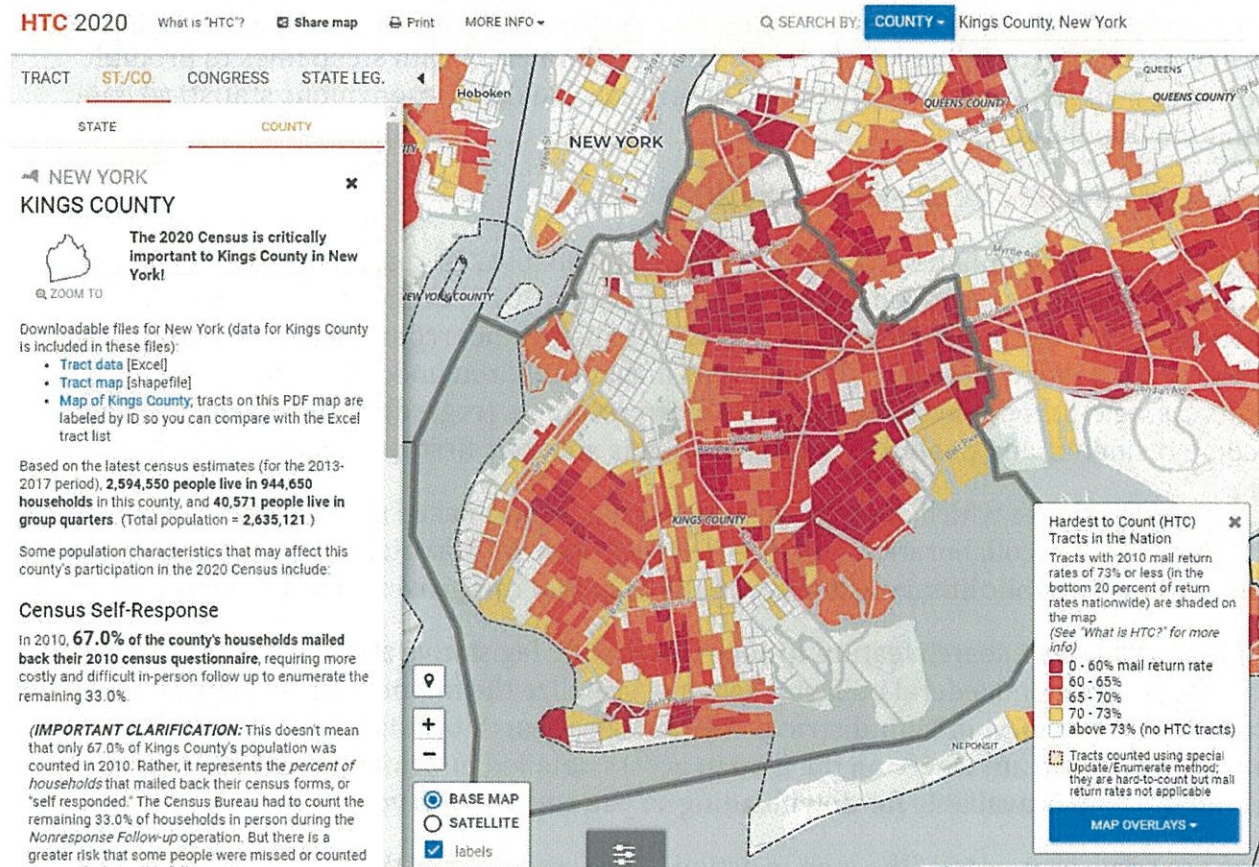
What Does it Mean to be “Hard to Count”?

In order to best understand how our map and related data can help census planning in New York, it is important to discuss what it means to be hard-to-count in the context of the decennial census. The goal of the census is to count each person in the United States every 10 years based on their residence on April 1. For the 2020 census, each household in the U.S. will either receive mailed instructions on how to fill out the census questionnaire online, or they will receive the actual questionnaire. In 2020 the Census Bureau will ask that as many households as possible submit their responses to this questionnaire via the internet. But you will also have the option of responding by phone or by mail or on paper.

Either way, this *self-response* component of the decennial census is how the Census Bureau obtains the most accurate and reliable information about the US population.

But we know from experience that not every household self-responds. If you don't self-respond, then the Census Bureau hires "census enumerators" to go door-to-door to households that have not submitted their census forms. **This non-response follow up is expensive, challenging, and poses the greatest risk that people will be missed or counted inaccurately.**

Therefore, areas where large numbers of households tend not to self-respond are considered hard to count. For our online map, we identified the bottom fifth of census tracts nationwide that had the worst self-response rates in the 2010 census. The worst self-response rates coincide with a threshold (or "mail return rate", since in 2010 householders were expected to fill out a paper questionnaire and mail it back) of 73% or less. If fewer than 73% of a census tract's households mailed back the census form in 2010, then we consider it one of the hardest to count tracts in the country and we highlight it on our map in **orange-to-dark red**, as the screenshot below illustrates.



In New York City, 58% of the population lives in these hard-to-count tracts, based on the latest census population estimates (through 2017). That concentration is greater in some boroughs: just over 80% of Brooklyn's current population lives in hard to count neighborhoods, and 67% of the population in Queens lives in HTC tracts. The share of population in Manhattan's HTC tracts is smaller (only 17%), for example, but there are many tracts in Washington Heights and Inwood that would have had low mail return rates in 2010 in the absence of a strong organizing and outreach effort that successfully

encouraged most households to self-respond during the 2010 Census. This kind of effort will be needed once again in 2020 not only in upper Manhattan, but throughout the city.

The reasons householders might not self-respond to the census are varied. It may be that you, as the householder, are skeptical – or fearful – of providing information to the federal government (even though submitting census information is safe and required by the Constitution, and is good for your community). It may be that your other daily responsibilities take a higher priority than filling out the census form. It may be that you don't speak English well and didn't understand the instructions in the mailing. It could be a combination of these reasons.

In 2020, it could also be that your household does not have internet access, and therefore it won't be easy for you to fill out the census questionnaire online. Or it could be that you became worried during the debate about adding a citizenship question to the census, and decided you wouldn't fill out the census questionnaire in protest. Or you might be concerned that the Trump administration will use your information in ways that might harm your family (even though there are strong federal laws with steep fines to prohibit the use of your information for anything other than providing anonymous statistical data about the population).

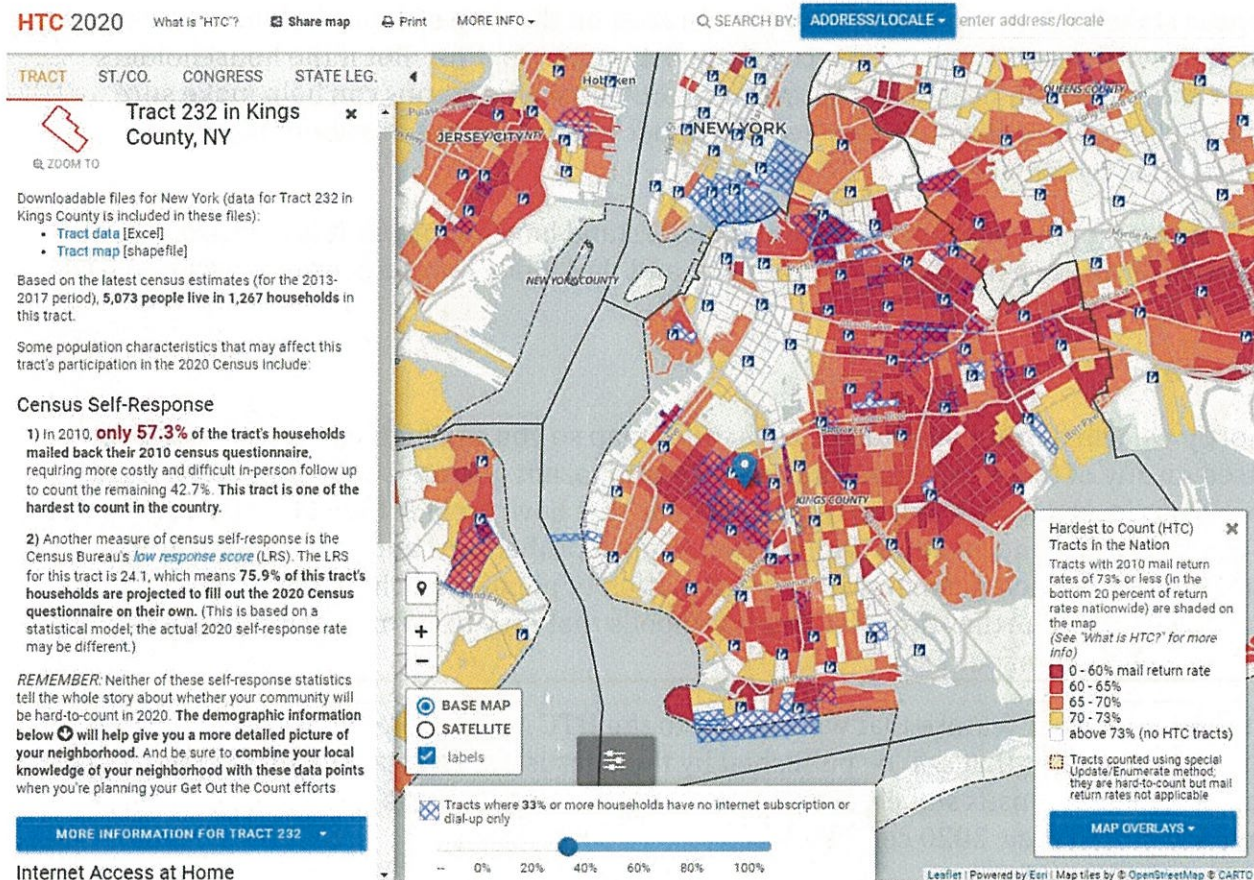
Leveraging the HTC 2020 Map for the 2020 Census

Our map not only highlights the census tracts that had low self-response rates in 2010, but also provides more recent demographic data (through 2017) at the tract, county, and statewide levels for population groups “at risk” of being undercounted (based on historical trends and current concerns). These groups include children under 5, people of color, renters, single-parent households, foreign-born residents (regardless of citizenship), low income residents, and people for whom English is not their first language.

The map also shows which areas have poor internet access based on the latest census estimates. And in collaboration with the American Library Association, we have included the locations of public library branches on the map that can provide free wi-fi access.

Our map provides a search feature to zoom in on state legislative and congressional districts, so state and federal policymakers can visualize the importance of a fair and accurate census count in their districts. You can also search by address or county, or simply click or tap anywhere on the map to access detailed information. All of the data behind the map is available for downloading so you can develop your own local analysis.

Here are some examples of the map in action. The screenshot of the HTC map on the next page highlights census tract 232 in Borough Park, Brooklyn, straddling the border of Council districts 39 and 44, and near Council districts 38 and 40. In 2010, only 57% of the tract's households self-responded to the census – which means that **just over 40% of the households needed to be counted in-person by census enumerators**. It is one of the hardest to count tracts in the country.



The blue crosshatching on the map indicates census tracts where a third or more households do not have home internet subscriptions. Public library branch locations are also displayed.

Additional tract data available via the [MORE INFORMATION FOR TRACT 232](#) drop-down list reveals that 12% of the tract's population is under age 5, several percentage points above NYC's average of 7%. (Young children had the greatest net undercount of any age group in the 2010 census.) Ten percent of the households are considered "limited English-speaking", and those households primarily speak several other languages.

Perhaps most important, in this particular tract, 52% of the households have no home internet subscriptions.

All this data provides invaluable context to inform Get Out the Count efforts by local "trusted voices", including City Council offices, community groups, complete count committees, religious organizations, and others. Households in a tract such as this one need to understand the importance of filling out the census form on their own, to avoid having to talk with a census enumerator. And they should know that the low self-response rate in 2010 put this tract at risk of being undercounted for the past decade.

Census stakeholders can identify nearby libraries on the map so householders can use a library's wi-fi access to fill out the census questionnaire online. But if the householders don't want to or can't easily fill out the form online, census groups can help make sure householders know how to either request paper questionnaires or submit their information by phone.

And parents in the neighborhood should understand how important it is to make sure all the children in each household are counted, and that filling out the census questionnaire is safe and necessary.

Next steps

Shortly we will be adding a feature to the HTC map so you can highlight tracts on the map based on any of the population data behind the map, not just the 2010 mail return rates. For example, you will be able to highlight tracts that have greater than 10% children under 5, more than 25% households with limited English proficiency, and greater than 40% foreign-born residents. Or any other combination of population characteristics, so census stakeholders can further pinpoint neighborhoods that may be hard to count based on multiple population patterns.

Another important feature that we will add to the HTC map will be to incorporate daily self-response rates that will be published by the Census Bureau starting on March 20, 2020. This will enable census stakeholders to see how many households in each neighborhood have submitted their 2020 census form.

Finally, as our Center for Urban Research director John Mollenkopf has discussed at today's hearing, we will be working closely with CUNY's Census Office to help evaluate census outreach undertaken pursuant to the Council-supported NYC Complete Count Fund grant program.

Conclusion

It is critically important – and required by the Constitution – that all households fill out the 2020 census questionnaire, and preferably that they fill it out upon receiving a mailing from the Census Bureau. If you do not fill out the form in response to the mailing, a Census Bureau employee will visit your household and ask you to fill out the questionnaire in person. You can avoid that step if you fill out the form on your own. Our Census 2020 Hard to Count map can help census stakeholders focus their outreach in areas in which households tend not to self-respond, or where people have likely been undercounted in the past, and help craft the best messages urging householders to self-respond to the 2020 Census.

Either way we hope that everyone is counted in 2020 to help ensure a fair and accurate census, which means that each community will receive the federal funding resources and political representation that it deserves. We hope our map and related data analysis work helps achieve this goal.

Thank you. I welcome any feedback and questions the Council members might have.

How One Data Map Is Supporting Census Work Nationwide

BY: [Zack Quaintance](#) | October 1, 2019

With Census experts saying the 2020 national count is [getting less support](#) from the federal government than it did last decade, a civic tech project is helping to fill the void across the country.

That project is the [Census 2020 Hard to Count Map](#), created within the City University of New York's (CUNY) Graduate Center. And for many who are working toward ensuring an accurate count, it's the single most-used source of data and information, or so say members of public agencies at the state and local levels, nonprofits, grassroots community groups and other support bodies.

At its simplest level, the Hard to Count Map helps pinpoint parts of the country — be they rural areas or dense neighborhoods in cities — where response rates are often lower than ideal. At the same time, it also allows for overlaying data that can indicate populations that have lower count totals, too, a list that includes students, immigrants, households with children younger than 5 and others.

Steven Romalewski is the director of the CUNY Mapping Service, and during a recent phone conversation with *Government Technology*, he described the creation of the map, its functionalities and the type of users he has been helping get familiar with it. The origin of the map dates back to the 2010 Census, during which Romalewski and others at the CUNY Mapping Service developed a localized version that was quickly met with demand in the space.

"Very quickly, we realized this is a nationwide effort and there are all sorts of places we don't have someone sitting at a computer making a map for," Romalewski said. "So, let's create a map that can be used by anyone at any time."

That realization came late in the Census process 10 years ago. This time around, those involved with the project were prepared to make it a national undertaking that anyone in all 50 states could use to get more info within their communities. Work on the map for this Census started in 2017. One of the results of the increased preparation has been a wider user base.

Romalewski said it's being used not just by state and local government entities looking to support federal efforts — which, side note, they do because it directly influences their federal funding and political representation, but [that's another story](#) — but also by members of the media, community groups and philanthropic organizations that have done grant-making related to the Census.

While the primary use of the map for these groups has so far most heavily been tied to allocating advanced resources, it seems likely to become even more helpful as the actual counting gets underway in March and April. This is the first heavily digital Census, meaning a vast number of Americans will be responding online, which gives the Census Bureau a better idea of who is and isn't being counted, which the Census Bureau is going to in turn make available. The plan is to map that data, so that people trying to help get out the count can see how they're doing in their communities in close to real time.

Jeanine Abrams McLean is one of the leaders of [Fair Count](#), an organization founded by former Georgia state representative and gubernatorial candidate Stacy Abrams. Fair Count is working to do what its name suggests — get a fair and accurate count of people in Georgia, with some of its initiatives and partnerships now starting to expand to a national level.

It's a big job, with 89 of Georgia's 159 counties being considered hard to count. McLean is a skilled researcher and biologist, whose work and academic histories have made her no stranger to data, and she described the Hard to Count Map as a vital resource. McLean has used it to inform a wide range of her group's work, creating tiers of hard to count areas and overlaying data in a way that also gives her an idea of which areas face troubles with the digital divide.

McLean's work is thorough and complex, but as it pertains to the map, she also praised its developers for being accessible and generous with other data they had. Some areas in Georgia have a single Census office assigned to cover 20 to 30 counties, which is something McLean was able to ascertain through the map and related data, enabling her and her organization to focus their support efforts accordingly.

And McLean and the Georgia effort are far from being alone. In Texas, the state Legislature this year has decided to [not allocate any support](#) to the count, leaving nonprofits and local governments responsible for helping to count one of the nation's most populous states. Cassie Davis, a research analyst with the nonpartisan and nonprofit Center for Public Policy Priorities, is based in Austin, Texas, and has been helping with the efforts there.

Davis praised the Hard to Count developers for being generous with data and for also listening to feedback about the user experience. She said the result has been a platform that she feels confident recommending as the primary data resource to all the cities and groups she works with.

"We need to know where should our resources be going in the sense of tactical assistance and funding," Davis said. "The hard to count data in the map is key, that's what's helping us decide where in the state to focus our efforts."

In Florida, officials with the community group The Miami Foundation have been using it to inform their grant-making, said Lindsey Linzer, the senior director of programs and grant administration with that group.

So far, The Miami Foundation has awarded close to \$500,000 to nonprofits doing Census outreach in the area. The map found its way into the grant application process.

"As part of their applications we actually sent them to this map and said figure out what hard to count community you're going to be targeting and what strategies you're going to use to reach that community," Linzer said.

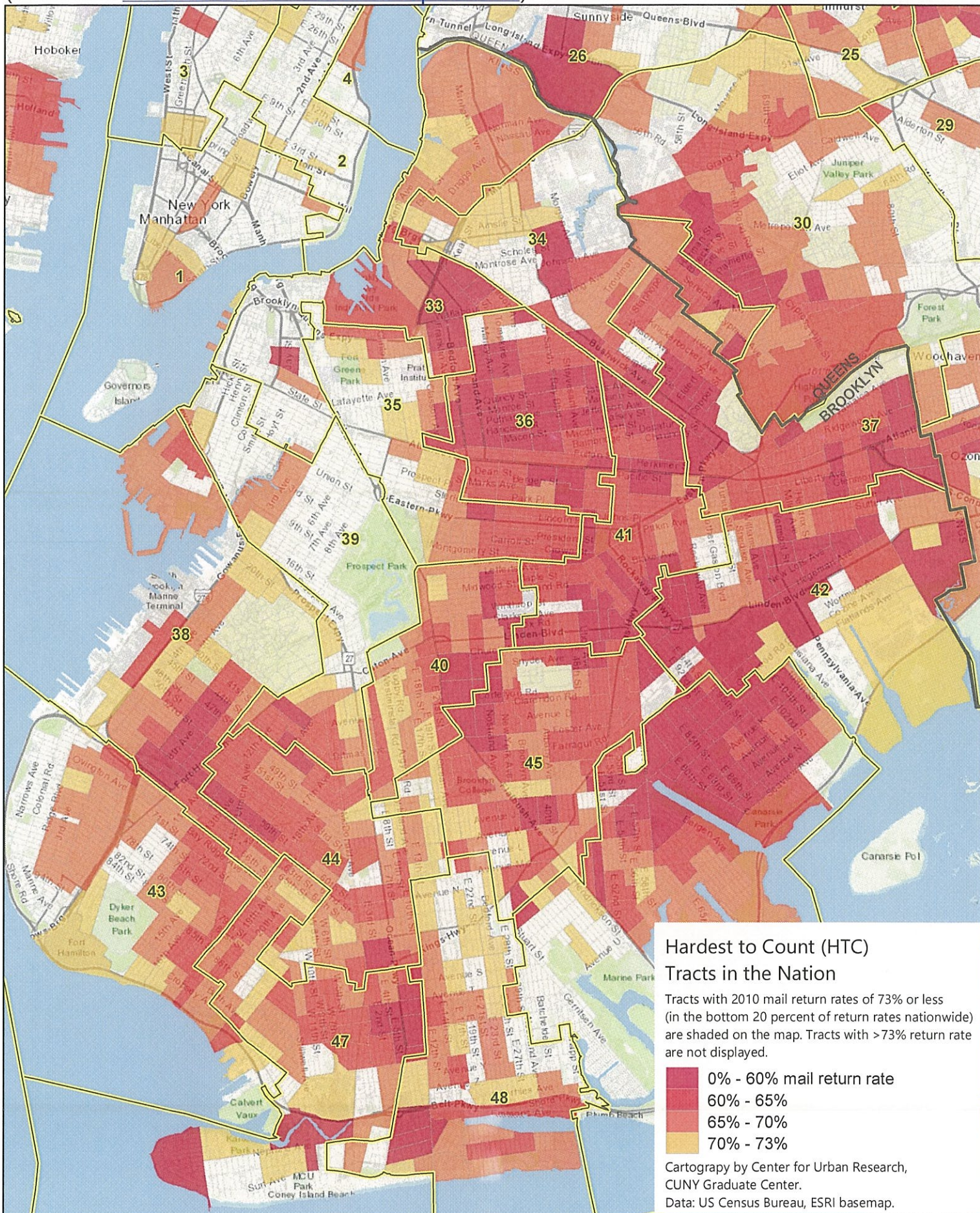
Finally, the map is also proving helpful by giving users access to more nuanced information. Peter Ciurczak, who is a research associate with the Boston Foundation, is involved in similar work as the others using the map. He said the map captures regional differences very well, helping him to see that Suffolk County, Mass., where he lives, has a higher number of renters than many other parts of the country, making it a harder area to count.

While the actual count doesn't start in earnest until the spring, the time to prepare — especially for those allocating resources at the state or local levels — is now, and the Hard to Count Map is proving to be vital to many of those efforts across the country.

This article was printed from: <https://www.govtech.com/civic/How-One-Data-Map-Is-Supporting-Census-Work-Nationwide.html>

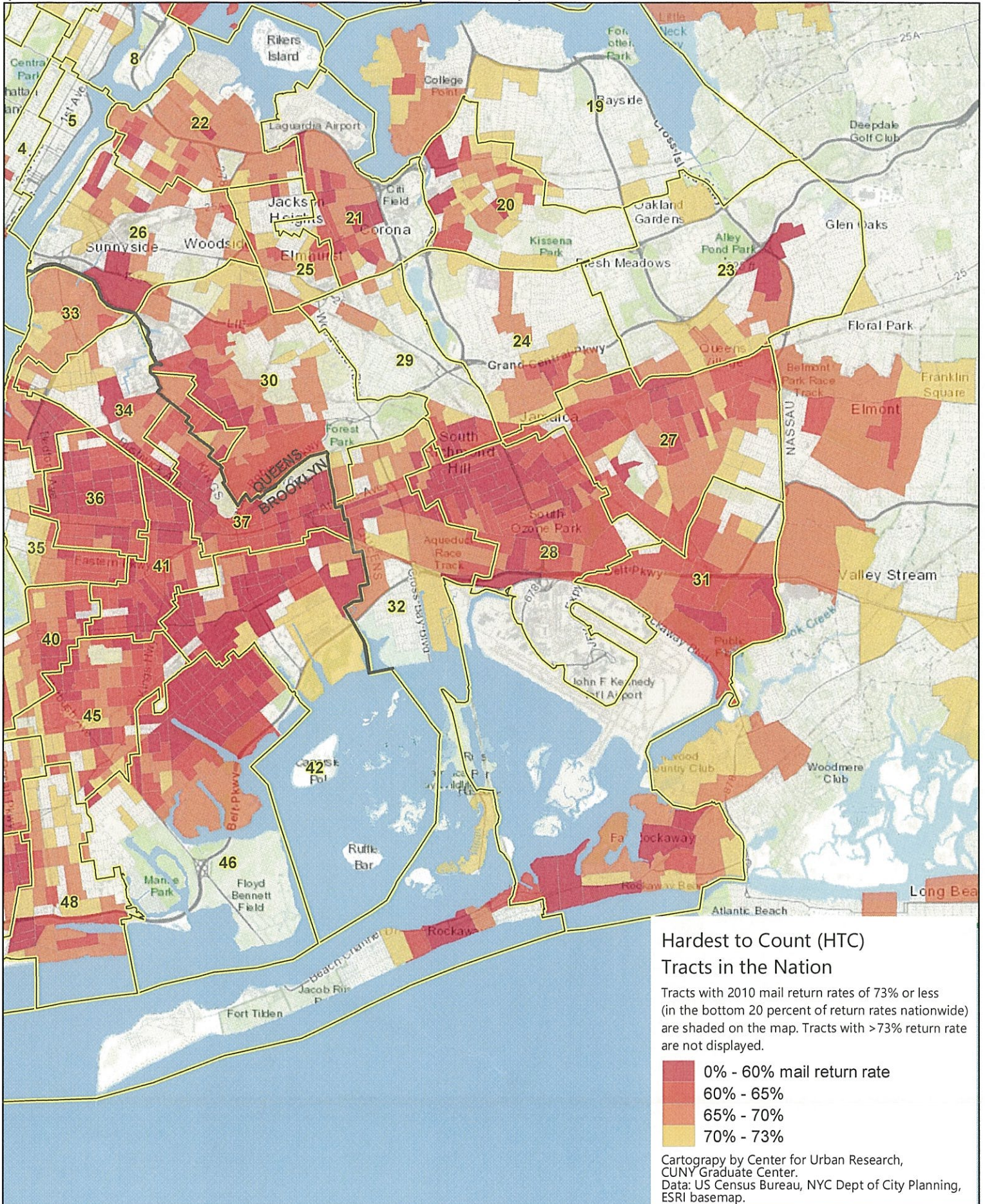
Hard-to-Count Census Tracts in Brooklyn w/City Council Districts

(more info: www.CensusHardToCountMaps2020.us)



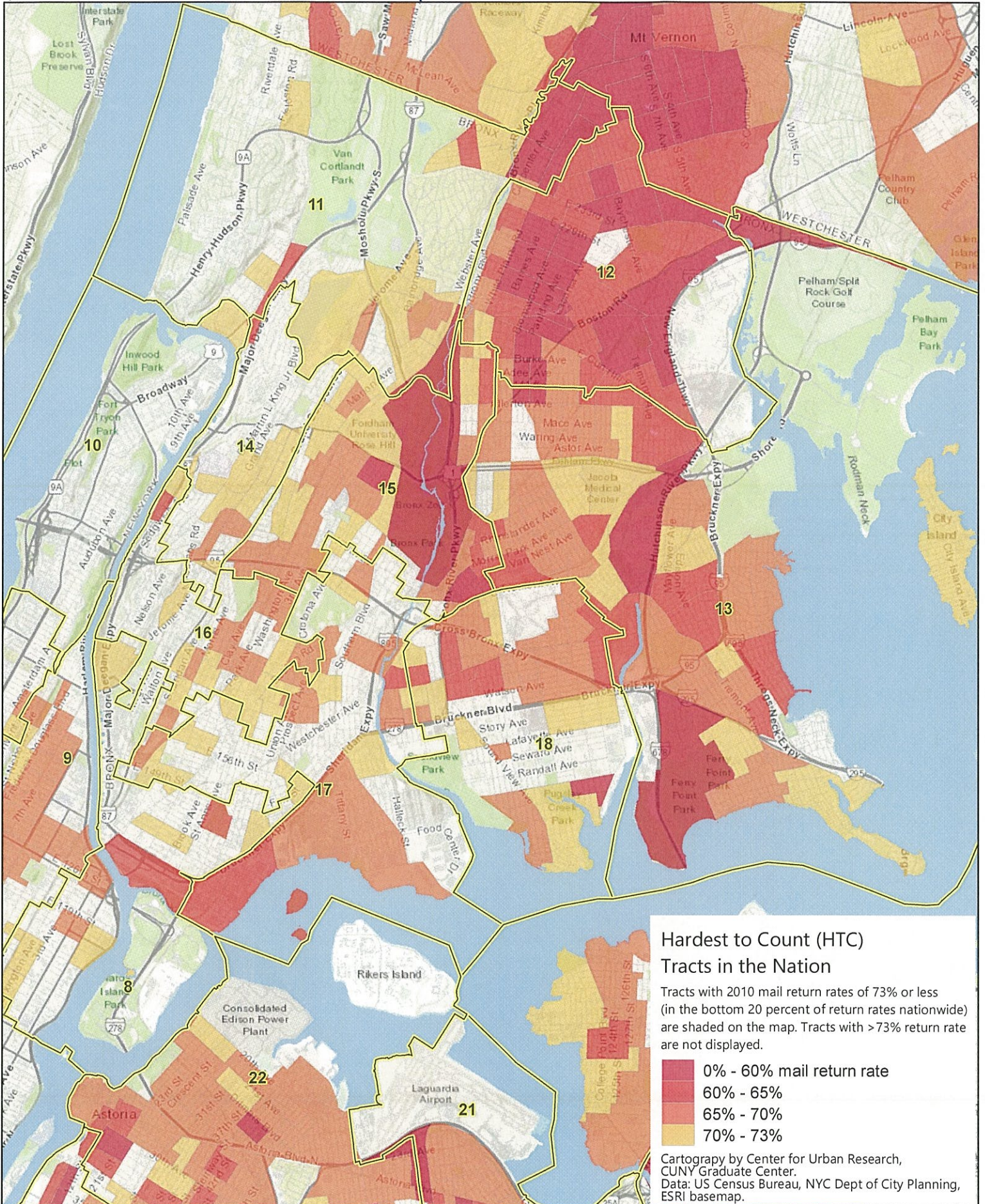
Hard-to-Count Census Tracts in Queens w/City Council Districts

(more info: www.CensusHardToCountMaps2020.us)



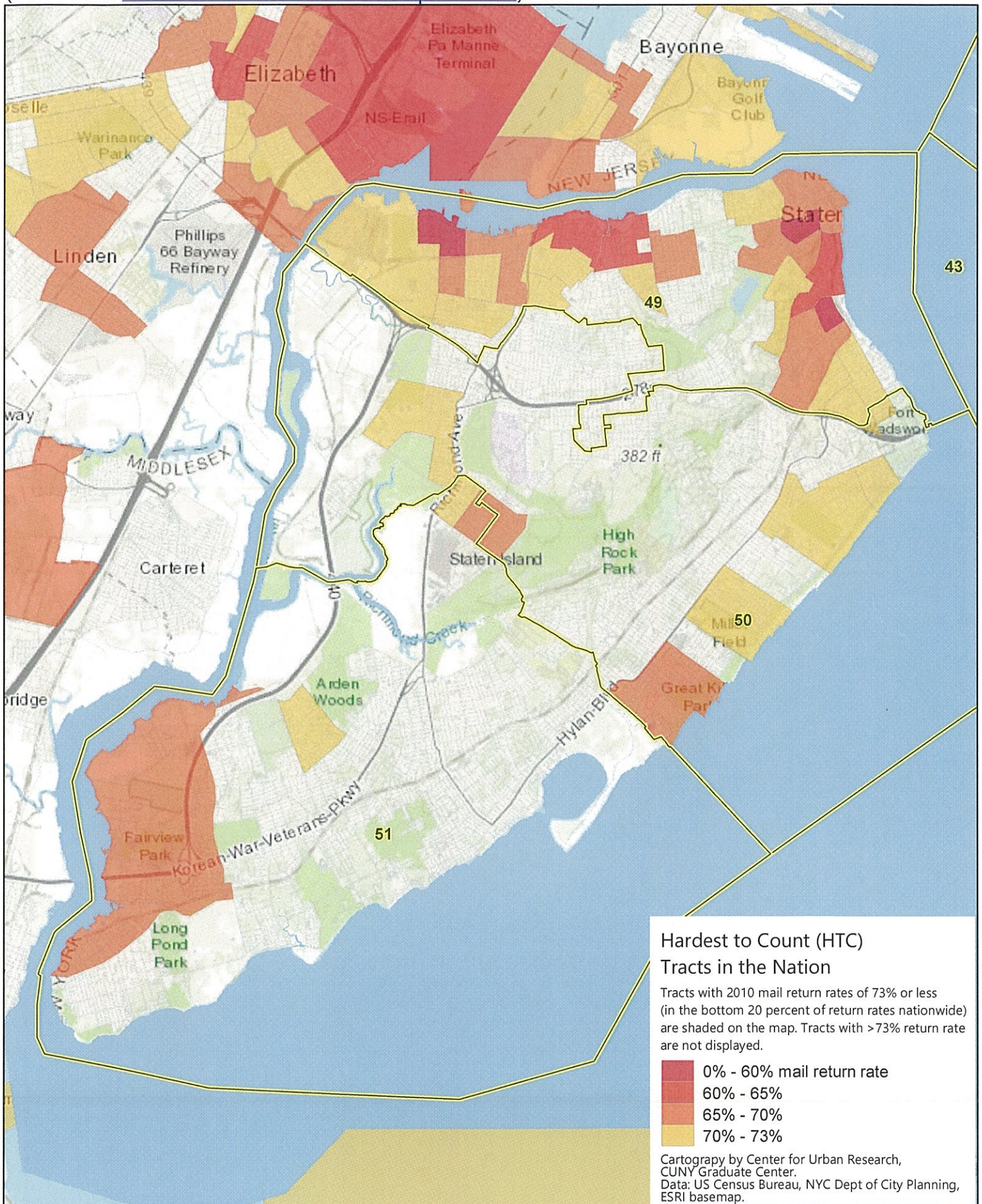
Hard-to-Count Census Tracts in the Bronx w/City Council Districts

(more info: www.CensusHardToCountMaps2020.us)



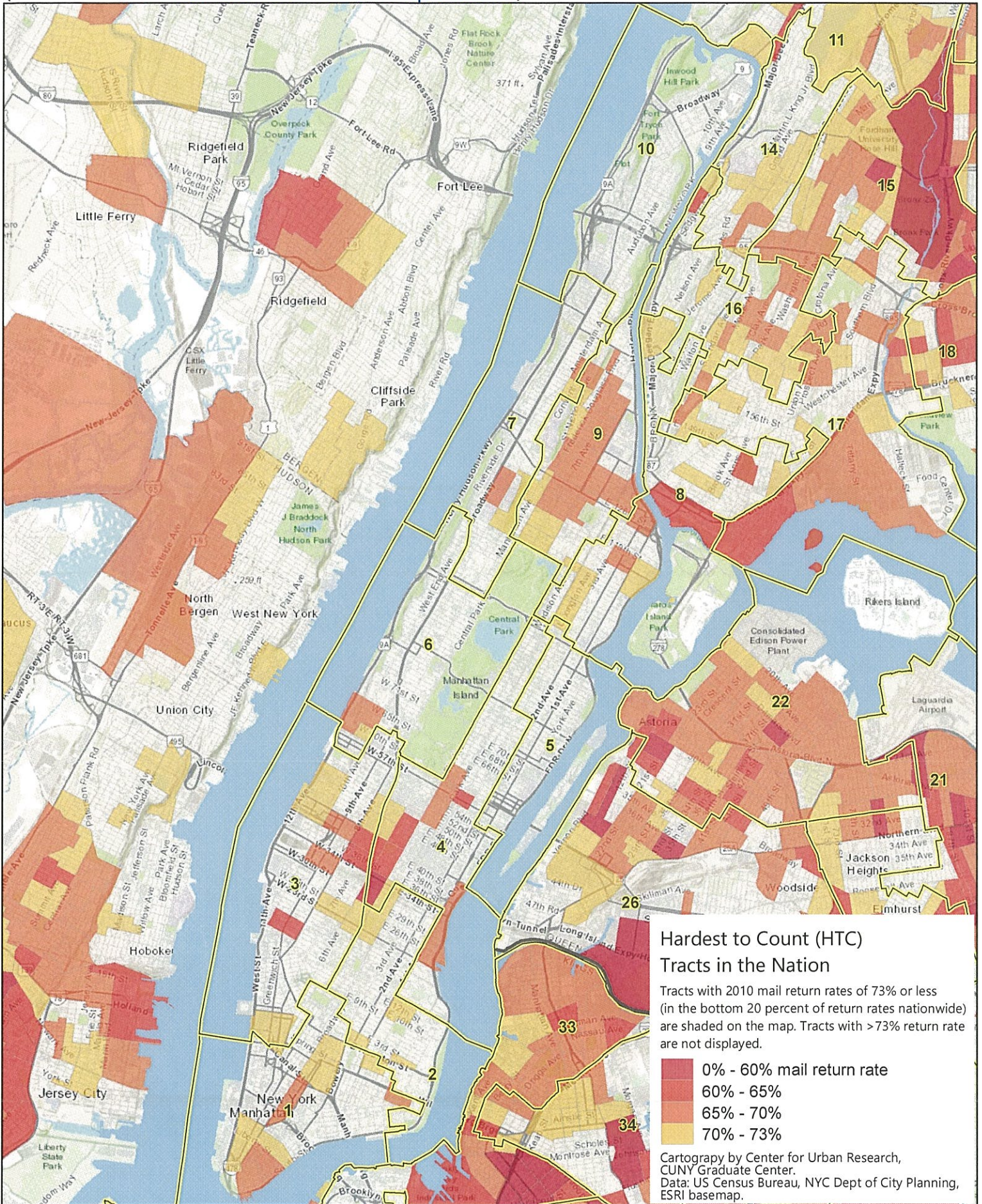
Hard-to-Count Census Tracts on Staten Island w/City Council Districts

(more info: www.CensusHardToCountMaps2020.us)



Hard-to-Count Census Park Tracts in Manhattan w/City Council Districts

(more info: www.CensusHardToCountMaps2020.us)



Hardest to Count (HTC) Tracts in the Nation

Tracts with 2010 mail return rates of 73% or less (in the bottom 20 percent of return rates nationwide) are shaded on the map. Tracts with >73% return rate are not displayed.

- 0% - 60% mail return rate
- 60% - 65%
- 65% - 70%
- 70% - 73%

Cartography by Center for Urban Research, CUNY Graduate Center.
Data: US Census Bureau, NYC Dept of City Planning, ESRI basemap.



**TESTIMONY FROM THE ASSOCIATION FOR A BETTER NEW YORK BEFORE
THE NEW YORK CITY COUNCIL**

Governmental Operations Joint Committee Hearing

October 29th, 2019

Good Afternoon. Thank you for the opportunity to testify today. My name is Melva Miller and I am the Executive Vice President at the Association for A Better New York, a business and civic organization that for nearly 50 years has advocated for policies and initiatives that make New York a better place to live, work, and visit. On behalf of the ABNY Census Organization and Action Committee and the ABNY membership that include businesses, labor organizations, community-based organizations, and more, I am here to represent our deep commitment to obtaining an accurate Census Count in 2020.

The census is of significant importance and determines the allocation of more than \$73 billion in federal funds in New York State alone. These federal dollars fund programs that our most vulnerable New Yorkers rely on everyday including SNAP, CHIP, Medicare, Medicaid and Section 8 vouchers for affordable housing. In 2010, New York City's response rate was less than 62%, while the national average was 76%. This undercount includes many of our hard to count communities across the city - including immigrants, communities of color, and single mothers with children aged 0-5. Moreover, the upcoming census poses additional risks with the coming census being offered online to many New Yorkers, the aftermath of the proposed citizenship question on the census form, and the underfunding of the federal census bureau, all risks that may affect the ability to achieve a full and fair count. In order to ensure that we are able to count each and every New Yorker in the coming census, ABNY has undertaken a series of actions including setting up a committee of trusted community leaders across the city, conducted original research and focus groups across the city to understand the challenges and barriers we must overcome when conducting the count, and will be hosting a conference next month on the strategies and tactics on how best to get out the count in the upcoming census.

After conducting a months-long needs assessment and twelve focus groups and engaging a wide variety of stakeholders around the census, we have three primary recommendations on how best the city can bolster the efforts of CBOs on the ground when it comes to getting out the count.

In consideration of what is at stake, it is first important to consider this as a holistic citywide effort. In particular, it is crucial that community-based organizations, large and small, receive funding to reach hard to count communities. Underrepresented groups are more likely to trust and engage with closely connected leaders in their community, rather than an unknown voice, and moreover, CBOs know best how and where to reach their community members in a tailored and relevant way. *Furthermore, it is necessary to find alternative means for funding, as many CBOs do not meet the traditional requirements for funding such as, being a 501(c)(3), and fulfilling the minimum required operating budgets.*

Ultimately, investing in CBOs who will act as trusted messengers will be critical and are more likely to be successful in getting out the count when they are adequately resourced. It is vital that community organizations, involving local and state advocacy, grassroots, labor, and service-based groups, can reach hard to count communities and improve the census response rate.

Secondly, there needs to be a comprehensive citywide public awareness and Get Out the Count campaign strategy. In order to raise awareness around the census and get out the count, traditional marketing tools ARE NOT ENOUGH to persuade New Yorkers to participate. We know that where some communities get their information from trusted community newspapers, others rely on WhatsApp to stay up to date with their neighborhood's news. Knowing this, we need to create communication strategies that work on and respond to all of these different channels. And leverage public and private, non-profit and pro bono for profit resources to do so. Through public outreach, New Yorkers will be motivated to complete the census and realize its impact; the future of every community is in the hands of its people.

And on a final note, funding is needed NOW to support a citywide outreach effort. Funding needs to be disseminated as soon as possible, as many community organizations do not have the means to spend first and be reimbursed later, nor do they have the ability to spend without the guarantee of receiving these funds. The time is now for supporting and adequately resourcing the organizations at the frontlines of this effort. Let's make the citywide effort start now before we have to wait for the next census in 2030.

Every New Yorker counts regardless of their citizenship status. We need to push forward with the Census 2020 plan in order to accurately represent New York and receive the necessary resources to build communities and address the unique challenges of the city.

Thank you for your time.



Asian American Federation

Testimony for New York City Council Budget Oversight Hearing: Preparations for a Complete Count in the 2020 Census

Committees on Governmental Operations, Immigration, and State and Federal Legislation
October 29, 2019

Thank you to Chairs Cabrera, Menchaca, and Cohen and the Committees on Governmental Operations, Immigration, and State and Federal Legislation for the opportunity to testify at this hearing. I am Mariam Rauf, Census Outreach Manager for the Asian American Federation (The Federation). For the past two decennial censuses, The Federation has been the leader in organizing New York's Asian American communities for full participation in the Census count. The Federation is also the leading expert in New York's Asian American community on Census issues and the only officially designated Census Information Center by the U.S. Census Bureau focused on the Asian community in the Northeast. In 2010 we provided funding to 35 community groups mostly in New York, but also New Jersey and Philadelphia, for Census outreach work that reached over 450,000 community members in New York City alone.

Asians are the fastest-growing population in the city, growing from 1.17 million to 1.35 million from 2010 to 2018. **The Asian population** now represents 10% or more of residents in 26 out of 51 Council Districts. To receive their fair share of resources, it is vital that members of our community fully participate in the 2020 Census. 1 in 4 Asians live in poverty in New York City, half have limited English proficiency, and more than 7 in 10 are immigrants. The Census represents a one-in-a-decade opportunity to collect the most accurate and detailed data on the highly diverse communities that make up Asian Americans in New York. Why? Because we also count.

We want to commend the City Council for their commitment to ensuring a complete and accurate count. With the City allocating \$40 million in funding overall for Census outreach and \$19 million to fund community-based organizations' Census outreach activities. These resources will go a long way to addressing the serious barriers to participation, particularly for Asian communities. These barriers include:

- Larger portions of the Asian community are recent immigrants, never having experienced a census in the United States. According to the most recent ACS data, 17 percent of all Asians in New York moved into the US after the last Census was completed, compared to 10 percent of non-Asians and 10 percent of all Hispanics.
- Asian American perceptions of Census indicate less than favorable perceptions.
 - Recent Census Bureau studies in preparation for the 2020 Census found that Asian Americans were the least likely race group to say they intend to participate in the Census. Only 55% of Asians surveyed planned to respond to the Census.

Manhattan:
120 Wall Street, 9th Floor
New York, NY 10005

Flushing:
37-17 Union Street, 2nd Floor
Flushing, NY 11354

- The same survey found that Asians were more concerned that Census data would be used against them and were less likely to say that Census data mattered to their communities.
- This is further exacerbated by the legal fight around the citizenship question and the current actions by the Trump administration to limit immigration and increase deportations are also negatively influencing perceptions and increasing reluctance by immigrant communities to interact with all levels of government.
- Historic use of Census data during the Japanese internment, despite being addressed post-war by stronger laws prohibiting the sharing of personal Census data, continue to be on the minds of Asian immigrants.
- These challenges are in addition to linguistic barriers that exist in our communities with 2 in 5 Asians across the state and almost half of Asians in the city having limited English proficiency.

The City's funding for community-based organizations (CBOs) will go a long way to addressing these barriers by leveraging the trusted voices these CBOs represent to their communities. In 2010, Asian mail response rates in New York City, a key measure of Census participation, jumped from 63% in 2000 to 71% in 2010. Key differences between the two Censuses were the Federation's Census Outreach Initiative which included re-granting to community groups, increased language support by Census Bureau, targeted media buys in the Asian community and Census Bureau's own paid media and partnership programs.

As the City fully implements their Census outreach strategy, we ask the City Council and the NYC Census Office to monitor these issues:

- Ensure outreach gaps are addressed. We ask the Council to monitor which communities receive awards through the NYC Census Fund. If there are further rounds of funding, we ask that the Council exercise oversight and give priority to communities that were not covered by previous rounds of funding. We also need to ensure that pop-up centers are available in community safe spaces and have staff or volunteers with the language and cultural competency and humility to provide assistance on the 2020 Census.
- Direct the City's paid media funding towards language gaps in Census Bureau coverage. Even with eight new languages supported with online translated forms and paid media campaign (Arabic, French, Haitian Creole, Japanese, Polish, Portuguese and Tagalog), in addition to the languages previously supported in the 2010 Census (Spanish, Chinese, Korean, Russian, and Vietnamese), NONE of the supported languages included the fastest growing Asian communities in New York States (listed in order of growth rates), which are Nepali, Burmese, Indian, Bhutanese, Thai, Indonesian, and Pakistani. Because of budget cuts, the Census Bureau has elected not to purchase any South Asian media ads, contrary to the last Census in 2010 where the Census Bureau did make media buys in South Asian languages.
- Monitor that messaging around the Census in New York City is coordinated and complementary. We need to ensure that messages around the benefits of the Census and the safety and security of Census data do not contradict or conflict with each other.

Thank you again for the opportunity to testify today.

**Written Testimony of Kelly Percival
Counsel, Democracy Program
Brennan Center for Justice at NYU School of Law**

**Before the New York City Council Committee on Governmental Operations, Committee on
Immigration, and Committee on State and Federal Legislation
RE: Oversight – Preparations For a Complete Count in the 2020 Census**

October 29, 2019

Good afternoon members of the Joint Committee. My name is Kelly Percival, and I am Counsel to the Democracy Program at the Brennan Center for Justice at NYU School of Law. I am pleased to be testifying today about how the Council and your respective Committees can help ensure that every resident of New York City is counted in the 2020 Census.

The Brennan Center is a nonpartisan law and policy institute that seeks to improve our systems of democracy and justice. Our Democracy Program focuses on ensuring that all Americans are equally represented in our government and have an equal voice in our elections. Our work promoting voting rights, campaign finance reform, and redistricting integrity seeks to ensure that American democracy is responsive to the needs and desires of all people.

As part of this work, the Center seeks to promote a fair and accurate decennial census. The census is the cornerstone of American democracy. Census population numbers are used for apportioning Congress, drawing district boundaries for everything from congressional seats to local city council districts, as well as allocating billions of dollars annually in public funding for basic services like schools, roads, and hospitals. Counting everyone here in New York City will be essential for the City to get the financial support it needs to support these services over the next decade.

The 2020 Census faces a variety of threats, ranging from cybersecurity issues to lack of funding. I would like to focus my remarks today on one threat in particular: widespread fears that the federal government intends to use census data to harm census respondents. More importantly, I will suggest what the City can do to limit that threat and best position your residents to be fully counted in 2020.

First, the threat. Concerns about the confidentiality of data submitted to the Census Bureau and fears of repercussions for participating in the census are discouraging people from standing up to

be counted in 2020. A Census Bureau survey conducted earlier this year found that almost one-third of respondents were “extremely concerned” or “very concerned” that the Census Bureau would not keep their answers confidential. And nearly one-quarter were “extremely” or “very” concerned that the Census Bureau would share their answers with other government agencies or use their answers against them in some way.¹

These concerns are not shared equally. Communities of color—populations that the Census Bureau has long struggled to count fully—are most likely to fear that participating in the 2020 Census may result in harm to them. A recent study by the Pew Research Center, for example, found that Black and Hispanic residents are significantly less likely to respond to the 2020 Census than non-Hispanic whites.² The Census Bureau has likewise found that Black, Hispanic, and Asian residents are much more concerned about the confidentiality of their census data than white residents.³

Many of these fears stem from the Trump administration’s efforts to include a historically unprecedented citizenship question on the 2020 Census. When the Supreme Court held in June 2019 that the administration had acted illegally in attempting to add the question, the President issued an Executive Order calling on the Census Bureau to collect citizenship data from other administrative agencies that it cannot collect through the 2020 Census itself.⁴ That order has caused further confusion and exacerbated fears that census data will be used for harmful purposes.

In a city as racially and ethnically diverse as New York, allaying these fears will be essential to ensuring that everyone is equally counted.

The City can play a central role in counteracting this climate of fear by building public confidence in the security of census data.

The City should undertake advertising and public education campaigns to assure affected populations that no citizenship question will appear on the 2020 Census and that the information they provide on the census cannot be used against them. The City’s public messaging should include information about the laws that protect the confidentiality of census data. Those laws are ironclad. The federal Census Act—Title 13 of the U.S. Code—prohibits the Census Bureau from disclosing any personally identifiable information that it receives.⁵ Title 13 also makes it illegal for census data to be used for any nonstatistical purpose.⁶ That means that the government

¹ See U.S. Census Bureau, 2020 Census Barriers, Attitudes, and Motivators Study Survey Report (Jan. 24, 2019), 39, 43, <https://www2.census.gov/programs-surveys/decennial/2020/program-management/final-analysis-reports/2020-report-cbams-study-survey.pdf>

² See D’Vera Cohn & Anna Brown, *Most U.S. adults intend to participate in 2020 census, but some demographic groups aren’t sure*, PEW RESEARCH CTR., (Oct. 18, 2019), <https://www.pewresearch.org/fact-tank/2019/10/18/most-u-s-adults-intend-to-participate-in-2020-census/> (finding 26% of black adults and 21% of Hispanic adults unlikely to respond to the census, compared to just 12% of white adults).

³ See CBAMS, *supra*, note 1, at 40.

⁴ Exec. Order No. 13,880, 84 Fed. Reg. 33,821 (July 11, 2019).

⁵ 13 U.S.C. § 9(a)(2).

⁶ 13 U.S.C. § 9(a)(1).

cannot use census data for things like immigration enforcement or criminal prosecution. It is also illegal for the Census Bureau to give census responses to other government agencies. In other words, agencies like Immigration and Customs Enforcement have no legal way to access census responses.

In addition to those core protections, Title 13 prohibits anyone except for Census Bureau employees to see census responses.⁷ Bureau employees are sworn to secrecy under the threat of criminal prosecution, and they can be sent to prison for up to five years and fined up to \$250,000 if they break their oath.⁸

Finally, Title 13 prohibits the federal government from using census responses to harm anyone.⁹

All these prohibitions apply equally to any information the Census Bureau gathers using administrative records from other agencies, including any information on citizenship that the Bureau may gather pursuant to the July 11 Executive Order.

In order to ensure maximum participation in the 2020 Census, census respondents should be informed that the Bureau operates as a sort of vacuum: it can take in most any information it wants from other agencies, but it cannot release that information unless it complies with all the applicable confidentiality restrictions. The Census Bureau's most recent policy on safeguarding and managing census data endorses this view, and specifically notes that Title 13 protects administrative records the Bureau receives from other agencies.¹⁰ John Abowd, the Bureau's chief scientist, moreover, confirmed this strict confidentiality policy in a recent presentation on collecting administrative records on citizenship.¹¹

Title 13 is just one of the many laws that protect the confidentiality of census data. Other federal laws, including the Confidential Information Protection and Statistical Efficiency Act, the Privacy Act, and the tax code, provide additional safeguards. I have included a comprehensive guide to these laws in my written testimony.¹²

Educating the public on the strength of these confidentiality protections can work in tandem with communications about the real-world impacts that the census will have on every family and

⁷ 13 U.S.C. § 9(a)(3).

⁸ 13 U.S.C. § 214; 18 U.S.C. §§ 3559, 3571.

⁹ 13 U.S.C. § 8(c).

¹⁰ See Census Bureau, DS007: Safeguarding and Managing Information 5 (2017), 5, https://www2.census.gov/foia/ds_policies/ds007.pdf?

¹¹ See John M. Abowd, Census Bureau Citizenship Data Research and Product Development, (Sept. 6, 2019), 25, <https://assets.documentcloud.org/documents/6386176/Census-Bureau-Citizenship-Data-Research-and.pdf> (“As with all administrative data ingested by the Census Bureau, the citizenship data will be used only for statistical purposes. As with all administrative data ingested by the Census Bureau, the confidentiality of the citizenship data will be fully protected by Title 13, Section 9....”).

¹² See Kelly Percival, *Federal Laws that Protect Census Confidentiality*, The Brennan Center for Justice at NYU School of Law, (Feb. 2019), https://www.brennancenter.org/sites/default/files/2019-08/Report_Federal_Laws_Census_Confidentiality.pdf.

community in New York City. Such a public message will help ensure that every person feels comfortable getting counted in 2020 and motivated to do so.

Thank you so much for the opportunity to testify today. I am happy to answer any questions.

Federal Laws That Protect Census Confidentiality

by Kelly Percival

The 2020 Census is rapidly approaching. A fair and accurate census depends on every person's responses remaining confidential. The Census Bureau has repeatedly affirmed the importance of confidentiality to its mission. Congress and numerous presidential administrations have similarly long recognized the centrality of strict confidentiality to getting a complete count.

Nevertheless, in today's environment, trust in the federal government is at an extreme low, especially among communities of color. Many people are fearful that their responses to the 2020 Census might be used against them or their families for immigration or law enforcement purposes.¹ Any effort to use census data in this way, however, would run headlong into robust laws that protect the confidentiality of census data and would trigger a fierce legal fight.

This document provides an overview of the strong, long-standing legal protections that prohibit the Census Bureau or any other part of the federal government from using census data against the people who supply it. These

laws unequivocally protect the confidentiality of information that people provide to the Bureau, ensuring that census responses do not leave the four walls of the Bureau except in aggregate, anonymous statistical form.²

Overview

The laws that safeguard the confidentiality of census data make clear that:

- It is illegal for the Census Bureau to disclose census responses in any way that would personally identify a respondent;
- It is illegal for anyone to see census responses except for employees of the Census Bureau, who are sworn to secrecy under the threat of criminal punishment;
- It is illegal for the Census Bureau to disclose census responses to other government agencies;
- It is illegal for data collected for the census to be used for any nonstatistical purpose, such as immigration regulation or other law enforcement; and

1 See U.S. Census Bureau, National Advisory Committee on Racial, Ethnic, and Other Populations, *2020 Census Barriers, Attitudes, and Motivators Study (CBAMS) Survey and Focus Groups: Key Findings for Creative Strategy*, p. 35 (Oct. 31, 2018), <https://www2.census.gov/cac/nac/meetings/2018-11/mcgeeney-evans-cbams.pdf> ("Nearly 1 in 4 respondents fear that their answers to the 2020 Census will be used against them"); see also U.S. Census Bureau, *2020 Census Barriers, Attitudes, and Motivators Study Survey Report*, p. 1 (Jan. 24, 2019), <https://www2.census.gov/programs-surveys/decennial/2020/program-management/final-analysis-reports/2020-report-cbams-study-survey.pdf> ("Fewer than seven in ten householders said they intend to fill out the census form").

2 The Census Bureau is a component of the U.S. Department of Commerce. All laws discussed here that apply to the Census Bureau also bind the Commerce Department, and all references to the Census Bureau incorporate the Commerce Department.

- It is illegal for the Census Bureau or any other federal agency to use census data to the detriment of the person to whom the information pertains.

These protections arise from several laws pertaining to census data, including:

- The Census Act, 13 U.S.C. § 1 *et seq.*;
- The Confidential Information Protection and Statistical Efficiency Act (CIPSEA), 44 U.S.C. § 3501, Note;
- The Privacy Act, 5 U.S.C. § 552a; and
- The Internal Revenue Code, 26 U.S.C. § 1 *et seq.*

Together, these laws and the legal protections they set forth threaten serious legal consequences for any attempts to misuse census data.

The Census Act Prohibits the Census Bureau from Disclosing Data that Identifies a Census Respondent.

The Census Act includes several robust, unambiguous protections for maintaining the confidentiality of census data. These protections are binding on the Commerce Department and any of its divisions, including the Census Bureau, temporary Department staff such as census collectors, and local government liaisons to the Census Bureau.³ As recently as December 2018, the secretary of commerce affirmed the Census Bureau’s commitment to upholding its duty to maintain complete confidentiality.⁴

The Census Act prohibits the Census Bureau from disclosing any personally identifiable data provided by a census respondent. The Census Bureau may not publish or disclose an individual’s personal information for any purpose.⁵ This means that, even when the Bureau produces statistics and analyses using census data, it must ensure that those products do not disclose any individual’s personal identity or information.⁶

Additionally, an individual’s census responses may not be disclosed in legal proceedings. They cannot be used “for any purpose” in a legal action or administrative proceeding without the consent of the individual who originally supplied the information.⁷ The U.S. Supreme Court has affirmed that this ban also prevents respondent-level information from being produced in response to a Freedom of Information Act request, even if the request has been made for a statistical purpose.⁸

Finally, individual census data may not be used “to the detriment” of any census respondent or other person to whom the data relates.⁹ Presidential administrations have repeatedly affirmed that no one may be harmed by furnishing census information, and that the census has nothing to do with the regulation of immigration or with the enforcement of any national, state, or local law or ordinance.¹⁰

The Census Act prohibits anyone other than sworn Census Bureau employees from viewing individual census responses.¹¹ Census Bureau employees who must view individual census responses are sworn to protect the confidentiality of those data for life. An employee who wrongfully discloses census data can be punished by a fine of up to \$250,000 and a prison sentence of up to five years.¹²

3 13 U.S.C. §§ 9(a), 23(c).

4 See Letter on Census Confidentiality from Sec. Ross to Sen. Schatz, Dec. 19, 2018, <https://apps.npr.org/documents/document.html?id=5675696-Dec-19-2018-Letter-on-Census-Confidentiality>.

5 13 U.S.C. § 9(a)(2) (Commerce Department may not “make any publication whereby data furnished by any particular establishment or individual under this title can be identified”); see also *Baldrige v. Shapiro*, 455 U.S. 345, 361 (1982).

6 13 U.S.C. § 8(b) (statistical materials may “not disclose the information reported by, or on behalf of, any particular respondent”).

7 13 U.S.C. § 9(a).

8 See *Baldrige*, 455 U.S. at 349, 361 (municipalities challenging population count are not entitled to Bureau’s address list under the Freedom of Information Act, even though “public policy favors disclosure under FOIA,” because Census Act “preclude[s] all disclosure of raw census data”).

9 13 U.S.C. § 8(c). The Census Act does not define “detriment.”

10 See, e.g., Proclamation No. 8488 (Mar. 31, 2010) (Pres. Obama affirming that census information “is never used against [census participants] or shared with other government or private entities”); Proclamation No. 6105 (Mar. 6, 1990) (Pres. George H. W. Bush affirming that “[i]ndividual information collected will not be used for purposes of taxation, investigation, or regulation, or in connection with military or jury service, the compulsion of school attendance, the regulation of immigration, or the enforcement of any other Federal, State, or local law or ordinance”); Proclamation No. 3973 (Mar. 24, 1970) (Pres. Nixon affirming that census information cannot be used “for the purposes of taxation, investigation, regulation, or for any other purpose whatsoever affecting the individual”).

11 13 U.S.C. § 9(a)(3) (Census Bureau may not “permit anyone other than the sworn officers and employees of the Department or bureau or agency thereof to examine the individual reports”).

12 13 U.S.C. § 214; 18 U.S.C. §§ 3559, 3571.

In addition to Census Bureau personnel, it is possible that Department of Homeland Security (DHS) personnel involved in cybersecurity initiatives will have access to 2020 Census data that are stored electronically. The Federal Cybersecurity Enhancement Act of 2015 grants DHS access to information that any government agency, including the Census Bureau, collects over the internet or stores electronically. DHS may access these data, however, *only for the purpose of protecting against cyberattacks*.¹³ Thus, as the Census Bureau has stated, it “would be unlawful” for DHS to use any census data it has access to for any purpose unrelated to cybersecurity, such as immigration or law enforcement.¹⁴

Moreover, the program that DHS currently uses to detect cybersecurity risks — EINSTEIN version 3A — provides DHS with only encrypted information.¹⁵ EINSTEIN 3A “does not provide DHS with access to a respondent’s personal information.”¹⁶ And DHS requires that any employee with access to EINSTEIN sign an agreement not to disclose personal information. Violating that agreement can result in disciplinary action, including job loss.¹⁷ Further, the Bureau has worked with DHS to implement additional safeguards regarding “the collection, retention, use, and disclosure of information.”¹⁸ These safeguards include “notification and reporting requirements in the unlikely event that any unauthorized access, use, or dissemination of any Census Bureau information would occur.”¹⁹

The U.S. Supreme Court has recognized that census confidentiality is crucial to the integrity of the census. The Supreme Court has ruled that, under the Census Act, “the Director of the Census [has] no discretion to release data, regardless of the claimed beneficial effect of disclosure.”²⁰ The Court has determined that Congress intended the Census Act to protect all raw data from disclosure, even if the data do not reveal a respondent’s identity.²¹

The underlying need for the prohibition on disclosure, the Court explained, lies in the importance of “encourag[ing] public participation and maintain[ing] public confidence that information given to the Census Bureau would not be disclosed.”²² And “only a bar on disclosure of all raw data reported by or on behalf of individuals would serve the function of assuring public confidence.”²³

The U.S. Department of Justice has emphasized the importance of confidentiality to ensuring an accurate census count. The Justice Department has recognized that disclosure of data “might lead to widespread reluctance upon the part of the public about giving information and thus add to the difficulties already encountered in obtaining full and correct responses.”²⁴ For that reason, even before Congress passed the confidentiality protections that now bind the Census Bureau, the Bureau’s policy was to interpret the law “strictly against furnishing either official or private persons with information that would reveal to another the identity of the individuals to whom it relates.”²⁵

The Justice Department has also stated that “[t]here can be no doubt” that the Census Act is intended to assure census respondents that their identities and the information they provide to the Census Bureau will “be held in complete confidence by the Bureau” and that the Bureau should “adhere rigidly to its long-standing practice... of refraining from publishing statistics pertaining to a given community” when that publication “would involve any possibility of later identification of confidential information.”²⁶ This includes the rare instances in which census data are shared with other government officials or agencies. For example, under a law granting the National Archives broad access to the Bureau’s records for storage purposes, the Justice Department found that any census records provided to the Archives are still subject to the Census Act’s confidentiality protections and may not be disclosed.²⁷

13 6 U.S.C. § 151(c)(3).

14 Dep’t of Commerce, Census Bureau, Submission for OMB Review; Comment Request; Correction, 82 Fed. Reg. 31,553, 31,554 (July 7, 2017).

15 *Id.*

16 *Id.*

17 See Dep’t of Homeland Security, *Privacy Impact Assessment Update 2*, 5, 6 (2016), <https://www.dhs.gov/sites/default/files/publications/privacy-pia-nppd-einstein3a-may2016.pdf>.

18 82 Fed. Reg. at 31,554.

19 *Id.*

20 *Baldrige*, 455 U.S. at 358.

21 *Id.* at 356–58.

22 *Id.* at 361; see also *Carey v. Klutznick*, 653 F.2d 732 (2d Cir. 1981); *McNichols v. Klutznick*, 644 F.2d 844, 845 (10th Cir. 1981); *Seymour v. Barabba*, 559 F.2d 806, 807–08 (D.C. Cir. 1977); *United States v. Bethlehem Steel Corp.*, 21 F.R.D. 568, 570–71 (S.D.N.Y. 1958).

23 *Baldrige*, 455 U.S. at 361.

24 *Census Data Unavailable to Women’s Bureau of Dep’t of Labor and Individuals*, 36 U.S. Op. Atty. Gen. 362, 364–65 (1930).

25 *Id.*

26 41 U.S. Op. Atty. Gen. 120, 124–25 (1953).

27 *Confidential Treatment of Census Records*, 40 U.S. Op. Atty. Gen. 326, 328 (1944) (“[i]t would require very clear language in a general statute relating to the custody of records to justify attributing to the Congress an intention to depart from th[e] policy [of nondisclosure]”).

The U.S. Department of Justice’s Office of Legal Counsel has repeatedly found that the Census Act’s confidentiality provisions take precedence over other laws that otherwise allow for the disclosure of personal information. The Office of Legal Counsel has been asked to decide whether federal laws that permit the liberal disclosure of personal information authorize the disclosure of census data. Each time, it has concluded that the Census Act’s confidentiality protections supersede those other laws and bar disclosure of personal information.

In 1999, the Office of Legal Counsel concluded that the Census Act’s confidentiality provisions superseded an immigration law that allowed government officials to give the Immigration and Naturalization Service information about the citizenship or immigration status of any individual “[n]otwithstanding any other provision of Federal, State, or local law.”²⁸ The Office of Legal Counsel determined that even this broad language did not authorize disclosure of census data “in light of the federal government’s long-standing commitment to [census] confidentiality.”²⁹

In 2010, the Office of Legal Counsel came to the same conclusion with respect to the USA PATRIOT Act. The PATRIOT Act granted the attorney general broad powers to obtain “any tangible things” from government agencies for use in terrorism investigations “notwithstanding any other provision of law.”³⁰ Despite this sweeping language and Congress’s clear intent to give the federal government broad powers to fight terrorism, the Office of Legal Counsel concluded that no PATRIOT Act provisions override the historically strong census confidentiality protections.³¹

These precedents make clear that the Census Act bars an individual’s census data from disclosure under any circumstance.

The Census Bureau May Use Census Data Only for Statistical Purposes.

The Census Act prohibits the government from using census data for anything other than statistical purposes. The Census Act clearly states that individuals’ census data may be used only for “the statistical purposes for which it is supplied.”³² The Census Bureau’s privacy policy confirms this restriction.³³

Moreover, while the Bureau may disclose “tabulations” and other “statistical compilations” of census data to other government agencies, any statistical information the Bureau releases remains subject to the Census Act’s confidentiality protections discussed above.³⁴ In other words, when the Bureau releases statistical data, those data may not personally identify any individual or household.³⁵

While the Census Act does not define “statistical purpose,” another federal confidentiality law applicable to census data — the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) — defines a statistical purpose as “the description, estimation, or analysis of the characteristics of groups, without identifying the individuals or organizations that comprise such groups.”³⁶ In contrast, a nonstatistical purpose is the “use of data in identifiable form for any purpose that is not a statistical purpose, including any... regulatory, law enforcement ... or other purpose that affects the rights, privileges, or benefits of a particular identifiable respondent.”³⁷

Thus, it would be lawful for the Census Bureau to use census data to produce, for example, statistics on the Latino population for a state education department to use to measure education gaps.³⁸ But if the Bureau were to share that information with Immigration and Customs Enforcement so ICE could target Latino residents for

28 *Relationship Between Illegal Immigration Reform and Immigrant Responsibility Act of 1996 and Statutory Requirement for Confidentiality of Census Information*, Op. O.L.C. Supp. at 4 (1999), <https://www.justice.gov/opinion/file/844106/download>.

29 *Id.* at 11.

30 *Census Confidentiality and the PATRIOT Act*, Op. O.L.C. at 4 (2010), <https://www.justice.gov/sites/default/files/olc/opinions/attachments/2016/03/18/2010-01-04-census-confidentiality.pdf>.

31 *Id.* at 7 (“for more than sixty years, the Executive Branch has consistently employed a strong presumption that statutes affecting access to information in general should not be construed to overcome the specific protections afforded to covered census information by the Census Act”).

32 13 U.S.C. § 9(a)(1) (Census Bureau may not “use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied”).

33 U.S. Census Bureau, *Policy Cover Sheet of U.S. Census Bureau Privacy Principles 2* (Rev. 2009), https://www2.census.gov/foia/ds_policies/ds0pp.pdf (affirming that the Bureau will use census data “only for statistical purposes and will advise the public of these limited uses”).

34 13 U.S.C. § 8(b); *see also Seymour*, 559 F.2d at 809 (Census Bureau may release statistics “of a numerical nature, not names and addresses of specific individuals... a ‘tabulation’ is a computation to ascertain the total of a column of figures, or perhaps counting the names listed in a certain group, rather than supplying the individual names and addresses”).

35 13 U.S.C. § 8(b); *Seymour*, 559 F.2d at 809.

36 CIPSEA § 502(9)(A), 44 U.S.C. § 3501, Note.

37 CIPSEA § 502(5)(A).

38 *See, e.g.*, U.S. Census Bureau, *Using Census Data to Help Local Communities: Census Information Centers at Work* 17–18, <https://www2.census.gov/library/publications/2003/comm/clo03-cic.pdf>.

immigration raids, that would be an illegal use of the data for nonstatistical purposes. That is why the Bureau has pledged that it “will never share a respondent’s personal information with immigration enforcement agencies, like ICE; law enforcement agencies, like the FBI or police; or allow it to be used to determine their eligibility for government benefits.”³⁹

Furthermore, like individual-level data, statistical information may not be used “to the detriment” of any individual whose personal information was used to produce the statistics.⁴⁰

The Census Bureau additionally maintains procedural safeguards for handling requests for statistical information. Bureau policy requires requests for custom tabulations concerning “sensitive topics” and “sensitive populations” to go through a special review procedure. Any request that deals with sensitive topics or sensitive populations, topics that have policy implications, or topics that may negatively impact the Census Bureau’s reputation must be specially approved.⁴¹ The Census Bureau does not have to comply with a request for a custom tabulation, but if it does, it must publish the name of the requesting agency, a description of the request, the source of the information, and the date it provided the information.⁴²

Other Legal Protections Safeguard the Confidentiality of Census Responses.

Other laws work with the Census Act to protect the confidentiality of census data.

1. The Confidential Information Protection and Statistical Efficiency Act. Whenever the federal govern-

ment collects data confidentially for statistical purposes, CIPSEA, like the Census Act, prohibits the government from using those data for anything other than statistical purposes.⁴³ Enacted in 2002, CIPSEA additionally prohibits the government from disclosing confidential data in a way that would identify an individual without that individual’s consent.⁴⁴

CIPSEA clearly states that the confidentiality protections of the Census Act prevail and prohibit disclosure in any circumstance where CIPSEA could be construed to authorize information disclosure.⁴⁵ Unauthorized disclosure of information in violation of CIPSEA is a crime that can result in a fine of up to \$250,000.⁴⁶

CIPSEA also requires any federal agency collecting data for statistical purposes to publish a confidentiality pledge that discloses the possible uses of the data being collected.⁴⁷ The Census Bureau’s confidentiality pledge, which is binding on the agency, currently states:

The U.S. Census Bureau is required by law to protect your information. The Census Bureau is not permitted to publicly release your responses in a way that could identify you. Per the Federal Cybersecurity Act of 2015, your data are protected from cybersecurity risks through screening of the systems that transmit your data.⁴⁸

2. The Privacy Act. The Privacy Act, 5 U.S.C. §552a, likewise prohibits federal agencies from disclosing personal records, by any means of communication, to any person or government agency without the written consent of the individual to whom the record pertains.⁴⁹ A “record” includes “any item, collection, or grouping of information about an individual that is maintained by an agency... and

39 U.S. Census Bureau, *2020 Census Complete Count Committee Guide 3*, <https://www.census.gov/content/dam/Census/newsroom/press-kits/2018/cc-guide-d-1280.pdf>.

40 13 U.S.C. § 8(c).

41 See *Policy on Providing Custom Tabulations and Custom Extracts Under 13 U.S.C. §8(b)*, Census Data Stewardship Program, DS-021 at 3 (2015), https://www2.census.gov/foia/ds_policies/ds021.pdf. A “custom tabulation” is a “statistical aggregation of confidential microdata collected by the Census Bureau . . . from internal Census Bureau files that are not accessible by the public.” *Policy on Providing Custom Tabulations and Custom Extracts Under 13 U.S.C. §8(b)* at 1. A “custom extract” is “a statistical aggregation or reorganization of nonconfidential Census Bureau data, that is . . . developed from published and previously published tables or from unpublished data that has been cleared for disclosure avoidance.” *Id.* at 2.

42 *Id.* See also *Custom Tabulations*, United States Census Bureau, https://www.census.gov/about/policies/foia/foia_library/custom_tabulations.html.

43 CIPSEA § 512(a).

44 CIPSEA § 512(b)(1).

45 CIPSEA § 504(c) (CIPSEA “shall not be construed as authorizing the disclosure for nonstatistical purposes of demographic data or information collected by the Census Bureau pursuant to [the Census Act]”); see also Census Bureau, DS007: *Safeguarding and Managing Information 5* (2009), https://www2.census.gov/foia/ds_policies/ds007.pdf (“All information collected on behalf of another federal agency, under the authority of CIPSEA, should be treated as Title 13 information”).

46 CIPSEA § 513.

47 CIPSEA § 512.

48 82 Fed. Reg. 31,553.

49 5 U.S.C. § 552a(b). The Privacy Act protects the records of U.S. citizens and lawful permanent residents only. 5 U.S.C. § 552a(a)(2).

that contains his name, or the identifying number, symbol, or other identifying particular.”⁵⁰ The Census Bureau recognizes that census responses are records protected by the Privacy Act.⁵¹

If the Bureau discloses an individual’s census information and that disclosure has an “adverse effect” on the individual, the Privacy Act allows that individual to bring a civil action for damages in federal district court.⁵² And any government employee who intentionally discloses census data in violation of the Privacy Act can be punished by a fine of up to \$5,000.⁵³

3. The Tax Code The Census Bureau sometimes uses tax return information from the Internal Revenue Service to improve the accuracy of the census.⁵⁴ Under Title 26 of the United States Code, tax return information is confidential, and it is illegal for a government official to

disclose return information.⁵⁵ These protections continue to apply when tax information is mingled with other data, including census data.⁵⁶ If a government official discloses an individual’s tax-return information in violation of Title 26, that individual may sue for damages.⁵⁷

Together with the Census Act’s confidentiality protections, these laws provide further assurances that individual census information will not be made public.

In sum, federal law clearly prohibits the Census Bureau from disclosing census responses in a way that would personally identify a census respondent, including to other government agencies. Furthermore, individual census responses cannot be used for any nonstatistical purpose like immigration regulation or other law enforcement. These clear, long-standing protections create a strong barrier against lawless attempts to misuse census data.

50 5 U.S.C. § 552a(a)(4).

51 See *Privacy Act Requests*, U.S. Census Bureau, https://www.census.gov/about/policies/foia/privacy_act_requests.html.

52 5 U.S.C. § 552a(g). A Privacy Act plaintiff may also seek attorneys’ fees. *Id.*

53 5 U.S.C. § 552a(i).

54 26 U.S.C. § 6103(j)(1)(A) (“Upon request in writing by the Secretary of Commerce, the Secretary [of the Treasury] shall furnish such returns, or return information reflected thereon, to officer and employees of the Bureau of the Census”); see also Census Bureau, *Agreement for the Review and Approval of U.S. Census Bureau Projects that Use Federal Tax Information 4* (2012), https://www.census.gov/ces/pdf/IRS_Criteria_Document.pdf.

55 26 U.S.C. § 6103(a)(1).

56 See Census Bureau, DS007: *Safeguarding and Managing Information 5* (2009), https://www2.census.gov/foia/ds_policies/ds007.pdf (confidentiality applies to “[a]ny dataset that is commingled with data that is protected by Title 26”).

57 26 U.S.C. § 7431(a)(1). Victorious plaintiffs are entitled to (1) “the greater of” \$1,000 in statutory damages for each act of wrongful inspection or disclosure and the “sum of” actual damages and punitive damages, (2) the costs of their action, and (3) attorneys’ fees. 26 U.S.C. § 7431(c).

About the Brennan Center for Justice

The Brennan Center for Justice at NYU School of Law is a nonpartisan law and policy institute that seeks to improve our systems of democracy and justice. We work to hold our political institutions and laws accountable to the twin American ideals of democracy and equal justice for all. The Center’s work ranges from voting rights to campaign finance reform, from ending mass incarceration to preserving Constitutional protection in the fight against terrorism. Part think tank, part advocacy group, part cutting-edge communications hub, we start with rigorous research. We craft innovative policies. And we fight for them — in Congress and the states, the courts, and in the court of public opinion.



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Good afternoon and thank you for this opportunity to testify. I am Meeta Anand, Census 2020 Senior Fellow at The New York Immigration Coalition, which serves as the convener of New York Counts 2020, a statewide coalition of over 200 member organizations dedicated to ensuring every New Yorker is counted.

In this role I have had the opportunity to work closely with many of you and others throughout New York City government as well as many of the CBOs in this room, and I thank you for your partnership, your expertise, and the resources you have dedicated to ensuring a full count. In the spirit of even further collaboration, I offer the following recommendations:

1. Increased Overall Coordination, Including with Libraries

Libraries are trusted resource centers within their communities, with most already engaging in community outreach and education. As our libraries currently serve many of the 18.3% of New Yorkers without at-home Internet access or access to reliable broadband, they may well play an even larger role during Census 2020. As such, we believe the City should bring the three libraries into the room in our discussions around community-specific mobilization, communications and data privacy in particular.

2. Create Funding Opportunities for Smaller Community-based Organizations (CBOs)

As we await the announcement of the next round of grantees, we want to be able to partner with communities throughout New York City. The best way to do so is through the CBOs who already have the built-in trust and experience. However, some of these CBOs are relatively small and unable to meet some of the demands attached to a large grant. We would like the City to create or identify opportunities for CBOs to apply for amounts as small as \$2,500 for targeted outreach to specific communities, particularly those that are considered hard-to-count.

3. Call on the Governor to Immediately Release the \$20 Million in State Census Funds

On October 16th, we, along with United Way of New York City and Hester Street, helped organize a meeting with black community stakeholders with Deputy Mayor Phil Thompson to talk about ways to ensure the black community's (and the black immigrant community) specific needs will be addressed during the outreach for the upcoming Census. This comes in addition to our many meetings, joint activities, and announcements with Director Julie Menin and council members. On October 10th,, through the auspices of New York Counts 2020, we held a Census Funder's Meeting which was attended by representatives from NYC Census 2020, the City

Council and private funders. While we invited representatives from NYS, they did not attend. Unfortunately, for all the high-level strategy meetings and joint actions we have had with New York *City*, we have had exactly zero with New York *State*.

\$20 million dollars was allocated in the State budget roughly 7 months ago. To the best of New York Counts 2020's knowledge, none of that money has been spent or earmarked to be spent. It certainly has not gone to any CBOs working on the ground in hard-to-count communities, and we have been provided with not a single real detail about how or when this money will be spent. Time is running out.

An undercount anywhere is an undercount everywhere. Although New York City has taken unprecedented action to ensure a full count, our work could be undone if the State fails to take seriously the threat of an undercount among hard-to-reach populations, like immigrant communities and rural areas. The State's failure means a diminished New York delegation in the House of Representatives and that we would have to spread around fewer federal resources for dozens of programs for New Yorkers in need.

New York Counts 2020 has contacted the Governor's Office privately and publicly to advocate for the disbursement of the \$20 million in census funds, and for that money to go where it can be used best: CBOs and libraries. Our member organizations have been calling our leaders in Albany weekly. I ask this Council to join those efforts and pass a resolution asking Governor Cuomo to immediately release the funds, before New York's chance at a full count runs out.

Thank you again, and I am happy to answer any questions.

Betsy MacLean

Executive Director

Hester Street

Complete Count 2020 Census Hearing | October 29, 2019

Good afternoon. My name is Betsy MacLean, and I am the Executive Director of Hester Street. Thank you, members of the Committee on Governmental Operations, the Committee on Immigration and the Committee on State and Federal Legislation for welcoming me today.

Hester Street works to ensure neighborhoods are shaped by the people who live in them. We are an urban planning, design and community development nonprofit -- and civic engagement -- the powerful participation of every New Yorker in shaping the way our city looks, works and feels -- is fundamental to the work we do with communities across the city on issues as diverse as fair housing, re-zonings and cultural equity.

For us, the Census is THE opportunity we've been waiting for. A remarkable and unique chance to mobilize -- as a city! To bring people and groups together across neighborhoods and boroughs, across issue areas and populations served around a common cause -- to ensure that the world knows that EVERY New Yorker counts.

At Hester Street, we are urban planners -- so Census data to us is like water or air. We use Census data every day in our community planning and development work in low-income communities and communities of color throughout the city. We know the direct impact of that data on the design and funding of vital infrastructure and services -- from housing and education to health care and transportation and so much more.

Census 2020 offers the opportunity to use data and mapping in innovative ways to tell the stories of our neighborhoods, strategize for our ground game, and adjust and adapt as we go along. The stakes are high. We know that an accurate count will ensure that we reap the rewards of our efforts not only in federal funding and fair political representation -- but in improved public health, increased neighborhood wealth, justice and equity.

At Hester Street, we are also New Yorkers, and we see the Census as our chance to tap into the strength, the beauty, the love of NYC neighborhoods -- the core of our urban existence, the heart of our city. We are blessed in New York with a remarkable network of mighty neighborhood institutions -- from community-based organizations to mosques, churches and synagogues, from schools and rec centers to bodegas and barber shops.

HESTER ST

These are the places people best know and most trust – the places we are all most likely to turn. Funding and supporting these kinds of home/family/everyday institutions to play a central role in the Census improves our chances for an accurate count, and formalizes the critical role they play in our lives, in our families and in our neighborhoods. It also gives us the opportunity to strengthen this vital social infrastructure – especially in hard-to-count communities and particularly in the face of gentrification and displacement.

As in every important and worthwhile effort, counting some 8.6 million New Yorkers will be no easy task. But if we do it right – if we invest in our existing, dynamic and prolific neighborhood institutions, the backbone of civic engagement, the heart of democracy, the core of neighborhood vitality and well-being, it's our chance to build for the future.

This is our chance to knock it out of the park on the Census AND to get folks involved in their city, to build unlikely alliances, and to strengthen existing social infrastructure for the more and bigger fights to come -- to build the future we want and need, together.

Thank you.

**WHERE THE
PEOPLE SHAPE
THEIR CITY**

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TESTIMONY: UJA-FEDERATION OF NEW YORK

New York City Council

Committee on Governmental Operations

Committee on Immigration

Committee on State and Federal Legislation

Oversight – Preparations for a Complete Count in the 2020 Census

Submitted by:

Ariel Savransky

UJA-Federation of New York

October 29th, 2019

Thank you, Chairperson Cabrera, Chairperson Menchaca, Chairperson Cohen, and members of the Committees on Government Operations, Immigration, and State and Federal Legislation for the opportunity to provide testimony on the 2020 Census. My name is Ariel Savransky and I am an Advocacy and Policy Advisor at UJA-Federation of New York. Established more than 100 years ago, UJA-Federation of New York is one of the nation's largest local philanthropies. Central to our mission is to care for those in need. We identify and meet the needs of New Yorkers of all backgrounds and Jews everywhere. We connect people to their communities and respond to crises both locally and around the world. We support nearly 100 nonprofit organizations serving those that are most vulnerable and in need of programs and services. On behalf of UJA, our network of nonprofit partners and those we serve, thank you for holding this hearing to discuss the plans in place to ensure that every New Yorker is counted in the 2020 Census.

The 2020 Census poses a critical threat to low-income and hard to count communities in New York City. The Census will determine how billions of dollars in federal funds will be distributed, including funds for safety net programs such as public housing, food assistance, Medicaid, childcare, and Head Start. The Census also determines the apportionment of seats in the U.S. House of Representatives and therefore impacts communities' political representation. It is critical that an accurate count takes place.

Unfortunately, low-income, minority and immigrant communities are inherently prone to being undercounted for a variety of reasons. These include: home addresses may not be included in census address rosters, a fear of government and privacy concerns, language barriers, complex household relationships and highly mobile populations with multiple addresses (such as renters). Furthermore, changes to census collection make an undercount next year even more likely. As such, the census is one more potential blow to securing rights and resources for those who can least afford their loss.

Because of the potential undercount in many of the faith communities that we are a part of, UJA-Federation in partnership with FPWA, Catholic Charities, Council of People's Organizations and the Interfaith Center formed the Interfaith Census 2020 Count Coalition. Our goal is to bring together faith leaders serving in neighborhoods that have historically been undercounted to work together to raise awareness about the importance of the census, and to support faith institutions in helping their community members complete the census during the 2020 self-response period in March and April of 2020.

The Coalition strives to accomplish three central goals for the 2020 census:

1. Raise Awareness
2. Increase the Count
3. Inform Best Practices for Faith-Based Engagement and Advocacy

In New York City, large swaths of almost every borough, as well as the city itself, are designated as hard to count, presenting the challenge of narrowing priority neighborhoods to a scope where resources can be used in a meaningful way. Using a combination of federal income and census data, as well as faith specific data, such as presence of houses of worship in neighborhoods, the Coalition has selected 20 neighborhoods consisting of 32 census tracts, to be our focus areas.

The initial phase of work centered around gaining data and insights from target communities to inform the messages and mechanisms being used to build a toolkit for mobilization and launching an awareness and education campaign about the census. We are now focused on building out a faith-based mobilization toolkit and creating shared messaging for the awareness and education phase.

Creating the tool-kit requires an understanding of the types of barriers to participation, and which are the greatest to overcome in each community; what will motivate community members to participate in the census; and how faith leaders can play a key role in disseminating information, creating momentum, and acting as a resource throughout the census process. The assets for this education and awareness building effort will comprise one part of a mobilizing toolkit that the Coalition will develop. The toolkit will provide the guidance, as well as the collateral and mechanisms, for creating momentum within faith communities in the lead up to the census launch date, and for deploying an on-the-ground effort once the census period begins in spring 2020.

UJA and our coalition partners have gained valuable insights from the faith communities we serve through this initial outreach period, and urge the Council and the Administration to consider the following suggestions as census outreach is conducted and the remaining City funding is allocated:

- 1) **Engage community-based organizations (CBOs) and faith partners in developing the anticipated mass media campaign and overall field campaign through the Neighborhood Organizing Census Committees (NOCCs)**
 - a. Through outreach work to faith communities in the hard-to-count neighborhoods, the Coalition found that groups of individuals in these areas respond very differently to media. A media source that may resonate with one faith group may not be a trusted source of information for another group. CBOs and faith partners in these communities are familiar with these existing nuances. In developing the media campaign, we urge the Council and the Administration to tap into the knowledge base of these CBOs and faith leaders in both developing messaging as well as deciding which media sources to use to disseminate information to different communities.

We also urge the Administration and the Council to engage the community-based organizations and faith leaders operating within the 245 neighborhoods in which the NOCCs are focused. These organizations and faith leaders have in-depth knowledge of the communities in which they work and are trusted leaders—an asset to be used in understanding how to engage with community members.

- 2) **Ensure that all census materials are translated into appropriate languages**
 - a. All New York City agencies are required to create a Language Access Implementation Plan to ensure access to their services for limited English proficient individuals. Local Law 30 of 2017 strengthened language access services for individuals by expanding the list of designated citywide languages to

10. We urge the Council and the Administration to ensure that all census outreach materials are translated into, at minimum, these 10 languages. We also urge the Council and Administration to go further and communicate directly with those in hard-to-count neighborhoods to expand existing translation. CBOs and faith partners can be resources in these efforts, ensuring that all messaging is translated into the appropriate language for their communities.

3) Ensure that community-based organizations and faith partners have access to real-time data on self-response rates and create an avenue for communication to involve these entities in a complete count strategy

- a. The city has reached an agreement with the U.S. Census Bureau to receive real-time data on self-response rates, to monitor neighborhoods where residents may not be filling out census forms in the initial phase of the count. This will allow all those involved in census outreach efforts the ability to see exactly how their communities are doing each day. We urge the Council and the Administration to think creatively about ways to open communication between the City and faith and CBO partners to help direct resources to the communities that are being undercounted in real time.

Thank you for the opportunity to testify on the plans to ensure a complete count in the upcoming census. We look forward to working closely with the Council and the Administration to reach all New York City individuals. Please contact Ariel Savransky at savranskya@ujafedny.org or 212-836-1360 with any questions.

**Testimony of the New York Civil Liberties Union,
by Senior Staff Attorney Perry Grossman,
before**

**THE NEW YORK CITY COUNCIL COMMITTEES ON
GOVERNMENT OPERATIONS, IMMIGRATION, & STATE
AND FEDERAL LEGISLATION**

regarding

Preparations for a Complete Count in the 2020 Census

Tuesday, October 29, 2019

NYCLU

ACLU of New York

1 Whitehall Street, 3rd Fl.
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Donna Lieberman
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President

The New York Civil Liberties Union (NYCLU) appreciates the opportunity to submit the following testimony regarding preparations for a Complete Count in the 2020 Census. The NYCLU, the New York state affiliate of the American Civil Liberties Union, is a not-for-profit, nonpartisan organization with eight offices across the state and over 190,000 members and supporters. The NYCLU defends and promotes the fundamental principles and values embodied in the Bill of Rights, the U.S. Constitution, and the New York Constitution through an integrated program of litigation, legislative advocacy, public education and community organizing.

The NYCLU has been a leader in the fight to ensure as complete and accurate a Decennial Census as possible. Most recently, the NYCLU was co-counsel representing plaintiffs in the case of *New York Immigration Coalition v. United States Department of Commerce*, the successful challenge to the Trump Administration's unlawful efforts to put a citizenship question on the 2020 Decennial Census.

***A Properly-Conducted Census is Required by the United States
Constitution in Fundamental Service of Democracy***

The Decennial Census is a foundational piece of our democracy. The Constitution of the United States requires the federal government to undertake an actual enumeration of all persons living in the United States every ten years – not just all eligible voters; not just all citizens; and not just all persons with documented immigration status.

This constitutionally-required Census of all persons living in the United States is the basis for apportioning congressional seats and electoral votes among the states. State and local governments, including the City of New York, also rely upon the Census to enact their own legislative apportionment plans. The Census must count every person



because elected officials must govern on behalf of every person. Every New Yorker, without exception, is equally entitled to representation and must be counted.

Census data is also used to allocate over \$900 billion in federal funding to states and localities. The population count and demographic data inform how governments make transportation, housing, education, health, policing, land use, and workforce development policy – to name just a few areas – towards the purpose of ensuring that communities in need of resources get the resources they need. Businesses rely on accurate Census data to determine where to locate their operations and how to serve their customers most efficiently. Non-governmental organizations rely on the demographic data collected in the Census to guide research, community organizing, and service delivery. The more accurate the Census, the better America runs – and the better New York runs.

An Accurate Count is Imperative for Representation of All Communities – and the City Can Take Steps to Counter the Actions of Those Who Would Rather Skew Representation

Troublingly, the Census has consistently undercounted certain large and important groups of Americans, including immigrant communities and communities of color – two communities with an especially large footprint in New York State, and particularly in New York City. According to the most recent data from the American Community Survey, another important Census Bureau product, over 55 percent of New York City residents are people of color and nearly 40 percent were born outside of the United States.

The regular net differential undercount – i.e., failure to count these groups at the same rate as non-Hispanic whites – impacts all New Yorkers, but especially those in vulnerable communities. A net differential undercount deprives undercounted communities of the political power, government resources, and critical data to which they would otherwise be entitled. These communities have historically been hard to count because of both insufficient education and outreach and an understandable mistrust of government.

A complete and accurate headcount will be substantially more challenging to obtain this cycle, due to the Trump administration's prolonged efforts to sow deep and widespread fear among immigrant communities and communities of color – fear of government in general, and of the Census specifically. This administration's effort to add a citizenship question to the Census – which the NYCLU, working with

the ACLU, the New York Immigration Coalition, Make the Road New York, Arnold & Porter, and other partners, beat back in court – has been the most direct effort to suppress participation in the Census. But the fear of the Census generated by the citizenship question has since been compounded by this administration’s steady and loud drumbeat of bigoted policies, racist and xenophobic statements, and high-profile immigration dragnets that have resulted in an unconscionable number of unlawful detentions. To date, the Trump Administration has seemingly achieved its desired result: prevailing hesitance to participate in the Census among historically hard-to-count communities.



In order for New York to minimize the harmful effects of a net differential undercount, the need for dedicated, well-funded, data-driven education and outreach efforts to encourage Census participation is thus greater than ever. With reluctance to participate in the 2020 Census unusually high, New York needs to invest more heavily in increasing response rates, and also to increase the return on that investment.

Thankfully, we have the benefit of work from scholars like Dr. Romalewski, Dr. Mollenkopf, and their colleagues at CUNY to help identify where and how to direct our efforts more efficiently. Their analyses and mapping can help guide with precision the City and its community partners in providing information about the Census to hard-to-count communities and communities with less access to Internet – particularly critical in this first Census with a major Internet-based response component. Given the significant digital divide in New York, there is an even greater need to ensure that neighborhood institutions like public libraries are well-equipped and well-advertised as sites where people can respond to the Census. There also need to be substantial efforts to educate New Yorkers – through the media channels they rely upon and in the languages they speak at home – about responding to the Census using their phones, either through a web browser or by calling the Census Bureau’s hotline.

New York City’s Census Outreach Efforts Are to Be Lauded for Their Seriousness and Work with Trusted Partners – and the State Should Take Notice

So far, the City’s census outreach undertaking has been on the right track, allocating \$40 million to fund a multi-pronged outreach program, including \$19 million in grants to the community organizations that serve as trusted messengers to hard-to-count communities. We understand that CUNY is administering the grant program and has already received numerous applications from community organizations. We expect the City will continue to make

progress by expeditiously reviewing grant applications and distributing the funds allocated in a timely fashion.

At least as important as knowing where and how to deliver Census information, is who delivers that information. The City must continue to work closely with trusted messengers to deliver Census education and outreach efforts to hard-to-count communities. Organizations serving immigrant communities and communities of color, such as the groups involved in the New York Counts 2020 coalition, have already been on the front lines for years in advance of the 2020 Census, meeting New Yorkers where they live and combatting misinformation and fighting fear in the languages that hard-to-count communities speak at home. Those organizations should be commended for their efforts and those partnerships should receive as much support as the City and State can offer.

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Hopefully, the City's concerted efforts can provide a model for the State, which to date has done nothing but drag its feet on a Census education and outreach program that is only half as well funded as the City's. An undercount will hurt all New Yorkers – not just New York City residents – by reducing the State's complement of Congressional seats and electoral votes, as well as the federal funding the State receives; as such, the State should recognize the importance of accelerating its efforts to ensure that the \$20 million appropriated in the budget for Census outreach is allocated promptly and intelligently toward bolstering response rates statewide.

Community Education Should Include Reassurance that Census Information Is Highly Protected from Disclosure

In my capacity as the Senior Staff Attorney in the NYCLU's Voting Rights Project, I have visited neighborhoods and organizations across New York City to discuss census participation, and I have been met consistently with questions about the privacy and confidentiality of Census data. New Yorkers have repeatedly expressed their own fears and their neighbors' fears that their Census responses will be used against them by this administration and its law enforcement agencies. The way to fight this fear and misinformation is by widely disseminating truthful information about the strong protections for privacy and confidentiality for Census responses provided federal laws and regulations.

Federal law makes it illegal for any employee of the Department of Commerce, including any employee of Census Bureau or even the Secretary of Commerce, to disclose any Census or survey information



ACLU of New York

that identifies an individual. The Department of Commerce is prohibited from using Census responses for any purpose other than the Census Bureau's statistical purposes. The Department is prohibited from allowing other government agencies to view individual-level Census responses.

These confidentiality provisions are backed by stiff criminal penalties. Any Census Bureau employee who unlawfully discloses individual-level data to a law enforcement agency such as the FBI or ICE faces up to five years in prison and a \$250,000 fine. And in answer to the concern that violations of the law might not be prosecuted, the statute of limitations for the criminal offense of unlawful disclosure of Census information is five years. Thus, the statute of limitations would not run on the disclosure of any information collected during the 2020 Census until the middle of 2025 at the earliest.

In addition to the threat of criminal prosecution, protections spring from the numerous layers of disclosure avoidance techniques that the Census Bureau uses to ensure the privacy of individual data. There is a tradeoff between the Census Bureau's efforts to secure individual privacy and the level of data accuracy in its publications. The Census Bureau does not publish data at a level of granularity sufficient to identify individuals – sacrificing accuracy for privacy. For the most granular level data the Census Bureau does publish, the Census Bureau injects “noise,” i.e., some degree of random error, into the data it publishes as a significant obstacle to re-identification of individuals from aggregated data—again, sacrificing accuracy for privacy.

Before their publication, all of the Census Bureau's data products must also be approved by the agency's Disclosure Review Board and reviewed by the agency's Disclosure Avoidance Officers. The Census Bureau has taken additional steps to protect the privacy and confidentiality of responses transmitted over the Internet by using an advanced cryptographic protocol that cannot be deciphered by other government agencies.

It is not possible to guarantee perfect privacy and confidentiality in the context of a nationwide survey of approximately one hundred thirty million households. However, the career employees responsible for administering the Census take very seriously their duty to achieve as complete and accurate a count as possible while protecting Americans' personal information. In responding to the Census, New Yorkers should feel confident that their private data will remain private, and the NYCLU will continue monitoring the Census Bureau's actions and holding them accountable when necessary.



Testimony on Census 2020 Count by the Muslim Community Network – MCN

Presented by Aniq Nawabi – Executive Director

Tuesday, October 29th, 2019

Thank you for allowing the Muslim Community Network to testify today. My name is Aniq Nawabi and I'm the Executive Director at MCN. Today, I want to testify about the growing Muslim community in New York City and in our nation and the important contributions they have and continue to make in our history. The Census is an important vehicle to mobilize in order to get a complete count of the Muslim population in our city, and CBO's like ours play a critical role in ensuring that we help them get counted. To give you a quick overview on the numbers:

- Muslims make up about **1.1% of the U.S. population** in 2017¹, according to the Pew Research Institute, which is around **3.45 million people**.
- According to the PEW U.S. Religious Landscape study conducted in 2014, Muslims make up **3.8%**² of the population in the New York Metropolitan Area and about **8-9% of New York City** proper which is around **770,777**.
- Muslims in the United States come from over 75 different countries and encompass all racial and ethnic backgrounds, African American, White, Asian, and Latino.
- Muslims make up **57 percent** of NYC's food vending cards and **40 percent** of taxi drivers in our city and collectively, our consumer spending is close to **\$17 billion**, according to the Institute for Social and Public Understanding³.
- By 2040, Muslims will replace Jews as the nation's second-largest religious group after Christians. And by 2050, the U.S. Muslim population is projected to reach **8.1 million, or 2.1%** of the nation's total population — nearly twice the share of today.

So much to say, that Muslims are a growing and large component of our city's economy and cultural vibrancy.

¹ <https://www.pewresearch.org/fact-tank/2018/01/03/new-estimates-show-u-s-muslim-population-continues-to-grow/>

² <https://www.nycreligion.info/muslims-nyc-area/>

³ <https://www.ispu.org/wp-content/uploads/2018/07/MAP-NYC-Report-Web-3.pdf>

CHALLENGES FACING THE COMMUNITY DURING THE CENSUS

Muslim New Yorkers, the majority of whom come from North African, Middle Eastern, and South Asian countries are a hard-to-count community for a number of reasons.

First, according to the Center on Poverty and Inequality at Georgetown University, “In past censuses, the [Middle Eastern and North African] identity has only been listed as an example under the “white” racial category, if at all. Because of this, the full breadth of the [community] is unknown and likely undercounted.”

Muslim New Yorkers share characteristics that compound their risk of being undercounted, according to the Georgetown report, including:

- **Language Barriers:** Areas with low rates of English proficiency have historically been undercounted.
- **Surveillance:** Although Census Bureau employees are trained and obligated to maintain respondents’ confidentiality and anonymity the recent increase in negative political rhetoric, as well as government surveillance actions post 9/11, may impact Muslim response rates in the 2020 Census. Indeed, Muslim communities have expressed such fears about the confidentiality of their personal information during the 2010 Census. And they to express fears of responding to the 2020 Census because of anti-immigrant policies targeting Muslim communities (e.g. the “Muslim Ban”).

The primary way to overcome these barriers is for trusted, community-based organizations such as MCN to go out into the communities, hold informational workshops, and teach people about the census---its purpose, how it is used, why it’s important, and how personal information is kept safe; as well as dispelling myths and fears.

ABOUT MCN AND OUR PLAN TO ADDRESS THE CHALLENGES

The Muslim Community Network is a civil society based non-profit institution that works in the areas of civic education and leadership of the Muslim community in our city. As part of our Community Education program, MCN plans to work with houses of worship, Islamic schools, and NYC public schools in particular, to help share information about the importance of the Census. Our network of schools that we provide our after-school leadership program, as well as provide diversity education workshops, is a natural entry-point into how we can conduct outreach to students, parents, and school administrators on the Census work. Our approach to the Census is not only getting the application filled out, but also, using this moment as a civic education opportunity to teach our community the critical policy issues that are dependent on the Census.



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Testimony of

Juan Rosa
Northeast Director of Civic Engagement
NALEO Educational Fund

to the

Committee on Governmental Operations
Committee on Immigration
Committee on State and Federal Legislation

On

Preparations For a Complete Count in the 2020 Census

October 29, 2019

Chair Cabrera, Chair Menchaca, Chair Cohen, and esteemed members of the Committees on Governmental Operations, Immigration and State and Federal Legislation: On behalf of the National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund, thank you for the opportunity to provide testimony regarding preparations for a complete count of all New York City residents in the 2020 Census. A complete and accurate count of the population of New York City and New York State in the next decennial enumeration will help ensure that the City and the state obtain the representation they deserve in our nation's democracy, and the resources they need to meet vital community needs.

NALEO Educational Fund is the nation's leading nonprofit organization that facilitates the full participation of Latinos in the American political process, from citizenship to public service. Our Board members and constituency encompass the nation's more than 6,700 Latino elected and appointed officials – with more than 57 coming from New York City – and include Republicans, Democrats and Independents. NALEO Educational Fund has maintained an office in New York City since 1993, and today has staff based in the city providing naturalization, voter engagement, Census outreach and constituency services programs.

NALEO Educational Fund is a national leader in Census outreach, community education and policy development. Since the 1990 Census, our organization has conducted outreach campaigns to promote the full and accurate count of the Latino community. Together with media and community-based organizational partners, we have launched *iHAGASE CONTAR!* (“*Make Yourself Count!*”) and *iHAZME CONTAR!* (“*Make Me Count!*”) campaigns to drive response to the 2020 Census through dissemination of community education materials; promotion of a toll-free Census information hotline staffed by bilingual operators; technical assistance for community groups; and direct assistance to Latino residents with completing Census forms. As part of this effort, NALEO Educational Fund is coordinating a Census outreach and engagement campaign within the Latino community in the Northeastern area of the United States. In New York City, our campaign is focused on the hard-to-count areas which include most of the Bronx, and the Brooklyn neighborhoods of Bushwick, East New York, Sunset Park and Williamsburg. We are also members of the New York Counts 2020 coalition, as well as the Complete Count Committees of Bronx, Brooklyn and Manhattan. We are honored to have been awarded funding by the City for Census engagement activities, and to have been designated as one of its Citywide Census Partners.

NALEO Educational Fund also has decades of experience working closely with its Latino elected official constituency, other government officials and partner organizations to promote public policies

to achieve the most accurate count possible of the nation's population. NALEO Educational Fund served on the U.S. Census Bureau's national advisory committees between 2000 and mid-2019. We are also the co-chair of the Leadership Conference on Civil and Human Rights' Census Task Force, and of the National Hispanic Leadership Agenda's Census Task Force.

Why the Decennial Census Matters for New York

Robust Census 2020 outreach and engagement strategies are needed to ensure a full count of New York residents because the stakes are so high for the City and the state. New York State receives more than \$73 billion in Census-directed federal funding each year. This money pays for crucial efforts that include early childhood education, and health care for the elderly and for the state's most disadvantaged children. For each New York resident not counted in a decennial Census, the state loses a portion of its fair share of federal resources for the ensuing decade. We have attached to the testimony our May 2019 report of the National Latino Commission on Census 2020, which was established in 2018 to help ensure a fair and accurate count of the Latino community and all of America's residents in Census 2020. One of the Commission's hearings was held in New York City, on November 28, 2018, and the report includes testimony from New York leaders about the importance of Census 2020 for the fair allocation of critical resources needed by New York State and its local communities

In addition, at the beginning of the 20th century, New York's robust population growth relative to other states resulted in significant gains in its number of seats in the U.S. House of Representatives after each decade's reapportionment. Between the reapportionment after 1900 and the reapportionment after 1940, the number of New York's seats in the House grew from 37 to 45. However, in subsequent decades, the population increases in other states outpaced those of New York, and following the 2010 reapportionment, the number of New York's seats in the House had declined to 27. Demographers predict that New York could lose at least one seat in the House after 2020. The state could suffer a more serious loss because of numerous factors which are creating challenges to obtaining a full count of New Yorkers. These include a population which has significant concentrations of "hard-to-count residents;" the effort to adopt a citizenship question known to depress survey responses from households that include noncitizens; and reduced funding for the Census Bureau during the years leading up to federal FY 2020 which has forced the cancellation or delay of outreach to schools and teachers, dissemination of multilingual advertising, and other effective partnership and communications efforts.

Finally, good governance and economic development in New York City need good data. Businesses need accurate and up-to-date information to capitalize upon opportunities, just as elected officials and community advocates need to understand where and how expansion is fueling need for schools, roads, and other infrastructure.

The 2020 Census of New York State and New York City Are At High Risk

The accuracy of the Census Bureau's count of New Yorkers in 2020 is in jeopardy due to prolonged insufficient Congressional funding for sound preparations, and the effort to adopt of untested last-minute changes to Census materials. New York must embrace opportunities to implement effective outreach and engagement strategies to increase Census response, or it will suffer the negative effects of problems facing the decennial count. New York State is already persistently undercounted, with about 148,000 net individuals missed in the 2010 Census.

To modernize its methods and cut costs, the Census Bureau proposed a number of significant changes for the 2020 Census earlier this decade. The Bureau hoped to collect responses online, automate hiring and task assignment functions, and use databases of administrative records, satellite imagery, and other resources to update its address list and to replace in-person visits to non-responding households. Thus, its plans called for a smaller temporary workforce and fewer field offices.

Although the Bureau did complete some research between FY2012 and FY2018, Congress repeatedly underfunded its budget requests, and forced the Bureau to cancel or significantly reduce the scope of survey tests planned for some of the most challenging places to enumerate, including Puerto Rico and reservations in North and South Dakota and Washington. The agency therefore lost the opportunity to assess and improve upon its communications with Spanish-dominant residents living in rural areas. In addition, development of critical IT infrastructure fell behind schedule and ran over cost projections, while research revealed significant potential inaccuracies in administrative records upon which the Bureau planned to rely. Funding shortfalls and the imperative of re-budgeting to pay for systems development have led to the delay or abandonment of programs that would have ameliorated persistent undercounting of young children, Latinos, African Americans, families that include noncitizens, and people who speak languages other than English.

New York City's population includes large shares of members of undercounted groups, who are increasingly likely to be missed by a 2020 Census that has been hamstrung by insufficient Congressional and Presidential support. It is particularly crucial that the City obtain a full count of

the Latino community. Latinos are the City's second largest population group, and according to Census 2018 American Community Survey data (1-year estimates), more than one of every four New Yorkers (29%) are Latino. Thus, there cannot be an accurate enumeration of New York City's population without a fair and accurate count of the Latino community,

Research also reveals that the 2010 Census missed approximately 21,000 Latino children age zero to four in New York State. Two of the City's boroughs - Brooklyn and Manhattan - are among the top 15 counties in nation with higher undercount of very young Latino children (6,000 each). There were also notable net undercounts of very young Latino children in 2010 in the Borough of Queens (5,000) and Suffolk County (3,000). However, the Census Bureau has scaled back its planned 2020 school-based outreach program and advertising aimed at increasing reporting about our youngest residents. Because the Bureau will not do everything it should to fix this known problem, its count of young New York City residents is unlikely to improve, and may worsen.

Last-minute changes have further disrupted the Census Bureau's plans and hurt its prospects of accurately counting New York City residents. The most detrimental of these was the Commerce Department's attempt to ask every Census respondent about his or her citizenship. Every relevant research indicator - from results of opinion surveys to response rates on past Census questionnaires - showed that the question's inclusion would have significantly reduced Census participation rates. For example, Latinos dropped out of a 2016 survey sample at precisely the moment they encountered citizenship-related questions at more than three times the rates of non-Hispanic whites. Moreover, Census researchers and field representatives published a series of reports in 2017 and 2018 finding that noncitizens expressed fear and refused to respond to Census questionnaires at unprecedented rates; in the words of one Census employee, "Three years ago it was so much easier to get respondents compared to now because of the government changes...and trust factors...Three years ago I didn't have problems with the immigration questions." Five Census Bureau economists also found evidence suggesting that a Census 2020 citizenship question would lead to lower response rates, resulting in higher field costs and lower-quality data.

While a U.S. Supreme Court ruling ultimately resulted in the Department of Commerce abandoning its effort to add the citizenship question to the Census 2020 form, the public dialogue about the question has left significant confusion and mistrust in hard-to-count communities. In some cases, residents are still unclear about whether the question will be on the form. In many Latino communities, there still remains a climate of fear about whether information provided on the Census form will be kept confidential, and whether the government will use that information in a manner that would harm Latino families. Thus, robust outreach and engagement efforts are critical to ameliorate

the damage that has been done by the effort to add the citizenship question to the Census 2020 form.

New York City Must Involve Its Departments and Agencies in Conducting Robust Census 2020 Outreach and Engagement

There are no second chances in the decennial Census, and New York City must involve all of its relevant departments and agencies in taking action to ensure that the weighty challenges encountered by the Census Bureau between 2012 and the present do not impair the 2020 count of City residents or cost the City resources, representation, and economic opportunity for a decade to come. In particular, the Census Bureau is facing challenges to sustaining a local community presence commensurate to its efforts around the 2010 Census. The Bureau has delayed or canceled some advertising and community outreach activities, and intends to open fewer offices and employ fewer enumerators than in 2010. While federal funding provided for FY 2019 may mitigate some of these challenges, the Bureau's reduced presence and activity will lessen the effort aimed at earning respondents' understanding of and trust in the Census. Unless New York City does the crucial work that the Census Bureau cannot, less effort to promote the Census will result in fewer New York residents counted in 2020.

In this connection, we commend the New York City Council and the Mayor for allocating \$40 million for Census outreach and education efforts, including \$19 million for direct community-based outreach (CBO) outreach. CBOs are trusted messengers who can effectively reach and engage hard-to-count residents. CBOs are best-positioned to know the messages which will resonate with these communities and mobilize residents to participate in Census 2020. They have staff with the cultural competency and linguistic skills to help surmount the lack of trust members of hard-to-count communities may have in providing information to the government.

As part of the City's Census 2020 education and engagement efforts, we also urge it to ensure that every city department and agency which has contact with the City's residents has a Census 2020 engagement plan, and is actively preparing for its implementation. The City provides a broad range of services that affect the everyday life of New Yorkers, and each of these services provide an opportunity to engage its residents in Census 2020 participation. We commend the City for providing resources to its public library system to enable frontline staff to provide information about Census 2020. These resources will also allow libraries to also make computers or other devices available for completing the form online (the 2020 Census is the first where an online form is one option for Census response). The City can promote Census 2020 participation through its

transportation system. The New York City Housing Authority can reach residents who live in or are seeking public housing. New York City Human Resources Administration/Department of Social Services is the largest social service agency in the nation, and can work to promote Census 2020 participation among the large segment of New Yorkers who contact it about or obtain public services.

The City can also play an integral role in ameliorating the undercount of very young Latino children which occurred in Census 2010. First, as the City provides health services, health care professionals who work closely with families with babies or young children should be trained to provide accurate information about Census participation and the importance of including all family members on the Census form. Educational materials should be sent to parents when the City sends newborn baby certificates to families. City maternity hospitals and clinics, Healthy Start and prenatal programs, and Neighborhood Health Action Centers, should all be involved in promoting Census participation, and their staff should be able to answer questions residents may have about Census 2020.

Additionally, the City's Department of Education (DOE) is uniquely well-positioned to conduct activities that would help ameliorate the undercount of very young Latino children, and we urge the City to ensure that DOE is fully engaged in its efforts. School administrators and educators are on the frontlines of providing services to Latino families, and NALEO Educational Fund research has found that people who speak for "the children" or for "schools" are particularly respected and trusted messengers within the Latino community on Census issues. Thus, it is critical that the DOE provide comprehensive training for school administrators, educators, parent coordinators and other staff who work with families so that they have the tools they need to engage parents in Census 2020 participation. This training should include very specific information about how to complete the Census questionnaire; the benefits a full Census 2020 count confers to families, their children, and neighborhoods; the different options for Census response; and the confidentiality of information provided to the Census Bureau. This training is particularly important for staff who work in Pre-K or other early childhood education and child care programs, where families with very young children access services. Finally, as is the case with the City's public libraries, many New York City schools have computer labs or other technology that can be made available to families to complete the Census questionnaire online.

Moreover, the City's community schools generally serve hard-to-count neighborhoods, and the Office of Community Schools (OCS) should carry out a broad range of Census 2020 efforts.

These efforts should include:

- Encouraging community schools to work with CBOs to host public forums during the Census self-response phase (roughly March 12-April 27), to provide families the opportunity to receive Census 2020 assistance and information.
- Recommending that high schools work with CBOs to dedicate a day of their senior class U.S. Government (Fall) or Economics (Spring) classes to host presentations on Census 2020.
- Recommending that school principals use their schools' email broadcasting services to disseminate information about Census 2020. PupilPath/IO ClasRecosroom (formerly Skedula) could also be used for broadcasting important census information.
- Working with the Office of Family Empowerment to organize trainings for parent coordinators and parent leaders on Census 2020.
- Including timely reminders on Census 2020 participation in the monthly OCS Updates e-mail blasts.
- Working with CBOs to encourage Census 2020 presentations at Community School District convenings before self-response starts in March 2020.

Conclusion

In the interest of securing the New York City's due share of funding and influence, we urge the City to actively engage its relevant departments and agencies in a robust and coordinated effort to ensure that all of its residents, including 2.5 million Latinos, will be counted. This investment in Census outreach and education will pay exponentially increasing dividends in the next decade.

Thank you for this opportunity to submit this testimony.



Research on Census Messaging

- With Latino Decisions, NALEO Educational Fund conducted **a national poll and four focus groups** focused on the census.
- The poll surveyed a nationally **representative sample** of the Latino adult population (1,600 Latinos) from April 11 - 20, 2018.
- Latino survey participants were assigned to **four treatment groups and a control group** to test messaging.
- The four focus groups, held May 8 and 9, were conducted in Charlotte, North Carolina and the Rio Grande Valley, Texas. Each location had an English and Spanish group.
- The 40 scientifically-selected focus group Latino participants were comprised of individuals with **mixed citizenship statuses** (29 citizens and 11 non-citizens). Each participant knew people who were non-citizens, with a majority having both parents born outside of the United States.

Concerns Raised About Immigration Enforcement and Citizenship Question

- Latino participants in all four focus groups discussed **increased immigration enforcement**, and traffic stops for minor infractions that have made people **fearful** about interactions with law enforcement and government.
- **Hesitation, fear and cynicism** arose among Latino focus group participants when they saw a version of the actual census questionnaire.
- The **citizenship question** raised the most concerns, with anxiety increasing as Latino participants considered the reality of providing their information to the current administration.
- There was a lack of confidence among Latino participants that the data provided would be kept **confidential**, especially among the Charlotte focus group participants who mentioned a recent countywide data hack.

Effectiveness of Messaging Can Vary by Group and Location

- **Four messages were tested** – convenient, safe required; civic/community duty; funding; and resistance/defend community.
- Messages about census participation being **convenient, safe and required** showed the most positive response in the survey.
- Messages about the role of Census data in providing funding for local schools and community programs were the most effective in the focus groups.
- All four messages tested **better** than the control group which received no message. Effectiveness did vary between locations and subgroups, making local context an important tool in developing successful messaging campaigns targeting Latinos.
- Latino **immigrants** were especially responsive to the “convenience, safe and required” message with 75 percent saying they would participate in response to this type of messaging.
- **Latinos under age 40** were most responsive to the “resistance” message, with 53 percent saying this messaging would make them definitely participate.
- The “civic and community duty” message was most effective among **Latinas**, with 57 percent saying they would definitely participate in response to that particular message.

Trusted Messengers and Sources of Information

- Consistent with previous NALEO Educational Fund voter engagement research, **“family members”** (especially female household members) were the most trusted messengers among Latinos.
- People who speak for **“the children”** or **“the schools”** were especially respected as messengers, with nurses, doctors, health providers and Latino community organizations also highly trusted.
- For Spanish-speakers, **Spanish-language media** were a trusted source of information. Younger Latino participants had more favorable views of social media as a source of information.
- Latino survey participants frequently **search online** to get more information or verify what they have heard on social media or the news, with **email and Facebook** the most frequently used and Twitter the least frequently used.



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populations. Recently proposed changes to the definition of public charge have also made community members more reluctant to take advantage of services and opportunities that are rightfully available to them.

AAFSC anticipates that without intensive outreach, the threatened citizenship status question will further dampen participation by immigrant populations.

To encourage participation, our multilingual team is preparing to educate and engage community members through multiple channels. Beyond providing information and direct support in understanding and completing the Census, we want to open a dialogue and ensure AMEMSA populations' safety before, during, and after the census.

In light of these observations, AAFSC:

- **Welcomes measures by New York City to ensure that all residents—regardless of age, wealth, income, employment, or immigration status—have access to the support, information, and resources they need to complete the Census.**
- **Encourages City Council to share a timely reimbursement plan for those who have received discretionary funds so that community-based organizations have the resources they need to do this critical, time-sensitive work.**
- **Respectfully requests that city continue to include culturally and linguistically competent service providers like the Arab-American Family Support Center in conversations around funding and resource allocation leading up to the Census so that we can dedicate the appropriate staff and resources to this crucial initiative.**
- **Asks that City Council advocate to the Census Bureau on behalf of illiterate community members and those lacking digital access who will need direct support from trusted organizations who can speak their language in actually completing their forms – which they have indicated is not allowed.**

Thank you for your attention. As always, the Arab-American Family Support Center stands ready to work with you in ensuring the most vulnerable among us thrive.

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RE: Oversight - Preparations for a Complete Count in the 2020 Census.

Good afternoon, my name is Suzan Al Shammari, I'm a Government Relations Specialist and I am here to testify on behalf of the immigrants and refugees we serve at the Arab-American Family Support Center.

At the Arab-American Family Support Center, we have strengthened immigrant and refugee families since 1994. We promote well-being, prevent violence, prepare families to learn, work, and succeed. Our organization serves all who are in need, but with over 25 years of experience, we have gained cultural and linguistic competency serving New York's growing Arab, Middle Eastern, Muslim, and South Asian communities.

As a culturally and linguistically competent, community-based organization and as a trusted resource for immigrants and refugees throughout New York City, AAFSC is committed to ensuring an accurate count in Census 2020. The census will impact the number of votes New York has in the Electoral college, ultimately influencing broader legislation and leadership.

Further, the Census will determine funding and resources over the next ten years. Arab, Middle Eastern, and South Asian immigrant communities cannot afford to lose already limited resource allocations. As an organization that intimately understands the extent of community needs, this matters deeply to us.. Arabic and Bengali are among the top 10 languages spoken by foreign-born NYC residents who do not use English at home. Estimates of NYC's Arab population range upward of 100,000, with the largest community in Brooklyn (nearly 40,000) and the second-largest in Queens (over 20,000). Over 300,000 South Asians live in NYC, with the largest concentration in Queens. And, we know these numbers are likely very conservative estimates. Immigrant communities live in some of the hardest-to-count areas of New York City, including Flatbush, Bay Ridge, Jackson Heights, and Flushing – all neighborhoods we serve.

We know that many Arab, Middle Eastern, South Asian, and other immigrant community members are either suspicious and fearful of the Census or are unaware of its importance. Many of our community members have told us that they fear the Census will be used to target immigrants and could result in deportation and family separation. This is no surprise. The families we serve are already dealing with deportation and family separation daily. Many of our program participants come from countries targeted by the series of executive orders culminating in Presidential Proclamation 9645, popularly known as the Travel Ban, which now blocks entrance of individuals from Yemen, Iran, and Somalia. Far more were threatened by campaign promises to ban Muslims from coming to the United States, and all immigrants continue to suffer the consequences of hostile narratives that drive policies and practices targeting foreign-born



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Testimony of Lemuria Alawode-El, AVP, StrengthenNYC United Way of New York City

Before the New York City Council Joint Committee on Governmental Operations and the Committee on Immigration

Regarding the Preparations for a Complete Count in the 2020 Census

October 29, 2019



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My name is Lemuria Alawode-El. I am the Associate Vice President of StrengthenNYC at the United Way of New York City. We thank the New York City Council for your support and investment in the City's nonprofit sector to help ensure a complete and accurate count in New York City during the 2020 Census.

United Way of New York City

For 80 years, United Way of New York City has worked to support vulnerable New Yorkers throughout the five boroughs. Our mission is to mobilize communities to break down barriers and build opportunities that improve the lives of low-income New Yorkers for the benefit of all. We partner with community-based organizations, schools, businesses, and government agencies to address immediate and long-term needs around education and financial stability. We believe that supporting children and their families with aligned interventions will accelerate academic achievement and progress toward self-sufficiency for those families and entire communities.

UWNYC Census Efforts

United Way of New York City's (UWNYC) involvement in the planning and implementation of the Census 2020 is to ensure that there is a fair and accurate count of New Yorkers. One of our goals is to build the capacity of community-based organizations to engage hard-to-count populations across hard to count communities in New York City. Another goal is to drive alignment across multiple actors who play a role in the 2020 Census. Finally, our third goal is to increase civic engagement and strengthen local leadership in low-income communities and communities of color for the Census 2020 effort, and other future civic engagement efforts.

UWNYC has collaborated with Hester Street Collaborative and the New York Immigration Coalition to develop a set of **community asset maps** for Hard to Count communities. These maps can be used as a resource by community-based organizations, government partners and funders in planning and implementing their efforts to reach hard to count populations during the census. Several maps for councilmanic districts 2, 9, 17, 28, 37, 38 and 49 have been shared with the Council and others are in development.

UWNYC is also collaborating with Generation Citizen to develop an **action-oriented census curriculum for middle and high school students** who attend NYC public schools. The curriculum includes 4 lessons of experiential learning that guides students to understand the importance of being accurately counted and receiving their communities fair share of funding and representation for the next decade. Our goal is to engage at



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least 75% or approximately 10,000 middle and high school students at UWNYC partner Community Schools in hard to count communities.

We are also working closely with our partners in the New York City Council and the NYC Census 2020 office to ensure there is **network alignment among local census coalitions** to help ensure networks and community-based organizations are aligned in their work towards a more complete count in the 2020 Census. This includes collaborating with NY Census 2020 partners to convene city-wide partners to develop collective goals and align work so there is not a duplication of efforts across hard to count communities.

UWNYC is hoping to secure additional funds to mobilize our education and emergency food networks in hard to count communities to **conduct public engagement and generate awareness about the 2020 Census, collaborate with community-based partners in hard to count communities across NYC to conduct a direct mobilization campaign among UNWYC grantees and expand our public-facing digital technology (Plentiful platform) to facilitate self-response to the census.** The Plentiful platform is a mobile application that is currently used by 134,124 emergency food clients and allows users to receive customized messages before and during the count and could provide information on important dates and local sites where they can get help completing their census survey.

Conclusion

In conclusion, we thank the New York City Council for their investment to ensure a complete and accurate count, emphasizing the hardest to count populations across our city. We believe that investing in the organizations that have the trust of hard to count populations was the right place to start and we thank you again for your continued partnership.



**Make the Road New York Testimony
Oversight - Preparations For a Complete
Count in the 2020 Census
October 29, 2019**

Good Afternoon. My name is Antonio Alarcon, and I am the Census Coordinator at Make the Road New York. I respectfully submit the following testimony to this Legislative Body on behalf of Make the Road New York, to share our perspective on this vital process for our communities.

Make the Road New York is the largest grassroots organization of immigrants and working-class people of color in New York, working to build the power of our communities to achieve dignity and justice through organizing, policy innovation, transformative education, and survival services. With a membership of over 23,000 low-income individuals and almost 20 years of history in New York City, Long Island, and Westchester, we tackle the critical issues facing our community, including workers' rights, tenants' rights, language access, TGNCIQ+ (transgender, gender non-conforming, intersex, and queer) justice, health care access, youth development and immigrant civil rights. We operate community centers in Jackson Heights, Queens; Bushwick, Brooklyn; Port Richmond, Staten Island; Brentwood, Long Island; and White Plains, Westchester. Our community centers draw upwards of 15,000 people annually for adult literacy classes, legal and support services, and thousands more for community education meetings and campaign planning.

Increasing civic engagement is a critical part of our work. We conduct outreach continuously in our communities—for issue campaigns, to ensure access to direct services, to

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register voters, and more—because we want to make sure our community’s voices are counted and heard. The Census is a particularly important moment to ensure we are all counted. In 2010 due to the low turn-out in many communities of color and immigrant communities, critical funding for our communities was lost over the last decade. Low participation rates and undercounts were a particularly big problem in communities we represent, which are commonly known as “hard to count.”

In 2020 we have a chance to make sure every single New Yorker gets counted and get the funding they deserve for schools, parks, hospitals, etc. The process won’t be easy. Many of those we represent at Make the Road NY are immigrants of a variety of statuses, including a large population of undocumented folks and many with fear after the countless attacks from the racist administration in Washington DC.

In New York City, we are grateful to have people that believe in the contributions of our immigrant communities to this amazing City. New York City was built and continue to run by immigrants so it is essential for them to be included in the Census. The \$40 million allocated from the administration and the City Council to the Census is fundamental to organizations like Make the Road NY and many others to keep amplifying the importance of the 2020 Census. We are grateful that the administration and City Council are prioritizing this effort and working with groups like ours to ensure a strong, comprehensive plan to ensure a full, fair count.

Our members know how important this issue is. Take Perla Lopez, a community member from Queens NY and member of Make the Road NY, who explained:

“As a person in a mixed-status immigrant family, the Census is really important to me because every single person in my family and my community should be counted regardless of

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their Immigration status. Our education, our hospitals, and our neighborhoods will be impacted if people are undercounted. We pay taxes, we contribute to the economy, therefore our voices matter too.”

It’s the voices of members like Perla that moved us to become a plaintiff in the federal lawsuit to stop the citizenship question. And it’s those same voices of our members, clamoring to be heard and counted, that is why we are making a comprehensive census outreach plan a top organizational priority over the next year.

Make the Road NY is committed to implement an organized effort to reach community members particularly in the hard-to-count areas, by providing the necessary education and outreach. In conjunction with our partners in city government and community organizations across the city, we will launch a full-fledged outreach effort. We have already begun piloting outreach in Queens and Staten Island, and we hope to begin large-scale outreach in these sites and Brooklyn soon. These efforts will include training and mobilizing our members across all sites, leading organization-wide outreach “blitzes,” and launching door-to-door and street outreach canvassing efforts. In addition, we plan to integrate census education into our direct service interactions with community members and center the census in our communications efforts. As trusted messengers in Latinx immigrant communities and communities of color, we know our members and staff have a crucial role to play in delivering reliable information, allaying people’s concerns, and getting our neighbors committed to filling out the census.

Once again thank you for the commitment you have shown to this issue. We look forward to continuing to partner with the administration and Council to ensure a full, fair count in 2020..

Thank you for your consideration of this testimony. Should you have any questions or wish to discuss this topic further, please contact me at antonio.alarcon@maketheroadny.org or 347-294-8279.

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**FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

**New York City Council
Committee on Governmental Operations
Committee on Immigration
Committee on State and Federal Legislation**

**Testimony of YMCA of Greater New York
Presented by Jillian Free, Census Coordinator**

**Oversight Hearing: The City's Census 2020 Complete Count Efforts
October 29th, 2019**

Good afternoon, my name is Jillian Free, the YMCA's citywide Census Coordinator, and I will be testifying on behalf of the YMCA of Greater New York (the Y). Thank you, Chair Cabrera, Chair Menchaca, and Chair Cohen for the opportunity to testify regarding New York City's complete count efforts for the 2020 Census.

The Y is committed to empowering youth, improving health, and strengthening community. Our organization of over 4,000 employees works every day to help people make positive changes in their lives and we invest in the communities we serve. With 24 YMCA branches and more than 100 community sites across the city, the Y is among the city's largest providers of human services spanning from infancy to adulthood – and an important anchor, convener, and catalyst for transformational change in underserved communities.

Many of our programs and branches directly engage with the communities often hardest to count, such as young children, immigrants, historically disenfranchised communities of color, particularly the undercounted Black communities of central Brooklyn, and those with limited access to broadband internet. Ensuring that community members across the city are accurately counted is a way to safeguard the resources residents rely upon. Thus, undertaking census work is closely aligned with our mission to strengthen community, and is a natural expansion of the civic engagement work we began in 2017 when our branches started hosting registration drives for National Voter Registration Day. We believe the Y's strong reputation as an inclusive, community-centered service provider positions the Y to effectively build trust, combat fear, and support New Yorkers in fulfilling this important civic right.

The Y seeks to raise awareness about the census and increase the likelihood of self-reporting because we regard the census as a critical element in meeting the needs of the communities we serve. To accomplish this mission, the Y will implement a citywide strategy with special focus on six target branches located in historically hard-to-count areas. For instance, we are designing unique census outreach plans for our Early Childhood Centers and New Americans Welcome Centers, two spaces where communities place significant trust in us already. We will also host community forums across our branches in partnership with other CBOs, trusted voices, and



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census experts to create a safe environment for open conversations about the real stakes, concerns, and questions surrounding the census. Our goal is to authentically build buy-in at a hyper-local level, showing community members that filling out the census helps get their schools funded, the pot-holes fixed, and ultimately their civic power known.

We have selected, in partnership with the Department of City Planning, six branches to further concentrate our efforts, all of which are in especially hard-to-count areas where at least 20% of households have no reliable internet access. The Bedford-Stuyvesant, Flatbush, North Brooklyn, Flushing, Jamaica, and Rockaway YMCAs will have geographically tailored public awareness campaigns and community forums. These branches will also be pop-up completion sites.

We know that a key to our success will be the partnerships we build with other trusted messengers. We therefore are collaborating with national and local experts alike. Our current partnerships include the NAACP, the NALEO Educational Fund, the Chinese-American Planning Council, the Citizen's Committee for Children, the MinKwon Center for Community Action, the Arab-American Family Support Center, Disability Rights New York, United Neighborhood Houses, and the Association for a Better New York. We are working to build relationships within ethnic media, as well as with faith-based, business, and community leaders. We eagerly welcome collaboration.

The Y is also a member of several complete count committees and coalitions dedicated to this work, including the Bronx, Brooklyn, and Queens complete count committees, New York Counts 2020, ABNY's census coalition, and, recently, the Asian Pacific American Complete Count Committee. We're inquiring into the Manhattan and Staten Island Complete Count Committees, as well.

While we have made strides in our strategic planning, we are facing serious capacity and timing challenges. We are urgently looking to our government for funding, communications material, and information. The Y is proud that New York City is a trailblazer, allocating a record \$40 million dollars for census efforts, and we hope they will release funds expeditiously. We also look to you, the members of the committees and agencies before us, for your support in advocating at the state level. With the census only five months away, and no clear state funding dispersal timeline in sight, we are running out of time.

Community-Based Organizations (CBOs) also need the city to support them with communications and outreach materials. Nonprofits across the city are rushing to make flyers and pledge cards, when it would be more efficient and effective if the NYC Census 2020 office created unified materials we could customize to fit our communities' needs. I fear, in the web of coalitions and committees, that we will not only duplicate efforts, but we also will lose out on a critical opportunity to deliver a united, and accessible, message. Language accessibility is a vital and often discussed need. We also must ensure materials are accessible to those with lower education levels and disabilities, such as cognitive disabilities and visual impairments. Our



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city government should be leaders in this effort, consistently using an accessibility lens and providing adequate resources.

Also critical to the Y's, and many nonprofits', census efforts will be the City's agency strategy. As a human service provider in contract multiple agencies, such as ACS, DHS, DOE, DOHMH and DYCD, the Y is eager to know what agencies will ask of providers regarding capacity and funding expectations.

We hold questions for the Department of Education and the Department of Youth and Community Development regarding their census efforts, as we have not heard of agency plans to reach our youth – a woefully undercounted population.

- What commitment will DOE and DYCD make to getting a complete count this Census?
- Who at DOE and DYCD, respectively, will lead census engagement efforts?
- What steps, to date, have DOE and DYCD taken to develop a census engagement strategy?
- How, if at all, do DOE and DYCD plan to encourage parents and guardians of children, especially those aged 0-5, to count their children through self-response?
- When will DOE and DYCD begin their census engagement efforts?

The Y appreciates your support, leadership, and partnership in getting out the count this 2020 Census. We are grateful for the shared understanding that the census will have generational impacts, making it arguably the most important issue facing our city. Alongside you, the YMCA is committed to showing the nation that New York counts.

If you have any questions, please contact Michael Rivadeneyra, Senior Director of Government Relations, at mrivadeneyra@ymcanyc.org or 212-630-9717.

Greta Byrum
Co-Director
Digital Equity Laboratory
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Testimony before the City Council of New York City on the 2020 Census

October 29, 2019

1. Getting a complete count is always an equity issue -- in 2020, it is a *digital equity* issue.

The decennial census has traditionally struggled to count certain populations, including low-income people, communities of color (especially children), and those living in tenuous housing; meanwhile, people who own more than one home tend to be overcounted. An undercount leaves us with an inaccurate picture of our communities and reduces funding for social programs and services, while also unfairly skewing representation in government.

For the first time, the 2020 decennial census will be conducted primarily online. This approach prioritizes counting those with easy access to home internet: affluent, high-income populations. Digitally red-lined areas -- those where, in New York City, at least a quarter of homes do not have broadband -- now face another, systemic barrier to being counted.

To get as close as possible to a complete count, we will need widely available, streamlined, safe ways for people to get online and submit sensitive personal information over the internet. Organizations offering access points, digital literacy support, and guidance for community members must be ready to answer questions, provide digital support services, and create safe physical spaces.

2. We can anticipate risks. The count should be monitored.

The decennial census underlies the basic data and operational infrastructure of our representative government. Considering the stakes of getting the count right in 2020, from drawing new district lines to funding social programs, parks, libraries, schools, hospitals, and other infrastructure, all eyes should be on the census through its transformation to a digital system on both the front and back-end. Yet the challenges of digital participation have been understudied in the face of other threats to the integrity of the census.

DIGITAL EQUITY LABORATORY

As the Digital Equity Laboratory has worked with New York's community-based organizations and libraries over the last year to prepare for the 2020 count, we have heard growing apprehension and confusion about online transition. We must provide resources immediately to help communities navigate. While providing internet access will be important, reliable and clear digital support will be just as crucial, if not more so, for meaningful participation.

Because there are still too many essential unanswered questions on process, systems, interface, and rules; because some technical segments have not yet been tested or are not yet built; and because -- based on the Trump Administration's Executive Order on the census -- data sharing and collection about vulnerable communities will take place at federal and local levels, The Digital Equity Laboratory recommends that the 2020 census should be documented and monitored. Studying what happens in 2020 will help us plan for future censuses as well as provide validation or tests of the 2020 count. We must understand, for example, errors and potential suppression of a viable count due to usability flaws, hacking or interference, or mistrust of government.

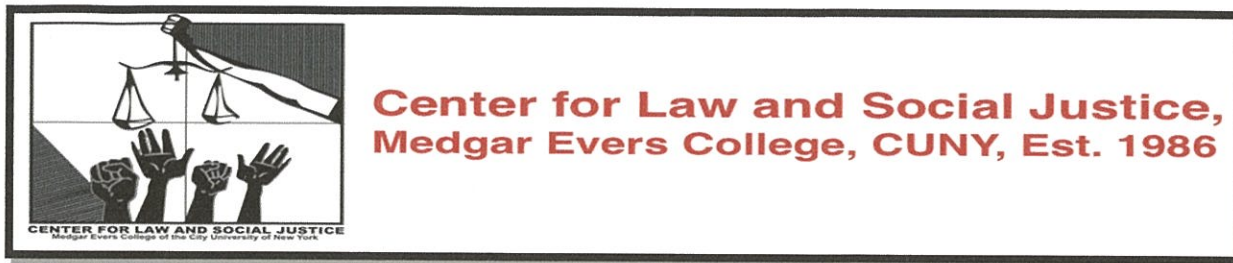
3. Libraries offer the safest and most prepared sites for participation.

Based on two independent socio-technical risk assessments commissioned by the Digital Equity Laboratory, seven census training pilots we held throughout New York State, and in consultation with the NY Counts 2020 Tech and Tools Committee, we have found that public libraries are the best-prepared organizations to provide IT and internet access services for the 2020 Census.

Our survey research found that libraries have resources, staff, and trusted expertise providing digital support for communities, whereas many community-based and advocacy organizations do not have sufficient IT capacity. Libraries also offer capacity to monitor and document the count. Yet the participation of community-based organizations will be critical to perform outreach and to guide people through the process of participating online

To help communities prepare for the census, the Digital Equity Laboratory has built a publicly available curriculum providing both digital and public-facing tactics and techniques to reduce confusion, find the right path to participation for all, help prevent possible harms, and enable communities and agencies to better prepare against the uncertainties of a digital census and the likelihood of a resulting undercount. But ours is only one of many census preparation resources being compiled and rolled out by New York's libraries.

As we plan for 2020, it is critical not simple to anticipate possible risks and harms that could accrue to this inaugural digital census, but also to recognize the opportunity to build towards a future version that meets best possible public interest standards of privacy, confidentiality, accessibility and trust.



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TESTIMONY OF

THE CENTER FOR LAW AND SOCIAL JUSTICE

before the

New York City Council Government Operations Committee

on

the City of New York's Preparations for Census 2020

November 29, 2019

**Esmeralda Simmons, Esq.
Executive Director**



Primary Recommendation

If legally possible, the City Council should schedule a special budget amendment date in early November 2019, solely to pass the Census 2020 appropriations. This single action will greatly speed up the appropriation disbursement process and will result in effective Census 2020 citywide outreach beginning in weeks, rather than months.

Introduction

My name is Esmeralda Simmons and I serve as the Executive Director of the Center for Law and Social Justice. I am a civil rights attorney with 41 years of experience advocating for the protection of the civil rights of Black New Yorkers. Census 2020 marks the fourth census that I have participated in and is, by far, the most challenging.

The Center for Law and Social Justice (CLSJ) is a unit of Medgar Evers College of The City University of New York. Founded in 1986 by means of a New York State legislative grant, the mission of CLSJ is to provide quality advocacy, conduct research, and advocacy training services to people of African descent and the disenfranchised. CLSJ seeks to accomplish its mission by conducting research, and initiating public policy advocacy projects and litigation which promote civil and human rights, and national and international understanding on behalf of community organizations and groups of people of African descent and the disenfranchised. Because of its unique combination of advocacy services from a community-based perspective, CLSJ is a focal point for progressive activity.

Critical Facts for NYC Regarding Census 2020

- **New York City's Census Completion Rate is the key to Census Success for New York State!**

Special Challenges Facing the 2020 Decennial Census in New York City

Nearly Half of all New York City residents are “Hard To Count” due to:

- FEAR and Distrust: Black, Latinx and Immigrant communities have experience-based, history-based, deep-seeded fear of government and especially providing government with personal information about themselves and their families. The current federal administration has stoked that fear. (For an in-depth discussion of the basis of the fear see CLSJ’s Testimony before the NYS Complete Count Commission, appended hereto as “Attachment A.”)
- The “digital divide”
- Illiteracy
- Significant percentage of transitory residency between households.

Major Issues Facing City Government in Supporting the 2020 Census

1. Quickly Moving City Census Outreach Grant Funding to the “Trusted Community Voices”

- Small Grants to Community Organizations – the “Trusted Voices”

This is the primary challenge facing City government. First, the City needs to be lauded for allocating a record \$40M for 2020 Census efforts, we need every cent! Second, the Mayor’s Office should be commended for recognizing this hurdle of appropriation disbursement delay and for devising a more expedient solution for small grants. Specifically, rather than dragging hundreds of small community organizations through a typical NYC Department of Youth and Community Development’s (DYCD) “RFP and lay out/ reimbursement” process for community grants, the Mayor’s Census Office has smartly partnered with CUNY to utilize the CUNY Research Foundation (RFCUNY) to more swiftly disburse grants. The remaining and crucial issue is when the grants will be approved in the City budget. We are already on top of November -- that gives NYC **136 days** before Census 2020 to sway the hearts of over 3 million New Yorkers! The trusted community voices need to be swaying those hearts NOW.

As you are probably aware, Census 2020 notices are not identical to the gentle reminders to vote that we are accustomed to giving close to election days. Get Out The Count “GOTC” will

require, first changing the minds and hearts of the “hard to count” to convince them to complete the Census for every person, including children, in their households. And then, providing the means for them to easily and confidentially complete the Census.

Currently, most Hard to Count New Yorkers are against completing the 2020 Census. We need to persuade them about the importance and safe nature of the Census. Persuading is much more difficult than reminding. We remind New Yorkers to vote. We have to persuade in this instance. Persuading requires repetitious directed appeals. Repetition requires TIME— the experts recommend a minimum of eight repetitions over a period of six months for achieve a change of heart. We now have five months, if we start today. Even with the CUNY RF method, those small grants are not scheduled to be disbursed until December, or possibly January 2020. That will afford these trusted voices 2½ months to convince the Hard to Count before the Census begins.

- Second Round Major Grants

The other side of this picture is not as successful – the second round of funding, after the first round to public libraries, went to established organizations to do large scale outreach. These organizations received major grants over \$50k. For example, New York Counts Coalition (NY Immigration Coalition) received over \$200k for citywide outreach with a focus on immigrants; NAACP Brooklyn Chapter also received over \$200k; and, CLSJ received \$190k to target Black New Yorkers citywide. All of these agencies, with one exception, however, are being required to go through DYCD’s lay out /reimbursement fiscal process. The exception, CLSJ, is going through RF CUNY.

More importantly, although these awards were announced in September, the City *budget amendment* undergirding these CITY COUNCIL grants has not been approved, and may have to wait until the regular City budget amendment date in December to be passed. That will mean that none of the large organizations will see a cent until late December or January, that is, presuming a swift passage through the Comptroller’s review process.

CLSJ is serving as the canary in the mine—we have had an active Census project since 2017. We had been funded through philanthropic grants. Just last Friday, we were forced to lay off our

sole remaining dedicated Census outreach worker, when the last of these grant funds for our census outreach work dried up. We are now facing another two-month gap in messaging to the largest and hardest to reach population in NYC — Black folks: native and immigrant. If CLSJ, which has the swiftest funding process, is facing another two months before funding is received, when will the other large organizations receive their grants? – likely January. This is our once in a decade opportunity to ensure that New York City is allotted our full share of Congressional representatives and of the annual federal disbursement budget. January is very late, and may be too late to reach our goal.

Recommendation — If legally possible the city Council should schedule a special budget amendment date in Early November solely to pass the census 2020 appropriations. This single action with greatly speed up the appropriation disbursement process and result in effective outreach beginning in weeks rather than months.

Additional Major Issues and Recommendations

- 2. Mobilizing City Agencies with Direct Contact with New Yorkers to Actively Promote Census Participation and Provide Safe and Stationary “POP-UP” Sites within Their Public Spaces for Census Completion by the Public.**
- 3. Requiring and Funding Contract Agencies with Direct Contact with New Yorkers to Actively Promote Census Participation and Provide Safe and Stationary “POP-UP” Sites within Their Public Spaces for Census Completion by the Public.**
- 4. Urge major private entertainment sites, e.g., movie houses; skating rinks and bowling alley; concert halls; Madison Square Garden; Barclays Center; Yankee Stadium; Citi Field; etc., to set up staffed stationary POP-UP Census 2020 sites.**
- 5. Early and continuous diverse and *culturally competent* 360° media engagement, especially with NYC’s very diverse ethnic print press, radio, web-based ethnic language programming, podcasts and cable television.**

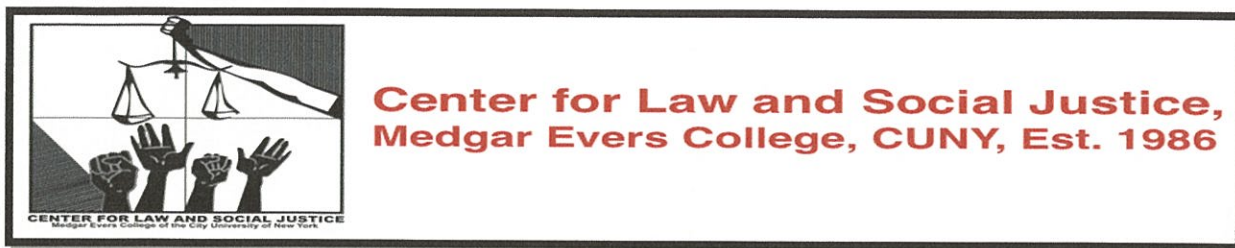
6. **Engaging New York's numerous and very diverse** celebrities to be featured in public ad campaigns promoting completing the 2020 Census: Professional athletes; Jennifer Lopez; The Mighty Sparrow; Talib Kweli; Spike Lee; Cardi B; Wynton Marsalis; Arturo O'Farrell; etc.

Conclusion

The Center for Law and Social Justice remains committed to the success of Census 2020 in New York City. Because we foresaw the major challenges, we initiated our Census Justice Project in 2017. The challenges posed by the 2020 Census are not of this Council's making. The solutions, however, must come from this City Council and your executive government counterparts. Time is now of the essence. A decade of New York City's federal political power and federal resources hangs in the balance. The City Council must act now.

Thank you for your attention to this major and very timely issue.

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TESTIMONY OF

THE CENTER FOR LAW AND SOCIAL JUSTICE

before the

New York State Census Complete Count Commission

on

Black Community Participation on Census 2020

May 1, 2019

Prepared by:

Lurie Daniel Favors, Esq.
General Counsel



ATTACHMENT A

My name is Lurie Daniel Favors and I serve as the General Counsel of the Center for Law and Social Justice. I am a civil rights attorney with 15 years of experience advocating for the protection of the civil rights of Black New Yorkers. The Center for Law and Social Justice (CLSJ) is a unit of Medgar Evers College of The City University of New York. Founded in 1986 by means of a New York State legislative grant, the mission of CLSJ is to provide quality advocacy, conduct research, and advocacy training services to people of African descent and the disenfranchised. CLSJ seeks to accomplish its mission by conducting research, and initiating public policy advocacy projects and litigation on behalf of community organizations and groups of people of African descent and the disenfranchised which promote civil and human rights, and national and international understanding. Because of its unique combination of advocacy services from a community-based perspective, CLSJ is a focal point for progressive activity.

The Impact of Race and Racism on the Decennial Census

At its heart, the census is essentially a survey that counts the population and gathers information designed to tell the government: who lives where, how people live there, and what needs are present in their community. These questions are important because once census data is compiled, it is plugged into myriad formulae that determine two key functions of democracy: 1) how many political representatives each community will receive; and, 2) how the government will distribute nearly \$800 billion dollars of taxpayers' revenues annually for services. These services include infrastructure development, food, nurses, doctors, health benefits, affordable and emergency housing, teachers, bus and train lines, transportation infrastructure, senior services, infants and youth services, climate and environmental services, emergency care, and more.

Communities that are difficult to count and most under counted on the census (also known as "hard to count" communities) receive less than their fair share of political representation and their fair share of government resources. Conversely, communities that are over counted on the census, benefit by receiving an inequitably larger share of political representation and government resources, than that to which they are entitled.

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New York City, which has the highest population of people of Pan African descent in the US, had one of the lowest response rates during the 2010 Census. My colleague, Dr. Zulema Blair, will testify to the extent of hard to count communities in Central Brooklyn, Bronx, Queens, and parts of Manhattan and Staten Island, along with portions of Long Island, and upstate areas like Rochester, Buffalo and Albany. These communities, to name just a few, are home to large percentages of “Hard-to-Count” Black populations. These populations, all of African descent, include: African Americans, Caribbean American and Caribbean immigrants, African immigrants, and Afro Latinx, and African descendent people from other areas of the globe, such as Asia, Europe, and Australia and New Zealand.

Significant History of Racial Disparity in the US

Racial disparity in census enumeration is not a recent development in the United States. Low census counts in Black communities are an outgrowth of continuing patterns of racial oppression that date back to the time when Africans were enslaved on these shores. When government or community groups engage in census outreach or education in African descendant communities without considering how race and racism have historically shaped Black community census participation, we essentially undermine our efforts before they even begin.

One of the earliest references to counting people of African descent in the American census count is found in the “Three-fifths Clause” of the United States Constitution. Contrary to popular belief, the three-fifths clause was not about Black *humanity*. The “Three-fifths Clause” was merely the fraction used to *apportion additional political representation in Congress* to slave states.

The clause stated that congressional representation would be based on "the whole Number of free Persons" and "[three fifths of all other Persons](#)." Those "other Persons" were enslaved African people. This was not a data point about race — which we know because free Africans were counted in the same way as Whites. Rather, this was a data point, a census data set if you will, about the allocation of *political power*.

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This early instance of racially manipulating the census count was for the consolidation of political power in the hands of slave owners. Their desire to use census data to perpetuate the economic system of slavery is just the start of a legacy of racially motivated census manipulation.

In the seventy years that followed the passage of the three-fifths clause, anti-Black slave owning interests used their false census data sets to protect the institution of slavery. As a result, they passed racist laws in the US Congress like:

1. The [Missouri Compromise of 1820](#) which admitted Missouri into the Union as a slave state;
2. The [annexation in 1845 of Texas](#), which was intended to be an "empire for slavery";
3. The passage of the [Fugitive Slave Act of 1850](#) (also known as the blood hound law) wherein once escaped African slaves were recaptured, they had to be returned to their masters and it required officials and citizens of free states to cooperate;
4. [The law which allowed slavery in Utah and New Mexico](#); and
5. The passage of the [Kansas-Nebraska Act in 1854](#) which ensured slavery could thrive in new territories like the Great Plains and the Rocky Mountain

Not a single one of these laws, which were designed to keep Black people enslaved, oppressed and locked into the bottom rungs of society, could have passed without the three-fifths clause's decades old manipulation of census data.

While one would hope that this racist past was relegated to the history books, that history is present with us today. The decades of racial oppression that followed the Civil War, the Reconstruction era, Jim Crow, the struggles of the Civil Rights Movement, and the rise of white nationalism in our current political environment, all contribute to the fears that drive a decrease in Black community census participation.

Concerns about the misuse of data, including memories of how Japanese Americans were rounded up in internment camps, and more recent stories of how Muslims in America were targeted in the days following 9/11 based in part on census data, are firmly embedded in the consciousness of many Black communities. Coupled with the increasingly explicitly racially

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hostile environment in which we now live, many Black communities remain fearful of engaging in the transfer of information from their households to the federal government.

How U.S. History Shapes Current Census Reality: *A Tale of Two Families*

To see how this plays out in real life, I'd like to introduce you to two families: The Jackson family and the Johnson family.

The Jackson family is typical of many Black families that reside in New York State. They live in a multiunit building. Their grandparents live upstairs, mom, dad and children on the parlor floor and their uncles live down in the basement apartment.

This family comes from a community that is traditionally under counted on the census. This family's history of interaction with the United States government is one that has been scarred by government sponsored racial discrimination and the denial of equitable civic and societal engagement opportunities. This family knows that when the government typically asks for information, the end result is rarely one that benefits their Black family.

In the 1600s and 1700s, when this family heard a strange knock at the door or received a demand for information, what followed might mean family members being sold into slavery, sent away to parts unknown, tortured, raped or killed. In the 1800s, a government request for information might result in escaped formerly enslaved family members being returned to brutal owners under the Fugitive Slave Act. Even free Blacks who had never been enslaved, could be kidnapped and transported into slave states where they lived out the rest of their years in bondage – all under the watchful eye of government.

In the 1900s and 2000s, government demands for information might result in an ACS case where your children were taken from you, or your family home was broken up. It might mean that banks would issue your formerly red-lined community fraudulent loans (assuming you get a loan at all). These loans were riddled with such racist toxic loan products that entire Black communities lost *and continue to lose* more than half of their collective wealth through the foreclosure crisis.

As a result of this history, the Jackson family are reluctant to deal with the federal government. They might fill out one census form. Perhaps a parent, either mom or dad, will submit a form and maybe they will include a few of the children. They're not likely to count the

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grandparents or the uncles living on the ground floor. And, they will likely attempt to minimize the amount of information that they actually give. As a result, this family will live in a community that has fewer schools and early childcare options. The education options they do have will be overcrowded and there will be fewer programs designed to help children get into college. They'll have fewer senior citizen services, grocery stores, banks and healthcare options. They will also receive fewer political representatives.

If this family lives in a typical New York City community where there is a 56% census return rate, this community is only going to get 56% of the government resources and political representation that it deserves. That means 56% of the elected officials, the schools and teachers, homework help, transportation services, medical care, healthy food and affordable housing options, and of the legal services to which this community is entitled.

Now I'd like to introduce you to the Johnson family. The Johnson family, like their distant neighbors the Jackson's, also live in a multiunit building. They have several children, their grandparents live upstairs and their aunts and cousins live on the ground floor. This family has a different racial history.

This family has a history that is marked by racial privilege and the over distribution of societal engagement and benefit opportunities. They have a positive history of civic engagement and this family knows that when the government asks for information, once they turn it over, good things follow. The Johnsons benefited from racist policies and legislation like the Homestead Acts wherein the United States government forcibly removed the Native Americans and opened up Native lands to White families like the Johnsons. Which means they became landowners and homeowners nearly overnight, practically free of charge.

When their grandfather came home from the war, he was able to participate in the G.I. Bill and received preferential rates for student aid loans and mortgages. As a result, the Johnson family was able to grow the wealth that they received in the form of free land and housing and increased it with education and housing benefits that were racially distributed to Whites and often Whites only.

So when this family is asked to turn over information on the census, they have a history that encourages them to do so. Not only will the parents fill out a census form that reflects

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their entire family unit, but they will ensure that the grandparents who live in the unit upstairs also fill out a form. They will also make sure the aunts downstairs fill one out for their unit. They will call their daughter who is away at college and remind her fill out a census form so that she too can be counted in her college community. They will also ensure that the summer home, where they vacation each year, will also have a census form submitted so that their needs can be met regardless of whether they are at home or away on vacation.

As a result, the Johnson family will have three or four census forms submitted and they will live in a community that is going to receive their fair share of services and political representation. If they live in a community where at 95% of their community is filling out the census, they will end up with 95% of the elected officials, schools, teachers, homework help programs, transportation services, medical care, healthy food and affordable housing options, etc. Not only will they receive the services in their home community, they will also receive the services in their vacation community, and in their child's college community.

The reality is, the history of racial oppression in this country is directly related to the racially disparate participation in the census enumeration. All of this is a challenge, even before we add the element of Black immigration policy to the analysis.

Black Immigrants in New York

According to the Black Alliance for Just Immigration's report entitled *The State of Black Immigrants* (sponsored by BAJI and the NYU Immigration Law Clinic), the number of Black immigrants in the United States has increased remarkably in recent decades. In New York State, Black immigrants make up almost 30% of the total Black population, which makes it the top state for Black immigrants in the U.S.

While all of the typical immigration related fears related to decreased census participation also impact Black immigrants, immigrants of African descent are also burned by the racial discrimination experienced by Black people – which means census participation in the Black immigrant communities presents an additional challenge that lies at the intersection of race and immigration policy.

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Additionally, for the first time, on the 2020 Census, persons of African descent—regardless of nationality or ethnicity—will be able to indicate their ethnicity/nationality ***and*** their race. Which means, not only must we educate Black communities in our state about the census generally. We must also ensure that there is a vibrant education and media campaign that encourages communities of African descent to understand the nuances that shape American distinctions between race and nationality.

The Racial Digital Divide

Add to these challenges, the fact that the 2020 Census will include a digital response first touch. It is common knowledge that the Black communities have a widespread lack of digital knowledge and familiarity that is estimated at 30-40% in New York City. The request in 2020 for census completion online will serve to further depress initial participation by Black New Yorkers.

Recommendation

All of which means, when it comes to census 2020 participation in Black communities, we must apply a culturally responsive approach to census outreach and education. It is imperative that Black community organizations and faith-based groups are funded for census work so that they, the trusted voices, are able to educate and empower Black community residents to both understand and engage with the census. The survival of our communities literally depends on our ability to hire, train and deploy people power and resources to those hard to count New York communities of African descent.

NEW YORK CITY COUNCIL Hearing

October 29, 2019

Topic: Preparations for a Complete Count in the 2020 Census

Presenter: Mrs. Shiuho Lin, Representative of Taiwanese American Association of New York, Inc. and Queens Complete Count Committee. Shiuyan@aol.com

Most people know about census and the importance of census. Diplomats and students from foreign countries might not know that they are required to respond to April 1, 2020 census. However, once they are informed, there is no problem for them to respond.

According to Dr. Joseph Salvo, the City Planning Department Director and demographer, in 2010 Census, black, Asian, foreign-born, and low income people had low mail return rate and top source of foreign-born population in Queens is China. Queens has the most diverse immigrants and undocumented immigrants from all over the world.

We are member of Queens Complete Count Committee. We started the 2020 census work since February, 2019. Our experience in outreaching to Chinese speaking population especially in hardest to count areas are as following:

- (1). **Select the target people:** From www.censushardtocountmaps2020.us we locate hardest to count area and find its population. Such as tract 869 in community board 7 has 83% Asians.
- (2). **The effective messaging:** The flyer must be as **short** as possible in **their language** and what they are **most concerned**. Since we target low income Chinese, we translate census outline into **Chinese** in one sheet. Our message are census is **confidential**, it decides the amount of **benefits you get** such as health care, senior center, food stamp, housing, children education, library, job training, and road construction. **ways to respond** (on line, telephone, and paper) and **time line** (receive invitation in March 2020, if no response, questionnaire comes, and then census taker will knock at door in May).
- (3). **Effectivity :** **Approach the trusted person with highest authority politely to deliver the message or for permission for distributing census flyers.** In churches, we spoke to **pastors** instead of church manager; in senior centers, we asked **managers** for permission or the ways to distribute the flyers; In manufacturer, we spoke to **CEO** to distribute the flyers to its employees. Usually the more educated people are, the more they understand the importance of census and are more cooperative.
- (4). **Our achievement:** We delivered Chinese flyer to 4 senior Centers, 6 churches, one manufacturer (has almost 500 employees). We included census in our programs such as speeches, BBQ, and career forum. We also distribute Chinese flyer to other Taiwanese organization activities. And we sent out the message through social Medias. We do census tabling. We partnered with AAFE, YMCA and Charles Wang Health Center.
- (5). **Suggestion:** (a). Since low income people get benefits from government agencies and NYCHA Housing. It will be very helpful to have the agencies to deliver one page multiple language flyer outlining the benefits they get depend on the census count. It is in their benefit to answer the census.
(b). City Councilmen and other government officials encourage people to respond to 2020 census when they are invited to attend the community parties.

New York State cannot afford an undercount – politically or financially. New York is at stake of losing one to two seats in the U.S. House of Representatives. Also at stake is billions of dollars of federal funds. Every decade New York receives \$800 billion for 16 major programs, of which every New Yorker receives approximately \$2,600 per person per year. These dollars fund key programs like SNAP, HeadStart and Medicaid. Every dollar the state pays toward ensuring a fair and accurate census count will be paid back in multiples. No New Yorker can afford to be uncouncted.

Our recommendations to you are as follows.

- 1) **Urge Governor Cuomo and New York State to Allocate Funds Immediately.** We are grateful for the \$20 million allocated in the state budget for census outreach. A sizeable portion of those funds should be distributed to CBO's throughout the state. Established organizations in hard to count communities are the best people to do the work of ensuring these communities are counted.

In addition, other budget allocations must be made for census work to be done by the state. There must be adequate and substantial funding for a public education and outreach program in all communities throughout the state, with funding for things like media buys, printing, mailing and translation services. We urge you to put as much pressure as possible to ensure the census rises in importance among leadership in Albany.

- 2) **Embrace New York's non-profit community.** New York has the most vibrant non-profit community in the country and already several hundred organizations have mobilized around the census and more are sure to join in. To effectively harness the power of these organizations, clear and accurate information about what the City is planning to do, what gaps will fall to community groups to fill in, and what resources the City will provide are needed.
- 3) **Plan and share information as quickly as possible.** The 2020 census is rapidly approaching, and the work that needs to be undertaken is vast. As you all know, planning a successful outreach campaign takes time – to design and produce materials, to hire staff and recruit volunteers, to establish connections and trust. This is even more important when it comes to reaching hard to count communities. If funding and information—by the city or the state—will only be issued a short period of time before the census, those campaigns will be less effective. We have no time for delays.

We thank the Council for their leadership and commitment to ensure a full and accurate count of all New Yorkers in the 2020 census and look forward to our continued partnership in this area.

Sabrina Hargrave
Brooklyn Community Foundation-Program Officer
New York State Census Equity Fund- Steering Committee Member
371 words

Hello, I'm Sabrina Hargrave. Today I'm here representing two different roles. I am a Program Officer at the Brooklyn Community Foundation and also a steering committee member of the New York State Census Equity Fund, a collective philanthropic effort to increase the Census 2020 count.

The Brooklyn Community Foundation works within the hardest to count county in our state. Our borough has overlaying historically hard to count populations such as 40% foreign born, 30% black, and majority renters. The 2020 census presents additional hurdles such as being online and, of course, the stigma that remains following the attempted addition of a citizenship question. In order to increase participation, we partnered with Brooklyn Borough Hall to launch the Brooklyn Complete Count Committee in Fall 2018. We also distributed \$100,000 to local CBOs working on key census issues.

As part of my work on the Census Equity Fund, we raised and are distributing \$3m for CBOs statewide. Four local foundations work together on our regional grantmaking where we have distributed almost \$400,000 to NYC based CBOs to provide technical assistance and capacity building support and are slated to distribute \$300,000 more in the upcoming weeks to get out the count work.

As you can tell, our local philanthropic efforts are not enough to address the many challenges our communities face. Even with the additional millions in NYC funding, critical gaps will remain unless addressed quickly. Smaller CBOs, often working with hardest to count pockets of our city, may largely be left out of the current granting cycle. These organizations are the most trusted and embedded in their communities and grant limitations, including the three payment plan, will exclude many. Borough Halls have also been left out of the funding and coordinating loop and while census work has been occurring for Brooklyn, it remains understaffed and without financial resources to assist members of the Brooklyn Complete Count Committee. Lastly, I recognize that Neighborhood Organizing Census Committees are planned but it's November and we still do not know the details. I fear that this will cause unnecessary duplication of effort. We need to be aware that cold weather is coming and these changes and decisions need to be made ASAP.

Thank you for your time.

Council Member Cabrera, Council Member Menchaca, Council Member Cohen and the members of the Governmental Operations, Immigration, and State and Federal Legislation Committees:

I want to thank you for the opportunity to provide important updates on Census progress. We appreciate the ability to share our updates as well as mention a few needs we could certainly use the support from all partners across New York City. The following are important updates that I have categorized by topic.

Hiring Noncitizens

We have been notified that we have the approval to hire work-eligible noncitizens for 2020 Census jobs as translators or enumerators in areas in which a particular language skill is needed and there are no citizens available to be hired with those particular language skills. It is extremely important that we continue to urge work-eligible noncitizens to apply online for our Census jobs and include any and all languages spoken. We expect our systems to be updated in the next few weeks so that these types of applicants will now see that they are eligible to be hired if the language needs exist. Currently an applicant receives a message that they are not eligible to be hired and that will be changed in the near future within the system. It is important to note that applicants do not need to take any action in order for this change in hiring eligibility to be made as the system will automatically change this status.

Questionnaire Assistance Centers

We have received notification that funding has been made available to allow us to continue with our plans of creating Mobile Questionnaire Assistance Centers (M-QAC). We plan to extend our Recruiting Assistant positions through July 2020 to support this effort. Each Recruiting Assistant has a tablet that can be used for the public to complete their 2020 Census response online. Rather than focus on Census Bureau “brick and mortar” QACs that we had in the past, we will take the resources directly to the communities. Neighborhood festivities, churches, local businesses, and schools are locations in which Census Bureau staff can coordinate with local partners to provide additional resources for local community members to complete their 2020 Census online, in a place they feel safe, with community leaders they trust. We are excited to gather additional information over the upcoming months and plan to share this with our partners so we can work together to implement these resources beginning in March 2020.

Area Census Offices (ACOs)

We have successfully secured and deployed thirteen Area Census Offices (ACOs) in New York City. There are four ACOs in Brooklyn; two in the Bronx; two in Manhattan; four in Queens; and one in Staten Island. These Area Census Offices house the managers, staff, materials, and equipment needed to support the thousands of Census Bureau employees conducting local census operations, including following up with households that do not respond, counting

residents living in group housing, and other enumeration operations. These offices are operational hubs and are not open to the public. People cannot visit these Area Census Offices to respond to the census. (Note: The Census Bureau will work with community partners to identify locations throughout the City where people can go to respond to the 2020 Census in addition to supporting mobile Questionnaire Assistance Centers.)

Recruiting

Our overall recruiting goal for peak operations for New York City is 84,000 applicants. Recruiting efforts continue as we have been working with partners throughout New York City to conduct recruiting events to make it as easy as possible for community members to apply for Census jobs. During our National Recruiting Week (October 20-26), numerous City Council members and other local elected officials sponsored recruiting events in communities throughout New York City. As of October 28, 2019, we have a total of 35,775 applicants in our system across New York City. We would like to continue to help support local job events in those areas where language skills are needed, typically undercounted communities, and any partner-focused areas of concern. While we continue to hire on a daily basis on a very small scale, our peak operations hiring will begin in January and continue through March, with operations beginning in March through July 2020. While we certainly understand there are applicants that want to be hired immediately, the majority will be hired in February and March 2020 with their paid training beginning in April 2020 and work assignments beginning in May 2020 through July 2020.

Partnership

As of this written testimony the New York Regional Census Center of the US Census Bureau has 43 partnership specialists working throughout New York City. Our New York City Staff speak multiple languages including Arabic, Bengali, Chinese – Cantonese and Mandarin, French, Fujianese, Haitian Creole, Hebrew, Hindi, Italian, Ibeku, Igbo, Japanese, Korean, Nepalese, Polish, Portuguese, Punjabi, Spanish, Tibetan, Twi, Urdu, Vietnamese, and Yiddish.

We anticipate having 75 partnership Specialists working throughout New York City. Our current percentage of staff are in line with the hardest to count communities with majority of our staff in Brooklyn (26%) and Queens (30%).

Please see below for summary tables of our outreach in New York City:

NYC Partners, CCCs, Events, and Commitments						
<i>(As of 10/24/19)</i>	Manhattan	Brooklyn	Queens	Bronx	Staten Island	Total
Partners	665	508	333	213	149	1868
CCCs	27	36	23	31	3	120
Events	749	705	481	381	274	2590
Commitments	522	540	257	343	29	1691

Boroughs by Partners	
Manhattan	35.60%
Brooklyn	27.19%
Queens	17.83%
Bronx	11.40%
Staten Island	7.98%

Boroughs by CCCs	
Brooklyn	30.00%
Bronx	25.83%
Manhattan	22.50%
Queens	19.17%
Staten Island	2.50%

Boroughs by Events	
Manhattan	28.92%
Brooklyn	27.22%
Queens	18.57%
Bronx	14.71%
Staten Island	10.58%

Boroughs by Commitments	
Brooklyn	31.93%
Manhattan	30.87%
Bronx	20.28%
Queens	15.20%
Staten Island	1.71%

Thank You

We would like to mention a few partners that have been instrumental in our work to date in New York City and continue to provide support and guidance as we move into our peak operations. Joe Salvo, Peter Lobo and the staff at City Planning have provided invaluable first-hand knowledge of some of the challenges related to housing unit structures in neighborhoods throughout New York City. This input was provided directly to those managers who oversaw the Address Canvassing Operation, which was completed in early October 2019. We appreciate the time and efforts made into helping to share this extremely local information to help identify opportunities for additional housing units to be validated or discovered.

We would also like to thank Ms. Julie Menin and her team at the New York City's Census Office. They have provided us with numerous opportunities to work with city agencies and are working to bring city organizations together to allow us the opportunity to highlight our needs as we move closer to our peak operations. We will continue to work closely with Ms. Menin and her team to ensure we have the best communication with all communities throughout New York City.

Census Support Needed

We anticipate needing upwards of 200 training locations throughout the City to conduct classroom-based training on the first-day (orientation) and the last-day (capstone) of census-taker training. Any support that may be provided by city agencies would be extremely appreciated and help to make it as convenient as possible for employees to complete their training.

In addition, during the time between the orientation day and capstone day of our training schedule, census-takers complete online training modules on computers. We anticipate needing upwards of 300 locations around New York City where people can go to access computers and the internet to complete this component of the training process. These sites may also be used to help support the completion of on-boarding documentation that must be completed online after selection for a census position (and before training commences). Similar to the training sites we need, we rely on the support of local partners who may have resources (training class locations, computers, and/or internet access) that could be donated to the Census Bureau for the purposes of the local community members completing their training prior to the operation beginning.

Thank you again for this opportunity to share some of our latest updates and critical needs. We are committed to working with all New York City partners, government or private, business or community-based, borough-wide or neighborhood-based, to ensure we have the most complete and accurate 2020 Census.

Sincerely,

Jeff T. Behler
Regional Director
US Census Bureau – New York Region

Thank you to the New York City Council for inviting The City University of New York to testify about our involvement in the City's effort to increase census participation. I am John Mogulescu, Dean of the CUNY School of Professional Studies and Senior University Dean of Academic Affairs. I am overseeing the CUNY Census Project together with Angie Kamath, University Dean of Continuing Education and Workforce Programs, and Colette Labrador, CUNY Census Project Director.

The University is pleased to partner with the City Council and NYC Census 2020 to ensure a complete and correct 2020 census count. We know the importance of an accurate count and are committed to working with all stakeholders to achieve that goal.

We understand that the census will determine federal funding for essential City and State services on which New Yorkers depend. In addition, we are fully aware of the census' effect on the country's democracy and the importance of ensuring the City and State receive appropriate congressional representation.

To these ends, CUNY is partnering with NYC Census 2020 in four ways:

1. Student Mobilization – The CUNY Census Corps

CUNY will hire 200 students as part of the CUNY Census Corps. We will model the Census Corps on the highly successful CUNY Service and Cultural Corps, which have placed thousands of CUNY students into paid work experiences in community-based organizations, cultural institutions, and government agencies since the program's launch in 2013. Census Corps students will work at non-profit organizations, with CUNY colleges, and around the City to educate, engage, and mobilize neighbors, friends, family, and other students to complete the 2020 census. CUNY and NYC Census 2020 will place Census Corps students where they can make the greatest impact and where their ability to speak languages in addition to English can be leveraged. Not only will Census Corps support an accurate census count, the students who participate will also benefit by building leadership, problem solving, teamwork, and communication skills as well as broadening their professional networks.

Census Corps students will work approximately from January to June 2020. CUNY will recruit students from all 25 CUNY community and senior colleges in all five boroughs.

2. Support for Community-Based Organizations – The Complete Count Fund

The Complete Count Fund will provide funding to approximately one hundred organizations from across the five boroughs to support census outreach and education. The chief goal of the Complete Count Fund is to increase individual response rates overall within historically undercounted communities.

Complete Count Fund applications were due on October 23. Grants will range from \$25,000 to \$250,000.

CUNY, along with representatives from a number of City agencies, is working in close coordination with NYC Census 2020 to review and score these Complete Count Fund applications. Applications will be scored on five criteria – geography, demography, overall reach, capacity and quality of proposal, and track record.

In addition to the selection of the subcontractors, CUNY and NYC Census 2020 will provide training and support to the organizations that receive funding. We will also work with our fiscal sponsor, the CUNY Research Foundation, to distribute funds in a timely way.

CUNY has also created an online hard-to-count map which will be a resource to organizations that receive Complete Count funding. Developed by the CUNY Mapping Service at the Graduate Center's Center for Urban Research, this map highlights the areas of the country that are the hardest to count in order to provide information to national, statewide, and local organizations. Real-time census collection data will be added to the map so that organizations can adjust outreach strategies as needed.

3. Get Out the Count at CUNY Colleges

CUNY itself has a tremendous reach. In 2019-2020, 270,000 degree-seeking students and 250,000 noncredit continuing education students are attending the University. Many of them are groups that the U.S. Census Bureau considers "hard to count," such as highly mobile people, non-native English speakers, undocumented immigrants, people of color, and low-income people. In addition to CUNY's large and diverse student population, we also have over 45,000 faculty and staff.

With NYC Census 2020, CUNY will encourage students, staff, and faculty to participate in the census by holding Get Out the Count events and launching a widespread public education campaign. The 2020 census will also be introduced by professors in CUNY classrooms, discussed on media outlets like CUNY podcasts and TV, debated at forums and panels, and incorporated into faculty research. We aim to have students, staff, and faculty educate and encourage their families, friends, and communities to complete the census as well.

4. Evaluation

With NYC Census 2020, CUNY's Offices of Research, Evaluation, and Program Support and Data Management and Analytics will conduct the evaluation of the New York City Census 2020. CUNY will use a survey of residents in "hard to count" communities to build a rich baseline dataset. This dataset will capture community-based organization and community information for deep understanding of the targeted communities. This will facilitate strategic outreach, and ongoing monitoring and reporting.

In conclusion, CUNY is committed and highly motivated to ensure a fair and accurate 2020 census count for New York City. Led by Chancellor Félix V. Matos Rodríguez and the leaders of our colleges and professional schools, we are launching a widespread campaign to reach all New Yorkers. Our collaboration with NYC Census 2020 and New York State government will ensure our efforts are in direct coordination with other census activities taking place throughout the city and state.

John Mogulescu
Senior University Dean for Academic Affairs &
Dean, CUNY School of Professional Studies



Testimony of
George Hsieh and Christine Boodie
Community Resource Exchange

New York City Council
Committees on Governmental Operations,
Immigration, and State and Federal Legislation

October 29, 2019
City Hall Chambers
New York, NY

Contact: Hannah Collins, hcollins@crenyc.org, 212-894-3383

www.crenyc.org

Good afternoon. My name is George Hsieh, a Senior Consultant at Community Resource Exchange, and I am Christine Boodie, an Associate Consultant at Community Resource Exchange.

On behalf of CRE, we thank the Committees on Governmental Operations, Immigration, and State and Federal Legislation for holding this important oversight hearing about preparations for the 2020 Census. It is clear that, collectively, we all want to ensure a smooth, accurate, and responsible count, which will further strengthen our City, State, and nation.

Community Resource Exchange, or CRE, is a Manhattan-based nonprofit that provides consulting services to social sector organizations. We serve more than 500 organizations annually, both here in New York City and across the country. Last year alone, we worked with, strengthened, and advised hundreds of groups leading the charge on the important issues of today – from immigrant rights, racial equity, health, and education, to housing, hunger, and policy and advocacy. These groups provide crucial community-based services that are lifelines to New Yorkers.

These organizations are trusted – particularly by individuals living in communities that are hardest to count in the Census: high immigrant populations, non-English-speaking, vulnerable populations, people dealing with homelessness, and people living in illegally divided apartments.

It has been vital for New York City and State to invest significant resources in 2020 Census efforts, and to work hand in hand with these nonprofits – and we are grateful that \$60 million has been committed by our State and City, including \$40 million for our City alone, to outreach and education efforts.

This is exactly where New York City’s robust nonprofit sector should play a role, because the community-based organizations have already forged relationships and built trust among the communities that need to be reached.

A Quinnipiac poll has found that 46 percent of New Yorkers say that hearing from a local nonprofit organization that works in their community would make a difference in whether or not they choose to participate in the Census.

These local nonprofits scored higher than newspapers, social media or even religious leaders as drivers of Census participation. And perhaps most critically, younger residents (18-34) – a group that tends to be the least likely to complete the Census survey – indicated the greatest trust in nonprofits as Census messengers.

Additionally, where CBOs can play a role is through getting people to sit down and fill out forms. This is the first year when residents will be asked to fill out the forms online: now we must factor in internet access, digital security, and a comfort level with computers. Many nonprofits provide not only safe spaces but access to computers.

Nonprofits operate on razor thin margins with rigorous compliance requirements to do very specific programmatic work; anything above and beyond that work is not resourced. Yet these groups have the trust and ongoing connections with the communities they serve that are needed for an accurate count. Funding these groups for Census outreach allows them the staff time to help with the count by bolstering

or implementing new community outreach programs focused on the Census. This is why the City grants program that closed applications last week is so needed.

As we move ahead, CRE will be working closely with the City, and are extremely grateful for the Council's support to strengthen our ability to reach and help more nonprofits pursue census outreach and education as part of their daily work. Thanks to your funding, CRE next month will be announcing a series of training and capacity-building initiatives to support nonprofit and community-based organizations serving New York City communities.

We currently are developing training materials - including a resource guide - to help CBOs support a complete citywide Census count. Beginning later this fall, CRE will conduct Census 101 trainings, focusing on why the Census matters and how organizations can contribute to building awareness and education. And later, we will also hold a series of Census 201 trainings for organizations interested in doing outreach and activation work.

These trainings will be open to any CBO, members of local complete count committees, faith-based organizations, and local libraries in the city. And, all will be free. To find out more about these trainings, anyone can sign up to our mailing list on our website - www.crenyc.org - as we will be emailing our network more detail in the coming weeks.

In closing, we cannot stress enough the importance of securing an accurate count. This Census will impact us for the next decade - it affects our representation, our funding, resources, and economy. It touches on every aspect of all New Yorkers' lives: an undercount in New York means less representation at the federal level. It will affect funding for nonprofits working in high-need communities, and thus, less programs, and less services. It could even lead to some nonprofits closing their doors and many people losing service.

By engaging with the nonprofit sector and investing time and money to support their Census initiatives, we collectively will achieve a much more accurate record of who is living in New York, what their needs are, and how all of us can ultimately strengthen our City.

We thank you for your time.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Ariel Savransky (PLEASE PRINT)

Address: _____

I represent: UJA - Federation of NY

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Sabrina Hergrove (PLEASE PRINT)

Address: 1000 Dean St Bk NY

I represent: Brooklyn Community Foundation

Address: 1000 Dean St.

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Juan Ross (PLEASE PRINT)

Address: _____

I represent: NALEO Educational Fund

Address: 55 Broad Street (5th) New York, NY

◆ Please complete this card and return to the Sergeant-at-Arms ◆

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THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 11/10/19

(PLEASE PRINT)

Name: Perry Grossman

Address: 125 Broad St., 10004

I represent: NYCLU

Address: 125 Broad St., 10004

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THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/2019

(PLEASE PRINT)

Name: Manhattan Borough Pres. Gale Brewer

Address: 1 Centre St. 19th floor

I represent: _____

Address: _____

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THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10-29-19

(PLEASE PRINT)

Name: Steven Komalewski

Address: 365 5th Ave. NYC

I represent: UNY Graduate Center

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/2019

(PLEASE PRINT)

Name: Kathleen Daniels

Address: _____

I represent: _____

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Greg Waltman

Address: _____

I represent: G-One-Quantum

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Avi Greenstein

Address: 1310-46 St. Brooklyn, NY 11249

I represent: Boro Park Jewish Community Council

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Amy Torres (PLEASE PRINT) CPC

Address: 150 Elizabeth Street

I represent: CPC Chinese American Planning Council

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: SHIHO LIA (PLEASE PRINT)

Address: 75-55 183 ST. Flushing, NY 11366

I represent: Taiwanese American Association of NY

Address: 137-44 Northern Blvd, Flushing, NY 11366

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/19

Name: NICK BURON (PLEASE PRINT)

Address: _____

I represent: QUEENS PUBLIC LIBRARY

Address: _____

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Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/19

(PLEASE PRINT)

Name: MEETA ANAND
Address: 1230 PARK AVE, APT 6B, NY, NY

I represent: NEW YORK IMMIGRATION COALITION
Address: 131 W. 33RD STE 610 NY, NY 10001

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Jillian Free Census Coordinator
Address: 5 W 63RD ST. NY, NY 10023

I represent: YMCA of Greater New York
Address: 5 W 63RD ST. NY, NY 10023

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Mariam Kant
Address: 120 Wall St, 9th floor

I represent: Asian American Federation
Address: same

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THE CITY OF NEW YORK**

Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: ~~HECHAVITA~~ MELVA MILLER

Address: _____

I represent: ABNY, EXECUTIVE VICE PRESIDENT
CENSUS 2020

Address: _____

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THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Julie Menin, Director

Address: _____

I represent: NYC Census 2020

Address: _____

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Appearance Card

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in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Amit S. Bagga, Deputy Director

Address: _____

I represent: NYC Census 2020

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

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 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Antonio Alarcon

Address: 92-10 Roosevelt Ave.

I represent: Make the Road NY

Address: 12-10 Roosevelt Ave. Jackson Heights NY 11372

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THE CITY OF NEW YORK

Appearance Card

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 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kavita Pawria-Sanchez, Advisor

Address: _____

I represent: NYC Census 2020

Address: _____

Please complete **THE COUNCIL** *Sergeant-at-Arms*
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lurie Daniel Favors

Address: 1534 bedford Ave. BK 11216

I represent: Center for law & Social Justice

Address: 1534 bedford Ave. BK 11216

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THE CITY OF NEW YORK**

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I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: esmeralda Simmons
Address: 1534 bedford Ave. BK 11216
I represent: Center for Law & Social Justice
Address: 1534 bedford Ave. BK 11216

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Pharein Griffith
Address: 437 Manhattan Ave NY 10026
I represent: _____
Address: _____

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Appearance Card

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 in favor in opposition

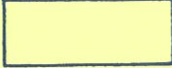
Date: 10/29/2010

(PLEASE PRINT)

Name: BEN WEINBERG
Address: 96 STERLING PL. BROOKLYN
I represent: CITIZENS UNION
Address: 279 BROADWAY 1007 NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/19

(PLEASE PRINT)

Name: Kelly Percival

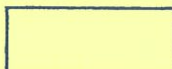
Address: 120 Broadway, Suite 1750, New York NY

I represent: The Brennan Center for Justice

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Brian Bannon

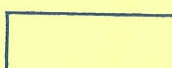
Address: Meryl + James Tisch Director

I represent: The New York Public Library

Address: _____

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THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/19

(PLEASE PRINT)

Name: BETSY MACLEAN

Address: 113 HESTER STREET

I represent: HESTER STREET

Address: _____



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**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Suzan Alshammari

Address: 150 Court St, Brooklyn 11201

I represent: Arab American Family Support Center

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Aniga Nawabi

Address: 110 Wall Street, NY

I represent: Muslim Community Network

Address: 110 Wall Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: JOHN MULLENKOFF

Address: 174 8th Ave Brooklyn NY 11215

I represent: Center for Urban Research, CUNY graduate

Address: 365 Fifth Ave, NY NY 10016 Center

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/19

Name: Billa Mostofi (PLEASE PRINT)

Address: _____

I represent: NYC MOJA

Address: 253 Broadway, 14th Fl.

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 10/29/19

Name: Peter Lobo (PLEASE PRINT)

Address: 120 Broadway, 31st Floor, New York, NY

I represent: Dept of City Planning

Address: 120 Broadway, 31st Floor, New York, NY

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

Name: Greta Byron (PLEASE PRINT)

Address: 76 Digital Equity Lab, The Newschool

I represent: The Newschool 79 5th Ave 16th Fl

Address: 79 5th Ave 16th Floor

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Lemuria Atawode-Ef

Address: 205 E. 42nd Street F, 12th F, NYC 10017

I represent: United Way of NYC

Address: _____

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THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: George Hsieh

Address: 42 Broadway 20th Fl New York, NY

I represent: Community Resource Exchange

Address: _____

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THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: 10-29-19

(PLEASE PRINT)

Name: Christine Doodie

Address: 42 Broadway New York NY

I represent: Community Resource Exchange

Address: _____

Please complete this card and return to the Sergeant-at-Arms

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Date: Census 2020

(PLEASE PRINT)

Name: Nick Higgins

Address: 10 Grand ARMY PLAZA

I represent: BROOKLYN PUBLIC LIBRARY

Address: (on library panel)

Please complete this card and return to the Sergeant-at-Arms