



## Legislation Text

**File #:** Res 1778-2001, **Version:** \*

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Res. No. 1778

Resolution supporting a lawsuit brought by several cities and counties across the country and filed in Federal District Court in Los Angeles seeking to compel Secretary of Commerce Donald Evans to release adjusted Census 2000 results to account for millions of uncounted residents for purposes of Congressional districting and the apportionment of federal aid.

By The Speaker (Council Member Vallone) and Council Members Lopez, Carrion, Berman, Clarke, Malave-Dilan, Eisland, Freed, Linares, Michels, Moskowitz, Nelson, Reed and Warden; also Council Members DiBrienza, Fisher, Foster, Harrison, Koslowitz, Leffler, Marshall, McCaffrey, Miller, O'Donovan, Quinn, Rivera, Robles and Rodriguez

Whereas, The use of unadjusted Census 2000 results threatens to deprive the approximately 3.3 million United States residents, who by the Census Bureau's own estimate, were missed in the Census 2000 count, of political representation; and

Whereas, Studies show that the vast majority of uncounted residents are members of minority groups, particularly blacks and Hispanics, as well as the poor and children, in big cities such as New York; and

Whereas, Each year, more than \$185 billion in federal aid is distributed based on Census figures; and

Whereas, An undercount of New York City residents in the 1990 Census cost the City three Assembly seats, a State Senate seat and half a Congressional seat, in addition to significant federal and state funding; and

Whereas, Although a 1999 United States Supreme Court decision barred the use of adjusted population data for the purpose of apportioning House seats among the states, it allowed the use of adjusted figures for Congressional districting within states; and

Whereas, In February, the City of Los Angeles, along with other cities and counties across the country, brought a lawsuit to block a rule proposed by Secretary of Commerce Donald Evans to allow him to make the final decision regarding whether to use corrected Census data for the purposes of legislative redistricting and federal funding, removing the decision from the Census Bureau Director; and

Whereas, Subsequent to the filing of the lawsuit, Secretary Evans released the unadjusted Census 2000 results; and

Whereas, The parties in the lawsuit are now planning to file an amended complaint which contends that under Title 13 of the United States Code, Secretary Evans must release adjusted Census 2000 results, since the previous Secretary of Commerce deemed adjusting Census results through statistical sampling to be feasible; and

Whereas, The Census Bureau's scientists reported that quality measures indicate the adjusted data is more accurate overall but they encountered undetected problems, however, the unadjusted numbers are rife with problems that are easily identifiable, including an undercount of approximately 3.3 million residents; and

Whereas, The Census Bureau refuses to release the block level corrected data they have compiled, thus denying scientists around the nation from evaluating the results and aiding the Bureau in correcting any alleged problems; and

Whereas, Reminiscent of the Florida recount fiasco, the Census Bureau claims it has run out of time to complete an accurate adjusted count, yet it will not release the detailed information it has gathered; and

Whereas, Although the recently released unadjusted Census 2000 results show an increase in the City's population, adjusted numbers would account for a significant number of City residents who went uncounted, and therefore, relying on unadjusted Census 2000 results may cost the City the representation and funding it deserves; now, therefore, be it

Resolved, That the Council of the City of New York supports a lawsuit brought by several cities and counties across the country and filed in Federal District Court in Los Angeles seeking to compel Secretary of Commerce Donald Evans to release adjusted Census 2000 results to account for millions of uncounted residents for purposes of Congressional districting and the apportionment of Federal aid.

