

OPPOSE THE VITTER AMENDMENT

- **The Vitter Amendment is counterproductive** to the goal of the US Constitution which is to ensure that we have an accurate portrait of America in every decennial Census. The Vitter Amendment is about intimidating individuals from participating in the Census.
- **The Vitter Amendment is unconstitutional.** The 14th Amendment to the Constitution clearly states that the apportionment of members of the House of Representatives is based on a full count of residents in each state. This amendment was enacted in part to repeal the provisions in Article I in the Constitution which counted slaves as only three-fifths of a person for apportionment purposes – the Vitter amendment evokes this shameful legacy.
- The 14th Amendment clearly contemplates that persons without voting rights will be counted in the Census for apportionment purposes – the amendment was enacted when women and Native Americans did not have the right to vote, and the Amendment did not exclude them from the count.
- Asking about immigration status in the 2010 Census is unnecessarily intrusive and will raise concerns among all respondents – both native-born and immigrant – about the confidentiality and privacy of information provided to the government. This will deter many residents from responding, and result in an inaccurate Census count.
- We base apportionment on the need for representatives to represent all of the residents in their districts, not just those who can vote – for example, we count children in the Census for apportionment purposes.
- Changing the content of the 2010 Census questionnaires, at this point in the census cycle, would prevent the Bureau from meeting statutory deadlines to complete the census and report data to the President by Dec. 31, 2010.
- Census forms are currently being printed, the cost to add this question would be costly and against the statutory mandate, as the question wording was submitted to the Congress by April 1, 2008, as required by law.
- The questionnaire design, questions, instructions, and examples were thoroughly tested this decade. A change will require using untested content in the actual census. Past testing has shown that even small changes to the questionnaire can result in surprisingly unexpected impacts to the data quality
- If enacted, the Vitter amendment would stop the 2010 Census in its tracks and prevent the forms from being mailed next spring. This would prevent Congressional reapportionment after 2010 and redistricting of congressional and state legislative districts. Ultimately, the Vitter amendment would waste \$7 billion in research, planning, and preparation that has occurred for Census 2010.