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### After the Supreme Court Decision Relative to the Citizen Question in the Census: What Are the Options?

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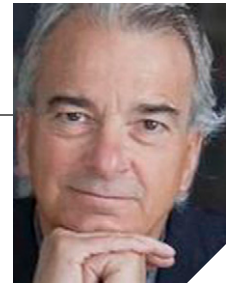
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## After the Supreme Court Decision Relative to the Citizen Question in the Census: What Are the Options?

The Supreme Court has not upheld, at least temporarily, the decision by Commerce Secretary Wilbur Ross to introduce the following question: “Is this person a citizen of the United States?” in the Decennial US Census. Now what?

Four articles in this issue review why the Census is important for public health. Cohen et al. (p. 1077) list the essential roles played by the Census for public health research and practice, among which are the ability to prepare for and respond to major infectious threats such as the flu, Ebola, or Zika. Gaston et al. (p. 1079) underscore that US Census data are essential for disaster preparedness. Monnat et al. (p. 1084) show how Census data can be instrumental to understand the evolution and control of the opioid epidemic. And Krieger (p. 1092) demonstrates through historical examples that public health has not only used but also shaped the scope and applications of US Census data.

Even without the citizenship question, these public health functions of the Census may be negatively impacted if, as estimated by the Pew Research Center ([am.ajph.link/PEW\\_UnauthorizedImmigration](http://am.ajph.link/PEW_UnauthorizedImmigration)) and the nonpartisan Migration Policy Institute ([am.ajph.link/MPI\\_UnauthorizedImmigration](http://am.ajph.link/MPI_UnauthorizedImmigration)), a large fraction of the 11 million unauthorized immigrants residing in the United States (66% of whom come from Mexico and Central America) are deterred to participate because of the political context and the violence of the anti-immigrant discourse. The bias will particularly affect the main states of their residence such as California, Texas, Florida, New Jersey, and New York, and the main counties such as Los Angeles County and Orange County, California; Harris County (Houston), Texas; Cook County (Chicago), Illinois; and Queens, New York.

To mitigate the negative impact of these fears on the accuracy of the 2020 Census, public health and community health workers can encourage undocumented immigrants to fill out the forms. If they do not answer, they reduce

the representation of their state in Congress and the volume of federal subsidies to the states and local communities that are most likely to support them to get access to education and health care services. Undocumented immigrants should not be unwarrantedly scared by the risk of being prosecuted or fined for refusing to answer, neglecting to answer, or lying to the Census. The fines are unlikely to be enforced ([am.ajph.link/NBC\\_LyingToCensus](http://am.ajph.link/NBC_LyingToCensus)) and, under current law, the Commerce Department, which oversees the data, cannot share it with *any other* government agency, including the Department of Homeland Security Immigration and Customs Enforcement (ICE). In the current political context, however, no one can guarantee zero risk.

If the 2020 Census is a failure, there is the option of redoing it in 2025. An analogous situation occurred in 1933 during the Great Depression. A bill was submitted to Congress to have an additional 1935 Census, between the two decennial ones, to assess the magnitude of the unemployment (see Box “84 Years Ago”). It will be therefore possible for the 2020 Congress to ask the Bureau of Commerce to perform a new Census in 2025 if the 2020 Census provides a biased picture of the demographic distribution in the United States.

And finally, 2020 being an election year, it offers much opportunity for the candidates to tackle the true source of the current obstacle to a fair count—to explain what they will do to facilitate the documentation, naturalization, and integration of undocumented immigrants.

If public health does the right thing, a potentially catastrophic situation for public health may morph into actions to decently and humanely treat all immigrants. **AJPH**

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## 50 Years Ago

### Support the 1970 Census – Now!

As preparations are being made for the 1970 Census, increasingly vocal complaints have been heard from some members of Congress . . . that too many questions will be asked, and that many of these are too personal. The Census Bureau stands accused of preparing to invade the privacy of the citizenry in order to . . . snoop. Indeed, the reaction to the census questionnaires has been so vehement that well over a hundred members of the House are offering legislation to change the penalties for refusing to answer questions. . . . Why should the decennial census, which has been mandated by Congress since 1790, suddenly become an object of suspicion? . . . [A]ctual census questions are being torn out of context and misinterpreted to serve the purposes of those who wish to create an impression that Big Brother is snooping.

From AJPH, June 1969, pp. 897–898

## 84 Years Ago

### Need for a 1935 Census

During periods of normal prosperity, there has been in the United States a pronounced movement of population from farms and villages to cities. During the current industrial depression, however, this movement has been reversed. . . . As a result . . . recent population estimates made by . . . projecting past intercensal increase into the future, yield figures . . . which obviously carry serious errors. . . . A bill calling for a federal census in 1934 was introduced into Congress, but was defeated, in spite of widespread support, apparently because of implications claimed to have a bearing upon the 1934 Congressional elections. . . . The council of the Vital Statistics Section of the American Public Health Association . . . adopted a resolution in support of the census, and a similar resolution has subsequently been approved by the Executive Board of the Association.

From AJPH, April 1935, pp. 486–487