

A Prospective Obituary: The Decennial Census

April 1, 2020 (Census Day)

The U.S. Decennial Census died today. The immediate cause of death was politicization. Observers suggested other contributing causes as well. The Decennial Census originated in 1790 for the purpose of getting an accurate count of people living in the United States. The 2020 Census would have been the 24th in the series. The Census Bureau abandoned the 2020 Census in the face of widespread refusals to participate and enormous public confusion.

The death of the Census began in 2018 when the Commerce Department announced that the 2020 Census would include a question about citizenship. As reported by the Washington Post at the time, the decision to add the question had significant consequences for redistricting of legislative districts, and some suggested that the reason was partisan politics. Congress heatedly debated the decision but never agreed on legislation to change it. Republicans, who were thought to benefit if immigrants failed to respond to the Census, supported the decision to include the citizenship question, while Democrats opposed the decision.

The decision to add the question sparked enormous controversy and numerous lawsuits. Community groups, cities, and states that previously worked together with the Census Bureau to encourage complete and accurate responses to the Census no longer had a common interest. Some community groups told people *not* to respond.

The Census Bureau's history of allowing use of Census records during World War II to find where Japanese Americans lived came back to haunt the Bureau in 2020. Other privacy controversies over the Census have a long history. For example, when James Garfield (later President) chaired a Committee on the Census in the House of Representatives in 1870, he argued that the results of the Census were not sufficiently confidential.

Once the dispute over the citizenship question arose in early 2018, political battles intensified. Some groups called for a boycott of the Census entirely. Others said just boycott the citizenship question on the Census form. They noted that failing to answer a Census question is a civil infraction punishable only by a fine that may be as low as \$100 (although it could be higher as the law is unclear). The penalty has rarely been enforced. Further, enforcement of the fine would be impossible in the face of significant civil disobedience. The Census Bureau does not have the capacity to fine thousands or millions of people.

Groups on all sides of the political divide used the 2020 Census to achieve their own goals. Anti-immigration groups actively called on the government to use the Census to find and deport illegal immigrants. Widely circulated tweets attributed to President Trump and others stated that the Immigration and Customs Service could use Census records to deport immigrants. Civil rights and immigrant groups used the citizenship question as a rallying point. Massive confusion among the public resulted.

Most former officials of the Census Bureau spoke out against the collection of citizenship information in the current political climate. One former head of the Bureau, who spoke anonymously shortly after the March 2018 announcement, said that the end of the decennial Census was likely. "By adding the citizenship question, the Bureau made the Census a political football, subject to all

the consequences thereof. The controversy will be hyped by all sides so that the goals of the Census can no longer be achieved. Even if the Administration changes its mind promptly, the failure of the 2020 Census probably cannot be prevented. You cannot unring the bell.” That statement was prophetic, as so many households refused to respond to the Census questionnaire that the Census failed entirely. Another Census official said that “the constitutional requirement for a Census doesn’t matter when millions of people refuse to respond.”

Business leaders mourned the end of the Census. The Executive Director of the American Business Caucus said that the loss of the Census would cost business billions of dollars and would result in the loss of tens of thousands of jobs. Companies would find it much more difficult to make decisions about where to locate their retail operations. Researchers and genealogists also lamented the failure of the Census.

Contributing factors to the Census death included:

-) Spam email and robocalls calls. Spammers sent emails claiming to be from the Census Bureau and seeking disclosure of bank account numbers, passwords, and other personal information “as required by federal Census law.” Other messages announced that individuals had won the so-called Census lottery and would receive millions of dollars. Robocalls used “Census Bureau” on caller-ID trying to increase the response rate. These trends intensified in early 2020.
-) Criminals claiming to be Census Bureau employees told individuals to pay fines or go to jail for not responding to Census questionnaires or for lying. This practice began in 2019, sparked by the ongoing attention and public confusion.
-) Marketers of all stripes used the attention to suggest that it would be safe to respond to their “Census” surveys, promising that the results would never be shared with immigration officials. Many online efforts to collect consumer information came with a “Census” label, even though they had nothing to do with the official Census. In the end, many households couldn’t tell the real Census from copycat efforts.
-) Foreign governments seeking to disrupt American institutions circulated so-called fake news about the Census. Messages aimed at immigrants told them that they would be deported. Others were told not to respond or they would be jailed. Messages aimed at Democrats urged non-compliance because of the politicization of the Census by the Trump Administration. Some attributed fake Census questionnaires to foreign agents.

The decennial Census left no immediate relatives. However, some thought that Congress might eventually replace the traditional Census by an administrative census in which a population count would be conducted using other federal agency records supplemented by records from credit bureaus, data brokers, and other commercial sources. Disputes about the ultimate accuracy of any administrative census remain, however.

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