



NEWS RELEASE

For Immediate Release
July 21, 2020

Contact: Kevin Perez-Allen, kperezallen@naleo.org
(714) 499-4481

Marcus Silva, msilva@naleo.org
(510) 456-5444

NALEO Educational Fund Responds to President Trump's Attempt to Manipulate 2020 Census Apportionment Count

President Trump seeks to remove undocumented immigrants from the apportionment counts, in violation of the U.S. Constitution

WASHINGTON, D.C. – The National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund released a statement from CEO Arturo Vargas in response to President Trump's policy memorandum making it the policy of the United States to declare that undocumented immigrants are not persons under the U.S. Constitution:

"The Trump Administration's latest effort to undermine and manipulate the census, after the Supreme Court made it clear that his previous attempt to do so was a deliberate violation of the law, is unacceptable. Given the frequency with which he loses in the courts following his Administration's attempts to subvert the law, this recent antic is gratuitous and outrageous.

"The Fourteenth Amendment of the Constitution makes it unequivocally clear that all '*persons*' are to be counted in the census for purposes of apportionment, with no exceptions for race, gender, age, citizenship, or immigration status. Policy memoranda cannot change the U.S. Constitution; a constitutional amendment must be proposed by two-thirds of the U.S. Senate and the House of Representatives, and approved by three-fourths of the states. The Fourteenth Amendment makes the definition of '*persons*' abundantly clear, particularly in eliminating the Constitution's original racist policy of counting African American slaves as three-fifths of a person for purposes of apportionment following the census. '*Persons*' does not mean only men, or only whites, or only citizens. It means all persons. Declaring immigrants not to be persons would return this nation to its racist policies of the past.

"The President's policy memorandum would have the Census Bureau revise the actual enumeration from the 2020 Census to remove immigrants from each state's count using data estimates. This amounts to nothing less than cooking the numbers for partisan benefit.

"As we are in the middle of a pandemic, the timing of these developments adds a transparent layer of cruelty to the Administration's actions. As almost two-thirds of households have already responded to the census, the policy memorandum is as impractical as it is unconstitutional and would waste billions of taxpayer dollars that have already been spent to carry out the count thus far.

"As the second-largest population group in America, a fair and complete count of the nation's Latinos is necessary for a successful census. The Administration and Congress must understand

that an undercount of Latinos would mean a failed census – a disaster laid at the feet of this President and Administration.

“NALEO Educational Fund remains committed to promoting a fair and accurate census, and encouraging everyone, including all Latinos, to complete their census forms and be counted. We cannot allow a political circus to detract us or the Census Bureau from this mission.”

Residents can self-respond to the census online at <https://my2020census.gov/> or over the phone in English by dialing 844-330-2020 or in Spanish at 844-468-2020.

Individuals with questions about the census can call NALEO Educational Fund’s toll-free national census bilingual hotline at 877-EL-CENSO (877-352-3676) – Monday-Friday from 8:30 a.m.– 8:30 p.m. ET to get additional information.

Partners can stay up to date on tools to continue to get out the count in Latino communities by visiting www.hagasecontar.org/resources, texting CENSUS to 97779, or by subscribing to our e-mail list [here](#).

###

About NALEO Educational Fund

NALEO Educational Fund is the nation's leading non-partisan, non-profit organization that facilitates the full participation of Latinos in the American political process, from citizenship to public service.