

Testimony of

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Presented to the  
New York State Complete Count Commission

***Regarding the  
2020 Census***

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Good morning. My name is Daniel Hebert and I am a resident of Oneida County. I would like to thank all the members of the Complete Count Commission for holding today's hearing on the proposals related to the development of a comprehensive plan to ensure that the 2020 Census produces an accurate count. I wish to briefly address the reasons why an accurate census count is critical to a functional nation, and the implications and concerns associated with obtaining an inaccurate census count.

An accurate census count is both a Constitutional mandate and an imperative to ensure the proper distribution of fiscal and electoral resources among the States. Article 1, Section 2 of the U.S. Constitution (hereinafter "Constitution") requires a count of the "respective persons [within each State]... every Term of ten Years" in order to apportion taxes among the States and apportion the representation of those persons in Congress. The term "persons" has been interpreted, including under the 14<sup>th</sup> Amendment, to be distinct from the term "citizens". Therefore, the Constitution mandates that all persons be counted, without the limiting qualification of U.S. Citizenship. It is critical that we properly count native-born U.S. citizens, U.S. citizen immigrants, and other noncitizen groups alike or risk the negative consequences associated with obtaining an inaccurate count.

We must count those in all demographic groups in order to preserve our presence in the House of Representatives (hereinafter "House"). As an area with a large population of immigrants and other noncitizen groups, we stand to lose seats in the House if our population is not accurately counted. On a national level, states with populations similar to ours stand to lose House seats to less diverse and less populous States.

We must obtain an accurate census count to ensure that our area receives a proper distribution of federal funding every year. Education funding, housing programs, health care programs, including the Children's Health Insurance Program (hereinafter "CHIP"), all receive funding based on census data. Specifically, CHIP identifies potential low-income children in need of health insurance based upon the most recent census data.

Within New York State, an accurate census count will ensure that legislative boundaries for the state legislature will be properly drawn and accordingly prevent urban areas from being disproportionately represented relative to less populous areas. The effect will be to ensure that residents of New York State are proportionately represented in our state legislature and that state-funded programs will be administered according to proportionate representation.

In conclusion, an accurate and complete census count is critical not only to our State's role on the national stage, but also to the inner workings of our State and the delivery of its services to us, its residents.

Thank you for this opportunity to testify.