Statement Supporting the American Community Survey, and the U.S. Decennial Census and Use of Their Data as Advocacy Tools

Endorsed January 2016

WHEREAS, the National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors, and law students, representing the interests of over 50,000 attorneys and approximately 75 national, state and local Asian Pacific American bar associations; NAPABA members include solo practitioners, large firm lawyers, corporate counsel, legal service and non-profit attorneys, and lawyers serving at all levels of government; and NAPABA is committed to addressing civil rights issues confronting Asian Pacific American communities and people of color;

WHEREAS, accurate data on Asian Pacific American communities are critical to ensuring our communities’ needs are met by local, state, and federal governments and have been pivotal in advancing civil rights because the data instantly illuminate—through hard numbers and statistics—any unequal opportunity and unequal access;

WHEREAS, such data underscore trends of both the needs of and opportunities for Asian Pacific Americans, who are unified by experiences of historic and current discrimination that affect the Asian Pacific American community broadly;

WHEREAS, while common experiences bind Asian Pacific Americans, vast diversity exists within the Asian Pacific American population, requiring accurate and disaggregated data to identify areas of disparate opportunity and access;

WHEREAS, current federal reporting requirements in education refer to a combined “Asian American/Pacific Islander” category that hides major achievement gaps facing American Pacific American (APA) ethnic groups as not all segments of the APA community have the same educational experience;

WHEREAS, the decennial census provides the complete count of all persons in the United States every 10 years and the American Community Survey (ACS) provides important socioeconomic data based on a sample every year, broken down by disaggregated categories;

WHEREAS, only two years remain before the start of the critical end-to-end readiness test, and four years before decennial census preparations are in full swing, and the Census Bureau is already engaging in testing and decision-making;

WHEREAS, some members of Congress consistently attempt to attach riders to appropriations bills to make responses to the ACS voluntary, which has been shown through testing to negatively impact response rates and, thus, the quality of data captured;
WHEREAS, the ACS provides data used to determine which jurisdictions will be covered for specific Asian language assistance under Section 203 of the Voting Rights Act,¹ including limited English proficiency and illiteracy rates, without such data new jurisdictions cannot be added for Asian language assistance and current jurisdictions may be at risk of being dropped from coverage.

THEREFORE BE IT RESOLVED, that NAPABA:

1. Supports full funding by Congress for the Census Bureau during the appropriations process and opposes all effort to reduce such funding.

2. Opposes all efforts to make responses to the ACS voluntary, and recognizes that efforts that result in fewer or no completed ACS forms may result in fewer or no new or current jurisdictions covered under Section 203 of the Voting Rights Act for Asian language assistance, and that such efforts must be opposed.

3. Supports the use of ACS and Census data to advance laws and policies addressing inequities in opportunities and access for APA and other minority populations.

4. Recognizes the importance of disaggregated data and supports efforts to improve data collection about the APA and minority populations, including, but not limited to, the All Students Count Act (H.R. 717 and S. 389, 2015) and inclusion of the APA community in polling.

5. Authorizes its president, board, and staff to communicate the content of this resolution to its members, affiliate and associate organizations, other bar associations, members of Congress, the Administration, the press, and others and to take steps to implement this resolution, as they deem necessary.

6. Supports this resolution as a policy priority until it is withdrawn or modified by subsequent resolution.

¹ See NAPABA Statement Opposing Voter Suppression Efforts for elaboration on the importance of Section 203.