



## MESSAGING GUIDANCE ON 7/22/20 PRESIDENTIAL MEMORANDUM

President Donald Trump signed a presidential memorandum on Tuesday, July 22, 2020 that authorizes the exclusion of undocumented people counted in the 2020 Census from the final apportionment base that the President is required to deliver to Congress, which determines the number of Congressional Representatives to be appointed to each state.

### ***What does Trump's memo mean? Is the memo legal?***

- The memorandum is not about the Census overall, nor is it about who should respond to the Census or about how the Census helps our communities get services and resources.
- This memorandum is about who gets counted and how many Congressional seats each state gets and where.
- This memorandum creates a policy that states: "For the purpose of the reapportionment of Representatives following the 2020 census, it is the policy of the United States to exclude from the apportionment base aliens who are not in a lawful immigration status under the Immigration and Nationality Act...."
- **A proposal to exclude anyone is unconstitutional on its face. Which also means the memo is illegal.** The memo is already being legally challenged with lawsuits filed by multiple states and national organizations.
- The Constitution empowers Congress (not the President) to carry out the count in "such manner as they shall by law direct."
- As with the citizenship question, this memo is an attempt to use fear and intimidation to suppress census participation particularly in our immigrant communities.

### **Should my community still participate in the census?**

- Yes! We must continue to encourage our communities to participate in Census 2020, re-emphasize that the Census is safe, responses are confidential and protected by law, and completion helps secure vital investment in our community.

The following are talking points for your use when discussing the Presidential Memorandum and its impact on census activities:

### **KEY MESSAGE**

- **Continue emphasizing the importance of completing the census, it's easy and it's safe.** Every resident's response is private, protected by law from being shared, and vital to an equitable distribution of federal dollars to our communities.

## **OTHER MESSAGES AS NEEDED:**

- The Supreme Court has rejected the citizenship question, and a question on citizenship is NOT included in the 2020 Census. The census does not ask whether you or anyone in your household is a citizen and does not ask about immigration status.
- This memorandum would exclude and disenfranchise approximately 10.7 million immigrants, who are overwhelmingly people of color.
- The Constitution does not include any kind of exception or people to exclude based on citizenship or immigration status. The Census is constitutionally required to count EVERYONE, including undocumented residents, temporary workers and students, and others. EVERYONE IS COUNTED!
- There's no better tool for our collective power than participating in the Census. The U.S. Census is the most inclusive civic activity we engage in – counting every person in the United States regardless of their background or immigration status.
- The Census Bureau has a legal responsibility to keep the personal data it collects confidential. Immigrants, non-citizens and citizens alike can all be confident that their information is confidential, protected and will not be shared.
- Hundreds of civil rights organizations have pledged to monitor and use every tool necessary to make sure nothing interferes with that obligation.
- Participating in the Census is critically important to getting our families and communities the resources and representation we deserve. Census data helps to identify our diverse communities, the different languages spoken, the range of ages and more. The Census helps our communities to BE SEEN. Our Census responses help our cities and counties decide where to invest in housing, schools, food programs, roads, hospitals, and more.
- This memorandum does not change anything about our campaign's goal. We are committed to doing everything in our power to make sure every person is counted, as mandated by the U.S. Constitution. The Census Bureau will continue to reach out to all households to respond to the 2020 Census.

## **TALKING POINTS**

*Should my community still participate in the census? Is it safe?*

- Yes! We must continue to encourage our communities to participate in the 2020 Census.
- When you complete the Census, it helps our families and communities get the resources and representation we deserve.
- A full count of our communities is vital in making sure that the data that influences and impacts our communities is complete and representative of our great diversity. We need households to complete the Census while we fight back against this unconstitutional attempt to influence the Congressional map and funding.

*What is our message to the community?*

- The constitution requires EVERYONE to be counted. Complete the Census now.
- Completing the Census means we, and our communities, are seen and exist.
- Every person of every age in our community matters and must be counted in the 2020 Census.

- To individuals in our communities, the census is safe and confidential and only takes a few minutes to complete. We encourage you to fill out the census if you have not already.