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PUBLISHER OF THE POLIDATA® DEMOGRAPHIC AND POLITICAL GUIDES AND ATLASES

REMARKS

**REMARKS OF
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**REAPPORTIONMENT TASK FORCE
NATIONAL CONFERENCE OF STATE LEGISLATURES**

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The Clinton proposal to use sampling as an integrated element of the 2000 Census presents new problems and opponents have several grounds for objection: principle, process, practice, participation, and, of course, politics.

Presumably, the positive motivation for the Clinton Administration's sampling initiative is to address the problem of the net differential undercount (NDU)¹. It has been estimated that the value for this census shortcoming in 1990 was 1.6%. The National Academy of Sciences has estimated that well more than half of the NDU was attributable to either bad address lists or incorrectly filled-out forms. This first problem has already been a subject of congressional action to improve the address lists. The second problem benefits mostly from the numerous outreach programs coordinated with the Bureau of the Census with interested groups across the nation.

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¹ Several terms of adjustment, apportionment, or redistricting are abbreviated herein. For example, NDU for Net Differential Undercount; ZPD for Zero-tolerance for Population Deviation; VAP for Voting Age (Adult) Population; PES for Post Enumeration Survey; FBI for Federal Bureau of Investigation.

THE CASE AGAINST THE USE OF SAMPLING IN CENSUS 2000

Principle. The Framers of the Constitution knew that a temptation to inflate the number of inhabitants in a state for representation would be too great without a check. As Delegate George Mason said, “*From the nature of man we may be sure, that those who have power in their hands will not give it up while they can retain it. On the Contrary we know they will always when they can rather increase it.* (Ferrand, I:578-9).

Not only did the Framers require an “actual Enumeration”, they also linked taxation and representation through the census count. Alas, this institutional impediment was lost to history with the legalization of the income tax this century.

Process. During the discussion for adjustment of the 1990 Census, there was debate that the methodology for adjustment was one about which “reasonable persons” could disagree. It was untested and subject to implementation problems.

In fact, the original NDU was estimated to be 2.1%, and only revised downward a year later when an error was discovered in one of the multiple formulae used by the Bureau for the adjustment estimates. In 1990 it was an inadvertent error but in 2000 it could be a deliberate intrusion into the process by the politically motivated. Can we be assured that the Bureau has the resources to implement sampling in time for the December 31, 2000 delivery of the apportionment counts to the President?

Practice. The 1995 Test Census was the Bureau’s chance to test their methodology in the field. This was the first time in which sampling error was introduced into the conduct of a census, albeit a “test” census.

Error Rate for Small Area Geography. The results for the 1995 Test Census were not encouraging from the perspective of confidence in the methodology of sampling and estimation. For a typical small area of geography, a census block, where the total population was estimated by sampling to be 100, the Test Census indicated that the persons which would have been counted in an “actual Enumeration” could have been (with 95% confidence) as few as 72 or as many as 128. Of course, this was “just a test” and presumably would be somewhat less in the 2000 Census with full implementation of the sampling methodology. In fact, the Bureau now says that the “weighted average” error rate for the Test Census was 12.6% in Oakland, 18.3% in Paterson and 25.2% in NW Louisiana. ² Of course, The Riche Report indicates that the high error rate was over 100% in all three test sites. The Riche Report minimizes the effect of the error rate for small

² (Note: These rates were updated in the Director’s August version of the July report. The original rates were 3.2%, 6.2% and 13.1%, respectively.



areas of geography focusing on the lower percentage rates at higher levels of geography. However, much of the country lives in these small areas of geography, the level for which the sampling and estimation will be most prone to high rates of error. The Report also qualifies the extent to which the "Test Census" was not a full implementation of sampling and estimation methodology. Even if the error rates were reduced by 2/3, the rates of error for the atomic level of the census block would still be large.

Population Deviation for Districting. Given the judicial edict of zero-tolerance for population deviation (ZPD), will redistricting practitioners survive sampling? The census block is the building block for the entire census and even if the error range at higher levels of geography is smaller as a percentage, the entire aggregation is suspect as it was based upon the estimated data at the block level.

Congressional Apportionment. It is also important to remember that the formula whereby Congressional seats are apportioned amongst the states is subject to very small differentials of population between any pair of states. Any error in the formulae used could cause one, possibly two, seats in the U.S. House to shift among states. An analysis of the projections for 2000 released in the fall of 1996, using the 1990 PES factors for the NDU released in 1992, predicted that a seat would shift from Indiana to Mississippi. (This would mean Indiana losing a seat over 1990, from 10 to 9, and Mississippi retaining its 5th seat. Without adjustment Indiana would stay at 10, Mississippi would drop to 4.)

Shifts in Federal Aid. There is also the element of the shift in federal aid among states. The five states which would lose the most by an adjustment (our host state of Pennsylvania, Ohio, Michigan, New Jersey and Illinois) would lose a collective \$1.8 million per billion dollars of federal aid. The two states gaining the most by an adjustment, California and Texas, would gain a collective \$2.1 million per billion dollars of federal aid. In fact, as a percentage of the national adjustment, based upon the 1990 PES factors, 20% of it would be in California, followed by Texas at 12%, Florida at 7%, Georgia at 4% and Arizona at 3%.

Shifts within states. Of course, aside from the shift among states, a focus on Capitol Hill, the shift within states, mostly from urban to suburban or rural areas would be marked in many states. For example, New York, as a state, would lose somewhat in the interstate shift of federal aid. However, New York City, with its large minority component (52.6% VAP), would gain population and, therefore, could gain more political muscle in Albany.

Participation. The census is not a survey for the simple reason that the political stakes are too high to produce numbers which are not accurate at every level of geography³. Interest groups understand this and are already working on the

³ This was, in fact, one of the focuses of the Supreme Court in its 1996 decision which upheld the decision by the Secretary of Commerce to not adjust the census following 1990. The Court stressed that given the purposes of the census in distributing political power, reliance upon the

outreach programs which will assure the highest degree of participation by the American people for this uniquely national process in April 2000. If everyone believes the census will be statistically adjusted, why bother to participate? Why maximize efforts towards outreach when sampling will solidify your base for you? This could become a self-fulfilling problem.

Politics. As with many proposals by the Clinton Administration, most Republicans are against sampling while most Democrats are in favor. However, the political spin is, in reality, more geographic than partisan.

For sure, the areas of long-term and significant Democratic strength, the cities, are losing population, especially in the Northeast and Midwest. These cities are also the areas of concentration for minorities, the largest element of the net differential undercount. Therefore, if adjustment through sampling and estimation will increase the counts in urban areas, the base of the Democrats, the boundaries of these urban districts will shrink by the added population. The newly added persons (presumably base Democrats) will then be placed in districts which will encroach on the suburban districts. To the extent which these suburban areas are Republican, the addition of more Democrats is cause for any Republican member to be concerned.

This type of impact is felt even more strongly at the local and legislative level where the number of seats are larger and the number of persons per district is so much smaller than the 570,000 average for Congressional Districts.

Summary. Implementation of the Clinton initiative for sampling might deliver more realistic *estimates* of the total population in the nation. In fact, the Bureau already produces *estimates* for states and counties, on an annual basis. We all want to know how many persons live in the United States and its political subdivisions. However, we need to know where they live, and to fulfill the constitutional purpose of apportionment and redistricting, this means we need to know in which census block they live, and with the *highest* degree of accuracy.

This can only meet constitutional requirements by an "actual Enumeration", not a partial count adjusted by a survey. Should we decide Congressional races on the basis of surveys? Aside from the problem presented by the choice of polling firms, would this satisfy the participants? Just ask a few Congressional members who have been involved in recounts, for instance, Frank McCloskey (former member from Indiana) or Sam Gejdenson (still a member from Connecticut).

Likewise, I doubt that there are many here who would allow their bank to use sampling and estimation to determine the balance in our bank accounts.

degree of distributive accuracy at all levels over numerical accuracy at the national level was a valid preference.



Why is the collective national interest in an *objective*, albeit imperfect, count of the national population any less important to us?

The Bureau of the Census has enjoyed a well-deserved reputation for professionalism for generations. It has been the Bureau which has educated us on sampling error and the limitations of sampling. I saw on the newsstand recently a headline, "Can We Trust the FBI?". Let's avoid a "Can We Trust the Census Bureau?" headline and not compromise the process of this unique national participatory process.

Adjustment of the 2000 Census, through the use of sampling and estimation presents new, and insidious, opportunities for manipulation, whether inadvertent or intentional. Let's assist the Bureau to maximize efforts at counting as many persons as possible to level the playing field before the fight begins on apportionment, redistricting, or governing⁴.

⁴ For further information on some of these issues, please visit our website at <http://www.polidata.org> in the On-Line Library area.

