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SENATE MEMORIAL 11

**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2019**

INTRODUCED BY

Richard C. Martinez and Carlos R. Cisneros

A MEMORIAL

RECOGNIZING THAT NEW MEXICO IS AT SERIOUS RISK OF AN UNDERCOUNT  
IN THE 2020 CENSUS AND REQUESTING SUPPORT TO CARRY OUT THE  
NECESSARY STEPS TO ENSURE A COMPLETE AND ACCURATE COUNT OF ALL  
NEW MEXICO RESIDENTS FOR THE UPCOMING 2020 CENSUS.

WHEREAS, obtaining an accurate population count is so  
vital to representative democracy that the framers of the  
United States constitution addressed the issue of the census  
and congressional reapportionment in the opening paragraphs of  
the constitution; and

WHEREAS, a decennial census is the count of "the whole  
number of persons in each State" in accordance with Article 1,  
Section 2 and Section 2 of the fourteenth amendment to the  
United States constitution; and

WHEREAS, the decennial census is used to apportion seats

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1 in the house of representatives among the states; and

2 WHEREAS, to ensure that the people have fair and equal  
3 representation, accurate census population counts serve as the  
4 basis for redistricting the state legislature, as well as  
5 regional and local governing bodies; and

6 WHEREAS, accurate census data is vital to businesses  
7 deciding where to build factories, offices and stores and  
8 create jobs, to developers determining where to build new homes  
9 and revitalize old neighborhoods and to local governments  
10 planning for public safety and emergency preparedness; and

11 WHEREAS, the census is a key source of data used in social  
12 science, health and environment research; and

13 WHEREAS, billions of dollars of annual federal assistance  
14 are distributed to states on a per capita basis using census  
15 data; and

16 WHEREAS, an accurate census count is absolutely vital to  
17 New Mexico insofar as the state benefits from as much as seven  
18 billion eight hundred million dollars (\$7,800,000,000) a year  
19 in funding for fifty-four different programs, including  
20 medicaid, the children's health insurance program, the  
21 supplemental nutrition assistance program, Pell grants,  
22 community development block grants and highway planning and  
23 construction; and

24 WHEREAS, certain population groups, referred to as "hard-  
25 to-count", are at a higher risk of not being fully counted in

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1 the census; and

2 WHEREAS, a number of demographic and geographic factors  
3 contribute to New Mexico being especially vulnerable to an  
4 undercount, such as its large Native American and Hispanic  
5 populations, high poverty rates, immigrant populations and vast  
6 rural areas; and

7 WHEREAS, based on the latest United States census bureau  
8 estimates, forty-three percent of New Mexico's population, or  
9 almost nine hundred thousand residents, live in neighborhoods  
10 designated as hard-to-count; and

11 WHEREAS, being forty-ninth in the nation in the percentage  
12 of households with broadband internet access, New Mexico will  
13 be further exposed to increased undercount vulnerability due to  
14 a major United States census bureau change in methodology to  
15 rely on the internet as the primary way for households to  
16 respond to the 2020 census; and

17 WHEREAS, in view of New Mexico's significant Hispanic and  
18 immigrant populations, the United States department of  
19 commerce's decision that a citizenship question be included in  
20 the survey is another new and distressing factor expected to  
21 discourage participation, further exacerbating the risk of an  
22 undercount; and

23 WHEREAS, New Mexico will be the state hardest hit by this  
24 unconstitutional attempt to suppress participation in the  
25 census that would lead to an illegal undercount of the

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1 population; and

2 WHEREAS, New Mexico loses at least fifty million dollars  
3 (\$50,000,000) in federal assistance each year for every one  
4 percent undercount; and

5 WHEREAS, the attorneys general from seventeen states,  
6 including New Mexico; the District of Columbia; six major  
7 cities; the United States conference of mayors; and other  
8 entities have brought a lawsuit against the United States  
9 department of commerce and the United States census bureau to  
10 block the addition of the citizenship question;

11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
12 OF NEW MEXICO that the senate support the plaintiffs in *New*  
13 *York v. United States Department of Commerce* No. 1.18-CV-2921  
14 (S.D.N.Y.) in the citizenship question lawsuit; and

15 BE IT FURTHER RESOLVED that the senate support a robust  
16 outreach effort to New Mexico residents through direct, in-  
17 person outreach in multiple languages; and

18 BE IT FURTHER RESOLVED that the senate recognize the need  
19 for resources to be made available for grants to tribal  
20 governments, city and county governments and nonprofit groups  
21 to support their own outreach efforts in their communities; and

22 BE IT FURTHER RESOLVED that the senate support the efforts  
23 of the state demographer to identify hard-to-count communities  
24 in New Mexico and that a system be developed to prioritize  
25 efforts to ensure that all New Mexicans are counted; and

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1 BE IT FURTHER RESOLVED that the senate recognize the need  
2 for resources to be made available for computers and navigators  
3 to assist community members in filling out the census survey  
4 and for improving access to places with public internet access;  
5 and

6 BE IT FURTHER RESOLVED that the senate support additional  
7 outreach efforts to those who are homeless, living in poverty,  
8 living in rural areas without internet access and not fluent in  
9 English, as well as immigrant families and people of color; and

10 BE IT FURTHER RESOLVED that the senate support efforts to  
11 develop a strategic communications and engagement campaign to  
12 raise awareness of and promote participation in the census; and

13 BE IT FURTHER RESOLVED that copies of this memorial be  
14 delivered to the director of the United States census bureau,  
15 the secretary of the United States department of commerce, the  
16 governor of New Mexico, the attorney general of New Mexico,  
17 members of the New Mexico congressional delegation, the speaker  
18 of the United States house of representatives, the president  
19 pro tempore of the United States senate and the president of  
20 the United States.