

# NOEL FRANCISCO ON THE CENSUS

## Highlights:

- Noel Francisco argued that the Census could add a question on citizenship.

## Francisco Argued That The Census Could Add A Citizenship Question

### FRANCISCO ARGUED THAT THE TRUMP ADMINISTRATION HAD THE AUTHORITY TO ASK ABOUT CITIZENSHIP STATUS ON THE 2020 CENSUS

#### **2019: Francisco Argued That The Trump Administration Could Add A Question About Citizenship To The Census.**

According to the New York Times, “The Supreme Court’s conservative majority seemed ready on Tuesday to allow the Trump administration to add a question on citizenship to the 2020 census, which critics say would undermine its accuracy by discouraging both legal and unauthorized immigrants from filling out the forms. [...] Solicitor General Noel J. Francisco, representing the Trump administration, acknowledged that the question could depress participation. But he said the information it would yield was valuable. ‘At the end of the day,’ he said, ‘if you add any particular question onto the census, you’re always trading off information and accuracy.’” [New York Times, [4/23/19](#)]

#### **The Supreme Court Rejected The Trump’s Administration’s Justification**

**The Supreme Court Disagreed In A 5-4 Decision, Ruling That The Trump Administration Justification “Seemed To Have Been Contrived.”** According to the Associated Press, “During arguments in the case at the Supreme Court in April it seemed as though the Trump administration would win because Chief Justice John Roberts and other conservatives appointed by Republican presidents did not appear to see anything wrong with Commerce Secretary Wilbur Ross’ decision to add the question. Ultimately, however, Roberts joined the court’s four more liberal members in saying the administration’s current justification for the question ‘seems to have been contrived.’ The Trump administration had said the question was being added to aid in enforcement of the Voting Rights Act, which protects minority voters’ access to the ballot box. But the Justice Department had never previously sought a citizenship question in the 54-year history of the landmark voting rights law. ‘Altogether, the evidence tells a story that does not match the explanation the secretary gave for his decision,’ Roberts wrote.” [Associated Press, [6/27/19](#)]