



## **ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND**

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### **The Census and Bilingual Ballots**

The U.S. Census Bureau conducts two surveys – Census 2010 and the American Community Survey (ACS) – that determine the availability of bilingual ballots, translated voting materials, and interpreters during elections. Participation in these surveys also helps to ensure that the Asian American community will receive its fair share and political representation.

First, the decennial census is a count of the entire population that is taken every 10 years. In March 2010, every household receives a census form, which asks a few simple questions about age, gender, marital status, and race/ethnicity.

Second, the American Community Survey (ACS) is distributed to a random sample of the population every month. The ACS is a much longer questionnaire that asks about citizenship, income, education, employment, and English proficiency.

If these forms are not mailed back, census-takers will visit individuals at home to take the information through an interview. Both questionnaires ask specific questions that help determine the availability of language assistance under the federal Voting Rights Act. Therefore, a complete count and accurate statistical portrait of the Asian American community are crucial.

### **The Law**

Under the language assistance provisions (Section 203) of the Voting Rights Act, bilingual ballots, translated voting materials, and interpreters must be provided in counties where the census reports that more than 5% or 10,000 people who are (1) over 18 years old (voting-age); (2) citizens of the United States; (3) speak the same Asian language; (4) have limited English proficiency; and (5) have a higher illiteracy rate than the national illiteracy rate.

After the 2000 Census, sixteen counties in seven states were required to provide language assistance in one or more Asian languages. After the 2010 census data are examined, federal law may cover more counties and require more Asian languages.

#### **Asian Language Coverage Under Section 203 of the Voting Rights Act Based on Census 2000**

##### Alaska

Kodiak Island Borough: Filipino

##### California

Alameda: Chinese

Los Angeles: Chinese, Japanese, Korean, Filipino, Vietnamese

Orange: Chinese, Korean, Vietnamese

San Diego: Filipino

San Francisco: Chinese

San Mateo: Chinese

Santa Clara: Chinese, Filipino, Vietnamese

##### Hawai'i

Honolulu: Chinese, Filipino, Japanese

Maui: Filipino

##### Illinois

Cook: Chinese

##### New York

Kings (Brooklyn): Chinese

New York (Manhattan): Chinese

Queens: Chinese, Korean

##### Texas

Harris: Vietnamese

##### Washington

King: Chinese

## How the Law Works

### The Decennial Census Form

Every household will receive a “decennial census form” in March 2010. Everyone must fill out the census form.

Respondents must answer how many people – children and adults – live in the household, regardless of their immigration status. Individual answers will be kept confidential.

**1. How many people were living or staying in this house, apartment, or mobile home on April 1, 2010?**

Number of people =

Respondents must identify their racial background.

**6. What is this person's race? Mark  one or more boxes.**

White

Black, African Am., or Negro

American Indian or Alaska Native — *Print name of enrolled or principal tribe.* ↘

<input type="checkbox"/> Asian Indian	<input type="checkbox"/> Japanese	<input type="checkbox"/> Native Hawaiian
<input type="checkbox"/> Chinese	<input type="checkbox"/> Korean	<input type="checkbox"/> Guamanian or Chamorro
<input type="checkbox"/> Filipino	<input type="checkbox"/> Vietnamese	<input type="checkbox"/> Samoan
<input type="checkbox"/> Other Asian — <i>Print race, for example, Hmong, Laotian, Thai, Pakistani, Cambodian, and so on.</i> ↘	<input type="checkbox"/> Other Pacific Islander — <i>Print race, for example, Fijian, Tongan, and so on.</i> ↘	

Some other race — *Print race.* ↘

### The American Community Survey (ACS)

From the decennial census, a randomly selected set of households will also receive the American Community Survey (ACS). This longer questionnaire is an ongoing survey conducted throughout the decade. Everyone who receives this form must also complete it.

Respondents must identify their racial background. **Same as decennial census form, question #6.**

Respondents must also identify their ethnic background.

**13 What is this person's ancestry or ethnic origin?**

*(For example: Italian, Jamaican, African Am., Cambodian, Cape Verdean, Norwegian, Dominican, French Canadian, Haitian, Korean, Lebanese, Polish, Nigerian, Mexican, Taiwanese, Ukrainian, and so on.)*

Respondents must identify their citizenship. The form does not ask about immigration status or whether someone is undocumented.

**8 Is this person a citizen of the United States?**

Yes, born in the United States → *SKIP to 10a*

Yes, born in Puerto Rico, Guam, the U.S. Virgin Islands, or Northern Marianas

Yes, born abroad of U.S. citizen parent or parents

Yes, U.S. citizen by naturalization — *Print year of naturalization* ↘

No, not a U.S. citizen

Respondents should write in their native language. This question determines the size of the language minority group.

**14 a. Does this person speak a language other than English at home?**

Yes

No → SKIP to question 15a

**b. What is this language?**

*For example: Korean, Italian, Spanish, Vietnamese*

English proficiency is measured by the question, “How well do you speak English?” If more people mark “not well” or “not at all,” then there is a greater chance that bilingual ballots will be available.

Unfortunately, this question is only written in English, so respondents who do not speak English should get assistance to accurately answer this question.

**c. How well does this person speak English?**

Very well

Well

Not well

Not at all

**11 What is the highest degree or level of school this person has COMPLETED? Mark (X) ONE box. If currently enrolled, mark the previous grade or highest degree received.**

**NO SCHOOLING COMPLETED**

No schooling completed

**NURSERY OR PRESCHOOL THROUGH GRADE 12**

Nursery school

Kindergarten

Grade 1 through 11 – Specify grade 1 – 11

12th grade – **NO DIPLOMA**

**HIGH SCHOOL GRADUATE**

Regular high school diploma

GED or alternative credential

**COLLEGE OR SOME COLLEGE**

Some college credit, but less than 1 year of college credit

1 or more years of college credit, no degree

Associate’s degree (for example: AA, AS)

Bachelor’s degree (for example: BA, BS)

**AFTER BACHELOR’S DEGREE**

Master’s degree (for example: MA, MS, MEng, MEd, MSW, MBA)

Professional degree beyond a bachelor’s degree (for example: MD, DDS, DVM, LLB, JD)

Doctorate degree (for example: PhD, EdD)

The law requires that the language minority group must also have a high illiteracy rate in order to obtain bilingual ballots. This is not the same as English proficiency. Illiteracy is determined by Educational Attainment. In order to qualify for bilingual ballots, more than 10,000 or 5% of the language minority group must have less than a 5th grade United States education. **(Respondents should not include education received abroad.)**

If respondents answer this question to include only formal education received in the United States – even if it is none or less than a 5th grade U.S. education – then it will show a greater need for language assistance on Election Day.

An accurate count of the Asian American population in the census and American Community Survey can help ensure that the Asian American community will be entitled to bilingual ballots and language assistance. Participate in the census!

**For More Information:**

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