EXTENSIONS OF REMARKS

THE BEST GUESS U.S. CENSUS

HON. NEWT GINGRICH

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 24, 1997

Mr. GINGRICH. Mr. Speaker, today I submit to the CONGRESSIONAL RECORD an important column on the topic of the 2000 census by Matthew J. Glavin, president of Southeastern Legal Foundation in Atlanta. Published in the July 15, 1997 edition of the Washington Times, Mr. Glavin's column is entitled, ''The Best Guess U.S. Census?'' Mr. Glavin points out that while Congress has delegated to the Commerce Department the census-taking responsibility, we have not given away the constitutional mandate that the census be an actual enumeration.

In addition to being inconsistent with the Constitution, statistical sampling techniques are open to partisan political manipulation of whichever administration is in charge of the Commerce Department at the time. We must not go down that path. I strongly commend Mr. Glavin's column to all my colleagues.

[From the Washington Times, July 15, 1997]

THE BEST-GUESS U.S. CENSUS?

(By Matthew J. Glavin)

The 19th century British Prime Minister Benjamin Disraeli warned, ''There are lies, there are damn lies, and then there are statistics.'' Last month, Congress heeded the warning. One of the amendments to the Disaster Relief bill passed by Congress was a requirement that the Census Bureau suspend its plans to use statistical sampling and adjustment in the 2000 Census. It was a simple requirement, really—count actual people; don't fudge the numbers.

President Clinton, deriding the bill as a ''political wish list,'' vetoed the package. Promising instead to ''rectify'' perceived inaccuracies among minorities in past Census-taking, the president's plan to use statistical sampling in the next Census flies in the face of one of the clearest mandates in our Constitution.

Article 1, Section 2 of the U.S. Constitution calls for the ten-year national census and demands an ''actual Enumeration.'' The purpose was to ensure that all American citizens are properly represented by district in the U.S. House of Representatives. The Founders, aware of the keen competition among the states for power in the nation's Capital, required the ''actual enumeration'' of our shifting population to guarantee that no group, state or special interest could gain an undemocratic advantage. The Constitution delegated the power to conduct the Census to Congress, which has this year made clear its intent.

Now, the President and his Commerce secretary, William Daley, who supervises the Census Bureau, have proposed a so-called ''dual estimation system'' (DES) to redress perceived undercounting of certain minority groups—by some accounts as high as 4.8 percent in the black community. Under this system, the Bureau would make its ''best guess'' as to where the population count was imagined to be low, add a magical percentage to the head count for that area, and apply those statistical percentages to similar areas across the nation.

In the 1990 census, for example, the Census-takers' ''best guess'' demographic group was black women homeowners in their 20's in Chicago and Detroit. Under the Clinton/Daley DES program for the 2000 Census, this demographic group would be statistically ''puffed,'' and the estimated figures would be applied to all similar urban areas across the nation. In addition to the fact that the estimates may not reflect real population figures, statistical sampling will unfairly lump individuals into stereotypical groups.

Presto, chango, ''actual'' Census figures are gone, replaced by the best guess of a bureaucrat in the Clinton Commerce Department. Still more unsettling is the fact that a ''statistically estimated'' Census is subject to the political agenda of the executive in power. The potential impact on congressional districts, particularly in those states containing large urban centers, is staggering.

The ''no-statistics'' rule vetoed by the president should be enforced. Lawmakers on Capitol Hill recognize that the power to call for a ten-year Census comes to them directly from the Constitution. While Congress has properly delegated the Census-taking responsibility to the Commerce Department, it has not given away, and indeed could not give away, the constitutional requirement that the census be an ''actual enumeration.'' That requirement still applies no matter what administration implements the Census.

The Clinton administration's ''best guess'' plan lacks compassion, offers a poor solution to a real problem, and flies in the face of a clear constitutional mandate. Should the 2000 Census be comprehensive and accurate? Of course. Will it reflect the true population of our nation? By law, it must. ''Actual'' versus ''estimated'' enumeration is a distinction with significant legal consequences. As required by the Constitution, Congress has made clear its intent.

It may fall to the third branch of American government, our courts, to decide the fate of the Clinton ''best guess'' census plan. The politicization of the national census must be avoided. Real justice, and our Constitution, demand it.

CARL D. PERKINS VOCATIONAL TECHNICAL EDUCATION ACT AMENDMENTS OF 1997

SPEECH OF

HON. DOUG BEREUTER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 22, 1997

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 1853) to amend the Carl D. Perkins Vocational and Applied Technology Education Act:

Mr. BEREUTER. Mr. Chairman, this Member would like to express his concern about the Mink amendment offered to H.R. 1853, the Carl D. Perkins Vocational—Technical Education Act amendments and to make it clear why this Member felt compelled to vote against it on principle and in order to provide the necessary flexibility to the States to better meet the diverse requirements and conditions of their populations.

This Member supports the direction incorporated in H.R. 1853, which is to move away from Federal setasides and toward giving authority to States, local school districts, and post-secondary institutions to determine their own priorities for reform and funding. In addition to allowing for greater decisionmaking at the local level, this bill includes enforcement mechanisms that are necessary to ensure that special populations are accommodated under H.R. 1853. This bill requires States to provide vocational education opportunities for special populations including, specifically, displaced homemakers, single parents, and single pregnant women. If the State application fails to show how the State will ensure that the special populations meet or exceed State benchmarks, then enforcement mechanisms in H.R. 1853 require the Secretary of Education to reject the application. Further, if a State fails to meet its own benchmark for these special populations, then the Secretary and the U.S. Department of Education has the authority to intervene to bring the State up to a minimum adequate level of performance.

Mr. Chairman, H.R. 1852 already allows States and local communities to continue to fund programs for special populations such as displaced homemakers, single parents, and single pregnant women to ensure that they have the opportunity to participate in vocational education programs. States should have the flexibility to choose and set priorities for themselves and protect their own citizens without being given a Federal mandate.

This Member strongly believes that there is no reason to suspect that a State or local official will not make the right decision. This bill ensures that special populations will continue to receive vocational and technical education.

In addition, Mr. Chairman, this Member has a record of support for assisting displaced homemakers, single parents, and single pregnant women, to ensure that they have access to educational opportunities. For example, during the previous sessions of Congress, this Member supported an amendment offered by the gentlelady from Hawaii [Mrs. MINK] to the CAREERS Act to require States to include in their work force development and literacy plans a description of how the State will maintain programs for single parents, displaced homemakers, and single pregnant women, as well as programs designed to promote the elimination of sex bias.

Mr. Chairman, in closing, this Member would like to reiterate that States must have the flexibility to set priorities for themselves and protect their own citizens. This Member will continue to monitor the progress of this important legislation to reform the Carl D. Perkins Vocational-Technical Education Act. Further, this Member pledges his commitment to an effort to have his home State of Nebraska comply with this legislation and to continue to