

United States Senate

WASHINGTON, DC 20510

January 5, 2018

The Honorable Wilbur Ross
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, DC 20230

Dear Secretary Ross:

We write to express our serious concern about the recent Department of Justice (DOJ) request to add a question on citizenship to the 2020 Census and urge you to not add this question.¹ The inclusion of a question on citizenship threatens to undermine the accuracy of the Census as a whole, and given this administration's rhetoric and actions relating to immigrants and minority groups, the DOJ request is deeply troubling.

Article I, Section 2 of the U.S. Constitution requires a census of all persons residing in the United States every ten years, as directed by Congress. As you know, the decennial census is the basis for critical aspects of our democracy, such as distributing the number of seats in the U.S. House of Representatives and drawing congressional and state legislative district lines. Census data are used for allocating billions of dollars in federal funding and are important to every level of government, as well as to businesses and nonprofits.

Despite its importance, the 2020 Census is in trouble. In February 2017, the GAO put the 2020 Census on its list of high-risk projects due to uncertainty about its budget and technology.² The planning and preparations for the 2020 Census are significantly behind schedule and underfunded. Furthermore, since the previous director of the Census Bureau resigned in June of 2017, the Bureau has been left without a permanent director. New questions in the census must be field-tested and subject to a lengthy Office of Management and Budget approval process. Introducing a question on citizenship so late in an already delayed timeline would not allow the Bureau to appropriately test its impact and effectiveness.

The DOJ's request to include a question on citizenship in the 2020 Census dramatically increases our concerns about the already troubled census.³ Such a question would likely depress participation in the 2020 Census from immigrants who fear the government could use the information to target them. It could also decrease response rates from U.S. citizens who live in mixed-status households, and who might fear putting immigrant family members at risk through

¹ The Department of Justice Letter to the U.S. Census Bureau, "Request to Reinstate Citizenship Question on 2020 Census Questionnaire," Dec. 12, 2017, *available at*: <https://www.documentcloud.org/documents/4340651-Text-of-Dec-2017-DOJ-letter-to-Census.html>

² U.S. Government Accountability Office, "2017 High Risk Report: 2020 Decennial Census," *available at*: https://www.gao.gov/highrisk/2020_decennial_census/why_did_study

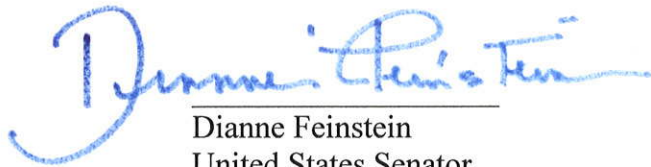
³ Justin Elliott, *ProPublica*, "Trump Justice Department Pushes for Citizenship Question on Census, Alarming Experts," Dec. 29, 2017, *available at*: <https://www.propublica.org/article/trump-justice-department-pushes-for-citizenship-question-on-census-alarming-experts>

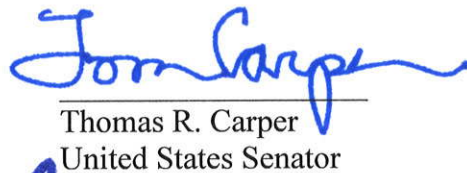
providing information to the government. As you testified before Congress, the Census is already grappling with “high levels of mistrust of the federal government.”⁴ The addition of a citizenship question would only further exacerbate an already severe obstacle facing an accurate count in 2020.

This chilling effect could lead to broad inaccuracies across the board, from how congressional districts are drawn to how government funds are distributed. Rather than preserve civil rights, as the Justice Department claims, a question on citizenship in the decennial census would very likely hinder a full and accurate accounting of this nation’s population.

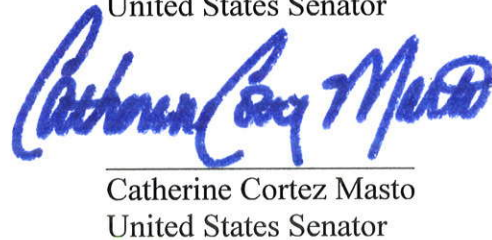
On October 31, 2017, in testimony to the Senate Homeland Security and Governmental Affairs Committee, you stressed the importance of an “efficient 2020 Census that provides a full, fair, and accurate count of everyone living in this country.” We agree with you, and urge you to live up to this commitment by rejecting this harmful and misguided request for a question on citizenship in the 2020 Census. We look forward to your response.


Sincerely yours,


Dianne Feinstein
United States Senator


Thomas R. Carper
United States Senator


Brian Schatz
United States Senator


Catherine Cortez Masto
United States Senator


Kamala D. Harris
United States Senator

CC: Dr. Ron Jarmin, Acting Director, U.S. Census Bureau
CC: The Honorable Karen Dunn Kelley, Acting Deputy Commerce Secretary/Undersecretary for Economic Affairs, U.S. Department of Commerce

⁴ House Oversight and Government Reform Committee (2017, October 12), House Oversight and Government Reform Committee Holds Hearing on 2020 Census. Retrieved January 3, 2018 from <http://www.cq.com/doc/congressionaltranscripts-5195222?3>