

# United States Senate

WASHINGTON, DC 20510

August 14, 2020

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

Steven Dillingham  
Director, U.S. Census Bureau  
4600 Silver Hill Road  
Suitland, MD 20746

Dear Secretary Ross and Director Dillingham,

We write to urge the U.S. Census Bureau to honor its previously announced 2020 census completion date of October 31, 2020 and to continue operations under the modified timeline as detailed in the April 13th announcement to ensure an accurate count for Indian Country and the Native Hawaiian community.

On April 13, 2020, the U.S. Department of Commerce and U.S. Census Bureau announced a modified timeline for 2020 census operations due to the COVID-19 pandemic.<sup>1</sup> The announcement stated the enumeration period for self-response and non-response follow up would be extended to October 31, 2020, and requested an extension of the statutory deadlines for apportionment counts and redistricting data. Under this extension, apportionment counts would be delivered by April 30, 2021 and redistricting data would be sent no later than July 31, 2021.<sup>2</sup>

Relying on the modified Census Bureau timeline with the expectation that it would help ensure an accurate count of their communities, Tribal governments were able to respond to the pandemic with a singular focus on protecting their members and mitigating the virus' impact on their communities by prioritizing staff and resources. And so it is no surprise that the Bureau's August 3rd announcement that it will cease all field data collection by September 30, 2020 – over 30 days sooner than the Bureau previously stated – was met with fierce opposition from Indian Country.<sup>3</sup>

Indeed, numerous Tribes and Tribal organizations have reached out to our offices expressing concerns about the accelerated timeline and historical undercounting of their communities. Response rates have been and remain low in Tribal communities<sup>4</sup> in part because Tribal

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<sup>1</sup> U.S. Department of Commerce Secretary Wilbur Ross and U.S. Census Bureau Director Steven Dillingham Statement on 2020 Census Operational Adjustments Due to COVID-19, (2020), <https://2020census.gov/en/news-events/press-releases/statement-covid-19-2020.html>.

<sup>2</sup> *Id.*

<sup>3</sup> Letter from the Nat'l Cong. of Am. Indians, Native Amer. Rights Fund, et. al, to Honorable Mitch McConnell, Honorable Nancy Pelosi, Honorable Charles Schumer, & Honorable Kevin McCarthy (Aug. 5, 2020).

<sup>4</sup> As of August 6, 2020, the census response rate for many Tribal areas remains low compared to the national self-response rate. For Acoma Pueblo, the total response rate is 12.9% with 10.7% utilizing internet self-response. The Navajo Nation has a 15% total response rate with a 3% internet self-response rate. The Jicarilla Apache Nation has a total 7.8% response rate and with a 7.4% internet self-response rate. These numbers are low compared to the national response rate of 63.1% with a 50.4% internet self-response rate.

governments have taken extreme, but necessary, measures to keep their communities COVID-19 free. For example, many Pueblos and Tribes in New Mexico remain closed to outside visitors, including census workers, in an attempt to mitigate the spread of COVID-19. And for good reason: Tribal communities have experienced some of the highest mortality rates in the nation.<sup>5</sup>

Accordingly, the accelerated timeline, combined with the low response rate and the widespread lack of internet access,<sup>6</sup> threatens to result in another severe undercount of American Indians, Alaska Native, and Native Hawaiian communities. Failure to get a complete and accurate count of these community populations will have long term and devastating impacts – from redistricting data, to federal funding, to congressional representation. A fair and accurate census is critical to Native communities’ continued and future prosperity.

American Indian, Alaska Native, and Native Hawaiian leaders have spent months coordinating with the Census Bureau to prepare their communities for the 2020 count and to meet the Bureau’s October 31st deadline. Their herculean efforts to get out the count even during a pandemic should not be discounted or cut short. Again, we strongly urge you to honor the previously announced 2020 census completion date of October 31, 2020 and to continue operations under the modified timeline as detailed in the Bureau’s April 13th announcement.

Thank you for your consideration. We look forward to working with you to uphold the federal government’s constitutional obligation to ensure a fair and accurate count for Indian Country and all Native populations within the United States.

Sincerely,



Tom Udall  
U.S. Senator



Maria Cantwell  
U.S. Senator



Dianne Feinstein  
U.S. Senator



Ron Wyden  
U.S. Senator

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<sup>5</sup> Reis Thebault & Alyssa Fowers, *Pandemic’s weight falls on Hispanics and Native Americans, as deaths pass 150,000*, WASHINGTON POST (July 31, 2020), available at <https://www.washingtonpost.com/health/2020/07/31/covid-us-death-toll-150k/?arc404=true>.

<sup>6</sup> Margaret Harding McGill, *The least connected people in America*, POLITICO (Feb. 7, 2018), available at <https://www.politico.com/agenda/story/2018/02/07/rural-indian-reservations-broadband-access-000628/>.

Jon Tester  
U.S. Senator

/s/ Gary Peters

Gary Peters  
U.S. Senator

Amy Klobuchar  
U.S. Senator

Brian Schatz  
U.S. Senator

Catherine Cortez Masto  
U.S. Senator

Tina Smith  
U.S. Senator

Elizabeth Warren  
U.S. Senator

Kamala D. Harris  
U.S. Senator

Angus S. King, Jr.  
U.S. Senator

Mazie K. Hirono  
U.S. Senator

/s/ Jeffrey A. Merkley

Jeffrey A. Merkley  
U.S. Senator

Richard Blumenthal  
U.S. Senator



Edward J. Markey  
U.S. Senator

/s/ Martin Heinrich

Martin Heinrich  
U.S. Senator



Tammy Duckworth  
U.S. Senator



Jacky Rosen  
U.S. Senator