



CONGRESSIONAL HISPANIC CAUCUS
Michelle Lujan Grisham | Chairwoman
115TH CONGRESS
August 6, 2018

Ms. Jennifer Jessup
Departmental Paperwork Clearance Officer
Department of Commerce
Room 6616
14th and Constitution Avenue, NW
Washington, DC 20230

RE: Comments on Proposed Information Collection on 2020 Census

Dear Ms. Jessup:

On behalf of the Congressional Hispanic Caucus, we write in strong opposition to the addition of the citizenship question to the 2020 Census. We have grave concerns regarding the genesis of this question, particularly given that there is ongoing litigation as to whether this question was developed in a discriminatory manner or for a discriminatory purpose. We are further concerned that the addition of a citizenship question only serves to instill fear among immigrant communities, decrease participation, and negatively impact the outcome and accuracy of the 2020 Census.

On March 26, 2018, the Department of Commerce (DOC) directed the Census Bureau to add the citizenship question in response to a December 12, 2017 letter from Department of Justice (DOJ) General Counsel Arthur Gary to enforce Section 2 of the Voting Rights Act (VRA) to protect against racial discrimination in voting. However, on June 21, 2018, DOC Secretary Wilbur Ross filed a supplemental memorandum in the case of *States of New York et al. v. United States Department of Commerce et al.*, stating that consideration for inclusion of the citizenship question began in February 2017, shortly after his appointment as DOC Secretary.

In this supplemental memo and internal emails subsequently disclosed, it came to light that Secretary Ross and his staff had discussed the addition of the citizenship question well before DOJ made its request supposedly for VRA purposes. These discussions comprised Senior Administration Officials, including Kansas Secretary of State Kris Kobach and former White House Chief Strategist Steve Bannon. Following these contradictory and misleading statements, and voting rights advocates' and litigators' opposition to collection of additional citizenship data, the claim that the addition of the citizenship question is being done in response to a request by DOJ to protect the civil and voting rights severely lacks credibility.

To further underscore the deleterious consequences of this question, the Census Bureau's chief scientist, John Abowd, warned that the addition of a citizenship question to the 2020 Census would harm the accuracy of the count and generate "substantially less accurate" citizenship data

than those already available in existing government records. In fact, the Census Bureau is already in possession of administrative records that would enable it to publish accurate citizenship data at the Census block level.


Article 1, Section 2, of the U.S. Constitution, and the 14th Amendment, make clear that the U.S. Census is meant to be every ten years to collect data that accurately reflects the total United States population, regardless of citizenship. Census questions undergo years of extensive review, including field testing and feedback from focus groups. Adding an untested question could seriously impair the Bureau's ability to produce an accurate population count and result in increased costs to the Census.

Furthermore, the Trump Administration's aggressive immigration policies have already instilled fear among immigrant communities. Immigrant communities are already less likely to report crimes or even enroll their eligible U.S. citizen children in government health and nutrition programs. Early surveys have documented that some immigrants are afraid to provide information or have given false information to Census employees, because they are fearful of how the information may be used. This is of great concern since Census data will determine the allocation of federal funding, congressional seats, and Electoral College delegates.

We urge DOC to rescind their decision to add the citizenship question to the 2020 Census. As you work to ensure a fair and accurate census that encourages full participation, we believe that including a citizenship question would only serve to suppress participation and result in inaccurate data that does not truly reflect the makeup of our nation.

Thank you in advance for your attention to this critical issue.


Sincerely,


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CHC Civil Rights and Voting Rights Chair


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CHC Chair


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Member of Congress


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