



October 3, 2024

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Asian Americans Advancing Justice |
AAJC

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Johnson, Minority Leader Jeffries, Chair Murray, Vice Chair Collins, Chair Cole, and Ranking Member DeLauro:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 240 national organizations to promote and protect the rights of all persons in the United States; our Census Task Force co-chairs, Asian Americans Advancing Justice | AAJC and NALEO Educational Fund; and the 86 undersigned organizations, we write to you regarding essential items to consider in any final omnibus package:

- Any funding for the Census Bureau must, *at a minimum*, match the \$1.6 billion mark as articulated in the president's budget request.
- Section 559 of the House Fiscal Year 2025 Commerce, Justice, Science, and Related Agencies (CJS) appropriations bill must be excluded from any final package.
- Lastly, and similarly, any attempts to restrict the Census Bureau's ability to follow up with households and businesses that have not responded to censuses and surveys — adversely affecting data reliability in all surveys, including the decennial census, American Community Survey (ACS), Current Population Survey, and the Economic Census — as currently envisioned in section 621 of the House CJS bill must also be excluded.

I. **The proposed funding is insufficient.**

FY 2025 is pivotal in the ramp-up to the 2030 Census, as it marks a midpoint in the decade-long planning process and a significant milestone — selecting an operational design that will govern every facet of the census, from questionnaire design and accessibility to collection and tabulation of data. Sound investments now will help to ensure the future success and cost efficiency of the 2030 Census. The funds allotted to the Census Bureau fall woefully short of the investments needed to support 2030 Census planning and to strengthen the decennial census and associated surveys. The inadequate funding level proposed for the Census Bureau will disrupt planning at a pivotal point in the decade, undermining a carefully developed research and testing agenda that will significantly increase costs later in the decade and put accuracy at risk. The ACS is the ongoing part of the census and a trusted source of accurate demographic, socioeconomic, and housing data used by governments, businesses, and the nonprofit sector nationwide. Failure to fund even modest improvements to the ACS will continue to erode data quality, even as Congress itself relies on ACS data to allocate trillions of federal assistance dollars to states and localities.

II. Section 559 unconstitutionally excludes undocumented immigrants from apportionment counts.

Every census since the first enumeration in 1790 has included citizens and non-citizens for congressional apportionment. In the current version of the CJS appropriations bill, section 559 requires the Census Bureau to unconstitutionally exclude undocumented persons living in the United States from the state population totals used to apportion seats in the U.S. House of Representatives after each census. Throughout the nation’s history, Republican and Democratic administrations alike have concluded that excluding undocumented immigrants or all non-citizens from the apportionment base would be unconstitutional and contrary to the 14th Amendment’s clear command to count the “whole number of persons in each State” for apportionment. While the constitutional infirmity of section 559 cannot be overcome, it is worth noting that asking about immigration status on the decennial census questionnaire — which would be required to meet such a directive — is unnecessarily and incredibly intrusive. It would raise concerns among all respondents — both native-born and immigrant — about the confidentiality and privacy of information provided to the government. This will have a chilling effect on participation and keep many residents from responding, jeopardizing the accuracy of the census in every state and community. We urge the committee to remove section 559 from the CJS appropriations bill.

III. Section 621 restricts the Census Bureau’s ability to follow up with households and businesses that have not responded to censuses and surveys.

The enactment of section 621 — an unvetted, untested, and extreme provision — would fundamentally transform how the Census Bureau conducts virtually every census and associated survey. *Particularly alarming, the proposal could shut down counting efforts in the decennial census after only a third of households have responded, based on the 2020 Census experience.* Incomplete follow-up for the ACS could deprive towns, rural communities, and tribal areas of any useful data, while Economic Census data that serve as a baseline for Gross Domestic Product and other key economic indicators could be compromised. In short, section 621 would force the Census Bureau to stop contacting households and businesses after two attempts to secure a response in every census and survey, no matter how low the response rate. The enactment of section 621 would lead to lower response rates on Census Bureau surveys, thereby disrupting the collection of foundational statistics that support our democracy and economy. **Without sufficiently high response rates in many areas, the Census Bureau will not be able to publish demographic and economic data of acceptable quality and reliability, threatening the prudent allocation of federal program funds to every state and community in the country.**

For these reasons, we strongly urge any final package to ensure Census Bureau funding to match the president’s budget request of \$1.6 billion, at a minimum, and the exclusion of sections 559 and 621 of the House CJS appropriations bill. Thank you for considering our views as you move towards completing the FY 2025 appropriations cycle.

Sincerely,

The Leadership Conference on Civil and Human Rights

Asian Americans Advancing Justice | AAJC
NALEO Educational Fund

AFL-CIO

AFT

American Association of University Women

American Atheists

American Civil Liberties Union

American Muslim Health Professionals

Arab American Institute (AAI)

Asian American Legal Defense and Education Fund (AALDEF)

Asian and Pacific Islander American Vote (APIAVote)

Asian Pacific American Labor Alliance - AFL-CIO (APALA)

Asian Texans for Justice

Autistic Self Advocacy Network

Catalyst California

Center for American Progress

Coalition for Asian American Children and Families (CACF)

Coalition on Human Needs

Common Cause

Community Information Now

Connecticut Data Collaborative

Data Quality Campaign

Equality California

Fair Count, Inc

Fayetteville Alumnae Chapter of Delta Sigma Theta Sorority, Inc.

Funders' Committee for Civic Participation (FCCP)

Futures Without Violence

Government Information Watch

Heartland Rural Health Network

Hindu American Foundation

Impact Fund

Japanese American Citizens League (JACL)

Justice in Aging

Labor Council for Latin American Advancement

LatinoJustice PRLDEF

League of United Latin American Citizens (LULAC)

League of Women Voters of the United States

MACS 2030 - Minnesotans for the American Community Survey & 2030 Census

MALDEF (Mexican American Legal Defense and Educational Fund)

Metropolitan Area Planning Council

Mi Familia Vota

Minnesota Council on Foundations

MomsRising
Montana Nonprofit Association
Movement Advancement Project
N.Y. Elections, Census & Redistricting Institute (at New York Law School)
NAACP
National Association for Latino Community Asset Builders (NALCAB)
National Association of Councils on Developmental Disabilities
National Bar Association
National Coalition on Black Civic Participation
National Community Action Partnership
National Consumer Law Center (on behalf of its low-income clients)
National Council of Asian Pacific Americans (NCAPA)
National Council of Jewish Women
National Council of Nonprofits
National Disability Rights Network (NDRN)
National Education Association
National Employment Law Project
National Network for Arab American Communities (NNAAC)
National Resource Center on Domestic Violence
National Women's Law Center
NETWORK Lobby for Catholic Social Justice
New York Immigration Coalition
Nonprofit VOTE
NYU Furman Center for Real Estate and Urban Policy
Pennsylvania Partnerships for Children
PFLAG National
Prison Policy Initiative
Project on Government Oversight
Public Advocacy for Kids (PAK)
SAGE (Advocacy and Services for LGBTQ+ Elders)
Sikh American Legal Defense and Education Fund (SALDEF)
Silver State Equality
Southeast Asia Resource Action Center (SEARAC)
Southern Echo Inc.
Strycker's Bay Neighborhood Council
The Asian American Federation
The Asian and Pacific Islander American Health Forum (APIAHF)
The Data Center of Southeast Louisiana
The Hispanic and Immigrant Center of Alabama
The Sikh Coalition
United Church of Christ
United Way of Rhode Island
Voices for Racial Justice

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Whitman-Walker Institute
Youth Villages
ZERO TO THREE

cc: Members, Full House and Senate