

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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August 12, 2020

The Honorable Dr. Steven Dillingham
Director
United States Census Bureau
4600 Silver Hill Road
Washington, D.C. 20233

Dear Dr. Dillingham:

On August 4, 2020, the Committee requested the voluntary appearance of eight senior Census Bureau officials for transcribed interviews regarding the Trump Administration's recent efforts to rush the 2020 Census after previously requesting legislation to delay deadlines for operations and reporting due to the coronavirus pandemic.¹

On August 7, 2020, you responded by declining to make a single official available for a transcribed interview.² In that letter, and in subsequent conversations with staff, the Census Bureau has provided inadequate justifications for declining to make these individuals available to the Committee.

The 2020 Decennial Census is the largest and most complex in history. You have testified under oath that the Census Bureau has undertaken a decade of field-tested preparation to ensure an accurate and complete count,³ but that the coronavirus pandemic has added "unprecedented" operational difficulties to the Census Bureau's mission.⁴

¹ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to Dr. Steven Dillingham, Director, U.S. Census Bureau (Aug. 4, 2020) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-08-04.CBM%20to%20Dillingham%20re%20Transcribed%20Interviews.pdf>).

² Letter from Dr. Steven Dillingham, Director, U.S. Census Bureau, to Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform (Aug. 7, 2020) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/documents/Response%20to%20Chairwoman%20Maloney%20Aug%208%202020.pdf>).

³ Committee on Oversight and Reform, *Hearing with Census Bureau Director, Dr. Steven Dillingham* (Feb. 12, 2020) (online at www.govinfo.gov/content/pkg/CHRG-116hrg39929/pdf/CHRG-116hrg39929.pdf).

⁴ Committee on Oversight and Reform, *Hearing on Counting Every Person: Safeguarding the 2020 Census Against the Trump Administration's Unconstitutional Attacks* (July 29, 2020).

On April 13, 2020, you and Commerce Secretary Wilbur Ross warned that extensions to various statutory deadlines were necessary “to ensure the completeness and accuracy of the 2020 census.”⁵ That same day, Secretary Ross informed several Members of Congress, including me, that the Trump Administration was planning to push the deadline for field operations from July 21, 2020, to October 31, 2020. He also sought legislation to extend the statutory deadline to deliver apportionment data to the President from December 31, 2020, to April 30, 2021, and an extension in the statutory deadline to deliver redistricting data to the states from March 30, 2021, to July 31, 2021.

Subsequent statements by Census Bureau officials underscored the urgency of these legislative changes. On May 26, 2020, Tim Olson, Associate Director for Field Operations, said publicly: “We have passed the point where we could even meet the current legislative requirement of December 31. We can’t do that anymore.”⁶

The Committee has worked in good faith to accommodate the Trump Administration’s request. On April 18, 2020, the Census Bureau provided proposed legislative language for securing the statutory extensions. The Committee included extension provisions in the HEROES Act (H.R. 6800), which the House of Representatives passed on May 15, 2020.

In a stark reversal, on August 3, 2020, you announced that the Census Bureau will cut short follow-up operations by a full month, despite significant delays in starting follow-up operations because of the coronavirus pandemic. You also announced that, with respect to the reporting requirement, the Census Bureau would aim to meet “our statutory deadline of December 31, 2020, as required by law and directed by the Secretary of Commerce.”⁷ These reversals were announced after President Trump installed two additional political appointees at the Census Bureau—for a total of six political appointees, which is more than the Census Bureau has had in decades.⁸

At the same time, the Trump Administration has proposed significant changes to the Census Bureau’s methodology and field operations. On July 21, 2020, President Trump issued a memorandum ordering the Secretary of Commerce to provide information that would allow him to exclude undocumented immigrants from the apportionment count. At the Committee’s July

⁵ U.S. Census Bureau, *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* (Apr. 13, 2020) (online at www.census.gov/newsroom/press-releases/2020/statement-covid-19-2020.html).

⁶ *Republicans Signal They’re Willing to Cut Census Counting Short*, National Public Radio (July 28, 2020) (online at www.npr.org/2020/07/28/895744449/republicans-signal-theyre-willing-to-cut-short-census-counting).

⁷ U.S. Census Bureau, *Statement from U.S. Census Bureau Director Steven Dillingham: Delivering a Complete and Accurate 2020 Census Count* (Aug. 3, 2020) (online at www.census.gov/newsroom/press-releases/2020/delivering-complete-accurate-count.html).

⁸ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, et al., to Wilbur L. Ross, Jr., Secretary, Department of Commerce (July 13, 2020) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2020-07-13.CBM%20Gomez%20Raskin%20Connolly%20Clarke%20to%20Ross-DOC%20re%20Cogley%20and%20Korzeniewski.pdf>).

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29, 2020, hearing, you testified that this directive came without any discussions or input from you—despite the fact that the memorandum seeks to change a highly sensitive and apolitical task that the Census Bureau has historically performed.⁹

The Committee is seeking interviews with Census Bureau staff to understand these current—and ongoing—efforts to change timelines and methodologies midstream, and what impact these changes will have on the accuracy, objectivity, and completeness of the Census. The Committee is also seeking to understand how and when these changes were proposed, as well as what role career Census Bureau officials played in these moves, in order to inform our legislative efforts on these matters.

This is an urgent matter that requires immediate compliance. The Trump Administration announced these unprecedented actions—which are projected to have a direct impact on the completeness and accuracy of the census count—just weeks before the end of the Census. Our investigation is critical to ensuring that the 2020 Census adheres to the constitutional requirement to enumerate every person.

For all of these reasons, I respectfully urge you to make these officials available to the Committee on a voluntary basis. Please confirm by close of business on August 14, 2020, whether you will cooperate with the Committee’s investigation or whether the Committee should secure these officials’ appearance through compulsory measures.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. In addition, the Committee has jurisdiction over “Population and demography generally, including the Census.”¹⁰

Sincerely,



Carolyn B. Maloney
Chairwoman

Enclosure

cc: The Honorable James R. Comer, Ranking Member

⁹ Committee on Oversight and Reform, *Hearing on Counting Every Person: Safeguarding the 2020 Census Against the Trump Administration’s Unconstitutional Attacks* (July 29, 2020).

¹⁰ House rule X, clause 1(n)(8).