

Congress of the United States
Washington, DC 20515

The Honorable Wilbur L. Ross, Jr.
Secretary
U.S. Department of Commerce
1401 Constitution Avenue NW
Washington, D.C. 20230

June 28, 2018

Dear Secretary Ross:

We write with serious concerns about the contradictory and misleading statements made by you and other members of the Trump Administration to Congress regarding the process behind the decision to add a citizenship question to the 2020 decennial census questionnaire.

On June 21, you filed a supplemental memorandum in the case of *States of New York et al. v. United States Department of Commerce et al.*, which states that you began considering the inclusion of a citizenship question shortly after your appointment as Secretary of Commerce in February 2017. Additionally, your memo asserts that you and your staff internally discussed adding a question on citizenship that had been proposed by other “senior Administration officials” and that you “inquired whether the Department of Justice would support, and if so request, inclusion of a citizenship question as consistent with and useful for enforcement of the Voting Rights Act.”

This memorandum contradicts sworn testimony delivered to Congress by you and other Trump Administration officials. For instance, before the House Appropriations Committee on March 20, 2018, you stated that the Department of Commerce was “responding solely to the Department of Justice’s request.” Two days later, before the House Ways and Means Committee, you testified that the Department of Justice “initiated the request” for a question on citizenship. On May 8, 2018, Earl Comstock, the Department’s Director of Policy and Strategic Planning, told the House Oversight Committee that the Department was “asked, made a valid request by a government agency” that “went through [your] normal process,” and again, two days later, you testified to the Senate Appropriations Committee: “The Justice Department is the one who made the request of us.”

Furthermore, the release of internal emails from the Department of Commerce show that you and Kansas Secretary of State Kris Kobach discussed the idea of a citizenship question at the behest of former White House Chief Strategist Steve Bannon. At that time, Mr. Kobach made no mention of the Voting Rights Act but rather expressed concern that “aliens who do not actually reside in the United States are still counted.” As you know, Article 1, Section 2 of the Constitution and the 14th Amendment make clear that the census is intended to count all people residing in the United States, both citizens and non-citizens alike.

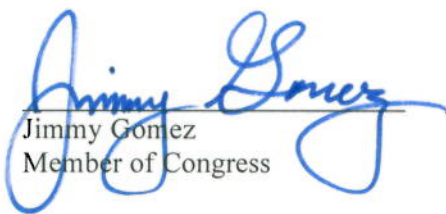
Given these glaring contradictions between Administration testimonies and recently released internal communications, we ask that you respond to the following questions for the purpose of clarifying the origination, intention, and justification of adding a citizenship question to the census.

1. Who were the other senior Administration officials who proposed adding a citizenship question?
2. Who did you consult with, both inside or outside the Administration, about the addition of a citizenship question and when did these discussions take place?

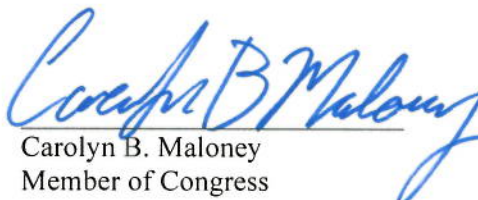
3. Why did you testify before the House Ways and Means Committee on March 22, 2018, that DOJ had "initiated the request" for a citizenship question when your supplemental memo clearly states that you initiated that discussion with DOJ?
4. Did the rationale for the citizenship question being necessary for enforcement of the Voting Rights Act originate within the Department of Commerce or the Department of Justice?

We ask that you provide responses to these questions immediately, as this matter is most urgent. We remain deeply concerned that a citizenship question will lead to an inaccurate count and have detrimental consequences for our country. With so much at stake, we must be able to obtain truthful information from the Commerce Department about how this decision was made. Thank you in advance for your timely response.

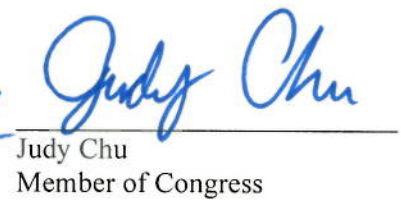
Sincerely,



Jimmy Gomez
Member of Congress



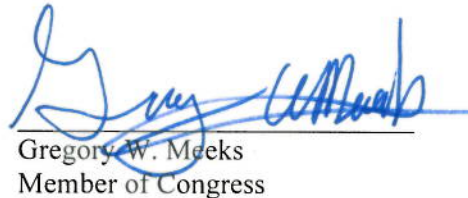
Carolyn B. Maloney
Member of Congress



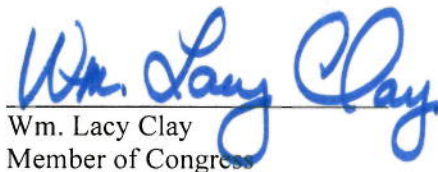
Judy Chu
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José E. Serrano
Member of Congress



Gregory W. Meeks
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Wm. Lacy Clay
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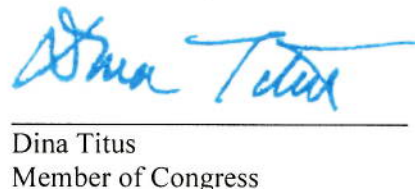
Bobby L. Rush
Member of Congress



Frank Pallone, Jr.
Member of Congress



Steve Cohen
Member of Congress



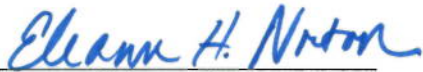
Dina Titus
Member of Congress



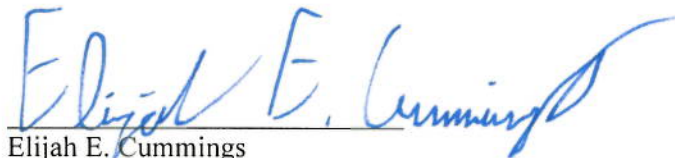
Bill Pascrell, Jr.
Member of Congress



Ted Deutch
Member of Congress



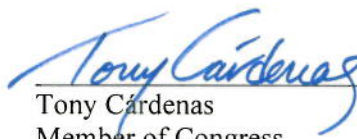
Eleanor Holmes Norton
Member of Congress



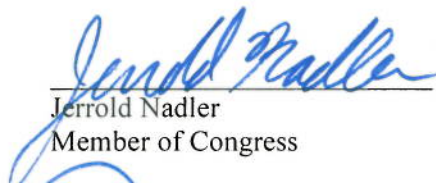
Elijah E. Cummings
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Zoe Lofgren
Member of Congress



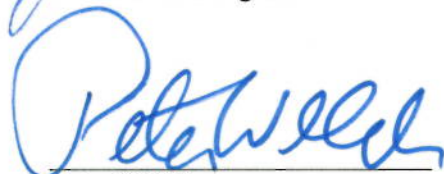
Tony Cardenas
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Jerrold Nadler
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Nydia M. Velázquez
Member of Congress



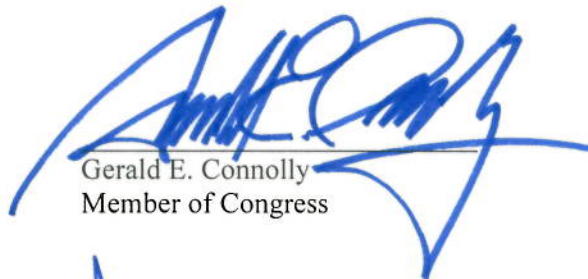
Peter Welch
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Jamie Raskin
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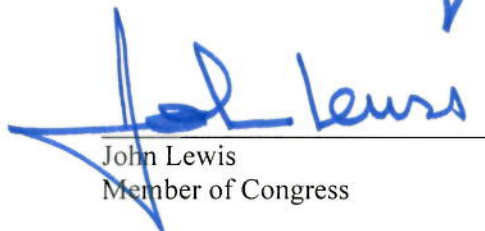
Grace Meng
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Gerald E. Connolly
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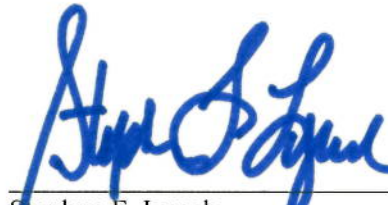
Nanette Diaz Barragán
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Filemon Vela
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Stephen F. Lynch
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Brenda L. Lawrence
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Lucille Roybal-Allard
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Debbie Dingell
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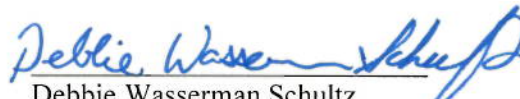

Grace F. Napolitano
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Yvette D. Clarke
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Albio Sires
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Alcee L. Hastings
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Keith Ellison

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Frederica Wilson

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Henry C. "Hank" Johnson, Jr.

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Carol Shea-Porter

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Colleen Hanabusa

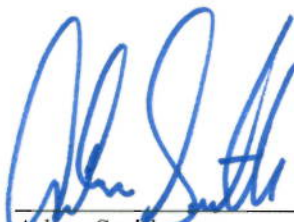
Colleen Hanabusa
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Jerry McNerney

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