

Amendment to the Chairman's Mark

Offered by Representatives Jayapal, Yarmuth, Lee, Lujan Grisham, Higgins, DelBene, Wasserman Schultz, Khanna, Carbajal, Jackson Lee, and Schakowsky

Ensuring an Accurate Decennial Census Count

1. At the end of Title V, add the following:

“POLICY STATEMENT ON ENSURING AN ACCURATE DECENNIAL CENSUS COUNT

(a) FINDINGS. — The House finds the following:

- (1) Article I, Section 2 of the United States Constitution creates the United States House of Representatives and includes the “Enumeration Clause” mandating a full count of all persons in the United States every ten years. This decennial process, the Census, serves a critical role in our democracy because the full counting of all persons determines everything from the apportionment of representatives, to the distribution of federal dollars, to decisions made by state and local governments, as well as businesses, throughout the country.
- (2) The decennial census determines the apportionment of seats in the House of Representatives for each State. The constitution requires that each State have at least one representative. In 1929, the House passed the Permanent Apportionment Act, which fixed the size of the House of Representatives at 435 members. After the conclusion of each census, a method known as “the method of equal proportions” allocates the remaining 385 seats using a mathematical formula that ranks states by their population.
- (3) A fair apportionment of seats for the House of Representatives only occurs if the census is complete and accurate. Even a minor miscount makes a difference. Following the 2010 census, Minnesota received the 435th seat, meaning that North Carolina missed gaining a 14th seat by only 15,754 people – or 0.005 percent of the entire US population.
- (4) An incorrect apportionment resulting from an inaccurate or incomplete census also influences the election of the President of the United States. The number of electors each state receives for the Electoral College is determined by adding the number of seats in the House of Representatives plus the number of Senators from each state.

- (5) An accurate census count also ensures that states and localities receive the federal funding they need and are entitled to in order to serve their residents. The Bureau of the Census reported that 132 programs used Census Bureau data to distribute more than \$675 billion in federal funds during fiscal year 2015. These programs include education funding, medical assistance, grants for rural areas, and nutrition assistance for school-age children.
- (6) Census data informs key decisions made by state and local governments as well as new and existing businesses. Census data provides critical information for state emergency preparedness agencies to evaluate how vulnerable people and businesses in given areas are to major weather events. New businesses rely on census data to determine where to open a new shop, while existing businesses utilize the data to identify potential customers and determine if their current models maximize potential business opportunities.
- (7) As a consequence of the high cost of conducting the 2010 Census, the Census Bureau developed a comprehensive plan for the 2020 Census, which if fully implemented would save \$5 billion as compared to its original projected cost. This plan includes new technologies and methods of collection, including, for the first time, asking the majority of households to respond to the census online.
- (8) Achieving the desired savings for the 2020 Census required upfront investments by the agency in developing and testing new technologies in order to avoid more expensive collection methods later in the process. However, Congress underfunded the early years of the 2020 Census. From 2012 through 2016 the 2020 Census received over \$200 million less than the agency requested.
- (9) For 2018, President Trump requested \$1.5 billion for the Census Bureau, approximately the same level as 2017 and a woefully insufficient amount given the increased level of preparation needed just two years in advance of the census. Congress ultimately approved \$2.5 billion for the Census Bureau for 2018, an increase of 112% over 2017.
- (10) Continually underfunding the early years of the 2020 Census already forced the Census Bureau to revise the total cost from \$12.5 billion to \$15.6 billion. Additionally, underfunding forced the cancellation of two of the three end-to-end field tests, severely limiting the Bureau's ability to fully test new technologies and data collection methods for the variety of household circumstances that exist across the country.
- (11) The Government Accountability Office (GAO) rates the 2020 Census as "high risk". According to GAO, the Census Bureau implemented only six of the 30 recommendations for a more cost-effective and efficient census as of January 2017. GAO found that the Census Bureau needs to "strengthen the

management and oversight of all IT programs, systems, and contractors.” Although 44 IT systems are required for the only 2018 end-to-end field test, GAO found only eight of those systems have been fully tested and deployed.

(12) In March of 2018, the Department of Commerce announced that the 2020 Census would, for the first time since 1950, ask households whether their members were US citizens. As a result, 18 states have sued the Department to prevent the inclusion of this question, over 160 mayors from both parties wrote Secretary Ross requesting removal of the question, and several former Census directors warned about the risks and costs associated with including a citizenship question.

(13) The Census Bureau decided to include this question, despite its own research indicating that asking about citizenship could deter people from responding to the survey. Without a full response, communities already vulnerable to undercounting face further risk of marginalization. Hispanic and African-American communities are historically undercounted – to the tune of 2 percent in 2010. When communities are undercounted, they lose out on representation, federal funding, and data that can help those communities grow and thrive economically.

(b) POLICY ON ENSURING AN ACCURATE DECENNIAL CENSUS COUNT. — It is the policy of this resolution that Congress ensure a complete, fair, and accurate count of the population during the 2020 census by:

- (1) Prohibiting the 2020 census from asking households about citizenship;
- (2) Providing adequate funding every year for the upcoming 2020 decennial census; and,
- (3) Conducting full and rigorous oversight of the Census Bureau in the lead up to the 2020 census.

2. Amend the committee report to reflect the following policy assumptions:

The resolution supports prohibiting the census from asking households about citizenship status, fully funding the 2020 decennial census, and conducting rigorous congressional oversight of the Census Bureau to ensure a complete, fair, and accurate census.