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**President and CEO**

Maya Wiley

November 19, 2025

Dear Majority Leader Thune, Minority Leader Schumer, Speaker Johnson, Minority Leader Jeffries, Chair Collins, Vice Chair Murray, 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 48 undersigned organizations, we write to highlight several essential issues affecting the success of the 2030 Census and availability of useful, accurate Census Bureau data to guide policymaking, as you finalize the Fiscal Year 2026 Commerce, Justice, and Science (CJS) Appropriations bill (as a stand-alone measure or part of an omnibus package):

1. We urge funding for the Census Bureau at or above the amount requested in the president's budget and allocated in the House Appropriations Committee CJS mark: \$1.6765 billion.
2. Conferees must exclude section 556 of the House CJS bill. The directive to exclude undocumented immigrants from the congressional apportionment base would violate the U.S. Constitution and dash any chance for an accurate census in all states.
3. Conferees must also exclude section 605 of the House CJS bill. This provision would limit attempts to collect data from households for the census and surveys to two inquiries. The effect on data quality and accuracy would be catastrophic.

**I. Full funding for the Census Bureau is essential to keep robust 2030 Census planning on track.**

Sound investments now will help to ensure the future success and cost efficiency of the 2030 Census. An insufficient funding level for the Census Bureau will disrupt census 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. It also would diminish efforts to strengthen other vital Census Bureau surveys that produce data on which public and private sector decisionmakers (including members of Congress) rely every day. For example, the American Community Survey (ACS), the ongoing part of the decennial census, is a trusted source of accurate and regularly updated 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,

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even as Congress itself relies on ACS data to allocate trillions of federal assistance dollars annually to states, localities, and families.

FY 2026 is particularly pivotal in the ramp-up to the 2030 Census, as the Census Bureau prepares to conduct the 2026 Census Test, the *only* large-scale field test of outreach, methodological, and operational improvements for the next census before the dress rehearsal in 2028. A robust 2026 Census Test is essential to ensuring the accuracy of the 2030 Census and containing overall costs, goals that Congress supports on a bipartisan basis. The window of opportunity to research methods to reach groups at risk of being missed, including renters and young children, as well as increasingly distrustful population groups in rural areas and low-income neighborhoods, on American Indian reservations, and in Black, Hispanic, and other historically undercounted communities, will close soon.

## **II. The U.S. Constitution requires a count of all *persons* living in the U.S. for apportionment purposes.**

Section 556 of the House Appropriations Committee CJS mark cannot remain in a final FY 2026 bill. Every census since the first enumeration in 1790 has included citizens and non-citizens for the purpose of congressional apportionment. Section 556 would require the Census Bureau to exclude undocumented persons living in the United States from the tabulation of state population 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 556 cannot be overcome, it is worth noting that asking about immigration status on the census questionnaire — which would be required to meet such a directive — is unnecessary and 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 used for many non-apportionment purposes in every state and community. We strongly urge you to remove section 556 from the final FY 2026 CJS appropriations bill.

## **III. Limiting household contacts in the census and surveys would result in unreliable and unusable data that guides critical decision-making in all sectors.**

Section 605 of the House Appropriations Committee CJS mark limits contact with households to two "inquiries," significantly restricting the Census Bureau's ability to collect information from households and businesses that do not respond quickly to censuses and other surveys. If enacted, section 605 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.* Equally alarming, 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. Valuable socio-economic data for smaller population groups, such as people with disabilities and veterans, also could be curtailed. In short, section 605 would force the Census

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Bureau to stop contacting households and businesses after two attempts to secure a response in every census and survey, no matter how low the initial response rate. The enactment of section 605 would result in lower response rates for Census Bureau surveys, thereby disrupting the collection of foundational statistics that support our democratic institutions 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 informed private sector decision-making and the prudent allocation of federal program funds to every state, county and city, and community in the country.

For these reasons, we strongly urge any final Fiscal Year 2026 CJS package to ensure Census Bureau funding that matches or exceeds the president's budget request and the House mark of \$1.6765 billion and excludes sections 556 and 605 of the House CJS appropriations mark. Thank you for considering our views as Congress moves towards completing the FY 2026 appropriations cycle.

Sincerely,

The Leadership Conference on Civil and Human Rights  
Asian Americans Advancing Justice | AAJC  
NALEO Educational Fund

AFL-CIO  
AFT  
American Civil Liberties Union  
American Federation of State County and Municipal Employees  
Arab American Institute (AAI)  
Arkansas Advocates for Children and Families  
Arkansas Community Action Agencies Association, Inc.  
Arkansas Community Organizations  
Arkansas United  
Asian and Pacific Islander American Vote (APIAVote)  
Association of Population Centers  
Association of Public Data Users  
CA Black Power Network  
Cairn RE Holdings  
Caring Across Generations  
Catalyst of San Diego & Imperial Counties  
Citizens' Committee for Children of New York  
Coalition on Human Needs  
CommunicationFIRST  
Equality California  
Fair Count Inc  
Families USA  
First Focus Campaign for Children  
Generations United  
Government Information Watch

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Groundworks New Mexico  
Hispanic Community Services, Inc.  
Impact Fund  
Japanese American Citizens League  
League of United Latin American Citizens (LULAC)  
League of Women Voters of the United States  
MACS 2030 - Minnesotans for the ACS and 2030 Census  
Maine Children's Alliance  
Meals on Wheels America  
Movement Advancement Project  
National Council of Asian Pacific Americans  
National Council of Jewish Women  
National Redistricting Foundation  
National Urban League  
National Women's Law Center  
Pennsylvania Partnerships for Children  
PIVOT-- The Progressive Vietnamese American Organization  
Population Association of America  
Prison Policy Initiative  
Project 70Forward  
Public Advocacy for Kids (PAK)  
Silver State Equality  
Union for Reform Judaism