

Congress of the United States

Washington, DC 20515

June 1, 2020

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

Dear Secretary Ross:

We write regarding the Administration's request to Congress for legislation to delay current 2020 Census related statutory deadlines for delivering 2020 Census apportionment counts to the President and redistricting data to the states by four months. While we understand the need to adjust the Census deadlines and support accommodating this request under certain conditions, we are concerned about the impacts that these delays will have on efforts by the Commonwealth of Virginia to draw new state legislative districts before the 2021 elections. We request that the Department of Commerce and the Census Bureau work directly with Virginia and prioritize delivery of redistricting data to Virginia so the Commonwealth can complete the redistricting process on a timeline that allows new districts to be drawn for the 2021 primary elections.

On April 13, 2020, the Administration announced that, as a result of the coronavirus outbreak, it plans to delay all Census field operations until June 1, 2020, and plans to complete the count on October 31, 2020 – a delay of about three months.¹ Additionally, the Administration is seeking legislation from Congress to delay current statutory deadlines by four months:

- The Administration seeks to delay the deadline to deliver apportionment counts to the President from December 31, 2020, to April 30, 2021, and
- The Administration seeks to delay the deadline to deliver redistricting data to the states from March 31, 2021, to July 31, 2021.

Census Director Stephen Dillingham briefed the Committee on Oversight and Reform on April 27, 2020 and on the impact of the coronavirus on 2020 Census operations and informed Committee Members that the Census Bureau is “working with counterparts in state offices” to determine which states need to take legislative action delaying the re-drawing of political maps.² The HEROES Act (H.R. 6800) passed by the House of Representatives on May 15, 2020 includes a provision implementing the Administration's request to delay publication of apportionment and state redistricting data by 120 days. The Fair and Accurate Census Act (H.R. 7034) recently introduced by Committee on Oversight and Reform Chairwoman Carolyn Maloney and co-sponsored by the Chairman of the Government Operations Subcommittee, Gerald E. Connolly, also offers similar provisions. The legislation encourages the Administration to work with states that require population data ahead of July 31, 2021 in order to complete their redistricting processes.

¹ United States Census 2020, *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 <https://2020census.gov/en/news-events/press-releases/statement-covid-19-2020.html>).

² House Committee on Oversight and Reform, *Census Director Briefs Committee on Impact of Coronavirus on Census* (Apr. 27, 2020) (online at <https://oversight.house.gov/news/press-releases/census-director-briefs-committee-on-impact-of-coronavirus-on-census>).

If the Administration's request is enacted by Congress and the Administration does not take steps to expedite population data for Virginia, the Commonwealth will face significant challenges as a result of delayed redistricting data. Virginia currently has primary elections scheduled for June 8, 2021. If redistricting data is not delivered until July 31, 2021, Virginia will be unable to complete the redistricting process in time even to hold delayed primaries before the November 2, 2021 general elections. We seek your assurance that the Census Bureau will continue to produce those data on a rolling basis and will work with Virginia on its redistricting process.

For these reasons we ask that you respond to the following questions by June 12, 2020.

1. What steps is the Department of Commerce taking to keep states informed of 2020 Census delays due to impacts of the coronavirus?
2. If the Administration's request to delay publication of redistricting data is granted, will the Department of Commerce deliver redistricting data to states on a rolling basis?
3. Does the Department of Commerce plan to prioritize the delivery of redistricting data to Virginia?
4. How is the Department of Commerce working with Virginia to ensure that the states will be able to complete redistricting in time for the 2021 elections if there is a delay in delivering redistricting data to the states?
5. What steps will the Department of Commerce take to ensure that redistricting data is delivered as soon as possible to Virginia?

Thank you for your prompt attention to this matter.

Sincerely,



Gerald E. Connolly
Member of Congress

Robert J. Wittman
Member of Congress

Donald S. Beyer Jr.
Member of Congress

Ben Cline
Member of Congress

Denver Riggleman
Member of Congress

Jennifer Wexton
Member of Congress

Robert C. "Bobby" Scott
Member of Congress

H. Morgan Griffith
Member of Congress

A. Donald McEachin
Member of Congress

Elaine G. Luria
Member of Congress

Abigail D. Spanberger
Member of Congress

The Honorable Wilbur L. Ross Jr.

Page 3

cc: The Honorable Stephen Dillingham
Director, U.S. Census Bureau