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Women & Families
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Religious Action Center of
Reform Judaism
Service Employees International Union
Sikh Coalition
UnidosUS

President and CEO

Maya Wiley

August 21, 2025

Dear Senator,

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 undersigned organizations, **we urge you to vote NO on S. 2205, the Equal Representation Act.** This bill threatens the integrity of the 2030 Census, violates clear constitutional mandates, and would distort congressional representation, federal funding decisions, the fair allocation of political power, and the essential data communities rely on for planning schools, hospitals, infrastructure, emergency services, and civil rights enforcement for the next decade and beyond.

S. 2205 would discourage census response, resulting in misallocation of federal funding, and poor data quality to protect civil rights, determine fair political representation, and public and private sector planning. S. 2205 would require the Census Bureau to add a citizenship question to the decennial census questionnaire. This new question would discourage many households, especially those with immigrants and mixed immigration status¹, from responding fully and accurately out of fear, anxiety or confusion about how their information might be used. Furthermore, the resulting undercount would have adverse consequences well beyond immigrant families. *All communities* depend on accurate census data not only to secure their fair share of more than \$2.8 trillion each year in federal funding for schools, hospitals, infrastructure, emergency services, and more, but also to plan local services, guide business investment, enforce civil rights protections, and ensure fair political representation at every level of government. *An inaccurate count affects everyone and every community.*

S. 2205 is an unlawful effort to undermine the constitutional mandate to count all residents for reapportionment. S. 2205 seeks to fundamentally alter how congressional seats are apportioned by excluding noncitizens from the population totals used for reapportionment. This proposal directly conflicts with the U.S. Constitution's Fourteenth Amendment, which clearly requires that House seats be allocated based on the whole number of persons residing in each state, not just citizens. The framers of the Fourteenth Amendment explicitly considered and rejected limiting apportionment to citizens alone, choosing instead to guarantee fair representation for every person living in the United States.

¹ A mixed immigration status household is one where members have different immigration or citizenship statuses. For example, some individuals may be U.S. citizens or lawful permanent residents, while others may be undocumented immigrants or hold temporary legal status.

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Attempting to override this constitutional requirement by statute is unlawful and would require a constitutional amendment, not the passage of this misguided legislation.

Together, these provisions would suppress census participation, distort population counts, and silence entire communities. An inaccurate census would weaken the fairness and effectiveness of our democracy and divert critical resources away from where they are needed most. These consequences would harm everyone, regardless of citizenship and where they live, and undermine our nation's ability to make informed policy decisions.

At a time when trust in government and our democratic institutions is already fragile, Congress must protect the scientific integrity, constitutional foundation, and nonpartisan nature of the census, not politicize it. We urge you to stand up for a fair and accurate count, defend our Constitution's requirement, and ensure that every person is counted and every community has a voice.

For these reasons, we strongly urge you to reject this harmful legislation and vote NO on S. 2205.

Thank you for your leadership and your commitment to safeguarding the promise of equal representation for all. If you have any questions, please contact Meeta Anand, senior program director of census and data equity at The Leadership Conference on Civil and Human Rights, at anand@civilrights.org.

Sincerely,

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

AFFA Action
AKPIRG
American Civil Liberties Union
Arab American Institute (AAI)
Arkansas Black Gay Men's Forum
Asian & Pacific Islander American Health Forum
Asian and Pacific Islander American Vote (APIAVote)
Autistic People of Color Fund
Bridgercare
California Black Power Network
Catalyst of San Diego & Imperial Counties
Church World Service
Civic Nebraska
Coalition on Human Needs
Common Cause
CommunicationFIRST
Connecticut Voices for Children
Equality California
Fair Count Inc

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First Focus Campaign for Children
Forefront
Funders' Committee for Civic Participation (FCCP)
GALEO & GALEO Impact Fund
Government Information Watch
Grantmakers Concerned with Immigrants and Refugees
Human Services Council of NY
Impact Fund
Interfaith Coalition on Immigration (ICOM)
Japanese American Citizens League
Labor Council for Latin American Advancement
LatinoJustice PRLDEF
League of United Latin American Citizens (LULAC)
League of Women Voters of the United States
Minnesota Council on Foundations
Minnesota Council on Latino Affairs (MCLA)
Missoula Food Bank & Community Center
Montana Nonprofit Association
Montanans for Choice Take Action
Movement Advancement Project
National Education Association
National Redistricting Foundation
NC Counts Coalition
Philanthropy California
Project On Government Oversight
Public Advocacy for Kids (PAK)
SC COUNTS
Silver State Equality
Southeast Asia Resource Action Center (SEARAC)
Southern Poverty Law Center
State Voices
The Funders Network
Tori Matejovsky
VOICES for Alabama's Children