

**Congress of the United States**  
**Washington, DC 20515**

July 13, 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 are writing to object to the Trump Administration's continued efforts to politicize the Census—this time by installing a record number of President Trump's political appointees at the upper echelons of the Census Bureau, which historically has been run by a cadre of career, non-partisan experts.

The Census is one of the most fundamental obligations of the federal government enshrined in the Constitution. For decades, the Census Bureau has been run by more than 4,000 career staff and has had no more than five political appointees.<sup>1</sup> However, on June 23, Census Bureau Director Steven Dillingham announced that the Administration had placed two more highly partisan political appointees into the upper management of the Census Bureau, bringing the total number of political appointees at the Census Bureau to six. The Census Bureau's press release stated that these new political appointees, Nathaniel Cogley and Adam Korzeniewski, were brought in to "help the Census Bureau achieve a complete and accurate 2020 Census, and

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<sup>1</sup> For example, the Census Bureau had one political appointee during the Carter Administration, five political appointees during the Reagan Administration, four political appointees during the George H.W. Bush Administration, four political appointees during the Clinton Administration, three political appointees during the George W. Bush Administration, and four political appointees during the Obama Administration. See Committee on Post Office and Civil Service, *Policy and Supporting Positions*, 96th Cong. (Nov. 18, 1980) (online at <https://babel.hathitrust.org/cgi/pt?id=pst.000055820981&view=1up&seq=1&q1=census>); Senate Committee on Governmental Affairs, *Policy and Supporting Positions*, 98th Cong. (Dec. 31, 1984) (online at <https://babel.hathitrust.org/cgi/pt?id=pst.000013586263&view=1up&seq=1&q1=census>); Committee on Post Office and Civil Service, *Policy and Supporting Positions*, 100th Cong. (Nov. 9, 1988) (online at <https://babel.hathitrust.org/cgi/pt?id=pst.000014268632&view=1up&seq=1&q1=census>); Senate Committee on Governmental Affairs, *Policy and Supporting Positions*, 106th Cong. (Nov. 8, 2000) (online at [www.govinfo.gov/app/details/GPO-PLUMBOOK-2000/context](http://www.govinfo.gov/app/details/GPO-PLUMBOOK-2000/context)); Committee on Government Reform, *Policy and Supporting Positions*, 108th Cong. (Nov. 22, 2004) (online at [www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2004/pdf/GPO-PLUMBOOK-2004.pdf](http://www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2004/pdf/GPO-PLUMBOOK-2004.pdf)); Senate Committee on Homeland Security and Governmental Affairs, *Policy and Supporting Positions*, 110th Cong. (Nov. 12, 2008) (online at [www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2008/pdf/GPO-PLUMBOOK-2008.pdf](http://www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2008/pdf/GPO-PLUMBOOK-2008.pdf)); Committee on Oversight and Government Reform, *Policy and Supporting Positions*, 112th Cong. (Dec. 1, 2012) (online at [www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2012/pdf/GPO-PLUMBOOK-2012.pdf](http://www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2012/pdf/GPO-PLUMBOOK-2012.pdf)); and Senate Committee on Homeland Security and Governmental Affairs, *Policy and Supporting Positions*, 114th Cong. (Dec. 1, 2016) (online at [www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2016/pdf/GPO-PLUMBOOK-2016.pdf](http://www.govinfo.gov/content/pkg/GPO-PLUMBOOK-2016/pdf/GPO-PLUMBOOK-2016.pdf)).

study future improvements” and that “it is imperative that we consider public, private, and not-for-profit sector needs for relevant and quality data.”<sup>2</sup>

According to press reports, since their arrival at the Census Bureau, Mr. Koreniewski and Mr. Cogley have “repeatedly questioned the need for census operations that focus on accurately counting the nation’s hardest-to-reach residents.”<sup>3</sup>

The Trump Administration has failed to adequately set forth its motives for this action, identify the specific needs it is trying to address, explain why it needs more political appointees running the Census than previous Administrations, or justify why the American taxpayers should be forced to pay for these partisan appointees running what should be an ideologically neutral count of the people in our country.

Unfortunately, this is only the latest example of the Trump Administration’s politicization of the Census. Your campaign to add a citizenship question to the Census was struck down by the Supreme Court as unlawful. The Court found that the rationale you offered for adding the citizenship question—and which was advanced in a letter from the Justice Department to the Census Bureau on December 12, 2017—was a “pretext” and “contrived.”<sup>4</sup>

Experts at the Census Bureau warned that the citizenship question would depress the actual count and result in a less accurate enumeration. On January 19, 2018, only days after the Department of Justice made its baseless request to add the citizenship question, the Census Bureau’s Chief Scientist, Dr. John Abowd, wrote to you that “adding a citizenship question to the 2020 census” is “very costly, harms the quality of the census count, and would use substantially less accurate citizenship status data than are available from administrative sources.”<sup>5</sup>

In addition, the House of Representatives held you in contempt of Congress on July 17, 2020, as a result of your refusal to produce documents subpoenaed by the Oversight Committee regarding your efforts to unlawfully add the citizenship question. The House found that you and Attorney General William Barr “obstructed and delayed the Committee’s investigation by defying lawful subpoenas for documents issued by Chairman Elijah E. Cummings and authorized by the Committee in a bipartisan vote.” Your actions left the Committee no choice but to pursue contempt proceedings and seek enforcement of the subpoenas in order to uphold the House’s duties under the Constitution.<sup>6</sup>

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<sup>2</sup> Census Bureau, *Statement from Census Bureau Director Dr. Steven Dillingham* (June 23, 2020) (online at [www.census.gov/newsroom/press-releases/2020/statement-new-staff.html](http://www.census.gov/newsroom/press-releases/2020/statement-new-staff.html)).

<sup>3</sup> *Census Bureau Adds Top-Level Political Posts, Raising Fears for 2020 Count*, New York Times (June 23, 2020) (online at [www.nytimes.com/2020/06/23/us/census-bureau-cogley-korzeniewski.html](http://www.nytimes.com/2020/06/23/us/census-bureau-cogley-korzeniewski.html)).

<sup>4</sup> *Dept. of Commerce., v. New York*, 139 S. Ct. 2551 (2019).

<sup>5</sup> Memorandum from John Abowd, Chief Scientist, Census Bureau, to Secretary Wilbur L. Ross, Jr., Department of Commerce (Jan. 19, 2018).

<sup>6</sup> See Committee on Oversight and Reform, *Resolution Recommending that the House of Representatives Find William P. Barr, Attorney General of the United States, and Wilbur L. Ross, Jr., Secretary of Commerce, In*

Despite your refusal to comply with the Committee's duly-authorized subpoena, the Committee was able to obtain information from other sources indicating that GOP strategist Thomas Hofeller played a crucial role in your effort to add the citizenship question, writing in a study leading up to the 2016 election that adding the citizenship question "would be advantageous to Republicans and Non-Hispanic Whites."<sup>7</sup>

Even more troubling, the two individuals appointed to the Census Bureau, Mr. Korzeniewski and Mr. Cogley, have engaged in highly partisan—and in some cases extremely questionable—activities that make them unsuitable for positions running the Census Bureau or executing the 2020 Census.

For example, last year Mr. Koreniewski was a paid political consultant for Joseph Saladino, a YouTube personality with a history of racist depictions of Black people and other extremely troubling activity.<sup>8</sup> As one recent news report explained:

Joseph Saladino, better known as Joey Salads online, has been permanently suspended from Twitter. A Twitter spokesperson told the Daily Dot that "the account was permanently suspended for repeated violations of our platform manipulation and spam policy." Over the past few years, Saladino has transitioned from prank YouTube channel to a more political voice, responding to tweets from President Trump and other Republican influencers. ...

In 2016 Saladino released a series of videos showcasing faked pranks including getting attacked and robbed by fake "Bernie supporters."

One of his most scandalous videos happened in 2016, when Saladino asked a group of young black men to come beat up a car covered in Trump stickers. He claimed in the video that this was unprovoked and that "the black community is very violent towards Trump and his supporters." Saladino later admitted that the whole thing was a hoax and that he "thought (he) could get away with it," according to the BBC.<sup>9</sup>

In addition, according to his personal website, Mr. Cogley is a political scientist most recently serving as the Head of the Department of Government, Legal Studies, & Philosophy at

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*Contempt of Congress for Refusal to Comply with Subpoenas Duly Issued by the Committee on Oversight and Reform*, 116th Cong. (2019) (H. Rept. 116-125); H. Res. 497.

<sup>7</sup> Thomas Hofeller, *The Use of Citizen Voting Age Population in Redistricting* (2015) (online at <https://assets.documentcloud.org/documents/6111284/May-31-2019-Unredacted-Exhibits.pdf>); *Deceased G.O.P. Strategist's Hard Drives Reveal New Details on the Census Citizenship Question*, New York Times (May 30, 2019) (online at [www.nytimes.com/2019/05/30/us/census-citizenship-question-hofeller.html](http://www.nytimes.com/2019/05/30/us/census-citizenship-question-hofeller.html)).

<sup>8</sup> Federal Election Commission, *Saladino For Congress* (online at <https://docquery.fec.gov/cgi-bin/forms/C00704288/1358901/sb/ALL>) (accessed on June 23, 2020).

<sup>9</sup> *Prankster Joey Salads Permanently Suspended from Twitter*, Newsweek (May 13, 2020) (online at [www.newsweek.com/prankster-joey-salads-permanently-suspended-twitter-1503755](http://www.newsweek.com/prankster-joey-salads-permanently-suspended-twitter-1503755)).

Tarleton State University in Stephenville, Texas.<sup>10</sup> His recent publications include several op-eds in the *Washington Examiner* criticizing the House of Representatives' impeachment of President Trump,<sup>11</sup> and he has tweeted repeatedly about Democratic primaries.<sup>12</sup>

A successful Census depends on the Bureau's ability to conduct its activities in a professional, impartial, and non-partisan manner. For these reasons, past Administrations historically have limited the number of political appointees within the Bureau. Breaking with this precedent and installing more political appointees—particularly those with such starkly partisan backgrounds as Mr. Cogley and Mr. Korzeniewski—threatens the Bureau's responsibility to successfully execute a full, fair, and accurate 2020 Census.

For all of these reasons, we call on you to immediately withdraw these appointments, eliminate these partisan positions, and remove Mr. Cogley and Mr. Korzeniewski from the Census Bureau.

In the alternative, in order to assist the Committee in evaluating why you believe these new positions are necessary, why these responsibilities should be carried out by political appointees rather than civil servants, and why the American taxpayers should be forced to pay for their salaries, we ask that you produce the following documents by July 24, 2020:

1. Communications and documents referring or relating to the establishment of new political positions or new political appointments within the Census Bureau, including but not limited to communications among or between individuals at the Department of Commerce, the Census Bureau, the White House, and outside parties; and
2. Communications and documents referring or relating to the duties and responsibilities assigned to the new political appointees within the Census Bureau.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. In addition, the Committee has jurisdiction over “Population and demography

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<sup>10</sup> Dr. Nathaniel Terence Cogley, *About* (online at <http://nathanielcogley.com/about.html>).

<sup>11</sup> See, e.g., Nathaniel Terence Cogley, *Op-Ed: To Justify Impeachment, Democrats are Spinning the Law on Impoundment*, *Washington Examiner* (Dec. 9, 2019) (online at [www.washingtonexaminer.com/opinion/op-eds/to-justify-impeachment-democrats-are-spinning-the-law-on-impoundment](http://www.washingtonexaminer.com/opinion/op-eds/to-justify-impeachment-democrats-are-spinning-the-law-on-impoundment)); Nathaniel Terence Cogley, *Op-Ed: The 1974 Law that Makes This Impeachment Especially Dubious*, *Washington Examiner* (Nov. 21, 2019) (online at [www.washingtonexaminer.com/opinion/op-eds/the-1974-law-that-makes-this-impeachment-especially-dubious](http://www.washingtonexaminer.com/opinion/op-eds/the-1974-law-that-makes-this-impeachment-especially-dubious)); Nathaniel Cogley, Twitter (Jan. 16, 2020) (online at <https://twitter.com/NathanielCogley/status/1217975800550633473>).

<sup>12</sup> See, e.g., Nathaniel Cogley, Twitter (Sept. 11, 2019) (online at <https://twitter.com/NathanielCogley/status/1171994589118554112>); Nathaniel Cogley, Twitter (Nov. 1, 2019) (online at <https://twitter.com/NathanielCogley/status/1190403612142424065>).

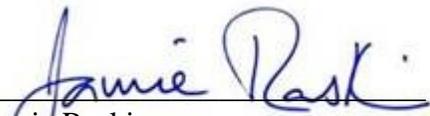
generally, including the Census.”<sup>13</sup>

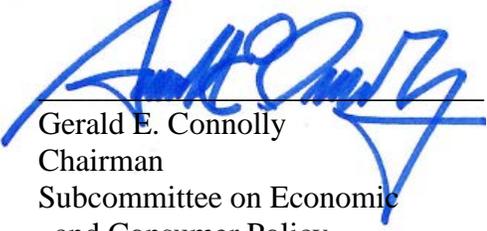
An attachment to this letter provides additional instructions for responding to the Committee’s request. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

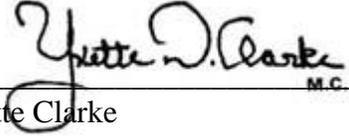
Sincerely,

  
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Carolyn B. Maloney  
Chairwoman  
Committee on Oversight and Reform

  
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Jimmy Gomez  
Vice Chairman  
Committee on Oversight and Reform

  
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Jamie Raskin  
Chairman  
Subcommittee on Civil Right and  
Civil Liberties

  
\_\_\_\_\_  
Gerald E. Connolly  
Chairman  
Subcommittee on Economic  
and Consumer Policy

  
\_\_\_\_\_  
Yvette Clarke  
Member of Congress

cc: The Honorable James R. Comer, Ranking Member  
Committee on Oversight and Reform

The Honorable Chip Roy, Ranking Member  
Subcommittee on Civil Rights and Civil Liberties

The Honorable Jody B. Hice, Ranking Member  
Subcommittee on Government Operations

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<sup>13</sup> House rule X, clause 1(n)(8).