

Congress of the United States
Washington, DC 20515

May 14, 2009

The Honorable Peter Orszag
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Director Orszag,

We congratulate you on your confirmation and welcome your leadership in promoting America's economic development and advancement. As you may know, Secretary of Commerce Gary Locke has firmly stated his commitment to the 2010 Census and ensuring it will have independent leadership and oversight. In his remarks to the Census Bureau National Partnership Briefing on March 30, he praised "the tenets of equality and full representation ... that are the foundation of the Census" and noted that "[t]he Census is the origin of our democracy and must include everyone." We share Secretary Locke's strong support for a fair and equitable count of our nation's diverse people and it is out of a serious concern for those foundational values that we write to you today.

We have followed with great concern news reports that the U.S. Census Bureau intends to continue "scrubbing" data on same-sex married couples in its 2010 Census public reports. We are very concerned with this planned data modification and request your leadership in ensuring the Census Bureau adopt acceptable methods for identifying same-sex married couples in its publicly released data for the upcoming 2010 Census, as well as the American Community Survey.

As you know, same-sex marriage is lawful in Connecticut, Massachusetts, Iowa, and Vermont, and out-of-state same-sex marriages are recognized in New York. More states are poised to adopt pro-equality policies. Given the immediate and growing relevance of quality data on same-sex couples, we find the Bureau's plan to change 2010 Census reports for same-sex partners who list themselves as married spouses to "unmarried partners" unacceptable. We are deeply concerned about the implications of this policy for same-sex couples and for the integrity of the census as a whole and firmly believe the Bureau's primary objective should be to collect data and report it, not collect data and alter it.

It is our understanding that the Census Bureau officials are operating under an inaccurate Bush Administration interpretation of the Defense of Marriage Act (DOMA) that federal statistical agencies are prohibited from tabulating and reporting data on same-sex marriages. We firmly believe that publicly reporting data collected on the status of same-sex couples in the United States is not tantamount to federal recognition of same-sex marriage. Instead, public reporting simply provides basic information about how Americans respond to the Census Bureau's questions. We urge your leadership at the Office of Management and Budget and request that you work with Secretary Locke and the Census Bureau to revisit this interpretation and formulate

an approach consistent with federal law that, at the same time, maintains the accuracy and integrity of the Census.

We stand ready to work with you in addressing these matters and look forward to your timely response. If you have any questions, please contact Amber Shipley in Rep. Baldwin's office by phone at 5-2906 or by email at amber.shipley@mail.house.gov or Joshua Teitelbaum in Rep. Israel's office by phone at 5-3335 or by email at josh.teitelbaum@mail.house.gov.

Sincerely,

Tammy Baldwin
Member of Congress

Steve Israel
Member of Congress

Barney Frank
Member of Congress

Jared Polis
Member of Congress

Luis Gutierrez
Member of Congress

Barbara Lee
Member of Congress

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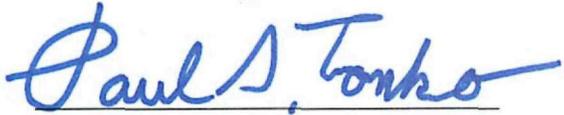
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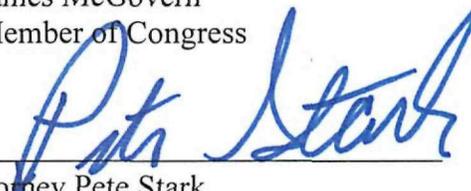
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