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OFFICE OF THE ATTORNEY GENERAL STATE OF FLORIDA

Florida Attorney General's Office News Release

Attorney General James Uthmeier Petitions Census Bureau to Correct 2020 Apportionment

TALLAHASSEE, Fla.—Attorney General James Uthmeier filed a petition with the Census Bureau following the release of data showing that Florida, as well as five other red states, were undercounted in the 2020 Census while five blue states were overcounted.

“The Census was designed to ensure equal representation for citizens of the United States, not those who are here illegally or temporarily,” **said Attorney General James Uthmeier**. “The way we count our population has a direct impact on how political power is distributed across the nation, and our state deserves an accurate count that ensures Floridians are represented fairly.”

“The Constitution requires an actual enumeration, not statistical guesswork, inflated apportionment, or bureaucratic manipulation,” **said Gene Hamilton, President of America First Legal.** “AFL and Florida are fighting to ensure the Census Bureau asks the right questions, counts the right people, and follows the law. Congressional apportionment must be based on lawful counts, not statistical fiction.”

“Representation in the United States Congress belongs to the American people—citizens and those on the lawful path to citizenship—not to those who have defied our laws to be here,” **said James Rogers, Senior Counsel at America First Legal.** “Every congressional seat awarded on the basis of illegal alien population is a seat taken from law-abiding Americans. The 2030 Census is an opportunity to get this right and conduct an actual enumeration of the American people as the Constitution demands, free of the distortions that come from counting those with no lawful claim to be here and free of statistical trickery. The reforms Florida and AFL have proposed in this petition for rulemaking are grounded in law, in history, and in common sense.”

The undercount resulted in direct consequences for Floridians, including the loss of at least one congressional seat, as well as significant federal funding. Meanwhile, left-leaning states retained seats that they were no longer entitled to hold.

Attorney General Uthmeier argues that these numbers were achieved by a change in methodology, accounting for every person physically present in each state, regardless of citizenship and immigration status. This resulted in more political representation for states harboring large numbers of illegal aliens and dilutes power for states with stricter adherence to the rule of law.

Attorney General Uthmeier’s petition requests that the Census Bureau take the following actions to return to historical Census-taking standards:

- Inquire about citizenship and immigration status (legal/illegal)
- Exclude illegal or temporary residents from the apportionment, which determines the distribution of political power (and Congressional seats) across the country.
- Exclude the children of illegal and temporary residents from the apportionment.
- Stop the use of statistical inferences that manipulate the numbers.

By addressing these systemic flaws, the petition seeks to restore equal balance among the States and people, as originally intended by the Constitution.

To read the full petition as filed, click here.

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