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Via Regulations.gov comment portal

U.S. Census Bureau
U.S. Department of Commerce

Re: Comments on "Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions"

Docket No. 260903-0005
Regulations.gov Docket No. USBC-2026-0628
Document No. 2026-18481

To the U.S. Census Bureau:

The staff of the Capital Area Regional Planning Commission submits these comments on the proposed rule, *"Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions"* (Docket No. **260903-0005**; Regulations.gov Docket No. **USBC-2026-0628**; Document No. **2026-18481**).

The Capital Area Regional Planning Commission is a regional planning agency serving communities in South Central Wisconsin. Our work relies on accurate, consistent Census data to support regional and local planning; housing, transportation, and infrastructure analysis; environmental and water quality planning; demographic research; and optimal allocation of public resources. We care about a fair and accurate Census because local governments and regional agencies need to know who lives in their communities, where residents live, and whether public systems and investments are serving all people equitably.

We request that the Census Bureau further extend the comment period until December 10, 2026. Although the extension to November 2 is welcome, the proposed rule would fundamentally alter long-standing decennial Census residence standards and demographic data collection. State, regional, local, tribal, academic, nonprofit, and community stakeholders need adequate time to analyze its legal, methodological, operational, and local implications.

Our agency strongly opposes proposed **Part 60** and **Part 70** and urges the Census Bureau to withdraw the rule and return with substantial revisions.

Preserve a complete count

The Census should continue to count every person at their actual usual residence, regardless of citizenship or immigration status or federal income tax return data. The purpose of the decennial Census is to count the population residing in the United States, *where they live*. Excluding visa holders, refugees, asylum seekers, and other residents from the apportionment count would make Census population figures less accurate and less useful for the communities in which those individuals live, work, attend school, use infrastructure, and obtain services. Counting college students based on where their parents live (often the advice of tax preparers) also does not result in an accurate count.

For regional and local planning, population counts are not abstract numbers. They are a basis for understanding current and future demand for housing, transportation, schools, parks, public safety, public health, water and sewer systems, and other community facilities. A rule that excludes actual residents would distort the population base on which planning, representation, funding formulas, and public investments depend.

Retain a residence-based residence rule

The Census Bureau should retain a residence standard based on where a person actually lives and sleeps most of the time, rather than adopting a "lawful" residence framework, a "one hour" standard, or an enumeration-period approach that can override the reality of where people live on Census Day. The Census needs clear, practical, and consistently applied guidance for varied living situations, including recent movers, college students, people living in temporary or emergency shelter, foster children, seasonal workers, military families, and people with more than one potential address.

For regions like ours which include major educational institutions and a large student population, the treatment of students is especially consequential. Students may reside in a residence hall, apartment, or shared rental housing for most of the year while retaining family, financial, tax, voter-registration, insurance, or mailing connections elsewhere. The Census should count students where they physically live, consistent with the Census's longstanding residence-based approach. A rule that relies on legal or administrative documentation rather than physical residence risks misallocating population away from the communities that provide housing, transportation, utilities, emergency response, and other services to students and other residents.

The proposed January 3 through April 1 enumeration period also warrants substantial revision or withdrawal. It may not reflect residence on Census Day for seasonal workers, recent movers, people in unstable housing, students, and others whose living arrangements change during the period. The Census Bureau should retain and publish clear guidance that enables people to be counted at the place where they physically reside on Census Day.

Revise the tax-record provision

The proposed tax-records language should be eliminated or substantially revised. The statement that a person's "usual residence" should be consistent with and evidenced by tax records, including tax returns and W-2 forms, improperly treats tax documentation as a proxy for residential location. Tax records are not designed to establish Census residence and often reflect a mailing address, post office box, employer address, tax preparer's address, parent or guardian's address, or a former address rather than the location where a person physically lives. Also, obviously, not all residents are taxpayers, and tax records should never be required to validate a person's existence. The Census Bureau should explicitly recognize the limitations of tax records and ensure that no person is excluded, assigned to an incorrect location, or treated as lacking a usual residence solely because tax documents do not reflect their physical home.

Retain race and ethnicity data

Our agency strongly opposes proposed Part 70's prohibition on collecting race and ethnicity information through the 2030 Decennial Census. The Decennial Census is foundational national infrastructure. Its value comes not only from a once-per-decade population count, but also from the continuity, geographic consistency, and public credibility of the data it produces over time. Eliminating race and ethnicity questions would terminate a data series used by local, regional, state, tribal, and federal governments; researchers; service providers; and community organizations to understand demographic change, assess needs, measure disparities, plan services and infrastructure, and evaluate whether public investments are reaching all residents optimally.

Race and ethnicity data are essential—not peripheral—to identifying persistent disparities in housing access, transportation, environmental exposure, health, education, economic opportunity, and civic representation. For planning agencies and local governments, decennial Census data provide a common baseline and denominator for neighborhood, municipal, regional, and statewide analysis. Removing these measures would make it substantially harder to determine where disparities exist, whether they are widening or narrowing, and whether policies intended to reduce discrimination are working.

The Census Bureau itself has explained that race data are needed by federal agencies to monitor compliance with the anti-discrimination provisions of laws including the Voting Rights Act and the Civil Rights Act. The continued need to enforce those laws is a compelling reason to retain high-quality, self-reported race and ethnicity questions.

The premise that equal treatment requires government institutions not to collect demographic information is flawed. **A prohibition on asking about race and ethnicity would not eliminate racial or ethnic disparities; it would instead reduce the public's ability to document, monitor, and remedy them.** Effective nondiscrimination policy depends on the ability to evaluate outcomes across populations. Without reliable data, disparities can be obscured, accountability weakened, and communities with longstanding barriers made statistically invisible.

Other federal surveys, including the American Community Survey, cannot fully replace race and ethnicity information collected through the Decennial Census. Survey estimates have sampling error, can be less reliable for smaller geographic areas and smaller population groups, and do not provide the same universal decennial benchmark. The Census should retain race and ethnicity questions so that all communities—including smaller municipalities, rural communities, historically marginalized communities, and rapidly changing communities—remain visible in the nation's core population data.

Requested action

Staff for the Capital Area Regional Planning Commission strongly urge the Census Bureau to:

- Extend the public comment period through December 10, 2026.
- Withdraw the proposed Parts 60 and 70 and issue a substantially revised proposal after appropriate testing, consultation, and public review.
- Retain a residence standard based on where people physically live and sleep most of the time.
- Count all U.S. residents, including visa holders, refugees, asylum seekers, and other residents, at their usual residence.
- Eliminate or substantially revise the proposed enumeration-period and tax-record provisions so that administrative records do not inaccurately modify a person's physical residence.
- Preserve and publish clear guidance for complex residence situations, including students, recent movers, people in shelters, foster children, seasonal workers, military families, and people with more than one potential address.
- Retain high-quality, self-reported race and ethnicity questions in the 2030 Decennial Census.
- Continue improving Census questions and methods through rigorous testing, transparent evaluation, and meaningful engagement with state, local, tribal, and community stakeholders.

As written, the proposed rule would exclude residents, assign people to incorrect locations, weaken the accuracy and comparability of population data, and end collection of essential demographic information. Those outcomes would impair planning, representation, public investment, civil-rights accountability, and public confidence in the Census. The Census Bureau should withdraw the proposal and preserve a complete, accurate, and useful 2030 Decennial Census.

Sincerely,



Jason Valerius
Executive Director
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Cc via email: