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EPI comment on the Census Bureau's proposed changes to the residence criteria and demographic items for the 2030 Census

Public Comments • By Valerie Wilson • November 2, 2026

Submitted via https://www.federalregister.gov/documents/2026/09/10/2026-18481/decennial-census-of-the-population-of-americans-proposed-residence-criteria-and-proposed-regulations

Daniel Sweeney
Deputy General Counsel for Economic, Statistical, and Regulatory Affairs
Office of the General Counsel
U.S. Department of Commerce
Washington, DC 20230

Re: Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions (FR Doc. 2026-18481, RIN 0607-AA75)

Dear Mr. Sweeney:

On behalf of the Economic Policy Institute (EPI), I am writing to comment on the proposed rule "Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions" (FDMS Docket Number USBC-2026-0628, published September 10, 2026). We strongly oppose the proposed rule's changes to the residence criteria and demographic items for the 2030 Census.

EPI is a nonprofit, nonpartisan think tank created in 1986 to include the needs of low- and middle-income workers in economic policy discussions. EPI conducts research and analysis on the economic status of working America, proposes public policies that protect and improve the economic conditions of low- and middle-income workers, and assesses policies with respect to how well they further those goals. Federal and state policymakers trust and rely on research conducted by experts at EPI and other institutions to make informed, effective, evidence-based policy decisions that will address the real challenges low- and middle-income workers face in the labor market. That is only possible through accurate, comprehensive census data.

The initial 33-day comment period for this proposed rule, ending on October 13, 2026, was wholly inadequate. While we support the recent extension of the public comment period until November 2, 2026[1], 53 days is still not sufficient for the public to review and provide input on this rule given the scope of the proposed changes and the devastating effect they would have on census data.[2] Moreover, given the Secretary of Commerce's termination of the Census Bureau's advisory committees[3], ensuring ample opportunity for the public to respond to the proposed changes is essential for promoting public trust in the census. To allow the public, including researchers and policy advocates, sufficient time to evaluate and comment on these changes, the Department of Commerce and the Census Bureau immediately publish a *Federal Register* notice further extending the comment period until at least December 10, 2026.

We are extremely concerned that the proposed residence criteria and changes to demographic questions would undermine the accuracy, integrity, and usefulness of census data. We are particularly concerned about the following issues:

1. **Eliminating census race and ethnicity data collection is unprecedented, violates statutes, and severely undermines the utility of census data for a range of critical purposes.** Since the first census in 1790, every single decennial census has collected race and ethnicity data in some form. Census race and ethnicity data underpin many other critical federal datasets and serve as an irreplaceable benchmark for nearly every population-based survey and study in the U.S., ensuring that our research is reliable and leads to better outcomes for all of us. Race and ethnicity data are necessary to enforce civil rights laws and ensure equal opportunity for all Americans, helping to ensure fairness and strengthen the U.S. economy. Race and ethnicity data also help local governments and nonprofits target services more efficiently.EPI relies on census race and ethnicity data to provide timely and reliable analysis of the economic conditions facing low- and middle-income workers – a disproportionate share of whom are people of color – and to evaluate how those conditions are shaped by economic policies. Accurate, comprehensive census data is foundational to the population weights applied to the Current Population Survey (CPS); the data set most used in our research. Those weights make it possible to convert survey responses from a sample of just over 100,000 individuals into results that more closely represent the actual composition of the entire U.S. population. Since economic outcomes can vary significantly by race and ethnicity, even among individuals who share other characteristics in common, accurate and comprehensive Census counts by race and ethnicity are essential to the precision of aggregate economic indicators and the policy decisions those indicators help to inform. For example, EPI research demonstrating the persistence of large racial disparities[4] in unemployment and how tight, high pressure labor markets[5] narrow those gaps and deliver faster wage growth to all low- and middle-income workers helped to make an important point about there being more room for flexibility in the Federal Reserve Board's policymaking targets and goals[6]. The Fed's willingness to consider more data-dependent macroeconomic policymaking over fixed targets and predictions after the Great Recession resulted in one of the longest economic recoveries in U.S. history without triggering a corresponding spike in inflation. Such critical decisions about maximum employment for the whole of the U.S. economy were informed by a more complete understanding of economic outcomes for different demographic groups, as supported by a comprehensive and accurate census count.
2. **Excluding noncitizens without lawful permanent residence from census apportionment data is unconstitutional and would deprive our communities of their fair share of resources and representation.** The Constitution, statutes, and settled law clearly provide that all persons residing in the United States must be counted for the apportionment of Congressional seats. Research has also shown that adding a question on citizenship to the decennial census form would have a chilling effect on census participation. If the census does not count *all* residents, communities all over the United States will lose resources to support their schools, hospitals, transportation infrastructure, emergency services, and more. In addition to EPI's focus on national economic policy, we also work in partnership with a nationwide network of 56 research, policy and advocacy organizations representing 43 states and the District of Columbia to fight for an economy that works for everyone. Significant undercounting

would harm some of the most vulnerable communities in those states because schools that urgently need funding to meet all students' needs would no longer get the appropriate funding under Title I and IDEA.Like the concerns raised in point #1 above, excluding select groups of noncitizens from the census count would also undermine the accuracy of population weights used in the CPS. Since 1994, the CPS has collected data on the nativity of respondents, including foreign-born noncitizens, but without disclosure of their specific immigration status. The ability to estimate labor force growth by nativity is critical to accurate economic projections because the pace of overall GDP growth rises and falls almost one-for-one with the pace of labor force growth[7]. As the pace of U.S.-born labor force growth continues to slow with an aging population, developing reliable national and state projections of economic growth will require a complete and accurate accounting of everyone who participates in the U.S. labor force and contributes to the U.S. economy.

Accurate and reliable data is foundational to a strong democracy, good economic decision-making, and to the enforcement of everyone's civil and workers' rights. For these reasons, we strongly oppose the changes proposed in this rule. We call on the Census Bureau and Department of Commerce to:

1. **Continue collecting race and ethnicity data and implement the 2024 OMB SPD 15 standards.** Census race and ethnicity data are essential for important research across many sectors, for upholding civil rights, and for growing the economy. Extensive Census Bureau research and engagement with expert stakeholders shows that implementing the modernized 2024 OMB SPD 15 standards for race and ethnicity data collection will yield data that more accurately represent the nation's increasingly diverse population.

2. **Count all people residing in the United States in the 2030 Census, without regard to immigration status.** Excluding noncitizens from census apportionment data violates the constitution and established legal precedent. It would suppress the count of many communities, effectively erasing them from critical datasets and depriving them of resources and Congressional representation.

We appreciate your consideration of these comments.

Sincerely,

Valerie Wilson, PhD
Director, Program on Race, Ethnicity and the Economy
Economic Policy Institute

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1. U.S. Census Bureau. (2026, October 5). *Decennial Census of the population of Americans; Proposed residence criteria and proposed regulations for demographic questions; Extension of comment period* [Proposed rule]. *Federal Register*. https://public-inspection.federalregister.gov/2026-20328.pdf

2. See Request for Extension of Comment Period for Proposed Rule: "Decennial Census of

the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions" for an in-depth discussion about the insufficient comment period and the need for an extension.

3. The Leadership Conference on Civil and Human Rights. (2025, May 7). *Letter regarding the termination of the 2030 Census Advisory Committee, Census Scientific Advisory Committee, and National Advisory Committee on Racial, Ethnic, and Other Populations* [Letter]. https://civilrights.org/wp-content/uploads/2025/05/Updated-Final-LCCHR-Census-Advisory-Committee-Letter-.pdf

4. Valerie Wilson, Tight labor markets are essential to reducing racial disparities and within the purview of the Fed's dual mandate, Economic Policy Institute, May 2024.

5. Josh Bivens and Ben Zipperer, The importance of locking in full employment for the long haul, Economic Policy Institute, August 2018.

6. Josh Bivens, How the Federal Reserve Can Help or Hurt the Economy, July 2015.

7. Josh Bivens, The U.S.-born labor force will shrink over the next decade, October 2025.