November 2, 2026

Daniel Sweeney
Deputy General Counsel for Economic, Statistical, and Regulatory Affairs
Office of the General Counsel
US Department of Commerce
Washington, DC 20746

In re: Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions (Docket No. 260903-0005; RIN 0607-AA75; 91 FR 57524)

Dear Deputy General Counsel Sweeney:

The undersigned organizations write today to offer comments on the Census Bureau's proposed rule establishing residence criteria and restrictions on demographic questions for the decennial census. Our organizations are committed to data and evidence use that improves both transparency and education and employment outcomes for individuals and communities across the country. Through a variety of approaches, we promote data policies and practices that result in better impact, support, and services for individuals and communities navigating pathways from education to the workforce. We take a particular focus on policies and practices that incentivize and improve the use of statewide longitudinal data systems (SLDSs)—systems that incorporate early childhood, K–12, postsecondary, and workforce data—to accomplish those goals.

The Bureau initially provided a month to comment on two independent proposals that would depart from more than two centuries of historical Census practice. It then extended the comment deadline by about two weeks. While we appreciate that extension, the Bureau has acknowledged that this is a "significant" regulatory action under Executive Order 12866. Significant rulemakings of this scope and complexity are typically afforded at least 60 days for public comment and even longer when a rulemaking, such as this one, could have far-reaching and long-term consequences. Further, the Regulatory Impact Analysis posted alongside this proposal indicates that the Bureau has not yet finished its own required consultations, including Tribal Nation consultations. In addition, advisory committees that would normally provide much-needed guidance and advice in the context of proposed changes to the Census have been disbanded since last year. Even with the minimal extension, states, school districts, researchers, and data users cannot responsibly assess the downstream consequences of these changes on the present timeline and without these advisory bodies.

We therefore note our concern with the brevity of the comment period, which did not provide adequate time to review the proposal and provide the robust feedback the Bureau needs as it considers changes of this significance.

Accurate Residency Information Is Critical Education Data

Noncitizen residents have been counted in every Census from 1790 to the most recent in 2020. An accurate count of every person living in a state is a practical necessity for education policy. States work with the Bureau each year to update school district boundaries, and those boundaries serve as a critical foundation for the poverty estimates the U.S. Department of Education uses to distribute Title I funds. Other federal agencies use this data for similar purposes across the entire federal government. School districts also use Census counts to project enrollment, set attendance zones, decide where to build or close schools, and even to plan bus routes. The decennial count also serves as the starting point for population estimates throughout the following decade. This means an undercount or other inaccuracy in 2030 will have consequences far beyond 2030. It would carry these inaccuracies forward into every subsequent school-related estimate and associated funding formula built on top of it, year after year, until the next decennial census corrects it.

The proposed changes to residence criteria also raise significant concerns regarding data quality that are not adequately addressed in this notice. Changing who is included in the count while simultaneously indicating that separate tax and immigration records from other federal agencies may be used to make these determinations, is very likely to affect whether households respond at all. The proposal offers no research to support this change or to address potential impacts this proposal would have on response rates across communities. This matters a great deal for schools. Young children are already the group the Census has the hardest time counting accurately and they are the same target population whose numbers predominately determine school funding and planning decisions. If those children are missed in the 2030 count, school districts educating them will be operating on inaccurate numbers until at least 2040.

For these reasons, we strongly urge the Bureau to maintain its existing residence criteria and reverse course on this far-reaching proposed change to the Census.

Race and Ethnicity Data Is Core Census Information

The Census has collected information about race since the very first count in 1790 and that historical continuity reflects a longstanding understanding that knowing the demographic composition of the population is part of governing well. For states, this information is needed for many critical operations. Comparing who is enrolled in a district's schools against who actually lives in the community is how states identify students who are not being served, anticipate demand for English learner instruction and bilingual staffing, and check whether attendance boundaries and program placements make sense for the families around them. The Census is the only source for that information, particularly for extremely small jurisdictions or sparsely populated areas. The American Community Survey (ACS) cannot adequately fill the gaps these proposed changes would create within Census data. For instance, ACS estimates for small areas often have margins of error that would exceed the collected numbers themselves.

We recognize the Bureau's position that demographic information could be obtained from administrative records instead. The Data Quality Campaign (DQC) has spent two decades encouraging governments to make better use of administrative data. We are always supportive of collecting data that is necessary

while reducing burden and duplication of effort. Nevertheless, a data source must always be clearly defined and evaluated against the specific purpose it is meant to serve before anyone can rely on it. Troublingly, this work does not appear to have been conducted or made public before proposing to eliminate the collection of race and ethnicity data as part of this notice. Race and ethnicity are collected inconsistently and with different standards across federal and state administrative systems and are sometimes not collected at all. Replacing a direct question with an unexplored and untested alternative is a significant risk to take on the nation's most important data collection. We raise a similar concern about making responses to demographic questions voluntary. This approach tends to produce answers from some groups more reliably than others and leaves users with data that is difficult to parse, making it less accurate and easier to potentially misuse.

Therefore, we recommend retaining the current practice of asking specific race and ethnicity questions as a part of the decennial Census.

Overall Recommendations

Overall, we recommend that the Bureau extend the comment period to at least 90 days and complete its required consultations, including Tribal consultation, before proceeding further. We recommend that it provide a clearer analysis of how these changes would affect state and federal education program decisions that depend on Census data, publish that analysis, and take comment on it before proceeding further. We recommend that the Bureau talk directly with state education agencies and state leaders who understand better than many the critical nature of these data products. Finally, we recommend that the Bureau retain race and ethnicity as part of the collection process. At a minimum, it should first test whether any alternative can produce information of comparable quality and accuracy in the places states actually need.

Our request is not to leave the Census unchanged. We request that the Bureau not proceed with changes of this magnitude without evidence in hand and without the people who use the data at the table. Once a Census is fielded, the resulting data governs for 10 years—as do its deficiencies. The states, school districts, and communities that will have to work with whatever data this rule produces deserve the time to understand it first. We therefore urge the Bureau to take the time needed to work through these questions carefully and thoughtfully so that the Census remains in 2030 the foundational data source the country relies on for the decades that follow.

Thank you for carefully considering our comments. We stand ready to address any questions or provide further information. You may contact DQC's Vice President of Federal Policy Kate Tromble at ktromble@dataqualitycampaign.org to arrange a conversation.

Sincerely,

Advance CTE

All4Ed
Alliance for Learning Innovation
America Forward
American Educational Research Association
Association for Career and Technical Education
Association of Public Data Users
Chiefs for Change
Coleridge Initiative
Data Quality Campaign
EDGE Partners
FutureFit AI
Georgetown University Center on Education and the Workforce
Institute for Higher Education Policy (IHEP)
KIPP Foundation
Knowledge Alliance
Los Angeles Unified School District
National Association of Workforce Boards (NAWB)
National Center for Learning Disabilities
New America, Higher Education Program
Results for America
StriveTogether
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