



October 26, 2026

Daniel Sweeney
Deputy General Counsel for Economic, Statistical, and Regulatory Affairs
Census Bureau
U.S. Department of Commerce
4600 Silver Hill Road
Washington, DC 20746

RE: DECENNIAL CENSUS OF THE POPULATION OF AMERICANS; PROPOSED RESIDENCE CRITERIA AND PROPOSED REGULATIONS FOR DEMOGRAPHIC QUESTIONS; DOCKET NO. 260903-0005; RIN 0607-AA75

Dear Deputy General Counsel Sweeney:

The National Association of County Human Services Administrators (NACHSA), a professional affiliate of the National Association of Counties (NACo) representing the administrators of essential federal, state and local human services programs, respectfully submit these comments in response to the U.S. Census Bureau's proposed rule, *Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions*.

County human services agencies are on the front lines of delivering the programs and services that support the nation's most vulnerable residents. As key partners in the federal-state-local human services system, NACHSA members help families secure housing, provide nutrition assistance to individuals and families, connect individuals to employment opportunities, and protect children from abuse and neglect. These services not only address immediate needs but also foster long-term self-sufficiency and well-being. Although county responsibilities differ across states, counties collectively invest \$62.8 billion each year and employ more than 259,000 human services workers to administer and deliver essential safety-net programs that serve millions of Americans.¹

Decennial Census Programs data were used in whole or in part to distribute more than \$2.8 trillion through 353 federal assistance programs in Fiscal Year 2021.² The Decennial Census also plays a key role in serving as a benchmark for other federal data collections, such as the

¹ National Association of Counties, *The County Human Services and Education Landscape*, March 2026.
<https://www.naco.org/resources/county-human-services-and-education-landscape>

² U.S. Census Bureau, *Uses of Decennial Census Programs Data in Federal Funds Distribution: Fiscal Year 2021*, June 2023.

American Community Survey (ACS) and Current Population Survey (CPS), which are important sources of income and unemployment data. Because these surveys sample only a fraction of U.S. households, they rely on decennial counts to properly weight, scale, and adjust their data so that they accurately reflect the entire nation.

Decennial Census data therefore informs funding allocations and program eligibility across a wide array of federal health and human services programs, including:

- **Federal Medicaid Assistance Percentage (FMAP):** Determines reimbursement and matching payment rates for Medicaid, the Title IV-E foster care program, and the Temporary Assistance for Needy Families (TANF) Contingency Fund. The FMAP formula relies on states' per-capita income.
- **Social Services Block Grant (SSBG):** Provides funding to states to support a wide range of social services for vulnerable children, adults and families. SSBG funds distributed annually as a capped entitlement based on each state's proportionate share of the total U.S. population.
- **Child Care Development Block Grant (CCDBG):** Provides funding to states to subsidize child care costs for low-income children. CCDBG funds are allocated to states using a proportional formula based on the state share of all U.S. children under age five, the state share of children receiving free- or reduced-price lunches, and state per capita income.
- **Low Income Home Energy Assistance Program (LIHEAP):** Provides funding to states to support low-income households with their home energy costs. Certain portions of LIHEAP funding are distributed based on home energy expenditures of low-income households in each state.
- **Older Americans Act (OAA):** Provides funding to states to support older adults with services that allow them to age in their communities. OAA funds are distributed based on a population formula factor that is defined as each state's relative share of the total U.S. population aged 60 years and older.
- **Title IV-B:** Provides funds that can be used to enhance state child welfare service capacity to prevent child maltreatment. Portions of Title IV-B funds are distributed in proportion to states' population of youth under the age of 21 and average per capita income.
- **Work Requirement Exemptions:** As county human services agencies in 10 states (California, Colorado, Minnesota, New Jersey, New York, North Carolina, North Dakota, Ohio, Virginia, and Wisconsin) implement expanded work verification requirements in the Medicaid and Supplemental Nutrition Assistance Program (SNAP) authorized under H.R. 1, accurate census data will also play a crucial role in determining eligibility for county-wide exemptions based on the unemployment rate.

Accurate population and demographic data are the backbone of appropriate distribution of funding across the federal social safety net. NACHSA believes that the proposed changes to the Decennial Census would significantly limit the accuracy of those data, impacting the ability of county human services agencies to design, implement, and evaluate the delivery of services to our residents. For instance, the proposed rule would change the definition of residence to indicate where an individual “lawfully” spent the greatest number of days from January 3 through April 1 of the decennial census year, consolidate existing residence categories, and require the use of tax records and other administrative information in determining an individual’s usual residence. These criteria do not reflect the realities of many individuals and families served by county human services agencies and amplify the risk of a census undercount for individuals with complex living situations, such as those experiencing or at risk of homelessness, victims of domestic violence, children in foster care or joint custody arrangements, or individuals in residential treatment facilities. Furthermore, relying on tax records to verify residence could create systematic gaps for precisely the populations served by federal safety net programs, such as very low-income households that are not required to file federal income taxes.

NACHSA is also concerned by the proposal to only count U.S. citizens and lawful permanent residents for apportionment while excluding other non-citizens, including individuals with lawful immigration classifications. This provision risks a significant chilling effect in which fear or confusion about the consequences of sharing immigration information could discourage immigrants and their family members, including U.S. citizens and lawful permanent residents, from responding to the census. This would almost certainly compromise population counts beyond the categories the proposal expressly seeks to exclude. The Census Bureau does not clarify how it would maintain and publish complete resident population data for other purposes, how excluded individuals would be reflected in other statistical products, and whether the proposed changes could affect annual population estimates or other data used by federal assistance programs. Excluding residents from the population base or discouraging their households from responding does not eliminate the need for health care, nutrition support, child welfare intervention, emergency shelter, adult protective services, or other supports. NACHSA urges the Census Bureau to retain the longstanding practice of counting all people who usually reside in the United States without including questions about immigration status.

Given the role that county governments play in administering the child welfare system in 11 states, NACHSA seeks additional clarification about how the Census Bureau’s proposed “dependents” category would operate for children living in foster care, kinship care, guardianships, residential treatment facilities, or other placements supervised or funded by county agencies. The proposed rule, which would count dependents without their own usual residence at the home of the provider they spend the most days with, does not define either

“dependent” or “provider.” It is unclear how county-supervised placements, temporary placement changes, trial home visits, respite arrangements, emergency placements, or shared caregiving arrangements would be treated. The Census Bureau must provide additional information about how it plans to ensure children in foster care and other complex living arrangements are not omitted, counted twice, or counted in a jurisdiction that does not reflect their actual placement.

Given the significance of the above concerns and the absence of sufficient assurances that the proposed changes would preserve accurate and reliable population and demographic data, NACHSA respectfully urges the Census Bureau and the Department of Commerce to withdraw the proposed rule.

Please contact Rachel Mackey, NACHSA Washington Representative, at rm@paragonlobbying.com for any follow-up questions.

Sincerely,



Debbie-Ann Anderson
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Director, Human Services
Union County, New Jersey