

PROPOSED 2030 CENSUS CHANGES

What they mean for Virginia's children and families - and how to respond

ACT BY OCTOBER 13

Public comments on the proposed 2030 Census rule are due October 13, 2026.

What's happening

On September 10, 2026, the U.S. Census Bureau published a proposed rule titled "Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions." It would change who is counted in the 2030 Census, where they are counted, and which questions the census may ask.

Unlike past residence criteria, which have generally existed as Census Bureau policy, these changes would be written into the Code of Federal Regulations, making them far harder to undo. The Bureau can revise bureau policy. A federal regulation generally can only be changed through a new rulemaking process, with its own proposal, public comment period, and review. What is finalized through this process is likely to govern the 2030 count.

Read the proposed rule: [Federal Register document 2026-18481](#)

Why an accurate census matters

The census is the common denominator for nearly every part of public life. If the count is wrong, the effects can last for a decade.

Representation. If the count is wrong, apportionment and redistricting are wrong. Virginia could hold fewer seats in Congress than its population warrants, and district lines drawn from incorrect numbers can dilute the voice of undercounted communities for a decade.

Funding. If the count is wrong, funding formulas send money to the wrong places or in the wrong amounts. Programs are then sized to a population that does not match who actually lives there.

Planning. If the count is wrong, planning fails. School divisions can build for enrollment that does not arrive - or fall short of the students who do. Transit routes, hospital capacity, and emergency response plans are all built on population data the census provides.

Civil rights. If the count is wrong, civil rights enforcement weakens. Voting Rights Act cases, fair housing analysis, and employment discrimination review all depend on knowing who lives where.

Other data. Decennial counts anchor the weighting of many other federal surveys. An error in 2030 can propagate into the public and private data everyone else relies on until 2040.

Key terms

Apportionment. How the 435 seats in the U.S. House of Representatives are divided among the states after each census. Census population totals are the basis for the formula.

Redistricting. Redrawing congressional, state, and local district lines to reflect the new count. Virginia redraws its maps after each decennial census.

Residence criteria. The rules used to decide where a person gets counted, based on their "usual residence."

Enumeration period. The span of time used to determine where someone lived. Federal law currently uses April 1 - Census Day - as the reference date. The proposed rules would replace that single-day approach with a January 3 through April 1 period.

Chilling effect. When people avoid answering a survey out of fear about how information might be used, even when they are not the people being targeted. In 2020, households containing citizens responded at lower rates when a citizenship question was expected, even though it was not included in the final survey.

Undercount. When the census misses people. Undercounts concentrate in particular communities rather than spreading evenly. Historically, children, people of color, immigrant families, and people in rural areas are missed at higher rates than the population as a whole.

What this means for Virginia

\$54.2B

 census-guided federal spending in Virginia,
FY2023

371

federal assistance programs

\$2.24T

nationwide spending guided by census data

Virginia received \$54.2 billion in census-guided federal spending in Fiscal Year 2023. That money flowed through 371 federal assistance programs that nationwide allocate \$2.24 trillion, all of which rely on decennial census data or surveys derived from it to direct funding to specific places.

Virginia fact sheet: [Census Matters - Virginia](#)

Undercounts are not evenly distributed. People of color, young children, renters, rural communities, and low-income households have been persistently undercounted. Those are the same communities most likely to depend on programs this funding supports, which means an undercount takes resources away from people who already have the least access to them. And because the census happens only once a decade, that gap in access compounds for ten years - almost an entire child's time in school.

What the proposed rule would change

1 Exclude some residents from the apportionment count

The rule would count only citizens of foreign countries who are also U.S. citizens or lawful permanent residents for apportionment. Everyone else - including international students, work visa holders, recognized refugees, and asylees - would not be counted for apportionment. The proposal also hints at adding an untested citizenship and immigration status question to the census questionnaire itself.

Voices is concerned that excluding some household members from the count could keep whole families from responding. The chilling effect can reach households with citizens too. Even if the Bureau produced two sets of numbers, neither would necessarily be accurate if families do not respond in the first place.

2 Redefine "usual residence"

For every census since 1790, usual residence has generally meant where a person lives and sleeps most of the time. The rule replaces that with where someone "lawfully" spent the greatest number of days during a new January 3 to April 1 enumeration period and counts a day at a residence as any day with at least one hour of presence. Federal law currently requires the census to be taken as of April 1, not across a range of dates.

The practical result is that people can be recorded at the wrong address. Someone who moves in March could be counted at the home they just left. Someone with two homes could be counted at whichever one they occupied in January and February rather than where they live most of the year. And because the rule does not define what makes a place a residence in every circumstance, people in less conventional living situations may not know how to answer at all. Each error puts a real person in the wrong community's count, shaping that community's representation and funding.

3 Tie residence to tax records

The rule says usual residence should be consistent with and evidenced by tax records. But tax documents carry a mailing address rather than necessarily a residential one. That address might be a post office box, a tax preparer's office, or a relative's home. Servicemembers' W-2s may show their duty station. And many people do not appear in tax records at all.

For children, tax data may be incomplete when a parent or caregiver does not file a return identifying the child as a dependent. Relying on tax records as evidence of residence risks leaving those children out of the picture.

4 Remove detailed residence guidance

Decades of detailed residence rules would disappear, including guidance for people in domestic violence shelters, religious group quarters, and juvenile residential treatment; boarding school students; children in foster care; and people relying on soup kitchens and mobile food vans.

The people whose living situations are most complicated often need more clarity about how they should be counted, not less. Incarcerated people, meanwhile, would still be counted at the facility rather than at home, which critics describe as entrenching "prison gerrymandering."

5 Restrict demographic questions

Race and ethnicity questions would be prohibited on the decennial census for the first time since 1790, as would any question on sexual orientation. In 2020, sexual orientation could be inferred for some households through the household relationship item. Only biological sex, date of birth, and household relationship would remain mandatory. The source analysis also notes a conflict with 13 U.S.C. § 221.

Losing race and ethnicity data means losing the ability to see disparities in child poverty, educational outcomes, health coverage, housing, and family economic security. Because decennial counts anchor the weighting of other surveys, these restrictions would degrade race and ethnicity data far beyond the census itself.

6 Rush the process

A significant regulatory action has been given a 33-day comment window. The source analysis also notes that statutorily required convenings of interested parties were not held and that the Commerce Department revoked its own order on consulting state and local governments in May 2026.

Changes of this magnitude affect states, local governments, service providers, researchers, families, and communities nationwide. Voices believes those communities should have a meaningful opportunity to understand the proposal and explain its effects.

Why this matters for children and youth

A child missed at age 2 can be missing from the population data shaping their community for almost their entire childhood.

Young children are the most undercounted age group in the country, and they have been in every recent census. The reasons are well documented. Children are more likely than adults to live in households that are doubled up, in the care of relatives, moving between homes, or headed by someone who does not think of them as a person to list.

This proposal makes every one of those problems worse. It removes the specific guidance that tells enumerators and families how to count children in foster care, children in kinship placements, boarding school students, and young people in residential treatment, leaving the most complicated situations with the least instruction. The three-month enumeration window and the one-hour rule create real confusion for children in joint custody, children whose families move mid-year, and children in temporary or shared housing. And tying residence to tax records can erase children whose parents do not file a return, since the IRS has no record of a dependent when no return exists.

The consequences reach beyond the count itself. Roughly one in four children in the United States lives with at least one immigrant parent, and most of those children are U.S. citizens. Excluding household members from the apportionment count can keep whole families from responding, and their children can go uncounted along with them.

Losing race and ethnicity data means losing the ability to see disparities in child poverty, educational outcomes, and health coverage. The Census Bureau's own Demographic Analysis - its method for measuring how badly young children were missed - depends on the detailed demographic data this rule would restrict. We could lose not only accurate demographic information, but also the tool that tells us the count was wrong.

For organizations serving children and families, this is not an abstraction about federal statistics. It is the population baseline that determines how much Medicaid, Title I, child care assistance, and child welfare funding reaches Virginia - and how that money is distributed within the state - every year until 2040.

The constitutional point

The Constitution commands a count of the "whole number of persons in each state." Persons means people, regardless of immigration status, age, or eligibility to vote.

Congress has considered and rejected departures from a population-based count repeatedly over more than 200 years - in the 1790s, during debates over the Fourteenth Amendment, in the 1929 Census Act, and throughout the 20th century. Whatever discretion an agency has over who counts is bound by that command.

Why your own comment matters

A public comment does not have to be long, formal, or written by a policy expert. What carries weight is specific, firsthand detail about your organization, the people you serve, and your community. Agencies routinely group identical form letters together and treat them as one comment, so a few honest sentences grounded in what you see can do more than a polished letter copied word for word.

Templates are useful starting points. To strengthen your comment, include:

- How you use census data - for grant applications, program siting, service planning, research, advocacy, or documenting need.
- The funding streams or services your work depends on.
- The populations you serve whose living situations the new rules could miscount.
- What an inaccurate count would cost your community in funding, planning, representation, or services.

- What you want done: withdrawal of the rule and, if it proceeds anyway, the narrower fixes you would accept.

What Voices is asking for

Voices for Virginia's Children is urging the Department to withdraw the proposed rule. If it moves forward, Voices is asking the Census Bureau to at minimum:

- retain April 1 as Census Day;
- preserve the residence guidance used in the 2020 Census; and
- extend the comment period so communities have a real opportunity to respond.

How to submit a comment

SUBMIT BY OCTOBER 13, 2026

Go to [Regulations.gov](https://www.regulations.gov), search for docket USBC-2026-0628, and select "Comment." You can type directly into the box or upload a file. Organizations and individuals may both submit, so staff, board members, and community members can each comment in their own names.

Federal Register document: 2026-18481

Docket No.: 260903-0005

RIN: 0607-AA75

Proposed rule and submission information: [Federal Register - 2030 Census proposed rule](#)

Privacy

Comments are posted publicly but can be submitted anonymously. Do not include personal or sensitive information that you do not want made public. You do not need to share sensitive personal details to explain why this issue matters.

Help spread the word

Forward this guide to friends, staff, board members, and partner networks. Encourage the people you serve to comment in their own words, and make clear that nobody has to share sensitive personal details to write something useful. Consider hosting a short comment-writing session where people draft together. Put the deadline in your newsletter and on social media. Share Voices' individual and organizational comment templates. And, if it fits your organization, sign onto the national letter.

National action resource: [National Council of Nonprofits - Protect the 2030 Census](#)

THE 2030 CENSUS IS FOUR YEARS AWAY. THE DECISIONS THAT SHAPE IT ARE HAPPENING NOW.

Young children are already among the people most likely to be missed. Changes that make it harder to determine who should be counted and where they should be counted deserve urgent attention when the consequences of the 2030 count will be felt for the decade that follows.

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Questions?

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