



Martha's Vineyard Commission

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From: Adam Turner, Executive Director, Martha's Vineyard Commission

To the U.S. Census Bureau:

Re: Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions (Docket No. 260903-0005, Document 2026-18481)

October 29, 2026

I am writing to comment on the proposed changes to the Decennial Census as described in Docket No. 260903-0005, Document 2026-18481. The Martha's Vineyard Commission (MVC) urges the Census Bureau to rescind both the proposed residence criteria and regulations for demographic questions, which do not appear justified by any objective standard and would clearly diminish the usefulness of Census and American Community Survey data going forward.

The MVC is the Regional Planning Agency (RPA) for Dukes County, MA, which has a year-round population of about 21,000, and summertime population of up to 95,000. We work regularly with local and state agencies to identify and carry out planning initiatives in the areas of housing, transportation, water quality, economic development, and climate resilience. We also administer a county-wide geographic information system (GIS) program, and are one of two RPAs in the state with regulatory jurisdiction over Developments of Regional Impact. Much of our work relies on accurate and consistent data from the US Census and American Community Survey.

Comments on Proposed Residence Criteria:

The proposal argues that excluding certain residents from the Census will still comply with the Constitutional requirement to count the "whole number" of people in a state. The argument appears to be that by "people" the Constitution actually means "citizens." However, this would go against 230 years of practice, during which the Census counted all people regardless of their status. In addition, the historical references to the term "inhabitant" cited in the proposal (even if that is what the Constitution means) do not appear to necessarily exclude non-citizens.

The proposal asserts that "illegal aliens (among others) should not be included . . . due to their lack of a sufficient tie and allegiance to the United States." But what constitutes "sufficient tie and allegiance," is defined only by having legal residence (part 60.2(a)). Many non-citizens in the US are devoted members of their communities, pay taxes, provide essential services, etc. They spend the majority of their time working, raising families, and otherwise residing in a state. By longstanding convention, this should qualify them for inclusion in the Census.

This section also leaves open the question of who exactly to include or not include in the count, suggesting that “aliens whose legal status is less durable and indefinite in length than lawful permanent resident status” should also be excluded. The question of how such people would be identified is also unresolved, as the Federal databases referenced are known to be imperfect, and excluding people based on their answers to the Census questions would likely dissuade many from answering in the first place.

Overall, this change would lead to a significant undercount – including many of the poorest and most vulnerable residents – due both to exclusion and the disincentive for people whose status is uncertain to respond at all.

The proposed enumeration period of Jan. 3 – April 1 (part 60.2(c)) would have further negative consequences, as it would create a bias in favor of winter residents who may actually spend most of their time somewhere else. This is especially relevant for the Cape and Islands (including Dukes County) where a significant portion of the population spends winters abroad or in another state. We agree with our colleague Susan Strate, Senior Program Manager for the Population Estimates Program at the UMass Donahue Institute, that a better criterion for determining residency would be where someone spends the majority of days in the six months preceding April 1.

Comments on Proposed Restrictions on the Inclusion of Certain Demographic Questions in the Decennial Census Operation:

This section asserts that prohibiting questions related to race, ethnicity, and sexual orientation (part 70.2(a)) would increase response rates by not asking people for personal information. However, even if that were true, it would have the consequence of eliminating some of the most important data for assessing community needs, identifying planning initiatives, complying with various state and Federal requirements, etc. Without this data, the American Community Survey would also have no reference point for determining margins of error for its race and ethnicity data. Pursuing other methods of obtaining comparable data would likely be a major administrative and cost burden for state and local agencies. As with the previous section, no research or data are referenced to justify the proposed changes.

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Accurate data is essential for towns, cities, states, and the country as a whole to address problems and improve the quality of life. We strongly urge the Census Bureau to continue counting every resident regardless of immigration status, maintain the critical collection of race and other demographic data, and allow the enumeration period to encompass where people spend most of their time.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ad 2" or "Adam 2", with a stylized flourish at the end.

Adam Turner
Executive Director