Massachusetts Senate Committee on the Census
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Testimony in response to significant changes to the 2030 census proposed by the Census Bureau in 91 FR 57524

Introduction:

My name is Jessie Partridge Guerrero, and I am the Director of Data Services at the Metropolitan Area Planning Council. MAPC is the regional planning agency for the 101 cities and towns of Metropolitan Boston. Our **Data Services team uses data and technology to support informed decision-making and effective, equitable planning and governance across the Metro Boston region.** To do this work, we advocate for the collection and dissemination of accurate data about the region and the Commonwealth. Foundational to this work is an accurate, reliable, and comprehensive decennial census.

At MAPC, our data team includes GIS analysts, regional planners, researchers, and technologists. We deliver maps, action-oriented analysis, data, research, and web products to support local and regional planning and policy making. We respond to data requests from municipalities, state agencies, legislators, journalists, non-profit organizations, students, residents of our region, and more. Our digital tools, like DataCommon, make data and information readily accessible to the public; our socioeconomic projections and land use modeling serve as the foundation for a wide variety of planning and policy activities in our region and across the state; and our original research and custom analysis on demographic, economic, and housing trends helps planners and policymakers make informed decisions about the future of the region.

We are deeply concerned about the Census Bureau's proposed changes to the implementation of the decennial census, which would impact the 2030 census if enacted. If implemented, these changes will have a direct negative impact on all 351 Massachusetts municipalities and the Commonwealth as a whole.

Our municipalities depend on accurate data on the number of people in their municipalities and neighborhoods in order to plan for and right-size housing, schools, emergency response services, public health initiatives, public works programs, and more.

Businesses too, rely on accurate census data to inform investment decisions, locate their sites, and understand their customer base.

Census data drives decisions about allocating trillions of dollars in federal funding from CDBG to transit formula funding to education dollars and more. An inaccurate or undercount of populations impacts resources for entire communities—not just the households or individuals who go uncounted.

The Census Bureau has proposed several major changes to the residency criteria for the decennial census. The three elements of these proposed changes I will discuss are:

(1) the removal of non-citizens and permanent residents, also called green card holders, from the census apportionment count;

(2) the proposed new definition of "usual residency," and

(3) the proposed use of tax filing records to verify usual residency.

These proposed changes will result in an inaccurate decennial census count in every state, county, municipality, and neighborhood across the country. Not only would these changes result in an undercount by not counting the "whole number of persons in each state," as the 14th Amendment to the U.S. Constitution says the decennial census must; they will also result in a skewed and inaccurate distribution of the people who are counted by placing many of them in the wrong geographic location.

1. **Exclusion of Non-Citizens and Permanent Residents:**

The proposed rule would limit the population counted toward apportionment to only U.S. citizens and lawful permanent residents for the first time in census history.

There are approximately 640,000 non-citizens living in Massachusetts,[1] according to the Census Bureau's 2024 American Community Survey (ACS). This figure does include green card holders, who are not explicitly quantified by the ACS; however, the U.S. Department of Homeland Security's Office of Homeland Security Statistics estimates that in 2024 there were 340,000 green card holders in Massachusetts,[2] suggesting that there could be on the order of 300,000 people living in Massachusetts who would be excluded from the census count. This exclusion would have an especially significant impact on population counts in the MAPC region, where non-citizens represent nearly 11% of the population—the largest share of any regional planning agency region in Massachusetts. While MAPC has the largest share of non-citizens in the state, this change would impact every region, with the Merrimac Valley and Northern Middlesex regions not far behind us in terms of population share.

The Census Bureau has not been clear, in their proposed regulations, whether they would continue to count non-citizen populations in the decennial census enumeration and later exclude them for

[1] MAPC analysis of U.S. Census Bureau American Community Survey 2024 1-year estimate data, accessed via https://datacommon.mapc.org/browser/datasets/14, October 2026.
[2] U.S. Department of Homeland Security, Office of Homeland Security Statistics, https://ohss.dhs.gov/topics/immigration/lawful-permanent-residents/population-estimates/fy-25-lpr-pop-estimates, accessed October 2026.

apportionment purposes. However, they have suggested that they could add a citizenship question to the census, all but guaranteeing that non-citizens, especially those without documentation, will not respond. This means that even if the Census Bureau attempts to produce two products—one with a count of all residents and one with just citizens and legal permanent residents—both products would be inaccurate.

2. **Census Enumeration Period and Usual Residency Definition:**

The impact of non-citizen exclusion from the apportionment count will have broad implications across the country. The proposed set of changes to how "usual residency" is defined and verified is more nuanced and is especially concerning for Massachusetts and other northern states. Historically, the state where a person resides and the specific location within that state is determined using the concept of "usual residence," which is currently defined by the Census Bureau as the place where a person lives and sleeps most of the time throughout the year. This concept of "usual residence" is grounded in the law that governed the first census, "the Act of March 1, 1790" which said that people be counted at their "usual place of abode."

The proposed rules radically change this definition. The Census Bureau has proposed a new "census enumeration period" from January 3 to April 1 and has revised the definition of "usual residency" to be where a person has spent the most time during that three-month enumeration period.

This new way of measuring population will dramatically and inaccurately favor southern states where many northern residents, sometimes called snowbirds, spend some or all of the months of December through March, despite spending the majority of their time in, voting in, and paying taxes to northern states, like Massachusetts. Shifting this population south will further reduce Massachusetts' apportionment count and mean that our count doesn't adequately reflect the population that we are serving most of the year. People will be counted in the wrong place.

There is no definitive source of data available to quantify this "snowbird" effect. However, over the last several weeks MAPC has worked with The Warren Group, a national real estate data company, to develop a ballpark sense of magnitude using their national database of tax property records. Early analysis from The Warren Group shows that there are more than 280,000 properties outside of Massachusetts owned by someone with a Massachusetts mailing address, including 55,000 properties in Florida alone. Of course, some property owners own multiple properties, so we are continuing to refine this analysis with The Warren Group to narrow in on a deduplicated number of properties by state, to help us understand how many households in Massachusetts own a property in warmer states that they may spend time in during the winter months. Even then, this estimate will be a ballpark since not all people who own outside of Massachusetts will stay at those properties in the winter, and not all snowbirds are owners—some do rent. Nevertheless, we would be happy to keep the committee updated as we refine this estimate.

The impacts of this proposed change to “usual residency” aren't limited to "snowbirds," either. We can anticipate this causing confusion for a wide range of populations who may have different addresses during the three-month window including:

- People who move between January 3 and April 1 during decennial census years,
- Children in foster care,
- People experiencing housing instability,
- Seasonal workers, and more.

3. Tax Filing Residency Verification:

In addition to the proposed change in definition of “usual residency,” the Census Bureau’s proposed rules state that the Census Bureau “intends to consider tax records filed” to verify a person’s “usual residence,” “insofar as they are probative of” that person’s “usual residence.” This is problematic in numerous ways.

First, the IRS Tax return data does not cover all of the U.S. population. Many low-income households are not required to file taxes. For example, a person making less than $15,750 may not be required by the IRS’s own rules to submit a tax return. For context, there are on the order of 290,000 households in Massachusetts with a household income of less than $20,000, according to the 2024 ACS.[3]

Second, tax records don’t reliably reflect where a person lives:

- People may file their taxes using a P.O. box address rather than a home address;
- People who use a tax filing service may list the address of that business on their returns;
- College students and young adults may file using the address of a parent or guardian but (according to the proposed rule) should be counted at their January to April 1st address.

I'll underscore the inconsistency in this proposed rule: The Census Bureau intends to verify a person’s address based on the address listed in their tax return, yet the IRS itself does not require taxpayers list their physical residence on their tax returns. It requires only a mailing address.

Importantly, the Census Bureau has not tested the use of tax filing data for this purpose of validating residency, nor have they been clear in the proposed regulations about how they would treat individual respondents whose recorded residency is not consistent with or found in tax filing records.

Impact on Other Federal Data Sources:

These proposed changes don’t only impact the decennial census data either, because the decennial census serves as a foundational input to many other federal data resources. The decennial count is the basis for the Census Bureau’s annual population estimates, produced every non-census year, which

[3] U.S. Census Bureau American Community Survey 2024 5-year estimate data, accessed via https://datacommon.mapc.org/browser/datasets/120, October 2026.

serve as the country's official population count in between decennial censuses. The American Community Survey relies on the decennial census and those annual population estimates to accurately weight their survey results. The Census Bureau's own Preliminary Regulatory Impact Analysis (PRIA) of these proposed changes, published in the same docket, clearly states that the accuracy of the ACS will suffer under these new rules.[4]

And it's not just the ACS—many federal, local, and private datasets rely on accurate data from the decennial census.

Conclusion:

These three major proposed residency changes filed by the Census Bureau—the exclusion of non-citizens and permanent residents from the apportionment count, the change in the definition of "usual residence," and the use of tax filing records to verify residency—will lead to overbuilding roads and schools in some communities across the country, while others sit in overcrowded classrooms and on even more congested highways. They will make the already difficult task of projecting future population, labor force, and housing needs nearly impossible, while putting people at risk due to overburdened health systems, inadequate emergency plans, and under-resourced service provisions. We will simply not know the number of people in our communities who need help.

The dramatic changes proposed put Massachusetts at risk of losing critical federal funding that is used to support transportation infrastructure, healthcare investments, food security, and build housing. If these changes go through as written, Massachusetts is likely to lose substantial funding from the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Section 8, Crime Victim Assistance, rental assistance, school breakfast programs, and others which rely on the census count for disbursement. These likely decreases in funding will be compounded by the cuts caused by H.R 1 or President Trump's One Big Beautiful Bill. An accurate census is one of the only tools that will ensure that Massachusetts receives its fair share of federal dollars.

As a regional planning agency, we will not be able to our jobs. More importantly, people in Massachusetts will suffer. If the state loses access to critical food security dollars, crime victim assistance funding, if we aren't able to adequately scale disaster response or our healthcare systems to our full population size—these changes could lead to loss of life. The stakes are that high.

Thank you for inviting me to testify before the committee this afternoon and I would be happy to take any questions you may have.

[4] U.S. Census Bureau, https://www.regulations.gov/docket/USBC-2026-0628/document, Accessed via regulations.gov, October 2026.