STATE OF NORTH CAROLINA
OFFICE OF THE GOVERNOR

JOSH STEIN
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November 2, 2026

George M. Cook, Deputy Under Secretary Performing the Non-Exclusive Functions and Duties of the Director of the U.S. Census Bureau
Census Bureau, U.S. Department of Commerce
1401 Constitution Ave NW
Washington, DC 20230

RE: Decennial Census of the Population of Americans: Proposed Residence Criteria and Proposed Regulations for Demographic Questions [USBC-2026-0628]

Dear Mr. Cook,

The U.S. Census Bureau has long stated its goal is to count everyone once, only once, and in the right place every decade. In our nation's 250-year history, North Carolinians have been counted 24 times, beginning with the 1790 Census in which North Carolina was the third most populous state in the union. Today, North Carolina is the ninth most populous and third-fastest-growing state in the nation and in 2025 contributed nearly $128 billion in total federal taxes. The people of our state rightfully expect their fair share of representation in Congress and of federal funding for roads, schools, and disaster relief. An accurate census helps ensure just that. However, the recent proposed changes to the 2030 Census would fall short of the Bureau's own goal, threaten the accuracy of the count, and risk shortchanging North Carolinians of our just share of resources and representation.

On behalf of the State of North Carolina, I write to urge the U.S. Census Bureau to withdraw its proposed rules, "Proposed Residence Criteria and Proposed Regulations for Demographic Questions" (Docket No. USBC-2026-0628). The proposal would change where North Carolinians are counted, leave lawful residents out of the count used to apportion Congress, and strip questions on race and ethnicity from the census. Furthermore, our state's Demographer and our Office of State Management and Budget have raised numerous practical concerns about the implementation of these proposed changes (their public comment to the Census Bureau is attached to this letter). This proposed rule would make the 2030 count less accurate; therefore, I

ask that the Census Bureau withdraw these proposed changes so that our people can be accurately and fairly counted.

Few states have more at stake than North Carolina in the upcoming census. Estimates from North Carolina's State Demographer indicate that North Carolina's trajectory as the third-fastest-growing state in the nation could lead to our state gaining an additional congressional seat and vote in the Electoral College in 2030. However, apportionment depends on the census's population count. If the 2030 Census undercounts our state's population due to lower response rates or misguided administrative procedures that threaten the accuracy of the count, our people would be deprived of critical representation. Furthermore, undercounting North Carolinians in the next decennial census threatens our state's share of key resources to serve our people, including more than $60 billion in annual census-guided federal funding. Lastly, census data serves as the foundation for a broad array of federal and state statistical analysis, and undermining its accuracy will make all that work less accurate and less reliable.

The Proposed Changes Unlawfully Distort North Carolina's Share of Resources and Electoral Representation

The Constitution is clear: For purposes of apportioning members of the House of Representatives among the states, the census must count all persons residing in the United States, regardless of legal status. Consistent with the Constitutional requirement, the Census Act similarly requires the Census Bureau to take a census of population as of April 1 of the census year. The Census Bureau's proposal to exclude certain persons for apportionment and to add a legal status question violate the statute and Constitution and will only promote fear and deter participation in the census by immigrants and their families.

In addition to being unlawful, these proposed changes risk both a distortion of Congressional and other electoral representation and a degraded quality of census and census-derived data that federal, state, and local governments use to allocate resources and provide critical services, often at the direction of Congress. Research shows that a citizenship status question lowers self-response rates in the census, particularly among Latino and immigrant households, including mixed-status households with both American citizens and noncitizens. Lower self-response rates from these households could lead to an undercount of the population as a whole and even the number of United States citizens in mixed-status households.

The proposed changes would *prevent* the count of swaths of the current population of each state. This is in direct violation of the Constitutional requirement of an "actual [e]numeration" of the population. Demographic questions have been included in the census to accommodate important analyses regarding the disposition of federal resources. To the extent the Census Bureau is seeking to establish new population groupings for the eventual allocation of said resources, the Bureau cannot reasonably maintain that the government has an interest in shaping the census to

achieve such goals while simultaneously undermining the Bureau's ability to achieve what must be its fundamental and primary goal – an actual enumeration of the population at the time of the census for purposes of apportionment.

The Proposed Changes Risk Shortchanging Many North Carolinians, Especially Military and Disaster-Impacted Populations

The proposal to use an enumeration period to measure residency and a requirement that tax records be consistent with a respondent's "usual residence" risk undercounting many segments of our population, especially our state's military population and those people displaced by natural disasters.

North Carolina is home to nearly 95,000 active-duty service members—the fourth largest military population in the nation—and nearly 106,000 activity-duty military family members. Nearly 38,000 children of active-duty service members attend K-12 school in our state. North Carolina also is home to Fort Bragg, the largest military base in the United States by population.

Under federal law, military servicemembers and their families stationed under orders elsewhere in the United States can maintain their state of legal residence for tax purposes in the state where they or their spouse lived prior to service. We ask our military servicemembers and their families to leave their homes, move across the country—often on short notice—and put their lives on the line for our freedom. They deserve the flexibility and certainty of being able to maintain their ties to the place they choose, and they also deserve a government that ensures that it provides good schools, roads, and health care for their families in the communities where they physically reside.

In previous administrations of the census, military families would be counted in the state where they reside, providing federal resources to the communities surrounding military bases to scale with their military populations. However, because tax records are often not associated with military families' physical residences, this proposed framework risks underfunding the critical services their families rely on.

Additionally, the proposal threatens national security by weakening state infrastructure supporting military installations. Because the census's population count drives distribution of state and federal funds to support highway maintenance, law enforcement, and other utilities, counting military families based on tax records rather than their physical residences near the bases where they are stationed deprives the communities surrounding those bases of critical resources, which will directly harm military families.

Furthermore, the proposed three-month enumeration period for residency risks undercounting populations in areas recently impacted or displaced by natural disaster. In 2024, Hurricane Helene devastated western North Carolina, causing damage to 73,700 homes. Tens of thousands

of North Carolinians were displaced from their homes, including more than 13,000 North Carolinians who were served by FEMA transitional sheltering in the six months after Helene.

A strict three-month enumeration period, subject to verification against tax records, creates potential confusion and risks leaving out the very residents whose communities most need federal support to rebuild. Many families may be temporarily displaced for a few days or weeks, while others may be displaced for many months while their previous residences are repaired or replaced. The 2020 residency rules addressed these and similar situations. These proposed rules make no mention of the displaced and instead rely on the number of days within the three-month enumeration period that people spent in their communities. These proposed changes risk undermining federal funding for disaster-impacted communities, just as they are rebuilding their schools, roads, and infrastructure. A count meant to show where Americans live should not penalize families for surviving a disaster.

The Proposed Removal of Race and Ethnicity Questions Would Undermine Accuracy and Make Government Less Efficient

The proposed changes regarding the collection of race and ethnicity data would compromise the accuracy of census data and undermine a critical tool in ensuring government is able to efficiently deploy resources to meet critical needs. In particular, these proposed changes risk undermining a critical source of data on our state's Native American and tribal-affiliated residents, just as our state's Lumbee Tribe secures full federal recognition. North Carolina has the second-largest Native American population east of the Mississippi, and this critical data is a source used by various federal agencies to determine the allocation of resources.

This proposal incorrectly asserts that the race and ethnicity questions "distort" the value of census data and relies on a misguided notion that the function of government must be "colorblind." However, data reveals that critical issues of health and safety such as maternal mortality, infant mortality, and violence against women do not adhere to such a notion. In North Carolina, black children are nearly three times as likely to die in infancy than white infants, and black maternal mortality is nearly twice as high as the rate for white women. The United States Department of Justice has found that more than 84% of Native American women report experiencing violence in their lifetimes. Each of these instances is a tragedy—regardless of race, ethnicity, age, gender, or any demographic characteristic. However, government cannot fix what it cannot see. Accurate data, including data broken down by race, ethnicity, and place, shows us where problems exist, where interventions are not working, and where further attention will do the most good. Erasing that information away does not make disparities disappear. Rather, it means government's allocations of limited resources will be less efficient, leading to less efficacy and improvement. It means fewer lives saved for every dollar spent. As a result, the people already hit hardest, as well as the entire population, will pay the price.

Furthermore, in failing to collect this demographic data, the Census Bureau would remove a key metric to understanding the accuracy of the census's population data, particularly since previous administrations have miscounted certain racial and ethnic groups. The Census Bureau's own Post-Enumeration Survey found that the 2020 Census undercounted American Indians and Alaska Natives living on reservations by 5.64 percent, Hispanic or Latino residents by 4.99 percent, and Black residents by 3.30 percent while overcounting non-Hispanic white residents by 1.64 percent. The Bureau could measure these gaps, and work to close them in 2030, only because the census asked about race and ethnicity. Census data is a key component of myriad government programs, undermining the accuracy of the population estimates used to direct billions of dollars in resources to North Carolina.

This proposal comes at a particularly concerning moment for our state's Native American and tribal-affiliated communities. North Carolina is home to eight state recognized tribes and two federally recognized tribes, including the Coharie, Eastern Band of Cherokee, Haliwa-Saponi, Lumbee, Meherrin, Occaneechi Band of the Saponi Nation, Sappony, and Waccamaw-Siouan. Our state is also home to four urban Indian organizations consisting of the Cumberland County Association for Indian People, and the Guilford, Metrolina, and Triangle Native American Associations. This year, the Lumbee Tribe of North Carolina finally secured full federal recognition, granting the tribe access to additional federal resources through the Bureau of Indian Affairs, the Bureau of Indian Education, and the Indian Health Service, including support for health care, housing, education, transportation, broadband, and disaster assistance. With more than 68,000 members, the Lumbee Tribe is the largest tribe east of the Mississippi River. Federal formulas such as the Indian Housing Block Grant rely on census counts of American Indian and Alaska Native residents to allocate funding. Like many American Indians, members of the Lumbee Tribe are apt to be undercounted in the census since they tend to live disproportionately in census tracts that are hard to count. In fact, an analysis in advance of Census 2020 estimated that 23% of North Carolina's American Indians lived in such tracts, with a significant number of those tracts located in Robeson County, a population center of the Lumbee people. Also, without the collection of demographic data about the American Indian population, neither the federal government nor the state government will be able to identify disparities, administer programs, enforce civil rights, and allocate resources to tribal communities. Just as the Lumbee people finally gain access to resources they were denied for generations, this proposal would weaken the very data used to make sure those resources reach them.

Conclusion

North Carolina's service members and their families, disaster survivors, immigrant communities, and tribal communities deserve a census that counts every person where they actually live. Accurate census data is the foundation of fair representation and of the responsible use of taxpayer dollars, and the proposed changes would move the 2030 Census away from both. I urge

the Census Bureau to withdraw the proposed rules and to conduct the 2030 Census in a way that produces the most complete and accurate count possible. North Carolina stands ready to work with the Bureau toward those goals.