PROPOSED CENSUS RESIDENCY RULES

Impact in Massachusetts

University of Massachusetts Amherst



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Proposed Residence Criteria and Regulations for Demographic Questions

Section 60.4: excludes non-citizens from the count

Section 60.2: changes concept of "usual residence"

- Jan 3 – April 1
- IRS linkage

Section 70.2: removes race and ethnicity from Census questionnaire and prohibits questions about sexual orientation

Docket No. 260903-0005, Document 2026-18481



Key Impacts in Massachusetts

- **Large non-citizen population**
- **“Snowbird” populations**
- **Severe inaccuracies in data**

https://www.federalregister.gov/documents/2026/09/10/2026-18481/decennial-census-of-the-population-of-americans-proposed-residence-criteria-and-proposed-regulations

Non-Citizens in Massachusetts

Foreign Born in Massachusetts

The ACS estimates over 1.3 million foreign-born residents in Massachusetts

Just under 1 out of every 5 people.

Of these, over 641,000 are not U.S. Citizens.

About 9% of total MA pop.

Massachusetts Foreign Born	Estimate	Margin of Error
Foreign-born	1,337,811	±21,991
Foreign-born; naturalized U.S. citizen	696,731	±14,829
Foreign-born; not a U.S. citizen	641,080	±19,324

U.S. Census American Community Survey (ACS) 1-year dataset 2024

Non-Citizens by State

Massachusetts ranks 9th for number of non-citizens

Top 10 States by Count of Non-Citizens

State	Foreign-born; not a U.S. citizen
California	5,003,494
Texas	3,350,974
Florida	2,433,707
New York	1,877,763
New Jersey	1,048,985
Illinois	945,493
Georgia	698,506
Washington	641,177
Massachusetts	641,080
North Carolina	632,363

Non-Citizen Shares by State

Massachusetts ranks 7th in number of non-citizens as share of the total population

Top 10 States by Share of Non-Citizens

State	Non-citizen share of total population
California	12.7%
New Jersey	11.0%
Texas	10.7%
Florida	10.4%
New York	9.5%
Nevada	9.4%
Massachusetts	9.0%
District of Columbia	8.6%
Washington	8.1%
Maryland	7.7%

Lawful Permanent Resident Estimates

Office of Homeland Security Statistics

Estimated Resident LPR and Eligible to Naturalized Populations by Initial or Current State of Residence, 2025

State	**Revised 2024 LPR Population Estimate**	**Revised 2024 Eligible to Naturalize Estimate**
Massachusetts	340,000	210,000

This table describes the initial or current state or territory of residence for the estimated LPR population and those eligible to naturalize. ACS data on current state of residence are available for LPRs who arrived prior to 1980. For all other LPRs, the only available data are based on LPRs' state of residence at the time they obtained LPR status. Many years have passed for the majority of LPRs, so the accuracy of the state of residence depends on the extent to which LPR interstate migration patterns vary from state to state.

Likely overestimating in Massachusetts, which is a "landing pad" for many immigrants, historically.

Population Missing from Count

641,080 estimated Non-Citizens

-340,000 estimated Lawful Permanent Residents

301,080 Excluded from the count

Low estimate!!!

Population Missing from Count

Dropping 301,080 people from the Census count is like dropping handfuls of Massachusetts cities!

Brookline	63,414
Taunton	62,522
Revere	60,141
Medford	59,834
Weymouth	59,759
5 large cities	**305,670**

North Andover	32,161
Tewksbury	31,901
Norwood	31,714
North Attleborough	31,506
Wellesley	31,239
Northampton	31,047
Milford	30,832
Gloucester	30,627
Stoughton	29,845
Melrose	29,597
10 mid-sized cities	**310,469**

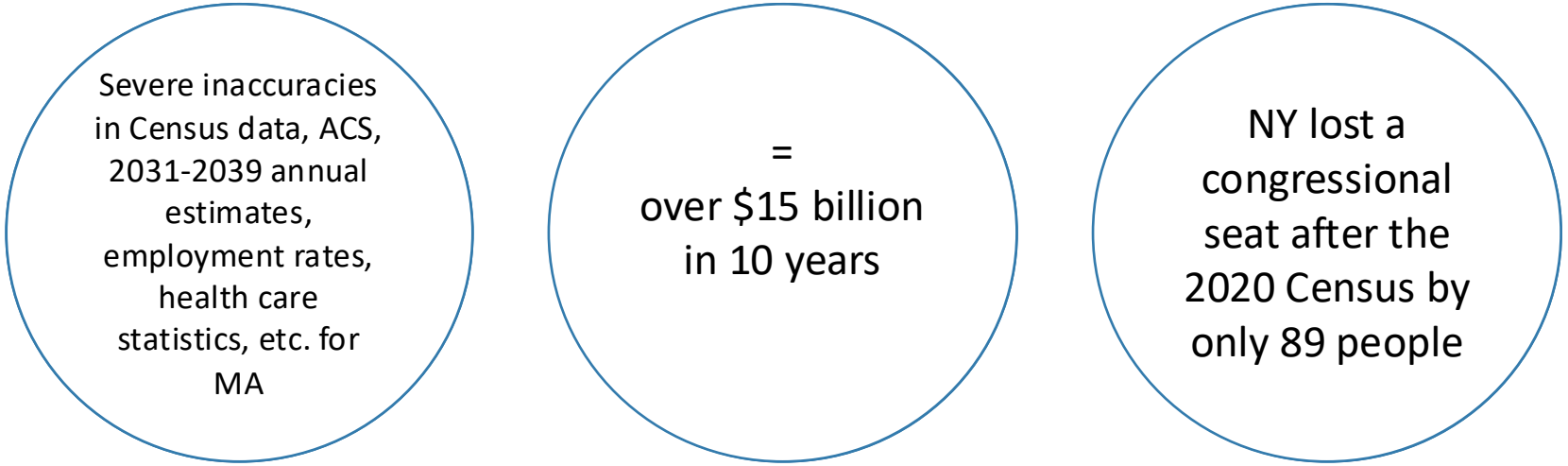
estimated number of non-citizens without LPR status in Massachusetts

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301,080

Excluded from the Census count!

The 2030 Census is about……



DATA **MONEY** **POWER**

Non-Citizen Populations in Massachusetts

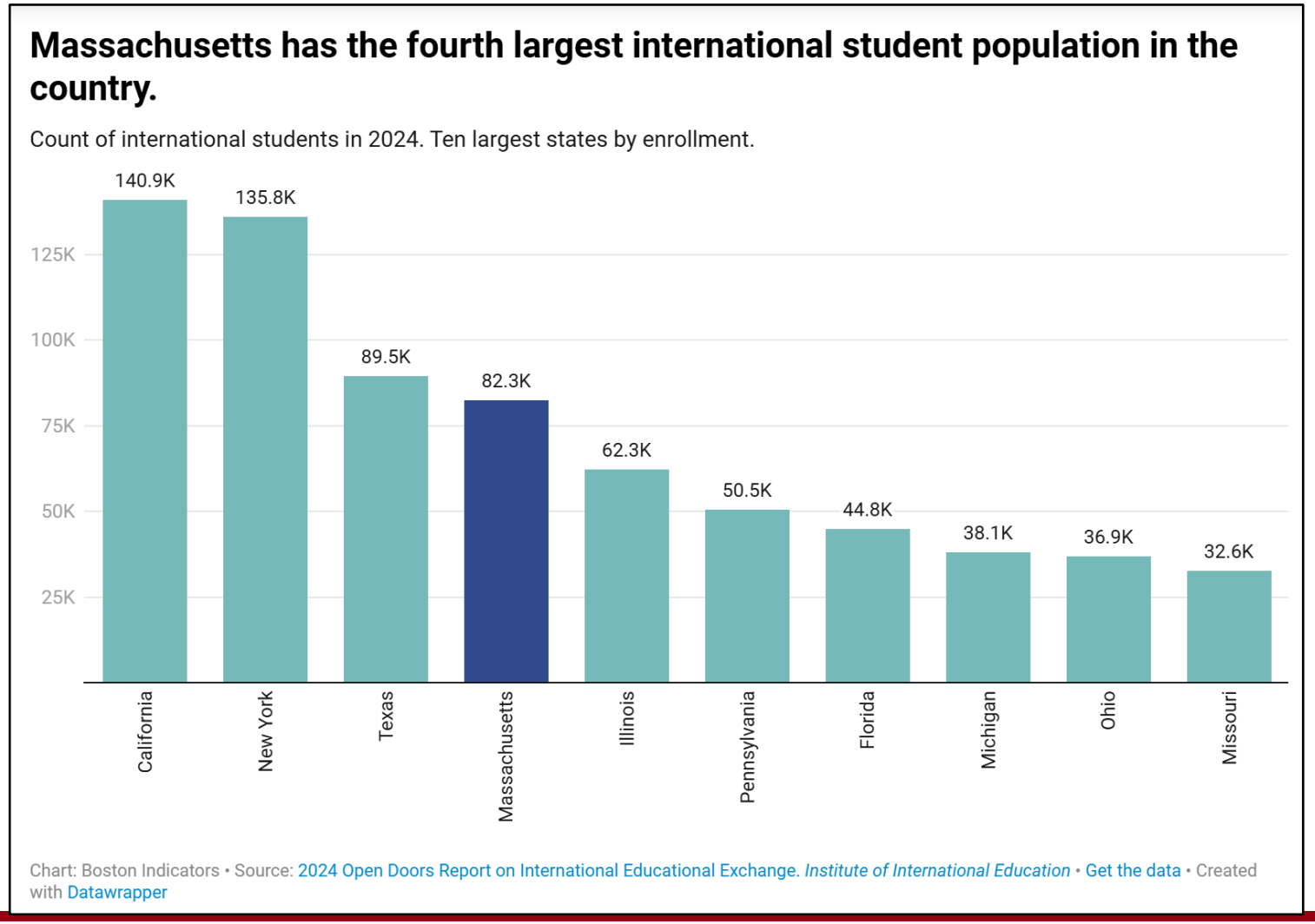
International Students

International Student Counts: Ranked 4th in the U.S.

Boston Indicators Report:

82,300 international students in Massachusetts

4th in U.S. behind California, New York, and Texas

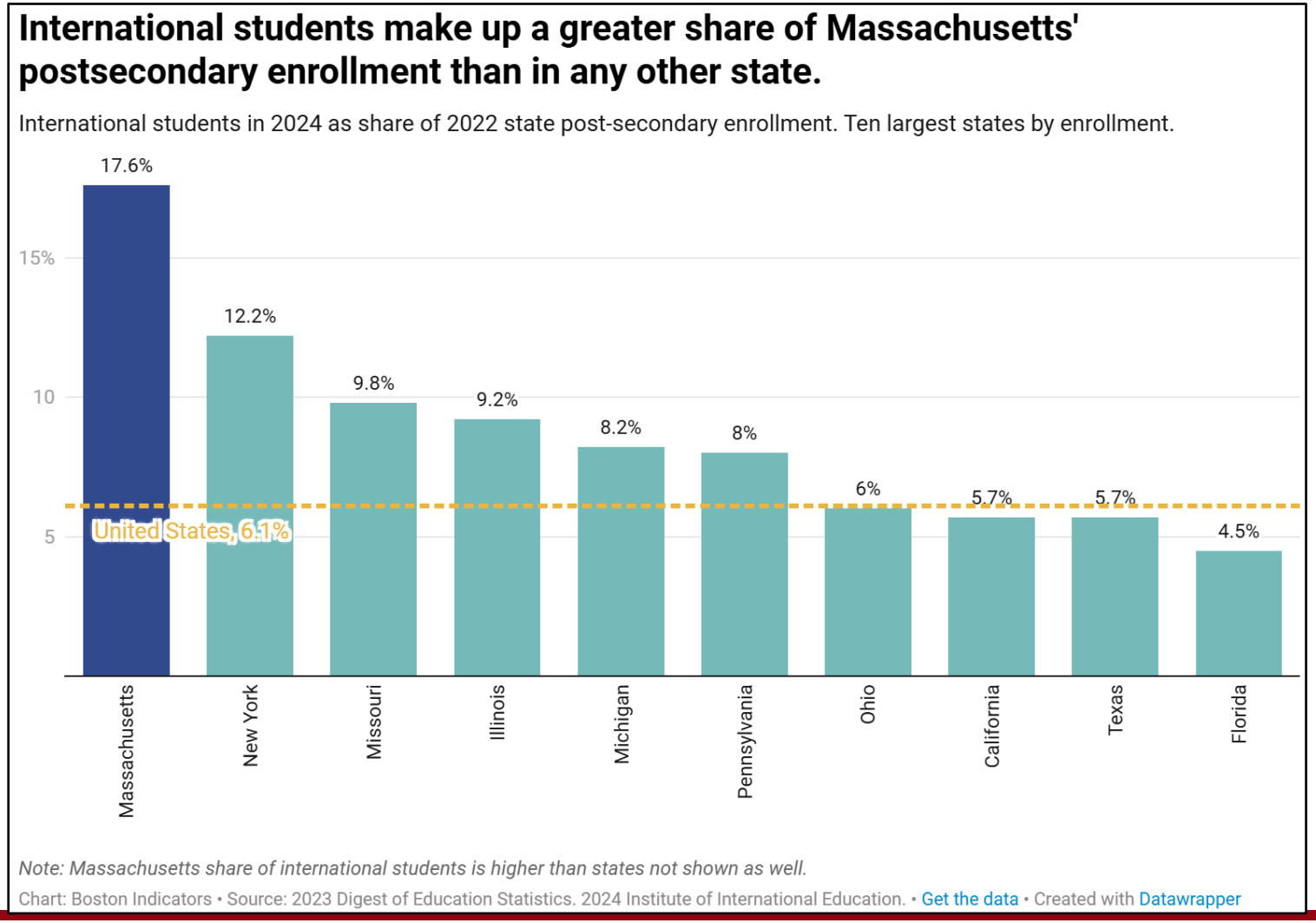


International Share of all Post-Secondary: Ranked 1st in the U.S.

Boston Indicators Report:

Massachusetts has the highest share of international students as a proportion of postsecondary enrollment in the nation at 17.6%

a full 5 percentage points ahead of New York in second.



International Student Counts Statewide

National Center for Education Statistics (NCES IPEDS) 2025:

Massachusetts had **81,339** U.S. Nonresident students across 50 Cities and Towns in MA.

Highest counts in

- Boston 40,305
- Cambridge 16,906
- Amherst 5,179
- Worcester 3,323
- Waltham 2,273

IPEDS, Fall 2025 12-month Enrollment (E12) component

12-month unduplicated headcount by race/ethnicity, gender and level of student: 2024-25

EFFY2025 https://nces.ed.gov/ipeds/datacenter

City or Town	U.S. Nonresident Enrollment	City or Town	U.S. Nonresident Enrollment	City or Town	U.S. Nonresident Enrollment
Boston	40,305	Williamstown	238	Weston	32
Cambridge	16,906	Quincy	204	Bourne	30
Amherst	5,179	Haverhill	161	Needham	29
Worcester	3,323	Wenham	134	Franklin	27
Waltham	2,273	North Andover	130	Chicopee	26
Medford	2,119	Framingham	83	Tyngsboro	20
Newton	2,061	Easton	80	Brookline	15
Wellesley	2,001	Norton	79	Longmeadow	15
Lowell	1,216	Hamilton	77	North Adams	15
North Dartmouth	972	Beverly	72	Pittsfield	11
Bedford	718	Holyoke	69	Danvers	10
Springfield	628	Milton	68	Gardner	8
South Hadley	457	Westfield	59	Barnstable	2
Northampton	392	Brockton	57	South Easton	2
Fitchburg	340	Fall River	56	Malden	1
Bridgewater	279	Paxton	47		
Salem	272	Dudley	41	**50 MA cities and towns**	**81,339**

International Faculty and Staff in Massachusetts

IPEDS NCES Full- and Part-time Staff Count

According to the IPEDS NCES Fall 2024 survey, there were

7,414 U.S. nonresident *full and part-time staff* in Massachusetts higher education institutions

- ***Harvard*** (1,765), ***MIT*** (1,423), and ***Northeastern*** (1,211) are the three largest employers of nonresident faculty and staff in Massachusetts.

Including 1,735 *full-time Instructional staff*

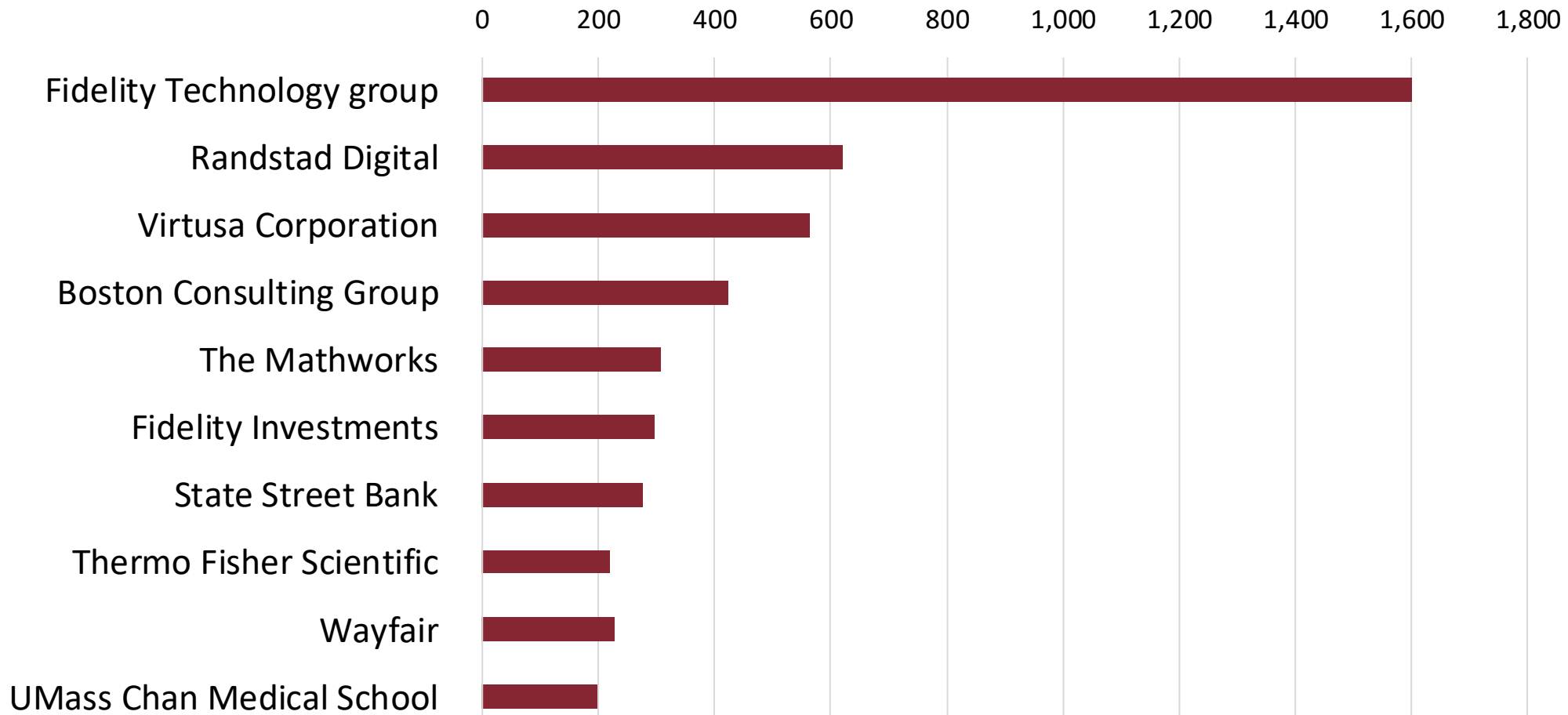
- ***Northeastern*** (367), ***UMass Chan Medical School*** (238), and ***Boston University*** (202) are the three largest employers of nonresident full-time instructional staff in Massachusetts.

International Workers in Massachusetts

H-1B Visas in Massachusetts

- There were **17,510 H-1B visa beneficiaries** approved in the state of Massachusetts in 2025
    - This number contains both initial approvals and continuing approvals of H-1B visas.
    - This number doesn't count workers who were approved in previous years and are still working in Massachusetts.
- There were **2,251 employers** petitioning for H-1B visas workers in 2025.

Top 10 H-1B Employers in Massachusetts, 2025



Other International People in Massachusetts

DACA Recipients in Massachusetts

The Deferred Action for Childhood Arrivals (DACA) is a program that allows young immigrants who grew in the US to seek temporary protection from deportation and to have the ability to work.

- There were **12,600 DACA-eligible residents** in Massachusetts in 2023.
- 95% of DACA-eligible residents in Massachusetts were employed in 2023.
- DACA-eligible households paid $131.6 million in taxes in 2023.
- Massachusetts had a total of 4,200 active DACA recipients as of June 2025.

- American Immigration Council

https://www.nilc.org/work/daca/

https://map.americanimmigrationcouncil.org/locations/massachusetts/#

Humanitarian Relief

Temporary Protection Status (TPS) in Massachusetts

"The Temporary Protected Status (TPS) is a blanket form of humanitarian relief for foreign nationals present in the US from countries in which ***natural catastrophes*** *or* ***civil conflicts*** imperil their safe return. TPS recipients can live and work in the US if they cannot return safely to their home country because of natural disaster, armed conflict, or other ***extraordinary, but temporary, conditions***."

- There were **23,800 TPS beneficiaries** in Massachusetts in 2023.
- 86.9% of TPS holders were of working age in Massachusetts in 2023.
- TPS holders paid $134.2 million in taxes in Massachusetts in 2023.

-American Immigration Council

https://www.bostonindicators.org/-/media/indicators/boston-indicators-reports/report-files/immigration-report_2019.pdf

https://map.americanimmigrationcouncil.org/locations/massachusetts/#

Refugees in Massachusetts

US Citizenship and Immigration Services defines refugees as "any person outside their country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution based on their race, religion, nationality, membership in a particular social group, or political opinion."

- There were an estimated **56,400 refugees** in Massachusetts in 2023.
- 99.1% of refugees in Massachusetts were employed in 2023.
- Refugees paid $959.9 million in taxes in 2023.
- Refugees had a spending power of $2.5 billion in 2023
- ***"On a direct path to citizenship"*** *-American Immigration Council*

https://www.uscis.gov/glossary-term/50689

https://map.americanimmigrationcouncil.org/locations/massachusetts/#

Asylum seekers in Massachusetts

The Department of Homeland Security defines asylees as “aliens who are already in the US or at a port of entry and are granted asylum.” The US grants asylum to persecuted people or people who have a well-founded fear of persecution, along with their immediate relatives.

- There were **2,100 asylees** in Massachusetts in 2024.

-American Immigration Council

https://ohss.dhs.gov/topics/immigration/state-immigration-data/state-immigration-statistics-map

https://ohss.dhs.gov/topics/immigration/state-immigration-data/state-immigration-statistics-map

Who is counted?

Section 60.1 “Purpose”

“This part sets forth the criteria used by the Census Bureau to determine each individual's place of “usual residence,” as needed to determine *whether and where* to count each individual as part of the decennial census for purposes of apportionment.”

Excluding before count or after count?

If before,

- Census is a priori determining citizenship status based on imperfect and incomplete administrative dataset matching.
- Problematic for mixed households.

If after,

- Major disincentive to answer the Census for people who won’t count for apportionment anyway.

Effect of Citizenship Question

Even if all people, including non-citizens, are asked to respond, the response rate will diminish!

U.S. Census Bureau (Brown and Heggeness, 2024) conducted a study of 480,000 households where half of the households received a questionnaire with a citizenship question and half didn't.

Key findings:

Even though response rates didn't decrease dramatically *on average* when including a citizenship question, response rates varied across groups. There was a statistically significant reduction of response among:

- households with at least one ITIN holder
- households with Latin American born non-citizens with a SSN
- households with US-born Hispanics and
- households with non-Latin American born non-citizens with a SSN.

NEW Residency Period and IRS Linkage

Section 60.2 changes concept of “usual residence” and adds IRS linkage

60.2 General definition of “usual residence” for conducting the Decennial Census

(a) A person's “usual residence” is the residence at which they have lawfully spent the greatest number of days during the census enumeration period. A person's “usual residence” should be consistent with, and evidenced by, their tax records (*e.g.,* tax returns, W-2 forms).

(c) The census enumeration period runs from January 3 to April 1 during decennial census years. April 1 is referred to as “Census Day.”

Section 60.2: IRS Linkage

IRS data excludes or undercounts some populations and is biased towards low-tax states

- a novel and highly consequential change to Census residency rules
- low-income, seniors on small, fixed incomes, and all other exempt people are not in IRS records
- conflates “usual” residence with a person’s chosen tax filing address
- known shortcomings in IRS data in capturing college students, post-college young adults, and other highly mobile populations
- Biases not researched by the Census Bureau
- ***Tax reporting highly biased towards states with low or no income tax***

Seasonal Movers

Enumeration Period January 3 to April 1 biases the Census count towards Southern and warmer states



Q: How many Massachusetts residents spend winters in Florida or other states?

A: *We don't know!!*

Seasonal Movers

Enumeration Period January 3 to April 1 biases the Census count towards Southern and warmer states

According to the Warren Group,

- **286,875 properties** outside of MA are owned by someone with an MA address

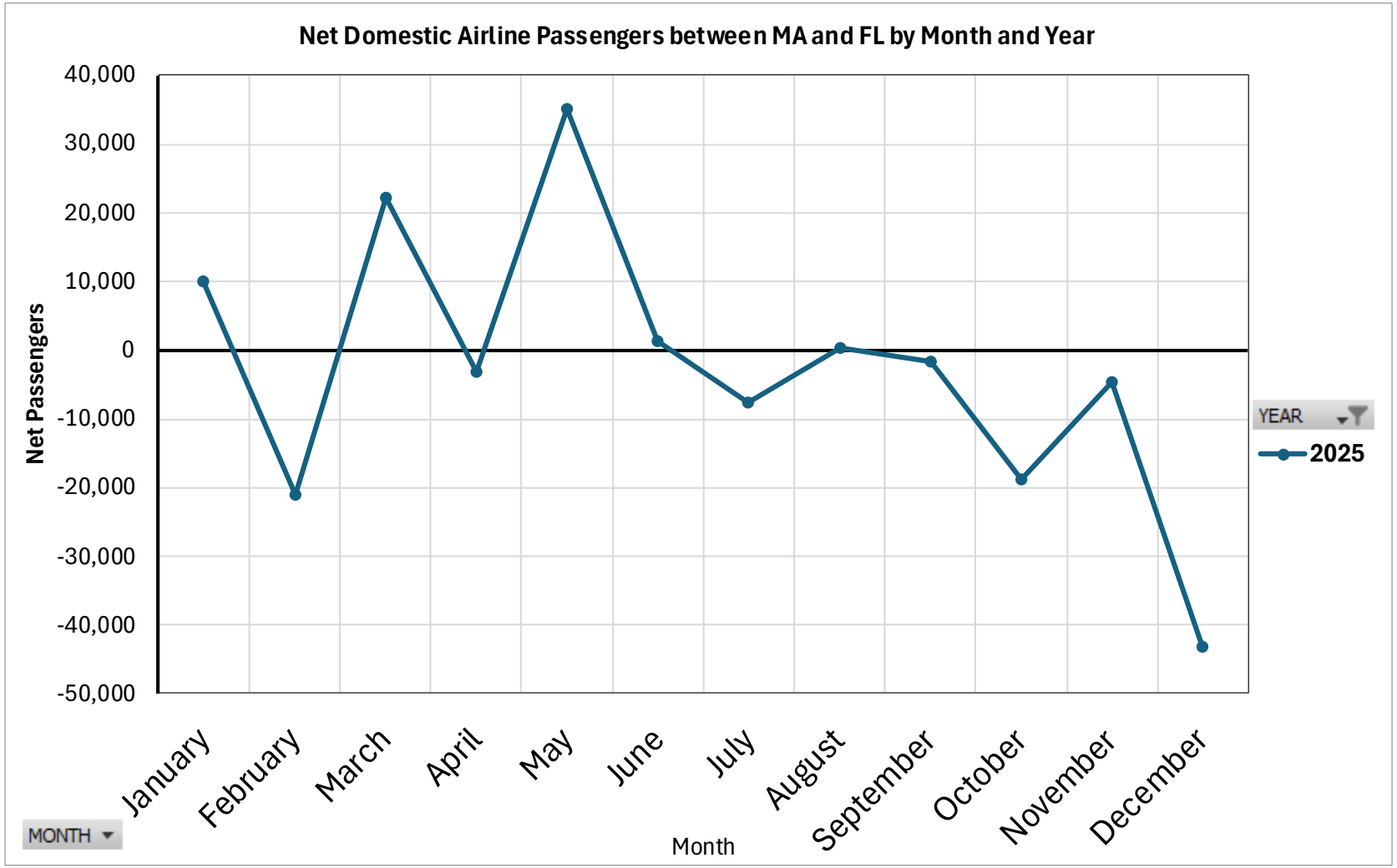
  … including 55,000 in Florida alone

NOTE:

- some MA property owners may own in more than one state outside of MA
- Not all people who own outside of MA will stay at those properties in the winter
- **not all people who snowbird in the winter are owners – some rent!**

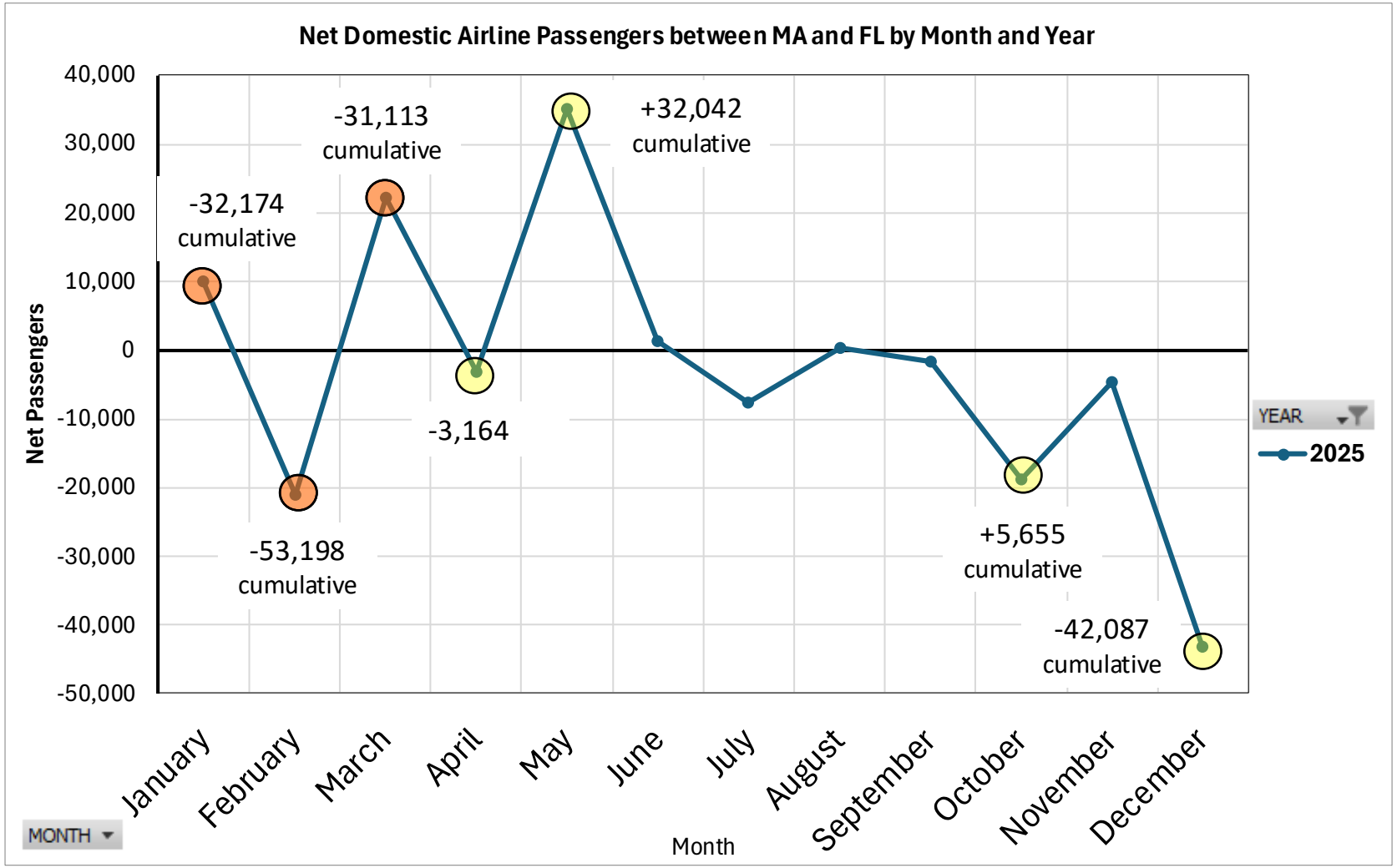
Airline Passenger Data Shows Net Loss in Winter Months

Peak net outflow from MA to Florida in October through December plus February, restored in May.



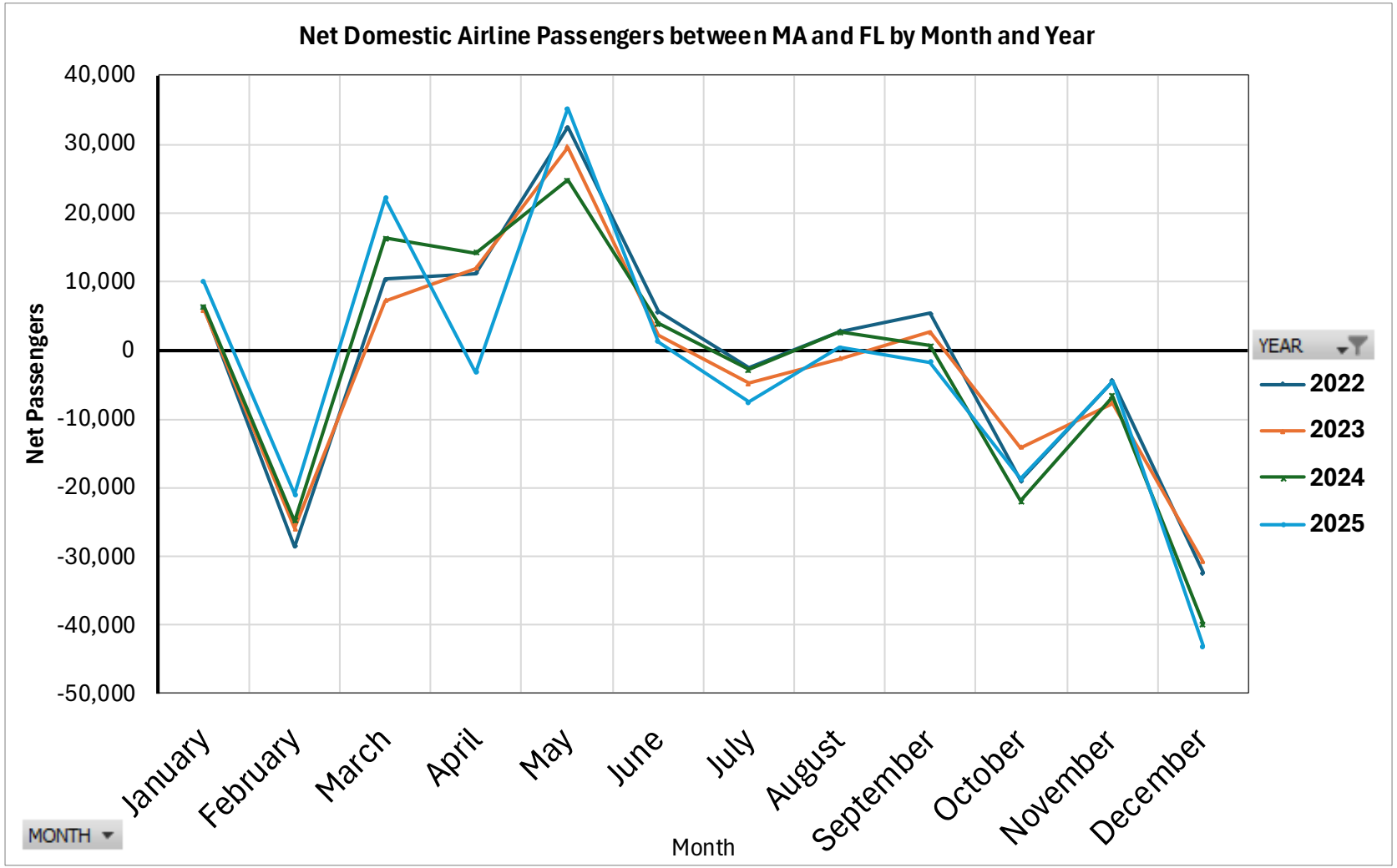
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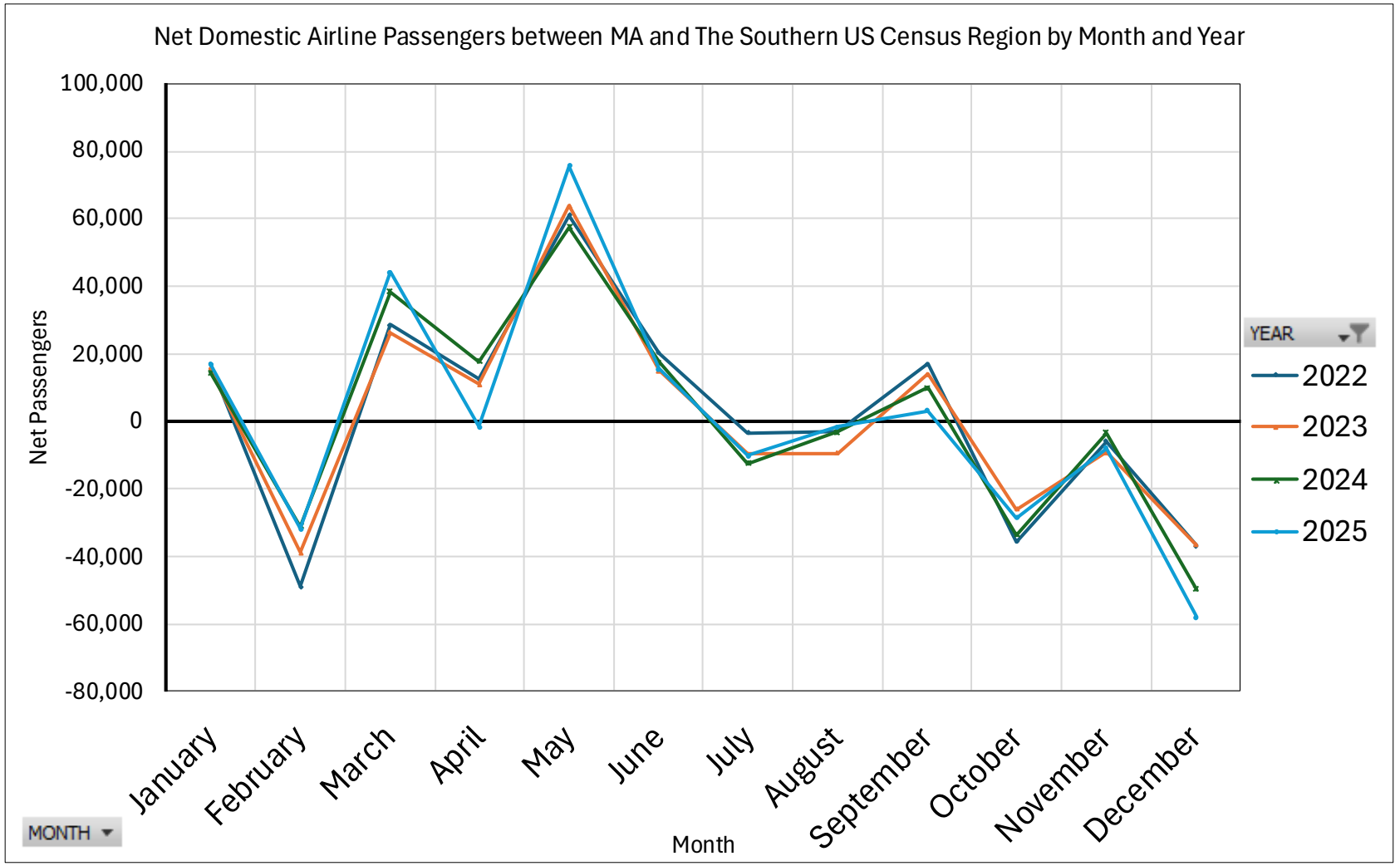
Airline Passenger Data Shows Net Loss in Winter Months

Pattern is consistent year to year.



Airline Passenger Data Shows Net Loss in Winter Months

Pattern is consistent between MA and entire Southern region of U.S.



The 2030 Census is about……



DATA



MONEY



POWER

State Uses of Census Data

State Funding Apportionment and Eligibility

Apportionment formulas and eligibility requirements for a variety of state funding rely on decennial census population counts. This is just a selection of cases that specifically reference federal census data.

Apportionment

- $200 million in Chapter 90 funding (transportation infrastructure improvements)
- $217 million in funding for regional transit authorities (RTAs)

Eligibility

- Massachusetts Alternative and Clean Energy Investment Trust Fund
- Massachusetts Food Trust Program
- Workforce Investment Trust Fund
- Brownfields Redevelopment Fund
- Rural Development Fund
- Financial assistance from the Division of Water Pollution Control

Mass. Gen. Laws ch. 10, § 35FF; ch. 21, § 33A; ch. 23A, § 65; ch. 23G, § 29A; ch. 23N, § 18.
FY27 Enacted Budget, Line Item 1595-6370.
Mass. Department of Transportation (2026). "Chapter 90 apportionment." https://www.mass.gov/info-details/chapter-90-apportionment.
Executive Office of Economic Development (2026). "Rural Development Fund." https://www.mass.gov/info-details/rural-development-fund.

Other Uses of Census Data from MA Laws

Massachusetts laws require that census data be used for the following purposes:

- To determine the required number of low-income units for new condominium projects.
- As a base for budgets and apportionment of costs of district planning commissions.
- To define “eligible sections of substantial poverty” for employment assistance and training programs.
- In annual reports by the Massachusetts Legal Assistance Corporation (MLAC) on services provided.

American Community Survey (ACS) Uses

Though the proposed rule is not directed at the ACS, the ACS relies on decennial census data for weighting, so the proposed rule is expected to have significant impacts on the accuracy of ACS data.

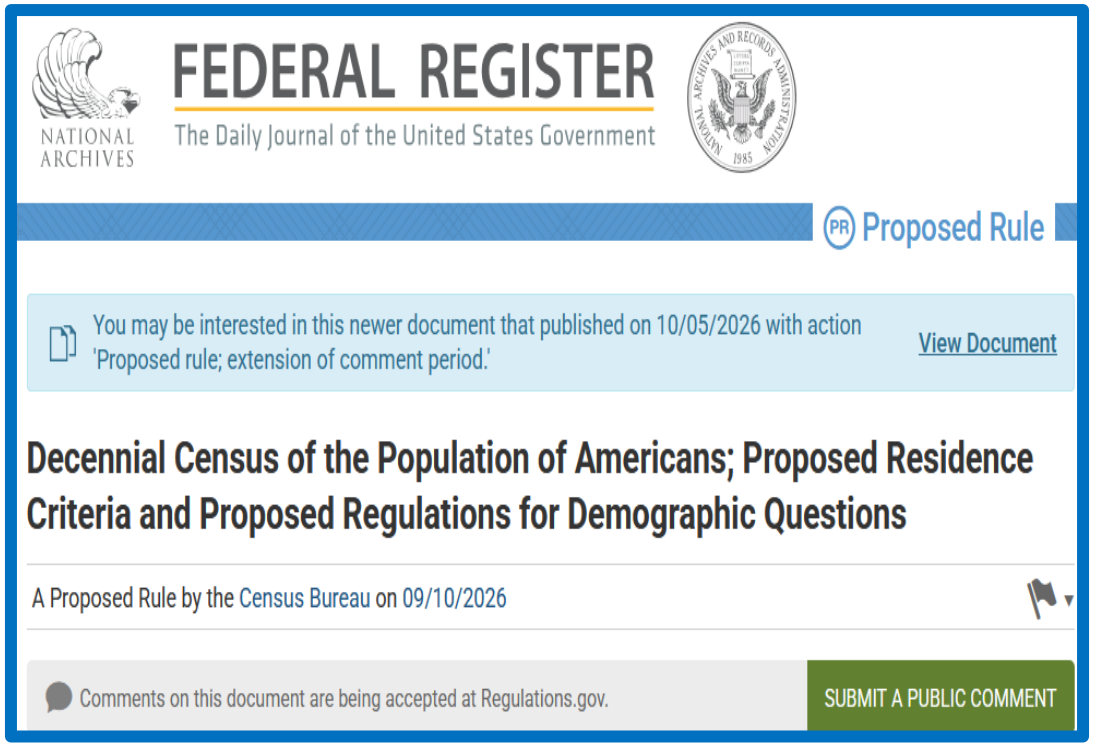
Many Massachusetts departments and agencies utilize ACS data in annual reports and for purposes such as planning, distribution of funds, projections, and assessment of programs. These include:

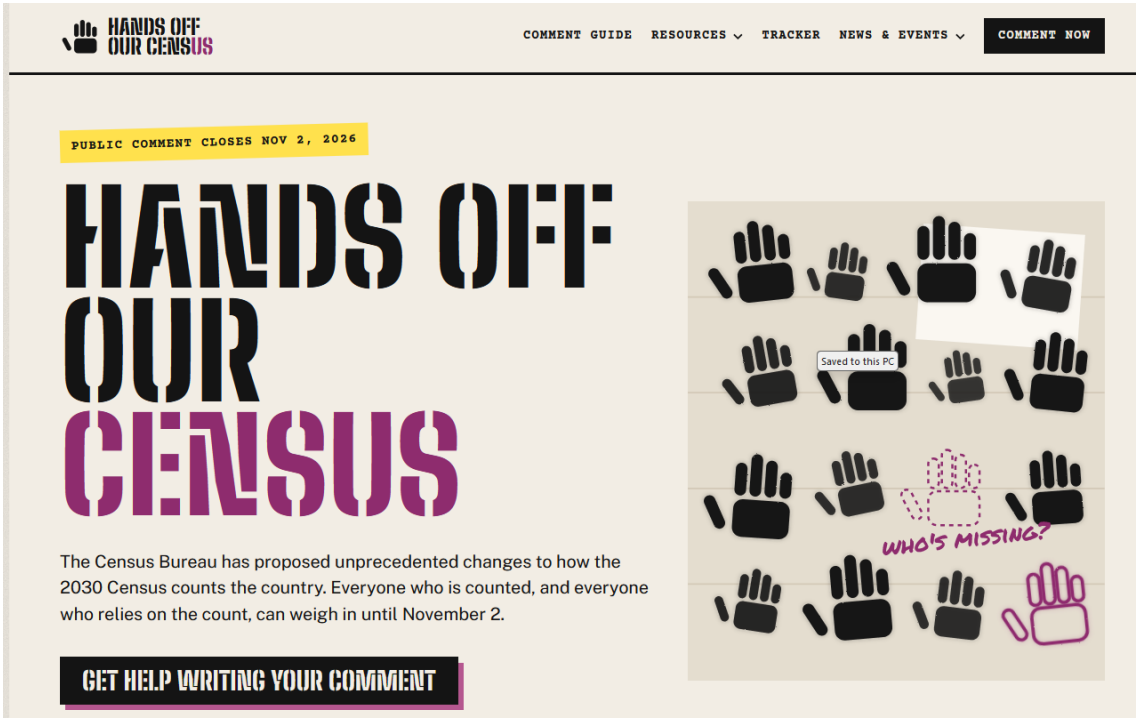
- Department of Mental Health
- Executive Office of Health and Human Services
- Department of Unemployment Assistance
- Executive Office of Housing and Livable Communities
- Child Fatality Review Program

Department of Mental Health (2026). *FY26 Report on the Distribution of Funds.*
Executive Office of Health and Human Services (2025). *MassHealth Caseload and Utilization Methodology Report.*
Department of Unemployment Assistance (2026). *August 2026 Quarterly Outlook Report, Unemployment Insurance Trust Fund.*
Executive Office of Housing and Livable Communities (2025). *Report on Data Collection for Government Assisted Housing in Massachusetts.*
Child Fatality Review Program (2023). *Massachusetts Child Fatality Review Annual Report.*

Comments by November 2!

Docket No. 260903-0005, Document 2026-18481





Thank you!!

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