PANO Pennsylvania Association of Nonprofit Organizations

4801 Lindle Road, Harrisburg, PA 17111 | 717.236.8584 | www.pano.org

November 1, 2026

Submitted via Federal eRulemaking Portal: https://www.regulations.gov

Secretary Howard Lutnick
Census Bureau
U.S. Department of Commerce
4600 Silver Hill Road
Washington, DC 20746

Re: Docket No. 260903-0005, RIN 0607-AA75, Department of Commerce, Census Bureau, Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions

Dear Secretary Lutnick,

The Pennsylvania Association of Nonprofit Organizations (PANO) opposes the changes proposed by the U.S. Census Bureau on how the 2030 Decennial Census counts people and collects demographic data. If implemented, the proposed changes would undermine the census' ability to provide a fair and accurate count of the 13 million people residing in Pennsylvania for the following reasons.

First and foremost, **PANO opposes these changes on Constitutional grounds, because it would exclude certain people from the population count used to determine the number of seats that Pennsylvania has in the U.S. House of Representatives.** The U.S. Constitution requires our nation to undertake a census every 10 years to count "all persons" living in the United States. Under the proposed regulation, however, only lawful permanent residents would be counted. Other lawfully present individuals, including international students and H-1B visa holders, would be excluded, in addition to people without legal status. In doing so, the proposal relies on a disputed legal theory that argues that the Constitution's use of the term "persons" is limited to only people with allegiance to the U.S., not everyone living and contributing to Pennsylvania's economic infrastructure.

PANO further opposes these changes for the following reasons:

A. **The proposed regulation would count individuals at the location where they have spent the most days between January 3 to April 1** - an arbitrary time period which may lead to people being counted incorrectly or missed entirely. Individuals whose location during this window of time does not match their actual residency - such as students, individuals visiting family or spending the winter in a different location, or those who may move close to April 1, may be missed or undercounted.

B. **The proposal would permit Census officials to use a person's tax records to verify their residence, which may lead to people being counted incorrectly or missed entirely.** The proposal provides that a person's usual residence "should be consistent with and evidenced by" tax records such as tax returns and W2s." Renters who move mid-year, students, seasonal and mobile workers, people paid informally, and people without stable tax filings may be counted incorrectly or missed entirely.

C. **The proposal would eliminate questions about race, ethnicity, and sexual orientation. Excluding this information would make it harder to understand and address racial and social disparities.** Specific to Pennsylvania's strong community of 49,000 charitable 501(c)(3) nonprofits who ensure services for those most vulnerable in the Commonwealth, these changes would undermine their work by eliminating key information about the communities they serve, not to mention the work of our state and local government and corporate partners.

Private-public partnerships generally work well because nonprofits generally provide services more efficiently and effectively than our federal, state and local government partners. **Between 2016 and 2024 alone, Pennsylvania nonprofits brought in $40 Billion federal dollars to the state – dollars often tied to Census data.** This infusion of cash has, among other things, provided incentives for Pennsylvania businesses to form private -public partnerships through local nonprofits. **If implemented, these proposed changes would create significant financial risk and instability for Pennsylvania's nonprofits and the businesses who support them.**

For the future economic health of Pennsylvania, the Pennsylvania Association of Nonprofit Organizations (PANO) urges you to reverse course and stop these proposed changes.

Submitted on behalf of the Pennsylvania Association of Nonprofit Organizations:



Anne Gingerich
Executive Director
Pennsylvania Association of Nonprofit Organizations (PANO)

ABOUT THE PENNSYLVANIA ASSOCIATION OF NONPROFIT ORGANIZATIONS (PANO)

PANO amplifies the impact of the community benefit sector through advocacy, collaboration, learning and support. PANO, a statewide membership organization serving over 1,100 nonprofits that employ 30,000 workers. PANO walks alongside organizations and individuals working to improve the quality of life in communities throughout Pennsylvania. To learn more about PANO, please visit: www.pano.org.