Introductions



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FRN Overview

- The FRN is a proposed rulemaking and request for comments that was issued by the Department of Commerce and the Census Bureau.
- The FRN puts forth two proposals for public consideration:
  1. A set of **residence criteria** to be used to identify each person's "usual residence" for the decennial census; and
  2. A set of rules and restrictions on the inclusion of certain **demographic questions** as part of the decennial census.
- The FRN does not reflect any final agency decision.

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FRN Overview – Residence Criteria

- *Context:* To determine the number of persons in each State, the Census Bureau evaluates each person's "usual residence" as of April 1st.
  - To do this, the Census Bureau must develop and apply some set of rules and criteria for the broad range of residence situations it comes across.
- *The FRN*: Proposes a general definition of "usual residence" and then eight criteria for certain scenarios.

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FRN Overview – Residence Criteria (Continued)

PART 60—RESIDENCE CRITERIA FOR THE DECENNIAL CENSUS OF THE AMERICAN POPULATION

60.1	Purpose.
★ 60.2	General definition of "usual residence" for conducting the Decennial Census.
60.3	Dependents.
60.4	Foreign citizens in the United States.
60.5	Persons living outside the United States (including certain federal personnel).
60.6	U.S. Military personnel inside the United States.
60.7	Merchant Marine personnel on U.S. Flag Maritime/Merchant Vessels.
60.8	Persons who are born or who die around Census Day.
60.9	Persons confined at correctional or detention facilities.
60.10	Persons in transitory locations.
60.11	Severability.

Eight criteria for certain scenarios

- *Note:* None of the criteria hinge on tribal citizenship, membership, enrollment, or affiliation.

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FRN Overview – Restrictions on Demographic Questions

- The second proposal in the FRN is to establish a set of rules and restrictions governing the inclusion of certain demographic questions as part of the decennial census.
- Why?
  - To better prioritize the core Constitutional purpose of the decennial census;
  - To minimize the number of potentially-sensitive and legally mandatory questions;
  - To reduce disclosure risk and the need for disclosure avoidance methods; and
  - To streamline the decennial questionnaire, reduce response burden, and improve response rates.

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FRN Overview – Restrictions (Continued)

- *Proposed § 70.2(a)* – Would prohibit the Census Bureau from including a question about **race**, **ethnicity**, or **sexual orientation** on the (short-form) decennial census questionnaire.
  - Note: This would not prohibit the Census Bureau from including a question about tribal citizenship, membership, enrollment, or affiliation.
- *Proposed § 70.2(c)* – Would generally make answering demographic questions **optional** and **voluntary**, rather than **mandatory**.
  - Note: This would apply to a question about tribal citizenship, membership, enrollment, or affiliation.
- *Proposed § 70.4* – Would clarify that the Census Bureau is not restricted from asking demographic questions on the **American Community Survey** and on **other surveys**, or from receiving demographic data from **other sources** (e.g., administrative records).

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FRN Overview – What It Does and Does Not Propose

What the FRN *Does* Propose:	What the FRN Does *Not* Propose:
- A set of residence criteria that would apply to tribal citizens, members, enrollees, and affiliates the same as everyone else.	- Any residence criterion that would exclude anyone based on tribal citizenship or affiliation.
- A prohibition on including questions about race, ethnicity, and sexual orientation on the decennial census questionnaire.	- A prohibition on questions about tribal citizenship, membership, enrollment, or affiliation.
- Generally making demographic questions optional and voluntary to answer, rather than mandatory.	- A prohibition on collecting and publishing statistics related to tribes.

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Opening Blessing



Gordon Yellowman, Sr.
Chief
Cheyenne – Arapaho Tribes of Oklahoma



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FRN Overview – Next Steps

- **The Status of the FRN:**
  - The Census Bureau is currently receiving public comments on these proposals.
  - The Census Bureau has not yet made any final decision on these proposals.
- **Preparations for 2030:**
  - The Census Bureau remains free to collect data related to tribes through some combination of questionnaires and other sources (e.g., administrative records).
  - The Census Bureau is continuing to consider what questions should appear on the decennial census questionnaire.
    - The Census Bureau will report the proposed topics to Congress by **April 1, 2027**, and will ultimately report the proposed questions to Congress by **April 1, 2028**.
  - The Census Bureau is continuing to consider new sources of information.

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FRN Overview – Feedback and Input from Tribes

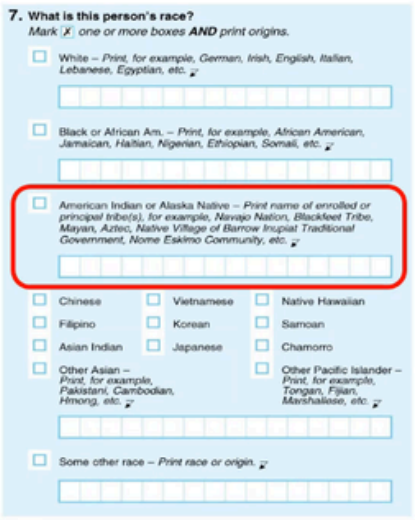
- The Census Bureau welcomes feedback and input from tribes on all aspects of the FRN.
- In particular, the Census Bureau welcomes tribal input on the following questions:
  1. ***Should the short-form decennial census questionnaire continue to include some question related to tribes and, if so, how should it be worded?***
     - *Should it use the phrase "American Indian and Alaska Native" ?*
     - *Should it be in terms of "race and ethnicity"?*
     - *Should it be in terms of tribal "citizenship," "membership," "enrollment," or "affiliation" ?*
  2. ***Are tribes interested in contributing their own enrollment records?***

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Examples of Previous Questions Related to Tribes

2020 Census Race Question



7. What is this person's race?
Mark (X) one or more boxes **AND** print origins.

- White – Print, for example, German, Irish, English, Italian, Lebanese, Egyptian, etc.
- Black or African Am. – Print, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, Somali, etc.
- American Indian or Alaska Native – Print name of enrolled or principal tribe(s), for example, Navajo Nation, Blackfeet Tribe, Mayan, Aztec, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, etc.
- Chinese
- Vietnamese
- Native Hawaiian
- Filipino
- Korean
- Samoan
- Asian Indian
- Japanese
- Chamorro
- Other Asian – Print, for example, Pakistani, Cambodian, Hmong, etc.
- Other Pacific Islander – Print, for example, Tongan, Fijian, Marshallese, etc.
- Some other race – Print race or origin.

Source: 2020 Census

2017 Census Test Tribal Enrollment Questions

9. On April 1, 2017, was Person 1 enrolled in any American Indian tribe or Alaska Native tribe or village?
   - No, not enrolled
   - Yes, enrolled → *Print enrolled tribe(s) or village(s) below.*

10. On April 1, 2017, was Person 1 a shareholder of any Alaska Native regional or village corporation?
   - No, not a shareholder
   - Yes, a shareholder → *Print Alaska Native regional or village corporation(s) below.*

Source: 2017 Census Test

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Thank You

Comment Deadline: November 2, 2026

How to submit comments:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal at https://www.regulations.gov and enter USBC-2026-0628 in the Search box. Click on the "Comment" icon, complete the required fields, and enter or attach your comments.
- **Mail:** Submit written comments to 4600 Silver Hill Road, Designation: ADDEMO/FRN, Washington, DC 20746.

Contact Us:

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