October 29, 2026

Mr. Daniel Sweeney
Deputy General Counsel for Economic, Statistical, and Regulatory Affairs
Office of the General Counsel
U.S. Department of Commerce
4600 Silver Hill Road
Designation: ADDEMO/FRN
Washington, DC 20746

RE: Public Comment on Docket No. USBC-2026-0628; RIN 0607-AA75: "Decennial Census of the Population of Americans Proposed Residence Criteria and Proposed Regulations for Demographic Questions"

VIA ONLINE SUBMISSION

To the U.S. Census Bureau:

The Honest Elections Project ("HEP") is a nonpartisan organization devoted to supporting the right of every lawful voter to participate in free and honest elections. Through public engagement, advocacy, and public-interest litigation, HEP defends the fair, reasonable measures that legislatures put in place to protect the integrity of the voting process. HEP supports commonsense voting rules and opposes efforts to reshape elections for partisan gain.

HEP submits this comment in strong support of the Census Bureau's proposed rule, *Decennial Census of the Population of Americans; Proposed Residence Criteria and Proposed Regulations for Demographic Questions*, 91 Fed. Reg. 57,524 (Sept. 10, 2026). HEP fully supports the proposed restrictions on certain demographic questions and believes the Bureau's proposed residence criteria is an important step in the right direction. In HEP's view, however, apportionment should be based on citizens only, not permanent residents. Lawful permanent residents, unlike citizens, have not pledged allegiance to the United States, hold a status that can be lost, and cannot vote for the Representatives whose seats they would help allocate. The Bureau's proposed rule does not go that far because it would count lawful permanent residents. But the proposed rule is well-founded and consistent with existing law,, and HEP supports it on that basis.

HEP also urges one refinement to the residence-criteria proposal: The final rule should require the Bureau to publish citizenship-status data at the census-block level, or at the most granular level consistent with Title 13 confidentiality

protections. Both the proposed residence criteria and this refinement serve democratic accountability, but they do so in different ways and at different levels of government. Excluding illegal aliens and those whose legal status is not durable or indefinite from the apportionment base is itself a direct safeguard; it ensures that House seats, and the electoral votes that follow them, are allocated among the States according to the people who make up the American political community and to whom elected officials are answerable. That is not a partisan concern.

Block-level data serves a separate, informational form of accountability. A correct apportionment count fixes how many seats each State receives, but it does not tell anyone how political power is distributed within a State once district lines are drawn. Only granular citizenship-status data allows legislatures, courts, and voters to see whether districts that are equal in total population are also equal in the number of U.S. citizens who can actually hold their representatives to account. That information lets the public hold mapmakers responsible for the choices they make, and helps ensure that the weight of actual, not theoretical, votes is equalized. The California data attached as Appendix A illustrates the problem: Districts that look equal when measured by total population can differ sharply in U.S. citizen voting-age population and adult noncitizen population.

This comment first explains why the proposed residence criteria should be adopted and why excluding from the apportionment base those whose legal status is less permanent or durable protects democratic accountability in the allocation of representation among the States. It then explains why released block-level citizenship-status data is needed to secure a different kind of accountability: transparency in how representation is distributed within States, using California's congressional districts as a concrete example. Finally, it explains why HEP also supports the Bureau's separate proposal to restrict certain demographic questions on the mandatory decennial enumeration.

I. The Bureau Should Adopt the Proposed Residence Criteria for the Apportionment Count

A. The proposed criteria properly tie "usual residence" to allegiance and durable ties.

The Bureau is right to begin with the constitutional phrase "in each State" and the historic concept of "usual residence." The First Census Act tied residence to a person's usual place of abode, and the Supreme Court has recognized that "usual residence" is the gloss the First Congress gave to that constitutional phrase. *Franklin v. Massachusetts*, 505 U.S. 788, 804 (1992). The term can mean more than physical presence; it may include "some element of allegiance or enduring tie to a place." *Id.* The proposed rule therefore rests on a familiar principle rather than a novel one.

The Bureau has also correctly recognized that "usual residence" is not a matter of physical presence alone. In the Bureau's words, the concept "factors in an element of allegiance," 91 Fed. Reg. at 57,524, and is historically "tied to allegiance, durable permission from the sovereign to settle within the United States, and establishment of domicile within the United States." *Id.* at 57,526. Applying that standard, the Bureau has preliminarily determined that illegal aliens are not "true inhabitants, members of the body politic, or persons with a 'usual residence' in the United States due to their lack of a sufficient tie and allegiance to the United States," and that aliens whose status is temporary or less durable should likewise be excluded. *Id.* HEP agrees with each of those determinations.

Applying these principles, the Bureau thus has preliminarily determined that "under the best reading of the Constitutional mandate, illegal aliens (among others) should not be included in the apportionment count, as they are not true inhabitants, members of the body politic, or persons with a 'usual residence' in the United States due to their lack of a sufficient tie and allegiance to the United States." 91 Fed. Reg. at 57,526. Alternatively, the Bureau preliminarily determined that under 13 U.S.C. § 141, it has ample discretion to "exclud[e] illegal aliens (among others)" from the apportionment count. *Id.* Accordingly, it has preliminarily proposed to *include* lawful permanent residents ("LPRs") in the apportionment base while excluding illegal aliens and "aliens whose legal status is less durable and indefinite in length than lawful permanent residence status." *Id.* It has specifically invited comments on "whether other forms of legal status are materially similar to lawful permanent residence status." *Id.*

The Bureau's logic regarding the exclusion of illegal aliens should also lead it to exclude LPRs from the enumeration. Lawful permanent residents do not share the allegiance, the durable permission, or the enduring tie to the American political community that citizens possess. A lawful permanent resident remains, by definition, an "alien." 8 U.S.C. § 1101(a)(3). Allegiance to the United States is formally assumed only at naturalization, when the applicant takes an oath "to renounce and abjure absolutely and entirely all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty.". *Id.* § 1448(a). As the Supreme Court explained, a long-term resident alien, "[b]y withholding his allegiance from the United States, [ ] leaves outstanding a foreign call on his loyalties which international law not only permits our Government to recognize but commands it to respect." *Harisiades v. Shaughnessy*, 342 U.S. 580, 585–86 (1952). LPR status is not the same as the permanent membership in the body politic that citizenship confers. It is a privilege of a "precarious tenure," *id.* at 587, that can be forfeited in a myriad of ways. *See* 8 U.S.C. §§ 1101(a)(13)(C), 1101(a)(20), 1227(a). Only when citizenship is conferred does an individual "belong[ ] to the polity" and become "entitled to participate in the processes of democratic decisionmaking." *Foley v. Connelie*, 435 U.S. 291, 295 (1978). Dilution of citizens' voting strength does not disappear because the noncitizens being counted are present lawfully. For these reasons, HEP believes the apportionment base should consist of U.S. citizens, who are solely

authorized to elect members of the House, 18 U.S.C. § 611(a), and to whom those Representatives are accountable.

HEP recognizes that the proposed rule would count LPRs, however, and HEP supports the rule as a substantial improvement over the status quo. But HEP requests that the Bureau report state population totals for U.S. citizens separately from lawful permanent residents, so that Congress and the public can see what an apportionment based on citizens alone would produce. The legal-status data the Bureau already proposes to gather makes that tabulation feasible.

The Bureau has also specifically invited comment on whether other forms of legal status are "materially similar" to lawful permanent resident status. 91 Fed. Reg. at 57,526. They are not. Nonimmigrant visa holders, persons granted temporary protected status or parole, and recipients of deferred action hold permission to be present that is, by design, temporary, conditional, and revocable. That kind of permission does not reflect the sovereign's durable consent to settle in the United States, and it does not establish the allegiance and enduring tie that "usual residence" requires. If the Bureau extends apportionment credit to any of these categories, it will reintroduce the same distortion the proposed rule is designed to correct. The final rule should therefore make clear that lawful permanent residence is the outer limit of the apportionment base for noncitizens.

The Bureau also invited comment on whether it should include a legal-status question on the short-form decennial census questionnaire. 91 Fed. Reg. at 57,526. The Supreme Court has held that the Enumeration Clause "permits Congress, and by extension the Secretary, to inquire about citizenship on the census questionnaire." *Dep't of Commerce v. New York*, 588 U.S. 752, 770 (2019). Such a question would accord with long historical practice. *Id.* at 76. And it is especially important here because a residence rule based on legal status will be only as reliable as the Bureau's ability to identify the legal status that the rule makes relevant. A direct question, used together with administrative records and the Bureau's data-linkage tools, will give the Bureau the most complete and accurate basis for applying the residence criteria.

Some commenters have argued that the proposed rule would determine residence by tax records, and that this would exclude elderly, low-income, disabled, or homeless citizens who do not file tax returns. That argument misreads the rule. Proposed section 60.2 defines a person's "usual residence" as the residence at which the person "lawfully spent the greatest number of days during the census enumeration period." 91 Fed. Reg. at 57,529. The proposal further states that a person's "usual residence should be consistent with, and evidenced by, their tax records." *Id.*

Tax records are thus evidence that the Bureau may use to confirm that residence, but filing a tax return is not a condition of being counted. The Bureau has explained that its reliance on tax returns and other administrative records "will

necessarily be situation dependent," and that it will weigh each particular data element's "purpose, timing, and reliability." 91 Fed. Reg. at 57,528 n.7. That standard also answers the related concern that a stale or mailing-only address on a tax return will place a person in the wrong location. The test under Section 60.2 is where a person actually spent the most days, and the Bureau will consider tax returns filed after April 1 only "insofar as they are probative of persons' 'usual residence' from January 3 to April 1." 91 Fed. Reg at 57,527. A tax address that does not reflect where a person lived during that period has little probative weight under the Bureau's own standard, and it does not displace the days-spent test. Other provisions confirm the point. Dependents are counted at the residence of their providers, and persons with no usual residence are counted at the transitory location where they are found. Proposed 15 C.F.R. §§ 60.3, 60.10, 91 Fed. Reg. at 57,529–30. Nothing in the rule excludes a citizen from the count for failing to file a tax return. To foreclose any confusion, the final rule could state expressly that the absence of tax records does not, by itself, exclude any citizen or LPR from the count. The rule's structure already resolves any conflict between a tax address and where a person actually lived. Section 60.2(a) defines usual residence by the days a person spent at a residence, and tax records serve only as evidence of that fact.

Some commenters have also suggested that the proposed rule would cost States and localities federal funds by removing noncitizens from the census. That, too, misreads the rule. The proposed residence criteria do not remove these noncitizens from the census; they determine only whether they are included in the apportionment base. Proposed section 60.4(b) provides that foreign citizens other than LPRs are "[n]ot counted for apportionment." 91 Fed. Reg. at 57,529. When the Bureau means to leave a person out of the census entirely, the proposed rule says so expressly. *See* proposed 15 C.F.R. §§ 60.5(a) ("Not counted in the stateside census"), 60.8(b)–(c) ("Not counted in the census"). The Bureau has also confirmed that it "maintains and publishes statistics separate from those for apportionment" and "expects to continue doing so." 91 Fed. Reg. at 57,528 n.5. And it has explained that information governmental entities use to obtain funding "would remain available or could be obtained in other ways." *Id.* at 57,528. The rule therefore changes how House seats are divided among the States; it does not rewrite any federal funding formula. To remove any doubt, the final rule should state expressly that persons excluded from the apportionment base under section 60.4(b) will still be enumerated and reported in the Bureau's separate population statistics.

B. Excluding illegal aliens and others whose legal status is less durable or definite from the apportionment base is itself a direct safeguard of democratic accountability.

Excluding illegal aliens and those whose legal status is less durable or indefinite from the apportionment base advances democratic accountability *per se*, without any further action by the Bureau, States, or voters. Republican government rests on a chain of accountability: Members of Congress answer to the U.S. citizens whose votes can keep them in office or remove them. Apportionment determines

how many links in that chain each State receives. When illegal aliens and those whose legal status is not durable or indefinite have no lawful and tie to the political community, are counted in the apportionment base, a State gains House seats, and the electoral votes that follow them, on account of persons (noncitizens) to whom no representative is electorally answerable.

Consider two States with the same number of U.S. citizens, one of which also contains a large illegal-alien population. If illegal aliens are counted, the second State may receive an additional seat, and that seat necessarily comes at the expense of U.S. citizens in some other State. The citizens of the losing State then have a smaller share of the House, and of the Electoral College, than an equal number of citizens elsewhere. Their collective ability to hold the national government accountable is diluted. Excluding illegal aliens and those whose legal status is not durable or indefinite from the count corrects that distortion at its source, because the apportionment base itself is aligned with the political community of U.S. citizens that our representatives serve. Unlawful presence should not be a deciding factor in how many representatives the citizens of each State receive.

This harm is not merely speculative. A Pew Research study of the 2020 apportionment found that excluding unauthorized immigrants could have changed House apportionment, with some States losing seats they otherwise would have received and others gaining seats.[1] Likewise, in *Department of Commerce v. New York*, the Supreme Court acknowledged that States with a large proportion of noncitizens reasonably anticipated losing congressional seats if noncitizens were excluded from the Census. 588 U.S. 752, 767 (2019).

The final rule should therefore make explicit that excluding illegal aliens and those whose legal status is not durable or indefinite from the apportionment count is not merely an exercise in administrative classification but a safeguard for representative democracy. When a person lacks the lawful and durable tie that the Bureau identifies as necessary for "usual residence," counting that person for apportionment changes the relative political power of citizens across States. A lawful and accurate apportionment base protects citizens in every State, regardless of which party currently benefits from any particular distribution. That safeguard, however, operates at the level of the apportionment base, that is, among the States. It does not by itself reveal how representation is distributed within a State once district lines are drawn. That is the separate problem addressed in Section II.

---

[1]Jeffrey S. Passel & D'Vera Cohn, *Removing Unauthorized Immigrants from Census Could Change Apportionment in House*, Pew Rsch. Ctr. (July 24, 2020), https://www.pewresearch.org/short-reads/2020/07/24/how-removing-unauthorized-immigrants-from-census-statistics-could-affect-house-reapportionment/.

II. The Final Rule Should Require Block-Level Citizenship-Status Data for Redistricting and Should Mandate Release

Section I explains how a correct apportionment base protects accountability among the States. Block-level citizenship-status data protects accountability in a different way: It makes visible how representation is distributed within each State, so that the people who draw districts, and the voters who live in them, can see and answer for the consequences of those choices. If the Bureau adopts residence criteria that turn on citizenship or legal status, the resulting data should be required to be released in a form that States and localities can actually use. A statewide number, or even a district-wide number, is not enough. Districts are built from small units of geography, so officials need citizenship-status data at the census-block level, or at the most detailed level that can be released without identifying any individual, to assemble proposed districts and compare alternatives.

That request fits the statutory scheme Congress already enacted for redistricting data. Section 141(c) allows the officers or public bodies responsible for state apportionment or districting to identify the geographic areas for which they want specific population tabulations, and it requires the Secretary to transmit those tabulations within one year after Census Day. 13 U.S.C. § 141(c); Act of Dec. 23, 1975, Pub. L. No. 94-171, 89 Stat. 1023. At the same time, Title 13 forbids the Bureau from publishing data that would identify information furnished by a particular individual, and proposed 15 C.F.R. § 70.3 expressly preserves that confidentiality constraint. 13 U.S.C. § 9(a)(2); proposed 15 C.F.R. § 70.3.

The public release of granular citizenship-status data lets States and localities evaluate representation in a way that total-population data alone cannot. *Evenwel v. Abbott* held that a State may draw legislative districts based on total population, but the Court did not decide whether a State may instead equalize eligible-voter or citizen population. 578 U.S. 54, 73–74 (2016). *Burns v. Richardson* is relevant for the same reason; it shows that total-population numbers can sometimes hide a real representation problem. 384 U.S. 73, 93–95 (1966). Because Hawaii had a large population of temporary and military-related residents who did not vote there, *Burns* held that Hawaii could use a registered-voter population base to apportion its legislature because that measure better captured the people who were politically tied to the State. *Id.*

The California data attached as Appendix A illustrates the problem in concrete terms. California's congressional districts are roughly equal in total population, but they differ sharply in U.S. citizen voting-age population ("CVAP"). Some districts contain far fewer voting-age U.S. citizens than others even though each district has roughly comparable total population. Indeed, the appendix shows that adult *noncitizen* populations are large enough in six California congressional districts to exceed the total number of ballots cast in those districts during the 2022 House election.

Those figures alone do not suggest that noncitizens voted in California. But they do show that districts with similar total populations can contain materially different numbers of voting-age U.S. citizens with the power to hold their congressional representatives electorally accountable. When districts are equal on paper but unequal in CVAP, some U.S. citizens will, by definition, have less ability than other U.S. citizens to shape the government that acts in their name. Correcting the apportionment base does not cure this problem, because it arises from how lines are drawn within a State rather than from how many seats the State receives.

The public release of granular data available addresses that problem by supplying the information on which accountability depends. First, it gives legislatures and redistricting bodies the tools to make an informed choice of population base where the law permits, and to evaluate how alternative baselines would affect real districts. Second, it lets citizens and courts see whether a map dilutes the voting strength of U.S. citizens in some districts relative to others, and to hold the officials who drew it responsible at the ballot box or in litigation. Third, it allows the public to verify that the Bureau has implemented its own residence criteria faithfully. Exclusion from the apportionment base corrects the count; transparency at the block level ensures that the use of the count is open to scrutiny. The two reforms are complementary.

For this reason, the final rule should make clear that the Bureau will be required to publish citizenship-status data used or generated for the residence-criteria determination for census blocks, voting districts, and other redistricting geographies, subject to 13 U.S.C. § 9 and any disclosure-avoidance methods needed to protect individual confidentiality. That change would make the rule more transparent, more useful to States and localities, and more consistent with the Bureau's stated goal of improving the core census data used for apportionment and redistricting. If the rule is not modified to mandate release, the Bureau could collect the necessary data, yet decline to release it—undermining efforts to equalize votes of citizens.

III. The Bureau Should Adopt the Proposed Regulations for Demographic Questions

HEP also supports the Bureau's proposal to remove questions about race, ethnicity, and sexual orientation from the short-form decennial census questionnaire and any questionnaire used for enumeration. The mandatory enumeration should remain focused on the constitutional requirement of apportionment, not ancillary matters that raise serious concerns about equal protection, policy-making, and confidentiality. Questions not needed for that count should not be allowed to impair response, increase disclosure risk, or invite misuse of sensitive demographic data.

First, questions about race and ethnicity are particularly troubling because both involve "suspect" classifications that require strict scrutiny under the Fifth Amendment's Due Process Clause, which incorporates an equal protection guarantee against the federal government. *Bolling v. Sharpe*, 347 U.S. 497, 500 (1954); *see also Adarand Constructors, Inc. v. Pena*, 515 U.S. 200, 223, 227 (1995) (racial and ethnic classifications are subject to strict scrutiny). Recently, in *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, the Supreme Court reiterated that race- and ethnicity-based distinctions are inherently odious to equality. 600 U.S. 181, 208 (2023).

These cases strongly suggest that, given the narrow circumstances in which race- or ethnicity-based distinctions are permissible, the Bureau should not collect data about those distinctions through the census. This is especially true because the census is not voluntary. Refusing to answer, or willfully giving false answers, is punishable. 13 U.S.C. § 221. The census's only constitutional purpose is to ensure population apportionment. Sensitive demographic questions—especially questions about race and ethnicity—should be excluded.

Second, privacy concerns provide an independent reason to adopt the Bureau's proposal. With increasing cyber threats and government data-security risks, the Bureau should not collect sensitive personal information that is unnecessary to the enumeration.[2] One of the most effective ways to protect data is not to collect it in the first place. Relatedly, the Bureau's confidentiality obligations point in the same direction. The more granular and sensitive the published data, the greater the risk that an individual's information could be identified. The Bureau should therefore ask only the questions needed for the enumeration and should avoid adding sensitive demographic questions that increase disclosure risk without advancing the apportionment count.

Third, a shorter and less intrusive short form will improve the count. As the Bureau explains, reducing response burden is expected to increase the response rate, improve the Bureau's record-linkage efforts, and produce a more complete population count directly from respondents. 91 Fed. Reg. at 57,527. Removing sensitive race and ethnicity questions both shortens the form and asks respondents for less private information, which should make Americans more willing to respond completely and accurately.

[2] U.S. Gov't Accountability Off., Cybersecurity, *An Overview of Cyber Challenges Facing the Nation, and Actions Needed to Address Them*, https://www.gao.gov/cybersecurity.

For these reasons, the Bureau should adopt the proposed restrictions on demographic questions and preserve its ability to collect appropriate demographic information through the American Community Survey, administrative records, and other lawful sources that are not used as the mandatory enumeration for apportionment.

Sincerely,



Jason Snead
Executive Director, Honest Elections Project

Appendix A: California Congressional District Comparison: Citizen Voting-Age Population, Adult Noncitizen Population, and 2022 House Votes

Methodology Note

Population figures are drawn from the Census Bureau's 2018–2022 American Community Survey five-year Citizen Voting Age Population special tabulation, congressional district file, using the "Total" line for each California district. In that file, total population is the district's total population estimate, adult population is the total age 18 and over estimate, and CVAP is the U.S. citizen age 18 and over estimate. Adult Noncitizens is calculated as adult population minus CVAP, which is why the table can show adult noncitizen population without separately listing adult population. Total 2022 House votes are taken from the 2022 congressional district voting data workbook. Adult Noncitizens as % of 2022 House Votes divides adult noncitizen population by 2022 House votes cast; a figure above 100 percent means a district's adult noncitizen population is larger than the number of ballots cast there. Counts are shown with commas, percentages are rounded to one decimal place, and the statewide percentages are computed from the summed columns rather than averaged across districts.

A similar analysis could be done for each state by Congressional district. HEP selected California because it has more Congressional districts than any other state.

Key Observations

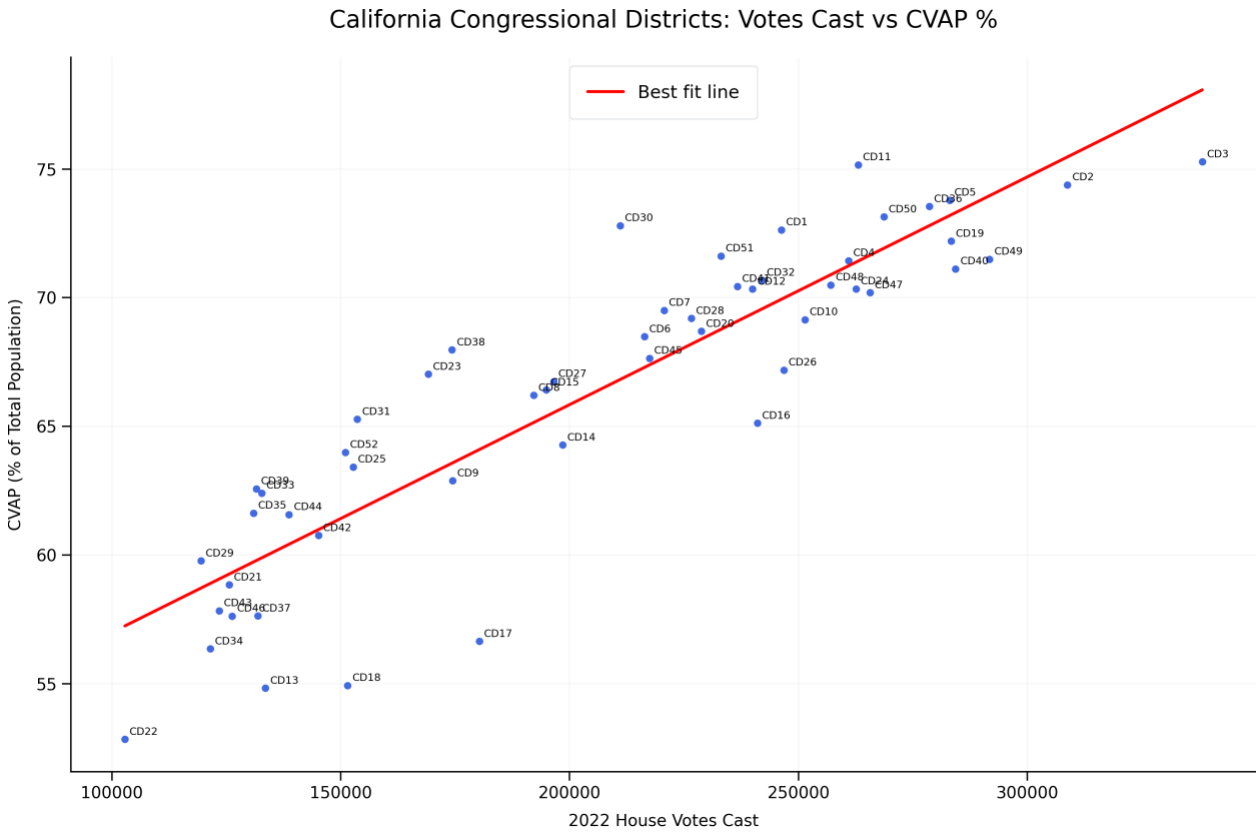
In six districts the adult noncitizen population is larger than the total number of ballots cast in the 2022 U.S. House election: CD 22, CD 29, CD 34, CD 37, CD 43, and CD 46. CD 34 shows the widest gap, with roughly 1.5 adult noncitizen residents for every vote cast. Two additional districts sit just below parity — CD 18 at 97.5 percent and CD 17 at 97.4 percent — so the number of districts in this category would shift with small changes in either figure.

These are comparisons of two separate measures of the same geography; they say nothing about who cast ballots. What the figures show is that districts holding similar numbers of residents can differ substantially in how many citizens of voting age they contain and in how many of those citizens voted. Statewide, adult noncitizens number 4,503,380 against 10,656,368 votes cast, or 42.3 percent. CVAP ranges from 412,570 in CD 22 to 575,825 in CD 3—a spread of about forty percent—while total population varies by only about six percent across all 52 districts. Twenty-four districts have a CVAP below 500,000 even though every district holds more than 735,000 residents.

District	Total Population	CVAP	Adult Noncitizens	2022 House Votes	Adult Noncitizens as % of 2022 House Votes
CD 1	766,230	556,565	36,905	246,225	15.0%
CD 2	763,625	568,050	47,370	308,749	15.3%
CD 3	764,865	575,825	31,295	338,199	9.3%
CD 4	764,345	546,040	65,765	260,907	25.2%
CD 5	761,350	561,785	33,660	283,030	11.9%
CD 6	755,595	517,475	60,650	216,383	28.0%
CD 7	753,515	523,775	55,905	220,651	25.3%
CD 8	752,780	498,385	88,200	192,135	45.9%
CD 9	762,120	479,275	81,750	174,400	46.9%
CD 10	755,995	522,730	61,765	251,380	24.6%
CD 11	735,920	553,125	86,370	263,065	32.8%
CD 12	750,210	527,640	86,440	239,969	36.0%
CD 13	770,975	422,700	121,045	133,556	90.6%
CD 14	751,585	483,095	110,655	198,464	55.8%
CD 15	752,065	499,475	107,220	194,874	55.0%
CD 16	749,235	487,945	99,175	241,007	41.2%
CD 17	751,595	425,745	175,505	180,253	97.4%
CD 18	759,200	417,050	147,745	151,513	97.5%
CD 19	753,930	544,295	61,680	283,310	21.8%
CD 20	762,130	523,565	36,460	228,781	15.9%
CD 21	758,895	446,545	87,445	125,647	69.6%
CD 22	780,815	412,570	128,330	102,856	124.8%
CD 23	758,850	508,630	45,980	169,105	27.2%
CD 24	760,230	534,740	72,985	262,552	27.8%
CD 25	763,180	484,010	88,265	152,742	57.8%
CD 26	757,600	508,990	76,225	246,789	30.9%
CD 27	747,560	498,930	54,575	196,516	27.8%
CD 28	748,190	517,730	87,845	226,557	38.8%
CD 29	742,345	443,700	137,900	119,435	115.5%
CD 30	744,755	542,205	92,435	211,068	43.8%
CD 31	749,680	489,355	102,105	153,625	66.5%
CD 32	764,600	540,375	77,510	242,029	32.0%
CD 33	757,645	472,810	83,015	132,707	62.6%
CD 34	766,810	432,125	183,890	121,467	151.4%
CD 35	767,455	472,990	103,060	130,953	78.7%
CD 36	740,440	544,550	64,890	278,563	23.3%

District	Total Population	CVAP	Adult Noncitizens	2022 House Votes	Adult Noncitizens as % of 2022 House Votes
CD 37	756,145	435,770	154,705	131,880	117.3%
CD 38	754,110	512,580	81,900	174,311	47.0%
CD 39	759,925	475,490	88,580	131,597	67.3%
CD 40	754,430	536,535	58,355	284,311	20.5%
CD 41	770,420	542,705	52,410	236,638	22.1%
CD 42	752,590	457,295	125,790	145,120	86.7%
CD 43	747,415	432,240	127,995	123,447	103.7%
CD 44	756,440	465,785	114,250	138,714	82.4%
CD 45	756,570	511,790	82,650	217,426	38.0%
CD 46	759,330	437,595	143,245	126,298	113.4%
CD 47	753,965	529,255	79,630	265,635	30.0%
CD 48	764,090	538,665	43,120	257,071	16.8%
CD 49	756,380	540,790	48,725	291,735	16.7%
CD 50	735,990	538,335	63,545	268,635	23.7%
CD 51	762,630	546,225	60,665	233,072	26.0%
CD 52	769,350	492,310	95,800	151,016	63.4%
Statewide	**39,356,095**	**26,078,160**	**4,503,380**	**10,656,368**	**42.3%**

Shaded rows mark districts where adult noncitizen population exceeds 2022 House votes cast; the Statewide row is a summary row.



Graphic Visualization of the Chart Data

Caveats and Sources

CVAP figures are survey-based five-year ACS estimates rather than a census count. They are rounded and carry sampling error, with margins of error on these California district estimates running from roughly 1,900 to 5,900, so small differences between districts may not be statistically meaningful. Adult noncitizen population as computed here includes all noncitizen adults—lawful permanent residents, visa holders, and others—and is not a measure of the unlawfully present population. The ACS estimates span 2018 through 2022 and the vote totals are drawn from November 2022, so the comparison indicates magnitude rather than precision. The table is intended to show relative magnitude and district-to-district variation, not precise legal-status counts for any district.

Sources: U.S. Census Bureau, 2018–2022 American Community Survey 5-Year Citizen Voting Age Population Special Tabulation, congressional district file (118th Congress); 2022 U.S. House general election vote totals by congressional district. Derived columns and calculations are the author's.