AGN. NO._____

MOTION BY SUPERVISOR HILDA L. SOLIS OCTOBER 6, 2026

Opposing the Census Bureau's Proposed Changes to the Code of Federal Regulations Governing the Decennial Census of Population

On September 9, 2026, the Census Bureau proposed new rules to dramatically change how people living in the United States are counted in the 2030 census. Under the proposed rule, the agency would change its definition of a person's "usual residence" to omit immigrants of certain legal status from the count used to apportion seats in the House of Representatives (House) among states. The proposal would also exclude some immigrants present in the country legally but lacking lawful permanent resident status. Separately, the Census Bureau is also proposing to prohibit questions about race, ethnicity, and sexual orientation on the short-form census survey and other questionnaires used to count the population. These proposals would be a significant departure from how the government determines who counts as part of a state's population.

The Constitution does not grant the President of the United States the authority to exclude any person residing in the United States from being counted in the decennial census. The 14th Amendment of the Constitution calls for House seats to be apportioned by "counting the whole number of persons in each State," and for centuries, the census has relied on where a person lives to determine that count, regardless of

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citizenship or immigration status.

The decennial census is used to draw congressional districts to determine fair political representation. An undercount of Los Angeles County's (County) population would result in reduced congressional representation for the County and the State of California. The count also helps determine how much federal money is sent to each state. Unchallenged, the proposed rule will decimate resources for the County's safety net at a time when the federal government has already curtailed many programs on which our residents rely.

In 2018, the County countered previous attempts to upend the 2020 census process, when the County joined litigation filed by then California Attorney General Xavier Becerra challenging the proposed changes. The County must act again to challenge any unconstitutional actions by the federal government and preserve our critical safety net resources.

I, THEREFORE, MOVE that the Board of Supervisors:

1. Direct the Chief Executive Office through the Legislative Affairs and Intergovernmental Relations (CEO-LAIR) Branch, in consultation with the Office of Immigrant Affairs (OIA) in the Department of Consumer and Business Affairs, to send a five-signature letter to the Director of the U.S. Census Bureau, with a copy to the Los Angeles County Congressional Delegation, to declare the Board's opposition to the proposed rule and to express the significant harm that it

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would cause to the County and its residents.

2. Direct CEO-LAIR and OIA, to submit comments to the proposed rule during the public comment period.
3. Instruct the Office of the County Counsel to monitor any legal action aimed at challenging the proposed rule from taking effect and support or file and/or join as amicus or as plaintiff in litigation, as deemed appropriate by County Counsel.

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HLS:du