



Karen Humes
Chief, Population Division
US Census Bureau, Room 5H174
Washington, DC 20233
Email: pop.2020.residence.rule@census.gov

Subject: 2010 Census Residence Rule and Residence Situations

Dear Karen Humes,

The *Tribal Law Journal* of the University of New Mexico School of Law writes in response to your May 20 federal register notice regarding the Residence Rule and Residence Situations.

As a premier academic and legal journal, we take an interest in the accuracy of the methodology that the U.S. Census Bureau uses to count the U.S. population. Our authors often rely on population data offered by the U.S. Census Bureau in their articles. In turn, members of the legal profession depend on our articles to support advocacy efforts, lawmaking, rulemaking, legal strategy, and jurisprudence.

It has come to our attention that the US Census Bureau's 2010 Residence Rule and Residence Situations skews the accuracy of the U.S. Census data by counting incarcerated people at the facilities that they are confined in, rather than at their home addresses, on Census day. By designating a prison cell as a residence in the 2010 Census, the Census Bureau located a population that is disproportionately male, urban, and Black, Native American or Latino into Census blocks far from their homes. This inflates the apparent size of the towns of people who live near prisons. When this data is used in submissions to our publications, the reliability of important scholarship is risked.

More worrisome, when used for redistricting, the 2010 U.S. Census deprives political power from those communities, including sovereign tribal nations, where a disproportionate amount of people are arrested and imprisoned away from home. Members of our journals identify with those communities.

Because we believe in a population count that accurately represents our Nation, we urge you to count incarcerated people at their home address, rather than at the particular facility that they happen to be located at on Census day.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Rachel R. Felix". The signature is fluid and cursive, with the first name "Rachel" and the last name "Felix" being the most prominent parts.

Rachel R. Felix
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