



The National Beat

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Feature Focus

MPO Engagement Resources and the Census Bureau Proposed Rule on Residence Criteria and Demographic Questions

[Census Bureau Proposed Rule on Residence Criteria and Demographic Questions](#)

On Sept. 10, the Census Bureau and the Department of Commerce (DOC) issued a proposed rule and request for comments regarding changes to the current residence criteria used to identify an individual's "usual residence" for census population counts, as well as establishing standards to restrict specific demographic questions from the decennial census. The current proposed rule would have multiple implications for MPOs. Census population counts and demographic data are critical inputs and factors in determining formula funding apportionments, MPO designation thresholds, suballocation and funding distribution amounts, forecasting and long-range planning outcomes, and compliance with federal planning regulations and statute.

TL;DR: *The Census Bureau and Department of Commerce proposed changes to how "usual residence" is determined and would restrict certain demographic questions in the decennial census, potentially affecting population counts and demographic data used by MPOs. These changes could affect transportation funding formulas, MPO designation and eligibility, forecasting, long-range planning, and Title VI compliance. **AMPO sent a letter requesting a 60-day extension to the comment period and developing comments with the National Association of Development Organizations and the National Association of Regional Councils, as well as additional member resources. Comments are currently due on Oct. 13.***

Background

The Census Bureau issued two proposed rules:

Part 60: Residence Rule	
Provision	Change from previous censuses
Redefines "Usual Residence" criteria to be the residence where a person lawfully spent the greatest number of days during the census enumeration period and with evidence from tax records	Previously, "usual residence" was defined as the place where a person lives and sleeps most of the time and is not always the same as where a person votes or their legal residence.
A person is considered to have spent a day at their residence if they spent at least one hour physically and lawfully present there that day, and the census enumeration period is from January 3 to April 1	Previously, a person was counted based on their location on April 1.
Only US citizens or lawfully permanent residents are counted in the census, all foreign citizens of other countries are not counted for apportionment.	Previously, the Census counted all individuals living in the US regardless of status.



Part 70: Demographic Question Restrictions	
Provision	Change from previous censuses
The Census will be restricted from including questions about race, ethnicity, or sexual orientation, and no person is obligated to respond to acceptable demographic questions excluding those on biological sex, date of birth, and household relationships.	Previously, race and ethnicity questions were standard in Census questionnaires.
In publishing the results of the Census, the Census Bureau will not disclose individual demographic data if doing so introduces uncertainty into population count data.	See AMPO's analysis on the DOC Disclosure Avoidance Administrative Order .
The American Community Survey and other non-enumeration surveys would be allowed to ask demographic questions or to receive demographic data from other sources.	Unchanged

MPO Impact

The proposed rule would have significant implications on both MPO funding and planning activities. Gaps between Census population counts and actual population counts can lead to disruptions in federal formula funding, discretionary grant eligibility, or MPO designations which directly impacts regional suballocation of transportation funding. Similarly, MPO planning activities rely on Census data for inputs into core planning documents and modeling tools. This has direct implications on MPO LRTPs, forecasting models, needs assessments, and compliance with federal programs. To better understand the potential impact of this proposed rule, the following MPO feedback has identified specific areas that could be impacted:

Funding & Apportionment

- Population-based federal and state transportation funding formulas would be directly affected by undercounting
- Congressional apportionment and suballocation calculations would shift based on new residence criteria, not actual population change
- Excluding foreign residents who are not lawfully permanent residents and mismeasuring seasonal residents would create inconsistencies across jurisdictions

MPO Designation & Program Eligibility

- MPOs and TMAs near population thresholds could lose or gain designation status based on counting methodology rather than real population change
- MPO boundaries could shift or require reassessment
- Program eligibility tied to population definitions would become uncertain until federal transportation agencies clarify which Census population definition applies

Forecasting & Data Continuity



- A break in the population time series data between 2020 and 2030 Census benchmarks would make it difficult to distinguish demographic changes from the census methodology change
- Travel-demand model inputs and validation would be affected, especially at small geographic levels
- Population estimate programs that rely on the decennial census as a benchmark would see a break in their series
- Long-range plan analyses and socioeconomic modeling would face added uncertainty

Compliance (Title VI)

- MPOs remain legally required to administer Title VI civil rights programs regardless of Census methodology changes. Further, Title VI and disparate impact/needs analyses depend on Census race/ethnicity data, particularly at small geographic levels. As a result, the loss or degradation of that data would leave MPOs without an effective means to meet existing federal obligations

Small-Area & Demographic Data Resolution

- Neighborhood-, corridor-, and project-level analyses depend on small-area demographic detail
- Transit planning, corridor studies, and community engagement efforts would be hindered by reduced data resolution
- Health, education, and other social-need factors correlate with race/ethnicity, so data loss would hinder addressing needs across all population groups
- Agencies would need to find alternative data sources to meet grant demographic-data requirements

Disproportionate Regional Impact

- Regions with large immigrant, foreign-student, or rural agricultural-worker populations would see outsized undercounts
- Areas with high seasonal migration risk having residents' population counts attributed to the wrong state under the Jan 3–Apr 1 test
- Bi-state regions face added complexity requiring consistent population definitions across state lines for regional forecasting and federal program administration
- Effects would vary significantly by local demographic composition, making region-specific impact analysis necessary before implementation

Institutional & Administrative Burden

- Agencies may need to develop alternative data solutions or rely more heavily on administrative records, raising concerns about coverage, geographic resolution, and methodological consistency. This could lead to greater administrative burden and inconsistent data across regions and over time

AMPO Comments and Comment Extension Request

AMPO has [submitted a letter](#) requesting a **60-day extension of the comment period** alongside the National Association of Regional Councils (NARC) and the National Association of Development Organizations (NADO), representing regional planning organizations and MPOs across the US. In addition to a request to extend the comment period, AMPO is developing official comments on the proposed rule, reflecting the concerns listed above and additional member feedback. **Following a formal draft our comments, resources and templates will be**



disseminated across AMPO's membership on how MPOs can also submit comments or extension requests of their own. Please reach out to [Katie Economou](#) with any questions.

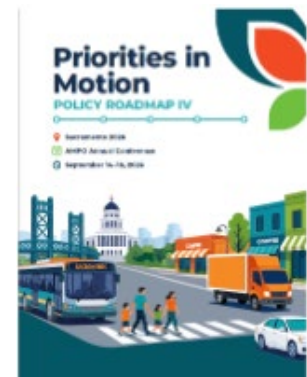
Thank You! AMPO's Annual Conference and MPO Engagement

Thank you to everyone that was able to make it to Sacramento, California for AMPO's 2026 Annual Conference! It was a great conference and a wonderful opportunity to meet and have conversations with many of you. While the Policy Pitstop is all packed up, the AMPO team is still here to answer any of your policy questions or to help coordinate MPO engagement at the federal level. With November Midterm elections just around the corner, now is a critical time to continue engaging your delegation, especially while many Members of Congress will be in-state this October. Similarly, following midterm elections, staff, committee assignments, and state delegations are likely to change, meaning this is an important time to build new relationships with either your Member of Congress or Senator, educate Hill staff, and communicate MPO priorities as Congress will look to pass a surface transportation reauthorization either this fall or in 2027.

For guidance on how to engage your delegation, talking points, customizable templates, or MPO 101 resources to educate your Members of Congress, please refer to AMPO's recently updated [MPO Engagement Toolkit](#).

To better understand MPO priorities heading into a new Congress and to see what progress has been made in 2026 for MPO surface transportation priorities, please refer to AMPO's Policy Roadmap IV. This edition builds on the three previous roadmaps, showcasing how member engagement is translating into legislative progress at the federal level. The Roadmap also is a critical resource to reference when meeting with your delegations, outlining four key priorities:

1. **Modernize Metropolitan Planning Funding:** Increase PL funding to 2.5% of Federal-aid Highway funds, eliminate the local match, expand eligible uses, and establish a voluntary direct-recipient pathway.
2. **Empower Regional Decision-Making:** Clarify and protect MPO project-selection authority, strengthen state-MPO coordination, and secure direct access to the Fiscal Management Information System.
3. **Right-Size, Align, and Streamline Federal Programs:** Provide carryover flexibility for planning and capital funds, right-size match requirements for capital funds, and protect suballocated dollars from being transferred away.
4. **Drive Safety Improvements Through Regional Action:** Guarantee local access to safety funding, preserve locally driven safety planning (SS4A), and establish suballocated formula funding for locally owned and off-system bridges.



With midterm elections on the horizon, AMPO will be preparing engagement resources for MPO engagement with congressional staff, new Members of Congress, and educational materials to help MPOs become transportation resources for their delegations. Additionally, if your MPO is interested in engaging your delegation or visiting DC, please contact AMPO's Legislative Director [Katie Economou](#) or AMPO's Legislative Associate [Ryan Coady](#) for any assistance.



Federal Roundup

Congress: Reauthorization and Legislative Activity
Administration & Agencies: USDOT & FTA



Congress

Congressional “Vibe” Check

Reauthorization. Reauthorization discussions have slowed significantly as the November midterms approach and Congress spends most of September and October campaigning in-district. The recently passed continuing resolution extended the IIJA deadline to Dec. 11, giving Congress two paths forward: pass a full surface transportation reauthorization ahead of that deadline, or pass another extension that pushes reauthorization into 2027.

Right now, an extension looks far more likely. Congress will have little floor time to consider a full reauthorization bill before December, and competing priorities with other major legislation make passage of the next surface bill unlikely in that window, particularly since the Senate has not yet introduced its version of a surface bill and the House has not held a full floor vote on its version. The most probable outcome in the next few months is another IIJA extension into spring 2027.

Where things stand:

- The BA250 Act is currently pending consideration by the House Ways and Means Committee. Chair Jason Smith (R-MO) said that the committee is discussing the legislation but there is uncertainty on when it will be brought forward for committee consideration. House Speaker Mike Johnson (R-LA) indicated that reauthorization is a priority and he hopes to bring it for floor consideration following midterm elections.
- **Senate.** EPW is the furthest along of the Senate authorizing committees. Chair Shelley Moore Capito (R-WV) announced that her committee would not release legislative text for the next surface bill prior to the midterm elections, meaning reauthorization will have to wait until the November lame duck period. Sen. Kevin Cramer (R-ND), chair of the EPW transportation and infrastructure subcommittee, said that permitting reform is currently taking priority within the committee, and that a surface bill will need additional time.

Introduced Legislation Related to Reauthorization

Whether you want to see what marker bills could be included in the next surface transportation reauthorization or are curious about what Congress is working on, AMPO is tracking all relevant legislation that has been introduced since December 2025. Please refer to our legislation tracker to see what bills have been introduced, who introduced them, and what they would do.

What's Making Headlines? A number of issues on the Hill are drawing attention this week outside of reauthorization.

-  [**House Passes WRDA Legislation:**](#) On Sept. 16, the House passed the [**Water Resources Development Act \(WRDA\) of 2026**](#). The legislation was approved by a vote of 415-9, providing funding for waterway navigation systems, flood and storm water management, port and harbor improvements, and water resource infrastructure. This legislation also authorizes water resource infrastructure project feasibility studies, authorizing a total of 133 studies for local projects.
-  [**The House Will Not Consider Legislation to Pause Federal Gas Taxes:**](#) The House Freedom Caucus pushed for a vote on a bill to temporarily suspend the federal gasoline and diesel taxes, but House Republican leaders declined to bring it to the floor after failing to reach consensus. Those in favor of the legislation believe that a gas tax suspension could provide temporary relief from the current high fuel costs, but the opposition the legislation cite that the taxes also support the Highway Trust Fund, creating potential funding impacts for surface transportation projects.
-  [**Senate Passes Legislation to Force Federal Agencies to Complete Extensive Reporting on Over Budget or Behind Schedule Projects:**](#) A bill sponsored by [**Sen. Joni Ernst \(R-IA\)**](#) was passed out of Congress and would require **all federal agencies** to report projects that are at least **\$1 billion over budget or five years behind schedule**, expanding a reporting requirement that previously applied only to transportation projects under the IIJA. In previous years, USDOT has released a report on projects similarly behind, with the 2025 report identifying 15 qualifying transportation projects. The new legislation would extend similar reporting requirements across the federal government.
-  [**House Struggles to Pass Truck Safety Legislation:**](#) Sponsors of the truck safety legislation [**Dalilah's Law \(H.R. 5688\)**](#) say the bill currently lacks support to pass because some Republicans have concerns about its English-language requirements and restrictions on non-domiciled commercial driver's licenses. The bill would codify existing English-proficiency requirements and a current USDOT rule limiting non-domiciled CDLs, while supporters cite highway safety concerns and this in opposition have raised potential workforce disruptions.
-  [**Senate to Consider Legislation To Ban Chinese Internet-Connected Vehicles:**](#) Sen. Bernie Moreno is looking to bring his legislation ([**S. 4429**](#)) on banning Chinese internet-connected vehicles to a floor vote on Sept. 24. The legislation would ban imports and sales of vehicles where a Chinese company owns or controls more than 15 percent of an automaker. Some legislators are concerned about the impact of the legislation on other popular automobile manufacturers such as Mercedes-Benz who currently would be impacted by that threshold, though supporters argued that the legislation would include a waiver process to protect such companies.



-  [Permitting Reform Legislation on Hold](#): Senate EPW and Energy and Natural Resources Committees were unable to reach an agreement on a package for permitting reform. As a result, the permitting package will have to wait for consideration following November's midterm elections (among other significant priorities including surface transportation reauthorization). The legislation's main holdup is from Democratic Senators wanting more time to review the legislation and assurances that clean energy projects will be protected from federal interference.



Administration & Agencies

USDOT

-  [Secretary Duffy's Washington Post Opinion Piece on USDOT's Great Corridors of Commerce Initiative](#): Secretary Duffy highlighted USDOT's new [America's Great Corridors of Commerce](#) initiative, which would use existing highway and rail rights-of-way to co-locate electric transmission, fiber-optic cables, water pipelines, and other infrastructure. The proposal emphasizes public-private partnerships, leasing corridor capacity, and using existing rights-of-way to reduce costs and permitting delays. The feedback period was extended to **October 2**.

FTA

-  [FTA Is Soliciting Concept Papers for Applied Research Projects to Improve Safety, Reliability, and Accessibility for Public Transportation](#): The FTA is asking for concept papers on research projects focused on improving safety, efficiency, reliability, and accessibility of public transportation systems. Projects focused on reducing deployment risks, improving safety, lowering operation costs, enhancing public transportation benefits, and the facilitation of domestic transit manufacturing will be prioritized.



National News

-  [Rails To Trails Conservancy Is Hosting Webinar on Trail Resiliency to Natural Disasters](#): **The Rails to Trails Conservancy is hosting a webinar on Sept. 30, 2026, at 1:00 pm (ET)** on how communities are integrating resiliency into trail rebuilding projects to mitigate the impacts of future natural disasters. The upcoming webinar will specifically cover examples of rebuilding projects after Hurricane Helene. Please register for the webinar [here](#).
-  [Ives Street Releases New Multimodal Travel Demand Modeling Software \(TDM\)](#): **Ives Street** has released **Connectome**, a multimodal travel demand modeling software that is free for public agencies, nonprofits, and educational institutions and can be calibrated using open data. The source-available tool can model highway, transit, bicycle, and land-use projects



using a common economic-benefit metric, with the code scheduled to become fully open source under Apache 2.0 by September 2029.

- [!\[\]\(97d7445697a94970d6443da16b12b5fa_img.jpg\) **The Brookings Institute Releases Study on How Urban Density Can Increase Worker Productivity:**](#) A Brookings Institute study found that urban density can increase firm productivity, but poor mobility and congestion significantly reduce those benefits, particularly for businesses that depend on local workers and customers. Using data from 38,526 firms across 356 metropolitan areas in 80 developing countries, they found that congestion has a larger negative effect on agglomeration benefits than slow travel speeds, highlighting the importance of connectivity, transit, land-use coordination, and anti-congestion policies.
 - [!\[\]\(258b828d223cb6b35d2b001cf8c6c1e7_img.jpg\) **How Road Design Influences Community Investment:**](#) A Strong Towns analysis observed that interstate exits are more likely to favor national chains, while older US and state routes retain a larger share of locally owned lodging and food businesses. It also finds that interstate corridors following pre-1956 routes have fewer empty exits than corridors built on new terrain, suggesting that roads connected to existing communities continue to support local economic activity.
 - [!\[\]\(3ae3791b31be30fab239cd4ec63dfafe_img.jpg\) **Autonomous Vehicle \(AV\) Innovation and Complacency Concerns:**](#) With AVs on the rise in many major cities, a greater focus has shifted to how increasingly capable driver-assistance systems can create **automation complacency**, as drivers may become overly reliant on technology and less prepared to intervene when systems fail. Further, ongoing uncertainty about the safety of these systems, liability concerns, and the industry's push toward fully autonomous vehicles, with experts disagreeing on how soon true driverless vehicles will be widely available.
 - [!\[\]\(7835479178eea406b1967e30c6fcf845_img.jpg\) **California Passes EV Streamlining Legislation:**](#) California passed a legislative package aimed at streamlining EV charger permitting and increasing transparency in the electric and heavy-duty vehicle market. The measures include a \$500 cap on EV charger permitting fees at multifamily housing, expanded expedited permitting for chargers and energy storage, price disclosures for heavy-duty trucks participating in state incentive programs, and new battery labeling requirements.
 - [!\[\]\(bacea8e86e4e71bdd65916e2330bb152_img.jpg\) **Alabama Toll Road, Bridge, and Tunnel Authority Receives \\$2.5 billion TIFIA Loan:**](#) USDOT recently announced that the Alabama Toll Road, Bridge, and Tunnel Authority will be receiving a \$2.5 billion TIFIA loan for the construction of the Mobile River Bridge and Bayway project. The project will construct a new six-lane bridge across the Mobile River, supporting regional emergency evacuation capabilities, regional traffic and freight capacity, and greater access to the Port of Mobile.
 - [!\[\]\(103e1d41c49e54d33b8438f1f22779e7_img.jpg\) **Federal Grants and the Capacity Gap:**](#) A study by the Wisconsin State Smart Transportation Initiative found that federal transportation grants from 2021–2023 were primarily driven by project merit and community need rather than political alignment. However, under-resourced communities often lack the staff and grant-writing experience needed to compete successfully, highlighting the need for technical assistance and simpler application processes.
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Notice of Funding Opportunities

-  [Bus Safety, Accessibility, and Innovation Research Program](#): Supports the development of standard designs and prototypes that will make existing and new buses safer for operators, riders and vulnerable road users, as well as more accessible for passengers.
 - **Deadline:** Sept. 28, 2026
-  [Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation Program \(PROTECT\)](#): The PROTECT Competitive Grant Program provides funding to plan for and make surface transportation more resilient to current and future weather events, natural disasters, and changing conditions, such as severe storms, flooding, drought, levee and dam failures, wildfire, rockslides, mudslides, sea level rise, extreme weather, including extreme temperatures, and earthquakes.
 - **Deadline:** Oct. 9, 2026

 Access **AMPO's NOFO Tracker** [here](#).

Recent Editions

- [September 4 \(2026\)](#)
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