

115TH CONGRESS
2D SESSION

H. R. 7106

To amend title 13, United States Code, to provide that the penalty for refusing or neglecting to answer a decennial census question shall apply only to the extent necessary to allow the Government to obtain the information needed for its enumeration of the population, as required by the Constitution of the United States, as well as the enumeration of its citizen and noncitizen populations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2018

Mr. HUNTER introduced the following bill; which was referred to the
Committee on Oversight and Government Reform

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Authorizing Moderated
3 Enumeration Responses Including Citizenship Acquisition
4 Act” or the “AMERICA Act”.

5 **SEC. 2. LIMITED APPLICABILITY OF CENSUS PENALTY PRO-**
6 **VISION.**

7 (a) IN GENERAL.—Section 221 of title 13, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 “(d)(1) The penalty under subsection (a) shall not
11 apply to any individual who refuses or neglects to answer
12 any question in a questionnaire, schedule, or the survey
13 commonly referred to as the ‘American Community Sur-
14 vey’ used in connection with any decennial census, except
15 to the extent necessary to allow the Government to obtain
16 the information needed for the enumeration of—

17 “(A) the population, as required by the Con-
18 stitution of the United States; and

19 “(B) citizen and noncitizen populations.

20 “(2) For purposes of this subsection, only questions
21 included on a decennial census short form regarding enu-
22 meration of the household and citizenship status shall be
23 considered necessary to permit such an enumeration.”.

24 (b) EFFECTIVE DATE.—The amendments made by
25 subsection (a) shall apply with respect to all schedules
26 used in connection with any decennial census of popu-

1 lation, beginning with the 2020 decennial census, includ-
2 ing those returned before the date of enactment of this
3 Act.

