

116TH CONGRESS
1ST SESSION

H. R. 732

To amend title 13, United States Code, to require the Secretary of Commerce to provide advance notice to Congress before changing any questions on the decennial census, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. SERRANO, Ms. MENG, Mr. SOTO, Mr. CLAY, Ms. TLAIB, Mrs. KIRKPATRICK, Ms. WILD, Ms. SCHAKOWSKY, Ms. MCCOLLUM, Mr. SIRES, Mr. VELA, Mr. ESPAILLAT, Ms. NORTON, Mr. COOPER, Mr. DEFazio, Mr. PASCRELL, and Ms. JUDY CHU of California) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend title 13, United States Code, to require the Secretary of Commerce to provide advance notice to Congress before changing any questions on the decennial census, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “2020 Census Improving Data and Enhanced Accuracy
6 Act” or the “2020 Census IDEA Act”.

1 (b) FINDINGS.—Congress finds the following:

2 (1) The decennial census was embedded in arti-
3 cle I of the Constitution of the United States by the
4 founders of the United States for the purpose of ap-
5 portionment of seats among the States in the U.S.
6 House of Representatives.

7 (2) The founders believed that a census was es-
8 sential in measuring the progress of the country and
9 helping to chart its future.

10 (3) The 2020 decennial census will, for the dec-
11 ade to follow, shape the reapportionment of the
12 House of Representatives and the drawing of thou-
13 sands of State and local political districts.

14 (4) Over \$800,000,000,000 in Federal assist-
15 ance to State and local communities every year is in-
16 formed by the results of the decennial census.

17 (5) Congress seeks to make the 2020 decennial
18 census the most complete, accurate, and fair decen-
19 nial census in the history of the United States.

20 (6) The decennial census is the largest peace-
21 time mobilization undertaken by the Federal Gov-
22 ernment.

23 (7) Any late, untested changes to the oper-
24 ational design of the decennial census will jeopardize

1 public cooperation with the census and, therefore,
 2 the success and accuracy of the decennial census.

3 **SEC. 2. LIMITATIONS AND REQUIREMENTS FOR THE DE-**
 4 **CENNIAL CENSUS.**

5 Section 141 of title 13, United States Code, is
 6 amended—

7 (1) in subsection (f)—

8 (A) in paragraph (1), by adding “and” at
 9 the end;

10 (B) in paragraph (2), by striking “; and”
 11 and inserting a period; and

12 (C) by striking paragraph (3);

13 (2) by redesignating subsection (g) as sub-
 14 section (h);

15 (3) by inserting after subsection (f) the fol-
 16 lowing:

17 “(g) LIMITATIONS AND REQUIREMENTS.—

18 “(1) NOTICE TO CONGRESS OF OPERATIONAL
 19 DESIGN, SUBJECTS, TYPES OF INFORMATION, AND
 20 QUESTIONS.—In the 2020 decennial census of popu-
 21 lation and each decennial census thereafter, the Sec-
 22 retary may not—

23 “(A) with respect to the census or any sur-
 24 vey conducted in connection with the census,
 25 implement any major operational design feature

1 that has not been researched, studied, and test-
2 ed for a period of not less than 3 years before
3 the date on which the applicable census occurs;
4 or

5 “(B) include on the questionnaire for the
6 census any subject, type of information, or
7 question that was not submitted to Congress in
8 accordance with subsection (f).

9 “(2) REPORTS.—

10 “(A) SUBMISSION TO CONGRESS.—Not
11 later than 90 days after the date of enactment
12 of this subsection, and not later than the date
13 that is 4 years before the date of a decennial
14 census (beginning with the decennial census for
15 2030), the Secretary shall submit to Congress
16 a report that—

17 “(i) describes each component of the
18 operational plan for the subsequent decen-
19 nial census of population; and

20 “(ii) includes a detailed statement on
21 the status of all research, testing, and op-
22 erations that are part of the Bureau’s com-
23 prehensive plan for the decennial census.

24 “(B) INTERNET PUBLICATION.—On the
25 date on which the Secretary submits a report

1 under subparagraph (A), the Secretary shall
2 publish the report on the public internet website
3 of the Bureau.

4 “(C) GAO ANALYSIS.—Before the date on
5 which a decennial census occurs, the Comp-
6 troller General of the United States shall certify
7 to Congress that the subjects, types of informa-
8 tion, and questions to be included in the census
9 have been adequately researched, studied, and
10 tested to the same degree as in previous decen-
11 nial censuses.”; and

12 (4) in subsection (h), as so redesignated, by in-
13 serting “DEFINITION.—” before “As used in”.

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