

117TH CONGRESS
1ST SESSION

H. R. 2084

To collect and consolidate citizenship status information for the population of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 19, 2021

Mr. CAWTHORN (for himself and Mr. GROTHMAN) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To collect and consolidate citizenship status information for the population of the United States, 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.**

4 This Act may be cited as the “Common-Sense Census
5 Act of 2021”.

6 **SEC. 2. CITIZENSHIP STATUS STATISTICS.**

7 (a) IN GENERAL.—Chapter 3 of title 13, United
8 States Code, is amended by adding at the end the fol-
9 lowing new section:

1 **“§ 104. Citizenship status**

2 “The Secretary shall collect statistics on the citizen-
3 ship status of persons permanently residing in the United
4 States.”.

5 (b) CLERICAL AMENDMENT.—The table of sections
6 for chapter 3 of title 13, United States Code, is amended
7 by inserting after the item related to section 103 the fol-
8 lowing new item:

“104. Citizenship status.”.

9 (c) CITIZENSHIP STATUS ON CENSUS QUESTION-
10 NAIRES.—Section 141 of title 13, United States Code, is
11 amended—

12 (1) by redesignating subsection (g) as sub-
13 section (h); and

14 (2) by inserting after subsection (f) the fol-
15 lowing:

16 “(g) In conducting the 2030 decennial census and
17 each decennial census thereafter, the Secretary shall in-
18 clude in any questionnaire distributed or otherwise used
19 for the purpose of determining the total population by
20 States a checkbox or other similar option for the respond-
21 ent to indicate, for the respondent and for each of the
22 members of the household of the respondent, whether such
23 individual is a citizen or national of the United States.”.

1 **SEC. 3. CITIZENSHIP DATA INTERAGENCY WORKING**
2 **GROUP.**

3 (a) **IN GENERAL.**—Not later than 6 months after the
4 date of the enactment of this Act, the Secretary of Com-
5 merce shall establish the Citizenship Data Interagency
6 Working Group (hereinafter referred to as the “Working
7 Group”).

8 (b) **DUTIES.**—The Working Group shall develop and
9 submit to the Secretary recommendations to increase to
10 the maximum extent practicable the percentage of the pop-
11 ulation of the United States with respect to which the De-
12 partment of Commerce has information about citizenship
13 status, including recommendations for improving the ac-
14 cess of the Department of Commerce to records containing
15 such information that are held by Federal agencies or
16 State or local governments.

17 (c) **MEMBERSHIP.**—

18 (1) **MEMBERS.**—

19 (A) **IN GENERAL.**—The Working Group
20 shall consist of the Director of the Census Bu-
21 reau, who shall serve as the chair, and the indi-
22 viduals appointed under subparagraph (B).

23 (B) **AGENCY APPOINTMENTS.**—

24 (i) **IN GENERAL.**—At the request of
25 the chair of the Working Group to a Fed-
26 eral agency, the head of such Federal

1 agency shall, not later than 1 month after
2 the date on which such request is made,
3 appoint one individual employed by such
4 Federal agency to serve as a member of
5 the Working Group representing such Fed-
6 eral agency.

7 (ii) INITIAL REQUESTS.—Not later
8 than 3 months after the date of the enact-
9 ment of this Act, the chair of the Working
10 Group shall make the request described in
11 clause (i) to each Federal agency from
12 which an initial member of the Working
13 Group shall be appointed under such
14 clause.

15 (2) TERMS.—A member of the Working Group
16 appointed under paragraph (1)(B) shall be ap-
17 pointed for a term of 2 years.

18 (3) QUORUM.—A quorum shall be 2 members
19 of the Working Group.

20 (4) VACANCIES.—

21 (A) IN GENERAL.—Except as otherwise
22 provided in this paragraph, any vacancy occur-
23 ring in the membership of the Working Group
24 shall be filled in the same manner as the origi-
25 nal appointment for the position being vacated.

1 (B) AGENCY APPOINTMENTS.—With re-
2 spect to filling a vacancy for which the original
3 appointment was made under paragraph (1)(B),
4 a head of a Federal agency shall fill such va-
5 cancy without a request from the chair of the
6 Working Group.

7 (C) AGENCY PARTICIPATION ENDING.—A
8 vacancy resulting from the expiration of the
9 term of a member appointed under paragraph
10 (1)(B) shall not be filled if the chair has pro-
11 vided notice to the Federal agency which such
12 member represented that such participation by
13 such Federal agency in the Working Group is
14 no longer required.

15 (D) TERM CONTINUED.—The term of a
16 member appointed to fill a vacancy, other than
17 a vacancy resulting from the expiration of the
18 term of a member, shall be the remainder of the
19 term of the former member who vacated the po-
20 sition.

21 (E) VACANCY EFFECTS.—A vacancy shall
22 not affect the power of the remaining members
23 to execute the duties of the Working Group ex-
24 cept to the extent that such vacancy results in
25 less than a quorum.

1 (5) COMPENSATION.—Members of the Working
2 Group who are full-time officers or employees of the
3 United States or Members of Congress may not re-
4 ceive additional pay, allowances, or benefits by rea-
5 son of their service on the Working Group.

6 (d) ADMINISTRATIVE AND TECHNICAL SUPPORT.—
7 The Secretary shall provide the Working Group with such
8 administrative support, staff, and technical assistance as
9 the Secretary determines necessary for the Working Group
10 to carry out its duties.

11 (e) DETAIL OF FEDERAL EMPLOYEES.—Any Federal
12 employee may be detailed to the Commission without reim-
13 bursement from the Commission, and such detailee shall
14 retain the rights, status, and privileges of his or her reg-
15 ular employment without interruption.

16 (f) FEDERAL ADVISORY COMMITTEE ACT.—The pro-
17 visions of the Federal Advisory Committee Act (5 U.S.C.
18 App.) shall not apply with respect to the Working Group.

19 (g) DEFINITIONS.—In this section:

20 (1) FEDERAL AGENCY.—The term “Federal
21 agency” means any agency as that term is defined
22 in section 551(1).

23 (2) SECRETARY.—The term “Secretary” means
24 the Secretary of Commerce.

1 (3) STATE.—The term “State” means each of
2 the several States, the District of Columbia, and any
3 commonwealth, territory, or possession of the United
4 States.

5 **SEC. 4. CITIZENSHIP-BASED REAPPORTIONMENT.**

6 Section 22(a) of the Act entitled “An Act to provide
7 for the fifteenth and subsequent decennial censuses and
8 to provide for apportionment of Representatives in Con-
9 gress”, approved June 28, 1929 (2 U.S.C. 2a(a)), is
10 amended to read as follows:

11 “(a) On the first day, or within one week thereafter,
12 of the first regular session of the One Hundred Twenty-
13 second Congress and of each fifth Congress thereafter, the
14 President shall transmit to the Congress a statement
15 showing the whole number of persons in each State, ex-
16 cluding Indians not taxed, as ascertained under the seven-
17 teenth and each subsequent decennial census of the popu-
18 lation, and the number of Representatives to which each
19 State would be entitled under an apportionment of the
20 then existing number of Representatives by the method
21 known as the method of equal proportions under which
22 only citizens of the United States shall be considered in
23 determining such apportionment, no State to receive less
24 than one Member.”.

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