

115TH CONGRESS  
2D SESSION

# H. R. 5359

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.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 21, 2018

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. SERRANO, Ms. MENG, Mr. ESPAILLAT, Mr. SOTO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. PASCRELL, and Mr. COURTNEY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## 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”.

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

1           (1) The decennial census was embedded in arti-  
2           cle I of the Constitution of the United States by the  
3           founders of the United States to measure the  
4           progress of the country and help chart its future.

5           (2) The 2020 decennial census will, for the dec-  
6           ade to follow, shape the reapportionment of the  
7           House of Representatives and the drawing of thou-  
8           sands of State and local political jurisdictions.

9           (3) Nearly \$700,000,000,000 in Federal assist-  
10          ance to State and local communities every year is in-  
11          formed by the results of the decennial census.

12          (4) The President and Congress seek to make  
13          the 2020 decennial census the most complete, accu-  
14          rate, and fair decennial census in the history of the  
15          United States.

16          (5) The decennial census is the largest peace-  
17          time mobilization undertaken by the Federal Gov-  
18          ernment.

19          (6) Any late, untested changes to the oper-  
20          ational design of the decennial census will introduce  
21          great risk to the success of, the accuracy of, and  
22          public cooperation with the decennial census.

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

3 Section 141 of title 13, United States Code, is  
4 amended—

5 (1) in subsection (f)—

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

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

10 (C) by striking paragraph (3);

11 (2) by redesignating subsection (g) as sub-  
12 section (h);

13 (3) by inserting after subsection (f) the fol-  
14 lowing:

15 “(g) LIMITATIONS AND REQUIREMENTS.—

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

21 “(A) with respect to the census or any sur-  
22 vey conducted in connection with the census,  
23 implement any major operational design that  
24 has not been researched, studied, and tested for  
25 a period of not less than 3 years before the date  
26 on which the applicable census occurs; or

1           “(B) include on the questionnaire for the  
2 census any subject, type of information, or  
3 question that was not submitted to Congress in  
4 accordance with subsection (f).

5           “(2) BIENNIAL REPORTS.—

6           “(A) SUBMISSION TO CONGRESS.—Not  
7 later than 90 days after the date of enactment  
8 of this subsection and biennially thereafter, the  
9 Secretary shall submit to Congress a report  
10 that—

11                   “(i) describes each component of the  
12 operational plan for the subsequent decen-  
13 nial census of population; and

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

18           “(B) INTERNET PUBLICATION.—On the  
19 date on which the Secretary submits a report  
20 under subparagraph (A), the Secretary shall  
21 publish the report on the public Internet  
22 website of the Bureau.

23           “(C) GAO ANALYSIS.—Before the date on  
24 which a decennial census occurs, the Comp-  
25 troller General of the United States shall certify

1 to Congress that the subjects, types of informa-  
2 tion, and questions to be included in the census  
3 have been adequately researched, studied, and  
4 tested to the same degree as in previous decen-  
5 nial censuses.”; and

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

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