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

IN THE SENATE OF THE UNITED STATES

MARCH 20, 2018

Mr. SCHATZ (for himself, Mr. WYDEN, Ms. DUCKWORTH, and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend title 13, United States Code, to require the Secretary of Commerce to provide advanced 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 Representatives 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 “2020 Census Improving Data and Enhanced Accuracy Act” or the “2020 Census IDEA Act”.

7 (b) FINDINGS.—Congress finds the following:
(1) The decennial census was embedded in article I of the Constitution of the United States by the founders of the United States to measure the progress of the country and help chart its future.

(2) The 2020 decennial census will, for the decade to follow, shape the reapportionment of the House of Representatives and the drawing of thousands of State and local political jurisdictions.

(3) Nearly $700,000,000,000 in Federal assistance to State and local communities every year is informed by the results of the decennial census.

(4) The President and Congress seek to make the 2020 decennial census the most complete, accurate, and fair decennial census in the history of the United States.

(5) The decennial census is the largest peacetime mobilization undertaken by the Federal Government.

(6) Any late, untested changes to the operational design of the decennial census will introduce great risk to the success of, the accuracy of, and public cooperation with the decennial census.
SEC. 2. LIMITATIONS AND REQUIREMENTS FOR THE DE-
CENNIAL CENSUS.

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

(1) in subsection (f)—

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

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

(C) by striking paragraph (3);

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

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

“(g) LIMITATIONS AND REQUIREMENTS.—

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

“(A) with respect to the census, implement
any major operational design that has not been
researched, studied, and tested for a period of
not less than 3 years before the date on which
the applicable census occurs; or
“(B) include on the questionnaire for the census any subject, type of information, or question that was not submitted to Congress in accordance with subsection (f).

“(2) Biannual reports.—

“(A) Submission to Congress.—Not later than 90 days after the date of enactment of this subsection and biannually thereafter, the Secretary shall submit to Congress a report that—

“(i) describes each component of the operational plan for the subsequent decennial census of population; and

“(ii) includes a detailed statement on the status of all research, testing, and operations that are part of the Bureau’s comprehensive plan for the decennial census.

“(B) Internet publication.—On the date on which the Secretary submits a report under subparagraph (A), the Secretary shall publish the report on the public Internet website of the Bureau.

“(3) GAO analysis.—Before the date on which a decennial census occurs, the Comptroller General of the United States shall determine and re-
port to Congress on whether the subjects, types of
information, and questions to be included in the cen-
sus have been adequately researched, studied, and
tested to the same degree as in previous decennial
censuses.

“(4) APPLICABILITY.—Nothing in this sub-
section shall be construed to affect—

“(A) the mid-decade census conducted
under subsection (d); or

“(B) the survey conducted by the Sec-
retary that is commonly referred to as the
‘American Community Survey’.”; and

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

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