

116TH CONGRESS  
1ST SESSION

# H. R. 2392

To make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2019

Mr. SMITH of Nebraska introduced the following bill; which was referred to the Committee on Oversight and Reform

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## A BILL

To make participation in the American Community Survey voluntary, except with respect to certain basic questions, 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 “American Community  
5 Survey Act”.

6 **SEC. 2. PARTICIPATION IN AMERICAN COMMUNITY SUR-**  
7 **VEY.**

8 (a) **OPTIONAL QUESTIONS.**—Section 193 of title 13,  
9 United States Code, is amended by adding at the end the  
10 following: “The Secretary shall include, in the instructions

1 for completing any survey authorized under this section,  
2 a statement indicating that answering any question other  
3 than questions that solicit the information described in  
4 section 221(c)(2)(A) is optional.”.

5 (b) REFUSAL TO PARTICIPATE.—Section 221 of title  
6 13, United States Code, is amended—

7 (1) in subsection (a), by striking “Whoever,  
8 being over eighteen years of age,” and inserting  
9 “Except as provided in subsection (c), any person  
10 older than 18 years of age who”; and

11 (2) by amending subsection (c) to read as fol-  
12 lows:

13 “(c)(1) Notwithstanding any other provision under  
14 this title—

15 “(A) no person may be compelled to disclose in-  
16 formation relative to the person’s religious beliefs or  
17 to membership in a religious body; and

18 “(B) except as provided in paragraph (2), no  
19 person may be fined or otherwise compelled to an-  
20 swer questions in connection with the survey, con-  
21 ducted by the Secretary of Commerce, which is com-  
22 monly referred to as the ‘American Community Sur-  
23 vey’.

24 “(2) Paragraph (1)(B)—

1           “(A) shall not apply to any question that elic-  
2           its—

3                   “(i) the name of the respondent;

4                   “(ii) contact information for the respond-  
5           ent;

6                   “(iii) the date of the response; or

7                   “(iv) the number of people living or stay-  
8           ing at the same address; and

9           “(B) does not waive any penalty imposed for  
10          conduct described in subsection (b).”.

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