

116TH CONGRESS
2D SESSION

H. R. 7034

To modify the deadline for completing the 2020 decennial census of population and related tabulations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 27, 2020

Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. GOMEZ, Mr. RASKIN, Mr. CONNOLLY, and Mr. SARBANES) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on Education and Labor, 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 modify the deadline for completing the 2020 decennial census of population and related tabulations, 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 “Fair and Accurate
5 Census Act”.

1 **SEC. 2. CENSUS DEADLINE MODIFICATION.**

2 Notwithstanding the timetables provided in sections
3 141(b) and (c) of title 13, United States Code, and section
4 22(a) of the Act entitled “An Act to provide for the fif-
5 teenth and subsequent decennial censuses and to provide
6 for an apportionment of Representatives in Congress”, ap-
7 proved June 18, 1929 (2 U.S.C. 2a(a)), for the 2020 de-
8 cennial census of the population—

9 (1) the tabulation of total population by States
10 required by section 141(a) of such title for the ap-
11 portionment of Representatives in Congress among
12 the several States shall be completed and reported
13 by the Secretary to the President within 13 months
14 after the decennial census date of April 1, 2020, and
15 shall be made public by the Secretary no later than
16 the date on which it is reported to the President;

17 (2) the President shall transmit to the Congress
18 a statement showing the whole number of persons in
19 each State, and the number of Representatives to
20 which each State would be entitled under an appor-
21 tionment of the then existing number of Representa-
22 tives, as required by such section 22(a), and deter-
23 mined solely as described therein, within 14 days
24 after receipt of the tabulation reported by the Sec-
25 retary; and

1 (3) the tabulations of populations required by
2 section 141(c) of such title shall be completed by the
3 Secretary as expeditiously as possible after the cen-
4 sus date of April 1, 2020, taking into account each
5 State’s deadlines for legislative apportionment or
6 districting, and reported to the Governor of the
7 State involved and to the officers or public bodies
8 having responsibility for legislative apportionment or
9 districting of such State, except that such tabula-
10 tions of population of each State requesting a tab-
11 ulation plan, and basic tabulations of population of
12 each other State, shall be completed, reported, and
13 transmitted to each respective State within 16
14 months after the decennial census date of April 1,
15 2020.

16 **SEC. 3. REPORTING REQUIREMENTS FOR 2020 CENSUS.**

17 On the first day of each month during the period be-
18 tween the date of enactment of this Act and July 1, 2021,
19 the Director of the Bureau of the Census shall submit,
20 to the Committee on Oversight and Reform of the House
21 of Representatives, the Committee on Homeland Security
22 and Governmental Affairs of the Senate, and the Commit-
23 tees on Appropriations of the House and the Senate, a
24 report regarding the 2020 decennial census of population
25 containing the following information:

1 (1) The total number of field staff, sorted by
2 category, hired by the Bureau compared to the num-
3 ber of field staff the Bureau estimated was nec-
4 essary to carry out such census.

5 (2) Retention rates of such hired field staff.

6 (3) Average wait time for call center calls and
7 average wait time for each language provided.

8 (4) Anticipated schedule of such census oper-
9 ations.

10 (5) Total appropriations available for obligation
11 for such census and a categorized list of total dis-
12 bursements.

13 (6) Non-Response Follow-Up completion rates
14 by geographic location.

15 (7) Update/Enumerate and Update/Leave com-
16 pletion rates by geographic location.

17 (8) Total spending to date on media, advertise-
18 ments, and partnership specialists, including a geo-
19 graphic breakdown of such spending.

20 (9) Post-enumeration schedule and subsequent
21 data aggregation and delivery progress.

1 **SEC. 4. PROVIDING BUREAU OF THE CENSUS ACCESS TO**
2 **INFORMATION FROM INSTITUTIONS OF HIGH-**
3 **ER EDUCATION.**

4 (a) **IN GENERAL.**—Notwithstanding any other provi-
5 sion of law, including section 444 of the General Edu-
6 cation Provisions Act (commonly known as the “Family
7 Educational Rights and Privacy Act of 1974”), an institu-
8 tion of higher education may, in furtherance of a full and
9 accurate decennial census of population count, provide to
10 the Bureau of the Census information requested by the
11 Bureau for purposes of enumeration for the 2020 decen-
12 nial census of population.

13 (b) **APPLICATION.**—

14 (1) **INFORMATION.**—Only information requested
15 on the official 2020 decennial census of population
16 form may be provided to the Bureau of the Census
17 pursuant to this section. No institution of higher
18 education may provide any information to the Bu-
19 reau on the immigration or citizenship status of any
20 individual.

21 (2) **NOTICE REQUIRED.**—Before information
22 can be provided to the Bureau, the institution of
23 higher education shall give public notice of the cat-
24 egories of information which it plans to provide and
25 shall allow 10 days after such notice has been given
26 for a student to inform the institution that any or

1 all of the information designated should not be re-
2 leased without the student's prior consent. No insti-
3 tution of higher education shall provide the Bureau
4 with the information of any individual who has ob-
5 jected to the provision of such information.

6 (3) USE OF INFORMATION.—Information pro-
7 vided to the Bureau pursuant to this section may
8 only be used for the purposes of enumeration for the
9 2020 decennial census of population.

10 (c) DEFINITION OF INSTITUTION OF HIGHER EDU-
11 CATION.—In this section, the term “institution of higher
12 education” has the meaning given that term in section 102
13 of the Higher Education Act of 1965 (20 U.S.C. 1002).

14 (d) SUNSET.—The authority provided in this section
15 shall expire at the conclusion of 2020 census operations.

16 **SEC. 5. LIMITATION.**

17 The Bureau of the Census may not compile, produce,
18 or publish any data product or tabulation as part of, in
19 combination with, or in connection with, the 2020 decen-
20 nial census of population or any such census data pro-
21 duced pursuant to section 141(c) of title 13, United States
22 Code, that includes topics specific to the 2020 Census that
23 were not part of the report submitted pursuant to section
24 141(f)(1) of title 13, United States Code, on March 28,

1 2017, and the 2018 End-to-End Census Test conducted
2 in Providence County, Rhode Island.

