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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 23, 2019

MRS. CAROLYN B. MALONEY of New York (for herself, MR. SERRANO, MS. MENG, MR. SOTO, MR. CLAY, MS. TLAIB, MRS. KIRKPATRICK, MS. WILD, MS. SCHAKOWSKY, MS. McCOLLUM, MR. Sires, MR. VELA, MR. ESPAILLAT, MS. NORTON, MR. COOPER, MR. DEFAZIO, MR. PASCRELL, and MS. JUDY CHU of California) introduced the following bill; which was referred to the Committee on Oversight and Reform

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; FINDINGS.

(a) Short Title.—This Act may be cited as the “2020 Census Improving Data and Enhanced Accuracy Act” or the “2020 Census IDEA Act”.

(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 for the purpose of apportionment of seats among the States in the U.S. House of Representatives.

(2) The founders believed that a census was essential in measuring the progress of the country and helping to chart its future.

(3) 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 districts.

(4) Over $800,000,000,000 in Federal assistance to State and local communities every year is informed by the results of the decennial census.

(5) Congress seeks to make the 2020 decennial census the most complete, accurate, and fair decennial census in the history of the United States.

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

(7) Any late, untested changes to the operational design of the decennial census will jeopardize
public cooperation with the census and, therefore, the success and accuracy of the decennial census.

SEC. 2. LIMITATIONS AND REQUIREMENTS FOR THE DECENTENNIAL 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 subsection (h);

(3) by inserting after subsection (f) the following:

“(g) LIMITATIONS AND REQUIREMENTS.—

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

“(A) with respect to the census or any survey conducted in connection with the census, implement any major operational design feature
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) Reports.—

“(A) Submission to Congress.—Not later than 90 days after the date of enactment of this subsection, and not later than the date that is 4 years before the date of a decennial census (beginning with the decennial census for 2030), 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.

“(C) GAO ANALYSIS.—Before the date on
which a decennial census occurs, the Comptroller General of the United States shall certify
to Congress that the subjects, types of informa-
tion, and questions to be included in the census
have been adequately researched, studied, and
tested to the same degree as in previous decen-
nial censuses.”; and

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

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