

113TH CONGRESS  
1ST SESSION

# H. R. 1638

To repeal the authority to conduct certain censuses, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 18, 2013

Mr. DUNCAN of South Carolina (for himself, Mr. CHAFFETZ, Mr. HARRIS, Mr. JONES, Mr. PEARCE, Mr. RIBBLE, and Mr. SOUTHERLAND) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on Agriculture and Appropriations, 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

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## A BILL

To repeal the authority to conduct certain censuses, 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 “Census Reform Act  
5 of 2013”.

1 **SEC. 2. REPEAL AND CANCELLATION OF CERTAIN CENSUS**  
2 **ACTIVITIES UNDER TITLE 13, UNITED STATES**  
3 **CODE.**

4 (a) REPEAL OF CENSUS RELATING TO AGRICULTURE.—Chapter 3 of title 13, United States Code, is  
5 CULTURE.—Chapter 3 of title 13, United States Code, is  
6 repealed.

7 (b) REPEAL OF ECONOMIC CENSUS.—Subchapter I  
8 of chapter 5 of such title is repealed.

9 (c) REPEAL OF MID-DECADE CENSUS.—Section 141  
10 of such title is amended—

11 (1) by striking subsection (d);

12 (2) by striking subsection (e) and inserting the  
13 following:

14 “(e) If in the administration of any program estab-  
15 lished by or under Federal law which provides benefits to  
16 State or local governments or to other recipients, eligibility  
17 for or the amount of such benefits would (without regard  
18 to this subsection) be determined by taking into account  
19 data obtained in the most recent decennial census then  
20 in the determination of such eligibility or amount of bene-  
21 fits the most recent data available from either the mid-  
22 decade or decennial census shall be used.”; and

23 (3) in subsection (f), by striking “and mid-dec-  
24 ade” and “or (d)”.

1 (d) REPEAL OF CENSUS OF GOVERNMENTS.—Sub-  
2 chapter III of chapter 5 of title 13, United States Code,  
3 is repealed.

4 (e) EFFECT ON CENSUS ACTIVITIES.—Beginning on  
5 the date of the enactment of this Act, the Secretary of  
6 Commerce and the Bureau of the Census—

7 (1) are not authorized to carry out any activi-  
8 ties with respect to—

9 (A) a census conducted under chapter 3,  
10 subchapter I or subchapter III of chapter 5, or  
11 section 141(d) of such title, as in effect on the  
12 day before the date of the enactment of this  
13 Act; or

14 (B) a survey (including the survey, con-  
15 ducted by the Secretary of Commerce, which is  
16 commonly referred to as the “American Com-  
17 munity Survey”), sampling, or other question-  
18 naire conducted under such title;

19 (2) shall terminate any activities being carried  
20 out with respect to any such census, survey, sam-  
21 pling, or questionnaire; and

22 (3) may only conduct the decennial census of  
23 population, as authorized under section 141 of title  
24 13, United States Code.

1 (f) RESCISSION OF UNOBLIGATED AMOUNTS.—Any  
2 unobligated amounts available to carry out the American  
3 Community Survey or the following provisions of title 13,  
4 United States Code, are rescinded:

5 (1) Section 141(d).

6 (2) Chapter 3.

7 (3) Subchapter I and subchapter III of chapter  
8 5.

9 **SEC. 3. PROHIBITION ON SURVEYS OR QUESTIONNAIRES;**  
10 **LIMITATIONS ON STATISTICS COLLECTED IN**  
11 **A DECENNIAL CENSUS.**

12 (a) IN GENERAL.—Subchapter I of chapter 1 of title  
13 13, United States Code, is amended by inserting after sec-  
14 tion 5 the following:

15 **“§ 5a. Prohibition on surveys or questionnaires; limi-**  
16 **tation on statistics**

17 “(a) Notwithstanding any other provision of law—

18 “(1) the Secretary may not conduct any survey,  
19 sampling, or other questionnaire, and may only con-  
20 duct a decennial census of population as authorized  
21 under section 141; and

22 “(2) any form used by the Secretary in such a  
23 decennial census may only collect information nec-  
24 essary for the tabulation of total population by  
25 States.”.

1 (b) REPEAL OF SURVEY, QUESTIONNAIRE, OR SAM-  
2 PLING AUTHORITY.—Sections 182, 193, and 195 of title  
3 13, United States Code, are repealed.

4 (c) CONFORMING AMENDMENTS.—Section 141 of  
5 such title is amended—

6 (1) in subsection (a), by striking “The Sec-  
7 retary” and inserting “Consistent with the limita-  
8 tions set forth in section 5a, the Secretary”; and

9 (2) in subsection (g), by striking “, housing,  
10 and matters relating to population and housing”.

11 **SEC. 4. REPEAL OF CENSUS OF AGRICULTURE ACT OF 1997.**

12 (a) IN GENERAL.—The Census of Agriculture Act of  
13 1997 (7 U.S.C. 2201 note; Public Law 105–113) is re-  
14 pealed.

15 (b) EFFECT ON 2013 CENSUS.—Beginning on the  
16 date of the enactment of this Act, the Secretary of Agri-  
17 culture—

18 (1) is not authorized to carry out any activities  
19 with respect to the census required to be conducted  
20 in 2013 under the Census of Agriculture Act of  
21 1997 (7 U.S.C. 2201 note; Public Law 105–113), as  
22 in effect on the day before the date of the enactment  
23 of this Act; and

24 (2) shall terminate any activities being carried  
25 out with respect to such census.

1           (c) RESCISSION OF UNOBLIGATED FUNDS.—Any un-  
2 obligated amounts available to carry out the Census of Ag-  
3 riculture Act (7 U.S.C. 2201 note; Public Law 105–113)  
4 are rescinded.

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