

113TH CONGRESS
1ST SESSION

H. R. 1638

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

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

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 AGRI-
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6 repealed.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8 of chapter 5 of such title is repealed.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3 is repealed.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.

○