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-
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”.

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

(a) Repeal of Census Relating to Agriculture.—Chapter 3 of title 13, United States Code, is repealed.

(b) Repeal of Economic Census.—Subchapter I of chapter 5 of such title is repealed.

(c) Repeal of Mid-Decade Census.—Section 141 of such title is amended—

(1) by striking subsection (d); 

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

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

(3) in subsection (f), by striking “and mid-decade” and “or (d)”.

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(d) Repeal of Census of Governments.—Subchapter III of chapter 5 of title 13, United States Code, is repealed.

(e) Effect on Census Activities.—Beginning on the date of the enactment of this Act, the Secretary of Commerce and the Bureau of the Census—

(1) are not authorized to carry out any activities with respect to—

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

(B) a survey (including the survey, conducted by the Secretary of Commerce, which is commonly referred to as the “American Community Survey”), sampling, or other questionnaire conducted under such title;

(2) shall terminate any activities being carried out with respect to any such census, survey, sampling, or questionnaire; and

(3) may only conduct the decennial census of population, as authorized under section 141 of title 13, United States Code.
(f) Rescission of Unobligated Amounts.—Any unobligated amounts available to carry out the American Community Survey or the following provisions of title 13, United States Code, are rescinded:

1. Section 141(d).
2. Chapter 3.

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

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

“§5a. Prohibition on surveys or questionnaires; limitation on statistics

“(a) Notwithstanding any other provision of law—

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

“(2) any form used by the Secretary in such a decennial census may only collect information necessary for the tabulation of total population by States.”.
(b) **Repeal of Survey, Questionnaire, or Sampling Authority.**—Sections 182, 193, and 195 of title 13, United States Code, are repealed.

(c) **Conforming Amendments.**—Section 141 of such title is amended—

1. In subsection (a), by striking “The Secretary” and inserting “Consistent with the limitations set forth in section 5a, the Secretary”; and
2. In subsection (g), by striking “, housing, and matters relating to population and housing”.

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

(a) **In General.**—The Census of Agriculture Act of 1997 (7 U.S.C. 2201 note; Public Law 105–113) is repealed.

(b) **Effect on 2013 Census.**—Beginning on the date of the enactment of this Act, the Secretary of Agriculture—

1. is not authorized to carry out any activities with respect to the census required to be conducted in 2013 under the Census of Agriculture Act of 1997 (7 U.S.C. 2201 note; Public Law 105–113), as in effect on the day before the date of the enactment of this Act; and
2. shall terminate any activities being carried out with respect to such census.
(c) Rescission of Unobligated Funds.—Any unobligated amounts available to carry out the Census of Agriculture Act (7 U.S.C. 2201 note; Public Law 105–113) are rescinded.