

119TH CONGRESS  
1ST SESSION

# H. R. 5156

To direct the Department of Commerce and Federal agencies to collect information on citizenship status of individuals residing in the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 4, 2025

Mr. PFLUGER (for himself, Mr. EDWARDS, Mrs. LUNA, Mr. COLLINS, Ms. VAN DUYNE, and Mr. DUNN of Florida) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, Homeland Security, Foreign Affairs, Ways and Means, and Energy and Commerce, 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 direct the Department of Commerce and Federal agencies to collect information on citizenship status of individuals residing in the United States, 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 “Citizen Only Updated  
5 National Tally Act” or the “COUNT Act”.

1 **SEC. 2. POLICY.**

2 It is the policy of the United States to develop com-  
3 plete and accurate data on the number of citizens, nonciti-  
4 zens, and illegal aliens in the country. Such data is nec-  
5 essary to understand the effects of immigration on the  
6 country, and to inform policymakers in setting and evalu-  
7 ating immigration policies and laws, including evaluating  
8 proposals to address the current crisis in illegal immigra-  
9 tion.

10 **SEC. 3. FEDERAL AGENCY ASSISTANCE TO THE DEPART-**  
11 **MENT OF COMMERCE AND MAXIMIZING CITI-**  
12 **ZENSHIP DATA.**

13 (a) IN GENERAL.—Each Federal agency shall  
14 promptly provide the Department of Commerce the max-  
15 imum assistance permissible in determining the number  
16 of citizens, noncitizens, and illegal aliens in the United  
17 States, including by providing any access that the Depart-  
18 ment may request to administrative records that may be  
19 useful in accomplishing such objective.

20 (b) SPECIFIC RECORDS.—In addition to the require-  
21 ments of subsection (a), the following Federal agencies  
22 shall examine relevant legal authorities and, to the max-  
23 imum extent consistent with law, provide access to the De-  
24 partment of Commerce to the following records:

25 (1) Department of Homeland Security, United  
26 States Citizenship and Immigration Services; Na-

1        tional-level file of Lawful Permanent Residents, Nat-  
2        uralizations.

3            (2) Department of Homeland Security, Immi-  
4        gration and Customs Enforcement; F1 and M1 Non-  
5        immigrant Visas.

6            (3) Department of Homeland Security; Na-  
7        tional-level file of Customs and Border Arrival/De-  
8        parture transaction data.

9            (4) Department of Homeland Security and De-  
10       partment of State, Worldwide Refugee and Asylum  
11       Processing System; Refugee and Asylum visas.

12           (5) Department of State; National-level pass-  
13       port application data.

14           (6) Social Security Administration; Master Ben-  
15       eficiary Records.

16           (7) Department of Health and Human Services;  
17       CMS Medicaid and CHIP Information System.

18        (c) INTERAGENCY WORKING GROUP.—The Director  
19       of the Bureau of the Census shall establish an interagency  
20       working group to coordinate efforts, consistent with law,  
21       to maximize the availability of administrative records in  
22       connection with the census, with the goal of obtaining ad-  
23       ministrative records that can help establish citizenship sta-  
24       tus for 100 percent of the population. The Director shall  
25       chair the working group, and the head of each agency shall

1 designate a representative to the working group upon re-  
2 quest from the working group chair.

3 (d) CITIZENSHIP QUESTION.—To ensure that the  
4 Federal Government continues to collect the most accurate  
5 information available concerning citizenship going for-  
6 ward, the Secretary of Commerce shall initiate any admin-  
7 istrative process necessary to include a citizenship ques-  
8 tion on the 2030 decennial census and to consider any reg-  
9 ulatory changes necessary to ensure that citizenship data  
10 is collected in any other surveys and data-gathering efforts  
11 conducted by the Bureau of the Census, including the  
12 American Community Survey. The Secretary of Commerce  
13 shall expand the distribution of the American Community  
14 Survey to secure better citizenship data.

15 (e) STATE RECORDS.—The Department of Com-  
16 merce shall strengthen its efforts, consistent with law, to  
17 gain access to relevant State administrative records. The  
18 Secretary shall report annually to Congress on the status  
19 of these efforts, including a list of States that refuse to  
20 comply with any efforts initiated by the Secretary to ascer-  
21 tain relevant administrative records.

22 **SEC. 4. TERMINATION OF DIFFERENTIAL PRIVACY ACCESS.**

23 Beginning on and after the date that is 6 months  
24 after the date of the enactment of this Act, the Bureau  
25 of the Census may not use the differential privacy process,

- 1 and the Director of the Bureau shall issue public guidance
- 2 on how the privacy of individual responses will be guaran-
- 3 teed in the absence of such process.

