

104TH CONGRESS
2D SESSION

H. R. 3558

To provide for greater accuracy in the 2000 decennial census of population,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 30, 1996

Mrs. MEEK of Florida (for herself, Mrs. COLLINS of Illinois, Ms. ROSLEHTINEN, Mr. HILLIARD, Mr. DIAZ-BALART, Mr. DELLUMS, Mr. DIXON, Ms. MILLENDER-MCDONALD, Ms. WATERS, Ms. BROWN of Florida, Mr. HASTINGS of Florida, Mr. JOHNSTON of Florida, Mr. BISHOP, Mr. LEWIS of Georgia, Ms. MCKINNEY, Mr. RUSH, Mr. JACKSON of Illinois, Mr. FIELDS of Louisiana, Mr. JEFFERSON, Mr. CUMMINGS, Mr. WYNN, Mr. CONYERS, Miss COLLINS of Michigan, Mr. CLAY, Mr. THOMPSON, Mr. MENENDEZ, Mr. PAYNE of New Jersey, Mr. FLAKE, Mr. OWENS, Mr. RANGEL, Mr. TOWNS, Mrs. CLAYTON, Mr. WATT of North Carolina, Mr. FATTAH, Mr. CLYBURN, Ms. JACKSON-LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANTOS, Mr. PASTOR, Ms. ROYBAL-ALLARD, Mr. TORRES, Mr. FRAZER, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committees on Ways and Means, Agriculture, Commerce, Economic and Educational Opportunities, and Banking and Financial Services, 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 provide for greater accuracy in the 2000 decennial census
of population, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Decennial Census Im-
3 provement Act of 1996”.

4 **SEC. 2. FINDINGS AND PURPOSES.**

5 (a) FINDINGS.—The Congress finds that—

6 (1) the Constitution requires that the number
7 of persons in the Nation be enumerated every 10
8 years in order to permit the apportionment of Rep-
9 resentatives among the several States;

10 (2) information collected through a decennial
11 census is also used to determine—

12 (A) the boundaries of congressional dis-
13 tricts within States;

14 (B) the boundaries of the districts for the
15 legislature of each State and the boundaries of
16 other political subdivisions within the States;
17 and

18 (C) the allocation of billions of dollars of
19 Federal and State funds;

20 (3) the Constitution requires that those enu-
21 merations be made in such manner as the Congress
22 “shall by law direct”;

23 (4) in the 1990 decennial census, the Bureau of
24 the Census used a combination of mail question-
25 naires and personal interviews, involving more than
26 350,000 enumerators, to collect the census data;

1 (5) while the census cannot count everyone, the
2 extent of the undercount varies by race and geog-
3 raphy; for example, the Bureau estimates that the
4 1990 decennial census failed to count 5.7 percent of
5 blacks and 1.3 percent of all others;

6 (6) a number of lawsuits were filed challenging
7 the accuracy of the 1990 decennial census, and in
8 March 1996 the Supreme Court unanimously upheld
9 the Secretary of Commerce's decision in July 1991
10 not to adjust the initial enumeration in the 1990 de-
11 cennial census by using a postenumeration statistical
12 survey;

13 (7) on February 28, 1996, the Bureau an-
14 nounced that, for the 2000 decennial census, it plans
15 to use a combination of mail questionnaires and per-
16 sonal interviews in each county until it has collected
17 data from 90 percent of the households in the coun-
18 ty, whereupon it would conduct interviews with re-
19 spect to one-tenth of the remaining households in
20 the county and use the information obtained from
21 those interviews to make estimates with respect to
22 the remaining nonresponding households;

23 (8) certain witnesses testified, at a hearing held
24 by the Committee on Government Reform and Over-
25 sight of the House of Representatives on February

1 29, 1996, that the Bureau's proposed sampling tech-
2 nique may increase the disparity in the undercount
3 among either geographic areas (such as between
4 rural and urban areas) or racial or ethnic groups
5 (such as with respect to African Americans and His-
6 panic Americans, as compared to other groups);

7 (9) the planning, conduct, and analysis of a de-
8 cennial census often requires close to a period of 10
9 years;

10 (10) the Bureau estimates that the proposed
11 sampling technique will cost about \$500 million less,
12 over that period of time, than the \$4.4 billion that
13 it estimates would be spent over that same period if
14 the method used in the 1990 decennial census were
15 to be used (instead of such sampling technique) in
16 the 2000 decennial census; and

17 (11) the Chairman of the Panel on Census Re-
18 quirements in the Year 2000 and Beyond of the Na-
19 tional Academy of Sciences testified at the February
20 29th hearing that there is a trade-off between cost
21 savings associated with using a sampling technique
22 on the one hand, and adverse effects with respect to
23 sampling variability, public perception, and political
24 consequences, on the other.

1 (b) PURPOSES.—It is the purpose of this Act to pro-
2 mote the accuracy of the 2000 decennial census, and pub-
3 lic confidence with respect to the data obtained therefrom.

4 **SEC. 3. REQUIREMENTS.**

5 The 2000 decennial census shall be conducted in ac-
6 cordance with the following:

7 (1) DIRECT CONTACT MUST BE ATTEMPTED.—

8 The Bureau shall attempt to contact every household
9 directly (whether by mail or in person), and may use
10 sampling as a substitute for direct contact in a par-
11 ticular census tract only after direct contact has
12 been made with at least 90 percent of the house-
13 holds in such tract.

14 (2) GREATER USE OF NON-FEDERAL RE-
15 SOURCES.—The Bureau—

16 (A) shall seek to make more effective use
17 of State and local government offices, as well as
18 appropriate local groups, in order to reduce the
19 undercount; and

20 (B) shall include, as part of its report
21 under section 141(f) of title 13, United States
22 Code, next due after the date of the enactment
23 of this Act, a description of the measures it in-
24 tends to pursue to carry out subparagraph (A).

1 **SEC. 4. MEASURES TO FACILITATE THE RECRUITMENT OF**
2 **TEMPORARY EMPLOYEES.**

3 (a) EXEMPTION FROM PROVISIONS RELATING TO
4 REEMPLOYED ANNUITANTS AND FORMER MEMBERS OF
5 THE UNIFORMED SERVICES.—Public Law 101–86 (13
6 U.S.C. 23 note) is amended—

7 (1) in section 1(b) and the long title by striking
8 “the 1990 decennial census” and inserting “the
9 2000 decennial census”; and

10 (2) in section 4 by striking “December 31,
11 1990.” and inserting “December 31, 2000.”.

12 (b) PURPOSES FOR WHICH COMPENSATION SHALL
13 NOT BE TAKEN INTO ACCOUNT.—Compensation for serv-
14 ices performed by an individual appointed to a temporary
15 position in or under the Bureau for purposes relating to
16 the 2000 decennial census (if the position is so designated
17 by the Bureau, in writing, at the time of such individual’s
18 appointment) shall not be taken into account for purposes
19 of any of the following:

20 (1) Any State program funded under part A of
21 title IV of the Social Security Act (42 U.S.C. 601
22 et seq.).

23 (2) Medical assistance provided pursuant to
24 title XIX of the Social Security Act (42 U.S.C. 1396
25 et seq.).

1 (3) The Food stamp program, within the mean-
2 ing of section 3(h) of the Food Stamp Act of 1977
3 (42 U.S.C. 2012(h)).

4 (4) Any program for housing assistance admin-
5 istered by the Secretary of Housing and Urban De-
6 velopment or the Secretary of Agriculture.

7 (5) Assistance under—

8 (A) the school breakfast program under
9 section 4 of the Child Nutrition Act of 1966
10 (42 U.S.C. 1773); or

11 (B) the school lunch program under the
12 National School Lunch Act (42 U.S.C. 1751 et
13 seq.).

14 (6) Assistance under the special supplemental
15 nutrition program for women, infants, and children
16 under section 17 of the Child Nutrition Act of 1966
17 (42 U.S.C. 1786).

18 (7) Assistance under title II of the Job Train-
19 ing Partnership Act (29 U.S.C. 1601 et seq.).

20 (8) Any Head Start program under the Head
21 Start Act (42 U.S.C. 9831 et seq.).

22 (9) Assistance provided pursuant to the Low-
23 Income Home Energy Assistance Act of 1981 (42
24 U.S.C. 8621 et seq.).

1 **SEC. 5. DEFINITIONS.**

2 For purposes of this Act—

3 (1) the term “census” means a census of popu-
4 lation within the meaning of section 141(g) of title
5 13, United States Code;

6 (2) the term “Bureau” means the Bureau of
7 the Census; and

8 (3) the term “census tract” means a statistical
9 subdivision as defined by the Bureau for purposes of
10 the 1990 decennial census.

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