

105TH CONGRESS
1ST SESSION

H. R. 776

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 1997

Mrs. MEEK of Florida (for herself, Mr. ACKERMAN, Mr. BISHOP, Mr. BLUMENAUER, Ms. BROWN of Florida, Mr. BROWN of California, Mrs. CARSON, Ms. CHRISTIAN-GREEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DELLUMS, Mr. DIAZ-BALART, Mr. DIXON, Mr. FATTAH, Mr. FILNER, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GREEN, Mr. HASTINGS of Florida, Mr. HILLIARD, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. KILPATRICK, Mr. LaFALCE, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. LOFGREN, Ms. MCKINNEY, Mrs. MALONEY of New York, Mr. MENENDEZ, Ms. MILLENDER-McDONALD, Mr. MILLER of California, Mrs. MINK of Hawaii, Ms. Norton, Mr. OWENS, Mr. PASTOR, Mr. PAYNE, Mr. RANGEL, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SCOTT, Mr. STARK, Mr. STOKES, Mr. THOMPSON, Mrs. THURMAN, Mr. TORRES, Mr. TOWNS, Ms. WATERS, Mr. WATT of North Carolina, Mr. WEXLER, Ms. WOOLSEY, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Government Reform and Oversight

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 1997”.

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) in August 1992, the Bureau concluded that
2 the 1990 decennial census had failed to count four
3 million persons or 1.6 percent of the population;

4 (6) the extent of the undercount varies by
5 group and by the part of the country involved; for
6 example, the undercount in the 1990 decennial cen-
7 sus was—

8 (A) 4.4 percent for African Americans, 4.5
9 percent for American Indians, 2.3 percent for
10 Asians or Pacific Islanders, and 5 percent for
11 Hispanic Americans; and

12 (B) 3.1 percent for New Mexico, 2.8 per-
13 cent for Texas, 2.7 percent for California, and
14 2 percent for Florida;

15 (7) in 1993, the Bureau concluded that legisla-
16 tion providing that pay for temporary census enu-
17 merators in the 2000 decennial census not be used
18 to reduce benefits under Federal assistance pro-
19 grams would make it easier for the Bureau to hire
20 neighborhood people as temporary census enumera-
21 tors in low-income neighborhoods;

22 (8) a number of lawsuits were filed challenging
23 the accuracy of the 1990 decennial census, and in
24 March 1996 the Supreme Court unanimously upheld
25 the Secretary of Commerce's decision in July 1991

1 not to adjust the initial enumeration in the 1990 de-
2 cennial census by using a postenumeration statistical
3 survey;

4 (9) on February 28, 1996, the Bureau an-
5 nounced that, for the 2000 decennial census, it plans
6 to use a combination of mail questionnaires and per-
7 sonal interviews in each county until it has collected
8 data from 90 percent of the households in the coun-
9 ty, whereupon it would conduct interviews with re-
10 spect to one-tenth of the remaining households in
11 the county and use the information obtained from
12 those interviews to make estimates with respect to
13 the remaining nonresponding households;

14 (10) certain witnesses testified, at a hearing
15 held by the Committee on Government Reform and
16 Oversight of the House of Representatives on Feb-
17 ruary 29, 1996, that the Bureau's proposed sam-
18 pling technique may increase the disparity in the
19 undercount among either geographic areas (such as
20 between rural and urban areas) or racial or ethnic
21 groups (such as with respect to African Americans
22 and Hispanic Americans, as compared to other
23 groups);

1 (11) the planning, conduct, and analysis of a
2 decennial census often requires close to a period of
3 10 years;

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

11 (13) the Chairman of the Panel on Census Re-
12 quirements in the Year 2000 and Beyond of the Na-
13 tional Academy of Sciences testified at the February
14 29th hearing that there is a trade-off between cost
15 savings associated with using a sampling technique
16 on the one hand, and adverse effects with respect to
17 sampling variability, public perception, and political
18 consequences, on the other.

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

22 **SEC. 3. REQUIREMENTS.**

23 The 2000 decennial census shall be conducted in ac-
24 cordance with the following:

1 (1) DIRECT CONTACT MUST BE ATTEMPTED.—

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

8 (2) GREATER USE OF NON-FEDERAL RE-
9 SOURCES.—The Bureau—

10 (A) shall seek to make more effective use
11 of State and local government offices, as well as
12 appropriate local groups, in order to reduce the
13 undercount; and

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

19 **SEC. 4. MEASURES TO FACILITATE THE RECRUITMENT OF**
20 **TEMPORARY EMPLOYEES.**

21 (a) PURPOSES FOR WHICH COMPENSATION SHALL
22 NOT BE TAKEN INTO ACCOUNT.—Section 23 of title 13,
23 United States Code, is amended by adding at the end the
24 following:

1 “(d) Compensation for services performed by an indi-
2 vidual appointed by the Secretary to a temporary position
3 for purposes relating to the 2000 decennial census (if the
4 position is so designated by the Secretary, in writing, at
5 the time of such individual’s appointment) shall not be
6 taken into account for purposes of determining either the
7 eligibility of any individual for or the amount of benefits
8 payable to an individual under any Federal, State, or local
9 program financed in whole or in part with Federal
10 funds.”.

11 (b) EXEMPTION FROM PROVISIONS RELATING TO
12 REEMPLOYED ANNUITANTS AND FORMER MEMBERS OF
13 THE UNIFORMED SERVICES.—Public Law 101–86 (13
14 U.S.C. 23 note) is amended—

15 (1) in section 1(b) and the long title by striking
16 “the 1990 decennial census” and inserting “the
17 2000 decennial census”; and

18 (2) in section 4 by striking “December 31,
19 1990.” and inserting “December 31, 2000.”.

20 **SEC. 5. DEFINITIONS.**

21 For purposes of this Act—

22 (1) the term “census” means a census of popu-
23 lation within the meaning of section 141(g) of title
24 13, United States Code;

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

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

○