

106TH CONGRESS  
1ST SESSION

# S. 752

To facilitate the recruitment of temporary employees to assist in the conduct of the 2000 decennial census of population, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 25, 1999

Mr. MOYNIHAN (for himself and Mr. BINGAMAN) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To facilitate the recruitment of temporary employees to assist in the conduct of 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,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Decennial Census Im-  
5        provement Act of 1999”.

6        **SEC. 2. FINDINGS.**

7        Congress finds that—

8                (1) the Constitution of the United States re-  
9        quires that the number of persons in the United  
10       States be enumerated every 10 years in order to per-

1 mit the apportionment of representatives among the  
2 several States;

3 (2) information collected through a decennial  
4 census of the population conducted under section  
5 141 of title 13, United States Code, is also used to  
6 determine—

7 (A) the boundaries of—

8 (i) congressional districts within  
9 States;

10 (ii)(I) the districts for the legislature  
11 of each State; and

12 (II) other political subdivisions within  
13 the States; and

14 (B) the allocation of billions of dollars of  
15 Federal and State funds;

16 (3) the Constitution of the United States re-  
17 quires that the enumerations referred to in para-  
18 graph (2) be made in such manner as the Congress  
19 “shall by law direct”;

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

24 (5) in 1993, the Bureau of the Census con-  
25 cluded that legislation ensuring that pay for tem-

1       porary census enumerators in the 2000 decennial  
2       census would not be used to reduce benefits under  
3       Federal assistance programs would make it easier  
4       for the Bureau to hire individuals in low-income  
5       neighborhoods as temporary census enumerators in  
6       those neighborhoods.

7       **SEC. 3. MEASURES TO FACILITATE THE RECRUITMENT OF**  
8                                   **TEMPORARY EMPLOYEES.**

9       (a) PURPOSES FOR WHICH COMPENSATION SHALL  
10      NOT BE TAKEN INTO ACCOUNT.—

11               (1) IN GENERAL.—Section 23 of title 13,  
12      United States Code, is amended by adding at the  
13      end the following:

14               “(d)(1) As used in this subsection, the term ‘tem-  
15      porary census position’ means a temporary position within  
16      the Bureau of the Census established for purposes relating  
17      to the 2000 decennial census of population conducted  
18      under section 141 (as determined under regulations that  
19      the Secretary shall prescribe).

20               “(2) Notwithstanding any other provision of law,  
21      compensation for service performed by an individual in a  
22      temporary census position shall not cause—

23               “(A) that individual or any other individual to  
24      become ineligible for any benefits described in para-  
25      graph (3)(A); or

1           “(B) a reduction in the amount of any benefits  
2 described in paragraph (3)(A) for which that indi-  
3 vidual or any other individual would otherwise be eli-  
4 gible.

5           “(3) This subsection shall—

6           “(A) apply with respect to benefits provided  
7 under any Federal program or any State or local  
8 program financed in whole or in part with Federal  
9 funds (including the Social Security program under  
10 the Social Security Act (42 U.S.C. 301 et seq.) and  
11 the Medicare program under title XVIII of that  
12 Act);

13           “(B) apply only with respect to compensation  
14 for service performed during calendar year 2000;  
15 and

16           “(C) not apply if the individual performing the  
17 service involved is appointed (or first appointed to  
18 any other temporary census position) before January  
19 1, 2000.”.

20           (2) RULE OF CONSTRUCTION.—The amendment  
21 made by paragraph (1) shall not affect the application of  
22 Public Law 101–86 (13 U.S.C. 23 note), as amended by  
23 subsection (b).

24           (b) EXEMPTION FROM PROVISIONS RELATING TO  
25 REEMPLOYED ANNUITANTS AND FORMER MEMBERS OF

1 THE UNIFORMED SERVICES.—Public Law 101–86 (13  
2 U.S.C. 23 note) is amended—

3 (1) by striking the title and inserting the fol-  
4 lowing: “An Act to provide that a Federal annuitant  
5 or former member of a uniformed service who re-  
6 turns to Government service, under a temporary ap-  
7 pointment, to assist in carrying out the 2000 decen-  
8 nial census of population shall be exempt from cer-  
9 tain provisions of title 5, United States Code, relat-  
10 ing to offsets from pay and other benefits.”;

11 (2) in section 1(b), by striking “the 1990 de-  
12 cennial census” and inserting “the 2000 decennial  
13 census”; and

14 (3) in section 4, by striking “December 31,  
15 1990.” and inserting “December 31, 2000.”.

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