

104TH CONGRESS  
2D SESSION

# H. R. 3558

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

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## 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

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## 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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