

Fair and Accurate Census Act

U.S. Senator Kamala D. Harris (D-CA) and U.S. Senator Brian Schatz (D-HI)

Background:

The Census Bureau delayed and extended field operations for the 2020 Census from July 31, 2020 to October 31, 2020 because of the COVID-19 pandemic. With this new timeline, the Census Bureau requested statutory relief from the deadlines for delivering apportionment data and redistricting data to the states.

In a June 2020 report, the GAO identified that, “(d)elays and changes to operations as a result of COVID-19 present further risks to an accurate, timely, and cost effective count.” The GAO specifically identified the following factors, among others, as important to a successful 2020 Census:

- Communicating pandemic plans to ensure continued operations.
- Achieving and maintaining sufficient staffing levels.
- Revising the Census Bureau’s approach to communications and partnerships.
- Adjusting plans for Group Quarters and Service-based Enumeration.
- Evaluating the impact of delays on data quality.

Bill Summary:

The Fair and Accurate Census Act combines with Census Bureau requests for statutory relief with important transparency and accountability requirements that respond to the areas the GAO identified as important to a successful 2020 Census. It specifically does the following:

- Extends statutory deadline for submitting apportionment data, the data used to determine how many Representatives each state is allotted, from December 31, 2020 to April 30, 2021.
- Extends statutory deadline for transmitting redistricting data to states and localities from March 31, 2021 to July 31, 2021.
- Requires the Census Bureau to transmit monthly reports to relevant Congressional committees on decennial census operations.
- Provides a temporary, narrow exemption to institutions of higher education from Family Educational Rights and Privacy Act of 1974 privacy protections for the purpose of enumerating students during the 2020 Census.
- Prohibits the Census Bureau from compiling, producing, or publishing any data products in connection with the 2020 decennial census of population that include topics that were not part of the 2018 End-to-End Census Test or the Commerce Secretary’s submission to Congress of the topics to be included in the 2020 Census.
- Appropriates \$400 M to Census Bureau for the 2020 Census, provided the amounts be used to address the impacts of the coronavirus on the 2020 Census and to support enhances 2020 Census activities.