

1 Title: To modify the deadlines for completing the 2020 decennial census of population and  
2 related tabulations, and for other purposes.  
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5 Be it enacted by the Senate and House of Representatives of the United States of America in  
6 Congress assembled,

## 7 SECTION 1. SHORT TITLE.

8 This Act may be cited as the “Fair and Accurate Census Act”.

## 9 SEC. 2. CENSUS DEADLINE MODIFICATION.

10 Notwithstanding the timetables provided in subsections (b) and (c) of section 141 of title 13,  
11 United States Code, and section 22(a) of the Act entitled “An Act to provide for the fifteenth and  
12 subsequent decennial censuses and to provide for apportionment of Representatives in  
13 Congress”, approved June 18, 1929 (2 U.S.C. 2a(a)), for the 2020 decennial census of  
14 population—

15 (1) the tabulation of total population by States required by subsection (a) of such section  
16 141 for the apportionment of Representatives in Congress among the several States shall  
17 be—

18 (A) completed and reported by the Secretary of Commerce (referred to in this  
19 section as the “Secretary”) to the President within 13 months after the decennial census  
20 date of April 1, 2020; and

21 (B) made public by the Secretary not later than the date on which the tabulation is  
22 reported to the President under subparagraph (A);

23 (2) the President shall transmit to Congress a statement showing the whole number of  
24 persons in each State, and the number of Representatives to which each State would be  
25 entitled under an apportionment of the then existing number of Representatives, as required  
26 by such section 22(a), and determined solely as described therein, within 14 days after  
27 receipt of the tabulation reported by the Secretary; and

28 (3) the tabulations of populations required by subsection (c) of such section 141 shall be  
29 completed by the Secretary as expeditiously as possible after the census date of April 1,  
30 2020, taking into account the deadlines of each State for legislative apportionment or  
31 districting, and reported to the Governor of the State involved and to the officers or public  
32 bodies having responsibility for legislative apportionment or districting of that State, except  
33 that the tabulations of population of each State requesting a tabulation plan, and basic  
34 tabulations of population of each other State, shall be completed, reported, and transmitted  
35 to each respective State within 16 months after the decennial census date of April 1, 2020.

## 36 SEC. 3. REPORTING REQUIREMENTS FOR 2020 CENSUS.

37 On the first day of each month during the period beginning on the date of enactment of this  
38 Act and ending on July 31, 2021, the Director of the Bureau of the Census shall submit to the  
39 Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on  
40 Appropriations of the Senate, the Committee on Oversight and Reform of the House of

1 Representatives, and the Committee on Appropriations of the House of Representatives a report  
2 regarding the 2020 decennial census of population that contains the following information:

3 (1) The total number of field staff, sorted by category, hired by the Bureau compared to  
4 the number of field staff the Bureau estimated was necessary to carry out the census.

5 (2) Retention rates of the field staff described in paragraph (1).

6 (3) Average wait time for call center calls and average wait time for each language  
7 provided.

8 (4) Anticipated schedule of census operations.

9 (5) Total appropriations available for obligation for the census and a categorized list of  
10 total disbursements.

11 (6) Nonresponse Follow-up, Update Enumerate, and Update Leave completion rates by  
12 geographic location.

13 (7) Anticipated schedule and completion rates for Group Quarters (including Service-  
14 based Enumeration and Targeted Non-Sheltered Outdoor Location operations),  
15 Enumeration of Transitory Location, and Remote Alaska operations.

16 (8) Self-response rates by geographic location.

17 (9) Total spending to date on media, advertisements, and partnership specialists,  
18 including geographic and demographically targeted breakdowns of the spending.

19 (10) Post-enumeration schedule and subsequent data aggregation and delivery progress.

20 (11) Post-Enumeration Survey schedule and completion progress, including anticipated  
21 schedule for release of results from the coverage measurement survey.

## 22 SEC. 4. PROVIDING BUREAU OF THE CENSUS ACCESS 23 TO INFORMATION FROM INSTITUTIONS OF HIGHER 24 EDUCATION.

25 (a) In General.—Notwithstanding any other provision of law, including section 444 of the  
26 General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the “Family  
27 Educational Rights and Privacy Act of 1974”), an institution of higher education may, in  
28 furtherance of a full and accurate decennial census of population, provide to the Bureau of the  
29 Census (referred to in this section as the “Bureau”) information requested by the Bureau for  
30 purposes of enumeration for the 2020 decennial census of population.

31 (b) Application.—

32 (1) INFORMATION.—In carrying out subsection (a), an institution of higher education—

33 (A) may only provide the Bureau with information requested on the official 2020  
34 decennial census of population form; and

35 (B) may not provide any information to the Bureau on the immigration or  
36 citizenship status of any individual.

37 (2) NOTICE REQUIRED.—

1 (A) IN GENERAL.—Before providing information to the Bureau under subsection (a),  
2 an institution of higher education shall—

3 (i) give public notice of the categories of information that the institution plans  
4 to provide; and

5 (ii) allow 10 days after giving public notice for a student to inform the  
6 institution that any or all of the information designated may not be released  
7 without the prior consent of the student.

8 (B) PROHIBITION.—An institution of higher education may not provide the Bureau  
9 with the information of any student who has objected to the provision of that  
10 information under subparagraph (A).

11 (3) USE OF INFORMATION.—Information provided to the Bureau under subsection (a) may  
12 only be used for the purposes of enumeration for the 2020 decennial census of population.

13 (c) Definition of Institution of Higher Education.—In this section, the term “institution of  
14 higher education” has the meaning given the term in section 102 of the Higher Education Act of  
15 1965 (20 U.S.C. 1002).

16 (d) Sunset.—The authority under this section shall expire at the conclusion of 2020 decennial  
17 census operations.

## 18 SEC. 5. LIMITATION.

19 The Bureau of the Census may not compile, produce, or publish any data product or tabulation  
20 as part of, in combination with, or in connection with, the 2020 decennial census of population or  
21 any such census data produced under section 141(c) of title 13, United States Code, that includes  
22 topics specific to the 2020 decennial census that were not part of—

23 (1) the report submitted under section 141(f)(1) of that title on March 28, 2017; and

24 (2) the 2018 End-to-End Census Test conducted in Providence County, Rhode Island.

## 25 SEC. 6. FUNDING.

26 (a) Appropriation.—There is appropriated to the Bureau of the Census, out of amounts in the  
27 Treasury not otherwise appropriated, for additional amounts for “Periodic Censuses and  
28 Programs”, \$400,000,000 for fiscal year 2020, to remain available through fiscal year 2021.

29 (b) Use of Funds.—The amounts made available under subsection (a) shall be used to address  
30 the impacts of the coronavirus disease 2019 (COVID–19) on the 2020 decennial census, and to  
31 support enhanced 2020 decennial census activities, including—

32 (1) additional mailings to households that have not self-responded;

33 (2) expanded communications and advertising targeted to low self-response communities  
34 in rural and urban areas, Native villages, and on Tribal lands;

35 (3) targeted outreach to the location of the 2018 End-to-End Census Test;

36 (4) increased in-language outreach and assistance;

37 (5) expanded Census Questionnaire Assistance capacity;

- 1           (6) expanded field operations to enumerate people experiencing homelessness at service-
- 2           based facilities and non-sheltered locations; and
- 3           (7) a modified Questionnaire Assistance Center operation that includes mobile and fixed
- 4           locations offering assistance across all modes of census response.