

116TH CONGRESS
1ST SESSION

H. R. 2392

To make participation in the American Community Survey voluntary, except with respect to certain basic questions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 2019

Mr. SMITH of Nebraska introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To make participation in the American Community Survey voluntary, except with respect to certain basic questions, 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 “American Community
5 Survey Act”.

6 **SEC. 2. PARTICIPATION IN AMERICAN COMMUNITY SUR-**
7 **VEY.**

8 (a) **OPTIONAL QUESTIONS.**—Section 193 of title 13,
9 United States Code, is amended by adding at the end the
10 following: “The Secretary shall include, in the instructions

1 for completing any survey authorized under this section,
2 a statement indicating that answering any question other
3 than questions that solicit the information described in
4 section 221(c)(2)(A) is optional.”.

5 (b) REFUSAL TO PARTICIPATE.—Section 221 of title
6 13, United States Code, is amended—

7 (1) in subsection (a), by striking “Whoever,
8 being over eighteen years of age,” and inserting
9 “Except as provided in subsection (c), any person
10 older than 18 years of age who”; and

11 (2) by amending subsection (c) to read as fol-
12 lows:

13 “(c)(1) Notwithstanding any other provision under
14 this title—

15 “(A) no person may be compelled to disclose in-
16 formation relative to the person’s religious beliefs or
17 to membership in a religious body; and

18 “(B) except as provided in paragraph (2), no
19 person may be fined or otherwise compelled to an-
20 swer questions in connection with the survey, con-
21 ducted by the Secretary of Commerce, which is com-
22 monly referred to as the ‘American Community Sur-
23 vey’.

24 “(2) Paragraph (1)(B)—

1 “(A) shall not apply to any question that elic-
2 its—

3 “(i) the name of the respondent;

4 “(ii) contact information for the respond-
5 ent;

6 “(iii) the date of the response; or

7 “(iv) the number of people living or stay-
8 ing at the same address; and

9 “(B) does not waive any penalty imposed for
10 conduct described in subsection (b).”.

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