

117TH CONGRESS
1ST SESSION

S. 3133

To amend chapter 7 of title 13, United States Code, to prohibit certain deceptive practices in relation to a census, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 2, 2021

Mr. SCHATZ (for himself, Mr. CASEY, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend chapter 7 of title 13, United States Code, to prohibit certain deceptive practices in relation to a census, 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 “Honest Census Com-
5 munications Act”.

1 **SEC. 2. PROHIBITION ON DECEPTIVE PRACTICES RELAT-**
 2 **ING TO CENSUS.**

3 (a) IN GENERAL.—Chapter 7 of title 13, United
 4 States Code, is amended by adding at the end the fol-
 5 lowing:

6 “SUBCHAPTER IV—DECEPTIVE PRACTICES

7 “§ 251. Prohibition on deceptive practices

8 “(a) DEFINITIONS.—In this section—

9 “(1) the term ‘census’ means any census under
 10 this title, including the decennial census of popu-
 11 lation;

12 “(2) the term ‘census-related information’
 13 means any information regarding—

14 “(A) the time, place, or manner of holding
 15 any census; or

16 “(B) the qualifications for, or restrictions
 17 on, participation in any census; and

18 “(3) the term ‘covered communication’ means
 19 any—

20 “(A) written communication;

21 “(B) electronic or digital communication,
 22 including a communication through a website,
 23 application, online forum, social media plat-
 24 form, streaming service, or other means of com-
 25 munications using the internet or a similar
 26 communications network; or

1 “(C) telephonic communication, including
2 any phone call, text message, or other commu-
3 nication sent, received, or transmitted using a
4 wireless or wireline phone or a cellular or other
5 phone network.

6 “(b) PROHIBITION.—It shall be unlawful for any per-
7 son, whether acting under color of law or otherwise, to
8 communicate or cause to be communicated any census-re-
9 lated information by any means, including by means of
10 any covered communication, or to produce any census-re-
11 lated information with the intent that the census-related
12 information be communicated—

13 “(1) knowing the census-related information to
14 be materially false; and

15 “(2) with the intent to impede or prevent an-
16 other person from participating in any census.

17 “(c) CRIMINAL PENALTIES.—Any individual who vio-
18 lates subsection (b) shall be fined in the amount equal to
19 the maximum penalty provided under subsection (d), im-
20 prisoned for not more than 5 years, or both.

21 “(d) CIVIL PENALTIES.—A civil penalty of not more
22 than \$11,181 may be assessed against any individual who
23 violates subsection (b).”.

- 1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 7 of title 13, United States Code, is amended
3 by adding at the end the following:

“SUBCHAPTER IV—DECEPTIVE PRACTICES

“251. Prohibition on deceptive practices.”.

