SECTION 1. SHORT TITLE.

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

SEC. 2. MODIFICATION OF CERTAIN BUREAU OF THE CENSUS AUTHORITIES.

(a) BUDGET REQUESTS.—

(1) IN GENERAL.—Subchapter I of chapter 1 of title 13, United States Code, is amended by inserting after section 13 the following:

“§ 14. Budget requests

“(a) With respect to the budget request of the Bureau for fiscal year 2027 and each fiscal year thereafter submitted to the President for inclusion in the annual budget submission under section 1105(a) of title 31, the Secretary shall include in such request the estimated costs of carrying out the duties of the Bureau during the five-year period beginning on the fiscal year covered by such request.
“(b) On the date that the estimate of costs are submitted to the President under subsection (a), the Secretary shall submit such estimate to the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committees on the Budget of the House of Representatives and the Senate, and the Committees on Appropriations of the House of Representatives and the Senate.”.

(2) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by inserting after the item relating to section 13 the following new item:

“14. Budget requests.”.

(b) FOR-Causes REMOVAL OF DIRECTOR; DUTIES.—

(1) Section 21 of title 13, United States Code, is amended—

(1) in subsection (b)(3), by inserting after “the President” the following: “only for inefficiency, neglect of duty, or malfeasance in office”; and

(2) by amending subsection (c) to read as follows:

“(c) DUTIES.—

“(1) IN GENERAL.—The Director shall perform such duties as may be imposed upon the Director by law, regulations, or orders of the Secretary. The Di-
rector shall report directly to the Deputy Secretary of Commerce.

“(2) Decennial Census.—Any operational, statistical, or technical decision for any decennial census of population may be made only by the Director.”.

(e) Advisory Committees; Deputy Director.—

(1) In General.—Section 21 of title 13, United States Code, as amended by subsection (b), is further amended—

(A) in the section heading, by striking “duties” and inserting “Deputy Director; advisory committees”; and

(B) by adding at the end the following:

“(d) Deputy Director.—

“(1) In General.—There shall be in the Bureau a single Deputy Director of the Bureau, to be appointed by the Director. The position of Deputy Director shall be a career reserved position (as that term is defined in section 3132(a)(8) of title 5). The Deputy Director shall be selected from among any career appointee (as that term is defined in section 3132(a)(4) of such title) at any agency. The individual appointed to the position of Deputy Director shall possess knowledge of, or experience in, the
work of the Bureau, and possess experience in relevant fields, including demography, economics, survey methodology, statistics, or data science.

“(2) FUNCTIONS.—The Deputy Director shall perform such functions as the Director shall designate. During any absence or disability of the Director, the Deputy Director shall act as Director.

“(3) VACANCY.—In the event of a vacancy in the office of Director, or when the Director is absent or unable to serve, the Deputy Director shall act as Director until a Director is appointed. If no individual is serving as Deputy Director, the highest level career employee of the Bureau shall act as Director until a Deputy Director or Director is appointed. This paragraph shall serve as the exclusive means of designating an acting Director.

“(e) ADVISORY COMMITTEES.—

“(1) GENERAL AUTHORITY.—In accordance with the Federal Advisory Committee Act (5 U.S.C. App.), and subject to paragraph (2), the Director may establish advisory committees to provide advice with respect to the mission of the Bureau. Members of any such committee, including a committee established under paragraph (2), shall serve without compensation, but shall be entitled to transportation ex-
penses and per diem in lieu of subsistence in accordance with section 5703 of title 5.

“(2) SPECIFIC ADVISORY COMMITTEES.—

“(A) BUREAU OF THE CENSUS ADVISORY COMMITTEE ON STATISTICAL QUALITY STANDARDS.—The Director shall appoint a committee, to be known as the ‘Advisory Committee on Statistical Quality Standards’, composed of five members to review and provide recommendations on the statistical quality standards of the Bureau that guide the production and release of all Bureau decennial census products.

“(B) NATIONAL ADVISORY COMMITTEE AND SCIENTIFIC ADVISORY COMMITTEE.—There are hereby established the Bureau of the Census Scientific Advisory Committee and the Census Bureau National Advisory Committee on Racial, Ethnic, and Other Populations, as described in the charters for each such committee published on March 15, 2022, and March 23, 2022, respectively, or any subsequent charters. Such advisory committees shall operate under the terms and conditions set forth in the applicable charter.
“(C) 2030 CENSUS ADVISORY COMMITTEE.—The Director shall appoint an advisory committee, substantially similar to the 2010 Census Advisory Committee, consisting of up to 20 member organizations to address policy, research, and technical issues related to the design and implementation of the 2030 decennial census and the American Community Survey.”.

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 1 of such title is amended by striking the item relating to section 21 and inserting the following:

“21. Director of the Census; Deputy Director; advisory committees.”.

(d) POSITION REQUIREMENTS.—Section 22 of title 13, United States Code, is amended—

(1) by striking “All permanent” and inserting “(a) IN GENERAL.—All permanent”; and

(2) by adding at the end the following:

“(b) POSITIONS.—Each position within the Bureau shall be a career position within the civil service, except for the position of the Director and not more than two other positions.”.
SEC. 3. LIMITATIONS AND REQUIREMENTS FOR THE DE-
CENNIAL CENSUS.

Section 141 of title 13, United States Code, is amended—

(1) by redesignating subsection (g) as subsection (i); and

(2) by inserting after subsection (f) the follow-

(g) LIMITATIONS AND REQUIREMENTS.—

“(1) NOTICE TO CONGRESS OF SUBJECTS, 
TYPES OF INFORMATION, AND QUESTIONS.—In the 
2030 decennial census of population and each decen-
nial census thereafter, the Secretary may not include 
any subject, type of information, or question that 
was not submitted to Congress in accordance with 
subsection (f).

“(2) BIANNUAL REPORTS.—

“(A) SUBMISSION TO CONGRESS.—Not 
later than April 1 of the calendar year begin-
ing after the date of enactment of the Ensuring a Fair and Accurate Census Act and bia-
nually thereafter, the Secretary shall submit to 
Congress a report that—

“(i) describes each component of the 
operational plan for the subsequent decen-
nial census of population; and
“(ii) includes a detailed statement on the status of all research, testing, and operations that are part of the Bureau’s comprehensive plan for the decennial census.

“(B) INTERNET PUBLICATION.—On the date on which the Secretary submits a report under subparagraph (A), the Secretary shall publish the report on the public internet website of the Bureau.

“(3) SECRETARY CERTIFICATION.—

“(A) IN GENERAL.—The Secretary, upon the date of submission of the report required by subsection (f)(2), shall submit, to the committees of Congress having legislative jurisdiction over the census, a certification stating that any question that has not appeared on the previous two decennial censuses has been researched, studied, and tested according to established statistical policies and procedures.

“(B) GAO REVIEW.—Not later than 6 months after the Secretary submits a certification under paragraph (2), the Comptroller General of the United States shall review such certification and submit a report to Congress on whether the questions to be included in the cen-
sus have been researched, studied, and tested according to established statistical policies and procedures.”; and

(3) in subsection (i), as so redesignated, by inserting “DEFINITION.—” before “As used in”.

SEC. 4. DECENNIAL CENSUS LIFECYCLE COST ESTIMATES.

Section 141 of title 13, United States Code, as amended by section 3, is further amended by inserting after subsection (g) the following:

“(h) LIFECYCLE COSTS.—

“(1) ESTIMATE.—Not later than January 1, 2026, and every ten years thereafter, the Director shall transmit to the chairs of the committees described in paragraph (3) a lifecycle cost estimate for the decennial census of population first occurring after the date of such transmittal. Such estimate shall include the following with respect to such lifecycle:

“(A) An estimate of costs by each fiscal year.

“(B) Estimates of capital versus operating expenses.

“(C) Staffing projections for each year.

“(D) Assumptions about response rates, wages, and other economic variables.
“(2) UPDATE.—On the date the President submits the annual budget under section 1105(a) of title 31 during any calendar year a decennial of census of population is taken under this section, and on the date such annual budget is submitted during the immediately preceding four calendar years, the Director shall transmit a report describing any changes to the applicable lifecycle estimate transmitted under paragraph (1). Such report shall include the following:

“(A) The basis for any such changes.

“(B) Projected impacts on response rates, staffing requirements, or costs throughout the lifecycle.

“(C) An explanation of any differences in budgetary resources between the amount requested in the President’s annual budget request and the lifecycle cost estimate, as updated by this paragraph.

“(3) COMMITTEES.—The committees described in this paragraph are the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committees on Appro-
priations of the House of Representatives and the Senate.”.