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 HOUSE OF REPRESENTATIVES

November 2, 2021

Ms. Eshoo (for herself and Mrs. Carolyn B. Maloney of New York) introduced the following bill; which was referred to the Committee on Oversight and Reform

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Honest Census Communications Act”.
SEC. 2. PROHIBITION ON DECEPTIVE PRACTICES RELATING TO CENSUS.

(a) IN GENERAL.—Chapter 7 of title 13, United States Code, is amended by adding at the end the following:

“SUBCHAPTER IV—DECEPTIVE PRACTICES

§ 251. Prohibition on deceptive practices

“(a) DEFINITIONS.—In this section—

“(1) the term ‘census’ means any census under this title, including the decennial census of population;

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

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

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

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

“(A) written communication;

“(B) electronic or digital communication, including a communication through a website, application, online forum, social media platform, streaming service, or other means of communications using the internet or a similar communications network; or
“(C) telephonic communication, including any phone call, text message, or other communication sent, received, or transmitted using a wireless or wireline phone or a cellular or other phone network.

“(b) PROHIBITION.—It shall be unlawful for any person, whether acting under color of law or otherwise, to communicate or cause to be communicated any census-related information by any means, including by means of any covered communication, or to produce any census-related information with the intent that the census-related information be communicated—

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

“(2) with the intent to impede or prevent another person from participating in any census.

“(c) CRIMINAL PENALTIES.—Any individual who violates subsection (b) shall be fined in the amount equal to the maximum penalty provided under subsection (d), imprisoned for not more than 5 years, or both.

“(d) CIVIL PENALTIES.—A civil penalty of not more than $11,181 may be assessed against any individual who violates subsection (b).”
(b) CLERICAL AMENDMENT.—The table of sections for chapter 7 of title 13, United States Code, is amended by adding at the end the following:

"SUBCHAPTER IV—DECEPTIVE PRACTICES

"251. Prohibition on deceptive practices."."