



**Congressman Jim Jordan (R-OH), RSC Chairman**  
**Congressman Connie Mack (R-FL), RSC Repeal Task Force Chairman**

## **Repeal Mandatory Participation in the American Community Survey**

February 15, 2012

**Background:** On March 3, 2011, Rep. Ted Poe (R-TX) introduced H.R. 931, a bill to make participation in the American Community Survey voluntary, except with respect to certain basic questions.

Every ten years the United States federal government administers a Census, as mandated by the U.S. Constitution (Article 1, Section 2: "The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct.") The Census Bureau conducts this poll to gather information about population growth in order to calculate the correct number of Representatives in the Congress.

In addition to the Census, the Census Bureau conducts an **ongoing** poll entitled the "American Community Survey" (ACS). The ACS mandates that the respondents answer such questions as "Does this house, apartment, or mobile home have...a flush toilet?" Participation in this survey is mandatory, and those who refuse to respond to the survey entirely can be fined up to \$5,000.

- **What The Bill Will Do:** This bill would make participation in the American Community Survey (ACS) voluntary by removing any criminal penalty imposed for not completing the survey, except with respect to a few basic questions (i.e. the date of the survey, the name and contact information of the respondent, and the number of people living in the respondent's house).
- **Why This Is Necessary:** Article 1 of the Constitution mandates a Census, but it does not mandate additional government surveys like the ACS. The Commerce Department decided to institute a 48-question survey requiring Americans to give more personal information, and many of the questions are concerning to many U.S. citizens. Americans should not be forced to provide unnecessary personal information to the federal government.
- **Government Gone Wild:** Most of the questions asked by the ACS are unnecessary given the Census' basic function as outlined in the Constitution, beyond which the Census Bureau should not be venturing with the force of law. In addition, most of the questions pry into personal information, including questions about race and relationship status. The federal government has no right to demand that all Americans answer these personal questions or be fined up to \$5,000.

**MEMBER ACTION ITEM:** All RSC Members are encouraged to support and cosponsor H.R. 931. Please contact Johnna Carlson at [Johnna.Carlson@mail.house.gov](mailto:Johnna.Carlson@mail.house.gov) to cosponsor this legislation.

If you would like to participate in the RSC Repeal Task Force, please email [Rick.Eberstadt@mail.house.gov](mailto:Rick.Eberstadt@mail.house.gov).

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