

1 Title: To improve Federal data collection by requiring the collection of information on sexual
2 orientation and gender identity in the decennial census and the American Community Survey.

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

7 SECTION 1. SHORT TITLE.

8 This Act may be cited as the “Census Equality Act”.

9 SEC. 2. REQUIREMENT TO COLLECT DATA ON SEXUAL 10 ORIENTATION AND GENDER IDENTITY.

11 (a) Definitions.—In this section:

12 (1) BUREAU.—The term “Bureau” means the Bureau of the Census.

13 (2) GENDER IDENTITY.—The term “gender identity” means the gender-related identity,
14 appearance, or mannerisms or other gender-related characteristics of an individual,
15 regardless of the designated sex of the individual at birth.

16 (3) HOUSEHOLD DATA.—The term “household data” means information about individuals
17 who occupy a housing unit.

18 (4) SECRETARY.—The term “Secretary” means the Secretary of Commerce.

19 (5) SEXUAL ORIENTATION.—The term “sexual orientation” means homosexuality,
20 heterosexuality, or bisexuality.

21 (b) Expansion of Data Collection.—

22 (1) IN GENERAL.—The Secretary, in carrying out sections 141 and 193 of title 13, United
23 States Code, shall expand the data collection efforts of the Bureau to require the collection
24 of data concerning sexual orientation and gender identity as part of the decennial census and
25 the American Community Survey.

26 (2) METHODS.—Not later than 1 year after the date of enactment of this Act, the Bureau
27 shall research, identify, and begin implementing a plan to include questions concerning
28 sexual orientation and gender identity in the decennial Census and the American
29 Community Survey.

30 (c) Implementation.—The plan required under subsection (b) shall require—

31 (1) inclusion of questions concerning sexual orientation and gender identity on the
32 decennial census at the earliest feasible date, but not later than the 2030 decennial census;
33 and

34 (2) inclusion of questions concerning sexual orientation and gender identity on the
35 American Community Survey no later than 2020.

36 (d) Census Data Reports.—

37 (1) DECENNIAL CENSUS.—Any report published by the Bureau that relies on gender data

1 or household data from a decennial census conducted after the date on which the decennial
2 census includes questions concerning sexual orientation and gender identity shall include
3 information on sexual orientation and gender identity.

4 (2) AMERICAN COMMUNITY SURVEY.—Any report published by the Bureau that relies on
5 gender data or household data from a American Community Survey conducted after the
6 date on which the American Community Survey includes questions concerning sexual
7 orientation and gender identity shall include information on sexual orientation and gender
8 identity.

9 (e) Confidentiality.—All information collected relating to sexual orientation or gender identity
10 of a participant in the decennial census or the American Community Survey shall be maintained
11 by the Bureau in accordance with the confidentiality and privacy standards and policies
12 mandated by sections 9 and 214 of title 13, United States Code.