



## Evolution of Mandatory Household Response to Census, 1790-2012

### 1790 - An Act Providing for the Enumeration of the United States

Sec. 6. *And be it further enacted*, That each and every free person, more than sixteen years of age, whether heads of families or not, belonging to any family within any division, district or territory made or established within the United States, shall be, and hereby is obligated to render to such assistant of the division, a true account, if required, to the best of his, or her knowledge, of all and every person belonging to such family respectively, according to the several descriptions aforesaid, on pain of forfeiting **twenty dollars**, to be sued for and recovered by such assistant, the one half for his own use and the other half for the use of the United States.

### 1849 - An Act providing for the Taking of the Seventh and Subsequent Censuses of the United States, and to fix the Numbering of the Members of the House of Representatives, and to provide (or their future Apportionment among the several States

Sec. 15. *And be it further enacted*, That each and every free person more than twenty years of age, belonging to any family residing in any subdivision, and in case of the absence of the heads and other members of any such family shall be, and each of them hereby is, required, if thereto requested by the marshal or his assistant, to render a true account, to the best of his or her knowledge, of every person belonging to such family, in the various particulars required in and by this act, and the tables thereto subjoined, on pain of forfeiting **thirty dollars**, to be sued for and recovered in an action of debt by the assistant to the use of the United States.

### 1879 - An act to provide for taking the tenth and subsequent censuses

Sec. 14. That each and every person more than twenty years of age, belonging to any family residing in any enumeration district, and in case of the absence of the heads and other members of any such family, then any agent of such family, shall be, and each of them hereby is, required, if thereto requested by the superintendent, supervisor, or enumerator to render a true account to the best of his or her knowledge, of every person belonging to such family, in the various particulars required by law, and whoever shall willfully fail or refuse shall be guilty of a misdemeanor, and upon conviction thereof shall forfeit and pay a sum **not exceeding one hundred dollars**.

### 1919 - The Act Providing for the Fourteenth Census

Sec. 23. That it shall be the duty of all persons over eighteen years of age when requested by the Director of the Census or by any supervisor, enumerator, or special agent, or other employee of the Census Office, acting under the instructions of the said director, to answer correctly, to the best of their knowledge, all questions on the census schedules applying to themselves and to the families to which they belong or are related, and to the farm or farms of which they or their families are the occupants; and any person over eighteen years of age who, under the conditions hereinbefore stated, shall refuse or willfully neglect to answer any of these questions, or shall willfully give answers that are false shall be guilty of a misdemeanor, and upon conviction thereof shall be fined **not exceeding \$100**.

**1929** - An Act To provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives In Congress

Sec. 9. That it shall be the duty of all persons over eighteen years of age when requested by the Director of the Census, or by any supervisor, enumerator, or special agent; or other employee of the Census acting under the instructions of the said director, to answer correctly, to the best of their knowledge, all, questions on the census schedules applying to themselves and to the families to which they belong or are related, and to the farm or, farms of which they or their families are the occupants; and any person over eighteen years of age who, under the conditions hereinbefore stated, shall refuse or willfully neglect, to answer any of these questions, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined **not exceeding \$100 or be imprisoned not exceeding sixty days**, or both, and any such person who shall willfully give answers that are false shall be fined **not exceeding \$500 or be imprisoned not exceeding one year, or both**.

**1976** - Public Law 94-521

SUBCHAPTER II—OTHER PERSONS

§ 221. Refusal or neglect to answer questions; false answers

(a) Whoever, being over eighteen years of age, refuses or willfully neglects, when requested by the Secretary, or by any other authorized officer or employee of the Department of Commerce or bureau or agency thereof acting under the instructions of the Secretary or authorized officer, to answer, to the best of his knowledge, any of the questions on any schedule submitted to him in connection with any census or survey provided for by subchapters I, II, IV, and V of chapter 5 of this title, applying to himself or to the family to which he belongs or is related, or to the farm or farms of which he or his family is the occupant, shall be fined **not more than \$100**.

(b) Whoever, when answering questions described in subsection (a) of this section, and under the conditions or circumstances described in such subsection, willfully gives any answer that is false, shall be fined **not more than \$500**.

(c) Notwithstanding any other provision of this title, no person shall be compelled to disclose information relative to his religious beliefs or to membership in a religious body.

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**1980's** - Crime Control Legislation Overrides USC 13 § 221

"Title 18 U.S.C. Section 3571 and Section 3559, in effect amends Title 13 U.S.C. Section 221 by changing the fine for anyone over 18 years old who refuses or willfully neglects to complete the questionnaire or answer questions posed by census takers from a fine of "not more than \$100" to "**not more than \$5,000**." (source: census.gov FAQs, July 13, 2012)

Note: Since 1790, Congress has consistently required a complete, truthful household response to decennial census surveys. The selections above are excerpts from those public laws that changed the penalty for non-response and false response.

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