

104TH CONGRESS  
2D SESSION

# H. R. 3665

To transfer to the Secretary of Agriculture the authority to conduct the  
census of agriculture.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 1996

Mr. ROBERTS (for himself, Mr. DE LA GARZA, Mr. EMERSON, Mr. ROSE, Mr. COMBEST, Mr. STENHOLM, Mr. BOEHNER, Mr. JOHNSON of South Dakota, Mr. BAKER of Louisiana, Mr. HILLIARD, Mr. CALVERT, Mr. POMEROY, Mr. COOLEY of Oregon, Mr. BISHOP, Mr. LAHOOD, Mr. BALDACCI, and Mr. WISE) introduced the following bill; which was referred to the Committee on Government Reform and Oversight, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To transfer to the Secretary of Agriculture the authority  
to conduct the census of agriculture.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Census of Agriculture  
5 Act of 1996”.

1 **SEC. 2. TRANSFER TO THE SECRETARY OF AGRICULTURE**  
2 **OF THE AUTHORITY TO CONDUCT THE CEN-**  
3 **SUS OF AGRICULTURE.**

4 (a) IN GENERAL.—Section 526 of the Revised Stat-  
5 utes (7 U.S.C. 2204) is amended by adding at the end  
6 the following:

7 “(c) CENSUS OF AGRICULTURE.—

8 “(1) IN GENERAL.—The Secretary shall, in  
9 1998 and in every 5th year beginning after 1998,  
10 take a census of agriculture. In connection with each  
11 such census, the Secretary may conduct any survey  
12 or other data collection, and employ any sampling or  
13 other statistical method, that the Secretary deter-  
14 mines is necessary and appropriate.

15 “(2) DATA.—The data collected in each census  
16 taken under this subsection shall relate to the year  
17 immediately preceding the year in which the census  
18 is taken.

19 “(3) REFUSAL OR NEGLECT TO ANSWER QUES-  
20 TIONS; FALSE ANSWERS.—Any person who refuses  
21 or neglects to answer questions submitted to such  
22 person in connection with a census or survey under  
23 this subsection, or who answers any such questions  
24 falsely, shall be subject to section 221 of title 13,  
25 United States Code, to the same extent and in the  
26 same manner as if—

1           “(A) section 142 of title 13, United States  
2           Code, had remained in effect; and

3           “(B) the census or survey were a census or  
4           survey under such section 142, rather than  
5           under this subsection.

6           “(4) GEOGRAPHIC SCOPE.—Each census under  
7           this subsection shall include each State, and as may  
8           be determined by the Secretary, the District of Co-  
9           lumbia, the Virgin Islands, Guam, the Common-  
10          wealth of the Northern Mariana Islands, and the  
11          Commonwealth of Puerto Rico, and any such other  
12          possessions and areas over which the United States  
13          exercises jurisdiction, control, or sovereignty. Inclu-  
14          sion of other areas over which the United States ex-  
15          ercises jurisdiction, control, or sovereignty shall be  
16          subject to the concurrence of the Secretary of State.

17          “(5) ACCESS TO DATA COLLECTED UNDER  
18          TITLE 13.—The Secretary of Commerce may, upon  
19          written request of the Secretary of Agriculture, fur-  
20          nish any information collected under title 13, United  
21          States Code, which the Secretary of Agriculture con-  
22          siders necessary for the taking of a census or survey  
23          under this subsection. Any information so furnished  
24          may not be used for any purpose other than the sta-  
25          tistical purposes for which it is supplied.

1           “(6) ACCESS TO DATA COLLECTED UNDER THIS  
2           SUBSECTION.—The Secretary of Agriculture shall,  
3           upon written request of the Secretary of Commerce,  
4           furnish any information collected in a census taken  
5           under this subsection, which the Secretary of Com-  
6           merce considers necessary for the taking of a census  
7           or survey under title 13, United States Code. Any  
8           information so furnished may not be used for any  
9           purpose other than the statistical purposes for which  
10          it is supplied.

11          “(7) RULES AND REGULATIONS.—Any rules or  
12          regulations necessary to carry out this subsection  
13          may be prescribed by—

14                 “(A) the Secretary, to the extent that mat-  
15                 ters within the jurisdiction of the Secretary are  
16                 involved; and

17                 “(B) the Secretary of Commerce, to the  
18                 extent that matters within the jurisdiction of  
19                 the Secretary of Commerce are involved.”.

20          (b) CONFORMING AMENDMENTS.—Effective October  
21          1, 1998—

22                 (1) section 142 of title 13, United States Code,  
23                 and the item relating to section 142 in the table of  
24                 sections for chapter 5 of such title 13, are repealed;  
25                 and

1           (2) section 343(a)(11)(F) of the Consolidated  
2           Farm and Rural Development Act (7 U.S.C.  
3           1991(a)(11)(F)) is amended by inserting “or section  
4           526(c) of the Revised Statutes (7 U.S.C. 2204(c)),  
5           as the case may be,” before “except”.

6 **SEC. 3. PROVISIONS RELATING TO CONFIDENTIALITY OF**  
7 **INFORMATION.**

8           (a) INFORMATION FURNISHED TO THE DEPARTMENT  
9 OF AGRICULTURE.—

10           (1) AUTHORITY TO FURNISH INFORMATION.—  
11           Section 9(a) of title 13, United States Code, is  
12           amended by striking “chapter 10 of this title—” and  
13           inserting “chapter 10 of this title or section  
14           526(c)(5) of the Revised Statutes—”.

15           (2) CONTINUED CONFIDENTIALITY OF INFOR-  
16           MATION RECEIVED.—Section 1770(d)(5) of the Food  
17           Security Act of 1985 (7 U.S.C. 2276(d)(5)) is  
18           amended to read as follows:

19           “(5) subsections (a) and (c)(5) of section 526  
20           of the Revised Statutes (7 U.S.C. 2204);”.

21           (b) INFORMATION FURNISHED TO THE DEPARTMENT  
22 OF COMMERCE.—

23           (1) AUTHORITY TO FURNISH INFORMATION.—  
24           Section 1770 of the Food Security Act of 1985 is  
25           amended by adding at the end the following:

1       “(e) Nothing in this section shall be considered to  
2 prohibit any release of information under section  
3 526(c)(6) of the Revised Statutes (7 U.S.C. 2204(c)(6)).”.

4           (2) CONTINUED CONFIDENTIALITY OF INFOR-  
5 MATION RECEIVED.—Information furnished under  
6 section 526(c)(6) of the Revised Statutes shall, for  
7 purposes of sections 9 and 214 of title 13, United  
8 States Code, be treated as if it were information fur-  
9 nished under the provisions of such title 13.

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