

104TH CONGRESS
2D SESSION

H. R. 3665

IN THE SENATE OF THE UNITED STATES

JULY 23, 1996

Received

JULY 31, 1996

Read twice and referred to the Committee on Governmental Affairs

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Census of Agriculture
3 Act of 1996”.

4 **SEC. 2. TRANSFER TO THE SECRETARY OF AGRICULTURE**
5 **OF THE AUTHORITY TO CONDUCT THE CEN-**
6 **SUS OF AGRICULTURE.**

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

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

16 “(2) The data collected in each census taken under
17 this subsection shall relate to the year immediately preced-
18 ing the year in which the census is taken.

19 “(3) Any person who refuses or neglects to answer
20 questions submitted to such person in connection with a
21 census or survey under this subsection, or who answers
22 any such questions falsely, shall be subject to section 221
23 of title 13, United States Code, to the same extent and
24 in the same manner as if—

25 “(A) section 142 of such title 13 had remained
26 in effect; and

1 “(B) the census or survey were a census or sur-
2 vey under such section 142, rather than under this
3 subsection.

4 The failure or refusal on the part of any person to disclose
5 such person’s social security number in response to a re-
6 quest made in connection with any census or other activity
7 under this subsection shall not be a violation under the
8 preceding sentence.

9 “(4) Each census under this subsection shall include
10 each State, and as may be determined by the Secretary,
11 the District of Columbia, the Virgin Islands, Guam, the
12 Commonwealth of the Northern Mariana Islands, and the
13 Commonwealth of Puerto Rico, and any such other posses-
14 sions and areas over which the United States exercises ju-
15 risdiction, control, or sovereignty. Inclusion of other areas
16 over which the United States exercises jurisdiction, con-
17 trol, or sovereignty shall be subject to the concurrence of
18 the Secretary of State.

19 “(5) The Secretary of Commerce may, upon written
20 request of the Secretary of Agriculture, furnish any infor-
21 mation collected under title 13, United States Code, which
22 the Secretary of Agriculture considers necessary for the
23 taking of a census or survey under this subsection. Any
24 information so furnished may not be used for any purpose
25 other than the statistical purposes for which it is supplied.

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

9 “(7) Any rules or regulations necessary to carry out
10 this subsection may be prescribed by—

11 “(A) the Secretary, to the extent that matters
12 within the jurisdiction of the Secretary are involved;
13 and

14 “(B) the Secretary of Commerce, to the extent
15 that matters within the jurisdiction of the Secretary
16 of Commerce are involved.”.

17 (b) CONFORMING AMENDMENTS.—Effective October
18 1, 1998—

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

23 (2) section 343(a)(11)(F) of the Consolidated
24 Farm and Rural Development Act (7 U.S.C.
25 1991(a)(11)(F)) is amended by inserting “or section

1 526(c) of the Revised Statutes (7 U.S.C. 2204(c)),
2 as the case may be,” before “except”.

3 **SEC. 3. PROVISIONS RELATING TO CONFIDENTIALITY OF**
4 **INFORMATION.**

5 (a) INFORMATION FURNISHED TO THE DEPARTMENT
6 OF AGRICULTURE.—

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

12 (2) CONFIDENTIALITY OF INFORMATION.—Sec-
13 tion 1770(d)(5) of the Food Security Act of 1985 (7
14 U.S.C. 2276(d)(5)) is amended to read as follows:

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

17 (b) INFORMATION FURNISHED TO THE DEPARTMENT
18 OF COMMERCE.—

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

22 “(e) Nothing in this section shall be considered to
23 prohibit any release of information under section
24 526(c)(6) of the Revised Statutes (7 U.S.C. 2204(c)(6)).”.

1 (2) CONFIDENTIALITY OF INFORMATION.—In-
2 formation furnished under section 526(c)(6) of the
3 Revised Statutes shall, for purposes of sections 9
4 and 214 of title 13, United States Code, be treated
5 as if it were information furnished under the provi-
6 sions of such title 13.

Passed the House of Representatives July 22, 1996.

Attest:

ROBIN H. CARLE,

Clerk.