

104TH CONGRESS
2D SESSION

H. R. 3665

[Report No. 104-653, Part I]

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

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

JUNE 27, 1996

Additional sponsors: Mr. MINGE and Mr. FARR of California
Reported from the Committee on Agriculture with amendments
[Omit the part struck through and insert the part printed in *italic*]

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,*

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 “(e) CENSUS OF AGRICULTURE.—

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

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

22 “(3) REFUSAL OR NEGLECT TO ANSWER QUES-
23 TIONS; FALSE ANSWERS.—Any person who refuses
24 or neglects to answer questions submitted to such
25 person in connection with a census or survey under
26 this subsection, or who answers any such questions

1 falsely, shall be subject to section 221 of title 13,
2 United States Code, to the same extent and in the
3 same manner as if—

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

6 “(B) the census or survey were a census or
7 survey under such section 142, rather than
8 under this subsection.

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

20 “(5) ACCESS TO DATA COLLECTED UNDER
21 TITLE 13.—The Secretary of Commerce may, upon
22 written request of the Secretary of Agriculture, fur-
23 nish any information collected under title 13, United
24 States Code, which the Secretary of Agriculture con-
25 siders necessary for the taking of a census or survey

1 under this subsection. Any information so furnished
2 may not be used for any purpose other than the sta-
3 tistical purposes for which it is supplied.

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

14 “(7) RULES AND REGULATIONS.—Any rules or
15 regulations necessary to carry out this subsection
16 may be prescribed by—

17 “(A) the Secretary, to the extent that mat-
18 ters within the jurisdiction of the Secretary are
19 involved; and

20 “(B) the Secretary of Commerce, to the
21 extent that matters within the jurisdiction of
22 the Secretary of Commerce are involved.”.

23 “(c)(1) *The Secretary shall, in 1998 and in every 5th*
24 *year beginning after 1998, take a census of agriculture. In*
25 *connection with each such census, the Secretary may con-*

1 *duct any survey or other data collection, and employ any*
2 *sampling or other statistical method, that the Secretary de-*
3 *termines is necessary and appropriate.*

4 “(2) *The data collected in each census taken under this*
5 *subsection shall relate to the year immediately preceding*
6 *the year in which the census is taken.*

7 “(3) *Any person who refuses or neglects to answer*
8 *questions submitted to such person in connection with a*
9 *census or survey under this subsection, or who answers any*
10 *such questions falsely, shall be subject to section 221 of title*
11 *13, United States Code, to the same extent and in the same*
12 *manner as if—*

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

15 “(B) *the census or survey were a census or sur-*
16 *vey under such section 142, rather than under this*
17 *subsection.*

18 *The failure or refusal on the part of any person to disclose*
19 *such person’s social security number in response to a re-*
20 *quest made in connection with any census or other activity*
21 *under this subsection shall not be a violation under the pre-*
22 *ceding sentence.*

23 “(4) *Each census under this subsection shall include*
24 *each State, and as may be determined by the Secretary,*
25 *the District of Columbia, the Virgin Islands, Guam, the*

1 *Commonwealth of the Northern Mariana Islands, and the*
2 *Commonwealth of Puerto Rico, and any such other posses-*
3 *sions and areas over which the United States exercises juris-*
4 *isdiction, control, or sovereignty. Inclusion of other areas over*
5 *which the United States exercises jurisdiction, control, or*
6 *sovereignty shall be subject to the concurrence of the Sec-*
7 *retary of State.*

8 “(5) *The Secretary of Commerce may, upon written*
9 *request of the Secretary of Agriculture, furnish any infor-*
10 *mation collected under title 13, United States Code, which*
11 *the Secretary of Agriculture considers necessary for the tak-*
12 *ing of a census or survey under this subsection. Any infor-*
13 *mation so furnished may not be used for any purpose other*
14 *than the statistical purposes for which it is supplied.*

15 “(6) *The Secretary of Agriculture shall, upon written*
16 *request of the Secretary of Commerce, furnish any informa-*
17 *tion collected in a census taken under this subsection which*
18 *the Secretary of Commerce considers necessary for the tak-*
19 *ing of a census or survey under title 13, United States Code.*
20 *Any information so furnished may not be used for any pur-*
21 *pose other than the statistical purposes for which it is sup-*
22 *plied.*

23 “(7) *Any rules or regulations necessary to carry out*
24 *this subsection may be prescribed by—*

1 inserting “chapter 10 of this title or section
2 526(c)(5) of the Revised Statutes—”.

3 ~~(2) CONTINUED CONFIDENTIALITY OF INFOR-~~
4 ~~MATION RECEIVED.—Section 1770(d)(5) of the Food~~

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

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

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

12 (b) *INFORMATION FURNISHED TO THE DEPARTMENT*
13 *OF COMMERCE.—*

14 (1) *AUTHORITY TO FURNISH INFORMATION.—*
15 *Section 1770 of the Food Security Act of 1985 is*
16 *amended by adding at the end the following:*

17 “(e) *Nothing in this section shall be considered to*
18 *prohibit any release of information under section*
19 *526(c)(6) of the Revised Statutes (7 U.S.C. 2204(c)(6)).”.*

20 ~~(2) CONTINUED CONFIDENTIALITY OF INFOR-~~
21 ~~MATION RECEIVED.—Information furnished under~~

22 (2) *CONFIDENTIALITY OF INFORMATION.—Infor-*
23 *mation furnished under section 526(c)(6) of the Re-*
24 *vised Statutes shall, for purposes of sections 9 and*
25 *214 of title 13, United States Code, be treated as*

1 if it were information furnished under the provisions
2 of such title 13.

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