(b) If the Secretary is unable to produce and publish current data during any fiscal year on total population for any county and local unit of general purpose government as required by this section, a report shall be submitted by the Secretary to the President of the Senate and to the Speaker of the House of Representatives not later than 90 days before the commencement of the following fiscal year, enumerating each government excluded and giving the reasons for such exclusion.

(Added Pub. L. 94–521, § 8(a), Oct. 17, 1976, 90 Stat. 2462.)

CODIFICATION

A prior section 181, act Aug. 31, 1954, ch. 1158, 68 Stat. 1021, authorizing the Secretary to conduct surveys necessary to furnish current data on subjects covered by the censuses under this title, was repealed by section 8(a) of Pub. L. 94–521. See section 182 of this title.

EFFECTIVE DATE

Section effective Oct. 17, 1976, see section 17 of Pub. L. 94–521, set out as a note under section 1 of this title.

§ 182. Surveys

The Secretary may make surveys deemed necessary to furnish annual and other interim current data on the subjects covered by the censuses provided for in this title.

(Added Pub. L. 94–521, § 8(a), Oct. 17, 1976, 90 Stat. 2463.)

EFFECTIVE DATE

Section effective Oct. 17, 1976, see section 17 of Pub. L. 94–521, set out as a note under section 1 of this title.

§ 183. Use of most recent population data

(a) Except as provided in subsection (b), for the purpose of administering any law of the United States in which population or other population characteristics are used to determine the amount of benefit received by State, county, or local units of general purpose government, the Secretary shall transmit to the President for use by the appropriate departments and agencies of the executive branch the data most recently produced and published under this title.

(b) This section shall not apply with respect to any law of the United States which, for purposes of determining the amount of benefit received by State, county, or local units of general purpose government, provides that only population or population characteristics data obtained in the most recent decennial census may be used in such determination.

(Added Pub. L. 94–521, § 8(a), Oct. 17, 1976, 90 Stat. 2463.)

EFFECTIVE DATE

Section effective Oct. 17, 1976, see section 17 of Pub. L. 94–521, set out as a note under section 1 of this title.

§ 184. Definitions

For purposes of this subchapter—

(1) the term ''local unit of general purpose government'' means the government of a county, municipality, township, Indian tribe, Alaskan native village, or other unit of government (other than a State) which is a unit of general government, and

(2) the term ''State'' includes the District of Columbia.

(Added Pub. L. 94–521, § 8(a), Oct. 17, 1976, 90 Stat. 2463.)

EFFECTIVE DATE

Section effective Oct. 17, 1976, see section 17 of Pub. L. 94–521, set out as a note under section 1 of this title.

SUBCHAPTER V—GEOGRAPHIC SCOPE, PRELIMINARY AND SUPPLEMENTAL STATISTICS, AND USE OF SAMPLING

§ 191. Geographic scope of censuses

(a) Each of the censuses authorized by this chapter shall include each State, the District of Columbia, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and the Commonwealth of Puerto Rico, and as may be determined by the Secretary, such other possessions and areas over which the United States exercises jurisdiction, control, or sovereignty. Inclusion of other areas over which the United States exercises jurisdiction or control shall be subject to the concurrence of the Secretary of State.

(b) For censuses taken in the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, or any possession or area not specifically designated in subsection (a) of this section, the Secretary may use census information collected by the Governor or highest ranking Federal official, if such information was obtained in accordance with plans prescribed or approved by the Secretary.

(c) If, pursuant to a determination by the Secretary under subsection (a) of this section, any census is not taken in a possession or area over which the United States exercises jurisdiction, control, or sovereignty, the Secretary may include data obtained from other Federal agencies or government sources in the census report. Any data obtained from foreign governments shall be obtained through the Secretary of State.

(Added Pub. L. 85–207, § 14, Aug. 28, 1957, 71 Stat. 483; amended Pub. L. 94–521, § 9, Oct. 17, 1976, 90 Stat. 2463.)

AMENDMENTS

1976—Subsec. (a). Pub. L. 94–521 struck out ''(other than censuses of population)'' after ''this chapter'' and ''Alaska, Hawaii'' after ''the District of Columbia'', inserted ''the Commonwealth of the Northern Mariana Islands'' after ''Guam'', and struck out provision that censuses of population shall include all geographic areas referred to in first sentence of subsec. (a).

Subsec. (b). Pub. L. 94–521 inserted ''the Commonwealth of the Northern Mariana Islands'' after ''Guam'', and substituted ''use census information'' for ''utilize or adopt census data'' and ''if such information was obtained'' for ''when such data are obtained''.

Subsec. (c). Pub. L. 94–521 substituted ''If, pursuant to a determination by the Secretary under subsection (a) of this section'' for ''When, under determination by the Secretary as provided in paragraph (a) above''.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94–521 effective Oct. 17, 1976, see section 17 of Pub. L. 94–521, set out as a note under section 1 of this title.

ADMISSION OF ALASKA AND HAWAII TO STATEHOOD

Alaska was admitted into the Union on Jan. 3, 1959, on issuance of Proc. No. 3269, Jan. 3, 1959, 24 F.R. 81, 73

Stat. c16, and Hawaii was admitted into the Union on Aug. 21, 1959, on issuance of Proc. No. 3309, Aug. 21, 1959, 24 F.R. 6868, 73 Stat. c74. For Alaska Statehood Law, see Pub. L. 85–508, July 7, 1958, 72 Stat. 339, set out as a note preceding section 21 of Title 48, Territories and Insular Possessions. For Hawaii Statehood Law, see Pub. L. 86–3, Mar. 18, 1959, 73 Stat. 4, set out as a note preceding section 491 of Title 48.

§ 193. Preliminary and supplemental statistics

In advance of, in conjunction with, or after the taking of each census provided for by this chapter, the Secretary may make surveys and collect such preliminary and supplementary statistics related to the main topic of the census as are necessary to the initiation, taking, or completion thereof.

(Added Pub. L. 85–207, § 14, Aug. 28, 1957, 71 Stat. 484.)

§ 195. Use of sampling

Except for the determination of population for purposes of apportionment of Representatives in Congress among the several States, the Secretary shall, if he considers it feasible, authorize the use of the statistical method known as ''sampling'' in carrying out the provisions of this title.

(Added Pub. L. 85–207, § 14, Aug. 28, 1957, 71 Stat. 484; amended Pub. L. 94–521, § 10, Oct. 17, 1976, 90 Stat. 2464.)

AMENDMENTS

1976—Pub. L. 94–521 substituted ''for purposes of apportionment of Representatives in Congress among the several States, the Secretary shall, if he considers it feasible'' for ''for apportionment purposes, the Secretary may, where he deems it appropriate''.

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94–521 effective Oct. 17, 1976, see section 17 of Pub. L. 94–521, set out as a note under section 1 of this title.

§ 196. Special censuses

The Secretary may conduct special censuses for the government of any State, or of any county, city, or other political subdivision within a State, for the government of the District of Columbia, and for the government of any possession or area (including political subdivisions thereof) referred to in section 191(a) of this title, on subjects covered by the censuses provided for in this title, upon payment to the Secretary of the actual or estimated cost of each such special census. The results of each such special census shall be designated ''Official Census Statistics''. These statistics may be used in the manner provided by applicable law.

(Added Pub. L. 94–521, § 11(a), Oct. 17, 1976, 90 Stat. 2464.)

EFFECTIVE DATE

Section effective Oct. 17, 1976, see section 17 of Pub. L. 94–521, set out as a note under section 1 of this title.

SPECIAL CENSUS WHEN MAJOR POPULATION CHANGES OCCUR DUE TO LARGE NUMBERS OF LEGAL IMMIGRANTS WITHIN SIX MONTHS OF REGULAR DECENNIAL CENSUS DATE

Pub. L. 96–369, § 118, Oct. 1, 1980, 94 Stat. 1357, provided that: ''Notwithstanding any other provision of law, when the President determines that a State, county, or local unit of general purpose government is significantly affected by a major population change due to a large number of legal immigrants within six months of a regular decennial census date, he may order a special census, pursuant to section 196 of title XIII of the United States Code [this section], or other method of obtaining a revised estimate of the population, of such jurisdiction or subsections of that jurisdiction in which the immigrants are concentrated. If the President decides to conduct a special census, it may be conducted solely at Federal expense.''

EXECUTIVE ORDER NO. 12256

Ex. Ord. No. 12256, Dec. 15, 1980, 45 F.R. 83189, which required the Bureau of the Census to supply estimates of the number of legal immigrants within certain jurisdictions, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237.

CHAPTER 7—OFFENSES AND PENALTIES

SUBCHAPTER I—OFFICERS AND EMPLOYEES

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211. Receiving or securing compensation for appointment of employees.
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241. Evidence.

SUBCHAPTER I—OFFICERS AND EMPLOYEES

§ 211. Receiving or securing compensation for appointment of employees

Whoever—

(1) receives or secures to himself any fee, reward, or compensation as a consideration for the appointment of any person as supervisor, enumerator, clerk, or other officer or employee of the Department of Commerce or bureau or agency thereof, referred to in subchapter II of chapter 1 of this title; or

(2) in any way receives or secures to himself any part of the compensation paid to any person so appointed—

shall be fined not more than $3,000 or imprisoned not more than five years, or both.

(Aug. 31, 1954, ch. 1158, 68 Stat. 1022.)

HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., §§ 122, 207, 252, and section 1442 of title 42, U.S.C., 1952 ed., The Public Health and Welfare (June 18, 1929, ch. 28, § 7, 46 Stat. 23; June 19, 1948, ch. 502, § 2, 62 Stat. 479; July 15, 1949, ch. 338, title VI, § 607, 63 Stat. 441; Sept. 7, 1950, ch. 910, § 2, 64 Stat. 784.)