

105TH CONGRESS  
1ST SESSION

# S. 845

To transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JUNE 5, 1997

Mr. LUGAR (for himself, Mr. HARKIN, Mr. McCONNELL, Mr. SANTORUM, Mr. ROBERTS, Mr. COCHRAN, Mr. CRAIG, Mr. GRASSLEY, Mr. DASCHLE, Mr. LEAHY, Mr. KERREY, Mr. BAUCUS, Ms. LANDRIEU, Mr. JOHNSON, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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## A BILL

To transfer to the Secretary of Agriculture the authority to conduct the census of agriculture, and for other purposes.

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 1997”.

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.—In 1998 and every 5th year  
9 thereafter, the Secretary of Agriculture shall take a  
10 census of agriculture.

11 “(2) METHODS.—In connection with the cen-  
12 sus, the Secretary may conduct any survey or other  
13 data collection, and employ any sampling or other  
14 statistical method, that the Secretary determines is  
15 appropriate.

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

20 “(4) ENFORCEMENT.—

21 “(A) FRAUD.—A person over 18 years of  
22 age who willfully gives an answer that is false  
23 to a question submitted to the person in con-  
24 nection with a census under this subsection  
25 shall be fined not more than \$500.

1           “(B) REFUSAL OR NEGLECT TO ANSWER  
2           QUESTIONS.—A person over 18 years of age  
3           who refuses or neglects to answer a question  
4           submitted to the person in connection with a  
5           census under this subsection shall be fined not  
6           more than \$100.

7           “(C) SOCIAL SECURITY NUMBER.—The  
8           failure or refusal of a person to disclose the  
9           person’s social security number in response to  
10          a request made in connection with any census  
11          or other activity under this subsection shall not  
12          be a violation under this paragraph.

13          “(D) RELIGIOUS INFORMATION.—Notwith-  
14          standing any other provision of this subsection,  
15          no person shall be compelled to disclose infor-  
16          mation relative to the religious beliefs of the  
17          person or to membership of the person in a reli-  
18          gious body.

19          “(5) GEOGRAPHIC COVERAGE.—A census under  
20          this subsection shall include—

21                 “(A) each of the several States of the  
22                 United States;

23                 “(B) as determined by the Secretary, the  
24                 District of Columbia, the Commonwealth of  
25                 Puerto Rico, the Commonwealth of the North-

1           ern Mariana Islands, the United States Virgin  
2           Islands, and Guam; and

3           “(C) with the concurrence of the Secretary  
4           and the Secretary of State, any other posses-  
5           sion or area over which the United States exer-  
6           cises jurisdiction, control, or sovereignty.

7           “(6) COOPERATION WITH THE SECRETARY OF  
8           COMMERCE.—

9           “(A) INFORMATION PROVIDED TO THE  
10           SECRETARY OF AGRICULTURE.—The Secretary  
11           of Commerce may, on a written request by the  
12           Secretary of Agriculture, provide to the Sec-  
13           retary of Agriculture any information collected  
14           under title 13, United States Code, that the  
15           Secretary of Agriculture considers necessary for  
16           the taking of a census or survey under this sub-  
17           section.

18           “(B) INFORMATION PROVIDED TO THE  
19           SECRETARY OF COMMERCE.—The Secretary of  
20           Agriculture may, on a written request by the  
21           Secretary of Commerce, provide to the Sec-  
22           retary of Commerce any information collected  
23           in a census taken under this subsection that the  
24           Secretary of Commerce considers necessary for

1 the taking of a census or survey under title 13,  
2 United States Code.

3 “(C) CONFIDENTIALITY.—

4 “(i) IN GENERAL.—Information ob-  
5 tained under this paragraph may not be  
6 used for any purpose other than the statis-  
7 tical purposes for which the information is  
8 supplied.

9 “(ii) CENSUS INFORMATION.—For  
10 purposes of sections 9 and 214 of title 13,  
11 United States Code, any information pro-  
12 vided under subparagraph (B) shall be  
13 considered information furnished under the  
14 provisions of title 13, United States Code.

15 “(7) REGULATIONS.—A regulation necessary to  
16 carry out this subsection may be promulgated by—

17 “(A) the Secretary of Agriculture, to the  
18 extent that a matter under the jurisdiction of  
19 the Secretary is involved; and

20 “(B) the Secretary of Commerce, to the  
21 extent that a matter under the jurisdiction of  
22 the Secretary of Commerce is involved.”.

23 (b) CONFORMING AMENDMENTS.—



1           (1) AUTHORITY TO PROVIDE INFORMATION.—  
2           Section 9(a) of title 13, United States Code, is  
3           amended by inserting after “chapter 10 of this title”  
4           the following: “or section 526(c)(6) of the Revised  
5           Statutes (7 U.S.C. 2204(c)(6))”.

6           (2) CONFIDENTIALITY OF INFORMATION.—Sec-  
7           tion 1770(d) of the Food Security Act of 1985 (7  
8           U.S.C. 2276(d)) is amended by striking paragraph  
9           (5) and inserting the following:

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

12           (b) INFORMATION PROVIDED TO THE SECRETARY OF  
13           COMMERCE.—Section 1770 of the Food Security Act of  
14           1985 (7 U.S.C. 2276) is amended by adding at the end  
15           the following:

16           “(e) INFORMATION PROVIDED TO THE SECRETARY  
17           OF COMMERCE.—This section shall not prohibit the re-  
18           lease of information under section 526(c)(6) of the Re-  
19           vised Statutes (7 U.S.C. 2204(c)(6)).”.

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