

**TITLE 7 - AGRICULTURE**

**CHAPTER 55 - DEPARTMENT OF AGRICULTURE**

**§ 2204g. Authority of Secretary of Agriculture to conduct census of agriculture**

**(a) Census of agriculture required**

**(1) In general**

In 1998 and every fifth year thereafter, the Secretary of Agriculture shall take a census of agriculture.

**(2) Inclusion of specialty crops**

Effective beginning with the census of agriculture required to be conducted in 2008, the Secretary shall conduct as part of each census of agriculture a census of specialty crops (as that term is defined in section 3 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note ; Public Law 108–465)).

**(b) Methods**

In connection with the census, the Secretary may conduct any survey or other information collection, and employ any sampling or other statistical method, that the Secretary determines is appropriate.

**(c) Year of information**

The information collected in each census taken under this section shall relate to the year immediately preceding the year in which the census is taken.

**(d) Enforcement**

**(1) Fraud**

A person over 18 years of age who willfully gives an answer that is false to a question, which is authorized by the Secretary to be submitted to the person in connection with a census under this section, shall be fined not more than \$500.

**(2) Refusal or neglect to answer questions**

A person over 18 years of age who refuses or willfully neglects to answer a question, which is authorized by the Secretary to be submitted to the person in connection with a census under this section, shall be fined not more than \$100.

**(3) Social Security number**

The failure or refusal of a person to disclose the person's Social Security number in response to a request made in connection with any census or other activity under this section shall not be a violation under this subsection.

**(4) Religious information**

Notwithstanding any other provision of this section, no person shall be compelled to disclose information relative to the religious beliefs of the person or to membership of the person in a religious body.

**(e) Geographic coverage**

A census under this section shall include—

(1) each of the several States of the United States;

(2) as determined appropriate by the Secretary, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, the United States Virgin Islands, and Guam; and

(3) with the concurrence of the Secretary and the Secretary of State, any other possession or area over which the United States exercises jurisdiction, control, or sovereignty.

**(f) Cooperation with Secretary of Commerce**

**(1) Information provided to Secretary of Agriculture**

On a written request by the Secretary of Agriculture, the Secretary of Commerce may provide to the Secretary of Agriculture any information collected under title 13 that the Secretary of Agriculture considers necessary for the taking of a census or survey under this section.

**(2) Information provided to Secretary of Commerce**

On a written request by the Secretary of Commerce, the Secretary of Agriculture may provide to the Secretary of Commerce any information collected in a census taken under this section that the Secretary of Commerce considers necessary for the taking of a census or survey under title 13.

**(3) Confidentiality**

Information obtained under this subsection may not be used for any purpose other than the statistical purposes for which the information is supplied. For purposes of sections 9 and 214 of title 13, any information provided under paragraph (2) shall be considered information furnished under the provisions of title 13.

**(g) Regulations**

A regulation necessary to carry out this section may be promulgated by—

- (1) the Secretary of Agriculture, to the extent that a matter under the jurisdiction of the Secretary is involved; and
- (2) the Secretary of Commerce, to the extent that a matter under the jurisdiction of the Secretary of Commerce is involved.

(Pub. L. 105–113, § 2, Nov. 21, 1997, 111 Stat. 2274; Pub. L. 110–234, title X, § 10103, May 22, 2008, 122 Stat. 1336; Pub. L. 110–246, § 4(a), title X, § 10103, June 18, 2008, 122 Stat. 1664, 2097.)

**Codification**

Pub. L. 110–234 and Pub. L. 110–246 made identical amendments to this section. The amendments by Pub. L. 110–234 were repealed by section 4(a) of Pub. L. 110–246.

**Amendments**

2008—Subsec. (a). Pub. L. 110–246, § 10103, designated existing provisions as par. (1), inserted heading, and added par. (2).

**Effective Date of 2008 Amendment**

Amendment of this section and repeal of Pub. L. 110–234 by Pub. L. 110–246 effective May 22, 2008, the date of enactment of Pub. L. 110–234, see section 4 of Pub. L. 110–246, set out as an Effective Date note under section 8701 of this title.