§ 221. Refusal or neglect to answer questions; false answers

(a) Whoever, being over eighteen years of age, refuses or willfully neglects, when requested by the Secretary, or by any other authorized officer or employee of the Department of Commerce or bureau or agency thereof acting under the instructions of the Secretary or authorized officer, to answer, to the best of his knowledge, any of the questions on any schedule submitted to him in connection with any census or survey provided for by subchapters I, II, IV, and V of chapter 5 of this title, applying to himself or to the family to which he belongs or is related, or to the farm or farms of which he or his family is the occupant, shall be fined not more than $100.

(b) Whoever, when answering questions described in subsection (a) of this section, and under the conditions or circumstances described in such subsection, willfully gives any answer that is false, shall be fined not more than $500.

(c) Notwithstanding any other provision of this title, no person shall be compelled to disclose information relative to his religious beliefs or to membership in a religious body.


Historical and Revision Notes


Section consolidates the first paragraph of section 209 of title 13, U.S.C., 1952 ed., which section related to the decennial censuses of population, agriculture, etc. (see subchapter II of chapter 5 of this revised title), with that part of section 122 of such title which made such section 209 applicable to the quinquennial censuses of manufactures, the mineral industries, and other businesses (see subchapter I of chapter 5 of this revised title) and applicable to the surveys provided for by section 121(b) of such title (see subchapter IV of chapter 5 of this revised title), and that part of subsection (b) of section 1442 of title 42, U.S.C., 1952 ed., which made such section 209 applicable to the decennial censuses of housing (see subchapter II of chapter 5 of this revised title). For remainder of sections 122 and 209 of title 13, U.S.C., 1952 ed., and of section 1442 of title 42, U.S.C., 1952 ed. (which section has been transferred in its entirety to this revised title), see Distribution Table.

The language of section 209 of title 13, U.S.C., 1952 ed., providing that it should “be the duty” of all persons over eighteen years of age, to answer correctly, to the best of their knowledge, when requested, etc., was omitted as unnecessary and redundant. The provisions, as herein revised, define offenses and prescribe penalties for committing them, and are deemed sufficient for the purpose of enforcement. However, some of the language used in the omitted provisions was necessarily included in the description of the offense.

The designation of the first offense, herein described, as a “misdemeanor”, was omitted as covered by section 1 of title 18, U.S.C., 1952 ed., Crimes and Criminal Procedure, classifying crimes; and words “upon conviction thereof” were omitted as surplusage.

References to the Secretary (of Commerce) and to any “authorized officer or employee of the Department of Commerce or bureau or agency thereof”, etc., were substituted for references to the Director of the Census and to any “supervisor, enumerator, or special agent, or other employee of the Census Office”, to conform with 1950 Reorganization Plan No. 5, §§ 1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1263. See revision note to section 4 of this title.

Changes were made in phraseology.

Amendments

1976—Subsec. (a). Pub. L. 94–521, § 13(1), struck out provision authorizing imprisonment for not more than sixty days for refusing or willfully neglecting to answer questions under this section.

Subsec. (b). Pub. L. 94–521, § 13(2), struck out provision authorizing imprisonment for not more than one year for willfully giving a false answer to a question under this section.


**Effective Date of 1976 Amendment**