

ATTACHMENT E

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TITLE 13, UNITED STATES CODE
CENSUS

PREPARED BY THE
COMMITTEE ON
POST OFFICE AND CIVIL SERVICE
UNITED STATES SENATE



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bulletins and reports

The Secretary may make requisition upon the Public Printer for miscellaneous printing necessary to carry out the provisions of this title. He may further have printed by the Public Printer, in such editions as he deems necessary, preliminary and other census bulletins, and final reports of the results of the several investigations authorized by this title, and may publish and distribute such bulletins and reports. (Aug. 31, 1954, ch. 1158, 68 Stat. 1013.)

§ 8. Authenticated transcripts or copies of certain returns; other data; restriction on use; disposition of fees received

(a) The Secretary may, upon written request, furnish to any respondent, or to the heir, successor, or authorized agent of such respondent, authenticated transcripts or copies of reports (or portions thereof) containing information furnished by, or on behalf of, such respondent in connection with the surveys and census provided for in this title, upon payment of the actual or estimated cost of searching the records and furnishing such transcripts or copies.

(b) Subject to the limitations contained in sections 6(c) and 9 of this title, the Secretary may furnish copies of tabulations and other statistical materials which do not disclose the information reported by, or on behalf of, any particular respondent, and may make special statistical compilations and surveys, for departments, agencies, and establishments of the Federal Government, the government of the District of Columbia, the government of any possession or area (including political subdivisions thereof) referred to in section 191(a) of this title, State or local agencies, or other public and private persons and agencies, upon payment of the actual or estimated cost of such work. In the case of nonprofit agencies or organizations, the Secretary may engage in joint statistical projects, the purpose of which are otherwise authorized by law, but only if the cost of such projects are shared equitably, as determined by the Secretary.

(c) In no case shall information furnished under this section be used to the detriment of any respondent or other person to whom such information relates, except in the prosecution of alleged violations of this title.

(d) All moneys received in payment for work or services enumerated under this section shall be deposited in a separate account which may be used to pay directly the costs of such work or services, to repay appropriations which initially bore all or part of such costs, or to refund excess sums when necessary. (Aug. 31, 1954, ch. 1158, 68 Stat. 1013, amended Aug. 28, 1957, Pub. L. 85-207, § 4, 71 Stat. 481; Oct. 17, 1976, Pub. L. 94-521, § 6, 90 Stat. 2460-61.)

§ 9. Information as confidential; exception

(a) Neither the Secretary, nor any other officer or employee of the Department of Commerce or bureau or agency thereof, may, except as provided in section 8 of this title—

(1) use the information furnished under the provisions of this title for any purpose other than the statistical purposes for which it is supplied; or

(2) make any publication whereby the data furnished by any particular establishment or individual under this title can be identified; or

(3) permit anyone other than the sworn officers and employees of the Department or bureau or agency thereof to examine the individual reports.

No department, bureau, agency, officer, or employee of the Government, except the Secretary in carrying out the purposes of this title, shall require, for any reason, copies of census reports which have been retained by any such establishment or individual. Copies of census reports which have been so retained shall be immune from legal process, and shall not, without the consent of the individual or establishment concerned, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

(b) The provisions of subsection (a) of this section relating to the confidential treatment of data for particular individuals and establishments, shall not apply to the censuses of governments provided for by subchapter III of chapter 5 of this title, nor to interim current data provided for by subchapter IV of chapter 5 of this title as to the subjects covered by censuses of governments, with respect to any information obtained therefor that is compiled from, or customarily provided in, public records. (Aug. 31, 1954, ch. 1128, 68 Stat. 1013, amended Oct. 15, 1962, Pub. L. 87-813, 76 Stat. 922.)

§ 10. Repealed. Pub. L. 86-682, § 12(a), Sept. 2, 1960, 74 Stat. 708, eff. Sept. 1, 1960

§ 11. Authorization of appropriations

There is authorized to be appropriated, out of the Treasury of the United States, such sums as may be necessary to carry out all provisions of this title. (Aug. 31, 1954, ch. 1168, 68 Stat. 1014.)

§ 12. Mechanical and electronic development

The Secretary is authorized to have conducted mechanical and electronic development work as he determines is needed to further the functions and duties of carrying out the purposes of this title and may enter into such developmental contracts as he may determine to be in the best interest of the Government. (Added Pub. L. 85-207, § 5, Aug. 28, 1957, 71 Stat. 481.)

§ 13. Procurement of professional services

The Secretary shall have authority to contract with educational and other research organizations for the preparation of monographs and other reports and materials of a similar nature. (Added Pub. L. 85-207, § 5, Aug. 28, 1957, 71 Stat. 481.)

§ 14. Repealed. Pub. L. 89-473, § 2(a), June 29, 1966, 80 Stat. 221

SUBCHAPTER II—OFFICERS AND EMPLOYEES

§ 21. Director of the Census: duties

The Bureau shall be headed by a Director of the Census, appointed by the President, by and with the advice and consent of the Senate. The Director shall perform such duties as may be imposed upon him

§ 142. Agriculture, irrigation, and drainage

(a) The Secretary shall in 1979, in 1983, and in every fifth year beginning after 1983, take a census of agriculture.

(b) In conjunction with the census to be taken under subsection (a) of this section in 1979, in 1983, and every tenth year beginning after 1983, the Secretary shall take a census of irrigation and drainage.

(c) The data collected in each of the censuses taken under this section shall relate to the year immediately preceding the year in which such census is taken. (Aug. 31, 1954, ch. 1158, 68 Stat. 1020, amended Aug. 28, 1957, Pub. L. 85-207, § 10, 71 Stat. 483; Mar. 15, 1976, Pub. L. 94-229, § 1, 90 Stat. 210.)

NOTE.—The statistical classification of farms in effect on January 1, 1976, with respect to censuses taken under section 142 of title 15, United States Code, shall be effective through June 30, 1976, and any statistical report issued on or before June 30, 1976, with respect to any such census shall reflect such classification, but may also include additional classifications as deemed appropriate by the Secretary.

§§ 143 to 146. Repealed. Pub. L. 85-207, § 11, Aug. 28, 1957, 71 Stat. 483.

SUBCHAPTER III—GOVERNMENTS**§ 161. Quinquennial censuses; inclusion of certain data**

The Secretary shall take, compile, and publish for the year 1957 and for every fifth year thereafter a census of governments. Each such census shall include, but shall not be limited to, data on taxes and tax valuations, governmental receipts, expenditures, indebtedness, and employees of States, counties, cities, and other governmental units. (Aug. 31, 1954, ch. 1158, 68 Stat. 1021, amended Aug. 28, 1957, Pub. L. 85-207, § 12, 71 Stat. 483.)

§ 162. Repealed. Pub. L. 85-207, § 13, Aug. 28, 1957, 71 Stat. 483

§ 163. Authority of other agencies

This subchapter does not revoke or impair the authority of any other Federal agency with respect to the collection or release of information. (Aug. 31, 1954, ch. 1158, 68 Stat. 1021.)

SUBCHAPTER IV—INTERIM CURRENT DATA**§ 181. Population**

(a) During the intervals between each census of population required under section 141 of this title, the Secretary, to the extent feasible, shall annually produce and publish for each State, county, and local unit of general purpose government which has a population of fifty thousand or more, current data on total population and population characteristics and, to the extent feasible, shall biennially produce and publish for other local units of general purpose government current data on total population. Such data shall be produced and published for each State, county, and other local unit of general purpose government for which data is compiled in the most recent census of population taken under section 141 of this title. Such data may be produced by means of sampling or other methods, which the Secretary determines will produce current, comprehensive, and reliable data.

(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, Oct. 17, 1976, 90 Stat. 2462-63.)

§ 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. (Aug. 31, 1954, ch. 1158, 68 Stat. 1021, amended Oct. 17, 1976, Pub. L. 94-521, § 8, 90 Stat. 2463.)

§ 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, Oct. 17, 1976, 90 Stat. 2463.)

§ 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, Oct. 17, 1976, 90 Stat. 2463.)

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.