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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.)

Section consolidates section 207 of title 13, U.S.C., 1952 ed., which was a part of chapter 4 of such title relating to the censuses of population, agriculture, irrigation, etc. (subchapter II of chapter 5 of this revised title), with those parts of sections 122 and 252 of such title which made such section 207 applicable to the censuses of manufactures, the mineral industries, and other businesses, and governments (subchapters I and III of chapter 5 of this revised title), and with that part of subsection (b) of section 1442 of title 42, U.S.C., 1952, ed., which made such section 207 applicable to the censuses of housing (subchapter II of chapter 5 of this revised title). For remainder of sections 122 and 252 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.

This section, as revised, relates to appointments of all officers and employees referred to in subchapter II of chapter 1 of this title, which was the probable original legislative intent.

Reference in section 207 of title 13, U.S.C., 1952 ed., to the offense, herein described, as a felony, and words in such section, "and upon conviction thereof," were omitted from this revised section, the former, as covered by section 1 of title 18, U.S.C., 1952 ed., Crimes and Criminal Procedure, classifying offenses, and the latter, as surplusage.

The reference "Department of Commerce or bureau or agency thereof" was inserted in recognition of 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). However, the qualifying words, "referred to in subchapter II of chapter 1 of this title," limits the provisions to appointment or employment of persons in connection with the statistics and censuses provided for in this title.

Changes were made in phraseology.

§ 212. Refusal or neglect of employees to perform duties

Whoever, being an employee referred to in subchapter II of chapter 1 of this title, and having taken and subscribed the oath of office, neglects or refuses, without justifiable cause, to perform the duties enjoined on such employee by this title, shall be fined not more than \$500.

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

HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., §§122, 208, 252, and section 1442 of title 42, U.S.C., 1952 ed., The Public Health and Welfare (June 18, 1929, ch. 28, §8, 46 Stat. 23; June 19, 1948, ch. 502, §2, 62 Stat. 479; June 19, 1949, ch. 338, title VI, §607, 63 Stat. 441; Sept. 7, 1950, ch. 910, §2, 64 Stat. 784.)

Section consolidates part of section 208 of title 13, U.S.C., 1952 ed., which was a part of chapter 4 of such title relating to the censuses of population, agriculture, etc., with those parts of sections 122 and 252 of such title which made such section 208 applicable to the censuses of manufacturers, the mineral industries and other businesses, and governments, and with that part of subsection (b) of section 1442 of title 42, U.S.C., 1952 ed., which made such section 208 applicable to the housing censuses. For remainder of sections 122, 208 and 252 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.

Section has been made applicable to all employees referred to in subchapter II of chapter 1 of this title, and to duties enjoined on them by any provision of this title, which was probably the original legislative intent.

The words "being an employee referred to in subchapter II of chapter 1 of this title" were substituted for the enumeration in section 208 of title 13, U.S.C., 1952 ed., of "supervisor, supervisor's clerk, enumerator, interpreter, special agent, or other employee", since such reference will cover those employees.

Reference in section 208 of title 13, U.S.C., 1952 ed., to the offense, herein described as a misdemeanor, and words therein "and upon conviction thereof", were omitted, the former, as superseded and covered by section 1 of title 18, U.S.C., 1952 ed., Crimes and Criminal Procedure, classifying offenses, and the latter, as surplusage.

Changes were made in phraseology.

§ 213. False statements, certificates, and information

(a) Whoever, being an officer or employee referred to in subchapter II of chapter 1 of this title, willfully and knowingly swears or affirms falsely as to the truth of any statement required to be made or subscribed by him under oath by