

ceipt thereof" was inserted since there is no return receipt with respect to a telegram, and words "in any prosecution under such section" were inserted for the purpose of completeness.

Further, words "Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof" were substituted for references to the Director of the Census, 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—Pub. L. 94-521 struck out "as authorized by section 224 of this title" after "telegram".

1957—Pub. L. 85-207 inserted "or certified" after "registered".

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-521 effective Oct. 17, 1976, see section 17 of Pub. L. 94-521, set out as a note under section 1 of this title.

### CHAPTER 9—COLLECTION AND PUBLICATION OF FOREIGN COMMERCE AND TRADE STATISTICS

Sec.	
301.	Collection and publication.
302.	Rules, regulations, and orders.
303.	Secretary of Treasury, functions. <sup>1</sup>
304.	Filing export information, delayed filings, penalties for failure to file.
305.	Penalties for unlawful export information activities.
306.	Delegation of functions.
307.	Relationship to general census law.

#### AMENDMENTS

2002—Pub. L. 107-228, div. B, title XIV, §1404(f)(2), Sept. 30, 2002, 116 Stat. 1456, added item 305 and struck out former item 305 "Violations, penalties".

#### § 301. Collection and publication

(a) The Secretary is authorized to collect information from all persons exporting from, or importing into, the United States and the non-contiguous areas over which the United States exercises sovereignty, jurisdiction, or control, and from all persons engaged in trade between the United States and such noncontiguous areas and between those areas, or from the owners, or operators of carriers engaged in such foreign commerce or trade, and shall compile and publish such information pertaining to exports, imports, trade, and transportation relating thereto, as he deems necessary or appropriate to enable him to foster, promote, develop, and further the commerce, domestic and foreign, of the United States and for other lawful purposes.

(b) The Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, on quarterly and cumulative bases, statistics on United States imports for consumption and United States exports by country and by product. Statistics on United States imports shall be submitted in accordance with the Harmonized Tariff Schedule of the United States Annotated for Statistical Reporting Purposes and general statistical note 1 thereof, in detail as follows:

- (1) net quantity;
- (2) United States customs value;
- (3) purchase price or its equivalent;
- (4) equivalent of arm's length value;
- (5) aggregate cost from port of exportation to United States port of entry;
- (6) a United States port of entry value comprised of (5) plus (4), if applicable, or, if not applicable, (5) plus (3); and
- (7) for transactions where (3) and (4) are equal, the total value of such transactions.

The data for paragraphs (1), (2), (3), (5), and (6) shall be reported separately for nonrelated and related party transactions, and shall also be reported as a total of all transactions.

(c) In submitting any information under subsection (b) with respect to exports, the Secretary shall state separately from the total value of all exports—

- (1)(A) the value of agricultural commodities exported under the Food for Peace Act, as amended; and
- (B) the total amount of all export subsidies paid to exporters by the United States under such Act for the exportation of such commodities; and
- (2) the value of goods exported under the Foreign Assistance Act of 1961.

(d) To assist the Secretary to carry out the provisions of subsections (b) and (c)—

- (1) the Secretary of Agriculture shall furnish information to the Secretary concerning the value of agricultural commodities exported under provisions of the Food for Peace Act, as amended, and the total amounts of all export subsidies paid to exporters by the United States under such Act for the exportation of such commodities; and
- (2) the Secretary of State shall furnish information to the Secretary concerning the value of goods exported under the provisions of the Foreign Assistance Act of 1961, as amended.

(e) There shall be reported, on monthly and cumulative bases, for each heading or subheading in the Harmonized Tariff Schedule of the United States Annotated for Statistical Reporting Purposes, the United States port of entry value (as determined under subsection (b)(6)). There shall be reported, on monthly and cumulative bases, the balance of international trade for the United States reflecting (1) the aggregate value of all United States imports as reported in accordance with the first sentence of this subsection, and (2) the aggregate value of all United States exports. The information required to be reported under this subsection shall be reported in a form that is adjusted for economic inflation or deflation (on a constant dollar basis consistent with the reporting of the National Income and Product Accounts), and in a form that is not so adjusted.

(f) On or before January 1, 1981, and as often thereafter as may be necessary to reflect significant changes in rates, there shall be reported for each heading or subheading in the Harmonized Tariff Schedule of the United States Annotated for Statistical Reporting Purposes, the ad valorem or ad valorem equivalent rate of duty which would have been required to be imposed on dutiable imports under that heading or subheading,

<sup>1</sup> So in original. Does not conform to section catchline.