so consolidated. For remainder of such sections 111 and 122, see Distribution Table.

Subsections (a) and (b) of this revised section are from section 122 of title 13, U.S.C., 1952 ed., and in subsection (a) references to the Secretary (of Commerce) and to ''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.

Subsection (c) is partly new (but preserves existing law), and partly from section 122 of title 13, U.S.C., 1952 ed. Section 252 of title 13, U.S.C., 1952 ed., which related to the censuses of governments provided by section 251 thereof (see subchapter III of chapter 5 of this title), made certain sections in chapter 4 of that title relating to censuses of population, agriculture, etc., applicable to such censuses of governments. However, it did not list sections 209 and 210 of such title among the sections made so applicable, probably because they would hardly be relevant and capable of application to such censuses. Subsection (c) makes it clear that sections 221–224 of this revised title, into which were carried the provisions of such sections 209 and 210, and which speak in general terms, are not applicable to the censuses and surveys of governments.

Subsection (d) is from section 111 of title 13, U.S.C., 1952 ed. Words in this subsection, ''a refusal, in such circumstances, to furnish such information shall not be an offense under this chapter'', read ''such information shall not be required''. It was felt that such exception in such section 111 was actually more in the nature of an exception to the penal provisions, and it has been so treated in this revised title. The collection of statistics on religion are provided for in section 102 of this title.

AMENDMENTS

1976—Subsec. (a)(1). Pub. L. 94–521, §15(a)(1), inserted ''and questionnaires'' after ''schedules''.

Subsec. (b). Pub. L. 94–521, §15(a)(2), struck out reference to imprisonment provisions provided by sections 221 and 224 of this title.

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.

SUBCHAPTER III—PROCEDURE

§ 241. Evidence

When any request for information, made by the Secretary or other authorized officer or employee of the Department of Commerce or bureau or agency thereof, is made by registered or certified mail or telegram, the return receipt therefor or other written receipt thereof shall be prima facie evidence of an official request in any prosecution under such section.

(Aug. 31, 1954, ch. 1158, 68 Stat. 1025; Pub. L. 85–207, §19, Aug. 28, 1957, 71 Stat. 484; Pub. L. 94–521, §15(b), Oct. 17, 1976, 90 Stat. 2465.)

HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., §§74, 84 (Aug. 7, 1916, ch. 274, §4, 39 Stat. 437; Apr. 2, 1924, ch. 80, §4, 43 Stat. 32; June 18, 1929, ch. 28, §21, 46 Stat. 26; June 14, 1938, ch. 358, 52 Stat. 678; July 25, 1947, ch. 331, 61 Stat. 457).

Section consolidates part of section 74 of title 13, U.S.C., 1952 ed., which section related to the collection of cotton statistics, with part of section 84 of such title, which section related to the collection of statistics on oilseeds, nuts and kernels, fats, oils and greases. For remainder of such sections 74 and 84, see Distribution Table.

Section 74 of title 13, U.S.C., 1952 ed., authorized the making of requests for information by registered mail, and provided that, if so made, the registry receipt should be ''accepted as evidence of such demand''. Section 84 thereof authorized the making of requests by registered mail, or ''by telegraph'', and provided that, if so made, the ''return'' receipt therefor should be ''prima facie evidence of an official request''. The authorizations contained in such sections have been carried into section 224 of this title, and the evidentiary provisions thereof have been carried into this section, and they apply to investigations other than those to which such sections 74 and 84 related. See Revision Note to section 224 of this title.

In this revised section, the language of section 84 of title 13, U.S.C., 1952 ed., was largely followed as probably being the more desirable, but ''or other written receipt 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.[1]
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 noncontiguous 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

[1] So in original. Does not conform to section catchline.