

any other Federal department or agency in a manner comparable both as to form and period of time to the collection of statistics provided for by this subchapter shall not be collected by the Secretary under the authority of this subchapter. Immediately upon his request, the Secretary shall have access to any such statistics and shall include them in the publication required by this subchapter.

(Aug. 31, 1954, ch. 1158, 68 Stat. 1018.)

#### HISTORICAL AND REVISION NOTES

Based on title 13, U.S.C., 1952 ed., § 86 (Aug. 7, 1916, ch. 274, § 6, as added July 25, 1947, ch. 331, 61 Stat. 457).

References to the Secretary (of Commerce) were substituted for references to the Director of the Census to conform with 1950 Reorganization Plan No. 5, §§ 1, 2, effective May 24, 1950, 15 F.R. 3174, 64 Stat. 1263. See Revision Note to section 4 of this title.

Words “, as of the effective date of this title,” were inserted in the first sentence for the purpose of clarity. Changes were made in phraseology.

#### REFERENCES IN TEXT

The effective date of this title, referred to in text, is Jan. 1, 1955.

### SUBCHAPTER III—APPAREL AND TEXTILES

#### § 81. Statistics on apparel and textile industries

The Secretary shall collect and publish quarterly statistics relating to domestic apparel and textile industries.

(Added Pub. L. 99-467, § 1(a), Oct. 14, 1986, 100 Stat. 1192.)

### SUBCHAPTER IV—QUARTERLY FINANCIAL STATISTICS

#### AMENDMENTS

1986—Pub. L. 99-467, § 1(a), Oct. 14, 1986, 100 Stat. 1192, substituted “IV” for “III” as subchapter designation.

#### § 91. Collection and publication

(a) The Secretary shall collect and publish quarterly financial statistics of business operations, organization, practices, management, and relation to other businesses, including data on sales, expenses, profits, assets, liabilities, stockholders' equity, and related accounts generally used by businesses in income statements, balance sheets, and other measures of financial condition.

(b) Except to the extent determined otherwise by the Secretary on the basis of changed circumstances, the nature of statistics collected and published under this section, and the manner of the collection and publication of such statistics, shall conform to the quarterly financial reporting program carried out by the Federal Trade Commission before the effective date of this section under section 6(b) of the Federal Trade Commission Act.

(c) For purposes of section 6103(j)(1) of the Internal Revenue Code of 1986, the conducting of the quarterly financial report program under this section shall be considered as the conducting of a related statistical activity authorized by law.

(d)(1) The Secretary shall not select an organization or entity for participation in a survey, if—

(A) the organization or entity—

(i) has assets of less than \$50,000,000;

(ii) completed participation in a prior survey in the preceding 10-year period, as determined by the Secretary; and

(iii) was selected for that prior survey participation after September 30, 1990; or

(B) the organization or entity—

(i) has assets of more than \$50,000,000 and less than \$100,000,000;

(ii) completed participation in a prior survey in the preceding 2-year period, as determined by the Secretary; and

(iii) was selected for that prior survey participation after September 30, 1995.

(2)(A) The Secretary shall furnish advice and similar assistance to ease the burden of a small business concern which is attempting to compile and furnish the business information required of organizations and entities participating in the survey.

(B) To facilitate the provision of the assistance under subparagraph (A), the Secretary shall establish a toll-free telephone number.

(C) The Secretary shall expand the use of statistical sampling techniques to select organizations and entities having assets less than \$100,000,000 to participate in the survey.

(3) The Secretary may undertake such additional paperwork burden reduction initiatives with respect to the conduct of the survey as may be deemed appropriate by the Secretary.

(4) For purposes of this subsection:

(A) The term “small business concern” means a business concern that meets the requirements of section 3(a) of the Small Business Act and the regulations promulgated pursuant thereto.

(B) The term “survey” means the collection of information by the Secretary pursuant to this section for the purpose of preparing the publication entitled “Quarterly Financial Report for Manufacturing, Mining, and Trade Corporations”.

(Added Pub. L. 97-454, § 1(a)(2), Jan. 12, 1983, 96 Stat. 2494; amended Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 104-13, § 3, May 22, 1995, 109 Stat. 184.)

#### TERMINATION OF SECTION

*For termination of section by section 4(b) of Pub. L. 97-454, see Effective and Termination Date note below.*

#### REFERENCES IN TEXT

The effective date of this section, referred to in subsec. (b), is Jan. 12, 1983, see Effective and Termination Date note set out below.

Section 6(b) of the Federal Trade Commission Act, referred to in subsec. (b), is classified to section 46(b) of Title 15, Commerce and Trade.

Section 6103(j)(1) of the Internal Revenue Code of 1986, referred to in subsec. (c), is classified to section 6103(j)(1) of Title 26, Internal Revenue Code.

Section 3(a) of the Small Business Act, referred to in subsec. (d)(4)(A), is classified to section 632(a) of Title 15, Commerce and Trade.

#### AMENDMENTS

1995—Subsec. (d). Pub. L. 104-13 added subsec. (d).

1986—Subsec. (c). Pub. L. 99-514 substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.