

(3) The number and identity of inspectors conducting any inspection described in paragraph (2) and the number of inspectors barred from inspection by the United States.

(4) The cost to the United States for each inspection described in paragraph (2).

(5) The total costs borne by United States business firms in the course of inspections described in paragraph (2).

(6) A description of the circumstances surrounding inspections described in paragraph (2), including instances of possible industrial espionage and misconduct of inspectors.

(7) The identity of parties claiming loss of trade secrets, the circumstances surrounding those losses, and the efforts taken by the United States Government to redress those losses.

(8) A description of instances where inspections under the Convention outside the United States have been disrupted or delayed.

(c) “Appropriate congressional committees” defined

The term “appropriate congressional committees” means the Committee on the Judiciary, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate and the Committee on the Judiciary, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 105–277, div. I, title III, §309, Oct. 21, 1998, 112 Stat. 2681–879.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on International Relations of House of Representatives changed to Committee on Foreign Affairs of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

Executive Documents

DELEGATION OF FUNCTIONS

For delegation of congressional reporting functions of President under this section, see section 1 of Ex. Ord. No. 13313, July 31, 2003, 68 F.R. 46074, set out as a note under section 301 of Title 3, The President.

§ 6729. United States assistance in inspections at private facilities

(a) Assistance in preparation for inspections

At the request of an owner of a facility not owned or operated by the United States Government, or contracted for use by or for the United States Government, the Secretary of Defense may assist the facility to prepare the facility for possible inspections pursuant to the Convention.

(b) Reimbursement requirement

(1) In general

Except as provided in paragraph (2), the owner of a facility provided assistance under subsection (a) shall reimburse the Secretary for the costs incurred by the Secretary in providing the assistance.

(2) Exception

In the case of assistance provided under subsection (a) to a facility owned by a person de-

scribed in subsection (c), the United States National Authority shall reimburse the Secretary for the costs incurred by the Secretary in providing the assistance.

(c) Owners covered by United States National Authority reimbursements

Subsection (b)(2) applies in the case of assistance provided to the following:

(1) Small business concerns

A small business concern as defined in section 632 of title 15.

(2) Domestic producers of Schedule 3 or unscheduled discrete organic chemicals

Any person located in the United States that—

(A) does not possess, produce, process, consume, import, or export any Schedule 1 or Schedule 2 chemical; and

(B) in the calendar year preceding the year in which the assistance is to be provided, produced—

(i) more than 30 metric tons of Schedule 3 or unscheduled discrete organic chemicals that contain phosphorous, sulfur, or fluorine; or

(ii) more than 200 metric tons of unscheduled discrete organic chemicals.

(Pub. L. 105–277, div. I, title III, §310, Oct. 21, 1998, 112 Stat. 2681–880.)

SUBCHAPTER III—REPORTS

§ 6741. Reports required by United States National Authority

(a) Regulations on recordkeeping

(1) Requirements

The United States National Authority shall ensure that regulations are prescribed that require each person located in the United States who produces, processes, consumes, exports, or imports, or proposes to produce, process, consume, export, or import, a chemical substance that is subject to the Convention to—

(A) maintain and permit access to records related to that production, processing, consumption, export, or import of such substance; and

(B) submit to the Director of the United States National Authority such reports as the United States National Authority may reasonably require to provide to the Organization, pursuant to subparagraph 1(a) of the Annex on Confidentiality of the Convention, the minimum amount of information and data necessary for the timely and efficient conduct by the Organization of its responsibilities under the Convention.

(2) Rulemaking

The Director of the United States National Authority shall ensure that regulations pursuant to this section are prescribed expeditiously.

(b) Coordination

(1) Avoidance of duplication

To the extent feasible, the United States Government shall not require the submission