Public Law 95–106
95th Congress

An Act

To authorize appropriations to the United States International Trade Commission, to provide for greater efficiency in the administration of the Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION OF APPROPRIATIONS.

Subsection (e) of section 330 of the Tariff Act of 1930 (19 U.S.C. 1330(e)) is amended—

(1) by inserting "(1)" immediately before "For"; and

(2) by adding at the end thereof the following new paragraphs:

"(2) There are authorized to be appropriated to the Commission for necessary expenses for fiscal year 1978 an amount not to exceed $11,522,000.

"(3) There are authorized to be appropriated to the Commission for each fiscal year after September 30, 1977, in addition to any other amount authorized to be appropriated for such fiscal year, such sums as may be necessary for increases authorized by law in salary, pay, retirement, and other employee benefits."

SEC. 2. APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN.

(a) Subsection (c) of section 330 of the Tariff Act of 1930 (19 U.S.C. 1330) is amended to read as follows:

"(c) CHAIRMAN AND VICE CHAIRMAN; QUORUM.—

"(1) The chairman and the vice chairman of the Commission shall be designated by the President from among the members of the Commission not ineligible, under paragraph (3), for designation. The President shall notify the Congress of his designations under this paragraph.

"(2) After June 16, 1978, the terms of office for the chairman and vice chairman of the Commission shall be as follows:

"(A) The first term of office occurring after such date shall begin on June 17, 1978, and end at the close of June 16, 1980.

"(B) Each term of office thereafter shall begin on the day after the closing date of the immediately preceding term of office and end at the close of the 2-year period beginning on such day.

"(3) (A) The President may not designate as the chairman of the Commission for any term—

"(i) either of the two commissioners most recently appointed to the Commission as of the beginning date of the term of office for which the designation of chairman is to be made; or

"(ii) any commissioner who is a member of the political party of which the chairman of the Commission for the immediately preceding term is a member.

"(B) The President may not designate as the vice chairman of the Commission for any term any commissioner who is a member of the political party of which the chairman for that term is a member.

"(C) If any commissioner does not complete a term as chairman or vice chairman by reason of death, resignation, removal from office as a commissioner, or expiration of his term as chairperson, the President shall designate as the chairman or vice chairperson, as the

[Notice to Congress, Term, and United States International Trade Commission information]
case may be, for the remainder of such term a commissioner who is a
member of the same political party. Designation of a chairman under
this subparagraph may be made without regard to the limitation set
forth in subparagraph (A) (i).

(4) The vice chairman shall act as chairman in case of the absence
or disability of the chairman. During any period in which there is no
chairman or vice chairman, the commissioner having the longest period
of continuous service as a commissioner shall act as chairman.

(5) No commissioner shall actively engage in any business, voca-
tion, or employment other than that of serving as a commissioner.

(6) A majority of the commissioners in office shall constitute a
quorum, but the Commission may function notwithstanding
vacancies.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall
apply with respect to the designation of chairmen and vice chairmen
of the United States International Trade Commission for terms

SEC. 3. ADMINISTRATION OF COMMISSION.

(a) Subsection (a) of section 331 of the Tariff Act of 1930 (19
U.S.C. 1331) is amended to read as follows:

"(a) ADMINISTRATION.—

(1) Except as provided in paragraph (2), the chairman of the
Commission shall—

(A) appoint and fix the compensation of such employees of
the Commission as he deems necessary (other than the personal
staff of each commissioner), including the secretary,

(B) procure the services of experts and consultants in accord-
ance with the provisions of section 3109 of title 5, United States
Code, and

(C) exercise and be responsible for all other administrative
functions of the Commission.

Any decision by the chairman under this paragraph shall be subject
to disapproval by a majority vote of all the commissioners in office.

(2) Subject to approval by a majority vote of all the commissioners
in office, the chairman may—

(A) terminate the employment of any supervisory employee
of the Commission whose duties involve substantial personal
responsibility for Commission matters and who is compensated
at a rate equal to, or in excess of, the rate for grade GS-15 of the
General Schedule in section 5332 of title 5, United States
Code, and

(B) formulate the annual budget of the Commission.

(3) No member of the Commission, in making public statements
with respect to any policy matter for which the Commission has
responsibility, shall represent himself as speaking for the Commission,
or his views as being the views of the Commission, with respect to
such matter except to the extent that the Commission has adopted the
policy being expressed.”.

(b) Section 331 of such Act (19 U.S.C. 1331) is amended—

(1) by striking out “approved by the Commission” in subsec-
tion (c) and inserting in lieu thereof the following: “approved
by the chairman (except that in the case of a commissioner, or
the personal staff of any commissioner, such vouchers may be
approved by that commissioner)”, and

(2) by striking out subsection (d) and redesignating subsec-
tions (e), (f), and (g) as (d), (e), and (f), respectively.
(c) The amendments made by this section take effect on the date of enactment of this Act.

SEC. 4. HARMONIZATION OF TRADE STATISTICS.

Section 484(e) of the Tariff Act of 1930 (19 U.S.C. 1484(e)) is amended by striking out "production," and inserting in lieu thereof the following: "production and programs for achieving international harmonization of trade statistics."

SEC. 5. CONTINUATION OF REPORTS WITH RESPECT TO SYNTHETIC ORGANIC CHEMICALS.

The International Trade Commission is hereby directed to make, for each calendar year ending before January 1, 1981, reports with respect to synthetic organic chemicals similar in scope to the reports made with respect to such chemicals for the calendar year 1976.

Approved August 17, 1977.

LEGISLATIVE HISTORY:

HOUSE REPORTS No. 95-217 (Comm. on Ways and Means) and 95-518 (Comm. of Conference).

SENATE REPORT No. 95-122 (Comm. on Finance).

Apr. 25, considered and passed House.
May 17, considered and passed Senate, amended.
Aug. 4, House agreed to conference report.
Aug. 5, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 13, No. 34:
Aug. 18, Presidential statement.