Public Law 102-185
102d Congress

An Act

Dec. 4, 1991
[H.R. 3624]

To amend the Tariff Act of 1930 to provide appropriate procedures for the appointment of the Chairman of the United States International Trade Commission.

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

SECTION 1. CHAIRMAN OF THE UNITED STATES INTERNATIONAL TRADE COMMISSION.

(a) MODIFICATIONS OF RESTRICTIONS ON JUNIOR MEMBERS SERVING AS CHAIRMAN.—

(1) MODIFICATION OF RESTRICTIONS.—

(A) IN GENERAL.—Paragraph (3)(A) of section 330(c) of the Tariff Act of 1930 (19 U.S.C. 1330(c)(3)(A)) is amended to read as follows:

"(3)(A) The President may not designate as the chairman of the Commission for any term 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) CONFORMING AMENDMENT.—Paragraph (3)(C) of section 330(c) of such Act (19 U.S.C. 1330(c)(3)(C)) is amended by striking the last sentence.

(2) ONE YEAR OF SERVICE REQUIRED.—

(A) IN GENERAL.—Paragraph (3)(A) of section 330(c) of such Act (19 U.S.C. 1330(c)(3)(A)), as amended by paragraph (1), is amended by inserting ", or who has less than 1 year of continuous service as a commissioner as of the date such designation is being made" before the period.

(B) CONFORMING AMENDMENT.—Section 330(c)(3)(C) of such Act (19 U.S.C. 1330(c)(3)(C)) is amended by adding at the end thereof the following new sentence: "Designation of a chairman under this subparagraph may be made without regard to the 1-year continuous service requirement under subparagraph (A).".

19 USC 1330 note.

(3) EFFECTIVE DATES.—

(A) MODIFICATION.—The amendments made by paragraph (1) shall apply to terms beginning on and after June 17, 1990.

(B) 1-YEAR REQUIREMENT.—The amendments made by paragraph (2) shall apply to terms beginning on and after June 17, 1996.

19 USC 1330 note.

(b) APPOINTMENT OF CHAIRMAN IN 1992.—In the case of the term of the chairman of the United States International Trade Commission beginning June 17, 1992—

(1) section 330(c)(3)(A) of the Tariff Act of 1930 shall not apply, and

(2) the President shall designate as chairman a Commissioner who is a member of the same political party as the chairman of the Commission serving on June 16, 1986.

(c) PROCEDURE WHERE NO CHAIRMAN DESIGNATED.—

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(1) IN GENERAL.—Section 330(c)(1) of the Tariff Act of 1930 (19 U.S.C. 1330(c)(1)) is amended by adding at the end thereof the following sentence: "If, as of the date on which a term begins under paragraph (2), the President has not designated the chairman of the Commission for such term, the Commissioner who, as of such date—

"(A) is a member of a different political party than the chairman of the Commission for the immediately preceding term, and

"(B) has the longest period of continuous service as a commissioner,

shall serve as chairman of the Commission for the portion of such term preceding the date on which an individual designated by the President takes office as chairman.".

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the 10th day following the date of the enactment of this Act. 19 USC 1330 note.

Approved December 4, 1991.

LEGISLATIVE HISTORY—H.R. 3624:

HOUSE REPORTS: No. 102-279 (Comm. on Ways and Means).
CONGRESSIONAL RECORD, Vol. 137 (1991):
Nov. 5, considered and passed House.
Nov. 20, considered and passed Senate.