

the Office of Management and Budget, it shall concurrently transmit a copy of that estimate or request to the Congress.

(2) Whenever the Commission submits any legislative recommendations, or testimony, or comments on legislation to the President or the Office of Management and Budget, it shall concurrently transmit a copy thereof to the Congress. No officer or agency of the United States shall have any authority to require the Commission to submit its legislative recommendations, or testimony, or comments on legislation, to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress.

(Pub. L. 92-573, §27, Oct. 27, 1972, 86 Stat. 1227; Pub. L. 94-273, §31, Apr. 21, 1976, 90 Stat. 380; Pub. L. 94-284, §§8(b), 11(c), (d), 14, May 11, 1976, 90 Stat. 506-509; Pub. L. 95-631, §11, Nov. 10, 1978, 92 Stat. 3748; Pub. L. 97-35, title XII, §§1207(b), 1208, 1209(c), 1211(d), Aug. 13, 1981, 95 Stat. 718, 720, 721; Pub. L. 110-314, title II, §209(a), Aug. 14, 2008, 122 Stat. 3046; Pub. L. 112-28, §8, Aug. 12, 2011, 125 Stat. 282.)

REFERENCES IN TEXT

Section 3003 of the Federal Reports Elimination and Sunset Act of 1995, referred to in subsec. (j), is section 3003 of Pub. L. 104-66, which is set out as a note under section 1113 of Title 31, Money and Finance.

CODIFICATION

In subsec. (b)(6), “section 1342 of title 31” substituted for “section 3679 of the Revised Statutes (31 U.S.C. 665(b))” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

“Section 8141 of title 40” substituted in subsec. (b)(8) for “the Act of March 3, 1877 (40 U.S.C. 34)” on authority of Pub. L. 107-217, §5(c), Aug. 21, 2002, 116 Stat. 1303, the first section of which enacted Title 40, Public Buildings, Property, and Works.

AMENDMENTS

2011—Subsec. (b)(3). Pub. L. 112-28, §8(1), inserted “and physical” after “documentary”.

Subsec. (b)(9). Pub. L. 112-28, §8(2), (3), added par. (9). Former par. (9) redesignated (10).

Subsec. (b)(10). Pub. L. 112-28, §8(3), (4), redesignated par. (9) as (10) and inserted “(except as provided in paragraph (9))” after “paragraph (3)”.

2008—Subsec. (j). Pub. L. 110-314, §209(a)(1), substituted “Notwithstanding section 3003 of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note), the Commission” for “The Commission” in introductory provisions.

Subsec. (j)(5) to (13). Pub. L. 110-314, §209(a)(2), added pars. (5) and (6) and redesignated former pars. (5) to (11) as (7) to (13), respectively.

1981—Subsec. (b). Pub. L. 97-35, §1208, substituted in par. (1) “may prescribe to carry out a specific regulatory or enforcement function of the Commission” for “may prescribe” and in provision following par. (9) inserted requirement that an order issued under par. (1) shall contain a complete statement of the reason the Commission requires the report or answers specified in the order to carry out a specific regulatory or enforcement function of the commission, and that such an order shall be designed to place the least burden on the person subject to the order as is practicable, taking into account the purposes for which the order was issued.

Subsec. (j)(10), (11). Pub. L. 97-35, §1209(c), added par. (10) and redesignated former par. (10) as (11).

Subsec. (l). Pub. L. 97-35, §1207(b), struck out subsec. (l) which provided for reports to the House of Representatives and the Senate of proposed consumer product safety rules and regulations.

Subsec. (m). Pub. L. 97-35, §1211(d), struck out subsec. (m) which defined “rule”, provided for a study of all the rules in effect on Nov. 10, 1978, and required a report be made to Congress recommending deletion of particular rules or parts of particular rules and initiation of particular rulemaking proceedings.

1978—Subsec. (m). Pub. L. 95-631 added subsec. (m).

1976—Subsec. (b)(7). Pub. L. 94-284, §11(c), permitted the Commission to initiate, defend, prosecute, or appeal any civil action through its own legal representative provided that the Commission make a written request to the Attorney General for such representation and the Attorney General fail within a 45 day period to notify the Commission in writing that the Attorney General will represent the Commission, and with regard to criminal action, permitted the Commission to initiate, prosecute, or appeal with its own legal representative, with the concurrence of the Attorney General, or through the Attorney General.

Subsec. (b)(8), (9). Pub. L. 94-284, §8(b), added par. (8) and redesignated former par. (8) as par. (9).

Subsec. (c). Pub. L. 94-284, §11(d), substituted “(subject to subsection (b)(7) of this section)” for “with the concurrence of the Attorney General”.

Subsec. (j). Pub. L. 94-273 substituted “at the beginning of each regular session of Congress” for “on or before October 1 of each year”.

Subsec. (l). Pub. L. 94-284, §14, added subsec. (l).

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-314, title II, §209(b), Aug. 14, 2008, 122 Stat. 3047, provided that: “The amendments made by this section [amending this section] shall apply with respect to reports submitted for fiscal year 2009 and thereafter.”

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by section 1207(b) of Pub. L. 97-35 applicable with respect to consumer product safety rules under this chapter and regulations under chapters 25 and 30 of this title promulgated after Aug. 13, 1981, and amendment by sections 1208, 1209(c), and 1211(d) of Pub. L. 97-35 effective Aug. 13, 1981, see section 1215 of Pub. L. 97-35, set out as a note under section 2052 of this title.

SUBMISSION OF COPY OF CERTAIN DOCUMENTS TO CONGRESS

Pub. L. 110-314, title II, §203(a), Aug. 14, 2008, 122 Stat. 3040, provided that: “Notwithstanding any rule, regulation, or order to the contrary, the [Consumer Product Safety] Commission shall comply with the requirements of section 27(k) of the Consumer Product Safety Act (15 U.S.C. 2076(k)) with respect to budget recommendations, legislative recommendations, testimony, and comments on legislation submitted by the Commission to the President or the Office of Management and Budget after the date of enactment of this Act [Aug. 14, 2008].”

USER FEE STUDY

Pub. L. 101-608, title I, §119, Nov. 16, 1990, 104 Stat. 3122, directed Consumer Product Safety Commission to conduct a study of feasibility of requiring entities subject to Consumer Product Safety Act (15 U.S.C. 2051 et seq.) to pay to Commission amounts to defray reasonable costs of particular services provided by Commission to such entities, with Commission to complete study within one year of Nov. 16, 1990, and report results of study to Congress.

§ 2076a. Report on civil penalties

(1) Beginning 1 year after November 16, 1990, and every year thereafter, the Consumer Prod-

uct Safety Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives the information specified in paragraph (2). Such information may be included in the annual report to the Congress submitted by the Commission.

(2) The Commission shall submit information with respect to the imposition of civil penalties under the statutes which it administers. The information shall include the number of civil penalties imposed, an identification of the violations that led to the imposition of such penalties, and the amount of revenue recovered from the imposition of such penalties.

(Pub. L. 101-608, title I, § 115(d), Nov. 16, 1990, 104 Stat. 3121.)

CODIFICATION

Section was enacted as part of the Consumer Product Safety Improvement Act of 1990, and not as part of the Consumer Product Safety Act which comprises this chapter.

CHANGE OF NAME

Committee on Energy and Commerce of House of Representatives treated as referring to Committee on Commerce of House of Representatives by section 1(a) of Pub. L. 104-14, set out as a note preceding section 21 of Title 2, The Congress. Committee on Commerce of House of Representatives changed to Committee on Energy and Commerce of House of Representatives, and jurisdiction over matters relating to securities and exchanges and insurance generally transferred to Committee on Financial Services of House of Representatives by House Resolution No. 5, One Hundred Seventh Congress, Jan. 3, 2001.

§ 2076b. Inspector General audits and reports

(a) Improvements by the Commission

The Inspector General of the Commission shall conduct reviews and audits to assess—

- (1) the Commission's capital improvement efforts, including improvements and upgrades of the Commission's information technology architecture and systems and the development of the database of publicly available information on incidents involving injury or death required under section 2055a of this title, as added by section 212 of this Act; and
- (2) the adequacy of procedures for accrediting conformity assessment bodies as authorized by section 2063(a)(3) of this title, as amended by this Act, and overseeing the third party testing required by such section.

(b) Employee complaints

Within 1 year after August 14, 2008, the Inspector General shall conduct a review of—

- (1) complaints received by the Inspector General from employees of the Commission about failures of other employees to enforce the rules or regulations of the Consumer Product Safety Act [15 U.S.C. 2051 et seq.] or any other Act enforced by the Commission or otherwise carry out their responsibilities under such Acts if such alleged failures raise issues of conflicts of interest, ethical violations, or the absence of good faith; and
- (2) actions taken by the Commission to address such failures and complaints, including

an assessment of the timeliness and effectiveness of such actions.

(c) Public Internet website links

Not later than 30 days after August 14, 2008, the Commission shall establish and maintain—

- (1) a direct link on the homepage of its Internet website to the Internet webpage of the Commission's Office of Inspector General; and
- (2) a mechanism on the webpage of the Commission's Office of Inspector General by which individuals may anonymously report cases of waste, fraud, or abuse with respect to the Commission.

(d) Reports

(1) Activities and needs of Inspector General

Not later than 60 days after August 14, 2008, the Inspector General of the Commission shall transmit a report to the appropriate Congressional committees on the activities of the Inspector General, any structural barriers which prevent the Inspector General from providing robust oversight of the activities of the Commission, and any additional authority or resources that would facilitate more effective oversight.

(2) Reviews of improvements and employee complaints

Beginning for fiscal year 2010, the Inspector General of the Commission shall include in an annual report to the appropriate Congressional committees the Inspector General's findings, conclusions, and recommendations from the reviews and audits under subsections (a) and (b).

(Pub. L. 110-314, title II, § 205, Aug. 14, 2008, 122 Stat. 3043.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 110-314, Aug. 14, 2008, 122 Stat. 3016, known as the Consumer Product Safety Improvement Act of 2008. For complete classification of this Act to the Code, see Short Title of 2008 Amendment note set out under section 2051 of this title and Tables.

The Consumer Product Safety Act, referred to in subsec. (b)(1), is Pub. L. 92-573, Oct. 27, 1972, 86 Stat. 1207, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 2051 of this title and Tables.

CODIFICATION

Section was enacted as part of the Consumer Product Safety Improvement Act of 2008, and not as part of the Consumer Product Safety Act which comprises this chapter.

DEFINITIONS

For definitions of "Commission" and "appropriate Congressional committees" used in this section, see section 2(a) of Pub. L. 110-314, set out as a note under section 2051 of this title.

§ 2077. Chronic Hazard Advisory Panels

(a) Appointment; purposes

The Commission shall appoint Chronic Hazard Advisory Panels (hereinafter referred to as the Panel or Panels) to advise the Commission in accordance with the provisions of section 2080(b)