

tion, firm, corporation, or individual within the United States or friendly countries engaged in manufacturing or other pursuits requiring the use of standards or standard measuring instruments: *Provided*, That the exercise of these functions for international organizations, governments of friendly countries and scientific societies, educational institutions, firms, corporations, or individuals therein shall be in coordination with other agencies of the United States Government, in particular the Department of State in respect to foreign entities. All requests for the services of the Institute shall be made in accordance with the rules and regulations herein established.

(Mar. 3, 1901, ch. 872, § 3, 31 Stat. 1449; Pub. L. 92-317, § 3(c), June 22, 1972, 86 Stat. 235; Pub. L. 100-418, title V, § 5115(a)(1), Aug. 23, 1988, 102 Stat. 1433.)

#### REFERENCES IN TEXT

“Herein”, referred to in last sentence of this section, refers to act Mar. 3, 1901, ch. 872, which is classified generally to this chapter.

#### AMENDMENTS

1988—Pub. L. 100-418 substituted “Institute” for “Bureau” and for “bureau”.

1972—Pub. L. 92-317 authorized the Bureau to extend its services to international organizations of which the United States is a member, and for governments of friendly countries in coordination with the Department of State.

### § 273a. Under Secretary of Commerce for Standards and Technology

#### (a) Establishment

There shall be in the Department of Commerce an Under Secretary of Commerce for Standards and Technology (in this section referred to as the “Under Secretary”).

#### (b) Appointment

The Under Secretary shall be appointed by the President by and with the advice and consent of the Senate.

#### (c) Compensation

The Under Secretary shall be compensated at the rate in effect for level III of the Executive Schedule under section 5314 of title 5.

#### (d) Duties

The Under Secretary shall serve as the Director of the Institute and shall perform such duties as required of the Director by the Secretary under this chapter or by law.

#### (e) Applicability

The individual serving as the Director of the Institute on January 4, 2011, shall also serve as the Under Secretary until such time as a successor is appointed under subsection (b).

(Mar. 3, 1901, ch. 872, § 4, as added Pub. L. 111-358, title IV, § 403(a), Jan. 4, 2011, 124 Stat. 4000.)

#### PRIOR PROVISIONS

A prior section 4 of act Mar. 3, 1901, ch. 872, 31 Stat. 1449, which was not classified to the Code, was repealed.

### § 274. Director; powers and duties; report; compensation

The Director shall report directly to the Secretary and shall have the general supervision of

the Institute, its equipment, and the exercise of its functions. The Director shall make an annual report to the Secretary of Commerce. The Director may issue, when necessary, bulletins for public distribution, containing such information as may be of value to the public or facilitate the exercise of the functions of the Institute.

(Mar. 3, 1901, ch. 872, § 5, 31 Stat. 1449; Pub. L. 99-73, § 6(a), July 29, 1985, 99 Stat. 172; Pub. L. 100-418, title V, § 5112(c)(1), Aug. 23, 1988, 102 Stat. 1431; Pub. L. 110-69, title III, § 3002(c)(2)(B), Aug. 9, 2007, 121 Stat. 586; Pub. L. 111-358, title IV, § 403(b)(2), Jan. 4, 2011, 124 Stat. 4000.)

#### AMENDMENTS

2011—Pub. L. 111-358 struck out at beginning “The Director shall be appointed by the President, by and with the advice and consent of the Senate.” and struck out at end “The Director shall be compensated at the rate in effect for level IV of the Executive Schedule under section 5315 of title 5. Until such time as the Director assumes office under this section, the most recent Director of the National Bureau of Standards shall serve as Director.”

2007—Pub. L. 110-69 substituted “The Director shall report directly to the Secretary and shall have the general” for “The Director shall have the general”.

1988—Pub. L. 100-418 amended section generally, substituting provisions relating to appointment, powers and duties, and compensation of, and reports by, Director of the Institute for similar provisions relating to Director of the Bureau of Standards, striking out requirement that the annual report include an abstract of the work done during the year and a financial statement, and inserting provision that until such time as the Director assumes office under this section, the most recent Director of the National Bureau of Standards shall serve as Director.

1985—Pub. L. 99-73 substituted “The Director” for “He” at beginning of second, third, and fourth sentences, and inserted provisions relating to compensation for the Director.

#### EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99-73 effective Oct. 1, 1985, see section 6(c) of Pub. L. 99-73, set out as a note under section 5315 of Title 5, Government Organization and Employees.

### § 275. Appointment of officers and employees

The officers and employees of the Institute, except the director, shall be appointed by the Secretary of Commerce at such time as their respective services may become necessary.

(Mar. 3, 1901, ch. 872, § 6, 31 Stat. 1450; Feb. 14, 1903, ch. 552, § 10, 32 Stat. 829; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; Pub. L. 100-418, title V, § 5115(a)(1), Aug. 23, 1988, 102 Stat. 1433.)

#### AMENDMENTS

1988—Pub. L. 100-418 substituted “Institute” for “bureau”.

#### CHANGE OF NAME

Act Mar. 4, 1913, substituted “Secretary of Commerce” for “Secretary of Commerce and Labor”.

#### TRANSFER OF FUNCTIONS

Act Feb. 14, 1903, transferred power and authority of Secretary of the Treasury over Bureau of Standards to Secretary of Commerce and Labor.

#### PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES

Pub. L. 110-69, title III, § 3009, Aug. 9, 2007, 121 Stat. 592, permitted the Director of the National Institute of