

to be important to developing a full understanding of the subject with which the subcouncil is concerned.

(3) Any such subcouncil shall include a representative of the Federal Government.

(4) Any such subcouncil shall assess the actual or potential competitiveness problems facing the industry or the specific policy issues with which the subcouncil is concerned and shall formulate specific recommendations for responses by business, government, and labor—

(A) to encourage adjustment and modernization of the industry involved;

(B) to monitor and facilitate industry responsiveness to opportunities identified under section 4807(b)(1)(B) of this title;

(C) to encourage the ability of the industry involved to compete in markets identified under section 4807(b)(1)(C) of this title; or

(D) to alleviate the problems in a specific policy area facing more than one industry.

(5) Any discussion held by any subcouncil shall not be considered to violate any Federal or State antitrust law.

(6) Any discussion held by any subcouncil shall not be subject to the provisions of the Federal Advisory Committee Act, except that a Federal representative shall attend all subcouncil meetings.

(7) Any subcouncil shall terminate 30 days after making recommendations, unless the Council specifically requests that the subcouncil continue in operation.

(h) Applicability of Advisory Committee Act

The provisions of subsections (e) and (f) of section 10,¹ of the Federal Advisory Committee Act shall not apply to the Council.

(Pub. L. 100-418, title V, § 5207, Aug. 23, 1988, 102 Stat. 1459; Pub. L. 101-382, title I, § 133(c), Aug. 20, 1990, 104 Stat. 649.)

REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in subsections (g)(6) and (h), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

AMENDMENTS

1990—Subsec. (c). Pub. L. 101-382 redesignated subsec. (d) as (c), and substituted “120” for “60”.

Subsecs. (d) to (i). Pub. L. 101-382, § 133(c)(1), redesignated subsecs. (e) to (i) as (d) to (h), respectively. Former subsec. (d) redesignated (c).

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

§ 4807. Annual report

(a) Submission of report

The Council shall annually on March 1 submit to the President, the Senate Governmental Affairs Committee, and the appropriate Committees of the House of Representatives and the Senate a report setting forth—

(1) the goals to achieve a more competitive United States economy;

(2) the policies needed to meet such goals;

(3) a summary of existing policies of the Federal Government or State and local governments significantly affecting the competitiveness of the United States economy; and

(4) a summary of significant economic and technological developments, in the United States and abroad, affecting the competitive position of United States industries.

(b) Contents of report

The report submitted under subsection (a) shall—

(1) identify and describe actual or foreseeable developments, in the United States and abroad, which—

(A) create a significant likelihood of a competitive challenge to, or of substantial dislocation in, an established United States industry;

(B) present significant opportunities for United States industries to compete in new geographical markets or product markets, or to expand the position of such industries in established markets; or

(C) create a significant risk that United States industries shall be unable to compete successfully in significant markets;

(2) specify the industry sectors affected by the developments described in the report under paragraph (1); and

(3) contain a statement of the findings and recommendations of the Council during the previous fiscal year, including any recommendations of the Council for (a) such legislative or administrative actions as the Council considers appropriate, and (b) including the elimination, consolidation, reorganization of government agencies especially such agencies that specifically deal with research, science, technology, and international trade.

(c) Report by Congressional committees

The Council shall consult with each committee to which a report is submitted under this section and after such consultation, each such committee shall submit to its respective House a report setting forth the views and recommendations of such committee with respect to the report of the Council.

(Pub. L. 100-418, title V, § 5208, Aug. 23, 1988, 102 Stat. 1461; Pub. L. 101-382, title I, § 133(d), Aug. 20, 1990, 104 Stat. 649.)

AMENDMENTS

1990—Subsec. (a). Pub. L. 101-382 substituted “on March 1” for “prepare and”.

CHANGE OF NAME

Committee on Governmental Affairs of Senate changed to Committee on Homeland Security and Governmental Affairs of Senate, effective Jan. 4, 2005, by Senate Resolution No. 445, One Hundred Eighth Congress, Oct. 9, 2004.

§ 4808. Authorization of appropriations

There are authorized to be appropriated for each of the fiscal years 1991 and 1992 such sums as may be necessary not to exceed \$5,000,000 to carry out the provisions of this chapter.

¹ So in original. The comma probably should not appear.

(Pub. L. 100-418, title V, § 5209, Aug. 23, 1988, 102 Stat. 1461; Pub. L. 101-382, title I, § 133(e), Aug. 20, 1990, 104 Stat. 649.)

AMENDMENTS

1990—Pub. L. 101-382 substituted “1991 and 1992” for “1989 and 1990”.

§ 4809. Definitions

For purposes of this chapter—

(1) the term “Council” means the Competitiveness Policy Council established under section 4802 of this title;

(2) the term “member” means a member of the Competitiveness Policy Council;

(3) the term “United States” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, and any other territory or possession of the United States; and

(4) the term “agent of a foreign principal” is defined as such term is defined under subsection (d) of section 611 of title 22 subject to the provisions of section 613 of title 22.

(Pub. L. 100-418, title V, § 5210, Aug. 23, 1988, 102 Stat. 1461.)

CHAPTER 75—NATIONAL TRADE DATA BANK

Sec.	
4901.	Definitions.
4902.	Interagency Trade Data Advisory Committee.
4903.	Functions of Committee.
4904.	Consultation with private sector and government officials.
4905.	Cooperation among executive agencies.
4906.	Establishment of Data Bank.
4907.	Operation of Data Bank.
4908.	Information on service sector.
4909.	Exclusion of information.
4910.	Nonduplication.
4911.	Collection of data.
4912.	Fees and access.
4913.	Omitted.

§ 4901. Definitions

For purposes of this chapter—

(1) the term “Committee” means the Interagency Trade Data Advisory Committee;

(2) the term “Data Bank” means the National Trade Data Bank;

(3) the term “Executive agency” has the same meaning as in section 105 of title 5;

(4) the term “export promotion data system” means the data system known as the Commercial Information Management System which is maintained and operated by the United States and Foreign Commercial Service and is established as part of the Data Bank under section 4906¹ of this title;

(5) the term “international economic data system” means the data system established as part of the Data Bank under section 4906 of this title which contains data useful to policymakers and analysis concerned with international economics; and

(6) the term “Secretary” means the Secretary of Commerce.

¹ See References in Text note below.

(Pub. L. 100-418, title V, § 5401, Aug. 23, 1988, 102 Stat. 1463.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this subtitle”, meaning subtitle E (§§ 5401 to 5413, 5421 to 5423) of title V of Pub. L. 100-418 which, in addition to enacting this chapter, enacted section 4603a of this title and section 194b of Title 2, The Congress. For complete classification of subtitle E to the Code, see Tables.

Section 4906 of this title, referred to in par. (4), was in the original “section 3816”, meaning section 3816 of Pub. L. 100-418, and was translated as if it read section 5406 of Pub. L. 100-418, to reflect the probable intent of Congress, because section 3816 was the provision which established the Data Bank in a predecessor version of H.R. 4848 (which became Pub. L. 100-418), Pub. L. 100-418 does not contain a section 3816, and section 5406 of Pub. L. 100-418 is the provision establishing the Data Bank.

§ 4902. Interagency Trade Data Advisory Committee**(a) Establishment**

There is established the Interagency Trade Data Advisory Committee.

(b) Membership

The Committee shall consist of—

- (1) the United States Trade Representative;
- (2) the Secretary of Agriculture;
- (3) the Secretary of Defense;
- (4) the Secretary of Commerce;
- (5) the Secretary of Labor;
- (6) the Secretary of the Treasury;
- (7) the Secretary of State;
- (8) the Director of the Office of Management and Budget;
- (9) the Director of Central Intelligence;
- (10) the Chairman of the Federal Reserve Board;
- (11) the Chairman of the International Trade Commission;
- (12) the President of the Export-Import Bank;
- (13) the President of the Overseas Private Investment Corporation; and
- (14) such other members as may be appointed by the President from full-time officers or employees of the Federal Government.

(c) Chairman

The Secretary of Commerce shall be Chairman of the Committee.

(d) Designees

Any member of the Committee may appoint a designee to serve in place of such member on the Committee.

(Pub. L. 100-418, title V, § 5402, Aug. 23, 1988, 102 Stat. 1463.)

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence. Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director’s capacity as the head of the Central Intelligence Agency deemed to be a reference to the Director of the Central Intelligence Agency. See section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of Title 50, War and National Defense.