

such time and manner as may be prescribed in the regulations or instructions herein authorized, shall be forfeited to the United States.

(June 17, 1930, ch. 497, title III, §322, as added Aug. 8, 1953, ch. 397, §14, 67 Stat. 516; amended Pub. L. 92-549, title I, §107, Oct. 25, 1972, 86 Stat. 1162; Pub. L. 98-573, title I, §§124(c), 127(b), Oct. 30, 1984, 98 Stat. 2959.)

#### AMENDMENTS

1984—Subsec. (a). Pub. L. 98-573, §127(b), substituted “excepted” for “granted the customary exceptions”.

Pub. L. 98-573, §124(c), inserted “The authority delegated to the Secretary by this subsection shall not extend to communications satellites and components and parts thereof.”

1972—Pub. L. 92-549, §107(a), inserted “United States-Mexico Boundary Treaty of 1970” in section catchline. Subsec. (b)(4). Pub. L. 92-549, §107(b), added cl. (4).

#### EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-573, title I, §195(a), (b), (d), Oct. 30, 1984, 98 Stat. 2972, provided that:

“(a) Except as provided in section 126 and in subsections (b) and (c), the amendments made by subtitles B, C, and D [amending this section and sections 1202 and 1504 of this title] shall apply with respect to articles entered on or after the 15th day after the date of the enactment of this Act [Oct. 30, 1984].

“(b)(1) The amendment made by sections 117 and 124 [amending this section] shall apply with respect to articles entered on or after January 1, 1985.

“(2) The amendments made by section 127 [amending this section] shall apply with respect to articles entered on or after a date to be proclaimed by the President which shall be consonant with the entering into force for the United States of the Customs Convention on Containers, 1972.

“(d) For purposes of this section—

“(1) The term ‘entered’ means entered, or withdrawn from warehouse for consumption in the customs territory of the United States.

“(2) The term ‘entry’ includes any withdrawal from warehouse.”

#### EFFECTIVE DATE

Section effective on and after thirtieth day following Aug. 8, 1953, see note set out under section 1304 of this title.

### § 1323. Conservation of fishery resources

Upon the convocation of a conference on the use or conservation of international fishery resources, the President shall, by all appropriate means at his disposal, seek to persuade countries whose domestic fishing practices or policies affect such resources, to engage in negotiations in good faith relating to the use or conservation of such resources. If, after such efforts by the President and by other countries which have agreed to engage in such negotiations, any other country whose conservation practices or policies affect the interests of the United States and such other countries, has, in the judgment of the President, failed or refused to engage in such negotiations in good faith, the President may, if he is satisfied that such action is likely to be effective in inducing such country to engage in such negotiations in good faith, increase the rate of duty on any fish (in any form) which is the product of such country, for such time as he deems necessary, to a rate not more than 50 percent above the rate existing on July 1, 1934.

(June 17, 1930, ch. 497, title III, §323, as added Pub. L. 87-794, title II, §257(i), Oct. 11, 1962, 76 Stat. 883.)

## PART II—UNITED STATES INTERNATIONAL TRADE COMMISSION

### § 1330. Organization of Commission

#### (a) Membership

The United States International Trade Commission (referred to in this subtitle as the “Commission”) shall be composed of six commissioners who shall be appointed by the President, by and with the advice and consent of the Senate. No person shall be eligible for appointment as a commissioner unless he is a citizen of the United States, and, in the judgment of the President, is possessed of qualifications requisite for developing expert knowledge of international trade problems and efficiency in administering the duties and functions of the Commission. A person who has served as a commissioner for more than 5 years (excluding service as a commissioner before January 3, 1975) shall not be eligible for reappointment as a commissioner. Not more than three of the commissioners shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable.

#### (b) Terms of office

The terms of office of the commissioners holding office on January 3, 1975, which (but for this sentence) would expire on June 16, 1975, June 16, 1976, June 16, 1977, June 16, 1978, June 16, 1979, and June 16, 1980, shall expire on December 16, 1976, June 16, 1978, December 16, 1979, June 16, 1981, December 16, 1982, and June 16, 1984, respectively. The term of office of each commissioner appointed after such date shall expire 9 years from the date of the expiration of the term for which his predecessor was appointed, except that—

(1) any commissioner appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and

(2) any commissioner may continue to serve as a commissioner after an expiration of his term of office until his successor is appointed and qualified.

#### (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. 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<sup>1</sup> 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

<sup>1</sup> So in original. Probably should not be capitalized.