

TRADE AGREEMENTS EXTENSION BILL OF 1953

AUGUST 1, 1953.--Ordered to be printed

Mr. REED of New York, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H. R. 5495]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5495) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, having met after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 5.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows:

Strike out "Sec. 104." in the first line of the Senate amendment and immediately above the matter proposed to be inserted by the Senate amendment insert the following section heading:

SEC. 104. EMERGENCY ACTION UNDER SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT.

And the Senate agree to the same.

Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

SEC. 201. EFFECT OF DIVIDED VOTE IN CERTAIN CASES.

Section 330 of the Tariff Act of 1930, as amended, is hereby amended by adding a new subsection (d) reading as follows:

“(d) EFFECT OF DIVIDED VOTE IN CERTAIN CASES.—

“(1) Whenever, in any case calling for findings of the Commission in connection with any authority conferred upon the President by law to make changes in import restrictions, a majority of the commissioners voting are unable to agree upon findings or recommendations, the findings (and recommendations, if any) unanimously agreed upon by one-half of the number of commissioners voting may be considered by the President as the findings and recommendations of the Commission: Provided, That if the commissioners voting are divided into two equal groups each of which is unanimously agreed upon findings (and recommendations, if any), the findings (and recommendations, if any) of either group may be considered by the President as the findings (and recommendations, if any) of the Commission. In any case of a divided vote referred to in this paragraph the Commission shall transmit to the President the findings (and recommendations, if any) of each group within the Commission with respect to the matter in question.

“(2) Whenever, in any case in which the Commission is authorized to make an investigation upon its own motion, upon complaint, or upon application of any interested party, one-half of the number of commissioners voting agree that the investigation should be made, such investigation shall thereupon be carried out in accordance with the statutory authority covering the matter in question. Whenever the Commission is authorized to hold hearings in the course of any investigation and one-half of the number of commissioners voting agree that hearings should be held, such hearings shall thereupon be held in accordance with the statutory authority covering the matter in question.”

And the Senate agree to the same.

Amendment numbered 4:

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

Nine members of the Commission (including at least five who are Members of Congress) shall constitute a quorum.

And the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

(a) *IN GENERAL.*—*The Commission is directed to examine, study, and report on the subjects of international trade and its enlargement consistent with a sound domestic economy, our foreign economic policy, and the trade aspects of our national security and total foreign policy; and to recommend appropriate policies, measures, and practices.*

And the Senate agree to the same.

DANIEL A. REED,
RICHARD M. SIMPSON,
JERE COOPER,
JOHN D. DINGELL,

Managers on the Part of the House.

EUGENE D. MILLIKIN,
HUGH BUTLER,
EDWARD MARTIN,
WALTER F. GEORGE,
HARRY FLOOD BYRD,

Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5495) to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment, which adds a new section 103 to the bill, provides that the enactment of the bill shall not be construed to determine or indicate the approval or disapproval by the Congress of the executive agreement known as the General Agreement on Tariffs and Trade. The House recedes.

Amendment No. 2: This amendment, which adds a new section 104 to the bill, amends section 22 (b) of the Agricultural Adjustment Act to provide that in a case where the Secretary of Agriculture determines and reports to the President with regard to any article or articles that a condition exists requiring emergency treatment, the President may take immediate action under section 22 of the Agricultural Adjustment Act, as amended, without awaiting the recommendations of the Tariff Commission, such action to continue in effect pending the report and recommendations of the Tariff Commission and action thereon by the President. The House recedes with a clerical change.

Amendment No. 3: Section 201 of the House bill provided for an increase in the membership of the United States Tariff Commission from 6 to 7 Commissioners, and provided for a corresponding increase in the terms of office for Commissioners from 6 to 7 years. Senate amendment No. 3 strikes out section 201 of the House bill and inserts a new section which provides that whenever, in any case calling for findings of the United States Tariff Commission in connection with any authority conferred upon the President by law to make changes in import restrictions, a majority of the Commissioners are unable to agree upon findings or recommendations, the findings (and recommendations, if any) unanimously agreed upon by one-half of the number of Commissioners voting may be considered by the President as the findings and recommendations of the Commission. The amendment also provides that if the Commissioners voting are divided into two equal groups each of which is unanimously agreed upon findings (and recommendations, if any), the findings (and recommendations, if any) of either group may be considered by the President as the findings (and recommendations, if any) of the Commission. In any case of a divided vote referred to in the preceding two sentences, the amendment requires the Commission to transmit to the President the findings (and recommendations, if any) of each group within the Commission with respect to the matter in question.

The House recedes with an amendment which retains the language of the Senate amendment and in addition provides that (1) whenever, in any case in which the Commission is authorized to make an investigation upon its own motion, upon complaint, or upon application of any interested party, one-half of the number of Commissioners voting agree that the investigation should be made, such investigation shall thereupon be carried out in accordance with the statutory authority covering the matter in question, and (2) whenever the Commission is authorized to hold hearings in the course of any investigation and one-half of the number of Commissioners voting agree that hearings should be held, such hearings shall thereupon be held in accordance with the statutory authority covering the matter in question.

Amendment No. 4: Section 304 of the House bill provided that a quorum of the Commission on Foreign Economic Policy (established by title III of the bill) shall consist of 4 members appointed by the President of the United States, 3 members appointed from the Senate by the Vice President of the United States, and 3 members from the House of Representatives appointed by the Speaker of the House of Representatives. Under the Senate amendment any nine members of the Commission would constitute a quorum. The House recedes with an amendment providing that 9 members of the Commission, including at least 5 who are Members of Congress, shall constitute a quorum.

Amendment No. 5: Section 306 (b) of the House bill provided in effect that service of an individual who is appointed from private life to be a member of the Commission on Foreign Economic Policy, and service for the Commission pursuant to the authority of the Commission to procure temporary and intermittent services in accordance with section 15 of the act of August 2, 1946 (5 U. S. C., sec. 55a), shall not be considered as service or employment bringing such person within the provisions of certain sections of title 18 of the United States Code (commonly referred to as "conflict of interest" provisions). Senate amendment No. 5 struck out the reference in the House bill to section 1914 of title 18 of the United States Code which prohibits the payment of any Government salary by any person other than the Government. The Senate recedes.

Amendment No. 6: Under subsection (a) of section 309 of the House bill the Commission on Foreign Economic Policy would be directed, within the framework of our foreign policy and national security objectives, to examine, study, and report on the subject of the foreign economic policy of the United States and to recommend policies, measures, and practices that will encourage further investment overseas and currency convertibility, and foster the highest possible levels of trade consistent with the national security and a strong domestic economy.

Under Senate amendment No. 6 the Commission would be directed to examine, study, and report on the subject of international trade and to recommend policies, measures, and practices for stimulating its sound enlargement.

Under the conference agreement the Commission would be directed to examine, study, and report on the subjects of international trade and its enlargement consistent with a sound domestic economy, our

foreign economic policy, and the trade aspects of our national security and total foreign policy; and to recommend appropriate policies, measures, and practices.

DANIEL A. REED,
RICHARD M. SIMPSON,
JERE COOPER,
JOHN D. DINGELL,
Managers on the Part of the House:

