

# U.S. International Trade Commission

## *Management Letter on Conflict of Interest Process*



**OIG-ML-17-10**

**February 10, 2017**



Office of Inspector General

*The U.S. International Trade Commission is an independent, nonpartisan, quasi-judicial federal agency that provides trade expertise to both the legislative and executive branches of government, determines the impact of imports on U.S. industries, and directs actions against certain unfair trade practices, such as patent, trademark, and copyright infringement. USITC analysts and economists investigate and publish reports on U.S. industries and the global trends that affect them. The agency also maintains and publishes the Harmonized Tariff Schedule of the United States.*

#### *Commissioners*

*Rhonda K. Schmidlein, Chairman  
David S. Johanson, Vice Chairman  
Irving A. Williamson  
Dean A. Pinkert  
Meredith M. Broadbent  
F. Scott Kieff*



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## UNITED STATES INTERNATIONAL TRADE COMMISSION

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### OFFICE OF INSPECTOR GENERAL

WASHINGTON, DC 20436

February 10, 2017

IG-PP-004  
OIG-ML-17-10

Chairman Schmidlein:

While performing work of the Office of Inspector General, we had the opportunity to review a process the Commissioners use to identify potential conflicts of interest. This process provides a method to screen cases brought before the Commission against each Commissioner's interests in order to identify any potential conflicts.

This process helps protect the Commission's reputation for rendering objective, impartial, and fact-based decisions. However, we found that the process is only applicable to the Commissioners and is not used by other Commission officials assigned to cases, such as the SES or the attorneys in the Office of Unfair Import Investigations who represent the public interest. We also identified a process used by the Administrative Law Judges to screen for case conflicts, but found that it did not require a positive assurance that no conflict exists.

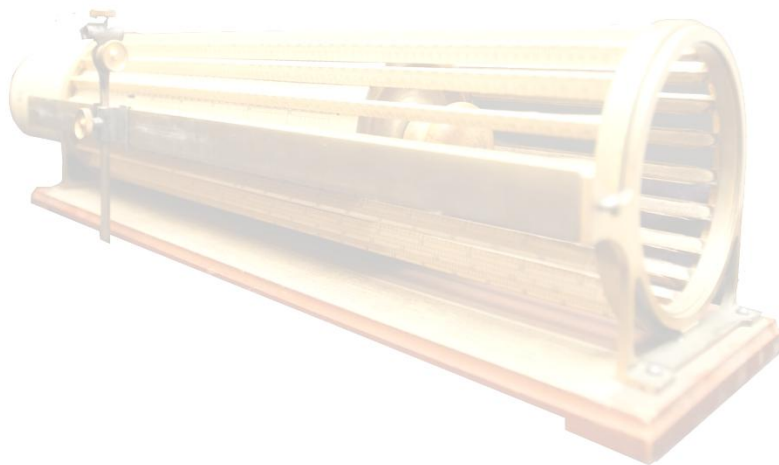
Expanding these systems to cover other Commission employees and require positive assurances would lower the risk of assigning cases where a conflict may exist. This would enhance the integrity of the Commission's process for assigning cases, and provide a higher level of assurance to you, the other Commissioners, and the public that the Commission has taken steps to maintain impartiality in matters before it.

**Recommendation:** The Commission develop a process for senior officials to provide positive assurance that there are no conflicts of interest as they are assigned cases.

Sincerely,

Philip M. Heneghan  
Inspector General

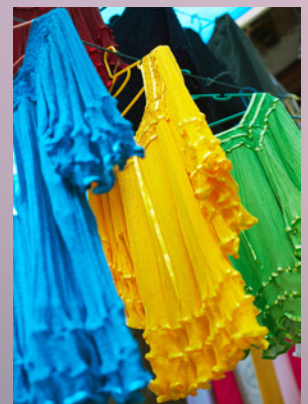
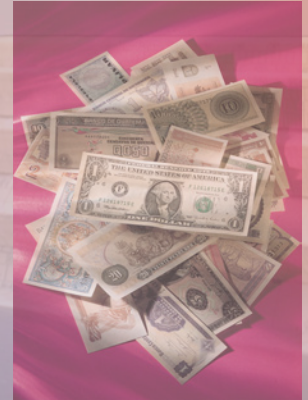
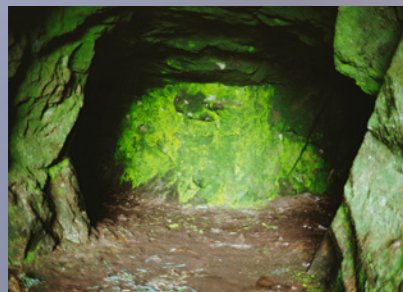
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*“Thacher’s Calculating Instrument” developed by Edwin Thacher in the late 1870s. It is a cylindrical, rotating slide rule able to quickly perform complex mathematical calculations involving roots and powers quickly. The instrument was used by architects, engineers, and actuaries as a measuring device.*



# To Promote and Preserve the Efficiency, Effectiveness, and Integrity of the U.S. International Trade Commission



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