

How Trump’s Firings Could Prevent Independent Agencies From Fulfilling Their Missions and Protecting the Public:

Narrative Analysis of Quorum Requirements for Independent Agencies

Up-to-date as of February 27, 2025

Due to President Donald Trump's unprecedented and unlawful firing of independent agency commissioners with removal protections, and the potential for further terminations, some agencies may be unable to perform important functions, such as issuing new rules, because they lack a quorum.

The Coalition for Sensible Safeguards analyzed the statutory quorum requirements across many independent agencies to compile a list of agencies where a quorum is currently possible,¹ and those where Trump-era firings and resignations have deprived agencies of quorum. For each agency, we have included the relevant statutory language and citation on the minimum requirements for what constitutes a quorum. Agencies with the same or similar quorum requirements are grouped together.

Each agency has different rules and practices regarding what activities can be conducted if it lacks a quorum. This resource does not list those activities, but instead analyzes whether each agency has met its statutory definition of a quorum.

Agency	No. of Commissioners	No. of Vacancies	Status
Equal Employment Opportunity Commission	<u>2</u>	3	Quorum not met because of Trump firings, affecting agency operations
National Labor Relations Board	<u>2</u>	3	Quorum not met because of Trump firings, affecting agency operations
Privacy and Civil Liberties Oversight Board	<u>1</u>	4	Quorum not met because of Trump firings, affecting agency operations
Occupational Safety and Health Review Commission	<u>1</u>	4	Currently lacks a quorum, but not because of Trump-era firings or resignations

¹ For some agencies commissioners or board members must be present at official meetings for quorum to exist to conduct business. This resource only notes where quorum is or is not possible.

U.S. International Trade Commission	<u>3</u>	3	Currently lacks a quorum, but not because of Trump-era firings or resignations
Consumer Product Safety Commission	<u>5</u>	0	Currently has a quorum, can fully function
Federal Communications Commission	<u>4</u>	1	Currently has a quorum, can fully function
Federal Deposit Insurance Corporation	<u>3</u>	1	Currently has a quorum, can fully function
Federal Election Commission	<u>4</u>	2	Currently has a quorum, can fully function
Federal Energy Regulatory Commission	<u>5</u>	0	Currently has a quorum, can fully function
Federal Maritime Commission	<u>4</u>	1	Currently has a quorum, can fully function
Federal Mine Safety and Health Review Commission	<u>3</u>	2	Currently has a quorum, can fully function
Federal Open Market Committee	<u>12</u>	0	Currently has a quorum, can fully function
Federal Reserve System Board of Governors	<u>7</u>	0	Currently has a quorum, can fully function
Federal Trade Commission	<u>4</u>	1	Currently has a quorum, can fully function
Merit Systems Protection Board	<u>3</u>	1 (due to Trump firing)	Currently has a quorum, can fully function
National Council on Disabilities	<u>7</u>	0	Currently has a quorum, can fully function

National Credit Union Administration	<u>3</u>	0	Currently has a quorum, can fully function
National Indian Gaming Commission	<u>2</u>	1	Currently has a quorum, can fully function
National Science Foundation	<u>24</u>	0	Currently has a quorum, can fully function
Nuclear Regulatory Commission	<u>5</u>	0	Currently has a quorum, can fully function
Securities and Exchange Commission	<u>3</u>	2	Currently has a quorum, can fully function
Social Security Advisory Board	<u>4</u>	3	Currently has a quorum, can fully function
U.S. Commission on Civil Rights	<u>8</u>	0	Currently has a quorum, can fully function
U.S. Postal Service Board of Governors	<u>8</u>	3	Currently has a quorum, can fully function
Commodity Futures Trading Commission	<u>4</u>	1	No quorum requirements, can fully function
Surface Transportation Board	<u>4</u>	1	No quorum requirements, can fully function

Agencies with no quorum requirements that can still function despite firings or departures:

The **Commodity Futures Trading Commission (CFTC)**² does not have any quorum requirements. The applicable U.S. Code provision states, "A vacancy in the Commission shall not impair the right of the remaining Commissioners to exercise all the powers of the Commission."³

The **Surface Transportation Board (formerly, Interstate Commerce Commission)*** does not have a quorum requirement. The applicable U.S. Code provision provides that, "A vacancy in the membership of the Board does not impair the right of the remaining members to exercise all of the powers of the Board."⁴

Agencies where two members constitute a quorum:

The **Federal Maritime Commission*** has a quorum requirement of two members for formal business. The applicable U.S. Code of Federal Regulations provision states, "A vacancy or vacancies in the Commission shall not impair the power of the Commission to execute its functions. The affirmative vote of a majority of the members of the Commission is required to dispose of any matter before the Commission. For purposes of holding a formal meeting for the transaction of the business of the Commission, the actual presence of two Commissioners shall be sufficient. Proxy votes of absent members shall be permitted. A vacancy or vacancies in the membership of the Federal Maritime Commission do not impair the power of the Commission to execute its functions. The affirmative vote of a majority of the Commissioners serving on the Commission is required to dispose of any matter before the Commission."⁵

The **Federal Mine Safety and Health Review Commission*** has a quorum requirement of two members. The applicable U.S. Code provision states, "The Commission is authorized to delegate to any group of three or more members any or all of the powers of the Commission, except that two members shall constitute a quorum of any group designated pursuant to this paragraph."⁶

The **Merit Systems Protection Board (MSPB)** has a quorum requirement of two members. The applicable Code of Federal Regulations provision provides that:

"(a) The three Board members make decisions in all cases by majority vote except in circumstances described in paragraph (b) of this section or as otherwise provided by law.

(b) When there are at least two Board members and, due to a vacancy, recusal or other reasons, the Board members are unable to decide any case by majority vote, the decision,

² An asterisk (*) denotes an independent agency as defined under the Paperwork Reduction Act (PRA).

³ 7 U.S.C. § 2(a)(3), available at <https://www.law.cornell.edu/uscode/text/7/2>.

⁴ 49 U.S.C. §1301(6), available at

<https://uscode.house.gov/view.xhtml?path=/prelim@title49/subtitle2/chapter13&edition=prelim>.

⁵ 46 CFR U.S.C. §501.2(d)46102, available at <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title46-section46102&num=0&edition=prelim>.

⁶ 30 U.S.C. §823(c), available at

<https://uscode.house.gov/view.xhtml?jsessionid=9D20A80969DF2C8C439BCD4D11FFF147?req=PRESIDENT&f=tree&sort&fq=true&num=4972&hl=true&edition=prelim&granuleid=USC-prelim-title30-section823>.

recommendation, or other order under review may be deemed the final decision or order of the Board. The Chairman of the Board may direct the issuance of an order consistent with this paragraph (b).”⁷

The **National Indian Gaming Commission** has a quorum requirement of two members. The applicable U.S. Code provision states, “Two members of the Commission, at least one of which is the Chairman or Vice Chairman, shall constitute a quorum.”⁸

The **National Labor Relations Board (NLRB)*** has a quorum requirement of two members, with an exception. The NLRB quorum requirements from the Department of Justice provide that, “The National Labor Relations Board may issue decisions even when only two of its five seats are filled, if the Board, at a time when it has at least three members, delegates all its powers to a three-member group and the two remaining members are part of this group and both participate in the decisions.”⁹

- Board member Wilcox was [fired](#) on January 27, 2025, therefore, the NLRB has not met its quorum requirements and cannot fully conduct its business.¹⁰
- According to a legal analysis, “As a practical matter, until a quorum of the Board is returned and a general counsel is confirmed, Board operations regarding development of the law and new policy are effectively on hold. The lack of quorum does not, however, affect the filing of unfair labor practices charges or representation petitions, and most other day-to-day operations are expected to continue (although the authority of the Office of General Counsel to act on areas within its purview in the absence of a designated acting general counsel is not entirely clear, and employers may wish to consider challenging actions taken during this time by that office).”¹¹
- In addition, “[b]y and large, while the at-large NLRB may not be operating in full form, its regional offices have the ability to handle many run-of-the-mill processes. That includes [union elections](#), and later, certifications, in the event of a successful election.... But where lack of quorum comes to center stage is in the event of issues with a union election, or other labor-related proceedings, in which one or both parties challenge a regional decision. In that case, the NLRB often presides over decisions. Until it has a quorum, that type of decisioning cannot occur.”¹²

The **Occupational Safety and Health Review Commission*** has a quorum requirement of two members. The Occupational Safety and Health Act provides that, “For the purpose of carrying out its functions

⁷ 5 CFR § 1200.3(a)-(b), available at <https://www.ecfr.gov/current/title-5/chapter-II/subchapter-A/part-1200>.

⁸ 25 U.S.C. § 2704(d), available at <https://www.law.cornell.edu/uscode/text/25/2704>.

⁹ NLRB Quorum Requirements from the Office of Legal Counsel, the Department of Justice, available at <https://www.justice.gov/olc/opinion/nlr-quorum-requirements>.

¹⁰ Jericka Duncan et al., *Former National Labor Relations Board member who was fired by Trump speaks out*, CBS News (Feb. 7, 2025), available at <https://www.cbsnews.com/news/former-national-labor-relations-board-member-who-was-fired-by-trump-speaks-out/>.

¹¹ Jim Paretti et al., *National Labor Relations Board Continues Routine Operations with Lack of Quorum*, Littler (Feb. 3, 2025), available at <https://www.littler.com/publication-press/publication/national-labor-relations-board-continues-routine-operations-lack>.

¹² Meghan Hall, *The NLRB Lacks a Quorum. Here’s What That Means for Business and Unions.*, Sourcing Journal (via Yahoo! News) (Feb. 25, 2025), available at <https://www.yahoo.com/news/nlr-lacks-quorum-means-business-15000655.html>.

under this Act, two members of the Commission shall constitute a quorum and official action can be taken only on the affirmative vote of at least two members.”¹³

- Without a quorum, the Occupational Safety and Health Review Commission cannot function to its fullest extent. A U.S. House Committee on Education and the Workforce report states that “. . . the lack of a working quorum means that OSHRC is unable to perform the critical functions it was designated by Congress to perform, rendering the entire regulatory scheme devised by Congress for the resolution of disputes between OSHA and employers non-functional.”¹⁴

Agencies where three members constitute a quorum:

The **Consumer Product Safety Commission (CPSC)*** has a quorum requirement of three members, with some exceptions. The applicable U.S. Code provision states, “No vacancy in the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission, but three members of the Commission shall constitute a quorum for the transaction of business, except that if there are only three members serving on the Commission because of vacancies in the Commission, two members of the Commission shall constitute a quorum for the transaction of business, and if there are only two members serving on the Commission because of vacancies in the Commission, two members shall constitute a quorum for the six month period beginning on the date of the vacancy which caused the number of Commission members to decline to two.”¹⁵

The **Equal Employment Opportunity Commission (EEOC)** has a quorum requirement of three members. The applicable section of Title VII of the Civil Rights Act of 1964 provides that, “A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members thereof shall constitute a quorum.”¹⁶

- Former Chair Burrows and Vice Chair Samuels were fired by President Trump.¹⁷
- According to the EEOC, “In the absence of a quorum of Commissioners, the EEOC remains open for business. The agency continues to enforce federal antidiscrimination laws. Title VII provides that the Chair or Acting Chair controls the administrative operations of the agency. The lack of a quorum of Commissioners does not impact the intake, processing, investigation, or resolution of charges of discrimination, nor does it impact the issuance of notices of right to sue.

In December 2024, the Commission voted to approve a limited delegation of authority in the event of a loss of quorum, allowing certain matters that otherwise would require a majority vote of the Commission to be temporarily handled by other Commission decision makers. This

¹³ OSH Act of 1970, Pub. L. No. 91-596, 84 Stat. 1590 91st Congress, Sec. 12(f) (1970), *available at* <https://www.osha.gov/laws-regs/oshact/completeoshact>.

¹⁴ H.R. Rep. No. 108-486, at 7 (2004), *available at* <https://www.govinfo.gov/content/pkg/CRPT-108hrpt486/html/CRPT-108hrpt486.htm>.

¹⁵ 15 U.S.C. § 2053(d), *available at* <https://www.law.cornell.edu/uscode/text/15/2053>.

¹⁶ Title VII of the Civil Rights Act of 1964, SEC. 2000e-4(c), *available at* <https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>.

¹⁷ Jim Paretti, *Trump Fires EEOC Commissioners, General Counsel, Depriving Agency of Quorum*, Littler (Jan. 29, 2025), *available at* <https://www.littler.com/publication-press/publication/trump-fires-eeoc-commissioners-general-counsel-depriving-agency-quorum>.

delegation provides authority for continued contracting approval, decisions on petitions to revoke or modify enforcement subpoenas, and ministerial changes to regulations compelled by statute.”¹⁸

The **Federal Communications Commission (FCC)*** has a quorum requirement of three members, with some additional exceptions. The applicable provision of the Code of Federal Regulations states, “A quorum of the Commission shall consist of three members; provided, however, that if the number of Commissioners in office is less than three, a quorum shall consist of the number of members in office; and provided further that on any matter of business as to which the number of members in office, minus the number of members who either have disqualified themselves from consideration of such matter pursuant to § 200.60 or are otherwise disqualified from such consideration, is two, two members shall constitute a quorum for purposes of such matter.”¹⁹

The **Federal Energy Regulatory Commission (FERC)*** has a quorum requirement of at least three members. The applicable provision of the Code of Federal Regulations (CFR) provides that, “A quorum for the transaction of business consists of at least three members present.”²⁰

The **Federal Reserve System Board of Governors*** has a quorum requirement of four members, with some exceptions. The Board of Governors Rules of Organization states:

“(b)(1) Quorum. Four Board members constitutes a quorum of the Board for purposes of transacting business except that, if there are three or fewer Board members in office, then a quorum consists of all Board members currently in office. If a Board member is recused or disqualified from participating in a matter, the member shall not be counted for purposes of calculating the quorum for that matter.

(b)(2) Exigent Circumstances. In an emergency situation, a quorum of the Board consists of a majority of the Board members in office. An emergency situation exists when action on a matter is necessary to prevent, correct, or mitigate serious harm to the economy or the stability of the financial system, and action is required before the full Board can convene.”²¹

The **Nuclear Regulatory Commission*** has a quorum requirement of at least three members. The applicable U.S. Code provision provides that, “The Chairman (or the Acting Chairman in the absence of the Chairman) shall preside at all meetings of the Commission and a quorum for the transaction of business shall consist of at least three members present.”²²

¹⁸ *The State of the EEOC: Frequently Asked Questions*, Equal Employment Opportunity Commission (last visited 2/26/2025), available at <https://www.eeoc.gov/wysk/state-eeoc-frequently-asked-questions#:~:text=What%20happens%20during%20the%20loss,administrative%20operations%20of%20the%20agency>.

¹⁹ 17 CFR § 200.41, available at <https://www.law.cornell.edu/cfr/text/17/200.41#:~:text=A%20quorum%20of%20the%20Commission,office%2C%20minus%20the%20number%20of>.

²⁰ 18 C.F.R. § 375.101(e), available at <https://ferc.gov/sites/default/files/2020-06/18cfr375.pdf>.

²¹ Board of Governors—Rules of Organization, Section 2 paragraph b (available at 82 FR 55496), available at <https://www.federalregister.gov/documents/2017/11/22/2017-25122/rules-of-organization>.

²² 42 U.S.C. § 5841(a), available at <https://www.law.cornell.edu/uscode/text/42/5841>.

The **Privacy and Civil Liberties Oversight Board (PCLOB)** has a quorum requirement of three members. The applicable U.S. Code provision provides that, “Three members of the Board shall constitute a quorum.”²³

- President Trump fired all Democratic PCLOB members on January 27, 2025.²⁴
- Due to a lack of quorum, PCLOB is rendered “substantially nonfunctional,” and the Board cannot begin any investigations or issue reports, though it appears staff can continue working “with limited supervision on existing projects,” according to Lawfare’s analysis of the current lack of quorum at PCLOB and its comparison to the last time PCLOB lacked a quorum in 2017.²⁵

The **Securities and Exchange Commission (SEC)*** has a quorum requirement of three members, with some exceptions. The application provision of the Code of Federal Regulations (CFR) provides that, “A quorum of the Commission shall consist of three members; provided, however, that if the number of Commissioners in office is less than three, a quorum shall consist of the number of members in office; and provided further that on any matter of business as to which the number of members in office, minus the number of members who either have disqualified themselves from consideration of such matter pursuant to § 200.60 or are otherwise disqualified from such consideration, is two, two members shall constitute a quorum for purposes of such matter.”²⁶

Agencies where four members constitute a quorum:

The **Federal Election Commission (FEC)** has a quorum requirement of four members. The applicable provision of the U.S. Code states, “...the affirmative vote of 4 members of the Commission shall be required in order for the Commission to take any action in accordance with paragraph (6), (7), (8), or (9) of section 30107(a) of this title or with chapter 95 or chapter 96 of title 26.”²⁷

The **Social Security Advisory Board** has a quorum requirement of four members. The applicable provision of the U.S. Code provides that, “Four members of the Board (not more than 3 of whom may be of the same political party) shall constitute a quorum for purposes of conducting business.”²⁸

²³ 42 U.S.C. §2000ee(h)(5), available at [https://uscode.house.gov/view.xhtml?req=\(title:42%20section:2000ee%20edition:prelim\)#:~:text=The%20Board%20shall%20meet%20upon,Board%20shall%20constitute%20a%20quorum](https://uscode.house.gov/view.xhtml?req=(title:42%20section:2000ee%20edition:prelim)#:~:text=The%20Board%20shall%20meet%20upon,Board%20shall%20constitute%20a%20quorum).

²⁴ Greg Nojeim & Silvia Lorenzo Perez, *Trump’s Sacking of PCLOB Members Threatens Data Privacy*, Lawfare (Jan. 31, 2025), available at <https://www.lawfaremedia.org/article/trump-s-sacking-of-pclob-members-threatens-data-privacy>.

²⁵ See Greg Nojeim & Silvia Lorenzo Perez, *Trump’s Sacking of PCLOB Members Threatens Data Privacy*, Lawfare (Jan. 31, 2025), available at <https://www.lawfaremedia.org/article/trump-s-sacking-of-pclob-members-threatens-data-privacy>.

²⁶ 17 CFR § 200.41, available at <https://www.ecfr.gov/current/title-17/chapter-II/part-200/subpart-B/section-200.41>.

²⁷ 52 U.S.C. § 30106(c), available at <https://www.law.cornell.edu/uscode/text/52/30106>.

²⁸ 42 U.S.C. § 903(g)(2), available at [https://www.ssa.gov/OP_Home/ssact/title07/0703.htm#:~:text=\(2\)%20Four%20members%20of%20the,for%20purposes%20of%20conducting%20business](https://www.ssa.gov/OP_Home/ssact/title07/0703.htm#:~:text=(2)%20Four%20members%20of%20the,for%20purposes%20of%20conducting%20business).

Agencies where five members constitute a quorum:

The **National Council on Disabilities** has a quorum requirement of five members, with some exceptions. According to the NCD Bylaws, “For meetings of the full Council, five Council Members shall constitute a quorum for the transaction of business of the Council. For meetings of the Executive Committee, or any other Council committee or subcommittee, a quorum for the transaction of business shall consist of a majority of the assigned committee members.”²⁹

The **United States Commission on Civil Rights** has a quorum requirement of five members. The applicable provision of the U.S. Code states that, “5 members of the Commission constitute a quorum of the Commission.”³⁰

Agencies where six members constitute a quorum:

The **United States Postal Service Board of Governors** has a quorum requirement of six members of the Board, with some exceptions. According to the Congressional Review Service, “Under Title 39, Section 205, of the U.S. Code, vacancies do not prevent the board from conducting its business so long as there is a quorum of members. To have a quorum, at least six members of the board must be present (either in person or via teleconference).”³¹ Furthermore, the applicable provision of the Code of Federal Regulations provides:

“§ 6.6 Quorum and voting. Except for matters considered through the notation voting process described in § 6.7, the Board acts by resolution upon a vote of those members who attend a meeting in accordance with § 6.4. No proxies are allowed in any vote of the members of the Board. As provided by 39 U.S.C. 205(c), any six (6) members constitute a quorum for the transaction of business by the Board, and a resolution requires a favorable vote of a majority of those members who are present, except as follows:”³²

Agencies where seven members constitute a quorum:

The **Federal Open Market Committee (FOMC)** has a quorum requirement of seven members, with some exceptions. The applicable provision of the Code of Federal Regulations (CFR) provides that, “Seven members, at least one of whom represents a Federal Reserve Bank, constitute a quorum of the Committee for purposes of transacting business, except that, if there are fewer than seven members in office, then the number of members in office constitute a quorum. For purposes of this paragraph (c),

²⁹ NCD Bylaws, Art. 5, Sec. 5.6, available at <https://www.ncd.gov/accountability/ncd-bylaws/>.

³⁰ 42 U.S.C. §1975(f), available at [https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter20A&edition=prelim#:~:text=%22\(c\)%20Quorum%3B%20Rule,to%20attend%20all%20Commission%20meetings.](https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter20A&edition=prelim#:~:text=%22(c)%20Quorum%3B%20Rule,to%20attend%20all%20Commission%20meetings.)

³¹ See Christensen, Michelle D., Postal Primer: Overview of the USPS Board of Governors, Cong. Rev. Serv. (last updated Jan. 7, 2025) (citing 39 U.S.C. § 205), available at <https://crsreports.congress.gov/product/pdf/IF/IF12864#:~:text=Requirements%20for%20a%20Quorum,in%20operation%20or%20via%20teleconference.>

³² 39 CFR § 6.6, available at <https://www.ecfr.gov/current/title-39/chapter-I/subchapter-A/part-6/section-6.6.>

members of the Committee include alternates acting in the absence of members. Less than a quorum may adjourn a meeting of the Committee from time to time until a quorum is in attendance.”³³

Agencies where a majority of the members of the Board of Directors/Commissioners constitutes a quorum:

The **Federal Deposit Insurance Corporation (FDIC)*** has a quorum requirement of the majority of the members of the Board of Directors, with some exceptions. The FDIC Bylaws state, “A majority of the members of the Board of Directors in office shall constitute a quorum for the transaction of business. In the event there are only three members in office, those members shall constitute a quorum. In the event there are only two members in office, those members shall constitute a quorum. In the event there is only one member in office, that member shall constitute a quorum. Present and nonvoting members of the Board of Directors shall be counted for the purpose of determining whether there is a quorum for the transaction of business. The vote of the majority of the members present and voting at a meeting at which a quorum is present shall be the act of the Board of Directors. If there is a quorum present at a meeting and only one of the members of the Board of Directors present is voting, then the vote of that member shall be the act of the Board of Directors.”³⁴

The **Federal Trade Commission (FTC)*** has a quorum requirement of a majority of the members of the Commission. The applicable provision of the Code of Federal Regulations (CFR) provides that, “A majority of the members of the Commission in office and not recused from participating in a matter (by virtue of 18 U.S.C. 208 or otherwise) constitutes a quorum for the transaction of business in that matter.”³⁵

The **National Credit Union Administration** has a quorum requirement of a majority of the members of the board. The applicable U.S. Code provision provides, “A majority of the Board shall constitute a quorum.”³⁶

The **National Science Foundation (NSF)** has a quorum requirement of not less than one-half plus one of the confirmed members of the Board. The applicable U.S. Code provision provides that, “no case shall be less than one-half plus one of the confirmed members of the Board.”³⁷

The **United States International Trade Commission** has a quorum requirement of a majority of the members of the Commission. The applicable provision of the Code of Federal Regulations (CFR) provides that, “A majority of the members of the Commission constitutes a quorum. The Commission may meet and exercise its powers at any place, and may, by one or more of its members, or by such agents as it

³³ 12 CFR § 272.3(c), available at

https://www.federalreserve.gov/monetarypolicy/files/FOMC_RulesAuthPamphlet_202202.pdf.

³⁴ FDIC Bylaws Article IV, Section 6(d), available at <https://www.fdic.gov/about/governance/bylaws.pdf>.

³⁵ 16 CFR § 4.14(b), available at <https://www.law.cornell.edu/cfr/text/16/4.14>.

³⁶ 12 U.S.C. §1752a(d), available at <https://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title12-section1752a&num=0&edition=prelim>.

³⁷ 42 U.S.C. §1863(e), available at <https://uscode.house.gov/view.xhtml?path=/prelim@title42/chapter16&edition=prelim>.

may designate, prosecute any inquiry necessary to its duties in any part of the United States or in any foreign country.”³⁸

- A provision of the U.S. Code for the United States International Trade Commission provides, “A majority of the commissioners in office shall constitute a quorum, but the Commission may function notwithstanding vacancies.”³⁹

³⁸ 9 CFR § 201.4(c), available at <https://www.ecfr.gov/current/title-19/chapter-II/subchapter-A/part-201>.

³⁹ 19 U.S.C. § 1330(c)(6), available at <https://www.law.cornell.edu/uscode/text/19/1330>.