

(8) Ministerial Conference

The term “Ministerial Conference” means the Ministerial Conference established under paragraph 1 of Article IV of the WTO Agreement.

(9) Other terms

The terms “Antidumping Agreement”, “Agreement on Subsidies and Countervailing Measures”, and “Safeguards Agreement” mean the agreements referred to in section 3511(d)(7), (12), and (13) of this title, respectively.

(Pub. L. 103-465, title I, §121, Dec. 8, 1994, 108 Stat. 4828.)

REFERENCES IN TEXT

This part, referred to in text, was in the original “this subtitle”, meaning subtitle C (§§121 to 130) of title I of Pub. L. 103-465, which enacted this part, amended sections 1516a, 2155, and 2254 of this title, and enacted provisions set out below. For complete classification of subtitle C to the Code, see Tables.

EFFECTIVE DATE

Section 130 of title I of Pub. L. 103-465 provided that: “This subtitle [subtitle C (§§121-130) of title I of Pub. L. 103-465, enacting this part and amending sections 1516a, 2155, and 2254 of this title] and the amendments made by this subtitle take effect on the date on which the WTO Agreement enters into force with respect to the United States [Jan. 1, 1995].”

§ 3532. Implementation of Uruguay Round Agreements**(a) Decisionmaking**

In the implementation of the Uruguay Round Agreements and the functioning of the World Trade Organization, it is the objective of the United States to ensure that the Ministerial Conference and the General Council continue the practice of decisionmaking by consensus followed under the GATT 1947, as required by paragraph 1 of article IX of the WTO Agreement.

(b) Consultations with congressional committees

In furtherance of the objective set forth in subsection (a) of this section, the Trade Representative shall consult with the appropriate congressional committees before any vote is taken by the Ministerial Conference or the General Council relating to—

- (1) the adoption of an interpretation of the WTO Agreement or another multilateral trade agreement,
- (2) the amendment of any such agreement,
- (3) the granting of a waiver of any obligation under any such agreement,
- (4) the adoption of any amendment to the rules or procedures of the Ministerial Conference or the General Council,
- (5) the accession of a state or separate customs territory to the WTO Agreement, or
- (6) the adoption of any other decision,

if the action described in paragraph (1), (2), (3), (4), (5), or (6) would substantially affect the rights or obligations of the United States under the WTO Agreement or another multilateral trade agreement or potentially entails a change in Federal or State law.

(c) Report on decisions**(1) In general**

Not later than 30 days after the end of any calendar year in which the Ministerial Conference or the General Council adopts by vote any decision to take any action described in paragraph (1), (2), (4), or (6) of subsection (b) of this section, the Trade Representative shall submit a report to the appropriate congressional committees describing—

- (A) the nature of the decision;
- (B) the efforts made by the United States to have the matter decided by consensus pursuant to paragraph 1 of article IX of the WTO Agreement, and the results of those efforts;
- (C) which countries voted for, and which countries voted against, the decision;
- (D) the rights or obligations of the United States affected by the decision and any Federal or State law that would be amended or repealed, if the President after consultation with the Congress determined that such amendment or repeal was an appropriate response; and
- (E) the action the President intends to take in response to the decision or, if the President does not intend to take any action, the reasons therefor.

(2) Additional reporting requirements**(A) Grant of waiver**

In the case of a decision to grant a waiver described in subsection (b)(3) of this section, the report under paragraph (1) shall describe the terms and conditions of the waiver and the rights and obligations of the United States that are affected by the waiver.

(B) Accession

In the case of a decision on accession described in subsection (b)(5) of this section, the report under paragraph (1) shall state whether the United States intends to invoke Article XIII of the WTO Agreement.

(d) Consultation on report

Promptly after the submission of a report under subsection (c) of this section, the Trade Representative shall consult with the appropriate congressional committees with respect to the report.

(Pub. L. 103-465, title I, §122, Dec. 8, 1994, 108 Stat. 4829.)

§ 3533. Dispute settlement panels and procedures**(a) Review by President**

The President shall review annually the WTO panel roster and shall include the panel roster and the list of persons serving on the Appellate Body in the annual report submitted by the President under section 2213(a) of this title.

(b) Qualifications of appointees to panels

The Trade Representative shall—

- (1) seek to ensure that persons appointed to the WTO panel roster are well-qualified, and that the roster includes persons with expertise in the subject areas covered by the Uruguay Round Agreements; and