

the Trade Representative shall consult with the administering authority and the congressional committees with respect to such determination.

**(4) Implementation of determination**

The Trade Representative may, after consulting with the administering authority and the congressional committees under paragraph (3), direct the administering authority to implement, in whole or in part, the determination made under paragraph (2).

**(c) Effects of determinations; notice of implementation**

**(1) Effects of determinations**

Determinations concerning title VII of the Tariff Act of 1930 [19 U.S.C. 1671 et seq.] that are implemented under this section shall apply with respect to unliquidated entries of the subject merchandise (as defined in section 771 of that Act [19 U.S.C. 1677]) that are entered, or withdrawn from warehouse, for consumption on or after—

(A) in the case of a determination by the Commission under subsection (a)(4), the date on which the Trade Representative directs the administering authority under subsection (a)(6) to revoke an order pursuant to that determination, and

(B) in the case of a determination by the administering authority under subsection (b)(2), the date on which the Trade Representative directs the administering authority under subsection (b)(4) to implement that determination.

**(2) Notice of implementation**

(A) The administering authority shall publish in the Federal Register notice of the implementation of any determination made under this section with respect to title VII of the Tariff Act of 1930 [19 U.S.C. 1671 et seq.].

(B) The Trade Representative shall publish in the Federal Register notice of the implementation of any determination made under this section with respect to title II of the Trade Act of 1974 [19 U.S.C. 2251 et seq.].

**(d) Opportunity for comment by interested parties**

Prior to issuing a determination under this section, the administering authority or the Commission, as the case may be, shall provide interested parties with an opportunity to submit written comments and, in appropriate cases, may hold a hearing, with respect to the determination.

(Pub. L. 103-465, title I, §129, Dec. 8, 1994, 108 Stat. 4836.)

**Editorial Notes**

REFERENCES IN TEXT

The Tariff Act of 1930, referred to in subsecs. (a)(1), (4), (6), (b)(1), (2), and (c)(1), (2)(A), is act June 17, 1930, ch. 497, 46 Stat. 590, which is classified generally to chapter 4 (§1202 et seq.) of this title. Title VII of the Act is classified generally to subtitle IV (§1671 et seq.) of chapter 4 of this title. For complete classification of this Act to the Code, see section 1654 of this title and Tables.

The Trade Act of 1974, referred to in subsecs. (a)(1), (4) and (c)(2)(B), is Pub. L. 93-618, Jan. 3, 1975, 88 Stat. 1978. Title II of the Act is classified generally to subchapter II (§2251 et seq.) of chapter 12 of this title. For complete classification of this Act to the Code, see section 2101 of this title and Tables.

CODIFICATION

Section is comprised of section 129 of Pub. L. 103-465. Subsecs. (a)(7) and (e) of section 129 of Pub. L. 103-465 amended sections 2254 and 1516a, respectively, of this title.

**Statutory Notes and Related Subsidiaries**

EFFECTIVE DATE

Section effective on the date on which the WTO Agreement enters into force with respect to the United States (Jan. 1, 1995), see section 130 of Pub. L. 103-465, set out as a note under section 3531 of this title.

**§ 3539. Fund for WTO dispute settlements**

**(a) Establishment of fund**

There is established in the Treasury a fund for the payment of settlements under this section.

**(b) Authority of USTR to pay settlements**

Amounts in the fund established under subsection (a) shall be available, as provided in appropriations Acts, only for the payment by the United States Trade Representative of the amount of the total or partial settlement of any dispute pursuant to proceedings under the auspices of the World Trade Organization, if—

(1) in the case of a total or partial settlement in an amount of not more than \$10,000,000, the Trade Representative certifies to the Secretary of the Treasury that the settlement is in the best interests of the United States; and

(2) in the case of a total or partial settlement in an amount of more than \$10,000,000, the Trade Representative certifies to the Congress that the settlement is in the best interests of the United States.

**(c) Appropriations**

There are authorized to be appropriated to the fund established under subsection (a)—

(1) \$50,000,000; and

(2) amounts equivalent to amounts recovered by the United States pursuant to the settlement of disputes pursuant to proceedings under the auspices of the World Trade Organization.

Amounts appropriated to the fund are authorized to remain available until expended.

**(d) Management of fund**

Sections 9601 and 9602(b) of title 26 shall apply to the fund established under subsection (a) to the same extent as such provisions apply to trust funds established under subchapter A of chapter 98 of such title.

(Pub. L. 107-210, div. E, title L, §5201, Aug. 6, 2002, 116 Stat. 1047.)

**Editorial Notes**

CODIFICATION

Section was enacted as part of the Trade Act of 2002, and not as part of the Uruguay Round Agreements Act which enacted this chapter.

## PART D—RELATED PROVISIONS

**§ 3551. Working party on worker rights****(a) In general**

The President shall seek the establishment in the GATT 1947, and, upon entry into force of the WTO Agreement with respect to the United States, in the WTO, of a working party to examine the relationship of internationally recognized worker rights, as defined in section 2467(4) of this title, to the articles, objectives, and related instruments of the GATT 1947 and of the WTO, respectively.

**(b) Objectives of working party**

The objectives of the United States for the working party described in subsection (a) are to—

(1) explore the linkage between international trade and internationally recognized worker rights, as defined in section 2467(4) of this title, taking into account differences in the level of development among countries;

(2) examine the effects on international trade of the systematic denial of such rights;

(3) consider ways to address such effects; and

(4) develop methods to coordinate the work program of the working party with the International Labor Organization.

**(c) Report to Congress**

The President shall report to the Congress, not later than 1 year after December 8, 1994, on the progress made in establishing the working party under this section, and on United States objectives with respect to the working party's work program.

(Pub. L. 103-465, title I, §131, Dec. 8, 1994, 108 Stat. 4839; Pub. L. 104-188, title I, §1954(a)(6), Aug. 20, 1996, 110 Stat. 1928.)

**Editorial Notes**

## AMENDMENTS

1996—Subsecs. (a), (b)(1). Pub. L. 104-188 substituted “2467(4)” for “2462(a)(4)”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-188 applicable to articles entered on or after Oct. 1, 1996, with provisions relating to retroactive application, see section 1953 of Pub. L. 104-188, set out as an Effective Date note under section 2461 of this title.

## EFFECTIVE DATE

Pub. L. 103-465, title I, §138, Dec. 8, 1994, 108 Stat. 4842, provided that:

“(a) IN GENERAL.—Except as provided in section 136(d) [enacting provisions set out as a note under section 5001 of Title 26, Internal Revenue Code] and subsection (b) of this section, this subtitle [subtitle D (§§131-138) of title I of Pub. L. 103-465, enacting this part, amending sections 5001, 5002, 5005, 5007, 5061, 5131, 5132, 5134, and 7652 of Title 26, Internal Revenue Code, and enacting provisions set out as a note under section 5001 of Title 26] and the amendments made by this subtitle take effect on the date of the enactment of this Act [Dec. 8, 1994].

“(b) SECTIONS 132 AND 135.—Sections 132 and 135 [enacting sections 3552 and 3555 of this title] take effect on the date on which the WTO Agreement enters into force with respect to the United States [Jan. 1, 1995].”

**Executive Documents**

## URUGUAY ROUND AGREEMENTS: ENTRY INTO FORCE

The Uruguay Round Agreements, including the World Trade Organization Agreement and agreements annexed to that Agreement, as referred to in section 3511(d) of this title, entered into force with respect to the United States on Jan. 1, 1995. See note set out under section 3511 of this title.

**§ 3552. Implementation of Rules of Origin work program**

If the President enters into an agreement developed under the work program described in Article 9 of the Agreement on Rules of Origin referred to in section 3511(d)(10) of this title, the President may implement United States obligations under such an agreement under United States law only pursuant to authority granted to the President for that purpose by law enacted after the effective date of this section.

(Pub. L. 103-465, title I, §132, Dec. 8, 1994, 108 Stat. 4839; Pub. L. 104-295, §20(a)(2), Oct. 11, 1996, 110 Stat. 3527.)

**Editorial Notes**

## REFERENCES IN TEXT

For effective date of this section, referred to in text, see Effective Date note below.

## AMENDMENTS

1996—Pub. L. 104-295 substituted “effective date of this section” for “effective date of this title”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Section effective on date on which WTO Agreement enters into force with respect to United States (Jan. 1, 1995), see section 138(b) of Pub. L. 103-465, set out as a note under section 3551 of this title.

**§ 3553. Membership in WTO of boycotting countries**

It is the sense of the Congress that the Trade Representative should vigorously oppose the admission into the World Trade Organization of any country which, through its laws, regulations, official policies, or governmental practices, fosters, imposes, complies with, furthers, or supports any boycott described in section 4607(a) of title 50 (as in effect on August 20, 1994), including requiring or encouraging entities within that country to refuse to do business with persons who do not comply with requests to take any action prohibited under that section.

(Pub. L. 103-465, title I, §133, Dec. 8, 1994, 108 Stat. 4839.)

**Editorial Notes**

## REFERENCES IN TEXT

Section 4607(a) of title 50 (as in effect on August 20, 1994), referred to in text, means section 4607(a) of Title 50, War and National Defense, prior to its repeal by Pub. L. 115-232, div. A, title XVII, §1766(a), Aug. 13, 2018, 132 Stat. 2232.