

any period in which a country ceases to be a CAFTA-DR country, to cease to have effect with respect to such country, see section 107 of Pub. L. 109-53, set out as a note under section 4001 of this title.

Executive Documents

PROC. NO. 7987. TO IMPLEMENT THE DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT

Proc. No. 7987, Feb. 28, 2006, 71 F.R. 10829, provided in par. (8) that the United States Trade Representative is authorized to exercise the President's authority under this section to obtain advice from the appropriate advisory committees and the United States International Trade Commission on the proposed implementation of an action by presidential proclamation; to submit a report on such proposed action to the appropriate congressional committees; and to consult with those congressional committees regarding the proposed action.

§ 4015. Administration of dispute settlement proceedings

(a) Establishment or designation of office

The President is authorized to establish or designate within the Department of Commerce an office that shall be responsible for providing administrative assistance to panels established under chapter 20 of the Agreement. The office may not be considered to be an agency for purposes of section 552 of title 5.

(b) Authorization of appropriations

There are authorized to be appropriated for each fiscal year after fiscal year 2005 to the Department of Commerce such sums as may be necessary for the establishment and operations of the office established or designated under subsection (a) and for the payment of the United States share of the expenses of panels established under chapter 20 of the Agreement.

(Pub. L. 109-53, title I, § 105, Aug. 2, 2005, 119 Stat. 466.)

TERMINATION OF SECTION

For termination of section by section 107(d) of Pub. L. 109-53, see Effective and Termination Dates note below.

Statutory Notes and Related Subsidiaries

EFFECTIVE AND TERMINATION DATES

Section effective on the date the Dominican Republic-Central America-United States Free Trade Agreement enters into force (Mar. 1, 2006) and to cease to have effect on the date the Agreement ceases to be in force with respect to the United States, and, during any period in which a country ceases to be a CAFTA-DR country, to cease to have effect with respect to such country, see section 107 of Pub. L. 109-53, set out as a note under section 4001 of this title.

Executive Documents

DELEGATION OF FUNCTIONS

Proc. No. 7987, Feb. 28, 2006, 71 F.R. 10828, provided in par. (3) that the Secretary of Commerce is authorized to exercise the President's authority under subsec. (a) of this section to establish or designate an office within the Department of Commerce to carry out the functions set forth in this section.

§ 4016. Arbitration of claims

The United States is authorized to resolve any claim against the United States covered by arti-

cle 10.16.1(a)(i)(C) or article 10.16.1(b)(i)(C) of the Agreement, pursuant to the Investor-State Dispute Settlement procedures set forth in section B of chapter 10 of the Agreement.

(Pub. L. 109-53, title I, § 106, Aug. 2, 2005, 119 Stat. 466.)

TERMINATION OF SECTION

For termination of section by section 107(d) of Pub. L. 109-53, see Effective and Termination Dates note below.

Statutory Notes and Related Subsidiaries

EFFECTIVE AND TERMINATION DATES

Section effective on the date the Dominican Republic-Central America-United States Free Trade Agreement enters into force (Mar. 1, 2006) and to cease to have effect on the date the Agreement ceases to be in force with respect to the United States, and, during any period in which a country ceases to be a CAFTA-DR country, to cease to have effect with respect to such country, see section 107 of Pub. L. 109-53, set out as a note under section 4001 of this title.

SUBCHAPTER II—CUSTOMS PROVISIONS

§ 4031. Tariff modifications

(a) Tariff modifications provided for in the Agreement

(1) Proclamation authority

The President may proclaim—

(A) such modifications or continuation of any duty,

(B) such continuation of duty-free or ex-cise treatment, or

(C) such additional duties,

as the President determines to be necessary or appropriate to carry out or apply articles 3.3, 3.5, 3.6, 3.21, 3.26, 3.27, and 3.28, and Annexes 3.3, 3.27, and 3.28 of the Agreement.

(2) Effect on GSP status

Notwithstanding section 502(a)(1) of the Trade Act of 1974 (19 U.S.C. 2462(a)(1)), the President shall terminate the designation of each CAFTA-DR country as a beneficiary developing country for purposes of title V of the Trade Act of 1974 [19 U.S.C. 2461 et seq.] on the date the Agreement enters into force with respect to that country.

(3) Effect on CBERA status

(A) In general

Notwithstanding section 212(a) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702(a)), the President shall terminate the designation of each CAFTA-DR country as a beneficiary country for purposes of that Act [19 U.S.C. 2701 et seq.] on the date the Agreement enters into force with respect to that country.

(B) Exception

Notwithstanding subparagraph (A), each such country shall be considered a beneficiary country under section 212(a) of the Caribbean Basin Economic Recovery Act [19 U.S.C. 2702(a)], for purposes of—

(i) sections 1677(7)(G)(ii)(III) and 1677(7)(H) of this title;