

(b) Rules of procedure for extraordinary challenge committees

The administering authority shall prescribe rules, negotiated in accordance with paragraph 2 of Annex 10–B.3, governing the procedures for reviews by extraordinary challenge committees.

(c) Rules of procedure for safeguarding panel review system

The administering authority shall prescribe rules, negotiated in accordance with Annex 10–B.4, governing the procedures for special committees described in such Annex.

(d) Publication of rules

The rules prescribed under subsections (a), (b), and (c) shall be published in the Federal Register.

(e) Administering authority

As used in this section, the term “administering authority” has the meaning given such term in section 1677(1) of this title.

(Pub. L. 116–113, title IV, §415, formerly Pub. L. 103–182, title IV, §405, Dec. 8, 1993, 107 Stat. 2137; renumbered §415 of Pub. L. 116–113 and amended Pub. L. 116–113, title V, §504(f), Jan. 29, 2020, 134 Stat. 75.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3435 of this title prior to renumbering by Pub. L. 116–113.

AMENDMENTS

2020—Subsec. (a). Pub. L. 116–113, §504(f)(3)(A), substituted “article 10.12” for “article 1904” in introductory provisions.

Subsec. (b). Pub. L. 116–113, §504(f)(3)(B), substituted “Annex 10–B.3” for “Annex 1904.13”.

Subsec. (c). Pub. L. 116–113, §504(f)(3)(C), substituted “Annex 10–B.4” for “Annex 1905.6”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Transfer to and amendment of this section by Pub. L. 116–113 effective on the date on which the USMCA enters into force (July 1, 2020), but not applicable to certain determinations under section 1516a of this title or binational panel reviews under NAFTA, see section 504(k) of Pub. L. 116–113, set out as a note under section 4581 of this title.

§ 4586. Subsidy negotiations

In the case of any trade agreement which may be entered into by the President with a USMCA country, the negotiating objectives of the United States with respect to subsidies shall include—

(1) achievement of increased discipline on domestic subsidies provided by a foreign government, including—

(A) the provision of capital, loans, or loan guarantees on terms inconsistent with commercial considerations;

(B) the provision of goods or services at preferential rates;

(C) the granting of funds or forgiveness of debt to cover operating losses sustained by a specific industry; and

(D) the assumption of any costs or expenses of manufacture, production, or distribution;

(2) achievement of increased discipline on export subsidies provided by a foreign government, particularly with respect to agricultural products; and

(3) maintenance of effective remedies against subsidized imports, including, where appropriate, countervailing duties.

(Pub. L. 116–113, title IV, §416, formerly Pub. L. 103–182, title IV, §406, Dec. 8, 1993, 107 Stat. 2138; renumbered §416 of Pub. L. 116–113 and amended Pub. L. 116–113, title V, §504(g), Jan. 29, 2020, 134 Stat. 75.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 3436 of this title prior to renumbering by Pub. L. 116–113.

AMENDMENTS

2020—Pub. L. 116–113, §504(g)(3), substituted “USMCA country” for “NAFTA country” in introductory provisions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2020 AMENDMENT

Transfer to and amendment of this section by Pub. L. 116–113 effective on the date on which the USMCA enters into force (July 1, 2020), but not applicable to certain determinations under section 1516a of this title or binational panel reviews under NAFTA, see section 504(k) of Pub. L. 116–113, set out as a note under section 4581 of this title.

§ 4587. Identification of industries facing subsidized imports**(a) Petitions**

Any entity, including a trade association, firm, certified or recognized union, or group of workers, that is representative of a United States industry and has reason to believe—

(1) that—

(A) as a result of implementation of provisions of the USMCA, the industry is likely to face increased competition from subsidized imports, from a USMCA country, with which it directly competes; or

(B) the industry is likely to face increased competition from subsidized imports with which it directly competes from any other country designated by the President, following consultations with the Congress, as benefiting from a reduction of tariffs or other trade barriers under a trade agreement that enters into force with respect to the United States after January 1, 1994; and

(2) that the industry is likely to experience a deterioration of its competitive position before more effective rules and disciplines relating to the use of government subsidies have been developed with respect to the country concerned;

may file with the Trade Representative a petition that such industry be identified under this section.

(b) Identification of industry

Within 90 days after receipt of a petition under subsection (a), the Trade Representative, in consultation with the Secretary of Commerce, shall