

exercise the function assigned to the President under subsec. (a) of this section to consult with the appropriate congressional committees and stakeholders regarding joint reviews under article 34.7 of the USMCA.

#### PART B—TERMINATION OF USMCA

### § 4621. Termination of USMCA

#### (a) Termination of USMCA country status

During any period in which a country ceases to be a USMCA country, this Act (other than this subsection and title IX) and the amendments made by this Act shall cease to have effect with respect to that country.

#### (b) Termination of USMCA

On the date on which the USMCA ceases to be in force with respect to the United States, this Act and the amendments made by this Act (other than this subsection and title IX) shall cease to have effect.

(Pub. L. 116–113, title VI, § 621, Jan. 29, 2020, 134 Stat. 80.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 116–113, Jan. 29, 2020, 134 Stat. 11, known as the United States-Mexico-Canada Agreement Implementation Act. Title IX of the Act (134 Stat. 98) provides for USMCA supplemental appropriations and is not classified to the Code. For complete classification of this Act to the Code, see Short Title note set out under section 4501 of this title and Tables.

#### SUBCHAPTER VI—LABOR MONITORING AND ENFORCEMENT

### § 4631. Definitions

In this subchapter:

#### (1) Labor attaché

The term “labor attaché” means an individual hired under part B.

#### (2) Labor obligations

The term “labor obligations” means the obligations under chapter 23 of the USMCA (relating to labor).

#### (3) Mexico’s labor reform

The term “Mexico’s labor reform” means the legislation on labor reform enacted by Mexico on May 1, 2019.

(Pub. L. 116–113, title VII, § 701, Jan. 29, 2020, 134 Stat. 80.)

#### PART A—INTERAGENCY LABOR COMMITTEE FOR MONITORING AND ENFORCEMENT

### § 4641. Interagency Labor Committee for Monitoring and Enforcement

#### (a) Establishment

Not later than 90 days after January 29, 2020, the President shall establish an Interagency Labor Committee for Monitoring and Enforcement (in this subchapter referred to as the “Interagency Labor Committee”), to coordinate United States efforts with respect to each USMCA country—

(1) to monitor the implementation and maintenance of the labor obligations;

(2) to monitor the implementation and maintenance of Mexico’s labor reform; and

(3) to request enforcement actions with respect to a USMCA country that is not in compliance with such labor obligations.

#### (b) Membership

The Interagency Labor Committee shall—

(1) be co-chaired by the Trade Representative and the Secretary of Labor; and

(2) include representatives of such other Federal departments or agencies with relevant expertise as the President determines appropriate.

#### (c) Meetings

The Interagency Labor Committee shall meet at least once every 90 days during the 5-year period beginning on January 29, 2020, and at least once every 180 days thereafter for 5 years.

#### (d) Information sharing

Notwithstanding any other provision of law, the members of the Interagency Labor Committee may exchange information for purposes of carrying out this subchapter.

(Pub. L. 116–113, title VII, § 711, Jan. 29, 2020, 134 Stat. 81.)

#### Executive Documents

EX. ORD. NO. 13918. ESTABLISHMENT OF THE INTERAGENCY LABOR COMMITTEE FOR MONITORING AND ENFORCEMENT UNDER SECTION 711 OF THE UNITED STATES-MEXICO-CANADA AGREEMENT IMPLEMENTATION ACT

Ex. Ord. No. 13918, Apr. 28, 2020, 85 F.R. 26315, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, and section 711 of the United States-Mexico-Canada Agreement Implementation Act (Act) (Public Law 116–113) [19 U.S.C. 4641], it is hereby ordered as follows:

SECTION 1. *Establishment of the Interagency Labor Committee for Monitoring and Enforcement.* The Interagency Labor Committee for Monitoring and Enforcement (Committee) is hereby established to coordinate the efforts of the United States to monitor the implementation and maintenance of the labor obligations of Canada and Mexico, to monitor the implementation and maintenance of Mexico’s labor reform, and to recommend enforcement actions with respect to Canada or Mexico, as provided for in section 715 of the Act [19 U.S.C. 4645].

SEC. 2. *Membership.* The Committee shall be co-chaired by the United States Trade Representative and the Secretary of Labor, and shall include representatives of the Department of State, the Department of the Treasury, the Department of Agriculture, the Department of Commerce, the Department of Homeland Security, and the United States Agency for International Development. The Co-Chairs may invite representatives from other executive departments or agencies, as appropriate, to participate as members or observers. Each executive department, agency, and component represented on the Committee shall ensure that the necessary staff are available to assist their respective representatives in performing the responsibilities of the Committee. The Committee, by consensus, may designate members to assist it in carrying out the functions described in the Act.

SEC. 3. *Committee Decision-Making.* The Committee shall endeavor to make any decision on an action or determination under sections 712 through 719 of the Act [19 U.S.C. 4642 to 4649] by consensus, which shall be deemed to exist where no member objects to the proposed action or determination.

SEC. 4. *Funding.* Each executive department and agency participating in the Committee shall bear its own expenses incurred in connection with the Committee's functions described in sections 711 through 719 of the Act. The Department of Labor will provide funding for the hotline required under section 717 of the Act [19 U.S.C. 4647].

SEC. 5. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP.

#### § 4642. Duties

The duties of the Interagency Labor Committee shall include the following:

(1) Coordinating the activities of departments and agencies of the Committee in monitoring implementation of and compliance with labor obligations, including by—

(A) requesting and reviewing relevant information from the governments of USMCA countries and from the public;

(B) coordinating visits to Mexico as necessary to assess implementation of Mexico's labor reform and compliance with the labor obligations of Mexico;

(C) receiving and reviewing quarterly assessments from the labor attachés with respect to the implementation of and compliance with Mexico's labor reform; and

(D) coordinating with the Secretary of Treasury with respect to support relating to labor issues provided to Mexico by the Inter-American Development Bank.

(2) Establishing an ongoing dialogue with appropriate officials of the Government of Mexico regarding the implementation of Mexico's labor reform and compliance with its labor obligations.

(3) Coordinating with other institutions and governments with respect to support relating to labor issues, such as the International Labour Organization and the Government of Canada.

(4) Identifying priority issues for capacity-building activities in Mexico to be funded by the United States, drawing primarily on the expertise of the Department of Labor.

(5) Meeting, at least biannually during the 5-year period beginning on January 29, 2020, and at least annually for 5 years thereafter, with the Labor Advisory Committee for Trade Negotiations and Trade Policy established under section 2155(c)(1) of this title (or any successor advisory committee) to consult and provide opportunities for input with respect to—

(A) the implementation of Mexico's labor reform;

(B) labor capacity-building activities in Mexico funded by the United States;

(C) labor monitoring efforts;

(D) labor enforcement priorities; and

(E) other relevant issues.

(6) Based on the assessments required by section 4644 of this title, making recommendations relating to dispute settlement actions to the Trade Representative, in accordance with section 4645 of this title.

(7) Based on reports provided by the Forced Labor Enforcement Task Force under section 4683 of this title, developing recommendations for appropriate enforcement actions by the Trade Representative.

(8) Reviewing reports submitted by the labor experts appointed in accordance with Annex 31-A of the USMCA, with respect to the functioning of that Annex.

(9) Reviewing reports submitted by the Independent Mexico Labor Expert Board under section 4674 of this title.

(Pub. L. 116-113, title VII, § 712, Jan. 29, 2020, 134 Stat. 81.)

#### § 4643. Enforcement priorities

The Interagency Labor Committee shall—

(1) review the list of priority sectors under Annex 31-A of the USMCA and suggest to USTR additional sectors for review by the USMCA countries as appropriate;

(2) establish and annually update a list of priority subsectors within such priority sectors to be the focus of the enforcement efforts of the Committee, the first of which shall consist of—

(A) auto assembly;

(B) auto parts;

(C) aerospace;

(D) industrial bakeries;

(E) electronics;

(F) call centers;

(G) mining; and

(H) steel and aluminum; and

(3) review priority facilities within such priority subsectors for monitoring and enforcement.

(Pub. L. 116-113, title VII, § 713, Jan. 29, 2020, 134 Stat. 82.)

#### § 4644. Assessments

##### (a) Ongoing assessments

For the 10-year period beginning on January 29, 2020, except as provided in subsection (b), the Interagency Labor Committee shall assess on a biannual basis the extent to which Mexico is in compliance with its obligations under Annex 23-A of the USMCA.

##### (b) Consultation relating to annual assessment

On or after the date that is 5 years after January 29, 2020, the Interagency Labor Committee may consult with the appropriate congressional committees with respect to the frequency of the assessment required under subsection (a) and, with the approval of both such committees, may conduct such assessment on an annual basis for the following 5 years.

##### (c) Matters to be included

The assessment required under subsection (a) shall also include each of the following: