

Column A	Column B
Schedule XX subheading:	Rate of duty for column 2 of the HTS:
3403.11.20	0.4%
3403.19.10	0.4%
3506.10.10	30.4%
3603.00.30	8.3%
3603.00.90	0.3%
3604.10.00	12.5%
3606.90.30	56.7%
3706.10.30	7%
3807.00.00	0.2%
3823.90.33	26.3%
3904.61.00	34.1%
3916.90.10	40.6%
3920.51.50	48.2%
3920.59.80	51.7%
3926.90.65	8.4%
5201.00.18	36.9¢/kg
5201.00.28	36.9¢/kg
5201.00.38	36.9¢/kg
5201.00.80	36.9¢/kg
5202.99.30	9.2¢/kg
5203.00.30	36.9¢/kg

(e) Authority to consolidate subheadings and modify column 2 rates of duty for tariff simplification purposes

(1) In general

Whenever the HTS column 1 general rates of duty for 2 or more 8-digit subheadings are at the same level and such subheadings are subordinate to a provision required by the International Convention on the Harmonized Commodity Description and Coding System, the President may proclaim, subject to the consultation and layover requirements of section 3524 of this title, that the goods described in such subheadings be provided for in a single 8-digit subheading of the HTS, and that—

(A) the HTS column 1 general rate of duty for such single subheading be the column 1 general rate of duty common to all such subheadings, and

(B) the HTS column 2 rate of duty for such single subheading be the highest column 2 rate of duty for such subheadings that is in effect on the day before the effective date of such proclamation.

(2) Same level of duty

The provisions of this subsection apply to subheadings described in paragraph (1) that have the same column 1 general rate of duty—

(A) on December 8, 1994, or

(B) after December 8, 1994, as a result of a staged reduction in such column 1 rates of duty.

(Pub. L. 103-465, title I, §111, Dec. 8, 1994, 108 Stat. 4819.)

EFFECTIVE DATE

Pub. L. 103-465, title I, §116, Dec. 8, 1994, 108 Stat. 4828, provided that:

“(a) IN GENERAL.—Except as provided in section 114(a) [108 Stat. 4827] and subsection (b) of this section, this subtitle [subtitle B (§§111-116) of title I of Pub. L. 103-465, enacting this part and amending section 1466 of this title and provisions set out as a note under section 1466 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].

“(b) SECTION 115.—Section 115 [enacting section 3524 of this title] takes effect on the date of the enactment of this Act [Dec. 8, 1994].”

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.

§ 3522. Liquidation or reliquidation and refund of duty paid on certain entries

(a) Liquidation or reliquidation

Notwithstanding section 1514 of this title or any other provision of law, and subject to subsection (b) of this section, the Secretary of the Treasury shall liquidate or reliquidate the entries listed or otherwise described in subsection (c) of this section and refund any duty or excess duty that was paid, as provided in subsection (c) of this section.

(b) Requests

Liquidation or reliquidation may be made under subsection (a) of this section with respect to an entry only if a request therefor is filed with the Customs Service, within 180 days after the date on which the WTO Agreement enters into force with respect to the United States, that contains sufficient information to enable the Customs Service—

(1) to locate the entry; or

(2) to reconstruct the entry if it cannot be located.

(c) Entries

The entries referred to in subsection (a) of this section are as follows:

(1) Agglomerated stone tiles

Any goods—

(A) for which the importer claimed or would have claimed entry under subheading 6810.19.12 of the HTS on or after October 1, 1990, and before the effective date of a proclamation issued by the President under section 3513(a) of this title with respect to items under such subheading in order to carry out Schedule XX, or

(B) entered on or after January 1, 1989, and before October 1, 1990, for which entry would have been claimed under subheading 6810.19.12 of the HTS on or after October 1, 1990,

shall be liquidated or reliquidated as if the wording of that subheading were “Of stone agglomerated with binders other than cement”, and the Secretary of the Treasury shall refund any excess duties paid with respect to such entries.

(2) Clomiphene citrate

(A) Any entry, or withdrawal from warehouse for consumption, of goods described in heading 9902.29.95 of the HTS (relating to clomiphene citrate) which was made after December 31, 1988, and before January 1, 1993, and with respect to which there would have been no duty if the reference to subheading “2922.19.15” in such heading were a reference to subheading “2922.19.15 or any subheading of chapter 30” at the time of such entry or withdrawal, shall be liquidated or reliquidated as free of duty.

(B) The Secretary of the Treasury shall refund any duties paid with respect to entries described in subparagraph (A).

(Pub. L. 103-465, title I, §113, Dec. 8, 1994, 108 Stat. 4826.)

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

URUGUAY ROUND AGREEMENTS: ENTRY INTO FORCE

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§ 3523. Duty free treatment for octadecyl isocyanate and 5-Chloro-2-(2,4-dichlorophenoxy)phenol

The President—

(1) shall proclaim duty-free entry for octadecyl isocyanate and 5-Chloro-2-(2,4-dichlorophenoxy)phenol, to be effective on the effective date of the proclamation issued by the President under section 3513(a) of this title to carry out Schedule XX, and

(2) shall take such actions as are necessary to reflect such tariff treatment in Schedule XX.

(Pub. L. 103-465, title I, §114(b), Dec. 8, 1994, 108 Stat. 4827.)

§ 3524. Consultation and layover requirements for, and effective date of, proclaimed actions

If a provision of this Act provides that the implementation of an action by the President by proclamation is subject to the consultation and layover requirements of this section, such action may be proclaimed only if—

(1) the President has obtained advice regarding the proposed action from—

(A) the appropriate advisory committees established under section 2155 of this title, and

(B) the International Trade Commission;

(2) the President has submitted a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that sets forth—

(A) the action proposed to be proclaimed and the reasons for such actions, and

(B) the advice obtained under paragraph (1);

(3) a period of 60 calendar days, beginning with the first day on which the President has met the requirements of paragraphs (1) and (2) with respect to such action, has expired; and

(4) the President has consulted with such committees regarding the proposed action during the period referred to in paragraph (3).

(Pub. L. 103-465, title I, §115, Dec. 8, 1994, 108 Stat. 4828.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 103-465, Dec. 8, 1994, 108 Stat. 4809, known as the Uruguay Round Agreements Act. For complete classification of this Act to the Code, see Short Title note set out under section 3501 of this title and Tables.

DELEGATION OF AUTHORITY

Functions of President under this section delegated to the United States Trade Representative by par. (4) of Proc. No. 6969, Jan. 27, 1997, 62 F.R. 4417.

Authority of President to perform certain functions in order to fulfill consultation and layover requirements set forth in this section delegated to United States Trade Representative by Memorandum of President of the United States, Sept. 29, 1995, 60 F.R. 52061, set out as a note under section 3313 of this title.

PART C—URUGUAY ROUND IMPLEMENTATION AND DISPUTE SETTLEMENT

§ 3531. Definitions

For purposes of this part:

(1) Administering authority

The term “administering authority” has the meaning given that term in section 1677(1) of this title.

(2) Appellate Body

The term “Appellate Body” means the Appellate Body established under Article 17.1 of the Dispute Settlement Understanding.

(3) Appropriate congressional committees; congressional committees

(A) Appropriate congressional committees

The term “appropriate congressional committees” means the committees referred to in subparagraph (B) and any other committees of the Congress that have jurisdiction involving the matter with respect to which consultations are to be held.

(B) Congressional committees

The term “congressional committees” means the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(4) Dispute settlement panel; panel

The terms “dispute settlement panel” and “panel” mean a panel established pursuant to Article 6 of the Dispute Settlement Understanding.

(5) Dispute Settlement Body

The term “Dispute Settlement Body” means the Dispute Settlement Body administering the rules and procedures set forth in the Dispute Settlement Understanding.

(6) Dispute Settlement Understanding

The term “Dispute Settlement Understanding” means the Understanding on Rules and Procedures Governing the Settlement of Disputes referred to in section 3511(d)(16) of this title.

(7) General Council

The term “General Council” means the General Council established under paragraph 2 of Article IV of the WTO Agreement.