

- Sec.  
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§ 3501. Definitions

For purposes of this Act:

(1) GATT 1947; GATT 1994

(A) GATT 1947

The term “GATT 1947” means the General Agreement on Tariffs and Trade, dated October 30, 1947, annexed to the Final Act Adopted at the Conclusion of the Second Session of the Preparatory Committee of the United Nations Conference on Trade and Employment, as subsequently rectified, amended, or

modified by the terms of legal instruments which have entered into force before the date of entry into force of the WTO Agreement.

(B) GATT 1994

The term “GATT 1994” means the General Agreement on Tariffs and Trade annexed to the WTO Agreement.

(2) HTS

The term “HTS” means the Harmonized Tariff Schedule of the United States.

(3) International Trade Commission

The term “International Trade Commission” means the United States International Trade Commission.

(4) Multilateral trade agreement

The term “multilateral trade agreement” means an agreement described in section 3511(d) of this title (other than an agreement described in paragraph (17) or (18) of such section).

(5) Schedule XX

The term “Schedule XX” means Schedule XX—United States of America annexed to the Marrakesh Protocol to the GATT 1994.

(6) Trade Representative

The term “Trade Representative” means the United States Trade Representative.

(7) Uruguay Round Agreements

The term “Uruguay Round Agreements” means the agreements approved by the Congress under section 3511(a)(1) of this title.

(8) World Trade Organization and WTO

The terms “World Trade Organization” and “WTO” mean the organization established pursuant to the WTO Agreement.

(9) WTO Agreement

The term “WTO Agreement” means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.

(10) WTO member and WTO member country

The terms “WTO member” and “WTO member country” mean a state, or separate customs territory (within the meaning of Article XII of the WTO Agreement), with respect to which the United States applies the WTO Agreement.

(Pub. L. 103-465, §2, Dec. 8, 1994, 108 Stat. 4813.)

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 below and Tables.

The Harmonized Tariff Schedule of the United States, referred to in par. (2), is not set out in the Code. See Publication of Harmonized Tariff Schedule note set out under section 1202 of this title.

SHORT TITLE

Pub. L. 103-465, §1(a), Dec. 8, 1994, 108 Stat. 4809, provided that: “This Act [see Tables for classification] may be cited as the ‘Uruguay Round Agreements Act.’”

URUGUAY ROUND AGREEMENTS: ENTRY INTO FORCE

The Uruguay Round Agreements, including the World Trade Organization Agreement and agreements an-

nexed 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.

SUBCHAPTER I—APPROVAL OF, AND GENERAL PROVISIONS RELATING TO, URUGUAY ROUND AGREEMENTS

PART A—APPROVAL OF AGREEMENTS AND RELATED PROVISIONS

§ 3511. Approval and entry into force of Uruguay Round Agreements

(a) Approval of agreements and statement of administrative action

Pursuant to section 2903 of this title and section 2191 of this title, the Congress approves—

(1) the trade agreements described in subsection (d) resulting from the Uruguay Round of multilateral trade negotiations under the auspices of the General Agreement on Tariffs and Trade, entered into on April 15, 1994, and submitted to the Congress on September 27, 1994; and

(2) the statement of administrative action proposed to implement the agreements that was submitted to the Congress on September 27, 1994.

(b) Entry into force

At such time as the President determines that a sufficient number of foreign countries are accepting the obligations of the Uruguay Round Agreements, in accordance with article XIV of the WTO Agreement, to ensure the effective operation of, and adequate benefits for the United States under, those Agreements, the President may accept the Uruguay Round Agreements and implement article VIII of the WTO Agreement.

(c) Authorization of appropriations

There are authorized to be appropriated annually such sums as may be necessary for the payment by the United States of its share of the expenses of the WTO.

(d) Trade agreements to which this Act applies

Subsection (a) applies to the WTO Agreement and to the following agreements annexed to that Agreement:

(1) The General Agreement on Tariffs and Trade 1994.

(2) The Agreement on Agriculture.

(3) The Agreement on the Application of Sanitary and Phytosanitary Measures.

(4) The Agreement on Textiles and Clothing.

(5) The Agreement on Technical Barriers to Trade.

(6) The Agreement on Trade-Related Investment Measures.

(7) The Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.

(8) The Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade 1994.

(9) The Agreement on Preshipment Inspection.

(10) The Agreement on Rules of Origin.

(11) The Agreement on Import Licensing Procedures.

(12) The Agreement on Subsidies and Countervailing Measures.

(13) The Agreement on Safeguards.

(14) The General Agreement on Trade in Services.

(15) The Agreement on Trade-Related Aspects of Intellectual Property Rights.

(16) The Understanding on Rules and Procedures Governing the Settlement of Disputes.

(17) The Agreement on Government Procurement.

(18) The International Bovine Meat Agreement.

(Pub. L. 103-465, title I, §101, Dec. 8, 1994, 108 Stat. 4814.)

REFERENCES IN TEXT

This Act, referred to in subsec. (d), 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.

URUGUAY ROUND AGREEMENTS: ENTRY INTO FORCE

Executive Documents set out below, provide generally for the implementation of the trade agreements resulting from the Uruguay Round of multilateral trade negotiations, effective Jan. 1, 1995.

PROC. NO. 6763. TO IMPLEMENT TRADE AGREEMENTS RESULTING FROM URUGUAY ROUND OF MULTILATERAL TRADE NEGOTIATIONS, AND FOR OTHER PURPOSES

Proc. No. 6763, Dec. 23, 1994, 60 F.R. 1007, as amended by Proc. No. 6780, Mar. 23, 1995, 60 F.R. 15849; Proc. No. 6857, Dec. 11, 1995, 60 F.R. 64817; Proc. No. 6948, Oct. 29, 1996, 61 F.R. 56387, provided:

1. On April 15, 1994, the President entered into trade agreements resulting from the Uruguay Round of multilateral trade negotiations (“the Uruguay Round Agreements”). In section 101(a) of the Uruguay Round Agreements Act (“the URAA”) (Public Law 103-465; 108 Stat. 4809) [19 U.S.C. 3511(a)], the Congress approved the Uruguay Round Agreements listed in section 101(d) of that Act.

2. (a) Sections 1102(a) and (e) of the Omnibus Trade and Competitiveness Act of 1988, as amended (“the 1988 Act”) (19 U.S.C. 2902(a) and (e)), authorize the President to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate to carry out any trade agreements entered into under those sections.

(b) Accordingly, I have determined that it is required or appropriate in order to carry out the Uruguay Round Agreements, which were entered into under sections 1102(a) and (e) of the 1988 Act (19 U.S.C. 2902(a) and (e)), that I proclaim the modifications and continuances of existing duties, duty-free treatments, excise treatments, and additional duties set forth in the Annex to this proclamation.

3. (a) Section 111(a) of the URAA [19 U.S.C. 3521(a)] authorizes the President to proclaim such other modification of any duty, such other staged rate reduction, or such other additional duties beyond those authorized by section 1102 of the 1988 Act (19 U.S.C. 2902) as the President determines to be necessary or appropriate to carry out Schedule XX—United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 (“Schedule XX”).

(b) Accordingly, I have determined that it is necessary or appropriate to carry out Schedule XX to proclaim such other modifications of duties, such other staged rate reductions, and such other additional duties, beyond those authorized by section 1102 of the 1988 Act (19 U.S.C. 2902), as are set forth in the Annex to this proclamation.

4. Section 111(d) of the URAA [19 U.S.C. 3521(d)] requires the President to proclaim the rate of duty set